



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 5th St, Bismarck

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January 3, 2024

5:00 PM

COUNTY COMMISSION

1. Meeting called to order, board reorganization (election of chair & vice-chair) and assignment of portfolios.
2. Roll call of members.
3. Invocation and Pledge of Allegiance presented by Chaplain.
4. Approval of Agenda.
5. Public comment (excluding public hearing items.)
6. Consideration and approval of the December 18th, 2023, meeting minutes and bills.
7. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
8. County planner Flanagan:
 - a. Braunagel Subdivision.
 - b. Apple Creek Township Joint Powers Agreement.
9. County Engineer Hall:
 - a. Petition to vacate section line.
 - b. Authorization to advertise for bids.
 - c. Authorization to advertise for bids, Highway 10 project.
 - d. Engineering services for the Hwy 10 project.
 - e. 2024 Project Priority list.
 - f. Developer Waiver Request.
10. Commissioner Munson:

a. Equine and Ag Center discussion.

11. Elections Coordinator Hart:

a. Precinct split update.

12. Auditor/Treasurer Splonskowski:

a. Update on interest earnings and department unused funds.

b. Consideration of Auxiliary board applications.

c. Rod Backman Weed bill.

13. Other Business

14. Adjourn.

The next regularly scheduled Commission meeting will be on January 17th, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING
DECEMBER 18TH, 2023**

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

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

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

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried.

Chairman Bakken opened the meeting for public comment and there was none.

Motion by Comm. Schwab, 2nd by Comm. Bitner to approve the December 4th, 2023 meeting minutes and 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:

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Lyle W & Doris M Anderson	2023	West 70' of Lots 1-2, Block 92, McKenzie & Coffin's	100% Homestead Credit	\$138,400	\$0
Melinda Pudwill	2023	Lots 1-3 and Lots 4-6 less West 75' Inver-Wood Townhomes Unit 10, Block 114, Original Plat	100% Homestead Credit	\$164,100	\$0
Carla Albrecht	2023	Lot 5, Block 2, Replat of North Hills 12th	50% Homestead Credit	\$321,600	\$221,600
Larry & Janice Strand	2023	Lot 3, Block 1, Circle K Estates	50% Homestead Credit	\$307,300	\$207,300
Mike & Lianne Weninger	2023	Lot 29, Block 2, Wachter's 5th	100% Homestead Credit	\$305,100	\$105,100
Bernadette Heidrich	2023	Block 13, Replat Homan Acres, Lot H of Lot 1 Washington Court Condominiums Building 215 Unit 5 & Garage 8	50% Homestead Credit	\$112,700	\$56,350

Marva Finck	2023	Lot 20, Block 14, Register's 2nd	100% Homestead Credit	\$195,600	\$0
Valentine & Genevieve F Gross	2023	Lot 1, Block 2, Indian Hills	100% Homestead Credit	\$244,800	\$44,800
Marvin & Doris Usselmann	2023	Lot C, Block 13, Washington Court	100% Homestead Credit	\$110,100	\$0
Gary Grensteiner	2022	1984 Blair House 76 x 18	100% Homestead Credit	\$25,246	\$0
Gary Grensteiner	2023	1985 Blair House 76 x 18	100% Homestead Credit	\$26,258	\$0
Paulette Renhowe	2023	Lot 5, Block 3, Country West II	50% Homestead Credit	\$300,000	\$200,000
Elizabeth A Lucas	2023	Lot 17, Block 5, Replat Highland Acres 3rd	50% Homestead Credit	\$343,100	\$243,100
Debbie J Eisenhauer	2023	Lot 11, Block 1, Homan Acres 1st	100% Homestead Credit	\$278,800	\$78,800
Rita Hunting	2023	Lot 6, Block 1, Calgary Court Addition	100% Homestead Credit	\$310,600	\$110,600
Leanne J Ehli-Lotridge	2023	Block 2, Weston Village 1st, Lot 2 & the South 2' of Lot 3 & undivided int in Common Area	50% Homestead Credit	\$256,400	\$156,400
Nicholas D & Mary J Choukalos	2023	Lots 6-8, Block 87, McKenzie & Coffin's	100% Homestead Credit	\$225,500	\$25,500
Robert & Judith Railsback	2022	Lot 5, Shamrock Acres	40% Homestead Credit	\$288,700	\$238,700
Robert & Judith Railsback	2023	Lot 5, Shamrock Acres	100% Homestead Credit	\$337,900	\$137,900
Deland & Charlotte Galster	2023	Block 62, McKenzie & Coffin's, E 60' of Lots 30-32	100% Homestead Credit	\$174,400	\$0
Delores F Amundson	2023	Lot 3, Block 2, Kilber North Addition	50% Homestead Credit	\$344,500	\$244,500

Larry Parkos	2023	Section 6, Boyd Township, Pt of NW1/4 North + West of HWY R/W 459267	50% Homestead Credit	\$358,500	\$258,500
Jack T & Dalene M Langan	2023	Block 47, Governor Pierce, East 70' of west 110' of Lots 1-6	50% Homestead Credit	\$215,300	\$115,300
Marvin & Betty Dacar	2023	Lot 15, Block 21, Wachter's 3rd	50% Homestead Credit	\$257,100	\$157,100
Gayle D Moyle	2023	Block 4, McKenzie's, S 80' of Lots 15-18	50% Homestead Credit	\$296,200	\$196,200
Carla J Oster	2023	Lot 36, Block 20, Homan Acres 6th	100% Homestead Credit	\$275,100	\$75,100
Brenda E Broderick	2023	Block 3, RPT PT B3 Sleepy Hollow Ht, Condominium Association Unit C	100% Homestead Credit	\$255,100	\$55,100
Thomas & Karen Weigel	2023	Block 2, North Hills 11th Addition, Lot 1 North Star Condominiums Unit 3350	50% Homestead Credit	\$362,400	\$262,400
Christine Lovejoy	2022	1970 Magnolia 52' x 17'	Demolished	\$7,656	\$0
Christine Lovejoy	2023	1970 Magnolia 52' x 17'	Demolished	\$8,080	\$0
Jerome Morsette	2023	1974 Buddy 14' x 64'	Demolished	\$7,111	\$0
Kelly & Dee Bertsch	2023	Lot 5, Block 1, Crested Butte Amended	50% Homestead Credit	\$265,600	\$165,600
Alvin & Teresa Fliginger	2023	Lot 2, Otto's Acres	50% Homestead Credit	\$238,100	\$138,100
Veronica M Schneider	2023	Block 1, Replat of Calkins, Lots 3-6 Capitol View Estates unit 17 & parking space 8 & storage area 14 & undivided interest in common area	100% Homestead Credit	\$84,100	\$60,100

Sharon Schenfisch	2023	Block 2, Pebble Creek 8th, Lots 4,6,8,10, Block 1 Pebble Creek 8th RPT & Lot 15 less WLY 148' of SLY 180', Block 2, Pebble Creek 8th Arrow Head Ranch unit 4 Bldg 3118	100% Homestead Credit	\$300,900	\$100,900
Michael L Patch	2023	Lot 12, Block 4, Circle K Estates 2nd	50% Homestead Credit	\$378,900	\$278,900
Nancy A Boldt	2023	Block 2, Cottonwood Lake 5th, W10' of L7 all L8-9 & E10' of Lot 10 824 Bridgeport Drive Condo Assoc Unit 3	50% Homestead Credit	\$177,400	\$88,700
Dennis J Scherr	2023	Lot 13, Block 2, Sleepy Hollow Heights 2nd	50% Homestead Credit	\$408,800	\$308,800
Wayne & Candace Richter	2023	Block 4, North Hills 1st, Lot 5 less north 1' & north 2' of Lot 4	100% Homestead Credit	\$196,300	\$0
James & Nancy Skaret	2023	Block 5, Edgewood Village 2nd Addition, Lot 1A of Lot 1 Star Condos Unit 3403 Building 1	100% Homestead Credit	\$351,700	\$151,700
Roland Sr & Elaine Siirtola	2023	Lot 7, Block 1, Wachter's 5th	50% Homestead Credit	\$245,400	\$145,400

Motion by Comm. Munson, 2nd by Comm. Bitner to approve the Lyle W. & Doris M. Anderson, Melinda Pudwill, Carla Albrecht, Larry & Janice Strand, Mike & Lianne Weninger, Bernadette Heidrich, Marva Finck, Valentine & Genevieve F. Gross, Marvin & Doris Usselman, Gary Grensteiner (2), Paulette Renhowe, Elizabeth A. Lucas, Debbie J. Eisenhauer, Rita Hunting, Leanne J. Ehli-Lotridge, Nicholas D. & Mary J. Choukalos, Robert & Judith Railsback (2), Deland & Charlotte Galster, Delores F. Amundson, Larry Parkos, Jack T. & Dalene M. Langan, Marvin & Betty Dacar, Gayle D. Moyle, Carla J. Oster, Brenda E. Broderick, Thomas & Karen Weigel, Christine Lovejoy (2), Jerome Morsette, Kelly & Dee Bertsch, Alvin & Teresa Fliginger, Veronica M. Schneider, Sharon Schenfisch, Michael L. Patch, Nancy A. Boldt, Dennis J. Scherr, Wayne & Candace Richter, James & Nancy Skaret, Roland Sr. & Elaine Siirtola abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Burleigh County Planning Director Mitch Flanagan brought a request to waive a permit fee of \$60 for the replacement of a furnace that Advanced Mechanical is donating for a family in the City of Lincoln whose son is battling cancer and they had exhausted their savings for his treatment. Motion by Comm. Bitner, 2nd by

Comm. Munson to reject that request since Comm. Bitner stated he would take care of paying that fee himself as he didn't want the commission to set a precedent of waiving permit fees based on hardship. All members present voted "AYE". Motion carried. Mr. Flanagan then presented the second Public Hearing regarding the OHV Ordinance. Ken Preskey appeared expressing his support of the ordinance and that everyone is needed to work together on this issue. The Public Hearing was then closed. Mr. Flanagan stated that in a meeting with county staff to review the suggested solutions after the first Public Hearing, it was determined that the changes such as getting signs for the entire county and providing legal counsel for minors with traffic offenses would be costly. It would also be hard to enforce. So as not to supersede Century Code it was decided to focus on section 3 for exhibition driving since that was where most of the damage was done and on giving a definition of exhibition driving and jumping in ditches. He added that there will be a fine of \$50 for anyone who violates this ordinance. Comm. Bitner didn't think \$50 was enough but State's Attorney Julie Lawyer stated that in Century Code the fine is \$50 for reckless driving so that was how that amount was chosen. He also asked about licensing for OHV's and Mr. Flanagan stated that in Century Code it says that OHV's must be licensed. Comm. Bitner also expressed concern over making sure that it's stated that those doing Ag business are allowed to in the ordinance. Comm. Munson stated that if the definition says "disturbing the peace" it is understood that people riding in ditches to do their job do not fall under that category of "disturbing the peace". Comm. Schwab was concerned about the language of government employees in section 4. Sheriff Leben stated that law enforcement would be exempt as they are performing the enforcement of any part of the ordinance and verified that there is latitude for extraneous circumstances as well. Motion by Comm. Munson, 2nd by Comm. Bitner to approve the ordinance as presented. All members present voted "AYE". Motion carried.

State's Attorney Julie Lawyer spoke on recruitment and retention for her office. She stated the office has been dealing with retaining attorneys since 2019 and currently 12 attorneys are doing the work of 17 full time attorneys and it is taking a toll on them and on her. There are significant overtime hours being put in by all of them to keep up with the workload and very little time off, yet the cases and trials increase. Her proposal was for the Commission to pay attorneys a retention bonus based on years of service and work they have done during those years. She also proposed a request to work with Human Resources to put together a policy with the commission's approval to provide possibly 100% tuition reimbursement for a law student who would then work for Burleigh County provided they pass the bar. She also requested being compensated for overtime. She stated there is over \$2 million in unpaid salaries and benefits in the general fund. She did not want a decision at the meeting but wanted the commissioners to think her proposals over. Comm. Bitner stated the County should assist with tuition reimbursement. Chair Bakken agreed. There was enough in the general fund with the amount returned. Comm. Woodcox was in favor of a bonus yet for 2023. Comm. Bitner stated having retention bonuses caused morale problems with staff in other departments in the past. Ms. Lawyer said this only applies to attorneys who aren't paid an hourly salary. HR Director Pam Binder stated that the county usually gave a stipend for exempt employees that go over and above their job and the attorneys somehow got missed so what was lacking was a back pay stipend and not a bonus. There was consensus on the commission to give Ms. Lawyer and Pam Binder permission to work on getting the attorneys the proper stipend and to also work on a tuition reimbursement policy. State's Attorney Lawyer added that their office was now turning away cases due to lack of staffing.

County Engineer Marcus Hall proposed a resolution to accept the petition to vacate said section line as part of the Baker Subdivision and set January 17th, 2024 at 5pm as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve this request. All members present voted "AYE". Motion carried. Mr. Hall also presented a request to transfer \$347,382 from the General Fund to the Road and

Bridge Fund to cover costs associated with the fall graveling operation. He stated that upon reaching out to the DOT there was no funding available to cover these costs, but the DOT will be meeting to rework the spec as they have gotten a lot of complaints. At the request of Comm. Bitner, Mr. Hall will be listing the locations where this work was done on the county website and on social media. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve this request out of the General Fund. Commissioners Munson and Woodcox voted "AYE". Commissioners Schwab, Bitner, and Chair Bakken voted "NAY". Motion failed. Motion by Comm. Woodcox to approve the use of the 2023 interest proceeds from the Missouri Valley Complex Fund to pay for it with the remaining balance from the General Fund. There was no 2nd. Motion failed. Motion by Comm. Schwab, 2nd by Comm. Woodcox to use the 2023 interest accumulated from the Missouri Valley Fairgrounds budget with the balance coming out of the General Fund to pay for this request. Motion by Comm. Munson, 2nd by Commissioners Woodcox and Schwab to table this decision until the Auditor can provide actual numbers from the budget. All members present voted AYE. Motion carried.

HR Director Pam Binder requested approval of the Holiday Policy for 2024. The state and the county did not pay for Juneteenth even though it's a federal holiday. The request was to approve the holidays as presented without Juneteenth. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the request. All members present voted "AYE". Motion carried. Ms. Binder then presented an update on the Weed Control Officer. There was one qualified applicant, and an offer was made and accepted. Ms. Binder requested that the updated Grade 6 job description be approved. Motion by Comm. Bitner, 2nd by Comm. Munson to approve this request. All members present voted "AYE". Motion carried. She then requested that the Burleigh County Commission acting as the Weed Board approve the hiring of this Weed Board Officer. Motion by Comm. Schwab, 2nd by Comm. Bitner to approve. All members present voted "AYE". Motion carried. The commission then reconvened as the Burleigh County Commission. Ms. Binder presented an update on the finance positions for the Auditor/Treasurer's Office and then turned it over to Comm. Bitner. Comm. Bitner stated we got an applicant with a CPA and that the commission needed to make a budget amendment however given that the positions had been open for so long, there is adequate funds available for these two people. Motion by Comm. Bitner, 2nd by Comm. Woodcox to approve the hiring of the Finance Director and Deputy Finance Director positions. All members present voted "AYE". Motion carried. The commission then gave Ms. Binder permission to make offers to these two individuals.

Comm. Munson presented an update on the Missouri Valley Complex/Equestrian Center. They did not get their grant that they applied for with the state however they were still moving forward were are very close to raising the funds that they need. They want a new sewer line easement going through the north of the racetrack instead of the south side of the road that runs east and west and will be presenting that request at a future commission meeting. Comm. Munson recommended convening a Fair Board to help with planning and scheduling events out there. Chair Bakken then invited Julie Kuennen, Chair of the Burleigh County Equestrian and Ag Center to come forward and share. She stated that they were in support of a Fair Board being created and were currently sending letters of support and memorandums of understanding to a variety of entities and stakeholders and it's been positively received with everyone ready to work together. Following this update, Comm. Bitner stated that the description Comm. Munson had in the agenda packet before them where it said "was to allow the development of the Equestrian and Ag Center whether the grant was received or not" did not match the motion he made in the meeting minutes from a few months ago. Comm. Munson suggested watching the video again as it was clear. Auditor Splonskowski reviewed the video and the minutes and thought they were good, and Julie Kuennen stated that the motion was stated in the memorandum they had presented to the commission that it was not dependent on the grant. Despite all that Comm. Munson agreed that we do want the minutes to match and will review everything to see if the minutes need to be amended in which the findings will be presented at the next meeting.

Auditor Splonskowski presented a list of terms that will be expiring at the end of December on the County's Auxiliary Boards. The openings have been posted and applications were accepted that were included in the agenda packet. Two applications were received for the Burleigh County Planning and Zoning Board, two for the Bismarck Planning and Zoning Board, and two applicants for the Burleigh County Housing Authority. One of the applicants for the Housing Authority has served since 2003 and there was provision for that if there were no other applicants however in this case there was. Motion by Comm. Bitner, 2nd by Commissioners Schwab and Munson to appoint Chelsea Flory to Burleigh County Housing Authority Board because of the work she does with the Human Services Zone Board and the people needing those services. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the two applicants for Burleigh County Planning and Zoning. All members voted "AYE". Motion carried. Comm. Bitner stated that he wanted to table the rest of the applicants for the City Planning and Zoning Board until the next meeting to have a discussion with them. Auditor Splonskowski will give Comm. Bitner the phone numbers for these individuals. Auditor Splonskowski stated that one application was received for the Burleigh County Water Resource District and there was only one opening. Kathleen Jones was the only one who applied. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve her application. Commissioners Woodcox, Munson and Chair Bakken voted "AYE". Commissioners Bitner and Schwab voted "NAY". Motion carried. Mr. Splonskowski added that there was one application for the Weed Board however Comm. Schwab requested that it be delayed. He would like the board to be made up of the Weed Control Officer, the portfolio holder, and a citizen. He also had a copy of the duties and responsibilities of the Weed Board from the Department of Agriculture and would like copies made. HR Director Pam Binder stated that is actually the Century Code for Noxious Weeds and it is posted on the Weed Board page of our website. Comm. Schwab would like to see the Weed Board Officer under the Highway Department. Comm. Woodcox doesn't think the Weed Board Officer should be on the Weed Board and thinks it should be the portfolio holder and two at large citizens who preferably live out in the county. Pam Binder stated that the Weed Board is a stipend position. She stated that in Century Code the Weed Board Officer must report to the Weed Board and can't be under the Highway Department however the Highway Department could do some day-to-day supervision if that was needed. Motion by Comm. Munson, 2nd by Comm. Schwab to create a three member board with the portfolio holder being one of those voting members. Comm. Woodcox was concerned about having a commissioner on the Weed Board as he will be controlling the whole thing. It was discussed that if that ended up being a problem the commission could make changes. Commissioners Munson, Bitner, Schwab and Chair Bakken voted "AYE". Comm. Woodcox voted "NAY". Motion carried.

Comm. Woodcox wanted to see a report from the Auditor of all the budgets and the money that was returned at the end of the year by Feb. 1st. Ken Preskey came forward again to state that we must fix the State Attorney's office issue and overtime. Comm. Bitner brought up some errors on the valuation of two lots he owns and asked why his lots were more expensive than others. He also wanted to discuss the many errors in the consent agenda at nearly every meeting and will be talking to the Tax Director about this.

Chair Bakken presented Comm. Bitner a Certificate of Appreciation for 15 years of service on the commission.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Steve Bakken, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
23-217	Larry & Kathlyn Wall	2021	N1/2 SW1/4 + SW1/4 SW1/4 6-144-78	91 acres of water	\$44,000	\$10,200
23-218	Larry & Kathlyn Wall	2022	N1/2 SW1/4 + SW1/4 SW1/4 6-144-78	91 acres of water	\$44,000	\$10,200
23-219	Larry & Kathlyn Wall	2023	N1/2 SW1/4 + SW1/4 SW1/4 6-144-78	Inundated acres	\$46,500	\$1,300
23-321	Jason & Danielle Levey	2023	Block 23, Sturgis, West 62 FT of Lots 13-16	Error in property description	\$265,500	\$215,400
23-322	Jason & Danielle Levey	2023	Lots 9-10, Block 11, Haight & Little's	Error in property description	\$268,500	\$224,500
23-328	Zachariah D & Ashley M Hay	2023	Lot 5, Block 5, Horizon Heights 2nd	Error in property description	\$392,200	\$334,000
23-329	Justin Paul Williams	2023	Lot 7, Block 1, High Meadows 11th Replat	Error in property description	\$398,500	\$298,900
23-332	Ryan Hoerner	2023	Lots 20-22 less South 1' of Lot 20, Block 81, William's Survey	Error in property description	\$145,000	\$116,000
23-334	Kohl's Illinois, Inc.	2023	Lot 6, Block 1, Pinehurst Square Addition	Error in property description	\$9,299,200	\$8,865,500
23-335	Rainmaker Properties LLC	2023	Lots 9-10, Block 6, Morningside Heights Rep B6	Error in property description	\$1,117,100	\$1,031,400
23-336	Ralph Messer	2022	Lot 9, Block 56, Northern Pacific 2nd	Exempt from taxation	\$257,200	\$0

23-337	Ralph Messer	2023	Lot 9, Block 56, Northern Pacific 2nd	Exempt from taxation	\$261,300	\$0
23-338	Ralph Messer	2022	Lot 10, Block 56, Northern Pacific 2nd	Exempt from taxation	\$229,200	\$0
23-339	Ralph Messer	2023	Lot 10, Block 56, Northern Pacific 2nd	Exempt from taxation	\$257,500	\$0
23-343	Ryan Sabin	2022	100% Disabled Veteran	Block 18, Southwood Terrance 2nd Replat, North 261.47' of East 257.98' of Lot 8 East Riverwood Condominium Unit 8	\$150,600	\$0
23-345	Troy & Jennifer Marchus	2023	Error in property description	Lots 3-4, Block 57, Original Plat	\$129,300	\$106,700
23-346	Neal & Heather Leier	2023	Error in property description	Block 3, Southbay 2nd Addition, Lot 119 & undivided interest in common areas	\$804,000	\$749,100
23-363	Wade & Kayla Teneyck	2023	70% Disabled Veteran	Lot 16, Block 4, Huber Re Estate Trust 1st Addition	\$302,400	\$176,400
23-366	Joseph J & Carol T Kuntz	2023	100% Disabled Veteran	Block 6, Lincoln, Beg 200' South & 200' East of NW corner; W 75' S 95' E 75' N95' to beginning	\$222,400	\$42,400
23-369	Ryan Sabin	2023	100% Disabled Veteran	Block 18, Southwood Terrance 2nd Replat, North 261.47' of East 257.98' of Lot 8 East Riverwood Condominium Unit 8	\$159,200	\$0

23-374	100 West Main Limited Partnership	2023	Error in property description	Lots 7-11, Block 56, Original Plat	\$3,762,200	\$3,288,300
23-386	Gladys & Greg R Grube	2023	Block 1, Brandon Heights, Lot 4 Brandon heights Condominiums Five unit D	100% Homestead Credit	\$22,400	\$20,400
23-387	Greg Schlosser & Lauri Hanson	2023	Lot 2, Block 4, Eagle Crest	Error in property description	\$647,800	\$622,200
23-388	John Karolewics & Caren Stewart	2023	Lot 13, Block 5, Peet's 4th	90% Disabled Veteran	\$381,200	\$340,700
23-391	Kaye Anderson	2023	Block 5, City Lands 138-80, pt of NW1/4 NW1/4 Sec 5 & pt of Gov L1 Sec 6 138-80 Riverside Park Condominiums unit 108	100% Homestead Credit	\$195,100	\$178,842
23-392	Michael & Pamela Smith	2023	Lot 5, Block 8, Shamrock Acres 3rd	80% Disabled Veteran	\$291,000	\$147,000
23-393	Joseph E Sr & Kathryn Tibor	2023	Lot 9, Block 2, Register's 1st	100% Homestead Credit	\$84,000	\$0
23-394	Judith A Schneider	2023	Lot 2, Block 29, Wachter's 3rd	100% Homestead Credit	\$268,400	\$68,400
23-395	Joanne Monson	2023	Lot 3, Block 9, Boulder Ridge 1st	50% Homestead Credit	\$496,700	\$396,700
23-396	Charles W & Laura M Gitter	2023	Lot 4A, Block 4, Country West III	Error in property description	\$462,200	\$390,100
23-397	David Breeding	2023	Lots 1-3, Block 8, Macober's First - Wilton	50% Homestead Credit	\$41,700	\$20,850
23-398	Andrew W & Darlene Weigel	2023	Lot 2 Less South 5', Block 3, Washington Meadows 3rd	50% Disabled Veteran	\$332,600	\$242,600

23-399	Shirley & Cleon Hoggarth	2023	Lot 17, Block 6, Eastview	50% Homestead Credit	\$291,500	\$191,500
23-400	Alma Nelson	2023	Lot 1, Block 3, Washington Heights	50% Homestead Credit	\$244,300	\$144,300
23-401	Adam M & Jenene K Leintz	2023	Block 1, Boulder Ridge 2nd Addition, Lot 15 & undiv inter in following common areas: Aud Lot B of L13, L15 Aud Lot B of L17, B1; L8 B2; L7 B3; L11 B9 & L12-13 B10 Boulder Ridge 1st & Lot 1 B 1 & lot 7 B3 Boulder Ridge 3rd	50% Homestead Credit	\$521,400	\$421,400
23-402	Diordan T McLean	2023	Lots 7-8, Block 3, Mackin's Subdivision	100% Homestead Credit	\$129,100	\$0
23-403	Aaron & Devonne Schantz	2023	Lot 12 & undivided interest in common area, Block 3, Southbay 2nd addition	Error in property description	\$667,000	\$571,900
23-404	Craig D & Lynn A Grassel	2023	Lots 16-17, Block 23, Wachter's 9th	Error in property description	\$600,100	\$339,600
23-405	Michael K & Sarah M Saylor	2023	Lot 28, Block 10, Country West III	Error in property description	\$613,200	\$566,100
23-406	Karen Stolt	2023	West 50' of Lots 1-2, Block 78, McKenzie & Coffin's	Homestead Credit (additional credit)	\$116,300	\$16,300
23-407	Bill Heckelsmiller	2023	Auditor's Lot A, Section 28, Long Lake Township	100% Homestead Credit	\$90,100	\$0
23-408	James J & Cynthia A Bechtold	2023	Lot 21, Block 2, Wachter's 6th	100% Homestead Credit	\$423,800	\$223,800
23-409	Irene Miller	2023	Lot 21, Block 3, Grandview Heights	100% Homestead Credit	\$337,300	\$137,300

23-410	Ronald S Perry	2023	Block 2, Park Hill (Aud Lots), beginning 1050'E of SW corner of NE1/4 of section 5 & 248.9'N of said point thence W65', N150', E65', S150' to beginning	100% Homestead Credit	\$236,100	\$36,100
23-419	James & Dorothy Kratovil	2023	Lot 6, Block 2, Riverside Second	100% Homestead Credit	\$390,400	\$190,400
23-420	Diane & Allen Dockter	2023	Lot 9, Block 8, Eastside Heights	50% Homestead Credit	\$267,700	\$167,700
23-421	James A & Violet S Ryckman	2023	Lot 1, Block 1, Sattler's Sunrise	50% Homestead Credit	\$292,800	\$192,800
23-422	Ella Peightal Family Trust	2023	Block 21, Lounsberry Outlots, beginning at NW cor S 50' E 150' N 50'W 150' to beginning	100% Homestead Credit	\$207,200	\$7,200
23-423	Victoria L Carvell	2023	Lot 10, Block 3, Sonnet Heights subdivision	100% Homestead Credit	\$338,000	\$138,000
23-424	William R & Kerry A Horton	2023	Lot 8, Block 3, Prairie Hills	100% Homestead Credit	\$263,000	\$63,000
23-425	Florence Baelser	2023	Lot 10, Block 25, subdivision of Lounsberry OL 25	50% Homestead Credit	\$264,900	\$164,900
23-427	Elizabeth Walth	2023	Lot 5, Block 24, Homan Acres 5th	100% Homestead Credit	\$418,100	\$218,100
23-428	Ila K Allison	2023	West 80' of Lots 1-3 & west 80' of north 15' of Lot 4, Block 37, Flannery & Wetherby	100% Homestead Credit	\$140,500	\$0

23-429	Lawler, C & Kelsch, J -Kelsch, Marilyn-	2023	Lot 4, Block 1, Sonnet Hgts sub 3rd replat	50% Homestead Credit	\$302,800	\$202,800
23-430	Donald & Judy Miller	2023	Block 1, Brandon Heights, Auditors Lot C of part of lot 3 Brandon Heights Condominiums Three unit 204	50% Homestead Credit	\$185,900	\$92,950
23-431	Sandra L Tabor	2023	Block 8, McKenzie's, Lot 7 & east 15' of lot 8 & west 30' of VAC Thompson St	50% Homestead Credit	\$273,000	\$173,000
23-432	Marian Scheck	2023	Lot 7, Block 20, Rep B20 Morningside Hgts	100% Homestead Credit	\$185,800	\$0
23-436	Sydney Seidel	2023	Lot 36A, Block 1, Evergreen Ridge Addn	100% Homestead Credit	\$149,000	\$0
23-437	Duane C & Agnes P Aman	2023	Lots 3-4, Block 48, Flannery & Wetherby	100% Homestead Credit	\$210,500	\$10,500
23-438	Eugene Masse	2023	10 less East 2.5', Block 4, Prairie Hills	50% Homestead Credit	\$306,200	\$206,200
23-439	Judy D Plummer	2023	Lot 11 & East 8' of Lot 12 & Lot B of Lot 10 and Lot E of Lot 10, Block 5, Sleepy Hollow Heights 3rd	100% Homestead Credit	\$392,500	\$192,500
23-440	Elbert & Bertha Wilson	2023	Lot 6, Block 1, Calgary Addition	50% Homestead Credit	\$253,100	\$153,100
23-441	Edward & Brigeta Wuitschick	2023	West 100' of Lots 15-16, Block 35, Flannery & Wetherby	100% Homestead Credit	\$143,300	\$0
23-443	Allen & Joann Blotske	2023	Lot A of Lot 1, Block 1, Blotske Subdivision	100% Homestead Credit	\$387,400	\$187,400

23-444	Richard & Rita Roller	2023	Lot 11, Block 4, Falconer Estates	50% Homestead Credit	\$336,500	\$236,500
23-445	Kenneth & Diane Gebhardt	2023	Lot 7A, Block 1, Sandy Hills Est 3rd	50% Homestead Credit	\$210,800	\$110,800
23-446	Randy Bowman	2022	S1/2 S1/2 SW1/4 Section 12 Township 140 Range 81 W	Qualifies for Farm Res. Exemption	\$435,300	\$12,600
23-447	Randy Bowman	2023	S1/2 S1/2 SW1/4 Section 12 Township 140 Range 81 W	Qualifies for Farm Res. Exemption	\$476,800	\$13,400
23-455	Rick & Janice Roll	2023	1998 Friendship 28' x 66', ser# MY98-17991A	50% Homestead Credit	\$61,095	\$30,547
23-456	Wesley & Georgia Uttke	2023	Lot 8, Block 4, Falconer Estates	50% Homestead Credit	\$327,700	\$227,700
23-457	Gwyneth Binder	2023	S 495' of SW1/4 SW1/4, S 825' of SE1/4 SW 1/4 15-139-77	100% Homestead Credit	\$93,400	\$0
23-458	Lloyd A & Brenda L Bosch	2023	Lot 11, Block 1, Falconer Est Rplt B1 L4-8	100% Disabled Veteran	\$346,600	\$166,600
23-459	Josiah Smith	2023	Lot 2, Block 1, Dunn Lincoln Twp	100% Disabled Veteran	\$540,500	\$360,500
23-460	Shinley M Buchholz	2023	Shannon Ridge 4th, Block 3, Lots 1-2 East Ridge Condominiums Unit 9	100% Homestead Credit	\$217,000	\$17,000
23-461	Alice Gramlow	2023	Southwood Terrace 2nd Rep, Block 24, Lots 1-6 Cottonwood Estates Condominium Unit D-E	50% Homestead Credit	\$188,500	\$94,250
23-462	Lawrence C & Sharon K Zacher	2023	Lot 9, Block 11, Riverview	50% Homestead Credit	\$274,400	\$174,400

23-463	Jerome R & Valerie J Delzer	2023	Lot 10, Block 1, Highland Acres 2nd	50% Homestead Credit	\$496,400	\$396,400
23-464	Eugenia Eckert	2023	Lincoln, Block 7, Beg pt 60' W of NE cor S 177' W 60' N 177' E 60' to beg	100% Homestead Credit	\$194,000	\$0
23-465	Ileen Enzminger	2023	Lot 1, Block 4, Sattler's Sunrise 9th	100% Homestead Credit	\$404,700	\$204,700
23-466	Goll, Troy D ET AL -Goll, Leo E & Audre G-	2023	Lot 10, Block 19, Meadow Valley 4th	50% Homestead Credit	\$241,300	\$141,300
23-467	Charles Gullicks	2023	Register's 2nd, Block 7, W 5' of Lot 7' & Lot 8 less W 10'	50% Homestead Credit	\$221,600	\$121,600
23-468	Shanon L Senne	2023	Lot 4, Block 3, Centennial Park 4th	50% Homestead Credit	\$266,000	\$166,000

ITEM

8



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission

Re: Recommendations from the December 13th 2023 meeting of Burleigh County Planning Commission.

Date: 12-27-2023

From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Recommendation for the Braunagel Final Subdivision Plat

Legal Description: NE ¼ of the SE 1/4 of Section 33, Township 139N, Range 78W
Property Address: TBD

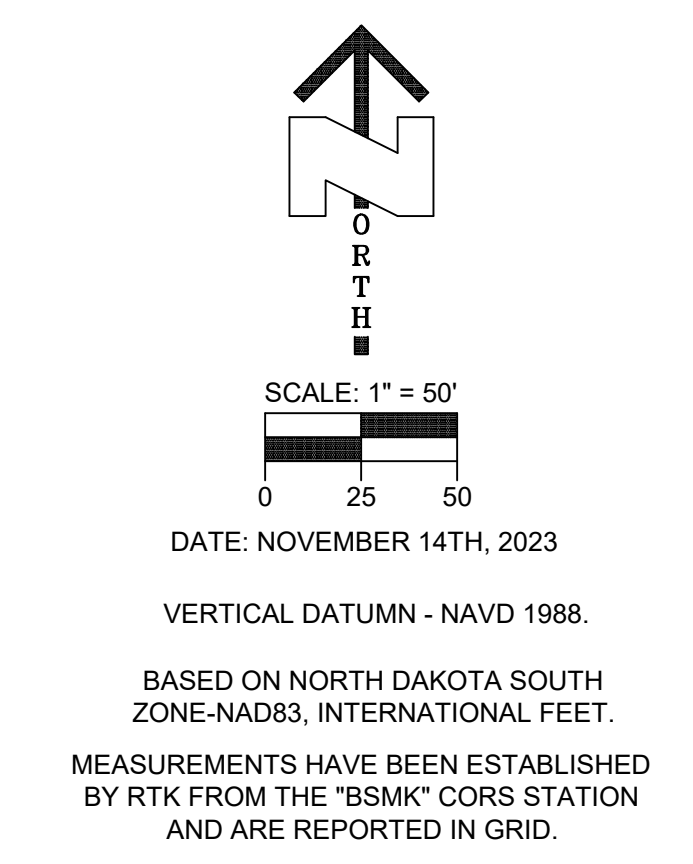
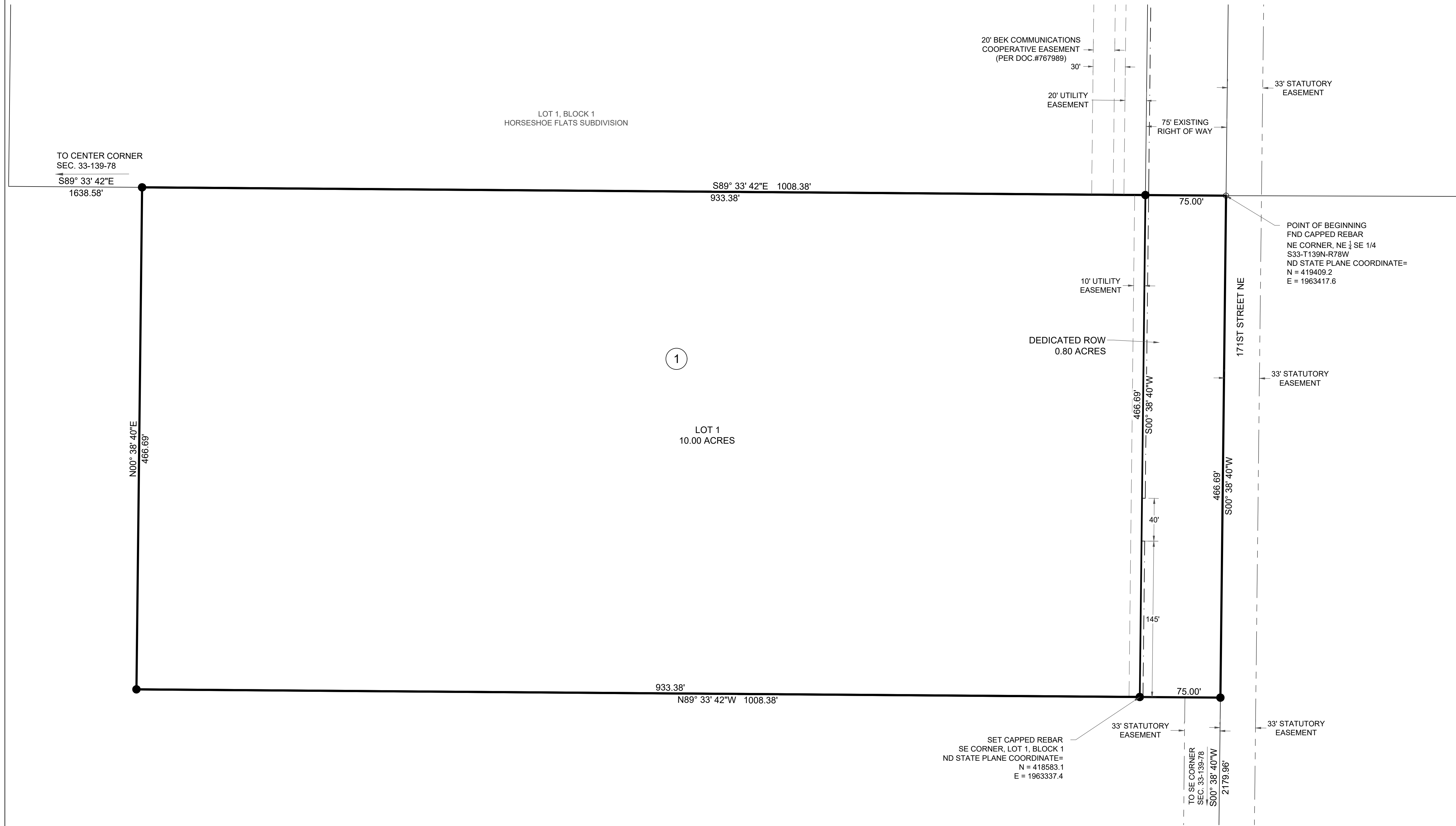
Burleigh County was approached in October by Stacey Braunagel regarding splitting 10.00 acres from a 35-acre parcel to build a new house. Staff advised to plat the 10 acres into a one (1) lot subdivision. The size and location of the proposed subdivision did not require a preliminary review meeting. The plat went through 7 plat revisions to meet Article 33 Subdivision Regulations. The Planning Commission recommended approval by a vote of 6-0.

Suggested Motion: Based on supporting documents and findings of the Planning Commission, it is recommended to approve Braunagel Final Subdivision Plat.

Attachments:
Ex. 1 Braunagel Subdivision Final Plat
Ex. 2 Braunagel Location Map

BRAUNAGEL SUBDIVISION

PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 33, T139N, R78W IN BURLEIGH COUNTY, NORTH DAKOTA



DATE: NOVEMBER 14TH, 2023
 VERTICAL DATUM - NAVD 1988.
 BASED ON NORTH DAKOTA SOUTH ZONE-NAD83, INTERNATIONAL FEET.
 MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "BSMK" CORS STATION AND ARE REPORTED IN GRID.

LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR - LS9628
- NON-ACCESS LINE

ACREAGE TABLE

LOT 1	10.00 ACRES
DEDICATED ROW	0.80 ACRES
TOTAL	10.80 ACRES

LAND DESCRIPTION

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 139 NORTH, RANGE 78 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE SOUTH 00° 38' 40" WEST ON THE EAST LINE OF SAID SECTION 33 A DISTANCE OF 466.69 FEET; THENCE NORTH 89° 33' 42" WEST A DISTANCE OF 1008.38 FEET; THENCE NORTH 00° 38' 40" EAST A DISTANCE OF 466.69 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE SOUTH 89° 33' 42" EAST ON THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 1008.38 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 10.80 ACRES MORE OR LESS.

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE RIGHT OF WAY IDENTIFIED HEREIN TO BURLEIGH COUNTY. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND FOR GAS, ELECTRIC, TELEPHONE, WATER, OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENT".

THEY ALSO DEDICATE ACCESS EASEMENTS TO ALL LAND OWNING PARTIES, TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTING, OPERATING, AND MAINTAINING THE ACCESS UNDER OR UPON THE REAL PROPERTY OF THOSE CERTAIN STRIPS OF LAND SO DESIGNATED.

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVES BRAUNAGEL SUBDIVISION AS SHOWN ON THIS PLAT. THIS PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND THE ORDINANCES OF THE COUNTY OF BURLEIGH AND REGULATIONS ADOPTED BY SAID PLANNING AND ZONING COMMISSION.

THE FOREGOING ACTION OF THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 20__.

JAMES J. BRAUNAGEL
 LOT 1, BLOCK 1

STATE OF _____)
 COUNTY OF _____) SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC _____

 DENNIS AGNEW - CHAIRMAN

 ATTEST: MITCH FLANAGAN - SECRETARY

OWNER:
 JAMES J. & STACEY BRAUNAGEL
 850 171ST STREET NE
 MENOKEN, ND 58558

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 12, 2023. THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND ORDINANCES OF THE COUNTY OF BURLEIGH.

THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 20__.

 STEVE BAKKEN - CHAIRMAN

 ATTEST: MARK SPLONKOWSKI,
 COUNTY AUDITOR/TREASURER

BENCHMARK - NORTHEAST CORNER OF LOT 1, BLOCK 1, A CAPPED REBAR FLUSH WITH THE GROUND. ELEVATION = 1732.25

APPROVAL OF THE COUNTY ENGINEER

I, MARCUS J. HALL, COUNTY ENGINEER FOR THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVES THIS PLAT OF "BRAUNAGEL SUBDIVISION" AS SHOWN ON THE PLAT, DATED THIS ____ DAY OF _____, 20__.

 MARCUS J. HALL, PE
 COUNTY ENGINEER

PROFESSIONAL LAND SURVEYOR
 MARK R. ISAACS, LS-9628

BRAUNAGEL SUBDIVISION
 PART OF SOUTHEAST QUARTER
 SECTION 33, T-139-N, R-78-W
 BURLEIGH, NORTH DAKOTA

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Surveying &
Engineering

SHEET: 1 OF 1 JOB NUMBER: 23142
 SCALE: 1" = 50' DWG REVISION DATES
 DRAWN BY: MR - -
 DWG DATE: 11/14/23 - -
 4215 Old Red Trail NW
 Phone: 701-663-5184
 Cell: 701-955-2079
 mark@isurveynd.com

 MARK R. ISAACS, RLS 9628

FRONT AVE

HORSESHOE FLATS SUBDIVISION

171ST ST NE


ROEHRICH SUBDIVISION





Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: Recommendations for a Joint Powers Agreement
Date: 12-27-2023
From: Mitch Flanagan, Burleigh County Planning Director. 

ITEM 1

Joint Powers Agreement with Apple Creek Township

Apple Creek Township has requested our department to provide for the issuing of permits and provide building inspections. This is similar to earlier agreements made with Apple Creek and other Townships, except that it now includes specific standards for floodplain regulations.

Suggested Motion: It is recommended to approve the JPA between Apple Creek Township and Burleigh County.

Attachments: Ex. 1 Burleigh County and Apple Creek Township Service Agreement

Burleigh County and Apple Creek Township Service Agreement

This is a service Agreement between the Burleigh County Building/ Planning/ Zoning Department (hereinafter "Burleigh County") and Apple Creek Township, wherein Burleigh County will provide permit issuance, floodplain regulation and building inspection services to Apple Creek Township.

In consideration of the conditions contained herein, Burleigh County and Apple Creek Township agree as follows:

1. **Services Provided:** Burleigh County will issue all Building, Septic System, Plumbing and Mechanical permits for Apple Creek Township, including all Regulatory Floodplain requirements. Burleigh County code enforcement inspectors shall provide building, mechanical inspections and septic system inspections in Apple Creek Township pursuant to the State Building codes. Burleigh County will integrate the Apple Creek Township inspections into its daily inspection schedule.
2. **Standards:** The construction, design, erection, alteration, demolition, removal, conversion, repair and maintenance of all buildings and structures on any properties within the jurisdiction of Apple Creek Township shall be done in accordance with standards contained in the North Dakota State Building Code including the appendices contained therein except such portions as may be deleted, modified or amended by the Board of County Commissioners.
3. **Floodplain Regulations Specific standards;** In all special flood hazards areas where base flood elevation data has not been determined or provided by FEMA FIRM Mapping, the following provisions shall be required:
 - a. Reference BLE Base Level Engineering as best available information in review and issuance of all development permit applications and non-structural development permit applications.
4. **Hours:** The hours of inspection services will be normal Burleigh County working hours, generally 8:00AM—5:00PM Monday through Friday, excepting holidays.
5. **Employment Status:** The inspectors performing the services under this Agreement are employees of Burleigh County and not employees of Apple Creek Township. Burleigh County agrees to pay the inspectors performing services under this Agreement. Apple Creek Township shall not be responsible for, and Burleigh County agrees to indemnify and hold Apple Creek Township harmless, from liability for all costs of the inspectors related to the work of the inspectors for Apple Creek Township, including and limited to work of the inspectors for Apple Creek Township.
6. **Supervision:** Burleigh County agrees that it will supervise its inspectors and provide administrative and technical support as is necessary to fulfill the requirements of this Agreement.

7. **Reliance on Information:** Burleigh County inspectors are not responsible for relying or acting upon any incorrect information provided by a permit holder or for actions resulting from information not provided by a permit holder.
8. **Payment Terms:** Apple Creek Township agrees that Burleigh County will collect and retain all fees related to inspection services rendered during the term of this Agreement. Such fees shall be according to Burleigh County's fee schedule which may be amended by the Burleigh County Commission from time to time.
9. **Representations as to Adequate Insurance Coverage:** Each party to this Agreement represents and warrants to the other that it has and shall maintain in effect liability insurance coverage in an amount of not less than \$1 workforce safety, and other appropriate forms of insurance coverage sufficient to generally protect the respective parties and their employees in carrying out the objectives of this Agreement.
10. **Liability:** Each party to this Agreement agrees to be responsible for its own negligent acts and the negligent acts of its respective officers, officials, employees or agents.
11. **Term of Agreement:** The term of this Agreement shall be for a period of one year from the date of approval noted below and shall automatically renew for successive five- year terms unless terminated pursuant to Paragraph 10.
12. **Termination:** This Agreement may be terminated by either party upon at least a thirty—day written notice.
13. **Modification or Alteration:** This Agreement may be modified or altered only by the mutual written agreement of both parties.

Apple Creek Township

Dated this 13 day of December 2023

Stephen Inman

Walt Sily

Apple Creek Township Clerk

Apple Creek Township Chairperson

Burleigh County Commission

Dated this 14th day of December 2023

Mark Splonskowski

Mark Splonskowski, Auditor/Treasurer

Burleigh County Commission Chairperson

ITEM

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BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 3, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line and direct staff on how to proceed.

BACKGROUND:

Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, as part of the Riverside Subdivision, has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets February 5, 2024 at 5:00 p.m. as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action.

SECTION LINE VACATION EXHIBIT

LOCATED IN LOTS 12,13 & 14, BLOCK 1 OF RIVERSIDE SUBDIVISION
 IN SECTIONS 27 & 28, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE 5TH P.M.,
 BURLEIGH COUNTY, NORTH DAKOTA



- FOUND MONUMENT
- ⊙ MONUMENT (TO BE SET)
- COMPUTED POINT

AREA OF REQUESTED SECTION LINE VACATION		
Section 27	11244.68 S.F.	0.26 Acres
Section 28	11245.33 S.F.	0.26 Acres
Total	22490.01 S.F.	0.52 Acres



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

Prepared By:
Bartlett & West
 3456 E. Century Ave. Bismarck,
 North Dakota 58503 701-258-1110
 FAX 701-258-1111 www.bartwest.com

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
12/20/2023



PARCEL ID: 23-140-81-65-01-120 OWNER: HARTMANN, PAUL & HEISER, JERALYN ACRES: 2.77
SITE ADDRESS: 9922 ISLAND RD
MAIL ADDRESS: 9922 ISLAND ROAD, BISMARCK, ND 58503-9226
LEGAL: RIVERSIDE BLOCK 11 LOTS 12-14 556750



BURLEIGH COUNTY

UNIFIED DEVELOPMENT APPLICATION

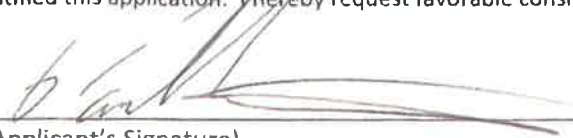
Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |

PROPERTY INFORMATION:			
Name of plat: Riverside Subdivision			
Legal description of property (lot, block, addition): Lots 12, 13, 14 Block 1			
Street address of property: 9922 Island Road			
Existing Zoning: R1	Proposed zoning: R1		
Acreage: 2.22 acres	Number of lots: 3		
Description of development proposal, including reason(s) for the request: Requesting the vacation of a portion of the section line between Section 27 & 28, T.140N., R.81W. that lying within Lots 12-13 Block 1 in Riverside Subdivision			
APPLICANT/DEVELOPER:			
Name: Paul Hartmann		Mailing address: 9922 Island Road, Bismarck, ND 58503	
Daytime telephone number: 701-400-8100	FAX number:	E-mail address: phartmann@tssnd.com	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: Dayne Solem - Bartlett & West		Mailing address: 3456 E. Century Ave, Bismarck, ND 58503	
Daytime telephone number: 701-221-8414	FAX number:	E-mail address: dayne.solem@bartwest.com	

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

This application is filed complete with the required information as outlined in the attached submission checklist. I understand the regulations of the Burleigh County Zoning Ordinance as they pertain to this request(s). I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above described development application.



(Applicant's Signature)

8/17/23

(Date)

(Owner's Signature, if different)

(Date)

(Additional Owner's Signature, if applicable)

(Date)

VERIFICATION FOR ROADWAY VACATION REQUESTS:

The oath of at least one petitioner is required for road vacations only.

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this ____ day of _____, 20__, before me, a notary public in and for said county and state, appeared _____, known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

Notary Public
Burleigh County, State of North Dakota
My Commission Expires: _____

Submission Deadlines:

The County Planning and Zoning Commission regularly meets on the second Wednesday of each month. All development applications are due at 5:00 p.m., 21 calendar days prior to the meeting.

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
<input type="checkbox"/> Preliminary Plat	Required pre-application meeting	Date:	
	5 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee determined by lot number: 1 – 2 lots \$200.00 3 – 10 lots \$300 11 – 20 lots \$400 21 or more lots \$900		
	8½" x 11" reduction of plat		
	Digital copy of plat		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
Written request for amendment to Fringe Area Road Master Plan (if applicable)			
<input type="checkbox"/> Final Plat	Final plat fee \$250.00		
	Stormwater Management Plan Review Fee \$200 (includes permit if approved)		
	6 prints of plat, including all items listed in final plat check list		
	Final plat checklist, completed by applicant		
	8½" x 11" reduction of plat		
	Digital copy of plat, if requested		
Attorney's opinion of ownership, including all easement owners			
<input type="checkbox"/> Development Application Review	Fee determined by number of lots: 1 – 2 lots \$25 3 to 10 lots \$100 11 to 20 lots \$200 21 or more \$600		
	Site plan, drawn to scale (no larger than 11" x 17")		
Completed Development Application and all exhibits			
<input type="checkbox"/> Development Permit & Field Review	Fee determined by number of lots: 1 – 2 lots \$200 3 to 10 lots \$400.00 11 – 20 lots \$1,500 21 or more lots \$2,500.		
	Review and Approval of Development Application		
<input type="checkbox"/> Plat Vacation	Map of property to be vacated		
	Fee of \$300.00		
	Legal description of property to be vacated		
<input checked="" type="checkbox"/> Road Vacation	Map of property to be vacated		X
	Fee of \$250.00		
	Legal description of property to be vacated		X
	Letters of consent from utilities (street/alley vacation & easement release)		
<input type="checkbox"/> Zoning Change	Fee of \$500.00 (zoning change)		
	Description of zoning change by legal description if multiple districts requested		
	Architectural drawings (PUD only)		
	One (1) print of site plan, at 1"=100' scale (PUD only)		
	8½" x 11" reduction of site plan (PUD only)		
Written statement (PUD only)			
<input type="checkbox"/> Special Use	Fee of \$300.00		
	3 prints of site plan, at 1"=20' or larger scale		
	8½" x 11" reduction of site plan		
	Photograph of building (moving building only)		
Adjacent property owner petition (required for moving of a building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)			

Variance	Fee of \$300.00		
	Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
	Elevations of proposed structure (s), if required		
	Written statement of hardship (separate form that must be completed for variances)		
Minor Plat/Lot Modification	Adjacent property owner petition (required for accessory building prior to residence)		
	Fee of \$200.00 (Only applies to 3 lots or less)		
	Sketch of survey, showing how the lot is proposed to be split		
	Legal description of lot(s), both existing & proposed with square footage/acreage		



3456 E Century Avenue
Bismarck, ND 58503
ph (701) 258-1110
www.bartlettwest.com

December 10, 2023

Casey Einrem
Burleigh County Highway Dept.
81000 43rd Avenue NE
Bismarck, ND 58503

Re: Section Line Vacation Request for Lots 12, 13, & 14, Block 1, Riverside Subdivision
(9922 Island Road).

Dear Casey:

We are requesting the vacation of a portion of the section line between Sections 27 & 28, Township 140 North, Range 81 West.

Currently the section line runs through Riverside Subdivision, which was recorded on June 7, 1985, as document number 360261, but wasn't vacated at that time. The portion we are requesting to vacate lies within Lots 12, 13, and 14 in Block 1 of Riverside Subdivision. The purpose of the request is to remove the encumbrance to allow for the creation of a one lot subdivision by combining the 3 lots to allow for a larger accessory building.

Enclosed is an exhibit showing the area to be vacated. Thank you for considering this request for the section line vacation referenced above. Please feel free to contact me if you need any additional information or have any questions.

Sincerely,

Dayne Solem
Bartlett & West
3456 E. Century Ave
Bismarck, ND 58503
701-221-8414
dayne.solem@bartwest.com

Enclosures: 1



Driving community and industry forward, together.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 3, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to advertise for bids.

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for: Painted Pavement Markings, Crushing of Gravel, Township Gravel Hauling, Dust Control, Chip Seal projects, and Grazing Lease.

BACKGROUND:

Every year the Burleigh County Highway Department bids out the following items: Painted Pavement Markings, Crushing of Gravel, Township Gravel Hauling, Dust Control, Chip Seal projects and Grazing Lease. Historically, the Highway Department does a separate resolution for each item; however, this year we are presenting one resolution to cover all items.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for: Painted Pavement Markings, Crushing of Gravel, Township Gravel Hauling, Dust Control, Chip Seal projects and Grazing Lease.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 3, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to advertise for bids.

Please include the following item in the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for the County Highway 10 roadway mill and overlay project.

BACKGROUND:

County Highway 10 roadway mill and overlay project (from 197th Street NE to 236th Street NE) will be done in conjunction with our federally funded Highway 10 roadway mill and overlay project (from 66th Street NE to 197th Street NE). The Highway Department has been working on a plan for this project and is now ready to advertise for bids. We will be using 100% American Rescue Plan money (that was originally scheduled for the 66th Street SE Railroad Overpass project) for the construction of this project.

RECOMMENDATION:

It is recommended the Board adopt the following proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for the County Highway 10 roadway mill and overlay project (from 197th Street NE to 236th Street NE).



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 3, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to seek a consultant engineering firm to perform construction engineering services for Mill and overlay of County Highway 10.

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to seek an engineering firm to perform construction engineering services.

BACKGROUND:

The 2024 Burleigh County Construction Program includes the Mill and Overlay of County Highway 10 from 66th Street NE to 197th Street NE (Federally funded project) and the Mill and Overlay of County Highway 10 from 197th Street NE to 236th Street NE (Locally funded project). The first project will be let on February 9th by the State and construction will be funded under an 80/20 (Federal/Local) split. The second will be let on January 30th by the County and construction will be 100% Local funds.

The use of consultant firms can be beneficial in completing projects that require certain capabilities that we do not have in house, or require faster action than our current staffing can provide. The first project will require us to follow the Federal Construction Process (a process that we currently are not certified to complete), we propose using a consultant firm to perform this function. Interested engineering consultant firms will submit a written proposal addressing: staff experience and technical capabilities, current workload, understanding of project scope, fee schedule, etc. After a review of the proposals, we will select the most qualified consultant and the NDDOT and County will

work with them to develop the scope and timeline for the project. Once the details of the project have been worked out, we will apply their fee schedule and come up with a total cost. This will then be brought back to the Board for approval. The construction engineering services for the first project will be performed (and funded) under an 80/20 (federal/local) split.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise to seek construction engineering services proposals for the Mill and Overlay of the County Highway 10 project.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 3, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Burleigh County Proposed Project Priority List

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the 2024 Burleigh County Project Priority List

BACKGROUND:

In the past, the Highway Department has presented to the County Board a proposed list of construction projects for the coming year. The list is developed from past years' projects that have not been completed, and new projects that have come to our attention because of normal wear and tear on the existing system or developments that create new needs. (Project List will be distributed at the Board Meeting.) In addition to the 2024 projects, the Department is presenting the yearly construction program for the next 3 years, an Unfunded Project List and a Gravel Road Construction Project List. These lists are being presented in order to help establish the Highway Department's direction for long-range transportation planning in the County.

It is the intent of the Department to complete all of the projects on the 2024 list in the coming year. However, we may not complete all of the 2024 projects. Unfortunately, events and problems beyond our control will occur during the year, which may require us to temporarily skip a project and work on projects lower on the priority list. It is not the intent of the Department to minimize the Board's wishes; it is more the Department's intent to maximize the total number of projects we can complete in 2024.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board adopts the attached 2024 Burleigh County Project Priority List, and authorizes the Highway Department to allocate resources to design, acquire right of way and construct the prioritized projects under the North Dakota Century Code and Burleigh County policies.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 3, 2024
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."

Duane Small, in the SE ¼ of Section 11, Fort Rice Township (see attached map), is proposing a two (2) lot subdivision (Peaceful View Subdivision), and is requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to pave a minimum of 0.4 miles of County/Township roadways from the Subdivision to reach the pavement on Desert Rd.

Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer 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.

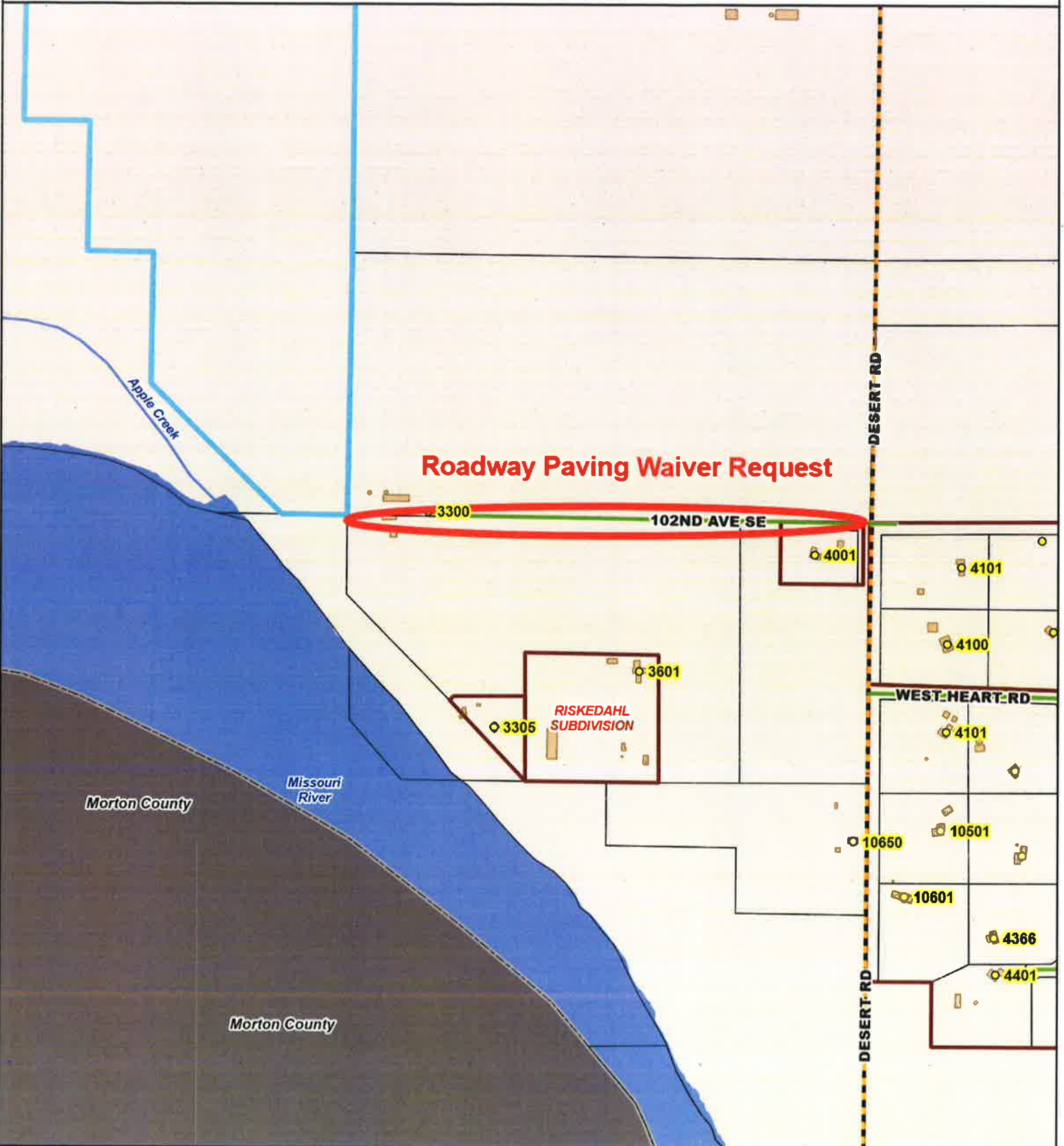
PROPOSED RESOLUTION:

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 Duane Small's request to waive the paving requirements "*paving of all internal roadways and adjacent section line roads*" listed in the Pavement Policy, in conjunction with the approval of the Peaceful View Subdivision.

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
12/28/2023



PARCEL ID: 51-137-80-00-11-600 **OWNER:** SMALL, DUANE **ACRES:** 54
SITE ADDRESS: 3300 SE 102ND AVE
MAIL ADDRESS: 3300 102ND AVE SE, BISMARCK, ND 58504-4204
LEGAL: FORT RICE TOWNSHIP Section 11 LOT 3 & 4 #441810 11-137-80

ITEM

10

ITEM

11

Request for County Board Action

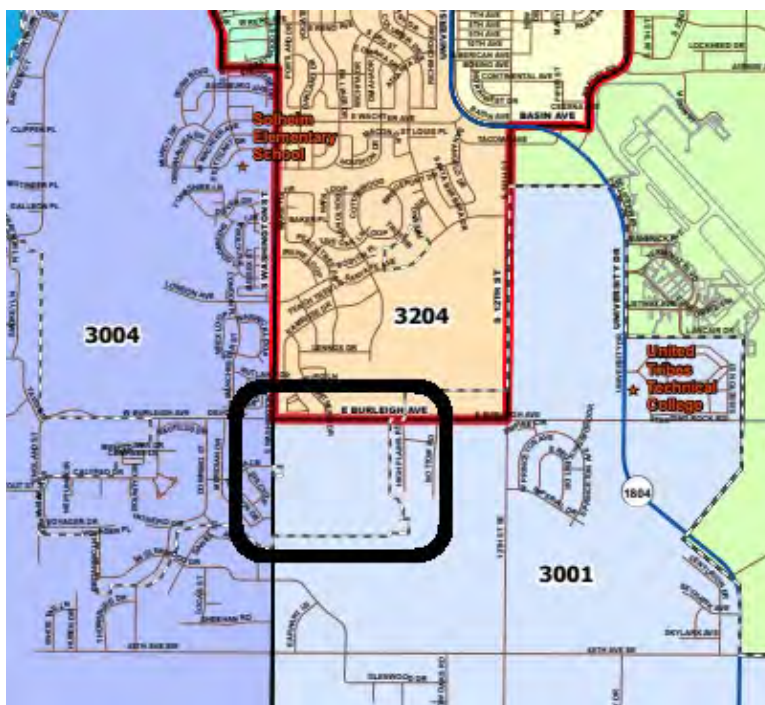
DATE: January 3rd, 2024

TO: Burleigh County Commission

FROM: Lisa Hart
Burleigh County Elections Coordinator

ITEM: Splitting Precinct 3001 in District 30
Pleasant Valley Subdivision Annexation

REQUEST: It was brought to our attention from our GIS department that there was an annexation to the City of Bismarck since the last election in District 30 with the Paradise Valley Subdivision. There are currently no homes built in this section but there are addresses. In consultation with the Secretary of State's Office it doesn't affect any precinct boundaries but does create a precinct split within precinct 3001. Per the SoS office this does not need any commission approval however we just wanted to make you aware that we have created the split so when there are homes built in that area, their correct ballot style will be reflected on their ballot. No action is needed.



ITEM

12

**BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM**

Name: ARLENE OLSON

Address: 25401 227th Ave. NE Wing, ND 58494

Home Phone: [REDACTED] Work: [REDACTED] Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:

BURLEIGH COUNTY HOUSING AUTHORITY

List below the skills or qualifications you could bring to this Board or Commission:

I have a wide variety of skills and experience working with the people of Burleigh County. I would like to continue to add a rural perspective to the Housing Authority Board.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

Affordable housing has become a greater concern for more and more individuals. As a lifelong resident of Burleigh County, I am deeply committed to our elderly, and those in need. I am a firm believer that everyone should be given the chance to live independently as long as possible in safe and sanitary dwellings. As a member of this board, I will continue to do my best to make sure that the policy that is set, is fair for all housing assistance programs. I would welcome the opportunity to do my part in this mission.

Principal Occupation/Source of Income (check one)

Farm Owner/Retired

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

NONE

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

I currently serve as Treasure of the Golden Wing Club and as a board member of the Burleigh County Council on Aging.

Signature: *Helene Olson* Date: 11-02-2023

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck, ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Josey Milbradt

Address: 8000 Cordgrass Dr, Bismarck, ND 58503

Home Phone: [REDACTED] Work: Cell:

Email: [REDACTED]

Board or Commission on which you prefer to serve:

Weed Board

List below the skills or qualifications you could bring to this Board or Commission:

Currently the Vice Chair for the District 8 Republican Party

Served as a member of St. Hildegard's Parish Council

Served as a board member of the Bismarck Area Catholic Education Foundation

Registered Professional Civil Engineer with over 20 years of experience and 12 years in supervision, consisting of supervising heavy equipment operators, shop mechanics, IT staff

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I have no special interest, just interested in serving my community

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Vice Chair District 8 Republican Party

Signature:  Date: 12/21/2023

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission

Term Start Date

Term End Date

Oath Returned

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Mark Dougherty

Address: 409 W Glenwood Dr, Bismark, ND 58504

Home Phone: _____ Work: _____ Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:

Wood Board

List below the skills or qualifications you could bring to this Board or Commission:

Worked on farm/ranch from 10 years old to 18 years old

If you have any special interest or reason for serving on this Board or Commission, please explain below.

The need presented itself

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input checked="" type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input checked="" type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

NA

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Associated General Contractors of ND

Signature: Mark Dougherty Date: 12/21/23

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

October 6, 2023

Mr. Rod Backman stopped in to discuss his 2 weed spraying bills.

Invoice #230486 – total \$107.51 – less county cost share of 50% - \$53.76.

Invoice #230485 – total \$162.51 – less county cost share of 50% - \$81.26.

Since the final cost of each invoice is under \$110, the customer is to pay the minimum charge of \$110.

Property #1 is E1/2SE1/4 of Section 33-143-79

Property #2 is E1/2NE1/4 of section 04-142-79

There is only a road between the 2 properties.

Mr. Backman is questioning why 2 bills when the properties are right next to each other and were sprayed on the same day by the same person. Also he is questioning that each one is the minimum charge of \$110 each but he is willing to pay the cost sharing price which would equal \$135.02.

Attached:

Map of each property

Invoice

Original ticket

Past bills of these properties

Per phone discussion with Leon Pederson the \$110 minimum should not have been charged on each property because they are adjacent quarters.

Thus, I have paid the actual amounts, that do exceed \$110 in total.

Rod Backman

A handwritten signature in blue ink, consisting of a large, sweeping, cursive mark that resembles a stylized 'R' or a similar character.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
10/24/2023



OWNER: BACKMAN, RODNEY A

SITE ADDRESS:

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

2023 Weed Spraying

Invoice Date	Invoice Number	Rev.
07/20/2023	230486	0
Customer P.O. Number		
TICKET #4703		
Reference		
SE4 SEC 33-143-79		

Questions ? Please See Phone Number Below (701) 222-6718

Bill To :

BACKMAN, ROD

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Attn: Accounts Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	EA		Weed Spraying		110.0000	110.00	0.00	0.00

NOTES:

Sub-Total:	110.00
Freight:	0.00
Tax:	0.00
Total Amount:	110.00

FILE COPY

20 23

SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 4703

Renter/
Land Owner: Bob Buckman Address: 7

Weeds Controlled: OT Spray Equipment: #12 wand Herbicide: 20oz High Noon / 1pt. Tordon
(UNIT NUMBER AND GPA) (RATE AND NAME)

Land Description: SE 33-143-79
(1/4 SEC./TWNSP./RANGE) or (ROW)

Start Time:	End Time:	Start Time:	End Time:	Start Time:	End Time:	Total:
8:45	9:30					0.75 Hrs.
Time: <u>9:15</u>	Location at time of Reading: <u>on site</u>			Temp: <u>59°</u>	Wind direction: <u>SW</u>	Wind speed: <u>10</u>
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____

Gallons Starting:	Gallons Added:	Gallons Ending:	Total Gallons Used: <u>25</u>
-------------------	----------------	-----------------	-------------------------------

Right of way as shown on map below Total Acres/Miles Treated: 1 PPE#: _____ R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: <u>0.75</u> hrs.	@ \$ <u>110</u> /hr.	\$ <u>82.50</u>
<u>20oz High Noon</u>	@ \$ <u>92</u> /gal	\$ <u>14.38</u>
<u>1pt. Tordon</u>	@ \$ <u>50.10</u> /gal	\$ <u>6.26</u>
<u>0.25 qt. Liberate</u>	@ \$ <u>45</u> /gal	\$ <u>2.81</u>
<u>0.25 qt. Dye</u>	@ \$ <u>25</u> /gal	\$ <u>1.56</u>
	@ \$ <u>1</u>	\$ _____
Less County Cost Share <u>50</u> %		Total \$ <u>107.51</u>

Cross Lake
(TOWNSHIP)

Protective Clothing Requirement-Key 1.long-sleeved shirt and pants 2.Shoes plus socks 3.Waterproof gloves 4.Chemical Resistant gloves 5.Chemical Resistant footwear plus socks 6.Coveralls 7.Protective eyewear 8.Chemical resistant apron 9.Respirator DM,OV 10.Coveralls over short shirt and pants 11.Coveralls over long shirt and pants 12.Chemical resistant headgear 13.Chemical resistant coveralls 14.Cotton Gloves

EPA Regulation Number:

- 62719-655 Graslan L (Corteva)
- 62719-6 Tordon 22k (Corteva)
- 24D Amine
- 62719-519 Milestone (Corteva)
- 0219-755 Other High Noon

Minimum charge \$ 110
Amount Due \$ 53.76
VP send

Land Owner/Renter: _____ Date: _____

(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Contract Sprayer: Joni Miller License No.: W146812 Date: 7/6/03
(or Representative) (LICENSE NO.)

Send Payment To: Burleigh County Auditor
P.O. Box 5518
Bismarck, ND 58506

2023 Weed Spraying

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

Invoice Date	Invoice Number	Rev.
07/20/2023	230485	0
Customer P.O. Number		
TICKET #4702		
Reference		
NE4 SEC 4-142-79		

Questions ? Please See Phone Number Below (701) 222-6718

Bill To :

BACKMAN ROD

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	EA		Weed Spraying		110.0000	110.00	0.00	0.00

NOTES:

Sub-Total:	110.00
Freight:	0.00
Tax:	0.00
Total Amount:	110.00

FILE COPY

20 23

SPRAY TICKET AND INITIAL BILLING SHEET

BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number

4702

Renter/

Land Owner: Rod Backman Address: _____

Weeds Controlled: LS CT Spray Equipment: H12 Wand/Broom Herbicide: 20oz High Noon/1pt. Tordon
(UNIT NUMBER AND GPA) (RATE AND NAME)

Land Description: NE 4-142-79

(¼ SEC./TWNSP./RANGE) or (ROW)

Start Time:	End Time:	Start Time:	End Time:	Start Time:	End Time:	Total:
7:30	8:45					1.25 Hrs.
Time: <u>7:30</u>	Location at time of Reading: <u>on site</u>			Temp: <u>56°</u>	Wind direction: <u>S</u>	Wind speed: <u>8</u>
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____

Gallons Starting:	Gallons Added:	Gallons Ending:	Total Gallons Used: <u>25</u>
-------------------	----------------	-----------------	-------------------------------

Right of way as shown on map below

Total Acres/Miles Treated: 1

PPE#: _____ R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: <u>1.25</u> hrs.	@ \$ <u>110</u> /hr.	\$ <u>137.50</u>
<u>20 oz High Noon</u>	@ \$ <u>92</u> /gal	\$ <u>14.38</u>
<u>1 pt. Tordon</u>	@ \$ <u>50.10</u> /gal	\$ <u>6.26</u>
<u>0.25 qt. Liberate</u>	@ \$ <u>45</u> /gal	\$ <u>2.81</u>
<u>0.25 qt. Dye</u>	@ \$ <u>26</u> /gal	\$ <u>1.56</u>
	@ \$ _____	\$ _____

Less County Cost Share 50 %

Total \$ 1102.51

Ecklund

(TOWNSHIP)

Protective Clothing Requirement-Key 1.long-sleeved shirt and pants 2.Shoes plus socks 3.Waterproof gloves 4.Chemical Resistant gloves 5.Chemical Resistant footwear plus socks 6.Coveralls 7.Protective eyewear 8.Chemical resistant apron 9.Respirator DM,OV 10.Coveralls over short shirt and pants 11.Coveralls over long shirt and pants 12.Chemical resistant headgear 13.Chemical resistant coveralls 14.Cotton Gloves

EPA Regulation Number:

- 62719-655 Graslan L (Corteva)
- 62719-6 Tordon 22k (Corteva)
- 24D Amine
- 62719-519 Milestone (Corteva)
- 62719-755 Other High Noon

minimum charge \$110.00 LP
Amount Due \$ 81.26

Land Owner/Renter: _____ Date: _____

(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Contract Sprayer: Joni Mele 16146812 Date: 7/6/23

(or Representative)

(LICENSE NO.)

Send Payment To: Burleigh County Auditor
P.O. Box 5518
Bismarck, ND 58506

2022 Weed Spraying

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

Questions ? Please See Phone Number Below (701) 222-6718

Invoice Date	Invoice Number	Rev.
07/06/2022	220361	0
Customer P.O. Number		
TICKET 3955		
Reference		
SECT 33-143-79, SECT 4-142-79		

Bill To :

BACKMAN, ROD

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	EA		Weed Spraying		135.5600	135.56	0.00	0.00

NOTES:

Sub-Total:	135.56
Freight:	0.00
Tax:	0.00
Total Amount:	135.56

FILE COPY

2021 Weed Spraying

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

Invoice Date	Invoice Number	Rev.
07/07/2021	413	0
Customer P.O. Number		
Reference		

Questions ? Please See Phone Number Below

Bill To :

BACKMAN, ROD

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	EA		Weed Spraying - 3966		40.0000	40.00	0.00	0.00

NOTES:

[Empty rectangular box for notes]

Sub-Total:	40.00
Freight:	0.00
Tax:	0.00
Total Amount:	40.00

FILE COPY

20 21

SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3989

3989

Renter/

Land Owner: Red Berkman Address: _____

Land Description: 33-113-25 Spray Equipment: #120 / 25 Herbicide: 2.5 pk Gosslen
(% SEC./TWNSP./RANGE) or (ROW) (UNIT NUMBER AND GPA) (RATE AND NAME)

Weeds Controlled: L. Spruce A. ...

Start Time: 7:45 End Time: 8:15 Start Time: _____ End Time: _____ Start Time: _____ End Time: _____ Total: _____

Time: 8:00 Location at time of Reading: ... Temp: 69 Wind direction: SW Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Gallons Starting: _____ Gallons Added: _____ Gallons Ending: _____ Total Gallons Used: 25

Right of way as shown on map below Acres/Miles Treated: 1 PPE#: _____ R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: 1/2 hrs. @ \$ 90/hr. \$ 45.00

2.5 pk Gosslen @ 40 gal \$ 10.00

4 pk Colman @ 20 gal \$ 8.00

2 pk Liberate @ 4 gal \$ 1.00

Less County Cost Share 50 % \$ 22.50

Cross Lake
(TOWNSHIP)

EPA Regulation Number: 62719-655 Graslan L (Dow)

PPE Requirements Key: 1. Long sleeve shirt and pants 2. Shoes plus socks 3. Waterproof gloves 4. Chem. Resistant gloves 5. Chem. Resistant footwear plus socks 6. Coveralls 7. Protective eyewear 8. Chem. Resistant apron 9. Respirator DM,OV 10. Coveralls over short shirt and pants 11. Coveralls over long shirt and pants 12. Chem. Resistant headgear 13. Chem. Resistant coveralls 14. Cotton Gloves

62719-6 Tordon 22K (Dow)
228-145 Platoon 24D Amine (Timberland)
62719-519 Milestone (Dow)
 Other: _____

Amount Due \$ 40.00

Send Payment To: Burleigh County Auditor
P. O. Box 5518
Bismarck, ND 58506

Land Owner/Renter: _____
(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Date: _____

Township Rep: _____
(SIGNATURE OF TOWNSHIP PERSON OR COUNTY WEED OFFICER)

Date: _____

Contract Sprayer: [Signature]
(or Representative) (LICENSE NO.)

Date: 6-22-21

Chemicals provided by: Nutrien Solutions
5230 Airport Rd.
Spearfish, SD 57783

ALL COMPLAINTS MUST BE SUBMITTED TO B.C.W.B. WITHIN 30 DAYS OF APPLICATION

2020 Weed Spraying

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

Invoice Date	Invoice Number	Rev.
06/23/2020	293	0
Customer P.O. Number		
Reference		

Questions ? Please See Phone Number Below

Bill To :

BACKMAN, ROD

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	ea		Weed Spraying #3637		40.0000	40.00	0.00	0.00

NOTES:

Sub-Total:	40.00
Freight:	0.00
Tax:	0.00
Total Amount:	40.00

FILE COPY

20 20

SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3637

3637

Renter/

Land Owner: Red P. Brown

Address: _____

Land Description: _____
(¼ SEC./TWNSP./RANGE) or (ROW)

Spray Equipment: 10 70
(UNIT NUMBER AND GPA)

Herbicide: 2,4-D Amine
(RATE AND NAME)

Weeds Controlled: 2 Spruce

Start Time: 8:30 End Time: 9:00 Start Time: _____ End Time: _____ Start Time: _____ End Time: _____ Total: 1/2

Time: 9:00 Location at time of Reading: on site Temp: 52 Wind direction: SW Wind speed: 7

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Gallons Starting: _____ Gallons Added: _____ Gallons Ending: _____ Total Gallons Used: 10

Right of way as shown on map below

Acres/Miles Treated: .4 PPE#: _____

R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: 1/2 hrs. @ \$ 800 /hr. \$ 400.00

1 qt. Graslan @ 36.00 /gal \$ 5.00

1 qt. L. bandit @ 22.00 /gal \$ 2.25

1 qt. Colomat @ 16.00 /gal \$ 1.3

_____ @ _____ \$ _____

_____ @ _____ \$ _____

Less County Cost Share _____ % \$ 47.55

EPA Regulation Number: 62719-655 Graslan L (Dow)

62719-6 Tordon 22K (Dow)

228-145 Platoon 24D Amine (Timberland)

62719-519 Milestone (Dow)

Other: _____

Amount Due \$ _____

Send Payment To: Burleigh County Auditor

P. O. Box 5518

Bismarck, ND 58506

PPE Requirements Key: 1. Long sleeve shirt and pants 2. Shoes plus socks 3. Waterproof gloves 4. Chem. Resistant gloves 5. Chem. Resistant footwear plus socks 6. Coveralls 7. Protective eyewear 8. Chem. Resistant apron 9. Respirator DM,OV 10. Coveralls over short shirt and pants 11. Coveralls over long shirt and pants 12. Chem. Resistant headgear 13. Chem. Resistant coveralls 14. Cotton Gloves

Land Owner/Renter: _____
(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Date: _____

Township Rep: _____
(SIGNATURE OF TOWNSHIP PERSON OR COUNTY WEED OFFICER)

Date: _____

Contract Sprayer: _____
(or Representative) (LICENSE NO.)

Date: 6-11-20

Chemicals provided by: Nutrien Solutions
5230 Airport Rd.
Spearfish, SD 57783

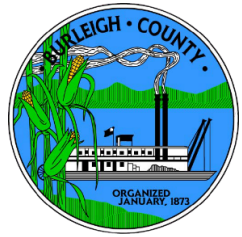
ALL COMPLAINTS MUST BE SUBMITTED TO B.C.W.B. WITHIN 30 DAYS OF APPLICATION

ITEM

13



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

January 17, 2024

5:00 PM

COUNTY WEED BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Review of Rod Backman weed bill.
4. Discussion about future meetings location and recording.
5. Other Business.
6. Adjourn.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Invocation and Pledge of Allegiance presented by Chaplain.
4. Approval of Agenda.
5. Public comment (excluding public hearing items.)
6. Consideration and approval of the January 3rd, 2024, meeting minutes and bills.
7. Consent Agenda:
 - a. Abatements.
 - b. Resolution authorizing County Auditor/Treasurer to make payment upon demand for all invoices and claims for utility services, gas, fuel, and oil (per Bill Payment Policy).
 - c. Designation of depositories.
 - d. Applications for licenses, raffles, and special events permits.
 - e. Check replacement.
 - f. Second Access permit request.
8. Assignment of portfolios.

9. County Engineer Hall:

- a. PUBLIC HEARING on petition to vacate section line.
- b. 2024 Project priority list.

10. Commissioner Schwab:

- a. State Property Tax credit.

11. Daniel Schwartz:

- a. MOU between Burleigh County and the University of Mary.

12. Sheriff Leben:

- a. Quarterly Report.

13. Chairman Bitner:

- a. Official appointment of Leigh Jacobs as County Finance Director.
- b. Provident Building RFP for fan coil piping replacement.
- c. Election status update.

14. Comm. Munson:

- a. Fair Board discussion.

15. Other Business.

Adjourn.

The next regularly scheduled Commission meeting will be on February 5th, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer/Tax

COUNTY

WEED

BOARD

October 6, 2023

Mr. Rod Backman stopped in to discuss his 2 weed spraying bills.

Invoice #230486 – total \$107.51 – less county cost share of 50% - \$53.76.

Invoice #230485 – total \$162.51 – less county cost share of 50% - \$81.26.

Since the final cost of each invoice is under \$110, the customer is to pay the minimum charge of \$110.

Property #1 is E1/2SE1/4 of Section 33-143-79

Property #2 is E1/2NE1/4 of section 04-142-79

There is only a road between the 2 properties.

Mr. Backman is questioning why 2 bills when the properties are right next to each other and were sprayed on the same day by the same person. Also he is questioning that each one is the minimum charge of \$110 each but he is willing to pay the cost sharing price which would equal \$135.02.

Attached:

Map of each property

Invoice

Original ticket

Past bills of these properties

Per phone discussion with Leon Pederson the \$110 minimum should not have been charged on each property because they are adjacent quarters.

Thus, I have paid the actual amounts, that do exceed \$110 in total.

Rod Backman

A blue ink signature or scribble, possibly reading "Rod Backman", located at the bottom center of the page.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP



OWNER: BACKMAN, RODNEY A

SITE ADDRESS:

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

2023 Weed Spraying

Invoice Date	Invoice Number	Rev.
07/20/2023	230486	0
Customer P.O. Number		
TICKET #4703		
Reference		
SE4 SEC 33-143-79		

Questions ? Please See Phone Number Below (701) 222-6718

Bill To :

BACKMAN, ROD

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	EA		Weed Spraying		110.0000	110.00	0.00	0.00

NOTES:

Sub-Total:	110.00
Freight:	0.00
Tax:	0.00
Total Amount:	110.00

FILE COPY

20 23

SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 4703

Renter/
Land Owner: Bob Buckman Address: 7

Weeds Controlled: OT Spray Equipment: #12 wand Herbicide: 20oz High Noon / 1pt. Tordon
(UNIT NUMBER AND GPA) (RATE AND NAME)

Land Description: SE 33-143-79
(1/4 SEC./TWNSP./RANGE) or (ROW)

Start Time:	End Time:	Start Time:	End Time:	Start Time:	End Time:	Total:
8:45	9:30					0.75 Hrs.
Time: <u>9:15</u>	Location at time of Reading: <u>on site</u>			Temp: <u>59°</u>	Wind direction: <u>SW</u>	Wind speed: <u>10</u>
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____

Gallons Starting:	Gallons Added:	Gallons Ending:	Total Gallons Used: <u>25</u>
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Right of way as shown on map below Total Acres/Miles Treated: 1 PPE#: _____ R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: <u>0.75</u> hrs.	@ \$ <u>110</u> /hr.	\$ <u>82.50</u>
<u>20oz High Noon</u>	@ \$ <u>92</u> /gal	\$ <u>14.38</u>
<u>1pt. Tordon</u>	@ \$ <u>50.10</u> /gal	\$ <u>6.26</u>
<u>0.25 qt. Liberate</u>	@ \$ <u>45.00</u> /gal	\$ <u>2.81</u>
<u>0.25 qt. Dye</u>	@ \$ <u>25</u> /gal	\$ <u>1.56</u>
	@ \$ <u>1</u>	\$ _____
Less County Cost Share <u>50</u> %		Total \$ <u>107.51</u>

Cross Lake
(TOWNSHIP)

Protective Clothing Requirement-Key 1.long-sleeved shirt and pants 2.Shoes plus socks 3.Waterproof gloves 4.Chemical Resistant gloves 5.Chemical Resistant footwear plus socks 6.Coveralls 7.Protective eyewear 8.Chemical resistant apron 9.Respirator DM,OV 10.Coveralls over short shirt and pants 11.Coveralls over long shirt and pants 12.Chemical resistant headgear 13.Chemical resistant coveralls 14.Cotton Gloves

EPA Regulation Number:

- 62719-655 Graslan L (Corteva)
- 62719-6 Tordon 22k (Corteva)
- 24D Amine
- 62719-519 Milestone (Corteva)
- 0219-755 Other High Noon

Minimum charge \$ 110.00
 Amount Due \$ 53.76 *VP send*

Land Owner/Renter: _____ Date: _____

(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Contract Sprayer: Joni Miller W146812 Date: 7/6/03
(or Representative) (LICENSE NO.)

Send Payment To: Burleigh County Auditor
P.O. Box 5518
Bismarck, ND 58506

2023 Weed Spraying

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

Invoice Date	Invoice Number	Rev.
07/20/2023	230485	0
Customer P.O. Number		
TICKET #4702		
Reference		
NE4 SEC 4-142-79		

Questions ? Please See Phone Number Below (701) 222-6718

Bill To :

BACKMAN ROD

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	EA		Weed Spraying		110.0000	110.00	0.00	0.00

NOTES:

Sub-Total:	110.00
Freight:	0.00
Tax:	0.00
Total Amount:	110.00

FILE COPY

20 23

SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number

4702

Renter/

Land Owner: Rod Backman Address: _____

Weeds Controlled: LS CT Spray Equipment: H12 Wand/Broom Herbicide: 20oz High Noon/1pt. Tordon
(UNIT NUMBER AND GPA) (RATE AND NAME)

Land Description: NE 4-142-79

(¼ SEC./TWNSP./RANGE) or (ROW)

Start Time:	End Time:	Start Time:	End Time:	Start Time:	End Time:	Total:
7:30	8:45					1.25 Hrs.
Time: <u>7:30</u>	Location at time of Reading: <u>on site</u>			Temp: <u>56°</u>	Wind direction: <u>S</u>	Wind speed: <u>8</u>
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____
Time: _____	Location at time of Reading: _____			Temp: _____	Wind direction: _____	Wind speed: _____

Gallons Starting:	Gallons Added:	Gallons Ending:	Total Gallons Used: <u>25</u>
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Right of way as shown on map below

Total Acres/Miles Treated: 1

PPE#: _____ R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: <u>1.25</u> hrs.	@ \$ <u>110</u> /hr.	\$ <u>137.50</u>
<u>20 oz High Noon</u>	@ \$ <u>92</u> /gal	\$ <u>14.38</u>
<u>1 pt. Tordon</u>	@ \$ <u>50.10</u> /gal	\$ <u>6.26</u>
<u>0.25 qt. Liberate</u>	@ \$ <u>45</u> /gal	\$ <u>2.81</u>
<u>0.25 qt. Dye</u>	@ \$ <u>26</u> /gal	\$ <u>1.56</u>
	@ \$ _____	\$ _____

Less County Cost Share 50 %

Total \$ 1102.51

Ecklund

(TOWNSHIP)

Protective Clothing Requirement-Key 1.long-sleeved shirt and pants 2.Shoes plus socks 3.Waterproof gloves 4.Chemical Resistant gloves 5.Chemical Resistant footwear plus socks 6.Coveralls 7.Protective eyewear 8.Chemical resistant apron 9.Respirator DM,OV 10.Coveralls over short shirt and pants 11.Coveralls over long shirt and pants 12.Chemical resistant headgear 13.Chemical resistant coveralls 14.Cotton Gloves

EPA Regulation Number:

62719-655 Graslan L (Corteva)

62719-6 Tordon 22k (Corteva)

24D Amine

62719-519 Milestone (Corteva)

62719-755 Other High Noon

minimum charge \$110.00 LP
Amount Due \$ 81.25

Land Owner/Renter: _____ Date: _____

(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Contract Sprayer: Joni Mele 16146812 Date: 7/6/23

(or Representative)

(LICENSE NO.)

Send Payment To: Burleigh County Auditor
P.O. Box 5518
Bismarck, ND 58506

2022 Weed Spraying

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

Invoice Date	Invoice Number	Rev.
07/06/2022	220361	0
Customer P.O. Number		
TICKET 3955		
Reference		
SECT 33-143-79, SECT 4-142-79		

Questions ? Please See Phone Number Below (701) 222-6718

Bill To :

BACKMAN, ROD

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	EA		Weed Spraying		135.5600	135.56	0.00	0.00

NOTES:

Sub-Total:	135.56
Freight:	0.00
Tax:	0.00
Total Amount:	135.56

FILE COPY

20 22

SPRAY TICKET AND INITIAL BILLING SHEET

BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3955

Renter/
Land Owner: Rod Backman Address: _____

Weeds Controlled: LS WW CT Spray Equipment: #12 25 gpa Herbicide: 1pt. Tordon, 1qt. 24-D / 7oz Milestar
(UNIT NUMBER AND GPA) (RATE AND NAME) 1qt. 24-D

Land Description: 33-143-79; 4-142-79
(¼ SEC./TWNSP./RANGE) or (ROW)

Start Time:	End Time:	Start Time:	End Time:	Start Time:	End Time:	Total:
9:30	11:30					2.0 Hrs.
Time: <u>1000</u>	Location at time of Reading: <u>Wilton</u>	Temp: <u>69</u>	Wind direction: <u>NW</u>	Wind speed: <u>10</u>		
Time: <u>1100</u>	Location at time of Reading: <u>Wilton</u>	Temp: <u>70</u>	Wind direction: <u>NW</u>	Wind speed: <u>8</u>		
Time: _____	Location at time of Reading: _____	Temp: _____	Wind direction: _____	Wind speed: _____		
Time: _____	Location at time of Reading: _____	Temp: _____	Wind direction: _____	Wind speed: _____		
Time: _____	Location at time of Reading: _____	Temp: _____	Wind direction: _____	Wind speed: _____		
Time: _____	Location at time of Reading: _____	Temp: _____	Wind direction: _____	Wind speed: _____		
Time: _____	Location at time of Reading: _____	Temp: _____	Wind direction: _____	Wind speed: _____		

Gallons Starting: _____	Gallons Added: _____	Gallons Ending: _____	Total Gallons Used: <u>65</u>
-------------------------	----------------------	-----------------------	-------------------------------

Right of way as shown on map below

Total Acres/Miles Treated: 2.6

R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: <u>2.0</u> hrs.	@ \$ <u>110</u> /hr.	\$ <u>220.00</u>
<u>2pt. Tordon</u>	@ \$ <u>65</u> / gal	\$ <u>16.25</u>
<u>2.6 gal. 2,4-D</u>	@ \$ <u>20</u> / gal	\$ <u>13.00</u>
<u>4.2oz Milestar</u>	@ \$ <u>80</u> / qt	\$ <u>10.50</u>
<u>1.65 gal. Cybazine</u>	@ \$ <u>45</u> / gal	\$ <u>7.31</u>
<u>0.65 gal. Colant</u>	@ \$ <u>25</u> / gal	\$ <u>4.06</u>
Less County Cost Share <u>50</u> %		Total \$ <u>271.12</u>

50 gal Tordon 2,4-D
15 gal Milestar 2,4-D

Gross Lake, Etchewa
(TOWNSHIP)

EPA Regulation Number:

- 62719-655 Graslan L (Corteva)
- 62719-6 Tordon 22k (Corteva)
- 24D Amine
- 62719-519 Milestone (Corteva)
- Other _____

Amount Due \$ 135.56

Land Owner/Renter: _____ Date: _____
(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Contract Sprayer: _____ Date: 6/20
(or Representative) (LICENSE NO.)

Send Payment To: Burleigh County Auditor
P.O. Box 5518
Bismarck, ND 58506

20 21

SPRAY TICKET AND INITIAL BILLING SHEET

BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3966

Renter/
Land Owner: Red Berkman Address: _____

Land Description: 45-32-113-55 Spray Equipment: #120 / 25 Herbicide: 2.5 pk Gresslan
(% SEC./TWNSP./RANGE) or (ROW) (UNIT NUMBER AND GPA) (RATE AND NAME)

Weeds Controlled: L. Spurge A. Watermark

Start Time: 7:45 End Time: 8:15 Start Time: _____ End Time: _____ Start Time: _____ End Time: _____ Total: _____

Time: 8:00 Location at time of Reading: on 27c Temp: 69 Wind direction: SW Wind speed: 5

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Gallons Starting: _____ Gallons Added: _____ Gallons Ending: _____ Total Gallons Used: 25

Right of way as shown on map below Acres/Miles Treated: 1 PPE#: _____ R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: 1/2 hrs. @ \$ 90/hr. \$ 90.00

2.5 pk Gresslan @ 40 /gal \$ 18.00

1/4 pt Colomat @ 20 " \$ 5.00

1 " Liberate @ 45 " \$ 20.00

_____ @ _____ \$ _____

_____ @ _____ \$ _____

Less County Cost Share 50 % \$ 56.16

Gross Lake
(TOWNSHIP)

EPA Regulation Number: 62719-655 Graslan L (Dow)

PPE Requirements Key: 1. Long sleeve shirt and pants 2. Shoes plus socks 3. Waterproof gloves 4. Chem. Resistant gloves 5. Chem. Resistant footwear plus socks 6. Coveralls 7. Protective eyewear 8. Chem. Resistant apron 9. Respirator DM,OV 10. Coveralls over short shirt and pants 11. Coveralls over long shirt and pants 12. Chem. Resistant headgear 13. Chem. Resistant coveralls 14. Cotton Gloves

62719-6 Tordon 22K (Dow)
228-145 Platoon 24D Amine (Timberland)
62719-519 Milestone (Dow)
Other: _____

Amount Due \$ 40.00
Send Payment To: **Burleigh County Auditor**
P. O. Box 5518
Bismarck, ND 58506

Land Owner/Renter: _____ Date: _____
(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Township Rep: _____ Date: _____
(SIGNATURE OF TOWNSHIP PERSON OR COUNTY WEED OFFICER)

Contract Sprayer: [Signature] Date: 6-22-21
(or Representative) (LICENSE NO.)

Chemicals provided by: Nutrien Solutions
5230 Airport Rd.
Spearfish, SD 57783

ALL COMPLAINTS MUST BE SUBMITTED TO B.C.W.B. WITHIN 30 DAYS OF APPLICATION

2020 Weed Spraying

INVOICE

County of Burleigh
PO Box 5518
221 N 5th Street
Bismarck, ND 58506-5518

Invoice Date	Invoice Number	Rev.
06/23/2020	293	0
Customer P.O. Number		
Reference		

Questions ? Please See Phone Number Below

Bill To :

BACKMAN, ROD

Attn: Accounts, Payable

Phone: Fax:

Project: Auditor
(701)222-6694

Qty	Unit	Product#	Description	Account Number	Unit Price	Extended	Tax	Freight
1.00	ea		Weed Spraying #3637		40.0000	40.00	0.00	0.00

NOTES:

[Empty rectangular box for notes]

Sub-Total:	40.00
Freight:	0.00
Tax:	0.00
Total Amount:	40.00

FILE COPY

20 20

SPRAY TICKET AND INITIAL BILLING SHEET

BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3637

3637

Renter/
Land Owner: Red Bantman

Address: _____

Land Description: _____
(¼ SEC./TWNSP./RANGE) or (ROW)

Spray Equipment: 20 20 (120)
(UNIT NUMBER AND GPA)

Herbicide: 2 1/2 gal. Glyphosate
(RATE AND NAME)

Weeds Controlled: L. Spruce

Start Time: 8:30 End Time: 9:10 Start Time: _____ End Time: _____ Total: 1/2

Time: 9:00 Location at time of Reading: on spruce Temp: 55 Wind direction: SW Wind speed: 7

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Time: _____ Location at time of Reading: _____ Temp: _____ Wind direction: _____ Wind speed: _____

Gallons Starting: _____ Gallons Added: _____ Gallons Ending: _____ Total Gallons Used: 10

Right of way as shown on map below

Acres/Miles Treated: .4 PPE#: _____

R.E.I.: _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

CHARGES

Spraying: <u>1/2</u> hrs. @ \$ <u>80</u> /hr.	\$ <u>40.00</u>
<u>1 gal. Glyphosate</u> @ <u>36.00</u> /gal	\$ <u>5.80</u>
<u>1 gal. Libicide</u> @ <u>22.00</u> /gal	\$ <u>2.20</u>
<u>1/4 Colorant</u> @ <u>46.00</u> /gal	\$ <u>1.15</u>
_____ @ _____	\$ _____
_____ @ _____	\$ _____
Less County Cost Share _____ %	\$ <u>47.55</u>

Grass Lake
(TOWNSHIP)

EPA Regulation Number: 62719-655 Graslan L (Dow)

PPE Requirements Key: 1. Long sleeve shirt and pants 2. Shoes plus socks 3. Waterproof gloves 4. Chem. Resistant gloves 5. Chem. Resistant footwear plus socks 6. Coveralls 7. Protective eyewear 8. Chem. Resistant apron 9. Respirator DM,OV 10. Coveralls over short shirt and pants 11. Coveralls over long shirt and pants 12. Chem. Resistant headgear 13. Chem. Resistant coveralls 14. Cotton Gloves

62719-6 Tordon 22K (Dow)
228-145 Platoon 24D Amine (Timberland)
62719-519 Milestone (Dow)
Other: _____

Amount Due \$ 40.00

Send Payment To: Burleigh County Auditor
P. O. Box 5518
Bismarck, ND 58506

Land Owner/Renter: _____
(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

Date: _____

Township Rep: _____
(SIGNATURE OF TOWNSHIP PERSON OR COUNTY WEED OFFICER)

Date: _____

Contract Sprayer: [Signature]
(or Representative) 10025835 (LICENSE NO.)

Date: 6-11-20

Chemicals provided by: Nutrien Solutions
5230 Airport Rd.
Spearfish, SD 57783

ALL COMPLAINTS MUST BE SUBMITTED TO B.C.W.B. WITHIN 30 DAYS OF APPLICATION

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

JANUARY 3RD, 2024

5:00 PM

Chairman Bakken (via Zoom) called the regular meeting of the Burleigh County Commission to order.

Auditor/Treasurer Splonskowski called for nominations for Chairman for the year 2024. Comm. Schwab nominated Comm. Bitner. Comm. Munson nominated Chairman Bakken. There were no other nominations. Commissioners Schwab, Woodcox, Bitner, and Chairman Bakken voted "AYE" for Comm. Bitner. Comm. Munson voted "NAY". Chairman Bitner then called for nominations for Vice Chairman. Comm. Woodcox nominated Comm. Munson and Chairman Bitner nominated Comm. Bakken. Commissioners Munson and Woodcox voted "AYE" for Comm. Munson with Commissioners Schwab, Bakken, and Chair Bitner voting "NAY". All members both present and via zoom then voted "AYE" on Comm. Bakken as Vice Chairman.

Chairman Bitner then discussed the assignment of portfolios. Comm. Woodcox wanted to see a list of who was currently holding what portfolio which was not in the packet. Auditor/Treasurer Splonskowski stated he will provide this list to the board in preparation for the next meeting. Comm. Bakken suggested holding the portfolios in status quo until Chairman Bitner had an opportunity to visit with department heads and the commissioners to make sure everything is a good fit. Chairman Bitner then asked that this be tabled until the next meeting so he can visit with department heads but noted that he will not discuss this with the commissioners. The commissioners can submit their opinions to the Auditor's Office.

Roll call of the members: Commissioners Woodcox, Munson, Schwab, Bakken (via Zoom), and Chairmam Bitner were present.

There was then an Invocation by the Chaplain and the Pledge of Allegiance.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried.

Chairman Bitner opened the meeting for public comment and there was none.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the December 18th, 2023 meeting minutes and 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:

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Larry & Kathlyn Wall	2021	N1/2 SW1/4 + SW1/4 SW1/4 6-144-78	91 acres of water	\$44,000	\$10,200
Larry & Kathlyn Wall	2022	N1/2 SW1/4 + SW1/4 SW1/4 6-144-78	91 acres of water	\$44,000	\$10,200

Larry & Kathlyn Wall	2023	N1/2 SW1/4 + SW1/4 SW1/4 6-144-78	Inundated acres	\$46,500	\$1,300
Jason & Danielle Levey	2023	Block 23, Sturgis, West 62 FT of Lots 13-16	Error in property description	\$265,500	\$215,400
Jason & Danielle Levey	2023	Lots 9-10, Block 11, Haight & Little's	Error in property description	\$268,500	\$224,500
Zachariah D & Ashley M Hay	2023	Lot 5, Block 5, Horizon Heights 2nd	Error in property description	\$392,200	\$334,000
Justin Paul Williams	2023	Lot 7, Block 1, High Meadows 11th Replat	Error in property description	\$398,500	\$298,900
Ryan Hoerner	2023	Lots 20-22 less South 1' of Lot 20, Block 81, William's Survey	Error in property description	\$145,000	\$116,000
Kohl's Illinois, Inc.	2023	Lot 6, Block 1, Pinehurst Square Addition	Error in property description	\$9,299,200	\$8,865,500
Rainmaker Properties LLC	2023	Lots 9-10, Block 6, Morningside Heights Rep B6	Error in property description	\$1,117,100	\$1,031,400
Ralph Messer	2022	Lot 9, Block 56, Northern Pacific 2nd	Exempt from taxation	\$257,200	\$0
Ralph Messer	2023	Lot 9, Block 56, Northern Pacific 2nd	Exempt from taxation	\$261,300	\$0
Ralph Messer	2022	Lot 10, Block 56, Northern Pacific 2nd	Exempt from taxation	\$229,200	\$0
Ralph Messer	2023	Lot 10, Block 56, Northern Pacific 2nd	Exempt from taxation	\$257,500	\$0
Ryan Sabin	2022	100% Disabled Veteran	Block 18, Southwood Terrance 2nd Replat, North 261.47' of East 257.98' of Lot 8 East Riverwood Condominium Unit 8	\$150,600	\$0
Troy & Jennifer Marchus	2023	Error in property description	Lots 3-4, Block 57, Original Plat	\$129,300	\$106,700
Neal & Heather Leier	2023	Error in property description	Block 3, Southbay 2nd Addition, Lot 119 & undivided	\$804,000	\$749,100

			interest in common areas		
Wade & Kayla Teneyck	2023	70% Disabled Veteran	Lot 16, Block 4, Huber Re Estate Trust 1st Addition	\$302,400	\$176,400
Joseph J & Carol T Kuntz	2023	100% Disabled Veteran	Block 6, Lincoln, Beg 200' South & 200' East of NW corner; W 75' S 95' E 75' N95' to beginning	\$222,400	\$42,400
Ryan Sabin	2023	100% Disabled Veteran	Block 18, Southwood Terrance 2nd Replat, North 261.47' of East 257.98' of Lot 8 East Riverwood Condominium Unit 8	\$159,200	\$0
100 West Main Limited Partnership	2023	Error in property description	Lots 7-11, Block 56, Original Plat	\$3,762,200	\$3,288,300
Gladys & Greg R Grube	2023	Block 1, Brandon Heights, Lot 4 Brandon heights Condominiums Five unit D	100% Homestead Credit	\$22,400	\$20,400
Greg Schlosser & Lauri Hanson	2023	Lot 2, Block 4, Eagle Crest	Error in property description	\$647,800	\$622,200
John Karolewics & Caren Stewart	2023	Lot 13, Block 5, Peet's 4th	90% Disabled Veteran	\$381,200	\$340,700
Kaye Anderson	2023	Block 5, City Lands 138-80, pt of NW1/4 NW1/4 Sec 5 & pt of Gov L1 Sec 6 138-80 Riverside Park Condominiums unit 108	100% Homestead Credit	\$195,100	\$178,842
Michael & Pamela Smith	2023	Lot 5, Block 8, Shamrock Acres 3rd	80% Disabled Veteran	\$291,000	\$147,000
Joseph E Sr & Kathryn Tibor	2023	Lot 9, Block 2, Register's 1st	100% Homestead Credit	\$84,000	\$0

Judith A Schneider	2023	Lot 2, Block 29, Wachter's 3rd	100% Homestead Credit	\$268,400	\$68,400
Joanne Monson	2023	Lot 3, Block 9, Boulder Ridge 1st	50% Homestead Credit	\$496,700	\$396,700
Charles W & Laura M Gitter	2023	Lot 4A, Block 4, Country West III	Error in property description	\$462,200	\$390,100
David Breeding	2023	Lots 1-3, Block 8, Macober's First - Wilton	50% Homestead Credit	\$41,700	\$20,850
Andrew W & Darlene Weigel	2023	Lot 2 Less South 5', Block 3, Washington Meadows 3rd	50% Disabled Veteran	\$332,600	\$242,600
Shirley & Cleon Hoggarth	2023	Lot 17, Block 6, Eastview	50% Homestead Credit	\$291,500	\$191,500
Alma Nelson	2023	Lot 1, Block 3, Washington Heights	50% Homestead Credit	\$244,300	\$144,300
Adam M & Jenene K Leintz	2023	Block 1, Boulder Ridge 2nd Addition, Lot 15 & undiv inter in following common areas: Aud Lot B of L13, L15 Aud Lot B of L17, B1; L8 B2; L7 B3; L11 B9 & L12-13 B10 Boulder Ridge 1st & Lot 1 B 1 & lot 7 B3 Boulder Ridge 3rd	50% Homestead Credit	\$521,400	\$421,400
Diordan T McLean	2023	Lots 7-8, Block 3, Mackin's Subdivision	100% Homestead Credit	\$129,100	\$0
Aaron & Devonne Schantz	2023	Lot 12 & undivided interest in common area, Block 3, Southbay 2nd addition	Error in property description	\$667,000	\$571,900
Craig D & Lynn A Grassel	2023	Lots 16-17, Block 23, Wachter's 9th	Error in property description	\$600,100	\$339,600
Michael K & Sarah M Saylor	2023	Lot 28, Block 10, Country West III	Error in property description	\$613,200	\$566,100
Karen Stolt	2023	West 50' of Lots 1-2, Block 78, McKenzie & Coffin's	Homestead Credit (additional credit)	\$116,300	\$16,300

Bill Heckelsmiller	2023	Auditor's Lot A, Section 28, Long Lake Township	100% Homestead Credit	\$90,100	\$0
James J & Cynthia A Bechtold	2023	Lot 21, Block 2, Wachter's 6th	100% Homestead Credit	\$423,800	\$223,800
Irene Miller	2023	Lot 21, Block 3, Grandview Heights	100% Homestead Credit	\$337,300	\$137,300
Ronald S Perry	2023	Block 2, Park Hill (Aud Lots), beginning 1050'E of SW corner of NE1/4 of section 5 & 248.9'N of said point thence W65', N150', E65', S150' to beginning	100% Homestead Credit	\$236,100	\$36,100
James & Dorothy Kratovil	2023	Lot 6, Block 2, Riverside Second	100% Homestead Credit	\$390,400	\$190,400
Diane & Allen Dockter	2023	Lot 9, Block 8, Eastside Heights	50% Homestead Credit	\$267,700	\$167,700
James A & Violet S Ryckman	2023	Lot 1, Block 1, Sattler's Sunrise	50% Homestead Credit	\$292,800	\$192,800
Ella Peightal Family Trust	2023	Block 21, Lounsberry Outlots, beginning at NW cor S 50' E 150' N 50'W 150' to beginning	100% Homestead Credit	\$207,200	\$7,200
Victoria L Carvell	2023	Lot 10, Block 3, Sonnet Heights subdivision	100% Homestead Credit	\$338,000	\$138,000
William R & Kerry A Horton	2023	Lot 8, Block 3, Prairie Hills	100% Homestead Credit	\$263,000	\$63,000
Florence Baelser	2023	Lot 10, Block 25, subdivision of Lounsberry OL 25	50% Homestead Credit	\$264,900	\$164,900
Elizabeth Walth	2023	Lot 5, Block 24, Homan Acres 5th	100% Homestead Credit	\$418,100	\$218,100
Ila K Allison	2023	West 80' of Lots 1-3 & west 80' of north 15' of Lot 4, Block 37, Flannery & Wetherby	100% Homestead Credit	\$140,500	\$0

Lawler, C & Kelsch, J -Kelsch, Marilyn-	2023	Lot 4, Block 1, Sonnet Hgts sub 3rd replat	50% Homestead Credit	\$302,800	\$202,800
Donald & Judy Miller	2023	Block 1, Brandon Heights, Auditors Lot C of part of lot 3 Brandon Heights Condominiums Three unit 204	50% Homestead Credit	\$185,900	\$92,950
Sandra L Tabor	2023	Block 8, McKenzie's, Lot 7 & east 15' of lot 8 & west 30' of VAC Thompson St	50% Homestead Credit	\$273,000	\$173,000
Marian Scheck	2023	Lot 7, Block 20, Rep B20 Morningside Hgts	100% Homestead Credit	\$185,800	\$0
Sydney Seidel	2023	Lot 36A, Block 1, Evergreen Ridge Addn	100% Homestead Credit	\$149,000	\$0
Duane C & Agnes P Aman	2023	Lots 3-4, Block 48, Flannery & Wetherby	100% Homestead Credit	\$210,500	\$10,500
Eugene Masse	2023	10 less East 2.5', Block 4, Prairie Hills	50% Homestead Credit	\$306,200	\$206,200
Judy D Plummer	2023	Lot 11 & East 8' of Lot 12 & Lot B of Lot 10 and Lot E of Lot 10, Block 5, Sleepy Hollow Heights 3rd	100% Homestead Credit	\$392,500	\$192,500
Elbert & Bertha Wilson	2023	Lot 6, Block 1, Calgary Addition	50% Homestead Credit	\$253,100	\$153,100
Edward & Brigeta Wuitschick	2023	West 100' of Lots 15-16, Block 35, Flannery & Wetherby	100% Homestead Credit	\$143,300	\$0
Allen & Joann Blotske	2023	Lot A of Lot 1, Block 1, Blotske Subdivision	100% Homestead Credit	\$387,400	\$187,400
Richard & Rita Roller	2023	Lot 11, Block 4, Falconer Estates	50% Homestead Credit	\$336,500	\$236,500
Kenneth & Diane Gebhardt	2023	Lot 7A, Block 1, Sandy Hills Est 3rd	50% Homestead Credit	\$210,800	\$110,800
Randy Bowman	2022	S1/2 S1/2 SW1/4 Section 12 Township 140 Range 81 W	Qualifies for Farm Res. Exemption	\$435,300	\$12,600

Randy Bowman	2023	S1/2 S1/2 SW1/4 Section 12 Township 140 Range 81 W	Qualifies for Farm Res. Exemption	\$476,800	\$13,400
Rick & Janice Roll	2023	1998 Friendship 28' x 66', ser# MY98-17991A	50% Homestead Credit	\$61,095	\$30,547
Wesley & Georgia Uttke	2023	Lot 8, Block 4, Falconer Estates	50% Homestead Credit	\$327,700	\$227,700
Gwyneth Binder	2023	S 495' of SW1/4 SW1/4, S 825' of SE1/4 SW 1/4 15-139-77	100% Homestead Credit	\$93,400	\$0
Lloyd A & Brenda L Bosch	2023	Lot 11, Block 1, Falconer Est Rplt B1 L4-8	100% Disabled Veteran	\$346,600	\$166,600
Josiah Smith	2023	Lot 2, Block 1, Dunn Lincoln Twp	100% Disabled Veteran	\$540,500	\$360,500
Shinley M Buchholz	2023	Shannon Ridge 4th, Block 3, Lots 1-2 East Ridge Condominiums Unit 9	100% Homestead Credit	\$217,000	\$17,000
Alice Gramlow	2023	Southwood Terrace 2nd Rep, Block 24, Lots 1-6 Cottonwood Estates Condominium Unit D-E	50% Homestead Credit	\$188,500	\$94,250
Lawrence C & Sharon K Zacher	2023	Lot 9, Block 11, Riverview	50% Homestead Credit	\$274,400	\$174,400
Jerome R & Valerie J Delzer	2023	Lot 10, Block 1, Highland Acres 2nd	50% Homestead Credit	\$496,400	\$396,400
Eugenia Eckert	2023	Lincoln, Block 7, Beg pt 60' W of NE cor S 177' W 60' N 177' E 60' to beg	100% Homestead Credit	\$194,000	\$0
Ileen Enzlinger	2023	Lot 1, Block 4, Sattler's Sunrise 9th	100% Homestead Credit	\$404,700	\$204,700
Goll, Troy D ET AL -Goll, Leo E & Audre G-	2023	Lot 10, Block 19, Meadow Valley 4th	50% Homestead Credit	\$241,300	\$141,300
Charles Gullicks	2023	Register's 2nd, Block 7, W 5' of Lot 7' & Lot 8 less W 10'	50% Homestead Credit	\$221,600	\$121,600
Shanon L Senne	2023	Lot 4, Block 3, Centennial Park 4th	50% Homestead Credit	\$266,000	\$166,000

Motion by Comm. Munson, 2nd by Commissioner Woodcox to approve the Larry & Kathlyn Wall (3), Jason & Danielle Levey (2), Zachariah D. & Ashley M. Hay, Justin Paul Williams, Ryan Hoerner, Kohl's Illinois, Inc., Rainmaker Properties LLC, Ralph Messer (4), Ryan Sabin (2), Troy & Jennifer Marchus, Neil & Heather Leier, Wade & Kayla Teneyck, Joseph J. & Carol T. Kuntz, 100 West Main Limited Partnership, Gladys & Greg R. Grube, Greg Schlosser & Lauri Hanson, John Karolewics & Caren Stewart, Kaye Anderson, Michael & Pamela Smith, Joseph E. Sr. & Kathryn Tibor, Judith A. Schneider, Joanne Monson, Charles W. & Laura M. Gitter, David Breeding, Andrew W. & Darlene Weigel, Shirley & Cleon Hoggarth, Alma Nelson, Adam M. & Jenene K. Leintz, Diordan T. McLean, Aaron & Devne Schantz, Craig D. & Lynn A. Grassel, Michael K. & Sarah M. Sayler, Karen Stolt, Bill Heckelsmiller, James J. & Cynthia A. Bechtold, Irene Miller, Ronald S. Perry, James & Dorothy Kratovil, Diane & Allen Dockter, James A. & Violet S. Ryckman, Ella Peightal Family Trust, Victoria L. Carvell, William R. & Kerry A. Horton, Florence Baelser, Elizabeth Walth, Ila K. Allison, Marilyn Kelsch, Donald & Judy Miller, Sandra L. Tabor, Marian Scheck, Sydney Seidel, Duane C. & Agnes P. Aman, Eugene Masse, Judy D. Plummer, Elbert & Bertha Wilson, Edward & Brigeta Wuitschick, Allen & Joann Blotske, Richard & Rita Roller, Kenneth & Diane Gebhardt, Randy Bowman (2), Rick & Janice Roll, Wesley & Georgia Uttke, Gwyneth Binder, Lloyd A. & Brenda L. Bosch, Josiah Smith, Shinley M. Buchholz, Alice Gramlow, Lawrence C. & Sharon K. Zacher, Jerome R. & Valerie J. Delzer, Eugenia Eckert, Ileen Enzminger, Leo E. & Audre G. Goll, Charles Gullicks, and Shanon L. Senne abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Planner Mitch Flanagan presented a request to approve the Braunagel Final Subdivision Plat. The plat went through seven plat revisions to meet Article 33 subdivision regulations. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve. All members present voted "AYE". Motion carried. Mr. Flanagan then presented a request to approve the Joint Powers Agreement between Apple Creek Township and Burleigh County. This agreement now included specific standards for floodplain regulations. Three townships were not interested in this agreement. Chairman Bitner stated that this was significant because it left residents in these townships outside of flood insurance and local assistance that is related to floods. Chair Bitner suggested townships contact Mr. Flanagan regarding flood plain management issues because it could have a significant impact on township residents. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Joint Powers Agreement between Apple Creek Township and Burleigh County. All members present voted "AYE". Motion carried.

County Engineer Marcus Hall presented a petition to vacate a section line in Riverside Subdivision and hold a public hearing. Motion by Comm. Munson, 2nd by Comm. Schwab to set the public hearing date for February 5th, 2024 at 5pm to review discontinuing the section line and ascertain any damages that are caused by this action. All members present voted "AYE". Motion carried. Mr. Hall then presented a request to advertise for bids for painted pavement markings, crushing of gravel, township gravel hauling, dust control, chip seal projects and a grazing lease. Motion by Comm. Munson, 2nd by Comm. Schwab to approve this request. All members present voted "AYE". Motion carried. Mr. Hall presented a request to advertise for bids for the County Highway 10 roadway mill and overlay project (from 197th Street NE to 236th Street NE). Mr. Hall estimated this would cost \$1.2 million and stated that 100% of American Rescue Plan money (allocated for 66th St. overlay project) would be used for the construction of this project. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve this request. All members present voted "AYE". Motion carried. Mr. Hall then presented a request for authorization to seek construction engineering service proposals for the mill and overlay of County Highway 10 project. Motion by Comm. Schwab, 2nd by Comm. Munson to approve. All members present voted "AYE". Motion carried. Mr. Hall then presented a request to approve the 2024 Burleigh County Project Priority List and authorize the department to move forward with

those projects. Chairman Bitner requested to table this item until the next meeting, so the board had time to look at the list. Mr. Hall presented a two-part Developer Waiver request from Duane Small to waive the pavement policy to allow the proposed plat to be approved and to waive the paving requirements "paving of all internal roadways and adjacent section line roads" listed in the pavement policy in conjunction with the approval of the Peaceful View Subdivision. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve. All members present voted "AYE". Motion carried.

Comm. Munson presented a discussion on the Equine and Ag Center. He apologized to the commission regarding some language that was incorrect in a document that he previously sent to the commissioners and wished to thank Chair Bitner for pointing that out to him. The information was discussed but was never in a motion. In looking through several meetings and motions that were previously approved, he saw nothing that needed to be adjusted in any motion or in the minutes.

Elections Coordinator Lisa Hart presented a discussion regarding a precinct split. She stated that since the last election there was an annexation to the City of Bismarck in District 30 with the Paradise Valley Subdivision. In consultation with the Secretary of State's Office, it doesn't affect any precinct boundaries but does create a precinct split within precinct 3001. She added that this action required no commission approval but wanted the commission to be aware that the split was created so that when homes are built in this area, the correct ballot style will be reflected on their ballot.

Auditor/Treasurer Splonskowski brought an update on interest earnings and unused department funds that the commission requested from the last meeting. The interest earned on the Missouri Valley Complex funds was \$184,735; interest earned on ARPA funds was \$409,218; and interest earned on the General Fund was \$1,454,458. Comm. Bitner then stated that this provided the answer for how to pay for the gravel request that Mr. Hall had at the last meeting. Motion by Comm. Munson, 2nd by Schwab/Bakken to approve 1/3 of the interest earned from each of those funds to pay for the Highway Department's gravel (request totaling \$347,000) contingent on the results of Mr. Hall verifying whether interest on the ARPA Fund can be used for that. Commissioners Munson, Bakken and Chair Bitner voted "AYE". Commissioners Woodcox and Schwab voted "NAY". Motion carried. Mr. Splonskowski gave updates on the balance of unused salaries and fringe benefits. He stated that in 2019 the unused amount was \$1,036,765, \$1,663,000 in 2020, \$1,849,900 in 2021, \$2,573,318 in 2022, and in 2023 the balance remaining was \$4,108,965. Since these were not in the packets Mr. Splonskowski will send it to the commissioners in an email. Chairman Bitner requested that he would like to see all the totals in the whole county in addition to the salaries and fringe benefits that are remaining which Mr. Splonskowski stated he will also send by email. Mr. Splonskowski then presented more auxiliary board applications. He stated that since Human Services Zone Director Chelsea Flory lives in Morton County, she is not eligible to be on the Housing Authority. Arlene Olson is now the only applicant for Housing Authority. Motion by Comm. Munson, 2nd by Comm. Schwab to rescind the appointment of Chelsea Flory. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Woodcox to appoint Arlene Olson to the Housing Authority. All members present voted "AYE". Motion carried. Comm. Schwab requested that the commission acting as the Weed Board meet for the next meeting and he will add that to the agenda. He expressed concerns with the recent editorial on the Weed Board in the Bismarck Tribune regarding not being transparent. Comm. Schwab stated that he has done everything he can to be as transparent as possible. He added he has full confidence in the Weed Officer they plan to hire and Chairman Bitner stated that the Weed Officer's contact information will be made public once he is officially hired. There was consensus on the board to wait on the appointment of applicants to the Weed Board. Auditor Splonskowski presented the Rod Backman Weed bill that has been outstanding for some time. Mr. Backman wondered how much he should be paying. Motion by Comm. Schwab, 2nd by Comm. Munson to accept the

cost sharing price of \$135.02. Per the advice of State's Attorney Julie Lawyer, there needed to be notice of a Weed Board meeting with the commission acting as the Weed Board on the agenda to do this, so recommended this happen at the next meeting to make a motion on this bill.

The commission concluded by wishing Comm. Schwab a very happy birthday.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
23-411	Stephens Property Apartments LLC	2023	West 100' of Lot 1, Block 49, Northern Pacific 2nd	Error in property description	\$240,000	\$184,300
23-412	Stephens Property Apartments LLC	2023	Lots 31-32 less west 99', Block 63, McKenzie & Coffin's	Error in property description	\$158,600	\$127,600
23-413	Stephens Property Apartments LLC	2023	Lot 18, & S 15' of Lot 19, Flannery & Wetherby	Error in property description	\$256,200	\$174,600
23-414	Stephens Property Apartments LLC	2023	Lots 27-28, Block 22, Flannery & Wetherby	Error in property description	\$223,200	\$158,500
23-415	Stephens Property Apartments LLC	2023	Lots 16-18, Block 46, Flannery & Wetherby	Error in property description	\$202,300	\$179,000
23-418	CD Gemini Properties LLC	2023	Lot 1A less Lot 1C of Lot 1A of Lot 1 and Lots 10 & 11, Block 12, Wachter's subdivision & replat of part of block 10 Eastdale addn	Error in property description	\$1,962,600	\$1,859,900
23-426	Theresa A Simon	2023	Lot 24, Block 2, Sattler's Sunrise 4th	Error in property description	\$367,300	\$339,200
23-433	Brian Nelson	2023	Lots 7-8, Block 93, McKenzie & Coffin's	100% Disabled Veteran	\$200,100	\$20,100
23-434	Joshua & Alison Ternes	2023	Lots 20-21, Block 78, McKenzie & Coffin's	Error in property description	\$287,700	\$253,100
23-442	Shirley M Buchholz	2023	Lots 1-2 East Ridge Condominiums Unit 9, Block 3, Shannon Valley 4th	100% Homestead Credit	\$217,000	\$37,000
23-448	Park District of the City of Bismarck	2023	Country West V, Block 2, Lot 4 & lot 3 less that part taken for replat part Country West V and less tract 1722 & North 7' Vac	Exempt from taxation	\$300	\$0
23-449	Park District of the City of Bismarck	2023	Country West V, Block 2, Lot 5 & north 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
23-450	Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 2 less that part taken for replat part Country West V & south 7' VAC R/W Adj	Exempt from taxation	\$200	\$0

23-451	Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 3 & south 7' VAC R/W Adj	Exempt from taxation	\$300	\$0
23-452	Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 4 & south 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
23-453	Park District of the City of Bismarck	2023	Tyler's Western Village, Block 3, pt L 22 beg at NW cor; SELY along N Line of LT 79.53'; SWLY 112.82' to WLY Line of LT; N	Exempt from taxation	\$500	\$0
23-454	Park District of the City of Bismarck	2023	Tyler's Western Village, Block 3, pt L 23 beg at SW cor; NLY along W line 98.69' to most WLY Cor of lot; SELY 155.35'; SWL	Exempt from taxation	\$1,000	\$0
24-001	Adam J Koch	2023	Lot 9, Block 34, Northern Pacific 2nd Block 1, Replat North Hills 4th, Tract A & an undiv interest in L.31 Common Area Knoll Wood Condominium Central	50% Homestead Credit	\$178,000	\$89,000
24-002	Jolene Stewart	2023	Association Unit 3	100% Homestead Credit	\$266,700	\$66,700
24-003	Wayne & Gladys Trottier	2023	Lot 7B, Block 4, K & L's 2nd Addition	100% Homestead Credit	\$352,400	\$152,400
24-004	Wallace & Diane Mertz	2023	Lot 1 less Parcel No.1-1 for ST R/W, Block 1, Mertz First Addition	50% Homestead Credit	\$596,200	\$496,200
24-005	Jenell Loftesnes	2023	Lot 17 less South 6', Block 3, Stein's 2nd	50% Homestead Credit	\$262,900	\$162,900
24-007	Lawrence & Alice Duchscherer	2023	Lots 3-4, Block 10, Flannery & Wetherby Eastview, Block 2, 516A of Lot 22 less S50'	100% Homestead Credit	\$216,400	\$116,400
24-008	Cynthia Jacquart	2023	of W22' of said L22	50% Homestead Credit	\$193,000	\$96,500
24-009	John W Kelsch	2023	East 75' of Lots 17-20, Block 23, Fisher	100% Homestead Credit	\$242,000	\$42,000
24-010	Elayne M Lindquist Revocable Trust	2023	Lot 13, Block 1, Heritage Park Addition 1st Replat	50% Homestead Credit	\$403,700	\$303,700

24-012	Eileen P Krumm	2023	Lot 23, Block 2, Eagle Crest	100% Homestead Credit	\$565,600	\$365,600
24-013	David J & Agnes Volk James G & Cynthia A	2023	Pebble Creek 8th, Block 2, Lots 4,6,8,10, Blk 1, Pebble Creek 8th RPT & Lot 15 less WLY 148' of SLY 180', Blk 2, Pebble Creek 8th Arrow Head Ranch Unit 3 Bldg 3118	50% Homestead Credit	\$300,900	\$200,900
24-014	Vollmer	2023	Lot 6, Block 2, Indian Hills	50% Homestead Credit	\$267,100	\$167,100
24-015	Jefferie Ehman	2023	Pebble Creek 8th, Block 2, Lots 4,6,8,10, Blk 1, Pebble Creek 8th RPT & Lot 15 less WLY 148' of SLY 180', Blk 2, Pebble Creek 8th Arrow Head Ranch Unit 4 Bldg 3112	50% Homestead Credit	\$300,900	\$200,900
24-016	Debra Mills	2023	Replat Tibesar's 1st Sub, Block 14, Lot 19 & E 22' of Lot 18	50% Homestead Credit	\$399,800	\$299,800
24-018	Kevin Brennan Kenneth F & Alvinia	2023	Lot 5, Block 3, Briardale II	50% Homestead Credit	\$298,300	\$198,300
24-019	Buchholz Daniel & Sharon	2023	Lot 5, Block 20, Meadow Valley 4th	50% Homestead Credit	\$236,200	\$136,200
24-020	Clausnitzer	2023	Eastview, Block 3, Lot 9 & N 12' of Lot 8	50% Homestead Credit	\$315,500	\$215,500
24-021	Jenette Leblang	2023	Lot 10, Block 2, Promontory Point Block 1, Replat North Hills 4th, Tract A & an undiv interest in L.31 Common Area Knoll Wood Condominium Central	100% Homestead Credit	\$508,400	\$308,400
24-022	Jolene Stewart	2022	Association Unit 3	20% Homestead Credit	\$242,400	\$217,400
24-023	Ralph & Naida Feland	2023	Lot 4, Block 1, Edgewood Village 5th Pt S1/2SE1/4 beg @ Pt 72 rods W if SE cor then N 20 rods, W 16 rods, S 20 rods, E 16	100% Homestead Credit	\$383,600	\$183,600
24-029	Kelly & Candice Bouche	2023	rods to POB	100% Homestead Credit	\$76,500	\$0

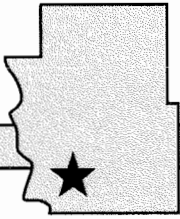
24-030	Gary & Alvina Allmendinger	2023	Eastview, Block 3, S6' of Lot 5 & N14' of Lot 4, Eastview Townhouses Unit 13 Tract J	50% Homestead Credit	\$139,700	\$69,850
24-031	Jean Ellefson Richard & Julene	2023	Tatley Meadows V, Block 2, Part of Lot 4 Pheasant Run Condominiums Unit 3068	50% Homestead Credit	\$164,600	\$82,300
24-032	Wasness Richard Braun & Patricia	2023	Lot 7, Block 1, Highland Acres West 50' of Lots 1-2, Block 20, Northern	50% Homestead Credit	\$247,400	\$147,400
24-033	Erling	2023	Pacific	100% Homestead Credit	\$227,300	\$27,300
24-034	Dan Ensz	2023	Flannery & Wetherby, Block 41, Lot 15 less W 20' for alley	100% Homestead Credit	\$167,100	\$0
24-035	Redginald & Susan Finck	2023	Lot 7, Block 10, Riverview	50% Homestead Credit	\$256,900	\$156,900
24-036	Rhonda & Steven Haegele	2023	Lots 7-8, Block 11, Fisher	100% Homestead Credit	\$217,500	\$17,500
24-037	Sylvia J Brown	2023	Lots 11-12, Block 20, Fisher	50% Homestead Credit	\$253,700	\$153,700
24-038	Jerome & Barbara Frison Gary W & Dorene E	2023	Lot 7, Block 10, Meadow Valley 2nd Block 12, Lincoln, Beg 105' N of SE cor W	50% Homestead Credit	\$221,400	\$121,400
24-039	Gaasland	2023	165' N 65' E 165' S 65' to beg	50% Homestead Credit	\$338,600	\$238,600
24-040	Carol A Hattel	2023	Lot 8, Block 3, Register's 2nd Block 4, East Hills Addition Replat, Lot 8	50% Homestead Credit	\$210,900	\$110,900
24-041	Carmen Husebye Patricia Kennedy C/O	2023	Baumgartner's Sharloh Loop Condominiums Unit 7 Building 1401	50% Homestead Credit	\$181,100	\$90,550
24-042	Patricia Hanson	2023	Lot 41, Block 10, Highland Acres	50% Homestead Credit	\$277,400	\$177,400
24-043	Beverly Larson	2023	Block 3, North Hills 15th, Lot 3 626 Nelson Dr Condominium Association Unit 4	50% Homestead Credit	\$254,900	\$154,900

	Robert P Jr & Leighann						
24-044	Gregoire	2023	Lot 5, Block 2, Wachter's 7th	50% Homestead Credit	\$294,900	\$194,900	
24-045	Michael L Miller	2023	Lot 12, Block 4, Haycreek Meadows	50% Homestead Credit	\$308,800	\$208,800	
24-046	Robert L Wetsch	2023	Lot 3, Block 19, Casey's 4th	100% Homestead Credit	\$187,800	\$0	
	Ronnie J & Kathy A						
24-053	Blegler	2023	SE1/4 - 295.16' x 295.16	50% Homestead Credit	\$217,900	\$117,900	
24-054	Gary T Nagel	2023	S 50' of Lots 7-12, Block 17, McKenzie's	50% Homestead Credit	\$227,500	\$127,500	
			Lot 19B of Lot 19 + Lot 20, Block 1,				
24-055	Viola Anderson	2023	Huntington Cottages 1st Addition	50% Homestead Credit	\$367,500	\$267,500	
24-056	Susan Beth Elliot	2023	Lot 11, Block 14, Nagel's 4th	100% Homestead Credit	\$300,200	\$233,533	
	Thomas & Cynthia						
24-057	Anderst	2023	Lot 9A, part of Lots 3-5, Block 4, Stein's 5th	50% Homestead Credit	\$226,300	\$126,300	
	Gregory & Deborah						
24-058	Hanson	2023	Lot 8, Block 15, Register's 2nd Addition	50% Homestead Credit	\$205,800	\$105,800	
	Dean A & Wanda L						
24-059	Meland	2023	Lot 6, Block 22, Wachter's 3rd	100% Homestead Credit	\$321,800	\$121,800	
24-060	Jimmy & Denise Brorby	2023	Lot 10, Block 3, The Ranch 2nd	50% Homestead Credit	\$477,100	\$377,100	
			Grande Prairie Estates Second, Twn-139,				
24-062	Jeff & Charlotte Kurtz	2023	Rng-80, Blk-09	50% Homestead Credit	\$337,500	\$237,500	
24-063	Alan Houn	2023	Lots 1-9, Block 1, Menoken Meadows	100% Homestead Credit	\$16,800	\$0	
			Lots 1-2 Original Townsite Condominiums				
			Unit 2 & Garage Unit 2, Block 61, Original				
24-064	Sandra A Schell	2023	Plat	100% Homestead Credit	\$87,200	\$0	
			RPT PT B3 Sleepy Hollow HT, Block 3, Lot 1,				
24-065	Margaret E Bahn	2023	1627 N 33rd St Condominiums Unit 2	100% Homestead Credit	\$261,100	\$61,100	

			RT L10 B1 North Hills 1st, Block 1, Lot 2			
24-066	Larry & Carol Crabbe	2023	Century Park Condominiums Unit II	100% Homestead Credit	\$211,200	\$11,200
24-067	Larry & Neva Lang	2023	Lot 15, Block 27, Stein's 4th	50% Homestead Credit	\$317,200	\$217,200
24-068	Kenn Jay Pedersen	2023	Lot 14, Block 12, Stein's 3rd	100% Homestead Credit	\$311,100	\$111,100
	Joseph G & Meredith L		Block 2, Fisher, E 70' of Lots 13-15 & W 40'			
24-069	Gross	2023	of S 10' of Lot 8 & W 40' of Lots 9-12	100% Homestead Credit	\$264,600	\$64,600

County of Burleigh

221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518



January 7, 2024

Burleigh County Commissioners
P O Box 5518
Bismarck ND 58506-5518

Burleigh County Commissioners:

I, Burleigh County Deputy Auditor/Treasurer, Brandi Caya, wish to have on record the following list of banks for depositories:

Bank of North Dakota
Bell Bank
BNC National Bank
BNY Mellon
Bravera Bank
Bremer Bank
Capital Credit Union
Choice Bank
Dakota Community Bank
First International Bank & Trust
First Western Bank & Trust
Gate City Federal Savings Bank
Kirkwood Bank and Trust
Multi-Bank Securities, Inc. (eConnectDirect)
Plains Commerce Bank
Starion Financial
U S Bank
Wells Fargo Bank

If you have any questions, please contact me.

Thank you,

A handwritten signature in black ink, reading "Brandi Caya". The signature is written in a cursive style and is positioned above the printed name and title.

Brandi Caya
Burleigh County Deputy Auditor/Treasurer



LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (2-2023)

Permit Number
24-002

Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*						
Games Authorized		<input type="checkbox"/> Raffle by a Political or Legislative District Party					
<input type="checkbox"/> Bingo	<input type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input checked="" type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO	
Name of Organization or Group Prairie Rose Parent Teacher Club	Dates Authorized (Read Instruction 2) Feb 26 - March 8, 2024
Organization or Group Contact Person Angela Schock	E-mail [REDACTED]
	Telephone Number [REDACTED]
Mailing Address 2200 Oahe Bend	City Bismarck
	State ND
	ZIP Code 58504

SITE INFO			
Site Name Prairie Rose Elementary		County Burleigh	
Site Address 2200 Oahe Bend	City Bismarck	State ND	ZIP Code 58504
If the city or county is placing restrictions on the permit, please explain			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)			
Drawings (24) Feb 26 - March 8, 2024			

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON			
Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-222-6695	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.

Information required to be preprinted on a standard raffle ticket:

1. Name of Organization;
2. Ticket Number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player or option to convert a **merchandise** prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. Print the authorizing city or county and permit number
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an non-guaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

INSTRUCTIONS:

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete the form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
 - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
 - b. A local permit can be issued for one or more events per fiscal year.
 - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
 - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
 - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
 - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
 - g. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and **send a copy within 14 days** by email to nibehm@nd.gov, fax to (701) 328-3535 or by mail to:

Office of Attorney General
Gaming Division
600 E Blvd Ave, Dept. 125
Bismarck, ND 58505-0040

If you have questions on the local permit or restricted event permit process, please call: 1-800-326-9240



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9338 (4-2023)

Applying for (check one)

Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Prairie Rose Parent Teacher ^{Club} Committee		Dates of Activity (Does not include dates for the sales of tickets) Feb 26-Mar 8 2024	
Organization or Group Contact Person Angela Schock	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address 2200 Dahn Bend	City Bismarck	State ND	ZIP Code 58504
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Prairie Rose Elementary	County Burleigh
Site Physical Address 2200 Dahn Bend	City Bismarck
	State ND
	ZIP Code 58504

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)
Drawings (24) Feb 26-Mar 8

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Calendar Raffle	Cash	\$25-\$200
Total (limit \$40,000 per year)		\$ 950.00

Intended Uses of Gaming Proceeds

New projector screen in gym, headphones for classrooms, playground

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
 Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)
 Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)
 No Yes - Total Retail Value: [] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)
 Yes No

Name Angela Schock	Title PTC Treasurer	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official Angela Schock		Title PTC Treasurer	Date 1-5-2024

Information required to be preprinted on a standard raffle ticket:

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or eight thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time for each drawing and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and physical street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

PRIZE RESTRICTIONS:

A single cash prize cannot exceed \$8,000

The retail value of a merchandise prize cannot exceed \$8,000.

The total of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$40,000 per year.

If the value of the planned cash and merchandise prizes exceed \$40,000, the organization or group must reduce the prizes to this limit or a nonprofit corporation may apply for a state gaming license with the Office of Attorney General.

LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:	Local Permit	Restricted Event Permit
Number of events per year	Limited by prizes	One
Must file an information report	Yes, if political party	Yes
May pay employees compensation	Yes	No
Must use chips as wagers	No	Yes
Use of net income	Unrestricted	Restricted
Games allowed	Bingo Raffles Sports Pools	Bingo Raffles Sports Pools Poker Twenty-One Paddlewheels

Compared to a "Local Permit," an organization or group with a "Restricted Event Permit" may conduct three more game types, but is restricted to one event per year, must file a "Report on a Restricted Event Permit" with the city or county and Office of Attorney General, and disburse net income to eligible uses. These uses are described by North Dakota Century Code 53-06.1-11.1(2) and North Dakota Administrative Code 99-01.3-14-02. Refer to the backside of the "Report on a Restricted Event Permit" form for a general list of eligible uses.

For a Restricted Event Permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$40,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is no a prize.

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.



LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number
24-001

Permit Type (check one)
 Local Permit Restricted Event Permit*
 Games Authorized
 Raffle by a Political or Legislative District Party
 Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group District 8 Republican Party of North Dakota		Dates Authorized (Read Instruction 2) 03/09/2024	
Organization or Group Contact Person Josey Milbradt	E-mail [REDACTED]	Telephone Number [REDACTED]	
Mailing Address [REDACTED]	City [REDACTED]	State ND	ZIP Code [REDACTED]

SITE INFO

Site Name Black Leg Ranch		County Burleigh	
Site Address 24750 62nd Ave SE	City McKenzie	State ND	ZIP Code 58572

If the city or county is placing restrictions on the permit, please explain

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

1 time raffle, drawing to be held 3/9/2024

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - (1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - (2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-222-6695	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.

Information required to be preprinted on a standard raffle ticket:

1. Name of Organization;
2. Ticket Number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player or option to convert a **merchandise** prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. Print the authorizing city or county and permit number
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an non-guaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

INSTRUCTIONS:

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete the form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
 - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
 - b. A local permit can be issued for one or more events per fiscal year.
 - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
 - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
 - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
 - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
 - g. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and **send a copy within 14 days** by email to nibehm@nd.gov, fax to (701) 328-3535 or by mail to:

Office of Attorney General
Gaming Division
600 E Blvd Ave, Dept. 125
Bismarck, ND 58505-0040

If you have questions on the local permit or restricted event permit process, please call: 1-800-326-9240



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 9338 (4-2023)

Applying for (check one)
 Local Permit Restricted Event Permit*

Games to be conducted
 Raffle by a Political or Legislative District Party
 Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group: **District 8 Republican Party of North Dakota** Dates of Activity (Does not include dates for the sales of tickets): **3/9/2024**

Organization or Group Contact Person: **Josey Milbradt** E-mail: [REDACTED] Telephone Number: [REDACTED]

Business Address: [REDACTED] City: [REDACTED] State: **ND** ZIP Code: [REDACTED]

Mailing Address (if different): [REDACTED] City: [REDACTED] State: [REDACTED] ZIP Code: [REDACTED]

SITE INFO

Site Name: **Black Leg Ranch** County: **Burleigh**

Site Physical Address: **24750 62nd Ave SE** City: **McKenzie** State: **ND** ZIP Code: **58572**

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)
1 time Raffle. Drawing to be held 3/9/2024

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	Henry Golden Boy 2nd Amendment Tribute Edition, .22LR	\$1,308
Raffle	Ruger SFAR .308 AR-style rifle, 20" BBL	\$1,329
Raffle	Tristar Trinity Deluxe 12ga. Over/Under shotgun, 28" BBL, Wood stock	\$900
Total (limit \$40,000 per year)		\$ 5,107

Intended Uses of Gaming Proceeds
Raise and disburse funds only for the district party, district endorsed candidates and the North Dakota Republican Party

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
 Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)
 Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)
 No Yes - Total Retail Value: [REDACTED] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)
 Yes No

Name Josey Milbradt	Title Vice Chair	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official 		Title Chair	Date 12/28/23



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (4-2023)

Applying for (check one)

Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group		Dates of Activity (Does not include dates for the sales of tickets)	
Organization or Group Contact Person	E-mail	Telephone Number	
Business Address	City	State	ZIP Code
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name	County		
Site Physical Address	City	State	ZIP Code
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	Weatherby Vanguard Badlands, 6.5 Creedmore, 24" BBL	\$900
Raffle	Mossberg Patriot, Walnut stock, .270 Remington	\$670
Total (limit \$40,000 per year)		\$

Intended Uses of Gaming Proceeds

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)

Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)

No Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

Yes No

Name	Title	Telephone Number	E-mail Address
Signature of Organization or Group's Top Official		Title	Date

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

When we receive the signed and notarized Affidavit and Agreement a duplicate payment will be issued and forwarded to you. In the event you recover possession of the original check, DO NOT CASH IT, please advise the Burleigh County Auditor/Treasurer immediately. Our telephone number is (701) 222-6718.

MAIL THE SIGNED AND NOTARIZED AFFIDAVIT AND AGREEMENT TO:
Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

ADVANCED BUSINESS METHODS INC
1515 13TH AVE E
WEST FARGO, ND 58078

Check Date: 11/03/2023
Original Check #: 127404
Check Amount: \$2,424.25

AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

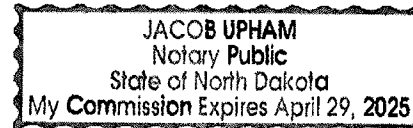
I hereby state under oath that the above described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

I agree to indemnify, compensate, or make restitution to the County of Burleigh for any and all loss, damage and expense as a result of this issue of said new duplicate payment. If said original check alleged to have been lost or destroyed shall come into my possession, or under my control, I shall immediately return same to the Burleigh County Auditor, PO Box 5518, Bismarck, ND 58506-5518, for cancellation. If the aforesaid check shall at any time be cashed or presented to the Burleigh County Auditor/Treasurer by me, or transferred to another person by me and result in a loss to the County of Burleigh, I shall promptly reimburse the Burleigh County Auditor/Treasurer for any such loss.

Subscribed and sworn to before me

[Signature]
Signature of Payee
Date 1-3-24

[Signature]
Notary Public - County of Das
My Commission Expires 04/29/2025



(Seal)

Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__

Burleigh County Auditor/Treasurer

Date



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: January 17, 2024
To: Mark Splonskowski
County Auditor
From: Marcus J. Hall P.E.
County Engineer
RE: Second access permit for Brent Freese

Brent Freese from Country North Estates 3rd Subdivision, Block 02, Lot 5 (6821 Endicott Drive) has requested a second access permit to his lot. The first access approach is off of Endicott Drive. He wishes to have a second approach off of Endicott Drive in order to have better access to the north side of his lot. We have reviewed the location of the new proposed access off of Endicott Drive and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Brent Freese on the January 17, 2024 County Board Consent Agenda.

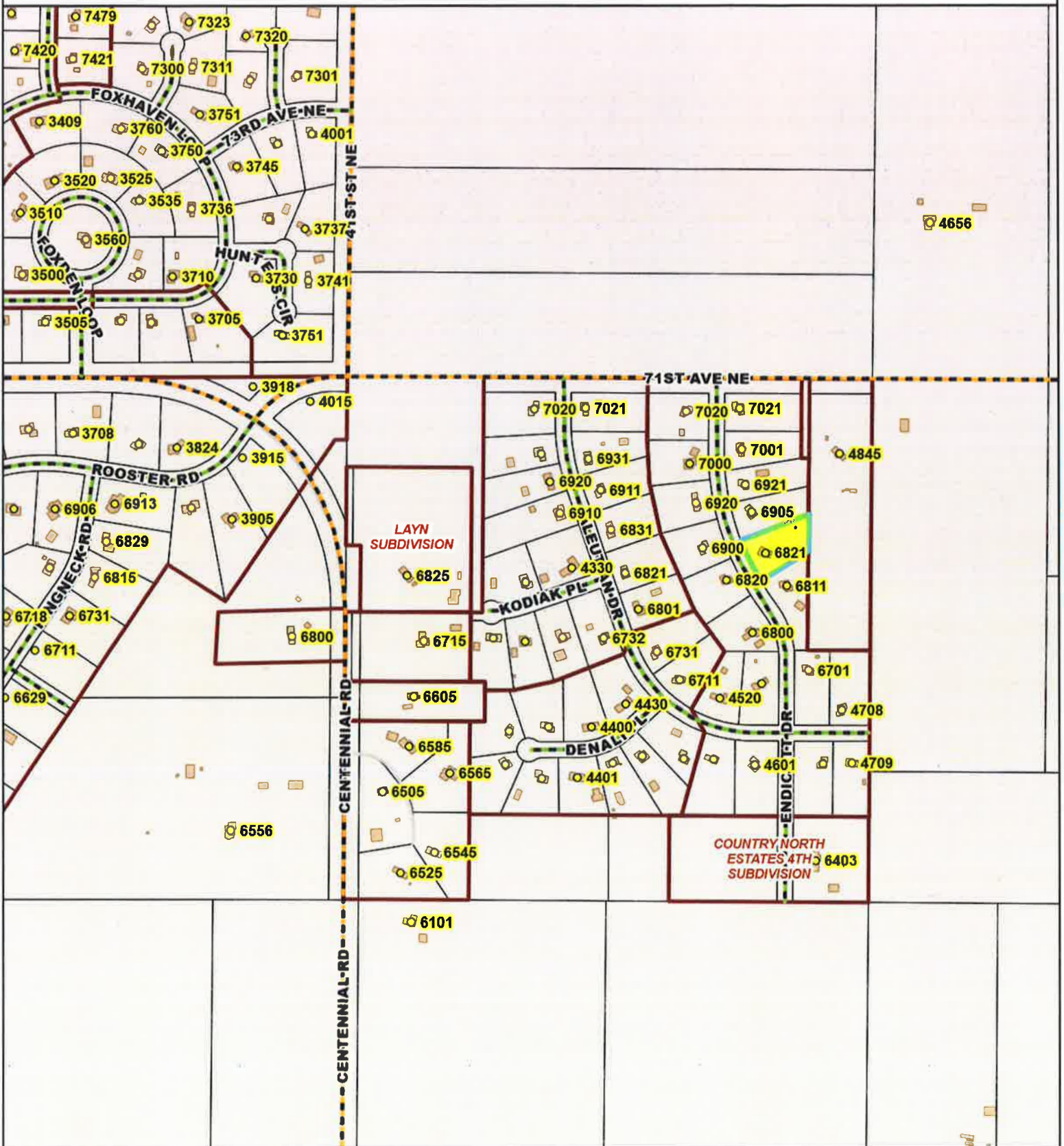
2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/5/2024

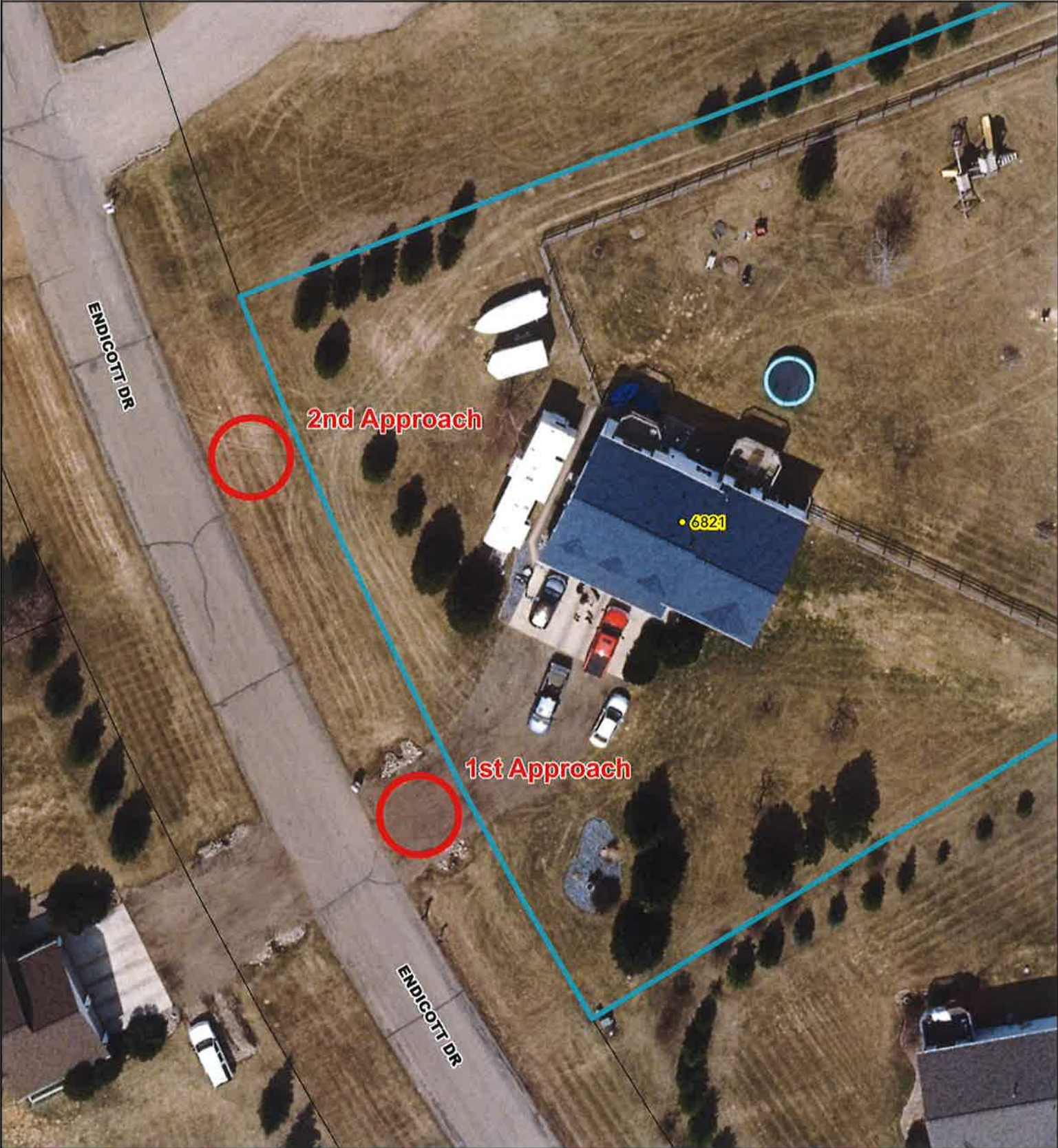


PARCEL ID: 31-139-80-09-02-050 OWNER: FREESE, BRENT & CARMEN ACRES: 1.494
SITE ADDRESS: 6821 ENDICOTT DR
MAIL ADDRESS: 6821 ENDICOTT DR, BISMARCK, ND 58503-6892
LEGAL: COUNTRY NORTH ESTATES 3RD Block 02 LOT 5

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
1/8/2024



PARCEL ID: 31-139-80-09-02-050 OWNER: FREESE, BRENT & CARMEN ACRES: 1.494
SITE ADDRESS: 6821 ENDICOTT DR
MAIL ADDRESS: 6821 ENDICOTT DR, BISMARCK, ND 58503-6892
LEGAL: COUNTRY NORTH ESTATES 3RD Block 02 LOT 5

Mr. Marcus Hall

I live in a rural Bismarck subdivision. I am applying to add a second approach for a planned future shop. However, due to the location of the house, utilities, and trees I feel the best way to access an additional building is by installing a second approach. The property in question is described below:

Hay Creek Township, Section 12, Country North Estates 3rd Subdivision, Block 02, Lot 5
Parcel ID: 31-139-80-09-02-050
6821 Endicott Dr.
Bismarck, ND 58503

The included photos are as follows:

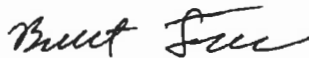
- 11.1, 11.2, and 11.3 – aerial photos of the property
- 12.1 and 12.2 – property descriptions from the Burleigh County website
- 13.1 – basic depiction of the proposed approach
- 14.1, 14.2, and 14.3 – Google Maps measurements showing the planned 30' approach width and offsets from the adjacent approaches
- 15.1 and 15.2 – Google Maps measurements showing my best estimates at the sight distances which are approximately 500' both directions
- 16.3 – additional dimensions over an aerial image with approximations of the proposed approach, driveway, and building.

There are a number of limitations to an additional building location. The septic system drain field is southeast of the house so a building has to go on the north side. However, to utilize the existing driveway means removing some large, mature trees north of the current garage apron and house. Additionally, if the current approach is used to reach a building north of the house it makes for rather tight turns to get around house itself. The gravel driveway around the garage apron would likely reach all the way to the ditch slope.

The biggest limiting factor to an additional driveway is the distance to the driveway to the north. I plan to use the required 100' offset unless circumstances dictate otherwise.

I will mark the approach so the site can be inspected (snow permitting) this winter but do not intend to perform work until summer.

Thank you for your time on this matter.



Brent Freese



ITEM

8

Burleigh County Commission - 2024 Portfolios

Each Commissioner shall periodically submit recommendations to the Board on policies and decisions relative to their portfolios assignments for final approval by the full Board of County Commissioners.

Brian Bitner Chair	Steve Bakken Vice Chair	Wayne Munson	Steve Schwab	Jerry Woodcox
Auditor/Treasurer/ Tax Equalization	Bismarck-Burleigh Joint Committee	Building/Planning/Zoning	Extension	Burleigh/Morton Detention Center Board
Finance	Central Dakota Communications Center (911)	Burleigh/Morton Detention Center Board	Highway Department	County Library
Building/Planning/Zoning	Council on Aging/Senior Adults Program	County Parks	Metropolitan Planning Organization	Recorder
Buildings, Grounds & Abandoned Cemeteries	Government Coordination & Community Involvement: Intergovernment Committee	Government Coordination & Community Involvement: Bismarck Mandan Chamber EDC	Weed Board	Sheriff's Office
Emergency Management	Human Service Zone (Social Services)	Home Rule Charter		State's Attorney
Human Resources	Public Health	Missouri Valley Complex		Superintendent of Schools
		Veterans Services		Water Resource Board

ITEM

9

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 17, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line, conduct Public Hearing, and direct staff on how to proceed.

BACKGROUND:

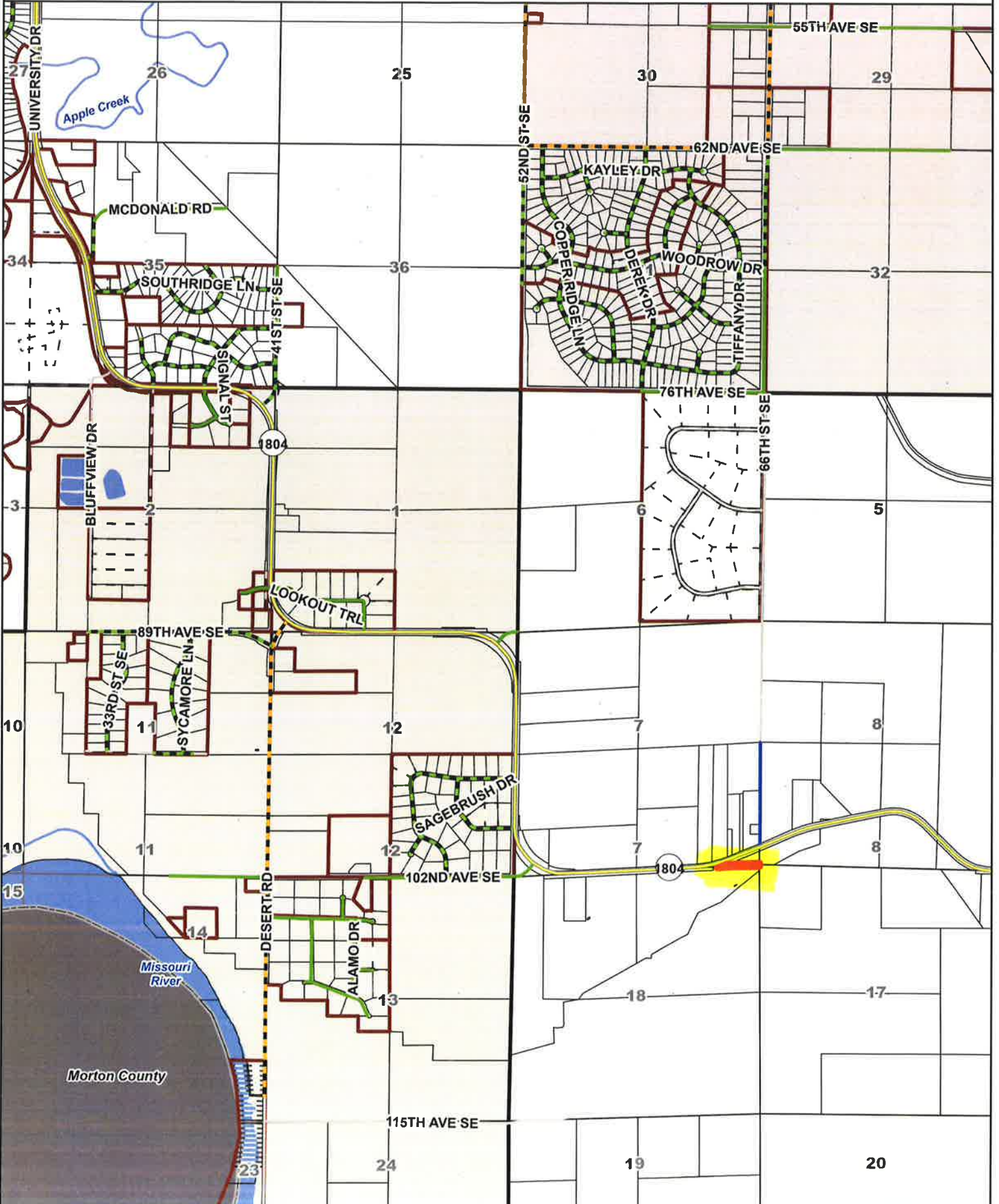
Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, as part of the Baker Subdivision, has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/9/2024



Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

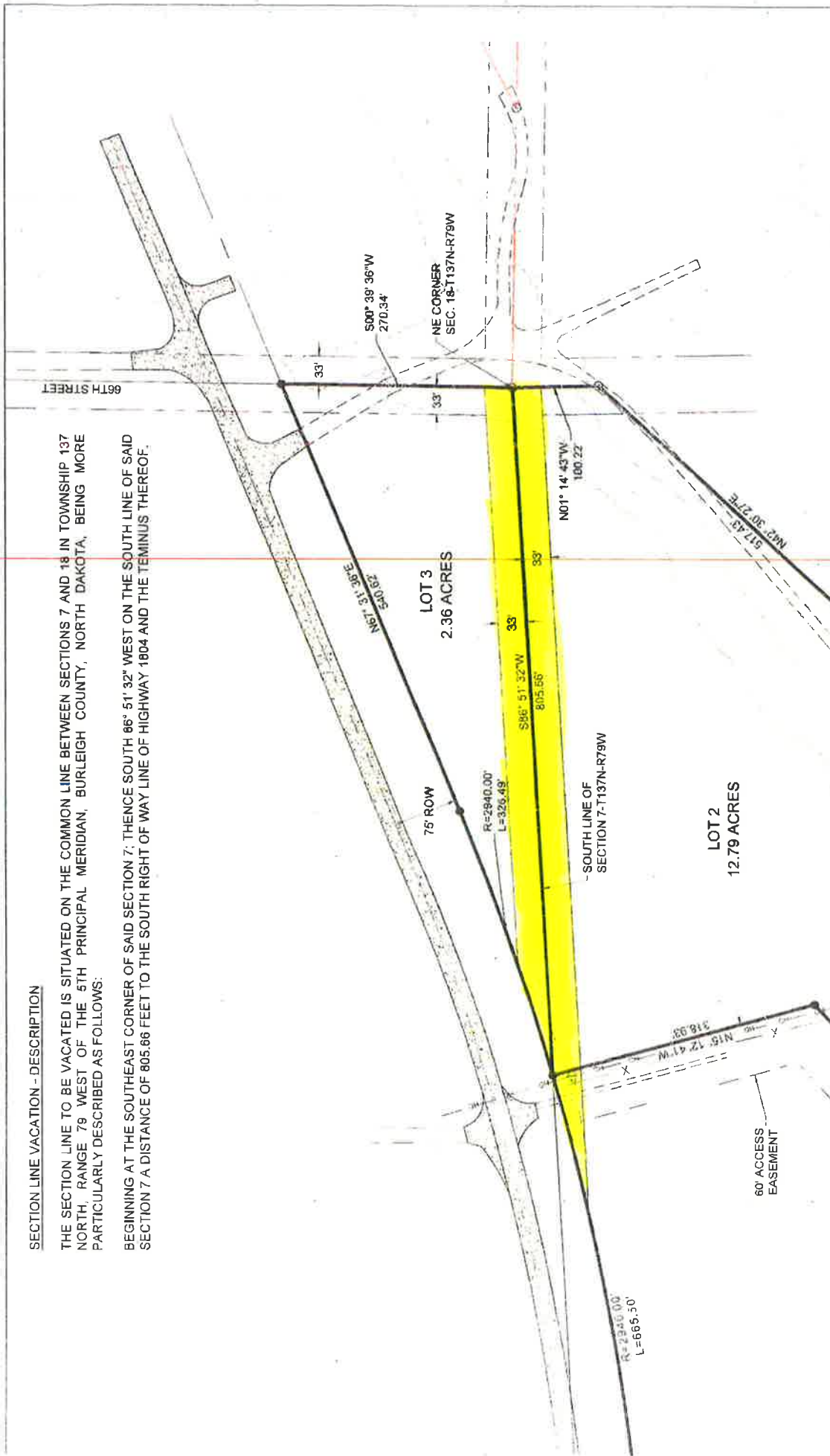
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1/9/2024



SECTION LINE VACATION - DESCRIPTION

THE SECTION LINE TO BE VACATED IS SITUATED ON THE COMMON LINE BETWEEN SECTIONS 7 AND 18 IN TOWNSHIP 137 NORTH, RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 7; THENCE SOUTH 66° 51' 32" WEST ON THE SOUTH LINE OF SAID SECTION 7 A DISTANCE OF 805.66 FEET TO THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 1804 AND THE TERMINUS THEREOF.





BURLEIGH COUNTY UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |

PROPERTY INFORMATION:		
Name of plat: BAKER SUBDIVISION		
Legal description of property (lot, block, addition): PART OF THE SE 1/4 SECTION 7 & PART OF THE NE 1/4 SECTION 18 ALL IN T137N, R19W		
Street address of property: 5951 SE HIGHWAY 1804, BISMARCK, ND 58503		
Existing Zoning: AG	Proposed zoning: AG	
Acreage: 66.89	Number of lots: 2	
Description of development proposal, including reason(s) for the request: DIVIDE PROPERTY INTO 2 LOTS.		
APPLICANT/DEVELOPER:		
Name: DOROTHY BAKER	Mailing address: 2200 KOCH DRIVE #337, BISMARCK, ND 58503	
Daytime telephone number:	FAX number:	E-mail address:
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name: DANIEL L BAKER	Mailing address: 1508 CANYON RD SW MANHATTAN ND 58554	
Daytime telephone number: 701-220-6172	FAX number:	E-mail address: daniel.L.Baker@hotmail.com
CONTACT PERSON/AGENT:		
Name/Firm: MARK R. ISAACS, ILSE, INC.	Mailing address: 4215 OLD PEO TRAIL NW, MANHATTAN, ND 58554	
Daytime telephone number: 701-595-2079	FAX number:	E-mail address: mark@ilsurveynd.com

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

This application is filed complete with the required information as outlined in the attached submission checklist. I understand the regulations of the Burleigh County Zoning Ordinance as they pertain to this request(s). I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above described development application.

(Applicant's Signature)

Dorothy Baker
(Owner's Signature, if different)

(Date)

11-28-2023
(Date)

(Additional Owner's Signature, if applicable)

(Date)

VERIFICATION FOR ROADWAY VACATION REQUESTS:

The oath of at least one petitioner is required for road vacations only.

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this *28* day of *November*, 20*23* before me, a notary public in and for said county and state, appeared *Dorothy Baker* known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

MARLA MCMONAGLE
Notary Public
State of North Dakota
My Commission Expires Nov 17, 2026

Marla McMonagle
Notary Public
Burleigh County, State of North Dakota
My Commission Expires: *11/17/2026*

Submission Deadlines:

The County Planning and Zoning Commission regularly meets on the second Wednesday of each month. All development applications are due at 5:00 p.m., 21 calendar days prior to the meeting.

The following checklist must be completed and submitted with the application form.

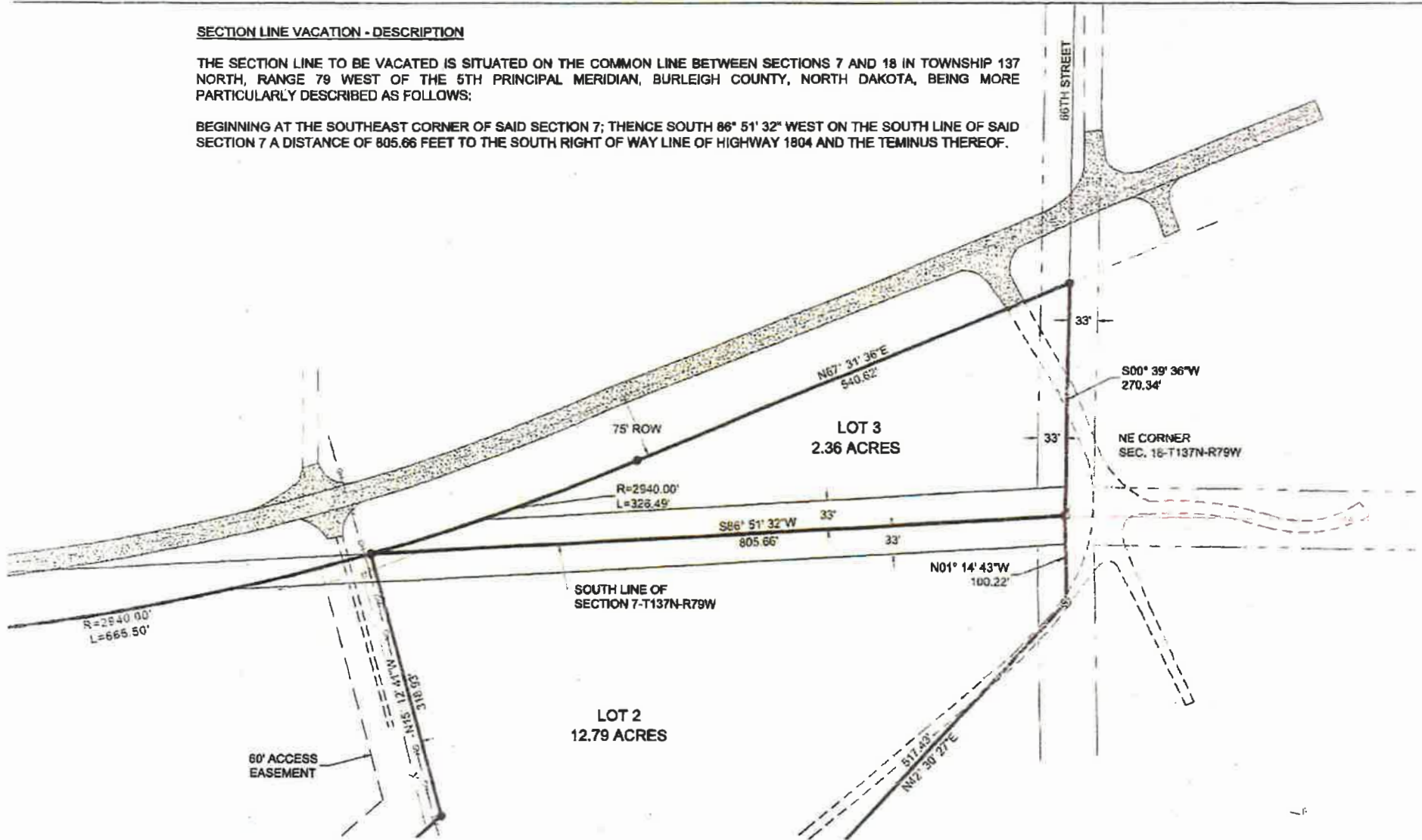
COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
<input type="checkbox"/> Preliminary Plat	Required pre-application meeting	Date:	
	5 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee determined by lot number: 1 - 2 lots \$200.00 3 - 10 lots \$300 11 - 20 lots \$400 21 or more lots \$900		
	8½" x 11" reduction of plat		
	Digital copy of plat		
	Road master plan & adjacent owner's consent (if required) For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
	Written request for amendment to Fringe Area Road Master Plan (if applicable)		
<input type="checkbox"/> Final Plat	Final plat fee \$250.00		
	Stormwater Management Plan Review Fee \$200 (includes permit if approved)		
	6 prints of plat, including all items listed in final plat check list		
	Final plat checklist, completed by applicant		
	8½" x 11" reduction of plat		
	Digital copy of plat, if requested		
<input type="checkbox"/> Development Application Review	Fee determined by number of lots: 1 - 2 lots \$25 3 to 10 lots \$100 11 to 20 lots \$200 21 or more \$600		
	Site plan, drawn to scale (no larger than 11" x 17")		
	Completed Development Application and all exhibits		
<input type="checkbox"/> Development Permit & Field Review	Fee determined by number of lots: 1 - 2 lots \$200 3 to 10 lots \$400.00 11 - 20 lots \$1,500 21 or more lots \$2,500.		
	Review and Approval of Development Application		
<input type="checkbox"/> Plat Vacation	Map of property to be vacated		
	Fee of \$300.00		
	Legal description of property to be vacated		
<input checked="" type="checkbox"/> Road Vacation	Map of property to be vacated		✓
	Fee of \$250.00		✓
	Legal description of property to be vacated		✓
	Letters of consent from utilities (street/alley vacation & easement release)		
<input type="checkbox"/> Zoning Change	Fee of \$500.00 (zoning change)		
	Description of zoning change by legal description if multiple districts requested		
	Architectural drawings (PUD only)		
	One (1) print of site plan, at 1"=100' scale (PUD only)		
	8½" x 11" reduction of site plan (PUD only)		
	Written statement (PUD only)		
<input type="checkbox"/> Special Use	Fee of \$300.00		
	3 prints of site plan, at 1"=20' or larger scale		
	8½" x 11" reduction of site plan		
	Photograph of building (moving building only) Adjacent property owner petition (required for moving of a building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		

Variance	Fee of \$300.00		
	Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
	Elevations of proposed structure (s), if required		
	Written statement of hardship (separate form that must be completed for variances)		
Minor Plat/Lot Modification	Adjacent property owner petition (required for accessory building prior to residence)		
	Fee of \$200.00 (Only applies to 3 lots or less)		
	Sketch of survey, showing how the lot is proposed to be split		
	Legal description of lot(s), both existing & proposed with square footage/acreage		

SECTION LINE VACATION - DESCRIPTION

THE SECTION LINE TO BE VACATED IS SITUATED ON THE COMMON LINE BETWEEN SECTIONS 7 AND 18 IN TOWNSHIP 137 NORTH, RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 7; THENCE SOUTH $86^{\circ} 51' 32''$ WEST ON THE SOUTH LINE OF SAID SECTION 7 A DISTANCE OF 805.66 FEET TO THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 1804 AND THE TEMINUS THEREOF.





BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: January 3, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Burleigh County Proposed Project Priority List

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the 2024 Burleigh County Project Priority List

BACKGROUND:

In the past, the Highway Department has presented to the County Board a proposed list of construction projects for the coming year. The list is developed from past years' projects that have not been completed, and new projects that have come to our attention because of normal wear and tear on the existing system or developments that create new needs. (Project List will be distributed at the Board Meeting.) In addition to the 2024 projects, the Department is presenting the yearly construction program for the next 3 years, an Unfunded Project List and a Gravel Road Construction Project List. These lists are being presented in order to help establish the Highway Department's direction for long-range transportation planning in the County.

It is the intent of the Department to complete all of the projects on the 2024 list in the coming year. However, we may not complete all of the 2024 projects. Unfortunately, events and problems beyond our control will occur during the year, which may require us to temporarily skip a project and work on projects lower on the priority list. It is not the intent of the Department to minimize the Board's wishes; it is more the Department's intent to maximize the total number of projects we can complete in 2024.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board adopts the attached 2024 Burleigh County Project Priority List, and authorizes the Highway Department to allocate resources to design, acquire right of way and construct the prioritized projects under the North Dakota Century Code and Burleigh County policies.

ITEM

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ITEM

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MEMORANDUM OF UNDERSTANDING BETWEEN BURLEIGH COUNTY AND THE UNIVERSITY OF MARY

1. The parties of this agreement are Burleigh County and the University of Mary.
2. The purpose of this memorandum is to set forth the terms by which Burleigh County would be willing to act as the "Applicant" on behalf of a private entity, the University of Mary, so they may complete and submit an application for funding under the FY 2023 Building Resilient Infrastructure and Communities (BRIC) Grant Program. Based on the Unified Hazard Mitigation Assistance (HMA) Guidance, private entities are not allowed to directly apply for federal funding through this program, and must have a local government act as the "Applicant" on their behalf.
3. This memorandum of understanding will authorize the University of Mary to apply for federal funding under the FY 2023 BRIC Grant Program with Burleigh County acting as the "Applicant" for their project in name only. The County will only be acting as a "Pass-Through" entity for the University of Mary to apply for this available grant funding. The University of Mary will be held liable for all costs associated with this project (federal and local), as well as all administrative tasks, project management, construction management, construction itself, environmental conditions, reimbursement requests, and project closeout. If there are any issues associated with this project that may cause a loss of federal funding, an increase in cost shares, or any legal ramifications, the County will not be held liable for these issues in any way.
4. This agreement may be modified upon the mutual consent of both parties, if needed.
5. The terms of this agreement will remain in effect until the project is either denied for funding under the FY 2023 BRIC grant cycle, the project is approved and completed by the University of Mary, or the project is deobligated for federal funding under the FY 2023 BRIC Grant Program.
6. This memorandum constitutes the entire agreement between the parties. There are no understandings, agreements, or representation, oral or written, not specified within this memorandum.
7. This contract is not effective until fully executed by both parties.

Burleigh County

University of Mary

Burleigh County Commissioner



Executive Vice President, University of Mary

Date: _____

Date: 1-10-24

ITEM

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BURLEIGH - MORTON COUNTY COMMISSION

DETENTION REPORT January 2024

1. December Housing Report:

- a. Average Daily Population (ADP) 241
- b. Total Bookings: 512 or 17 per day average.

2. Breakdown of Inmate Days:

a. Bismarck inmate days:

425 nights	14 per night	\$27,753 billed
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b. Mandan inmate days:

38 nights	1 per night	\$2,211 billed
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c. U.S. Marshall/Bureau of Prisons:

838 nights	27 per night	\$96,370 billed
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d. Others (Counties/Cities):

213 nights	7 per night	\$9,750 billed
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e. Burleigh/ Morton Average per night:

6,962 nights	225 per night	
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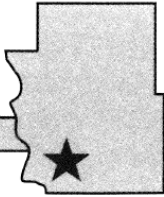
3. Total billed : \$135,566 Year: \$1,973,428

4. Burleigh County alternatives to jail program (24/7Program): 217 Participants

- 48 on the drug patch.
- 87 on the ankle bracelet.
- 48 on twice a day breath tests.
- 34 people testing in other counties.
- 0 Remote Breath Testing

ITEM

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Request for County Board Action

DATE: January 17, 2024
TO: County Commission
FROM: Auditor/Treasurer Mark Splonskowski
RE: 2024 election status update.

Please place the following item on the next Burleigh County Board agenda.

BACKGROUND:

An update to the commission was requested to be presented by Chairman Bitner. Specifically, about poll workers, and the required number of staff to administer the election.

RECOMMENDATION:

Receive update on the status of the 2024 election.

ITEM

14

Request to the Burleigh County Commission:

Action requested by motion:

To establish a "Fair Board" as a management, complex operation, and development oversight committee responsible to the Burleigh County Commission for the Missouri Valley Complex.

Discussion:

The proposed establishment of a "Fair Board" would be to formally engage representatives of the organizations currently operating by lease, facility ownership and with present development interest at the Missouri Valley Complex for the purpose of complex management and programming, site and facility improvements, and operations.

The present parties include: Buckstop Junction, Motor Cross, County Extension/4H, HS/JR High Rodeo Club, Equestrian and Ag Center, Stock Car Club and Bismarck Park District.

In addition, the "Fair Board" would include 2-or-4- citizen members for a 9-or-11-member management Board.

The "Fair Board" would also include one non-voting liaison member from the Burleigh County Commission and Bismarck Park Board.

The Fair Board may establish committees to develop projects and events in the interest of the Missouri Valley Complex, Burleigh County Commission, and community.

The "Fair Board" would be tasked with:

The development of and establishment of management and broad operating policies, planning, annual budget, and development plans for the Missouri Valley Complex within the policies of the Burleigh County Commission.

To ensure the organizations operating on the complex and those events held at the complex operate within the policies and interest of the Complex and Burleigh County Commission.

The development of an annual complex operating plan and budget for presentation to the County Commission to include programming schedule and event development.

To provide oversight of complex planning and project review, engage operating and management services and professional services.

To support the events and efforts of the membership at the Complex.

To provide oversight and review of leases and easements to include reviews and make recommendations to County Commission.

To provide oversight of complex operation and management leases, event contracts and operations compliance.

To seek outside funding sources, grants and provide fundraising support individually and jointly.

To provide member review of project development.

1-8-24

To assist in the review and development of new programs, events, fairs, and festivals at the complex, and,

To operate within nonprofit status and be afforded access to resources available through the Burleigh County Commission.

To meet at a minimum bi-monthly or at the call of the Chair with all meeting minutes recorded.

To hold all meetings at the Tom Baker Room in the interest of the public and broadcast all meetings on Dakota Media Access TV.

Note:

The motion is to establish a "Fair Board" as a new entity (operating committee) under the Burleigh County Commission.

The previous "Fair Association" was established as an autonomous and independently operating incorporated nonprofit organization.

The proposed Fair Board would be responsible to and accountable to the Burleigh County Commission.

CHAPTER 11-39
AGRICULTURE FAIR ASSOCIATIONS

11-39-01. County fair association organization as nonprofit corporation.

A county fair association must be organized under the nonprofit corporation laws of this state. In addition to the powers and duties of nonprofit corporations under the laws of this state, a county fair association has the powers and duties specified in this chapter.

11-39-02. Fair association - County funding.

1. A fair association may be organized in any county. The officers and directors must be residents of the county or, if the association is to conduct a multicounty fair, residents of one of the participating counties. The association may make written application to the board of county commissioners for a grant to aid in the erection of buildings and other improvements suitable to conduct the fair and to pay premiums and expenses that may be awarded on fair exhibits. An application must include evidence that the association is incorporated in this state as a nonprofit corporation, the names and places of residence of all its officers and directors, and evidence of ownership or right to use of sufficient real property in the county to conduct the fair.
2. The board of county commissioners may not provide county funding or official county fair authorization under this chapter to more than one fair association or to any association organized for profit.
3. If the board of county commissioners is satisfied the statements in the application are true and the association intends in good faith to annually hold a fair within the county for the exhibition of agricultural, livestock, horticultural, mining, mechanical, industrial, and manufactured products of the county, and of those articles as are usually exhibited at fairs, and other public displays of human art, industry, and skill, the board may provide the association official county fair authorization and funding from revenues derived from the county general fund levy authority. If the funding is approved, the county treasurer shall pay to the secretary of the association, by the following July thirty-first, the amount of funding approved and shall take the receipt of the association for the payment.
4. Any amount received by the county fair association must be deposited by the secretary of the association in a special fund.
5. To promote holding a county fair, the board of county commissioners may purchase or lease in the name of the county not to exceed two hundred forty acres [97.12 hectares] of real estate and construct buildings and improvements for the conduct of a county fair. The board of county commissioners may issue bonds in the name of the county if approved by electors of the county in accordance with sections 21-03-06 and 21-03-07 to purchase not to exceed two hundred forty acres [97.12 hectares], of real estate and construct buildings and improvements for the conduct of a county fair.
6. Upon the board's own motion, the board of county commissioners may continue to provide funding under this section after the first year's grant of aid.
7. The authority of this section may be used by a county to join in formation and funding of a multicounty fair association under terms of an agreement with one or more other counties.

11-39-03. County fair association funding to be submitted to vote.

If the board of county commissioners has voted and ordered county general fund funding for a fair association and a petition is addressed to the board and filed with the county auditor, asking the discontinuance of the funding and containing the signatures of qualified electors of the county in a number equal to twenty percent or more of the total vote cast in the county at the last preceding general election, the board shall submit to the qualified electors of the county at the next succeeding general election the question of whether funding is to be continued. The ballot must be in the following form:

Shall the board of county commissioners continue the annual

Yes

funding in aid of a county fair? No

If a majority of all the ballots cast on the question at the election is in favor of discontinuing the funding, the board of county commissioners may not thereafter provide funding in aid of a county fair under this chapter until the question of resuming the annual funding is approved by a vote of the qualified electors of the county. The ballot must be in the following form:

Shall the board of county commissioners resume the annual Yes

funding in aid of a county fair? No

If a majority of the ballots cast on the question at the election is in favor of resuming the funding, the board of county commissioners shall resume the annual funding subject to the other provisions of this chapter.

11-39-04. County fair authorization - Forfeiture.

Any county fair association that fails to hold a county fair for ten consecutive years forfeits its official authorization. After a forfeiture, another fair association may organize within a county and apply, or the forfeiting organization may reapply, to the board of county commissioners for official county fair authorization and aid under this chapter.

11-39-05. Disposition of property.

The board of county commissioners may sell property used for county fair purposes and held in the name of the county upon terms and conditions set by the board. The proceeds of such sale must be placed in the county general fund.

If the county fair association fails to hold a fair within the county for two consecutive years, the board of county commissioners may direct that any county property on hand be sold and the proceeds of the sale and any unexpended balance in the county fair fund be transferred to the county general fund.

11-39-06. County funding to cease when fair not held - Misappropriation of funds.

The board of county commissioners shall refuse to provide funding for a county fair association that failed to hold a fair within the county in any year for which it has received funding from the county. In such a case, the board of county commissioners shall inquire into the disposition of moneys paid by the county to the association after its last annual report, and if there has been any misappropriation it shall institute proceedings at once to recover the sum misappropriated. For any such misappropriation, the officers, trustees, or directors of the association shall be liable personally to the county.

11-39-07. Power to make regulations governing premises.

Fair associations may make rules, regulations, and provisions necessary and proper for the government, management, and control of the premises used by them for the holding of fairs and expositions and for the regulation of the use of the premises.

11-39-08. Director's civil immunity.

The individual members of the board of directors of any fair association are immune from civil liability for any act or omission relating to service as a director for the negligence of any person, firm, corporation, or limited liability company staging any show, race, or other amusement at any county or municipal fair and are immune from civil liability for any negligence of any person employed by the board of directors or the association conducting such fair.

11-39-09. Treasurer to give bond - Duty of officers and directors.

The officers and directors of any fair association shall require the treasurer of the association to give a sufficient bond to those officers and directors, conditioned for the faithful keeping of that money as may come into the treasurer's hands as the treasurer. The treasurer may not receive funds of a fair association until the treasurer is properly bonded.

11-39-10. Nonliability of state for debts - Exception.

The state is not liable for any of the debts or liabilities of a fair association except to the extent appropriations are made for that purpose by the legislative assembly.

ITEM

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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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

February 5, 2024

5:00 PM

COUNTY COMMISSION

Invocation and Pledge of Allegiance presented by Chaplain.

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the January 17, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Check Replacement.
 - d. Second access permit
6. County Engineer Hall:
 - a. **PUBLIC HEARING:** Petition to vacate section line.
 - b. Authorization to advertise for bids.
 - c. Petition to vacate section line.
 - d. Award of bids.
7. County Planning Director Flanagan:
 - a. Appeal of special use permit application.
 - b. FEMA Letter of final determination.
8. County Finance Director Jacobs:
 - a. Detention Center sales tax update.
9. Comm. Munson:
 - a. Home Rule Charter ballot language.
 - b. Request for Easement across Missouri Valley Complex for city sewer.
 - c. Missouri Valley Complex Committee.
10. Chairman Bitner:

a. Provident Building RFP award.

11. Election Coordinator Hart:

a. Election worker update.

12. Other Business

13. Adjourn.

The next regularly scheduled Commission meeting will be on February 21st, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer/Tax

**BURLEIGH COUNTY COMMISSION
MEETING**

JANUARY 17TH, 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.

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

Chairman Bitner opened the meeting for public comment and there was none.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the January 3rd, 2024 meeting minutes and 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:

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Stephens Property Apartments LLC	2023	West 100' of Lot 1, Block 49, Northern Pacific 2nd	Error in property description	\$240,000	\$184,300
Stephens Property Apartments LLC	2023	Lots 31-32 less west 99', Block 63, McKenzie & Coffin's	Error in property description	\$158,600	\$127,600
Stephens Property Apartments LLC	2023	Lot 18, & S 15' of Lot 19, Flannery & Wetherby	Error in property description	\$256,200	\$174,600
Stephens Property Apartments LLC	2023	Lots 27-28, Block 22, Flannery & Wetherby	Error in property description	\$223,200	\$158,500
Stephens Property Apartments LLC	2023	Lots 16-18, Block 46, Flannery & Wetherby	Error in property description	\$202,300	\$179,000
CD Gemini Properties LLC	2023	Lot 1A less Lot 1C of Lot 1A of Lot 1 and Lots 10 & 11, Block 12, Wachter's subdivision & replat of part of block 10 Eastdale addn	Error in property description	\$1,962,600	\$1,859,900
Theresa A Simon	2023	Lot 24, Block 2, Sattler's Sunrise 4th	Error in property description	\$367,300	\$339,200
Brian Nelson	2023	Lots 7-8, Block 93, McKenzie & Coffin's	100% Disabled Veteran	\$200,100	\$20,100

Joshua & Alison Ternes	2023	Lots 20-21, Block 78, McKenzie & Coffin's	Error in property description	\$287,700	\$253,100
Shirley M Buchholz	2023	Lots 1-2 East Ridge Condominiums Unit 9, Block 3, Shannon Valley 4th	100% Homestead Credit	\$217,000	\$37,000
Park District of the City of Bismarck	2023	Country West V, Block 2, Lot 4 & lot 3 less that part taken for replat part Country West V and less tract 1722 & North 7' Vac	Exempt from taxation	\$300	\$0
Park District of the City of Bismarck	2023	Country West V, Block 2, Lot 5 & north 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 2 less that part taken for replat part Country West V & south 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 3 & south 7' VAC R/W Adj	Exempt from taxation	\$300	\$0
Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 4 & south 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
Park District of the City of Bismarck	2023	Tyler's Western Village, Block 3, pt L 22 beg at NW cor; SELY along N Line of LT 79.53'; SWLY 112.82' to WLY Line of LT; N	Exempt from taxation	\$500	\$0
Park District of the City of Bismarck	2023	Tyler's Western Village, Block 3, pt L 23 beg at SW cor; NLY along W line 98.69' to most WLY Cor of lot; SELY 155.35'; SWL	Exempt from taxation	\$1,000	\$0
Adam J Koch	2023	Lot 9, Block 34, Northern Pacific 2nd	50% Homestead Credit	\$178,000	\$89,000
Jolene Stewart	2023	Block 1, Replat North Hills 4th, Tract A & an undiv interest in L.31 Common Area Knoll Wood Condominium Central Association Unit 3	100% Homestead Credit	\$266,700	\$66,700
Wayne & Gladys Trottier	2023	Lot 7B, Block 4, K & L's 2nd Addition	100% Homestead Credit	\$352,400	\$152,400
Wallace & Diane Mertz	2023	Lot 1 less Parcel No.1-1 for ST R/W, Block 1, Mertz First Addition	50% Homestead Credit	\$596,200	\$496,200
Jenell Loftesnes	2023	Lot 17 less South 6', Block 3, Stein's 2nd	50% Homestead Credit	\$262,900	\$162,900
Lawrence & Alice Duchscherer	2023	Lots 3-4, Block 10, Flannery & Wetherby	100% Homestead Credit	\$216,400	\$116,400

Cynthia Jacquart	2023	Eastview, Block 2, 516A of Lot 22 less S50' of W22' of said L22	50% Homestead Credit	\$193,000	\$96,500
John W Kelsch	2023	East 75' of Lots 17-20, Block 23, Fisher	100% Homestead Credit	\$242,000	\$42,000
Elayne M Lindquist Revocable Trust	2023	Lot 13, Block 1, Heritage Park Addition 1st Replat	50% Homestead Credit	\$403,700	\$303,700
Eileen P Krumm	2023	Lot 23, Block 2, Eagle Crest	100% Homestead Credit	\$565,600	\$365,600
David J & Agnes Volk	2023	Pebble Creek 8th, Block 2, Lots 4,6,8,10, Blk 1, Pebble Creek 8th RPT & Lot 15 less WLY 148' of SLY 180', Blk 2, Pebble Creek 8th Arrow Head Ranch Unit 3 Bldg 3118	50% Homestead Credit	\$300,900	\$200,900
James G & Cynthia A Vollmer	2023	Lot 6, Block 2, Indian Hills	50% Homestead Credit	\$267,100	\$167,100
Jefferie Ehman	2023	Pebble Creek 8th, Block 2, Lots 4,6,8,10, Blk 1, Pebble Creek 8th RPT & Lot 15 less WLY 148' of SLY 180', Blk 2, Pebble Creek 8th Arrow Head Ranch Unit 4 Bldg 3112	50% Homestead Credit	\$300,900	\$200,900
Debra Mills	2023	Replat Tibesar's 1st Sub, Block 14, Lot 19 & E 22' of Lot 18	50% Homestead Credit	\$399,800	\$299,800
Kevin Brennan	2023	Lot 5, Block 3, Briardale II	50% Homestead Credit	\$298,300	\$198,300
Kenneth F & Alvinia Buchholz	2023	Lot 5, Block 20, Meadow Valley 4th	50% Homestead Credit	\$236,200	\$136,200
Daniel & Sharon Clausnitzer	2023	Eastview, Block 3, Lot 9 & N 12' of Lot 8	50% Homestead Credit	\$315,500	\$215,500
Jenette Leblang	2023	Lot 10, Block 2, Promontory Point	100% Homestead Credit	\$508,400	\$308,400
Jolene Stewart	2022	Block 1, Replat North Hills 4th, Tract A & an undiv interest in L.31 Common Area Knoll Wood Condominium Central Association Unit 3	20% Homestead Credit	\$242,400	\$217,400
Ralph & Naida Feland	2023	Lot 4, Block 1, Edgewood Village 5th	100% Homestead Credit	\$383,600	\$183,600
Kelly & Candice Bouche	2023	Pt S1/2SE1/4 beg @ Pt 72 rods W if SE cor then N 20 rods, W 16 rods, S 20 rods, E 16 rods to POB	100% Homestead Credit	\$76,500	\$0

Gary & Alvina Allmendinger	2023	Eastview, Block 3, S6' of Lot 5 & N14' of Lot 4, Eastview Townhouses Unit 13 Tract J	50% Homestead Credit	\$139,700	\$69,850
Jean Ellefson	2023	Tatley Meadows V, Block 2, Part of Lot 4 Pheasant Run Condominiums Unit 3068	50% Homestead Credit	\$164,600	\$82,300
Richard & Julene Wasness	2023	Lot 7, Block 1, Highland Acres	50% Homestead Credit	\$247,400	\$147,400
Richard Braun & Patricia Erling	2023	West 50' of Lots 1-2, Block 20, Northern Pacific	100% Homestead Credit	\$227,300	\$27,300
Dan Ensz	2023	Flannery & Wetherby, Block 41, Lot 15 less W 20' for alley	100% Homestead Credit	\$167,100	\$0
Redginald & Susan Finck	2023	Lot 7, Block 10, Riverview	50% Homestead Credit	\$256,900	\$156,900
Rhonda & Steven Haegele	2023	Lots 7-8, Block 11, Fisher	100% Homestead Credit	\$217,500	\$17,500
Sylvia J Brown	2023	Lots 11-12, Block 20, Fisher	50% Homestead Credit	\$253,700	\$153,700
Jerome & Barbara Frison	2023	Lot 7, Block 10, Meadow Valley 2nd	50% Homestead Credit	\$221,400	\$121,400
Gary W & Dorene E Gaasland	2023	Block 12, Lincoln, Beg 105' N of SE cor W 165' N 65' E 165' S 65' to beg	50% Homestead Credit	\$338,600	\$238,600
Carol A Hattel	2023	Lot 8, Block 3, Register's 2nd	50% Homestead Credit	\$210,900	\$110,900
Carmen Husebye	2023	Block 4, East Hills Addition Replat, Lot 8 Baumgartner's Sharloh Loop Condominiums Unit 7 Building 1401	50% Homestead Credit	\$181,100	\$90,550
Patricia Kennedy C/O Patricia Hanson	2023	Lot 41, Block 10, Highland Acres	50% Homestead Credit	\$277,400	\$177,400
Beverly Larson	2023	Block 3, North Hills 15th, Lot 3 626 Nelson Dr Condominium Association Unit 4	50% Homestead Credit	\$254,900	\$154,900
Robert P Jr & Leighann Gregoire	2023	Lot 5, Block 2, Wachter's 7th	50% Homestead Credit	\$294,900	\$194,900
Michael L Miller	2023	Lot 12, Block 4, Haycreek Meadows	50% Homestead Credit	\$308,800	\$208,800
Robert L Wetsch	2023	Lot 3, Block 19, Casey's 4th	100% Homestead Credit	\$187,800	\$0

Ronnie J & Kathy A Blegler	2023	SE1/4 - 295.16' x 295.16	50% Homestead Credit	\$217,900	\$117,900
Gary T Nagel	2023	S 50' of Lots 7-12, Block 17, McKenzie's	50% Homestead Credit	\$227,500	\$127,500
Viola Anderson	2023	Lot 19B of Lot 19 + Lot 20, Block 1, Huntington Cottages 1st Addition	50% Homestead Credit	\$367,500	\$267,500
Susan Beth Elliot	2023	Lot 11, Block 14, Nagel's 4th	100% Homestead Credit	\$300,200	\$233,533
Thomas & Cynthia Anderst	2023	Lot 9A, part of Lots 3-5, Block 4, Stein's 5th	50% Homestead Credit	\$226,300	\$126,300
Gregory & Deborah Hanson	2023	Lot 8, Block 15, Register's 2nd Addition	50% Homestead Credit	\$205,800	\$105,800
Dean A & Wanda L Meland	2023	Lot 6, Block 22, Wachter's 3rd	100% Homestead Credit	\$321,800	\$121,800
Jimmy & Denise Brorby	2023	Lot 10, Block 3, The Ranch 2nd	50% Homestead Credit	\$477,100	\$377,100
Jeff & Charlotte Kurtz	2023	Grande Prairie Estates Second, Twn-139, Rng-80, Blk-09	50% Homestead Credit	\$337,500	\$237,500
Alan Houn	2023	Lots 1-9, Block 1, Menoken Meadows	100% Homestead Credit	\$16,800	\$0
Sandra A Schell	2023	Lots 1-2 Original Townsite Condominiums Unit 2 & Garage Unit 2, Block 61, Original Plat	100% Homestead Credit	\$87,200	\$0
Margaret E Bahn	2023	RPT PT B3 Sleepy Hollow HT, Block 3, Lot 1, 1627 N 33rd St Condominiums Unit 2	100% Homestead Credit	\$261,100	\$61,100
Larry & Carol Crabbe	2023	RT L10 B1 North Hills 1st, Block 1, Lot 2 Century Park Condominiums Unit II	100% Homestead Credit	\$211,200	\$11,200
Larry & Neva Lang	2023	Lot 15, Block 27, Stein's 4th	50% Homestead Credit	\$317,200	\$217,200
Kenn Jay Pedersen	2023	Lot 14, Block 12, Stein's 3rd	100% Homestead Credit	\$311,100	\$111,100
Joseph G & Meredith L Gross	2023	Block 2, Fisher, E 70' of Lots 13-15 & W 40' of S 10' of Lot 8 & W 40' of Lots 9-12	100% Homestead Credit	\$264,600	\$64,600

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Stephens Property Apartments LLC (5), CD Gemini Properties LLC, Theresa A. Simon, Brian Nelson, Joshua & Alison Ternes, Shirley M. Buchholz, Park District of the City of Bismarck (7), Adam J. Koch, Jolene Stewart, Wayne & Gladys Trottier, Wallace & Diane Mertz, Jenell Loftesnes, Lawrence & Alice Duchscherer, Cynthia Jacquart, John W. Kelsch, Elayne M. Lindquist Revocable Trust, Eileen P. Krumm, David J. & Agnes Volk, James G. & Cynthia A. Vollmer, Jefferie Ehman, Debra Mills, Kevin Brennan, Kenneth F. & Alvinia Buchholz, Daniel & Sharon Clausnitzer, Jenette Leblang, Jolene Stewart, Ralph & Naida Feland, Kelly & Candice Bouche, Gary & Alvina Allmendinger, Jean Ellefson, Richard & Julene Wasness, Richard Braun & Patricia Erling, Dan Ensz, Redginald & Susan Finck, Rhonda & Steven Haegele, Sylvia J. Brown, Jerome & Barbara Frison, Gary W. & Dorene E. Gaasland, Carol A. Hattel, Carmen Husebye, Patricia Kennedy c/o Patricia Hanson, Beverly Larson, Robert P. Jr. & Leighann Gregoire, Michael L. Miller, Robert L. Wetsch, Ronnie J. & Kathy A. Blegler, Gary T. Nagel, Viola Anderson, Susan Beth Elliot, Thomas & Cynthia Anderst, Gregory & Deborah Hanson, Dean A. & Wanda L. Meland, Jimmy & Denise Brorby, Jeff & Charlotte Kurtz, Alan Houn, Sandra A. Schell, Margaret E. Bahn, Larry & Carol Crabbe, Larry & Neva Lang, Kenn Jay Pedersen, and Joseph G. & Meredith L. Gross abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried. Comm. Woodcox asked about a check from Advanced Business Methods in Fargo that hadn't been cashed for \$2400 and wondered if someone could contact this company. Auditor Splonskowski stated that we don't know the reason why they didn't cash it but to reconcile accounts the check had to be canceled.

There was then a discussion on the assignment of portfolios. Chairman Bitner stated that no changes were requested but wanted to add the Renaissance Zone portfolio. Comm. Munson stated that he had been appointed as a private citizen by the city as a member of the Renaissance Zone Board and requested to take this portfolio. Chairman Bitner felt it was more appropriate to have Comm. Bakken take that as it fell under Government Coordination & Community Involvement Intergovernmental Committee. Comm. Munson stated he was willing to take the Public Health portfolio from Comm. Bakken and Comm. Bakken agreed to give that over to him.

County Engineer Hall presented a public hearing on a petition to vacate a section line. Mr. Hall stated he did not have any conversation with the NDDOT however they do have a highway right next to it and made a decision a long time ago to get off that section line, so he assumed their position hadn't changed. Diana Koppinger and her brother Dan Baker who are the daughter and son of Dorothy Baker, the landowner. Diana is the 5th generation to reside there, and the section line runs through a small portion of Dorothy's property. They proposed to close the section line for estate preparation. The public benefit would be that it wouldn't have to be maintained. Mark Isaacs with Independent Land Surveying and Engineering then shared that they did some platting to help the Baker's with estate planning and stated that the benefit would be that there would be no need for maintenance with that roadway. He added that if the section line wasn't vacated there would have to be 150 feet of right of way dedicated to the county, but if it was vacated it would retain ownership and the individuals would pay taxes on it. Public hearing was then closed. Motion by Comm. Bakken, 2nd by Comm. Woodcox to vacate the section line. Comm. Munson asked if we could list the benefit in the motion, but per State's Attorney Lawyer it didn't need to be in the motion but should be discussed. Comm. Bakken stated that there was public benefit for tax reasons and the public access point would remain intact. Comm. Munson stated that to vacate it would save money. Comm. Bakken then reaffirmed his motion. All members present voted "AYE". Motion carried. Mr. Hall then presented a request to approve the 2024 Burleigh County Project Priority List. Comm. Bakken wondered if the springtime concerns with aggregate were applied to this list to which Mr. Hall stated that it was being applied to the

maintenance portion of the list. Motion by Comm. Bakken, 2nd by Comm. Munson to approve. All members present voted "AYE". Motion carried.

Comm. Schwab presented a discussion on the State Property Tax Credit. He wanted everyone to know that they can apply by going to the county website and there was a green bar at the very top of the page to apply. He wanted everyone to know it was available until Mar. 31st to do so. Chairman Bitner added that people can apply for the Homestead Tax credit as well if eligible plus if they ran into any problems with the process the County Tax Department could help. Comm. Munson noted that you don't automatically get the credit, but you must apply.

Emergency Management Director Mary Senger came forward to present a Memorandum of Understanding (MOU) between Burleigh County and the University of Mary which gave them the opportunity to apply for a grant. Burleigh County is just the pass-through and is not responsible for any monies, audits, or quarterly reports. Motion by Comm. Munson, 2nd by Comm. Bakken to approve. All members present voted "AYE". Motion carried.

Sheriff Leben told the commission that Auditor Splonskowski was recognized recently at the Sheriff Department's award ceremony for saving a young child's life in a near drowning incident and wanted to congratulate and thank him. Sheriff Leben then presented his quarterly report for January 2024. The average daily population was 241 and total bookings were 512 which is 17 per day on average. He shared a breakdown of inmate days and the total billed for the month was \$135,566 which is \$1,973,428 for the year. He noted that more staff was needed. 217 people participated in the Alternatives to Jail Program. He added they were in a continuous hiring process and they got a lot of applicants when a hiring bonus was offered but that unfortunately didn't translate into employees in the door. They are going through a lot of cost backgrounding applicants that never get hired. He gave a snapshot of one day in the facility during the Jan. 5th-8th period where they booked 47 and released 12. People with drug and alcohol withdrawals, severe mental health issues, and suicidal people are what they are mainly dealing with which goes on weekly. Comm. Woodcox shared that Sheriff Leben was on KFYR and shared a lot of this information with the public and wished to thank him for doing so and told him he was doing an excellent job.

Chairman Bitner then discussed the official appointment of Leigh Jacobs as the new Burleigh County Finance Director. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve his appointment. All members present voted "AYE". Motion carried. Chairman Bitner then discussed the Provident Building RFP for a fan coil piping replacement. He stated they are looking for mechanical contractors to address piping problems the Provident Building has had for quite some time. Election Coordinator Lisa Hart brought an election status update saying that the County needs approximately 200 poll workers per election and she currently has 93 that have expressed an interest at this point. She added that she is in the process of contacting former workers to see if they would be willing to serve again for the June 11th and/or Nov. 5th elections. She encouraged any former workers or new ones to contact her by calling 701-222-6697 or by emailing her at hartlisa@nd.gov or by clicking the Elections link on our county website and selecting "Be a Poll Worker". She stated that the whole Auditor/Treasurer/Tax Equalization Department helps as it gets closer to election time and they also hire a few temp workers to assist the office during that time period as well. She and Auditor/Treasurer Mark Splonskowski reached out to some high schools in the county to see if there would be an interest for 16-18 years olds working on election day. Comm. Munson asked if that age group can get Community Service hours for working in an election and Mrs. Hart said she will be checking into that.

Comm. Munson presented a request to establish a Fair Board as a management, complex operation, and development oversight committee responsible to the Burleigh County Commission for the Missouri Valley Complex. He stated that they were not trying to be an agricultural fair association. Comm. Bakken shared that right now they have several stakeholders at the Complex, and if there were to be a fair, they would be another stakeholder. Alan Heim came forward to share that this would be a committee to represent all the groups out there yet remain under the County Commission for approval to oversee projects, the development of the property, scheduling, etc. and take the burden off the commission. He added this would be a 9 or 11 person (including 2-4 citizens) committee. Steve Neu then shared the tasks of the Fair Board and stated that they would like to meet at least bimonthly or at the call of the Chairman in the Tom Baker Room and be recorded to be transparent. Comm. Schwab asked what resources this Fair Board was asking for and Mr. Neu suggested a staff member, and possibly money, etc. Comm. Munson stated that Comm. Schwab was reading off a list as if this was an Agricultural Fair Association and that was not their goal, and they were not a non-profit. There was disagreement between Comm. Munson and Chairman Bitner as to whether the Missouri Valley Complex had a budget or a fund to which Comm. Munson will bring the budget to the next meeting for Chairman Bitner to see. Comm. Munson asked State's Attorney Julie Lawyer if it should be called a Fair Board or a Committee. She stated that since it doesn't fall under Century Code for a County Fair Association, they can call it whatever fits their plan, but recommended it would be more descriptive to call it the Missouri Valley Complex Committee for how it is being operated. Comm. Bakken stated that this was about addressing the complex as a whole and helping to facilitate the stakeholders to start generating revenue for the county. He felt the savings account was good to use as leverage but would not recommend using it to fund a project out there. Motion by Comm. Schwab to table this decision as there were questions he still wanted answered. Comm. Woodcox stated that the fund is to promote the facility and if we are afraid of that then he didn't know why there was a fund. There was no 2nd. Motion failed. Comm. Bakken shared that there was an economic development piece that was missing with all of this and would like to see a calendar of events again. Chair Bitner felt it was important for Burleigh County to enhance that facility and work together as long as they aren't working together for one single purpose. Chair Bitner added that he thought this was a money grab for Comm. Munson's pet project and that concerns him. Motion by Comm. Munson, 2nd by Comm. Woodcox to create the Missouri Valley Complex Committee as the management, complex operation, and development oversight committee responsible to the Burleigh County Commission. Comm. Munson suggested citizens apply to be on the committee and send to the Auditor's Office and he preferred it to be volunteer and not compensated but let the committee decide and the commission will either approve or deny. Commissioners Woodcox, Munson, and Bakken voted "AYE". Commissioners Schwab and Chairman Bitner voted "NAY". Motion carried.

Comm. Schwab brought up timecards and stated that the county needs new software to manage how employee time is being reported. HR Director Pam Binder stated that each department has been doing their own time sheets in their own ways as there was no centralized time keeping system. There have been issues with this system and to be accurate for 343 employees there needs to be an upgrade. Comm. Bakken asked Ms. Binder if she could ask each department how much time they were spending on everyone's time sheets and bring it back to the commission. Chair Bitner stated that since the 2024 budget is already done, we would have to budget this for 2025, but once year end expenses are reconciled for 2023 we can see what is available. He agreed it was clear that the software was needed. Ms. Binder stated that one of her HR assistants is being assigned to look at software options and will begin that in February.

Meeting Adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
23-296	John Cain	2021	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$432,900	\$122,300
23-297	John Cain	2022	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$453,600	\$126,500
23-298	John Cain	2023	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$495,900	\$147,500
23-416	Kelly L Cargle	2023	Lot 12, Block 3, North Lincoln 2nd	80% Disabled Veteran	\$302,600	\$158,600
23-417	Kurt Holzer	2023	Lot 11, Block 6, Wheatland Hills addition to the city of Lincoln	100% Disabled Veteran	\$288,500	\$108,500
23-435	Joseph Rodgers	2023	Lot 9, Block 1, East Lincoln 5th	50% Homestead Credit	\$294,500	\$194,500
24-006	Michael P Baron Joseph & Shannon	2023	Lot 1810 of Lot 15, Block 2, Grandview Heights	Error in property description	\$293,600	\$270,300
24-024	Callaway Joseph & Shannon	2022	Lot 4, Block 3, Horizon Heights 1st	60% Disabled Veteran	\$363,200	\$255,200
24-025	Callaway	2023	Lot 4, Block 3, Horizon Heights 1st	60% Disabled Veteran	\$386,700	\$278,700
24-026	Wanda Lamontagne	2023	S ' of Lot 3 & All of Lot 4, Block 9, Southwood Terrace	100% Disabled Veteran	\$279,900	\$99,900
24-027	Pam Christianson	2023	Lot 5, Block 6, North Hills 1st	Error in property description	\$270,000	\$235,800
24-028	Rapkoch, Emily Vesta & Bakken, Joshua	2023	East 45' of Lot 14 & All of Lot 15, Block 6, Replat of Lounsberry's Outlots 17-19 & 26- 27	Error in property description	\$298,100	\$265,400
24-061	Lynette Namanny	2023	Lot 4A of Lot 4, Block 4, Replat Part North Hills 10th	100% Disabled Veteran	\$312,800	\$207,800
24-070	Gary D Hoffin	2023	Lot 2, Block 9, Crested Butte Amended	100% Homestead Credit	\$344,000	\$144,000

24-071	Lila Teunissen	2024	1995 Friendship 76' x 16', Serial #MY9513542V	100% Disabled Veteran	\$34,145	\$0
24-072	Shelley Selzler	2023	Lot 14, Block 23, S & W Seventh	100% Homestead Credit	\$193,200	\$0
24-073	Blanche Barnhart	2023	Lot 2, Block 24, Homan Acres 5th	100% Homestead Credit	\$237,400	\$37,400
24-074	Cheryl Kienzle	2023	Block 1, Cottonwood Lake 7th, Lots 11-13 Northern Sun Condominiums Unit 802	50% Homestead Credit	\$311,500	\$211,500
24-075	Roxanne Geurts	2023	Lot 4, Block 15, Highland Acres	50% Homestead Credit	\$233,600	\$133,600
24-076	Robert H & Dianne S Krogen	2023	Block 3, Cottonwood Lake 5th, Lot 2 875 San Angelo Dr Condo Assoc Unit 1 & Garage 1	100% Homestead Credit	\$208,700	\$8,700
24-077	John T & Anita M Mattson	2023	Lot 5, Block 1, Sonnet Heights Subdiv 4th Replat	50% Homestead Credit	\$416,700	\$316,700
24-078	Gerald D & Suzanne R Olson	2023	Lot 14, Block 7, Replat of Calkins	50% Homestead Credit	\$219,000	\$119,000
24-079	Carol Thompson	2023	Block 8, Rolling Hills 1st, the S 10' of Lot 1 & all of Lots 2,3,4 & the 100' of Lot 5 Hillside Condominiums Unit 2113	100% Homestead Credit	\$142,000	\$0
24-080	Virginia Ulrich	2023	Lot 21, Block 1, Kamrose Crossing Addition 2nd Replat	50% Homestead Credit	\$232,800	\$131,800
24-081	Sadie Schilling	2022	Lot 17, Block 2, Centennial Park 4th	100% Homestead Credit	\$255,600	\$224,350
24-082	Sadie Schilling	2023	Lot 17, Block 2, Centennial Park 4th	100% Homestead Credit	\$254,900	\$54,900
24-083	Alvin Jans	2022	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$23,542	\$0
24-084	Alvin Jans	2023	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$24,612	\$0
24-085	Alvin Jans	2024	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$24,612	\$0

24-086	Gladys Stamaris Gerald L & Susan M	2023	Lot 10 less S 42', Block 6, gateway Addition	100% Homestead Credit	\$219,700	\$19,700
24-087	Tschider	2023	S 60' of Lot 3, Block 2, Jennings 1st	50% Homestead Credit	\$290,800	\$190,800
24-088	Ronald R Hopfauf	2023	Lot 1, Block 3, Sattler's Sunrise	50% Homestead Credit	\$403,300	\$303,300
24-089	Michael J Neigum	2023	Lot 2, Block 19, Meadow Valley 4th	50% Homestead Credit	\$254,000	\$154,000
24-090	Randall J Schmidt Trent O & Louella M	2023	Lot 4, Block 2, Promontory Point V Lot 2 less Southwesterly 56', Block 1, North	50% Homestead Credit	\$385,600	\$285,600
24-091	Aronson	2023	Hills 14th	50% Homestead Credit	\$280,800	\$180,800
24-092	Karen J Anders	2023	Block 1, North Hills 6th, Lots 5-6 less W3.48' of said lots Centennial Condominium Unit 111 & Gar G-27 & G-14 & Parking S	50% Homestead Credit	\$212,600	\$112,600
24-093	NTD Properties Inc Richard E & Pearl A	2023	Lots 13-16, Block 18, Sturgis	Error in property description	\$381,700	\$325,900
24-098	Jorgenson	2023	Lot 2, Block 1, Sattler's Sunrise 8th	50% Homestead Credit	\$378,400	\$278,400
24-099	Kenneth Rebel	2023	Lot 3, Block 22, Wachter's 3rd Lots 1-2 East Ridge Condominiums Unit 5,	100% Homestead Credit	\$307,400	\$107,400
24-100	Donna M Remboldt	2023	Block 3, Shannon Valley 4th Young & Binford's, Block 2, E 53' of W 106'	100% Homestead Credit	\$217,000	\$17,000
24-101	Linda M Patzner	2023	of Lots 12-15	50% Homestead Credit	\$167,000	\$83,500
24-102	Diana Niess	2023	Lot 42, Block 2, Southbay 4th Addition Block 1, Edgewood Village 5th, Lot 5 and	100% Homestead Credit	\$254,000	\$54,000
24-103	Judith A Chamberlain	2023	Lot 18C of Lot 18 Lot 13, & W 7' of Lot 14, Block 4, Homan	100% Homestead Credit	\$475,800	\$275,800
24-104	Linda Heger	2023	Acres 1st	100% Homestead Credit	\$258,400	\$58,400

24-105	Barbara T Neameyer Charles E & Cynthia C Russell	2023	E 75' of Lots 13-16, Block 27, Fisher Block 8, Marian Park 1st, N 3' L 23 all L 24 Lot 35, Block 23, Southwood Terrace 2nd	50% Homestead Credit	\$295,800	\$195,800
24-107	Charles E Russell Raymond & Cathern	2023	Rep	50% Homestead Credit	\$258,700	\$158,700
24-108	Edenholm	2023	Lot 2, Block 1, Eagle Crest 6th add	50% Homestead Credit	\$436,200	\$336,200
24-109	Carol Lee Isaak	2023	Lot 15, Block 57, Original Plat	50% Homestead Credit	\$129,200	\$96,900
24-110	Carol J Sundquist	2023	Block 1, Cottonwood Lake 7th, Lots 11-13 Northern Sun Condominiums Unit 810	100% Homestead Credit	\$282,000	\$82,000
24-111	Linda F Reller	2023	Lot 9, Block 1, Country West XXIII	100% Homestead Credit	\$402,500	\$202,500
24-112	Earl R & Irene M Wentz Robert & Charlene	2023	Lots 29-30, Block 23, Fisher	100% Homestead Credit	\$193,000	\$0
24-113	Urlacher	2023	Lot 2, Block 7, Fort Lincoln Est #2	50% Homestead Credit	\$213,200	\$113,200
24-114	Sharon Litton	2023	Lot 48, Block 5, Falconer Estates	100% Homestead Credit	\$676,100	\$476,100
24-115	Wesley C Wessner	2023	Lot 22, Block 5, Eastside Heights	50% Homestead Credit	\$267,600	\$167,600
24-116	Armion & Ethel Schuler	2023	Lot 28 less Jensen Survey of lot 28, Block 4, North Hills 3rd	100% Homestead Credit	\$244,600	\$44,600
24-117	Randy Samuelson	2023	Block 40, Fisher, S 2' of lot 2 all Lots 3&4 & N 2' of Lot 5 less W 10'	100% Homestead Credit	\$222,100	\$22,100
24-118	Dennis C & Lorna H Olson	2023	Lot 16, Block 9, Meadow Valley 3rd	50% Homestead Credit	\$249,900	\$149,900
24-119	Bruce R & Lyla R Lovdal	2023	Lot 1, Block 1, Stein's 5th	50% Homestead Credit	\$347,200	\$274,200
24-120	Russel J Schlecht	2023	Lot 15, Block 3, Fort Lincoln Estates #1	50% Homestead Credit	\$272,000	\$172,000

24-127	Leo & Johanna Heier	2023	Lot 8, Block 1, Bremner Avenue Addition	50% Homestead Credit	\$300,800	\$200,800
24-128	James & Jane Morgan	2023	Lot 8, Block 8, Highland Acres	50% Homestead Credit	\$338,100	\$238,100
	Robert & Shirley					
24-129	Schumacher	2023	2009 Friendship 27' x 48', #MY0931745AB Block 2, Pebble Creek Addition, Auditors Lot 1634 of Lot 2 Mapleton Place	50% Homestead Credit	\$74,974	\$37,487
24-130	Ronald & Carol Bodine	2023	Condominiums Unit 3	50% Homestead Credit	\$188,300	\$88,300
24-131	Holly Carlson	2023	Lot 10, Block 2, Fort Lincoln Est #1	100% Homestead Credit	\$97,400	\$0
24-132	Robin Brousseau	2024	1976 Fuqua 24' x 56', #767B	100% Homestead Credit	\$13,427	\$0
24-133	Luella V K Anderson	2023	Lot 2, Block 7, Replat of Calkins	100% Homestead Credit	\$186,400	\$0
24-134	Carma Branch	2023	Lot 9, Block 11, Highland Acres	100% Homestead Credit	\$263,200	\$63,200
24-135	Albert Meidinger	2023	Lot 11, Block 1, Keystone	50% Homestead Credit	\$272,000	\$172,000
	WM & Betty		Block 3, Sasse, E 15' of Lot 7 & W 42.16' of			
24-136	Sprynczynatyk	2023	Lot 8	100% Homestead Credit	\$231,100	\$31,100
24-137	Clara & Robert Sheldon	2023	Lot 13, Block 6, Fort Lincoln Estates #2	50% Homestead Credit	\$220,400	\$120,400
24-138	Bradley & Cindy Dagenais	2024	2002 Schult 16' x 76', #R300811	50% Homestead Credit	\$44,262	\$22,131
24-139	Alice M Wahl	2023	Lot 9, Block 11, Lincoln Replat of Blk 11	50% Homestead Credit	\$313,700	\$213,700
24-141	Leon & Darlene Thiel	2023	West 88.37' of Lots 1-3, Block 14, Coffins	50% Homestead Credit	\$153,300	\$76,650
24-142	Dave & Nancy Solem	2023	Lot 29, Block 3, Hay Creek Meadows	50% Homestead Credit	\$308,200	\$208,200
24-143	Jerome & Betty Volk	2023	Lot 16 less Tract A, Block 1, East View	50% Homestead Credit	\$339,100	\$239,100

24-148	Dean Berg Alleyn M & Bonnie L	2024	1975 Rollohome, 28' x 56', #AB302668 Lots 14-17, Block 4, Imperial Valley, Unit	100% Homestead Credit	\$14,212	\$7,106
24-149	Glasser	2023	3617 East Regent Condo	50% Homestead Credit	\$258,200	\$158,200
24-150	Duane & Sandra Ziegler	2023	Lot 11, Block 4, Southbay 5th Addition	50% Homestead Credit	\$337,200	\$227,200
24-151	Ramona Hendricks	2023	Lot 2, Block 5, Meadow Valley 2nd	100% Homestead Credit	\$224,900	\$24,900
24-152	Barry Holm	2023	Lot 8, Block 7, Sattler's Sunrise 5th Lot 7, Block 6, Boulder Ridge 7th Add 1st	50% Homestead Credit	\$307,900	\$207,900
24-153	Connie Mikkelsen	2023	Replat Lot 24, Block 1, Huntington Cottages 1st	50% Homestead Credit	\$427,400	\$327,400
24-154	Lee & Vicki Roath	2023	Addition	100% Homestead Credit	\$377,700	\$177,700
24-155	Cynthia D Stumpf	2023	Lot 6, Block 16, Register's 2nd Block 1, Sleepy Hollow Heights 3rd, Lot 8	100% Homestead Credit	\$158,800	\$0
24-158	Deborah J Igoe Anthony & Alvina	2023	Shannon Drive Condos	50% Homestead Credit	\$290,200	\$190,200
24-159	Splonskowski Randal & Catherine	2023	Lot 17, Block 10, Washington Heights 3rd	50% Homestead Credit	\$274,700	\$174,700
24-160	Robinson Randal & Catherine	2024	2010 Highland 16 x 80	True and full value exceeds market value	\$72,090	\$50,460
24-161	Robinson	2024	2010 Highland 16 x 80	50% Homestead Credit	\$50,460	\$50,460
24-162	Margaret Elkin	2023	Lot 3, Block 1, Register's 1st	50% Homestead Credit	\$173,900	\$86,950
24-163	Dennis L Bauer	2023	Lot 4, Block 7, Rep Louns OL 17-19, 26-27	50% Homestead Credit	\$184,400	\$92,200
24-164	Jose Richard James & Marlene	2023	Lot 8, Block 9, Meadow Valley 2nd	50% Homestead Credit	\$214,800	\$114,800
24-165	Lindquist	2023	Lot 39, Block 6, Wachter's 5th	50% Homestead Credit	\$247,200	\$147,200

	Richard C & Carol J		Block 11, Gateway Addition, Lot 3 less W 2', all Lot 4 & W 2' of Lot 5 Lambton			
24-166	Oehlerking	2023	Heights Condo Unit 3 garage 3 Building 908	50% Homestead Credit	\$80,000	\$40,000
24-167	George R Simek	2023	Lot 19, Block 2, Washington Heights	50% Homestead Credit	\$280,300	\$180,300
24-168	Larry R & Dorothy D Zabrocki	2023	Lot 12 & 1/2 VAC Alley Adj, Block 1, Park District	100% Homestead Credit	\$300,400	\$100,400
24-172	Leonard Benfiet	2023	Lot 13, Shamrock Acres	50% Homestead Credit	\$324,000	\$224,000
24-173	Michael Frykman	2023	Block 42, Northern Pacific 2nd, Lots 3-5 less S .38' Lot 5 less W 9' for alley 7th St Condominiums Unit 4	50% Homestead Credit	\$96,700	\$48,350
24-174	Robert & Jayme Holmberg	2023	Lot 10, Block 1, Horizon Heights 1st	100% Homestead Credit	\$357,400	\$157,400
24-175	Esther Fandrich	2023	2009 Highland 16 x 76, #HY12452	80% Homestead Credit	\$64,934	\$12,987
24-176	Esther Fandrich	2024	2009 Highland 16 x 76, #HY12452	100% Homestead Credit	\$64,934	\$0
24-177	Sandy Karna	2024	1974 Adrian 12' x 60', #4096A11	Mobile home went to dump Dec 2023	\$5,607	\$0
24-178	Delbert Unruh	2024	1972 Champion 14 x 56, #0329958038	100% Homestead Credit	\$6,309	\$0
24-179	John M Kinney	2023	Lot 2, Block 1, Vision Heights	50% Homestead Credit	\$240,800	\$140,800
24-181	Patricia L Smith	2023	Block 7, High Meadows, E 150' of Lot 7 B7 High meadows and Lot 1A of Lot 1 B4 Pinehurst 4th	50% Homestead Credit	\$344,100	\$244,100
24-182	Gregory A Lorenz	2023	E 50' of Lots 13-18, Block 7, Sturgis	100% Homestead Credit	\$238,900	\$38,900
24-183	Jacob Denning	2024	1999 Superior 16 x 70, #D5993353709	100% Homestead Credit	\$37,274	\$0

24-184	Marilyn Fibiger	2024	1975 Rollohome, 28' x 56', #AB302668	100% Homestead Credit	\$14,212	\$7,106
24-185	Sharon Symington	2024	2008 Four Seasons, 56 x 28	50% Homestead Credit	\$90,709	\$45,355
24-188	Charlotte K Hagel	2024	16 x 76 2008 Liberty Mobile Home	100% Homestead Credit	\$64,934	\$0
			Block 13, Replat Homan Acres, Lot E of Lot 1 Washington Court Condominiums			
24-189	Olive Fricke	2023	Building 2033 Unit 9 & Garage 2	100% Homestead Credit	\$114,400	\$0
24-191	David & Jolene Stuber	2023	Lot 2, Block 1, Glenwood Estates	50% Homestead Credit	\$330,900	\$230,900
	James Collins & Agnes		E 80' of Lots 1-2, Block 4, Mackin's			
24-192	Collins	2023	Subdivision	50% Homestead Credit	\$125,300	\$62,650
24-193	Linda M Feist	2023	Lot 2, less S 3', Block 24, Jennings's 5th	50% Homestead Credit	\$253,300	\$153,300
			Block 3, North Hills 15th, Lot 3 614 Nelson			
24-194	Jacob R Hagel	2023	Dr Condominium Association Unit 1	50% Homestead Credit	\$248,000	\$148,000
	Samuel L & Penny L		Lot 2, Block 23, Morn Hgt Rep B16,17, &			
24-195	Saylor	2023	B11	100% Homestead Credit	\$247,900	\$47,900
			Block 3, Eastview, N 30' of S 60' of Lot 8			
24-196	Patrice M Thomas	2023	East View Townhouses Unit 1 Tract V	50% Homestead Credit	\$144,500	\$72,250
			Block 1, Boulder Ridge Third Addition. Lot 5 and undivided interest common areas			
24-197	Susan Mizera	2023	Lot B1 & Lot 7 B3	50% Homestead Credit	\$350,600	\$250,600
			Block 8, Washington Heights 2nd, Lot 9			
24-198	Charles J Miska	2023	Washington St Condominiums Unit 1	100% Homestead Credit	\$139,700	\$0
			W 100' of Lots 31-32, Block 68, McKenzie			
24-199	Dennis Boknecht	2023	& Coffin's	50% Homestead Credit	\$148,900	\$74,450
			Lot 13, Block 11, Register's 2nd Addition to			
24-200	Edna B Gartner	2023	City of Bismarck	100% Homestead Credit	\$199,700	\$0
	Jeffrey E & Robin R					
24-202	Aamot	2023	Lot 19, Block 2, Jennings 1st	50% Homestead Credit	\$209,000	\$109,000

24-203	Marcella J Haman	2023	Block 2, Koch Addition, Lot 4 3801 Koch Dr Condo Assoc Unit 2 & Garage Unit 2	100% Homestead Credit	\$239,100	\$39,100
24-204	Leslie Landenberger & Ruby	2023	Lot 3B of Lot 3, Block 1, Gary Nelson Addition	50% Homestead Credit	\$335,500	\$235,500
24-205	Blaine R & Rebeka J Olsen	2023	Lot 3, Block 2, High Meadows 5th	50% Disabled Persons Credit	\$406,800	\$306,800
24-206	Barbara L Pfeifer	2023	Lot 10, Block 19, Jennings 4th	50% Homestead Credit	\$267,600	\$167,600
24-207	Armion & Ethel Schuler	2022	Lot 28 less Jensen Survey of lot 28, Block 4, North Hills 3rd	10% Homestead Credit	\$211,900	\$199,389
24-208	Mark E Sandoval	2023	Block 23, Southwood Terrace 2nd Rep, 55 less N 150' Meadow Brook Condominiums Unit XXXIII	50% Homestead Credit	\$231,900	\$131,900
24-209	Sherwin & Cathy Nelson	2023	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	\$359,700	\$259,700
24-210	Leo L & Luella H Nagel	2023	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	\$391,100	\$316,100
24-211	Owen & Alice Subart	2023	Lot 14, Block 19, Meadow Valley 4th	50% Homestead Credit	\$256,900	\$156,900
24-212	RJR Maintenance & Management	2024	154 Northwest Dr, 2000 Holly park Glenmoor 28 x 52	Property is uninhabitable	\$53,115	\$0
24-213	Robert Chapa	2024	1992 Schult 16 x 76, #M254185	100% Homestead Credit	\$27,968	\$0
24-214	Jamie K Dokken	2023	Block 3, Sonnet Hgts Subdiv 1st Rep, Lots 2- 3, Blk 3, Sonnet Heights Sub 1st Rplt & Lot 2, Blk 26, Sonnet Hgts Sub & W 35' VAC Ottawa St Adj Laguna Hills Unit 8 Bldg 1 (A)	50% Homestead Credit	\$188,800	\$94,400
24-215	Gregory L Feist Bradley & Desiree	2023	E 95' of Lots 13-14, Block 77, McKenzie & Coffin's	100% Homestead Credit	\$180,400	\$0
24-216	Hendrickson	2023	Lot 54, Block 14, Highland Acres	50% Homestead Credit	\$204,400	\$104,400

	James J & Rosella						
24-217	Splonskowski	2023	Lot 7, Block 1, East View	100% Homestead Credit	\$278,800	\$78,800	
24-218	Sheila Steckler	2023	Lot 10 less S WLY 20', Block 1, Rolling Hills 2nd	50% Homestead Credit	\$233,800	\$133,800	
24-219	Delores Shimek	2023	Lot 8, Block 2, Westwood on the River	50% Homestead Credit	\$293,100	\$193,100	
24-220	Dorothea & David Gray	2023	E 1/2 NE 1/4 SE 1/4 NE 1/4 aka southside of Lot 5 Link Estates	50% Homestead Credit	\$301,600	\$201,600	
24-221	Joan M Brown	2023	Lot 3, Block 4, South Wilton aka Kilians	50% Homestead Credit	\$194,800	\$94,800	
24-222	Barbara Zins	2023	S1/2 S1/2 NW 1/4 4-13-78	100% Homestead Credit	\$409,600	\$209,600	
24-223	Mark Costain	2023	Lot 20, Block 23, Wachter's 3rd	50% Homestead Credit	\$310,900	\$210,900	
24-224	Darlene Frieze	2023	Block 1, Pebble Creek 4th, L 12-14 less S 17' for St R/W Colorado Drive Condo VI Unit B	50% Homestead Credit	\$319,600	\$219,600	
24-225	Marie Gilchrist	2022	Block 1, Weston Village 1st, Lot 10 & undivided int in common area	100% Homestead Credit	\$206,000	\$81,000	
24-226	Marie Gilchrist	2023	Block 1, Weston Village 1st, Lot 10 & undivided int in common area	100% Homestead Credit	\$230,500	\$30,500	
24-227	Bennie E & Lundina F Haux	2023	Lots 21-22, Block 35, Flannery & Wetherby N 59.03' of Lots 3-4, Block 4, Sleepy Hollow	100% Homestead Credit	\$167,100	\$0	
24-228	Kristene E Jespersen	2023	Heights	50% Homestead Credit	\$278,600	\$178,600	
24-229	Douglas B Morris	2023	6 & W 10' Lot 7, Block 2, Vision Heights	50% Homestead Credit	\$241,200	\$141,200	
24-230	Bruce & Autumn Roth	2023	Lot 5, Block 1, Kilber 3rd	50% Homestead Credit	\$266,700	\$166,700	
24-231	Roy Schock	2023	Lot 8, Block 11, Meadow Valley 3rd	50% Homestead Credit	\$233,700	\$133,700	
24-232	Franklin J & Jean Marr Wolf	2022	Lots 25-26, Block 11, Flannery & Wetherby Addition	20% Homestead Credit	\$108,500	\$86,800	

24-233	Franklin J & Jean Marr Wolf	2023	Lots 25-26, Block 11, Flannery & Wetherby Addition	100% Homestead Credit	\$142,800	\$0
24-234	Thomas Hammerel	2023	Lot 2 less W 10' for alley, Block 37, Northern Pacific 2nd Addn	50% Homestead Credit	\$213,200	\$113,200
24-235	Sharee Y Nelson	2023	Lot 8, Block 3, High Meadows 2nd	50% Homestead Credit	\$389,600	\$289,600
24-236	Kim & Debbie Sabot	2023	Block 3, East Hills Addn Replat, Lots 2-3 East Hills Condos 1509 + 1519 Unit 2 Bldg 2	50% Homestead Credit	\$321,900	\$221,900
24-237	Jerry & June Fischer	2023	Block 1, North Hills 6th Addition, Lots 5-6 less W 3.48' Centennial Condo Unit 302	50% Homestead Credit	\$209,700	\$109,700
24-252	Bernadine Miller	2023	Lot 27, Block 4, Rusch Gabbert +Rusch	100% Homestead Credit	\$223,000	\$23,000
24-253	Barbara Myhre	2022	2001 Schult 16 x 76	100% Homestead Credit	\$41,530	\$0
24-254	Barbara Myhre	2023	2001 Schult 16 x 76	80% Homestead Credit	\$44,934	\$8,987
24-255	Barbara Myhre	2024	2001 Schult 16 x 76	100% Homestead Credit	\$44,934	\$0
24-256	Kenneth & Susan Peterson	2023	Lot 3, Block 2, S + W Eighth	50% Homestead Credit	\$221,700	\$36,900
24-257	Sanferd J & Corrine Mees	2023	Section 35, Gibbs Township, Auditors Lot 1 of E 1/2	50% Homestead Credit	\$332,500	\$232,500
24-258	Jerome & Helen Werlinger	2024	Lot 2, Block 5, North Ridge Estates First	100% Homestead Credit	\$635,100	\$435,100
24-259	Kathleen Henriksen	2023	Lot 8, Block 4, Imperial Valley	50% Homestead Credit	\$289,600	\$189,600
24-260	Deborah Masad	2024	2003 Schult 28 x 52, #R308950AB	50% Homestead Credit	\$62,244	`3122
24-261	Douglas & Debra Striefel	2024	2000 Friendship 16 x 76, #MY002150V	100% Homestead Credit	\$41,082	\$0

24-262 Wesley & Deborah Woehl 2024 2015 Schult 28 x 48, #RED65990MNAB 50% Homestead Credit \$83,866 \$41,933

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

When we receive the signed and notarized Affidavit and Agreement a duplicate payment will be issued and forwarded to you. In the event you recover possession of the original check, DO NOT CASH IT, please advise the Burleigh County Auditor/Treasurer immediately. Our telephone number is (701) 222-6718.

MAIL THE SIGNED AND NOTARIZED AFFIDAVIT AND AGREEMENT TO:
Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

AQUA PURE INC
716 N HELEN AVE
SOIUX FALLS SD 57104

Check Date: 08/11/2023
Original Check #: 126816
Check Amount: \$2,038.44

AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

I hereby state under oath that the above described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

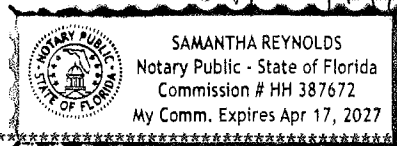
I agree to indemnify, compensate, or make restitution to the County of Burleigh for any and all loss, damage and expense as a result of this issue of said new duplicate payment. If said original check alleged to have been lost or destroyed shall come into my possession, or under my control, I shall immediately return same to the Burleigh County Auditor, PO Box 5518, Bismarck, ND 58506-5518, for cancellation. If the aforesaid check shall at any time be cashed or presented to the Burleigh County Auditor/Treasurer by me, or transferred to another person by me and result in a loss to the County of Burleigh, I shall promptly reimburse the Burleigh County Auditor/Treasurer for any such loss.

Subscribed and sworn to before me

[Signature]
Signature of Payee
Date 12/29/2023

[Signature]
Notary Public - County of Clark
My Commission Expires April 17, 2027

(Seal)



Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__.

Burleigh County Auditor/Treasurer

Date



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: February 5, 2024
To: Mark Splonskowski
County Auditor
From: Marcus J. Hall P.E. *MJH*
County Engineer
RE: Second access permit for Mark Unterseher

Mark Unterseher from Briese Subdivision, Block 01, Lot 4 (4310 Fernwood Dr) has requested a second access permit to his lot. The first access approach is off of Fernwood Drive. He wishes to have a second approach off of Sandy River Drive in order to have better access to his lot. We have reviewed the location of the new proposed access off of Sandy River Drive and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Mark Unterseher on the February 5, 2024 County Board Consent Agenda.

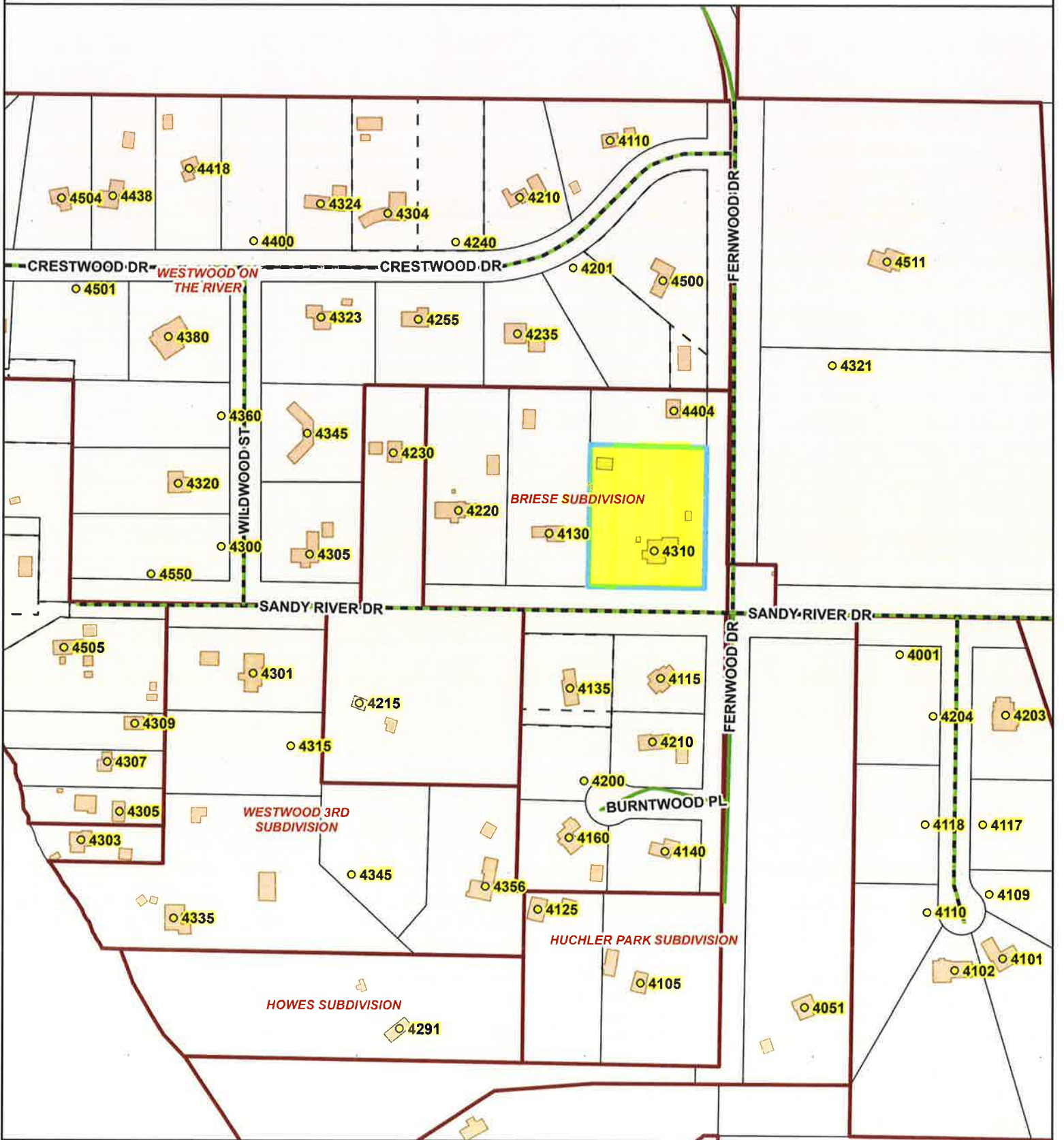
2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/29/2024



PARCEL ID: 31-139-81-16-01-040 OWNER: UNTERSEHER, MARK & TAMARA ACRES: 2.41
SITE ADDRESS: 4310 FERNWOOD DR
MAIL ADDRESS: 4310 FERNWOOD DR, BISMARCK, ND 58503
LEGAL: BRIESE Block 01 LOT 4 517740

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
1/29/2024



PARCEL ID: 31-139-81-16-01-040 OWNER: UNTERSEHER, MARK & TAMARA ACRES: 2.41
SITE ADDRESS: 4310 FERNWOOD DR
MAIL ADDRESS: 4310 FERNWOOD DR, BISMARCK, ND 58503
LEGAL: BRIESE Block 01 LOT 4 517740

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

ITEM

6

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: February 5, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line, conduct Public Hearing, and direct staff on how to proceed.

BACKGROUND:

Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, as part of the Riverside Subdivision, has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/19/2024



PARCEL ID: 23-140-81-65-01-120 **OWNER:** HARTMANN, PAUL & HEISER, JERALYN **ACRES:** 2.77
SITE ADDRESS: 9922 ISLAND RD
MAIL ADDRESS: 9922 ISLAND ROAD, BISMARCK, ND 58503-9226
LEGAL: RIVERSIDE BLOCK 11 LOTS 12-14 556750

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

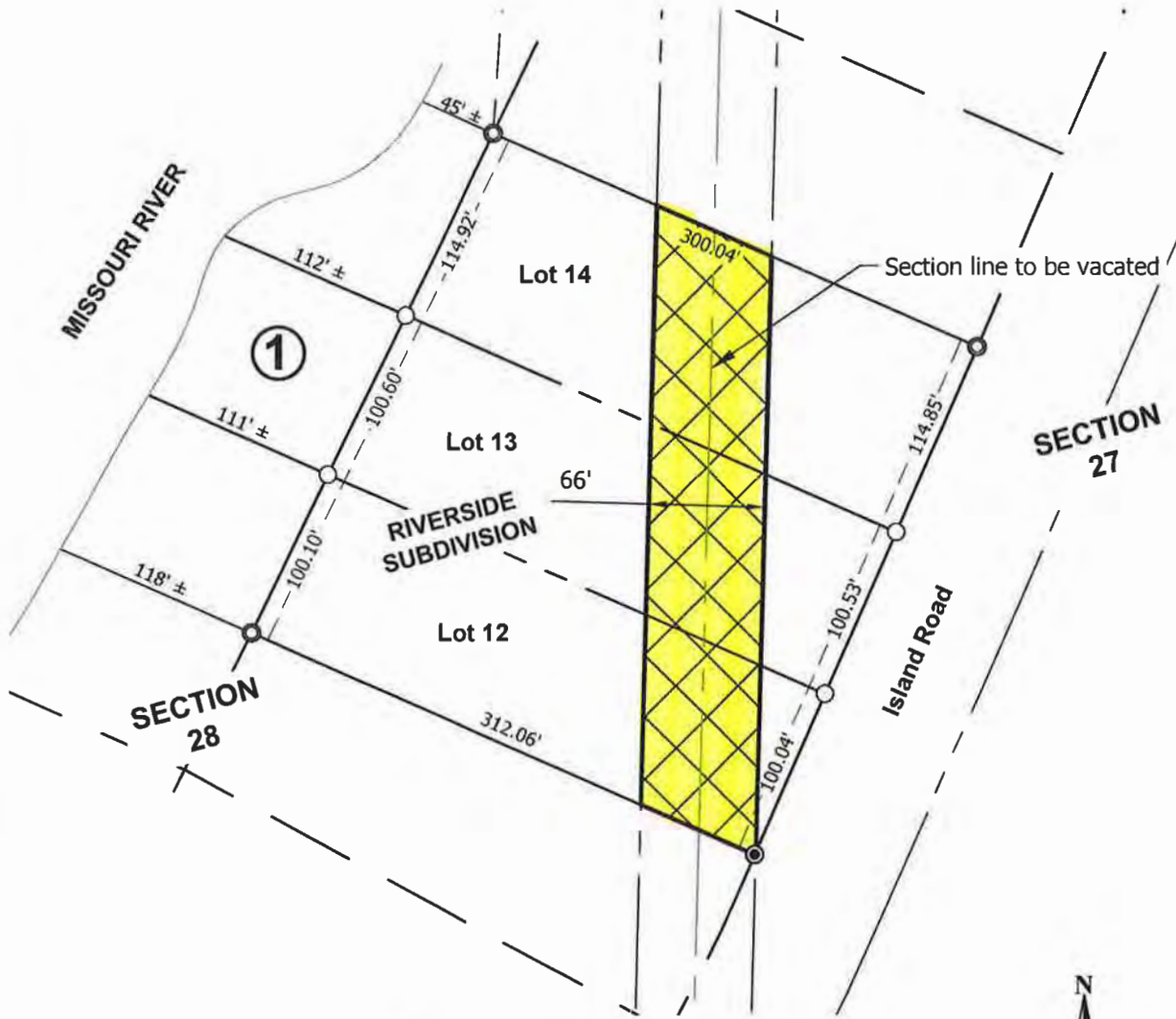
N
12/20/2023



PARCEL ID: 23-140-81-65-01-120 OWNER: HARTMANN, PAUL & HEISER, JERALYN ACRES: 2.77
SITE ADDRESS: 9922 ISLAND RD
MAIL ADDRESS: 9922 ISLAND ROAD, BISMARCK, ND 58503-9226
LEGAL: RIVERSIDE BLOCK 11 LOTS 12-14 556750

SECTION LINE VACATION EXHIBIT

LOCATED IN LOTS 12,13 & 14, BLOCK 1 OF RIVERSIDE SUBDIVISION
 IN SECTIONS 27 & 28, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE 5TH P.M.,
 BURLEIGH COUNTY, NORTH DAKOTA

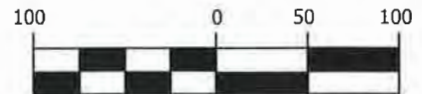


- FOUND MONUMENT
- MONUMENT (TO BE SET)
- COMPUTED POINT

AREA OF REQUESTED SECTION LINE VACATION		
Section 27	11244.68 S.F.	0.26 Acres
Section 28	11245.33 S.F.	0.26 Acres
Total	22490.01 S.F.	0.52 Acres



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

Prepared By:

Bartlett & West

3456 E. Century Ave, Bismarck,
 North Dakota 58503 701-258-1110
 FAX 701-258-1111 www.bartwest.com



BURLEIGH COUNTY

UNIFIED DEVELOPMENT APPLICATION


Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |

PROPERTY INFORMATION:			
Name of plat: Riverside Subdivision			
Legal description of property (lot, block, addition): Lots 12, 13, 14 Block 1			
Street address of property: 9922 Island Road			
Existing Zoning: R1	Proposed zoning: R1		
Acreage: 2.22 acres	Number of lots: 3		
Description of development proposal, including reason(s) for the request: Requesting the vacation of a portion of the section line between Section 27 & 28, T.140N., R.81W. that lying within Lots 12-13 Block 1 in Riverside Subdivision			
APPLICANT/DEVELOPER:			
Name: Paul Hartmann		Mailing address: 9922 Island Road, Bismarck, ND 58503	
Daytime telephone number: 701-400-8100	FAX number:	E-mail address: phartmann@tssnd.com	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: Dayne Solem - Bartlett & West		Mailing address: 3456 E. Century Ave, Bismarck, ND 58503	
Daytime telephone number: 701-221-8414	FAX number:	E-mail address: dayne.solem@bartwest.com	

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

This application is filed complete with the required information as outlined in the attached submission checklist. I understand the regulations of the Burleigh County Zoning Ordinance as they pertain to this request(s). I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above described development application.



(Applicant's Signature)

8/17/23

(Date)

(Owner's Signature, if different)

(Date)

(Additional Owner's Signature, if applicable)

(Date)

VERIFICATION FOR ROADWAY VACATION REQUESTS:

The oath of at least one petitioner is required for road vacations only.

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this ___ day of _____, 20___, before me, a notary public in and for said county and state, appeared _____, known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

Notary Public
Burleigh County, State of North Dakota
My Commission Expires: _____

Submission Deadlines:

The County Planning and Zoning Commission regularly meets on the second Wednesday of each month. All development applications are due at 5:00 p.m., 21 calendar days prior to the meeting.

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
<input type="checkbox"/> Preliminary Plat	Required pre-application meeting	Date:	
	5 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee determined by lot number: 1 – 2 lots \$200.00 3 – 10 lots \$300 11 – 20 lots \$400 21 or more lots \$900		
	8½" x 11" reduction of plat		
	Digital copy of plat		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
	Written request for amendment to Fringe Area Road Master Plan (if applicable)		
<input type="checkbox"/> Final Plat	Final plat fee \$250.00		
	Stormwater Management Plan Review Fee \$200 (includes permit if approved)		
	6 prints of plat, including all items listed in final plat check list		
	Final plat checklist, completed by applicant		
	8½" x 11" reduction of plat		
	Digital copy of plat, if requested		
	Attorney's opinion of ownership, including all easement owners		
<input type="checkbox"/> Development Application Review	Fee determined by number of lots: 1 – 2 lots \$25 3 to 10 lots \$100 11 to 20 lots \$200 21 or more \$600		
	Site plan, drawn to scale (no larger than 11" x 17")		
	Completed Development Application and all exhibits		
<input type="checkbox"/> Development Permit & Field Review	Fee determined by number of lots: 1 – 2 lots \$200 3 to 10 lots \$400.00 11 – 20 lots \$1,500 21 or more lots \$2,500.		
	Review and Approval of Development Application		
<input type="checkbox"/> Plat Vacation	Map of property to be vacated		
	Fee of \$300.00		
	Legal description of property to be vacated		
<input checked="" type="checkbox"/> Road Vacation	Map of property to be vacated		X
	Fee of \$250.00		
	Legal description of property to be vacated		X
	Letters of consent from utilities (street/alley vacation & easement release)		
<input type="checkbox"/> Zoning Change	Fee of \$500.00 (zoning change)		
	Description of zoning change by legal description if multiple districts requested		
	Architectural drawings (PUD only)		
	One (1) print of site plan, at 1"=100' scale (PUD only)		
	8½" x 11" reduction of site plan (PUD only)		
	Written statement (PUD only)		
<input type="checkbox"/> Special Use	Fee of \$300.00		
	3 prints of site plan, at 1"=20' or larger scale		
	8½" x 11" reduction of site plan		
	Photograph of building (moving building only)		
	Adjacent property owner petition (required for moving of a building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		

Variance	Fee of \$300.00		
	Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
	Elevations of proposed structure (s), if required		
	Written statement of hardship (separate form that must be completed for variances)		
Minor Plat/Lot Modification	Adjacent property owner petition (required for accessory building prior to residence)		
	Fee of \$200.00 (Only applies to 3 lots or less)		
	Sketch of survey, showing how the lot is proposed to be split		
	Legal description of lot(s), both existing & proposed with square footage/acreage		



3456 E Century Avenue
Bismarck, ND 58503
ph (701) 258-1110
www.bartlettwest.com

December 10, 2023

Casey Einrem
Burleigh County Highway Dept.
81000 43rd Avenue NE
Bismarck, ND 58503

Re: Section Line Vacation Request for Lots 12, 13, & 14, Block 1, Riverside Subdivision
(9922 Island Road).

Dear Casey:

We are requesting the vacation of a portion of the section line between Sections 27 & 28, Township 140 North, Range 81 West.

Currently the section line runs through Riverside Subdivision, which was recorded on June 7, 1985, as document number 360261, but wasn't vacated at that time. The portion we are requesting to vacate lies within Lots 12, 13, and 14 in Block 1 of Riverside Subdivision. The purpose of the request is to remove the encumbrance to allow for the creation of a one lot subdivision by combining the 3 lots to allow for a larger accessory building.

Enclosed is an exhibit showing the area to be vacated. Thank you for considering this request for the section line vacation referenced above. Please feel free to contact me if you need any additional information or have any questions.

Sincerely,

Dayne Solem
Bartlett & West
3456 E. Century Ave
Bismarck, ND 58503
701-221-8414
dayne.solem@bartwest.com

Enclosures: 1



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: February 5, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to advertise for bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for Special Assessment District #76 (Falconer Estates Subdivision).

BACKGROUND:

As part of the Special Assessment Procedure, the County Engineer has prepared detailed plans and specifications for SAD #76. The plans and specifications can be reviewed at the County Engineer's office. The Highway Department is asking the Board for authorization to advertise for bids on this project.

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolutions.

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the County Board approves the plans and specifications and authorize the County Auditor and the County Engineer to advertise for bids for Special Assessment District #76 (Falconer Estates Subdivision).



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: February 5, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line and direct staff on how to proceed.

BACKGROUND:

Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, as part of the Peaceful Valley Subdivision, has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

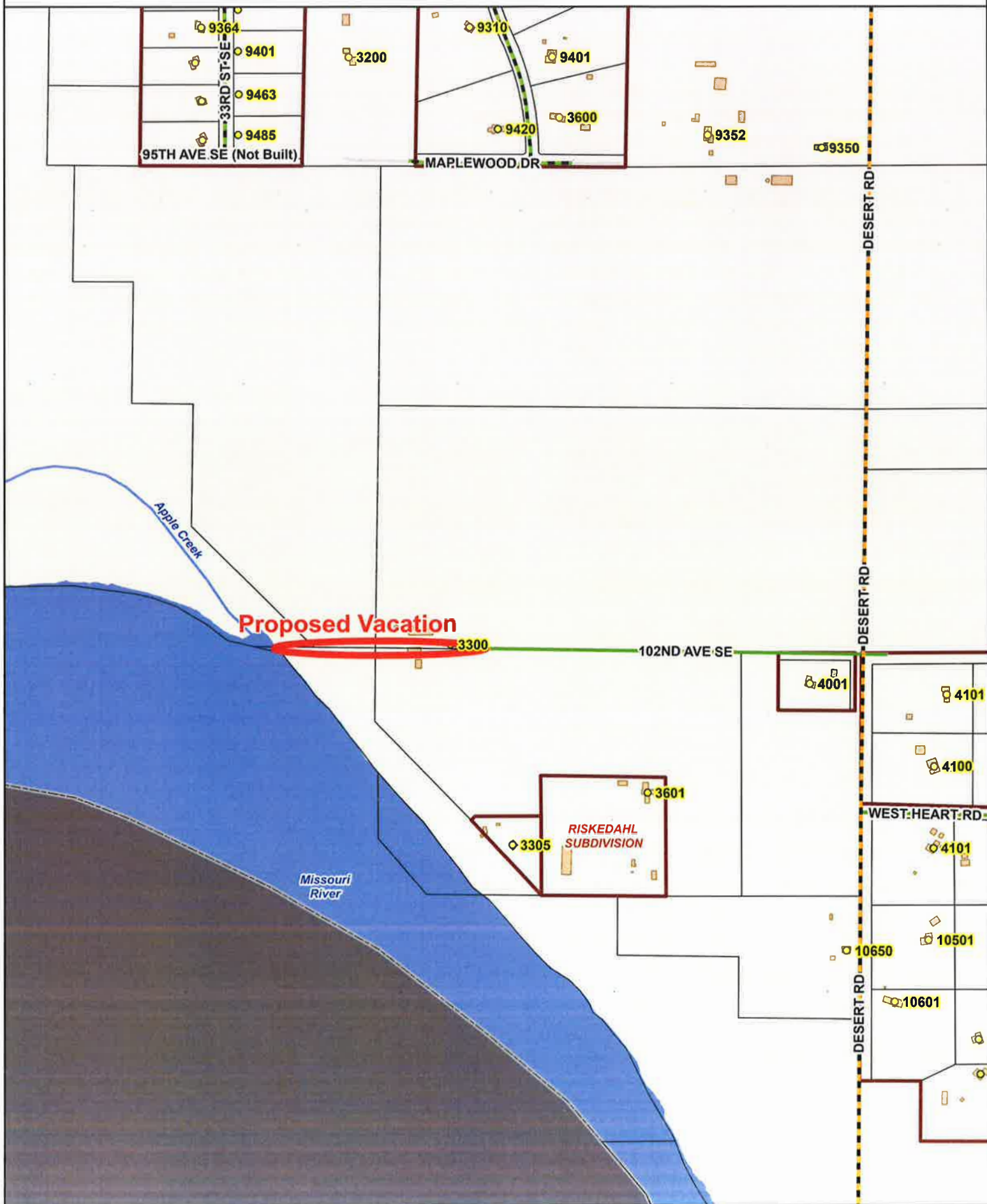
It is recommended that the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets March 4, 2024 at 5:00 p.m. as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/31/2024



BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/31/2024





BURLEIGH COUNTY UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |

PROPERTY INFORMATION:			
Name of plat: <p style="text-align: center; font-size: 1.2em;">PEACEFUL VALLEY SUBDIVISION</p>			
Legal description of property (lot, block, addition): <p style="text-align: center;">PART OF SEC. 11 & PART OF SEC. 14 IN TOWNSHIP 137 NORTH, RANGE 80 WEST</p>			
Street address of property: <p style="text-align: center;">3300 102ND AVENUE SE, BISMARCK, ND 58504</p>			
Existing Zoning: <p style="text-align: center; font-size: 1.2em;">AG</p>	Proposed zoning: <p style="text-align: center; font-size: 1.2em;">AG</p>		
Acreage: <p style="text-align: center; font-size: 1.2em;">17.89</p>	Number of lots: <p style="text-align: center; font-size: 1.2em;">1</p>		
Description of development proposal, including reason(s) for the request: <p style="text-align: center; font-size: 1.2em;">VACATE SECTION LINE ON COMMON LINE OF 11 & 14</p>			
APPLICANT/DEVELOPER:			
Name: <p style="text-align: center; font-size: 1.2em;">DUANE SMALL</p>		Mailing address: <p style="text-align: center;">3300 102ND AVE SE, BISMARCK, ND 58504</p>	
Daytime telephone number: <p style="text-align: center; font-size: 1.2em;">701-391-5320</p>	FAX number:	E-mail address:	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: <p style="text-align: center; font-size: 1.2em;">MARK R. ISAACS / ILSE, INC.</p>		Mailing address: <p style="text-align: center;">4215 OLD RED TRAIL NW, MANDAN, ND 58554</p>	
Daytime telephone number: <p style="text-align: center; font-size: 1.2em;">701-595-2079</p>	FAX number:	E-mail address: <p style="text-align: center;">Mark@ilsurveynd.com</p>	

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

This application is filed complete with the required information as outlined in the attached submission checklist. I understand the regulations of the Burleigh County Zoning Ordinance as they pertain to this request(s). I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above described development application.

Duane Small
(Applicant's Signature)

1-31-24
(Date)

(Owner's Signature, if different)

(Date)

(Additional Owner's Signature, if applicable)

(Date)

VERIFICATION FOR ROADWAY VACATION REQUESTS:

The oath of at least one petitioner is required for road vacations only.

STATE OF NORTH DAKOTA)
)SS
COUNTY OF BURLEIGH)

On this 31ST day of January, 2024, before me, a notary public in and for said county and state, appeared Duane Small, known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

Mark R Isaacs
Notary Public
State of North Dakota
My Comm. Expires 6/30/2027

Mark R Isaacs
Notary Public
Burleigh County, State of North Dakota
My Commission Expires: 6/30/27

Submission Deadlines:

The County Planning and Zoning Commission regularly meets on the second Wednesday of each month. All development applications are due at 5:00 p.m., 21 calendar days prior to the meeting.

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
Preliminary Plat	Required pre-application meeting	Date:	
	Fee determined by lot number: 1 – 2 lots \$200, 3 – 10 lots \$300, 11 – 20 lots \$400, 21 or more lots \$900.		
	Preliminary plat checklist, completed by applicant		
	8 ½ " x 11" reduction of plat		
	6 prints of plat including items listed in preliminary plat checklist		
	Digital Copy of plat per County Digital Plat Submittal Requirements		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County: Documentation of subdivisions compliance with the zoning regulations of the township		
	Written request for amendment to Fringe Area Road Master Plan		
	Final Plat	Final plat fee \$250.00	
Stormwater Management Plan Review Fee \$200.00 (includes permit if approved)			
Final plat checklist, completed by applicant			
8 ½" X 11" reduction of plat			
6 prints of plat including items listed on the final plat checklist			
Digital Copy of plat per County Digital Plat Submittal Requirements			
Development Application Review Fee	Attorney's opinion of ownership, including all easement owners		
	Fee Determined by number of lots: 1 – 2 lots = \$25, 3 to 10 lots = \$ 100, 11 – 20 lots \$200. 21+ lots \$600.		
	Site plan , drawn to scale (no larger than 1" x 17") Completed Development Application and all exhibits		
Development Permit & Field Review	Fee determined by number of lots: 1 – 2 lots = \$200.00 3 – 10 lots = \$400.00 11 – 20 lots = \$1,500 21+ lots = \$2,500		
	Review and approval of Development Application		
Minor Plat/Lot Modification	(Only applies to 3 lots or less) Fee \$200.00		
	Sketch of Survey, showing how the lot(s) are to be modified		
	Digital Copy of modifications per County Digital Plat Submittal Requirements		
	Legal description of lot (s), both existing & proposed modification with square footage/acreage		
Plat Vacation	Fee \$300.00		
	Map of property to be vacated		
	Digital Copy of modifications per County Digital Plat Submittal Requirements		
	Legal description of property to be vacated		

Zoning Change	Fee \$500.00		
	Description of zoning change by legal description if multiple districts involved		
<i>For PLD Only</i>	➤ Architectural/Engineered Drawings		
	➤ One print of site plan, at 1" = 100' scale		
	➤ 8 ½" x 11" reduction of site plan		
	➤ Written statement		
Special Use	Fee \$300.00		
	Three prints of site plan at 1" = 20' or larger scale		
	8 ½" x 11" reduction of site plan		
	Photograph of building (for building movement only)		
	Adjacent property owner petition (required for moving of building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		

EXISTING
AG
ZONING

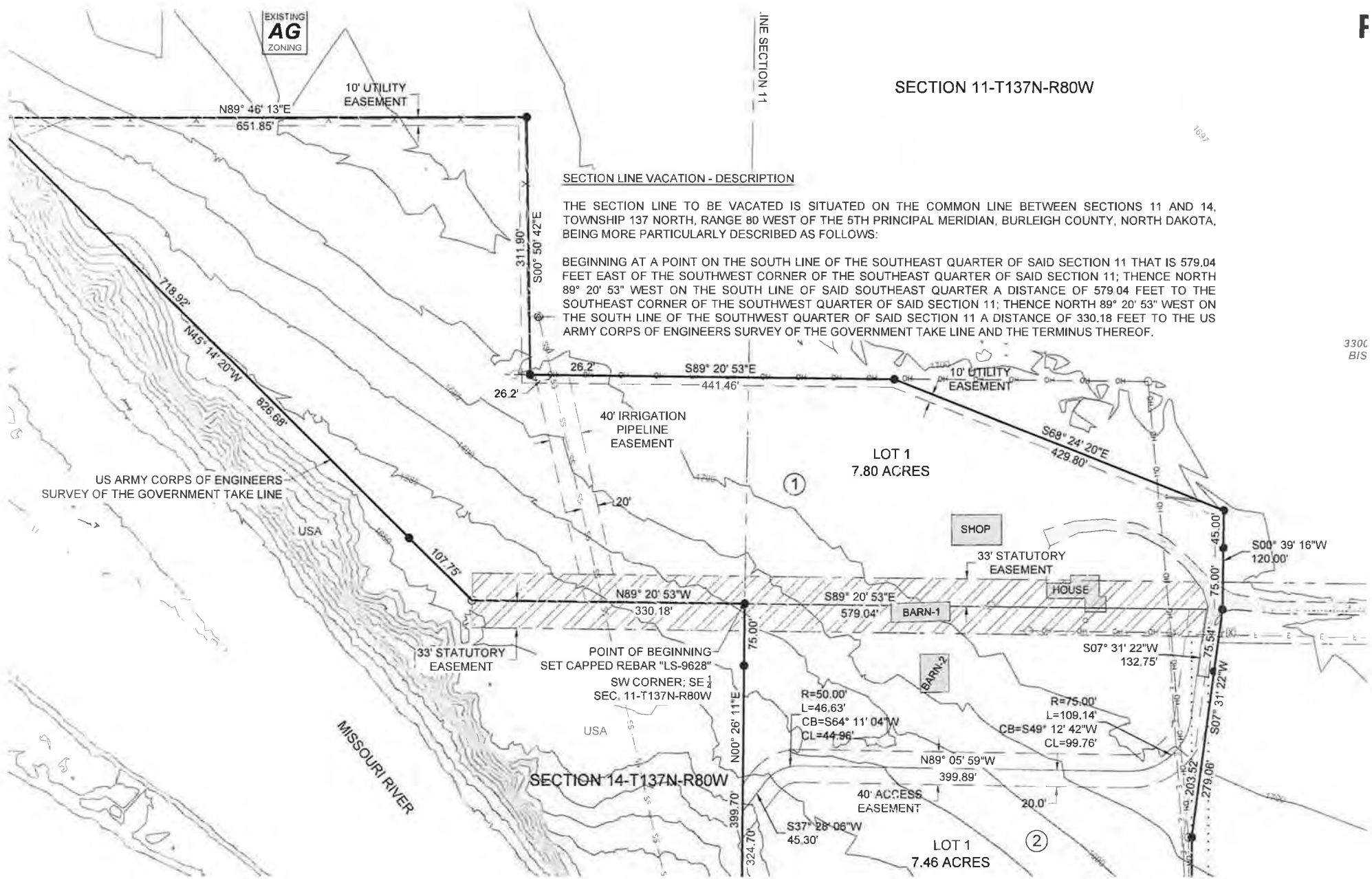
SECTION 11-T137N-R80W

SECTION LINE VACATION - DESCRIPTION

THE SECTION LINE TO BE VACATED IS SITUATED ON THE COMMON LINE BETWEEN SECTIONS 11 AND 14, TOWNSHIP 137 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 THAT IS 579.04 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11; THENCE NORTH 89° 20' 53" WEST ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 579.04 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 11; THENCE NORTH 89° 20' 53" WEST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.18 FEET TO THE US ARMY CORPS OF ENGINEERS SURVEY OF THE GOVERNMENT TAKE LINE AND THE TERMINUS THEREOF.

330C
BIS



US ARMY CORPS OF ENGINEERS
SURVEY OF THE GOVERNMENT TAKE LINE

MISSOURI RIVER

SECTION 14-T137N-R80W

LOT 1
7.80 ACRES

LOT 1
7.46 ACRES

40' IRRIGATION
PIPELINE
EASEMENT

SHOP

33' STATUTORY
EASEMENT

HOUSE

BARN-1

BARN-2

33' STATUTORY
EASEMENT

POINT OF BEGINNING
SET CAPPED REBAR "LS-9628"
SW CORNER; SE 1/4
SEC. 11-T137N-R80W

R=50.00'
L=46.63'
CB=S64° 11' 04" W
CL=44.96'

R=75.00'
L=109.14'
CB=S49° 12' 42" W
CL=99.76'

40' ACCESS
EASEMENT

S37° 28' 06" W
45.30'

LOT 1
7.46 ACRES



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: February 5, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the County Highway 10 roadway mill and overlay project.

BACKGROUND:

On January 3, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for the County Highway 10 roadway mill and overlay project. Bids were opened on January 30, 2024 and the following bids were received:

	<u>Bid</u>
Mayo Construction Company	\$1,167,516.77
Northern Improvement Company	\$1,454,943.40
Strata Corporation	\$1,478,687.76
Central Specialties Inc.	\$1,511,509.92

Engineers Estimate:	\$1,201,409.53
Budget Amount	\$1,200,000

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the County Highway 10 roadway mill and overlay project low bid from Mayo Construction Company for \$1,167,516.77 and authorize the proper County officials to enter into contracts with said bidder.

ITEM

7



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Findings of Burleigh County Planning Commission
Date: 1-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Appeal Denial of Special Use Permit

On January 10, 2024, a public hearing was held for Dave Lehman to petition a change in the use of private property by applying for a Special Use Permit for Burnt Creek Farms. His intentions are to stage weddings, family and corporate events all relating to Farm tours and Agritourism. The property is located at 11501 NE 41st St., Bismarck.

The application was denied by a vote of 8-1, based on these findings of fact;

- 1) Dust
- 2) Traffic
- 3) Noise
- 4) Concerns for fire, vehicle safety
- 5) Overuse of land

ACTION REQUESTED:

Consider to deny, approve or table the appeal request for reconsideration by the Planning Commission.

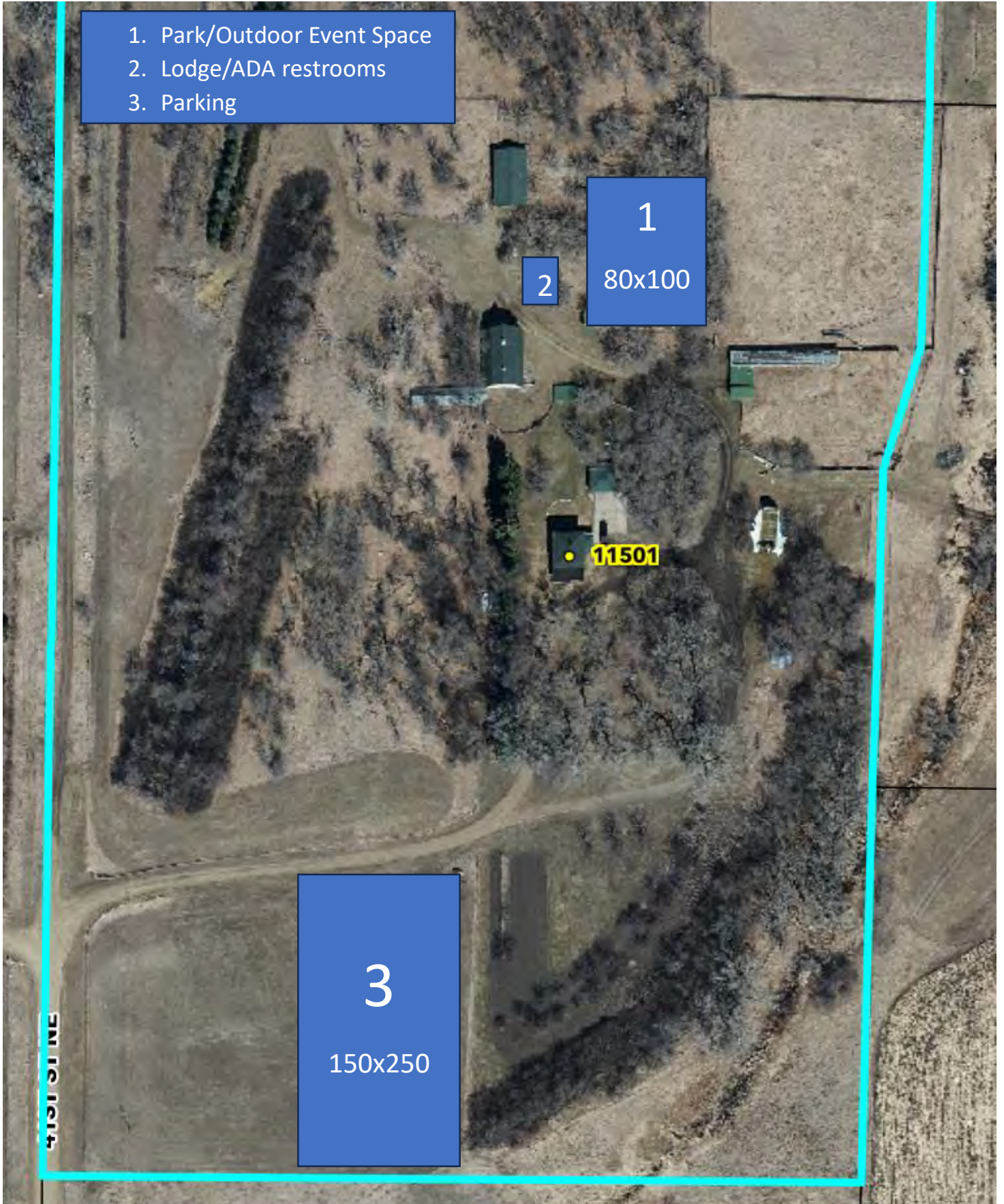
Attachments:

- Ex. 1- 5.1.3 Site Map
- Ex. 2- 5.1.4 Brochure- BCF

Burnt Creek Property Boundary Map



Burnt Creek Facility Map





Burnt Creek Farm

11501 41st St NE Bismarck, ND

David Lehman, Owner

January 2024

Background

Burnt Creek Farm (BCF) Historical Site: North Dakota has an incredibly rich history as it pertains to agriculture, homesteading, etc. Unfortunately, with each passing year we are losing these historic barns, homes, and outbuildings. North Dakota has many pioneer village type facilities with historic community type buildings, collections of antiques, tractors, and ag equipment displayed. While these are important, tourists don't get an opportunity to see the equipment, tools, vehicles, etc. in a real farm setting. By staging the farm, it gives people a better feel for what the farm actually looked and felt like and provides a better appreciation for what farming was like in the early days of North Dakota. Burnt Creek Farm is one of very few fully intact restored historic farms in North Dakota.

The North Dakota State Historical Preservation Office has toured the farmstead numerous times and feels confident in its eligibility for the state and national registers of historic places. Due to innovation and progress in agriculture and larger equipment requiring larger facilities, very few farm sites from the early days of agriculture remain intact and preserved. There are 2 or 3 other farmsteads available to tour in the state, however, Burnt Creek Farm differs in that it is a well-preserved example of a 'modern' farmstead built during the mechanization era as farms transitioned from horse to tractor power. This includes the innovation in building construction, running water systems (windmill with gravity feed to areas of the farm), rechargeable 32V battery system powering the farm, and equipment. The farm will be staged as it would have been in the 1920's showing the transition from horse to tractor power. These were all major technological advances in agriculture and an incredibly important era in North Dakota which isn't a focus with other historic sites. Due to the farm's ties to the Non-Partisan League and its role in the inception of the state bank, mill, and elevator, this shift in North Dakota's ag economy will also be covered. Other elements of Burnt Creek Farm which are relatively unique and lend themselves to agritourism tours are the following:

- 1878 Tree claim with evidence that can be easily seen by tourists
- Intact 1920's-1950's farmstead
- Rare (possibly the only) instance of terracotta structural clay tile and brick use in the farmhouse and bunkhouse construction. The clay tile and brick came from the early days of North Dakota's Hebron Brick factory.
- One of the first 'modern' farms in ND with running water and electricity (less than 2% of farms had these amenities in the early 1920's.)
- Ties to the Non-Partisan League and Linda Slaughter both heavily involved in the development of the region, state, and upper Midwest.
- Unique architecture such as the trench/bunker silo
- Filming location of End of the Rope movie
- Only historic farm site located close to a major community. Located about a mile outside of Bismarck's extra-terrestrial area and easily accessible from the interstate and highway 83 allows visitors easy access to the facilities while still accessing amenities of a larger community. It also allows Burnt Creek Farm the opportunity to draw more people to promote North Dakota's proud ag history.

Services

1. Tours: Educating visitors about the history of agriculture in North Dakota is BCF's primary focus. Initial plans would be to offer tours by reservation. It is anticipated there would be demand from schools, commodity groups, organizations, etc. for the tours. While the tours are an important element to the goal of educating others about the history of agriculture in North Dakota, it is not anticipated to be a major source of traffic or revenue at BCF.

2. Events: Events would primarily be outdoor events. The historical integrity of the buildings will be restored and maintained and as such will not be insulated and no additional construction is planned that would alter the appearance/feel of the historic farmstead. This will limit their utility relative to events. Events are anticipated to include the following:

- Weddings: The season for weddings is anticipated to be May 15th to Oct 15th due to lack of climate-controlled facilities (there is a space for a tent). These events would be limited to 200 attendees. Security would be required for all weddings.
- Corporate events: It is anticipated there may be some interest in company picnics during the summer.
- Family events: It is anticipated there could be some demand for family get togethers, picnics, pictures, etc. at BCF.
- Agritourism: Farm tours as well as interest in the orchards, etc.

3. Lodging: There is currently a granary that has been converted to a lodge that may be used for traditional lodging or as a bridal suite for the bridal party to prepare for weddings. The lodge is not four seasons and will be winterized each year.

4. Facilities: There is currently an ADA restroom facility, a lodge (same building as the ADA restrooms), a park with a clearing for events, as well as the original buildings. These buildings have limited capacity and are not climate controlled. There are no plans to expand these buildings or renovate beyond the restoration back to their original state due to the historical significance of the structures. They will however be staged as they would have been in the 1920's for tours.

Traffic

When calculating traffic, I assumed 200 people per week (I feel like this figure is high) during the May-Oct season. Assuming 2.25 people/vehicle yields 80 trips/week. Taking 80 trips/week times 20 weeks comes out to 1600 trips per year (to and from BCF). There could be some winter traffic for special events, but it is not anticipated to be significant.

To put this into perspective, studies show a single-family home generates approximately 5 trips per day (to and from home) accounting for roughly 1825 trips per year (to and from the home). While the traffic would be more concentrated at specific times, the additional traffic generated from activities at BCF is anticipated to be less than that generated by a typical single-family home.

From a similar perspective, when the Morris Family owned the farm (1950-1997), they had a family of 6. National studies show that traffic generated is roughly 1 (two-way) trip/person, or 6 trips/day for a family of 6. This amounts to 2190 trips per year. In addition, the family farmed and had construction operations (hauling grain, livestock, coal, aggregate, soil, etc.), so the road also accommodated trucks and heavy equipment (which it doesn't currently see as a result of my occupation). As a result of being a farm operation, most of these trips were concentrated over the same general season as proposed by the events and tours at BCF.

Dust

Dust mitigation will be looked into, however the level of dust generated is not expected to be much greater than that generated by a typical single-family residence. In addition, dust control is currently in use for those homes on 110 Ave near highway 83.

Timeline

2020-ongoing: Farm restoration and development of grounds

2021: Filming of End of the Rope film

2023: Screening for End of the Rope Film

2024: Farm tours and events

Map of Proposed Event Space



Appendix



STATE HISTORICAL SOCIETY
OF NORTH DAKOTA

HISTORY FOR *everyone.*

August 31, 2023

To Whom I may Concern,

I have visited the Burnt Creek Farm located north of Bismarck, North Dakota and reviewed the information provided by Dave Lehman. I have made the preliminary determination that the property is eligible for listing in both the North Dakota State Historic Sites Registry and the National Register of Historic Places. The farm is a rare example of an improved tree claim and demonstrates the evolution of farm technology spanning the prosperous era just before the Great Depression through the recovery following World War II. Additionally, the architectural and engineering designs of the individual buildings and the building systems testify to the innovations of the time. This property is worthy of preservation and certainly contributes to our understanding of history.

If you have any questions, please feel free to contact me at lbmeidinger@nd.gov or 701-328-2089.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Meidinger', written in a cursive style.

Lorna Meidinger
Lead Historic Preservation Specialist

Appendix I: Historical Tidbits

The history of Burnt Creek Farm (BCF) dates back to the early years of Edwinton/Bismarck, Dakota Territory. In the 1870's GW Racek and his brother Chas owned the Racek Bro's harness shop on 4th street in Bismarck (known as Murderers Gulch or Bloody 4th having earned a reputation as one of the wildest cities in the nation resulting from the saloons, brothels, and a cultural clash of soldiers, native Americans, immigrant settlers, rich business men etc.). One of (if not the first) saddle and harness shop in Bismarck, G.W. did leatherwork for the calvary and settlers. They also started the Racek Bro's harness shop in Billings Montana, well known for quality territorial era saddles and leather goods. They also bought a parcel in Medora to capitalize on the gold trade as the Marquis De Mores and others had stage coach service directly to Deadwood and the Black Hills. It is unknown, however, if this business came to fruition.



1870's Photo of Racek Bro's Saddle & Harness Shop located on 4th Street in Bismarck, ND

ND Historical Society



G.W. homesteaded North of Bismarck (around where Stan Puklich is located). To acquire more 'free' land, he staked a tree claim where BCF is located. Per the 1878 Timber Culture Act, settlers were granted a quarter of land for planting 27,000 trees on 10 acres within that quarter and keeping 25% of them alive for 8 years. After planting the trees in the late 1870 or early 1880's, G.W. received title to the quarter in 1889, the year North Dakota was granted statehood. As seen in the picture to the left, ripples in the front yard (and back woods) still show evidence of the 1890 tree claim. Ripples in the land created while planting and watering the 27,000 trees with horse drawn implements are still very noticeable (see photo at left). Note all trees are on the crest of the ripples. GW (George)

Racek passed away not long after establishing the tree claim. The horse drawn breaking plow believed to have been used to plant the trees is currently on display in the ND Heritage center.



Upon G.W.'s passing in 1901, the land transferred to his son J.B Racek, a wealthy banker in Mandan. In 1922, J.B. had the farm built much as it exists today (see photo above). The farm included a brick prairie square (or American foursquare) house, barn, bunkhouse, garage, corn



crib/granary, chicken coop, outhouse, etc. It was extremely rare, being one of less than 2% of the farms at that time with running water and electricity. Running water came from a

windmill/cistern at the top of the hill (still present) which gravity flowed to the barn, house/cistern (a hand pump located in the

Modern Farm Home
A beautiful, modern country home is being constructed by J. B. Racek of Mandan on his farm a mile east of Arnold. The house contains eight rooms and bath. It has running water and electric lights. The bath room and pantry are being constructed of hollow tile and brick which is brought from the Hebron factory. A fine modern barn will also be constructed. The buildings are situated in the grove on the farm.

Aug 1922 Bismarck Tribune

NDSU ties

According to prior owners of BCF, the farm was designed by the North Dakota Agricultural College (NDAC now NDSU). These claims have yet to be substantiated due to lack of records retention, however, there is evidence that this is a very strong possibility based on the following:

- The roughcut cottonwood fences and buildings (aside from the brick house) are painted white and green similar to NDSU experiment stations.
- The well-designed farm was built by a banker and farmed by a tenant farmer. Being a banker, it is unlikely JB Racek would have had the background to design the farmstead. NDSU archives hold very similar designs for gates/fences, water systems, buildings, etc. dating back to the 1920's.
- Mr. Racek step children (Luthers) attended NDAC and held various leadership roles, so it's quite possible there was an established relationship. His stepson was president of AGR and student body president and his stepdaughter taught at NDAC.
- The land grant extension service in ND was in its infancy, and unfortunately many records have been lost.



J.B Racek's signature on the \$10 bank note from The First National Bank of Mandan. 1 of 11 still known to exist. Owned by Dave Lehman.

THE SPECTRUM
North Dakota State College
STATE COLLEGE, NORTH DAKOTA, FRIDAY, APRIL 4, 1928
NUMBER 41

Luther Next Commission President

Hundreds Throng Armory To Honor Prexy Sheppard
Made Permanent Head of School By State Board Monday
CONGRATULATED AT CONVOCATION
Representative Group Praises Selection of Most Able Leader

McGrath, May Have Places of Honor In Junior Prom Line
Tickets Will Go On Sale Monday for Formal Party

ERIC NORDSTROM WINS FREE THROW TROPHY
Over 600 Votes Polled During Student Election

Miss Vivian Luther, who has been visiting her mother, Mrs. John Racek of Bismarck, and friends in Mandan, left Tuesday for Fargo, where she is an instructor in the dramatic department of the North Dakota Agricultural college.

Mandan Shorts
Mrs. William Sullivan and her mother, Mrs. A. W. Farr, will entertain members of St. Anne's court, Lady Foresters, at a dinner this evening at the Sullivan home.
Leonard A. Luther was named president of Alpha Gamma Rho fraternity at the North Dakota Agricultural college, Fargo, according to word received by his mother, Mrs. J. B. Racek.



In 1950, the farm was sold to Robert Morris. Under his ownership, BCF was featured in The Farmer magazine (a national/regional publication) on a couple of occasions due to its unique and progressive design. The Farmer magazine featuring the trench silo (left) due to its unique architecture and diverse range of utility. The roof on the 15'x65' building was removable so silage could be added. When it did not have silage, it was used for farrowing hogs and 4H 'barn' dances. The back was later converted to a shop. This silo's architecture was identified as one of the farms features qualifying for the state and national register.

The section of land the farm resides on is of importance for other reasons as well. Somewhat ironically, it was more so noteworthy due to the women involved rather than the men. At a time when women maybe weren't afforded the same opportunities as men, these women had a major impact in their respective spheres of influence.

1. Florence Borner: In the 1910's, ND farmers felt taken advantage of by 'Big Business' and created the Non-Partisan League (NPL). The NPL, a socialist movement, took control of the state government (and much of the upper Midwest). They felt that by creating the State Mill and Elevator and the Bank of North Dakota they could gain control over commodity prices. These are businesses are still in operation today. Florence Borner was a league poet and an integral part of the propaganda machine for the NPL. The Borners spent a lot of time at the BCF, so many discussions of the NPL and construction of the State Mill and Elevator, and BND likely occurred at the kitchen table at BCF. The Borner farm which bordered Burnt Creek Farm was later purchased by J.B. Racek and added to the farm's acreage.

THE PRAIRIES	THE DEAR OLD FARM
<p>The prairies seem so lonely like To some, but not to me; I think they are the only place Where I could happy be; Here in my little old sod shack I lead a peaceful life; And have no need to feel alarm At this world's care and strife.</p>	<p>I read a picce the other day That made me kind of warm, It told about the money made, Upon the dear old farm. It said the farmers all were rich, Excepting those who shirked, And 'lowed we'd all been millionaires If harder we had worked.</p>
<p>The people here live far apart, For miles and miles around, There's naught save lonely prairies, Or perhaps you hear the sound Of a coyote calling to his mate, Upon some distant hill, Or a hoot owl's screech as he flits past Then every-thing is still.</p>	<p>It spoke of softly lowing kine, And fields of new-mown hay, Of how the chickens always laid So many eggs a day. It mentioned fields of golden grain, Fruit hanging on the vine, And written down in words like that The "dear old farm" sounds fine.</p>
<p>I love the rolling prairies, Where the wind blows wild and free; None of your crowded city homes, Or big hotels for me; I want to live a lonely life, Upon the prairie sod; It seems to me that I am here, Much nearer to my God.</p>	<p>It said the farmer is a king, The monarch of the land, It told of lovely sylvan dells, Great trees on every hand. It said the farmer owed no one, Looked each man in the face, Called him the son of honest toil— A credit to his race.</p>
<p>Well, what that fellow didn't know Of farming was a lot; And when he said "he owes no one," It hit a tender spot. Here I've been working twenty years, From dawn till set of sun, And find that I have even less Than when I had begun.</p>	
<p><i>Excerpts from Borner's book Modern Poems for Modern People when she lived by BCF. Published in 1919, this book contained poems about farm life, the NPL, and the struagles of the era.</i></p>	

1. Linda (Warfel) and Dr. Ben Slaughter (Gov Burgum's great grandparents) established the 'Burleigh County Poor Farm' and post office bordering the farm. Ben was a post surgeon assigned to the region's earliest military posts, including Camp Greeley/Hancock and Fort Rice. Linda Warfel Slaughter was known for the following:

- Founded the first ND historical society, which merged with the State Historical Society of North Dakota.
- First woman to vote in a national convention for a presidential candidate.
- Started the first Sunday school in 1872
- Started the Bismarck Academy in 1873, the first Bismarck public school
- First teacher and superintendent of schools in Burleigh County.
- First postmistress of Bismarck
- Crafted a bill in 1881 creating a board of education.
- Involved in the temperance movement and close personal friend of Susan B. Anthony.
- Wrote the words to the state song.

<p style="text-align: center;">Two Evils.</p> <p>SLAUGHTER, N. D., July 31, 1890.—After a swing around the circle, taking in Conger, Croft and Cromwell, and noting the excellent crops—at least, excellent in appearance, I was impressed with at least two major evils, of which one at least could easily be remedied. I refer to the condition of farms owned by non-residents, some of which are being pre-empted by noxious weeds and wild mustard, that are disfiguring the face of the country. Handsome trees of vigorous growth waiting to be blackened and dissipated by the first prairie fire, for the want of a little care. Infinitely preferable the untouched virgin sward of indestructible native grasses.</p> <p>These land owners should be made to pay for this ruthless disfigurement of our fair domain. If in no other way, let the tax gatherer reach out for them until our incoming legislature can help us.</p> <p>Many tree claims that have been proved up on are permitted to go to weeds and grass, which will soon be their funeral pyre. There are some tree claim holders who richly deserve the blessing of the people in their respective communities—such as Asklund in Ecklund, Pollock in township 141, Racek in township 140 and a few others. These bright oases on the prairie make our hearts go out to them as substantial benefactors.</p> <p>The reckless waste and neglect of farm machinery makes the heart grow sick. At one place I counted a mower, hay rake, double sulky plow and a reaper and binder</p>	<p>and but for the tall weeds that sheltered them from the pitiless rain and burning sun, might have counted more. I learned that this man had quit farming. He is one who ought to have quit ere he began. Why our farmers do not pay more attention to tree culture around their homes passeth my understanding. They have teams and woods are near, wells with abundance of water at hand when the rains are too tardy in coming. I notice some few have wells a little distance from their houses, but it seems never to have occurred that a group of trees around it, to shade and add sylvan beauty, would furnish pleasure to the eye and enhance the value of their property. They should not let another fall pass by without this addition. If late, it is not too late.</p> <p style="text-align: right;">S.</p> <p><i>A columnist for the Bismarck Tribune, Linda Warfel-Slaughter criticized tree claims due to poor management but gave praise to G.W Racek for his good management practices.</i></p>
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For additional information regarding Burnt Creek Farm, please visit the Facebook page at: <https://www.facebook.com/burntcreekfarm>

Dear County Auditor/Treasurer,

I am writing to you regarding the appeal of the special use permit application proposed for the Burnt Creek Farm (11501 NE 41st St, Bismarck).

My fiance lives on the corner of 97th Ave NE and 26th St. It is already a busy corner with the traffic already out in this area. I am opposed to the use of the property for events such as weddings and frequent corporate events with large numbers of people.

The traffic influx would very much be a concern. Alcohol would be served at these events, and drinking and driving would take place. We have already experienced a car in the ditch on our corner. It was a scary ordeal, and we do not need to experience that again.

Our ditches are used by dirt bikes, 4 wheelers, and snowmobiles. The potential influx of traffic could result in accidents with these riders, and will decrease the safety and freedom of living "in the country."

The added traffic, noise, and safety concerns are why we oppose the appeal of the special use permit application as currently written. We urge you to deny, or at a minimum, significantly modify the permit.

Thank you for the opportunity to express our concerns.

Sincerely,

Alexandria Bauer
Brett Meyhoff
2600 97th Ave NE
Bismarck, ND

Burleigh County Commissioners:

I wanted to reach out and convey my support for the Burnt Creek Farm project. Like Burnt Creek Farm, I am located on section 24 of Burnt Creek Township. This section has a lot of historical significance for the region and the state. The place where I live was owned by Ben and Linda Warfel Slaughter. The Slaughters acquired the 80 acre parcel in 1886. It had a home, sod barn, and was the location of the Wales post office where Dr. Ben Slaughter was the post master. Also, on section 24 between my place and the Burnt Creek Farm was the home of Florence Borner who authored a book and was known for her role in the Non-Partisan League. I appreciate Dave Lehman's role in restoring the farm and sharing it with the public. Regardless of the type, any of these events are a chance to bring people out to a historic farmstead setting for a rare opportunity to gain an education on the local history and the history of agriculture in North Dakota. I think it's important that this stuff gets saved for future generations.

Mark Thompson

Additional information regarding:

Dr. Ben Slaughter: <https://www.newspapers.com/article/bismarck-weekly-tribune-autobiography-of/60096363/>

Linda Slaughter: https://en.wikipedia.org/wiki/Linda_Slaughter

We own the neighboring property to the south of burnt creek farm and support the Special Use Permit requested by Mr. Lehman.

Seth Sandness

Amber Sandness

Conner Schwindt

Burleigh County Commissioners

Dear Commissioner's, Bitner, Bakken, Munson, Schwab, Woodcox

Subj: Support of special event application Burnt Creek Farm 2/5/24

Gentlemen, our family is in support of the special use permit application to allow for agricultural tourism, corporate events, intimate wedding ceremonies, family reunions, in a beautiful peaceful outdoor setting under trees that are over 100 years old.

There are few, if any, places in Burleigh County much less in the entire state of North Dakota that can offer an experience like no other when it comes to the historic preservation of an agricultural way of life that is quickly disappearing.

We believe that Burleigh County has an opportunity to allow for the creation of what can become a cultural destination showcase for enabling schools to do field trips that offers young people the chance to see the way of life that was once the backbone of the agricultural heritage in the county.

Residents in retirement homes will love the opportunity to be reminded of the simpler life.

The farmstead (NDSU design), barns, corrals, granaries, orchards, gardens, meadows, and ponds are the perfect setting, and we urge your approval for the special purpose request, you will be glad you did, and future generations will thank you for your foresight.

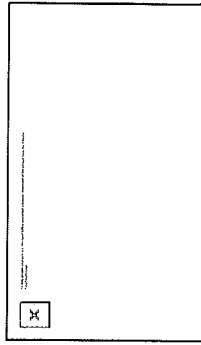
Lon, and Roberta Klusmann

And family.

Dear Burleigh County Planning Commission Members,

I am writing in support of the Special Use permit to allow agritourism and events at Burnt Creek Farm. I had the great privilege of showing the End of the Rope film at our theatre at Touchmark Retirement Community with the opportunity to bring a bus full of residents out to the Burnt Creek Farm to tour the space. David Lehman is very knowledgeable of the history of the land and extremely passionate about the space in which he resides. The land is rich with history and is easily accessible for my residents who are aged 75+. Not only would this space boost interest in outdoor enjoyment for all North Dakotans, it brings a wonderful history aspect to the community that truly deserves to be enjoyed by all! I believe it would be a disservice to the Bismarck Mandan Community members if this space wasn't available for events and agritourism. I hope you take this into consideration. Even more so, I hope you have the opportunity to visit Burnt Creek Farm some time very soon!

With gratitude,




Grace M. Renner

Touchmark on West Century
1000 West Century Avenue
Bismarck, ND 58503-0913



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: Status of the 2024 FIRM Mapping for Burleigh County.
Date: 1-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. 

ITEM 1

Update to the new FEMA Risk Maps

In 2023, FEMA issued Letters of Final Determination to Burleigh County concerning the new Flood Insurance Rate Maps (FIRM). FEMA's notice of final flood hazard determination also included the Summary of Map Amendment- SOMA: this is a list of properties that contained LOMA's, LOMA-F's, LOMC from previous mapping. 5 of these properties had made appeals, however, they did not qualify as a formal appeal but were revalidated in the Summary of Map Action, revalidation will become official the day after the new maps become effective.

The maps will become effective as early as June 6, 2024. County staff is in the process of reviewing the current floodplain management ordinance with a stakeholder group that includes the City of Bismarck, to determine what modifications to the ordinance will be required.

It will be necessary for Burleigh County to adopt any amendments within Article 21 prior to June 6, 2024 to remain a part of the National Flood Insurance Program- NFIP.

Recommended Action:

Memo is informational only; no motion or action is needed at this time.

Attachments:

Ex.1: LFD 12062023
Ex.2: SOMA List



Federal Emergency Management Agency

Washington, D.C. 20472

December 6, 2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Steve Bakken
Chair, Burleigh County Commission
221 North 5th Street
Bismarck, North Dakota 58501

Community Name: Burleigh County,
(Unincorporated Areas)
North Dakota
Community No.: 380017
Map Panels Affected: See FIRM Index

Dear Chair Bakken:

This is to notify you of the final flood hazard determination for Burleigh County, North Dakota and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA did not receive any appeals of the proposed flood hazard determinations or submittals regarding the Revised Preliminary Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) during that time.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on June 6, 2024. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3(d) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already

have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(d);
2. Adopting all the standards of 44 CFR Part 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(d).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(d) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits

under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Tyler Spomer, CFM, NFIP State Coordinator for North Dakota by telephone at (701) 328-2452. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region 8 at (303) 235-4975 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,

Luis Rodriguez, P.E.
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

Enclosure:
Final SOMA

cc: Community Map Repository
Mitch Flanagan, Building Official, Burleigh County

FINAL SUMMARY OF MAPACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on June 6, 2024.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

FINAL SUMMARY OF MAPACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	94-08-197A	11/23/1994	MISSOURI FOREST SUBDIV, LOT 4-- 14738 SANOUNE LANE	3800170560A	38015C0560E
LOMA	97-08-369A	10/09/1997	BRIARDALE ADDITION, BLOCK 3, LOT 27-- 8816 BRIARDALE DR.	3800170960A	38015C0960E
LOMA	06-08-B159A	02/28/2006	SUNDOWN ACRES, LOT 10 -- 15252 SUNDOWN DRIVE	38015C0560C	38015C0560E
LOMA	07-08-0067A	11/07/2006	BURNT CREEK ESTATES SUBDIV, BLOCK 1, LOT 12 -- 6816 DEEREWOOD LANE	38015C0780C	38015C0780E
LOMA	07-08-0299A	02/27/2007	BURNT CREEK ESTATES SUBDIV, BLOCK 1, LOT 3 -- 6606 DEEREWOOD LANE (ND)	38015C0590C	38015C0590E
LOMA	07-08-0693A	07/03/2007	MISSOURI RIVER ESTATES, BLOCK 1, LOT 1 -- 9320 SIBLEY DRIVE	38015C0960C	38015C0960E
LOMA	07-08-0845A	08/29/2007	Lot 15, Block 1, Riverside Subdivision - 10020 Island Road	38015C0570C	38015C0570E
LOMR-FW	08-08-0462A	04/29/2008	SUNDOWN ACRES SUBDIV, LOT 5 -- 15050 SUNDOWN DRIVE	38015C0560C	38015C0560E
LOMR-F	08-08-0478A	05/06/2008	BURNT CREEK ESTATES, BLOCK 4, LOT 1 -- 4725 CROSS ROAD	38015C0590C	38015C0590E
LOMA	08-08-0593A	07/22/2008	VALCOR SUBDIV, BLOCK 1, LOT 3 -- 9222 ISLAND ROAD	38015C0570C	38015C0570E
LOMA	09-08-0422A	03/24/2009	BURNT CREEK ESTATES, BLOCK 4, LOT 6 -- 6215 FOX MEADOW PLACE	38015C0780C	38015C0780E
LOMA	09-08-0423A	03/24/2009	BURNT CREEK ESTATES, BLOCK 2, LOT 3 -- 6801 DEEREWOOD LANE	38015C0780C	38015C0780E
LOMR-F	09-08-0381A	04/02/2009	ISLAND PARK ESTATES, BLOCK 8, LOT 4 -- 6800 KINGSWOOD ROAD	38015C0570C	38015C0570E
LOMA	09-08-0428A	04/28/2009	WOODED ACRES SUBDIV, BLOCK 2, LOTS 1 & 4 -- 1517 & 1701 SCOUT STREET	38015C0790C	38015C0790E
LOMA	09-08-0430A	04/28/2009	OLIVE TREE SUBDIV, BLOCK 1, LOTS 13 & 14 -- 7120 OLIVE TREE PLACE	38015C0570C	38015C0570E
LOMR-F	09-08-0766A	10/27/2009	RIVERSIDE SECOND ADDITION, BLOCK 2, LOT 4 -- 9731 ISLAND ROAD	38015C0570C	38015C0570E

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	10-08-0078A	11/12/2009	PONDERSOA 4TH ADDITION, BLOCK 1, LOT 5 -- 6040 MAGNOLIA DRIVE	38015C0570C	38015C0570E
LOMR-F	10-08-0168A	12/28/2009	LOT 1 BLOCK 1, WESTWOOD ON-THE-RIVER -- 45000 FERNWOOD DRIVE	38015C0780C	38015C0780E
LOMR-F	10-08-0334X	01/28/2010	RIVERSIDE SECOND ADDITION, BLOCK 2, LOT 4 -- 9731 ISLAND ROAD	38015C0570C	38015C0570E
LOMA	10-08-0352A	03/04/2010	(70-RS) PAT'S ACRES, BLOCK 1, LOT 1 -- 4205 BURNT CREEK LOOP	38015C0780C	38015C0780E
LOMR-F	10-08-0370A	04/01/2010	(65-RS) LOT 4, BLOCK 1, VALCOR SUBDIVISION --- 9200 ISLAND ROAD	38015C0570C	38015C0570E
LOMR-F	10-08-0375A	04/01/2010	(65-RS) LOT 3, BLOCK 2, HIGH PLAINS COUNTRY ESTATES --- 3612 HIGH PLAINS ROAD	38015C0795C	38015C0795E
LOMA	10-08-0996A	11/02/2010	MISSOURI FOREST SUBDIV, BLOCK 1, PORTION OF LOT 8 -- 14721 SAND DUNE LANE	38015C0560C	38015C0560E
LOMR-F	11-08-0473A	04/19/2011	ISLAND PARK ESTATES, BLOCK 6, LOT 5 -- 6445 ISLAND PLACE	38015C0570C	38015C0570E
LOMR-F	12-08-0424A	05/15/2012	ASH LAND ESTATES, BLOCK 1, PORTION OF LOT 3 -- 9201 SIBLEY DRIVE	38015C0960C	38015C0960E
LOMR-F	14-08-1339A	10/02/2014	ISLAND PARK ESTATES, BLOCK 6, LOT 8 -- 6401 ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	15-08-0020A	11/20/2014	WOODLAND SHORES, BLOCK 1, LOT 4 -- 8040 BURNT CREEK ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	15-08-0672A	05/08/2015	ISLAND PARK ESTATES, BLOCK 9, LOT 16 -- 8500 BURNT CREEK ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	16-08-0364A	04/15/2016	BILLY THE KID SUBDIVISION, BLOCK 1, LOT 2A -- 10403 HIGHWAY 10	38015C0810D	38015C0810E
LOMR-F	16-08-0619A	04/27/2016	HOGUE ISLAND ESTATES, BLOCK 2, LOT 4 -- 8115 BURNT CREEK ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	19-08-0753A	08/06/2019	BRIARDALE II SUBDIVISION, BLOCK 5, LOT 3 -- 8003 BRIARDALE LOOP	38015C0960D	38015C0960E
LOMR-F	20-08-0557A	05/28/2020	MISTY WATERS, BLOCK 1, LOT 36 -- 6334 DREAM CIRCLE	38015C0780D	38015C0780E
LOMA	20-08-0652A	05/28/2020	Lot 17, Block 2, Burnt Creek Estates Subdivision - 6623 Fox Meadow Drive	38015C0590D	38015C0590E

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	21-08-0361A	02/25/2021	OLIVE TREE, BLOCK 1, LOT 1 -- 5414 OLIVE TREE DRIVE	38015C0570D	38015C0570E
LOMR-F	23-08-0070A	12/02/2022	OLIVE TREE SUBDIVISION, LOT 12 -- 7120 OLIVE TREE PLACE (ACCESSORY BLDG.)	38015C0570D	38015C0570E
LOMA	23-08-0524A	05/17/2023	PONDEROSA RIVERSIDE VILLAGE SECOND SUBDIVISION, BLOCK 15, LOT 26 -- 5540 PONDEROSA AVENUE	38015C0570D	38015C0570E
LOMA	09-08-0015A	07/19/2005	8700 SOUTH 12TH STREET -- PORTION OF SECTION 4, T137N, R80W	38015C0960C	38015C0960E
LOMA	10-08-0642A	07/19/2005	(70-RS) LOT 11, BLOCK 4, BURNT CREEK ESTATES -- 6244 FOX MEADOW PLACE	38015C0780C	38015C0780E

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR-F	94-08-125A	09/07/1994	VALCOR SUBDIV, BLOCK 1, LOT 10	4
LOMR-F	96-08-372A	10/09/1996	RIVERSIDE SUBDIV, BLOCK 1, PORTIONS OF LOTS 12-13-- 9922 ISLAND ROAD	4
LOMR-F	98-08-071A	01/13/1998	ISLAND PARK ESTATES, BLOCK 9, LOT 3 -- 6729 KINGSWOOD ROAD	4
LOMR-F	98-08-340A	06/30/1998	ISLAND PARK ESTATES, BLOCK 8, LOT 5-- 6728 KINGSWOOD ROAD	4
LOMR-F	98-08-473A	11/02/1998	RIVERSIDE SUBDIV, BLOCK 1, LOT 11 -- 9912 ISLAND RD	4
LOMA	99-08-136A	01/27/1999	SLEEPY HOLLOW SUBDIV, BLOCK 2, LOT 5 -- 6860 HORSESHOE BEND	4
LOMR-F	00-08-241A	08/16/2000	ISLAND PARK ESTATES, BLOCK 10, LOT 13 -- 8606 ISLAND ROAD	4
LOMR-F	00-08-208A	08/30/2000	ISLAND PARK ESTATES, BLOCK 10, LOT 4 -- 8812 ISLAND ROAD	4
LOMA	01-08-037A	11/09/2000	ISLAND PARK ESTATES, BLOCK 10, LOT 15 -- 8566 ISLAND ROAD	4
LOMR-F	01-08-134A	06/06/2001	ISLAND PARK ESTATES, BLOCK 8, LOT 10 -- 6620 KINGSWOOD ROAD	4
LOMR-F	01-08-284A	10/24/2001	ISLAND PARK ESTATES, BLOCK 8, LOT 9 -- 6634 KINGSWOOD ROAD	4
LOMR-F	02-08-270A	05/31/2002	WESTWOOD ON THE RIVER, BLOCK 2, LOT 10 -- 4541 CRESTWOOD DRIVE	4

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	03-08-0352A	05/02/2003	WESTWOOD ON THE RIVER 2ND SUBDIV, BLOCK 1, LOT 3 -- 4520 SANDY RIVER DRIVE	4
LOMA	04-08-0055A	11/25/2003	WESTWOOD ON THE RIVER, BLOCK 1, LOT 5 -- 4323 CRESTWOOD DRIVE	4
LOMA	04-08-0452A	05/26/2004	BURNT CREEK ESTATES, BLOCK 2, LOT 9 -- 6514 DEEREWOOD LANE	4
LOMR-F	04-08-0627A	11/03/2004	SUNSHINE ACRES 1ST SUBDIV, BLOCK 2, LOT 3 -- 1016 SCOTSMAN DRIVE	4
LOMR-F	05-08-0003A	02/09/2005	ISLAND PARK ESTATES, BLOCK 10, LOT 14 -- 8606 ISLAND ROAD	4
LOMR-F	05-08-0351A	05/19/2005	PORTIONS SECTIONS 10 & 11, T139N, R81W, 5TH P.M.	1
LOMR-F	05-08-0705A	11/10/2005	ISLAND PARK ESTATES, BLOCK 10, LOT 14 -- 8606 ISLAND ROAD	4
LOMR-F	05-08-0702A	11/15/2005	SUNSHINE ACRES FIRST SUBDIVISION, BLOCK 1, LOT 5 -- 1017 SCOTSMAN DRIVE	4
LOMR-F	06-08-0149A	01/10/2006	SLEEPY HOLLOW SUBDIV, BLOCK 2, LOT 5 -- 6860 HORSESHOE BEND	4
LOMR-F	06-08-B108A	02/16/2006	COTTONWOOD LAKE 5TH ADDITION, BLOCK 3, LOT 23 & 24	1
LOMA	06-08-B352A	05/31/2006	BURNT CREEK ESTATES, BLOCK 4, LOT 2 -- 6437 DEERWOOD LANE	2
LOMA	06-08-B353A	05/31/2006	RIVERSIDE DIVISION, BLOCK 1, LOTS 5 & 6 -- 9750 ISLAND ROAD	4
LOMR-F	08-08-0322A	05/22/2008	BURNT CREEK ESTATES, BLOCK 2, LOT 7 -- 6609 DEEREWOOD LANE	2
LOMA	10-08-0667A	07/20/2010	(70-R) LOT 11 BLOCK 2 BURNT CREEK ESTATES SUBDIVISION	3

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	11-08-0123A	03/10/2011	(70-RS) LOT 16, BLOCK 1, BURNT CREEK ESTATES – 6501 DEEREWOOD LANE	2

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

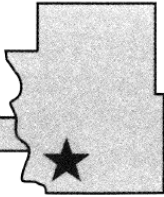
4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	06-08-0110A	01/03/2006	8606 & 8578 ISLAND ROAD	38015C0570C	38015C0570E
LOMR-F	07-08-0035A	11/16/2006	MISTY WATERS SUBDIV, PORTION OF SECTION 10, T39N, R81W, BLOCK 1, LOTS 40-46, BLOCK 2, LOTS 2-10	38015C0570C 38015C0590C 38015C0760C 38015C0780C	38015C0570E 38015C0590E 38015C0760E 38015C0780E

ITEM

8



Request for County Board Action

DATE: 2/5/2024
TO: Burleigh County Commission
FROM: Leigh Jacobs, Burleigh County Finance Director
ITEM: Detention Center Sale tax

HISTORY: The ½ cent sales tax for the payment of the bond issued by Bureigh County for the building of the Burleigh/Morton Detention Center is nearing its completion. Calculations are ongoing, but we would like further action from the Commission to clarify how to proceed.

REQUEST: We request the authorization to seek a meeting with Burleigh County and Morton County Commission or representative thereof, as well as Burleigh and Morton County finance teams and/or County Auditors, and legal counsel to determine what amount of Morton County's deposit at Bank of North Dakota is allocable to the sales tax bond vs renovation bond; and to discuss any other matters related to the sales tax bond payoff that may be relevant especially as it relates to notifying the Tax Commissioner to discontinue sales tax collections.

ITEM

9

Addenda item for February 5th, 2024 Meeting

Action Requested

Adjust Home Rule Charter language that was previously approved.

The current language in the approved December 12, 2013 Home Rule Charter reads:

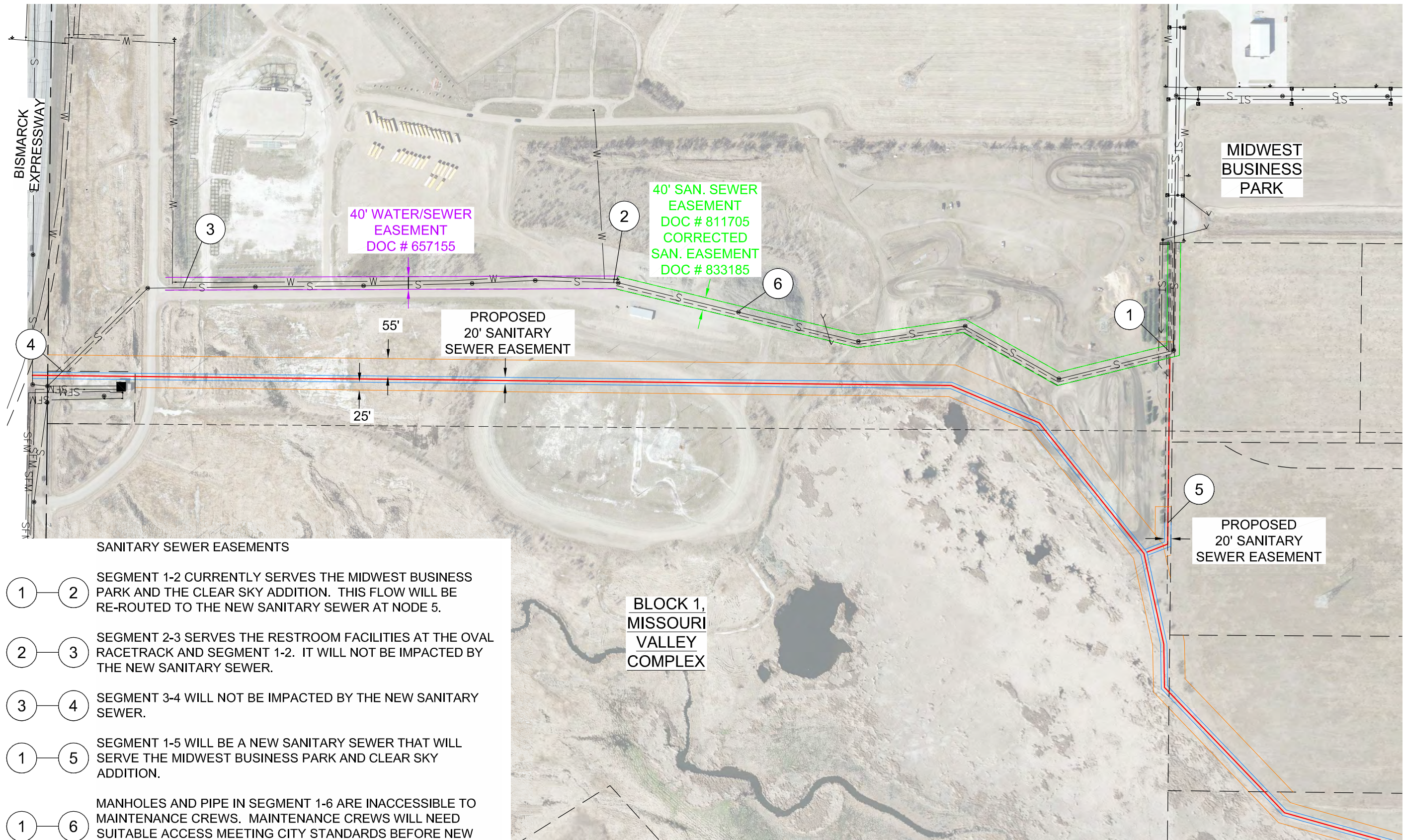
Termination Date: The sales tax shall expire when all necessary funds for the construction of the Detention Center and demolition and remodeling of the current Detention Center are collected. At such point, notice will be provided to the Office of the Tax Commissioner of the cease date. Such will be provided at least ninety days prior to the start of a calendar quarter.

Based on current estimates, by our Finance Director, the current Jail sales collection can cease at the end of September or early November of 2024. We are required to give the state tax department 90 day notice of either cease or implementation of a sales tax.

If we give the state tax department the notice to cease at the end of the 3rd Quarter 2024 as well as implementation of the new tax (assuming that it passes during the June election) at the beginning of the fourth Quarter a couple of things will happen:

- 1) The ½ cent sales tax will continue to be collected through 2024 which will allow the county to collect enough taxes to pay off the Jail. Any remaining tax can be designated by the county to be spent at the commission's discretion. I would suggest that it be used as additional Property Tax reform dollars.
- 2) The 1 cent sales tax will start in January of 2025 (again assuming the measure passes in June).
 - a. We will at that time only be increasing the sales collection by ½ cent.
 - b. We will not applying 2 separate sales tax measures to the residents at the same time.

Action needed: I move that we adjust the language in the 2024 proposed Home Rule Charter to: Revenues raised and collected from ~~July 1~~ January 1st of the preceding year through ~~June 30~~ December 31 of the current year, shall be used towards the budgetary needs of the public safety departments for the following year.



SANITARY SEWER EASEMENTS

- ① — ② SEGMENT 1-2 CURRENTLY SERVES THE MIDWEST BUSINESS PARK AND THE CLEAR SKY ADDITION. THIS FLOW WILL BE RE-ROUTED TO THE NEW SANITARY SEWER AT NODE 5.
- ② — ③ SEGMENT 2-3 SERVES THE RESTROOM FACILITIES AT THE OVAL RACETRACK AND SEGMENT 1-2. IT WILL NOT BE IMPACTED BY THE NEW SANITARY SEWER.
- ③ — ④ SEGMENT 3-4 WILL NOT BE IMPACTED BY THE NEW SANITARY SEWER.
- ① — ⑤ SEGMENT 1-5 WILL BE A NEW SANITARY SEWER THAT WILL SERVE THE MIDWEST BUSINESS PARK AND CLEAR SKY ADDITION.
- ① — ⑥ MANHOLES AND PIPE IN SEGMENT 1-6 ARE INACCESSIBLE TO MAINTENANCE CREWS. MAINTENANCE CREWS WILL NEED SUITABLE ACCESS MEETING CITY STANDARDS BEFORE NEW SANITARY SEWER TIE-INS CAN BE SERVED IN THIS SEGMENT.



LEGEND

- NEW SANITARY SEWER
- TEMPORARY EASEMENT LINE (80' WIDE)
- PERMANENT EASEMENT LINE (20' WIDE)

PRELIMINARY
NOT FOR
CONSTRUCTION

**MISSOURI VALLEY COMPLEX
BISMARCK, ND**

**LS-07
EASEMENTS**

DATE: 01/30/2024

January 30, 2024

Brian Bitner
Burleigh County Commission Chair
221 N. 5th St.
Bismarck, ND 58501

**Re: Payment Agreement for Sanitary Sewer Easement and/or Temporary Construction Easement
Across Lands Described as Follows:**

PID# 1990-001-001
T138-R80W
Section 1: NW¼ and SW¼
Burleigh County, North Dakota

Dear Mr. Bitner,

In addition to the consideration provided for in the Sanitary Sewer Easement, by and between Burleigh County (“Grantor”) and City of Bismarck, a municipal corporation (“Grantee”), the undersigned parties agree to the following terms:

1. Prior to any earthwork or construction on Grantor’s property, Grantee shall remit a consideration payment totaling \$1.00 for the easement granted and utilized, as further described in the Sanitary Sewer Easement (“Payment”).
2. Payment as outlined above is full and complete consideration for the easement granted by the Sanitary Sewer Easement, including the permanent easement and all temporary easements and all associated damages as outlined in the Sanitary Sewer Easement.
3. In the event that the land to which this Sanitary Sewer Easement pertains is subject to a lease to any tenant for farming, ranching or any other purposes, Grantor shall be solely responsible for making settlement with any such tenant or lessee for any share of the compensation paid for the granting of this Sanitary Sewer Easement.
4. The property will not be subject to special assessments related to this sanitary sewer project.

Agreed to and accepted this ____ day of _____, 20____

Signature, Burleigh County Signee

Printed Name and Title, Burleigh County Signee

SANITARY SEWER EASEMENT

This indenture, made this _____ day of _____, 20___, between **Burleigh County**, whose post office address is 8100 43rd Ave NE, Bismarck, North Dakota, Grantor, and the **City of Bismarck**, a municipal corporation, whose post office address is P.O. Box 5503, Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to construct, operate, maintain, and repair public utility facilities including sanitary sewer under or upon the real property hereinafter described, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said utility. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.

2. This Easement is, except for right of access, limited to:

SANITARY SEWER EASEMENT 1 DESCRIPTION

A TRACT OF LAND BEING 10.00 FEET LEFT AND RIGHT OF A DESCRIBED CENTERLINE LOCATED IN LOTS 7, 12,13,14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 309.58 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 21.11 FEET; THENCE N00°51'04"W, A DISTANCE OF 135.51 FEET; THENCE N12°24'51"W, A DISTANCE 292.10 FEET; THENCE N38°43'31"W, A DISTANCE OF 526.82 FEET; THENCE N66°57'15"W, A DISTANCE OF 300.17 FEET; THENCE N89°21'47"W, A DISTANCE OF 2565.74 FEET TO THE EAST LINE OF LOT 6, BLOCK

1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE, WHICH IS ALSO THE POINT OF TERMINATION.

SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8 AND THE EAST LINE OF SAID LOT 6.

SAID DESCRIBED TRACT CONTAINS 76,829 SQ. FEET OR 1.76 ACRES, MORE OR LESS.

See Exhibit No. 1

3. Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from construction, operation, or maintenance.

4. Grantor agrees to not erect or permit any new structure or obstruction other than fences or driveways, change the ground elevation, or perform any act that interferes with Grantee's rights under this easement, except with the written consent of Grantee.

5. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution of this easement.

6. Grantor hereby reserves title to and any interest in any and all archeological and paleontological materials, whether located on or below the surface of said land.

Acceptance of Easement terms by the **Grantor**:

By: _____
Steve Bakken
Burleigh County Chair

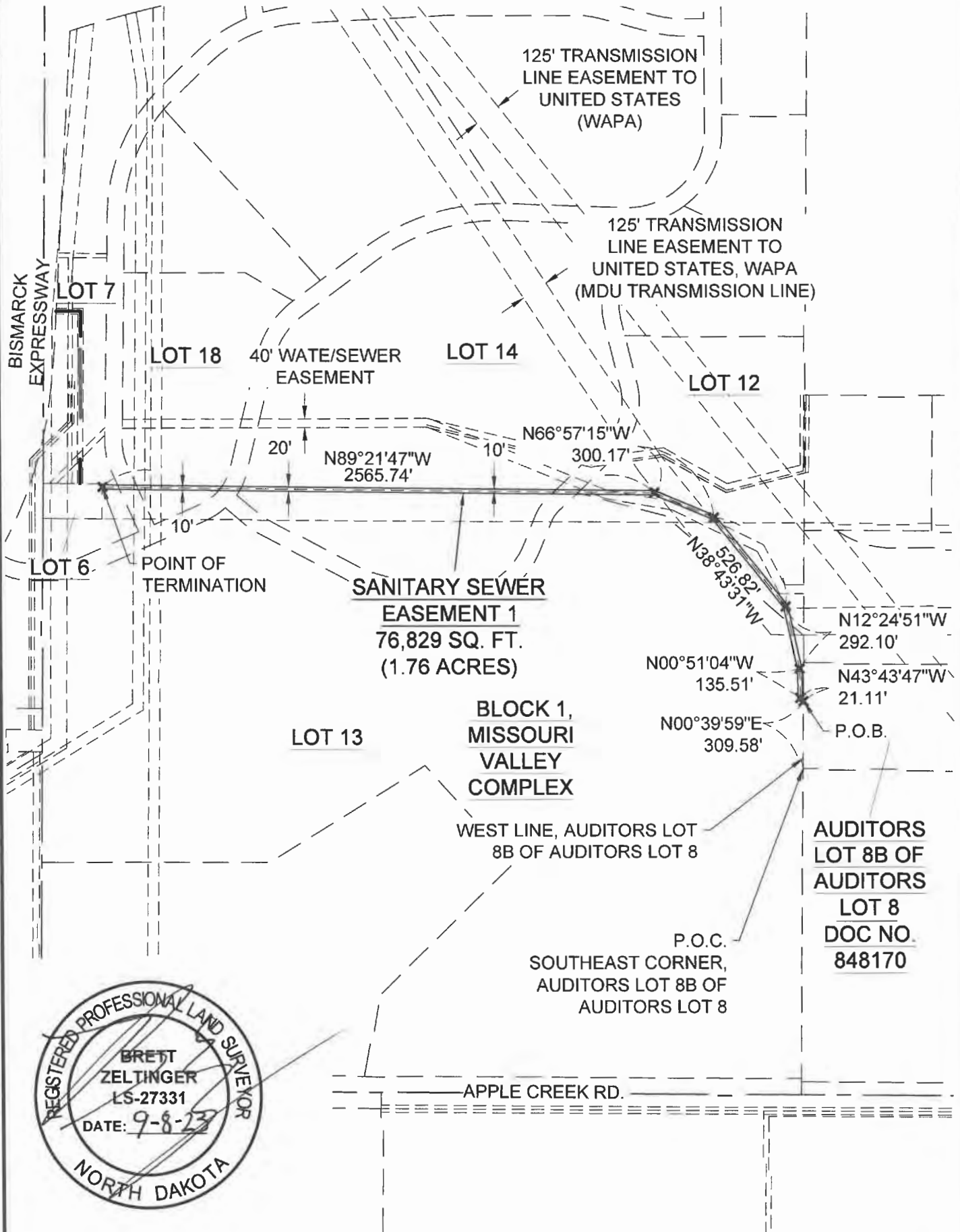
State of North Dakota
County of _____

On this ____ day of _____, in the year _____ before me personally
appeared _____, known to me to be the Burleigh County Chair
that is described in and that executed the within instrument, and acknowledged to me
that he executed the same.

(Signature of Notarial Officer)
(Title of Office): _____
My commission expires: _____

SANITARY SEWER EASEMENT 1 EXHIBIT

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:
 SURVEY IS BASED ON NAD83(86), GEOID12B, INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.

- LEGEND**
- EXISTING MONUMENT
 - × CALCULATED EASEMENT CORNER



SANITARY SEWER EASEMENT 1 EXHIBIT

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4
AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

SANITARY SEWER EASEMENT 1 DESCRIPTION

A TRACT OF LAND BEING 10.00 FEET LEFT AND RIGHT OF A DESCRIBED CENTERLINE LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 309.58 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 21.11 FEET; THENCE N00°51'04"W, A DISTANCE OF 135.51 FEET; THENCE N12°24'51"W, A DISTANCE 292.10 FEET; THENCE N38°43'31"W, A DISTANCE OF 526.82 FEET; THENCE N66°57'15"W, A DISTANCE OF 300.17 FEET; THENCE N89°21'47"W, A DISTANCE OF 2565.74 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE, WHICH IS ALSO THE POINT OF TERMINATION.

SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8 AND THE EAST LINE OF SAID LOT 6.

SAID DESCRIBED TRACT CONTAINS 76,829 SQ. FEET OR 1.76 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT

The undersigned, its successors and assigns, hereinafter called Grantor, in consideration of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto the City of Bismarck, North Dakota, a municipal corporation, its successors, agents and assigns, hereinafter called Grantee, an exclusive temporary construction easement to use the designated easement area to facilitate construction of a sewer facilities located in separate easements. Grantee shall have the right to ingress and egress across the real property of the Grantor for the purpose herein granted and may remove obstructions as necessary.

In exchange for this temporary construction easement, Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from the use of this easement.

The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 1A DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 259.55 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 70.60 FEET; THENCE N00°51'04"W, A DISTANCE OF 145.71 FEET; THENCE N12°24'51"W, A DISTANCE OF 280.38 FEET; THENCE N38°43'31"W, A DISTANCE OF 509.84 FEET; THENCE N66°57'15"W, A DISTANCE OF 284.43 FEET; THENCE

N89°21'47"W, A DISTANCE OF 2558.78 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LOT 6, N00°35'46"E, A DISTANCE OF 25.00 FEET; THENCE S89°21'47"E, A DISTANCE OF 2563.75 FEET; THENCE S66°57'15"E, A DISTANCE OF 295.67 FEET; THENCE S38°43'31"E, A DISTANCE OF 521.97 FEET; THENCE S12°24'51"E, A DISTANCE OF 288.75 FEET; THENCE S00°51'04"E, A DISTANCE OF 138.43 FEET; THENCE S43°43'47"E, A DISTANCE OF 35.25 FEET; THENCE S00°39'59"W, A DISTANCE OF 35.73 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 96,169 SQ. FEET OR 2.21 ACRES, MORE OR LESS.

See Exhibit # 1A

This easement is subject to other easements of record.

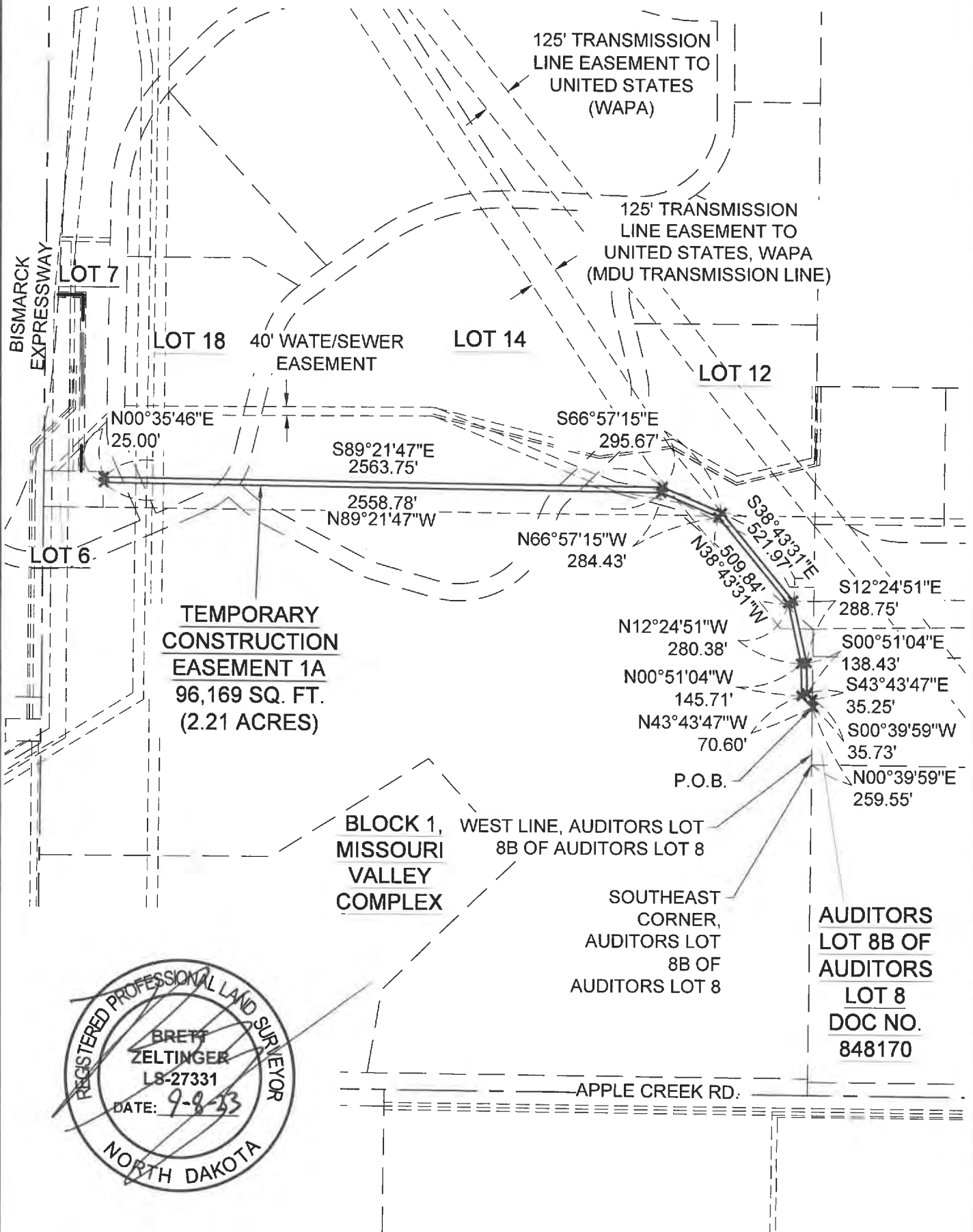
The term of this temporary construction easement shall terminate upon completion of the one (1) year warranty period from the date of the final acceptance of the sewer facilities by the City of Bismarck, or five (5) years from the date of conveyance, whichever comes first.

Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1A

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST
1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:
SURVEY IS BASED ON NAD83(86), GEOID12B,
INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR
CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS OF
MEASUREMENT.

- LEGEND**
- EXISTING MONUMENT
 - × CALCULATED EASEMENT CORNER



TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1A

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST
1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

TEMPORARY CONSTRUCTION EASEMENT 1A DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX,
NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE
FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO
848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF
SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 259.55 FEET TO THE POINT OF
BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 70.60 FEET; THENCE N00°51'04"W, A DISTANCE OF
145.71 FEET; THENCE N12°24'51"W, A DISTANCE OF 280.38 FEET; THENCE N38°43'31"W, A DISTANCE OF
509.84 FEET; THENCE N66°57'15"W, A DISTANCE OF 284.43 FEET; THENCE N89°21'47"W, A DISTANCE OF
2558.78 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO
657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE
OF SAID LOT 6, N00°35'46"E, A DISTANCE OF 25.00 FEET; THENCE S89°21'47"E, A DISTANCE OF 2563.75
FEET; THENCE S66°57'15"E, A DISTANCE OF 295.67 FEET; THENCE S38°43'31"E, A DISTANCE OF 521.97
FEET; THENCE S12°24'51"E, A DISTANCE OF 288.75 FEET; THENCE S00°51'04"E, A DISTANCE OF 138.43
FEET; THENCE S43°43'47"E, A DISTANCE OF 35.25 FEET; THENCE S00°39'59"W, A DISTANCE OF 35.73
FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 96,169 SQ. FEET OR 2.21 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT

The undersigned, its successors and assigns, hereinafter called Grantor, in consideration of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto the City of Bismarck, North Dakota, a municipal corporation, its successors, agents and assigns, hereinafter called Grantee, an exclusive temporary construction easement to use the designated easement area to facilitate construction of a sewer facilities located in separate easements. Grantee shall have the right to ingress and egress across the real property of the Grantor for the purpose herein granted and may remove obstructions as necessary.

In exchange for this temporary construction easement, Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from the use of this easement.

The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 1B DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 323.88 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 6.97 FEET; THENCE N00°51'04"W, A DISTANCE OF 132.60 FEET; THENCE N12°24'51"W, A DISTANCE OF 295.45 FEET; THENCE N38°43'31"W, A DISTANCE OF 531.67 FEET; THENCE N66°57'15"W, A DISTANCE OF 304.66 FEET; THENCE

N89°21'47"W, A DISTANCE OF 2567.73 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LOT 6, N00°35'46"E, A DISTANCE OF 4.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE NORTH LINE OF SAID LOT 6, N89°36'56"W, A DISTANCE OF 275.00 FEET; THENCE N00°35'45"E, A DISTANCE OF 51.32 FEET; THENCE S89°21'47"E, A DISTANCE OF 2853.66 FEET; THENCE S66°57'15"E, A DISTANCE OF 329.38 FEET; THENCE S38°43'31"E, A DISTANCE OF 558.36 FEET; S12°24'51"E, A DISTANCE OF 108.64 FEET TO THE EAST LINE OF LOT 13, BLOCK 1 OF SAID MISSOURI VALLEY COMPLEX; THENCE ALONG THE EAST LINE OF SAID LOT 13, S00°39'59"W, A DISTANCE OF 344.46 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 215,754 SQ. FEET OR 4.95 ACRES, MORE OR LESS.

See Exhibit # 1B

This easement is subject to other easements of record.

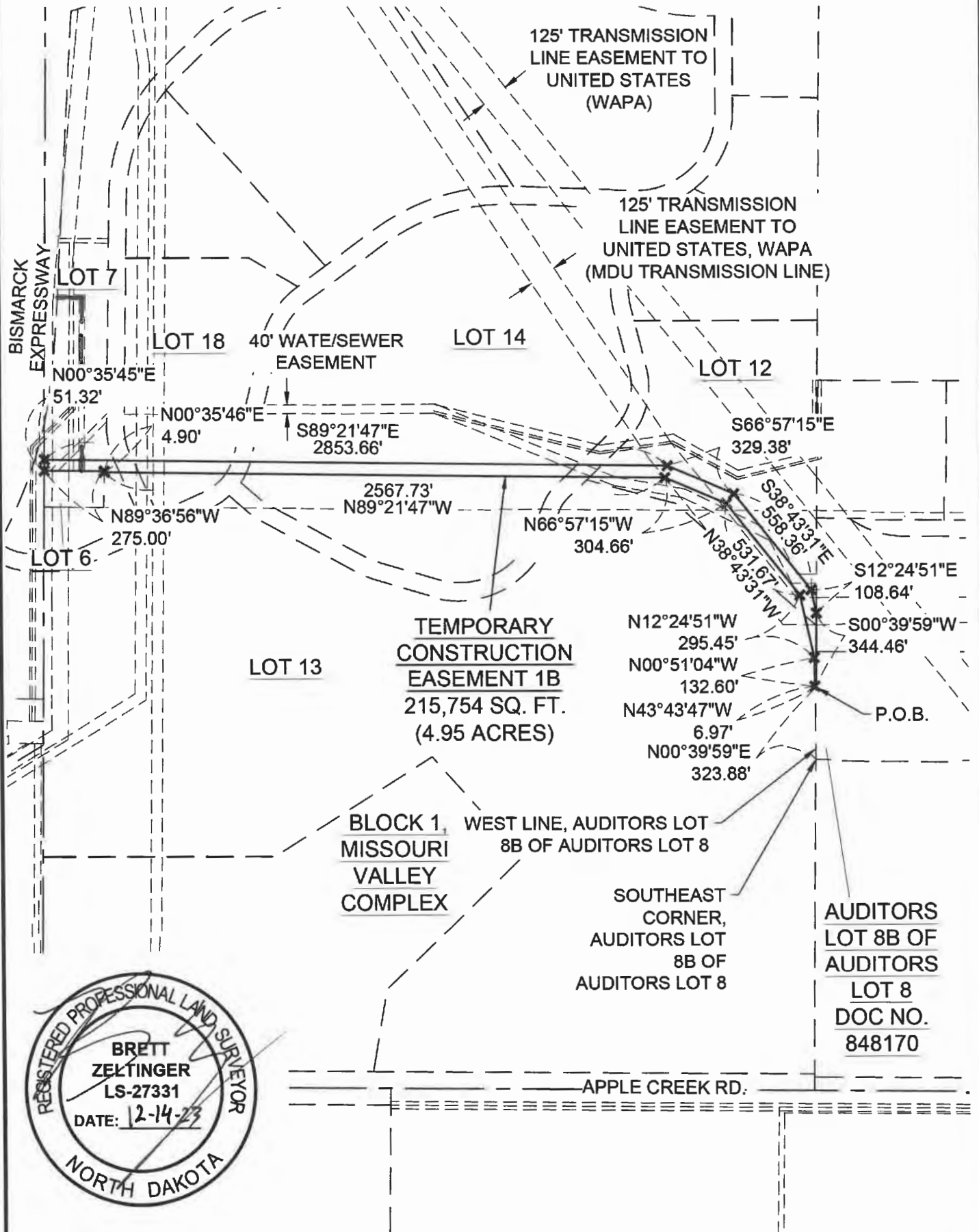
The term of this temporary construction easement shall terminate upon completion of the one (1) year warranty period from the date of the final acceptance of the sewer facilities by the City of Bismarck, or five (5) years from the date of conveyance, whichever comes first.

Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1B

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST
1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:
SURVEY IS BASED ON NAD83(86), GEOID12B,
INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR
CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS OF
MEASUREMENT.

- LEGEND**
- EXISTING MONUMENT
 - × CALCULATED EASEMENT CORNER



TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1B

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

TEMPORARY CONSTRUCTION EASEMENT 1B DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID DESCRIBED TRACT CONTAINS 215,754 SQ. FEET OR 4.95 ACRES, MORE OR LESS.

SANITARY SEWER EASEMENT

This indenture, made this _____ day of _____, 20___, between **Burleigh County**, whose post office address is 8100 43rd Ave NE, Bismarck, North Dakota, Grantor, and the **City of Bismarck**, a municipal corporation, whose post office address is P.O. Box 5503, Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to construct, operate, maintain, and repair public utility facilities including sanitary sewer under or upon the real property hereinafter described, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said utility. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.

2. This Easement is, except for right of access, limited to:

SANITARY SEWER EASEMENT 2 DESCRIPTION

A TRACT OF LAND BEING 10.00 FEET LEFT AND RIGHT OF A DESCRIBED CENTERLINE LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE EAST LINE OF SAID LOT 12, N00°39'59"E, A DISTANCE OF 138.51 FEET; THENCE N89°20'01"W, A DISTANCE OF 75.25 FEET TO THE POINT OF BEGINNING; THENCE N68°54'01"E, A DISTANCE OF 70.26 FEET TO A POINT ON LINE 10.00 FEET WEST AND PARALLEL TO THE EAST LINE OF SAID LOT 12; THENCE ON SAID PARALLEL LINE, N00°39'59"E, A DISTANCE OF 68.10 FEET TO THE NORTH LINE OF A 40.00' WATER AND SEWER

EASEMENT AS SHOWN ON SAID MISSOURI VALLEY COMPLEX, WHICH IS ALSO THE POINT OF TERMINATION.

SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE NORTH LINE OF A 40.00' WATER AND SEWER EASEMENT AS SHOWN ON SAID MISSOURI VALLEY COMPLEX.

SAID DESCRIBED TRACT CONTAINS 2,791 SQ. FEET OR 0.06 ACRES, MORE OR LESS.

See Exhibit No. 2

3. Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from construction, operation, or maintenance.
4. Grantor agrees to not erect or permit any new structure or obstruction other than fences or driveways, change the ground elevation, or perform any act that interferes with Grantee's rights under this easement, except with the written consent of Grantee.
5. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution of this easement.
6. Grantor hereby reserves title to and any interest in any and all archeological and paleontological materials, whether located on or below the surface of said land.

Acceptance of Easement terms by the **Grantor**:

By: _____
Steve Bakken
Burleigh County Chair

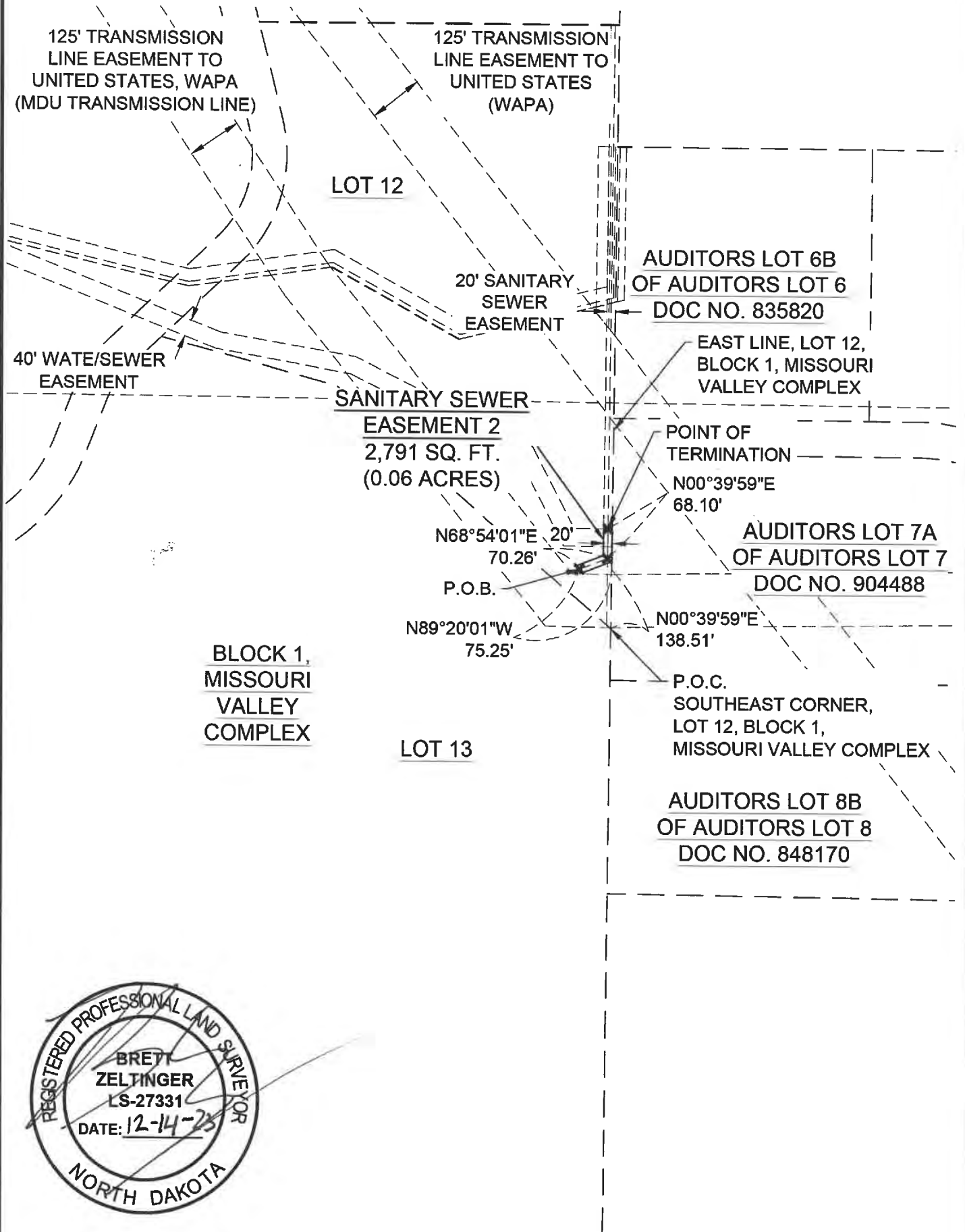
State of North Dakota
County of _____

On this ____ day of _____, in the year _____ before me personally
appeared _____, known to me to be the Burleigh County Chair
that is described in and that executed the within instrument, and acknowledged to me
that he executed the same.

(Signature of Notarial Officer)
(Title of Office): _____
My commission expires: _____

SANITARY SEWER EASEMENT 2 EXHIBIT

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:

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LEGEND

- EXISTING MONUMENT
- ✕ CALCULATED EASEMENT CORNER



SCALE:
1" = 300'

SANITARY SEWER EASEMENT 2 EXHIBIT

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CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

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SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE NORTH LINE OF A 40.00' WATER AND SEWER EASEMENT AS SHOWN ON SAID MISSOURI VALLEY COMPLEX.

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TEMPORARY CONSTRUCTION EASEMENT

The undersigned, its successors and assigns, hereinafter called Grantor, in consideration of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto the City of Bismarck, North Dakota, a municipal corporation, its successors, agents and assigns, hereinafter called Grantee, an exclusive temporary construction easement to use the designated easement area to facilitate construction of a sewer facilities located in separate easements. Grantee shall have the right to ingress and egress across the real property of the Grantor for the purpose herein granted and may remove obstructions as necessary.

In exchange for this temporary construction easement, Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from the use of this easement.

The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 2A DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 7A OF AUDITORS LOT 7, DOCUMENT NO 904488, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 7A OF AUDITORS LOT 7, N00°39'59"E, A DISTANCE OF 292.68 FEET; THENCE N89°20'01"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; THENCE S68°54'01"W, A DISTANCE OF 8.95 FEET; THENCE N38°43'31"W, A DISTANCE OF 34.17 FEET; THENCE N00°39'59"E, A DISTANCE OF 606.06 FEET; THENCE S89°20'01"E, A DISTANCE OF 50.00 FEET TO THE WEST

LINE OF AUDITOR'S LOT 6B OF AUDITORS LOT 6, DOCUMENT NO 835820, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE WEST LINE OF SAID AUDITORS LOT 6B OF AUDITORS LOT 6, S00°39'59"W, A DISTANCE OF 47.40 FEET; THENCE S76°06'45"W, A DISTANCE OF 20.66 FEET; THENCE S00°39'59"W, A DISTANCE OF 576.55 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 19,674 SQ. FEET OR 0.45 ACRES, MORE OR LESS.

See Exhibit # 2A

This easement is subject to other easements of record.

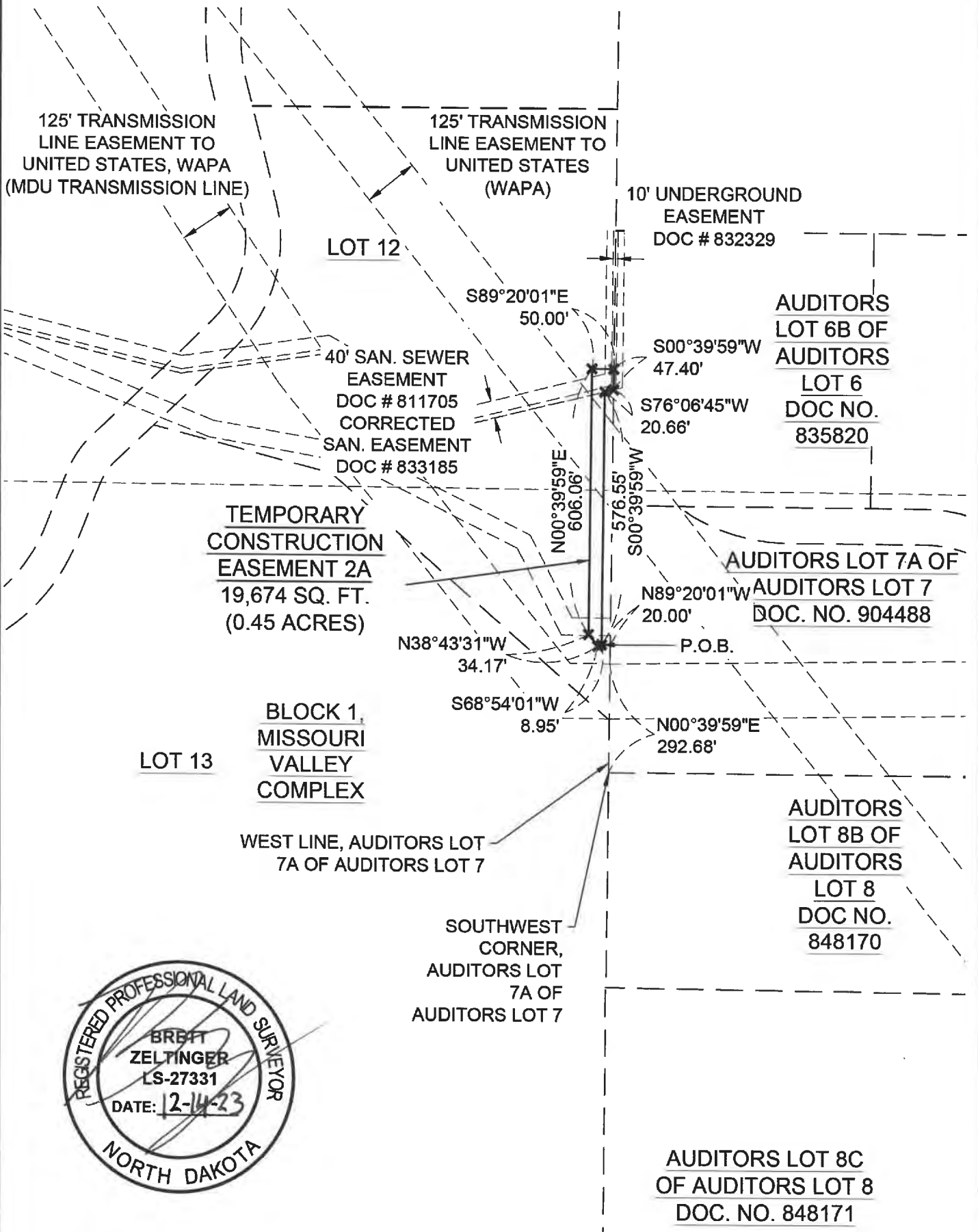
The term of this temporary construction easement shall terminate upon completion of the one (1) year warranty period from the date of the final acceptance of the sewer facilities by the City of Bismarck, or five (5) years from the date of conveyance, whichever comes first.

Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 2A

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:

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LEGEND

- EXISTING MONUMENT
- ✕ CALCULATED EASEMENT CORNER



SCALE:
1" = 300'



TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 2A

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

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COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 7A OF AUDITORS LOT 7, DOCUMENT NO
904488, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF
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The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 2B DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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LOT 7A OF AUDITORS LOT 7, S00°39'59"W, A DISTANCE OF 29.92 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 1,255 SQ. FEET OR 0.03 ACRES, MORE OR LESS.

See Exhibit # 2B

This easement is subject to other easements of record.

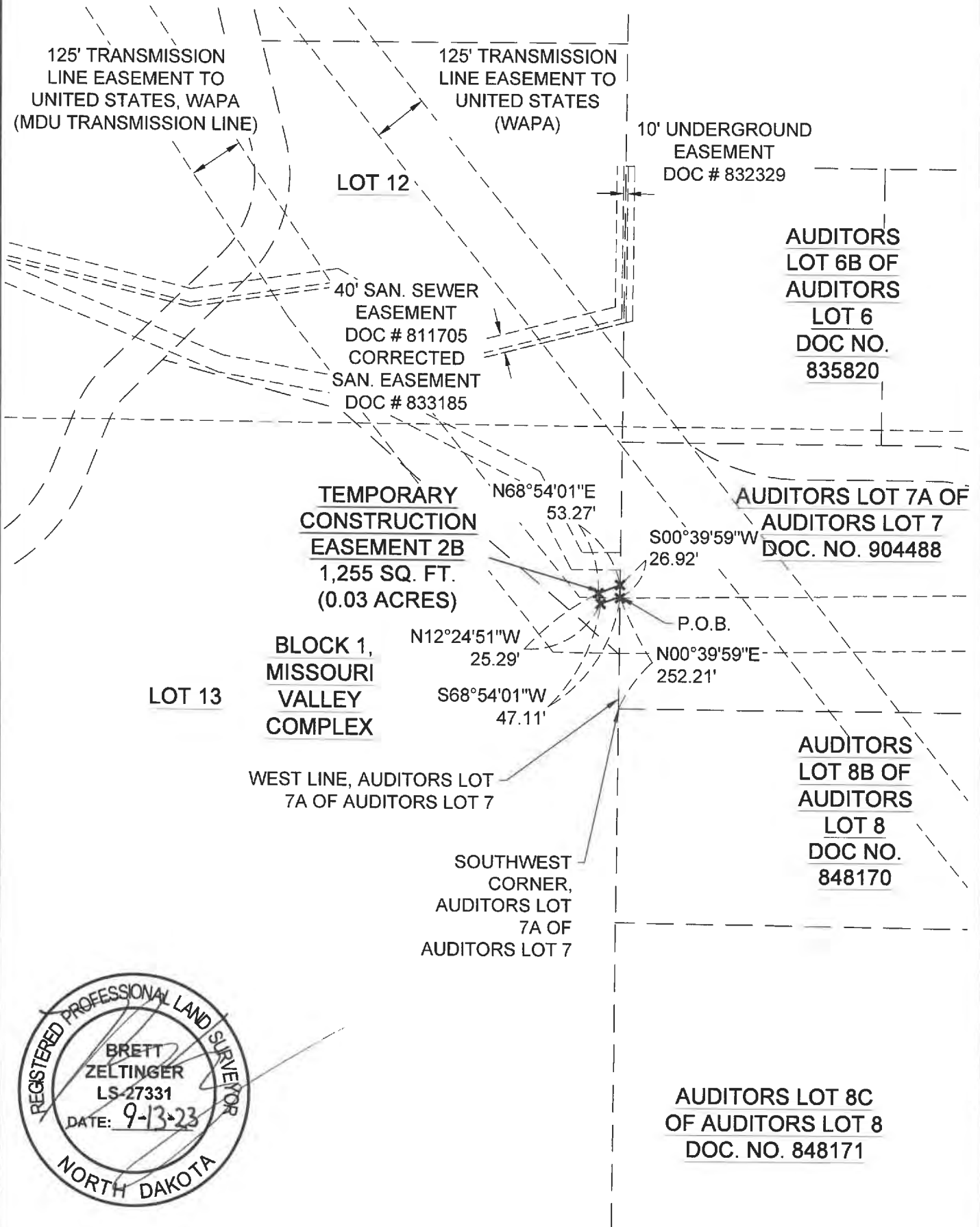
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Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 2B

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



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LEGEND

- EXISTING MONUMENT
- × CALCULATED EASEMENT CORNER



SCALE:
1" = 300'



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BEGINNING; THENCE S68°54'01"W, A DISTANCE OF 47.11 FEET; THENCE N12°24'51"W, A DISTANCE OF
25.29 FEET; THENCE N68°54'01"E, A DISTANCE OF 53.27 FEET TO THE WEST LINE OF SAID AUDITORS
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SAID DESCRIBED TRACT CONTAINS 1,255 SQ. FEET OR 0.03 ACRES, MORE OR LESS.

Missouri Valley Complex Committee

January 30, 2024

To: Commissioner Wayne Munson, Burleigh County Commission

From: Missouri Valley Complex Committee Development members:
Alan Heim, Julie Kuennen, Steve Neu

Re: Request for February 5, 2024, Commission Meeting.

Commissioners,

As the Missouri Valley Complex Committee continues development and discussions with the identified stake holders at the Missouri Valley Complex, we respectfully request the following items be placed on the February 5, 2024, Commission agenda. We further ask to appear before the Commission to present these items.

The items for presentation and discussion are as follows:

Item 1: To clarify and affirm that the committee is a non-compensated committee.

Item 2: To request that the membership of the Missouri Valley Complex Committee be established as follows:

The Committee establishment be an eleven (11) member committee.

With the following membership:

- Eight (8) members appointed by the stakeholder groups and three (3) residents of Burleigh County appointed by the Burleigh County Commission.

Stakeholder Membership:

- The eight stakeholders, identified as those organizations who are operating by lease, facility ownership, with current program/event interest and with present development interests appoint one member each to the committee as their representative.
- The eight-stakeholder members are not subject to application for review or individual approval by the County Commission.

Missouri Valley Complex Committee

- Reason: as stakeholder appointees they are representatives of their organization and following the practice of other agencies/organization appointed representatives to joint Boards, Committees and Commissions.
- The identified stakeholder groups of the Committee are as follows:

Buckstop Junction	Jr High/High School Rodeo
Motor Cross	Stock Car Club
Burleigh County Equestrian/Ag Center	Extension Service
4H Council	Park District

Burleigh County Resident Member At Large Membership

- Three (3) committee members be residents of Burleigh County and appointed by the Burleigh County Commission.
- The appointment process of the resident members is proposed to follow the current application practice of Burleigh County with a written application to serve submitted to the County Auditor and forwarded to the Commission for review and approval for appointment.

Two (2) Board Liaison (Non-Voting) Members

- The Burleigh County Commission liaison member would be the County Commissioner who holds the Missouri Valley Complex within their portfolio.
- The Bismarck Park Board Commissioner liaison member would be the Commissioner who holds the Missouri Valley Complex within their portfolio.

Administrative Support

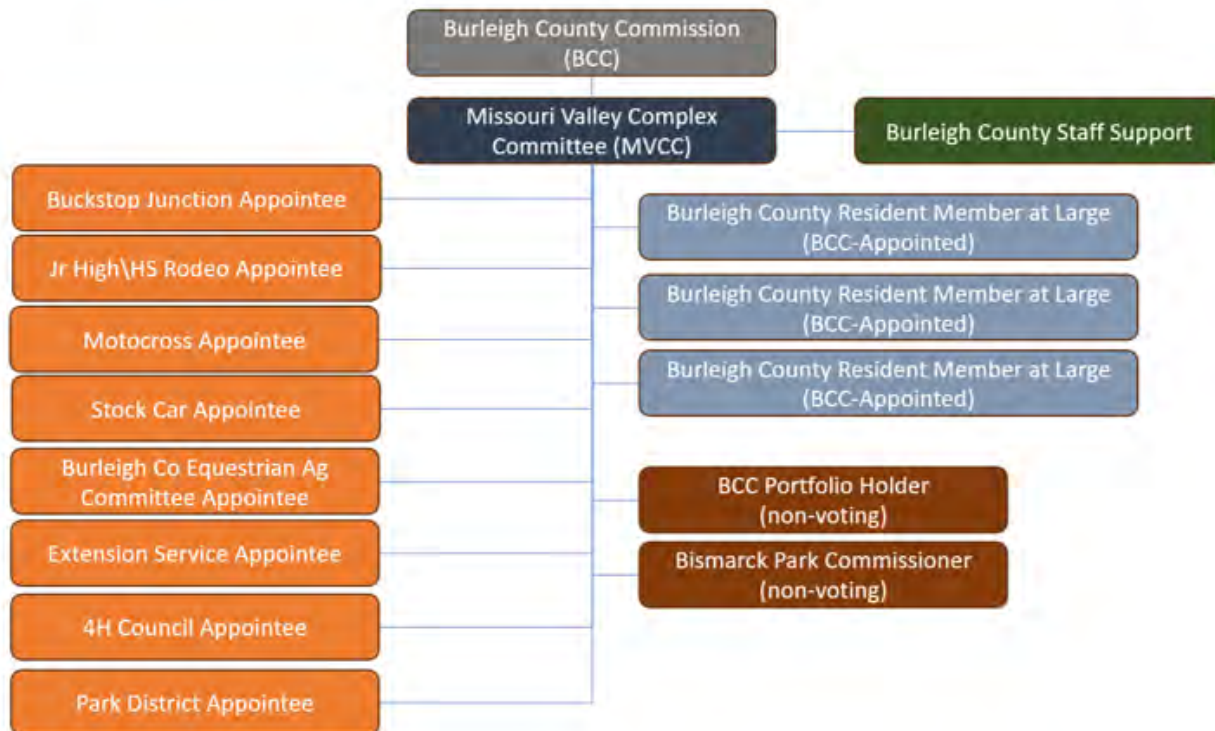
- The committee would engage as seen necessary Administrative Support from interested individuals and organizations to provide meeting scheduling and notices, minutes, coordination of research and development and liaison relations.
- The Administrative Support is not provided committee membership or voting privileges.

Missouri Valley Complex Committee

Item 3: Organization Chart

- A Draft Organization Chart is provided indicating the committee membership and lines of responsibilities, relationships, and term considerations.
- Stakeholder Appointees would be a 3 year term no term limit. Beginning with staggered terms of 4 two year terms and 4 three year terms.
- Burleigh County Resident Member at Large would be 2 year Terms with a 2 term limit. Beginning with staggered terms of 2 one year and 1 two year term.
- Partial terms do not count towards term limits.

Missouri Valley Complex Committee Structure (MVCC)



Missouri Valley Complex Committee

Item 4: Request for Commissioner Liaison Appointment.

- We respectfully request the formal appointment of Commissioner Wayne Munson as Burleigh County Commission Liaison to the Missouri Valley Complex Committee.

Item 5: Discuss relationship of Committee to Burleigh County Staff and Resources.

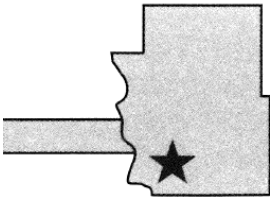
- It is of interest of the Committee to be provided permission to contact with county staff as an example County Auditor, County Engineer, Sheriff, and States Attorney when needs arise for such items as access to complex records and leases at the Complex, meeting scheduling, budget information for annual budget development, copies, insurance, contracts, planning, and history.
- To be provided the permission to seek outside financial resources to support the operation, development and improvements of the Complex including grants and private fundraising.
- To be provided permission to seek new events and community offerings.

On behalf of the Missouri Valley Complex Committee's development group, we thank you for your support in moving forward the development of the committee. With your support this evening to continue the committee framework development it is our intent to return at the February 21st meeting with the stake holder appointments. It is also our hope that you will have Burleigh County Residents wishing to be considered for your appointment. Along with the committee membership we will have prepared the overview of the current use and events being held at the Complex.

Thank you.

ITEM

10



Request for County Board Action

DATE: 2/5/2024

TO: Burleigh County Commission

FROM: Mark Splonskowski

ITEM: Provident Building Remodel RFP

REQUEST: Authorize the proper County officials to contract an architect for the Provident Building remodel.

HISTORY: A Request for Proposal was published for "Architectural, General Contractor, or Construction Manager at Risk Services". Proposals were received, reviewed, and scored on January 30, 2024.

RECOMMENDATION: It is recommended the Burleigh County Board of Commissioners enter into an agreement with HTG (architect).

Provident RFP

Tuesday, January 30, 2024

	Points Available	HTG	J2	Roers	ICON (Disqualified) ¹
Outside of Envelope					
Provident RFP		X	X	X	X
ND Registration #		X	X	X	None
Contractor #					
Type					
Architect		X	X		
General Contractor					
Construction Manager at Risk				X	
Resume & Highlights of Major Work Performed		X	X	X	
Signed & Dated		X	X	X	
Factors					
*Proposed Contract	15	5	10	10	
Organization	5	5	5	5	
Capability	20	20	20	20	
Experience and Performance Record	25	24	25	20	
Understanding of Project	15	15	10	1	
Proposed Work Approach	10	10	5	5	
Personnel (qualifications, specialized experience, technical competence)	10	10	10	10	
TOTAL	100	89	85	71	

*Proposals shall identify the basis on which the fees for services shall be determined including consultation, planning, plan preparation, bidding, construction supervision, project completion, and any other incidental services or fees such as travel, engineering, support staff, or materials.

¹ Contractor did not provide a registration or contractor number on outside of envelope.

ITEM

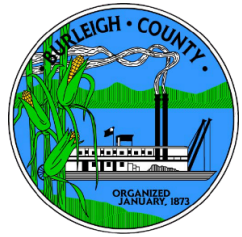
11

ITEM

12



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

February 21, 2024

5:00 PM

COUNTY COMMISSION

Invocation and Pledge of Allegiance presented by Chaplain.

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the February 5, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Morton County MOU.
 - d. City Abatement.
6. County Tax Director Allan Vietmeier:
 - a. State tax credit.
7. Assistant County engineer Daniel Schriock:
 - a. Developer Waiver Request.
8. States Attorney Lawyer:
 - a. Public Service Commission order.
9. Auditor/Treasurer Splonskowski:
 - a. Funds transfer request.
10. Other Business
11. Adjourn.

The next regularly scheduled Commission meeting will be on March 4th, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING**

FEBRUARY 5TH, 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.

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

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the January 17th, 2024 meeting minutes and 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:

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
John Cain	2021	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$432,900	\$122,300
John Cain	2022	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$453,600	\$126,500
John Cain	2023	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$495,900	\$147,500
Kelly L Cargle	2023	Lot 12, Block 3, North Lincoln 2nd	80% Disabled Veteran	\$302,600	\$158,600
Kurt Holzer	2023	Lot 11, Block 6, Wheatland Hills addition to the city of Lincoln	100% Disabled Veteran	\$288,500	\$108,500
Joseph Rodgers	2023	Lot 9, Block 1, East Lincoln 5th	50% Homestead Credit	\$294,500	\$194,500
Michael P Baron	2023	Lot 1810 of Lot 15, Block 2, Grandview Heights	Error in property description	\$293,600	\$270,300
Joseph & Shannon Callaway	2022	Lot 4, Block 3, Horizon Heights 1st	60% Disabled Veteran	\$363,200	\$255,200
Joseph & Shannon Callaway	2023	Lot 4, Block 3, Horizon Heights 1st	60% Disabled Veteran	\$386,700	\$278,700

Wanda Lamontagne	2023	S ' of Lot 3 & All of Lot 4, Block 9, Southwood Terrace	100% Disabled Veteran	\$279,900	\$99,900
Pam Christianson	2023	Lot 5, Block 6, North Hills 1st	Error in property description	\$270,000	\$235,800
Rapkoch, Emily Vesta & Bakken, Joshua	2023	East 45' of Lot 14 & All of Lot 15, Block 6, Replat of Lounsberry's Outlots 17-19 & 26-27	Error in property description	\$298,100	\$265,400
Lynette Namanny	2023	Lot 4A of Lot 4, Block 4, Replat Part North Hills 10th	100% Disabled Veteran	\$312,800	\$207,800
Gary D Hoffin	2023	Lot 2, Block 9, Crested Butte Amended	100% Homestead Credit	\$344,000	\$144,000
Lila Teunissen	2024	1995 Friendship 76' x 16', Serial #MY9513542V	100% Disabled Veteran	\$34,145	\$0
Shelley Selzler	2023	Lot 14, Block 23, S & W Seventh	100% Homestead Credit	\$193,200	\$0
Blanche Barnhart	2023	Lot 2, Block 24, Homan Acres 5th	100% Homestead Credit	\$237,400	\$37,400
Cheryl Kienzle	2023	Block 1, Cottonwood Lake 7th, Lots 11-13 Northern Sun Condominiums Unit 802	50% Homestead Credit	\$311,500	\$211,500
Roxanne Geurts	2023	Lot 4, Block 15, Highland Acres	50% Homestead Credit	\$233,600	\$133,600
Robert H & Dianne S Krogen	2023	Block 3, Cottonwood Lake 5th, Lot 2 875 San Angelo Dr Condo Assoc Unit 1 & Garage 1	100% Homestead Credit	\$208,700	\$8,700
John T & Anita M Mattson	2023	Lot 5, Block 1, Sonnet Heights Subdiv 4th Replat	50% Homestead Credit	\$416,700	\$316,700
Gerald D & Suzanne R Olson	2023	Lot 14, Block 7, Replat of Calkins	50% Homestead Credit	\$219,000	\$119,000
Carol Thompson	2023	Block 8, Rolling Hills 1st, the S 10' of Lot 1 & all of Lots 2,3,4 & the 100' of Lot 5 Hillside Condominiums Unit 2113	100% Homestead Credit	\$142,000	\$0
Virginia Ulrich	2023	Lot 21, Block 1, Kamrose Crossing Addition 2nd Replat	50% Homestead Credit	\$232,800	\$131,800
Sadie Schilling	2022	Lot 17, Block 2, Centennial Park 4th	100% Homestead Credit	\$255,600	\$224,350

Sadie Schilling	2023	Lot 17, Block 2, Centennial Park 4th	100% Homestead Credit	\$254,900	\$54,900
Alvin Jans	2022	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$23,542	\$0
Alvin Jans	2023	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$24,612	\$0
Alvin Jans	2024	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$24,612	\$0
Gladys Stamaris	2023	Lot 10 less S 42', Block 6, gateway Addition	100% Homestead Credit	\$219,700	\$19,700
Gerald L & Susan M Tschider	2023	S 60' of Lot 3, Block 2, Jennings 1st	50% Homestead Credit	\$290,800	\$190,800
Ronald R Hopfauf	2023	Lot 1, Block 3, Sattler's Sunrise	50% Homestead Credit	\$403,300	\$303,300
Michael J Neigum	2023	Lot 2, Block 19, Meadow Valley 4th	50% Homestead Credit	\$254,000	\$154,000
Randall J Schmidt	2023	Lot 4, Block 2, Promontory Point V	50% Homestead Credit	\$385,600	\$285,600
Trent O & Louella M Aronson	2023	Lot 2 less Southwesterly 56', Block 1, North Hills 14th	50% Homestead Credit	\$280,800	\$180,800
Karen J Anders	2023	Block 1, North Hills 6th, Lots 5-6 less W3.48' of said lots Centennial Condominium Unit 111 & Gar G-27 & G-14 & Parking S	50% Homestead Credit	\$212,600	\$112,600
NTD Properties Inc	2023	Lots 13-16, Block 18, Sturgis	Error in property description	\$381,700	\$325,900
Richard E & Pearl A Jorgenson	2023	Lot 2, Block 1, Sattler's Sunrise 8th	50% Homestead Credit	\$378,400	\$278,400
Kenneth Rebel	2023	Lot 3, Block 22, Wachter's 3rd	100% Homestead Credit	\$307,400	\$107,400
Donna M Remboldt	2023	Lots 1-2 East Ridge Condominiums Unit 5, Block 3, Shannon Valley 4th	100% Homestead Credit	\$217,000	\$17,000
Linda M Patzner	2023	Young & Binford's, Block 2, E 53' of W 106' of Lots 12-15	50% Homestead Credit	\$167,000	\$83,500

Diana Niess	2023	Lot 42, Block 2, Southbay 4th Addition	100% Homestead Credit	\$254,000	\$54,000
Judith A Chamberlain	2023	Block 1, Edgewood Village 5th, Lot 5 and Lot 18C of Lot 18	100% Homestead Credit	\$475,800	\$275,800
Linda Heger	2023	Lot 13, & W 7' of Lot 14, Block 4, Homan Acres 1st	100% Homestead Credit	\$258,400	\$58,400
Barbara T Neameyer	2023	E 75' of Lots 13-16, Block 27, Fisher	50% Homestead Credit	\$295,800	\$195,800
Charles E & Cynthia C Russell	2023	Block 8, Marian Park 1st, N 3' L 23 all L 24	50% Homestead Credit	\$215,300	\$115,300
Charles E Russell	2023	Lot 35, Block 23, Southwood Terrace 2nd Rep	50% Homestead Credit	\$258,700	\$158,700
Raymond & Cathern Edholm	2023	Lot 2, Block 1, Eagle Crest 6th add	50% Homestead Credit	\$436,200	\$336,200
Carol Lee Isaak	2023	Lot 15, Block 57, Original Plat	50% Homestead Credit	\$129,200	\$96,900
Carol J Sundquist	2023	Block 1, Cottonwood Lake 7th, Lots 11-13 Northern Sun Condominiums Unit 810	100% Homestead Credit	\$282,000	\$82,000
Linda F Reller	2023	Lot 9, Block 1, Country West XXIII	100% Homestead Credit	\$402,500	\$202,500
Earl R & Irene M Wentz	2023	Lots 29-30, Block 23, Fisher	100% Homestead Credit	\$193,000	\$0
Robert & Charlene Urlacher	2023	Lot 2, Block 7, Fort Lincoln Est #2	50% Homestead Credit	\$213,200	\$113,200
Sharon Litton	2023	Lot 48, Block 5, Falconer Estates	100% Homestead Credit	\$676,100	\$476,100
Wesley C Wessner	2023	Lot 22, Block 5, Eastside Heights	50% Homestead Credit	\$267,600	\$167,600
Armion & Ethel Schuler	2023	Lot 28 less Jensen Survey of lot 28, Block 4, North Hills 3rd	100% Homestead Credit	\$244,600	\$44,600
Randy Samuelson	2023	Block 40, Fisher, S 2' of lot 2 all Lots 3&4 & N 2' of Lot 5 less W 10'	100% Homestead Credit	\$222,100	\$22,100
Dennis C & Lorna H Olson	2023	Lot 16, Block 9, Meadow Valley 3rd	50% Homestead Credit	\$249,900	\$149,900

Bruce R & Lyla R Lovdal	2023	Lot 1, Block 1, Stein's 5th	50% Homestead Credit	\$347,200	\$274,200
Russel J Schlecht	2023	Lot 15, Block 3, Fort Lincoln Estates #1	50% Homestead Credit	\$272,000	\$172,000
Leo & Johanna Heier	2023	Lot 8, Block 1, Bremner Avenue Addition	50% Homestead Credit	\$300,800	\$200,800
James & Jane Morgan	2023	Lot 8, Block 8, Highland Acres	50% Homestead Credit	\$338,100	\$238,100
Robert & Shirley Schumacher	2023	2009 Friendship 27' x 48', #MY0931745AB	50% Homestead Credit	\$74,974	\$37,487
Ronald & Carol Bodine	2023	Block 2, Pebble Creek Addition, Auditors Lot 1634 of Lot 2 Mapleton Place Condominiums Unit 3	50% Homestead Credit	\$188,300	\$88,300
Holly Carlson	2023	Lot 10, Block 2, Fort Lincoln Est #1	100% Homestead Credit	\$97,400	\$0
Robin Brousseau	2024	1976 Fuqua 24' x 56', #767B	100% Homestead Credit	\$13,427	\$0
Luella V K Anderson	2023	Lot 2, Block 7, Replat of Calkins	100% Homestead Credit	\$186,400	\$0
Carma Branch	2023	Lot 9, Block 11, Highland Acres	100% Homestead Credit	\$263,200	\$63,200
Albert Meidinger	2023	Lot 11, Block 1, Keystone	50% Homestead Credit	\$272,000	\$172,000
WM & Betty Sprynczynatyk	2023	Block 3, Sasse, E 15' of Lot 7 & W 42.16' of Lot 8	100% Homestead Credit	\$231,100	\$31,100
Clara & Robert Sheldon	2023	Lot 13, Block 6, Fort Lincoln Estates #2	50% Homestead Credit	\$220,400	\$120,400
Bradley & Cindy Dagenais	2024	2002 Schult 16' x 76', #R300811	50% Homestead Credit	\$44,262	\$22,131
Alice M Wahl	2023	Lot 9, Block 11, Lincoln Replat of Blk 11	50% Homestead Credit	\$313,700	\$213,700
Leon & Darlene Thiel	2023	West 88.37' of Lots 1-3, Block 14, Coffins	50% Homestead Credit	\$153,300	\$76,650
Dave & Nancy Solem	2023	Lot 29, Block 3, Hay Creek Meadows	50% Homestead Credit	\$308,200	\$208,200
Jerome & Betty Volk	2023	Lot 16 less Tract A, Block 1, East View	50% Homestead Credit	\$339,100	\$239,100

Dean Berg	2024	1975 Rollohome, 28' x 56', #AB302668	100% Homestead Credit	\$14,212	\$7,106
Alleyn M & Bonnie L Glasser	2023	Lots 14-17, Block 4, Imperial Valley, Unit 3617 East Regent Condo	50% Homestead Credit	\$258,200	\$158,200
Duane & Sandra Ziegler	2023	Lot 11, Block 4, Southbay 5th Addition	50% Homestead Credit	\$337,200	\$227,200
Ramona Hendricks	2023	Lot 2, Block 5, Meadow Valley 2nd	100% Homestead Credit	\$224,900	\$24,900
Barry Holm	2023	Lot 8, Block 7, Sattler's Sunrise 5th	50% Homestead Credit	\$307,900	\$207,900
Connie Mikkelsen	2023	Lot 7, Block 6, Boulder Ridge 7th Add 1st Replat	50% Homestead Credit	\$427,400	\$327,400
Lee & Vicki Roath	2023	Lot 24, Block 1, Huntington Cottages 1st Addition	100% Homestead Credit	\$377,700	\$177,700
Cynthia D Stumpf	2023	Lot 6, Block 16, Register's 2nd	100% Homestead Credit	\$158,800	\$0
Deborah J Igoe	2023	Block 1, Sleepy Hollow Heights 3rd, Lot 8 Shannon Drive Condos	50% Homestead Credit	\$290,200	\$190,200
Anthony & Alvina Splonskowski	2023	Lot 17, Block 10, Washington Heights 3rd	50% Homestead Credit	\$274,700	\$174,700
Randal & Catherine Robinson	2024	2010 Highland 16 x 80	True and full value exceeds market value	\$72,090	\$50,460
Randal & Catherine Robinson	2024	2010 Highland 16 x 80	50% Homestead Credit	\$50,460	\$50,460
Margaret Elkin	2023	Lot 3, Block 1, Register's 1st	50% Homestead Credit	\$173,900	\$86,950
Dennis L Bauer	2023	Lot 4, Block 7, Rep Louns OL 17-19, 26-27	50% Homestead Credit	\$184,400	\$92,200
Jose Richard	2023	Lot 8, Block 9, Meadow Valley 2nd	50% Homestead Credit	\$214,800	\$114,800
James & Marlene Lindquist	2023	Lot 39, Block 6, Wachter's 5th	50% Homestead Credit	\$247,200	\$147,200
Richard C & Carol J Oehlerking	2023	Block 11, Gateway Addition, Lot 3 less W 2', all Lot 4 & W 2' of Lot 5 Lambton Heights Condo Unit 3 garage 3 Building 908	50% Homestead Credit	\$80,000	\$40,000

George R Simek	2023	Lot 19, Block 2, Washington Heights	50% Homestead Credit	\$280,300	\$180,300
Larry R & Dorothy D Zabrocki	2023	Lot 12 & 1/2 VAC Alley Adj, Block 1, Park District	100% Homestead Credit	\$300,400	\$100,400
Leonard Benfiet	2023	Lot 13, Shamrock Acres	50% Homestead Credit	\$324,000	\$224,000
Michael Frykman	2023	Block 42, Northern Pacific 2nd, Lots 3-5 less S .38' Lot 5 less W 9' for alley 7th St Condominiums Unit 4	50% Homestead Credit	\$96,700	\$48,350
Robert & Jayme Holmberg	2023	Lot 10, Block 1, Horizon Heights 1st	100% Homestead Credit	\$357,400	\$157,400
Esther Fandrich	2023	2009 Highland 16 x 76, #HY12452	80% Homestead Credit	\$64,934	\$12,987
Esther Fandrich	2024	2009 Highland 16 x 76, #HY12452	100% Homestead Credit	\$64,934	\$0
Sandy Karna	2024	1974 Adrian 12' x 60', #4096A11	Mobile home went to dump Dec 2023	\$5,607	\$0
Delbert Unruh	2024	1972 Champion 14 x 56, #0329958038	100% Homestead Credit	\$6,309	\$0
John M Kinney	2023	Lot 2, Block 1, Vision Heights	50% Homestead Credit	\$240,800	\$140,800
Patricia L Smith	2023	Block 7, High Meadows, E 150' of Lot 7 B7 High meadows and Lot 1A of Lot 1 B4 Pinehurst 4th	50% Homestead Credit	\$344,100	\$244,100
Gregory A Lorenz	2023	E 50' of Lots 13-18, Block 7, Sturgis	100% Homestead Credit	\$238,900	\$38,900
Jacob Denning	2024	1999 Superior 16 x 70, #D5993353709	100% Homestead Credit	\$37,274	\$0
Marilyn Fibiger	2024	1975 Rollohome, 28' x 56', #AB302668	100% Homestead Credit	\$14,212	\$7,106
Sharon Symington	2024	2008 Four Seasons, 56 x 28	50% Homestead Credit	\$90,709	\$45,355
Charlotte K Hagel	2024	16 x 76 2008 Liberty Mobile Home	100% Homestead Credit	\$64,934	\$0

Olive Fricke	2023	Block 13, Replat Homan Acres, Lot E of Lot 1 Washington Court Condominiums Building 2033 Unit 9 & Garage 2	100% Homestead Credit	\$114,400	\$0
David & Jolene Stuber	2023	Lot 2, Block 1, Glenwood Estates	50% Homestead Credit	\$330,900	\$230,900
James Collins & Agnes Collins	2023	E 80' of Lots 1-2, Block 4, Mackin's Subdivision	50% Homestead Credit	\$125,300	\$62,650
Linda M Feist	2023	Lot 2, less S 3', Block 24, Jennings's 5th	50% Homestead Credit	\$253,300	\$153,300
Jacob R Hagel	2023	Block 3, North Hills 15th, Lot 3 614 Nelson Dr Condominium Association Unit 1	50% Homestead Credit	\$248,000	\$148,000
Samuel L & Penny L Saylor	2023	Lot 2, Block 23, Morn Hgt Rep B16,17, & B11	100% Homestead Credit	\$247,900	\$47,900
Patrice M Thomas	2023	Block 3, Eastview, N 30' of S 60' of Lot 8 East View Townhouses Unit 1 Tract V	50% Homestead Credit	\$144,500	\$72,250
Susan Mizera	2023	Block 1, Boulder Ridge Third Addition. Lot 5 and undivided interest common areas Lot B1 & Lot 7 B3	50% Homestead Credit	\$350,600	\$250,600
Charles J Miska	2023	Block 8, Washington Heights 2nd, Lot 9 Washington St Condominiums Unit 1	100% Homestead Credit	\$139,700	\$0
Dennis Boknecht	2023	W 100' of Lots 31-32, Block 68, McKenzie & Coffin's	50% Homestead Credit	\$148,900	\$74,450
Edna B Gartner	2023	Lot 13, Block 11, Register's 2nd Addition to City of Bismarck	100% Homestead Credit	\$199,700	\$0
Jeffrey E & Robin R Aamot	2023	Lot 19, Block 2, Jennings 1st	50% Homestead Credit	\$209,000	\$109,000
Marcella J Haman	2023	Block 2, Koch Addition, Lot 4 3801 Koch Dr Condo Assoc Unit 2 & Garage Unit 2	100% Homestead Credit	\$239,100	\$39,100
Leslie Landenberger & Ruby	2023	Lot 3B of Lot 3, Block 1, Gary Nelson Addition	50% Homestead Credit	\$335,500	\$235,500
Blaine R & Rebeka J Olsen	2023	Lot 3, Block 2, High Meadows 5th	50% Disabled Persons Credit	\$406,800	\$306,800
Barbara L Pfeifer	2023	Lot 10, Block 19, Jennings's 4th	50% Homestead Credit	\$267,600	\$167,600

Armion & Ethel Schuler	2022	Lot 28 less Jensen Survey of lot 28, Block 4, North Hills 3rd	10% Homestead Credit	\$211,900	\$199,389
Mark E Sandoval	2023	Block 23, Southwood Terrace 2nd Rep, 55 less N 150' Meadow Brook Condominiums Unit XXXIII	50% Homestead Credit	\$231,900	\$131,900
Sherwin & Cathy Nelson	2023	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	\$359,700	\$259,700
Leo L & Luella H Nagel	2023	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	\$391,100	\$316,100
Owen & Alice Subart	2023	Lot 14, Block 19, Meadow Valley 4th	50% Homestead Credit	\$256,900	\$156,900
RJR Maintenance & Management	2024	154 Northwest Dr, 2000 Holly park Glenmoor 28 x 52	Property is uninhabitable	\$53,115	\$0
Robert Chapa	2024	1992 Schult 16 x 76, #M254185	100% Homestead Credit	\$27,968	\$0
Jamie K Dokken	2023	Block 3, Sonnet Hgts Subdiv 1st Rep, Lots 2-3, Blk 3, Sonnet Heights Sub 1st Rplt & Lot 2, Blk 26, Sonnet Hgts Sub & W 35' VAC Ottawa St Adj Laguna Hills Unit 8 Bldg 1 (A)	50% Homestead Credit	\$188,800	\$94,400
Gregory L Feist	2023	E 95' of Lots 13-14, Block 77, McKenzie & Coffin's	100% Homestead Credit	\$180,400	\$0
Bradley & Desiree Hendrickson	2023	Lot 54, Block 14, Highland Acres	50% Homestead Credit	\$204,400	\$104,400
James J & Rosella Splonskowski	2023	Lot 7, Block 1, East View	100% Homestead Credit	\$278,800	\$78,800
Sheila Steckler	2023	Lot 10 less S WLY 20', Block 1, Rolling Hills 2nd	50% Homestead Credit	\$233,800	\$133,800
Delores Shimek	2023	Lot 8, Block 2, Westwood on the River	50% Homestead Credit	\$293,100	\$193,100
Dorothea & David Gray	2023	E 1/2 NE 1/4 SE 1/4 NE 1/4 aka southside of Lot 5 Link Estates	50% Homestead Credit	\$301,600	\$201,600
Joan M Brown	2023	Lot 3, Block 4, South Wilton aka Kilians	50% Homestead Credit	\$194,800	\$94,800
Barbara Zins	2023	S1/2 S1/2 NW 1/4 4-13-78	100% Homestead Credit	\$409,600	\$209,600
Mark Costain	2023	Lot 20, Block 23, Wachter's 3rd	50% Homestead Credit	\$310,900	\$210,900

Darlene Frieze	2023	Block 1, Pebble Creek 4th, L 12-14 less S 17' for St R/W Colorado Drive Condo VI Unit B	50% Homestead Credit	\$319,600	\$219,600
Marie Gilchrist	2022	Block 1, Weston Village 1st, Lot 10 & undivided int in common area	100% Homestead Credit	\$206,000	\$81,000
Marie Gilchrist	2023	Block 1, Weston Village 1st, Lot 10 & undivided int in common area	100% Homestead Credit	\$230,500	\$30,500
Bennie E & Lundina F Haux	2023	Lots 21-22, Block 35, Flannery & Wetherby	100% Homestead Credit	\$167,100	\$0
Kristene E Jespersen	2023	N 59.03' of Lots 3-4, Block 4, Sleepy Hollow Heights	50% Homestead Credit	\$278,600	\$178,600
Douglas B Morris	2023	6 & W 10' Lot 7, Block 2, Vision Heights	50% Homestead Credit	\$241,200	\$141,200
Bruce & Autumn Roth	2023	Lot 5, Block 1, Kilber 3rd	50% Homestead Credit	\$266,700	\$166,700
Roy Schock	2023	Lot 8, Block 11, Meadow Valley 3rd	50% Homestead Credit	\$233,700	\$133,700
Franklin J & Jean Marr Wolf	2022	Lots 25-26, Block 11, Flannery & Wetherby Addition	20% Homestead Credit	\$108,500	\$86,800
Franklin J & Jean Marr Wolf	2023	Lots 25-26, Block 11, Flannery & Wetherby Addition	100% Homestead Credit	\$142,800	\$0
Thomas Hammerel	2023	Lot 2 less W 10' for alley, Block 37, Northern Pacific 2nd Addn	50% Homestead Credit	\$213,200	\$113,200
Sharee Y Nelson	2023	Lot 8, Block 3, High Meadows 2nd	50% Homestead Credit	\$389,600	\$289,600
Kim & Debbie Sabot	2023	Block 3, East Hills Addn Replat, Lots 2-3 East Hills Condos 1509 + 1519 Unit 2 Bldg 2	50% Homestead Credit	\$321,900	\$221,900
Jerry & June Fischer	2023	Block 1, North Hills 6th Addition, Lots 5-6 less W 3.48' Centennial Condo Unit 302	50% Homestead Credit	\$209,700	\$109,700
Bernadine Miller	2023	Lot 27, Block 4, Rusch Gabbert +Rusch	100% Homestead Credit	\$223,000	\$23,000
Barbara Myhre	2022	2001 Schult 16 x 76	100% Homestead Credit	\$41,530	\$0
Barbara Myhre	2023	2001 Schult 16 x 76	80% Homestead Credit	\$44,934	\$8,987

Barbara Myhre	2024	2001 Schult 16 x 76	100% Homestead Credit	\$44,934	\$0
Kenneth & Susan Peterson	2023	Lot 3, Block 2, S + W Eighth	50% Homestead Credit	\$221,700	\$36,900
Sanferd J & Corrine Mees	2023	Section 35, Gibbs Township, Auditors Lot 1 of E 1/2	50% Homestead Credit	\$332,500	\$232,500
Jerome & Helen Werlinger	2024	Lot 2, Block 5, North Ridge Estates First	100% Homestead Credit	\$635,100	\$435,100
Kathleen Henriksen	2023	Lot 8, Block 4, Imperial Valley	50% Homestead Credit	\$289,600	\$189,600
Deborah Masad	2024	2003 Schult 28 x 52, #R308950AB	50% Homestead Credit	\$62,244	\$3122
Douglas & Debra Striefel	2024	2000 Friendship 16 x 76, #MY002150V	100% Homestead Credit	\$41,082	\$0
Wesley & Deborah Woehl	2024	2015 Schult 28 x 48, #RED65990MNAB	50% Homestead Credit	\$83,866	\$41,933

Comm. Munson asked Marcus Hall for clarification on item D of the consent agenda which was the second access permit for Mark Unterseher. Mr. Hall stated it met all the standards and was part of their platting process. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the John Cain (3), Kelly L. Cargle, Kurt Holzer, Joseph Rogers, Michael P. Baron, Joseph & Shannon Callaway, Wanda Lamontagne, Pam Christianson, Emily Vesta Rapkoch & Joshua Bakken, Lynette Namanny, Gary D. Hoffin, Lila Teunissen, Shelley Selzler, Blanche Barnhart, Cheryl Kienzle, Roxanne Geurts, Robert H. & Dianne S. Krogen, John T. & Anita M. Mattson, Gerald D. & Suzanne R. Olson, Carol Thompson, Virginia Ulrich, Sadie Schilling (2), Alvin Jans (3), Gladys Stamaris, Gerald L. & Susan M. Tschider, Ronald R. Hopfauf, Michael J. Neigum, Randall J. Schmidt, Trent O. & Louella M. Aronson, Karen J. Anders, NTD Properties Inc., Richard E. & Pearl A. Jorgenson, Kenneth Rebel, Donna M. Remboldt, Linda M. Patzner, Diana Niess, Judith A. Chamberlain, Linda Heger, Barbara T. Neameyer, Charles E. & Cynthia C. Russell, Charles E. Russell, Raymond & Cathern Edenhalm, Carol Lee Isaak, Carol J. Sundquist, Linda F. Reller, Earl R. & Irene M. Wentz, Robert & Charlene Urlacher, Sharon Litton, Wesley C. Wessner, Armion & Ethel Schuler, Randy Samuelson, Dennis C. & Lorna H. Olson, Bruce R. & Lyla R. Lovdal, Russel J. Schlecht, Leo & Johanna Heier, James & Jane Morgan, Robert & Shirley Schumacher, Ronald & Carol Bodine, Holly Carlson, Robin Brousseau, Luella V. K. Anderson, Carma Branch, Albert Meidinger, WM & Betty Sprynczynatyk, Clara & Robert Sheldon, Bradley & Cindy Dagenais, Alice M. Wahl, Leon & Darlene Thiel, Dave & Nancy Solem, Jerome & Betty Volk, Dean Berg, Alleyn M. & Bonnie L. Glasser, Duane & Sandra Ziegler, Ramona Hendricks, Barry Holm, Connie Mikkelsen, Lee & Vicki Roath, Cynthia D. Stumpf, Deborah J. Igoe, Anthony & Alvina Splonskowski, Randal & Catherine Robinson (2), Margaret Elkin, Dennis L. Bauer, Jose Richard, James & Marlene Lindquist, Richard C. & Carol J. Oehlerking, George R. Simek, Larry R. & Dorothy D. Zabrocki, Leonard Benfiet, Michael Frykman, Robert & Jayme Holmberg, Esther Fandrich (2), Sandy Karna, Delbert Unruh, John M. Kinney, Patricia L. Smith, Gregory A. Lorenz, Jacob Denning, Marilyn Fibiger, Sharon Symington, Charlotte K. Hagel, Olive Fricke, David & Jolene Stuber, James Collins & Agnes Collins, Linda M. Feist, Jacob R. Hagel, Samuel L. & Penny L. Saylor, Patrice M. Thomas, Susan

Mizera, Charles J. Miska, Dennis Boknecht, Edna B. Gartner, Jeffrey E. & Robin R. Aamot, Marcella J. Haman, Leslie Landenberger & Ruby, Blaine R. & Rebeka J. Olsen, Barbara L. Pfeifer, Armion & Ethel Schuler, Mark E. Sandoval, Sherwin & Cathy Nelson, Leo L. & Luella H. Nagel, Owen & Alice Subart, RJR Maintenance & Management, Robert Chapa, Jamie K. Dokken, Gregory L. Feist, Bradley & Desiree Hendrickson, James J. & Rosella Splonskowski, Sheila Steckler, Delores Shimek, Dorothea & David Gray, Joan M. Brown, Barbara Zins, Mark Costain, Darlene Frieze, Marie Gilchrist (2), Bennie E. & Lundina F. Haux, Kristene E. Jespersen, Douglas B. Morris, Bruce & Autumn Roth, Roy Schock, Franklin J. & Jean Marr Wolf (2), Thomas Hammerel, Sharee Y. Nelson, Kim & Debbie Sabot, Jerry & June Fischer, Bernadine Miller, Barbara Myhre (3), Kenneth & Susan Peterson, Sanferd J. & Corrine Mees, Jerome & Helen Werlinger, Kathleen Henriksen, Deborah Masad, Douglas & Debra Striefel, and Wesley & Deborah Woehl abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Engineer Marcus Hall presented a public hearing on a petition to vacate a section line. Chair Bitner opened the public hearing and there was no one who commented. Public hearing was then closed. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the vacation of the section line. Comm. Bakken shared a declaration of public benefit which was to clean things up to match what was there from a property perspective. He stated there is no burden on the county or the public but to make it more uniform on what was an error of the past. All members present voted "AYE". Motion carried. Mr. Hall then presented an authorization to advertise for bids for Special Assessment District #76 (Falconer Estates Subdivision). Motion by Comm. Munson, 2nd by Comm. Bakken to approve the plans and specifications for SAD #76 and authorize the County Auditor and the County Engineer to advertise for bids. All members present voted "AYE". Motion carried. Mr. Hall then presented another petition to vacate a section line as part of the Peaceful Valley Subdivision and requested setting Mar. 4th, 2024 at 5pm as the date and time for a public hearing. Motion by Comm. Munson, 2nd by Comm. Bakken to approve. Commissioners Munson, Bakken, and Schwab voted "AYE". Comm. Woodcox voted "NAY". Motion carried. Mr. Hall then presented a request to approve the award of bids for the County Highway 10 roadway mill and overlay project to low bidder, Mayo Construction Company for \$1,167,516.77 and enter into contract with the bidder. Motion by Comm. Munson, 2nd by Comm. Woodcox/Bakken. All members present voted "AYE". Motion carried.

County Planning Director Mitch Flanagan presented a request to deny, approve or table the appeal request for reconsideration by the Planning Commission. The application was for Dave Lehman's Special Use Permit for Burnt Creek Farms to stage weddings, family and corporate events all relating to Farm tours and Agritourism was denied on Jan. 10th, 2024 by a vote of 8-1 for the reasons of dust, traffic, noise, concerns for fire, and vehicle safety plus the overuse of land. Chair Bitner invited the applicant and the public to speak on this issue. The first person to speak was Dave Lehman who is the owner of Burnt Creek Farm. He shared the historical aspects of the farm and stated he would like to go from 200 people per event to 150 people per week from May 15th to Oct. 15th. He also offered to pay for dust control, road repairs, and shared some other possible solutions to the reasons for denial. Amanda Parent, Melissa Miller, Bea Streifel, and Kurt Fleck came forward to share some concerns. Chair Bitner stated there was some money in the Burnt Creek Township fund balance that could possibly pay for roads, dust control, maintenance, etc. Mr. Hall suggested some additional options. One was to keep it as an unorganized township road and use the monies in the unorganized township fund to cover costs. The next one was to establish a special assessments district and divide the cost among the benefitting properties. Another one was to apply for funds with the state. The final suggestion was if the county takes over the section line and designates it as a county road, it could be paid for with county funds. He stated that dust control would cost roughly \$10,000 a mile. He added that since there are steep ditches out there it could be a reasonable cost, or it could be a

big project and it would just depend on weather and traffic. Section line specs would be millions of dollars. Kathy Tweeten came forward and spoke to Dave Lehman's character and shared that when he says he will do something, he will do it. Comm. Munson was the lone descending vote on this at the Planning and Zoning meeting and wanted to explain why. He thought it needed to have a special use permit so guidelines could be in place. He also felt this issue needed to go back to Planning and Zoning to deal with. Motion by Comm. Woodcox, 2nd by Comm. Munson to hand this back to Planning and Zoning. Chair Bitner stated that the applicant needs to work with the neighbors out there to resolve the issues. All members present voted "AYE". Motion carried. Mr. Flanagan suggested offering the county's meeting rooms for the applicant and his neighbors to discuss these issues. Chair Bitner gave his approval to that. Mr. Flanagan then presented a discussion on a FEMA letter of final determination concerning the new Flood Insurance Rate Maps. He stated the updated risk maps are effective June 6th, 2024. It will be necessary for Burleigh County to adopt any amendments within Article 21 prior to that date to remain a part of the National Flood Insurance Program (NFIP). No action was necessary as this was informational only.

County Finance Director Leigh Jacobs presented an update on the Detention Center sales tax. He requested an authorization to seek a meeting with Burleigh County and Morton County Commissions as well as Burleigh and Morton County finance teams and/or County Auditors, and legal counsel to determine what amount of Morton County's deposit at Bank of North Dakota is allocable to the sales tax bond vs. renovation bond; and to discuss any other matters related to the sales tax bond payoff that may be relevant especially as it relates to notifying the Tax Commissioner to discontinue sales tax collections. Mr. Jacobs stated the earliest we could pay off the bond is Nov. 1st, 2025. Chair Bitner stated to go ahead and schedule those meetings as soon as possible and bring an update back to the commission as we want to make sure we are not over-collecting on the sales tax of the project.

Comm. Munson then presented a discussion on the Home Rule Charter ballot language, but considering the findings from Mr. Jacobs, wanted to table it until the next meeting until more information was provided from the Finance Director. Comm. Munson then presented a discussion/request for Easement across the Missouri Valley Complex for city sewer. He invited Mike Berg with Apex Engineering to share. Chair Bitner verified that there would be no cost to Burleigh County. Mr. Berg stated that we are not vacating the existing easements or taking ownership of the pipe. The pipe stays city property. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the easement for the Missouri Vally Complex sewer project. All members present voted "AYE". Motion carried. Comm. Munson then had Steve Neu share on the Missouri Valley Complex Committee. He stated it would be a non-compensated, 11-member committee including three residents from Burleigh County and eight members appointed by the stakeholder group. The stakeholders are Buckstop Junction, Motor Cross, Burleigh County Equestrian/Ag Center, 4H Council, Jr. High/High School Rodeo, Stock Car Club, Extension Service, and Park District. He added that they would also like to have the Burleigh County Portfolio holder and the Bismarck Park Commission as non-voting members. He then shared a graphic of an organizational chart. They are requested appointing Comm. Munson as Burleigh County Commission Liaison since he holds the portfolio. Their goal is to be fully operational with the committee by March. All meetings will be public. Motion by Comm. Munson, 2nd by Comm. Bakken to approve this committee structure with one change: that the At Large Membership be a four-year term instead of two years. Chair Bitner recommended using the current application for appointment from the county website to take interested applicants. Commissioners Woodcox, Munson, and Bakken voted "AYE". Comm. Schwab and Chair Bitner voted "NAY". Motion carried. Comm. Munson wanted to clarify based on an accusation at the last meeting that this was his pet project that he only wants to take care of his portfolio. He has no horses, stockcars, motorcycles and has nothing to benefit personally from this project. Chair Bitner then forwarded Comm. Munson an email for further discussion.

Chair Bitner discussed the Provident Building RFP award for architects. He requested that Burleigh County enter into an agreement with HTG Architects for the remodel project. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the request. All members present voted "AYE". Motion carried. Dan Shaff with HTG Architects shared that they propose doing a pre-design first, and then a cost estimate to speed up the process which will save the county money in the long run. Chair Bitner also clarified that the work the architect will be doing for the county will become the property of Burleigh County.

Election Coordinator Lisa Hart came before the commission with a brief answer to a question from the last meeting as to whether a student who wanted to be a poll worker could get community service hours. She stated that since the county is required by law to pay all our poll workers, the answer to that would be no.

Comm. Woodcox reminded the public that the deadline to apply for the property tax credit of up to \$500 is Mar. 31st, 2024.

Comm. Schwab expressed concerns with the bridge down south of McKenzie that desperately needs replacing. He stated it is number one on the county's list and the DOT has pushed it back another year and he would like it looked at.

Chair Bakken encouraged everyone to look at the Elections page of the Burleigh County website especially if anyone is interested in being a poll worker.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-011	Harbor Properties LLC	2023	Replat Tibesar's 1st Sub, Block 16, Lots 1-2, less S 5' of Lot 2	Error in property description	\$1,053,700	\$924,900
24-017	Ronald D Wahl	2023	Pt Outlot A of NW1/4, City of Wing	100% Disabled Veteran	\$92,200	\$0
24-047	Barb Knutson	2022	McKenzie Township Section 29 NE 1/4	Inundated acres	\$125,000	\$122,900
24-048	Barb Knutson	2023	McKenzie Township Section 29 NE 1/4	Inundated acres	\$130,200	\$128,100
24-049	Barb Knutson	2022	McKenzie Township Section 29 NW 1/4	Inundated acres	\$9,300	\$6,100
24-050	Barb Knutson	2023	McKenzie Township Section 29 NW 1/4	Inundated acres	\$9,800	\$6,700
24-051	Barb Knutson	2022	McKenzie Township Section 29 N1/2 S1/2	Inundated acres	\$24,500	\$22,700
24-052	Barb Knutson	2023	McKenzie Township Section 29 N1/2 S1/2	Inundated acres	\$26,000	\$24,200
24-114	Joyann Holsten	2023	Lots 13-16, Block 10, City of Wing	100% Disabled Veteran	\$47,800	\$0
24-144	Dennis W & Donte Adams	2023	Lot 21, Block 2, Southland Addition	100% Disabled Veteran	\$409,300	\$229,300
24-145	Tomi & Scott J Collins	2023	Block 21, Lounsberry Outlots, beg 61' N of SW cor N 53' E 148.5' S 53' W 148.5 to beg	Error in property description	\$195,800	\$161,900
24-146	Timarra & Jordan Kenner	2022	Lot 19, Block 2, Indian Hills	Error in property description	\$280,400	\$255,600
24-147	Timarra & Jordan Kenner	2023	Lot 19, Block 2, Indian Hills	Error in property description	\$291,600	\$266,800
24-156	Vicki Knopp	2022	Lot 6, Block 11, City of Wing	Residential land & structure taxed w/ commercial rate	\$58,500	\$58,500
24-157	Vicki Knopp	2023	Lot 6, Block 11, City of Wing	Residential land & structure taxed w/ commercial rate	\$60,300	\$60,300
24-169	Allen R & Nancy G Bittner	2023	Block 13, Replat Homan Acres, Lot E of Lot 1 Washington Court Condominiums Building 2033 Unit 4 & Garage 5	50% / 80% Homestead Credit / Disabled Veteran	\$112,400	\$11,240

24-170	Todd Perman	2023	Lots 7-9, Block 9, Sturgis	Error in property description	\$93,500	\$85,200
24-171	Todd & Terry Perman	2023	Lots 10-12, Block 9, Sturgis	Error in property description	\$182,500	\$172,500
24-180	Herbert Klaus Davis II & Ashten M Bristow	2023	Lot 8, Block 4, Washington Meadows 2nd	90% Disabled Veteran	\$317,500	\$223,000
24-186	Adam & Shiela Mae Otteson	2023	Lot 14, Block 2, Sattler's Sunrise 8th	Error in property description	\$397,200	\$365,300
24-187	Kohl & Andrea Stewart	2023	Lot 7 & undivided interest in common areas, Block 7, Southbay 2nd Addition	Error in property description	\$605,700	\$601,100
24-190	James W & Peggy A Rudick	2023	Lot 17, Block 4, Cottonwood Parkview Addition	50% Disabled Veteran	\$335,600	\$283,100
24-201	Kimberly A Speidel	2023	Lot 18, Block 18, Morningside Heights	Error in property description	\$197,600	\$175,200
24-238	Gale & Beverly Taverna	2023	Lot 9, Block 8, Casey's 2nd	100% Homestead Credit	\$194,800	\$0
24-239	Michael & Laurel Ahneman	2023	Lot 10, Block 17, Northern Pacific	100% Homestead Credit	\$243,400	\$43,400
24-240	Terrence R & Lori J Droll	2023	Lots 7-8 & E 10' of Lot 9, Block 4, McKenzie's	50% Homestead Credit	\$278,600	\$178,600
24-241	Elroy F Nelson	2023	Lot 24, Block 18, Meadow Valley 4th	50% Homestead Credit	\$245,900	\$145,900
24-242	Debra K Kramer	2023	Block 19, Morningside Heights, Lot 8 less SLY portion that's 4' wide at front & 0' wide at rear	100% Homestead Credit	\$223,000	\$123,000
24-243	Arlen Seeberg	2023	Block 2, Park Hill (Aud Lots), N182.95' of E75' of W125.9' of Auditor's Lot 2	50% Homestead Credit	\$181,600	\$90,800
24-244	David & Connie Friez	2023	Lot 8, Block 25, Wachter's 3rd	50% Homestead Credit	\$109,900	\$54,950
24-245	Noreen A Olson	2023	Block 1, Sleepy Hollow Heights 3rd, Lots 6-7 Sleepy Hollow heights 3rd Addn Condominium V Unit 2 of Bldg 1	50% Homestead Credit	\$307,300	\$207,300

	Edward R & Madonna L						
24-246	Buth	2023	Lot 2, Block 2, Parkview	50% Homestead Credit	\$213,200	\$113,200	
24-247	Patricia M Jergenson	2023	Lot 23 less E 1/2, Block 26, Stein's 4th Block 2, Cottonwood Lake 4th, 2-3 & E 10.53' of Lot 4 Cottonwood Condo Assoc	50% Homestead Credit	\$214,500	\$114,500	
	Norman & Genevieve						
24-248	Meidinger	2023	Unit 3	50% Homestead Credit	\$163,600	\$81,800	
24-249	Larry & Karen L Jahnke	2023	Lot 9, Block 7, Pett's 5th	100% Homestead Credit	\$305,900	\$105,900	
24-263	Brett & Amy Ruff	2023	Lot 10, Block 6, Centennial Park	80% Disabled Veteran	\$289,500	\$145,500	
24-264	Real Estate Bel LLC	2023	Lot 19, Block 2, Meadow Valley	Error in property description	\$333,800	\$190,100	
24-265	Jon J Rykowski Et Al	2023	Lot 25, Block 4, Edgewood Village 1st	Error in property description	\$527,000	\$510,500	
24-266	Sean G & Lisa J Lund	2023	Lot 8, Block 3, High Meadows 6th	60% Disabled Veteran	\$342,200	\$324,200	
24-267	Lyla Kaseman	2023	Block 38, Northern Pacific, Lot 1 less W 8' for alley Brownstone Condo Unit A	50% Homestead Credit	\$96,000	\$56,000	
24-268	Larry Aichele	2023	Block 8, Eastside Heights, Lot 14-B desc as beg at SE cor Lot 14; th NWLY along E line 33rd St 121.32'; NWLY 10.18'; NELY 60.27'; E 27.02' to NW cor Lot 12, Blk 6 Eastview (etc)	50% Homestead Credit	\$256,300	\$156,300	
	Lynn M & Cathy A						
24-269	Anwiler	2023	Lot 7, Block 15, Stein's 3rd	100% Homestead Credit	\$276,300	\$76,300	
24-270	Deborah Arnold	2023	Lot 19, Block 2, Northridge	50% Homestead Credit	\$136,000	\$68,000	
24-271	Mary & Reede Benning	2023	Lot 6, Block 4, Stein's 2nd	50% Homestead Credit	\$280,200	\$180,200	
24-272	Lowell & Terri Camp	2022	Lot 2, Block 1, Keating	100% Homestead Credit	\$228,900	\$103,900	
24-273	Lowell & Terri Camp	2023	Lot 2, Block 1, Keating	100% Homestead Credit	\$233,900	\$33,900	

24-274	Gerald A Carman	2023	Lot 24, Block 42, Flannery & Wetherby	50% Homestead Credit	\$133,300	\$66,650
24-275	James R & Linda F Faber	2023	Lot 13, Block 5, East View	50% Homestead Credit	\$221,500	\$121,500
24-276	Jerry & Sharon Franklin	2023	Block 2, Eastview, 520A of Lot 22 less S 50' of W 22' of said L22	50% Homestead Credit	\$191,800	\$95,900
24-277	Chester Haux	2023	Block 2, Cottonwood Lake 5th, 12 & L13 less W 35' 806 Bridgeport Dr Condo Assoc Unit 2	100% Homestead Credit	\$173,100	\$0
24-278	Roger A Kolling Michael J & Ardyth	2023	Lot 47, Block 14, Highland Acres	50% Homestead Credit	\$239,000	\$189,000
24-279	Renden	2023	Lot 10, Block 1, Kilber 3rd	50% Homestead Credit	\$337,500	\$237,500
24-280	Kevin Soule	2023	Block 21, Lounsberry Outlots, beg pt 500' S & 180' E of NW cor E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	\$163,900	\$0
24-281	Patricia K Splonskowski	2023	Lot 9 & N 20' of Lot 10, Block 4, Highland Acres	100% Homestead Credit	\$299,900	\$99,900
24-282	Anna Vogel Orlyn & Darlene	2022	Lot 6, Block 7, Sasse	100% Homestead Credit	\$131,900	\$6,900
24-283	Wanstrom	2023	Lot 19, Block 3, Keating	50% Homestead Credit	\$212,400	\$112,400
24-284	Wayne Helm	2023	Lot 5, Block 3, City View Heights	100% Homestead Credit	\$333,800	\$133,800
24-285	Barbara & Steve Conley	2024	2015 Schult 32 x 60, #RED366005MNAB	50% Homestead Credit	\$119,808	\$59,904
24-286	John A & Janelle H Bitz	2023	Lot 8, Block 4, Dakota Sand 1st	50% Homestead Credit	\$369,000	\$269,000
24-287	Elva A Blumhagen	2023	Lot 13, Block 16, Washington Heights 4th	50% Homestead Credit	\$218,500	\$118,500
24-288	Mavis Buchholz	2023	Lot 1, Block 2, Edgewood Village 4th	100% Homestead Credit	\$442,400	\$242,400

			Block 8, Park Hill (Aud Lots), S 1/2 of E 1/2 of Aud Lot 8 less E 9' & less N 30' of S 1/2 E 1/2 less E 9' & less S 33'			
24-289	Shirley Ann Christenson	2023		100% Homestead Credit	\$232,900	\$32,900
24-290	Kathy Hammerel	2023	Lot 10, Block 8, Register's 2nd E 50' of W 100' of Lots 13-16, Block 47, Governor Pierce	100% Homestead Credit	\$202,800	\$2,800
24-291	Leona O Hartman Trust	2023		50% Homestead Credit	\$204,500	\$104,500
24-292	Connie Hodge	2023	Lot 4 & Auditors Lot D of Lot 22, Block, 23, Wachter's 9th	50% Homestead Credit	\$451,700	\$351,700
24-293	Mabel J Keller	2023	Lot 2, Block 1, Pebble Creek 9th ELY 62.50' of Lot 4, Block 3, North Hills 14th	100% Homestead Credit	\$259,200	\$59,200
24-294	Gloria Olson	2023		50% Homestead Credit	\$294,400	\$194,400
24-295	David Pederson Et Al - Benai A Pederson-	2023	Block 1, Marymarc Meadows Addn, Lot 3 Wilshire Ridge Condo Unit 3 & Garage 3, Building 2	100% Homestead Credit	\$133,000	\$0
24-296	Daniel Taszarek	2023	Block 17, Wachter's 2nd, S 76' of Lot 2 all Lot 3 & N 34' of Lot 4 South Aires Condo Unit 18	100% Homestead Credit	\$97,200	\$0
24-297	Douglas A Weiand	2023	Block 19, Morningside Heights, Lot 8 less SLY portion that's 4' wide at front & 0' wide at rear	50% Homestead Credit	\$223,000	\$173,000
24-298	Debbie A Opp	2023	Lot 13, Block 7, Replat of Calkins S 50' of N 300' of W 1/2 less W 30', Block 17, Lincoln	50% Homestead Credit	\$219,900	\$119,900
24-299	Dean & Donella Johnson	2023		50% Homestead Credit	\$203,300	\$103,300
24-300	Ruby Unrath	2024	1978 Rollohome 24 x 56, #33413	100% Homestead Credit	\$13,751	\$0
24-301	Jason Bankston	2022	Lot 7, Block 2, Prairiewood Estates	80% Homestead Credit	\$67,400	\$13,480
24-302	Jason Bankston	2023	Lot 7, Block 2, Prairiewood Estates	100% Homestead Credit	\$97,000	\$0

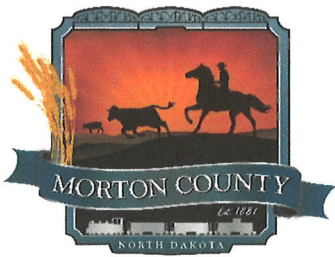
24-303	Corinne J Lee Living Trust	2023	N 50' Lot 3, Block 3, Northern Pacific	Error in property description	\$188,400	\$141,000
24-304	Paula Mann	2024	1983 Innsbruck 14 x 76, #1264V8014	100% Homestead Credit	\$19,767	\$0
24-305	Diane Bauer	2024	2000 Friendship 28 x 56, #ABV6428	100% Homestead Credit	\$57,201	\$0
24-306	Paul & Mary Patera	2023	Lots 5 & 6 S 60' of Lot 5 & all of 6, Block 2, Glenwood Estates	50% Homestead Credit	\$333,100	\$233,100
24-307	Leory & Carol Humann	2023	Lot 12, Block 1, Apple Valley	50% Homestead Credit	\$171,800	\$71,800
24-308	Dan & Pam Bauer	2024	1975 Marshfield 14 x 70, #19236	100% Homestead Credit	\$7,526	\$0
24-309	Frank E & Margot C Kohl	2023	W 1/2 of Lot 4 & all Lot 5, Block 9, Riverview	50% Homestead Credit	\$124,900	\$62,450
24-310	Thomas S & Joyce M Walker	2023	Lot 5, & E 41' of Lot 6, Block 1, Marian Park	Error in property description	\$411,700	\$379,300
24-311	Anna Vogel	2023	Lot 6, Block 7, Sasse	Error in property description	\$211,000	\$181,600
24-312	Roberta Hoff	2024	2005 Schult 16 x 76, #RED355848MN	100% Homestead Credit	\$55,778	\$0
24-313	James H Ell	2023	Lot 13, Block 15, Lincoln Replat B 15	100% Homestead Credit	\$162,400	\$0
24-314	Janet Frohlech	2023	Lot 6 Brandon Heights Condominiums Six Unit 205, Block 1, Brandon Heights	50% Homestead Credit	\$199,800	\$99,900
24-315	Ethen Roemmich	2023	E 80' of Lots 1-4, Block 14, Fisher	Error in property description	\$238,700	\$187,600
24-316	Willard C Brunsoman Jr	2023	S 4' of Lot 5 & all Lot 6 less S 3', Block 11, Replat Homan Acres	100% Homestead Credit	\$304,300	\$104,300
24-317	Merle Bennett	2023	Lot 12, Block 12, Stein's 3rd	50% Homestead Credit	\$253,300	\$153,300
24-320	Duane Schuh	2023	Block 6, Cottonwood Lake 5th, Lot 1 & N 50' Lot 2; 717 Bridgeport Dr Condo Assoc Unit 3	50% Homestead Credit	\$179,100	\$89,550

24-321	Ludwina Faller	2023	Lot 17, Block 2, Vision Heights	50% Homestead Credit	\$217,100	\$117,100
24-322	John & Patricia Reinert	2023	Lot 1, Block 29, Wachter's 3rd Lot 6, Block 18, Southwood Terrace 2nd	50% Homestead Credit	\$321,800	\$221,800
24-323	Barbara Brotten	2023	Rep	100% Homestead Credit	\$282,500	\$82,500
24-324	Grant I & Lois E Kalbfleisch	2023	Lot 14 EXC S 48' all Lot 15 EXC N 12', Block 8, Replat Homan Acres	100% Homestead Credit	\$296,700	\$96,700
24-325	Gale McHenry	2023	Lot 3, Block 10, Replat of Calkins	50% Homestead Credit	\$238,300	\$188,300
24-326	Jeffery Conlon	2023	Lot 2, Block 3, Highland Acres	100% Homestead Credit	\$99,600	\$49,800
24-327	Sylvia Giesinger	2023	Lot 22, Block 3, Peet's 2nd	50% Homestead Credit	\$252,000	\$152,000
24-328	Alvin J & Rosemary Glaser	2023	Lot 2, Block 1, Country West XII Block 4, East Hills Addition Replat, Lot 8 Baumgartner's Sharloh Loop	50% Homestead Credit	\$507,100	\$407,100
24-329	Laura Hirvela	2023	Condominiums Unit 6 Building 1403	50% Homestead Credit	\$179,400	\$89,700
24-330	Harmon & Ruby Jackson	2023	Lot 5, Block 9, Jennings 2nd	50% Homestead Credit	\$219,400	\$119,400
24-331	Matt & Virginia Kraft	2022	Lot 8, Block 6, Nagel's 2nd Replat	20% Homestead Credit	\$303,400	\$278,400
24-332	Matt & Virginia Kraft	2023	Lot 8, Block 6, Nagel's 2nd Replat	100% Homestead Credit	\$340,400	\$140,400
24-333	Debra K Orley	2023	Lot 10, Block 7, Promontory Point VI Lot 3 & S 5' of Lot 4, Block 12, Register's	50% Homestead Credit	\$549,100	\$449,100
24-334	Deloris Page	2023	2nd	100% Homestead Credit	\$233,900	\$33,900
24-335	Regina Roerich	2023	Lot 12, Block 20, Homan Acres 6th N 50' of Lot 5, Block 19, Lincoln Subdivision	50% Homestead Credit	\$417,800	\$317,800
24-336	James L Schmidt	2023	of Block 19	100% Homestead Credit	\$202,600	\$2,600

24-337	Francis & Brenda Elwood	2024	2014 Schult 30 x 72, #RED365653MN	90% Disabled Veteran	\$134,784	\$13,478
24-339	Claude Richter	2023	Lot 17, Block 4, Circle K Estates Second	50% Homestead Credit	\$249,700	\$149,700
24-340	Kathleen Meckler	2023	SE1/4 3-137-79	50% Homestead Credit	\$94,000	\$42,100
24-341	Joshua Jenkins Charles E & Maxine M	2024	2016 Harmony 28 x 60, #MY1620357AK	100% Disabled Veteran	\$107,016	\$0
24-342	Walby Norman J & Carol M	2023	Lot 10, Block 5, Sattler's Sunrise	50% Homestead Credit	\$268,200	\$168,200
24-343	Swindling	2023	Lot 2, Block 3, Sattler's Sunrise 9th	50% Homestead Credit	\$329,700	\$229,700
24-344	Brandon Schmitcke	2022	Lot 16, Block 7, Island Park Estates	60% Disabled Veteran	\$333,300	\$225,300
24-345	Brandon Schmitcke	2023	Lot 16, Block 7, Island Park Estates	60% Disabled Veteran	\$370,300	\$262,300
24-346	Eugene O & Eileen A Berg Jerry & Margaret	2023	Lot 1, Block 1, Countryside Estates	50% Homestead Credit	\$332,200	\$240,534
24-347	Zimmerman	2023	1995 Schult 28 x 56, #R263761AB	50% Homestead Credit	\$48,263	\$24,132
24-348	Schwindt Family Trust	2023	Lot 11, Block 2, K + L's 4th Addition	50% Homestead Credit	\$346,300	\$246,300
24-349	Carl Vandetti	2023	Lot 1, Block 8, Eastside Heights	50% Homestead Credit	\$255,400	\$155,400
24-350	Cleone & Sharon Jensen	2024	2008 Friendship 32 x 64, #31087 SE1/4 beg @ SE cor then W 1502', N 2597.15', E 1160.44, SE on R/W to 970.76'	50% Homestead Credit	\$118,477	\$59,238
24-351	Andrew & Terry Leingang	2023	N of SE cor th S to POB	100% Homestead Credit	\$215,200	\$15,200
24-352	Brian Hanna	2023	1999 Champion 28 x 68, #0599484360	50% Disabled Veteran	\$69,458	\$32,292
24-353	Brian Hanna	2024	1999 Champion 28 x 68, #0599484360	50% Disabled Veteran	\$69,458	\$32,292
24-354	Cynthia M Welk	2023	Lot 11, Block 9, Meadow Valley 2nd Addn	100% Homestead Credit	\$241,600	\$41,600

Block 13, Replat Homan Acres, Lot D of Lot
1 Washington Court Condominiums

24-355	Rita Albrecht Daniel & Pauline Baker	2023	Building 2026 Unit 1 Garage 12	100% Homestead Credit	\$112,800	\$0
24-356	Family Revocable Trust Floyd & Janice M	2023	Lot 24, Block 1, North Hills 3rd	50% Homestead Credit	\$399,500	\$299,500
24-357	Gillenberg	2023	Lot 26, Block 1, Evergreen Ridge Addition	100% Homestead Credit	\$295,500	\$95,500
24-360	Nancy Cerkony	2023	Lot 4, Block 7, Jennings 2nd	100% Homestead Credit	\$229,600	\$29,600
24-361	Gerald R & Shirley A Kroh	2023	Lot 2, Block 15, Casey's 3rd	100% Homestead Credit	\$177,900	\$0
24-362	Steve Sharkey	2023	Lot 14, Block 11, Register's 2nd	50% Homestead Credit	\$203,600	\$103,600
24-363	Jack & Merilynn Starck	2023	Lot 1, Block 8, Sattler's Sunrise 7th	50% Homestead Credit	\$334,300	\$234,300
24-364	Betty J Teske	2023	N 67' of Lot 2, Block 4, Jennings 1st	50% Homestead Credit	\$269,200	\$169,200
24-365	Irene M Rankin Marian & Marvin	2023	2 Private Road Access, Block 3, Eastbluff Village	50% Homestead Credit	\$311,500	\$211,500
24-366	Hochhalter Grant I & Lois E	2023	E 1/2 of E 1/2 of S 199.5' of N 217.5' of Aud Lot 6, Block 6, Park Hill (Aud Lots)	100% Homestead Credit	\$210,600	\$10,600
24-367	Kalbfleisch	2022	Lot 14 EXC S 48' all Lot 15 EXC N 12', Block 8, Replat Homan Acres	100% Homestead Credit	\$272,400	\$147,400
24-368	Darlene Boustead	2023	Lot 4, Block 1, Sandy River Estates	100% Homestead Credit	\$362,900	\$162,900
24-369	Rebecca Hermanson	2023	N 1/2 NE 1/4 12-141-80	100% Homestead Credit	\$136,900	\$0



MORTON COUNTY

STATE OF NORTH DAKOTA

OFFICE OF EMERGENCY MANAGEMENT
Patrick Martin, Director



701.667.3290 • patrick.martin@mortonnd.org

Memorandum of Understanding for Federal Emergency Assistance

January 11th, 2024

To: Burleigh County Emergency Management
Burleigh County Commission, Chairperson
Burleigh County Auditor

RE: MORTON / BURLEIGH Mutual Aid Agreement – County to County

Morton County is in the process of updating our mutual aid agreements with the surrounding counties to include Burleigh, Emmons, Grant, Mercer, Oliver, Sioux and Stark.

The process is necessary to follow the Homeland Security Department Guidelines; specifically, the reimbursement procedures following a declared disaster. FEMA requires that counties have a Mutual Aid agreement in place before the incident or disaster occurs.

If you are agreeable to entering into a mutual aid agreement with Morton County, please review the enclosed memorandum with your States Attorney, Commissioners and Auditor. If any changes are desired, please contact me so I can correct all copies. When the agreement is satisfactory to all parties, please sign both copies, retain a copy and mail one to the Morton County Emergency Manager by March 30th, 2024.

Hereafter, this mutual aid agreement will be reviewed by Morton County's Local Emergency Planning Committee (LEPC), Morton County Emergency Manager and Morton County Commissioners for future recommended changes.

Should you have any questions, please call me at 701.667.3290.

Sincerely,

Patrick Martin
Morton County Emergency Manager



MORTON COUNTY

STATE OF NORTH DAKOTA

OFFICE OF EMERGENCY MANAGEMENT
Patrick Martin, Director

701.667.3290 • patrick.martin@mortonnd.org

MUTUAL AID AGREEMENT

Memorandum of Understanding (MOU) By and Between Morton County and Burleigh County

Whereas, the laws of the State of North Dakota provide that each political subdivision is empowered to make and enter into mutual aid agreements with other political subdivisions in order to more effectively respond and provide public safety services during emergency situations;

Whereas, the undersigned political subdivisions that are parties to this mutual aid agreement must confront numerous threats to public health and safety, including but not limited to natural or manmade disasters;

Whereas, none of the parties to this Agreement possesses all of the necessary resources to cope with every possible incident, emergency, or disaster by itself, and an effective, efficient response can best be achieved by the application and leveraging of the collective resources of these entities;

Whereas, the parties to this Agreement have determined it is in their collective best interest to develop and implement preparedness plans and conduct joint exercises in advance of a sudden and immediate need in order to enhance the efficiency and effectiveness of their response to any emergency or disaster;

Whereas, it is desirable that each of the parties hereto should voluntarily aid and assist each other in the event an emergency situation should occur, by the interchange of response services; and

Whereas, the parties hereto are geographically located in proximity to one another in Central North Dakota; and

Whereas, the Mutual Aid Agreement process is necessary to be in compliance Homeland Security Department Guidelines; specifically, the reimbursement procedures following a declared disaster FEMA requires that counties have a Mutual Aid Agreement in place before the incident or disaster occurs; and

Whereas, it is necessary and desirable that a mutual aid agreement be executed for the interchange of such mutual assistance on a local, county, and/or regional basis; now, therefore, it is hereby agreed by and between each and all of the parties hereto as follows:

Terms of the Agreement

- 1) Each party agrees that in the event of an emergency situation, each other party to this mutual aid agreement shall furnish such personnel, equipment, facilities, or services as are available, provided that such actions would not unreasonably diminish the assisting entity's ability to provide emergency services within its jurisdiction.

- 2) Each party shall designate the appropriate official within its jurisdiction who has the legal authority to bind its jurisdiction to this Agreement and who shall sign this agreement.
- 3) In order to invoke assistance under the provisions of this Agreement, the authorized representative from the requesting entity shall be required to contact the Authorized Representative of the responding entity by voice communication system, in writing or through a message relay provided by an emergency dispatch center. Any request for aid hereunder shall include a statement of the amount and type of equipment and personnel requested, and shall specify the location to which the equipment and personnel are to be dispatched. The responding entity may request such information from the requesting entity as is necessary to confirm the emergency situation and to assess the types and amounts of assistance that shall be provided.
- 4) During an emergency situation, all personnel from responding entity shall report to and shall work under the direction of the designated incident commander/unified command. Personnel from either the requesting or the assisting entity may receive supervision from any command personnel from the combined participating entities if authorized by the incident commander or designee in the incident command structure. Tactical teams (e.g. bomb disposal, canine and special weapons) shall operate under the direction of their tactical commander once they are authorized to undertake assignments.
- 5) Pursuant N.D.C.C. § 44-08-20, N.D.C.C. § 37-17.1-14 and N.D.C.C. § 12-63-03 sub 2 peace officers employed by parties named herein and acting pursuant to this agreement shall have the full and complete authority of a peace officer in any of the jurisdictions named herein.
- 6) In any emergency situation in which the mutual aid agreement has been invoked, radio communications will be established between the entities, where possible, through the use of the local public mutual aid radio system of utilization of the statewide frequency management interoperability plan.
- 7) Assisting entity personnel and equipment shall be released by the requesting entity when the resources are no longer needed. The assisting entity may also withdraw its personnel and equipment when deemed to be in the best interest of the assisting entity and following notice provided to the requesting entity of the intended action. The assisting entity may withdraw resources if it determines response conditions are beyond acceptable risk. There will be no liability for withdrawal placed on or transferred to the assisting entity.
- 8) The requesting entities agree to reimburse assisting entities for actual costs of personnel, equipment, facilities and related resources used during the period of assistance unless mutually accepted costs associated with these resources have been pre-identified in addendum to this agreement. The providing jurisdiction and or discipline may waive all or any part of the payment for costs at its sole discretion depending on the size of the mutual aid package and the length of the deployment. Funding sources associated with this agreement may include any or all combinations of federal, state, local, and private funding. Signatories understand that federal reimbursement as a result of declared disasters or emergencies, is contingent upon policy and practice. If participating jurisdictions routinely waive response costs, such costs normally acceptable for federal reimbursement will be ineligible. All reimbursement will be based upon proper documentation, accountings, inventories, receipts, and other evidence of expenses provided by the responding entity.
- 9) Any lending of a facility pursuant to this agreement is subject to the following conditions:
 - a. Any request for aid hereunder shall include a statement of the amount of work space requested and type of support systems desired. This will be dependent on availability of resources.
 - b. The host agency will provide oversight of requesting agency's technical experts tasked to establish and maintain information technology operating and communications systems.
 - c. Requesting entity will not connect, disconnect, or otherwise modify any information technology operating or communications system without the expressed permission of host agency staff.
 - d. Requesting entity shall vacate the facility when the facility no longer is operationally required by the requesting agency or the facility becomes operationally required by the host agency. The host agency shall provide notice to the requesting agency for the return of the facility.
 - e. Requesting entity shall return facility to host agency in like condition as when requesting agency first occupied the workspace.
- 10) Liability, Workers' Compensation, Property Damage.

- a. **Workers' Compensation Coverage:** Each member political subdivision will be responsible for its own actions and those of its employees and is responsible for complying with the rules established within the State of residence of the entity. Coverage under this act may be obtained (1) by a policy with an insurance company licensed to do business in the State of residence of the political subdivision (2) by being a qualified self-insured, or (3) by being a member of a group self-insurance association. Each member political subdivision should understand that workers' compensation coverage does not automatically extend to volunteers. Each political subdivision may obtain workers' compensation coverage for any volunteer at the political subdivision's discretion. Workers' compensation for certain volunteers (e.g., volunteer fire fighters, volunteer lifesaving or volunteer rescue squad members, volunteer law enforcement chaplains, auxiliary or reserve police, auxiliary or reserve deputy sheriffs, volunteer emergency medical technicians, and members of volunteer search and rescue organizations) may be obtained by adding this exposure to the locality's workers compensation coverage. As an alternative, the individual volunteer department or person may obtain workers' compensation insurance coverage for this exposure.
- b. **Automobile Liability Coverage:** Each member political subdivision is responsible for its own actions and is responsible for complying with the motor vehicle financial responsibility laws of the state of residence of the political subdivision. Coverage under these laws may be obtained (1) by a policy with an insurance company licensed to do business in the state of residence of the political subdivision, (2) by being a qualified self-insured, or (3) by being a member of a group self-insurance association. Each member locality agrees to obtain automobile liability coverage with at least a \$250,000.00 per person and \$500,000.00 per occurrence limit and coverage extended to owned, non-owned, and hired vehicles. It is understood that the member political subdivision may include in the emergency response volunteer companies that have motor vehicles titled in the name of the volunteer company. It is the responsibility of the

member political subdivision to determine if the volunteer company has automobile liability coverage as outlined in this section. This provision is met by being a qualified self-insured or by being a member of a group self-insurance association.

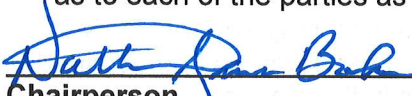
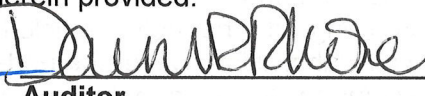
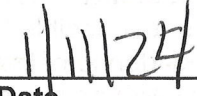
c. **General Liability, Public Officials Liability, and Law Enforcement Liability:**

- (1) Each member political subdivision is responsible for its own actions.
 - (2) For the purposes of (N.D.C.C § 32-12.1 Governmental Liability) only the employees and officers of the assisting entity are deemed to be employees of the requesting entity.
 - (3) Under no circumstance, however, shall a party be required to pay on behalf of itself and other parties, any amounts in excess of the limits on liability established in N.D.C.C. § 32-12.1, applicable to any one party. The limits of liability for some or all of the parties may not be added together to determine the maximum amount of liability for any party.
- 11) On a regular basis, each party shall develop and update a plan providing for effective mobilization of resources and facilities.
 - 12) Interagency assistance plans may be developed and updated on a regular basis by the parties hereto and are operative between the parties in accordance with the provisions of such plans. In addition to the emergency response plans set forth in this agreement, the parties herein may develop and implement memorandums of agreement relating to additional assistance on a routine non-emergency basis.
 - 13) The parties agree to meet on a regular basis to review interagency assistance plans and the provisions of this Agreement.
 - 14) Nothing within this Agreement shall prevent any of the parties herein from entering into similar agreements with any other entity.
 - 15) This Agreement shall become effective when approved and executed by the appropriate political subdivision of each party to this Agreement. The Agreement shall remain in effect between each and every party until participation in this agreement is terminated by the party. Termination of participation in this Agreement by a response entity shall not affect the continued operation of the Agreement between and among the remaining parties. Any party to this Agreement may terminate participation in this Agreement upon thirty days written notice addressed to the designated public official of each of the other signatory political subdivisions that are parties to this Agreement. This Agreement is binding on

future political subdivisions boards and commissions and participating response entities unless affirmative measures have been taken to terminate the Agreement as defined herein.

- 16) The execution of this Agreement shall not give rise to any liability or responsibility for failure to respond to any request for assistance made pursuant to this Agreement. This Agreement shall not be construed as or deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action whatsoever hereunder for any cause whatsoever.
- 17) Either party to this agreement may withdraw at any time upon a thirty (30) day written notice to the other party; thereafter such withdrawing party shall no longer be a party to this agreement.

IN WITNESS WHEREOF, this Agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

		
Chairperson	Auditor	Date
Morton County Commission	Morton County	

_____	_____	_____
Chairperson	Auditor	Date
Burleigh County Commission	Burleigh County	



January 25, 2024

Board of County Commissioners
County of Burleigh
PO Box 5518
Bismarck, ND 58506-5518

ATTN: Auditor/Treasurer/Mark Splonskowski,

On January 23, 2024, the Board of City Commissioners met and, based on recommendations from the City Assessing Division, approved a reduced valuation of \$924,900.00 with a land valuation of \$91,800.00 and an improvement valuation of \$833,100.00.

Application for abatement for 2023
Property Owner – Harbor Properties LLC
Property Address – 1941 North 11th Street
Parcel ID – 0486-010-001

Please see the attached information. The Board of City Commissioners recommends concurrence of the Board of County Commissioners.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Tomanek", is written over a faint, larger version of the signature.

Jason Tomanek
Assistant City Administrator
City of Bismarck

cc: Dmitriy Chernyak, Director of Finance

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District 1
County of BURLEIGH Property I.D. No. 0486-016-001
Name HARBOR PROPERTIES LLC Telephone No. _____
Address 4718 HARBOR TRL SE, MANDAN, ND 58554-7950

Legal description of the property involved in this application:

REPLAT TIBESAR'S 1ST SUB Block: 16 LOTS 1-2, LESS S 5' OF LOT 2

Property Address: 1941 N 11th ST

Total true and full value of the property described above for the year 2023 is:

Land \$ 91,800
Improvements \$ 961,900
Total \$ 1,053,700
(1)

Total true and full value of the property described above for the year 2023 should be:

Land \$ 70,000
Improvements \$ 734,000
Total \$ 804,000
(2)

The difference of \$ 249,700.00 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that Abatement be approved as submitted.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____ Signature of Applicant James T Lobeck Date 12-27-23

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Bismarck City Commission

On January 23, 2024, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be approved at a reduced valuation of \$924,900 - Land = \$91,800, Improvements = \$833,100.

Dated this 24th day of January, 2024

[Signature]
City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached.

Dated _____,

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest? yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

**Application For Abatement
Or Refund Of Taxes**

Name of Applicant Herber Properties LLC

County Auditor's File No. 24-011

Date Application Was Filed With The County Auditor 1/2/2024

Date County Auditor Mailed Application to Township Clerk or City Auditor 1/2/2024
(must be within five business days of filing date)

Made Splenskowski
MP



Finance Department

DATE: January 23, 2024

FROM: Allison Jensen, City Assessor

ITEM: Consider the abatement application requested by Harbor Properties LLC for the 2023 assessment year.

REQUEST:

Consider the application for abatement requested by Harbor Properties LLC for the 2023 assessment year, where the Assessing Division recommends denial of the request but recommends approval of a reduced amount.

BACKGROUND INFORMATION:

The above application for tax abatement was submitted by James Lobeck, registered agent for Harbor Properties LLC for the 2023 assessment year. Mr. Lobeck requests you to reduce the value from \$1,053,700 to \$804,000. Please see the attached abatement form and property record sheets.

Mr. Lobeck shared his concern about the valuation of this property compared to the market report on multifamily properties received from a local realtor. The market report indicates an average price of \$63,888 for the 23 units sold in 2022. The information does not share what 23 units were sold or how they would compare to the subject property. Mr. Lobeck did share two specific properties to support his value request. 1830 Allison Dr and 2723 Hawken St. Specific information on how these two properties compare to the subject is included in this packet.

Assessing made a review of the property and is recommending the valuation be lowered from \$1,053,700 to \$924,900. Included in this packet is a list of comparable sales from 2022 and 2021. The price per unit is calculated by subtracting the land value from the sales price and dividing by the number of units. These sales support Assessing's recommended value adjustment.

RECOMMENDED CITY COMMISSION ACTION:

The Assessing Division recommends denial of the abatement application but approval of a reduction to our 2023 certified value of:

Land: \$91,800

Improvements: \$833,100

Total: \$924,900

STAFF CONTACT INFORMATION:

Allison Jensen, City Assessor, 701-355-1621, ajensen@bismarcknd.gov

ATTACHMENTS:

1. Abatement Harbor Properties

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District 1
County of BURLEIGH Property I.D. No. 0486-016-001
Name HARBOR PROPERTIES LLC Telephone No. _____
Address 4718 HARBOR TRL SE, MANDAN, ND 58554-7950

Legal description of the property involved in this application:

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Property Address: 1941 N 11th St

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Total \$ 1,053,700
(1)

Total true and full value of the property described above for the year 2023 should be:

Land \$ 70,000
Improvements \$ 734,000
Total \$ 804,000
(2)

The difference of \$ 249,700.00 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that Abatement be approved as submitted.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____ Signature of Applicant James T Loback Date 12-27-23

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
 Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached.

Dated _____

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

Application For Abatement
 Or Refund Of Taxes

Name of Applicant Herber Properties LLC

County Auditor's File No. 24-011

Date Application Was Filed With The County Auditor 1/2/2024

Date County Auditor Mailed Application to Township Clerk or City Auditor _____
(must be within five business days of filing date)

Made Splensky
MP

MULTIFAMILY QUARTERLY UPDATE

FEBRUARY 2023



Bismarck		
Year	# Sales	Avg Price/Apt.
2018	15	\$69,399
2019	3	\$66,025
2020	33	\$65,201
2021	35	\$75,408
2022	23	\$63,888

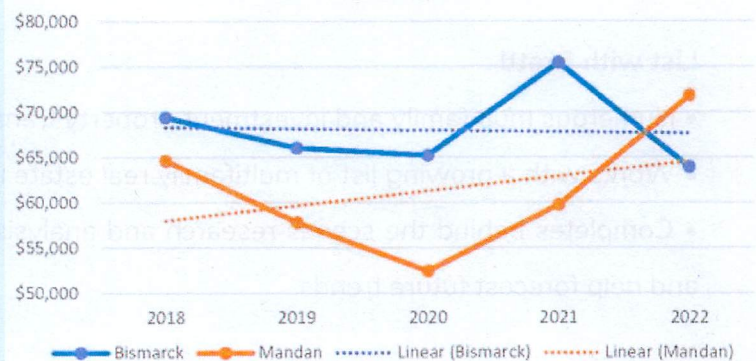
Mandan		
Year	# Sales	Avg Price/Apt.
'17 & '18	8	\$64,624
2019	5	\$57,817
2020	5	\$52,458
2021	5	\$59,740
2022	6	\$71,831

Bismarck/Mandan Apartment Data: At the start of 2023, I wanted to look back at the last five-six years to see how these markets have performed and if any observable trends exist.

Both communities had decreasing sale prices from 2018-2020. The large influx of government money pumped into the economy post Covid drove up the prices in 2021 as there was a surplus of available capital and many investors were willing to pay higher prices to secure investments. Now that most of that capital has been spent and interest rates are rising, many investors are pulling back, resulting in lowered prices. Mandan's 2022 increase in price/apartment is a result of two of the six sales achieving what appear to be above market pricing. Even so, when looking at the trend lines for the last five years, Bismarck's market has remained relatively stable and Mandan has seen a steady increase in apartment pricing.

Bismarck-Mandan Market Outlook: The Federal Reserve still plans 0.25% rate increases in March and in May, though some economists are also anticipating a June rate increase. The current inflation rate is around 6.5% and the FED would like to see it around 2.0%. It is coming down as inflation was 9.1% last June, but not as quickly as they would like. Rising interest rates erode buying power and slow down spending, which is the FED's goal. This will likely result in lower sale prices as the price will need to come down to meet demand. However, it is not all doom and gloom. Many of the same factors limiting peoples' buying power will also help with Tenant retention. High interest rates and construction prices limit affordability for people looking to transition from renting to owning. Whether this translates into increased rents is yet to be seen.

Average Price/Apartment



Market Research/Analysis:

[02_06_23_February_FED_Meeting_CRE_Implications - YouTube](#)

Is Seller Financing a Good Idea?: I have been asked by about 80% of investors if the Sellers I am working with would consider Seller Financing. If you have your property paid off or are close to doing so and have considered selling, this may be a good strategy. In this scenario the Seller acts as a bank and they receive a down payment, monthly payments at a predetermined interest rate, and a balloon payment. This can be a way that you still make money from the property, but don't have the hassle of managing the day-to-day operations. If this strategy interests you, please reach out to discuss further.

Multifamily properties currently listed by Brett:

817 N 26th Street: [Webpage](#)

1100 Pleasant Street: [Webpage](#)

229 E Bismarck Expy: [Webpage](#)

325 Eastdale Drive (Pending): [Webpage](#)

1106 Bozeman Drive (Pending): [Webpage](#)

How can a Broker's Price Opinion help you?

- Determine supportable sale and asking prices.
- Help with accounting, taxation, and estate planning decisions.
- Assist with potential sale negotiations or partnership buyouts.

What is your property worth? » [LEARN MORE](#)

List with Brett!

- Numerous multifamily and investment property transactions closed.
- Works with a growing list of multifamily real estate investors.
- Completes behind the scenes research and analysis to understand current market conditions and help forecast future trends.

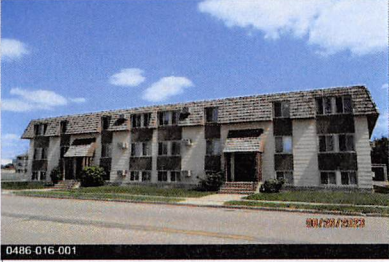
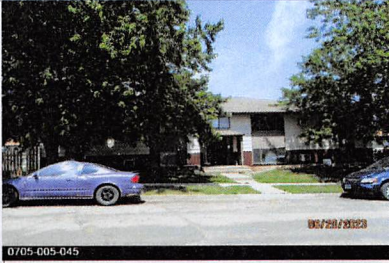



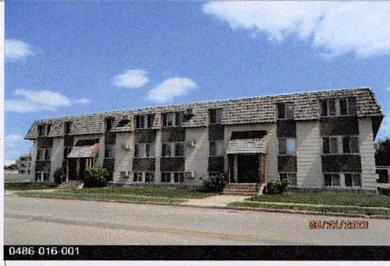


BRETT BINA, COMMERCIAL REALTOR®
Advisor


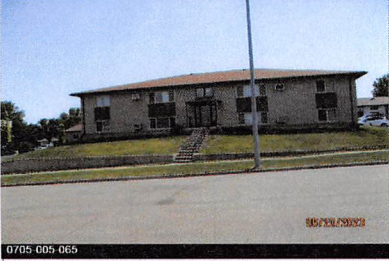
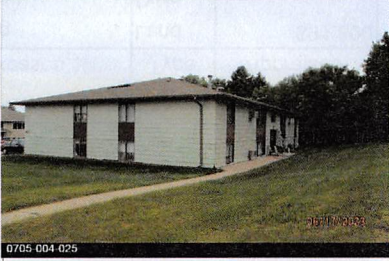

Let's connect!

-  701-527-9101
-  brett@thecragroup.com
-  TheCRAGroup.com



<u>Subject Location</u>	<u>SF</u>	<u>Assessment Year</u>	<u>Value</u>	<u>Value/Unit</u>	<u>Year Built</u>	<u>Photo</u>	<u>Comments</u>
1941N 11th St 0486-016-001	13,800	2023	\$1,053,700	\$80,158	1974		12 unit, 3 Story building, all units 2 bed 1 bath with laundry in unit, property has detached single car garage
			\$924,900	\$69,425			2023 value recommendation
<u>Comparable Property Information</u>							
<u>Location</u>	<u>SF</u>	<u>Assessment Year</u>	<u>Value</u>	<u>Value/Unit</u>	<u>Year Built</u>	<u>Photo</u>	
0705-005-045 1830 Allison Dr	7,178	2023	\$511,600	\$58,663	1977		8 unit, 2 story building, all 2 bed 1 bath units, shared laundry in building, no garage
0565-001-300 2723 Hawken St	24,012	2023	\$1,618,200	\$59,375	1983		24 unit, 3 story building, 2-2 bed 1 bath, 22-3 bed 1 bath units, shared laundry, detached single car garage - 12 units

<u>Subject Location</u>	<u>SF</u>	<u>Assessment Year</u>	<u>Value</u>	<u>Value/Unit</u>	<u>Year Built</u>	<u>Photo</u>	<u>Comments</u>
1941N 11th St 0486-016-001	13,800	2023	\$1,053,700	\$80,158	1974		12 unit, 3 Story building, all units 2 bed 1 bath with laundry in unit, property has detached single car garage
			\$924,900	\$69,425			2023 value recommendation
Comparable Sales Information							
<u>Location</u>	<u>SF</u>	<u>Date of Sale</u>	<u>Sale Price</u>	<u>Value/Unit</u>	<u>Year Built</u>	<u>Photo</u>	
0175-001-080 1103 N 3rd St	4,500	8/1/2022	\$555,000	\$56,111	1952		9 unit, 2 Story building, 7 efficiency, 1-2 bed, 1-1 bed, with 1 bath, shared laundry in building, no garage
1336-004-001 1621 N 35th St	15,168	9/20/2021	\$1,525,000	\$113,658	2008		12 unit, 3 Story building, all units 3 bed, 2 bath, with laundry in unit and detached double car garage

Comparable Sales Information							
<u>Location</u>	<u>SF</u>	<u>Date of Sale</u>	<u>Sale Price</u>	<u>Value/ Unit</u>	<u>Year Built</u>	<u>Photo</u>	
1172-003-001 645 Bridgeport Dr	15,084	8/26/2021	\$1,375,000	\$101,925	1994		12 unit, 2 Story building, all 2 bed 2 bath with laundry in unit and detached double car garage
0705-005-065 1827 E Capitol Ave	7,424	9/28/2021	\$650,000	\$72,563	1976		8 unit, 2 Story building, all 2 bed 1 bath units, shared laundry in building, no garage
0705-004-025 1825 Allison Dr	7,178	12/8/2021	\$640,000	\$73,088	1975		8 unit, 2 story building, all 2 bed 1 bath units, shared laundry in building, no garage
0486-018-045 1010 E Owens Ave	8,004	6/7/2021	\$675,000	\$95,800	1972		6 unit, 3 story building, all 3 bed 1 bath units, shared laundry in building, detached single car garage

1941 N 11TH ST, BISMARCK

Deed: HARBOR PROPERTIES LLC

Map Area: APARTMENT 11-19 UNIT

Checks/Tags:

Contract:

Route: 000-000-000

Lister/Date: JB, 08/25/2023

CID#:

Tax Dist: 01-01

Review/Date: JB, 12/29/2022

DBA:

Plat Page:

Entry Status: Exterior Only

MLS:

Subdiv: 0486-REPLAT TIBESAR'S 1ST SUB

Urban / Commercial

Legal: REPLAT TIBESAR'S 1ST SUB

Block: 16

LOTS 1-2, LESS S 5' OF LOT 2

Land													
Land Basis	Front	Rear	Side 1	Side 2	R. Lot	SF	Acres						
Lump Sum						20,532.00	0.471						
FF Main	132.00	138.00	150.00	0.00	0.00								
Sub Total													
SqFt X Rate													
Subtotal													
Grand Total													

Street	Utilities	Zoning	Land Use
Lump Sum	None	City	Commercial
FF Main	None	None	Apartment
SqFt X Rate	None	UPDATED LAND	Not Applicable

Sales				Building Permits				Values				
Date	\$ Amount	NUTC	Recording	Date	Number	Tag	\$ Amount	Reason	Type	Appraised		Pr Yr: 2023
02/14/2006	\$891,000	D093	650654	11/1/2012	BL20122271	N	\$60,000	Building	Land	\$91,800		\$91,800
				10/17/2012	EL20121369	N	\$0	Electrical	Dwlg			
									Impr	\$961,900		\$961,900
									Total	\$1,053,700		\$1,053,700

Precomputed Structure	
Occ. Code	702
Occ. Descr.	Apartment
Year Built	1974
EFF Age/Yr	50/ 1974
Condition	NML
Description	B1 3S FR
Style	Frame - Wood
Stories	3
Base	4,600
Basement	0
Basement Parking	No
Av SF/Unit	0
1st Flr Inset Adj	0
Calc Ave. SF/Unit	1,150
GBA	13800

Verticals			
Ftg & Fdtn	einforced Concrete w/o Bsmt	8"	
Exterior wall	Wood - Frame	0	
Interior wall	Drywall or Equiv.	0	
Pilasters			
Wall facing			
Windows	Incl. w / Base	3	
Fronts/Doors	Incl. w / Base		

Horizontals			
Basement			
Roof	3-Ply Compo/ Wood Deck		
Ceiling	Drywall	3	
Struct. Floor	R'Concrete	3	Wd Deck on Wood Joist 3
Floor Cover	Carpet	3	Vinyl Sheet 3
Partitions	Drywall	3	
Framing	Wood - Average	3	
HVAC	Hot Water	3	
Electrical	Apartment	3	
Sprinkler			

Plumbing		B	Ext
Sink-Kitchen		12	
3-Fixture Bathroom		12	

Adjustments		
Apt - A/C deduct wall u	13,800	AVG
Apt - Hot water or stea	13,800	AVG

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(rev. 26.0.54.5437)

Bldg / Addn	Description	Units	Year						
Bldg	O 702 –Apartment								
Pre	P 702 –Apartment	4,600							
	Uppers Adjustment	9,200							
V	Ftg & Fdtn								
	Reinforced Concrete w/o Bsmt - 8"								
V	Exterior Wall								
	Wood - Frame - 0								
V	Interior Wall								
	Drywall or Equiv. - 0								
V	Windows								
	Incl. w / Base - 3	3							
V	Fronts/Doors								
	Incl. w / Base								
H	Roof								
	3-Ply Compo/ Wood Deck	4,600							
H	Ceiling								
	Drywall - 3	4,600							
H	Struct. Floor								
	R'Concrete - 3	4,600							
	Wd Deck on Wood Joist - 3	3							
H	Floor Cover								
	Carpet - 3	4,600							
	Vinyl Sheet - 3	3							
H	Partitions								
	Drywall - 3	4,600							
H	Framing								
	Wood - Average - 3	4,600							
H	HVAC								
	Hot Water - 3	4,600							
H	Electrical								
	Apartment - 3	4,600							
Plmb	Sink-Kitchen - Base	12							
Plmb	3-Fixture Bathroom - Base	12							
Adj	Apt - A/C deduct wall units - AVG	13,800							
Adj	Apt - Hot water or steam heat - AVG	13,800							
Ex	Porches,Decks,Patios,etc.	8							
	35 SF, Wood Deck, Average Pricing						1974		

Description		Units	Cond	Year
Yrd	1 — Garage (Commercial)		OBSV	1975
I	2,662 SF, Frame, Avg Pricing			
Yrd	1 — Paving - Asphalt		NML	1975
I	7,700 SF, Asphalt Parking, Avg Pricing			

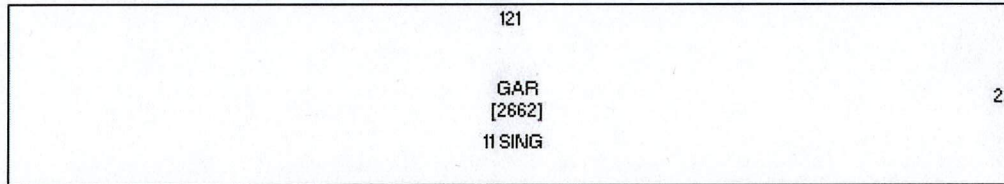


5050		Yrds	1	Garage	201,800	20	2,662,100	20	2,662,100
5051		Yrds	1	Garage	201,800	20	2,662,100	20	2,662,100
5052	01085033 VBVIEMEMTL BICED	Yrds	1	Garage	201,800	20	2,662,100	20	2,662,100
5053	0303133 VBVB FBHOM IN BEOBEM LA DE	Yrds	1	Garage	201,800	20	2,662,100	20	2,662,100
5054	VBVIEM L-01033054	Yrds	1	Garage	201,800	20	2,662,100	20	2,662,100

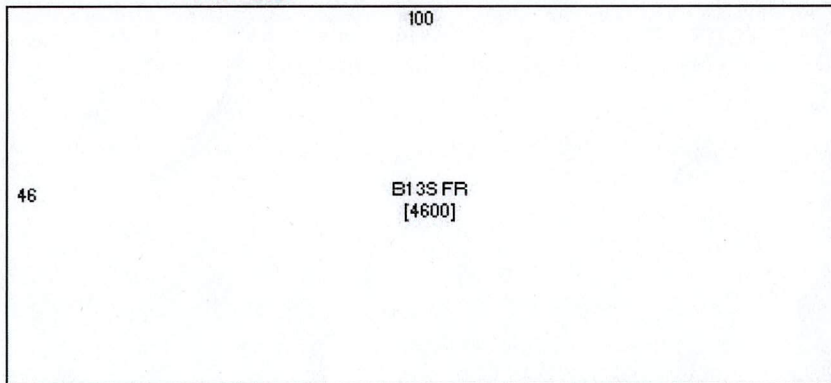
Prior Year	Comment	Value Type	Location	Class	Land Value	Dwelling Value	Improvement Value	M & E Value	Total Value
2023	ABATE F-01/02/2024	BofR	Urban	Comm	\$91,800	\$0	\$961,900	\$0	\$1,053,700
2022	02/07/23 APPR; ERROR IN PROPERTY DE	Abateme	Urban	Comm	\$91,800	\$0	\$757,500	\$0	\$849,300
2022	01/09/2023 ABATEMENT FILED	Appr	Urban	Comm	\$91,800	\$0	\$874,900	\$0	\$966,700
2021		Appr	Urban	Comm	\$91,800	\$0	\$744,900	\$0	\$836,700
2020		Appr	Urban	Comm	\$91,800	\$0	\$763,700	\$0	\$855,500

0486-016-001 1941-1943 N 11TH ST

12 UNIT



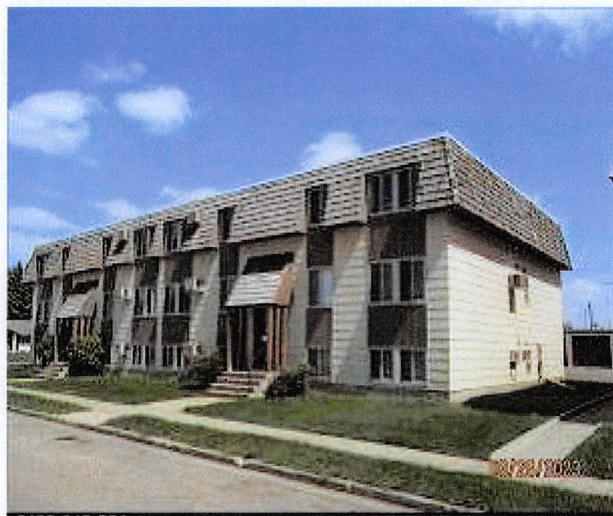
8-5X7 WD DK



Sketch 1 of 1



0486-016-001 Photo 1 of 3 08/26/2023



0486-016-001 Photo 2 of 3 08/26/2023



0486-016-001 Photo 3 of 3 08/26/2023

ITEM

6



ATTENTION NORTH DAKOTA HOMEOWNERS

PRIMARY RESIDENCE

PROPERTY TAX CREDIT

As a North Dakota Homeowner,
You May Qualify for a New Property Tax Credit.

APPLY ONLINE JANUARY 1 - MARCH 31



PRIMARY RESIDENCE

PROPERTY TAX CREDIT

NORTH DAKOTA HOMEOWNERS MAY RECEIVE UP TO A \$500 TAX CREDIT!

- CREDIT REFLECTED ON NEXT YEAR'S PROPERTY TAX STATEMENT
- NO AGE OR INCOME RESTRICTIONS
- PROPERTY MUST BE RESIDENT'S PRIMARY HOME

ONLY ONE CREDIT AVAILABLE PER HOUSEHOLD

APPLY JANUARY 1, 2024 - MARCH 31, 2024 AT
TAX.ND.GOV/PRC

LEARN MORE AT TAX.ND.GOV



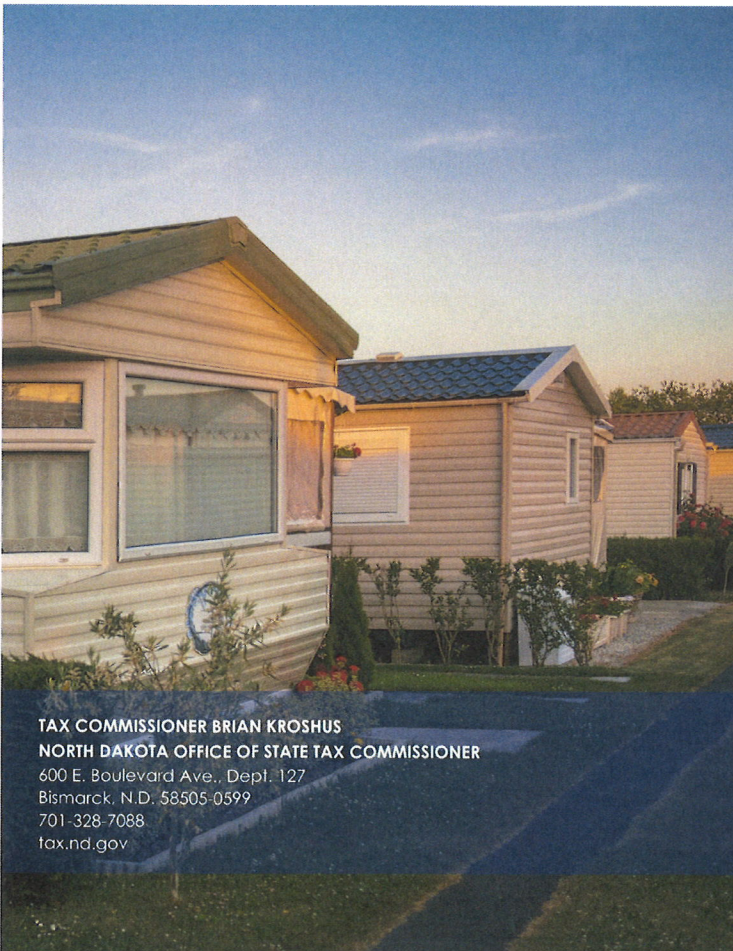
HOMESTEAD & RENTER'S REFUND PROPERTY TAX CREDITS

Senior citizens and individuals with disabilities may qualify for North Dakota property tax credits.



ELIGIBILITY REQUIREMENTS

- 65 years of age or older in the year for which the application is made.
-OR-
Permanently and totally disabled.
- Proof of permanent and total disability must be established.
- Can be a homeowner or renter.
- There is no age requirement for those permanently disabled.
- A homeowner or renter with a disability must meet the same qualifications, except for age, as a senior citizen homeowner or renter.



TAX COMMISSIONER BRIAN KROSHUS
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E. Boulevard Ave., Dept. 127
Bismarck, N.D. 58505-0599
701-328-7088
tax.nd.gov

HOMESTEAD PROPERTY TAX CREDIT

BENEFIT:

The credit reduces the homeowner's taxable value depending on the homeowner's income. The maximum reduction of taxable value may vary from \$4,500 to \$9,000.

APPLICATION PROCESS:

Homeowners must apply for a property tax credit with their local assessor or county director of tax equalization by February 1.

RENTER'S REFUND

BENEFIT:

The applicant's annual rent must be a certain percentage of their income to qualify for a refund.

APPLICATION PROCESS:

Renters must apply for a refund with the Office of State Tax Commissioner before June 1.

Additional information & applications are available @ tax.nd.gov.





DISABLED VETERANS

PROPERTY TAX CREDIT

The Disabled Veterans Credit is a property tax credit that is available to veterans of the United States Armed Forces with service-connected disability.

It may reduce the taxable value of a residence and associated taxes due.



ELIGIBILITY

1. You must be a disabled veteran of the United States Armed Forces with an armed forces service-connected disability of 50% or greater in the year for which your application is made.
2. You must have received an honorable discharge or be retired from the United States Armed Forces.
3. You must reside on and have an interest in the property, as of the assessment date.

APPLY

Applicants will need to provide their DD214 and the determination of disability by the VA to your local assessor or county director of tax equalization.

To apply, submit the Application for Disabled Veterans Property Tax Credit to your local assessor. The applications can be found at www.tax.nd.gov/veterans.



ADDITIONAL INFORMATION

The following table shows how taxable values may reduce with the credit.

Disability Percentage	Maximum Reduction
100%	\$8,100
90%	\$7,290
80%	\$6,480
70%	\$5,670
60%	\$4,860
50%	\$4,050

To qualify, veterans must meet all eligibility requirements and file an application with the local assessor or county director of tax equalization, by February 1 in the year that the property is assessed and credit is requested.

To obtain disability and honorable discharge documentation, contact your Veterans Service Office or the United States Department of Veterans Affairs at 866-634-8387.

Office of State Tax Commissioner
600 E. Boulevard Ave. Dept. 127
Bismarck, N.D. 58505-0599
701-328-7088
tax.nd.gov

ITEM

7



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: February 21, 2024

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."

Dorothy Baker, in the SE ¼ of Section 7, Missouri Township (see attached map), is proposing a three (3) lot subdivision (Baker Subdivision), and is requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to construct and pave a minimum of 0.1 miles of County/Township roadways from the Subdivision to reach the pavement on SH 1804.

Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer 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.

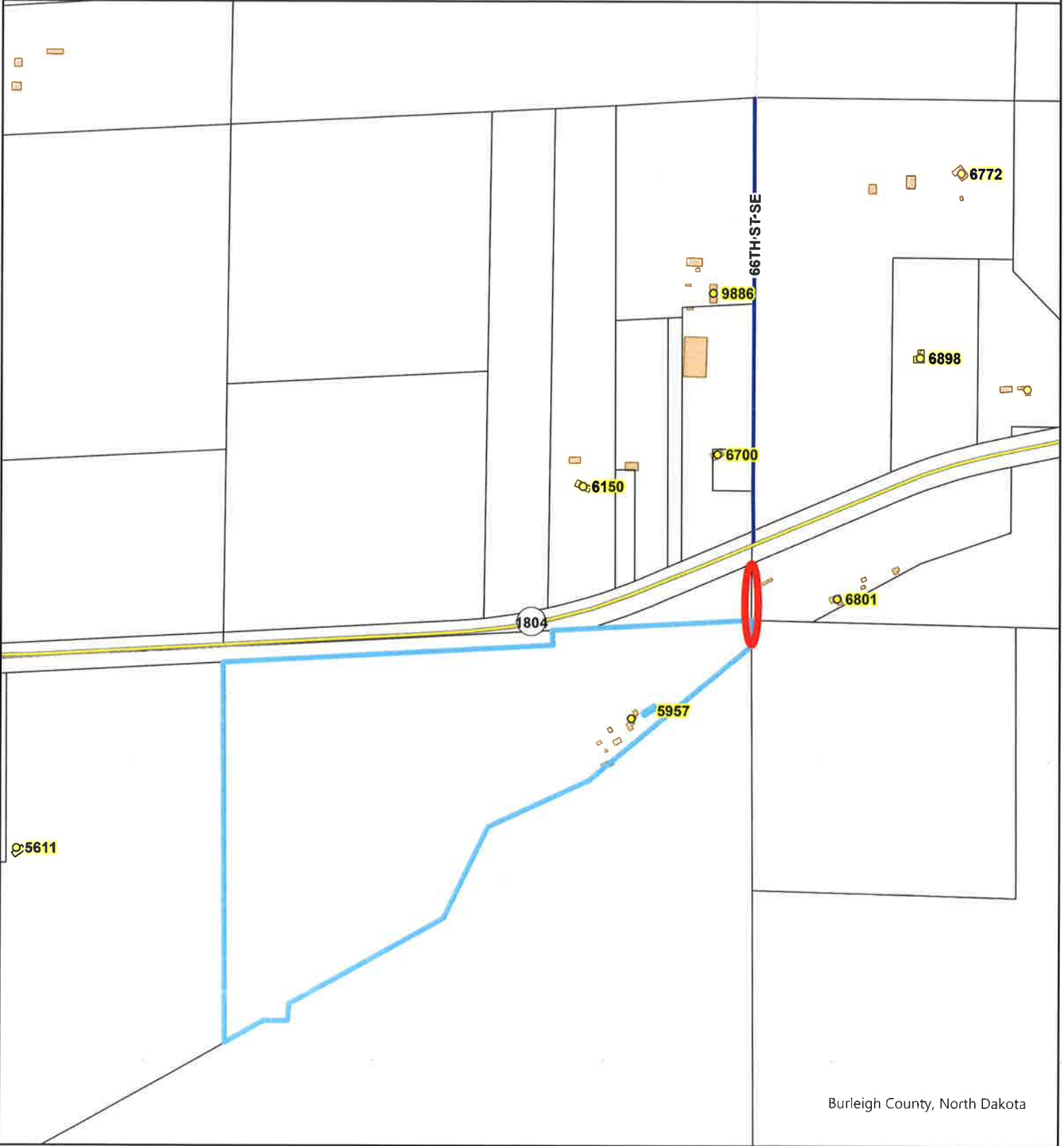
PROPOSED RESOLUTION:

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 Dorothy Baker's request to waive the construction and paving requirements "*paving of all internal roadways and adjacent section line roads*" listed in the Pavement Policy, in conjunction with the approval of the Baker Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
2/8/2024



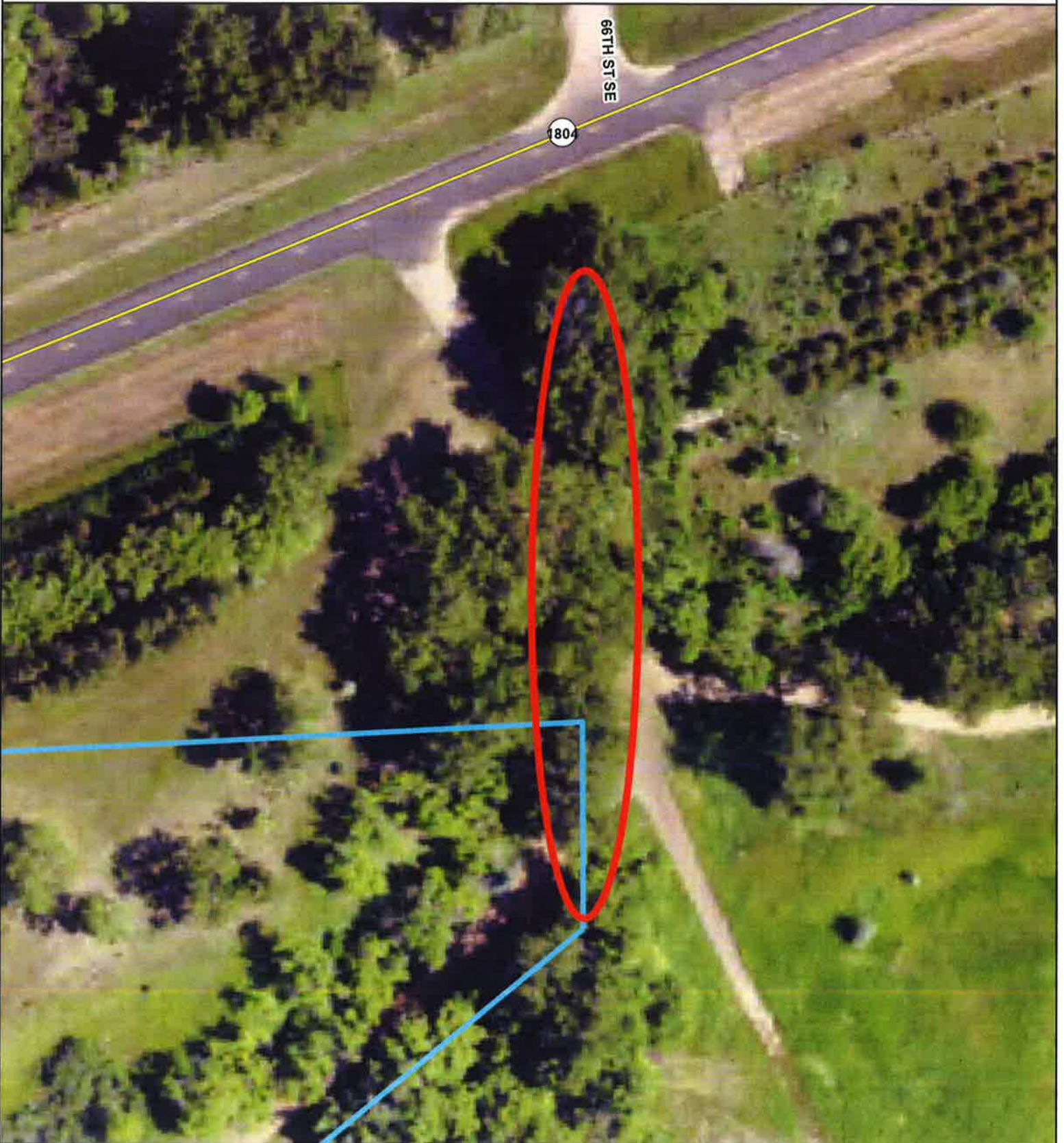
PARCEL ID: 45-137-79-00-18-200 OWNER: BAKER, DOROTHY ACRES: 67.4
SITE ADDRESS: 5951 SE HWY 1804
MAIL ADDRESS: 2200 KOCH DR #337, BISMARCK, ND 58503
LEGAL: MISSOURI TOWNSHIP Section 18 NE1/4 LESS TRACT 4010 & LESS R/W 521543 737368 18-137-79

Burleigh County, North Dakota

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

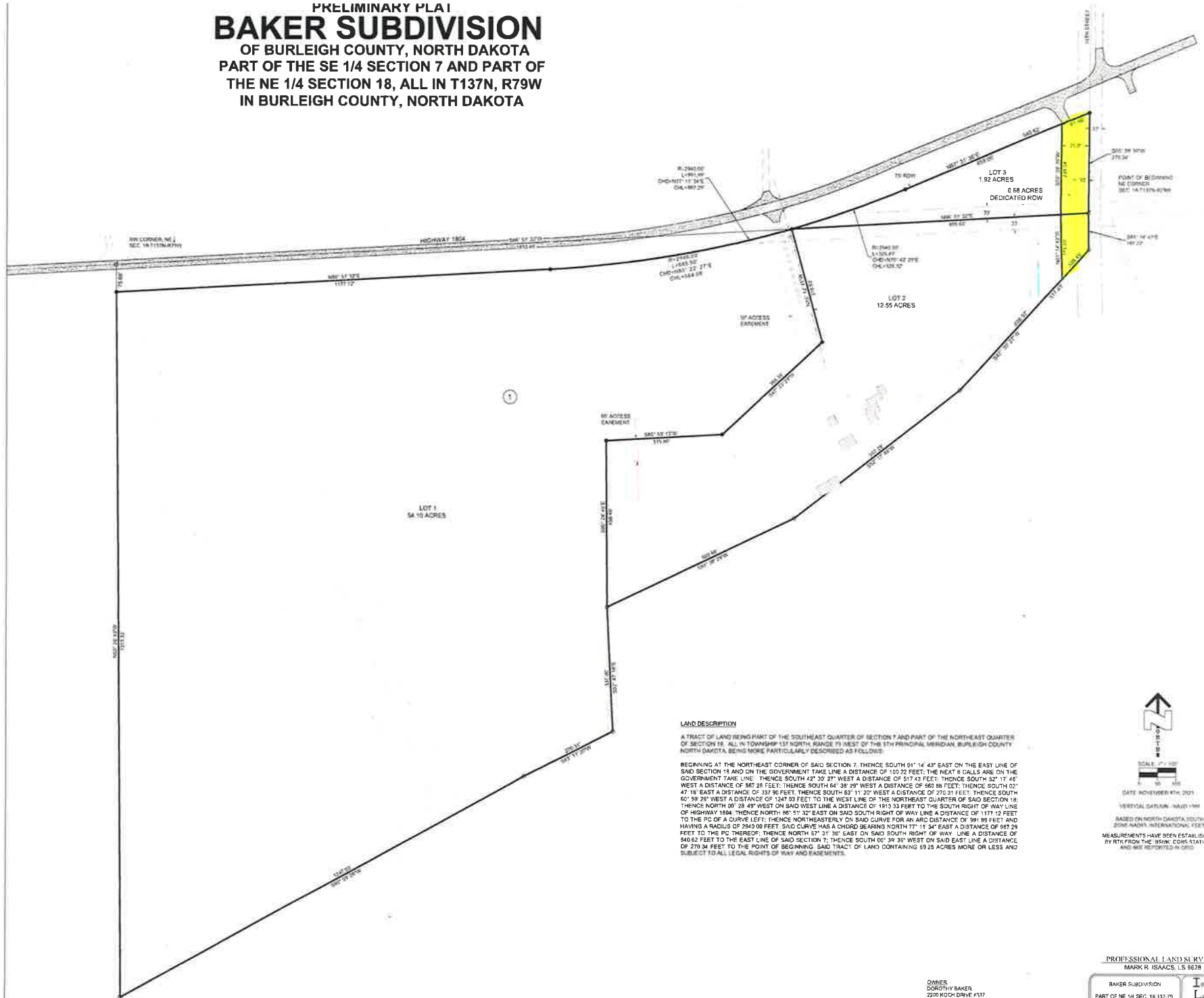
**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
2/8/2024



PARCEL ID: 45-137-79-00-18-200 OWNER: BAKER, DOROTHY ACRES: 67.4
SITE ADDRESS: 5951 SE HWY 1804
MAIL ADDRESS: 2200 KOCH DR #337, BISMARCK, ND 58503
LEGAL: MISSOURI TOWNSHIP Section 18 NE1/4 LESS TRACT 4010 & LESS R/W 521543 737368 18-137-79

PRELIMINARY PLAT
BAKER SUBDIVISION
 OF BURLEIGH COUNTY, NORTH DAKOTA
 PART OF THE SE 1/4 SECTION 7 AND PART OF
 THE NE 1/4 SECTION 18, ALL IN T137N, R79W
 IN BURLEIGH COUNTY, NORTH DAKOTA



LAND DESCRIPTION

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 7 AND PART OF THE NORTHEAST QUARTER OF SECTION 18, ALL IN TOWNSHIP 137 NORTH, RANGE 79 WEST OF THE 11TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE SOUTH 01° 14' 43" EAST ON THE EAST LINE OF SAID SECTION 18 AND ON THE GOVERNMENT TAKE LINE A DISTANCE OF 100.22 FEET; THE NEXT 8 CALLS ARE ON THE GOVERNMENT TAKE LINE; THENCE SOUTH 72° 30' 27" WEST A DISTANCE OF 517.43 FEET; THENCE SOUTH 32° 17' 48" WEST A DISTANCE OF 587.28 FEET; THENCE SOUTH 64° 38' 29" WEST A DISTANCE OF 560.88 FEET; THENCE SOUTH 02° 47' 18" EAST A DISTANCE OF 337.90 FEET; THENCE SOUTH 63° 11' 20" WEST A DISTANCE OF 270.31 FEET; THENCE SOUTH 60° 19' 03" WEST A DISTANCE OF 1047.03 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE NORTH 00° 28' 49" WEST ON SAID WEST LINE A DISTANCE OF 1913.33 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 1804; THENCE NORTH 86° 51' 32" EAST ON SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1177.12 FEET TO THE P.C. OF A CURVE LEFT; THENCE NORTHEASTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 891.88 FEET AND HAVING A RADIUS OF 2940.00 FEET; SAID CURVE HAS A CHORD BEARING NORTH 77° 11' 34" EAST A DISTANCE OF 887.29 FEET TO THE P.C. THEREOF; THENCE NORTH 57° 31' 30" EAST ON SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 540.62 FEET TO THE EAST LINE OF SAID SECTION 7; THENCE SOUTH 00° 39' 30" WEST ON SAID EAST LINE A DISTANCE OF 270.34 FEET TO THE POINT OF BEGINNING SAID TRACT OF LAND CONTAINING 69.25 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.



PROFESSIONAL LAND SURVEYOR
 MARK R. ISAACS, LS 8628

BAKER SUBDIVISION PART OF NE 1/4 SEC. 18 T137N PART OF SE 1/4 SEC. 7 T137N BURLEIGH NORTH DAKOTA	
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4215 Oak Hill Court NW
 Minnetonka, MN 55345
 Phone: 763-881-1114
 Fax: 763-881-1075
 mark@island.com

OWNER
 DOROTHY BAKER
 2205 KOON DRIVE #137
 BISMARCK, ND 58503

NOTES:
 1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 2. SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 3. EXISTING ZONING - AGRICULTURAL.

ITEM

8

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline Project
Siting Application

Case No. PU-22-391

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn S. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **8th day of February 2024**, she deposited in the United States Mail, at Bismarck, North Dakota, **twelve** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order**

The envelopes were addressed as follows:

Lawrence Bender
Fredrikson & Byron, P.A.
1133 College Drive Suite 1000
Bismarck, ND 58501-1215
Cert. No. 7022 3330 0000 7993 4596

Brant M. Leonard
Fredrikson & Byron, P. A.
111 E Grand Avenue, Suite 301
Des Moines, IA 50309-1884
Cert. No. 7022 3330 0000 7993 4602

Randall J. Bakke
Bradley N. Wiederholt
Bakke Grinolds Wiederholt
PO Box 4247
Bismarck, ND 58502-4247
Cert. No. 7022 3330 0000 7993 4619

Steven Leibel
David Knoll
Knoll Leibel LLP
PO Box 858
Bismarck, ND 58502-0858
Cert. No. 7022 3330 0000 7993 4626

Brian E. Jorde
Domina Law Group
2425 S. 144th St.
Omaha, NE 68144
Cert. No. 7022 3330 0000 7993 4633

Kevin Pranis
LIUNA Minnesota & North Dakota
81 E. Little Canada Road
St. Paul, MN 55117
Cert. No. 7022 3330 0000 7993 4640

Bret Dublinske
Fredrikson & Byron, P.A.
111 E Grand Avenue, Suite 301
Des Moines, IA 50309-1884
Cert. No. 7022 3330 0000 7993 4657

James Curry
Babst, Calland, Clements & Zomnir, P.C.
505 9th Street NW Suite 602
Washington D.C. 20004
Cert. No. 7022 3330 0000 7993 4664

Derek Braaten
Braaten Law Firm
109 N 4th Street, Suite 100
Bismarck, ND 58501
Cert. No. 7022 3330 0000 7993 4671

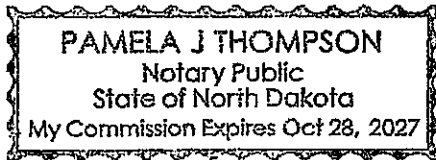
Julie Lawyer
Burleigh County States' Attorney
514 E Thayer Avenue
Bismarck, ND 58501
Cert. No. 9589 0710 5270 0642 4072 33

Patrick Zomer
Moss & Barnett
150 S 5th Street, Suite 1200
Minneapolis, MN 55402
Cert. No. 9589 0710 5270 0642 4072 40

Jannelle Combs
City of Bismarck
221 North 5th Street
Bismarck, ND 58501
Cert. No. 9589 0710 5270 0642 4072 57

The addresses shown are the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **8th day of February 2024**.



SEAL

A large, stylized handwritten signature in black ink, appearing to read "Gregory R. Schmeitzel", written over a horizontal line.

A handwritten signature in black ink, appearing to read "Pamela J. Thompson", written over a horizontal line. Below the signature, the words "Notary Public" are printed.

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline Project
Siting Application**

Case No. PU-22-391

ORDER

February 7, 2024

Preliminary Statement

On November 28, 2023, the Commission issued a Notice of Hearing on Motion, scheduling a hearing for December 21, 2023, at 2:00 p.m. central time in the Pioneer Room, State Capitol Judicial Wing, Ground Floor, Bismarck, North Dakota 58505 (Hearing). The Notice identified the issue to be considered and argued is the application of North Dakota Century Code Section 49-22.1-13 to local land use or zoning regulations.

On December 21, 2023, the Hearing was held as scheduled. SCS Carbon Transport LLC (SCS), Emmons County, Burleigh County, Bismarck Area Intervenors (BAI), Landowner Intervenors, and the Laborers District Council Minnesota and North Dakota (Laborers) provided oral argument.

Discussion

On October 17, 2022, SCS filed applications for a certificate of corridor compatibility and for a route permit concerning approximately 320 miles of carbon dioxide pipeline ranging from 4.5 to 24-inch diameter and associated facilities in Burleigh, Cass, Dickey, Emmons, Logan, McIntosh, Morton, Oliver, Richland and Sargent Counties, North Dakota (Application). During the proceeding, SCS filed a motion requesting the Commission to declare Emmons County and Burleigh County ordinances superseded and preempted pursuant to N.D.C.C. § 49-22.1-13(2)(b). On August 4, 2023, due to the Commission's denial of the applications, the issue of superseding and preemption was declared moot.

On August 18, 2023, SCS filed a petition for reconsideration, requesting an opportunity to present relevant evidence at a hearing to address deficiencies noted in the Commission's August 4, 2023, Order. On September 15, 2023, the Commission issued an Order granting the SCS petition for reconsideration. On September 29, 2023, SCS renewed its motion to declare Burleigh and Emmons County ordinances superseded and preempted, specifically requesting the Commission determine whether N.D.C.C. § 49-22.1-13(2)(b) automatically preempts all local ordinances.

SCS argued that a permit from the Commission automatically preempts local land use or zoning regulations under N.D.C.C. § 49-22.1-13(2)(b). During oral argument, SCS suggested that subdivisions a, b, and c of N.D.C.C. §49-22.1-13(2) provide substantive categories and distinctions in treatment as never, always, and sometimes preempted. SCS further discussed that subdivisions d and e are implementation rather than substantive categories. SCS submitted that the plain language of N.D.C.C. § 49-22.1-13(2)(b) is clear that automatic preemption is applied to local land use or zoning regulations. SCS argued that having a determination will help steer the hearing and evidentiary issues to be considered upon reconsideration.

SCS also argued that even if the Commission is required to apply the unreasonably restrictive factors, the conflict with federal law and unreasonableness is clear on the face of the ordinances. For example, SCS pointed to excessive setbacks in Emmons and Burleigh counties, arguing that they create a cumulative impact blocking out extensive areas, especially considering they were adopted after the project started.

Emmons County disputed SCS's interpretation of N.D.C.C. § 49-22.1-13(2). Emmons County argued that a permit supersedes and preempts local land use or zoning regulations, except as provided in 49-22.1-13(2), requiring further examination of the section. Emmons County argued that "requirements" under subdivision c are synonymous with zoning ordinances and regulations. As a result, Emmons County argues that SCS must demonstrate by the preponderance of the evidence that the local land use or zoning regulations are unreasonably restrictive.

Burleigh County argued that N.D.C.C. § 49-22.1-13(2)(b) specifies the permit to construct supersedes and preempts local land use or zoning regulations, but that a permit to construct is not in front of the Commission. BAI joined this argument, emphasizing that SCS has applied for a certificate of site compatibility — not a permit to construct. BAI argued that SCS must first apply for a special use permit from Burleigh County with a first right of appeal to the Public Service Commission, and that a reading otherwise contradicts N.D.C.C. § 11-33-01.

The Landowner Intervenors briefed that siting is a two-step process of first granting a certificate of site compatibility which may not supersede and preempt local land use or zoning regulations, and then the permit for construction. Landowner Intervenors argued that only the route permit automatically supersedes and preempts local land use or zoning regulations, and N.D.C.C. § 49-22.1-13(2)(d) applies to a certificate of corridor compatibility.

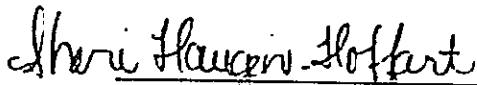
Laborers argued that local government does not have authority to establish requirements inconsistent with state law, rules, and Commission orders. They emphasized that routing infrastructure through a "regulatory patchwork" will hinder orderly development.

The issue before the Commission is not whether it may preempt local land use or zoning regulations, but whether preemption is automatic. N.D.C.C. § 49-22.1-08 provides that a utility may combine an application for a certificate or permit. SCS's Application is a consolidated application for a certificate of corridor compatibility and for a route permit. The Commission concludes that, based on the plain language of N.D.C.C. § 49-22.1-13, the approval of a route permit for a gas or liquid transmission facility automatically supersedes and preempts local land use or zoning regulations, except for road use agreements, even though local ordinances may be filed for Commission review and consideration. By function of the consolidated application, local land use and zoning regulations are automatically superseded and preempted in the present case.

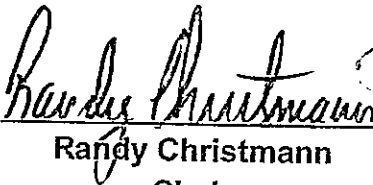
Order

The Commission Orders North Dakota Century Code Section 49-22.1-13 automatically supersedes and preempts any local land use or zoning regulations for a gas or liquid transmission facility route permit.

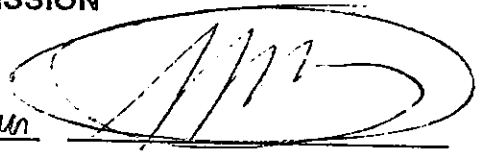
PUBLIC SERVICE COMMISSION



**Sheri Haugen-Hoffart
Commissioner**



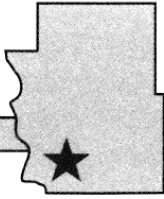
**Randy Christmann
Chair**



**Timothy J. Dawson
Substitute decisionmaker**

ITEM

9



Request for County Board Action

DATE: February 21st, 2024
TO: Burleigh County Commission
FROM: Mark Splonskowski
County Auditor/Treasurer
RE: Funds Transfer Request

Please place the following item on the next Burleigh County Board agenda.

REQUEST:

Consider approval of transfer of funds from obsolete fund to pay off City Specials.

BACKGROUND INFORMATION:

Burleigh County has received several specials on some of our properties totaling \$83,574.19, there was also \$7,325.97 worth of specials installments on the Courthouse, and Sheriffs Dept. buildings that had to be paid before the 15th. Our office fronted the money from our accounts to get past the deadline for the installments. There is a fund associated with the 4th street parking lot, which was sold in 2023 for which \$70,000 is dedicated to every year. There has been little to no activity in the account for a few years, and none since the sale of the property.

RECOMMENDED ACTION:

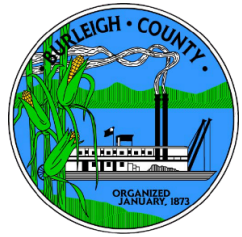
Transfer all the 2024 budgeted money and any necessary 2023 available funds from the account to the special assessments account to pay off the balance of specials and refund the Auditors office budget for the paid installments. Then eliminate the account associated with the 4th street parking lot.

ITEM

10



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

March 4, 2024

5:00 PM

COUNTY COMMISSION

Invocation and Pledge of Allegiance presented by Chaplain.

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the February 21, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Painted Woods Township Service Agreement.
6. County Planning Director Flanagan:
 - a. Special use permit.
7. County HR Director Binder:
 - a. Travel Reimbursement Policy
 - b. Electronic Communication Devices & Internet Usage Policy
 - c. Weed Control Officer Job Description and Update
8. Deputy Auditor/Treasurer Caya:
 - a. Applications for Bismarck Planning and Zoning Commission.
9. County Engineer Hall
 - a. Vacate Section Line – Public Hearing
10. Other Business
11. Adjourn.

The next regularly scheduled Commission meeting will be on March 18th, 2024.

Mark Splonskowski, Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING**

FEBRUARY 21ST, 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.

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

Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the February 5th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Harbor Properties LLC	2023	Replat Tibesar's 1st Sub, Block 16, Lots 1-2, less S 5' of Lot 2	Error in property description	\$1,053,700	\$924,900
Ronald D Wahl	2023	Pt Outlot A of NW1/4, City of Wing	100% Disabled Veteran	\$92,200	\$0
Barb Knutson	2022	McKenzie Township Section 29 NE 1/4	Inundated acres	\$125,000	\$122,900
Barb Knutson	2023	McKenzie Township Section 29 NE 1/4	Inundated acres	\$130,200	\$128,100
Barb Knutson	2022	McKenzie Township Section 29 NW 1/4	Inundated acres	\$9,300	\$6,100
Barb Knutson	2023	McKenzie Township Section 29 NW 1/4	Inundated acres	\$9,800	\$6,700
Barb Knutson	2022	McKenzie Township Section 29 N1/2 S1/2	Inundated acres	\$24,500	\$22,700
Barb Knutson	2023	McKenzie Township Section 29 N1/2 S1/2	Inundated acres	\$26,000	\$24,200
Joyann Holsten	2023	Lots 13-16, Block 10, City of Wing	100% Disabled Veteran	\$47,800	\$0
Dennis W & Donte Adams	2023	Lot 21, Block 2, Southland Addition	100% Disabled Veteran	\$409,300	\$229,300

Tomi & Scott J Collins	2023	Block 21, Lounsberry Outlots, beg 61' N of SW cor N 53' E 148.5' S 53' W 148.5 to beg	Error in property description	\$195,800	\$161,900
Timarra & Jordan Kenner	2022	Lot 19, Block 2, Indian Hills	Error in property description	\$280,400	\$255,600
Timarra & Jordan Kenner	2023	Lot 19, Block 2, Indian Hills	Error in property description	\$291,600	\$266,800
Vicki Knopp	2022	Lot 6, Block 11, City of Wing	Residential land & structure taxed w/ commercial rate	\$58,500	\$58,500
Vicki Knopp	2023	Lot 6, Block 11, City of Wing	Residential land & structure taxed w/ commercial rate	\$60,300	\$60,300
Allen R & Nancy G Bittner	2023	Block 13, Replat Homan Acres, Lot E of Lot 1 Washington Court Condominiums Building 2033 Unit 4 & Garage 5	50% / 80% Homestead Credit / Disabled Veteran	\$112,400	\$11,240
Todd Perman	2023	Lots 7-9, Block 9, Sturgis	Error in property description	\$93,500	\$85,200
Todd & Terry Perman	2023	Lots 10-12, Block 9, Sturgis	Error in property description	\$182,500	\$172,500
Herbert Klaus Davis II & Ashten M Bristow	2023	Lot 8, Block 4, Washington Meadows 2nd	90% Disabled Veteran	\$317,500	\$223,000
Adam & Shiela Mae Otteson	2023	Lot 14, Block 2, Sattler's Sunrise 8th	Error in property description	\$397,200	\$365,300
Kohl & Andrea Stewart	2023	Lot 7 & undivided interest in common areas, Block 7, Southbay 2nd Addition	Error in property description	\$605,700	\$601,100
James W & Peggy A Rudick	2023	Lot 17, Block 4, Cottonwood Parkview Addition	50% Disabled Veteran	\$335,600	\$283,100

Kimberly A Speidel	2023	Lot 18, Block 18, Morningside Heights	Error in property description	\$197,600	\$175,200
Gale & Beverly Taverna	2023	Lot 9, Block 8, Casey's 2nd	100% Homestead Credit	\$194,800	\$0
Michael & Laurel Ahneman	2023	Lot 10, Block 17, Northern Pacific	100% Homestead Credit	\$243,400	\$43,400
Terrence R & Lori J Droll	2023	Lots 7-8 & E 10' of Lot 9, Block 4, McKenzie's	50% Homestead Credit	\$278,600	\$178,600
Elroy F Nelson	2023	Lot 24, Block 18, Meadow Valley 4th	50% Homestead Credit	\$245,900	\$145,900
Debra K Kramer	2023	Block 19, Morningside Heights, Lot 8 less SLY portion that's 4' wide at front & 0' wide at rear	100% Homestead Credit	\$223,000	\$123,000
Arlen Seeberg	2023	Block 2, Park Hill (Aud Lots), N182.95' of E75' of W125.9' of Auditor's Lot 2	50% Homestead Credit	\$181,600	\$90,800
David & Connie Friez	2023	Lot 8, Block 25, Wachter's 3rd	50% Homestead Credit	\$109,900	\$54,950
Noreen A Olson	2023	Block 1, Sleepy Hollow Heights 3rd, Lots 6-7 Sleepy Hollow heights 3rd Addn Condominium V Unit 2 of Bldg 1	50% Homestead Credit	\$307,300	\$207,300
Edward R & Madonna L Buth	2023	Lot 2, Block 2, Parkview	50% Homestead Credit	\$213,200	\$113,200
Patricia M Jergenson	2023	Lot 23 less E 1/2, Block 26, Stein's 4th	50% Homestead Credit	\$214,500	\$114,500
Norman & Genevieve Meidinger	2023	Block 2, Cottonwood Lake 4th, 2-3 & E 10.53' of Lot 4 Cottonwood Condo Assoc Unit 3	50% Homestead Credit	\$163,600	\$81,800
Larry & Karen L Jahnke	2023	Lot 9, Block 7, Pett's 5th	100% Homestead Credit	\$305,900	\$105,900
Brett & Amy Ruff	2023	Lot 10, Block 6, Centennial Park	80% Disabled Veteran	\$289,500	\$145,500

Real Estate Bel LLC	2023	Lot 19, Block 2, Meadow Valley	Error in property description	\$333,800	\$190,100
Jon J Rykowski Et Al	2023	Lot 25, Block 4, Edgewood Village 1st	Error in property description	\$527,000	\$510,500
Sean G & Lisa J Lund	2023	Lot 8, Block 3, High Meadows 6th	60% Disabled Veteran	\$342,200	\$324,200
Lyla Kaseman	2023	Block 38, Northern Pacific, Lot 1 less W 8' for alley Brownstone Condo Unit A	50% Homestead Credit	\$96,000	\$56,000
Larry Aichele	2023	Block 8, Eastside Heights, Lot 14-B desc as beg at SE cor Lot 14; th NWLY along E line 33rd St 121.32'; NWLY 10.18'; NELY 60.27'; E 27.02' to NW cor Lot 12, Blk 6 Eastview (etc)	50% Homestead Credit	\$256,300	\$156,300
Lynn M & Cathy A Anwiler	2023	Lot 7, Block 15, Stein's 3rd	100% Homestead Credit	\$276,300	\$76,300
Deborah Arnold	2023	Lot 19, Block 2, Northridge	50% Homestead Credit	\$136,000	\$68,000
Mary & Reede Benning	2023	Lot 6, Block 4, Stein's 2nd	50% Homestead Credit	\$280,200	\$180,200
Lowell & Terri Camp	2022	Lot 2, Block 1, Keating	100% Homestead Credit	\$228,900	\$103,900
Lowell & Terri Camp	2023	Lot 2, Block 1, Keating	100% Homestead Credit	\$233,900	\$33,900
Gerald A Carman	2023	Lot 24, Block 42, Flannery & Wetherby	50% Homestead Credit	\$133,300	\$66,650
James R & Linda F Faber	2023	Lot 13, Block 5, East View	50% Homestead Credit	\$221,500	\$121,500
Jerry & Sharon Franklin	2023	Block 2, Eastview, 520A of Lot 22 less S 50' of W 22' of said L22	50% Homestead Credit	\$191,800	\$95,900
Chester Haux	2023	Block 2, Cottonwood Lake 5th, 12 & L13 less W 35' 806 Bridgeport Dr Condo Assoc Unit 2	100% Homestead Credit	\$173,100	\$0

Roger A Kolling	2023	Lot 47, Block 14, Highland Acres	50% Homestead Credit	\$239,000	\$189,000
Michael J & Ardyth Renden	2023	Lot 10, Block 1, Kilber 3rd	50% Homestead Credit	\$337,500	\$237,500
Kevin Soule	2023	Block 21, Lounsberry Outlots, beg pt 500' S & 180' E of NW cor E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	\$163,900	\$0
Patricia K Splonskowski	2023	Lot 9 & N 20' of Lot 10, Block 4, Highland Acres	100% Homestead Credit	\$299,900	\$99,900
Anna Vogel	2022	Lot 6, Block 7, Sasse	100% Homestead Credit	\$131,900	\$6,900
Orlyn & Darlene Wanstrom	2023	Lot 19, Block 3, Keating	50% Homestead Credit	\$212,400	\$112,400
Wayne Helm	2023	Lot 5, Block 3, City View Heights	100% Homestead Credit	\$333,800	\$133,800
Barbara & Steve Conley	2024	2015 Schult 32 x 60, #RED366005MNAB	50% Homestead Credit	\$119,808	\$59,904
John A & Janelle H Bitz	2023	Lot 8, Block 4, Dakota Sand 1st	50% Homestead Credit	\$369,000	\$269,000
Elva A Blumhagen	2023	Lot 13, Block 16, Washington Heights 4th	50% Homestead Credit	\$218,500	\$118,500
Mavis Buchholz	2023	Lot 1, Block 2, Edgewood Village 4th	100% Homestead Credit	\$442,400	\$242,400
Shirley Ann Christenson	2023	Block 8, Park Hill (Aud Lots), S 1/2 of E 1/2 of Aud Lot 8 less E 9' & less N 30' of S 1/2 E 1/2 less E 9' & less S 33'	100% Homestead Credit	\$232,900	\$32,900
Kathy Hammerel	2023	Lot 10, Block 8, Register's 2nd	100% Homestead Credit	\$202,800	\$2,800
Leona O Hartman Trust	2023	E 50' of W 100' of Lots 13-16, Block 47, Governor Pierce	50% Homestead Credit	\$204,500	\$104,500

Connie Hodge	2023	Lot 4 & Auditors Lot D of Lot 22, Block, 23, Wachter's 9th	50% Homestead Credit	\$451,700	\$351,700
Mabel J Keller	2023	Lot 2, Block 1, Pebble Creek 9th	100% Homestead Credit	\$259,200	\$59,200
Gloria Olson	2023	ELY 62.50' of Lot 4, Block 3, North Hills 14th	50% Homestead Credit	\$294,400	\$194,400
David Pederson Et Al -Benai A Pederson-	2023	Block 1, Marymarc Meadows Addn, Lot 3 Wilshire Ridge Condo Unit 3 & Garage 3, Building 2	100% Homestead Credit	\$133,000	\$0
Daniel Taszarek	2023	Block 17, Wachter's 2nd, S 76' of Lot 2 all Lot 3 & N 34' of Lot 4 South Aires Condo Unit 18	100% Homestead Credit	\$97,200	\$0
Douglas A Weiland	2023	Block 19, Morningside Heights, Lot 8 less SLY portion that's 4' wide at front & 0' wide at rear	50% Homestead Credit	\$223,000	\$173,000
Debbie A Opp	2023	Lot 13, Block 7, Replat of Calkins	50% Homestead Credit	\$219,900	\$119,900
Dean & Donella Johnson	2023	S 50' of N 300' of W 1/2 less W 30', Block 17, Lincoln	50% Homestead Credit	\$203,300	\$103,300
Ruby Unrath	2024	1978 Rollohome 24 x 56, #33413	100% Homestead Credit	\$13,751	\$0
Jason Bankston	2022	Lot 7, Block 2, Prairiewood Estates	80% Homestead Credit	\$67,400	\$13,480
Jason Bankston	2023	Lot 7, Block 2, Prairiewood Estates	100% Homestead Credit	\$97,000	\$0
Corinne J Lee Living Trust	2023	N 50' Lot 3, Block 3, Northern Pacific	Error in property description	\$188,400	\$141,000
Paula Mann	2024	1983 Innsbruck 14 x 76, #1264V8014	100% Homestead Credit	\$19,767	\$0
Diane Bauer	2024	2000 Friendship 28 x 56, #ABV6428	100% Homestead Credit	\$57,201	\$0

Paul & Mary Patera	2023	Lots 5 & 6 S 60' of Lot 5 & all of 6, Block 2, Glenwood Estates	50% Homestead Credit	\$333,100	\$233,100
Leory & Carol Humann	2023	Lot 12, Block 1, Apple Valley	50% Homestead Credit	\$171,800	\$71,800
Dan & Pam Bauer	2024	1975 Marshfield 14 x 70, #19236	100% Homestead Credit	\$7,526	\$0
Frank E & Margot C Kohl	2023	W 1/2 of Lot 4 & all Lot 5, Block 9, Riverview	50% Homestead Credit	\$124,900	\$62,450
Thomas S & Joyce M Walker	2023	Lot 5, & E 41' of Lot 6, Block 1, Marian Park	Error in property description	\$411,700	\$379,300
Anna Vogel	2023	Lot 6, Block 7, Sasse	Error in property description	\$211,000	\$181,600
Roberta Hoff	2024	2005 Schult 16 x 76, #RED355848MN	100% Homestead Credit	\$55,778	\$0
James H Ell	2023	Lot 13, Block 15, Lincoln Replat B 15	100% Homestead Credit	\$162,400	\$0
Janet Frohlech	2023	Lot 6 Brandon Heights Condominiums Six Unit 205, Block 1, Brandon Heights	50% Homestead Credit	\$199,800	\$99,900
Ethen Roemmich	2023	E 80' of Lots 1-4, Block 14, Fisher	Error in property description	\$238,700	\$187,600
Willard C Brunsoman Jr	2023	S 4' of Lot 5 & all Lot 6 less S 3', Block 11, Replat Homan Acres	100% Homestead Credit	\$304,300	\$104,300
Merle Bennett	2023	Lot 12, Block 12, Stein's 3rd	50% Homestead Credit	\$253,300	\$153,300
Duane Schuh	2023	Block 6, Cottonwood Lake 5th, Lot 1 & N 50' Lot 2; 717 Bridgeport Dr Condo Assoc Unit 3	50% Homestead Credit	\$179,100	\$89,550
Ludwina Faller	2023	Lot 17, Block 2, Vision Heights	50% Homestead Credit	\$217,100	\$117,100

John & Patricia Reinert	2023	Lot 1, Block 29, Wachter's 3rd	50% Homestead Credit	\$321,800	\$221,800
Barbara Brotten	2023	Lot 6, Block 18, Southwood Terrace 2nd Rep	100% Homestead Credit	\$282,500	\$82,500
Grant I & Lois E Kalbfleisch	2023	Lot 14 EXC S 48' all Lot 15 EXC N 12', Block 8, Replat Homan Acres	100% Homestead Credit	\$296,700	\$96,700
Gale McHenry	2023	Lot 3, Block 10, Replat of Calkins	50% Homestead Credit	\$238,300	\$188,300
Jeffery Conlon	2023	Lot 2, Block 3, Highland Acres	100% Homestead Credit	\$99,600	\$49,800
Sylvia Giesinger	2023	Lot 22, Block 3, Peet's 2nd	50% Homestead Credit	\$252,000	\$152,000
Alvin J & Rosemary Glaser	2023	Lot 2, Block 1, Country West XII	50% Homestead Credit	\$507,100	\$407,100
Laura Hirvela	2023	Block 4, East Hills Addition Replat, Lot 8 Baumgartner's Sharloh Loop Condominiums Unit 6 Building 1403	50% Homestead Credit	\$179,400	\$89,700
Harmon & Ruby Jackson	2023	Lot 5, Block 9, Jennings' 2nd	50% Homestead Credit	\$219,400	\$119,400
Matt & Virginia Kraft	2022	Lot 8, Block 6, Nagel's 2nd Replat	20% Homestead Credit	\$303,400	\$278,400
Matt & Virginia Kraft	2023	Lot 8, Block 6, Nagel's 2nd Replat	100% Homestead Credit	\$340,400	\$140,400
Debra K Orley	2023	Lot 10, Block 7, Promontory Point VI	50% Homestead Credit	\$549,100	\$449,100
Deloris Page	2023	Lot 3 & S 5' of Lot 4, Block 12, Register's 2nd	100% Homestead Credit	\$233,900	\$33,900
Regina Roehrich	2023	Lot 12, Block 20, Homan Acres 6th	50% Homestead Credit	\$417,800	\$317,800

James L Schmidt	2023	N 50' of Lot 5, Block 19, Lincoln Subdivision of Block 19	100% Homestead Credit	\$202,600	\$2,600
Francis & Brenda Elwood	2024	2014 Schult 30 x 72, #RED365653MN	90% Disabled Veteran	\$134,784	\$13,478
Claude Richter	2023	Lot 17, Block 4, Circle K Estates Second	50% Homestead Credit	\$249,700	\$149,700
Kathleen Meckler	2023	SE1/4 3-137-79	50% Homestead Credit	\$94,000	\$42,100
Joshua Jenkins	2024	2016 Harmony 28 x 60, #MY1620357AK	100% Disabled Veteran	\$107,016	\$0
Charles E & Maxine M Walby	2023	Lot 10, Block 5, Sattler's Sunrise	50% Homestead Credit	\$268,200	\$168,200
Norman J & Carol M Swindling	2023	Lot 2, Block 3, Sattler's Sunrise 9th	50% Homestead Credit	\$329,700	\$229,700
Brandon Schmitcke	2022	Lot 16, Block 7, Island Park Estates	60% Disabled Veteran	\$333,300	\$225,300
Brandon Schmitcke	2023	Lot 16, Block 7, Island Park Estates	60% Disabled Veteran	\$370,300	\$262,300
Eugene O & Eileen A Berg	2023	Lot 1, Block 1, Countryside Estates	50% Homestead Credit	\$332,200	\$240,534
Jerry & Margaret Zimmerman	2023	1995 Schult 28 x 56, #R263761AB	50% Homestead Credit	\$48,263	\$24,132
Schwindt Family Trust	2023	Lot 11, Block 2, K + L's 4th Addition	50% Homestead Credit	\$346,300	\$246,300
Carl Vandetti	2023	Lot 1, Block 8, Eastside Heights	50% Homestead Credit	\$255,400	\$155,400
Cleone & Sharon Jensen	2024	2008 Friendship 32 x 64, #31087	50% Homestead Credit	\$118,477	\$59,238
Andrew & Terry Leingang	2023	SE1/4 beg @ SE cor then W 1502', N 2597.15', E 1160.44, SE on R/W to 970.76' N of SE cor th S to POB	100% Homestead Credit	\$215,200	\$15,200
Brian Hanna	2023	1999 Champion 28 x 68, #0599484360	50% Disabled Veteran	\$69,458	\$32,292

Brian Hanna	2024	1999 Champion 28 x 68, #0599484360	50% Disabled Veteran	\$69,458	\$32,292
Cynthia M Welk	2023	Lot 11, Block 9, Meadow Valley 2nd Addn	100% Homestead Credit	\$241,600	\$41,600
Rita Albrecht	2023	Block 13, Replat Homan Acres, Lot D of Lot 1 Washington Court Condominiums Building 2026 Unit 1 Garage 12	100% Homestead Credit	\$112,800	\$0
Daniel & Pauline Baker Family Revocable Trust	2023	Lot 24, Block 1, North Hills 3rd	50% Homestead Credit	\$399,500	\$299,500
Floyd & Janice M Gillenberg	2023	Lot 26, Block 1, Evergreen Ridge Addition	100% Homestead Credit	\$295,500	\$95,500
Nancy Cerkony	2023	Lot 4, Block 7, Jennings's 2nd	100% Homestead Credit	\$229,600	\$29,600
Gerald R & Shirley A Kroh	2023	Lot 2, Block 15, Casey's 3rd	100% Homestead Credit	\$177,900	\$0
Steve Sharkey	2023	Lot 14, Block 11, Register's 2nd	50% Homestead Credit	\$203,600	\$103,600
Jack & Merilynn Starck	2023	Lot 1, Block 8, Sattler's Sunrise 7th	50% Homestead Credit	\$334,300	\$234,300
Betty J Teske	2023	N 67' of Lot 2, Block 4, Jennings 1st	50% Homestead Credit	\$269,200	\$169,200
Irene M Rankin	2023	2 Private Road Access, Block 3, Eastbluff Village	50% Homestead Credit	\$311,500	\$211,500
Marian & Marvin Hochhalter	2023	E 1/2 of E 1/2 of S 199.5' of N 217.5' of Aud Lot 6, Block 6, Park Hill (Aud Lots)	100% Homestead Credit	\$210,600	\$10,600
Grant I & Lois E Kalbfleisch	2022	Lot 14 EXC S 48' all Lot 15 EXC N 12', Block 8, Replat Homan Acres	100% Homestead Credit	\$272,400	\$147,400
Darlene Boustead	2023	Lot 4, Block 1, Sandy River Estates	100% Homestead Credit	\$362,900	\$162,900
Rebecca Hermanson	2023	N 1/2 NE 1/4 12-141-80	100% Homestead Credit	\$136,900	\$0

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Harbor Properties LLC, Ronald D. Wahl, Barb Knutson (6), Joyann Holsten, Dennis W. & Donte Adams, Tomi & Scott Collins, Timarra & Jordan Kenner (2), Vicki Knopp (2), Allen R. & Nancy G. Bittner, Todd Perman, Todd & Terry Perman, Herbert Klaus Davis II & Ashten M. Bristow, Adam & Shiela Mae Otteson, Kohl & Andrea Stewart, James W. & Peggy A. Rudick, Kimberly A. Speidel, Gale & Beverly Taverna, Michael & Laurel Ahneman, Terrence R. & Lori J. Droll, Elroy F. Nelson, Debra K. Kramer, Arlen Seeberg, David & Connie Friez, Noreen A. Olson, Edward R. & Madonna L. Buth, Patricia M. Jergenson, Norman & Genevieve Meidinger, Larry & Karen L. Jahnke, Brett & Amy Ruff, Real Estate Bel LLC, Jon J. Rykowsky Et Al, Sean G. & Lisa J. Lund, Lyla Kaseman, Larry Aichele, Lynn M. & Cathy A. Anwiler, Deborah Arnold, Mary & Reede Benning, Lowell & Terri Camp (2), Gerald A. Carman, James R. & Linda F. Faber, Jerry & Sharon Franklin, Chester Haux, Roger A. Kolling, Michael J. & Ardyth Renden, Kevin Soule, Patricia K. Splonskowski, Anna Vogel, Orlyn & Darlene Wanstrom, Wayne Helm, Barbara & Steve Conley, John A. & Janelle H. Bitz, Elva A. Blumhagen, Mavis Buchholz, Shirley Ann Christenson, Kathy Hammerel, Leona O. Hartman Trust, Connie Hodge, Mabel J. Keller, Gloria Olson, David Pederson Et Al -Benai A. Pederson, Daniel Taszarek, Douglas A. Weiland, Debbie A. Opp, Dean & Donella Johnson, Ruby Unrath, Jason Bankston (2), Corinne J. Lee Living Trust, Paula Mann, Diane Bauer, Paul & Mary Patera, Leory & Carol Humann, Dan & Pam Bauer, Frank E. & Margot C. Kohl, Thomas S. & Joyce M. Walker, Anna Vogel, Roberta Hoff, James H. Ell, Janet Frohlich, Ethen Roemmich, Willard C. Brunsoman Jr., Merle Bennett, Duane Schuh, Ludwina Faller, John & Patricia Reinert, Barbara Brotten, Grant I. & Lois E. Kalbfleisch, Gale McHenry, Jeffery Conlon, Sylvia Giesinger, Alvin J. & Rosemary Glaser, Laura Hirvela, Harmon & Ruby Jackson, Matt & Virginia Kraft (2), Debra K. Orley, Deloris Page, Regina Roehrich, James L. Schmidt, Francis & Brenda Elwood, Claude Richter, Kathleen Meckler, Joshua Jenkins, Charles E. & Maxine M. Walby, Norman J. & Carol M. Swindling, Brandon Schmitcke (2), Eugene O. & Eileen A. Berg, Jerry & Margaret Zimmerman, Schwindt Family Trust, Carl Vandetti, Cleone & Sharon Jensen, Andrew & Terry Leingang, Brian Hanna (2), Cynthia M. Welk, Rita Albrecht, Daniel & Pauline Baker Family Revocable Trust, Floyd & Janice M. Gillenberg, Nancy Cerkony, Gerald R. & Shirley A. Kroh, Steve Sharkey, Jack & Merylynn Starck, Betty J Teske, Irene M. Rankin, Marian & Marvin Hochhalter, Grant I. & Lois E. Kalbfleisch, Darlene Boustead, and the Rebecca Hermanson abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Tax Director Al Vietmeier presented a discussion on the State Tax Credit. He reminded everyone of the Mar. 31st deadline and encouraged everyone to apply. He also reminded everyone of the Homestead Property Tax Credit and said that there were some changes this year with income and value on homes and people can apply in person, online, or call the office for help. There is also a Disabled Veterans Property Tax Credit that people can apply for if they are a disabled veteran as a thank you for their service. The office will receive the last two applications after the Mar. 31st deadline.

County Engineer Marcus Hall presented a Developer Waiver Request for Dorothy Baker who wanted a three-lot subdivision (Baker Subdivision) and requested a waiver of the Pavement Policy. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant Dorothy Baker's request to waive the construction and paving requirements "paving of all internal roadways and adjacent section line roads" listed in the Pavement Policy 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. All members present voted "AYE". Motion carried.

State's Attorney Julie Lawyer presented a Public Service Commission Order regarding Summit Carbon Solutions and hazardous liquid pipelines. The order states that North Dakota Century Code 49.22.1-13

automatically supersedes and preempts any local land use or zoning regulations for a gas or liquid transmission facility route permit. She stated the commission has three options: Accept the order, file a reconsideration by Feb. 27th, or appeal that order to the District Court by March 11th. She stated we would have to file the reconsideration first and then if that is denied, file an appeal. She felt the PSC was cutting corners and blurring lines on this process. Motion by Comm. Munson, 2nd by Comm. Bakken to file a reconsideration back to the PSC by Feb. 27th and hire outside counsel to do that as the State's Attorney's Office has lost two more attorneys. All members present voted "AYE". Motion carried.

Auditor/Treasurer Mark Splonskowski presented a funds transfer request to transfer all the 2024 budgeted money and any necessary 2023 available funds from the account to the special assessments account to pay off the balance of specials and refund the Auditor's Office budget for the paid installments. Also requested was to eliminate the account associated with the 4th street parking lot. Motion by Comm. Munson, 2nd by Comm. Bakken to approve this request. All members present voted "AYE". Motion carried.

Comm. Munson stated that they have received some applications for the Missouri Valley Complex Committee and people were wondering how to apply. He then stated that they can go to the county website and the Auxiliary Board Application form can be printed out from there and sent to the auditor. Chair Bitner then added that they are taking applications for the City Planning Commission as well. They must be from the ETA area.

Finally, there was a discussion on the Home Rule Charter Committee. Comm. Munson stated that they are working on finalizing the language for the ballot and they are meeting with Morton County next week to work on this as to the dollars involved. The goal is to approve a one percent sales tax to help with property tax reform. From collecting this tax, up to \$22 million of Burleigh County's portion of property taxes could be eliminated.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-359	Melina Rios Rivera & Kiara Aponte	2023	E 50' of Lots 8-11, Block 16, Governor Pierce	Error in property description	\$244,100	\$222,900
24-370	Melinda K Teske	2022	1980 Bonnavilla 28' x 48', #08A10171	100% Homestead Credit	\$14,472	\$0
24-371	Melinda K Teske	2023	1980 Bonnavilla 28' x 48', #08A10171	100% Homestead Credit	\$15,278	\$0
24-372	Melinda K Teske	2024	1980 Bonnavilla 28' x 48', #08A10171	100% Homestead Credit	\$15,278	\$0
24-373	Thomas Jenö	2024	1971 Rollohome 14 x 60, #GA040014	Mobile home demolished late 2023	\$7,550	\$0
24-374	Jesse Weber	2024	1974 Blair 14 x 56, #S90862	Mobile home demolished late 2023	\$6,213	\$0
24-375	Chuck & Mary Vetter	2024	1998 Schult 16 x 76, #R280469	50% Homestead Credit	\$36,675	\$18,338
24-376	Gerald Goldade	2022	Lot 1, Block 2, Countryside Estates	100% Homestead Credit	\$253,700	\$128,700
24-377	Gerald Goldade	2023	Lot 1, Block 2, Countryside Estates	100% Homestead Credit	\$271,700	\$71,700
24-378	Carole Koester	2023	Block 14, Wachter's 2nd, Lots 9-12 & W 10.2' of Lot 13 Pinecrest Condominium Unit 116	100% Homestead Credit	\$105,800	\$0
24-379	Delaney McCormick	2022	2012 Schult 30 x 76, #364454	100% Homestead Credit	\$129,010	\$4,010
24-380	Delaney McCormick	2023	2012 Schult 30 x 76, #364454	100% Homestead Credit	\$139,612	\$0
24-381	Delaney McCormick	2024	2012 Schult 30 x 76, #364454	100% Homestead Credit	\$139,612	\$0
24-382	Donna A Schmidt	2023	Lot 20, Block 20, Meadow Valley 4th	100% Homestead Credit	\$103,600	\$0
24-383	Marlinda Bender	2023	Lot 2, Block 9, Wachter's 7th Addition	50% Homestead Credit	\$282,400	\$182,400
24-384	Toni J Daede	2023	Lot 4, Block 2, Northridge	50% Homestead Credit	\$211,900	\$111,900

			Block 17, Wachter's 2nd, S 76' of Lot 2 all Lot 3 & N 34' of Lot 4 South Aires Condo			
24-385	Daniel Taszarek	2022	Unit 18	80% Homestead Credit	\$106,900	\$21,380
24-386	Alicia Ann Fischer	2023	Lot 3, Block 1, Calgary Count Addition	100% Homestead Credit	\$302,500	\$102,500
24-387	Marcia Schuler	2022	Lot 11, Block 1, Edgewood Village 5th	10% Homestead Credit	\$343,600	\$331,089
24-388	Marcia Schuler	2023	Lot 11, Block 1, Edgewood Village 5th	100% Homestead Credit	\$367,700	\$167,700
24-389	Julie Taylor	2023	28 x 60 2012 Schults, # RED364354MN	100% Disabled Veteran	\$101,556	\$0
			Section 27, Painted Woods Township, Lot			
24-390	Philip Axt	2023	A NW 1/4 less S 59.15' (.613 AC to -410)	50% Disabled Veteran	\$530,900	\$440,900
24-391	Lucy Dahner	2024	1980 Detroitter 14 x 67, #044D0515441A	100% Homestead Credit	\$9,341	\$0
24-392	Linda Brunner	2024	1980 Sharlo 14 x 66, #7882	100% Homestead Credit	\$9,164	\$0
24-393	Paul A & Helen M Senger	2023	Lot 3, Block 3, High Meadows 2nd	50% Homestead Credit	\$346,000	\$246,000
			Block 6, Lincoln, beg on W Ln 295' S & 125' E of NW cor E 75' N 95' W 75' to beg			
24-394	Marilyn J Miller	2023	#13802	100% Homestead Credit	\$215,400	\$15,400
24-395	Scott A & Brenda L Kilber	2023	Tract B, Block 3, East View	100% Homestead Credit	\$248,000	\$148,000
24-396	Anna Vogel	2023	Lot 6, Block 7, Sasse	100% Homestead Credit	\$181,600	\$0
	Ronald Fischer Etal -					
24-397	Mathilda Fischer-	2023	Lot 17, Block 4, Morningside Heights	100% Homestead Credit	\$225,200	\$25,200
24-398	Claudette A Doppler	2023	Lot 8, Block 4, Eastview	50% Homestead Credit	\$207,500	\$107,500
24-401	Leeila M Bina	2023	Lot 8, Block 3, Meadow Valley	50% Homestead Credit	\$280,200	\$180,200

24-402	Rebecca Christensen	2023	Block 2, Pebble Creek 9th, Lot 5 3515 N 19th St Condo Assoc Unit 3	50% Homestead Credit	\$198,400	\$99,200
24-403	Deborah Dobler	2023	Block 4, Pebble Creek, Lot 3, Block 4 Pebble Creek & Lot 2 less S 25.80', Block 1, Pebble Creek 5th 2004 Oregon Dr Condo Assoc Unit 1, Garage 1	50% Homestead Credit	\$179,600	\$89,800
24-404	Diane Haan	2023	Lot 2AR of Lot 2, Block 1, Replat pt North Hills 10th	50% Homestead Credit	\$300,500	\$200,500
24-405	Ralph J Halter	2023	Lot 34, Block 2, Southland Addition	50% Homestead Credit	\$412,700	\$312,700
24-406	Michael R & Carol L Heyd	2023	Lot 4, Block 5, Parkview	50% Homestead Credit	\$211,900	\$111,900
24-407	Doris E Nordgaard	2023	Block 1, Haight & Little's, S 6.25' of Lot 3, Lots 4-5, & N 11.26' of Lot 6 Williamsburg Condo Assoc Unit 2 Building 1934	100% Homestead Credit	\$177,000	\$0
24-408	David & Wanda Schnase	2023	S 8' of Lot 7 & all Lot 8, Block 7, Replat Homan Acres	50% Homestead Credit	\$285,700	\$185,700
24-409	Albert & Kathryn Mettler	2023	Lot 6 & Lot E of Lot 2, Block 1, K & L's 4th Addition	50% Homestead Credit	\$383,600	\$283,600
24-410	Dallus L Hochhalter	2023	Lot 10, Block 4, Rolling Meadows	50% Homestead Credit	\$255,700	\$155,700
24-411	Carol Thompson	2022	S 10' of Lot 1, all Lots 2-4, E 100' of Lot 5, Block 8, Rolling Hills 1st	100% Homestead Credit	\$138,900	\$13,900
24-412	Susan Wagner	2024	2014 Dutch Champion 76 x 16	Moved to McLean County for year	\$70,042	\$0
24-413	Herbert & Charlotte Ebel	2023	Lot 3, Block 1, Northwood Estates Replat	100% Homestead Credit	\$402,100	\$202,100



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Driscoll Betterment Club

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
TNT TAVERN

Street <i>31 Main St</i>	City <i>Driscoll</i>	ZIP Code <i>58532</i>	County <i>Burleigh</i>
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Beginning Date(s) Authorized <i>07-01-2024</i>	Ending Date(s) Authorized <i>06-30-2025</i>	Number of Twenty-One tables, if zero, enter "0" <i>0</i>
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Specific location where games of chance will be conducted and played at the site (required)
bar area - excluding restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|--|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input checked="" type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input checked="" type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
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If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) <i>Travis Kocourek</i>		Site Name <i>TNT Tavern</i>		Site Phone Number <i>701-387-9425</i>
Site Address <i>31 Main St S</i>	City <i>DRISCOLL</i>	State <i>ND</i>	Zip Code <i>58532</i>	County <i>Burleigh</i>
Organization <i>Driscoll Betterment Club</i>	Rental Period <i>07-01-2024 to 6-30-2025</i>		Monthly Rent Amount	
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ <i>150.00</i>
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Total Monthly Rent				\$ <i>150.00</i>
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Travis Kocourek</i>	Title <i>Bar Owner</i>	Date <i>2/17/24</i>
Signature of Lessee <i>Ellen Steen</i>	Title <i>Gaming Manager</i>	Date <i>2-17-24</i>

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.

Burleigh County and
Painted Woods Township Service Agreement

This is a service Agreement between the Burleigh County Building/ Planning/ Zoning Department (hereinafter "Burleigh County") and PW Township, wherein Burleigh County will provide permit issuance, floodplain regulation and building inspection services to PW Township.

In consideration of the conditions contained herein, Burleigh County and PW Township agree as follows:

1. **Services Provided:** Burleigh County will issue all Building, Septic System, Plumbing and Mechanical permits for PW Township, including all Regulatory Floodplain requirements. Burleigh County code enforcement inspectors shall provide building, mechanical inspections and septic system inspections in _____ Township pursuant to the State Building codes. Burleigh County will integrate the PW Township inspections into its daily inspection schedule.
2. **Standards:** The construction, design, erection, alteration, demolition, removal, conversion, repair and maintenance of all buildings and structures on any properties within the jurisdiction of PW Township shall be done in accordance with standards contained in the North Dakota State Building Code including the appendices contained therein except such portions as may be deleted, modified or amended by the Board of County Commissioners.
3. **Floodplain Regulations Specific Standards;** In all special flood hazards areas where base flood elevation data has not been determined or provided by FEMA FIRM Mapping, the following provisions shall be required:
 - a. Reference BLE Base Level Engineering as best available information in review and issuance of all development permit applications and non-structural development permit applications.
4. **Hours:** The hours of inspection services will be normal Burleigh County working hours, generally 8:00AM—5:00PM Monday through Friday, excepting holidays.
5. **Employment Status:** The inspectors performing the services under this Agreement are employees of Burleigh County and not employees of PW Township. Burleigh County agrees to pay the inspectors performing services under this Agreement. PW Township shall not be responsible for, and Burleigh County agrees to indemnify and hold _____ Township harmless, from liability for all costs of the inspectors related to the work of the inspectors for PW Township, including and limited to work of the inspectors for PW Township.
6. **Supervision:** Burleigh County agrees that it will supervise its inspectors and provide administrative and technical support as is necessary to fulfill the requirements of this Agreement.

7. **Reliance on Information:** Burleigh County inspectors are not responsible for relying or acting upon any incorrect information provided by a permit holder or for actions resulting from information not provided by a permit holder.
8. **Payment Terms:** PW Township agrees that Burleigh County will collect and retain all fees related to inspection services rendered during the term of this Agreement. Such fees shall be according to Burleigh County's fee schedule which may be amended by the Burleigh County Commission from time to time.
9. **Representations as to Adequate Insurance Coverage:** Each party to this Agreement represents and warrants to the other that it has and shall maintain in effect liability insurance coverage in an amount of not less than \$1 workforce safety, and other appropriate forms of insurance coverage sufficient to generally protect the respective parties and their employees in carrying out the objectives of this Agreement.
10. **Liability:** Each party to this Agreement agrees to be responsible for its own negligent acts and the negligent acts of its respective officers, officials, employees or agents.
11. **Term of Agreement:** The term of this Agreement shall be for a period of one year from the date of approval noted below and shall automatically renew for successive five- year terms unless terminated pursuant to Paragraph 10.
12. **Termination:** This Agreement may be terminated by either party upon at least a thirty—day written notice.
13. **Modification or Alteration:** This Agreement may be modified or altered only by the mutual written agreement of both parties

Burleigh County

Dated this _____ day of _____, 2023

Mark Splonskowski, Auditor, Treasurer

Abigail Franklund 2/20/24
Painted Woods, Township Clerk

Burleigh County Commission, Chair

Don Crist 2/20/24
Painted woods, Township Chairman

ITEM

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Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Findings of Burleigh County Planning Commission
Date: 2-26-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Special Use Permit for a Retail Exempt Meat Market

On February 14, 2024, a public hearing was held for Leon and Susan Bauer for a Special Use Permit to allow the use of a limited meat packing facility on their property located at 21175 26th Street NE, Baldwin, ND. The Bauer's have applied with the State Department of Health and Human Services regarding permits, licensing and conditions required for the operation of the facility. NDHHS requires all local zoning to be approved prior to issuing their license.

The application for the Special Use Permit was recommended for approval by a vote of 8-0.

ACTION REQUESTED:

Consider to approve a Special Use Permit for a limited meat packing facility.

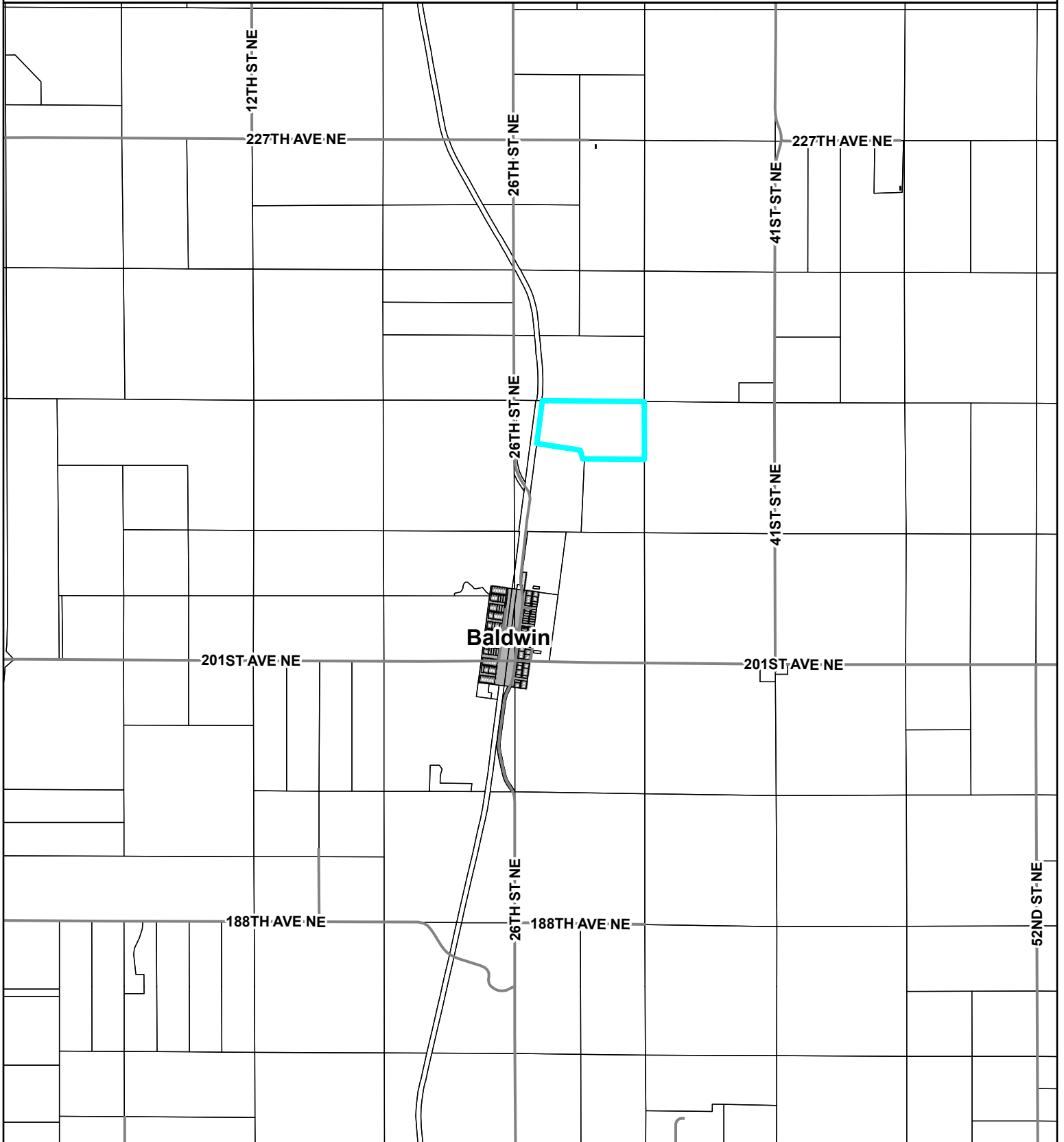
Attachments:

Ex. 1- Site Location

Ex. 2- SUP Application Letter

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
2/12/2024



PARCEL ID: 52-141-79-00-18-410

OWNER: BAUER, SUSAN L & LEON J

ACRES: 52.57

SITE ADDRESS: 21175 NE 26TH ST

MAIL ADDRESS: 21175 26TH ST NE, BALDWIN, ND 58521

LEGAL: CROFTE TOWNSHIP Section 18 LOT C OF GOVERNMENT LOT 1 & E1/2 IRR PLAT 729972; 730693 18-141-79

From: Leon, Susan and Ryan Bauer

Date: January 5, 2024

RE: Custom Exempt and Retail Exempt Meat Processing facility

Nestled on our family ranch north of Baldwin we are looking to begin the endeavor of starting a Custom Exempt and Retail Exempt livestock processing facility. A business we would proudly call Bauer's Butcher Barn.

We feel there is a great need for more livestock processing facilities in our area. North Dakota prides itself as an agricultural dominated state. There are roughly 1.85 million cattle that roam this great state alone (ND.gov) Where in comparison there are only 113 meat processors in North Dakota as of January 1st, 2024 (NDDA.ND.gov). By adding our Custom Exempt/Retail Exempt facility to that list we would be able to keep more North Dakota raised animals processed locally.

Our youngest of three sons, Ryan who is nineteen, is currently enrolled in the Meat Processing program through North Dakota School of Science and North Dakota State University. Where he is learning through hands-on experience this trade. He is set to graduate in May of 2024. It is his passion that has fueled this project.

The size of our facility will be a 64x60 building where we would be able to process approximately 15-20 animals per month. We plan on processing mainly cattle and pigs. We have approvals for rural water use from South Central Regional Water and a local Sanitation company who will be picking up our inedible. We would like to start construction early this spring.

Leon and Ryan will be the partners in this exciting venture. They feel confident that this will be a very welcome service to the surrounding ranchers in our rural community. Their goal is to keep farm to table local, ethical, and sourceable to all.

Thank you for your time and consideration in helping a young man keep a dying trade alive.

Sincerely,

Leon, Susan and Ryan Bauer

21175 26th St NE

Baldwin, ND 58521

ITEM

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	Travel Reimbursement	BCHR - 17 Approved by Commissioners PJB
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PURPOSE:

The purpose of this policy is to explain how Burleigh County provides for reimbursement of expenses incurred by any elected or appointed officer, employee, representative or agent (Employee) of Burleigh County for mileage, airfare, meals, incidental expenses, and lodging while engaging in the discharge of a public duty away from their normal working and living residence for all or any part of any quarter of a day.

Employee’s submitting claims under this policy shall assure that the expenses incurred are not being reimbursed by any other governmental agency or private business.

POLICY:

In State Travel

Mileage Reimbursement

Personal vehicle mileage reimbursement rate will be as defined by the Internal Revenue Service. Personal aircraft mileage will be reimbursed at the same rate as established by the United States General Services Administration for privately owned vehicles.

Meals and Incidental Expenses Reimbursement

NDCC 44-08-04 provides for reimbursement of employee expenses for meals and lodging while an employee is away from their normal working and living residence.

If meals are included as part of a registration fee for a conference, seminar, or other meeting, the employee should be reimbursed for the entire registration fee, if paid by the employee. However, the employee cannot claim reimbursement for the applicable meal allowance for the quarter. An employee should be reimbursed for meals paid by the employee while attending a meeting at the request of, or on behalf of, Burleigh County up to the allowable rates.

Chapter 44-08-04 provides that reimbursement is allowed only for overnight travel and other travel while away from the normal place of employment for four hours or more. Employees will not be reimbursed for the first quarter if travel began after 7:00a.m. in order to claim expenses for the second and third quarters, the employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed. Receipts are not required for the

first three quarters The federal per diem expense allowance for each quarter of any 24-hour period effective August 1, 2023, is as follows:

<u>Meal Allowance</u>	<u>In-State Rate</u>
First quarter, 6 a.m. to 12 noon	\$9.00
Second quarter, 12 noon to 6 p.m.	\$14.00
Third quarter, 6 p.m. to 12 midnight	\$22.00
Fourth quarter, 12 midnight to 6 a.m.	

If an employee is claiming reimbursement for meals for travel when no overnight stay is involved, the meal reimbursement is taxable and will be processed through the payroll system.

Lodging Expense Reimbursement

Original lodging receipt(s) are required for the Fourth quarter. All lodging is reimbursed at the actual cost under the maximum United States General Service Administration (GSA) rate for lodging in North Dakota.

Out of State Travel

Mileage Reimbursement

When for reason of personal preference or convenience, the employee uses a motor vehicle for out of state travel, reimbursement will be limited to either the estimated commercial airfare rate or the Internal Revenue Service mileage rate.

Commercial Air Travel Reimbursement

Employees may be reimbursed for actual airfares paid for travel on official Burleigh County business. This reimbursement should occur as soon as possible after the purchase is made. Proper supporting documentation must be attached to the Burleigh County Travel Expense Voucher Form as a receipt. Employees are strongly encouraged to purchase airline tickets in advance of anticipated travel to take advantage of reduced or discounted fares. Employees should be reimbursed for their first piece of checked personal luggage. Any other pieces of checked personal luggage will need to be approved by the Department Head.

Meals and Incidental Expenses Reimbursement

The allowance for out of state meals, within the continental United States, is equal to the per diem meals and incidental expense allowance rate in the city for which a claim is made on that day as established by the rule for federal employees by the GSA and must be allocated using the table below:

<u>Meal Allowance</u>	<u>Out-of-State Rate</u>
First quarter, 6 a.m. to 12 noon	20% of GSA M&IE Rate
Second quarter, 12 noon to 6 p.m.	30% of GSA M&IE Rate
Third quarter, 6 p.m. to 12 midnight	50% of GSA M&IE Rate

Fourth quarter, 12 midnight to 6 a.m.

Lodging Expense Reimbursement

Reimbursement for out-of-state lodging is allowed at actual cost to the employee (including applicable taxes), an original receipt is required for reimbursement.

Non-Reimbursable Expenses

Burleigh County will not provide reimbursement to an employee for the following expenses:

- Alcoholic beverages
- Entertainment
- Late check-out charges
- Parking tickets or other traffic tickets
- Laundry

Travel Advances

Burleigh County shall advance at the request of the Department Head; for employees of that department; funds to be used for payment of meal and lodging expenses incurred while the employee is traveling on official business of Burleigh County, provided that such travel must be planned to be in excess of five days per month, whether or not consecutive, and provided that the funds advanced do not exceed eighty percent of estimated expenses for the period. Travel advances must be approved by the Department Head involved. Funds advanced for meals and lodging under this section shall be accounted for as required under NDCC 44-08-04 for travel.


Travel Expense Voucher

Burleigh County has a Travel Expense Voucher Form that must be completed in order for an elected or appointed officer, employee, representative or agent to claim expenses incurred for reimbursement through the County. The Burleigh County Travel Expense Voucher form is sent to employees annually from the Auditor/Treasurer's office. The procedures on the completion, authorization, and submission for processing this form are listed below:

Burleigh County Travel Expense Voucher Form Procedures

You must complete the Burleigh County Travel Expense Voucher Form to receive reimbursement for eligible expenses incurred. No other Travel Expense Voucher Form will be accepted. *The only exception to this would be the Reimbursement For Meals (without an overnight stay) Voucher Form that is used by the Burleigh County Human Service Zone employees and this form will be sent directly to the Human Resources Department for processing.* If you do not have a copy of the Burleigh County Travel Expense Voucher Form, please contact the Auditor/Treasurer's office to obtain this form.

1. Each employee claiming travel expense reimbursement shall submit only one Burleigh County Travel Expense Voucher form (Voucher) for each calendar month.
2. Vouchers must be submitted to the Auditor/Treasurer's office in a reasonable time frame in order for reimbursement to occur. It is preferred that employees submit Vouchers on a monthly basis. Vouchers submitted on a quarterly basis are also acceptable.
3. The information on the Voucher must be either typewritten or legibly printed.
4. Receipts are required for each expenditure for commercial transportation except taxi fare of \$10.00 or less. Receipts are required for each miscellaneous expenditure exceeding \$2.00.
5. Chapters of the NDCC pertaining to travel expenses are located at 44-08, 54-06. And 54-14. Penalties for filing false claims are stated in these sections.
6. All receipts for lodging must be original receipts. Credit card receipts cannot be substituted for original lodging receipts.
7. The purpose of the travel and other explanation of expenses shall be entered in the space provided for this purpose. The employee must enter the times of travel in the allotted spaces on the Voucher.
8. Please itemize each expense on the Voucher, i.e., Mileage, Meals, Miscellaneous Expenses and Lodging.
9. When the Voucher has been completed, attach any required receipts to the Voucher.
10. The employee must sign the Voucher and have their Department Head sign the Voucher prior to sending the Voucher to the Auditor/Treasurer's office for final authorization and processing.
11. An employee claiming reimbursement for meals for travel when there is no overnight stay involved, will be taxed for the meal reimbursement. When completing the Voucher, taxable meals must be noted in the space accordingly. The employee will receive the full meal reimbursement and the taxes will be withheld through the payroll system during the next administratively feasible payroll cycle.
12. Should Burleigh County approve advances for travel expenses, the present Voucher would require the addition of an extra space to enter the amount advanced.

	Electronic Communication Devices & Internet Usage Policy	BCHR - 14 Policy Revised: 02/25/2024 Board Approved:
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Purpose:

To provide guidance for County Commissioners, elected and appointed officials, supervisors, and employees regarding the policy and procedures for the appropriate use of all electronic communications devices (ECDs) used and owned by Burleigh County or owned personally and used in the workplace. The County has established the following policies for employee use of information technology (IT) infrastructure and communication networks (County owned and/or contracted), including the internet, email, and social media resources in an appropriate, ethical, and professional manner.

Introduction and Purpose

Burleigh County provides ECDs, and an IT infrastructure designed to facilitate business communications. These devices include telephones (desk phones, cell phones and smart phones), facsimile (Fax) machines, multi-function printers, tablets, mobile computing devices, workstations, video equipment, all computer desktops and laptops and network related hardware, software (including email and Internet), and/or peripheral devices. These devices are connected to the County’s IT infrastructure or contracted Wi-Fi and public scrutiny and/or disclosure or usage must not damage the reputation of Burleigh County, nor jeopardize the technology systems integrity.

This policy must be followed in conjunction with other Burleigh County policies governing appropriate workplace conduct and behavior. Any employee who abuses the County-provided access to email, the internet, social media, or other IT infrastructure may be denied future access and may be subject to disciplinary action up to and including termination of employment. Burleigh County complies with all applicable federal, state, and local laws as they concern the employee/employer relationship, and nothing contained herein should be misconstrued to violate any of the rights or responsibilities contained in such laws.

Employees Provided ECDs and Personally Owned ECDs

Many Burleigh County employees have job duties that require access to a desktop or laptop computer. Burleigh County provides these devices and is responsible for the maintenance and replacement of such devices.

In addition, some positions may require the use of mobile computing devices such as cell phones, smart phones, or tablets.

Department Heads are responsible for determining if a County-issued mobile computing device should be provided to an employee or if an employee will be allowed to sync or directly attach a personal mobile computing device to Burleigh County's IT infrastructure.

The Department Head must assess the need and cost effectiveness for employees to have a County-issued mobile computing device. Each situation should be considered individually and be based on the employee's work or position.

Factors to be considered in determining if an employee should have a county-issued mobile device or be permitted to sync or directly attach a personal device to the County's IT infrastructure include, but are not limited to, the following:

- The frequency that employees conduct business off-site or away from the office setting and landline phones or radio communications are inaccessible or inefficient.
- Communication is required for safety purposes or to respond to emergencies.
- The extent to which an employee is required to be in regular or immediate contact with the office when out of the office or after hours.
- The extent to which a mobile device will increase an employee's productivity.
- The extent to which a mobile device will provide quality customer service and enhance business operations.
- The extent to which the position requires mobile email access.
- The determination of whether the position is exempt or non-exempt under the Fair Labor Standards Act (FLSA).
- A County-issued ECD should be used if an employee works outside the office and requires a VPN connection.
- Any other unique aspects of the position.

Authorized Use

Burleigh County's policy is to limit the use of County-issued ECDs to official business; however, users may be permitted to utilize ECDs for personal use, if in compliance with the following terms of this policy:

- Does not interfere with the performance of the user's public duties.
- Is of nominal cost or value.
- Does not create the appearance of impropriety.
- Is not for a political or personal commercial purpose.
- Is reasonable in time, duration, and frequency.
- Makes minimal use of hardware and software resources.
- Does not affect the safety of the employee or employee's coworkers.
- Uses only software that has been licensed by Burleigh County. Unauthorized downloading of software/shareware is prohibited; ECD's may be audited at any time.

Standards of Conduct

Users shall be held personally liable (legally, financially, or otherwise) for the use of ECDs not in compliance with the County's policy. ECDs should be used in a professional and ethical manner as noted below:

- Must not use ECDs to distribute, access, or store content that is harassing, bullying, discriminatory, defamatory, insulting, sexually explicit, offensive, or erotic.
- No messages with derogatory or inflammatory remarks about an individual's race, age, sex, disability, religion, national origin, physical attributes, gender identity, sexual preference or any other protected class may be transmitted. Harassment of any kind is prohibited.
- Abusive, profane, or offensive language and any illegal activities – including piracy, cracking, extortion, blackmail, and unauthorized access to any ECDs on the internet or email – are forbidden.
- Must not create, distribute, copy, store, or knowingly use unauthorized copies of copyrighted material on Burleigh County ECDs, or transmit them over the County's IT infrastructure; approval for the use and distribution of such information must be obtained from the owner/author.
- Must limit the use of non-business related "streaming" audio & video (including Internet radio, stock/news tickers, and software such as Weather Bug, etc.) that use significant amounts of the County's bandwidth.
- Must not use the County issued ECDs for accessing external email.
- Must not use County issued ECDs for the purposes of probing or hacking.
- Must not use County issued ECDs for any illegal activity, gambling, trading in illegal substances, etc.
- Must not use ECDs to download, copy, distribute, store, or use pirated software. Only software approved by the IT Manager will be installed on any County-issued ECD. All files or software should be passed through virus-protection programs prior to use. Failure to detect viruses could result in corruption or damage to files or unauthorized entry into the County's IT infrastructure.
- Must not use ECD's with photo/video capability in restricted-access areas and areas where personal privacy would be expected (e.g., restrooms) or electronically transmit images, video, or audio recorded on such devices without permission.
- Must not create or distribute a virus or intentionally cause damage to any ECDs or bypass any County virus detection system(s) in place.
- Must protect the ECD from theft, damage, abuse, or unauthorized use.
- Must immediately report suspicious activity or unauthorized access of an ECD.
- Must report a lost or stolen ECD immediately.
- Must conform to County procurement policies when making business-related purchases using an ECD.

Email Use:

Communication via email is approved by Burleigh County but caution should be exercised in its use. This guidance applies to all ECDs:

- Email messages and attachments are not encrypted by default and are vulnerable to interception by persons with malicious intent.
- Encryption is not needed when sending email, messages, and attachments within the "nd.gov" domain as these items do not go outside of the State of North Dakota firewall environment.
- All email messages including personal email messages are the property of Burleigh County and may be examined if deemed necessary by the Burleigh County IT Division.

- Email users will not permit unauthorized individuals to access their Burleigh County email account.
- Email users should exercise caution when receiving unsolicited email messages or attachments:
 - Unsolicited messages may be spam or junk mail and could be part of a phishing attack.
 - Clicking a link or opening an attachment may initiate the download of malicious software.
- Burleigh County does not permit accessing external email on County issued ECDs.
- Access to many external email sites has been blocked to prevent checking personal email. (May need to change due to google and apple ID accounts for software and other applications.)
- Contacts made through email should not be trusted with the County's information unless due diligence has first been performed.
- The County's email system does provide some protection against spam:
 - All inbound/outbound messages are scanned for common malware and spam filters are in place:
 - Suspicious spam emails are dropped
 - Emails identified with malicious attachments are dropped.
 - Specific file type attachments are automatically removed from messages before the message is forwarded to the recipient.
 - If you are expecting an email message that may have been removed or an attachment that may have been removed, contact the Burleigh County IT Division.

Additional Responsibilities of Employees Using Personally Owned ECDs:

The owner of a personally owned ECD is responsible for ensuring the device is protected, has antivirus software installed, enabled, and the antivirus software remains updated. Burleigh County is not responsible for providing antivirus software for personally owned ECDs.

The Owner of a personally owned ECD is responsible for ensuring that data exchanged with Burleigh County is free from viruses and other forms of malware.

The owner of a personally owned ECD is responsible for ensuring the latest operating system updates are applied, including all applicable security patches.

Social Media:

Social media is a means of communication using web-based and mobile technologies for the exchange or publication of information. Social media includes but is not limited to social networking sites, blogging, instant messaging, etc.

Department Heads have authority to determine and establish social media programs at their department level. Access to social media networks form within the IT infrastructure should be limited to employees performing official county business. Department social media sites will be monitored regularly, and prompt corrective action shall be taken when an issue arises that places, or has potential to place, the County at risk. An employee's use of social media must

comply with all current Burleigh County policies such as, but not limited to Employer Responsibilities, Confidentiality, Employment Practices, and Use of Electronic Communications Devices.

- Every social medium utilized must be branded with the Burleigh County logo or the Department logo.
- Sites shall inform visitors of the intended purpose of the site and provide a statement regarding public comments so that the public is aware that inappropriate posts are subject to removal. Conversations are expected to be respectful. Each department is responsible for monitoring postings, and taking appropriate action, when necessary, to protect general site visitors from appropriate or technically harmful information and links.
- Users will not post copyrighted/trademark materials without permission from the originator.
- Employees must follow the site policies and adhere to the Burleigh County HR policies.
- Departments will maintain a record of social media sites created for County use, including, but not limited to a log file containing the name of the social media network, account identification, password, and list of authorized site editors/administrators. Every site shall have more than one editor/administrator to ensure continuity. This log file will be kept in the IT Division.

Confidentiality and Monitoring

All technology provided by Burleigh County including ECDs, and IT infrastructure, county-related work records and other information stored electronically, is the property of Burleigh County and not the employee. Burleigh County reserves the right to examine, monitor and regulate email, and electronic communications, directories, files, and all other content, including internet use, transmitted by, or stored in the IT infrastructure, whether onsite or offsite.

It is important for all employees to understand that Burleigh County is subject to the North Dakota Open Records Law, and, as such, all records, including information contained within internal and external email, voicemail, text messages, and other electronic communications are considered open records unless an exemption is otherwise noted in the Open Records Laws N.D.C.C. §44-04-17.1 and as such are open to the public upon request. Employees must be aware of this possibility when communicating electronically within and outside of the County.

- Except where precluded by law, Burleigh County has the right to monitor the usage of ECDs. Monitoring includes but is not limited to, reviewing, storing, accessing, auditing, and intercepting information received or sent through email, texting, instant messaging, voicemail, or over the Internet.
- The tools available from the Information Technology Division may allow for monitoring of an employee's Internet usage.
- Burleigh County reserves the right to block any Internet sites deemed by the County to be unrelated to the employee's responsibilities.
- Burleigh County will disclose records to law enforcement, management, government officials, or third parties through subpoena or other process. Consequently, employees should always ensure that their communications are accurate, appropriate, and lawful.

Employee Usage Responsibilities

Every employee of Burleigh County is responsible for the content of all text, audio, video, or image files that he or she places or sends over the County’s internet and email systems or downloads onto a County-owned ECD. No email or other electronic communication may be sent that hides the identity of the sender or represents the sender as someone else. Burleigh County’s government identity is attached to all outgoing email communications, which should reflect county values and appropriate workplace language and conduct.

Nothing in this policy is intended to, nor should it be construed to limit or interfere with employee rights as set forth under all applicable provisions of the National Labor Relations Act (NLRA), including Section 7 and 8(a)(1) rights to organize and engage in protected , concerted activities regarding the terms and conditions of employment.

The above listed rules, obligations, and standards apply to all Burleigh County employees, part-time employees, contractors, and volunteers and other individuals who are provided access to the Burleigh County IT infrastructure. As such, each of these individuals acknowledge and agree that it is his/her responsibility to ensure the security of the Burleigh County technology system. Each individual understands that there should be no expectation of privacy of any kind related to the usage of the County-issued ECDs and the IT infrastructure, and consents to random monitoring of the Burleigh County technology systems and all County-issued ECDs.

I have read, and fully understand this policy. I understand that my use of Burleigh County’s ECDs, IT infrastructure and IT communication systems constitutes full acceptance of the terms of this policy and consent to monitoring. I understand that a violation of the above policy will result in disciplinary action, up to and including termination of employment.

Printed Name of User

Signature of User

Date



ELECTRONIC COMMUNICATIONS DEVICE AUTHORIZATION

Authorized employees with duties/responsibilities requiring them to carry an electronic communications device to conduct business on behalf of Burleigh County are subject to the Electronic Communication Devices & Internet Usage Policy.

Electronic Communication Device (ECD) Definition

Any device that makes or receives phone calls, leaves messages, sends text messages, accesses the internet, or downloads and allows for the reading and responding to e-mail.

Requirements and Responsibilities

Department Heads will determine which employees require a County ECD and complete the "Burleigh County Electronic Communications Device (ECD) Authorization Form." The form will become part of the employee's personnel file. The Department Head must also verify the employee has signed the Electronic Communication Devices & Internet Usage Policy.

The ECD and associated service will be provided by the County-designated vendor. communication plan services will be grouped in pooled plans to minimize cost.

If an employee declines a County owned ECD and associated service plan, the County will not pay a stipend for the employee's personal ECD.

Employees utilizing a ECD to perform County business are encouraged to utilize hands-free talking while driving and operating equipment. All employees are prohibited from texting while driving.

Employees receiving a County ECD will be responsible for:

- Retrieving and responding to missed messages (phone calls, text messages, e-mails) in a timely manner.
- Having the ECD available for use during all hours of work and when the employee is on call.
- Limiting personal/incidental use which will be monitored by the Department Head.
- Caring for the ECD in a responsible manner, minimizing the chance of loss or damage.
- Providing adequate security for the ECD to prevent unauthorized users from finding work-related contact information stored in the device's memory.

Privacy

Billing invoices associated with a County ECD are subject to the open records law.

ECDs in the Workplace

Burleigh County is aware that employees own personal ECDs. It is common courtesy to turn phones off or place in vibrate mode while at work to ensure effectiveness in the workplace. Employees can make calls and reply to messages on their break time.

**BURLEIGH COUNTY
ELECTRONIC COMMUNICATIONS DEVICE AUTHORIZATION FORM**

Employee Name: _____

Department: _____

Employee Authorization:

I certify that the employee requires a County-issued electronic communications device (ECD) as a routine and regular part of their job duties. The plan cost is based on work utilization, consistent with the County Electronic Communication Devices & Internet Usage Policy. The County agrees to maintain records sufficient to document compliance with this policy.

The form will become part of the employee's personnel file and remain in effect until employee separation, or the Department Head revokes the use of the County-issued ECD.

Department Head Signature

Date

Employee certification:

I have reviewed the Burleigh County Electronic Communication Devices & Internet Usage Policy and agree to abide by the current policy and subsequent revisions.

Employee Signature

Date



**Burleigh County, North
Dakota
Job Description**

Last Date Revised:
02/26/2024
Job Description #:
01-49130

Employee: _____
Job Title: Weed Control Officer
Job Status: Non-exempt
Salary Grade: 6

Location: Bismarck
Department: Weed Control
Reports to: Weed Board/Road Superintendent
DBM Rating: B23

Job Summary: Under the supervision of the Weed Board and the approval of the Burleigh County Commission, this position is responsible for the enforcement of applicable regulations under the North Dakota Century Code (NDCC) 4.1-47 Noxious Weed Control. The Burleigh County Weed Control Officer may enter upon any land within the jurisdiction of the officer to perform duties and to exercise powers under NDCC sections 4.1-47-01 through 4.1-47-30, including taking specimens of weeds or other materials, without the consent of the landowner or other person responsible for the land and without being subject to any action for trespass or damages, provided reasonable care is exercised. This position will also assist in the Highway department when needed.

Responsibilities:

- 30 % time 1. Cooperate with the weed board and the county commission to be responsible for the operation and enforcement of NDCC.4.1-47 within the county.
- 25 % time 2. Encourage noxious weed control by all landowners and land occupants within the county. Become acquainted with the location of noxious weeds within the county and investigate all signed complaints received by the Weed Board or County Commission regarding noxious weeds.
- 25 % time 3. Prepare reports as requested by the Weed Board, County Commission or Agriculture Commissioner and, attend meetings called by any of the above-mentioned parties, or any designee to further noxious weed control following the Noxious Weed Control regulations.
- 20 % time 4. Responsible for assisting with general labor duties on Road and Bridge projects including but not limited to snow removal, etc.

Essential Job Duties:

1. Applies chemicals for the control of noxious weeds on State, County and Township Right-of-Way, public and private land by using spraying equipment and correct formulas.
2. Work with township officials in identifying areas of need within appropriate areas and notifying where and when spraying will be done.
3. Surveys and plots noxious weeds and biological control areas (insectaries) and after determining needs, arranges for distribution.
4. Receive calls and information regarding noxious weed issues in the county, work with farmers, homeowners, and other members of the public to address needs and answer questions.
5. Provides information and education to the public and users through newsletters and other methods of communication.
6. Updates mapping program of pesticides and noxious weeds designed for spraying on a systematic basis.
7. Documents applications of pesticides and insecticides and ensures master sheets by township and highways are completed.
8. Prepares and files reports in compliance with federal and state laws.
9. Prepares and updates contracts and calls for bids when needed.
10. Ensures other sprayers keep accurate and detailed records for each spraying, checks records for accuracy and completeness.
11. Investigates complaints and reports findings to appropriate County Officials.



**Burleigh County, North
Dakota
Job Description**

Last Date Revised:
02/26/2024
Job Description #:
01-49130

12. Maintain Material Safety Data Sheets on all insecticides and pesticides for Weed Control and its storage facility and provides training to any staff at least annually.
13. Ensures proper storage of chemicals and inspects storage areas at least monthly.
14. Updates inventory and maintenance logs for chemicals, insects and equipment that are county owned at least monthly.
15. Provides progress reports to the Weed Board monthly, and to the County Commission at least quarterly.
16. Provides assistance to highway maintenance crews with general labor duties using hand tools including but not limited to shovels, rakes, post hole diggers, brooms, scrapers, etc. for use in shop and grounds maintenance, snow removal, etc. Operate heavy equipment on a limited basis to assist the highway department.
17. Observe established safety practices and procedures when working with tools and equipment including the wearing of orange per DOT regulations.
18. Create a positive and productive work atmosphere by communicating, maintaining a professional manner, with supervisors, employees, and the general public.
19. Performs other duties required and/or assigned.

Job Qualifications, Experience and Education

1. Requires Associates Degree (A.S., A.A.) or two-year technical certificate in Agriculture or related field, and three (3) years of herbicide application experience: or the equivalent combination of education, training and/or experience that provides required knowledge and abilities.
2. B.S. Degree in agriculture or related field preferred.
3. Must have or be able to obtain a commercial applicator's certification from the North Dakota State University Pesticide Division. Upon hire, must obtain and maintain Commercial Applicator's License in the following categories: CORE, Agricultural Pest Control, and Right-of-Way.
4. Must possess and retain at the employee's expense, a Class D driver's license as issued by the Driver's License Division of the State of North Dakota, and a clean driving record.
5. Prefer a Class A commercial driver's license.
6. Working knowledge of pesticide application, federal and state weed control laws, identification of noxious weeds, and application formulas and distribution.
7. Required skills include word processing, spreadsheets, email, internet, and other general computer usage skills, familiarity with GPS data recorders and mapping software.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of indoor/outdoor exposure to various extremes of climate and weather.
2. Will include physical motions of sitting, standing, walking, bending, pushing, pulling, crouching, twisting, grasping, climbing, lifting, and carrying heavy items, and other physical motions.
3. Employees in this position are subject to random alcohol and controlled substance testing in accordance with the federal mandated Omnibus Transportation Employee Act of 1991.
4. Occasionally required to respond to call back, emergency and overtime procedures.

Clarification Clause:

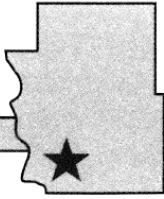
This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Weed Control Officer related position. The job description is not a contract for employment. Burleigh County reserves the right to modify job descriptions at any time.

Employee Signature

Date

ITEM

8



Request for County Board Action

DATE: March 4, 2024

TO: Burleigh County Commission

FROM: Mark Splonskowski

ITEM: Bismarck Planning and Zoning Applications.

REQUEST: Consider the applications received for the Bismarck planning and zoning Commission.

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Lora Wilson

Address: 515 Greenfield Lane Bismarck, ND 58503

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

Bismarck Planning and Zoning

List below the skills or qualifications you could bring to this Board or Commission:

I am a stay at home mom to 7 children ages 14 and under and care about the future of our city and county.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

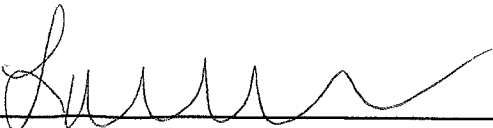
I watch the Burleigh Commission meetings and saw that you need someone to serve from the ETA.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input checked="" type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: Luigi's Ice Cream

List below the associations or institutions with which you are closely associated, or serve as a director or officer: Cathedral School PTO Vice President

Signature:  Date: 2-23-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Larry Riedinger

Address: 4251 Apple Creek Road Bismarck ND 58504

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

city planning and zoning (ETA)

List below the skills or qualifications you could bring to this Board or Commission:

If you have any special interest or reason for serving on this Board or Commission, please explain below.

Principal Occupation/Source of Income (check one)

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input checked="" type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input checked="" type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Signature: Larry Riedinger Date: Feb-5-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Chettie Greer

Address: 8021 Beacon Loop, Bismarck, ND, 58501

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

Bismarck Planning and Zoning Advisory Committee

List below the skills or qualifications you could bring to this Board or Commission:

As an experienced ER nurse and ND Department of Health and Human Services employee, I bring a unique perspective on development and how issues and choices can impact the broader spectrum of people in this community.

If you have any special interest or reason for serving on this Board or Commission, please explain below. I would like to serve on this board to bring a voice to those impacted by development choices and how the City can better the situation for all. With the City initiating a new zoning ordinance rewrite, I want to ensure the ETA resident voice is heard.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

No financial interests to disclose.

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

None

Signature:  Date: 12/17/23

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Sheldon A. Sivak

Address: 7115 30th Ave NE Bismarck, ND 58501

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

Bismarck Planning & Zoning Commission

List below the skills or qualifications you could bring to this Board or Commission:

I've been involved in the industry (went through the planning & zoning process) on my own property.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I have lived here in Burleigh County for over 30yrs and want to help make it a better place. I have served in the military and

Principal Occupation/Source of Income (check one) have experience in Law Enforcement.

- | | | | |
|-------------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input checked="" type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

Rock Hills Storage, LLC

Rock Hills Investments, LLC

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

I work closely with the Bismarck/Mandan

Lacrosse Association and help out with Legacy High School Sports

Signature: [Signature] Date: 2-5-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

ITEM

9



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: March 4, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line, conduct Public Hearing, and direct staff on how to proceed.

BACKGROUND:

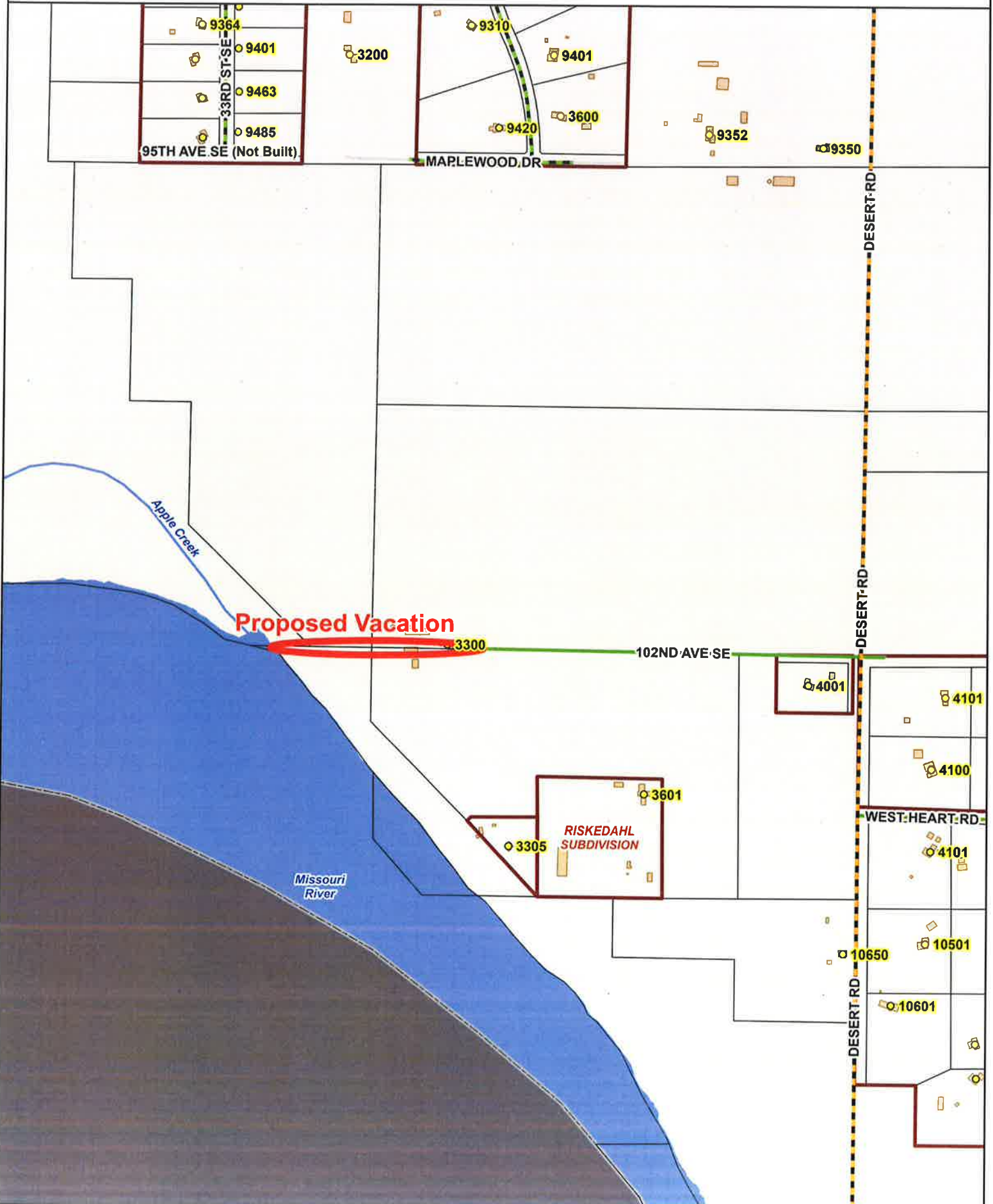
Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, as part of the Peaceful Valley Subdivision, has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
1/31/2024



Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
1/31/2024





BURLEIGH COUNTY UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |

PROPERTY INFORMATION:			
Name of plat: <p style="text-align: center; font-size: 1.2em;">PEACEFUL VALLEY SUBDIVISION</p>			
Legal description of property (lot, block, addition): <p style="text-align: center; font-size: 1.1em;">PART OF SEC. 11 & PART OF SEC. 14 IN TOWNSHIP 137 NORTH, RANGE 80 WEST</p>			
Street address of property: <p style="text-align: center; font-size: 1.1em;">3300 102ND AVENUE SE, BISMARCK, ND 58504</p>			
Existing Zoning: <p style="text-align: center; font-size: 1.2em;">AG</p>		Proposed zoning: <p style="text-align: center; font-size: 1.2em;">AG</p>	
Acreage: <p style="text-align: center; font-size: 1.2em;">17.89</p>		Number of lots: <p style="text-align: center; font-size: 1.2em;">1</p>	
Description of development proposal, including reason(s) for the request: <p style="text-align: center; font-size: 1.2em;">VACATE SECTION LINE ON COMMON LINE OF 11 & 14</p>			
APPLICANT/DEVELOPER:			
Name: <p style="text-align: center; font-size: 1.2em;">DUANE SMALL</p>		Mailing address: <p style="text-align: center; font-size: 1.1em;">3300 102ND AVE SE, BISMARCK, ND 58504</p>	
Daytime telephone number: <p style="text-align: center; font-size: 1.2em;">701-391-5320</p>		FAX number:	E-mail address:
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:		FAX number:	E-mail address:
CONTACT PERSON/AGENT:			
Name/Firm: <p style="text-align: center; font-size: 1.2em;">MARK R. ISAACS / ILSE, INC.</p>		Mailing address: <p style="text-align: center; font-size: 1.1em;">4215 OLD RED TRAIL NW, MANDAN, ND 58554</p>	
Daytime telephone number: <p style="text-align: center; font-size: 1.2em;">701-595-2079</p>		FAX number:	E-mail address: <p style="text-align: center; font-size: 1.1em;">mark@ilsurveyand.com</p>

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

This application is filed complete with the required information as outlined in the attached submission checklist. I understand the regulations of the Burleigh County Zoning Ordinance as they pertain to this request(s). I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above described development application.

Duane Small
(Applicant's Signature)

1-31-24
(Date)

(Owner's Signature, if different)

(Date)

(Additional Owner's Signature, if applicable)

(Date)

VERIFICATION FOR ROADWAY VACATION REQUESTS:

The oath of at least one petitioner is required for road vacations only.

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this 31ST day of January, 2024, before me, a notary public in and for said county and state, appeared Duane Small, known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

Mark R Isaacs
Notary Public
State of North Dakota
My Comm. Expires 6/30/2027

Mark R Isaacs
Notary Public
Burleigh County, State of North Dakota
My Commission Expires: 6/30/27

Submission Deadlines:

The County Planning and Zoning Commission regularly meets on the second Wednesday of each month. All development applications are due at 5:00 p.m., 21 calendar days prior to the meeting.

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
Preliminary Plat	Required pre-application meeting	Date:	
	Fee determined by lot number: 1 – 2 lots \$200, 3 – 10 lots \$300, 11 – 20 lots \$400, 21 or more lots \$900.		
	Preliminary plat checklist, completed by applicant		
	8 ½ " x 11" reduction of plat		
	6 prints of plat including items listed in preliminary plat checklist		
	Digital Copy of plat per County Digital Plat Submittal Requirements		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County: Documentation of subdivisions compliance with the zoning regulations of the township		
	Written request for amendment to Fringe Area Road Master Plan		
	Final Plat	Final plat fee \$250.00	
Stormwater Management Plan Review Fee \$200.00 (includes permit if approved)			
Final plat checklist, completed by applicant			
8 ½ " X 11" reduction of plat			
6 prints of plat including items listed on the final plat checklist			
Digital Copy of plat per County Digital Plat Submittal Requirements			
Attorney's opinion of ownership, including all easement owners			
Development Application Review Fee	Fee Determined by number of lots: 1 – 2 lots = \$25, 3 to 10 lots = \$ 100, 11 – 20 lots \$200. 21+ lots \$600.		
	Site plan , drawn to scale (no larger than 1" x 17")		
	Completed Development Application and all exhibits		
Development Permit & Field Review	Fee determined by number of lots: 1 – 2 lots = \$200.00 3 – 10 lots = \$400.00 11 – 20 lots = \$1,500 21+ lots = \$2,500		
	Review and approval of Development Application		
Minor Plat/Lot Modification	(Only applies to 3 lots or less) Fee \$200.00		
	Sketch of Survey, showing how the lot(s) are to be modified		
	Digital Copy of modifications per County Digital Plat Submittal Requirements		
	Legal description of lot (s), both existing & proposed modification with square footage/acreage		
Plat Vacation	Fee \$300.00		
	Map of property to be vacated		
	Digital Copy of modifications per County Digital Plat Submittal Requirements		
	Legal description of property to be vacated		

Zoning Change	Fee \$500.00		
	Description of zoning change by legal description if multiple districts involved		
<i>For PUD Only</i>	➤ Architectural/Engineered Drawings		
	➤ One print of site plan, at 1" = 100' scale		
	➤ 8 ½" x 11" reduction of site plan		
	➤ Written statement		
Special Use	Fee \$300.00		
	Three prints of site plan at 1" = 20' or larger scale		
	8 ½" x 11" reduction of site plan		
	Photograph of building (for building movement only)		
	Adjacent property owner petition (required for moving of building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		

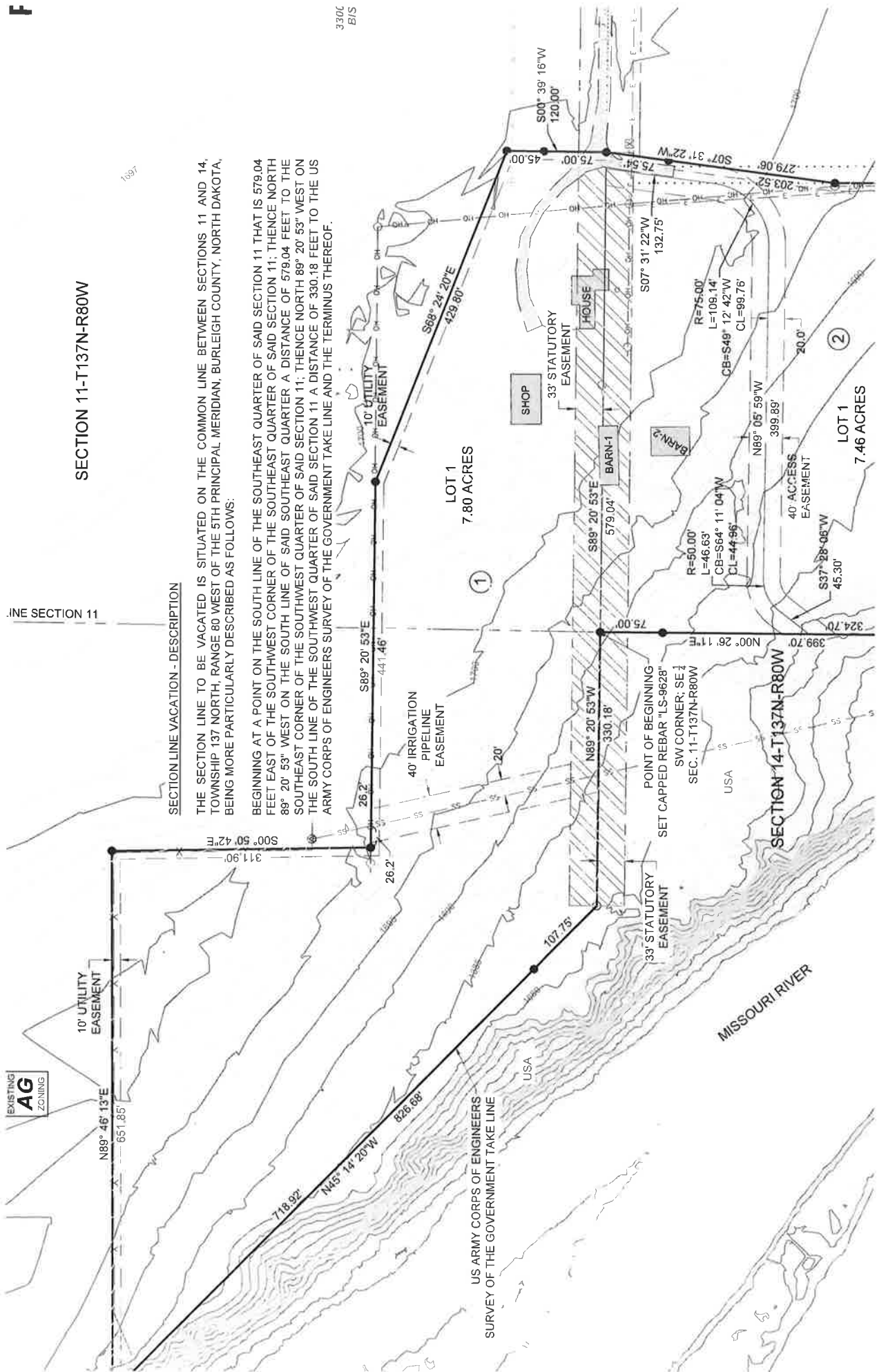
SECTION 11-T137N-R80W

LINE SECTION 11

SECTION LINE VACATION - DESCRIPTION

THE SECTION LINE TO BE VACATED IS SITUATED ON THE COMMON LINE BETWEEN SECTIONS 11 AND 14, TOWNSHIP 137 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11 THAT IS 579.04 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 11; THENCE NORTH 89° 20' 53" WEST ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 579.04 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 11; THENCE NORTH 89° 20' 53" WEST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.18 FEET TO THE US ARMY CORPS OF ENGINEERS SURVEY OF THE GOVERNMENT TAKE LINE AND THE TERMINUS THEREOF.



330C
BIS

1597

LOT 1
7.80 ACRES

LOT 2
7.46 ACRES

SECTION 14-T137N-R80W

MISSOURI RIVER

EXISTING
AG
ZONING

US ARMY CORPS OF ENGINEERS
SURVEY OF THE GOVERNMENT TAKE LINE

POINT OF BEGINNING
SET CAPPED REBAR "LS-9628"
SW CORNER; SE 1/4
SEC. 11-T137N-R80W

10' UTILITY
EASEMENT

40' IRRIGATION
PIPELINE
EASEMENT

33' STATUTORY
EASEMENT

40' ACCESS
EASEMENT

33' STATUTORY
EASEMENT

N89° 46' 13"E
651.85'

S00° 50' 42"E
311.90'

718.92'

N45° 14' 20"W
826.68'

S89° 20' 53"E
441.46'

S68° 24' 20"E
429.80'

107.75'

N89° 20' 53"W
330.18'

S89° 20' 53"E
579.04'

R=75.00'
L=109.14'
CB=S49° 12' 42"W
CL=99.76'

R=50.00'
L=46.63'
CB=S64° 11' 04"W
CL=44.96'

N89° 05' 59"W
399.89'

S37° 28' 08"W
45.30'

N00° 26' 11"E
399.70'

S324.70'

S07° 31' 22"W
132.75'

S07° 31' 22"W
75.54'

S00° 39' 16"W
120.00'

S07° 31' 22"W
75.54'

S07° 31' 22"W
75.54'

S07° 31' 22"W
75.54'

S07° 31' 22"W
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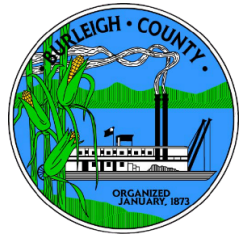
S07° 31' 22"W
75.54'

S07° 31' 22"W
75.54'

S07° 31' 22"W
75.54'



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

March 18, 2024

5:00 PM

COUNTY PARK BOARD

1. Meeting called to order.
2. Roll call of members
3. Kimball Bottoms cleaning station.
4. Kimball Bottoms dredging.

COUNTY COMMISSION

Invocation and Pledge of Allegiance presented by Chaplain.

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the March 4, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
6. County Engineer Hall:
 - a. Award of grazing land bids.
 - b. Award of gravel hauling bid.
 - c. Award of pavement marking bid.
 - d. Award of dust control bid.
 - e. Award of gravel crushing bid.
7. Finance Director Jacobs:
 - a. Detention Center Sales Tax Bond update.

8. Comm. Munson:
 - a. Home Rule Charter Ballot Language.
 - b. Missouri Valley Complex committee applications.

9. Election Coordinator, Lisa Hart
 - a. Appointment of Election Inspectors
 - b. Resolution regarding County Employee Poll Workers

10. Auditor/Treasurer Splonskowski
 - a. Fill position in the Bismarck Planning Commission.

11. Other Business

12. Adjourn.

The next regularly scheduled Commission meeting will be on April 1st , 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer/Tax

**COUNTY
PARK
BOARD**

Addenda item for March 18th, 2024 Park Board Meeting

Action Requested: None

Description: Dave Mayer will lead us through the concerns at Kimball Bottoms Boat Ramp. We have sent in the application to the US Army Corps of Engineers so we are ready if we need to dredge at the boat ramp this year.

If Dredging is required, we will send out a RFP for the work and bring those results of that bid for approval of the expenditures.

Addenda item for March 18th, 2024 Park Board Meeting

Description:

The North Dakota Game and Fish Department is interested in installing a CD3 (waterless cleaning device) near the Kniefel boat ramp to assist boat operators in getting their vessels clean, drained, and dried. We understand that this area is known for getting vegetation stuck on trailers and hopefully something like this would help alleviate concerns. These CD3 systems are solar powered, have a weed grabber tool, brush, wet/dry vacuum, and air hose. They also have lights so they can be operated in the dark.

The Department would procure, install, and maintain the unit. We are asking for assisting picking out a location (and of course permission to install the unit in the first place).



(Cd3 unit at North Forks ramp by the Red River)

Action: Move to approve that we assist the North Dakota Game and Fish Department in locating the appropriate placement of the CD3 /waterless cleaning device at Kniefel Boat Ramp and permit them to perform the installation of the unit at the Boat Ramp.

1. Approximate area of dredging, Depth to vary depending on distance from waters edge. Estimated between zero and three feet deep. It's estimated the area will be trapezoid shaped as shown below, 30' wide on the shore side, extending into the water approximately 40' and ending at about 50' wide in the water. It is planned that excavated material will be loaded directly in a truck and hauled to the approved site.



Disposal location is an area identified in the Kimball Bottoms OHV Area to the south of the dredging location. Location selected by local USACE representative.

2. Parcel ID: 51-137-80-76-05-120

Tax Parcel Description: RAYMAR Block 05 L1-12

Section 14 137N 80W Burleigh County

3. Sediment removal only taking place, no plans required.





COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING
MARCH 4TH, 2024**

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

The Chaplain invited everyone to the Mayor’s Prayer Breakfast on May 16th at the Radisson in Bismarck starting with breakfast at 7:15am. The speaker is Vern Dosch. Tickets can be purchased on Eventbrite.

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

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

Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the meeting agenda. All members present voted “AYE”. Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the February 21st, 2024, meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Melina Rios Rivera & Kiara Aponte	2023	E 50' of Lots 8-11, Block 16, Governor Pierce	Error in property description	\$244,100	\$222,900
Melinda K Teske	2022	1980 Bonnavilla 28' x 48', #08A10171	100% Homestead Credit	\$14,472	\$0
Melinda K Teske	2023	1980 Bonnavilla 28' x 48', #08A10171	100% Homestead Credit	\$15,278	\$0
Melinda K Teske	2024	1980 Bonnavilla 28' x 48', #08A10171	100% Homestead Credit	\$15,278	\$0
Thomas Jenö	2024	1971 Rollohome 14 x 60, #GA040014	Mobile home demolished late 2023	\$7,550	\$0
Jesse Weber	2024	1974 Blair 14 x 56, #S90862	Mobile home demolished late 2023	\$6,213	\$0
Chuck & Mary Vetter	2024	1998 Schult 16 x 76, #R280469	50% Homestead Credit	\$36,675	\$18,338

Gerald Goldade	2022	Lot 1, Block 2, Countryside Estates	100% Homestead Credit	\$253,700	\$128,700
Gerald Goldade	2023	Lot 1, Block 2, Countryside Estates	100% Homestead Credit	\$271,700	\$71,700
Carole Koester	2023	Block 14, Wachter's 2nd, Lots 9-12 & W 10.2' of Lot 13 Pinecrest Condominium Unit 116	100% Homestead Credit	\$105,800	\$0
Delaney McCormick	2022	2012 Schult 30 x 76, #364454	100% Homestead Credit	\$129,010	\$4,010
Delaney McCormick	2023	2012 Schult 30 x 76, #364454	100% Homestead Credit	\$139,612	\$0
Delaney McCormick	2024	2012 Schult 30 x 76, #364454	100% Homestead Credit	\$139,612	\$0
Donna A Schmidt	2023	Lot 20, Block 20, Meadow Valley 4th	100% Homestead Credit	\$103,600	\$0
Marlinda Bender	2023	Lot 2, Block 9, Wachter's 7th Addition	50% Homestead Credit	\$282,400	\$182,400
Toni J Daede	2023	Lot 4, Block 2, Northridge	50% Homestead Credit	\$211,900	\$111,900
Daniel Taszarek	2022	Block 17, Wachter's 2nd, S 76' of Lot 2 all Lot 3 & N 34' of Lot 4 South Aires Condo Unit 18	80% Homestead Credit	\$106,900	\$21,380
Alicia Ann Fischer	2023	Lot 3, Block 1, Calgary Count Addition	100% Homestead Credit	\$302,500	\$102,500
Marcia Schuler	2022	Lot 11, Block 1, Edgewood Village 5th	10% Homestead Credit	\$343,600	\$331,089
Marcia Schuler	2023	Lot 11, Block 1, Edgewood Village 5th	100% Homestead Credit	\$367,700	\$167,700
Julie Taylor	2023	28 x 60 2012 Schults, # RED364354MN	100% Disabled Veteran	\$101,556	\$0
Philip Axt	2023	Section 27, Painted Woods Township, Lot A NW 1/4 less S 59.15' (.613 AC to -410)	50% Disabled Veteran	\$530,900	\$440,900
Lucy Dahner	2024	1980 Detroit 14 x 67, #044D0515441A	100% Homestead Credit	\$9,341	\$0

Linda Brunner	2024	1980 Sharlo 14 x 66, #7882	100% Homestead Credit	\$9,164	\$0
Paul A & Helen M Senger	2023	Lot 3, Block 3, High Meadows 2nd	50% Homestead Credit	\$346,000	\$246,000
Marilyn J Miller	2023	Block 6, Lincoln, beg on W Ln 295' S & 125' E of NW cor E 75' N 95' W 75' to beg #13802	100% Homestead Credit	\$215,400	\$15,400
Scott A & Brenda L Kilber	2023	Tract B, Block 3, East View	100% Homestead Credit	\$248,000	\$148,000
Anna Vogel	2023	Lot 6, Block 7, Sasse	100% Homestead Credit	\$181,600	\$0
Ronald Fischer Etal -Mathilda Fischer-	2023	Lot 17, Block 4, Morningside Heights	100% Homestead Credit	\$225,200	\$25,200
Claudette A Doppler	2023	Lot 8, Block 4, Eastview	50% Homestead Credit	\$207,500	\$107,500
Leeila M Bina	2023	Lot 8, Block 3, Meadow Valley	50% Homestead Credit	\$280,200	\$180,200
Rebecca Christensen	2023	Block 2, Pebble Creek 9th, Lot 5 3515 N 19th St Condo Assoc Unit 3	50% Homestead Credit	\$198,400	\$99,200
Deborah Dobler	2023	Block 4, Pebble Creek, Lot 3, Block 4 Pebble Creek & Lot 2 less S 25.80', Block 1, Pebble Creek 5th 2004 Oregon Dr Condo Assoc Unit 1, Garage 1	50% Homestead Credit	\$179,600	\$89,800
Diane Haan	2023	Lot 2AR of Lot 2, Block 1, Replat pt North Hills 10th	50% Homestead Credit	\$300,500	\$200,500
Ralph J Halter	2023	Lot 34, Block 2, Southland Addition	50% Homestead Credit	\$412,700	\$312,700
Michael R & Carol L Heyd	2023	Lot 4, Block 5, Parkview	50% Homestead Credit	\$211,900	\$111,900
Doris E Nordgaard	2023	Block 1, Haight & Little's, S 6.25' of Lot 3, Lots 4-5, & N 11.26' of Lot 6 Williamsburg Condo Assoc Unit 2 Building 1934	100% Homestead Credit	\$177,000	\$0
David & Wanda Schnase	2023	S 8' of Lot 7 & all Lot 8, Block 7, Replat Homan Acres	50% Homestead Credit	\$285,700	\$185,700
Albert & Kathryn Mettler	2023	Lot 6 & Lot E of Lot 2, Block 1, K & L's 4th Addition	50% Homestead Credit	\$383,600	\$283,600

Dallus L Hochhalter	2023	Lot 10, Block 4, Rolling Meadows	50% Homestead Credit	\$255,700	\$155,700
Carol Thompson	2022	S 10' of Lot 1, all Lots 2-4, E 100' of Lot 5, Block 8, Rolling Hills 1st	100% Homestead Credit	\$138,900	\$13,900
Susan Wagner	2024	2014 Dutch Champion 76 x 16	Moved to McLean County for year	\$70,042	\$0
Herbert & Charlotte Ebel	2023	Lot 3, Block 1, Northwood Estates Replat	100% Homestead Credit	\$402,100	\$202,100
Jacob Scheett	2024	1968 Marlette 52x20 VIN # 80388A&B	Fire	\$9,427	\$0
Lynn Mosher	2022	Lots 11-12 & North 4 FT of Lot 13, Block 39, Fisher Addition	20% Homestead Credit	\$189,100	\$164,100
Lynn Mosher	2023	Lots 11-12 & North 4 FT of Lot 13, Block 39, Fisher Addition	100% Homestead Credit	\$212,000	\$12,000
Fred Hanson	2023	Lot 18 except the Northwesterly 13 FT, Block 28, Wachter's 3rd Addition	50% Homestead Credit	\$272,100	\$172,100
Bernice Schuh	2023	Lot 2 & that part of Lot 4, Block 1, Eastbluff Village 2nd Addition	50% Homestead Credit	\$386,100	\$286,100
Clifford & Bonnie Stone	2023	Lot 2, Block 2, East Ridge Second Subdivision	50% Homestead Credit	\$414,200	\$314,200
Greg & Tracey Runyon	2024	2002 Atlantic 56x27	100% Homestead Credit	\$60,329	\$0

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the Melina Rios Rivera & Kiara Aponte, Melinda K. Teske (3), Thomas Jenó, Jesse Weber, Chuck & Mary Vetter, Gerald Goldade (2), Carole Koester, Delaney McCormick (3), Donna A. Schmidt, Marlinda Bender, Toni J. Daede, Daniel Tazsarek, Alicia Ann Fischer, Marcia Schuler (2), Julie Taylor, Philip Axt, Lucy Dahner, Linda Brunner, Paul A. & Helen M. Senger, Marilyn J. Miller, Scott A. & Brenda L. Kilber, Anna Vogel, Ronald Fischer Etal -Mathilda Fischer, Claudette A. Doppler, Leeila M. Bina, Rebecca Christensen, Deborah Dobler, Diane Haan, Ralph J. Halter, Michael R. & Carol L. Heyd, Doris E. Nordgaard, David & Wanda Schnase, Albert & Kathryn Mettler, Dallus L. Hochhalter, Carol Thompson, Susan Wagner, Herbert & Charlotte Ebel, Jacob Scheett, Lynn Mosher (2), Fred Hanson, Bernice Schuh, Clifford & Bonnie Stone, and the Greg & Tracey Runyon abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Planning Director, Mitch Flanagan presented a request for a Special Use Permit for a Retail Exempt Meat Market in Baldwin based on a Feb. 14th Public Hearing that was held for owners, Leon & Susan Bauer. Mr. Flanagan stated there was no opposition from anyone in regard to this permit. All the oversight on this business would be from the State with quarterly inspections. Planning & Zoning will be responsible

to issue the building permits for the building, the septic system, and mechanical/electrical. There was no one present who wished to speak on this item. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve this request. All members present voted "AYE". Motion carried.

County Human Resources Director Pam Binder presented a discussion on the County Travel Reimbursement Policy which was updated and combined our Mileage Reimbursement Policy, Travel Reimbursement Policy, Travel Expense Account Policy, and Travel Voucher Policy. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve. All members present voted "AYE". Motion carried. Ms. Binder then presented an update on the County Communication Devices & Internet Usage Policy. This was also updated and combined from the Computer Usage Policy, Wireless Communication Device Policy, and Social Media Policy and given a new name with updated language. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve with a few typographical changes. All members present voted "AYE". Motion carried. Ms. Binder then shared the Weed Control Officer Job Description and Update. The county did employ a Weed Control Officer for one week, but he got another job offer and resigned. The position was reposted with an updated job description, and a new Weed Control Officer was hired with the tentative start date being Mar. 25th.

Deputy Auditor/Treasurer Brandi Caya presented four applications that were received for the Bismarck Planning and Zoning Commission. Chairman Bitner stated that two of the applicants and one current member of the board live very close to him and in an effort to have the members of the board more dispersed within the ETA suggested choosing from the other two applicants for better representation. Motion by Comm. Bakken, 2nd by Comm. Woodcox to appoint Lora Wilson and Sheldon Sivak to the Bismarck Planning and Zoning Commission. All members present voted "AYE". Motion carried.

County Engineer Marcus Hall presented a petition to vacate a section line on the Common Line of 11 and 14 in the Peaceful Valley Subdivision. The County Commission began a Public Hearing to determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway. Mark Isaacs with Independent Land Surveying & Engineering provided the commissioners with the original survey plat map of the area and shared that they would be providing an access easement to be used by the owner of an irrigation pump down by the river. The pump is permitted by the Corps of Engineers who uses the trail to inspect the pump. Mr. Isaacs stated that the access easement would be to the benefit of the Corps and owners of the land that it goes through as well as the owners to the north that have the pump. The public benefit according to Mr. Isaacs would be that it would be a way to preserve the historic value of buildings on the land and would give better access to the river. Attorney, Arlen Ruff stated that this would also give some finality to the Small's who have lived there for four generations and would keep their property marketable and on the tax rolls. The Public Hearing was then closed. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the request to vacate this section line and move it down the trail. Commissioners Woodcox, Baken, and Chairman Bitner voted "AYE". Comm. Schwab voted "NAY". Motion carried.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-094	LaSalle Shopping Center LLC	2022	Lot 1, Block 1, Hay Creek Commercial Add	True and full value exceeds market value		City denied abatement
24-095	LaSalle Shopping Center LLC	2023	Lot 1, Block 1, Hay Creek Commercial Add	True and full value exceeds market value		City denied abatement
24-096	LaSalle Shopping Center LLC	2022	Lot 1, Block 2, Hay Creek Commercial Add	True and full value exceeds market value	\$32,858,600	\$26,624,800
24-097	LaSalle Shopping Center LLC	2023	Lot 1, Block 2, Hay Creek Commercial Add	True and full value exceeds market value	\$35,815,900	\$27,979,500
24-318	Joyal & Joel Meyer	2022	Lot 1, Block 2, Sunnyview Acres 9th	50% Disabled Veteran	\$408,500	\$318,500
24-319	Joyal & Joel Meyer	2023	Lot 1, Block 2, Sunnyview Acres 9th	50% Disabled Veteran	\$434,000	\$344,000
24-399	Trent & Rachel Coleman	2023	Lot 12, Block 6, Wachter's 6th	50% Disabled Veteran	\$293,100	\$203,100
24-400	Dawson Brost & Megan Krebs	2023	Lot 24, Block 6, Gateway Addition	100% Disabled Veteran	\$364,700	\$274,700
24-414	Jessica Lawler	2023	Lots 1-2, Block 1, River Heights Addition	100% Disabled Veteran	\$204,100	\$24,100
24-415	Trent & Rachel Coleman	2022	Lot 12, Block 6, Wachter's 6th Addition	50% Disabled Veteran	\$286,300	\$196,300
24-416	Dana Clairmont	2023	Lot 4, Block 21, Morningside Heights Addition	50% Disabled Veteran	\$203,400	\$113,400
24-417	Laura & Marc Knutson	2022	Lot 5, Block 3, Boulder Ridge 3rd Addition	Error in property description	\$436,100	\$398,800
24-418	Laura & Marc Knutson	2023	Lot 5, Block 3, Boulder Ridge 3rd Addition	Error in property description	\$494,600	\$457,300
24-426	Gayler L & Sharon D Korsmo	2023	W 70' of Lots 13-16, Block 34, Fisher's Addition	100% Homestead Credit	\$224,300	\$24,300
24-427	Karla Kilen	2023	Block 5, North Hills 3rd, all Lots 1 & 25 and W pt. of Lot 24 that contains 3494 sq ft North Estevan Condos unit 102	50% Homestead Credit	\$210,300	\$110,300
24-428	Walter Reisenauer Jr	2023	Lot 1, Block 2, Prairie Place	100% Homestead Credit	\$524,500	\$324,500

24-429	Deanna & Robert Wahl	2023	Lot 7, Block 3, Apple Valley	100% Homestead Credit	\$205,500	\$5,500
24-430	Patricia Walbert	2023	All Lots 6-7 & N 1/2 of Lot 8, Block 43, Flannery & Wetherby	100% Homestead Credit	\$195,800	\$0
24-431	Joseph Jr & Mary Vetter	2023	Block 3, Cottonwood Lake 5th, Lot 2 875 San Angelo Dr Condo Assoc Unit 2 & Garage 2	100% Homestead Credit	\$28,700	\$0
24-432	Eileen R Elhard Nicole Hanson & Jillian	2023	Lot 9, Block 1, Bar D Estates	50% Homestead Credit	\$236,600	\$136,600
24-433	Lapoint	2024	1972 Blair House 66 x 14, VIN # N/A	Moved to landfill 2023	\$7,096	\$0
24-435	Don & Marcella Lammert	2023	Block 11, Moffit Township, Part of Lot 1 beg @ pt 690' S of NE cor L1 th S 261.6', NWLY 159', N 309.6', E40', S 110', E 100' to pt of beg	50% Homestead Credit	\$75,400	\$37,700
24-436	Darcy Jo Frantz	2023	2006 Friendship 28 x 64, # MY0628896AB	Moved out of state Aug 2023	\$99,008	\$0
24-437	Corinne Trusty	2023	Block 13, Replat Homan Acres, Lot D of Lot 1 Washington Court Condominiums Building 2026 Unit 5 Garage 11	100% Homestead Credit	\$110,800	\$0
24-438	Robert E Krieger	2023	Lot 8, Block 4, Valley View Terrace	50% Homestead Credit	\$245,900	\$145,900
24-439	Vera Donaldson	2023	Lot 11, Block 30, Wachter's 3rd	50% Homestead Credit	\$286,200	\$186,200
24-440	Judene Julson	2023	Lot 11, Block 1, Ridgefield 2nd Add	50% Homestead Credit	\$256,900	\$156,900
24-441	Grace Lauinger Anthony W & Lucille	2023	Lot 26, Block 1, Huntington Cottages 1st Addition	50% Homestead Credit	\$416,200	\$316,200
24-442	Goldade	2023	Lot 3, Block 21, Jennings's 4th	50% Homestead Credit	\$262,300	\$162,300
24-443	Mary Laduke	2023	Block 20, Casey's 4th, N 12' of Lot 14 & S 59' of Lot 15	50% Homestead Credit	\$220,500	\$120,500

24-447	Stephanie Reidy	2023	Lots 13-14, Block 79, William's Survey Lot 19A of Lot 19, Block 1, Huntington	100% Homestead Credit	\$355,000	\$155,000
24-448	Linda Black	2023	Cottages 1st Addition Block 1, Sonnet Heights Subdivision 4th replat, Lot 7 Lasalle Acres Homeowners	50% Homestead Credit	\$354,800	\$254,800
24-449	George & Carol Behrens	2023	Assoc Inc Unit 2 Bldg 4	50% Homestead Credit	\$167,300	\$83,650
24-450	Mark D & Nancy S Berger	2023	Lot 65, Block 2, Sonnet Hgts Subdiv 1st Rep	50% Homestead Credit	\$395,500	\$295,500
24-451	Darcel A Hochhalter	2022	Block 11, Gateway Addition, Lot 3 less W 2', all Lot 4 & W 2' of Lot 5 Lambton Heights Condo Unit 1 garage 1 Building 900	40% Homestead Credit	\$168,800	\$118,800
24-452	Darcel A Hochhalter	2023	Block 11, Gateway Addition, Lot 3 less W 2', all Lot 4 & W 2' of Lot 5 Lambton Heights Condo Unit 1 garage 1 Building 900	50% Homestead Credit	\$186,800	\$93,400
24-453	Gary & Madonna Wald	2023	Lot 6, Block 3, Southbay 5th Add Lot 22, Block 1, Kamrose Crossing Addition	100% Homestead Credit	\$512,600	\$312,600
24-454	Marlys Heidrich	2023	2nd Replat	50% Homestead Credit	\$243,700	\$143,700
24-457	Michael John Super	2023	Block 8, McKenzie's, W 18' of Lot 11 all Lot 12 E 23' of Lot 13	100% Homestead Credit	\$210,500	\$10,500
24-458	Jerry & Katherine Branson	2023	Block 1, Koch Addition, Lot 5 3812 Koch Dr Condo Assoc unit 2 & garage unit 2	100% Homestead Credit	\$240,400	\$40,400
24-459	Becky L Vandal	2022	Block 26, Governor Pierce, Lots 20-22 & S 10.5' VAC Ave A	40% Homestead Credit	\$233,200	\$183,200
24-460	Becky L Vandal	2023	Block 26, Governor Pierce, Lots 20-22 & S 10.5' VAC Ave A	100% Homestead Credit	\$232,800	\$32,800

ITEM

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BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for Burleigh County Board Action

DATE: March 18, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

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

ACTION REQUESTED:

Authorize the proper County officials to accept the high bid for 2024 grazing rights.

BACKGROUND:

On January 3, 2024 the County Board authorized the County Auditor and the County Engineer to advertise for bids for the 2024 grazing rights on Section 9, T141N, R76W. Bids were opened on March 11, 2024 and the following bids were received:

Fettig Cattle Company	\$21,000.00
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RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the Burleigh County Board hereby accepts the following high bid from Fettig Cattle Company for \$21,000.00 for the 2024 grazing rights on Section 9, T141N, R76W, and authorize the proper County officials to enter into a contract with said bidder.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: March 18, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer
RE: Award of Bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for Township Gravel Hauling.

BACKGROUND:

On January 3, 2024 the County Board authorized the County Auditor and the County Engineer to advertise for bids for Township Gravel Hauling. Bids were opened on March 11, 2024 and the following bids were received:

Hauling of Gravel:

Wm. D. Scepaniak Inc.	\$352,000.00
Circle C Enterprises	\$415,250.00
Engineers Estimate:	\$380,000.00
Budgeted Amount:	\$382,000.00

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board accepts the following low bid from Wm. D. Scepaniak Inc. of \$352,000.00 for Township Gravel Hauling and authorize the proper County officials to enter into a contract with said bidder.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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Request for County Board Action

DATE: March 18, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for painted pavement markings.

BACKGROUND:

On January 3, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for painted pavement markings. Bids were opened on March 11, 2024 and the following bids were received:

Traffic Safety Services, Inc.	\$262,716.92
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Engineers Estimate:	\$263,880.00
Budgeted Amount:	\$290,000.00

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the County Board hereby accepts the painted pavement markings low bid from Traffic Safety Services, Inc. for \$262,716.92 and authorize the proper County officials to enter into contracts with said bidder.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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Request for County Board Action

DATE: March 18, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for Dust Control.

BACKGROUND:

On January 3, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for supplying and applying Magnesium Chloride. Bids were opened on March 11, 2024 and the following bids were received:

Dustbusters Enterprises Inc.	\$109,200.00
Envirotech Services, LLC	\$124,800.00

Engineers Estimate:	\$98,500.00
Budgeted Amount:	\$140,000.00

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the County Board hereby accepts the supplying and applying Magnesium Chloride low bid from Dustbusters Enterprises Inc for \$109,200.00 and authorize the proper County officials to enter into contracts with said bidder.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: March 18, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for Crushing of Gravel.

BACKGROUND:

On January 3, 2024 the County Board authorized the County Auditor and the County Engineer to advertise for bids for Crushing of Gravel. Bids were opened on March 11, 2024 and the following bids were received:

Crushing of Gravel:

Central Specialties Inc.	\$829,401.00
Knife River Corporation	\$1,157,618.05
Sundre Sand & Gravel	\$1,307,500.00

Engineers Estimate:	\$695,000.00
Budgeted Amount:	\$758,701.00

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board accepts the following low bid from Central Specialties Inc. of \$829,401.00 for Crushing of Gravel and authorize the proper County officials to enter into a contract with said bidder.

ITEM

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Debt Service Schedule						
From Bank of North Dakota						
Pay #	Date	Interest	Principal	Total Payment	Balance	
1	5/1/2021	477,786	-	477,786	53,120,000	PAID
2	11/1/2021	480,455	3,200,000	3,680,455	49,920,000	PAID
3	5/1/2022	470,055	-	470,055	49,920,000	PAID
4	11/1/2022	470,055	3,155,000	3,625,055	46,765,000	PAID
5	5/1/2023	457,435	-	457,435	46,765,000	PAID
6	11/1/2023	457,435	3,115,000	3,572,435	43,650,000	PAID
7	5/1/2024	441,860	-	441,860	43,650,000	<-Outstanding Principal
8	11/1/2024	441,860	3,145,000	3,586,860	40,505,000	
9	5/1/2025	423,776	-	423,776	40,505,000	
10	11/1/2025	423,776	4,175,000	4,598,776	36,330,000	<Earliest Payoff
11	5/1/2026	396,639	-	396,639	36,330,000	
12	11/1/2026	396,639	4,225,000	4,621,639	32,105,000	
13	5/1/2027	364,951	-	364,951	32,105,000	
14	11/1/2027	364,951	4,290,000	4,654,951	27,815,000	
15	5/1/2028	328,486	-	328,486	27,815,000	
16	11/1/2028	328,486	4,365,000	4,693,486	23,450,000	
17	5/1/2029	283,745	-	283,745	23,450,000	
18	11/1/2029	283,745	4,455,000	4,738,745	18,995,000	
19	5/1/2030	234,740	-	234,740	18,995,000	
20	11/1/2030	234,740	4,550,000	4,784,740	14,445,000	
21	5/1/2031	182,415	-	182,415	14,445,000	
22	11/1/2031	182,415	4,655,000	4,837,415	9,790,000	
23	5/1/2032	126,046	-	126,046	9,790,000	
24	11/1/2032	126,046	9,790,000	9,916,046	-	
Total		8,378,538	53,120,000	61,498,538		

Total cash payments for payoff 11/1/2025:

\$45,381,272.50

We do not need the entire \$45,381,272.50 to defease the bond

- We can place cash into an escrow account and invest in guaranteed return investments and we will get credited with the future interest, i.e.:
- If we invest \$100 today at 10% interest, we will get credited with \$110 today, provided the cash is in an escrow account

Per Colliers, we need an estimated \$42,339,603.23 for the escrow account in order to consider the bond defeased and cancel the sales tax.

Total cash available in BND as of 12/31/2023:

BANK OF NORTH DAKOTA BALANCE as of 12/31/2023				
BURLEIGH				
Account	Description	Cost Basis	Accrued Interest 12/31/2023	Total Cost + Interest
Surplus	US Treasury Bill	\$ 7,000,000.00	\$ 156,048.00	\$ 7,156,048.00
Surplus	US Treasury Bill	3,800,000.00	53,388.00	3,853,388.00
Surplus	US Treasury Note	3,879,750.00	96,340.67	3,976,090.67
Surplus	US Treasury Note	3,916,937.50	117,615.67	4,034,553.17
Surplus	US Treasury Note	3,920,218.75	98,543.00	4,018,761.75
Surplus	US Treasury Note	1,171,960.94	21,570.32	1,193,531.26
Surplus	CASH	1,047,324.19		1,047,324.19
Revenue	CASH	182.08		182.08
Debt Service	CASH	1,993,733.11		1,993,733.11
		<u>\$ 26,730,106.57</u>	<u>\$ 543,505.66</u>	<u>\$ 27,273,612.23</u>
MORTON				
Account	Description	Cost Basis	Accrued Interest 12/31/2023	Total Cost + Interest
Surplus	US Treasury Bill	2,600,000.00	36,529.00	2,636,529.00
Surplus	CASH	1,612,302.92		1,612,302.92
Revenue	CASH	6.73		6.73
Debt Service	CASH	399,133.13		399,133.13
		<u>\$ 4,611,442.78</u>	<u>\$ 36,529.00</u>	<u>\$ 4,647,971.78</u>
RESERVE (Shared)				
	Description	Cost Basis	Accrued Interest 12/31/2023	Total Cost + Interest
Reserve	US Treasury Bill	2,163,227.57	39,514.95	
Reserve	US Treasury Bill	2,800,000.00	37,500.00	2,837,500.00
		<u>4,963,227.57</u>	<u>77,014.95</u>	<u>5,040,242.52</u>

Burleigh total: \$27,273,612.23

Morton total: \$4,647,971.78

Reserve (Shared account): \$5,040,242.52

Combined: \$36,961,826.53 as of 12/31/2023

Account Activity as of 3/12/2024

	BURLEIGH	MORTON
Cash, 12/31/2023	\$ 3,388,700.23	\$ 1,663,981.93
Cost basis of investments, 12/31/2023	23,688,867.19	2,600,000.00
Subtotal	27,077,567.42	4,263,981.93
Accrued Interest on Treasuries	<u>543,505.66</u>	<u>36,529.00</u>
Balance 12/31/2023	<u>27,621,073.08</u>	<u>4,300,510.93</u>
Nov 2023 Sales Tax Revenue, Jan 2024	700,759.27	127,606.44
Interest Revenue, Jan 2024	93,074.22	11,981.67
Dec 2023 Sales Tax Revenue, Feb 2024	1,405,633.01	248,832.50
Interest Revenue, Feb 2024	93,074.22	11,981.67
	<u>29,913,613.80</u>	<u>4,700,913.21</u>
Subtotal		34,614,527.01
Cost Basis of Reserve Fund		4,963,227.57
Accrued Interest on Reserve Fund		<u>121,772.43</u>
Balance 2/29/2024		\$ <u><u>39,699,527.01</u></u>

Total Cash & Investments available 3/12/2024:

Burleigh: \$29,931,613.80

Morton: \$4,700,913.21

Reserve (Shared account): \$5,085,000.00

Total: \$39,699,527.01

Cash needed for escrow account/bond defeasance:

We calculated Burleigh and Morton's share of the escrow as follows:

Estimated amount needed to defease per Colliers: \$42,339,603.23

Less Reserve fund (shared): (\$ 5,085,000.00)

Total: \$37,254,603.23

Of the total amount remaining, we estimated Burleigh and Morton's share using the historical % of sales taxes collected as follows:

Burleigh: 83.32%

Morton: 16.68%

Burleigh: $(\$37,254,603.23 * 83.32\%) = \$31,040,535.41$

Morton: $(\$37,254,603.23 * 16.68\%) = \$6,214,067.82$

Burleigh and Morton Repayment Differences:

- Morton County continues to pay on their renovation bond, therefore they have relatively less sales taxes to contribute to the surplus account
- Burleigh repaid our renovation bond and we have been putting relatively more sales taxes into our surplus account
- Consequently Burleigh has relatively more cash available for BMDC bond payoff and is on track to pay off sooner than Morton
- **HOWEVER, we cannot “turn off” the sales tax until all of the funds necessary – both Burleigh and Morton – are in escrow**

This creates a timing difference

	BURLEIGH	MORTON
Balance 3/12/2024 (cash basis)	\$ 29,913,613.80	\$ 4,700,913.21
Defeasance	<u>31,040,535.41</u>	<u>6,214,067.82</u>
Amount needed to defease as of 3/12/2024, net of Reserve fund	<u>\$ 1,126,921.61</u>	<u>\$ 1,513,154.61</u>

Receipt Month	Collection Quarter	Collection Month	Burleigh Sales Tax	Morton Sales Tax		BURLEIGH Amount needed to defease, Burleigh	MORTON Amount needed to defease, Morton
1/23/2024	Q4	11/30/2023	\$ 700,759.27	\$ 127,606.44	<-Received Jan 2024		
2/22/2024	Q4	12/31/2023	1,405,633.01	248,832.50	<-Received Feb 2024	\$ 1,126,921.61	\$ 1,513,154.61
3/21/2024	Q1	1/31/2024	922,938.59	158,318.59	Actual	203,983.02	1,354,836.02
4/24/2024	Q1	2/28/2024	739,956.36	139,878.38	ESTIMATE	(535,973.34)	1,214,957.65
5/19/2024	Q1	3/31/2024	688,155.85	132,196.41	ESTIMATE	(1,224,129.19)	1,082,761.24
6/22/2024	Q2	4/30/2024	1,066,011.06	185,829.63	ESTIMATE		896,931.60
7/24/2024	Q2	5/31/2024	987,741.14	175,329.29	ESTIMATE		721,602.31
8/21/2024	Q2	6/30/2024	1,095,716.25	218,445.94	ESTIMATE		503,156.38
9/22/2024	Q3	7/31/2024	1,021,130.79	200,682.44	ESTIMATE		302,473.93
10/20/2024	Q3	8/31/2024	716,756.35	159,377.07	ESTIMATE		143,096.87
11/22/2024	Q3	9/30/2024	1,366,765.51	235,014.56	ESTIMATE		(91,917.69)

Based on prior collections, we estimate Burleigh is on track to collect enough cash for escrow by April 24, 2024 and Morton by November 22, 2024.

Option #1

Loan money to the escrow fund before March 29, 2024.

Sales Tax Receipts, Historical

Receipt Quarter	Receipt Month	Collection Quarter	Collection Month	Burleigh Sales Tax	Morton Sales Tax	BURLEIGH Amount needed to defease, Burleigh	MORTON Amount needed to defease, Morton
Q1	1/23/2024	Q4	11/30/2023	\$ 700,759.27	\$ 127,606.44		
Q1	2/22/2024	Q4	12/31/2023	1,405,633.01	248,832.50	\$ 1,126,921.61	\$ 1,513,154.61
Q1	3/21/2024	Q1	1/31/2024	922,938.59	158,318.59	203,983.02	1,354,836.02

Notify Tax Dept. at the end of Q1; sales tax discontinued end of Q2

Amount Needed To Escrow =====>

\$ 1,558,819.04

Q2	4/24/2024	Q1	2/28/2024	739,956.36	139,878.38	(535,973.34)	1,214,957.65
Q2	5/19/2024	Q1	3/31/2024	688,155.85	132,196.41	(1,224,129.19)	1,082,761.24
Q2	6/22/2024	Q2	4/30/2024	1,066,011.06	185,829.63	(2,290,140.25)	896,931.60
Q3	7/24/2024	Q2	5/31/2024	987,741.14	175,329.29	(3,277,881.39)	721,602.31
Q3	8/21/2024	Q2	6/30/2024	1,095,716.25	218,445.94	(4,373,597.64)	503,156.38

Excess collections:

\$ 4,373,597.64

Comments: This option will require an escrow of approximately \$203,983 from Burleigh and \$1,354,836 from Morton. We would escrow funds by March 29, 2024 and notify the Tax Department by the same day. The sales tax would end on June 30, 2024. Excess collections would total approximately \$4,373,598.

Option #2

Wait until Burleigh cash collected

Sales Tax Receipts, Historical							BURLEIGH	MORTON
Receipt Quarter	Receipt Month	Collection Quarter	Collection Month	Burleigh Sales Tax	Morton Sales Tax	Amount needed to defease, Burleigh	Amount needed to defease, Morton	
Q1	1/23/2024	Q4	11/30/2023	\$ 700,759.27	\$ 127,606.44			
Q1	2/22/2024	Q4	12/31/2023	1,405,633.01	248,832.50	\$ 1,126,921.61	\$ 1,513,154.61	
Q1	3/21/2024	Q1	1/31/2024	922,938.59	158,318.59	203,983.02	1,354,836.02	
Q2	4/24/2024	Q1	2/28/2024	739,956.36	139,878.38	(535,973.34)	1,214,957.65	
Q2	5/19/2024	Q1	3/31/2024	688,155.85	132,196.41	(1,224,129.19)	1,082,761.24	
Q2	6/22/2024	Q2	4/30/2024	1,066,011.06	185,829.63	(2,290,140.25)	896,931.60	
Notify Tax Dept. at the end of Q2; sales tax discontinued end of Q3								
Morton would need to escrow this amount under option #2=====>							\$	896,931.60
Q3	7/24/2024	Q2	5/31/2024	987,741.14	175,329.29	(3,277,881.39)	721,602.31	
Q3	8/21/2024	Q2	6/30/2024	1,095,716.25	218,445.94	(4,373,597.64)	503,156.38	
Q3	9/22/2024	Q3	7/31/2024	1,021,130.79	200,682.44	(5,394,728.43)	302,473.93	
Q4	10/20/2024	Q3	8/31/2024	716,756.35	159,377.07	(6,111,484.78)	143,096.87	
Q4	11/22/2024	Q3	9/30/2024	1,366,765.51	235,014.56	(7,478,250.29)	(91,917.69)	
Excess collections:					\$	7,478,250.29		

Comments: By the end of Q2, Burleigh will collect enough cash to defease our share of the bond. Morton would require an escrow of \$896,932. We could notify the Tax Department at the end of Q2 and sales taxes would continue through Q3. This would result in an overcollection amount of approximately \$7,478,250.

Option #3

Wait until all cash is collected

Sales Tax Receipts, Historical								BURLEIGH	MORTON
Receipt Quarter	Receipt Month	Collection Quarter	Collection Month	Burleigh Sales Tax	Morton Sales Tax		Amount needed to defease, Burleigh	Amount needed to defease, Morton	
Q1	1/23/2024	Q4	11/30/2023	\$ 700,759.27	\$ 127,606.44				
Q1	2/22/2024	Q4	12/31/2023	1,405,633.01	248,832.50		\$ 1,126,921.61	\$ 1,513,154.61	
Q1	3/21/2024	Q1	1/31/2024	922,938.59	158,318.59		203,983.02	1,354,836.02	
Q2	4/24/2024	Q1	2/28/2024	739,956.36	139,878.38		(535,973.34)	1,214,957.65	
Q2	5/19/2024	Q1	3/31/2024	688,155.85	132,196.41		(1,224,129.19)	1,082,761.24	
Q2	6/22/2024	Q2	4/30/2024	1,066,011.06	185,829.63		(2,290,140.25)	896,931.60	
Q3	7/24/2024	Q2	5/31/2024	987,741.14	175,329.29		(3,277,881.39)	721,602.31	
Q3	8/21/2024	Q2	6/30/2024	1,095,716.25	218,445.94		(4,373,597.64)	503,156.38	
Q3	9/22/2024	Q3	7/31/2024	1,021,130.79	200,682.44		(5,394,728.43)	302,473.93	
Q4	10/20/2024	Q3	8/31/2024	716,756.35	159,377.07		(6,111,484.78)	143,096.87	
Q4	11/22/2024	Q3	9/30/2024	1,366,765.51	235,014.56		(7,478,250.29)	(91,917.69)	
Q4	12/21/2024	Q4	10/31/2024	950,487.81	181,875.96		(8,428,738.10)	(273,793.65)	

Notify Tax Dept. at the end of Q4; sales tax discontinued end of Q1 2025

Q1	1/21/2025	Q4	11/30/2024	700,759.27	141,784.93		(9,129,497.37)	(415,578.58)
Q1	2/21/2025	Q4	12/31/2024	1,405,633.01	276,480.56		(10,535,130.38)	(692,059.14)
Q2	3/21/2025	Q1	1/31/2025	778,510.89	140,575.62		(11,313,641.27)	(832,634.76)
Q2	4/24/2025	Q1	2/28/2025	739,956.36	155,420.42		(12,053,597.63)	(988,055.18)
Q2	5/19/2025	Q1	3/31/2025	688,155.85	146,884.90		(12,741,753.48)	(1,134,940.08)

Excess collections:

\$ 12,741,753.48

Comments: By the end of Q4, Morton should have enough cash to defease their share of the bond. At this point, we would notify the Tax Department and sales tax collections would cease at the end of Q1 2025. This would result in an overcollection of approximately \$12,741,753.

Excess funds collected can be used by the Commission for any lawful purpose. See email from bond counsel, below.

RE: Question on surplus Burleigh sales tax collections



Scott Wegner [redacted]
To: Jacobs, Leigh
Cc: Splonskowski, Mark D.

☺ Reply Reply All Forward [T] ...

Sun 3/10/2024 11:01 AM

You don't often get email from swegner@aswbondlaw.com. [Learn why this is important](#)

***** CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Leigh,

The funds can be used for any lawful purpose. There was talk at the time we did the initial financing that the excess might be used for detention center operations or future improvements, but that was just discussion.

Scott D. Wegner
Arntson Stewart Wegner PC
[redacted]

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Friday, March 8, 2024 5:21 PM
To: Scott Wegner [redacted]
Cc: Splonskowski, Mark D. [redacted]
Subject: Question on surplus Burleigh sales tax collections

Good evening Scott,

One of our commissioners is asking the following question: What restrictions (if any) are on "over collected" sales taxes? I.e., sales taxes collected after we notify the tax department/wait for the sales tax to shut off.

Thank you

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
[redacted]

ITEM

8

**BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM**

Name: Kay LaCoe

Address: 1590 66th St SE Bismarck, ND 5850

Home Phone: _____ Work: Cell:

Email:

Board or Commission on which you prefer to serve:

Missouri Valley Complex Committee

List below the skills or qualifications you could bring to this Board or Commission:

I possess more than 20 years of special event planning experience including orchestrating and coordinating with multiple vendors, stakeholders, and governing bodies. I have earned a Master's Degree in Organizational Leadership and hold an executive position with a non-profit trade association where I continually juggle and manage varying interests and involvement. I am a certified meeting facilitator and pragmatic leader who seeks consensus and fosters an inclusive environment aiming to meet everyone's needs.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I am especially interested in this Committee because I am a lifelong supporter of activities and organizations that support and promote youth involvement and experiences that get them outside and into the world, such as 4-H and motocross. I am a former 4Her and gave back to the organization as a volunteer leader for more than a decade. Additionally, I co-organized the first-ever Applefest held at Bucktop Junction so that event and location also hold a special place in my heart.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

None

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Lignite Energy Council, Lignite Energy Foundation, North Dakota Mounted Shooting Association

Signature: Kay LaCoe Date: 02/13/2024

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____


Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: STEVEN M. NEU

Address: 919 N 1ST STREET, BISMARCK, ND. 58501

Home Phone: _____ Work: _____ Cell: 

Email: 

Board or Commission on which you prefer to serve:
Missouri Valley Complex Committee

List below the skills or qualifications you could bring to this Board or Commission:

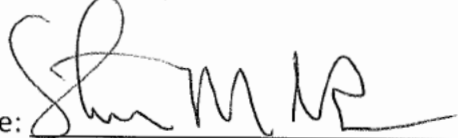
35 year resident of Burleigh Co. Service and Leadership position on multiple boards locally & nationally. CVB, Chamber Committees, NDRPA, NDIRE

If you have any special interest or reason for serving on this Board or Commission, please explain below.
To assist in the continued development of MVCC & The Complex in the interest of the community

- Principal Occupation/Source of Income (check one)
- | | | | |
|-------------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input checked="" type="checkbox"/> Other <u>retired</u> | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: NONE

List below the associations or institutions with which you are closely associated, or serve as a director or officer: NONE

Signature:  Date: 2-21-2024

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY
Date Appointed by Commission _____
Term Start Date _____
Term End Date _____
Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Dustin Gawrylow

Address: 1007 N. 13th Street #3 - Bismarck, ND 58501

Home Phone: _____ Work: _____ Cell: 

Email: 

Board or Commission on which you prefer to serve: Missouri Valley Complex Committee

List below the skills or qualifications you could bring to this Board or Commission:

Served on the 2023 & 2022 Burleigh Home Rule Commission, served on the Bismarck Special Assessment Taskforce (2017-2022), and the Bismarck Renaissance Zone Authority (2019-Present).

If you have any special interest or reason for serving on this Board or Commission, please explain below.

Only a general interest to ensure proper oversight and governance for the citizens of Burleigh County and Bismarck.


Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: Policy Matters, LLC, Freedom Caucus State Network

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Managing Director - North Dakota Watchdog Network
Legislative Director - South Dakota Freedom Caucus

Signature:  Date: 2/17/2024

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: WAYNE MARTINEZ

Address: 7257 123 RD NE

Home Phone: [REDACTED] Work: — Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve: MV Complex Committee

List below the skills or qualifications you could bring to this Board or Commission:

County Rec'd PAST CHAIRMAN of MISSOURI VALLEY FAIR BOARD
BUCK SHOP COFFEE BROTHERS

If you have any special interest or reason for serving on this Board or Commission, please explain below.

PAST EXPERIENCE i COMPLEX

Principal Occupation/Source of Income (check one) Retired

- | | | | |
|--|------------------------------------|---|---|
| <input checked="" type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: NONE

List below the associations or institutions with which you are closely associated, or serve as a director or officer: TOWNSHIP BOARD NAUGHTON

BUCK SHOP JUNIOR

Signature: Wayne Martinez Date: 3-12-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

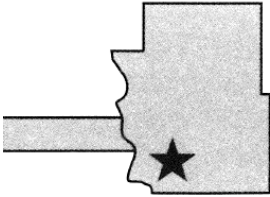
Term Start Date _____

Term End Date _____

Oath Returned _____

ITEM

9



Request for County Board Action

DATE: March 18th, 2024
TO: County Commission
FROM: Lisa Hart, Elections Coordinator
RE: Appointment of Election Inspectors

ACTION REQUESTED:

Approve the appointment of election inspectors for the 2024 election cycle per NDCC 16.1-05-01.

BACKGROUND:

Currently, under state law, the Board of County Commissioners, in cooperation with the county auditor, shall appoint the inspectors of the election for all polling locations within Burleigh County by 40 days preceding the election. Each election board must be comprised of at least one election inspector per polling location within the county. The election inspector supervises the conduct of the election and ensures that all election workers are performing their duties. Additionally, the inspector and judges verify the results of the election and return the election results and associated ballots to the county auditor at the close of polls.

The Burleigh County Auditor and Elections Coordinator are committed to providing a positive voting experience to all voters within Burleigh County while simultaneously upholding the security and integrity of elections. The enclosed list of election inspectors ensures Burleigh County's success for the upcoming elections.

We have been actively seeking individuals to fill the (24) needed inspector positions and are happy to report that we have no vacancies in any of the precincts! All spots are filled!

RECOMMENDATION:

It is recommended that the Burleigh County Board of Commissioners adopt the proposed resolution.

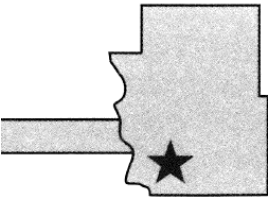
PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED that the Burleigh County Commission approves the enclosed list of election inspectors and approves the County Auditor/Elections Coordinator to fill any vacancies that may exist for the 2024 Primary and General Elections.

POLLING PLACE	Inspector
Liberty Elementary School	Aaron Birst
5400 Onyx Dr	Jan Kouba
Bismarck, ND 58503	
Sunrise Elementary School	Ryan Repnow
3800 Nickerson Ave	
Bismarck, ND 58503	
East Auditorium (fka: The Element)	Tyler Hill
3220 N 19th Street	
Bismarck, ND 58503	
Wilton County Shop	Abigail Franklund
30300 93rd St NE	
Wilton, ND 58579	
4H Building	Shirley Ryberg
3715 E Bismarck Expressway	
Bismarck, ND 58501	
Lincoln Elementary School	Samuel Unruh
3320 McMurry Way	
Lincoln, ND 58504	
Menoken School	Darrel Glovich
514 Bismarck St N	
Menoken, ND 58558	
Wing Fire Hall	Doris Saeman
4 2nd Ave W	
Wing, ND 58494	
Sterling School	Barbara Knutson
118 McKenzie St	
Sterling, ND 58572	

UTTC	Johanna Nagel
3315 University Dr	
Bismarck, ND 58504	
Lord of Life Church	Greg Dehne
1143 N 26th St	Scott Kautzman
Bismarck, ND 58501	
Solheim Elementary School	Lynnell Heinert
1470 S Washington St	
Bismarck, ND 58504	
Bismarck Event Center	Duane Friedig
315 S 5th St	Tony Rohrich
Bismarck, ND 58504	
Grimsrud Elementary School	Donnell Preskey
716 W St Benedict Dr	
Bismarck, ND 58501	
	Barb Andrist
Good Shepherd Lutheran	Marcia Patrie
106 Osage Ave	
Bismarck, ND 58501	
Hillside Aquatic Complex	Judith Hammer
1719 E Boulevard Ave	
Bismarck, ND 58501	
Century Baptist Church	Kathy Lampman
205 Colt Ave	Cindy Kavlie
Bismarck, ND 58503	
GracePoint Church	Dave Schall
205 43rd Avenue NE	Errol Behm
Bismarck, ND 58503	

County of Burleigh



221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

COUNTY EMPLOYEE POLL WORKERS RESOLUTION

WHEREAS, the Burleigh County Board of Commissioners believes in the election process and the continued operation of Election Day polling sites,

WHEREAS, the Burleigh County Board of Commissioners is supportive of the efforts of the Burleigh County Election Coordinator to provide a seamless, efficient Election Day for the voters of Burleigh County,

NOW THEREFORE, BE IT RESOLVED that the Burleigh County Board of Commissioners establishes the following guiding principles for county employees to work as poll workers at the various voting precincts for the June 11th Primary & November 5th General Elections:

- County Elected and Appointed Officials are urged/prompted to encourage their employees to serve as poll workers on Election Day
- County departments and agencies are encouraged to grant employees who are qualified, the necessary and adequate time off from employment for the purpose of working at the polls.
- County employee Poll Workers will use annual leave and will be paid an election worker stipend.

OR

- County employee Poll Workers will receive regular wages for the day and be paid an hourly poll worker stipend for hours in excess of regular hours.

This resolution is adopted solely for the June 11th, 2024 Primary and November 5th, 2024 General Elections.

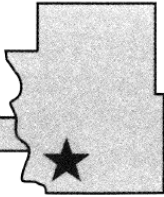
Adopted this ____ day of _____, 2024.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

ITEM

10



Request for County Board Action

DATE: 3-18-2024

TO: Burleigh County Commission

FROM: Mark Splonskowski

ITEM: Bismarck Planning Commission

REQUEST: Appoint one person to the Bismarck City Planning Commission.

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Lora Wilson

Address: 515 Greenfield Lane Bismarck, ND 58503

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

Bismarck Planning and Zoning

List below the skills or qualifications you could bring to this Board or Commission:

I am a stay at home mom to 7 children ages 14 and under and care about the future of our city and county.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

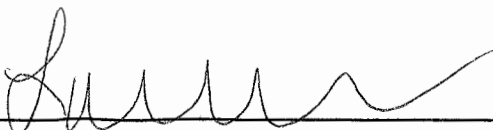
I watch the Burleigh Commission meetings and saw that you need someone to serve from the ETA.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input checked="" type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: Luigi's Ice Cream

List below the associations or institutions with which you are closely associated, or serve as a director or officer: Cathedral School PTO Vice President

Signature:  Date: 2-23-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Sheldon A. Sivak

Address: 7115 30th Ave NE Bismarck, ND 58501

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

Bismarck Planning & Zoning Commission

List below the skills or qualifications you could bring to this Board or Commission:

I've been involved in the industry (went through the planning & zoning process) on my own property.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I have lived here in Burleigh County for over 30 yrs and want to help make it a better place. I have served in the military and
Principal Occupation/Source of Income (check one) have experience in Law Enforcement.

- | | | | |
|-------------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input checked="" type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

Rock Hills Storage, LLC
Rock Hills Investments, LLC

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

I work closely with the Bismarck/Mandan Lacrosse Association and help out with Legacy High School Sports

Signature: [Signature] Date: 2-5-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

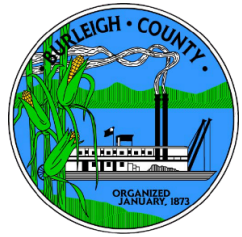
Oath Returned _____

ITEM

11



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

April 1, 2024

5:00 PM

COUNTY COMMISSION

Invocation and Pledge of Allegiance presented by Chaplain.

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the March 18, 2024, meeting minutes and bills and the February 27, 2024, special meeting minutes.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, gaming site authorization and special events permits.
6. Telecommunications Week Proclamation.
7. County Human Resources Director Binder:
 - a. Employee Turnover report.
 - b. RFP – Draft for Timekeeping, Payroll and HRIS System.
 - c. Salary variance request.
8. County Finance Director Jacobs:
 - a. Update on Detention Center sales Tax.
 - b. 2023 Year-end budget variance and General Fund balance update.
9. County Engineer Hall:
 - a. County Highway 10 mill and overlay project concurrence letter.

- b. Petition to vacate section line.
- c. Award of bids for chip seal projects.
- d. Award of bids for Special Assessment District #76.
- e. Approve selection of consultant firm for Hwy 10 mill and overlay.

10. County Sheriff Leben:

- a. Traffic safety grant.
- b. Update on Detention Center Lawsuit.

11. Comm. Munson:

- a. Home Rule Charter measure discussion.

<https://www.youtube.com/watch?v=A4UDOIQJV0Y>

12. Auditor/Treasurer Splonskowski:

- a. Missouri Valley Complex land lease discussion.

13. Other Business

14. Adjourn.

The next regularly scheduled Commission meeting will be on April 15th, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING**

MARCH 18TH, 2024

5:08 PM *Invocation by Chaplain and Pledge of Allegiance*

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

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

Chairman Bitner requested to add two items to the agenda. A request for a resolution for an ordinance public Hearing for the Planning Commission, and an item from the States Attorney for a salary variance request for an applicant for a senior attorney position. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve agenda with proposed changes. All members present voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve minutes and bills, all members present voted "AYE." Motion carried.

County Planning Director Flanagan presented the request for a resolution for an ordinance in reference to the flood plain ordinances that needs to go into effect in June. It requires two public hearings since it is a change to ordinance the 1st one to be at the Planning Commission at the April 10th meeting. Motion by Comm. Munson 2nd by Comm. Bakken to approve the resolution, all members present voted, "AYE." Motion carried.

States Attorney Lawyer presented the request for a salary variance request for a senior attorney position applicant. She wanted to adjust the offered salary from step 5 to step 9 based on the applicant's experience. Lawyer stated this is a very difficult position to fill and the applicant is qualified. She stated that she reached out to the HR Director, and she agreed with the variance. Motion by Comm. Schwab 2nd by Comm. Munson to approve the variance. All members present voted, "AYE," motion carried. Comm. Bakken asked how many positions will be open after this one is hired. Lawyer stated that all the senior positions would be filled but they would still have 5 assistant States Attorney positions open.

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
LaSalle Shopping Center LLC	2022	Lot 1, Block 1, Hay Creek Commercial Add	True and full value exceeds market value		City denied abatement
LaSalle Shopping Center LLC	2023	Lot 1, Block 1, Hay Creek Commercial Add	True and full value exceeds market value		City denied abatement

LaSalle Shopping Center LLC	2022	Lot 1, Block 2, Hay Creek Commercial Add	True and full value exceeds market value	\$32,858,600	\$26,624,800
LaSalle Shopping Center LLC	2023	Lot 1, Block 2, Hay Creek Commercial Add	True and full value exceeds market value	\$35,815,900	\$27,979,500
Joyal & Joel Meyer	2022	Lot 1, Block 2, Sunnyview Acres 9th	50% Disabled Veteran	\$408,500	\$318,500
Joyal & Joel Meyer	2023	Lot 1, Block 2, Sunnyview Acres 9th	50% Disabled Veteran	\$434,000	\$344,000
Trent & Rachel Coleman	2023	Lot 12, Block 6, Wachter's 6th	50% Disabled Veteran	\$293,100	\$203,100
Dawson Brost & Megan Krebs	2023	Lot 24, Block 6, Gateway Addition	100% Disabled Veteran	\$364,700	\$274,700
Jessica Lawler	2023	Lots 1-2, Block 1, River Heights Addition	100% Disabled Veteran	\$204,100	\$24,100
Trent & Rachel Coleman	2022	Lot 12, Block 6, Wachter's 6th Addition	50% Disabled Veteran	\$286,300	\$196,300
Dana Clairmont	2023	Lot 4, Block 21, Morningside Heights Addition	50% Disabled Veteran	\$203,400	\$113,400
Laura & Marc Knutson	2022	Lot 5, Block 3, Boulder Ridge 3rd Addition	Error in property description	\$436,100	\$398,800
Laura & Marc Knutson	2023	Lot 5, Block 3, Boulder Ridge 3rd Addition	Error in property description	\$494,600	\$457,300
Gayler L & Sharon D Korsmo	2023	W 70' of Lots 13-16, Block 34, Fisher's Addition	100% Homestead Credit	\$224,300	\$24,300
Karla Kilen	2023	Block 5, North Hills 3rd, all Lots 1 & 25 and W pt. of Lot 24 that contains 3494 sq ft North Estevan Condos unit 102	50% Homestead Credit	\$210,300	\$110,300
Walter Reisenauer Jr	2023	Lot 1, Block 2, Prairie Place	100% Homestead Credit	\$524,500	\$324,500
Deanna & Robert Wahl	2023	Lot 7, Block 3, Apple Valley	100% Homestead Credit	\$205,500	\$5,500

Patricia Walbert	2023	All Lots 6-7 & N 1/2 of Lot 8, Block 43, Flannery & Wetherby	100% Homestead Credit	\$195,800	\$0
Joseph Jr & Mary Vetter	2023	Block 3, Cottonwood Lake 5th, Lot 2 875 San Angelo Dr Condo Assoc Unit 2 & Garage 2	100% Homestead Credit	\$28,700	\$0
Eileen R Elhard	2023	Lot 9, Block 1, Bar D Estates	50% Homestead Credit	\$236,600	\$136,600
Nicole Hanson & Jillian Lapoint	2024	1972 Blair House 66 x 14, VIN # N/A	Moved to landfill 2023	\$7,096	\$0
Don & Marcella Lammert	2023	Block 11, Moffit Township, Part of Lot 1 beg @ pt 690' S of NE cor L1 th S 261.6', NWLY 159', N 309.6', E40', S 110', E 100' to pt of beg	50% Homestead Credit	\$75,400	\$37,700
Darcy Jo Frantz	2023	2006 Friendship 28 x 64, # MY0628896AB	Moved out of state Aug 2023	\$99,008	\$0
Corinne Trusty	2023	Block 13, Replat Homan Acres, Lot D of Lot 1 Washington Court Condominiums Building 2026 Unit 5 Garage 11	100% Homestead Credit	\$110,800	\$0
Robert E Krieger	2023	Lot 8, Block 4, Valley View Terrace	50% Homestead Credit	\$245,900	\$145,900
Vera Donaldson	2023	Lot 11, Block 30, Wachter's 3rd	50% Homestead Credit	\$286,200	\$186,200
Judene Julson	2023	Lot 11, Block 1, Ridgfield 2nd Add	50% Homestead Credit	\$256,900	\$156,900
Grace Lauinger	2023	Lot 26, Block 1, Huntington Cottages 1st Addition	50% Homestead Credit	\$416,200	\$316,200
Anthony W & Lucille Goldade	2023	Lot 3, Block 21, Jennings 4th	50% Homestead Credit	\$262,300	\$162,300
Mary Laduke	2023	Block 20, Casey's 4th, N 12' of Lot 14 & S 59' of Lot 15	50% Homestead Credit	\$220,500	\$120,500
Stephanie Reidy	2023	Lots 13-14, Block 79, William's Survey	100% Homestead Credit	\$355,000	\$155,000

Linda Black	2023	Lot 19A of Lot 19, Block 1, Huntington Cottages 1st Addition	50% Homestead Credit	\$354,800	\$254,800
George & Carol Behrens	2023	Block 1, Sonnet Heights Subdivision 4th replat, Lot 7 Lasalle Acres Homeowners Assoc Inc Unit 2 Bldg 4	50% Homestead Credit	\$167,300	\$83,650
Mark D & Nancy S Berger	2023	Lot 65, Block 2, Sonnet Hgts Subdiv 1st Rep	50% Homestead Credit	\$395,500	\$295,500
Darcel A Hochhalter	2022	Block 11, Gateway Addition, Lot 3 less W 2', all Lot 4 & W 2' of Lot 5 Lambton Heights Condo Unit 1 garage 1 Building 900	40% Homestead Credit	\$168,800	\$118,800
Darcel A Hochhalter	2023	Block 11, Gateway Addition, Lot 3 less W 2', all Lot 4 & W 2' of Lot 5 Lambton Heights Condo Unit 1 garage 1 Building 900	50% Homestead Credit	\$186,800	\$93,400
Gary & Madonna Wald	2023	Lot 6, Block 3, Southbay 5th Add	100% Homestead Credit	\$512,600	\$312,600
Marlys Heidrich	2023	Lot 22, Block 1, Kamrose Crossing Addition 2nd Replat	50% Homestead Credit	\$243,700	\$143,700
Michael John Super	2023	Block 8, McKenzie's, W 18' of Lot 11 all Lot 12 E 23' of Lot 13	100% Homestead Credit	\$210,500	\$10,500
Jerry & Katherine Branson	2023	Block 1, Koch Addition, Lot 5 3812 Koch Dr Condo Assoc unit 2 & garage unit 2	100% Homestead Credit	\$240,400	\$40,400
Becky L Vandal	2022	Block 26, Governor Pierce, Lots 20-22 & S 10.5' VAC Ave A	40% Homestead Credit	\$233,200	\$183,200
Becky L Vandal	2023	Block 26, Governor Pierce, Lots 20-22 & S 10.5' VAC Ave A	100% Homestead Credit	\$232,800	\$32,800

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the LaSalle Shopping Center LLC (4), Meyer (2), Coleman (2), Brost, Lawler, Clairmont, Knutson (2), Korsmo, Kilen, Reisenauer, Wahl, Walbert, Vetter,

Elhard, Hanson, Lammert, Frantz, Trusty, Krieger, Donaldson, Julson, Lauinger, Goldade, Laduke, Reidy, Black, Behrens, Berger, Hochhalter (2), Wald, Heidrich, Super, Branson, and Vandal (2) abatements and the rest of the consent agenda in its entirety. All members present voted, "AYE." Motion carried.

County Engineer Hall presented a request to award the bid for grazing rights on a section of property owned by the County for a gravel source, part of which is rented out for grazing. He recommended that the bid be awarded to Fettig Cattle Company for \$21,000. Motion by Comm. Woodcox, 2nd by Comm. Bakken to accept the high bid for Fettig Cattle Company for \$21,000 for the 2024 grazing rights on Section 9, T 141N, R76W, and authorize the proper County officials to enter into a contract with said bidder. All members present voted, "AYE." Motion carried. Engineer Hall then presented a request to award a bid for Township Gravel Hauling, he recommended awarding the contract to Scepaniak Inc. Motion by Comm. Woodcox, 2nd by Comm. Munson to award bid as recommended. All members present voted, "AYE." Motion carried. Engineer Hall then presented a request to award a bid for painting pavement markers. Motion by Comm. Munson 2nd by Comm. Bakken to award the bid to Traffic Safety Services INC. All members present voted, "AYE." Motion carried. Engineer Hall Then presented a request to award the bid for Magnesium Chloride used for Dust Control. He recommended award the bid to Dust busters. Motion by Comm. Munson 2nd by Comm. Bakken to award the Bid to Dustbusters Enterprises INC. All members present voted, "AYE." Motion carried. Engineer Hall presented a request to award the bid for the crushing of gravel, he recommended awarding it to Central Specialties Inc. He stated the bid was higher than expected but it was not unexpected due to a change in the way they are doing gravel crushing this year in an effort to get better gravel, but they did have enough money to cover the added costs. Motion by Comm. Schwab, 2nd by Comm. Bakken to award the bid to Central Specialties Inc. All members present voted "AYE." Motion Carried.

County Finance Director Leigh Jacobs presented an update to the Commission on the status of the Burleigh Morton Detention Center sales tax collections. He explained that the outstanding principle is approximately \$44,00,000.00. The total amount needed to stop the collection of the sales tax is \$4.2 million and it can be invested, and the interest can be used against the payoff. The earliest payoff date is November 2025. Burleigh County currently had \$29,900,000 in the Bank of North Dakota and needs another \$1.1 million to collect the amount due to Bureigh County on the bond. Morton County has about \$4.7 million in the Bank of North Dakota and needs an additional \$1.5 million to pay off their amount due. The sales tax cannot be stopped until the total amount due to pay off the entire bond is in the account at the Bank of North Dakota. Option 1 would be for Burleigh County to transfer approximately \$200,000 into the Bank of North Dakota from the General fund and Morton County to transfer approximately \$1.3-1.4 million. In order to shut down collections early. Jacobs stated that shutting off collection at the end of the 2nd Quarter is almost impossible at this point because of the time it would take to verify everything. Option 2 is for Burleigh County to wait until the end of the 2nd quarter to notify the State to shut off the sales tax collection. Burleigh County would by then have enough money to pay off the entirety of the bond. Burleigh County could then pay the balance of Morton County's share and acquire a higher percentage of ownership of the detention Center. He did not see any benefits to Burleigh County to acquire more ownership of the Detention Center. Option 3 is to wait until Morton County has collected the full amount due for their portion, which they should have by November, in which case both Counties would continue collecting the sales tax until the end of the 1st quarter of 2025. Any excess collections are available to the Commission the use at their discretion. The Commission chose to table the discussion until the April 1st Commission Meeting.

Comm. Munson presented the discussion for the changed to the Home Rule Charter ballot Language. He shared concerns of having language stating collections from July 1 through June 30. States Attorney Lawyers inform the Commission that if they were to change the language, they would have to redo the Public Hearings and the process to get the measure in the ballot. Considering that information the Commission chose to leave the ballot language as approved. Comm. Munson presented the applications for the Missouri Valley Complex Committee. Motion by Comm. Munson, 2nd by Comm. Bakken to appoint Wayne Martineson to a 2-year term, Kay Lacoé to a 3-year term, and Dustin Gawrylow for a 4-year term. Comm. Woodcox and Schwab, "NAY." Comm. Bakken, Comm. Munson, and Chairman Bitner "AYE." Motion carried.

County elections Coordinator Hart presented a proposed resolution to approve the list of election inspectors and give the Auditor/ Elections Coordinator to fill any vacancies that may exist for the 2024 Primary and General elections. Motion by Comm. Munson, 2nd by Comm Bakken to approve the resolution. All members present voted, "AYE." Motion carried. Hart then presented a County Employee workers resolution. This helps recruit election workers if needed for the 2024 Primary and General elections. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the resolution, all members present voted, "AYE." Motion carried.

County Auditor/ treasurer Splonskowski presented the applications for the Bismarck planning Commission. Splonskowski informed the board that at the March 5th meeting the commission appointed two individuals for the position but there was only one position available. So, he placed the two approved individuals in the packet for their consideration. Motion by Comm. Bakken 2nd by Comm. Munson to appoint Sheldon Sivak to the position. All members present voted, "AYE." Motion carried.

Under other business Chairman Bitner presented an update to the Commission on the Environmental impact study for the CO2 Pipeline project. He stated that the Army Corps of Engineers has classified the project as a minor project although claims have been made that the project is the largest of its kind in the world. This classification would not include an environmental impact study. Bitner stated they are going to submit an open record request in reference to this and further action may be necessary on this classification. Comm. Woodcox encouraged the Commission to continue to fight the project. Bitner Stated that the Public Service Commission heard Burleigh County's appeal of their decision and denied the appeal.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY AND MORTON COUNTY
JOINT COMMISSION MEETING
February 27TH , 2024**

The Morton County Commission Joint Meeting with Burleigh County was called to order on February 27, 2024 at 6:11 PM by Chair Boehm at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota.

Roll Call of members: Morton County Commissioners Zachmeier, Leingang, Buckley, and Morrell and Auditor Rhone. Burleigh County Commissioners Woodcox, Bitner, Schwab and Bakken present.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the Resolution providing for Bond Redemption. Comm. Schwab, "NAY," Comm. Woodcox, Bakken, and Chairman Bitner, "YEA." Motion carried.

Chair Boehm adjourned the joint meeting at 7:01 PM.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-250	Bitco Inc	2023	Clerical error by local assessor	Lot 2, Block 2, Apple Meadows 3rd	\$36,200	\$36,000
24-251	Brian Bitner	2023	Clerical error by local assessor	Lot 1, Block 2, Apple Meadows 3rd	\$57,800	\$36,000
24-338	Angie & James Gross	2023	Lot 2, Block 1, WDH	100% Disabled Veteran	\$307,000	\$271,000
24-106	Charles Welch	2023	NW 1/4, Section 32, Boyd Township	Property qualifies for farm res exemption	\$119,700	\$65,800
24-461	Henry Vannett	2023	Lot 1, Block 1, Breens	50% Homestead Credit	\$244,300	\$144,300
24-462	Doran & Lori Alfstad	2023	Lot 6, Block 1, Valcor	100% Homestead Credit	\$526,500	\$326,500
24-463	Milton & Lovella Wanner	2023	Lot 3, Block 3, Grande Prairie Est 3rd	50% Homestead Credit	\$379,900	\$279,900
24-464	Keane A Just	2024	2012 Friendship 28' x 52', #MY1334305AB	50% Homestead Credit	\$90,098	\$45,049
24-465	Monty Snyder	2023	S1/2 SE1/4 13-141-78	100% Homestead Credit	\$164,200	\$0
24-466	Edmund Wagner	2024	1971 Detroitter 14 x 64, #6A040801	Moved to landfill	\$6,881	\$0
24-467	Lyle Jacobon	2024	1972 Artcraft 14 x 66, #AC5153	Moved to landfill	\$7,096	\$0
24-468	Perry Kupfer	2024	1965 Rollohome 61 x 12, #K21594	Moved to landfill	\$5,622	\$0
24-469	Doris I Falconer	2023	Block 1, Replat of Calkins, Lots 3-6 Capitol View Estates Unit 10 & parking space 20 & undivided interest in common area	100% Homestead Credit	\$84,000	\$0
24-470	Laverne & Beverly Zink	2023	Block 1, Replat North Hills 4th, Tract J & an undiv interest in L.31 Common Area Knoll Wood Condominium Central Association Unit 28	50% Homestead Credit	\$231,900	\$131,900

24-471	Alice Morris	2023	Block 1, Replat of Calkins, Lots 3-6 Capitol View Estates Unit 20 & parking space 4 & storage area 18 & undivided interest in common area	50% Homestead Credit	\$85,600	\$42,800
24-472	Norbert & Sharon Mayer Clarence M & Marilyn K	2023	Lot 15, Block 7, Rolling Hills 2nd	50% Homestead Credit	\$292,200	\$192,200
24-473	Hust	2023	Lot 9, Block 2, Wachter's 6th	50% Homestead Credit	\$239,000	\$139,000
24-474	Cathy Darbe	2023	Lot 6, Block 4, Replat of Calkins	100% Homestead Credit	\$229,600	\$29,600
24-477	Lenis Volk	2024	1977 Bonnavilla 26 x 44, #77S6328	100% Homestead Credit	\$11,645	\$0
24-478	Earl Hannel	2024	1980 Rollohome 28' x 40', #35254	50% Homestead Credit	\$12,624	\$6,312
24-479	Donna O'Shaughnessy Paul L & Colleen M	2023	Block 2, East Hills Addition Replat, Lots 2-4 less S 179.10' & Lots 5-7 Hay Creek Condos Unit 5 of Bldg 1	50% Homestead Credit	\$222,500	\$112,500
24-480	McGraw Richard E & Judith A	2023	Lot 11, Block 1, Tatley Meadows VIII	50% Homestead Credit	\$420,600	\$320,600
24-481	Mason	2023	Lot 2, Block 3, High Meadows 2nd	50% Homestead Credit	\$366,900	\$266,900
24-482	Shirley Jacob	2023	E 57' of S 1/2 of W 1 acre, Block 3, Park Hill (Aud lots)	50% Homestead Credit	\$166,000	\$83,000
24-483	Ardythe K Kurle	2023	Lot 4, Block 6, Boulder Ridge 7th Addition 1st Replat	50% Homestead Credit	\$427,600	\$327,600
24-484	James & Sharon Eslinger	2023	Lot 13, Block 1, Glenwood Estates	50% Homestead Credit	\$377,700	\$277,700
24-485	Sharon L Durling	2023	Lot 29, Block 7, Rolling Hills 2nd	50% Homestead Credit	\$234,700	\$134,700
24-486	Vincent Swenson	2023	Lot 1, Block 34, Northern Pacific 2nd	100% Homestead Credit	\$195,800	\$0
24-487	Mary Bullinger	2023	W 80' of Lots 19-22, Block 7, Fisher	100% Homestead Credit	\$233,500	\$33,500

24-488	Rick Carman	2024	1976 Schult 24 x 48, #135340	Moved out to dump in 2023	\$11,751	\$0
24-491	Mary K Odegaard	2023	Lot 4, Block 2, Riverside Second	50% Homestead Credit	\$392,900	\$292,900
24-492	Susan Hoff	2023	Lot 5 of Govt Lot 4 28-138-80	100% Homestead Credit	\$270,700	\$70,700
24-493	Vernon Reiger	2024	1978 Buddy 14 x 66, #04560303L	100% Homestead Credit	\$8,199	\$0
24-494	Marilyn M Zins	2023	Lot 7, Block 5, Centennial Park 4th Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums Unit 125 & Garage	100% Homestead Credit	\$107,500	\$0
24-495	Marlene Flowers	2023	G-21 & parking space P-6	100% Homestead Credit	\$198,000	\$0
24-496	Gary Nelson	2023	Lot 11, Block 2, Sibley Island Estates	Condition of property	\$381,000	\$344,700
24-497	Donnalee S Ritter	2023	Block 27, Stein's 4th, Lots 25-26 & E 21' of Lot 27 Oaklawn Townhomes Unit 10B	50% Homestead Credit	\$225,400	\$125,400
24-498	Janice Hoff	2022	Block 1, Tatley Meadows VII, Lot 21 & N 10' of Lot 5 London Heights Condominiums Unit 3	10% Homestead Credit	\$158,800	\$146,289
24-499	Janice Hoff	2023	Block 1, Tatley Meadows VII, Lot 21 & N 10' of Lot 5 London Heights Condominiums Unit 3	100% Homestead Credit	\$180,700	\$0
24-500	James & Sharon Raile	2024	2012 Schult Timberland 68 x 28, #364202MNAB	50% Homestead Credit	\$124,025	\$62,013
24-501	Nancy Olson	2024	1974 Metamora 14 x 66, #0275	50% Homestead Credit	\$7,384	\$3,692
24-502	David & Marian Ellefson	2023	Lot 21 & 1/2 VAC Alley Adj, Block 3, Morningside Heights	50% Homestead Credit	\$216,300	\$116,300
24-503	Donald S & Linda L Mertz Kenneth M & Brenda	2023	Lot 12, Block 1, Gateway Commons	50% Homestead Credit	\$247,600	\$147,600
24-504	Torkelson	2023	Lot 7 & N 1/2 of Lot 8, Block 43, Fisher	50% Homestead Credit	\$209,300	\$109,300

24-505	Frank A Banyai	2023	L 7-8 E 80 ft, Block 6, Govern Pierce	50% Homestead Credit	\$207,700	\$107,700
24-506	William James Goldade	2023	Block 1, North Hills 15th, Lot 4 less NE 22' 4005 Coleman St Condo Assoc Unit 2	100% Homestead Credit	\$244,100	\$44,100
24-507	Patricia Kershaw	2024	1974 Champion 66 x 14, #0549841864S	100% Homestead Credit	\$7,096	\$0
24-508	Adam R Volk	2023	Lot 4, Block 4, Prairie View	100% Homestead Credit	\$236,000	\$36,000
24-509	Andrew & Shirley Schaffner	2023	Lot 23, Block 29, Wachter's 3rd	50% Homestead Credit	\$270,500	\$170,500
24-510	Robert & Sheila O'Shaughnessy	2023	Block 2, East Hills Addition Replat, Lots 2-4 less S 179.10' & Lots 5-7 Hay Creek Condos Unit 6 of Bldg 1	50% Homestead Credit	\$222,500	\$122,500
24-511	Krisandra M Higgins	2023	Block 1, Pebble Creek 10th, Lots 7-8 3313-3327 Arrow Head Ranch Condos Unit 1 Building 33273	50% Homestead Credit	\$210,000	\$160,000
24-512	Barry L Higgins	2023	Block 1, Pebble Creek 10th, Lots 7-8 3313-3327 Arrow Head Ranch Condos Unit 1 Building 33273	100% Homestead Credit	\$310,000	\$210,000
24-513	Carmen Hickle	2023	Lot 2, Block 1, Tatley Meadows VII	50% Homestead Credit	\$280,800	\$180,800
24-514	Margaret Loritz	2023	Block 1, Haight & Little's, N 18.49' of Lot 26 & all Lots 27-28 Williamsburg Condos Assoc Unit 1 Building 1945	100% Homestead Credit	\$177,800	\$0
24-515	Vaughn Chesrown	2023	Block 6, North Hills 1st, Lot 2 except E 2' & E 4' of Lot 1	50% Homestead Credit	\$234,400	\$134,400
24-516	Kathlene D Poppe	2023	Block 22, Register's 3rd, Lots 1-3 & N 18' of Lot 4 Far West Condo Unit 103	100% Homestead Credit	\$79,900	\$0
24-517	Marlene Roles	2023	Lot 8, Block 2, Horizon Heights 4th	100% Homestead Credit	\$289,900	\$89,900



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____

Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization

James K McAleer AMVETS Post 20

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Flash's Place

Street 1401 Highway 83 NE	City Sterling	ZIP Code 58572	County Burleigh
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Beginning Date(s) Authorized 7/1/2024	Ending Date(s) Authorized 6/30/2025	Number of Twenty-One tables, if zero, enter "0" 0
---	---	--

Specific location where games of chance will be conducted and played at the site (required)

pull tabs will be conducted in the bar area not to include bathrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input checked="" type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input checked="" type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input checked="" type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
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If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

1. City/County - Retain a copy of the Site Authorization for your files.
2. City/County - Return the original Site Authorization form to the Organization.
3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT I
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Wendelyn Krous		Site Name Flash's Place		Site Phone Number 701-387-5817
Site Address 1401 Highway 83 NE	City Sterling	State ND	Zip Code 58572	County Burleigh
Organization James K McAlleer AMVETS Post 20	Rental Period 7/1/2024 to 6/30/2025		Monthly Rent Amount	
1. Is Bingo going to be conducted at the site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 400.00
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u>8</u>		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 1100.00
Total Monthly Rent				\$ 1500.00
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Wendelyn Krous</i>	Title owner	Date 3-12-24
Signature of Lessee <i>R. Bartlett</i>	Title Commander	Date 3-8-24

ITEM

6

National Public Safety Telecommunications Week

April 14 – 20, 2024

Whereas, emergencies can occur at any time that require law enforcement, fire, or emergency medical services; and

Whereas, when an emergency occurs, the prompt response of law enforcement officers, firefighters, and emergency medical personnel is critical to the protection of life and preservation of property; and

Whereas, the safety of our law enforcement officers, firefighters, and emergency medical personnel is dependent upon the quality and accuracy of information obtained from citizens who call the Central Dakota Communications Center; and

Whereas, Public Safety Communications Specialists are the first, first responders, delivering essential pre-arrival instructions, and providing the most critical link that our citizens have with emergency services; and

Whereas, Public Safety Communications Specialists are the single vital link for our law enforcement officers, firefighters, and emergency medical personnel by monitoring their activities by radio, providing them information and insuring their safety; and

Whereas, Public Safety Communications Specialists of the Central Dakota Communications Center have contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients; and

Whereas, each Communications Specialist has exhibited compassion, understanding and professionalism during the performance of their duties in the past year;

Whereas, the Central Dakota Communications Center Board of Directors has declared April 14th – 20th, 2024 as National Public Safety Telecommunications to honor the men and women of the Central Dakota Communications Center who dedicate themselves to helping keep our communities and our citizens safe;

Therefore, Be it Resolved that the Board of Commissioners for Burleigh County joins the Central Dakota Communications Center Board of Directors and declares April 14th – 20th, 2024 as National Public Safety Telecommunications Week in Burleigh County.

Signed this _____ day of April, 2024.

Chair
Burleigh County Commission
Burleigh County, ND

ITEM

7

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

To: Chairman Brian Bitner
Commissioner Steve Bakken
Commissioner Wayne Munson
Commissioner Steve Schwab
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP
HR Director

Date: March 27, 2024

Re: Human Resource's Agenda items for April 1, 2024, Commission Meeting

Subject 1: 2023 Burleigh County Human Resources Report (Turnover Analysis)

BACKGROUND:

Please see attached report. This is informational and no action is needed.

Subject 2: Timekeeping/Payroll/HRIS RFP - Draft

BACKGROUND:

At the request of the Burleigh County Commission to obtain a universal timekeeping system, and with the current payroll software issues that we are experiencing due to not getting timely upgrades to the current payroll system that is a server-based system and not a cloud-based system, The HR department has developed a Request for Proposal (RFP) for a universal timekeeping system, payroll system and human resources information system (HRIS). We have performed the research on how these products are provided. These are cloud-based products with system redundancy and disaster recovery processes built into the system.

RECOMMENDATION:

I recommend that the Burleigh County Commission approve moving forward with having the HR Director finalize the Timekeeping/Payroll/HRIS RFP document, distribute the finalized

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RFP document, and collect and rank the responses. The HR Director will provide a recommendation for timekeeping and payroll services based on the responses received and research done regarding the best systems for Burleigh County.

Subject 3: Systems Administrator Salary Variance

BACKGROUND:

We have; per our 2024 budget; recruited and found a very qualified applicant for our IT Systems Administrator position. The Systems Administrator position is the backup for the IT Manager and also will work on implementing the needed systems and programs for the Burleigh County IT division. We would like to offer this applicant the Systems Administrator position as he has over twenty (20) years of Systems Administration experience and is familiar with our IT systems in the Sheriff's department and at the Burleigh-Morton Detention Center (BMDC). With this level of experience comes a cost. The market salary level for this experience is higher than a Pay Step 5 on the Grade 11 Pay Grade for the Systems Administrator.

RECOMMENDATION:

I recommend that the Burleigh County Commission approve a variance for the Systems Administrator applicant to a Pay Step 9. At this Pay Step the annual salary would be \$87,276.80. This would be a \$9,630.40 annual increase from the Pay Step 5 annual salary of \$77,646.40. The 2024 Budget would be able to support this variance. We would offer the applicant the Systems Administrator position at a Grade 11, Pay Step 9 which represents the market rate for this position.

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

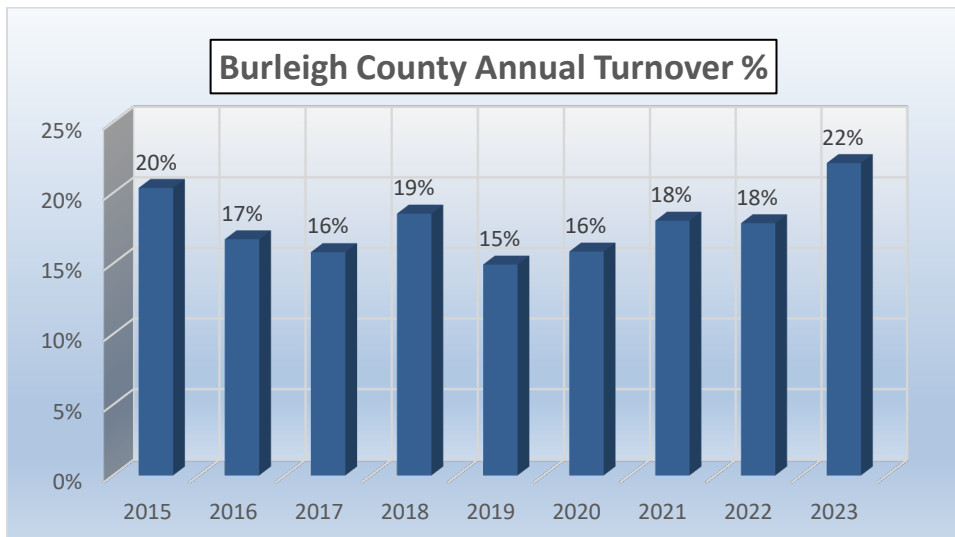
PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

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2023 Burleigh County Human Resources Report (Turnover Analysis)

The turnover report for 2023 has been manually calculated and the summary is listed below:

The chart below provides a year-over-year review of the annual turnover percentage for Burleigh County. This chart represents all departments including the Human Service Zone.



In the year-over-year turnover analysis, we can see that Burleigh County's turnover percentage shows a cyclical pattern. With years 2015, 2018 and 2023 being the higher turnover percentage years for Burleigh County.

The range for the nine (9) year tracking period is from 15% in 2019 as the lowest turnover percentage to 22% in 2023 which to date has been the highest turnover percentage. The turnover percentages in the other years are within a couple of percentage points from each other. This leads us to believe that the turnover rate for the most part has been steady.

The turnover percentage of 22% in 2023 reflects the Great Resignation as so called by the national trends in the Society for Human Resources Management (SHRM).

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Below is a breakdown of the departments that experienced turnover in 2020, 2021, 2022, and 2023:

Department	2020	%	Total Ees
Auditor/Treasurer	1	1.92%	
Bldgs & Grounds	1	1.92%	
Detention Center	22	42.31%	
Extension	1	1.92%	
Highway	3	5.77%	
Human Resources	1	1.92%	
Weed Board	0	0.00%	
Planning	1	1.92%	
Sheriff	3	5.77%	
Human Service Zone	13	25.00%	
States Attorney	6	11.54%	
Countywide Total	52	15.85%	328

Department	2022	%	Total Ees
Auditor/Treasurer/Tax	3	5.00%	
Detention Center	16	26.67%	
Emergency Management	1	1.67%	
Extension	2	3.33%	
Finance	1	1.67%	
Highway	3	5.00%	
Weed Board	1	1.67%	
Recorders	1	1.67%	
Sheriff	5	8.33%	
Human Service Zone	21	35.00%	
States Attorney	6	10.00%	
Countywide Total	60	17.86%	336

Department	2021	%	Total Ees
Detention Center	22	37.29%	
Emergency Management	1	1.69%	
Extension	4	6.78%	
Highway	1	1.69%	
Weed Board	1	1.69%	
Recorders	1	1.69%	
Sheriff	6	10.17%	
Human Service Zone	17	28.81%	
States Attorney	6	10.17%	
Countywide Total	59	18.04%	327

Department	2023	%	Total Ees
Auditor/Treasurer/Tax	5	6.67%	
Detention Center	22	29.33%	
Emergency Management	1	1.33%	
Finance	1	1.33%	
Highway	11	14.67%	
Weed Board	1	1.33%	
Sheriff	10	13.33%	
Human Service Zone	13	17.33%	
States Attorney	11	14.67%	
Countywide Total	75	22.12%	339

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When we review the turnover analysis by department, we can see several reasons for the turnover percentages, and they are not all the same for each department. It is important to note that not all turnover is necessarily bad turnover:

- Auditor/Treasurer/Tax Equalization – The election of a new Auditor and staff turnover. As of January, 2024 this office is fully staffed. Training new staff and staff burnout are the main concern in this department.
- The Burleigh-Morton Detention Center has been a challenge as well for staffing. As this is a 24/7 facility, the detention officers who are working shiftwork can get burned out and the turnover has caused the remaining detention officers to work overtime, as well as some of the sheriff deputies who have picked up overtime shifts at the Detention Center over the timeframe shown above. We are receiving applications for these open positions. However, we are also disqualifying many more applicants prior hire than we have done in the past years This adds work to the Administrative Sergeant and Human Resources department. Additional costs for pre-hire required testing also continues to add to the recruitment costs for the department.
- Sheriff – The Sheriff's department had turnover due to retirement and other turnover from various reasons. We are continuing to see a trend of tenured employees leave law enforcement as their career and that trend is concerning. Starting Salary for the Deputy Sheriff positions, as well as salary levels for Sergeants and Corporals are a concern. We are in the process of performing a compensation study for this department.
- States Attorney – The turnover rate is higher due to larger caseloads. The State's Attorney has been challenging to recruit and retain employees. The majority of these positions are the Attorneys themselves. The marketplace is so competitive for Attorneys that we need to constantly perform research into whether we are competitive in our salary structure for these positions. We are working with States Attorney Lawyer to create an advertising and retention plan to help her fill these open positions and retain her current Attorneys.
- The Highway department had some turnover mainly due to retirement and other reasons. The salary level is a concern, and we are in the process of performing a compensation study and possible job reclassification process for the Highway Maintenance Worker positions.
- The Human Service Zone has experienced turnover in the last four years. There is a pattern of cultural issues within the Human Service Zone. It is important to note the Human Service Zone employees have been transitioned to their own policies and procedures and have been under the State of North Dakota's Merit Pay Policy for the three years shown above. The Human Service Zone has experienced turnover due to

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systems design and some turnover was based on the change in leadership structure in the Human Service Zones themselves. Some of the turnover within the Human Service Zone is due to culture changes and more perceptive leadership. It is important to note that the Burleigh County Human Service Zone employees are still considered to be Burleigh County employees even though they have their own policies and merit pay structure.

Retention is a key factor in controlling costs for Burleigh County. Turnover costs money not just in employee salaries. There are also training costs to consider and other employee's morale when working excessive overtime shifts that need to go into the equation. Employees that are trainers for new employees are in danger of being burned out due to not getting a break from training new employees. Retention of our good employees is needed to operate Burleigh County efficiently. Addendum A shows our 2024 CEG – WSI Premium Billing allocation. This is an example of the hidden costs of turnover.

According to Breezy HR, the Applicant Tracking System that we use at Burleigh County, the Human Resources Department processed five hundred and thirty-three (533) applications for our open positions in 2023. Ninety-nine (99) Candidates were hired in 2023. We had 46,948 position views in 2023, and we disqualified 206 Candidates for various reasons in 2023.

The positions that were the most challenging to recruit and fill in 2023 due to industry availability and highly competitive salaries were the following:

- States Attorney (I, II, and Senior)
- Jail Nurse (LPN or RN)

The positions that we struggled to get qualified candidates to fill in 2023 were the following:

- Sheriff Deputy
- Highway Maintenance Worker II
- Detention Officer

Currently, we have twenty-one (21) open positions. This number does not include any temporary or seasonal vacancies that we are recruiting to fill for the 2024 summer season.

We are working with the various department heads to find creative programs that will give us the edge when recruiting these challenging positions. Such programs are tuition reimbursement, CDL training, career pathing, and flexible shift scheduling where possible.

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Demographics For Burleigh County

A demographics breakdown both by age and by gender were done for Burleigh County (Countywide). Below is the breakdown information:

Overall County Age Breakdown		
Age Category	Number	Percentages
Employees Under 26	40	12%
Employees 26-29	32	9%
Employees 30-39	78	22%
Employees 40-49	91	26%
Employees 50-59	77	22%
Employees 60 -64	21	6%
Employees 65 Plus	8	2%
Total	347	100%

Overall County Gender Breakdown		
Age Category	Number	Percentage
Female	157	45%
Male	190	55%
Total	347	100%

The age category where we have the most employees in the county is 40-49 years of age at 26%. Where the 30-39 and 50-59 years of age categories at both at 22%. This shows a good range of ages, and it also shows that Burleigh County has an appropriate spread of ages in its employee base. The concerning age groups are highlighted in red. The 60+ ages represent possible retirements in the near future so planning for succession is extremely important.

The female to male demographic percentages were a bit of a surprise as some of our departments within the County are traditionally male dominated occupations. This shows a good balance of male to female employees overall within Burleigh County. Drilling down into the individual departments we can see some variances in the female to male percentages within the departments. Some departments that are heavily female or male exclusive are Veteran Services, Human Resources, Recorder and Highway. This is the norm within the overall industry averages.

Rate Class	Rate Description	Taxable Payroll	Premium Rates Per \$100.00	Premium Amount
0100Z	Poisoning & Spraying	\$ 16,320.00	1.88	\$ 306.82
3630Z	Auto Repair - Body Shops- Mech	\$ 367,200.00	2.38	\$ 8,739.36
5603Z	Counseling Engineers	\$ 285,600.00	0.34	\$ 971.04
6042Z	Street and Road Construction	\$ 1,086,449.42	2.86	\$ 31,072.45
7720Z	Law Enforcement	\$ 5,344,407.74	2.72	\$ 145,367.89
8747Z	Professional/ Business Reps	\$ 3,248,971.05	0.26	\$ 8,447.32
8805Z	Clerical Office Employees	\$ 439,497.93	0.16	\$ 703.20
9007Z	Building Custodians & Janitorial Service	\$ 218,529.90	2.07	\$ 4,523.57
Estimated Gross Premium				\$ 200,131.65
Experience Rate:				119.6% \$ 239,357.45
Estimated Premium Period				01/01/2024 - 12/31/2024 \$ 439,489.10
Discount Applied:				
NDA Co Member Employer Group Adjustment:				\$ -
Safety Adjustment:				\$ -
Other Adjustment:				
TOTAL PREMIUM DUE:				\$ 439,489.10

Department	GL #	0010Z	3630Z	5603Z	6042Z	7720Z	8747Z	8805Z	9007Z	Total	Exp Totals	Grand Totals
County Extension	2960-48110-00211	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 170.65	\$ -	\$ -	\$ 170.65	\$ -	\$ 170.65
County Auditor	1001.41110.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 597.29	\$ 70.32	\$ -	\$ 667.61	\$ 5,200.59	\$ 5,868.20
Bldgs & Grounds	1001.41610.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,618.92	\$ 3,618.92	\$ 3,036.59	\$ 6,655.51
Provident Building	2913-49182-00211	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 904.65	\$ 904.65	\$ 1,253.75	\$ 2,158.40
Commission	1001.41110.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 682.61	\$ -	\$ -	\$ 682.61	\$ 3,620.93	\$ 4,303.54
Detention	1001-42120-00241	\$ -	\$ -	\$ -	\$ -	\$ 87,985.83	\$ 511.96	\$ -	\$ -	\$ 88,497.79	\$ 66,323.20	\$ 154,820.99
Elections	1001.41710.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Emergency Mngmt	1001.42140.00211	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 170.65	\$ -	\$ -	\$ 170.65	\$ 1,490.60	\$ 1,661.25
Human Resources	1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 341.31	\$ -	\$ -	\$ 341.31	\$ 3,553.52	\$ 3,894.83
Highway	2140-43120-00241	\$ -	\$ 8,526.20	\$ 971.04	\$ 31,072.45	\$ -	\$ 426.63	\$ -	\$ -	\$ 40,996.32	\$ 40,057.34	\$ 81,053.66
County Park Board	2980-45110-00211	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 170.65	\$ -	\$ -	\$ 170.65	\$ 5.77	\$ 176.42
Recorder	1001.41450.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 170.65	\$ 93.76	\$ -	\$ 264.41	\$ 4,026.34	\$ 4,290.75
Sheriff	1001.42110.00241 /1001-41930-00241	\$ -	\$ 213.16	\$ -	\$ -	\$ 57,382.06	\$ 767.94	\$ -	\$ -	\$ 58,363.16	\$ 64,055.20	\$ 122,418.36
States Attorney	1001.41430.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,559.79	\$ 539.12	\$ -	\$ 3,098.91	\$ 35,409.36	\$ 38,508.27
Tax	1001.41420.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 426.63	\$ -	\$ -	\$ 426.63	\$ 3,452.19	\$ 3,878.82
Veteran Services	2920-41460-00211	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 341.31	\$ -	\$ -	\$ 341.31	\$ 3,971.09	\$ 4,312.40
Weed Control	2970-49130-00211	\$ 306.82	\$ -	\$ -	\$ -	\$ -	\$ 341.31	\$ -	\$ -	\$ 648.13	\$ 626.09	\$ 1,274.22
Planning & Zoning	1001.41980.00241 /1001-41930-00241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 767.94	\$ -	\$ -	\$ 767.94	\$ 3,274.90	\$ 4,042.84
TOTALS		\$ 306.82	\$ 8,739.36	\$ 971.04	\$ 31,072.45	\$ 145,367.89	\$ 8,447.32	\$ 703.20	\$ 4,523.57	\$ 200,131.65	\$ 239,357.45	\$ 439,489.10

Burleigh County Overview

Company Name:	Burleigh County , ND
Web page:	www.burleigh.gov
Number of Employees:	450 when fully staffed - includes permanent and temporary staff
Overview of Departments:	Auditor/Treasurer, Planning, Buildings & Grounds, Emergency Management, Extension, HR & Risk Management, Highway, Recorder, Sheriff & Detention, Social Services, State's Attorney, Veteran's Service, Weed Control
System Requirements:	Upload from the following programs: Kronos and RTVision - Download to Tyler GL system
Time Frame:	2025
Current Systems:	
Payroll	Infinite Visions - Tyler ERP
HRIS	None
Central Time Keeping	None - Highway uses RTVision, Social Services uses Kronos
ATS	Breezy HR
Minimum Required Systems	ATS, HRIS, Payroll, Centralized Time Keeping, Scheduling, Benefits - Cloud Based

About You

Your Company Name	
Vendor Details	
System Pricing	
Implimentation Costs	
Maintenance Charges	
Training Included	
Support Costs	
Licensing Fees - charged by # of users?	
Supported Technology	
Customer Support Options	
Training Options	
Local References	
Sample Contract	

Required Features - ATS

1. Does it "spider" out to different recruiting sites? Which recruiting sites?	
2. Can we choose to pay for advertising? If so how is it billed?	
3. Can hiring managers see the	
4. Can we choose what the hiring managers see?	
5. Can applications be uploaded manually?	
6. Does your system have the ability for applicants to view application history, including job ID, title, location, and date applied?	
7. Can we message applicants via email and SMS?	
8. Store applications of successful and unsuccessful candidates	
9. Compatible with multiple web browsers?	
10. Does your system have the capability to set up email/SMS templates? If so is there a limit?	
11. Can job posting be set up for cinsisten outreach - "evergreen" requisitions? (i.e. Deputy Sheriff, Detention, State's Attorney)	
12. Reporting and analyitcal capabilities.	
13. Upload of multiple document types.	
14. Ability to search for jobs and apply via mobile	
15. Provides a configurable manager portal or dashboard for recruiting and onboarding	

Required Features -Onboarding

1. Is this solution unified with the payroll solution? Please explain.	
2. Describe how your self-service solution can be used to guide employees through benefits enrollment.	
3. Ability to click a button to hire the person, and data is automatically routed to payroll, benefits, and other applicable areas.	
4. How does your system help organize electronic new hire paperwork?	
5. Automatically assign an employee number.	
6. What is the length of time to move a new hire from the ATS to the HRIS?	
7. Describe the onboarding process in your solution.	
8. Can managers receive notifications when new employees have completed their new-hire paperwork?	
9. Does the solution support E-Verify integration? Please describe.	
10. Ability to provide a wizard based checklist of activities that associates need to perform to complete the onboarding process (e.g. update marital status, update address, submit W4/T1, etc.).	
11. Candidate self service is available for profile management, job application, talent pool engagement and other functions.	

Required Features -HRIS

1. Does the solution record and track the organization's employee hierarchy information including reporting employees, supervisor, and delegates?	
2. Describe any delivered capabilities your solution has to provide detailed labor analytics to help managers and business leaders analyze workforce productivity.	
2. Describe how salary ranges/grades are established in the system, grades are assigned to positions, and positions are assigned to employees.	
3. Does the system maintain a complete history of employment (wages, hours, departments, title, status (FT, PT, etc.)) for all employees?	
4. Provides ability to analyze and chart salary data by title, salary range or other appropriate fields.	
5. Supports HR workflow.	
6. Allow user to design screens.	
7. Use internet or intranet as self service tools.	
8. Ability to suspend accrual benefits during leave of	
9. Ability to override all date and salary fields with proper security.	
10. Provides for multiple salary schedules.	
11. Generate a separate payroll and tracking for employee on worker's compensation.	
12. Auto-number position codes.	
13. Verify job number, cost code etc. upon entry.	

14. Ability to perform EEOC 4 reporting.	
15. Perform all required HR reporting functions on-line that including the ability to store complete history files to meet the needs of the county.	
16. Ability to hire/start employees at anytime duing the pay period.	
17. Ability to transfer employees to a new position at anytime during the payperiod.	
18. Employees and positions are separate for position tracking purposes.	
19. Ability to print out a County directory from HR system - phone numbers, emails, department, locations, position title.	
20. Update all benefits and deductions online and perform all maintenance online	
21. Can personnel files be uploaded into the system and allow employees to view them?	
22. What are the reporting capabilities?	
23. How often are updates completed? Are they done automatically or are the users notified?	
24. Ability to notify supervisors of employee's upcoming probationary completion.	
25. Access by multiple users at once.	
26. Is there a limit of admin users?	
27. Ability to make completion of one task a firm prerequisite to the initiation of other tasks.	

28. Facilitates base salary, merit increase, and annual incentive planning with managers via self-service.	
29. Employee onboarding and termination checklist.	

Draft

Required Features -Payroll

1. Support user defined employee types (temps, interns, etc.).	
2. Employees can model their paycheck for changes including deductions, marital status, and exemptions.	
3. Establishes and maintains salary structure and ranges by grade, location, and other factors.	
4. How do you support garnishment issues and what is the process for paying garnishment vendors?	
5. Supports automatic retroactive pay calculations and payments.	
6. Can the system extend the garnishment or stop payments?	
7. Report an unlimited number of earning for each employee?	
8. Define an unlimited number of shifts and shift differentials?	
9. Support exception-based and positive pay time reporting and calculation.	
10. Support multiple employee calendars?	
11. Process overtime against multiple processing rules and employee schedules?	
12. Provide for user-defined timesheets?	
13. Define default entries for earnings, hours and labour distributions.	
14. Support earning and deduction codes that do a variety of calculations.	

15. Track grant-funded positions and allocated to various departments by percentabe or fixed amounts.	
16. Produce a "what-if" Pay analysis based upon user defined criteria.	
17. separate base pay for longevity pay and to track a variety of longevity pays separately.	
18. Provide leave time calculations for part-time part-employees by percentate of time worked.	
19. calculate leave time according to different rules for part-time and full-time employees	
20. Calculate FLSA based on varying calculations	
21. Computed retroactive pay by actualy hours worked during the period, and with the ability to adjust for salary step increases and overtime during that period.	
22. Accommodate unlimited paycodes.	
23. Update the general ledger for all payroll transations; salary/wages, deductions, etc.	
24. Interface with AO to create deduction transactions.	
25. Start/terminate employees mid-pay without having to readjust the overall pay cycle or employee records.	
26. Allows for permanent leave banks that don't reset: Sick, Vacation.	
27. Multiple leave bank accruals rates based on time in bank or bank start date.	
28. Docks annual bank accrual with employee does not compled contracted days - without paydays.	

29. Define leave categories that reduce/increases the balance of antoher leave bank, such as defining family, personal and bereavement leave to reduce the sick leave balance. (Bank Factoring)	
30. Software accomodates ballon/triple payrolls.	
31. Abilty to pay employees for work done that's not associated to a position: workshops, meetings, ect.	
32. Supports all Federal & State taxes.	
33. Maintains old tax tables.	
34. Allows employees to pay additional amount or % over and above tax tables for FIT & SIT.	
35. Defines voluntary deductionas as amounts and/or percentages of gross or base pay.	
36. There is a maintenance process to globally update deduction rates and/or limits.	
37. Notification when an employee does not have enough gross wages to pay deductions.	
38. Allwes for deduction and overrides at payroll time.	
39. Ability to globally manage salary/wage increases during the fiscal year.	
40. Restart/recovery procedures when printing checks.	
41. All transactions are time/operator stamped.	
42. Allow access to payroll hisotry date on current system - through new payroll system.	

43. Check reconciliation for payroll checks, accepts file downloaded from bank.	
44. Notification when an employee is payroll is not active for payroll.	
45. Notification when an employee's absence bank will be negative after absences posted.	
46. Notification when an employee is missing the FIT or SIT marital status.	
47. Notification if benefits can't be distributed if no REG, CONT, or TERM pay.	
48. Notification if an employee's gross pay is negative.	
49. Solution supports ACA compliance reporting (such as 1094 and 1095 C generation).	
50. Describe your general ledger (GL) interface.	

Required Features -Time Keeping & Scheduling

<p>1. Provide the ability to report on employees scheduled to be at work and those who have called-off (notified the organization of an unplanned absence), submitted an absence request online or had an absence request previously</p>	
<p>2. Does the solution allow employees to access up-to-the-second information, such as scheduled shift times, accrual balances, and messages, as soon as changes are made anywhere in the solution?</p>	
<p>3. Can the solution report time on an exception basis (solution generates scheduled time and exceptions are reported when the time is not worked as scheduled)?</p>	
<p>4. Electronic time card with ability to enter daily time, exception time, etc.</p>	
<p>5. Describe in detail PTO carryover policy capabilities/configuration options and limitations.</p>	
<p>6. Ability to schedule employees down to the last minute.</p>	
<p>7. Is this timekeeping solution unified with the payroll solution? Please explain.</p>	
<p>8. Explain how employee timesheets can be entered on-line. How are these timesheets approved?</p>	
<p>9. Does the solution allow managers/supervisors to view/approve time entries?</p>	
<p>10. Can the solution require comments to identify reasons for the manual change (e.g., duplicate, missed punch, etc.)?</p>	
<p>11. Describe how employees can request time off and how the manager can approve.</p>	
<p>12. Describe any delivered options for enabling employee shift swapping via self service.</p>	

13. Can corrections be easily made to update employee time, fix incorrect time, record hours and departments, etc.?	
14. Can the solution pre-populate timecard from scheduled hours? Can it be disabled?	
15. Does the solution have the option to restrict entries to inactive/terminated employees?	
16. Can the solution secure the timesheet data from any updates or changes after a designated sign-off?	
17. Does the system have the ability to make a historical edit to specific users?	
violations/overages as soft or hard errors during the shift swapping process	
19. Please describe experiences with shifts, OT, lunch and punches that crossing midnight.	
20. Provides multiple options for employee time capture.	

Required Features - Scheduling

1. Accommodate unlimited schedule changes and adjustments on demand?	
2. Define schedules with varying lengths (e.g., four hours per day, eight hours per day, etc.)?	
3. Create schedule patterns that repeat?	
4. View an employee's complete work history from the date of go-live?	
5. View an employee's complete future (projected) work schedule?	
6. Create user-defined shifts? If yes, please specify the maximum number of shifts allowed in the solution.	
7. Allow schedule shift patterns to be automatically repeated, or rolled forward to future weeks?	
8. Does the solution allow a payroll administrator or manager/supervisor to enter or create schedules for employees?	
9. Define shift start and stop times using a 24-hour clock?	
10. Attach employees to shifts at any point in the rotation?	
11. Schedule meals and breaks, as well as start and end	
12. Save "templates" of the most commonly used shifts so that these can be used for ease of editing?	
13. Ability to track employee preferences and availability?	
14. Describe the types of notifications delivered to managers during the scheduling process to ensure both compliance and conformance to business unit guidelines.	

15. Employees are able to perform shift swapping through self service	
16. The system allows simulated changes to rosters and impact of changes and allowing the user to use 'what if' scenarios to review impact of proposed change to roster.	
17. Ability to designate a proxy user that can enter time off taken on the employee's behalf and/or provide manager approvals.	
18. The system can generate monthly rosters in for operational staff in line with agreed rostering principles and ensuring allocations for daily staff requirements including meal and fatigue breaks	
19. The enables staff to apply for annual leave (in block or ad-hoc) , and applies rules to disposition request (staff numbers, ratings, etc.)	
20. Systems supports notification to administrators when critical date thresholds are imminent (e.g., sick pay exhausted, Annual Leave, FMLA)	
21. Describe the types of notifications that can be configured to support managers during pay period time collection to ensure compliance and conformance to business unit	
22. The solution supports salary modeling based on	
23. Supports a driver-based model for determining needed headcount.	
24. Provide holistic model that includes not only the headcount demand, but also internal labor movement (hiring, promotions, transfers, leaves, separations, etc.) and span of	
25. The solution can integrate business operations data and workforce management data to calculate target resource levels per department or skill according to planned business activities and volumes.	

Required Features - Benefits


1. Maintain multiple types of plans (e.g. health, dental, life & AD&D, long-term disability, retirement and pension, EAP, and non-financial benefits)	
2. System supports mass changes (benefit plan changes, enrollment data, etc.) by administrative staff	
3. Does your system include on-line benefits enrollment via employee self-service?	
4. Are capabilities enabled via mobile devices for Employees?	
5. Do you have any tools to facilitate managing the open enrollment process?	
6. Does your system include on-line benefits enrollment via employee self-service?	
7. Describe how your system handles any benefit deductions not taken and any rules / options for arrears processing.	
8. Describe any tools included in your solution to support or facilitate benefits billing reconciliation.	
9. Describe any tools or processes delivered with your solution to support benefit self-billing.	
10. Defines employee's COBRA status, date of qualifying COBRA event, description of COBRA event, and date the COBRA notification letter was sent.	
11. Describe the system capabilities for benefits enrollment.	
12. Explain how pay changes are entered in the system.	
13. Provides email reminders and overdue notices throughout the process.	

Required Features - Reporting

1. Please provide a brief overview of your reporting and analytic capabilities.	
2. How can reports be sorted?	
3. Please provide a list of all standard reports.	
4. Describe standard and ad hoc reporting functionality.	
5. Are reports able to be scheduled for generation and distribution?	
6. How are custom reports created?	
7. Provide the ability to report on Overtime submitted on timesheets.	
8. Describe any limitations creating online reports? (e.g. formatting, fields, tables)	
9. Describe your ability to create workforce alerts (e.g., email reminders, reports, etc.).	
10. Supervisor reporting structure.	
11. Does the system have the ability to export reports in a format that may be sent to recipients electronically without manual reformatting?	
12. Managers can see in real time how much of the budget as been allocated/spent as allocations are made; visualizations include graphical display (pie chart, other)	
13. Solution aggregates results of compensation planning for review and adjustment by multiple levels of management and provides an audit trail of all revisions	
14. Supports creation, generation, distribution and online access of total compensation statements (describe).	

Required Features - Employee Communications

1. System must have capability to house Company policies once signed/acknowledged by employees, and provide an "alert" if new policies have not been acknowledged within a specified number of days.	
2. Allow employees to update personal information, such as address, tax withholdings, direct deposit, etc.	
3. Maintain employee data, dependent data, and elections. Enable employees to view and change dependent and beneficiary data online	
4. Employees can access links that can launch: E-mails	
5. Allow employees to upload documents with change	
6. Employees can perform paycheck modeling.	
7. The ability to send out mass messages to employees.	
8. Allow employees to access paycheck information in multiple formats.	
9. Employees have access to their own personnel file.	
10. Administrative ability to control employee access.	

	Burleigh County, North Dakota Job Description	Last Date Revised: 03/7/2024 Job Description # 02-41860
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Employee: _____
Job Title: Systems Administrator
Job Status: Exempt
Salary Grade: 11

Location: Bismarck
Department: IT Division
Reports to: IT Manager
DBM Rating: C43

Job Summary: Under the supervision of the IT Manager, the Systems Administrator will manage the Burleigh County servers, desktop and mobile equipment, and software. This position will ensure that email and data storage networks within the county's computer systems work properly. Responsible for the installation and configuration of software and system updates and will monitor system performance to ensure that employees' workstations are working to optimum efficiency.

Responsibilities:


- 35 % time 1. Maintain and administer computer systems and any related computing environments, including computer hardware, systems software, applications software, and all configurations.
- 30 % time 2. Analyze equipment performance records to determine the need for repair or replacement. Diagnose, troubleshoot, and resolve hardware, software, or other system problems, and replace defective components when necessary.
- 20 % time 3. Configure, monitor, and maintain email applications or virus protection software.
- 15 % time 4. Recommend changes to improve systems and network configurations and determine hardware or software requirements related to such changes.

Essential Job Duties:

1. Maintain computer systems to enhance performance and user access.
2. Implement security measures for computer or information systems.
3. Create electronic data backup to prevent loss of information.
4. Resolve computer software problems.
5. Troubleshoot issues with computer applications or systems.
6. Monitor the performance of computer systems.
7. Analyze data to identify or resolve operational problems.
8. Recommend changes to improve computer or information systems.
9. Test computer hardware and software performance.
10. Install computer hardware and software.
11. Conduct research to gain information about products or processes.
12. Maintain the inventory of equipment.
13. Update knowledge about emerging industry or technology trends.
14. Perform other duties as required and/or assigned.

Job Qualifications, Experience and Education

1. Must be a US Citizen, eighteen (18) years of age or older; high school graduate or GED certified; preference given to those with either a two- or four-year college degree in information technology or related field.
2. Five (5) to eight (8) years of experience in installing, maintaining, and upgrading computer hardware and software in a government IT environment. Or a combination of education and experience.

	Burleigh County, North Dakota Job Description	Last Date Revised: 03/7/2024 Job Description # 02-41860
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3. Experience in Windows operating systems, voice over IP, Microsoft Office Products, and computer hardware preferred.
4. Must be customer service oriented and have the ability to work with fellow employees both in person and over the telephone or while accessing the employee’s computer using remote access tools.
5. Must possess a valid driver’s license, with no serious traffic violations, and no felony or misdemeanor convictions.
6. Must be able to pass civil, criminal, and driver’s license background checks.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting and standing.
2. Mental demands require the ability to analyze circumstances and interpret guidelines to select appropriate procedures, which provide analysis, recommendation, or advice used by others in making decisions.
3. Frequent use of PC Keyboard and monitor. Will include physical motions of finger dexterity for use of keyboard, and other office equipment.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Information Technology related positions. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

Employee Signature

Date

Job Title:		Systems Administrator			11		
Salary Grade:		15.1244.00					
DBM Rating:		C43					
Under the supervision of the Emergency Management Director, the Systems Administrator will manage the Burleigh County servers and desktop and mobile equipment and software. This position will ensure that email and data storage networks within the county's computer system work properly. Responsible for the installation and configuration of software and system updates and will monitor system performance to ensure that employees' workstations are working to optimum efficiency.							
Responsibilities:		Percentage of Time (Annualized)			DBM Ranking		
1	Maintain and administer computer systems and any related computing environments, including computer hardware, systems software, applications software, and all configurations.	35%			D	2	N/A
2	Analyze equipment performance records to determine the need for repair or replacement. Diagnose, troubleshoot, and resolve hardware, software, or other systems problems, and replace defective components when necessary.	30%			D	1	N/A
3	Configure, monitor, and maintain email applications or virus protection software.	20%			C	2	N/A
4	Recommend changes to improve systems and network configurations and determine hardware or software requirements related to such changes.	15%			D	1	N/A
Essential Duties:		Decisions Required (Programming, Interpretive, Process, Operational, Defined)	Frequency (Daily, Weekly, Monthly, Quarterly, Annually)	Percentage of time	BAND	GRADE	SUB GRADE CALCULATION
1	Maintain computer systems to enhance performance and user access.	Process	Daily	*	C	2	300
2	Implement security measures for computer or information systems.	Interpretive	Daily	*	D	1	500
3	Create electronic data backup to prevent loss of information.	Operational	Daily	*	B	2	200
4	Resolve computer software problems.	Process	As needed	*	C	1	375
5	Troubleshoot issues with computer applications or systems.	Interpretive	As needed	*	D	1	500
6	Monitor the performance of computer systems.	Operational	Daily	*	B	2	200
7	Analyze data to identify or resolve operational problems.	Process	Weekly	*	C	1	375
8	Recommend changes to improve computer or information systems.	Interpretive	As needed	*	D	1	500
9	Test computer hardware and software performance.	Process	Monthly	*	C	1	375
10	Install computer hardware and software.	Operational	Daily	*	B	2	200
11	Conduct research to gain information about products or processes.	Interpretive	As needed	*	D	1	500
12	Maintain the inventory of equipment.	Operational	Annually	*	B	2	200
13	Update knowledge about emerging industry or technology trends.	Interpretive	As needed	*	D	1	500
14	Other duties as required or assigned.	Defined	As needed	*	A	2	100
KNOWLEDGE		Percentage of Time (Annualized)			TOTAL		4825
1	Computer and Electronics	Knowledge of circuit boards, processors, chips, electronic equipment, and computer hardware and software, including applications and programming.	99%				
2	Telecommunications	Knowledge of transmission, broadcasting, switching, control, and operation of telecommunications systems.	70%				
3	Customer and Personal Service	Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.	61%				
4	Engineering and Technology	Knowledge of the practical application of engineering science and technology. This includes applying principles, techniques, procedures, and equipment to the design and production of various goods and services.	60%				
5	English Language	Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of compensation, and grammar.	73%				
6	Administration and Management	Knowledge of business and management principles involved in strategic planning, resource allocation, human resources modeling, leadership technique, production methods, and coordination of people and resources.	53%				
7	Communications and Media	Knowledge of media production, communication, and dissemination techniques and methods. This includes alternative ways to inform and entertain via written, oral, and visual media.	50%				
8	Education and Training	Knowledge of principles and methods for curriculum and training design, teaching and instruction for individuals and groups, and the measurement of training effects.	49%				
9	Administrative	Knowledge of administrative and office procedures and systems such as word processing, managing files and records, stenography and transcription, designing forms, and workplace terminology.	48%				
10	Design	Knowledge of design techniques, tools, and principles involved in production of precision technical plans, blueprints, drawings, and models	41%				
SKILLS		Percentage of Time (Annualized)					
1	Critical Thinking	Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions, or approaches to problems.	69%				

2	Active Listening	Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.	63%
3	Judgment and Decision Making	Considering the relative costs and benefits of potential actions to choose the most appropriate one.	60%
4	Reading Comprehension	Understanding written sentences and paragraphs in work-related documents.	60%
5	Active Learning	Understanding the implications of new information for both current and future problem-solving and decision making.	56%
6	Complex Problem Solving	Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.	56%
7	Monitoring	Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action.	56%
8	Speaking	Talking to others to convey information effectively.	56%
9	Systems Analysis	Determining how a system should work and how changes in conditions, operations, and the environment will affect outcomes.	53%
10	Troubleshooting	Determining causes of operating errors and deciding what to do about it.	53%
ABILITIES		Percentage of Time (Annualized)	
1	Deductive Reasoning	The ability to apply general rules to specific problems to produce answers that make sense.	72%
2	Oral Comprehension	The ability to listen to and understand information and ideas presented through spoken words and sentences.	72%
3	Problem Sensitivity	The ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognition that there is a problem.	72%
4	Inductive Reasoning	The ability to combine pieces of information to form general rules or conclusions (includes finding a relationship among seemingly unrelated events.)	69%
2	Oral Expression	The ability to communicate information and ideas in speaking so others will understand.	69%
3	Written Comprehension	The ability to read and understand information and ideas presented in writing.	66%
5	Information Ordering	The ability to arrange things or actions in a certain order or pattern according to a specific rule or set of rules (patterns of numbers, letters, words, pictures, mathematical operations).	63%
4	Near Vision	The ability to see details at close range (within a few feet of the observer).	60%
6	Speech Clarity	The ability to speak clearly so others can understand you.	60%
9	Speech Recognition	The ability to identify and understand the speech of another person.	60%
OCCUPATIONAL INTERESTS		Percentage of Time (Annualized)	
1	Work involves following procedures and regulations to organize information or data, typically in a business setting. Conventional occupations are often associated with office work, accounting, mathematics/Statistics, information technology, finance, or human resources.	Conventional	86%
3	Work involves designing, building, or repairing of equipment, materials, or structures, engaging in physical activity, or working outdoors. Realistic occupations are often associated with engineering, mechanics and electronics, construction, woodworking, transportation, machine operation, agriculture, animal services, physical or manual labor, athletics, or protective services.	Realistic	53%
4	Work involves studying and researching non-living objects, living organisms, disease or other forms of impairment, or human behavior. Investigative occupations are often associated with physical, life, medical, or social sciences, and can be found in the fields of humanities, mathematics/statistics, information technology, or health care service.	Investigative	51%
5	Work involves managing, negotiating, marketing, or selling, typically in a business setting, or leading or advising people in political and legal situations. Enterprising occupations are often associated with business initiatives, sales, marketing/advertising, finance, management/administration, professional advising, public speaking, politics, or law.	Enterprising	41%
6	Work involves helping, teaching, advising, assisting, or providing service to others. Social occupations are often associated with social, health care, personal service, teaching/education, or religious activities.	Social	20%

Work involves creating original visual artwork, performances, written works, food or music for a variety of media, or applying artistic principles to the design of various objects and materials. Artistic occupations are often associated with visual arts, applied arts and design, performing arts, music, creative writing, media, or culinary art.	Artistic	0%
Job Qualifications, Experience and Education		
Must be a US Citizen, eighteen (18) years of age or older; high school graduate or GED certified; preference given to those with either a two- or four-year college degree		
1	Information technology or related field. A combination of education and experience can be substituted for a degree.	
2	Five (5) to eight (8) years of experience in installing, maintaining, and upgrading computer hardware and software in a government IT environment.	
3	Experience in Windows operating systems, voice over IP, Microsoft Office Products, and computer hardware preferred.	
4	Must be customer service oriented and have the ability to work with fellow employees both in person and over the telephone or while accessing the employee's computer using remote access tools.	
5	Must possess a valid driver's license, with no serious traffic violations, and no felony or misdemeanor convictions.	
6	Must be able to pass civil, criminal, and driver's license background checks.	

Wage Analysis						
Network & Computer Systems Administrators	15-1244.00	Minimum	25%	Market	75%	Maximum
O-NET Research	Bismarck-Mandan Area	\$ 63,060.00	\$ 74,540.00	\$ 80,080.00	\$ 97,260.00	\$ 105,930.00
O-NET Research	North Dakota	\$ 62,280.00	\$ 66,770.00	\$ 79,580.00	\$ 97,000.00	\$ 107,820.00
O-NET Research	United States	\$ 56,260.00	\$ 70,120.00	\$ 90,520.00	\$ 115,070.00	\$ 140,430.00

Burleigh County Similar Jobs in Pay Grade 11	Burleigh County Pay Grade	Step 1	Step 5	Step 9	Step 13	Step 17
Buildings & Grounds Manager	Grade 10	\$ 65,977.60	\$ 73,257.60	\$ 82,326.40	\$ 92,248.00	\$ 102,148.80
Veteran Service Officer	Grade 11	\$ 69,950.40	\$ 77,646.40	\$ 87,276.80	\$ 97,801.60	\$ 108,284.80
	Grade 12	\$ 74,152.00	\$ 82,284.80	\$ 92,539.20	\$ 103,667.20	\$ 114,732.80

IT Coordinator	NDASCo Salary Survey Reports	Budget Low	Budget High	Budget Average
Full-time 40 hours per week	Barnes County	\$ 90,584.00	\$ 90,584.00	\$ 90,584.00
Full-time 40 hours per week	Cass County	\$ 113,021.00	\$ 113,021.00	\$ 113,021.00
Full-time 40 hours per week	Grand Forks County	\$ 106,072.00	\$ 106,072.00	\$ 106,072.00
Full-time 40 hours per week	Pembina County	\$ 77,340.00	\$ 77,340.00	\$ 77,340.00
Full-time 40 hours per week	Richland County	\$ 77,272.00	\$ 77,272.00	\$ 77,272.00
Full-time 40 hours per week	Stutsman County	\$ 126,964.00	\$ 126,964.00	\$ 126,964.00
Full-time 40 hours per week	Ward County	\$ 96,445.00	\$ 96,445.00	\$ 96,445.00
Full-time 40 hours per week	Williams County	\$ 111,613.00	\$ 111,613.00	\$ 111,613.00
	Averages	\$ 107,449.83	\$ 107,449.83	\$ 107,449.83

ITEM

8

ITEM

9



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: April 1, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall P.E.
County Engineer

RE: County Highway 10 mill and overlay project Concurrence Letter

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the estimated amounts for the County Highway 10 from 66th Street NE to 197th Street NE mill and overlay project.

BACKGROUND:

The North Dakota Department of Transportation (NDDOT) is requesting that Burleigh County concur with the estimated cost sharing amounts for the County Highway 10 from 66th Street NE to 197th Street NE mill and overlay project. On March 15, 2024 the NDDOT opened bids for the County Highway 10 project.

<u>Contractor:</u>	<u>Bid Amount:</u>
Border States Paving Inc.	\$3,344,028.70
Mayo Construction Co.	\$3,544,069.76
Knife River Material	\$3,791,652.76
Central Specialties Inc.	\$4,027,555.79
Northern Improvement Co.	\$4,256,433.84
Anderson Western Inc.	\$4,612,678.18
Strata Corporation	\$4,655,566.66
Engineers Estimate	\$3,969,968.48

Cost Breakdown:

County Highway 10 Project:

Total Cost (Construction)	\$3,344,028.70
Federal Funds	\$2,680,907.81
County Funds	\$663,120.89

2024 Budgeted Amount: \$838,906.00

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the proper County officials are hereby authorized to sign the attached resolution informing the NDDOT that Burleigh County concurs with the selection of Border States Paving Inc for the construction of the County Highway 10 from 66th Street NE to 197th Street NE mill and overlay project.

NORTH
Dakota | Transportation
Be Legendary.

March 18, 2024

Brian Bitner
Burleigh County Chairperson
C/O County Auditor
PO Box 5518
Bismarck, ND 58501

PROJECT NO. – SC-0836(067)
66th E to US 83 PHASE 1
MILL & HMA OVERLAY – 10.050 MI

Enclosed is a Resolution for the above project in the March 15, 2024 bid opening. The apparent low bidder is Border States Paving Inc. in the amount of \$3,344,028.70. If the County concurs in awarding, please execute the Resolution, and return to our office.

With Gratitude,

Paul M. Benning

PAUL M. BENNING, P.E.,
Local Government Engineer

38/ss
Enclosure

RESOLUTION

WHEREAS, the bid in the amount of \$ 3,344,028.70 from Border States Paving Inc. received in the bid opening of March 15, 2024 for Project SC-0836(067) was the low bid received.

WHEREAS, this bid is considered reasonable.

NOW THEREFORE, be it resolved by the Board of County Commissioners of BURLEIGH County will award to Border States Paving Inc. the contract for Project SC-0836(067) and hereby authorizes the Chairman of the Board to sign said contract.

It is further understood that the County shall reimburse the North Dakota Department of Transportation for any payments made under this contract, which are not collectible from the Federal Highway Administration.

ATTEST:

County Auditor

Chairman, Board of County
Commissioners

County: BURLEIGH_____

This is to certify that the above resolution was adopted and passed at a meeting of the Board of County Commissioners at _____ County on _____.

County Auditor



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: April 1, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line and direct staff on how to proceed.

BACKGROUND:

Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, Tony Fettig, has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

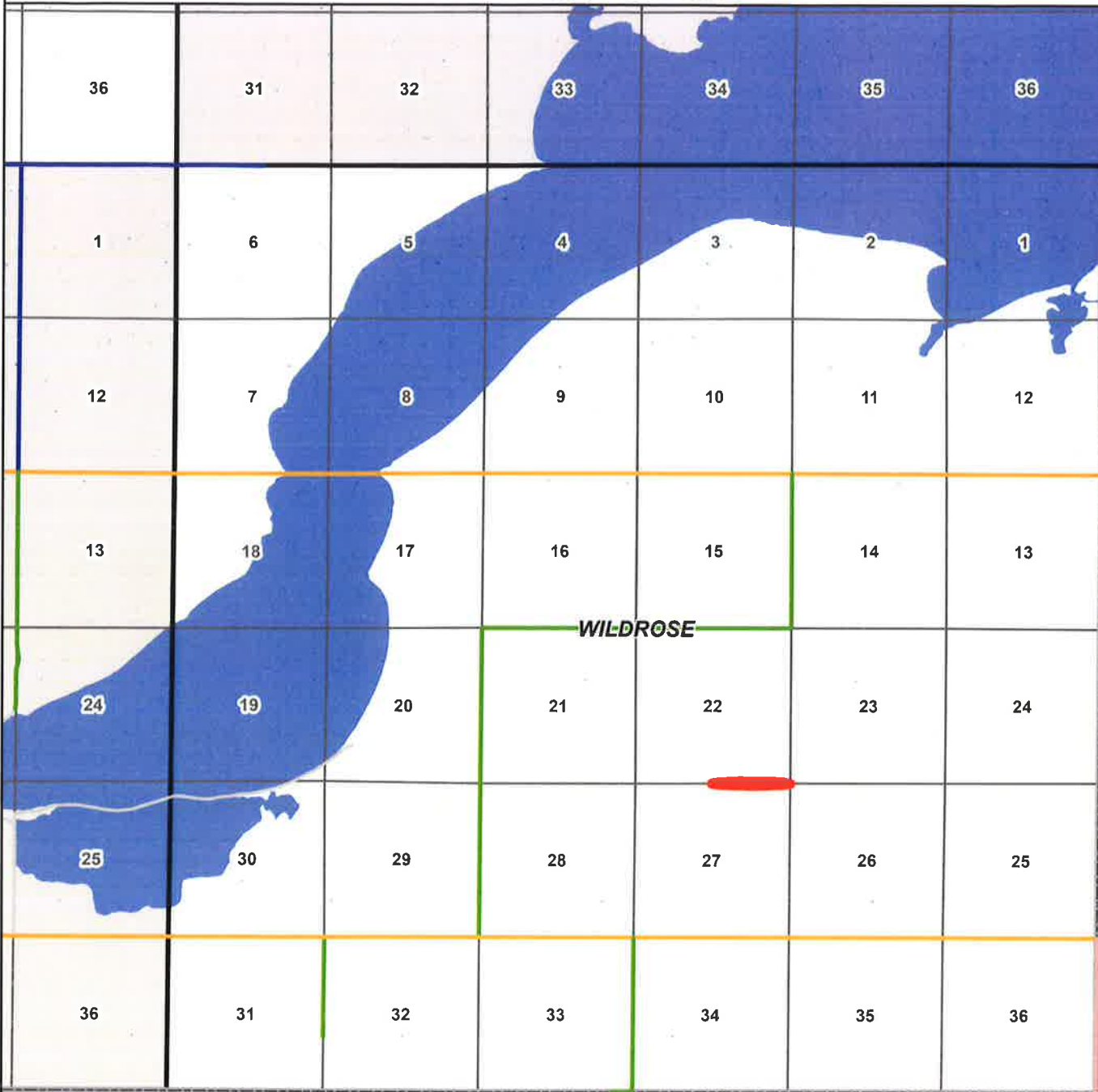
It is recommended that the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets May 6, 2024 at 5:00 p.m. as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

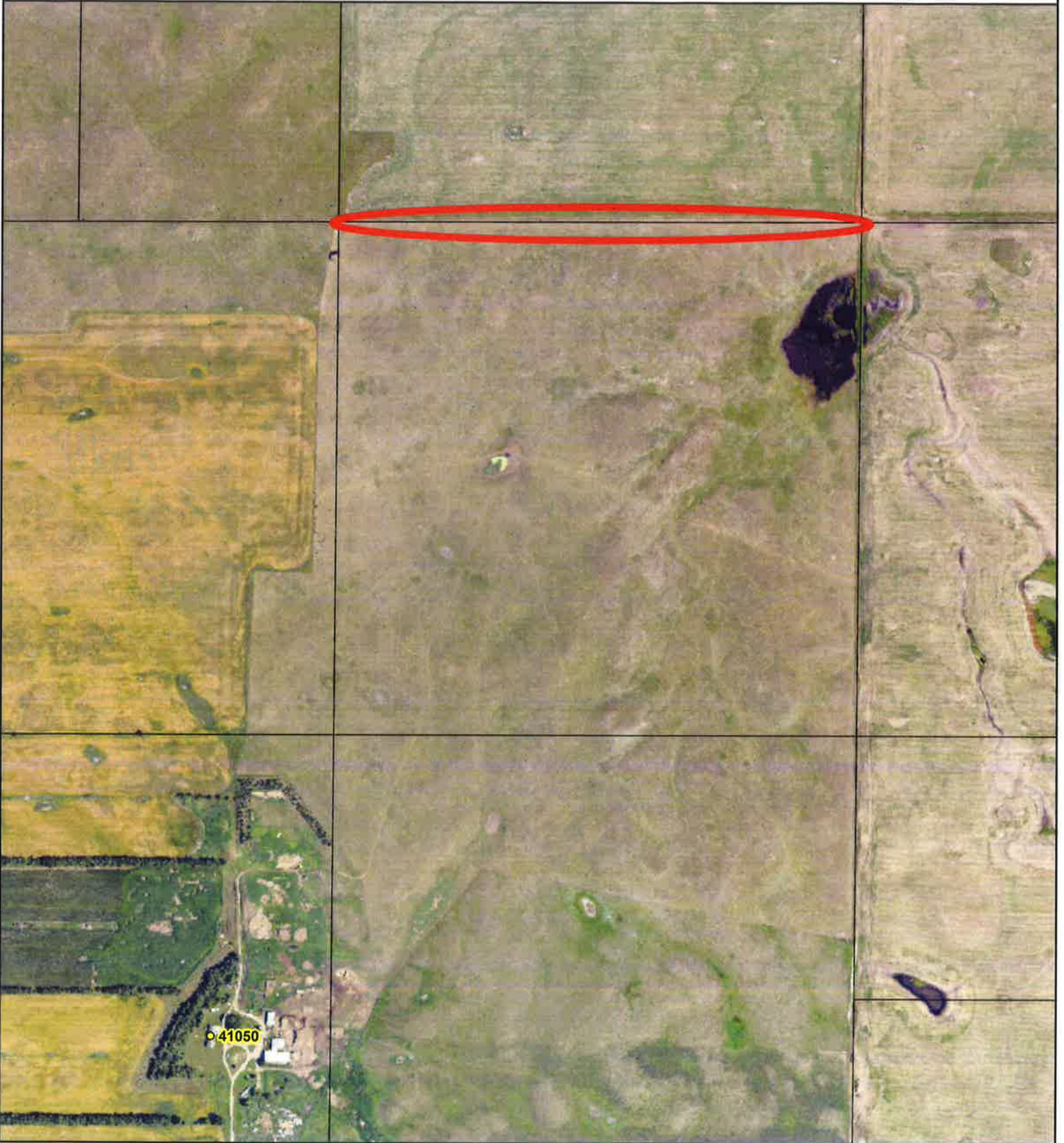
N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
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LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510



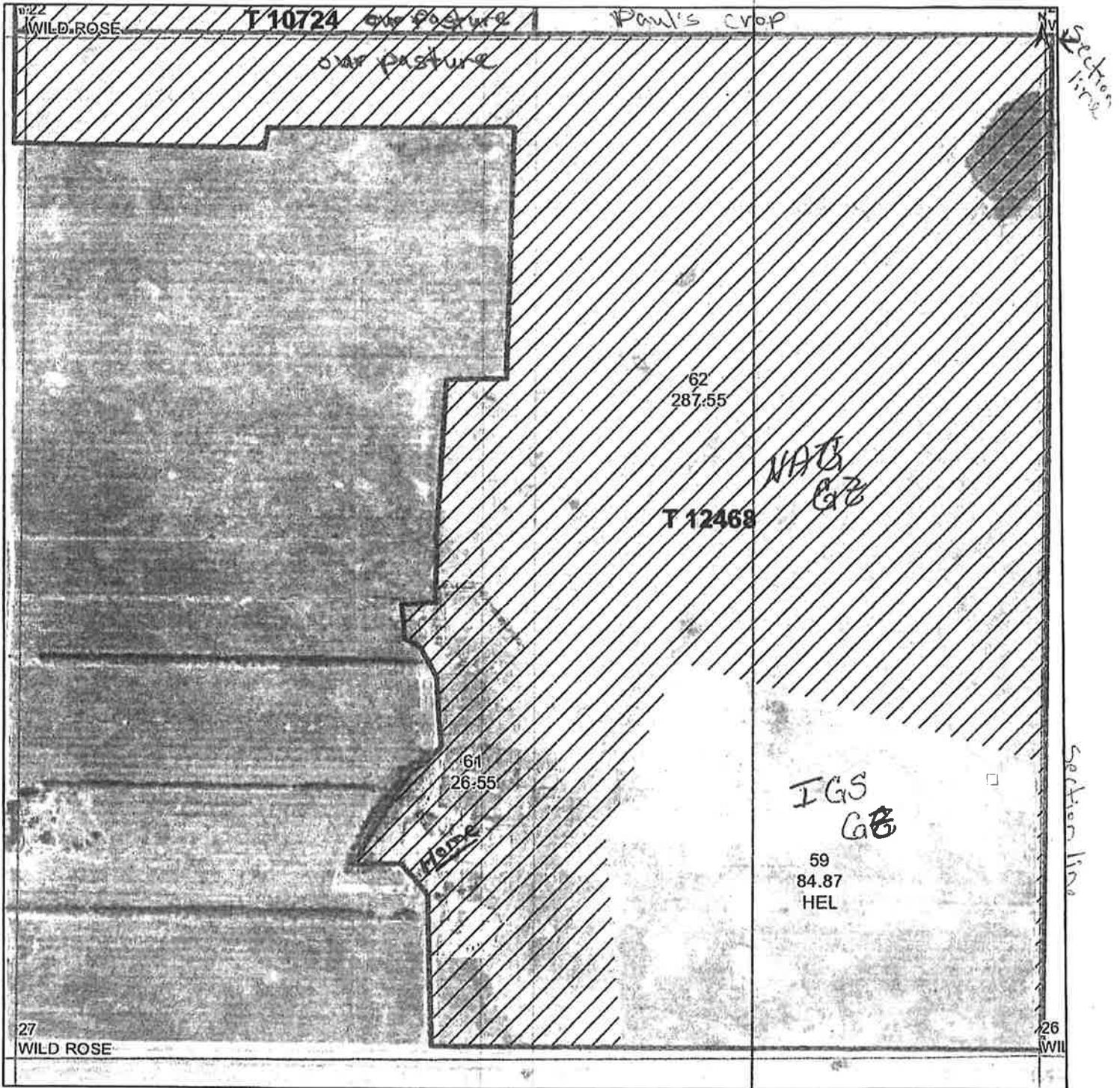
BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Lot Modification | | | |

PROPERTY INFORMATION:		
Name of plat: Township 137 N Range 75 W		
Legal description of property (lot, block, addition): NE Section 27 (section line)		
Street address of property:		
Existing Zoning:	Proposed zoning:	
Acreage:	Number of lots:	
Description of development proposal, including reason(s) for the request: non passable and runs into pasture		
APPLICANT/DEVELOPER:		
Name: Tony Fettis	Mailing address: 41050 141 st Ave SE Braddock 58524	
Daytime telephone number: 701-321-1368	FAX number:	E-mail address: tadairy@yahoo.com
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name:	Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:
CONTACT PERSON/AGENT:		
Name/Firm:	Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED



Common Land Unit Tract Boundary
 PLSS

Non-Cropland
 Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Unless Otherwise Noted:

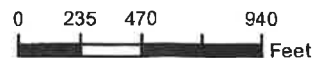
All crops are for grain
 All crops are non-irrigated
 Shares are 100% to Operator

2022 Program Year

Map Created February 02, 2022

S27 T137N R75W

Phy Cnty: Burleigh



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact

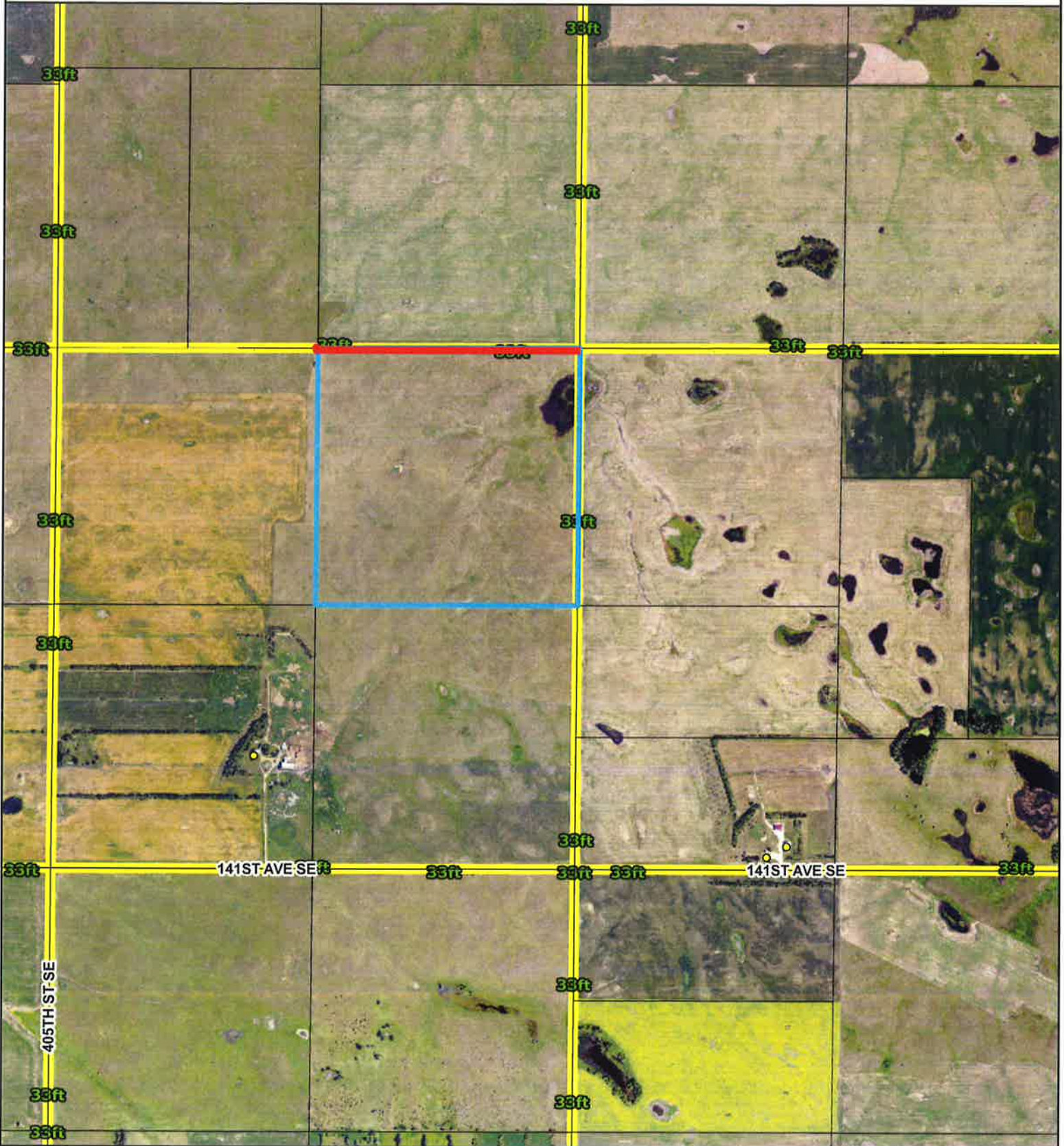
BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
3/18/2024



BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
3/22/2024



PARCEL ID: 54-137-75-00-27-200 OWNER: FISCHER, NICHOLE ETAL ACRES: 160
SITE ADDRESS:
MAIL ADDRESS: FETTIG, ANTHONY J & ARLEEN C LE 41050 141ST AVE SE, BRADDOCK, ND 58524-9303
LEGAL: WILD ROSE TOWNSHIP Section 27 NE1/4 27-137-75



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: April 1, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for Hay Creek Township, Riverview Township and County Roadway Chip Seal Projects.

BACKGROUND:

On January 4, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for Chip Seal Projects. Bids were opened on April 25, 2024 and the following bids were received:

Asphalt Preservation Company	\$918,871.21 (County Project \$667,651.90)
Asphalt Surface Technologies	\$1,043,158.40 (County Project \$740,425.50)
Engineers Estimate:	\$1,116,918.73 (County Project \$769,442.60)
Budget Amount (County only)	\$850,000.00

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the Chip Seal Project low bid from Asphalt Preservation Company for \$918,871.21 and authorize the proper County officials to enter into contracts with said bidder.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: April 1, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for SAD #76.

BACKGROUND:

On February 5, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for SAD #76. Bids were opened on March 25, 2024 and the following bids were received:

Northern Improvement Co.	\$148,867.79
Strata Corporation	\$166,333.25
Engineers Estimate:	\$110,340.90
Budget Amount / Petition Amount:	\$198,635.00

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the SAD low bid from Northern Improvement Co. for \$148,867.79 and authorize the proper County officials to enter into contracts with said bidder.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: April 1, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Approve the selection of an engineering consultant firm for the
Construction Engineering of County Highway 10 Mill and Overlay Project.

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the selection of Bartlett & West to perform construction engineering services for County Highway 10 Mill and Overlay Project (SC-0836(067), PCN 24164).

BACKGROUND:

The project would include providing the construction engineering services for the County Highway 10 Mill and Overlay Project from 66th Street NE to 197th Street NE (Federally funded project). The construction engineering services will be 80% federal funds and 20% local funds.

At the January 3, 2024 County Board Meeting, the Board approved the Highway Department's request to seek construction engineering service proposals for the County Highway 10 Project. On March 19th, we opened proposals for this project. Three consulting firms submitted proposals, and after a thorough review of their proposals and interviews conducted on March 26th, the selection committee ranked Bartlett & West as the most qualified firm to perform services for this project.

The negotiation of services and fees for this project will be done between the North Dakota Department of Transportation, Burleigh County Highway Department, and Bartlett & West. It is estimated that the total cost of design services for this project will be around \$350,000.

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 approves of the selection of Bartlett & West to perform construction engineering services for the County Highway 10 Mill and Overlay Project (SC-0836(067), PCN 24164).

ITEM

10



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: March 26, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: 2023/2024 North Dakota Department Of Transportation Traffic Safety Grant

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve the Amendment to the 2023/2024 ND DOT Traffic Safety Grant. The grant is available for review in the Burleigh County Auditor's Office.

Background:

The ND DOT Traffic Safety Grant is an annual grant awarded to Burleigh County. The grant award is used to fund additional traffic safety enforcement and equipment in high risk areas such as Impaired Driving, Distracted Driving, Occupant Protection, and Speed Enforcement.

Recommendation:

It is recommended that the County Commission approve the grant agreement amendment.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the ND DOT Traffic Safety Grant Amendment between Burleigh County and the State of North Dakota.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

MEMO: Ronald J. Henke
Director

FROM: Sheila Kitzan
Highway Safety Division

DATE: March 12, 2024

SUBJECT: Contract Amendment Explanation

The purpose of this contract amendment is to provide funding to the Burleigh County Sheriff's Department to purchase radar and video camera surveillance equipment.

The contract amendment budget is \$9,500.

The total contract budget is \$27,350.

The contact person is Sheila Kitzan (328-2402).

12/slk

NDDOT Contract No. 12231129A

**North Dakota Department of Transportation
AMENDMENT TO CONTRACT NO. 12231129**

**Project No. PHSPSC2407-02-00
ALN No.: 20.600
ALN Title: State & Community
Highway Safety**

**Project No. PHSPID2410-05-00
ALN No.: 20.608
ALN Title: Minimum Penalties for
Repeat Offenders for
Driving While Intoxicated**

**Award Name: Speed Management
Federal Award Date: November 30, 2022
FAIN No.: 69A3752330SUP4020ND0
Federal Award Amount: \$161,055.00**

**Award Name: Surveillance Equipment
Federal Award Date: February 14, 2023
FAIN No.: 69A37523300001640NDA
Federal Award Amount: \$905,069.00**

THIS AMENDMENT to the above-referenced contract is entered into by and between the State of North Dakota, acting through its Director of Transportation, hereinafter known as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and Burleigh County Sheriff's Department, hereinafter known as the Contractor, whose address is 514 East Thayer Avenue, Bismarck, North Dakota 58502-1416.

WHEREAS, the parties entered into a contract on October 1, 2023; and

WHEREAS, the Contractor requested additional funding to purchase radar and video camera surveillance equipment; and

WHEREAS, additional funding is available; and

WHEREAS, the Contractor will perform the scope of work in Attachment 1, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the NDDOT and the Contractor agree this amendment will be effective March 15, 2024; and

WHEREAS, the contract will be increased by \$1,500 for radar equipment and \$8,000 for video camera surveillance equipment; and

NOW THEREFORE, the Contractor and NDDOT agree that effective March 15, 2024, the contract will be increased by \$1,500 for Project No. PHSPSC2407-02-00 for the purchase of radar equipment and \$8,000 for Project No. PHSPID2410-05-00 for the purchase of video camera surveillance equipment; the Contractor will perform the scope of work shown on Attachment 1; the total contract amount for these projects is \$9,500, and the total contract amount is \$27,350.



All other terms and conditions of the above-referenced contract are incorporated herein by reference and remain in full force and effect.

EXECUTED the date last below signed.

WITNESS:

CONTRACTOR:

NAME (TYPE OR PRINT)

COMPANY NAME

SIGNATURE

OFFICER'S NAME (TYPE OR PRINT)

To be signed by **Owner; Partner; Corp. Pres., Vice Pres., or other authorized Corp. Officer.** (If signed by other authorized Corp. Officer, please attach copy of Power of Attorney or other documentation showing authority to sign.)

SIGNATURE

TITLE

DATE

WITNESS:

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

NAME (TYPE OR PRINT)

DIRECTOR (TYPE OR PRINT)

SIGNATURE

SIGNATURE

SS

DATE

APPROVED as to substance by:

DIVISION DIRECTOR (TYPE OR PRINT)

SIGNATURE

DATE

CLA 52494 (Div. 06)
L.D. Approved 5-19-00; 5-03



RADAR/LIDAR EQUIPMENT**PROJECT NO. PHSPSC2407-02-00****SCOPE OF WORK**

The Contractor will be responsible to:

- Order the approved radar or LIDAR equipment by **September 30, 2024**. *The equipment must be received on or before September 30, 2024. (Note: This contract will reimburse 75% of the cost, up to \$1,500 per unit only.)*
- Assure the radar or LIDAR unit purchased is certified and included in the International Association of Chiefs of Police (IACP) Consumer Product List. The purchased unit must meet or exceed NHTSA/IACP model specifications.
- Install the radar equipment at the expense of the Contractor.
- Maintain the equipment in good working order and make the equipment available for inspection upon request.
- Any equipment purchases required to be maintained on equipment inventory should be available for inspection.
- Assure that all officers are trained in the correct operation of equipment and procedures for securing quality, evidentiary digital files.

An emphasis must be placed on speed enforcement, impaired driving, and safety belt use. The Contractor is encouraged to follow the guidelines for vehicular pursuits issued by the IACP that are currently in effect.

VIDEO CAMERA SURVEILLANCE EQUIPMENT**PROJECT NO. PHSPID2410-05-00****SCOPE OF WORK**

The Contractor will be responsible to:

- Order the approved digital or video camera surveillance equipment by **September 30, 2024**. *The equipment must be received on or before September 30, 2024. (Note: This contract will reimburse up to \$4,000 per camera only.)*
- Assure equipment purchase is for in-car video equipment only and does not include body cameras and those specific associated components.
- Warranty costs are not included in the reimbursement and are the responsibility of the Contractor.
- Install the digital or video camera surveillance equipment at the expense of the Contractor.
- Maintain the equipment in good working order and make the equipment available for inspection upon request.
- Keep an inventory of equipment valued at \$5,000 or more consistent with NDCC § 54-27-21.
- Assure that all officers are trained in the correct operation of equipment and procedures for securing quality, evidentiary digital files.

The primary use of this equipment must be for the enforcement and adjudication of impaired driving.

REPORTING AND REIMBURSEMENT / ALL PROJECTS**Reporting**

The Contractor must retain for a minimum of three years, copies of timesheets, payroll, agency work schedules, and any other supporting documentation.

The Contractor conducts overtime activities throughout the fiscal year and those activities will be monitored to justify the purchase of the equipment. The monitoring of overtime activities by the NDDOT will be in lieu of an end-of-year report.

Reimbursement

This contract will reimburse allowable expenses up to each project's total budget for costs incurred through completion of the scope of work and/or at the direction of the program manager (up to \$1,500 for radar equipment, and up to \$4,000 for video camera surveillance equipment.) The Highway Safety Division reserves the right to deny payment for unallowable expenses identified in the applicable cost principles.

At the close of the state fiscal year, which is June 30, reimbursement vouchers must be submitted no later than July 15 for any purchase that took place on or before June 30. Vouchers received after July 15 may not be reimbursed. Please note: only equipment that has been received by June 30 is affected by this due date.

RADAR/LIDAR EQUIPMENT BUDGET**PROJECT NO. PHSPSC2407-02-00 / ALN NO. 20.600****DIRECT COSTS**

Radar/LIDAR Units		\$2,000
PROJECT TOTAL		<u>\$2,000</u>

Participation

Federal	75%	\$1,500
State	-	
Local	25%	\$ 500

VIDEO CAMERA SURVEILLANCE EQUIPMENT BUDGET**PROJECT NO. PHSPID2410-05-00 / ALN NO. 20.608****DIRECT COSTS**

In-car video cameras		\$8,000
PROJECT TOTAL		<u>\$8,000</u>

Participation

Federal	100%	\$8,000
State	-	
Local	-	

Certificate Of Completion

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Subject: Contract Amend #12231129A for Burleigh So
Contract Number: 12231129A
PCN:
Source Envelope:
Document Pages: 5
Certificate Pages: 3
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Sent

Envelope Originator:
Sheila Kitzan
608 E Boulevard Ave
Bismarck, ND 58505
skitzan@nd.gov
IP Address: 165.234.92.5

Signatures: 0
Initials: 1

Record Tracking

Status: Original
3/15/2024 9:18:15 AM
Security Appliance Status: Connected
Storage Appliance Status: Connected

Holder: Sheila Kitzan
skitzan@nd.gov
Pool: StateLocal
Pool: Carahsoft OBO North Dakota Department of
Transportation CLOUD

Location: DocuSign
Location: DocuSign

Signer Events

Shannon Sauer
ssauer@nd.gov
Security Level: Email, Account Authentication
(None), Authentication

Signature

Signature Adoption: Pre-selected Style
Using IP Address: 165.234.253.12

Timestamp

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Signed: 3/18/2024 4:45:51 PM

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Vendor ID: TeleSign
Type: SMSAuth
Performed: 3/18/2024 4:45:39 PM
Phone: +1 701-426-9825

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Karin Mongeon
kamongeon@nd.gov
Security Level: Email, Account Authentication
(None), Authentication

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Signer Events

Clint Morgenstern
cdmorgenstern@nd.gov
Security Level: Email, Account Authentication
(None), Authentication
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Signature**Timestamp**

Robin R. Rehborg
rrehborg@nd.gov
Security Level: Email, Account Authentication
(None), Authentication
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Laureen Martin
lmartin@nd.gov
Security Level: Email, Account Authentication
(None), Authentication
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events**

Sheila Kitzan
skitzan@nd.gov
North Dakota Highway Patrol
Security Level: Email, Account Authentication
(None)

Status**VIEWED**

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Timestamp

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Electronic Record and Signature Disclosure:
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Agent Delivery Events

Tracy Nelson
tnelson@burleighsd.com
Security Level: Email, Account Authentication
(None)

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Intermediary Delivery Events**Status****Timestamp****Certified Delivery Events**

Sheila Kitzan
skitzan@nd.gov
Security Level: Email, Account Authentication
(None)

Status**Timestamp**

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events

DOT Legal Admin
dotlegaladmin@nd.gov
Security Level: Email, Account Authentication
(None)

Status**Timestamp**

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events**Status****Timestamp**

DOT Legal Admin

dotlegaladmin@nd.gov

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Kelly Aberle

kaberle@nd.gov

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

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Envelope Updated

Security Checked

3/18/2024 7:20:56 AM

Envelope Updated

Security Checked

3/18/2024 7:20:56 AM

Envelope Updated

Security Checked

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Security Checked

3/18/2024 7:20:56 AM

Payment Events**Status****Timestamps**

ITEM

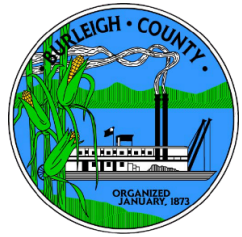
11

ITEM

12



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

April 15, 2024

5:00 PM

COUNTY COMMISSION

Invocation and Pledge of Allegiance presented by Chaplain.

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of agenda.
4. Consideration and approval of the April 1, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, gaming site authorization and special events permits.
 - c. Resolution authorizing County Auditor/Treasurer to make payment upon demand for invoices for appointed County Coroner.
6. Lewis and Clark Development Group Executive Director Brent Ekstrom.
7. Sheriff Leben:
 - a. Detention Center report.
8. Comm. Munson:
 - a. Bismarck Burleigh Public Health.
9. Auditor/Treasurer Splonskowski:
 - a. Missouri Valley Complex lease.
10. Other Business
11. Adjourn.

The next regularly scheduled Commission meeting will be on May 6th, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING**

APRIL 1ST, 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, Bakken, Schwab and Chairman Bitner were present.

The Commission received a request to add discussion concerning the Bismarck-Mandan Chamber EDC to the agenda. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the meeting agenda with addition. All members present voted "AYE". Motion carried.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the March 18th, 2024 meeting minutes and bills & the February 27th, 2024 special meeting minutes. 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Bitco Inc	2023	Clerical error by local assessor	Lot 2, Block 2, Apple Meadows 3rd	\$36,200	\$36,000
Brian Bitner	2023	Clerical error by local assessor	Lot 1, Block 2, Apple Meadows 3rd	\$57,800	\$36,000
Angie & James Gross	2023	Lot 2, Block 1, WDH	100% Disabled Veteran	\$307,000	\$271,000
Charles Welch	2023	NW 1/4, Section 32, Boyd Township	Property qualifies for farm res exemption	\$119,700	\$65,800
Henry Vannett	2023	Lot 1, Block 1, Breens	50% Homestead Credit	\$244,300	\$144,300
Doran & Lori Alfstad	2023	Lot 6, Block 1, Valcor	100% Homestead Credit	\$526,500	\$326,500
Milton & Lovella Wanner	2023	Lot 3, Block 3, Grande Prairie Est 3rd	50% Homestead Credit	\$379,900	\$279,900
Keane A Just	2024	2012 Friendship 28' x 52', #MY1334305AB	50% Homestead Credit	\$90,098	\$45,049

Monty Snyder	2023	S1/2 SE1/4 13-141-78	100% Homestead Credit	\$164,200	\$0
Edmund Wagner	2024	1971 Detroit 14 x 64, #6A040801	Moved to landfill	\$6,881	\$0
Lyle Jacobon	2024	1972 Artcraft 14 x 66, #AC5153	Moved to landfill	\$7,096	\$0
Perry Kupfer	2024	1965 Rollohome 61 x 12, #K21594	Moved to landfill	\$5,622	\$0
Doris I Falconer	2023	Block 1, Replat of Calkins, Lots 3-6 Capitol View Estates Unit 10 & parking space 20 & undivided interest in common area	100% Homestead Credit	\$84,000	\$0
Laverne & Beverly Zink	2023	Block 1, Replat North Hills 4th, Tract J & an undiv interest in L.31 Common Area Knoll Wood Condominium Central Association Unit 28	50% Homestead Credit	\$231,900	\$131,900
Alice Morris	2023	Block 1, Replat of Calkins, Lots 3-6 Capitol View Estates Unit 20 & parking space 4 & storage area 18 & undivided interest in common area	50% Homestead Credit	\$85,600	\$42,800
Norbert & Sharon Mayer	2023	Lot 15, Block 7, Rolling Hills 2nd	50% Homestead Credit	\$292,200	\$192,200
Clarence M & Marilyn K Hust	2023	Lot 9, Block 2, Wachter's 6th	50% Homestead Credit	\$239,000	\$139,000
Cathy Darbe	2023	Lot 6, Block 4, Replat of Calkins	100% Homestead Credit	\$229,600	\$29,600
Lenis Volk	2024	1977 Bonnavilla 26 x 44, #77S6328	100% Homestead Credit	\$11,645	\$0
Earl Hannel	2024	1980 Rollohome 28' x 40', #35254	50% Homestead Credit	\$12,624	\$6,312
Donna O'Shaughnessy	2023	Block 2, East Hills Addition Replat, Lots 2-4 less S 179.10' & Lots 5-7 Hay Creek Condos Unit 5 of Bldg 1	50% Homestead Credit	\$222,500	\$112,500
Paul L & Colleen M McGraw	2023	Lot 11, Block 1, Tatley Meadows VIII	50% Homestead Credit	\$420,600	\$320,600
Richard E & Judith A Mason	2023	Lot 2, Block 3, High Meadows 2nd	50% Homestead Credit	\$366,900	\$266,900
Shirley Jacob	2023	E 57' of S 1/2 of W 1 acre, Block 3, Park Hill (Aud lots)	50% Homestead Credit	\$166,000	\$83,000
Ardythe K Kurle	2023	Lot 4, Block 6, Boulder Ridge 7th Addition 1st Replat	50% Homestead Credit	\$427,600	\$327,600

James & Sharon Eslinger	2023	Lot 13, Block 1, Glenwood Estates	50% Homestead Credit	\$377,700	\$277,700
Sharon L Durling	2023	Lot 29, Block 7, Rolling Hills 2nd	50% Homestead Credit	\$234,700	\$134,700
Vincent Swenson	2023	Lot 1, Block 34, Northern Pacific 2nd	100% Homestead Credit	\$195,800	\$0
Mary Bullinger	2023	W 80' of Lots 19-22, Block 7, Fisher	100% Homestead Credit	\$233,500	\$33,500
Rick Carman	2024	1976 Schult 24 x 48, #135340	Moved out to dump in 2023	\$11,751	\$0
Mary K Odegaard	2023	Lot 4, Block 2, Riverside Second	50% Homestead Credit	\$392,900	\$292,900
Susan Hoff	2023	Lot 5 of Govt Lot 4 28-138-80	100% Homestead Credit	\$270,700	\$70,700
Vernon Reiger	2024	1978 Buddy 14 x 66, #04560303L	100% Homestead Credit	\$8,199	\$0
Marilyn M Zins	2023	Lot 7, Block 5, Centennial Park 4th	100% Homestead Credit	\$107,500	\$0
Marlene Flowers	2023	Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums Unit 125 & Garage G-21 & parking space P-6	100% Homestead Credit	\$198,000	\$0
Gary Nelson	2023	Lot 11, Block 2, Sibley Island Estates	Condition of property	\$381,000	\$344,700
Donnalee S Ritter	2023	Block 27, Stein's 4th, Lots 25-26 & E 21' of Lot 27 Oaklawn Townhomes Unit 10B	50% Homestead Credit	\$225,400	\$125,400
Janice Hoff	2022	Block 1, Tatley Meadows VII, Lot 21 & N 10' of Lot 5 London Heights Condominiums Unit 3	10% Homestead Credit	\$158,800	\$146,289
Janice Hoff	2023	Block 1, Tatley Meadows VII, Lot 21 & N 10' of Lot 5 London Heights Condominiums Unit 3	100% Homestead Credit	\$180,700	\$0
James & Sharon Raile	2024	2012 Schult Timberland 68 x 28, #364202MNAB	50% Homestead Credit	\$124,025	\$62,013
Nancy Olson	2024	1974 Metamora 14 x 66, #0275	50% Homestead Credit	\$7,384	\$3,692
David & Marian Ellefson	2023	Lot 21 & 1/2 VAC Alley Adj, Block 3, Morningside Heights	50% Homestead Credit	\$216,300	\$116,300
Donald S & Linda L Mertz	2023	Lot 12, Block 1, Gateway Commons	50% Homestead Credit	\$247,600	\$147,600

Kenneth M & Brenda Torkelson	2023	Lot 7 & N 1/2 of Lot 8, Block 43, Fisher	50% Homestead Credit	\$209,300	\$109,300
Frank A Banyai	2023	L 7-8 E 80 ft, Block 6, Govern Pierce	50% Homestead Credit	\$207,700	\$107,700
William James Goldade	2023	Block 1, North Hills 15th, Lot 4 less NE 22' 4005 Coleman St Condo Assoc Unit 2	100% Homestead Credit	\$244,100	\$44,100
Patricia Kershaw	2024	1974 Champion 66 x 14, #0549841864S	100% Homestead Credit	\$7,096	\$0
Adam R Volk	2023	Lot 4, Block 4, Prairie View	100% Homestead Credit	\$236,000	\$36,000
Andrew & Shirley Schaffner	2023	Lot 23, Block 29, Wachter's 3rd	50% Homestead Credit	\$270,500	\$170,500
Robert & Sheila O'Shaughnessy	2023	Block 2, East Hills Addition Replat, Lots 2-4 less S 179.10' & Lots 5-7 Hay Creek Condos Unit 6 of Bldg 1	50% Homestead Credit	\$222,500	\$122,500
Krisandra M Higgins	2023	Block 1, Pebble Creek 10th, Lots 7-8 3313-3327 Arrow Head Ranch Condos Unit 1 Building 33273	50% Homestead Credit	\$210,000	\$160,000
Barry L Higgins	2023	Block 1, Pebble Creek 10th, Lots 7-8 3313-3327 Arrow Head Ranch Condos Unit 1 Building 33273	100% Homestead Credit	\$310,000	\$210,000
Carmen Hickle	2023	Lot 2, Block 1, Tatley Meadows VII	50% Homestead Credit	\$280,800	\$180,800
Margaret Loritz	2023	Block 1, Haight & Little's, N 18.49' of Lot 26 & all Lots 27-28 Williamsburg Condos Assoc Unit 1 Building 1945	100% Homestead Credit	\$177,800	\$0
Vaughn Chesrown	2023	Block 6, North Hills 1st, Lot 2 except E 2' & E 4' of Lot 1	50% Homestead Credit	\$234,400	\$134,400
Kathlene D Poppke	2023	Block 22, Register's 3rd, Lots 1-3 & N 18' of Lot 4 Far West Condo Unit 103	100% Homestead Credit	\$79,900	\$0
Marlene Roles	2023	Lot 8, Block 2, Horizon Heights 4th	100% Homestead Credit	\$289,900	\$89,900

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Bitco Inc, Brian Bitner, Angie & James Gross, Charles Welch, Henry Vannett, Doran & Lori Alfstad, Milton & Lovella Wanner, Keane A Just, Monty Snyder, Edmund Wagner, Lyle Jacobon, Perry Kupfer, Doris I Falconer, Laverne & Beverly Zink, Alice Morris, Norbert & Sharon Mayer, Clarence M & Marilyn K Hust, Cathy Darbe, Lenis Volk, Earl Hannel,

Donna O'Shaughnessy, Paul L & Colleen M McGraw, Richard E & Judith A Mason, Shirley Jacob, Ardythe K Kurle, James & Sharon Eslinger, Sharon L Durling, Vincent Swenson, Mary Bullinger, Rick Carman, Mary K Odegaard, Susan Hoff, Vernon Reiger, Marilyn M Zins, Marlene Flowers, Gary Nelson, Donnalee S Ritter, Janice Hoff (2), James & Sharon Raile, Nancy Olson, David & Marian Ellefson, Donald S & Linda L Mertz, Kenneth M & Brenda Torkelson, Frank A Banyai, William James Goldade, Patricia Kershaw, Adam R Volk, Andrew & Shirley Schaffner, Robert & Sheila O'Shaughnessy, Krisandra M Higgins, Barry L Higgins, Carmen Hickle, Margaret Loritz, Vaughn Chesrown, Kathlene D Poppke, and Marlene Roles abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Central Communications Director Mike Dannenfelzer explained to the Commission that National Telecommunications Week is a nationally recognized week dedicated to honoring the people working in public safety: answering both 911 calls and non-emergency calls, and dispatching/managing law enforcement, fire, and EMS responses. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve a resolution to sign a proclamation celebrating National Telecommunications Week. All members present voted, "AYE". Motion carried. Brenda Nagel from Bismarck-Mandan Chamber EDC presented the Commission a plaque celebrating the county's 25 years of membership in the Chamber EDC; this was commemorated with a photograph.

County Human Resources Director Binder presented to the Commission a report detailing employee turnover within Burleigh County spanning from 2015 through 2023. It was emphasized that not all turnover was bad; some of these were planned turnovers (mainly county employees retiring) and some employees were simply not good fits in the county work environment/culture. However, among the county departments, Binder specially noted that the Burleigh County Detention Center, Sheriff's Department, and State's Attorney office had the most difficulties when it came to both hiring and retaining employees. Overall, Binder stated that efforts are underway to find ways to increase the competitiveness of Burleigh County employment, and that the retention of county employees should be pursued much more seriously. HR Director Binder also presented an RFP for a timekeeping & payroll system. She stated that the current payroll system not only lacked any meaningful or timely software updates to keep it operational, but that the system currently in place was originally designed for usage by school districts, not county governments. Binder requested the Commission give her permission to submit the RFP and report back to the Commission to present a recommendation. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve Director Binder's request. All members present voted, "AYE". Motion carried. HR Director Binder lastly presented to the Commission a salary variance request for an open position in the IT department. Binder stated that they needed to revamp a previously existing tech role into a System Administrator position; they found an ideal candidate for the job, but the candidate in question had 20 plus years of system administrator experience and previously worked with the county's systems before. Binder requested that the salary be adjusted up to a Grade 11 Step 9, which was within the current budget. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the salary variance request. All members present voted, "AYE". Motion carried.

County Finance Director Jacobs gave an update regarding the Detention Center sales tax to the Commission, stating that the information from last meeting was forwarded to the Morton County auditor and is slated to be discussed by the Morton County Commission on April 11th. Finance Director Jacobs stated that in terms of the year-end financial review the books for the 2023 year are effectively closed and

gradually being processed. He then moved on to discuss the general funds and budget variance. The fund balance for 2023 changed very little, closing out at \$16,618,931, meaning that the county didn't dip into the reserves; the reserves as a percentage are at 47.63%. Jacobs then moved on to present a budget variance summary to the Commission, which stated that the county budgeted 4.5 million more than it ended up spent.

County Engineer Hall presented a concurrence letter from Burleigh County to the DOT regarding the federal portion of the Highway 10 project. Border State Paving secured the bid below the engineer's estimate, and the project came in under budget as well. Motion by Comm. Bakken, 2nd by Comm. Munson to sign the tax resolution provided by Hall recognizing Border State Paving as the low bidder on the project. All members present voted, "AYE". Motion carried. Hall presented a petition by Tony Fettig to vacate a section line in Wild Rose Township; Hall requested the Commission approve a public hearing for May 6th at 5 o'clock for the petition. Motion by Comm. Bakken, 2nd by Comm. Munson to approve Hall's request for a public hearing. All members present voted, "AYE". Motion carried. Hall then presented entering into contract for the low bidder for the chip seal project, noting that it was well underneath the budgeted amount and saying that the company listed has done good work in the past; Hall recommended the Commission move forward with the resolution. Motion by Comm. Schwab, 2nd by Comm. Bakken to move forward with the resolution. All members present voted, "AYE". Motion carried. Hall then presented entering into contract for the low bidder for Special Assessment District #76, with Northern Improvement coming in at the low bid of the project; Hall recommended the Commission move forward with the resolution. Motion by Comm. Bakken, 2nd by Comm. Munson to move forward with the resolution. All members present voted, "AYE". Motion carried. Hall lastly presented an approval of the selection of Bartlett & West construction engineering services on the Highway 10 Port Project. Hall noted that this was the federal portion, and that once the county accepts the federal dollars to move forward on a project its required to be obligated to follow all the federal regulations and standards. Hall recommended the Commission move forward with the resolution. Motion by Comm. Munson, 2nd by Comm. Bakken to move forward with the resolution. All members present voted, "AYE". Motion carried.

Sheriff Leben requested the Commission to authorize, in accordance with the traffic safety grant, the purchasing of two in-car camera systems and one radar. Motion by Comm. Munson, 2nd by Comm. Bakken authorize the purchases. All members present voted, "AYE". Motion carried. Sheriff Liebman also provided an update on detention center lawsuit, simply saying they has progressed to filing a lawsuit against the contractor and architect on the project.

Comm. Munson told the Commission that the Bismarck-Mandan Chamber EDC compiled information from the Home Rule Charter about the proposed one-cent sales tax to fund county law enforcement needs and formatted it into a commercial to educate the public. The Commission then watched the commercial on YouTube. Comm. Munson stated that the average homeowner could save approximately two-thirds on their Burleigh County property taxes if the measure is approved, and also that approximately 40 percent of sales tax revenue collected in Burleigh County come from residents who live outside the county. Comm. Bakken informed Comm. Munson that some residents reached out to him concerned about the language and when the public gets notice about the home rule and its changes. Comm. Munson explained that the only time it would need to be noticed is if an entirely new home rule was created. Amending a home rule does not require special meetings, and meetings about the home rule charter were published and open for the public to come in to voice their concerns.

Auditor-Treasurer Splonskowski informed the commission that a lease for the Missouri Valley Complex recently expired and asked for direction on how to move forward post-lease expiration. In response, Chairman Bitner recommended to the Commission to do nothing unless the other party comes to renew the lease. No further action was taken.

Chairman Bitner gave a small update concerning the carbon dioxide pipeline. They're in the process of trying to adjust the schedule of the next public meeting for the pipeline, but there is currently no notice of a change in date.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-434	Jack Basaraba	2023	Lot 6, Block 3, North Hills 1st	Error in property description	\$408,400	\$369,900
24-444	Raymond R Erickson	2023	E 80' of Lots 14-16, Block 19, Fisher	90% Disabled Veteran	\$218,400	\$56,400
24-445	Jerry F Anderson & Karen F Syvertson	2022	Block 12, Northern Pacific, S 50' Lot 7 E 10' of N 25' of Lot 7 & E 10' of Lot 8	Error in property description	\$272,600	\$259,700
24-446	Jerry F Anderson & Karen F Syvertson	2023	Block 12, Northern Pacific, S 50' Lot 7 E 10' of N 25' of Lot 7 & E 10' of Lot 8	Error in property description	\$277,500	\$264,600
24-455	Patrick Grumley & Toni Mathias-Grumley	2022	Lot 6, Block 1, High Meadows 2nd	50% Disabled Veteran	\$420,600	\$330,600
24-456	Patrick Grumley & Toni Mathias-Grumley	2023	Lot 6, Block 1, High Meadows 2nd	50% Disabled Veteran	\$501,600	\$411,600
24-475	Burton & Sheri Ann Whitmire	2023	Lot 37, Block 22, Cliffords Subdivision	Error in property description	\$307,600	\$257,700
24-521	Allen Landeis	2023	Lot 1, Block 8, Skyline Estates	50% Homestead Credit	\$267,500	\$167,500
24-522	Marvin M Herauf	2022	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,112	\$0
24-523	Marvin M Herauf	2023	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,918	\$0
24-524	Marvin M Herauf	2024	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,918	\$0
24-525	Lawrence & Judith Fleckenstein	2023	Lot 8, Block 30, Wachter's 3rd	100% Homestead Credit	\$131,900	\$0
24-526	Dan P & Carol J Baillie	2023	Block 50, Northern Pacific 2nd, W 50' of E 100' of Lots 5-6	50% Homestead Credit	\$172,500	\$86,250
24-527	Robert Shjeflo	2023	Lot 13, Block 3, Replat of Calkins	50% Homestead Credit	\$218,700	\$118,700
24-528	Irma M Bitner	2023	Lot 1 in SE1/4 less Aud Lot A 29-139-79	50% Homestead Credit	\$284,600	\$184,600
24-529	Michael & Della Feist	2023	Lot 7, Block 2, Crescent Ridge 2nd	50% Homestead Credit	\$287,700	\$187,700

24-530	Leila Rewald	2024	1996 Friendship 28 x 52, #MY961544AB	50% Homestead Credit	\$44,816	\$22,408
24-531	Muriel Dienert	2023	Lot 7, Block 3, Mees Country Home Estates	100% Homestead Credit	\$333,600	\$133,600
24-533	Sonja Welder	2023	Block 1, Gateway Commons, Auditors Lot A the Sheraton Condominium Unit 2F	100% Homestead Credit	\$148,500	\$0
24-534	Russel & Ardith Wahl	2023	Block 1, Gateway Commons, Auditors Lot C of Lot 20 Sheraton Condominiums III Unit 306	50% Homestead Credit	\$195,300	\$97,650
24-535	John & Diane Sperle	2023	Lot 27, Block 3, Eastside Heights	50% Homestead Credit	\$256,000	\$156,000
24-536	Kenneth & Ginny Schwartz	2023	Lot 13, Block 8, Casey's 2nd	50% Homestead Credit	\$310,800	\$210,800
24-537	Michael & Karen Lalonde	2023	Lot 13, Block 11, Meadow Valley 3rd	50% Homestead Credit	\$321,400	\$221,400
24-538	Charles & Suzanna Hitchcock	2023	Block 20, Park Hill (aud lots), beg 92.5' N & 10' E of SW cor of Aud Lot 20, th E 54.7' N 7.5' E 94.3' N 125' W 149' S 132.5' to pt of beg	100% Homestead Credit	\$275,300	\$75,300
24-539	Laure & Barbara Lea Goetz	2023	Lot 12. Block 1, Edgewood Village 2nd Add	50% Homestead Credit	\$351,000	\$251,000
24-540	Casper & Leona Glaser	2023	Lot 6, Block 1, Tatley Meadows VII	100% Homestead Credit	\$292,300	\$92,300
24-541	Barbara Blaine	2023	Block 2, Pebble Creek Addition, Auditors Lot 1634 of Lot 2 Mapleton Place Condominiums Unit 5	100% Homestead Credit	\$192,200	\$0
24-542	Andrew Haldorson	2023	Lot 22, Block 18, Homan Acres 4th	50% Homestead Credit	\$348,500	\$248,500
24-543	Robert Lussenden	2023	Lot 2, Block 4, West Heart Estates	50% Homestead Credit	\$423,800	\$323,800
24-547	Michael Christenson	2023	Block 5, Casey's 1st, Lot 2 + N 10' of vac alley adj the 1160 condo unit 3	100% Homestead Credit	\$142,600	\$0

24-548	Mary Ann Metcalf	2023	Block 3, Nagel's 5th, Auditor's Lot J in pt of Lots 3-4	50% Homestead Credit	\$259,500	\$159,500
24-549	Anne Reynolds	2023	Lot 4, Block 20, Washington Heights 5th	50% Homestead Credit	\$272,300	\$172,300
24-550	Richard & Bernice Schmidt	2023	Block 6, Haight & Little's, W 70' of Lots 1-3 and W 70' of N 20' of Lot 4	50% Disabled Persons Credit	\$263,600	\$163,600
24-551	Kathleen Diann Schulz	2023	Block 3, Southbay 2nd Addition, Lot 126 A & undivided interest in common areas	50% Homestead Credit	\$428,900	\$328,900
24-552	Carl & Malette Young	2024	1979 Rollohome 52 x 28, #33998	50% Homestead Credit	\$16,162	\$8,081
24-553	Derald J Horn Sr	2024	1982 Champion 48 x 24, 0520028664	50% Homestead Credit	\$14,462	\$7,231
24-554	Dennis Wolf	2023	Lot 5, Block 2, Shamrock Acres Second	50% Homestead Credit	\$235,300	\$135,300
24-555	Michael Henley	2023	Lot 6, Block 8, Fort Lincoln Est #2	50% Homestead Credit	\$187,000	\$87,000
24-556	Richard & Marlene Muse	2024	2006 Friendship 56 x 28, #MY062875AB	100% Homestead Credit	\$86,632	\$0
24-557	Peter & Linda Davidson	2023	Block 1, Southport Phase II, Tract 921 of part of Lot 4	100% Homestead Credit	\$431,900	\$231,900
24-558	Robert Feist	2023	Lot 7, Block 6, Marian Park 2nd	100% Homestead Credit	\$258,300	\$58,300

ITEM

6

Lewis and Clark Regional Development Council
Lewis and Clark Certified Development Company
CommunityWorks North Dakota
Combined Impact on Burleigh County
1990 through February 29, 2024

TOTAL IMPACT									
	All Grant/Loan	Leverage	All Total	Jobs	Units	Projects	Annual Dues	RLF Fees	Total Paid
Combined Totals	\$ 52,390,052	\$ 171,485,325	\$ 217,203,532	801	768	421	\$1,458,396	\$78,300	\$1,536,696
Return on Investment	\$34.09		\$141.34						

<i>Lewis and Clark Regional Development Council</i>									
Type/Project	LCRDC Grant/Loan Dollars	Other Dollars Leveraged	Total Dollars Impact	Jobs Created/Saved	Homes/Housing Units	Number Projects Benefiting	County Annual Dues Paid	RLF Fees Paid	All Local/County Paid
Economic Development	\$ 32,550,362	\$ 73,445,277	\$ 99,323,794	801	0	139			
Housing	\$ 1,271,760	\$ 37,124	\$ 1,308,884	0	150	8			
Planning/Other	\$ 22,500	\$ 96,528	\$ 119,028	0	0	3			
Public Facilities	\$ 3,445,509	\$ 2,348,690	\$ 5,794,199	0	0	29			
ALL TOTAL	\$ 37,290,131	\$ 75,927,619	\$ 106,545,905	801	150	179	\$1,458,396	\$21,300	\$1,479,696
Return on Investment	\$25.20		\$72.01						

(Return to the county per each \$1 contributed)

<i>CommunityWorks North Dakota</i>									
Type/Project	CWND Grant/Loan Dollars	Other Dollars Leveraged	Total Dollars Impact	Jobs Created/Saved	Homes/Housing Units	Number Projects Benefiting	County Annual Dues Paid	RLF Fees Paid	Total County Paid
Single Family Homes	\$ 8,977,980	\$ 21,802,073	\$ 30,780,053		232	232			
Multi-Family Projects	\$ 6,121,941	\$ 73,755,633	\$ 79,877,574		386	10			
ALL TOTAL	\$ 15,099,922	\$ 95,557,706	\$ 110,657,627		618	242	0	\$57,000	\$57,000
Return on Investment	\$264.91		\$1,941.36						

(Return to the county per each \$1 contributed)

LEWIS AND CLARK REGIONAL DEVELOPMENT COUNCIL

PROJECT NAME	YEAR	CITY	GRANT/LOAN AMT	JOBS	HOUSING UNITS	PROJECT COST	PRIVATE SECTOR INVESTMENT
GRAND TOTAL			\$ 37,290,130.95	800.5	150	\$ 106,545,904.68	\$ 75,927,618.74
U Call I Haul, LLC	2/14/2024	Bismarck	\$ 387,000.00	2.00		\$ 979,682.00	\$ 592,682.00
Old Ten Bar & Grill	1/17/2024	Bismarck	\$ 1,381,000.00	27.00		\$ 3,356,702.00	\$ 1,975,702.00
Bis-Man Chiropractic	12/28/2023	Bismarck	\$ 33,200.00			\$ 664,000.00	\$ 630,800.00
Old Ten Bar & Grill	12/10/2023	Bismarck	\$ 52,964.95			\$ 52,964.95	\$ -
DK Orthodontics	10/11/2023	Bismarck	\$ 1,156,000.00	7.00		\$ 2,808,000.00	\$ 1,652,000.00
Brick Oven Bakery	9/27/2023	Bismarck	\$ 103,000.00	20.00		\$ 330,000.00	\$ 227,000.00
Pro Marine	8/30/2023	Bismarck	\$ 242,530.00			\$ 242,530.00	\$ -
Pro Marine	8/30/2023	Bismarck	\$ 86,901.34	7.00		\$ 2,236,591.54	\$ 2,149,690.20
The One Stop Diesel Stop	7/25/2023	Lincoln	\$ 46,352.18	3.00		\$ 1,252,471.97	\$ 1,206,119.79
DK Orthodontics	6/1/2023	Bismarck	\$ 35,195.51			\$ 35,195.51	\$ -
U Call I Haul, LLC	6/1/2023	Bismarck	\$ 20,582.53			\$ 20,582.53	\$ -
Rocks and Blocks Landscaping	03/15/2023	Bismarck	\$ 793,000.00	11.00		\$ 1,925,000.00	\$ 1,132,000.00
Green Food 2 Go, Inc.	11/30/2022	Bismarck	\$ 35,019.71	14.00		\$ 1,185,461.71	\$ 1,150,442.00
Dakota Concepts, LLC	09/02/2022	Bismarck	\$ 10,439.30	6.00		\$ 458,326.52	\$ 447,887.22
2 Vets Moving	2022	Bismarck	\$ 20,401.72			\$ 1,224,768.72	\$ 1,204,367.00
Bisman Food Coop	2022	Bismarck	\$ 50,000.00			\$ 50,000.00	\$ -
CK Properties	2022	Bismarck	\$ 105,698.24			\$ 105,698.24	\$ -
Culvers of Bismarck	2022	Bismarck	\$ 59,622.03				
Dream Center of Bismarck	2022	Bismarck	\$ 72,770.30			\$ 2,907,494.95	\$ 2,834,724.65
Envision Pools and Outdoor Living	2022	Bismarck	\$ 218,875.00	4.00		\$ 515,000.00	\$ 296,125.00
Envision Pools and Outdoor Living	2022	Bismarck	\$ 212,500.00			\$ 500,000.00	\$ 287,500.00
Fort Abraham Lincoln Foundation	2022	Bismarck	\$ 36,544.48	68.00		\$ 1,685,404.48	\$ 1,648,860.00
Rocks and Blocks	2022	Bismarck	\$ 250,000.00				
Rocks and Blocks	2022	Bismarck	\$ 236,000.00			\$ 1,620,000.00	\$ 1,134,000.00
Abra Auto Body & Glass	2021	Bismarck	\$ 659,000.00	4.00		\$ 1,620,800.00	\$ 961,800.00
Culvers of Bismarck	2021	Bismarck	\$ 940,000.00	10.00		\$ 3,824,707.00	\$ 2,884,707.00
Gratitude, LLC	2021	Bismarck	\$ 18,912.71	19.00		\$ 813,156.71	\$ 794,244.00
PAWZ Enrichment Center	2021	Bismarck	\$ 277,000.00	3.00		\$ 775,000.00	\$ 498,000.00
The Hair Academy	2021	Bismarck	\$ 14,910.03	16.00		\$ 720,424.03	\$ 705,514.00
Circle C Enterprises	2020	Baldwin	\$ 387,000.00	13.00		\$ 935,050.00	\$ 548,050.00
Embrace Wellness	2020	Bismarck	\$ 277,000.00	6.00		\$ 763,300.00	\$ 486,300.00
Embrace Wellness Vitality Wellness Group LLC	2020	Bismarck	\$ 14,753.89			\$ 14,753.89	\$ -
Keys Please Properties LLC	2020	Bismarck	\$ 35,174.54			\$ 35,174.54	\$ -
Maximum Detailing & Fabrication	2020	Bismarck	\$ 50,000.00	4.00		\$ 50,000.00	\$ -
NAPA Auto Parts	2020	Bismarck	\$ 50,000.00	5.00		\$ 50,000.00	\$ -
Noodle Zip	2020	Bismarck	\$ 50,000.00	10.00		\$ 50,000.00	\$ -
Parkway Property Management	2020	Bismarck	\$ 223,000.00	6.00		\$ 535,000.00	\$ 312,000.00
Solid Rock Music	2020	Bismarck	\$ 120,000.00	3.00		\$ 325,500.00	\$ 205,500.00
Solid Rock Music	2020	Bismarck	\$ 6,895.57	2.00		\$ 6,895.57	\$ -
Wing Chemical Feed Building	2020	Wing	\$ 107,595.00			\$ 405,500.00	\$ 297,905.00
Arnold, Steven & Michele	2019	Bismarck	\$ 15,400.00	18.00		\$ 672,988.00	\$ 657,588.00
DLAH Properties	2019	Bismarck	\$ 107,560.00	15.00		\$ 4,342,709.00	\$ 4,235,149.00
Gillund, Christopher & Ben	2019	Bismarck	\$ 45,000.00	7.00		\$ 90,000.00	\$ 45,000.00
JB Lozensky Properties LLP	2019	Bismarck	\$ 39,626.79			\$ 605,000.00	\$ 565,373.21
Rocks and Blocks	2019	Bismarck	\$ 306,000.00	5.00		\$ 842,750.00	\$ 536,750.00
Solid Rock Music	2019	Bismarck	\$ 35,000.00	2.00		\$ 100,000.00	\$ 65,000.00
Solid Rock Music	2019	Bismarck	\$ 2,768.50			\$ 2,768.50	\$ -
Solid Rock Music Markel, Matthew and Carlee	2019	Bismarck	\$ 113,925.00			\$ -	\$ -
Centennial Collision and Repair	2018	Bismarck	\$ 441,000.00	7.00		\$ 1,225,102.28	\$ 784,102.28
Gieser Utility Contracting	2018	Menoken	\$ 279,000.00	1.00		\$ 675,000.00	\$ 396,000.00
Laughing Sun Brewing Company	2018	Bismarck	\$ 103,336.92	6.00		\$ 1,153,336.92	\$ 1,050,000.00
North Dakota Safety Council	2018	Bismarck	\$ 106,014.50			\$ 106,014.50	\$ -
Buffalo Wings & Rings	2017	Bismarck	\$ 1,392,000.00	22.00		\$ 3,398,160.96	\$ 2,006,160.96
Clouse Veer Daycare Rental	2017	Bismarck	\$ 20,900.00	14.00		\$ 465,900.00	\$ 445,000.00
Glance Spa & Salon, Inc.	2017	Bismarck	\$ 299,000.00	22.00		\$ 725,000.00	\$ 426,000.00
Kinderkidz Learning Center	2017	Bismarck	\$ 330,000.00	23.00		\$ 801,301.88	\$ 471,301.88
Bisman Food Coop	2016	Bismarck	\$ 300,000.00	30.00		\$ 2,577,000.00	\$ 2,277,000.00
Glance Spa & Salon, Inc.	2016	Bismarck	\$ 290,000.00				
Greenlight Systems, LLC	2016	Bismarck	\$ 322,000.00	5.00		\$ 777,695.68	\$ 455,695.68
Juniper, LLC	2016	Bismarck	\$ 777,000.00	15.00		\$ 1,884,000.00	\$ 1,107,000.00
Lucky Ducks	2016	Bismarck	\$ 249,000.00			\$ 656,880.00	\$ 407,880.00
Lucky Ducks ND, LLC	2016	Bismarck	\$ 1,116,000.00	18.00		\$ 2,723,359.78	\$ 1,607,359.78
MS Ops, Inc.	2016	Bismarck	\$ 300,000.00	35.00		\$ 4,372,750.00	\$ 4,072,750.00
Spaces Inc	2016	Bismarck	\$ 281,000.00	3.00		\$ 676,000.00	\$ 395,000.00
Towing & Recovery Specialists, Inc.	2016	Bismarck	\$ 1,580,000.00	5.00		\$ 5,008,734.07	\$ 3,428,734.07
Advanced Fleet Services	2015	Bismarck	\$ 837,000.00	12.00		\$ 2,030,000.00	\$ 1,193,000.00
Advanced Fleet Services	2015	Bismarck	\$ 110,383.60				
Humpback Sally's	2015	Bismarck	\$ 987,000.00	17.00		\$ 2,738,806.00	\$ 1,751,806.00
Juniper, LLC NodMor LLC / Juniper Archeological	2015	Bismarck	\$ 199,053.60			\$ -	\$ -
Little Einsteins	2015	Bismarck	\$ 497,000.00	31.00		\$ 1,375,096.00	\$ 878,096.00
Little Einsteins	2015	Bismarck	\$ 7,046.55				
Lucky Ducks	2015	Bismarck	\$ 1,000,000.00				
Affinity Global (Levinson)	2014	Bismarck	\$ 1,131,000.00	17.00		\$ 2,746,636.08	\$ 1,615,636.08
Affinity Global Patricia Levinson and Brent Levinso	2014	Bismarck	\$ 982,025.89				
Affinity Global Patricia Levinson and Brent Levinso	2014	Bismarck	\$ 425,000.00			\$ 4,693,482.00	\$ 4,268,482.00
B&N Ralph, LLC	2014	Bismarck	\$ 50,000.00	19.00		\$ 249,722.00	\$ 199,722.00
Depot Properties	2014	Bismarck	\$ 1,030,000.00	16.00		\$ 2,500,000.00	\$ 1,470,000.00
Depot Properties, LLC	2014	Bismarck	\$ 1,000,000.00			\$ -	\$ -
EBSIA - Once upon a child	2014	Bismarck	\$ 486,000.00	16.00		\$ 1,176,715.00	\$ 690,715.00
EBSIA, LLC	2014	Bismarck	\$ 470,686.34			\$ -	\$ -
Juniper, LLC NodMor LLC / Juniper Archeological	2014	Bismarck	\$ 554,546.40			\$ -	\$ -
Little Einsteins	2014	Bismarck	\$ 474,237.20				
Little Einsteins	2014	Bismarck	\$ 29,475.00			\$ 29,475.00	\$ -
Lucky Ducks	2014	Bismarck	\$ 207,000.00	30.00		\$ 567,721.00	\$ 360,721.00
Lucky Ducks	2014	Bismarck	\$ 198,702.00				
Northland Concrete	2014	Bismarck	\$ 75,000.00	1.00		\$ 150,000.00	\$ 75,000.00
Padilla, Chris & Gina	2014	Bismarck	\$ 147,000.00	1.00		\$ 400,000.00	\$ 253,000.00
Shri Properties, LLC dba Super 8 (1)	2014	Bismarck	\$ 510,000.00			\$ -	\$ -
Wing Theatre	2014	Wing	\$ 20,000.00	1.00		\$ 50,609.00	\$ 30,609.00
Advanced Fleet Services Terrence and Diane Stec	2013	Bismarck	\$ 701,616.40				
Annex 208, Corp	2013	Bismarck	\$ 10,000.00	1.00		\$ 33,000.00	\$ 23,000.00
Nardello's LLP	2013	Bismarck	\$ 50,000.00	5.00		\$ 200,000.00	\$ 150,000.00
ND Boutiques dba Right on Broadway	2013	Bismarck	\$ 20,000.00	1.00		\$ 65,000.00	\$ 45,000.00
Northland Concrete	2013	Bismarck	\$ 25,000.00			\$ 50,000.00	\$ 25,000.00
Shri Properties, LLC dba Super 8	2013	Bismarck	\$ 1,000,000.00	20.00		\$ 5,100,000.00	\$ 4,100,000.00
Top Gun Powerwashing	2013	Lincoln	\$ 120,000.00	5.00		\$ 330,000.00	\$ 210,000.00
Lincoln Lagoon Repairs	2013	Lincoln	\$ 50,000.00			\$ 50,000.00	\$ -
Capitol Avenue Business Center	2012	Bismarck	\$ 388,000.00	8.00		\$ 1,010,000.00	\$ 622,000.00
Zoeller, Larine	2012	Bismarck	\$ 5,000.00	1.00		\$ 5,000.00	\$ -

Backhaus, Greg	2011	Menoken	\$	5,000.00	1.00		\$	22,000.00	\$	17,000.00
Nodak Industrial Chemical, LLC	2011	Menoken	\$	21,000.00	1.00		\$	50,315.00	\$	29,315.00
Willow Creek Lawn and Landscaping	2011		\$	120,000.00	6.00		\$	456,000.00	\$	336,000.00
American Machine and Engineering	2010		\$	40,000.00	3.00		\$	230,000.00	\$	190,000.00
Robi's Repair, Inc.	2009	Wilton	\$	57,000.00	3.00		\$	475,625.00	\$	418,625.00
Robi's Repair, Inc.	2009	Wilton	\$	18,000.00			\$	18,000.00	\$	-
Saner, Angella dba Angella's Hands	2009	Bismarck	\$	5,000.00	1.00		\$	15,000.00	\$	10,000.00
Wing LI Apartments Rehabilitation	2009	Wing	\$	51,894.00		8	\$	61,894.00	\$	10,000.00
Engessor, Robert dba Mr. Xterior	2008	Bismarck	\$	1,500.00			\$	3,000.00	\$	1,500.00
Alpha Cycles	2006	Bismarck	\$	5,000.00	1.00		\$	5,000.00	\$	-
Wing Water Reservoir	2006	Wing	\$	2,924.00			\$	3,424.00	\$	500.00
Dakota Cranes	2005	Bismarck	\$	5,000.00	1.00		\$	63,000.00	\$	58,000.00
Northern Plains Commerce Center	2005	Bismarck	\$	106,000.00			\$	1,000,000.00	\$	894,000.00
Moffit ADA	2005	Moffit	\$	8,256.00			\$	8,756.00	\$	500.00
Wing Water Tower	2005	Wing	\$	6,000.00			\$	6,500.00	\$	500.00
Bismarck State College	2004	Bismarck	\$	150,000.00			\$	1,500,000.00	\$	1,350,000.00
Mr. Xterior Mobile Cleaning Service	2003	Bismarck	\$	5,000.00			\$	18,000.00	\$	13,000.00
Lincoln Housing Rehab	2003	Lincoln	\$	115,000.00		12	\$	115,350.00	\$	350.00
Lincoln Strategic Plan	2003	Lincoln	\$	9,500.00			\$	10,000.00	\$	500.00
Lincoln Water Reservoir	2003	Lincoln	\$	66,000.00			\$	382,000.00	\$	316,000.00
Mr. Xterior	2002	Bismarck	\$	5,000.00	1.00		\$	5,000.00	\$	-
Lincoln Rehab	2002	Lincoln	\$	115,000.00		14	\$	115,350.00	\$	350.00
UTTC Multi-Purpose	2001	Bismarck	\$	911,000.00			\$	1,097,774.00	\$	186,774.00
Mr. Xterior	2000	Bismarck	\$	2,200.00			\$	5,000.00	\$	2,800.00
Bismarck Canvas Company	1999	Menoken	\$	71,500.00	3.00		\$	185,000.00	\$	113,500.00
Food Processing-BMDA	1999	Bismarck	\$	3,000.00			\$	31,000.00	\$	28,000.00
Child Object	1998	Bismarck	\$	1,000.00			\$	2,500.00	\$	1,500.00
Pond Doctor	1998	Bismarck	\$	1,174.00			\$	4,696.00	\$	3,522.00
Schultz Marketing	1998	Bismarck	\$	2,500.00			\$	75,000.00	\$	72,500.00
UTTC Housing Rehab	1998	Bismarck	\$	86,285.23		20	\$	86,285.23	\$	-
Lagoon Improvements	1998	Wing	\$	19,223.00			\$	23,223.00	\$	4,000.00
UTTC Utilities	1998	Bismarck	\$	35,000.00			\$	70,000.00	\$	35,000.00
UTTC Utilities	1998	Bismarck	\$	237,090.00			\$	237,090.00	\$	-
Aleviator	1997	Bismarck	\$	3,000.00			\$	9,000.00	\$	6,000.00
DCI	1997	Bismarck	\$	1,290.00			\$	3,000.00	\$	1,710.00
Fence Post Driver	1997	Bismarck	\$	1,250.00			\$	2,500.00	\$	1,250.00
K & B Fencing	1997	Bismarck	\$	6,600.00			\$	6,600.00	\$	-
Snowblow Attachment	1997	Bismarck	\$	1,000.00			\$	2,500.00	\$	1,500.00
Stilworks	1997	Lincoln	\$	23,000.00	1.00		\$	25,300.00	\$	2,300.00
UTTC Utilities	1997	Bismarck	\$	97,200.00			\$	97,200.00	\$	-
UTTC Utilities	1997	Bismarck	\$	196,800.00			\$	196,800.00	\$	-
Wing Water	1997	Wing	\$	34,870.00			\$	43,870.00	\$	9,000.00
Aberwoods	1996	Bismarck	\$	2,500.00			\$	5,666.00	\$	3,166.00
Affordable Windows	1996	Bismarck	\$	15,000.00	2.00		\$	15,000.00	\$	-
All Seasons Insulation	1996	Bismarck	\$	7,500.00	3.00		\$	7,500.00	\$	-
Coin Dispenser	1996	Bismarck	\$	1,786.00			\$	3,572.00	\$	1,786.00
Internet Marketing	1996	Bismarck	\$	1,000.00			\$	2,000.00	\$	1,000.00
J.T. Fire	1996	Lincoln	\$	2,396.00	1.00		\$	2,396.00	\$	-
K & B Fencing	1996	Bismarck	\$	12,000.00	3.00		\$	12,000.00	\$	-
Kids N More	1996	Bismarck	\$	15,000.00	2.00		\$	15,000.00	\$	-
LXL	1996	Bismarck	\$	5,000.00	1.00		\$	5,000.00	\$	-
Northland Fencing	1996	Bismarck	\$	20,500.00	4.00		\$	20,500.00	\$	-
Stitchery & Such	1996	Bismarck	\$	25,000.00	2.00		\$	60,000.00	\$	35,000.00
UTTC Utilities	1996	Bismarck	\$	160,000.00			\$	1,066,130.00	\$	906,130.00
UTTC Utilities	1996	Bismarck	\$	539,000.00			\$	539,000.00	\$	-
UTTC Utilities	1996	Bismarck	\$	351,800.00			\$	351,800.00	\$	-
Aberwoods	1995	Bismarck	\$	25,000.00	2.00		\$	25,000.00	\$	-
Chiefs Choice	1995	Bismarck	\$	25,000.00	1.00		\$	25,000.00	\$	-
Dakota Fire Station	1995	Bismarck	\$	22,590.00	3.00		\$	22,590.00	\$	-
Eagle Systems	1995	Bismarck	\$	2,472.00			\$	16,692.00	\$	14,220.00
Enchanted Occasions	1995	Lincoln	\$	11,700.00	1.00		\$	13,000.00	\$	1,300.00
JS Endeavors	1995	Bismarck	\$	1,645.00			\$	3,290.00	\$	1,645.00
Sound Dynamics	1995	Bismarck	\$	1,500.00			\$	3,000.00	\$	1,500.00
Specialty Foods I	1995	Bismarck	\$	250.00			\$	250.00	\$	-
Spin Tackle Boxes	1995	Bismarck	\$	1,000.00			\$	2,165.00	\$	1,165.00
Thinking Strategies	1995	Bismarck	\$	1,000.00			\$	3,689.00	\$	2,689.00
Housing Rehab	1995	Wing	\$	115,000.00		12	\$	115,500.00	\$	500.00
Bismarck Trailers	1995	Bismarck	\$	18,720.00			\$	31,200.00	\$	12,480.00
Fire Hall	1995	Sterling	\$	7,000.00			\$	10,697.00	\$	3,697.00
Fire Hall	1995	Sterling	\$	999.00			\$	999.00	\$	-
Lincoln - Lagoon	1995	Lincoln	\$	139,000.00			\$	322,609.35	\$	183,609.35
Dakota Plastics	1994	Bismarck	\$	25,000.00	2.00		\$	25,000.00	\$	-
DCI	1994	Bismarck	\$	25,000.00	4.00		\$	25,000.00	\$	-
Horseshoe Western	1994	Bismarck	\$	25,000.00	2.00		\$	25,000.00	\$	-
J. T. Fire	1994	Lincoln	\$	8,500.00	1.00		\$	8,500.00	\$	-
Jane Marie	1994	Bismarck	\$	14,500.00	1.50		\$	25,000.00	\$	10,500.00
Let's Dance	1994	Bismarck	\$	6,500.00	1.00		\$	6,500.00	\$	-
LXL	1994	Bismarck	\$	8,500.00	2.00		\$	8,500.00	\$	-
Missouri Valley Calibr.	1994	Bismarck	\$	1,380.00			\$	2,760.00	\$	1,380.00
NCA Study	1994	Bismarck	\$	5,000.00			\$	10,238.00	\$	5,238.00
Paper Study	1994		\$	4,709.00			\$	18,164.00	\$	13,455.00
Stebbon Co.	1994	Bismarck	\$	15,000.00	1.00		\$	15,000.00	\$	-
UTTC Rehab.	1994	Bismarck	\$	90,581.00		47	\$	101,309.00	\$	10,728.00
Lincoln CIP	1994	Lincoln	\$	3,000.00			\$	3,300.00	\$	300.00
Lincoln Sewer	1994	Lincoln	\$	134,520.00			\$	135,000.00	\$	480.00
Lincoln Water	1994	Lincoln	\$	119,300.00			\$	212,720.59	\$	93,420.59
UTTC ADA	1994	Bismarck	\$	41,627.00			\$	127,274.00	\$	85,647.00
Wing Fire Hall	1994	Wing	\$	11,572.00			\$	11,572.00	\$	-
Ad Med	1993	Bismarck	\$	20,000.00			\$	40,000.00	\$	20,000.00
ASAP	1993	Bismarck	\$	1,000.00	3.00		\$	10,152.00	\$	9,152.00
Carlisle Cereal	1993	Bismarck	\$	1,722.00			\$	3,444.00	\$	1,722.00
Dakota Creations	1993	Bismarck	\$	1,876.00	3.00		\$	3,501.00	\$	1,625.00
Library	1993	Bismarck	\$	10,000.00			\$	105,728.00	\$	95,728.00
Bis-Man Transit	1993	Bismarck	\$	5,000.00			\$	160,000.00	\$	155,000.00
Sterling Fire Hall	1993	Sterling	\$	26,950.00			\$	48,805.00	\$	21,855.00
UTTC ADA	1993	Bismarck	\$	80,000.00			\$	80,000.00	\$	-
Wing Fire Hall	1993	Wing	\$	32,313.00			\$	68,505.00	\$	36,192.00
ADS	1992	Bismarck	\$	1,000.00			\$	2,034.00	\$	1,034.00
Dakota Creations	1992	Bismarck	\$	3,124.00			\$	3,125.00	\$	1.00
Woodcraft	1992	Bismarck	\$	3,149.00			\$	11,179.00	\$	8,030.00
UTTC Housing	1991	Bismarck	\$	560,000.00		16	\$	560,000.00	\$	-
B-M Transit	1991	Bismarck	\$	5,750.00			\$	5,750.00	\$	-
Medical Target	1990	Bismarck	\$	5,000.00			\$	65,000.00	\$	60,000.00
NDBMBA	1990	Bismarck	\$	140,000.00	8.00		\$	405,000.00	\$	265,000.00
SynOps 90	1990	Bismarck	\$	5,000.00			\$	75,000.00	\$	70,000.00
UTTC Rehab	1990	Bismarck	\$	138,000.00		21	\$	153,196.00	\$	15,196.00

Lewis & Clark Development Group Multifamily Projects

BORROWER	Project Name	Units	Funds Lent	Leverage	TOTAL PROJECT	City	County	Date Closed/ Status	Rate	Terms months	Fund	Use of Funds	LI %
Independence Pt.	Pride Independence Pt.	24	\$ 150,000.00	\$ 3,650,563.00	\$ 3,800,563.00	Bismarck	Burleigh	4/26/2013	3.50%	24 DREAM II		New Construction	100
Sierra Court LLP	Sierra Court	40	\$ 250,000.00	\$ 7,233,989.00	\$ 7,483,989.00	Bismarck	Burleigh	4/13/2015	4.00%	7 NR		New Construction	100
Ruth Meiers Hospitality House	Ruth Meiers Hospitality House	45	\$ 269,230.76	\$ 10,483,386.24	\$ 10,752,617.00	Bismarck	Burleigh	5/26/2016	1.15%	78		Acquisition/Rehabilitation	100
100 West Main Limited Partnership	100 West Main	30	\$ 50,000.00	\$ 6,463,176.00	\$ 6,513,176.00	Bismarck	Burleigh	10/11/2018	3.00%	216		New Construction	100
Century Cottages, LLLP	Century Cottages	35	\$ 455,000.00	\$ 8,218,679.47	\$ 8,673,679.47	Bismarck	Burleigh	7/11/2019	7.00%	NR		New Construction	100
Century Cottages, LLLP	Century Cottages		\$ 102,215.39	\$ -	\$ -	Bismarck	Burleigh	12/13/2021				New Construction	
Century Cottages, LLLP	Century Cottages		\$ 32,399.08	\$ -	\$ -	Bismarck	Burleigh	12/21/2021				New Construction	
CWND Bismarck, LLLP	Boulevard Apartments	120	\$ 2,526,000.00	\$ 15,276,715.00	\$ 18,669,581.00	Bismarck	Burleigh	11/17/2020				Acquisition/Rehabilitation	100
CWND Bismarck, LLLP	Boulevard Apartments		\$ 866,866.00	\$ -	\$ -	Bismarck	Burleigh	11/17/2020				Acquisition	
Century Baptist Church			\$ 106,376.96	\$ -	\$ 106,376.96	Bismarck	Burleigh	08/12/2021				Acquisition	
630 Main Development LLC	630 Main	52	\$ 235,853.08	\$ 9,560,000.00	\$ 9,795,853.08	Bismarck	Burleigh	9/28/2021				Acquisition/Rehabilitation	20
Century View Apartments, LLLP	Century View Apartments	40	\$ 678,000.00	\$ 11,269,124.00	\$ 11,947,124.00	Bismarck	Burleigh	05/05/2023				New Construction	80
CWND MSAUW, LLLP	United Way Center for Opportunity		\$ 400,000.00	\$ 1,600,000.00	\$ 2,000,000.00	Bismarck	Burleigh	12/10/2020				Acquisition/Rehabilitation	
TOTALS		386	\$ 6,121,941.27	\$ 73,755,632.71	\$ 79,742,959.51								

*Bold Denotes General/Co-General Partner/Owned

Highlighted Denotes Developer/Co-Developer

CHAPTER 54-40.1 REGIONAL PLANNING COUNCILS

54-40.1-01. Legislative findings and purpose.

The legislative assembly finds that the citizens of the state have a fundamental interest in the orderly development of the state and its resources. This finding recognizes the fact that the mobility of the population, changes in economic forces, and governmental mandates within and without the state present problems that cannot always be met by individual counties or cities and that local government planning and development efforts can be strengthened when aided by studies, planning, and implementation of both a statewide and regional character.

The legislative assembly further finds that the state has a positive interest in the establishment, preparation, and maintenance of a long-term, continuing, comprehensive planning and development process for the physical, social, and economic development of the state and each of its regions to serve as a guide for activities of state and local governmental units.

It is the purpose of this chapter to establish a consistent, comprehensive statewide policy for planning, economic development, program operations, coordination, and related cooperative activities of state and local governmental units and to enhance the ability of and opportunity for local governmental units to resolve issues and problems transcending their individual boundaries. In furtherance of this purpose, the legislative assembly finds that the governor is required to assure orderly and harmonious coordination of state and local plans and programs with federal, state, and regional planning and programming.

54-40.1-02. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. "City" means any city incorporated under the laws of this state.
2. "Governing body" means the city council or the board of city commissioners or the board of county commissioners.
3. "Industry" includes agriculture and business.
4. "Member-at-large" means a person who represents the general citizenry of the county.
5. "Minority group" means any identifiable group of people, regardless of numerical size, whose members are denied or limited in employment, education, or training opportunities because of sex, race, creed, color, religion, national origin, or low income.
6. "Organized local development corporation" means any group organized for the purpose of promoting economic development which has filed for incorporation as such with the secretary of state.
7. "Region" means the area delineated by executive order of the governor.
8. "Regional comprehensive plan" means a long-range guide for the economic, physical, and social development of a region which identifies regional goals, objectives, and opportunities and embodies the policies of the regional council.
9. "Regional council" means the council for comprehensive planning and development established in each region pursuant to this chapter.
10. "Units of general local government" means cities, counties, and organized townships.

54-40.1-03. Regional council - Membership.

1. Total membership on a regional council must be determined by the participating units of general local government, subject to the following minimum criteria of membership:
 - a. A majority of the full regional council membership must be composed of existing elected city officials and county commissioners. Selection of these members must be by their respective governing bodies.
 - b. One member of the regional council may represent identifiable and organized minority groups existing in the region. Selection of the member may be made by the minority groups upon invitation from the regional council.

- c. One soil conservation district supervisor from each county must be appointed to the regional council to represent the agricultural and natural resource interests of the region. The appointment of the soil conservation district supervisor must be made by the respective boards of soil conservation districts. If any county contains more than one soil conservation district, either in whole or in part, the concerned boards shall meet and jointly agree upon a single appointment to the regional council.
 - d. One or more members of the regional council, selected by the local development corporations, shall represent the organized local development corporations existing in the region.
 - e. The chairman of the regional employment training council or the chairman's designee must be appointed to the regional council.
 - f. An alternate must be selected for each regular member of the regional council in the same manner as the regular member is selected. The alternate member is to serve on the regional council when the regular member is absent and shall enjoy the same responsibilities and privileges as a regular member enjoys.
2. The term of office of each member of the regional council must be as determined by the regional council and specified in its agreements, rules, or procedures. However, if a person is a member of the regional council as the result of being a member of the governing body of a city or a county, that person's term on the regional council expires at the same time that person's term of public office expires and another person must be appointed to the regional council in the same manner as the selection was made for the member whose term expires.
 3. Special or standing committees may be appointed to assist and advise the regional council. Members of special or standing committees must be appointed by the regional council. Membership on special or standing committees is not limited to the members of the regional council.
 4. The regional council may elect an executive board from the members of the regional council. The executive board shall perform the administrative duties prescribed in the agreements, rules, or procedures of the regional council.
 5. The regional council shall determine the rate at which expenses of regional council members and members of any special or standing committees must be paid for expenses incurred in attending meetings of the regional council and the committees and in the performance of their official duties, but the amounts may not exceed the amounts provided by law for state officers.

54-40.1-04. Regional council - Powers and duties.

A regional council shall:

1. Adopt agreements, rules, or procedures as may be necessary to effectuate planning and development in the region.
2. Coordinate planning and development within the region for all matters of regional concern as determined by the regional council, including land use, social and economic planning, economic development, transportation, health, environmental quality, water and sewerage, solid waste, flood relief, parks and open spaces, hospitals, and public buildings.
3. Participate with other public agencies and private organizations in regard to research for planning activities relevant to the region.
4. For the purpose of coordination, work with state departments, agencies, and institutions in reviewing and commenting on all plans and federal aid applications as to their impact on the region.
5. Develop guidelines for the coordination of land use plans and ordinances within the region.
6. Prepare a regional comprehensive plan and upon the preparation of such a plan or any phase, amendment, revision, extension, addition, functional part, or part thereof, file such plan, phase, functional part, amendment, revision, extension, addition, or part

thereof with the office, all local planning agencies within the region, and other planning agencies in adjoining areas.

7. Develop an annual budget for operations during a fiscal year.
8. Receive and expend federal, state, and local funds, and contract for services with units of general local government and private individuals and organizations, consistent with the scope and objectives of planning and development functions.
9. Upon availability of funds, hire an executive director who must be given full control over the staff of the regional council. The executive director shall act as a liaison between the regional council and the staff of the regional council and shall advise and assist the regional council in the selection of staff.
10. Provide technical assistance for primary sector business development by leveraging local funds to assist in product development, product testing, business plan development, feasibility studies, gaining patent protection, legal services, market strategy development, and other needs to stimulate business development.
11. Host business outreach forums to stimulate entrepreneurship and interchange with potential investment and forums on other matters of importance to the local area.
12. Upon request, facilitate the financing of local economic development activities, such as interest buydown programs and local revolving loan fund programs, without regard to the fiscal source.
13. Act as a regional development corporation as provided by the individual regional council's bylaws.
14. Have authority to purchase, own, and manage real property for the purpose of the business incubator and regional council administrative functions.

54-40.1-05. Reports.

Each regional council shall prepare an annual report within one hundred twenty days after the end of each fiscal year. The regional council shall submit copies of the report to the participating units of general local government, to the governor or the governor's designee, and to members of the legislative assembly in each region. To the extent practicable, the report must include projects completed or in progress and sources of funding.

54-40.1-06. Dissolution of regional council.

A regional council may be dissolved as prescribed in the agreements, rules, or procedures of the regional council. Upon dissolution, all properties of the regional council will be converted to cash or evaluated as to worth and divided among participating units of general local government in proportion to the amount of their financial participation.

ITEM

7

BURLEIGH - MORTON COUNTY COMMISSION

DETENTION REPORT April 2024

1. March Housing Report:

- a. Average Daily Population (ADP) 247
- b. Total Bookings: 615 or 20 per day average.

2. Breakdown of Inmate Days:

a. Bismarck inmate days:

653 nights	21 per night	\$48,938 billed
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b. Mandan inmate days:

22 nights	1 per night	\$1,613 billed
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c. U.S. Marshall/Bureau of Prisons:

1,195 nights	39 per night	\$137,425 billed
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d. Others (Counties/Cities):

362 nights	12 per night	\$22,090 billed
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e. Burleigh/ Morton Average per night:

6,213 nights	200 per night	
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3. Total billed : \$209,812 Year: \$591,337

4. Burleigh County alternatives to jail program (24/7Program): 265 Participants

- 73 on the drug patch.
- 105 on the ankle bracelet.
- 60 on twice a day breath tests.
- 27 people testing in other counties.
- 0 Remote Breath Testing

ITEM

8

Addenda item for April 15, 2024 Meeting

Subject: Bismarck Burleigh Public Health

Action Requested: None

Review attached documents regarding the services that are required as well as the additional services provided by Public Health. We will also discuss how each is funded.

CHAPTER 23-35 PUBLIC HEALTH UNITS

23-35-01. Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Board of health" means a district, county, city, or tribal board of health.
2. "Department" means the department of health and human services.
3. "Governing body" means, as applicable, a city commission, city council, board of county commissioners, joint board of county commissioners, or tribal council.
4. "Health district" means an entity formed under section 23-35-04 or 23-35-05.
5. "Joint board of county commissioners" means the boards of county commissioners of two or more counties acting together in joint session.
6. "Local health officer" means the health officer of a public health unit.
7. "Public health department" means a city, county, or tribal health department formed under this chapter.
8. "Public health unit" means the local organization formed under this chapter to provide public health services in a city, county, or designated multicounty or city-county area, or Indian reservation. The term includes a city public health department, county public health department, tribal health department, and a health district.

23-35-02. Public health units - Core functions.

1. All land in the state must be in a public health unit.
2. At a minimum, a public health unit shall provide the following core functions:
 - a. Communicable disease control, which must include:
 - (1) Conducting of disease surveillance for the purpose of preventing and controlling communicable disease, with assistance from the department.
 - (2) Assurance of the availability of community-based programs to provide communicable disease prevention and control services.
 - (3) Recognition, identification, and response to a communicable disease event, in collaboration with the department.
 - b. Chronic disease and injury prevention, which must include conducting programs to reduce the burden of chronic disease and injury through policy, system, and environmental change approach; prevention screening; and education.
 - c. Environmental public health, which must include:
 - (1) Prevention of environmental hazards by the provision of information and education to facility operators and managers and to community members.
 - (2) Assurance of the availability of environmental health services to prevent and respond to community and residential environmental hazards.
 - d. Maternal, child, and family health, which must include:
 - (1) Assessment and monitoring of maternal and child health status to identify and address problems.
 - (2) Implementation of programs to promote the health of women, children, and youth, and their families, through policy, system, and environmental change approaches; prevention screenings; and education.
 - e. Access to clinical care, which must include:
 - (1) Collaboration with health care system partners to foster access to clinical care.
 - (2) Facilitation of linkages and referrals for appropriate clinical care, services, and resources.

23-35-02.1. Tribal health units.

An Indian nation that occupies a reservation the external boundaries of which border more than four counties may form a health district or public health department as provided in this chapter. A tribal public health unit and bordering public health units shall collaborate regarding the provision of public health services. If an individual who is not an enrolled member of an

Indian tribe of the Indian reservation that forms a tribal public health unit is a party to a civil action in which the tribal public health unit is also a party, that individual may bring the action in or move the action to tribal court or district court.

23-35-02.2. Public health units to adopt onsite wastewater recycling treatment guide.

Each public health unit shall adopt the statewide technical guide for onsite wastewater recycling treatment technologies and sewage distribution technologies established by the onsite wastewater recycling technical committee.

23-35-02.3. Onsite wastewater recycling technical committee - Appointment - Duties.

1. The onsite wastewater recycling technical committee consists of:
 - a. Three representatives from local public health units appointed by the governor from a list of names forwarded by local public health units;
 - b. Four individuals who must be installers appointed by the governor. The governor shall appoint the individuals from a list of names forwarded by a professional onsite wastewater recycling association. For purposes of this section, an installer means an individual licensed by a local public health unit to install onsite wastewater sewage treatment systems; and
 - c. One individual who must be a licensed environmental health practitioner appointed by the governor from a list of names forwarded by a professional onsite wastewater recycling association.
2. The director of the department of environmental quality or the director's designee shall provide input at the request of the committee.
3. The terms of the committee members are for four years, and members may be reappointed.
4. The committee shall:
 - a. Meet at the call of at least three of the members.
 - b. Create a statewide technical guide for onsite wastewater recycling treatment technologies and sewage distribution technologies.
 - c. Recommend standards and procedures for issuing an installer license.
 - d. Recommend continuing education requirements for installer license renewal.
 - e. Recommend reasonable fees for issuing or renewing an installer license.

23-35-03. Boards of health.

1. The department shall advise boards of health.
2. A city's, county's, or tribe's governing body may establish a public health unit by creating and appointing a board of health, which in the case of a city, may be composed of the city's governing body, or in the case of a tribe, may be composed of the tribal council or governing body. A board of health must have at least five members.
 - a. In the case of a board of health created by a joint board of county commissioners, each county in the health district must have at least one representative on the board; each county of over fifteen thousand population must have an additional representative for each fifteen thousand population or major fraction of that number; and in a health district of fewer than five counties, each county must have at least one representative on the district board of health, and the additional representatives selected to constitute the minimum five-member board must be equitably apportioned among the counties on a population basis.
 - b. In the case of a joint city-county health district composed of only one county and having at least one city over fifteen thousand population, each city having a population over fifteen thousand must have a representative on the district board of health for each fifteen thousand population or major fraction of that number, and the remaining population of the county, exclusive of the populations of cities with more than fifteen thousand each, must have a representative on the district board of health for each fifteen thousand population or major fraction of that

number, or at least one member if the remaining population is less than fifteen thousand.

3. The initial members of any board of health appointed by a governing body must be appointed for terms as follows: at least one for one year, one for two years, one for three years, one for four years, and one for five years. If a board has more than five members, the members must be appointed for staggered terms. All subsequent appointments are for five-year terms. Each board member shall serve until a successor is appointed and qualified. If a vacancy occurs, the appointing government authority shall appoint a member for the remainder of the unexpired term. Each appointee shall qualify by filing the oath of office. A board of health may not be all male or all female. If the members of a governing body serve on a board of health or if an employee of a governing body serves on a board of health, this subsection does not apply to those governing body members and that employee.
4. A board of health shall meet at least quarterly. Special meetings may be held at any time at the call of the president.
5. Except if the governing body serves as the board of health, at the first meeting after appointment, and annually, the members of a board of health shall organize by electing a president, a vice president, and other officers the board considers necessary. If there is a treasurer and the treasurer is not a public employee, the treasurer must be bonded in an amount fixed by the board. If the health officer is not appointed to the board, the health officer does not have a vote in matters of the board. The office of secretary and treasurer may be combined.
6. The appointing authority shall establish the rate of compensation for board members and actual expenses incurred by board members may be reimbursed at the official reimbursement rates of the appointing authority.

23-35-04. Health districts - Formation - Contracting for services.

1. Upon the adoption of a resolution, the governing body may form a single county, multicounty, city-county, or tribal health district.
2. Notwithstanding this chapter, in a county without a countywide public health unit, the board of county commissioners, upon adoption of a resolution, may contract with a city that has a public health department to provide health services to the county and in the cities throughout the county which do not have a public health unit. The contract must comply with chapter 54-40.3. When a contract is executed, any provision of this chapter relating to organizing district boards of health does not apply, and the city public health department shall exercise all the necessary powers and duties of a public health unit under this chapter. The department shall treat a county with a contract under this subsection as a public health unit.

23-35-05. Health districts - Expansion - Merger.

1. Upon adoption of a resolution, a county that is not included in any public health unit may request inclusion as a part of an existing health district. Upon receipt of a request to become part of an existing health district, the district board of health shall consider the request and, if the board approves the request by a majority vote, shall submit the matter to each county in the health district. If a majority of the counties approve the request by a majority vote, the requesting county becomes a part of the health district.
2. Upon expansion of a health district under this section, the number of board of health members must be adjusted to allow the added county the same proportion of members allowed to member cities and counties of the existing health district as determined under this chapter.
3. Any two or more health districts may merge into a single health district upon a majority vote of the respective boards of health and a majority vote of the governing body of each county. The assets of each merging health district become the property of the newly created health district. Board of health membership of a new health district must be determined under section 23-35-03, unless otherwise decided by the board. The new health district maintains the same authority and powers of the previous health

districts. The mill levy of the newly created health district is not limited by the old mill levy but may not exceed the amount allowed under section 23-35-07, unless one or more of the combining entities was previously levying more than five mills, in which case the mill levy for property within the former entity that was levying more than five mills may not exceed the cap, expressed in mills, as previously authorized for that entity.

4. Upon adoption of a health district plan by two or more counties, the joint board of county commissioners shall appoint a district board of health.

23-35-06. Health districts - Dissolution - Withdrawal.

1. Except for a tribal health district, if a health district has been in operation for two years, the district may be dissolved as provided for under this section. If a petition is filed with the county auditor of each county of a health district which is signed by qualified electors of that county equal to ten percent or more of the votes cast in that county at the last general election, an election on the question of dissolution must be presented to the qualified electors in each county in the district at the next election held in each county in the district. If a majority of the votes cast on the question in a majority of the counties favor dissolution, the health district is dissolved on the second January first following the election. If a majority of the votes cast on the question in a majority of the counties are against dissolution, no other election on this issue may be held for two years.
2. If a health district has been in operation for two years, any county may withdraw from the district as provided under this section. If a petition is filed with the withdrawing county's auditor which is signed by qualified electors of the county equal to ten percent or more of the votes cast in that county at the last general election, an election on the question of withdrawal must be presented to the qualified electors in the county at the next election in the county. If a majority of the votes cast on the question favor withdrawing from the district, the county is withdrawn from the district on the second January first following the election. If a majority of the votes cast on the question are against withdrawal, no other election on this issue may be held for two years.
3. A tribal health district may be dissolved by the tribal council or governing body at any time.

23-35-07. Health district funds - Financial report.

1. Except for a tribal health district, a district board of health shall prepare a budget for the next fiscal year at the time at which and in the manner in which a county budget is adopted and shall submit this budget to the joint board of county commissioners for approval. In the year for which the levy is sought, a district board of health, except for a tribal health district, seeking approval of a property tax levy under this chapter must file with the county auditor of each county within the health district, at a time and in a format prescribed by the county auditors, a financial report for the preceding calendar year showing the ending balances of each fund held by the health district during that year. The amount budgeted and approved must be prorated in health districts composed of more than one county among the various counties in the health district according to the taxable valuation of the respective counties in the health district. For the purpose of this section, "prorated" means that each member county's contribution must be based on an equalized mill levy throughout the district, except as otherwise permitted under subsection 3 of section 23-35-05. Within ten days after approval by the joint board of county commissioners, the district board of health shall certify the budget to the respective county auditors and the budget must be included in the levies of the counties. The budget, not including gifts, grants, donations, and contributions, may not exceed the amount that can be raised by a levy of five mills on the taxable valuation, subject to public hearing in each county in the health district at least fifteen days before an action taken by the joint board of county commissioners. Action taken by the joint board of county commissioners must be based on the record, including comments received at the public hearing. A levy under this section is not subject to the

limitation on the county tax levy for general and special county purposes. The amount derived by a levy under this section must be placed in the health district fund. The health district fund must be deposited with and disbursed by the treasurer of the district board of health. Each county in a health district quarterly shall remit and make settlements with the treasurer. Any funds remaining in the fund at the end of any fiscal year may be carried over to the next fiscal year.

2. Except for a tribal health district, the district board of health, or the president and secretary of the board when authorized or delegated by the board, shall audit all claims against the health district fund. The treasurer shall pay all claims from the health district fund. The district board of health shall approve or ratify all claims at the board's quarterly meetings.

23-35-08. Boards of health - Powers and duties.

Except when in conflict with a local ordinance or a civil service rule within a board of health's jurisdiction, or a tribal code, ordinance, or policy, each board of health:

1. Shall keep records and make reports required by the department.
2. Shall prepare and submit a public health unit budget.
3. Shall audit, allow, and certify for payment expenses incurred by a board of health in carrying into effect this chapter.
4. May accept and expend any gift, grant, donation, or other contribution offered to aid in the work of the board of health or public health unit.
5. May make rules regarding any nuisance, source of filth, and any cause of sickness which are necessary for public health and safety.
6. May establish by rule a schedule of reasonable fees that may be charged for services rendered. Services may not be withheld due to an inability to pay any fees established under this subsection. If a tribal board of health establishes fees for services rendered, the fees may not exceed the highest corresponding fee of any of the public health units that border the tribal public health unit.
7. May make rules in a health district or county public health department, as the case may be, and in the case of a city public health department may recommend to the city's governing body ordinances for the protection of public health and safety.
8. May adopt confinement, decontamination, and sanitary measures in compliance with chapter 23-07.6 which are necessary when an infectious or contagious disease exists.
9. May make and enforce an order in a local matter if an emergency exists.
10. May inquire into any nuisance, source of filth, or cause of sickness.
11. Except in the case of an emergency, may conduct a search or seize material located on private property to ascertain the condition of the property as the condition relates to public health and safety as authorized by an administrative search warrant issued under chapter 29-29.1.
12. May abate or remove any nuisance, source of filth, or cause of sickness when necessary to protect the public health and safety.
13. May supervise any matter relating to preservation of life and health of individuals, including the supervision of any water supply and sewage system.
14. May isolate, kill, or remove any animal affected with a contagious or infectious disease if the animal poses a material risk to human health and safety.
15. Shall appoint a local health officer.
16. May employ any person necessary to effectuate board rules and this chapter.
17. If a public health unit is served by a part-time local health officer, the board of health may appoint an executive director. An executive director is subject to removal for cause by the board of health. The board of health may assign to the executive director the duties of the local health officer, and the executive director shall perform these duties under the direction of the local health officer.
18. May contract with any person to provide the services necessary to carry out the purposes of the board of health.
19. Shall designate the location of a local health officer's office and shall furnish the office with necessary equipment.

20. May provide for personnel the board of health considers necessary.
21. Shall set the salary of the local health officer, the executive director, and any assistant local health officer and shall set the compensation of any other public health unit personnel.
22. Shall pay for necessary travel of the local health officer, the local health officer's assistants, and other personnel in the manner and to the extent determined by the board.

23-35-09. Abatement and removal of nuisance, source of filth, and cause of sickness.

1. If necessary for the protection of public health to abate or remove any nuisance, source of filth, or cause of sickness, the board of health shall serve notice on the owner or occupant of the property requiring the owner or occupant, at the owner's or occupant's expense, to remove or abate the nuisance, source of filth, or cause of sickness within a time specified by the board, not exceeding thirty days. If the owner or occupant fails to comply with the notice to remove or abate or if the nuisance, source of filth, or cause of sickness exists on property of nonresident owners or on property the owners of which cannot be found, the board of health may remove or destroy the nuisance, source of filth, or cause of sickness at the expense of the appropriate city or county, which shall charge the expense against the lot, piece, or parcel of land on which the work is done.
2. The governing body of the city or county may levy and assess against the property the cost of the removal or destruction of a nuisance, source of filth, or cause of sickness, and the member of the governing body who is responsible for streets shall return and file the assessment in the office of the auditor of the city or county. The auditor shall publish, in the same manner as provided under section 40-22-06, the amount of the assessment together with a notice of the time and location the governing body will meet to consider the approval of the assessment. Each assessment must be recorded, collected, and paid as other taxes are recorded, collected, and paid.
3. If a board of health determines it necessary for the preservation of public health to enter any building within the board's jurisdiction to examine, destroy, remove, or prevent any nuisance, source of filth, or cause of sickness and is refused entrance into the building, the local health officer, or a designated agent of the local health officer, may make a complaint under oath to a district judge within the jurisdiction of the board of health stating the facts in the case which the local health officer, or a designated agent of the local health officer, has knowledge. If a warrant is issued and if requested by a board of health, a county sheriff or city police department shall provide assistance to that public health unit in any action to search or seize material in or on any private property to destroy, remove, or prevent the nuisance, source of filth, or cause of sickness, if there is probable cause to believe a public health hazard or public health nuisance exists on or in that property, and shall carry out any other preventive measures the public health unit requests. For purposes of this subsection, a request from a public health unit means a request for assistance which is specific to a public health nuisance and is not a continuous request for assistance.

23-35-10. District boards of health - Acquiring and disposing of property.

1. A district board of health may acquire by lease, purchase, construction, or gift for district health office use and control property for all purposes authorized by law or necessary to the exercise of the powers granted in this chapter. The district board of health may finance the purchase, construction, or equipping of a building on owned or leased property for the use and purpose for which the health district is formed and carry out the functions of the health district in either of the following ways:
 - a. The district board of health may issue and sell bonds in an aggregate amount not exceeding two times the authorized tax revenues of the district for the year in which the bonds are to be issued and sold; or

- b. The district board of health may mortgage or otherwise encumber the building constructed in an amount not exceeding two times the authorized tax revenue of the district for the year in which the construction is to be commenced.
2. Bonds issued under this section and income under this section are exempt from any taxes except inheritance, estate, and transfer taxes. The indebtedness for which the bonds are issued, or for which a mortgage may be given as under this section, is neither an obligation or an indebtedness of this state nor of the counties or cities comprising the district board of health. Any indebtedness under this section may be foreclosed in any manner provided by law. The district board of health may convey or transfer property acquired as provided under this section. If, upon dissolution of a health district, any balance remains in the health district fund after all obligations have been paid, the balance must be transferred to the general fund of the counties comprising the health district in proportion to the assessed valuation most recently used in preparing the health district budget under this chapter. If any county in the district withdraws from a health district, any assets and inventory of supplies and equipment located in the county for use in health district programs and services remain the property of the district for use elsewhere in the district.

23-35-11. Budget.

A city, county, or health district, as the case may be, shall prepare a county public health unit budget for the next fiscal year at the time and in the manner a county budget is adopted and submit the budget to the board of county commissioners for approval, shall prepare a city public health unit budget for the next fiscal year and submit the budget to the governing body of the city for approval, or shall prepare a district budget as provided under this chapter. In the case of a city board of health, the board shall certify the expenses to the governing body for payment out of the general fund of the city. The governing body or auditor shall audit any expenses incurred in quarantining or disinfecting any property outside an incorporated city and shall pay for any expenses out of the general fund of the county.

23-35-12. Local health officers.

1. A local health officer shall serve a term of five years, subject to removal for cause by the governing body or the district board of health. The health officer must be a physician licensed to practice medicine in this state and need not be a resident of the public health unit. The appointee shall qualify by filing the constitutional oath of office in the manner provided for the members of the board of health. If the state health officer finds a local health officer is failing to perform the duties of the position, the state health officer may report the case to the governing body of the appropriate city, county, or district board of health. At the next meeting of the city's or county's governing body or district board of health, the governing body or district board of health shall declare the office vacant and may appoint another physician to fill the unexpired term, or shall report the matter to the board of health, and the board shall declare the office vacant and promptly shall appoint another physician to fill the unexpired term.
2. Within the jurisdiction of the board of health, a local health officer:
 - a. Shall keep a record of the official acts of the local health officer.
 - b. Shall enforce every law and rule relating to preservation of life and health of individuals.
 - c. May exercise the powers and duties of the board of health under the supervision of the board of health.
 - d. May make sanitary inspections of any place within the jurisdiction in which the local health officer finds a probability a health-threatening condition exists.
 - e. May investigate public water and ice supplies suspected of contamination and initiate necessary condemnation proceedings.
 - f. May enforce school cleanliness; inspect any school that may be overcrowded, poorly ventilated, or unsanitary; and, when necessary, report cases of any unsanitary or unsafe school building to the board of health for investigation.

- g. May take any action necessary for the protection of public health and safety.
 - h. May determine when confinement and decontamination is necessary for the safety of the public. The local health officer may establish confinements consistent with procedures provided under chapter 23-07.6 and perform any acts required for decontamination when necessary.
 - i. Shall maintain an office within the jurisdiction of the public health unit consistent with any terms of appointment.
 - j. May select and discharge any assistant health officer in the public health unit, consistent with any terms of appointment.
3. A local health officer may request the assistance of a county sheriff or city health department in the same manner as provided under subsection 3 of section 23-35-09.

23-35-13. Penalty.

A person who violates any order, ordinance, or rule prescribed by any board of health or health officer or any rule adopted under this chapter is guilty of a class B misdemeanor.

Foundational Public Health Services



Health departments have a fundamental responsibility to provide public health protections and services in a number of areas, including: preventing the spread of communicable disease; ensuring food, air, and water quality are safe; supporting maternal and child health; improving access to clinical care services; and preventing chronic disease and injury. In addition, public health departments provide local protections and services specific to their community's needs.

Health departments serve their communities 24/7 and require access to a wide range of critical data sources, robust laboratory capacity, preparedness and policy planning capacity, partnerships with community, and expert staff to leverage them in support of public health protections.

The Foundational Public Health Services framework outlines the unique responsibilities of governmental public health and defines a minimum set of Foundational Capabilities and Foundational Areas that must be available in every community.



Community-specific Services are local protections and services that are unique to the needs of a community. These services are essential to that community's health and vary by jurisdiction.

Foundational Areas

Public health programs, or Foundational Areas, are basic public health, topic-specific programs and services aimed at improving the health of the community. The Foundational Areas reflect the minimum level of service that should be available in all communities.

Foundational Capabilities

Public health infrastructure consists of Foundational Capabilities that are the cross-cutting skills and capacities needed to support basic public health protections, programs, and activities key to ensuring community health, well-being and achieving equitable outcomes.

Foundational Capabilities

There are eight Foundational Capabilities that are needed in Public Health Infrastructure.

Assessment & Surveillance

- Ability to collect timely and sufficient foundational data to guide public health planning and decision making at the state and local level, including the personnel and technology that enable collection.
- Ability to collect, access, analyze, interpret, and use data from a variety of sources including granular data and data disaggregated by geography (e.g., census tract, zip code), sub-populations, race, ethnicity, and other variables that fully describe the health and well-being of a community and the factors that influence health.
- Ability to assess and analyze disparities and inequities in the distribution of disease and social determinants of health, that contribute to higher health risks and poorer health outcomes.
- Ability to prioritize and respond to data requests and translate data into information and reports that are valid, complete, statistically accurate, and accessible to the intended audiences.
- Ability to conduct a collaborative community or statewide health assessment and identify health priorities arising from that assessment, including analysis of root causes of health disparities and inequities.
- Ability to access 24/7 laboratory resources capable of providing rapid detection.
- Ability to participate in or support surveillance systems to rapidly detect emerging health issues and threats.
- Ability to work with community partners to collect, report and use public health data that is relevant to communities experiencing health inequities or ability to support community-led data processes.

Community Partnership Development

- Ability to create, convene, support, and sustain strategic, non-program specific relationships with key community groups or organizations representing populations experiencing health disparities or inequities; private businesses and health care organizations; relevant

federal, Tribal, state, and local government agencies; elected and non-elected officials.

- Ability to leverage and engage partnerships and community in equity solutions.
- Ability to establish and maintain trust with and authentically engage community members and populations most impacted by inequities in key public health decision-making and use community-driven approaches.
- Ability to convene across governmental agencies, such as departments of transportation, aging, substance abuse/mental health, education, planning and development, or others, to promote health, prevent disease, and protect community members of the health department's jurisdiction.
- Ability to engage members of the community and multi-sector partners in a community health improvement process that draws from community health assessment data and establishes a plan for addressing priorities. The community health improvement plan can serve as the basis for coordination of effort and resources across partners.

Equity

- Ability to strategically address social and structural determinants of health through policy, programs, and services as a necessary pathway to achieve equity.
- Ability to systematically integrate equity into each aspect of the FPHS, strategic priorities, and include equity-related accountability metrics into all programs and services.
- Ability to work collaboratively across the department and the community to build support for and foster a shared understanding of the critical importance of equity to achieve community health and well-being.
- Ability to develop and support staff to address equity.
- Ability to create a shared understanding of what creates health including structural and systemic factors that produce and reproduce inequities.

Organizational Competencies

- **Leadership & Governance:** Ability to lead internal and external stakeholders to consensus, with movement to action, and to serve as the face of governmental public health in the department's jurisdiction. Ability to directly engage in health policy development, discussion, and adoption with local, state, and national policymakers, and to define a strategic direction for public health initiatives, including the advancement of equity. Ability to prioritize and implement diversity, equity, and inclusion within the organization. Ability to engage with appropriate governing entities about the department's public health legal authorities and what new laws and policies might be needed. Ability to ensure diverse representation on public health boards and councils.
- **Information Technology Services, including Privacy & Security:** Ability to maintain and procure the hardware and software needed to access electronic health information to support the department's operations and analysis of health data. Ability to support, use, and maintain communication technologies and systems needed to interact with community members. Ability to have the proper systems and controls in place to keep health and human resources data confidential and maintain security of IT systems.
- **Workforce Development & Human Resources:** Ability to develop and maintain a diverse and inclusive workforce with the cross-cutting skills and competencies needed to implement the FPHS effectively and equitably. Ability to manage human resource functions including recruitment, retention, and succession planning; training; and performance review and accountability.
- **Financial Management, Contract, & Procurement Services, including Facilities and Operations:** Ability to establish a budgeting, auditing, billing, and financial system and chart of expense and revenue accounts in compliance with federal, state, and local standards and policies. Ability to secure grants or other funding (governmental and not) and demonstrate compliance with an audit required for the sources of funding utilized. Ability to procure, maintain, and manage safe facilities and efficient operations. Ability to leverage funding and ensure resources are allocated to address equity and social determinants of health.

- **Legal Services & Analysis:** Ability to access and appropriately use legal services in planning, implementing, and enforcing, public health initiatives, including relevant administrative rules and due process

Policy Development and Support

- Ability to serve as a primary and expert resource for establishing, maintaining, and developing basic public health policy recommendations that are evidence-based and grounded in law. This includes researching, analyzing, costing out, and articulating the impact of such policies and rules where appropriate, as well as the ability to organize support for these policies and rules and place them before an entity with the legal authority to adopt them.
- Ability to effectively inform and influence policies being considered by other governmental and non-governmental agencies that can improve the physical, environmental, social, and economic conditions affecting health but are beyond the immediate scope or authority of the governmental public health department.
- Ability to effectively advocate for policies that address social determinants of health, health disparities and equity.
- Ability to issue, promote compliance with or, as mandated, enforce compliance with public health regulations.

Accountability & Performance Management

- Ability to perform according to accepted business standards in accordance with applicable federal, state, and local laws and policies and assure compliance with national and Public Health Accreditation Board Standards.
- Ability to maintain a performance management system to monitor achievement of organizational objectives.
- Ability to identify and use evidence-based or promising practices when implementing new or revised processes, programs and/or interventions.
- Ability to maintain an organization-wide culture of quality and to use quality improvement tools and methods.
- Ability to create accountability structures and internal and external equity-related metrics to measure the equity impact of a department's efforts and performance.

Emergency Preparedness and Response

- Ability to develop, exercise, and maintain preparedness and response strategies and plans, in accordance with established guidelines, and to address a range of events including natural or other disasters, communicable disease outbreaks, environmental emergencies, or other events, which may be acute or occur over time.
- Ability to integrate social determinants of health, and actions to address inequities, including ensuring the protection of high-risk populations, into all plans, programs, and services.
- Ability to lead the Emergency Support Function 8 — Public Health & Medical for the county, region, jurisdiction, and state.
- Ability to activate the emergency response personnel and communications systems in the event of a public health crisis; coordinate with federal, state, and local emergency managers and other first responders, and private sector and non-profit partners; and operate within, and as necessary lead, the incident management system.
- Ability to maintain and execute a continuity of operations plan that includes a plan to access financial resources to execute an emergency and recovery response.
- Ability to establish and promote basic, ongoing community readiness, resilience, and preparedness by enabling the public to take necessary action before, during, or after a disaster, emergency, or public health event.
- Ability to issue and enforce emergency health orders.
- Ability to be notified of and respond to events on a 24/7 basis.
- Ability to access and utilize a Laboratory Response Network (LRN) Reference laboratory for biological agents and an LRN chemical laboratory at a level designated by CDC.

Communications

- Ability to maintain ongoing relations with local and statewide media including the ability to write a press release, conduct a press conference, and use electronic communication tools to interact with the media.
- Ability to effectively use social media to communicate directly with community members.
- Ability to appropriately tailor communications and communications mechanisms for various audiences.
- Ability to write and implement a routine communications plan and develop routine public health communications including to reach communities not traditionally reached through public health channels.
- Ability to develop and implement a risk communication strategy for communicating with the public during a public health crisis or emergency. This includes the ability to provide accurate and timely information and to address misconceptions and misinformation, and to assure information is accessible to and appropriate for all audiences.
- Ability to transmit and receive routine communications to and from the public in an appropriate, timely, and accurate manner, on a 24/7 basis.
- Ability to develop and implement a proactive health education/health communication strategy (distinct from risk communication) that disseminates timely and accurate information to the public designed to encourage actions to promote health in culturally and linguistically appropriate formats for the various communities served, including using electronic communication tools.

Foundational Areas

There are five Foundational Areas, also known as Public Health Programs. Social determinants of health and actions to address health inequities should be integrated throughout all activities.

Communicable Disease Control

- Provide timely, statewide, and locally relevant and accurate information to the health care system and community on communicable diseases and their control.
- Identify statewide and local communicable disease control community partners and their capacities, develop, and implement a prioritized communicable disease control plan, and ability to seek and secure funding for high priority initiatives.
- Receive laboratory reports and other relevant data; conduct disease investigations, including contact tracing and notification; and recognize, identify, and respond to communicable disease outbreaks for notifiable conditions in accordance with local, national, and state mandates and guidelines.
- Assure the availability of partner notification services for newly diagnosed cases of communicable diseases according to Centers for Disease Control and Prevention (CDC) guidelines.
- Assure the appropriate treatment of individuals who have reportable communicable diseases, such as TB, STIs, and HIV in accordance with local and state laws and CDC guidelines.
- Support the recognition of outbreaks and other events of public health significance by assuring capacity for the identification and characterization of the causative agents of disease and their origin, including those that are rare and unusual.
- Coordinate and integrate categorically-funded communicable disease programs and services.

Chronic Disease & Injury Prevention

- Provide timely, statewide, and locally relevant, complete, and accurate information to the health care system and community on chronic disease and injury prevention and control.
- Identify statewide and local chronic disease and injury prevention community partners and their capacities, develop, and implement a prioritized prevention plan, and ability to seek and secure funding for high priority initiatives.

- Reduce statewide and community rates of tobacco use through a program that conforms to standards set by state or local laws and CDC's Office on Smoking and Health, including activities to reduce youth initiation, increase cessation, and reduce secondhand exposure to harmful substances.
- Work actively with statewide and community partners to increase statewide and community rates of healthy eating and active living through a prioritized approach focusing on best and promising practices aligned with national, state, and local guidelines for healthy eating and active living.
- Coordinate and integrate categorically-funded chronic disease and injury prevention programs and services.

Environmental Public Health

- Provide timely, statewide, and locally relevant, complete, and accurate information to the state, health care system, and community on environmental public health threats and health impacts from common environmental or toxic exposures.
- Identify statewide and local community environmental public health partners and their capacities, develop, and implement a prioritized plan, and ability to seek and secure action funding for high priority initiatives.
- Conduct mandated environmental public health laboratory testing, inspections, and oversight to protect food, recreation sites, and drinking water; manage liquid and solid waste streams safely; and identify other public health hazards related to environmental factors in accordance with federal, state, and local laws and regulations.
- Protect workers and the public from chemical and radiation hazards in accordance with federal, state, and local laws and regulations.
- Participate in broad land use planning and sustainable development to encourage decisions that promote positive public health outcomes and resilient communities (e.g., housing and urban development, recreational facilities, transportation systems and climate change).
- Coordinate and integrate categorically-funded environmental public health programs and services.

Maternal, Child and Family Health

- Provide timely, statewide, and locally relevant, complete, and accurate information to the health care system and community on emerging and on-going maternal child health trends.
- Identify local maternal and child health community partners and their capacities; using life course expertise and an understanding of health disparities, develop a prioritized prevention plan; and ability to seek and secure funding for high priority initiatives.
- Identify, disseminate, and promote emerging and evidence-based early interventions in the prenatal and early childhood period that promote lifelong health and positive social-emotional development.
- Assure newborn screening as mandated by a state or local governing body including wraparound services, reporting back, following up, and service engagement activities.
- Coordinate and integrate categorically funded maternal, child, and family health programs and services.

Access to & Linkage with Care

- Provide timely, statewide, and locally relevant, complete, and accurate information to the health care system and community on access and linkage to clinical care (including behavioral health), healthcare system access, quality, and cost.
- Inspect and license healthcare facilities, and license, monitor, and discipline healthcare providers, where applicable.
- In concert with national and statewide groups and local providers of healthcare, identify healthcare partners and competencies, develop prioritized plans for increasing access to health homes and quality health care, and seek funding for high priority policy initiatives.

ND CENTURY CODE CHAPTER 23-35: PUBLIC HEALTH UNITS

Green denotes BBPH receives grant funds to support the service. May not cover the entire cost.

Blue denotes billable service via health insurance reimbursement, fees, employer pay, private pay. May not cover entire cost.

Brown denotes a non-billable service provided for public health and safety of the community.

ND Century Code: 23-35-08 - Services may not be withheld due to inability to pay.

23-35-02. Public Health Units – Core functions

1. All land in the state must be in a public health unit.
2. At a minimum, a public health unit shall provide the following core functions:

A. Communicable Disease control which must include:	Comments:
<p>A1. Conducting of disease surveillance for the purpose of preventing and controlling communicable disease, with assistance from the department.</p> <ul style="list-style-type: none"> • Tuberculosis (TB) screening and management of positive cases. • Treatment of latent TB (so it doesn't become active) through administration of medication and monitoring of side effects. • Direct observation therapy provided to active TB cases in the community. • Provide wrap around services for active TB cases in the community including food, lodging and basic needs to maintain isolation requirements of individuals. • Confidential STD/HIV/Hepatitis C testing, counseling, and treatment to all residents. • Surveillance and monitoring for new and ongoing emergency public health threats. <ul style="list-style-type: none"> • Review of student immunization records for Burleigh County Schools to ensure students are compliant with <u>state law</u>. 	<p>Receive grant funding to support these services.</p> <p>Non-billable service. Done for Burleigh County Schools only, Bismarck schools have their own nurses providing this service.</p>
<p>A2. Assurance of the availability of community-based programs to provide communicable disease prevention and control services.</p> <ul style="list-style-type: none"> • BBPH protects the community from communicable disease through administration of vaccines. All vaccines offered to all populations both in clinic and at offsite locations in the community (Vaccines for Children, Vaccines for Adults, Privately Purchased Vaccines) and maintain compliance with storage and handling, documentation requirements, and submission of data to the state health department including tracking of temperatures, documentation of lot numbers, and maintenance of storage equipment. The Vaccines for Children (VFC) program is a federally funded program that provides vaccines to children 0 through 18 years of age who are either Medicaid eligible, American Indian or Alaskan Native, uninsured or underinsured (a child whose health insurance benefit plan does not cover vaccines or a particular vaccine). 	<p>Billable service.</p>

<ul style="list-style-type: none"> • Travel vaccination administration. We are the only travel vaccine provider in the state outside of Fargo. Vaccines are required to travel to international locations, local clinics do not provide this service. • All recommended vaccines offered to all school staff and students in Bismarck and Burleigh County Schools in accordance with <u>state law</u>. • Infection control specialist/RN provides bloodborne pathogen training for BBPH staff and by request to departments and/or community organizations. • N-95 Mask Fit Testing provided to regional health care agencies and first responders to ensure protection from communicable disease. • Personal protective equipment (PPE) donning and doffing training for healthcare agencies and first responders to prevent exposure to communicable disease. 	<p>Billable service.</p> <p>Billable service Required by state law to attend school. Offered in schools and at BBPH office.</p> <p>Receive grant funding to support these services.</p>
<p>A3. Recognition, identification, and response to a communicable disease event, in collaboration with the department of health and human services.</p> <ul style="list-style-type: none"> • Investigate recreational water outbreaks in Burleigh County. • Manage the vector/mosquito control program for the City of Bismarck which includes placing light traps, tracking mosquito counts, fogging, and treating stagnant water to prevent vector borne illness. (West Nile, Zika). • Maintain records of the mosquito control pesticide applications and report to the state agriculture department. • Public health works with local health care facilities and community stakeholders to develop plans, conduct community exercises, and will respond to a communicable disease emergency such as the COVID-19 pandemic, H1N1 influenza pandemic, etc. For example, efforts during COVID-19 response included: established a Department Operations Center (DOC), engaged City departments to establish an EOC (Emergency Operations Center) to coordinate community response to the COVID pandemic. Duties included public education, contact tracing, COVID-19 testing by appointment, mass COVID-19 testing clinics, COVID-19 vaccinations by appointment, mass COVID vaccination clinics, COVID-19 homeless shelter operations and wrap around service coordination for food, lodging, medication, and basic needs supplies for COVID positive cases to maintain compliance with isolation. 	<p>Non-billable service. Environmental Health Specialists provide these services.</p> <p>Receive grant funding to support these services.</p>

B. Chronic disease and injury prevention, which must include conducting programs to reduce the burden of chronic disease and injury through policy, system, and environmental change approach; prevention screening; and education.

- Adult and Child Health Assessments at BBPH office scheduled with an RN.
- Health Tracks child health screening program which includes developmental screening, physical assessment, hearing and vision screening, orthodontic screening, and immunizations.
- Preventive health screenings for diabetes and heart disease prevention scheduled with an RN or Licensed Registered Dietician which includes blood glucose testing, cholesterol testing, and blood pressure checks.
- Blood pressure screening clinics in the community by request and blood pressure checks by appointment at BBPH office.
- Child passenger safety seat program at Bismarck-Burleigh Public Health. Includes education, inspection, and installation of car safety seats by a Certified Car Seat Technician.
- Worksite wellness program development assistance from a Licensed Registered Dietician and RN's.

- Public education by Registered Nurses or Licensed Registered Dietician on health prevention topics.

- Support and create livable communities that enable healthy living and prevent chronic disease.
- Address gaps in the community to ensure access to healthy food, physical activities for chronic disease prevention.

- Tobacco prevention education and tobacco cessation services for the community.
- Tobacco Prevention presentations and education to schools and colleges.
- Host annual Break Free Youth Action Summit for youth tobacco prevention education.
- Tobacco policy enforcement and compliance efforts. Assist public and private schools and colleges with comprehensive tobacco free policies.
- Partner with law enforcement to conduct tobacco compliance checks.
- Substance abuse prevention education in community including schools & service organizations.
- Organize public events with student committees to provide education to peers and parents about substance abuse prevention.

Billable services.

Non-billable service.

Receive limited/intermittent grant funding offset by general fund.

Receive grant funding to support these services.

<ul style="list-style-type: none"> • Host parent education events on warning signs and resources for substance abuse. • Tobacco Prevention/Substance Abuse Prevention/Behavioral Health Coalition management including (Bismarck Tobacco Free Coalition, Break Free Youth Board, DFC Advisory Committee/Student Committee, Burleigh-Morton Behavioral Health Coalition). • CPR/AED training courses offered by request. • Narcan training offered for community organizations and individuals. • Provide Opioid Education kits and Narcan Overdose kits to training participants. • Host prescription drug take back events to educate the public on proper disposal for unused medications and offer Deterra bags for at home medication disposal. • Provide Narcan supplies for emergency first responders. • Employee health and wellness program and services for City and County employees and area law enforcement agencies. Ensure compliance with ND Century Code for law enforcement health screenings. 	<p>Receive grant funding to support these services.</p> <p>Receive limited grant funding for wellness. Billable services. Cost savings for us to provide this service to law enforcement versus private clinic or another medical provider.</p>
<p>C. Environmental public health which must include:</p>	
<p>C1. Prevention of environmental hazards by the provision of information and education to facility operators and managers and to community members.</p> <ul style="list-style-type: none"> • Public Health Nuisance Complaints – A public health nuisance complaint is a condition which threatens the health of the public. Types of public health nuisance complaints investigated include junk storage, rodent harborage but do not include sewage/drainage or storm drainage types of complaints. • Air Quality – BBPH would act primarily in an advisory capacity and provide an onsite assessment if requested. • Investigate rental housing complaints, minimal habitability standards. • Food establishment and food service licensing and inspections • Tanning facility inspections • Lodging facility inspections • Public/Semi-Public Swimming Pool Inspections - BBPH would inspect public/semi-public swimming pools and license as applicable. • Special pet licensing 	<p>Non-billable service. Environmental Health Specialists provide these services.</p> <p>Licensing & permit fees support these services. Environmental Health Specialists provide these services.</p>

<p>C2. Assurance of the availability of environmental health services to prevent and respond to community and residential environmental hazards.</p> <ul style="list-style-type: none"> • Emergency planning and medication distribution for catastrophic and/or disaster situations utilizing Point of Dispensing (POD) plans. • Environmental health staff investigate bed bug and cockroach complaints; provide education on prevention and infestation removal. • Environmental Health Specialists and RNs are called upon for home inspections of vulnerable adults, hoarding situations, and child protective services visits. • RN's perform head lice checks and provide education and training for head lice screenings/head checks and proper protocols for head lice infestation. 	<p>Receive grant funding to support these services.</p> <p>Non-billable service.</p> <p>Nonbillable for Burleigh County Schools it's part of the Burleigh County contract. Billable service for appointments at BBPH.</p>
<p>D. Maternal, child, and family health, which must include:</p>	
<p>D1. Assessment and monitoring of maternal and child health status to identify and address problems.</p> <ul style="list-style-type: none"> • Vision/hearing screenings offered to school-aged children Burleigh County Schools. • Vision/hearing screenings scheduled at BBPH is a billable service. 	<p>Nonbillable for Burleigh County Schools it's part of the Burleigh County contract.</p> <p>Billable service for appointments at BBPH.</p>
<p>D2. Implementation of programs to promote the health of women, children and youth and their families through policy, system and environmental change approaches; prevention screenings; and education.</p> <ul style="list-style-type: none"> • Community and work site support to establish breastfeeding spaces for nursing mothers and provide support for policy development. • Nutrition and physical activity education and support for children and families. • Beyond Birth Education Program. RN's provide phone calls and home visits within 1-2 weeks of infant's birth as requested by the infant's mother. Visits are to assess both the baby and mother, assist with health concerns, and promote breastfeeding and. Height and weight checks are done on infants. 	<p>Receive limited/intermittent grant funding offset by general fund.</p> <p>Phone calls/education non-billable. Visit is billable service for Medicaid clients if a comprehensive assessment is done.</p>

<ul style="list-style-type: none"> • Hands-on breastfeeding education and support services provided by Certified Lactation Counselors and International Board-Certified Lactation Consultants to mothers. • Nurse Family Partnership Program – Trained RN’s regularly visit first-time moms, starting early in the pregnancy and continuing until the child’s second birthday. During these visits, RN’s Improve pregnancy outcomes by partnering with moms to engage in good preventive health practices, including thorough prenatal care from their healthcare providers, improving their diets and reducing any use of habit-forming substances; visits also improve child health and development by assisting families to provide responsible and competent care; and improve the economic self-sufficiency of the family by supporting parents to develop a vision for their own future, plan additional pregnancies, continue their education and find work. 	<p>Receive limited/intermittent grant funding offset by general fund. Non-billable service.</p> <p>Receive grant funding to support these services.</p>
<p>E. Access to clinical care, which must include:</p>	
<p>E1. Collaboration with health care system partners to foster access to clinical care.</p>	
<p>E2. Facilitation of linkages and referrals to appropriate clinical care, services and resources.</p> <ul style="list-style-type: none"> • Women’s Way breast and cervical cancer screening assistance available for individuals meeting age, income, and insurance guidelines. • Breast and cervical cancer coordination for diagnostic testing and treatment. • Case management and patient navigation services for Burleigh County residents who meet program eligibility guidelines. • Nurse Family Partnership Program • Home health maintenance nursing services. • Injections provided by RNs for mental health treatment and other medical conditions as ordered by physician. • Medication management services by an RN which includes setting up medication planners, coordination with medical providers, monitor for medication compliance with medications. • Medical foot care services for diabetics and individuals with peripheral vascular disease, elderly, and individuals with disabilities. • Social worker meets with health maintenance clients in their homes to discuss their needs and make referrals to services and resources within the community. 	<p>Receive grant funding to support these services.</p> <p>Billable services.</p> <p>Receive grant funding to support these services.</p>

The 10 Essential Public Health Services are not listed specifically in ND Century Code but serve as the national framework for carrying out the mission of public health in the communities we serve.

Other BBPH Roles/Responsibilities that Align with the 10 Essential Public Health Services:

- Community Health Needs Assessment completed every 3 years in collaboration with local hospitals to identify community health concerns and needs which informs the Community Health Improvement Plan and the department's Strategic Plan.
- BBPH fills gaps in health needs in the community identified through the community health needs assessment process.
- Participation and engagement with community service providers serving the vulnerable populations in the community including homelessness, housing, and case management.
- A physician health officer is required and appointed to serve the City and the County. The Health Officer serves as the medical director and issues standing orders with oversight for clinical services. This is done through a contract for service.

The 10 Essential Public Health Services

The 10 Essential Public Health Services provide a framework for public health to protect and promote the health of *all people in all communities*. Essential Public Health Services actively promote policies, systems, and overall community conditions that enable optimal health for all and seek to remove systemic and structural barriers that have resulted in health inequities.

1. Assess and monitor population health status, factors that influence health, and community needs and assets.
2. Investigate, diagnose, and address health problems and hazards affecting the population.
3. Communicate effectively to inform and educate people about health, factors that influence it, and how to improve it.
4. Strengthen, support, and mobilize communities and partnerships to improve health.
5. Create, champion, and implement policies, plans, and laws that impact health.
6. Utilize legal and regulatory actions designed to improve and protect the public's health.
7. Assure an effective system that enables equitable access to the individual services and care needed to be healthy.
8. Build and support a diverse and skilled public health workforce.
9. Improve and innovate public health functions through ongoing evaluation, research, and continuous quality improvement.
10. Build and maintain a strong organizational infrastructure for public health.

THE 10 ESSENTIAL PUBLIC HEALTH SERVICES

To protect and promote the health of all people in all communities

The 10 Essential Public Health Services provide a framework for public health to protect and promote the health of all people in all communities. To achieve equity, the Essential Public Health Services actively promote policies, systems, and overall community conditions that enable optimal health for all and seek to remove systemic and structural barriers that have resulted in health inequities. Such barriers include poverty, racism, gender discrimination, ableism, and other forms of oppression. Everyone should have a fair and just opportunity to achieve optimal health and well-being.



ESSENTIAL PUBLIC HEALTH SERVICE #1

Assess and monitor population health status, factors that influence health, and community needs and assets

ESSENTIAL PUBLIC HEALTH SERVICE #2

Investigate, diagnose, and address health problems and hazards affecting the population

ESSENTIAL PUBLIC HEALTH SERVICE #3

Communicate effectively to inform and educate people about health, factors that influence it, and how to improve it

ESSENTIAL PUBLIC HEALTH SERVICE #4

Strengthen, support, and mobilize communities and partnerships to improve health

ESSENTIAL PUBLIC HEALTH SERVICE #5

Create, champion, and implement policies, plans, and laws that impact health

ESSENTIAL PUBLIC HEALTH SERVICE #6

Utilize legal and regulatory actions designed to improve and protect the public's health

ESSENTIAL PUBLIC HEALTH SERVICE #7

Assure an effective system that enables equitable access to the individual services and care needed to be healthy

ESSENTIAL PUBLIC HEALTH SERVICE #8

Build and support a diverse and skilled public health workforce

ESSENTIAL PUBLIC HEALTH SERVICE #9

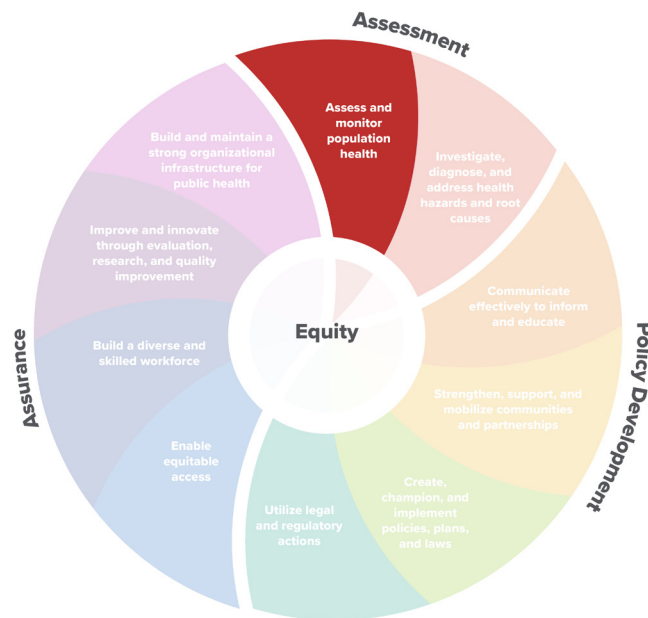
Improve and innovate public health functions through ongoing evaluation, research, and continuous quality improvement

ESSENTIAL PUBLIC HEALTH SERVICE #10

Build and maintain a strong organizational infrastructure for public health

ESSENTIAL PUBLIC HEALTH SERVICE #1

Assess and monitor population health status, factors that influence health, and community needs and assets

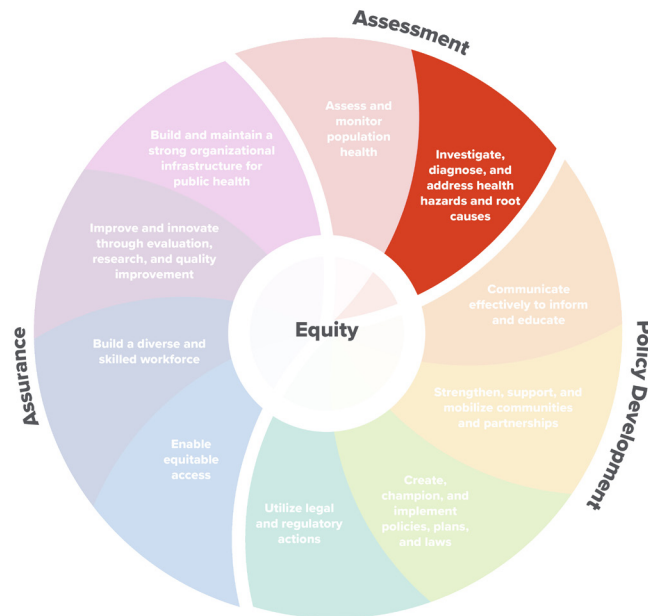


THIS SERVICE INCLUDES:

- **Maintaining an ongoing understanding of health** in the jurisdiction by collecting, monitoring, and analyzing data on health and factors that influence health to identify threats, patterns, and emerging issues, with a particular emphasis on disproportionately affected populations
- **Using data and information** to determine the root causes of health disparities and inequities
- **Working with the community** to understand health status, needs, assets, key influences, and narrative
- **Collaborating and facilitating data sharing** with partners, including multi-sector partners
- **Using innovative technologies**, data collection methods, and data sets
- **Utilizing various methods and technology** to interpret and communicate data to diverse audiences
- **Analyzing and using disaggregated data** (e.g., by race) to track issues and inform equitable action
- **Engaging community members** as experts and key partners

ESSENTIAL PUBLIC HEALTH SERVICE #2

Investigate, diagnose, and address health problems and hazards affecting the population

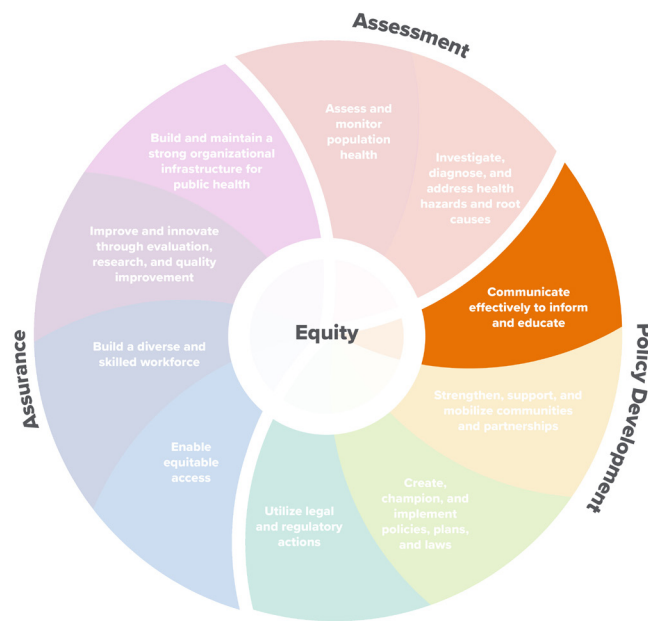


THIS SERVICE INCLUDES:

- **Anticipating, preventing, and mitigating emerging health threats** through epidemiologic identification
- **Monitoring real-time health status and identifying patterns** to develop strategies to address chronic diseases and injuries
- **Using real-time data** to identify and respond to acute outbreaks, emergencies, and other health hazards
- **Using public health laboratory capabilities and modern technology** to conduct rapid screening and high-volume testing
- **Analyzing and utilizing inputs** from multiple sectors and sources to consider social, economic, and environmental root causes of health status
- **Identifying, analyzing, and distributing information** from new, big, and real-time data sources

ESSENTIAL PUBLIC HEALTH SERVICE #3

Communicate effectively to inform and educate people about health, factors that influence it, and how to improve it

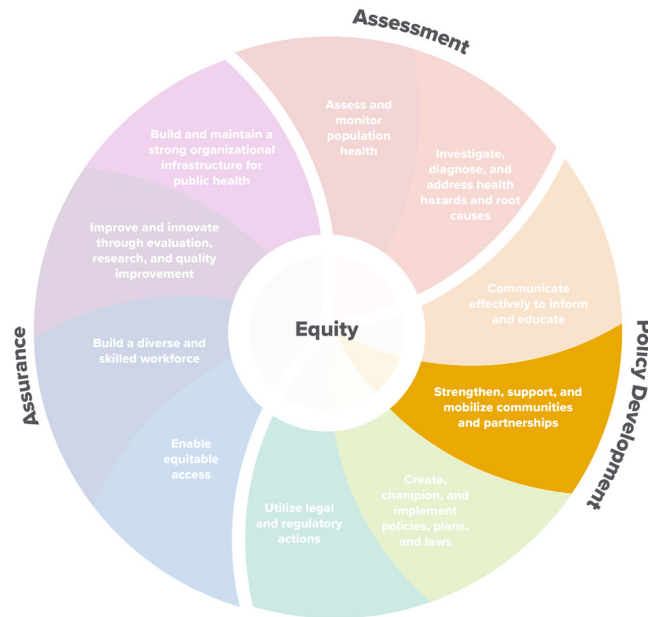


THIS SERVICE INCLUDES:

- **Developing and disseminating accessible health information** and resources, including through collaboration with multi-sector partners
- **Employing the principles of risk communication, health literacy, and health education** to inform the public, when appropriate
- **Communicating with accuracy and necessary speed**
- **Actively engaging in two-way communication** to build trust with populations served and ensure accuracy and effectiveness of prevention and health promotion strategies
- **Using appropriate communications channels** (e.g., social media, peer-to-peer networks, mass media, and other channels) to effectively reach the intended populations
- **Ensuring public health communications and education efforts are asset-based** when appropriate and do not reinforce narratives that are damaging to disproportionately affected populations
- **Developing and deploying culturally and linguistically appropriate and relevant communications** and educational resources, which includes working with stakeholders and influencers in the community to create effective and culturally resonant materials

ESSENTIAL PUBLIC HEALTH SERVICE #4

Strengthen, support, and mobilize communities and partnerships to improve health

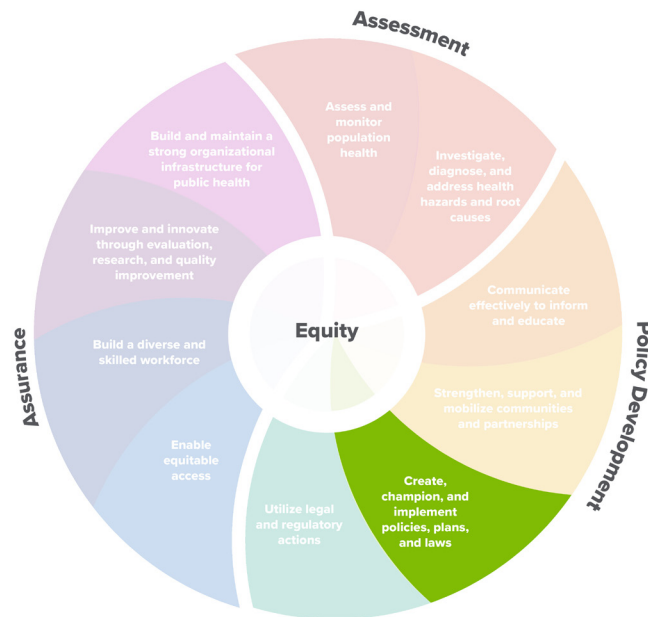


THIS SERVICE INCLUDES:

- **Convening and facilitating multi-sector partnerships** and coalitions that include sectors that influence health (e.g., planning, transportation, housing, education, etc.)
- **Fostering and building genuine, strengths-based relationships** with a diverse group of partners that reflect the community and the population
- **Authentically engaging with community members** and organizations to develop public health solutions
- **Learning from, and supporting, existing community partnerships** and contributing public health expertise

ESSENTIAL PUBLIC HEALTH SERVICE #5

Create, champion, and implement policies, plans, and laws that impact health

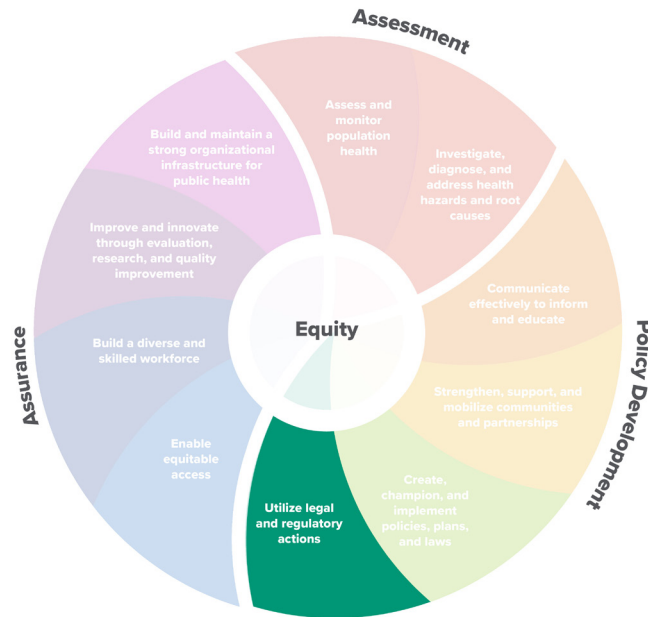


THIS SERVICE INCLUDES:

- **Developing and championing policies, plans, and laws** that guide the practice of public health
- **Examining and improving existing policies, plans, and laws** to correct historical injustices
- **Ensuring that policies, plans, and laws provide a fair and just opportunity for all** to achieve optimal health
- **Providing input into policies, plans, and laws** to ensure that health impact is considered
- **Continuously monitoring and developing policies, plans, and laws** that improve public health and preparedness and strengthen community resilience
- **Collaborating with all partners**, including multi-sector partners, to develop and support policies, plans, and laws
- **Working across partners and with the community** to systematically and continuously develop and implement health improvement strategies and plans, and evaluate and improve those plans

ESSENTIAL PUBLIC HEALTH SERVICE #6

Utilize legal and regulatory actions designed to improve and protect the public's health

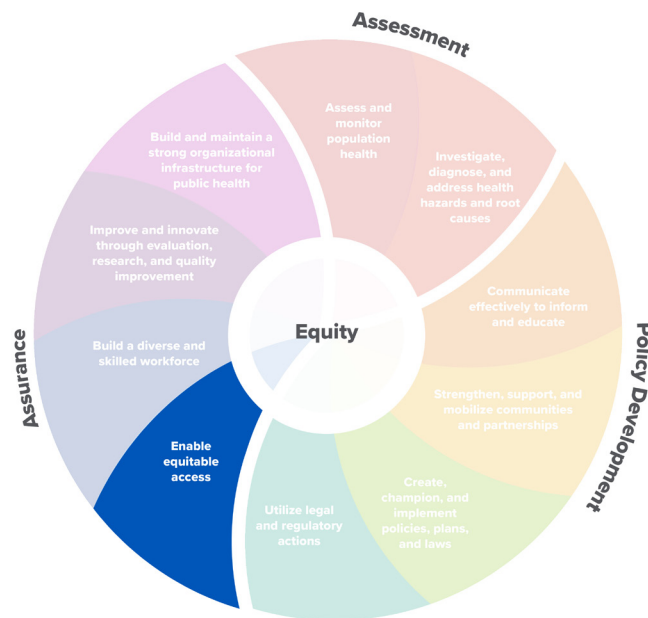


THIS SERVICE INCLUDES:

- **Ensuring that applicable laws are equitably applied** to protect the public's health
- **Conducting enforcement activities** that may include, but are not limited to sanitary codes, especially in the food industry; full protection of drinking water supplies; and timely follow-up on hazards, preventable injuries, and exposure-related diseases identified in occupational and community settings
- **Licensing and monitoring the quality of healthcare services** (e.g., laboratory, nursing homes, and home healthcare)
- **Reviewing new drug, biologic, and medical device applications**
- **Licensing and credentialing the healthcare workforce**
- **Including health considerations in laws from other sectors** (e.g., zoning)

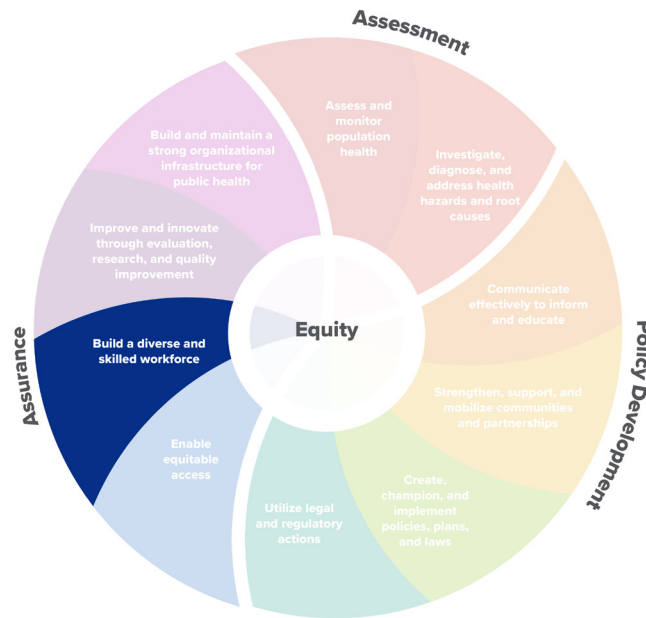
ESSENTIAL PUBLIC HEALTH SERVICE #7

Assure an effective system that enables equitable access to the individual services and care needed to be healthy



THIS SERVICE INCLUDES:

- **Connecting the population to needed health and social services** that support the whole person, including preventive services
- **Ensuring access to high-quality and cost-effective healthcare and social services**, including behavioral and mental health services, that are culturally and linguistically appropriate
- **Engaging health delivery systems** to assess and address gaps and barriers in accessing needed health services, including behavioral and mental health
- **Addressing and removing barriers to care**
- **Building relationships with payers and healthcare providers**, including the sharing of data across partners to foster health and well-being
- **Contributing to the development of a competent healthcare workforce**

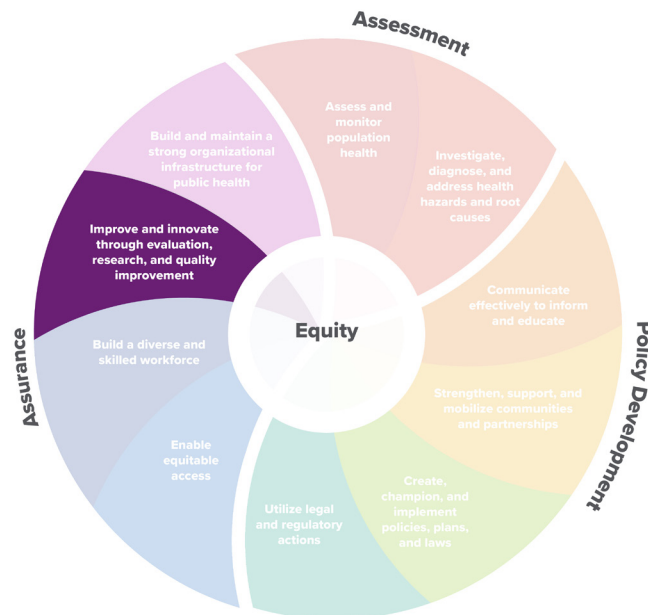


THIS SERVICE INCLUDES:

- **Providing education and training** that encompasses a spectrum of public health competencies, including technical, strategic, and leadership skills
- **Ensuring that the public health workforce is the appropriate size** to meet the public’s needs
- **Building a culturally competent public health workforce and leadership** that reflects the community and practices cultural humility
- **Incorporating public health principles in non-public health curricula**
- **Cultivating and building active partnerships with academia and other professional training programs** and schools to assure community-relevant learning experiences for all learners
- **Promoting a culture of lifelong learning in public health**
- **Building a pipeline of future public health practitioners**
- **Fostering leadership skills at all levels**

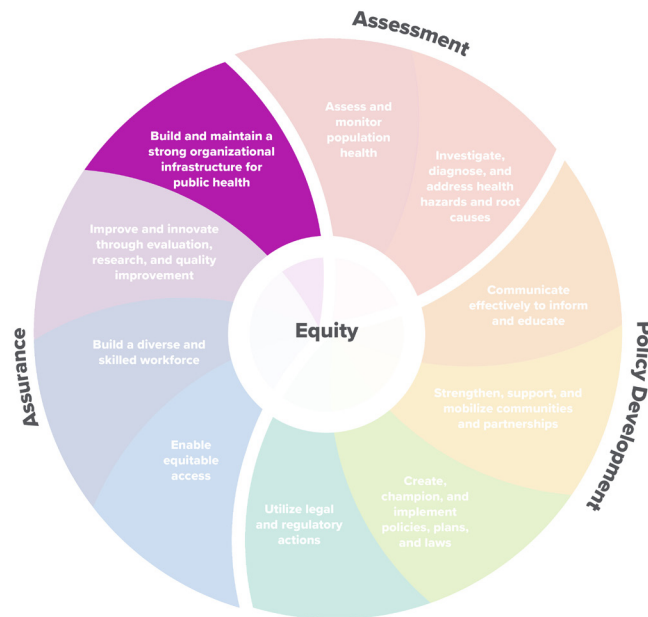
ESSENTIAL PUBLIC HEALTH SERVICE #9

Improve and innovate public health functions through ongoing evaluation, research, and continuous quality improvement



THIS SERVICE INCLUDES:

- **Building and fostering a culture of quality** in public health organizations and activities
- **Linking public health research with public health practice**
- **Using research, evidence, practice-based insights, and other forms of information to inform decision-making**
- **Contributing to the evidence base** of effective public health practice
- **Evaluating services, policies, plans, and laws continuously** to ensure they are contributing to health and not creating undue harm
- **Establishing and using engagement and decision-making structures** to work with the community in all stages of research
- **Valuing and using qualitative, quantitative, and lived experience as data and information** to inform decision-making



THIS SERVICE INCLUDES:

- **Developing an understanding of the broader organizational infrastructures and roles** that support the entire public health system in a jurisdiction (e.g., government agencies, elected officials, and non-governmental organizations)
- **Ensuring that appropriate, needed resources are allocated equitably** for the public's health
- **Exhibiting effective and ethical leadership, decision-making, and governance**
- **Managing financial and human resources effectively**
- **Employing communications and strategic planning capacities and skills**
- **Having robust information technology services** that are current and meet privacy and security standards
- **Being accountable, transparent, and inclusive** with all partners and the community in all aspects of practice

The 10 Essential Public Health Services

Glossary

Community is a group of people who have common characteristics; communities can be defined by location, race, ethnicity, age, occupation, interest in particular problems or outcomes, or other similar common bonds. Ideally, there would be available assets and resources, as well as collective discussion, decision-making and action. (Turnock, BJ. *Public Health: What It Is and How It Works*. Jones and Bartlett, 2009)

Equity is defined as a fair and just opportunity for all to achieve good health and well-being. This requires removing obstacles to health such as poverty and discrimination and their consequences, including powerlessness and lack of access to good jobs with fair pay, quality education and housing, safe environments, and healthcare. It also requires attention to health inequities, which are differences in population health status and mortality rates that are systemic, patterned, unjust, and actionable, as opposed to random or caused by those who become ill.

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. The bibliographic citation for this definition is: Preamble to the Constitution of WHO as adopted by the International Health Conference, New York, 19 June - 22 July 1946; signed on 22 July 1946 by the representatives of 61 States (Official Records of WHO, no. 2, p. 100) and entered into force on 7 April 1948. The definition has not been amended since 1948.

Healthcare sector is defined as entities that provide clinical services, mental health services, oral health services, provide or pay for services for individuals, or facilitate the provision of services to individuals. Entities in this sector may include hospitals, health systems, health plans, health centers, behavioral health providers, oral health providers, etc. **Law(s)** refer to the aggregate of statutes, ordinances, regulations, rules, judicial decisions, and accepted legal principles that the courts of a particular jurisdiction apply in deciding controversies brought before them. The law consists of all legal rights, duties, and obligations that can be enforced by the government (or one of its agencies) and the means and procedures for enforcing them. (Garner, B.A. editor. *Black's Law Dictionary*. 8th ed. West Group; 2004)

Law(s) refer to the aggregate of statutes, ordinances, regulations, rules, judicial decisions, and accepted legal principles that the courts of a particular jurisdiction apply in deciding controversies brought before them. The law consists of all legal rights, duties, and obligations that can be enforced by the government (or one of its agencies) and the means and procedures for enforcing them. (Garner, B.A. editor. *Black's Law Dictionary*. 8th ed. West Group; 2004)

Population health is the health outcomes of a group of individuals, including the distribution of such outcomes within the group. The field of population health includes health outcomes, patterns of health determinants, and policies and interventions that link these two. Population health approaches are community or policy non-clinical approaches that aim to improve health and wellbeing of a group of individuals. This differs from population health management which refers to improving clinical health outcomes of individuals through improved care coordination and patient engagement supported by appropriate financial and care models. (Adapted from Kindig and Stoddart).

The 10 Essential Public Health Services

Glossary

Public health is defined as the science of protecting the safety and improving the health of communities through education, policy making and research for disease and injury prevention. (CDC Foundation).

Research is a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalized knowledge. (United States Department of Health and Human Services. *Healthy People 2020*. Washington, DC)

- Community-based Participatory Research (CBPR) is a collaborative approach to research that equitably involves all partners in the research process and recognizes the unique strengths that each brings. CBPR begins with a research topic of importance to the community, has the aim of combining knowledge with action and achieving social change to improve health outcomes and eliminate health disparities. (W. K. Kellogg Foundation, Community Health Scholars Program, 2001 quotes from Minkler M, and Wallerstein N, editors. *Community-Based Participatory Research for Health*. San Francisco, CA: Jossey-Bass Inc.; 2003)

To view the complete 10 Essential Public Health Services, visit <https://phnci.org/uploads/resource-files/EPHS-English.pdf>.

ITEM

9



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

May 6, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order.
2. Roll call of members
3. Approval of October 2, 2023, minutes, and March 18, 2024, minutes and bills.
4. Driscoll Park.
5. Kimball Bottoms.
6. Kniefel Boat ramp.
7. Other Business.
8. Adjourn.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the April 15, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Second access permits.

6. County Engineer Hall:
 - a. **PUBLIC HEARING** on petition to vacate section line.
7. County Planning Director Flanagan:
 - a. Baker Subdivision final plat.
 - b. **PUBLIC HEARING** on amendment to the Burleigh County Zoning Ordinance.
8. County Sheriff Leben:
 - a. Retirement Release of Law enforcement K-9.
 - b. Burleigh East Renovation Project.
9. Finance Director Jacobs:
 - a. County Jail maintenance fund.
 - b. Burleigh/Morton County Detention Center bond update.
 - c. Budget Committee/hearings.
10. States Attorney Lawyer:
 - a. Request to convert an Attorney I position into an Investigator position.
11. Comm. Munson:
 - a. Request for funding for the Lewis and Clark Development group.
 - b. Missouri Valley Complex Committee request.
12. Chairman Bitner:
 - a. ETA Stormwater drainage.
 - b. Carbon Capture utilization and storage, Pipeline update.
13. Auditor/Treasurer Splonskowski:
 - a. Bids for the Missouri Valley Complex farmland.
14. Other Business.
15. Adjourn.

BURLEIGH COUNTY WEED BOARD.

1. Meeting called to order.
2. Roll call of members.
3. Approval of the January 17th, 2024, meeting minutes.
4. Discussion on weed officer position and contracted applicator services.
5. Other business.

6. Adjourn.

7. The next regularly scheduled Commission meeting will be on May 20th, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
OCTOBER 2ND, 2023**

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

Vice Chair Bitner called the Burleigh County Park Board meeting to order.

Roll call of members: Commissioners Behm, Woodcox, Munson, Schwab, Herman, and Vice Chair Bitner present. Chairman Bakken was absent.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the Aug. 21st, 2023 meeting minutes and bills. All members present voted "AYE". Motion carried.

Dave Mayer brought an update on the county docks. He stated that the Army Corps reduced the flows out of the Garrison and the docks have been adjusted out and down as far as they can go for the rest of the season. The courtesy dock (T-dock) out at Kniefel is going to be removed shortly as it is sitting on sand and unusable. Everything else is going well.

Meeting adjourned.

Mark Splonskowski, County Auditor/Treasurer

Steve Bakken, Chairman

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
MARCH 18, 2024**

5:00 P.M

Chairman Bitner called the Burleigh County Park Board meeting to order.

A roll call of members: Commissioners Herman, Woodcox, Munson, Bakken, Schwab, Behm and Chairman Bitner present.

Comm. Munson presented a request from ND Game and Fish to place a boat cleaning station at Kniefel Boat ramp. Motion by Comm. Munson 2nd by Comm. Bakken to allow Game and Fish to locate a CD3 waterless cleaning device at Kniefel Boat ramp. City Parks Director Dave Mayer stated that he would work with Game and Fish to determine the best placement for the system. All members present voted, "AYE." Motion carried.

Dave Mayer presented information to the board on the need for dredging at the Kimbal Bottoms boat ramp. They have 404 permit completed to submit to the Army Corps of Engineers so they can hopefully get it done in May. He will get quotes on the work and present them to the Board before having it done. Comm. Munson stated he wanted this discussed just to give the Board an update on the issue. No action was taken on this item.

Comm. Munson mentioned that on June 14th, there will be a time capsule unearthed at Driscoll Park.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

Addenda item for Park Board May 6th Meeting

Action Requested: Driscoll Sibley Park

In order to prepare for the June 14th Time Capsule opening, we should discuss the park and the possible items that could be addressed prior that date.

Action needed:

I request approval make the necessary repairs.

Driscoll Sibley Park





Possible sign replacement from Department of Interior?



Clean shelters and replace roofs



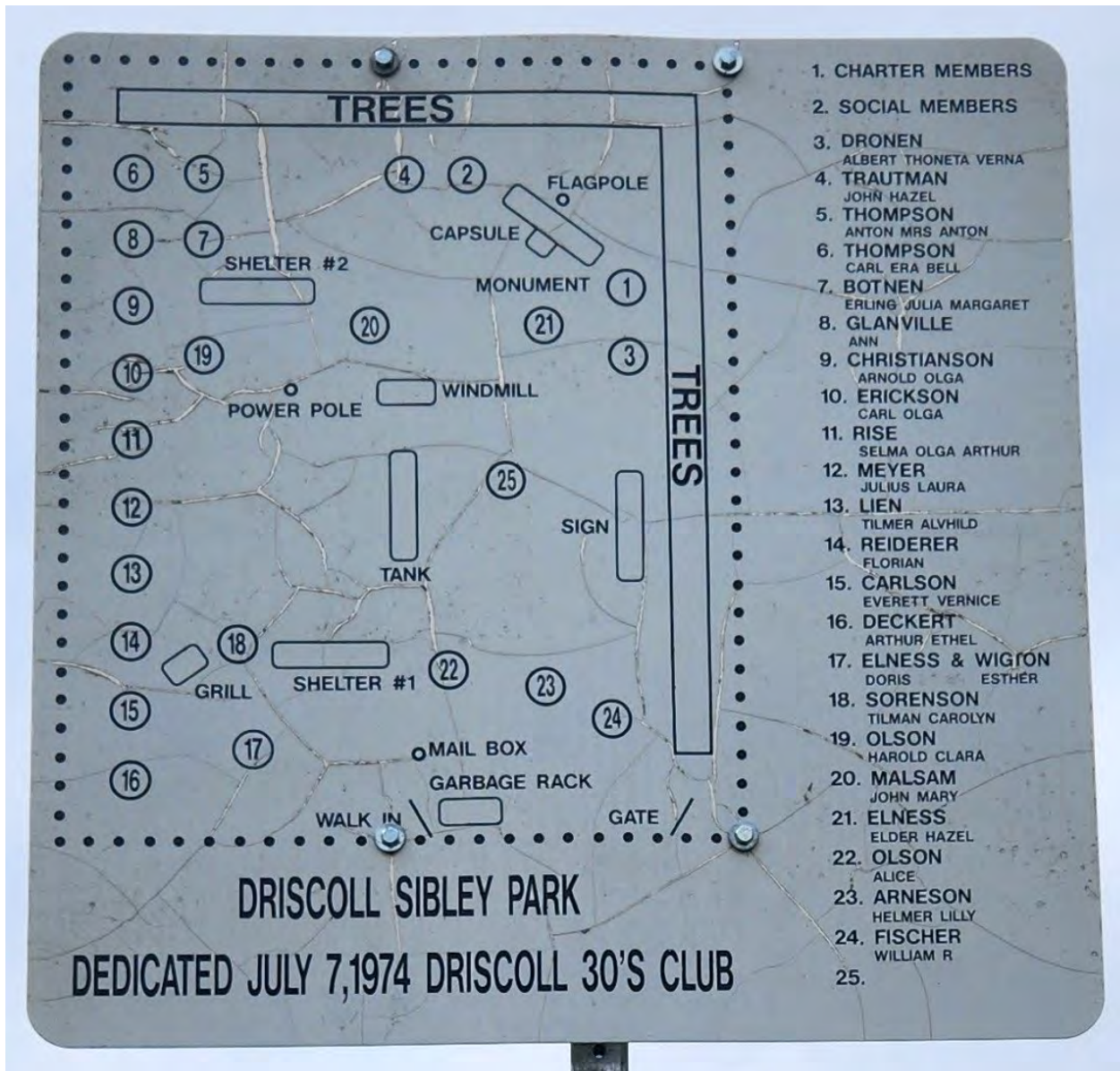
Replace flag ASAP. Check light at top.



Repair or replace (broken on the bottom)



Remove bush before there is pole interference.



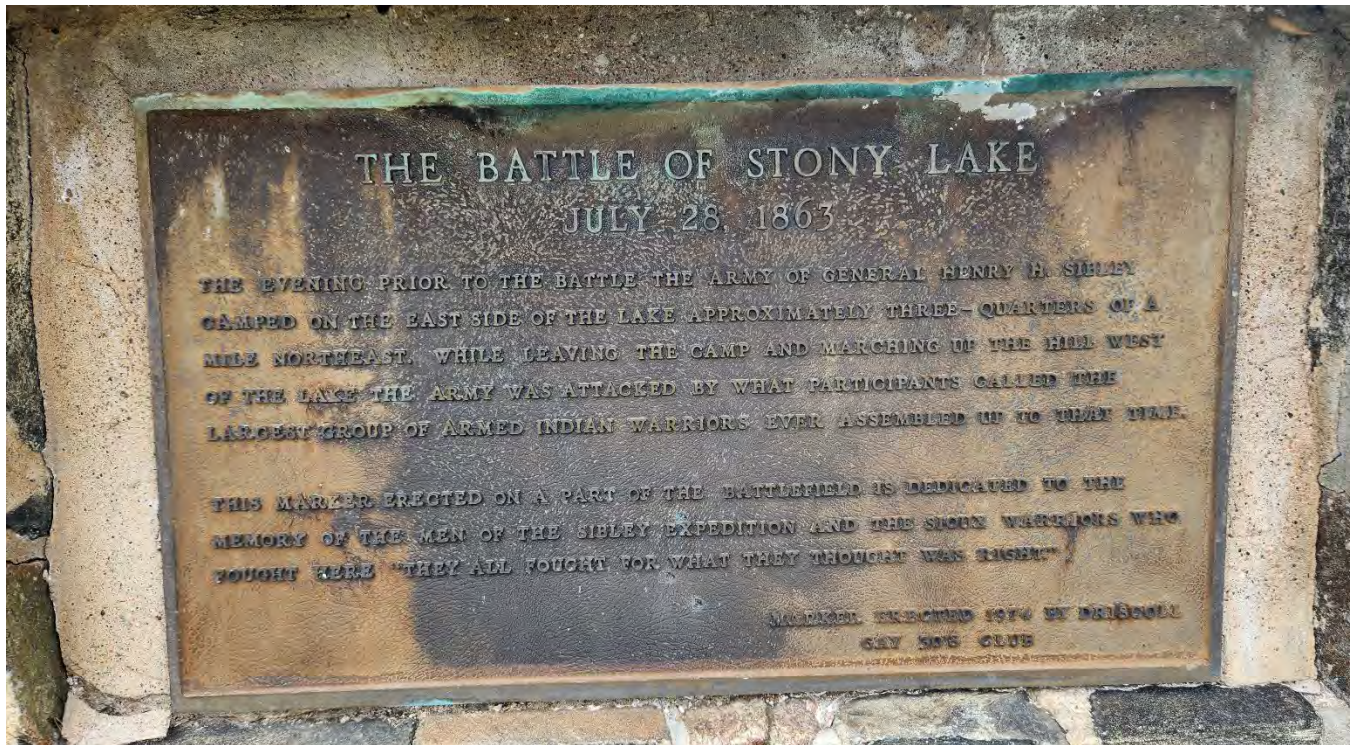
Preserve with overlay (if possible) or replace



Refresh



Remove windmill or repair.
Blades are laying all over the park and in the water trough.



Refresh if possible

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

APRIL 15TH, 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, Bakken, Schwab and Chairman Bitner were present.

Chairman Bitner presented to the Commissioners that he had made a mistake concerning the abatements from last meeting's (April 1st, 2024) consent agenda. Bitner failed to see the two tax abatements that were filed under his name as well as his company's. Bitner stated that had he reviewed the consent agenda, he would've stated a potential conflict of interest to the Commission and proceed accordingly then. Bitner temporarily transferred chairmanship over to the Comm. Bakken to preside. Motion by Comm. Munson, 2nd by Comm. Woodcox to revisit last meeting's abatements. Bakken, Munson, Schwab, & Woodcox voted "AYE"; Bitner abstained. Motion carried. On discussing about a potential conflict of interest, Comm. Woodcox made a motion that due to the presence of a monetary value involved, Bitner should recuse himself from voting on re-approving last meeting's abatements. Bitner agreed to recuse himself, and Comm. Munson 2nd the motion. Bakken, Munson, Schwab, & Woodcox voted "AYE. Motion carried. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve last meeting's abatements – including Bitner's – with the abstention of Bitner from the vote. Bakken, Munson, Schwab, & Woodcox voted "AYE. Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the meeting agenda. Bakken, Munson, Schwab, & Woodcox voted "AYE" Chairman Bitner, Abstained. Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the April 1st, 2024 meeting minutes and bills with the correction. Bakken, Munson, Schwab, & Woodcox voted "AYE" Bitner Abstained . 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Jack Basaraba	2023	Lot 6, Block 3, North Hills 1st	Error in property description	\$408,400	\$369,900
Raymond R Erickson	2023	E 80' of Lots 14-16, Block 19, Fisher	90% Disabled Veteran	\$218,400	\$56,400
Jerry F Anderson & Karen F Syvertson	2022	Block 12, Northern Pacific, S 50' Lot 7 E 10' of N 25' of Lot 7 & E 10' of Lot 8	Error in property description	\$272,600	\$259,700

Jerry F Anderson & Karen F Syvertson	2023	Block 12, Northern Pacific, S 50' Lot 7 E 10' of N 25' of Lot 7 & E 10' of Lot 8	Error in property description	\$277,500	\$264,600
Patrick Grumley & Toni Mathias-Grumley	2022	Lot 6, Block 1, High Meadows 2nd	50% Disabled Veteran	\$420,600	\$330,600
Patrick Grumley & Toni Mathias-Grumley	2023	Lot 6, Block 1, High Meadows 2nd	50% Disabled Veteran	\$501,600	\$411,600
Burton & Sheri Ann Whitmire	2023	Lot 37, Block 22, Cliffords Subdivision	Error in property description	\$307,600	\$257,700
Allen Landeis	2023	Lot 1, Block 8, Skyline Estates	50% Homestead Credit	\$267,500	\$167,500
Marvin M Herauf	2022	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,112	\$0
Marvin M Herauf	2023	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,918	\$0
Marvin M Herauf	2024	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,918	\$0
Lawrence & Judith Fleckenstein	2023	Lot 8, Block 30, Wachter's 3rd	100% Homestead Credit	\$131,900	\$0
Dan P & Carol J Baillie	2023	Block 50, Northern Pacific 2nd, W 50' of E 100' of Lots 5-6	50% Homestead Credit	\$172,500	\$86,250
Robert Shjeflo	2023	Lot 13, Block 3, Replat of Calkins	50% Homestead Credit	\$218,700	\$118,700
Irma M Bitner	2023	Lot 1 in SE1/4 less Aud Lot A 29-139-79	50% Homestead Credit	\$284,600	\$184,600
Michael & Della Feist	2023	Lot 7, Block 2, Crescent Ridge 2nd	50% Homestead Credit	\$287,700	\$187,700
Leila Rewald	2024	1996 Friendship 28 x 52, #MY961544AB	50% Homestead Credit	\$44,816	\$22,408
Muriel Dienert	2023	Lot 7, Block 3, Mees Country Home Estates	100% Homestead Credit	\$333,600	\$133,600
Sonja Welder	2023	Block 1, Gateway Commons, Auditors Lot A the Sheraton Condominium Unit 2F	100% Homestead Credit	\$148,500	\$0
Russel & Ardith Wahl	2023	Block 1, Gateway Commons, Auditors Lot C of Lot 20 Sheraton Condominiums III Unit 306	50% Homestead Credit	\$195,300	\$97,650

John & Diane Sperle	2023	Lot 27, Block 3, Eastside Heights	50% Homestead Credit	\$256,000	\$156,000
Kenneth & Ginny Schwartz	2023	Lot 13, Block 8, Casey's 2nd	50% Homestead Credit	\$310,800	\$210,800
Michael & Karen Lalonde	2023	Lot 13, Block 11, Meadow Valley 3rd	50% Homestead Credit	\$321,400	\$221,400
Charles & Suzanna Hitchcock	2023	Block 20, Park Hill (aud lots), beg 92.5' N & 10' E of SW cor of Aud Lot 20, th E 54.7' N 7.5' E 94.3' N 125' W 149' S 132.5' to pt of beg	100% Homestead Credit	\$275,300	\$75,300
Laure & Barbara Lea Goetz	2023	Lot 12. Block 1, Edgewood Village 2nd Add	50% Homestead Credit	\$351,000	\$251,000
Casper & Leona Glaser	2023	Lot 6, Block 1, Tatley Meadows VII	100% Homestead Credit	\$292,300	\$92,300
Barbara Blaine	2023	Block 2, Pebble Creek Addition, Auditors Lot 1634 of Lot 2 Mapleton Place Condominiums Unit 5	100% Homestead Credit	\$192,200	\$0
Andrew Haldorson	2023	Lot 22, Block 18, Homan Acres 4th	50% Homestead Credit	\$348,500	\$248,500
Robert Lussenden	2023	Lot 2, Block 4, West Heart Estates	50% Homestead Credit	\$423,800	\$323,800
Michael Christenson	2023	Block 5, Casey's 1st, Lot 2 + N 10' of vac alley adj the 1160 condo unit 3	100% Homestead Credit	\$142,600	\$0
Mary Ann Metcalf	2023	Block 3, Nagel's 5th, Auditor's Lot J in pt of Lots 3-4	50% Homestead Credit	\$259,500	\$159,500
Anne Reynolds	2023	Lot 4, Block 20, Washington Heights 5th	50% Homestead Credit	\$272,300	\$172,300
Richard & Bernice Schmidt	2023	Block 6, Haight & Little's, W 70' of Lots 1-3 and W 70' of N 20' of Lot 4	50% Disabled Persons Credit	\$263,600	\$163,600
Kathleen Diann Schulz	2023	Block 3, Southbay 2nd Addition, Lot 126 A & undivded interest in common areas	50% Homestead Credit	\$428,900	\$328,900
Carl & Malette Young	2024	1979 Rollohome 52 x 28, #33998	50% Homestead Credit	\$16,162	\$8,081
Derald J Horn Sr	2024	1982 Champion 48 x 24, 0520028664	50% Homestead Credit	\$14,462	\$7,231
Dennis Wolf	2023	Lot 5, Block 2, Shamrock Acres Second	50% Homestead Credit	\$235,300	\$135,300
Michael Henley	2023	Lot 6, Block 8, Fort Lincoln Est #2	50% Homestead Credit	\$187,000	\$87,000

Richard & Marlene Muse	2024	2006 Friendship 56 x 28, #MY062875AB	100% Homestead Credit	\$86,632	\$0
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Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Basaraba, Erickson, Syvertson (2), Mathias-Grumley (2), Whitmire, Landeis, Herauf (3), Fleckenstein, Baillie, Shjeflo, Bitner, Feist, Rewald, Dienert, Welder, Wahl, Sperle, Schwartz, Lalonde, Hitchcock, Goetz, Glaser, Blaine, Haldorson, Lussenden, Christenson, Metcalf, Reynolds, Schmidt, Schulz, Young, Horn, Wolf, Henley, Muse, Davidson, and Feist abatements plus the remainder of the consent agenda in its entirety. Bakken, Munson, Schwab, & Woodcox "AYE". Motion carried. Chairmanship was then transferred back to Bitner.

Lewis & Clark Development Group Executive Director Bret Ekstrom approached the Commission and explained that the Lewis & Clark Development Group plays a large role in the spurring of job creation, housing, and general economic development within Burleigh County. Ekstrom highlighted some of the projects the Lewis & Clark Development Group has done in Burleigh County, including several new workforce housing units and the homeless shelter. He emphasized that these couldn't have been done without financial support from Burleigh County. Ekstrom concluded by asking the Commission to reconsider and revise the County budget to allot funds to continue paying dues to the Lewis & Clark Development Group. Comm. Bakken disclosed to the Commission that since the last budget meeting when the Commission had voted on the Lewis & Clark Development Group, Bakken became an employee of UTTC of which they're a part of the Lewis & Clark Development Board, which also runs through his office. After some deliberation it was decided by the Commissioners that there was no conflict of interest for either Comm Bakken or the Commission. Motion by Comm. Munson, 2nd by Comm. Woodcox to affirm that any action taken regarding the Lewis & Clark Development Group does not create a conflict of interest for Comm. Bakken or the county. Bitner, Munson, Schwab, & Woodcox "AYE". Motion carried. Comm. Schwab asked Ekstrom why they Lewis & Clark Development Group listed grant and loan amounts together rather than separately. Ekstrom responded stating that economic development projects are classified as loans, and things like public facilities and housing are grant funds. No grants are given to businesses, only low interest loans. Comm. Woodcox inquired how much money county citizens pay and how is it split for projects in cities like Lincoln or Wing. Outside of interest and fees, Ekstrom explained that in terms of public funding the Lewis & Clark Development Group only gets funds from the counties and some grants from the federal government through the state. Ekstrom explained that the Lewis & Clark Development Group is there to "make the banks comfortable" by helping borrowers make down payments with collateral so that the banks end up funding the lion's share of the deal. Chairman Bitner stated that the Commission can decrease a budget but not increase it, so its just not possible (or legal) for the Commission to go back and adjust the budget top accommodate for the Lewis & Clark Development dues. Comm. Bakken suggested that the Commission perhaps next year, when determining the budget, could make whole for this past year. Motion by Comm. Bakken, 2nd by Comm. Munson to reestablish the portfolio and board presence. Bakken, Munson, & Woodcox voted "AYE"; Bitner & Schwab voted "NAY". Motion carried.

Sheriff Leben gave a report on the Detention Center, noting that there hadn't been any dramatic changes. Leben stated that the billing is up as of March 2024 at \$591,337; year 2023 was at \$402,434, year 2022 at \$313,765, and year 2021 at \$597,856. The Detention Center is still in a hiring process as retention of

employees has been pretty volatile; however, Leben stated that they've been getting a lot of applicants and were able to actually hire a nurse for the jail. Leben also stated that the process for budget prep has started, and to expect increased maintenance costs.

Comm. Munson presented to the Commission a sheet explaining what Bismarck Burleigh Public Health does, how they go about performing their duties, and how they're funded, as there has been questions and confusion in the past about Bismarck Burleigh Public Health as an organization. Munson revealed that Bismarck Burleigh Public Health is mostly funded by grants (\$3.8 million) and private billing (\$0.9 million), with only \$2.2 million coming from Burleigh County and city of Bismarck residents. Bismarck Burleigh Public Health is responsible for things like travel vaccines, water investigations, managing mosquitos, adult and child assessments, preventive health screening, public health education, and tobacco prevention just to name a few.

Auditor Splonskowski gave an update concerning the recently expired Missouri Valley Complex lease, stating that he received an offer from the former renter. Splonskowski asked the Commission on what the next steps should entail pertaining to the offer. A consensus was reached among the commissioners to open the land to public bids.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-115	Wayne Martinenson	2022	SW1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.2	\$88,100	\$74,700
24-116	Wayne Martinenson	2023	SW1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.3	\$93,100	\$79,000
24-117	Wayne Martinenson	2022	SE1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.4	\$104,600	\$96,900
24-118	Wayne Martinenson	2023	SE1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.5	\$110,500	\$102,400
24-476	Ira Smith	2023	Lot 14, Block 24, Homan Acres 5th	80% Disabled Veteran	\$297,700	\$257,200
24-489	Laureen Fordyce Hollifield	2022	Block 5, Jennings 1st, N 57' of Lot 5 & S 7' of Lot 6	100% Disabled Veteran	\$252,800	\$162,800
24-490	Laureen Fordyce Hollifield	2023	Block 5, Jennings 1st, N 57' of Lot 5 & S 7' of Lot 6	100% Disabled Veteran	\$258,800	\$78,800
24-518	Russell & Jane Gilbertson	2022	Lot 19, Block 1, Calgary Court Addition	70% Disabled Veteran	\$305,100	\$179,100
24-519	Russell & Jane Gilbertson	2023	Lot 19, Block 1, Calgary Court Addition	70% Disabled Veteran	\$340,400	\$214,400
24-520	Tara Star Rittel	2023	Lots 15-16, Block 36, Governor Pierce	Error in property description	\$146,400	\$102,300
24-532	William McCoy	2023	Block 1, Tatley Meadows V, part of Lot 4 & all lot 5 Palace Virdes First Condo Unit 2865-A Garage 2865-A Building H	70% Disabled Veteran	\$167,200	\$33,440

24-544	John & Julie McConnell	2023	Block 6, Northern Pacific, commencing @ NW corner of Lot 3; E 82' S at right angles 39', W 82', N 39' to beginning	Error in property description	\$181,700	\$152,400
24-545	Sharee Nelson	2022	Lot 8, Block 3, High Meadows 2nd	Error in property description	\$362,500	\$321,300
24-546	Sharee Nelson	2023	Lot 8, Block 3, High Meadows 2nd	Error in property description	\$389,600	\$344,800
24-559	Corrine Lee	2023	N 50' of Lot 3, Block 3, Northern Pacific	Wheelchair exempt	\$141,000	\$41,000
24-560	Joshua Smith	2023	Lot 7, Block 4, Prairiewood Estates 2nd	50% Homestead Credit	\$173,200	\$73,200
24-561	Lillian Seifert	2023	Lot 17, Block 5, French's 1st	100% Homestead Credit	\$273,100	\$73,100
24-562	Vickie A Calheim	2024	1990 Schult 76 x 16	100% Homestead Credit	\$26,666	\$0
24-563	Eugene Clarence & Karen K Smith	2022	Lot 9, Block 1, Calgary Court Addition	20% Homestead Credit	\$293,800	\$268,800
24-564	James & Terral Frieboes	2023	Block 10, Replat Homan Acres, Lot 1 & N 13' of Lot 2 Turnpike Ave Condo Unit A	50% Homestead Credit	\$176,100	\$88,050
24-565	Donald & Marietta Nygaard	2023	1999 Liberty 28 x 64, #06L30250X4	50% Homestead Credit	\$65,372	\$32,686
24-566	Donald & Marietta Nygaard	2024	1999 Liberty 28 x 64, #06L30250X4	50% Homestead Credit	\$65,372	\$32,686
24-567	Donna Carufel	2023	Block 1, Vision Heights, E 54.43' of Lot 5 & W 5' of Lot 6	50% Homestead Credit	\$300,100	\$200,100
24-568	Janice Nesja	2023	Block 1, Pebble Creek 8th Add replat, Lot 2 3312 Arrow Head Ranch Condo Unit 4	50% Homestead Credit	\$316,700	\$216,700
24-569	Kathleen Gibbs	2023	Lot 2, Block 4, Nagel's 5th	100% Homestead Credit	\$276,400	\$176,400
24-570	Diane Linke	2023	Block 2, Airport Road, Lot 2 less E 180' & less W 30'	100% Homestead Credit	\$338,800	\$138,800

24-571	Trent & Shelly Sack Jerry & Nancy	2023	Block 53, Governor Pierce, Lot D, Tract 210 less tract 210A & tract 218B of Blocks 52- 53 26th St Shop Condo Assoc Unit 2	Error in property description	\$585,400	\$470,000
24-572	Christianson	2023	Lot 1, Block 6, Wachter's 11th	50% Homestead Credit	\$255,300	\$155,300
24-573	Leona Hartman	2022	Block 47, Governor Pierce, E 50' of W 100' of Lots 13-16	10% Homestead Credit	\$170,400	\$157,889
24-574	Darlene Danielson	2023	Lot 4, Block 5, Eastside Heights	100% Homestead Credit	\$261,800	\$136,800
24-575	Carl & Thelma Kvanvig	2023	Block 1, Meeks, Lot 1 less R/W parcels 8-1 & 8-2	50% Homestead Credit	\$351,500	\$251,500
24-576	Jerry Wutzke	2023	Lot 7, Block 2, Northwest Acres 2nd	50% Homestead Credit	\$344,300	\$244,300
24-578	Steve Thingelstad Eugene Clarence & Karen	2023	Lot 2, Block 4, Nagel's 5th	100% Homestead Credit	\$176,400	\$76,400
24-579	K Smith	2023	Lot 9, Block 1, Calgary Court Addition	100% Homestead Credit	\$330,500	\$130,500
24-580	Julie Schmidt	2023	Lot 14, Block 3, Valley View Terrace	100% Homestead Credit	\$126,900	\$26,900
24-581	Bobbie Hackman	2023	Block 12, Replat Homan Acres, Lots 26-27 Homan Acres Condo Unit 7	100% Disabled Persons Credit	\$103,700	\$0
24-582	Douglas Ellingson	2023	Lot 14, Block 3, Valley View Terrace	100% Homestead Credit	\$226,900	\$126,900
24-583	Sharon Smith	2023	Lot 24, Block 22, Homan Acres 5th	100% Homestead Credit	\$290,500	\$90,500
24-584	Dennis & Patricia Serafen	2023	Lot 1, Block 1, Fort Lincoln Est Number 1	50% Homestead Credit	\$199,000	\$99,000
24-585	Berdell M Wilson	2023	Block 41, Park Hill (Aud Lots), W 68.70' of S1/2 E 1/2 of Aud Lot 41 less S 18'	50% Homestead Credit	\$172,200	\$86,100
24-586	Donald Kasper	2023	Lot 15, Block 21, Southwood Terrace 2nd Replat	100% Homestead Credit	\$252,200	\$52,200

24-588	Larry A Holzer	2023	Block 16, Lincoln Replat B 16, Lot 14 less N 15'	100% Homestead Credit	\$192,700	\$0
24-589	Alan Kindt	2023	Block 13, Replat Homan Acres, Lot E of Lot 1 Washington Court Condo Building 2033 Unit 3 & Garage 4	100% Homestead Credit	\$111,300	\$0
24-590	Cynthia J Weekes	2023	Block 2, Keystone, N 70' Lot 2	50% Homestead Credit	\$246,800	\$146,800
24-591	Ronald Seiler	2023	Lot 8, Block 7, Rolling Hills 3rd	50% Homestead Credit	\$250,000	\$150,000
24-592	Linnea Reeves	2023	Block 21, Lounsberry Outlots, S 50' of N 200' of E 180' of W1/2 of Outlot 21 less E 33'	50% Homestead Credit	\$220,300	\$120,300
24-593	David Swenson	2023	1978 Schult 14 x 66	100% Homestead Credit	\$8,199	\$0
24-594	David Swenson	2024	1978 Schult 14 x 66	100% Homestead Credit	\$8,199	\$0



LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number 24-003

Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*						
Games Authorized		<input type="checkbox"/> Raffle by a Political or Legislative District Party					
<input checked="" type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Church of St. Hildegard		Dates Authorized (Read Instruction 2) 09/08/2024	
Organization or Group Contact Person Msgr. Gene Lindemann	E-mail [REDACTED]	Telephone Number [REDACTED]	
Mailing Address 17200 Highway 10	City Menoken	State ND	ZIP Code 58558

SITE INFO

Site Name Church of St. Hildegard		County Burleigh	
Site Address 17200 Highway 10	City Menoken	State ND	ZIP Code 58558

If the city or county is placing restrictions on the permit, please explain

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

Bingo & raffle drawing will both take place on September 8, 2024 at the Church of St. Hildegard

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (4-2023)

Applying for (check one)

Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Church of St. Hildegard		Dates of Activity (Does not include dates for the sales of tickets) 09/08/2024	
Organization or Group Contact Person Msgr. Gene Lindemann	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address 17200 Highway 10	City Menoken	State ND	ZIP Code 58558
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Church of St. Hildegard	County Burleigh
Site Physical Address 17200 Highway 10	City Menoken
	State ND
	ZIP Code 58558

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

Bingo & the raffle drawing will both take place on September 8, 2024 at the Church of St. Hildegard.

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	See attached listing.	10,831.94
Total (limit \$40,000 per year)		\$

Intended Uses of Gaming Proceeds
Proceeds will be used for the needs of the church throughout the year.

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)

Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)

No Yes - Total Retail Value: [REDACTED] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

Yes No

Name Msgr. Gene Lindemann	Title Pastor	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official <i>Msgr. Gene Lindemann</i>		Title PASTOR	Date 4/21/2024

**Church of St. Hildegard Altar Society
2024 Raffle Prize List**

Drawing to be held on Sunday, September 08, 2024, 4:00 pm
at the Church of St. Hildegard, 17200 Highway 10, Menoken, ND

Item	Donor	Value
\$500 cash	St. Hildegard Altar Society	\$500.00
\$500 cash	St. Hildegard Altar Society	\$500.00
\$250 Walmart gift card	St. Hildegard Altar Society	\$250.00
Ruger Gen II 223 Rem	The ChrEasters	\$579.99
Ruger Gen II 7M-08 Rem	The ChrEasters	\$579.99
Ruger Gen II 6MM ARC	The ChrEasters	\$579.99
Ruger Predator 6.5 Creedmore	The ChrEasters	\$499.99
Ruger Predator 22-250	The ChrEasters	\$499.99
Ruger American 270 Win	The ChrEasters	\$479.99
Ruger American 308 Win	The ChrEasters	\$479.99
Ruger American 243 Win	The ChrEasters	\$479.99
Benelli Nova 12GA	The ChrEasters	\$449.99
Ruger American 30-06 Spr	The ChrEasters	\$449.99
Ruger American 22 MAG	The ChrEasters	\$399.99
Ruger American 17 HMR	The ChrEasters	\$369.99
Ruger American 22 LR	The ChrEasters	\$369.99
Ruger Security 9 9MM HG	The ChrEasters	\$299.99
Ruger LCP 380 ACP HG	The ChrEasters	\$219.99
Ruger Wrangler 22 Revolver	The ChrEasters	\$219.99
\$200 Plant Perfect gift card	Josey & Megan Milbradt	\$200.00
\$150 cash	Bob Sjostrom & Wilma Dunford	\$150.00
2 Medora Musical tickets	TRMF	\$172.10
\$100 cash	Bud Anderson	\$100.00
\$100 cash	Dave & Linda Schmitz	\$100.00
\$100 cash	Dave & Linda Schmitz	\$100.00
\$100 cash	Gary & Coreen Richter	\$100.00
\$100 3Be Meats gift card	Ike & Georgene Willer	\$100.00
\$100 Black Leg Ranch Meats Grassfed Beef	Jerry & Renae Doan	\$100.00
\$100 cash	Jim & Kathy Heisler	\$100.00
\$100 Blarney Stone gift card	Jon & Renae Craven	\$100.00
Handmade lap quilt	Jon & Renae Craven	\$100.00
\$100 cash	Marlyn & Sue Richter	\$100.00
\$100 Scheels gift card	Marv & Arlene Abraham	\$100.00
\$100 cash	Mike & Corrine Heaton	\$100.00
\$100 Cenex gift card	Nathan & Valerie Kuntz	\$100.00
\$100 cash	Prairie Breeze RV Park	\$100.00
\$100 cash	Russ & Holly Schirado	\$100.00
\$100 cash	Russ & Holly Schirado	\$100.00
\$100 Target gift card	Stephen & Kelly Kepp	\$100.00
\$100 Ale Works gift card	Tom & Jessica Arnold	\$100.00
\$100 Schweitzer's Gourmet Meats gift card	Travis & Trina Schweitzer	\$100.00
\$100 cash	Wes & Carol Meidinger	\$100.00
Hand embroidered dish towel set	Linda Schmitz	\$50.00
Handmade rug	Margaret Feist	\$25.00
Handmade rug	Margaret Feist	\$25.00

Total Value = \$10,831.94

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.



LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number 24-004

Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*						
Games Authorized							
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One	<input type="checkbox"/> Paddlewheels*
<small>*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year. LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS</small>							

ORGANIZATION INFO

Name of Organization or Group Menoken 4-H Picnic Park (Menoken Grove)			Dates Authorized (Read Instruction 2) 09/14/2024		
Organization or Group Contact Person Shirley Ryberg		E-mail [REDACTED]		Telephone Number [REDACTED]	
Mailing Address [REDACTED]		City Bismarck		State ND	ZIP Code 58503

SITE INFO

Site Name Menoken 4-H Picnic Park (Menoken Grove)			County Burleigh		
Site Address 3402 171st St NE		City Menoken		State ND	ZIP Code 58558
If the city or county is placing restrictions on the permit, please explain					
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)					
Raffle to be held 09/14/2024					

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 9338 (4-2023)

Applying for (check one)
 Local Permit Restricted Event Permit*

Games to be conducted
 Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Menoken 4-H Picnic Park (Menoken Grove)		Dates of Activity (Does not include dates for the sales of tickets) September 14, 2024	
Organization or Group Contact Person Shirley Ryberg	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address [REDACTED]	City Bismarck	State ND	ZIP Code 58503
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Menoken 4-H Picnic Park (Menoken Grove)	County Burleigh
Site Physical Address 3402 171st St NE	City Menoken
	State ND
	ZIP Code 58558

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)
Raffle - September 14, 2024

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
	(SEE ATTACHED LIST)	
	Total (limit \$40,000 per year)	\$

Intended Uses of Gaming Proceeds

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
 Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)
 Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)
 No Yes - Total Retail Value: [REDACTED] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)
 Yes No

Name Shirley Ryberg	Title Treasurer	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official <i>Shirley Ryberg</i>		Title Treasurer	Date April 22, 2024

<u>AMOUNT</u>	<u>RAFFLE PRIZES</u>
\$300	GARY & BELINDA MAHER
\$100	SALTER FARMS
\$100	LAWN SERVICE
\$100	METAL FLAG - ABATE
\$100	SCHEELS GIFT CARD
\$100	CK AUTO - AUTO REPAIR
\$100	NITRO GREEN - CHEST COOLER
\$200	SHIRLEY RYBERG
\$200	RYBERG RANCH
\$100	BUTLER - COOLER
\$350	MENOKEN GROVE - RIFLE
\$50	TUMBLEWEED - GIFT CARD
\$50	TUMBLEWEED - GIFT CARD
\$100	DUTTON PORTABLE WELDING
\$200	3BE MEATS GIFT CARD - ABERLE FARMS
\$100	A PRAIRIE BREEZE RV PARK
\$200	RIVERDALE LODGE - 2 NIGHTS
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	BOBCAT ITEMS
\$200	QUALITY ASPHALT - 22 RIFLE
\$100	PURE COUNTRY - GRIDDLE
\$100	SCHWEITZERS (BUTCHERING OR SAUSAGE)
\$100	PURE COUNTRY - HAT
\$350	AGNEW & BLOTSKY RANCHES - GUN
\$650	DVORAK MOTORS - CAR STARTER
\$100	SCHMITZ ANGUS RANCH
\$100	J & R SALVAGE
\$100	WOOD FAMILY
\$4,850	TOTAL OF RAFFLE PRIZES

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.



LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number
24-005

Permit Type (check one)
 Local Permit Restricted Event Permit*

Games Authorized
 Raffle by a Political or Legislative District Party
 Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Dakota Woodturners		Dates Authorized (Read Instruction 2) August 9, 2024	
Organization or Group Contact Person Denise Johnson	E-mail [REDACTED]	Telephone Number [REDACTED]	
Mailing Address [REDACTED]	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Pat Schweitzer home	County Burleigh
Site Address [REDACTED]	City Bismarck
	State ND
	ZIP Code 58501

If the city or county is placing restrictions on the permit, please explain

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

May 11, 2024 thru August 9, 2024

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - (1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - (2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of Issuance.



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9338 (4-2023)

Applying for (check one)

Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Dakota Woodturners		Dates of Activity (Does not include dates for the sales of tickets) drawing date: August 9, 2024	
Organization or Group Contact Person Denise Johnson	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address	City	State	ZIP Code
Mailing Address (if different) [REDACTED]	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Pat Schweitzer home	County Burleigh
Site Physical Address [REDACTED]	City Bismarck
	State ND
	ZIP Code 58501

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)
May 11, 2024 thru August 9, 2024

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
raffle	see attached	2,740.00
Total (limit \$40,000 per year)		\$ 2,740.00

Intended Uses of Gaming Proceeds
teach turning and provide materials to students and bring in clinicians to demonstrate/teach club members

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)

Yes No

Has the organization or group received a local permit from any city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)

No Yes - Total Retail Value: [REDACTED] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

Yes No

Name Ronald Day	Title President	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official Ronald Day		Title	Date 4/26/2024

Information required to be preprinted on a standard raffle ticket:

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or eight thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time for each drawing and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and physical street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

PRIZE RESTRICTIONS:

A single cash prize cannot exceed \$8,000

The retail value of a merchandise prize cannot exceed \$8,000.

The total of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$40,000 per year.

If the value of the planned cash and merchandise prizes exceed \$40,000, the organization or group must reduce the prizes to this limit or a nonprofit corporation may apply for a state gaming license with the Office of Attorney General.

LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:	<u>Local Permit</u>	<u>Restricted Event Permit</u>
Number of events per year	Limited by prizes	One
Must file an information report	Yes, if political party	Yes
May pay employees compensation	Yes	No
Must use chips as wagers	No	Yes
Use of net income	Unrestricted	Restricted
Games allowed	Bingo Raffles Sports Pools	Bingo Raffles Sports Pools Poker Twenty-One Paddlewheels

Compared to a "Local Permit," an organization or group with a "Restricted Event Permit" may conduct three more game types, but is restricted to one event per year, must file a "Report on a Restricted Event Permit" with the city or county and Office of Attorney General, and disburse net income to eligible uses. These uses are described by North Dakota Century Code 53-06.1-11.1(2) and North Dakota Administrative Code 99-01.3-14-02. Refer to the backside of the "Report on a Restricted Event Permit" form for a general list of eligible uses.

For a Restricted Event Permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$40,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is no a prize.

Description	Value
Segmented Bowl 10" - 12"	200
Decorated/Painted Platter	100
Cottonwood Bowl	100
Shelf with mini turnings	100
Vase	100
Open Segmented Ornament	100
Fancy Lidded Box	90
Singapore Ball	90
Zentagled Turning	90
Rolling Pin	85
Salt and Pepper Grinder	80
Cowboy hat	75
Painted Bowl	75
Woodburned Platter	75
Painted Bowl	75
Large Bowl	75
Birch Bowl	70
Woodburned Platter	60
Bowl	60
Maple Bowl	60
Platter	60
Bowl	60
Pen	60
Board Bowl	50
Lidded Box	50
Maple Bowl	50
Rimmed Bowl	50
Pen	50
Cedar Post Vase	45
Walnut Candle Holder	45
Bowl	45
Pen	45
Russian Olive Bowl	40
Square Platter	40
Small Ornament Lantern	40
Bowl	40
Platter	35
Wood Bowl	35
Roller Ball Pen - Chrome	35
Christmas Ornament	30
Walnut Bowl	30
Seam Ripper	25
Pen	20
	<hr/>
	\$ 2,740.00

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: May 6, 2024

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E.
County Engineer *MSH*

RE: Second access permit for Chris Ohlhauser

Chris Ohlhauser from Copper Ridge Subdivision, Block 05, Lot 2 (5800 Kayley Drive) has requested a second access permit to his lot. The first access approach is off of Kayley Drive. He wishes to have a second approach off of Kayley Drive in order to have better access to the west side of his lot. We have reviewed the location of the new proposed access off of Kayley Drive and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Chris Ohlhauser on the May 6, 2024 County Board Consent Agenda.

2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
4/26/2024



PARCEL ID: 39-138-79-27-05-020

OWNER: OHLHAUSER, CHRIS & CHRISTINE

ACRES: 1.492

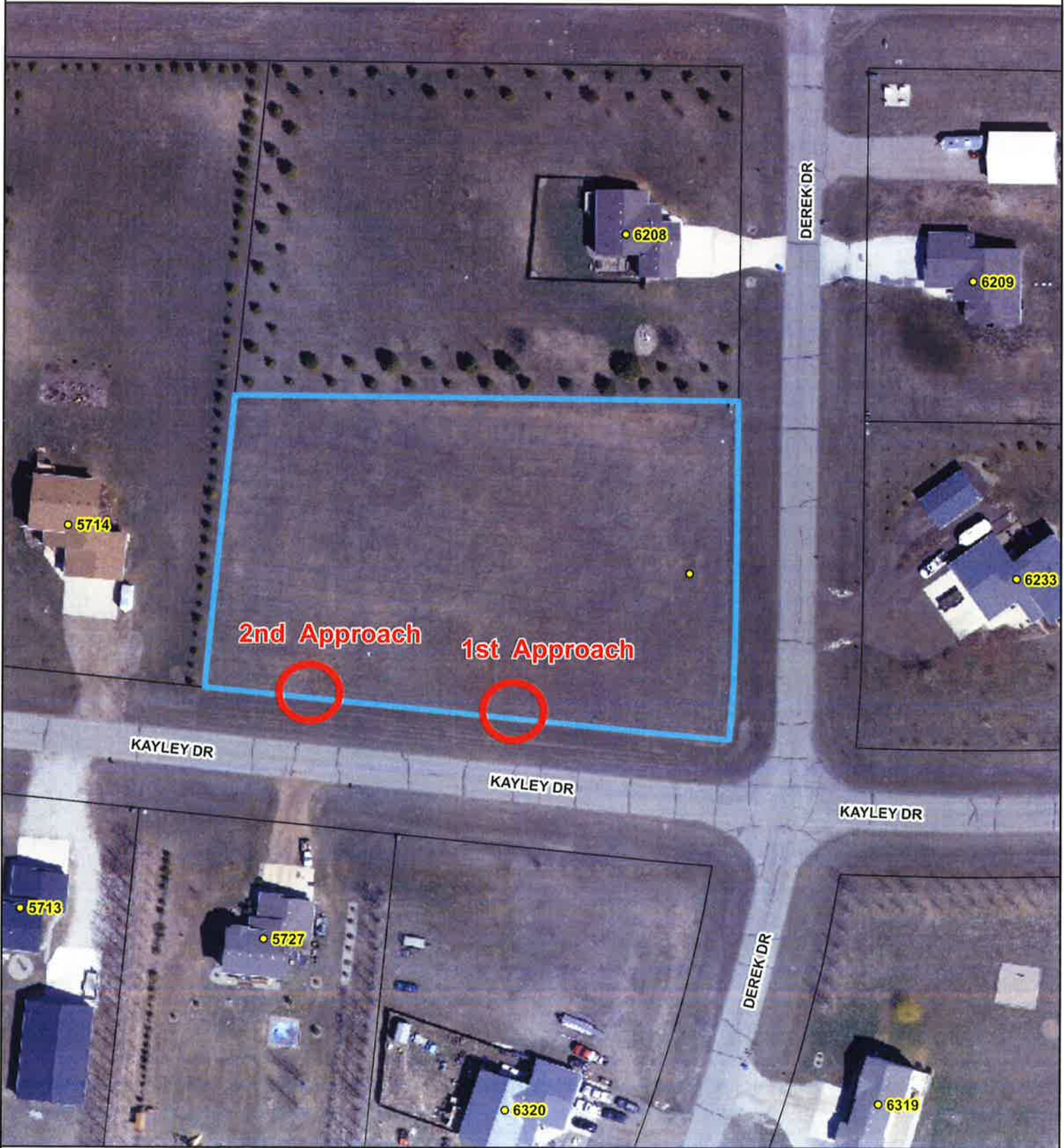
SITE ADDRESS: 5800 KAYLEY DR

MAIL ADDRESS: 1107 BOUYER PL, LINCOLN, ND 58504

LEGAL: COPPER RIDGE Block 05 LOT 2 678946

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
4/26/2024



PARCEL ID: 39-138-79-27-05-020 OWNER: OHLHAUSER, CHRIS & CHRISTINE ACRES: 1.492
SITE ADDRESS: 5800 KAYLEY DR
MAIL ADDRESS: 1107 BOUYER PL, LINCOLN, ND 58504
LEGAL: COPPER RIDGE Block 05 LOT 2 678946

County Commissioners:

I would like the approval to add an additional approach at my lot in the Copper Ridge Subdivision. It is Lot 2 block 5 . The additional approach will be on the Kayley Drive and will provide access to my shop that is being built. There currently is not enough room to access the shop off of the main driveway with the way the lot is shaped as well as the placement of the house.

There is one other lot that has an additional approach in the Copper Ridge Subdivision and it is located immediately to the North East.

Please see the attached overhead of the lot as well as placement of the shop, house, first approach and additional approach.

Please call with any questions

Chris Ohlhauser

701-204-1009



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: May 6, 2024

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E.
County Engineer *MJH*

RE: Second access permit for Marlin Schaaf

Marlin Schaaf from 22350NE 66th Street has requested a second access permit to his property. The first access approach is off of 66th Street. He wishes to have a second approach off of 66th Street in order to have better access to the south side of his property. We have reviewed the location of the new proposed access off of 66th Street NE and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Marlin Schaaf on the May 6, 2024 County Board Consent Agenda.

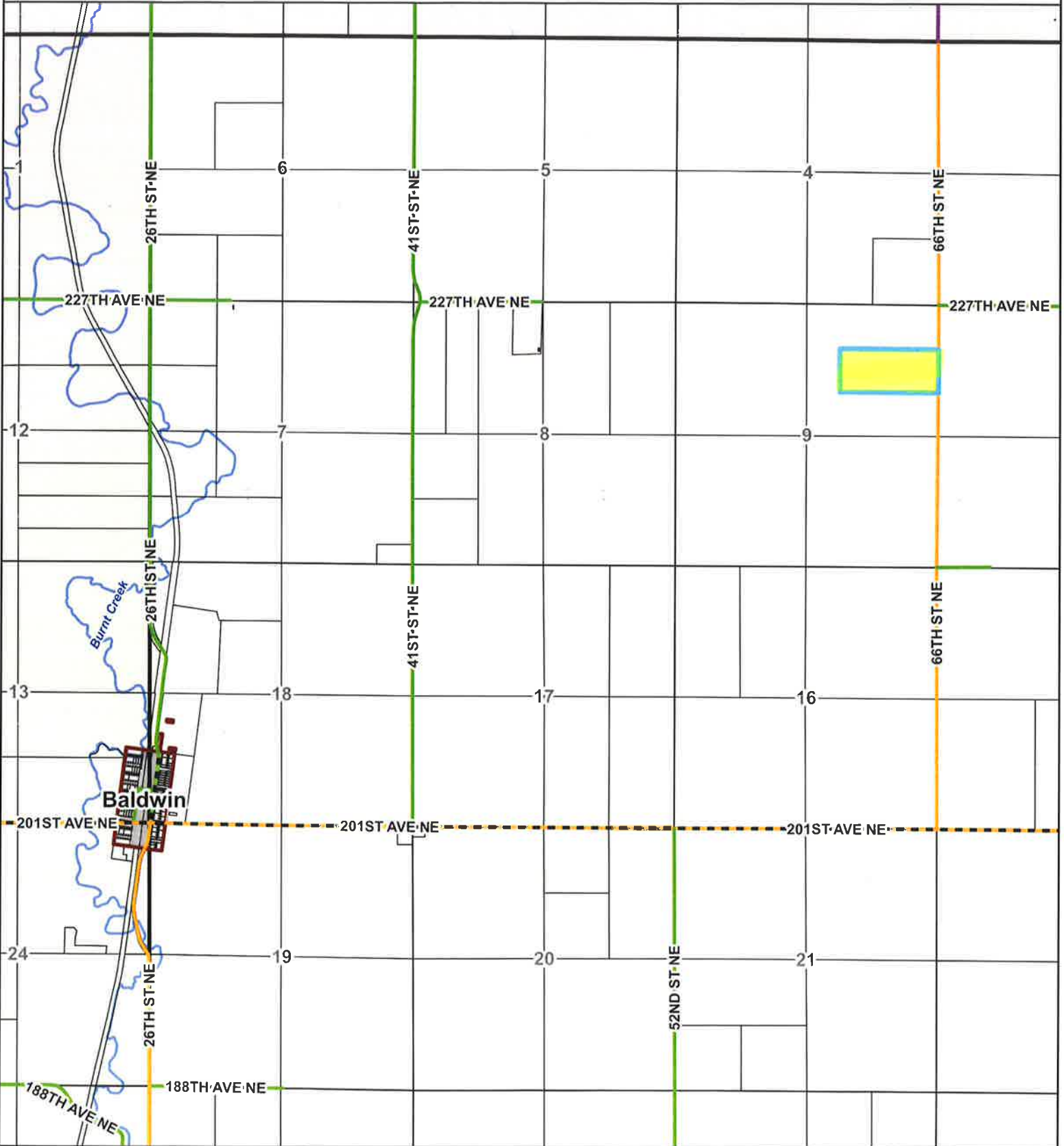
2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
4/29/2024



PARCEL ID: 52-141-79-00-09-210 OWNER: SCHAAF, MARLIN & CONNIE & LEONARD J & CHYRAL K ACRES: 40
SITE ADDRESS: 22350 NE 66TH ST
MAIL ADDRESS: %SCHAAF, MARLIN & CONNIE 400 WHITMAN AVE, WILTON, ND 58579
LEGAL: CROFTE TOWNSHIP Section 09 PT NE1/4 BEG AT NE COR S896.33' TO POB W2002.76', S870', E2002.76', N870' 09-141-79

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP



PARCEL ID: 52-141-79-00-09-210 OWNER: SCHAAF, MARLIN & CONNIE & LEONARD J & CHYRAL K ACRES: 40
SITE ADDRESS: 22350 NE 66TH ST
MAIL ADDRESS: %SCHAAF, MARLIN & CONNIE 400 WHITMAN AVE, WILTON, ND 58579
LEGAL: CROFTE TOWNSHIP Section 09 PT NE1/4 BEG AT NE COR S896.33' TO POB W2002.76', S870', E2002.76', N870' 09-141-79

Hall, Marcus J.

From: Marlin Schaaf <marlinschaaf@yahoo.com>
Sent: Saturday, April 27, 2024 1:51 PM
To: Hall, Marcus J.
Subject: New Approach 22350 66th St NE Baldwin
Attachments: Approach Map.jpg

You don't often get email from marlinschaaf@yahoo.com. [Learn why this is important](#)

******* CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *******

Hello Marcus,

My name is Marlin Schaaf and we would like to add another approach to our land on 66th St east of Baldwin, I had talked to Casey and he told me to contact you and attach a picture from google maps that shows the property and where we would like to add the approach.

If you have any questions or need more information you can get ahold of me at (701)391-9442.

Thank You
Marlin Schaaf

ITEM

6

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: May 6, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line, conduct Public Hearing, and direct staff on how to proceed.

BACKGROUND:

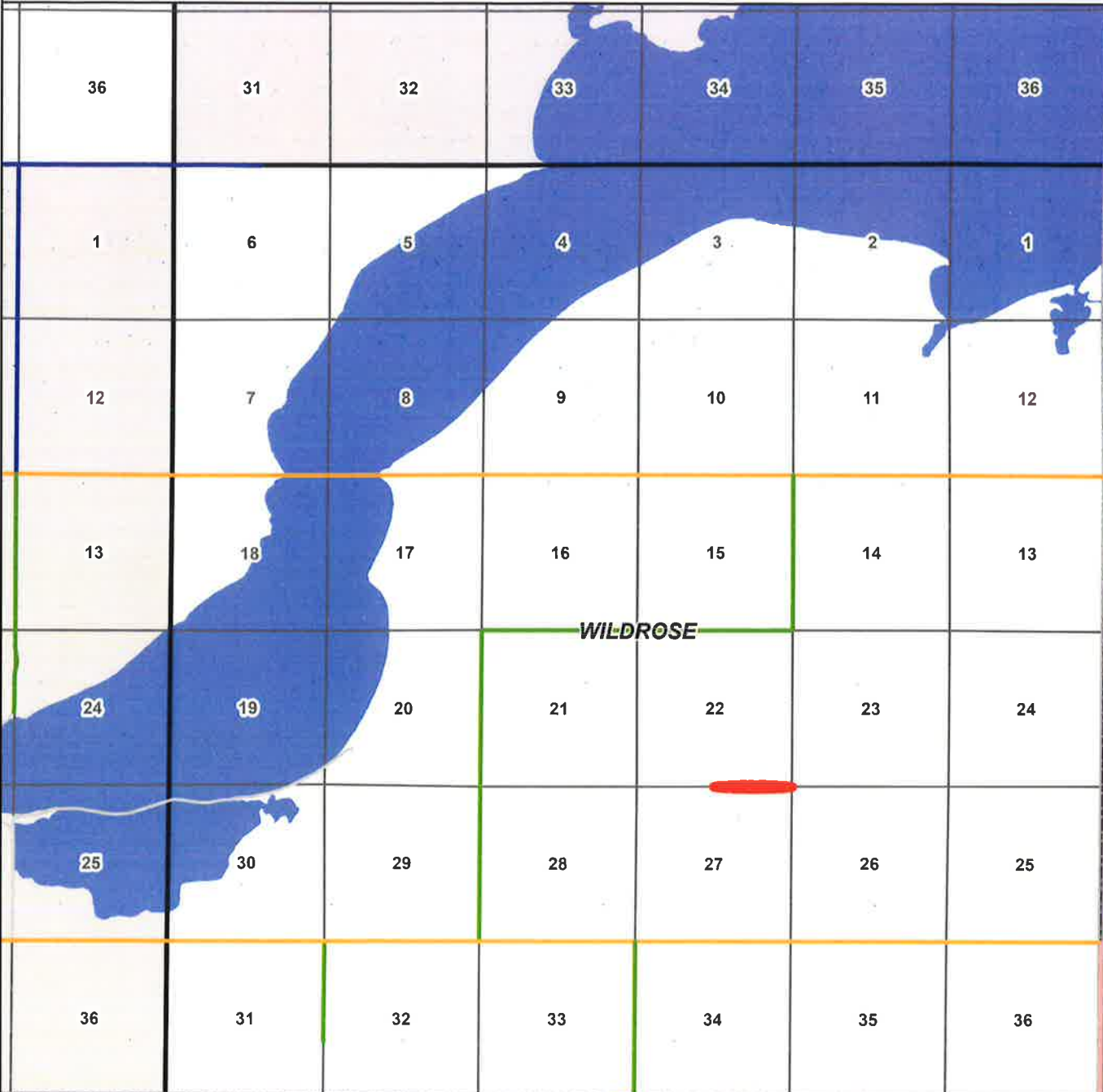
Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). Tony Fettig has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

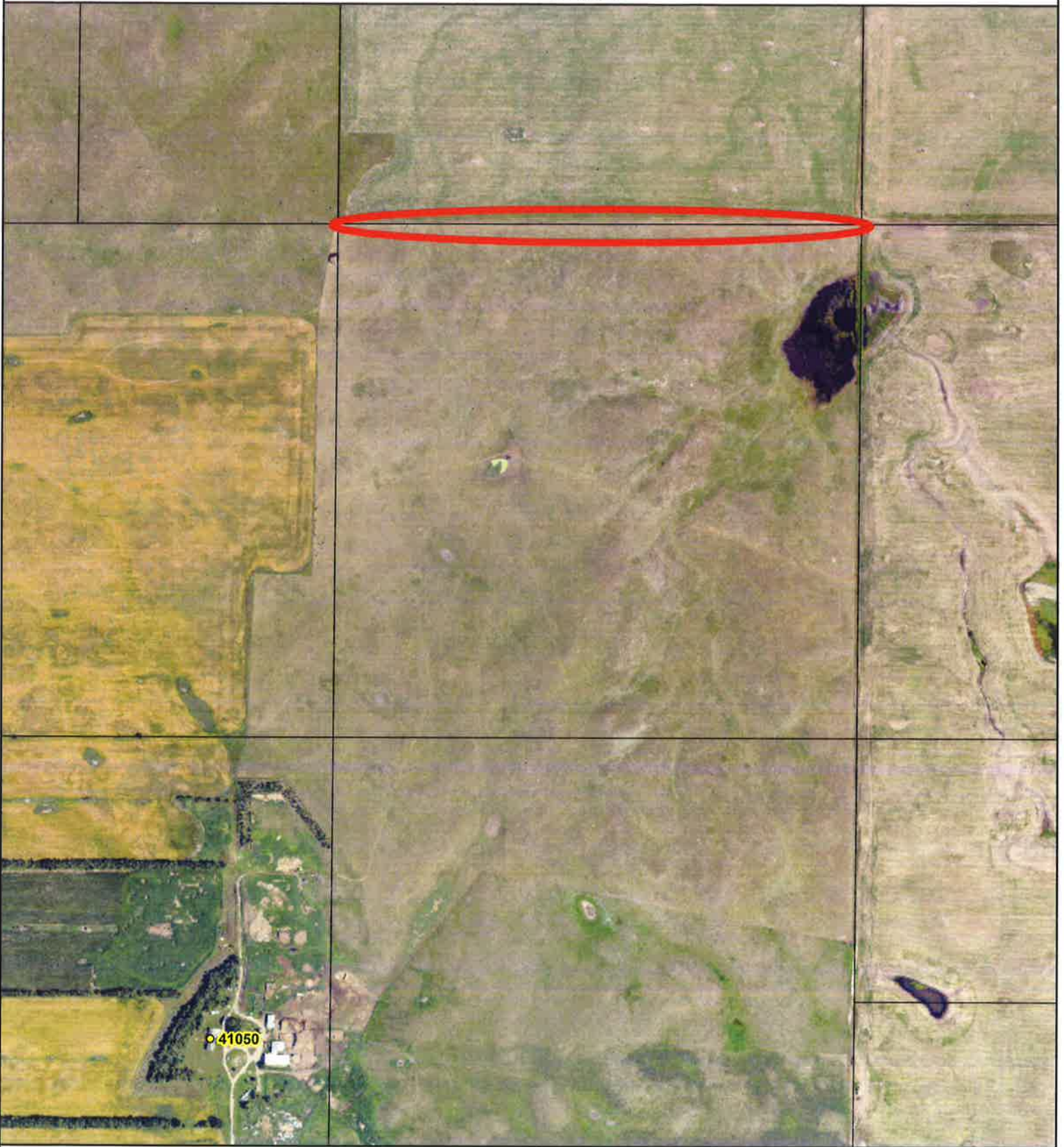
N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510



BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Lot Modification | | | |

PROPERTY INFORMATION:		
Name of plat: Township 137 N Range 75 W		
Legal description of property (lot, block, addition): NE Section 27 (section line)		
Street address of property:		
Existing Zoning:	Proposed zoning:	
Acreage:	Number of lots:	
Description of development proposal, including reason(s) for the request: non passable and runs into pasture		
APPLICANT/DEVELOPER:		
Name: Tony Fettig	Mailing address: 41050 141 st Ave SE Braddock 58524	
Daytime telephone number: 701-321-1368	FAX number:	E-mail address: tadairy@yahoo.com
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name:	Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:
CONTACT PERSON/AGENT:		
Name/Firm:	Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:

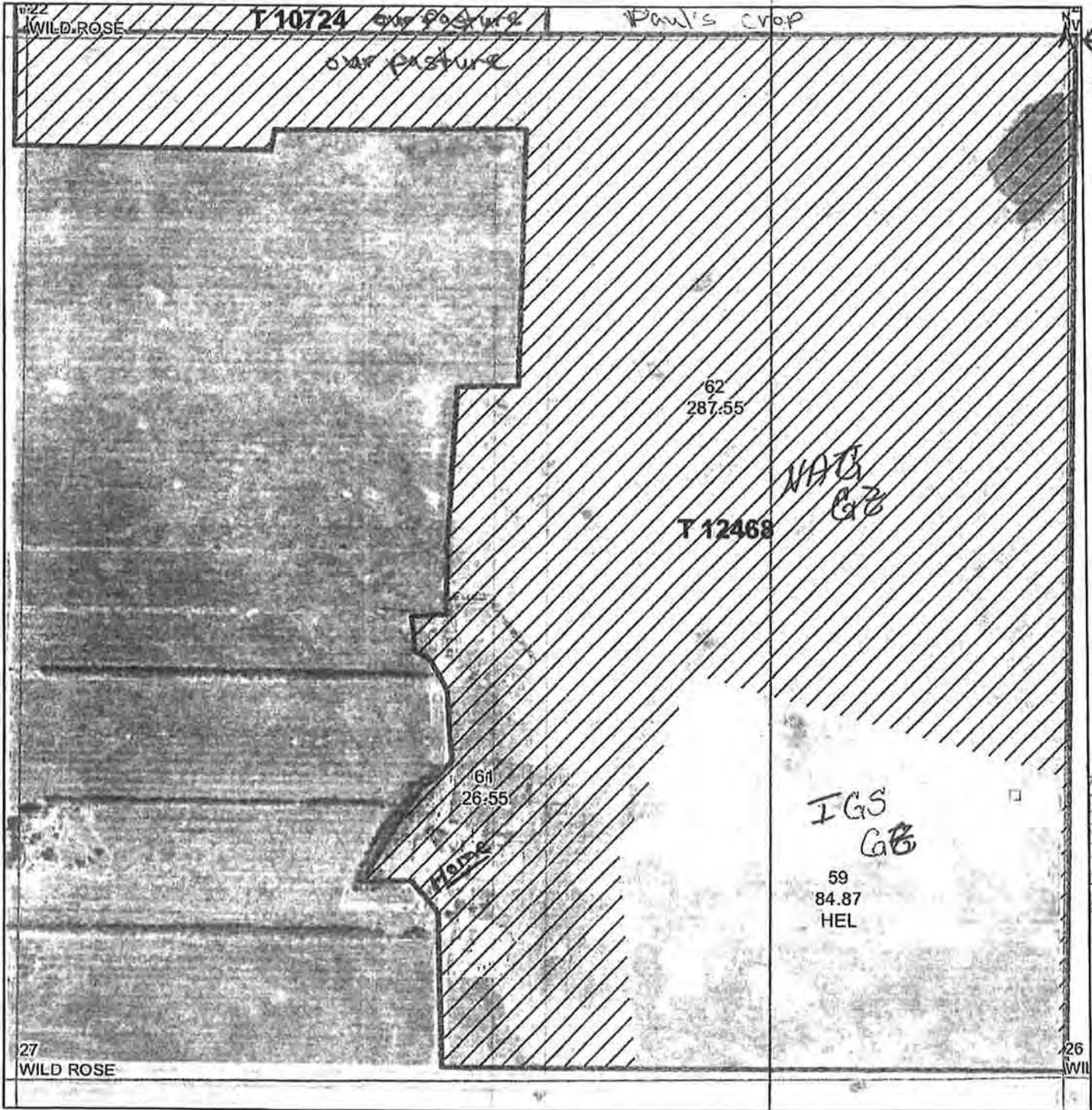
NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED



United States
Department of
Agriculture

Burleigh County, North Dakota

Farm 6672



Common Land Unit

- /// Non-Cropland
- Cropland

- Tract Boundary
- PLSS

Wetland Determination Identifiers

- ⊙ Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Unless Otherwise Noted:

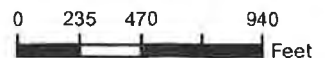
- All crops are for grain
- All crops are non-irrigated
- Shares are 100% to Operator

2022 Program Year

Map Created February 02, 2022

S27 T137N R75W

Phy Cnty: Burleigh



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact

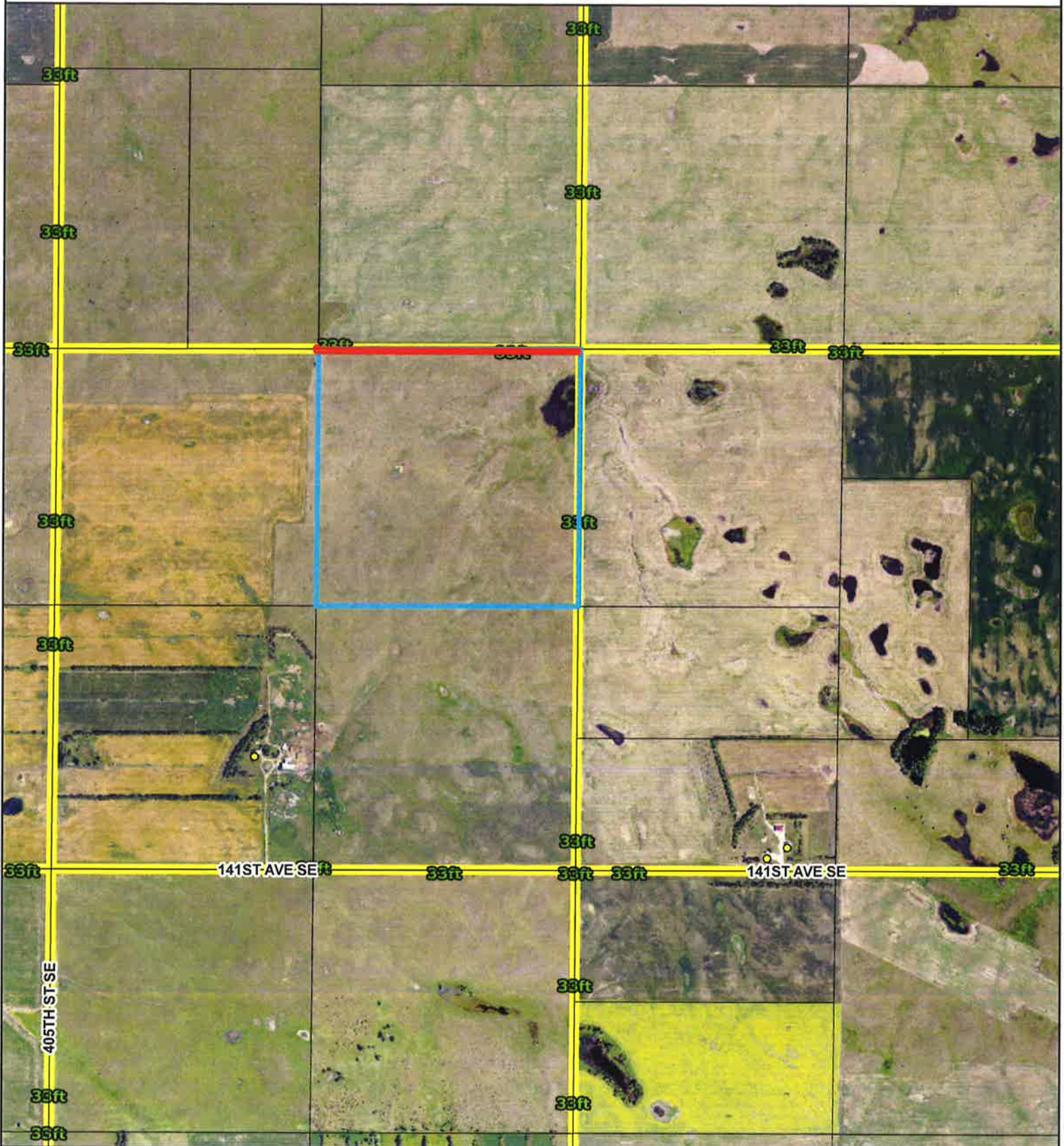
BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
3/18/2024



BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
3/22/2024



PARCEL ID: 54-137-75-00-27-200 OWNER: FISCHER, NICHOLE ETAL ACRES: 160
SITE ADDRESS:
MAIL ADDRESS: FETTIG, ANTHONY J & ARLEEN C LE 41050 141ST AVE SE, BRADDOCK, ND 58524-9303
LEGAL: WILD ROSE TOWNSHIP Section 27 NE1/4 27-137-75

ITEM

7



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: Recommendations from the April 10, 2024 Burleigh County Planning Commission Meeting
Date: 4-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Recommendation for the Baker Subdivision Final Plat

Legal Description: Part of the SE 1/4, Section 7 and Part of the NE 1/4, Section 18, All in T137N, Range 79W

Property Address: 5951 SE Hwy 1804

- Missouri Township

Burleigh County staff members and applicants first met in November 2023 to discuss Baker Subdivision. It is a 2 lot Subdivision, Lot 1 is a 54.04 ac. parcel, Lot 2 is 14.47 ac., that totals 69.19 acres. The Planning Commission recommended approval by a vote of 8-0.

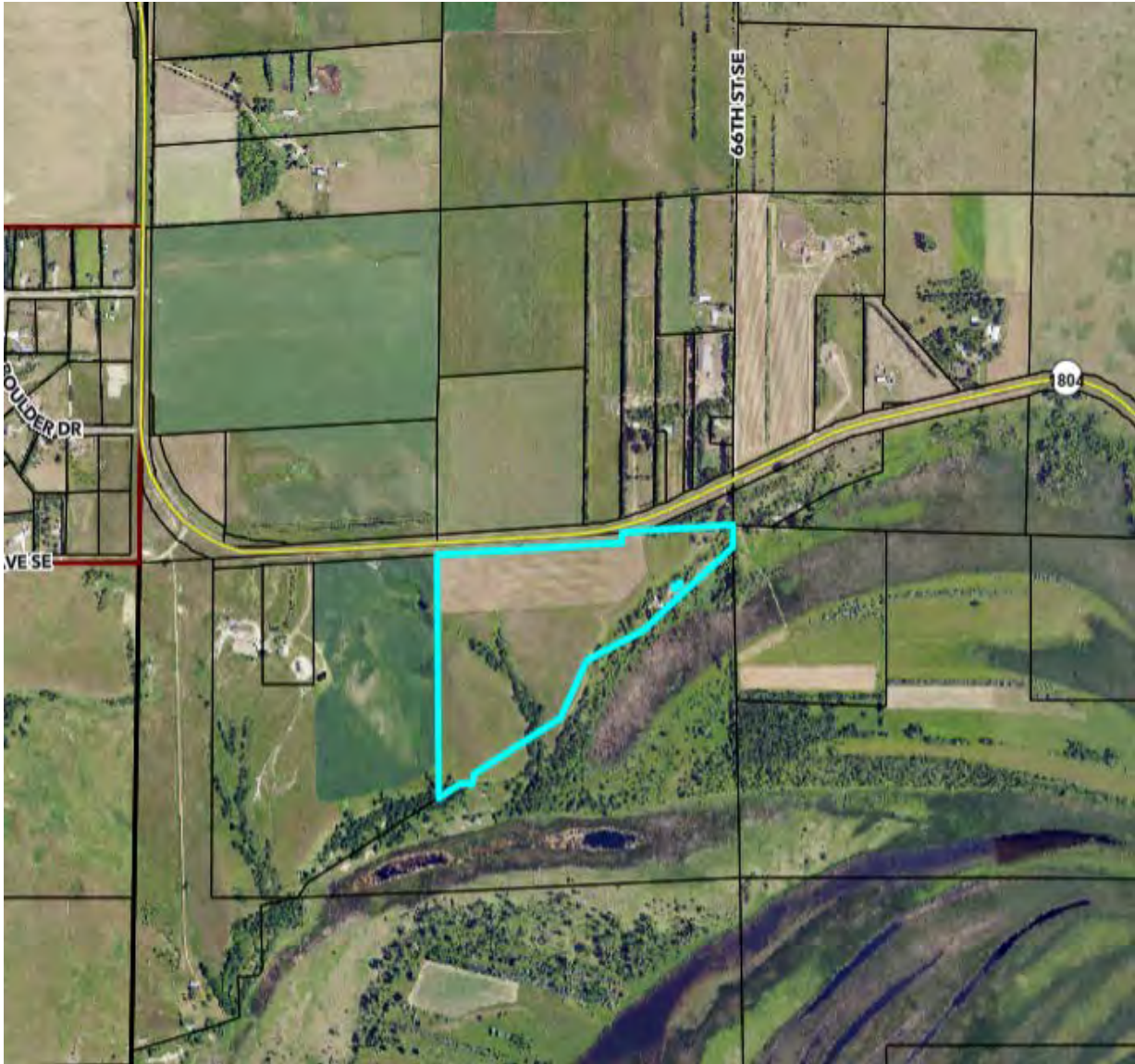
History of Application:

- SWMP Waiver was approved on: 3-21-2024
- Paving Waiver was approved on: 2-21-2024
- P/H to Vacate Section Line approved on: 1-7-2024
- The Final Plat contained 4 revisions to meet Art. 33 Subdivision Regulations.

Suggested Motion: Based on supporting documents and findings of the Planning Commission, it is recommended to approve Baker Subdivision Final Plat.

Attachments: Exhibit 1.1 Site Map Location
Exhibit 1.2 Baker Subdivision Final Plat

Exhibit 1.1 Site Map Location



PUBLIC HEARING



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Planning Commission.
Re: Public Hearing to Amend Burleigh County Zoning Ordinance
Date: 4-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Public Hearing to Amend Article 21 Floodplain Regulations

It has become necessary to amend the current Article 21 Floodplain Regulations to correct and position our ordinance in line with North Dakota Department of Water Resource Model D Ordinance and FEMA NFIP technical requirements.

The first Public Hearing for Article 21 draft ordinance was presented to the Planning Commissions on 4-10-2024

ACTION REQUESTED: CONSIDER TO APPROVE AMENDMENTS TO ARTICLE 21 FP DISTRICT REGULATIONS

Attachments: Exhibit 1.1 Article 21 FP Regulations draft ordinance.

ORDINANCE 24-003

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 33 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA RELATING TO ARTICLE 21 – FP – FLOODPLAIN DISTRICT REGULATIONS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Amendment

Article 21 of the Zoning Ordinance is hereby amended:

ARTICLE 21 - FP - FLOODPLAIN DISTRICT REGULATIONS

In any FP - floodplain district, the following regulations shall apply:

Section 1. Statement of Purpose.

It is the purpose of this article to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding, generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities located in special flood hazard areas such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges;
- f. To help maintain a stable tax base by providing for the use and development of special flood hazard areas so as to minimize future flood blight areas;

- g. To ensure that potential buyers are notified that property is located in a special flood hazard area;-
- h. To ensure that those who occupy the special flood hazard areas assume responsibility for their actions; and
- i. To provide an increased level of protection in anticipation of future increases in the base flood elevation (BFE).

Section 2. Methods of Reducing Flood Losses.

In order to accomplish its purposes, this article includes methods and provisions for:

- a. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, flood water elevations or flow velocities;
- b. Requiring that uses vulnerable to flooding, including attendant utilities and facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or convey flood waters;
- d. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Section 3. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

“Accessory Structure” for floodplain management purposes means structures that are on the same parcel of property as a principal structure, the use of which is incidental to the use of the principal structure. Accessory structures are a single-story structure that may only be used for parking or storage, represent a minimal investment by owners, and have low damage potential. Structures that include the following uses are not considered accessory structures for floodplain management purposes: habitable spaces, bathrooms, toilet rooms, laundry facilities, and

entertainment and recreational spaces including but not limited to workshops and game rooms.

"Agricultural Structure" for floodplain management purposes means structures that are used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this article or a request for a variance.

Attendant utilities and equipment means utilities, electrical, plumbing, heating, ventilation, and air conditioning equipment, as well as facilities and services associated with new construction.

"Base flood or 100-year flood" means the flood having a one per cent (1%) chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" means the height of the base flood or 100-year flood, usually in feet above mean sea level, as designated on a FEMA published digital flood insurance rate map (DFIRM) or as determined by the storm water management plan prepared for the area in which the property is located.

"Basement" means any area of a building having its floor subgrade (below ground level) on all sides.

"Best available data (BAD)" means water elevation information from any source used to estimate or determine the base flood elevation (i.e., high water mark).

"Community" means any political subdivision that has the authority to zone, or any Indian tribe or authorized tribal organization, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction

"Conveyance or hydraulic conveyance" means a geometric characteristic of a river or watercourse at a given location that determines the flow-carrying capacity at that location.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the special flood hazard area.

"Enclosure" means enclosed walled in areas below the lowest floor of an elevated building that are constructed of flood-resistant materials and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing the entry and exit of floodwaters.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or

subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

“Expansion to an existing Manufactured Home Park or Subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured home is to be affixed. (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.)

“Fill” means materials such as soil, gravel, or crushed stone that is placed in an area and increases the ground elevation, whether or not that was the intention.

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; and/or
- b. The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood insurance rate map” (FIRM) or digital flood insurance rate map (DFIRM)” means the official map issued by the Federal Emergency Management Agency (FEMA) where special flood hazards areas are designated as Zone A, AE, AO, AH, A1-A30 or A99.

“Flood insurance study” (FIS) means the official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles, the flood insurance rate map (FIRM), and the water surface elevation of the base flood.

“Floodplain or flood-prone area” means any land area susceptible to partial or complete inundation by water from any source.

“Floodplain Administrator” means the person designated by Burleigh County to administer the County’s floodplain regulations.

“Flood proofing (dry)” means protection provided a structure, together with attendant utilities and sanitary facilities, which is watertight to two (2) feet above the base flood elevation with walls that are substantially impermeable to the passage of water.

“Floodproofing (wet)” means the use of flood damage resistant materials and construction techniques to minimize flood damage to structures by intentionally allowing floodwater to enter and exit automatically (without human intervention) to minimize unequal pressure of water on walls (hydrostatic load or pressure). Wet floodproofing also requires structures to be anchored to resist flooding, have mechanical and utility equipment elevated or protected, and

have flood openings installed in walls.

“Floodway or regulatory floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

“Letter of map amendment (LOMA)” means an official amendment to the currently effective flood insurance rate map (FIRM) which establishes that a property is not located in a special flood hazard area. A letter of map amendment (LOMA) is issued by FEMA.

“Letter of map revision (LOMR)” means an official amendment to the currently effective flood insurance rate map (FIRM) which is issued by FEMA and changes flood zones, delineations and elevations. A letter of map revision based on fill (LOMR)(f) is a LOMR issued by FEMA based on the placement of fill.

“Lowest floor” means the lowest floor of a structure including the basement and/or crawl space.

“Manufactured home” means a structure transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a recreational vehicle, but does include a mobile home.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

“New construction” means structures for which the "start of construction" commenced on or after the effective date of this article.

“New Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

“Non-conversion agreement” means an agreement signed by applicants and property owners, affirming that the owners agree not to convert or modify in any manner that is inconsistent with approved permit (and variance conditions, when applicable).

“Non-residential” means any building or structure or portion thereof that is not classified as residential.

“Pre-FIRM Building” means a building for which construction or substantial improvement occurred on or before September 18, 1985, or the effective date of the initial Flood Insurance Rate Map (FIRM).

“Principal structure” for floodplain management purposes means a structure that is not an accessory structure. All principal structures must be constructed in accordance with the requirements applicable to residential construction or nonresidential construction as determined by the use of the structure.

“Post-FIRM Building” means a building for which construction or substantial improvement occurred after September 18, 1985 the effective date of the initial Flood Insurance Rate Map (FIRM) whichever is later.

“Reasonably safe from flooding” means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area, and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Recreational vehicle means a vehicle which is built on a single chassis; four hundred (400) square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal uses. Recreational vehicles include, but are not limited to, travel trailers, trailers on wheels, park model trailers and other similar vehicles.

“Recreational vehicle” means a vehicle which is:

- a. built on a single chassis
- b. 400 sf or less when measured at the largest horizontal projection
- c. designed to self-propelled or permanently towable by a light duty truck
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use; including, but not limited to:
- e. travel trailers, trailers on wheels park-model trailers and other similar vehicles.

Residential means:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Residential structures, including but not limited to one and two-family dwellings, multifamily dwellings, group dwellings, bed and breakfast facilities, hotels and motels; and
- c. Institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, nursing homes, group homes, congregate care facilities, hospitals, medical centers, jails and detention centers.

“Special flood hazard area (SFHA)” means an area of land that would be inundated by a flood having two tenths of one percent (0.2%) or greater chance of being equaled or exceeded in any given year (500-year flood).

“Start of construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms.

“Storage tank” means any closed vessel used to store gases or liquids.

“Storm water management plan” means a document prepared in accordance with the provisions of Article 33 (Subdivision Regulations) to evaluate surface water runoff and flood risks within a development, plat or watershed; to document special flood hazard areas; and to determine the systems required to convey or control flood flows within and through the area.

“Structure” means a walled and roofed building, including manufactured homes and gas or liquid above-ground storage tanks.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the building to its pre-damaged condition would equal or exceed fifty percent (50%) of the market value as assessed of the structure before the damage occurred.

“Substantial improvement” means any repair, reconstruction, or improvement of a structure, **that occurs within a consecutive two (2) year period.** The cost of which equals or exceeds fifty percent (50%) of the market value as assessed of the structure either:

- a. Before the improvement or repair is started; or
- b. If the structure has been damaged and is being restored, before the damage occurred.

For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- a. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- b. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this article that permits construction in a manner that would otherwise be prohibited by this article.

"Violation" means failure of a structure or other development to be fully compliant with the floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by the floodplain management ordinance is presumed to be in violation until such time as that documentation is provided.

Section 4. General Provisions.

- a. **Jurisdiction.** This article shall apply to all special flood hazard areas within the jurisdiction of Burleigh County, including all lands within Burleigh County's zoning jurisdiction pursuant to Article 5, but excluding the corporate limits of the City of Bismarck or any other incorporated city and the extra-territorial jurisdiction of those cities as provided for in Section 40-47-01.1 of the North Dakota Century Code.
- b. **Basis for establishing the special flood hazard areas.** The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report titled "The Flood Insurance Study for Burleigh County, North Dakota and Incorporated Areas", dated ~~August 4, 2014~~ June 6, 2024 with an accompanying flood insurance rate map (FIRM), and as subsequently updated by any Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR) and/or Letter of Map Revision Based on Fill (LOMR(f)) issued by the Federal Emergency Management Agency (FEMA), is hereby adopted by reference and declared to be a part of this article. The Flood

Insurance Study (FIS) is on file in the office of the Floodplain Administrator. Special flood hazard areas may also be designated in a storm water management plan prepared for a development, plat or watershed.

- c. Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations, unless a valid building permit was in place prior to May 7, 2012, except as provided for in subsection 6(b)(5) (additions to existing structures).
- d. Greater restrictions. This article is not intended to repeal, remedy, or impair any existing easements, covenants or deed restrictions. However, where this article and another article of the County Zoning Ordinance, easement, covenant or deed restriction conflict or overlap, **whichever imposes the more stringent restrictions shall prevail.**
- e. Interpretation. In the interpretation and application of this article, all provisions shall be:
 - 1. Considered as minimum requirements;
 - 2. Liberally construed in favor of Burleigh County; and
 - 3. Deemed neither to limit nor repeal any other powers granted to Burleigh County under the North Dakota Century Code.
- f. Warning and disclaimer of liability. The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the special flood hazards areas or uses permitted within such areas will be free from flooding or flood damages. This **article section** shall not create liability on the part of Burleigh County, any officer or employee thereof, or the Federal Emergency Management Agency (FEMA) for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

~~g. Letter of Map Revision (LOMR) and Letter of Map Amendment (LOMA). Development on any parcel for which a LOMR or LOMA has been issued shall comply with all the requirements and recommendations as contained therein. Development on any parcel for which a LOMR or LOMA has been approved by FEMA, and for which a building permit was not issued prior to May 7, 2012, shall be subject to all provisions of this article.~~

g. Letter of Map Revision (LOMR) has been issued shall comply with all of the requirements and recommendations as contained therein. Development on any parcel for which a LOMR has been issued shall be constructed in accordance with the provisions of FEMA Technical Bulletin 10-01.

h. Non-conforming Status. Any structure constructed with the lowest floor elevated as required by the regulations in effect at the time of construction shall not be considered a non-conforming structure for the purposes of this section, provided the lowest floor of said structure is elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation.

Section 5. Administration.

- a. Establishment of a development permit. A development permit shall be obtained before construction or development begins within any special flood hazard area established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
1. ~~Elevation in relation to mean sea level,~~ Elevation in the same datum as the current FIRM or elevation in relation to mean sea level in NAVD 88 of the lowest floor (including basements and/or crawl spaces) of all structures:
 2. ~~Elevation in relation to mean sea level (NAVD88) to which any structure has been flood proofed;~~ Elevation in the same datum as the current FIRM or elevation in relation to mean sea level in NAVD88 to which any structure has been flood proofed:
 3. Certification by a registered professional engineer or architect that the flood proofing methods for any non-residential structure meet the flood proofing criteria in subsection 6(b)(2) of this article (nonresidential construction); and
 4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- b. Establishment of a non-structural development permit. A non-structural development permit shall be obtained before any land disturbing activity begins within any special flood hazard area established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Application for a non-structural development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to

scale showing the nature, location, dimensions, and elevations of the area in question; proposed elevations upon completion of the land disturbing activity; the type of fill being used, if fill is proposed; and a description of the extent to which any watercourse will be altered or relocated as a result of proposed land disturbing activity.

- c. Designation of the Floodplain Administrator. The Building Official is hereby appointed to administer and implement this article by granting or denying development permit and non-structural development permit applications in accordance with the applicable provisions.
- d. Duties and responsibilities of the Floodplain Administrator. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to:
 1. Permit application review.
 - a. Review all development permit applications and non-structural development permit applications to determine that the permit requirements of this article have been satisfied;
 - b. Review all development permit applications and non-structural development permit applications to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required; and
 - c. Review all development permit applications and non-structural development permit applications to determine if the proposed development or land disturbing activity is located in the floodway. If located in the floodway, assure that the encroachment provisions of this article are met.
 2. Use of other base flood data. When base flood elevation data has not been provided in accordance with subsection 4(b) of this article (basis for establishing the special flood hazard areas), the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available (known as best available data (BAD)) from a federal, state or other source, as criteria for requiring that new construction, substantial improvements or other development in the floodplain is administered in accordance with subsection 6(b) of this article (specific standards).
 3. Information to be obtained and maintained.
 - a. Obtain and record the actual elevation (in relation to elevation in the

~~mean sea level~~ same datum as the current FIRM mean sea level in NAVD88 of the lowest floor (including basement and/or crawl space) of all new or substantially improved structures, and whether or not the structure contains a basement and/or crawl space.

- b. For all new or substantially improved flood proofed structures:
 - 1. Obtain and record the actual elevation in relation elevation in the same datum as the current FIRM to mean sea level in NAVD88 to which the structure has been flood proofed; and
 - 2. Maintain the flood proofing certifications required in subsection 6(b) of this article (specific standards).
 - c. Maintain for public inspection all records pertaining to the provisions of this article.
4. Alteration of watercourses. The Floodplain Administration shall:
- a. Notify nearby communities, water resource districts, and the North Dakota State Engineer, as necessary, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
 - b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished; and
5. Interpretation of flood insurance rate map (FIRM) or digital flood insurance rate map (DFIRM) boundaries. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection 7 of this article (appeal and variance procedures). The Floodplain Administrator may require information be submitted by a registered land surveyor.

Section 6. Provisions for Flood Hazard Reduction.

A. General standards. In all special flood hazards areas, the following standards are required:

A. Anchoring.

1. All new construction and substantial improvements, including additions, shall be anchored to prevent flotation, collapse or lateral movement of the structure; and
 - a. All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
2. Construction materials and methods.
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
 - b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage; and
 - c. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Such facilities shall be located in areas that have been elevated on fill to at least two (2) feet above the base flood elevation for residential ~~structures~~ **construction** and manufactured homes.
3. Utilities.
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - b. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
 - c. All new and replacement on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
4. Subdivision proposals.
 - a. All subdivision proposals shall be consistent with the need to minimize flood damage;
 - b. All subdivision proposals shall have utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

- c. All subdivision proposals shall have adequate drainage provided to reduced exposure to flood damage;
- d. Base flood elevation data shall be provided for all subdivision proposals and other proposed developments. Elevation data must be provided in the same datum as the current FIRM, NAVD88 for areas with a flood insurance rate map (FIRM) or other base flood elevation data in that datum; and
- e. All roadways within and providing access to subdivisions shall be constructed in accordance with County engineering standards.

B. Specific standards.

In all special flood hazards areas where base flood elevation data have been provided as set forth in subsection 4(b) of this article (basis for establishing the special flood hazard areas) or subsection 5(d)(2) of this article (use of other base flood data), the following provisions are required:

1. Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement and/or crawl space, elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation.
2. Nonresidential construction. New construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement and/or crawl space, elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation or, together with attendant utility and sanitary facilities, shall:
 - a. Be flood proofed to at least two (2) feet above the base flood elevation, so that below this elevation the structure is watertight with walls substantially impermeable to the passage of water.
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the Floodplain Administrator as set forth in subsection 5(d)(3) of this article (information to be obtained and maintained).
3. Manufactured homes.

a. Manufactured homes shall be anchored in accordance with subsection 6(a)(1) of this article (anchoring).

b. All manufactured homes or those to be substantially improved shall be on a permanent foundation, have the lowest floor of the manufactured home elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation, and be securely anchored to an adequately anchored foundation system.

b. All manufactured homes or those to be substantially improved shall be on a permanent foundation, as referenced in FEMA P-85 / 2009, have the lowest floor bottom of the frame of the manufactured home elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation, and be securely anchored to an adequately anchored foundation system. However, within a Pre-FIRM manufactured home park, a newly placed manufactured home or those to be substantially improved shall be on a permanent foundation, have the bottom of the frame of the manufactured home elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation, and be securely anchored to an adequately anchored foundation system

4. Recreational Vehicles

a. All recreational vehicles located within a Special Flood Hazard Area to be placed on a site must be on the site for less than 180 consecutive days; AND be fully licensed and highway ready.

5. Enclosures.

New construction and substantial improvements may have enclosures with areas below the base flood elevation, that are less than 300 square feet and usable solely for building access and utility service connections serving the building, if constructed in accordance with the following requirements:

a. Must have structural and non-structural components constructed of flood damage resistant material. Flood damage resistant materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;

b. Must be provided with flood openings designed to equalize the hydrostatic pressure of flood forces on exterior walls by allowing the automatic entry and exit of floodwaters. Flood opening designs must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 1;

c. Must have mechanical, electrical, and utility equipment elevated at least two (2)

feet above the base flood elevation or specifically designed to prevent water from entering or accumulating with the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and,

d. Prior to the issuance of a building permit, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

4- 6. Attached garages, decks and landings providing primary access, and accessory buildings.

- a. Garages attached to any residential structure, non-residential structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it is attached.
- b. Decks and landings providing access to the primary entrance of a residential structure, non-residential structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it provides access.
- ~~c. Accessory buildings over one hundred twenty (120) square feet in area for residential structures, non-residential structures and manufactured homes shall be subject to the same construction requirements as non-residential construction.~~

7. Accessory Structures

a. Accessory structures defined within this section that are not greater than 600 square feet in area may be constructed with the lowest floor below the base flood elevation in accordance with the following wet floodproofing requirements:

i. Must be anchored to resist floatation, collapse and lateral movement.

ii. Must have structural and non-structural components constructed of flood damage resistant material to an elevation of at least two (2) feet about the base flood elevation. Flood damage materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;

iii. Must be provided with flood openings designed to equalize the hydrostatic pressure of flood forces on exterior walls by allowing the automatic entry and exit of flood waters. Flood opening designs must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 1;

iv. Must have mechanical, electrical and utility equipment elevated at least two (2) feet above the base flood elevation or specifically designed to

prevent water from entering or accumulating within the components Technical Bulletin P-348; and,

- v. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

b. Accessory structures defined within this section that are greater than 600 square feet in area may be constructed with the lowest floor one foot above the base flood elevation in accordance with the following requirements.

- i. Must have mechanical, electrical and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and
- ii. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

c. Accessory structures that are not enclosed and do not have more than one ridged wall may be constructed at grade in accordance with the following requirements.

- i. Must have structural and non-structural components constructed of flood damage resistant material to an elevation of at least two feet above the base flood elevation. Flood damage materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;
- ii. Must have mechanical, electrical and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and
- iii. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

5.8. Additions to existing structures.

- a. Any addition to any existing residential structure, non-residential structure, manufactured home, garage, deck, landing or accessory building that is not deemed

a substantial improvement may be constructed with the lowest floor at the same elevation as the existing structure, provided the lowest floor of the existing structure is elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation.

€.9. Floodways.

Floodways are designated areas located within the special flood hazard areas established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge; and
2. If the preceding subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of subsection 6 of this article (provisions for flood hazard reduction).

Section 7. Appeal and Variance Procedures.

- a. Board of Appeals. The Board of County Commissioners shall act as the Board of Appeals. The Board of Appeals shall hear and decide appeals and requests for variances from the requirements of this article.
- b. Appeals. An appeal may be filed by any person, firm or corporation aggrieved by any order, requirement, determination or final decision made by the Floodplain Administrator in the enforcement or administration of this article, in accordance with the provisions of Article 27 (Appeal Procedure).
- c. Variances. An application for a variance from the requirements of this article may be made by any person, firm or corporation with a legal interest in the property for which the variance is being sought, in accordance with the provisions of Article 28 (Variances).
 1. Required Findings. In considering applications for a variance, and in addition to the requirements of outlined in Article 28 (Variances), the Board of Appeals shall consider all technical evaluations, all relevant factors, and the standards specified in this article, including:
 - a. The danger to life and property due to flooding or erosion damage;

- b. The danger that materials may be swept onto other lands to the injury of others;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with the existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
 - l. Any other factor deemed relevant by the Board of Appeals.
2. Upon consideration of the factors in subsection(7)(c)(1) and the purposes of this article, the Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purpose of this article.
3. Conditions for variances.
- a. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection.

~~b. Variances shall not be issued within the identified floodplain if any significant increase in flood levels during the base flood discharge would result.~~
Variances may be issued by a community for new construction and substantial improvements to be erected on a lot of one-half acres or less in size constructed below the base flood level, in conformance with the procedures of paragraphs (a), (3), (4), (5), and (6) of this section.

~~c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~

~~c. Variances shall not be issued within the identified floodplain if any significant increase—~~any designated regulatory floodway, if any significant increase in flood levels during the base flood discharge would result.

~~d. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~

d. Variances shall only be issued upon:

i. A showing of good and sufficient cause;

ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

iii. A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

e. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation lower than two (2) feet above the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

4. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) upon request.

5. Encroachment Analysis: When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements or development (including fill) shall be permitted within Zones A1 – 30 and AE on the community’s FIRM, unless it is demonstrated that the cumulative

effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

Section 8. Penalties for Violations.

Penalties for violation of this article shall be in accordance with the provisions of Article 31 (Penalties for Violation).

Section 9. Repeal.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 10. Severability.

If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 11. Effective Date.

This ordinance shall take effect after final passage, adoption and publication as provided by law.

First Reading Passed: April 10, 2024

Passed and adopted this _____ day of _____, 2024

Brian Bitner Chairperson

Final passage and adoption:

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____
day of _____, 2024

Mark Splonskowski, Burleigh County Auditor/Treasurer

ITEM

8




BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: April 30, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Retirement and Release of Law Enforcement K-9

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve the agreement between Deputy Joe Citta and the Burleigh County Sheriff's Department to allow Deputy Joe Citta to take ownership of his law enforcement K-9 upon retirement of the dog.

Background:

The Burleigh County Sheriff's Department started a Law Enforcement K-9 Program in 2016. The K-9 currently utilized by Deputy Joe Citta is the second dog obtained in the program and was obtained through K-9 Working Dogs International. Deputy Joe Citta is the second handler for Profi and has been in service since 2017. Based on the age and physical condition of the dog, we have made the decision to retire the dog from service. Deputy Zach Bugbee is our new K-9 handler and will be attending K-9 handler school and will be paired with his new K-9 during that training.

Recommendation:


It is recommended that the County Commission approve the agreement between Deputy Joe Citta and the Burleigh County Sheriff's Department for transference of the law enforcement K-9.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to enter into an agreement with Deputy Joe Citta to take ownership of his Burleigh County Law Enforcement K-9.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: April 30, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Burleigh East Renovation Project

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Discuss a proposed renovation of the Burleigh County property at 2000 N 52nd St. and discuss potential funding sources to include American Rescue Plan funds, Local Assistance and Tribal Consistency Funds, and budgeted funds.

Background:

Burleigh County built and has owned the property at 2000 N 52nd St since 1989. Since inception until 2014, the property was occupied by the Burleigh County Highway Department. In 2014, the Sheriff's Department began occupancy of the property and moved our Patrol Section to that location from the Courthouse. Since 2014, we have employed a mechanic for our fleet who is housed in that property along with a deputy that assists with overseeing vehicles and equipment. In addition, our Patrol staff has become more diverse requiring facilities for both male and female employees. Since construction, no major renovations or remodeling have taken place.

Recommendation:


It is recommended that the County Commission authorize the Burleigh County Sheriff's Department to receive bids and authorize renovation based upon available funding.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to advertise and receive bids for renovation of the described property.

COURTHOUSE

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ITEM

9

County of Burleigh

Trial Balance by Fund

Fiscal Year: 2024-2024

From Date: 1/1/2024

To Date: 12/31/2024

2985 - COUNTY JAIL MAINT & CONST	<u>Opening Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
ASSET				
2985.11111.11110 CASH	\$1,852,151.21	\$0.00	(\$71,586.00)	\$1,780,565.21
2985.11111.12110 INVESTMENTS	\$1,082,744.05	\$33,595.89	(\$12,651.97)	\$1,103,687.97
2985.11111.13110 ACCOUNTS RECEIVABLE	\$0.00	\$4,826.85	\$0.00	\$4,826.85
2985.11111.13310 INTERGOVERNMENT RECEIVABL	\$4,826.85	\$0.00	(\$4,826.85)	\$0.00
ASSET TOTAL	\$2,939,722.11	\$38,422.74	(\$89,064.82)	\$2,889,080.03
LIABILITY				
2985.22222.21210 ACCOUNTS PAYABLE	\$0.00	\$71,586.00	(\$71,586.00)	\$0.00
LIABILITY TOTAL	\$0.00	\$71,586.00	(\$71,586.00)	\$0.00
FUND BALANCE				
2985.33333.29620 RESTRICTED FOR CAPITAL PROJECTS	(\$2,939,722.11)	\$0.00	\$0.00	(\$2,939,722.11)
FUND BALANCE TOTAL	(\$2,939,722.11)	\$0.00	\$0.00	(\$2,939,722.11)
REVENUE				
2985.00000.36110 INTEREST EARNINGS	\$0.00	\$12,651.97	(\$33,595.89)	(\$20,943.92)
REVENUE TOTAL	\$0.00	\$12,651.97	(\$33,595.89)	(\$20,943.92)
EXPENDITURE				
2985.42130.00441 BUILDING MAINTENANCE	\$0.00	\$71,586.00	\$0.00	\$71,586.00
EXPENDITURE TOTAL	\$0.00	\$71,586.00	\$0.00	\$71,586.00
Fund Totals:	\$0.00	\$194,246.71	(\$194,246.71)	\$0.00

JPA Ledger 01/01/2018 - 04/30/2024

Date	Description	Amount
1/1/2018	Annual Burleigh JPA Responsibility	255,000.00
1/1/2019	Annual Burleigh JPA Responsibility	255,000.00
1/1/2020	Annual Burleigh JPA Responsibility	255,000.00
1/1/2021	Annual Burleigh JPA Responsibility	255,000.00
1/1/2022	Annual Burleigh JPA Responsibility	255,000.00
12/19/2022	Progress billing for MAU equipment	(25,000.00)
12/19/2022	Morton Share - Progress billing for MAU equipment	3,750.00
1/1/2023	Annual Burleigh JPA Responsibility	255,000.00
1/17/2023	Invoice #24580	(55,000.00)
1/17/2023	Morton Share - Invoice #24580	8,250.00
8/4/2023	Wired new make up air unit	(7,161.00)
8/4/2023	Morton Share - Wired new make up air unit	1,074.15
8/25/2023	Invoice #25784	(18,918.00)
8/24/2023	Morton Share - Invoice #25784	2,837.70
11/30/2023	Mount,add new controller	(6,100.00)
9/8/2023	Morton Share - Mount,add new controller	915.00
1/1/2024	Annual Burleigh JPA Responsibility	255,000.00
4/30/2024	JPA Agreement Burleigh Fund Balance	1,689,647.85

Fund 2985 Fund Balance Allocation 04/30/2024

Description	Amount
4/30/2024 Cash Balance	1,780,565.21
4/30/2024 Investment Balance	1,103,687.97
4/30/2024 Intergovernment Receivable	4,826.85
4/30/2024 Fund Balance 04/30/2024	2,889,080.03
4/30/2024 Less: JPA Agreement Burleigh Fund Balance	(1,689,647.85)
4/30/2024 Fund 2985 Non-Allocated Fund Balance	1,199,432.18

	CURRENT BALANCE	TODAYS DEBITS	TODAYS CREDITS	PREVIOUS BALANCE	NET BAL CHANGE
1110013631 Escrow Fund	.00	.00	.00	.00	.00
1120013632 Cost of Issuance 44-17-524	.00	.00	.00	.00	.00
1120013633 Debt Service Fund 44-13-259	4,035,103.71	.00	.00	4,035,103.71	.00
1120013634 Reserve Fund 44-13-224	5,098,896.98	.00	.00	5,098,896.98	.00
1120013635 Burleigh Co Revenue 44-13-232	182.35	.00	.00	182.35	.00
1120013636 Morton Co Revenue 44-13-240	27.73	.00	.00	27.73	.00
1120013637 Burleigh Co Surplus 44-13-275	5,851,318.55	.00	.00	5,851,318.55	.00
1120013638 Morton Co Surplus 44-13-283	4,198,618.39	.00	.00	4,198,618.39	.00
1210013633 Debt Service Fund	.00	.00	.00	.00	.00
1210013634 Reserve Fund	.00	.00	.00	.00	.00
1210013637 Burleigh Co Surplus	21,900,000.00	.00	.00	21,900,000.00	.00
1210013638 Morton Co Surplus	.00	.00	.00	.00	.00
TOTAL ASSETS	41,084,147.71	.00	.00	41,084,147.71	.00
3100013622 Liability Fund Balance	41,084,147.71	.00	.00	41,084,147.71	.00
TOTAL LIABILITY/CAPITAL	41,084,147.71	.00	.00	41,084,147.71	.00
DIFFERENCE	.00	.00	.00	.00	.00

Amount needed to defease bond		\$ 42,339,603.23	<<---This number came from John at Colliers
less shared Reserve Fund		5,098,896.98	
less shared Debt Service Fund		4,035,103.71	
Amount to split between counties		<u>33,205,602.54</u>	
Burleigh	83.32%	27,666,908.04	
Morton	16.68%	\$ 5,538,694.50	

				BURLEIGH	MORTON				
		Balance 3/31/2024 (cash basis)		\$ 27,751,528.63	\$ 4,198,618.39				
		Defeasance amount, less debt service & reserve		27,666,908.04	5,538,694.50				
		Amount needed to defease as of 3/31/2024, net of debt service and reserve funds		<u>\$ (84,620.59)</u>	<u>\$ 1,340,076.11</u>				
								BURLEIGH	MORTON
								Amount needed to defease, Burleigh	Amount needed to defease, Morton
								(84,620.59)	1,340,076.11
Receipt Quarter	Collection Quarter	Sales Tax Receipts, Historical		Burleigh	Morton				
		Receipt Month	Collection Month						
Q2	Q1	4/19/2024	2/28/2024	488,370.25	103,451.54	ACTUAL	(572,990.84)	1,236,624.58	
Q2	Q1	5/19/2024	3/31/2024	688,155.85	132,196.41	ESTIMATE	(1,261,146.69)	1,104,428.17	
Q2	Q2	6/22/2024	4/30/2024	1,066,011.06	185,829.63	ESTIMATE	(2,327,157.75)	918,598.53	
Q3	Q2	7/24/2024	5/31/2024	987,741.14	175,329.29	ESTIMATE	(3,314,898.89)	743,269.24	
Q3	Q2	8/21/2024	6/30/2024	1,095,716.25	218,445.94	ESTIMATE	(4,410,615.14)	524,823.31	
Q3	Q3	9/22/2024	7/31/2024	1,021,130.79	200,682.44	ESTIMATE	(5,431,745.93)	324,140.86	
Q4	Q3	10/20/2024	8/31/2024	716,756.35	159,377.07	ESTIMATE	(6,148,502.28)	164,763.80	
Q4	Q3	11/22/2024	9/30/2024	1,366,765.51	235,014.56	ESTIMATE	(7,515,267.79)	(70,250.76)	
Q4	Q4	12/21/2024	10/31/2024	950,487.81	181,875.96	ESTIMATE	(8,465,755.60)	(252,126.72)	
Q1	Q4	1/21/2025	11/31/2024	700,759.27	127,606.44	ESTIMATE	(9,166,514.87)	(379,733.16)	
Q1	Q4	2/21/2025	12/31/2024	1,405,633.01	248,832.50	ESTIMATE	(10,572,147.88)	(628,565.67)	
Q1	Q1	3/21/2025	1/31/2025	922,938.59	158,318.59	ESTIMATE	(11,495,086.47)	(786,884.25)	
Q2	Q1	4/21/2025	2/28/2025	488,370.25	103,451.54	ESTIMATE	(11,983,456.72)	(890,335.79)	
Q2	Q1	5/21/2025	3/30/2025	688,155.85	132,196.41	ESTIMATE	(12,671,612.57)	(1,022,532.20)	

ITEM

10

ITEM

11

Addenda item for May 6th Meeting

Action Requested: Reconsider Lewis & Clark Development Groups request for funding

Description: During our distribution of portfolios in November of 2022, it was suggested and voted on to drop the Lewis & Clark Development portfolio as we were no longer a participating member. From what we learned at our last meeting; we must participate according to the North Dakota Century Code. However we are not required to make an annual contribution. It has been suggested that we contribute .15 of a county mill which is approximately \$92,000. These funds are instrumental in providing funding for Grant Matches which are used in our community to assist local businesses and low income housing.

Action needed:

I request approval to fund the requested funding by the Lewis & Clark Development Group.

Addenda item for May 6th Meeting

Action Requested: Missouri Valley Complex Committee

The following request was made to Commissioner Schwab on Friday April 19th, 2024 with no response. I would like to make the request again.

When the committee was voted on and approved, the motion included the use of County Staff as needed. I reached out to Marcus to assist me in laying out a new road system and possible utility corridors within the Missouri Valley Complex and he told me that he was not allowed to assist in the Complex project.

This is not a request by the committee but a request by a Commissioner to lay out the Complex with new ideas as to where the road system could be so that we can make better use of the facility. This would assist in getting an area for a Carnival with a Midway, an area that could be used by United Tribes for their horse relay race, a new Barn for the Buckstop Junction area that could be used for 4H and Extension and yes it would set aside an area for the Equine and Ag Facility as well as a camping area. This would allow us a vision as to how we can grow the complete facility.

Action needed:

I am requesting that you reconsider your decision and allow me to work with Burleigh County Highway Department and Marcus?

ITEM

12

Stormwater and other related problems within the ETA

Over the years we have had numerous problems related to stormwater issues within the ETA. Most of these problems were a result of an inadequate City of Bismarck stormwater ordinance, lack of enforcement (by the City of Bismarck) of the stormwater ordinance during construction and the lack of enforcement post construction (related to the City of Bismarck's jurisdictional concerns). Since the City of Bismarck insisted on controlling development within the ETA the County had little or no authority to regulate development activities and to deal with potential stormwater problems before they became a problem.

In the last 7-10 years the number of stormwater problems within the ETA have been greatly reduced due to changes to the Stormwater ordinance, and the addition of new personnel within the City Engineering and Planning departments that have worked more closely with the County. In addition, the County Highway Department has been much more assertive in identifying, and requiring potential problem areas to be addressed before the developer and City leave/turn over the subdivision to the County to maintain.

In spite of these changes to the stormwater review process, the County has been stuck dealing with these historical problem areas. The following list details the problem areas:

Subdivision:

Problem:

Apple Creek:

Copper Ridge	Drainage problems east of 6219 Copper Ridge Lane – required additional drainage work.
Copper Ridge	Erosion problems throughout the subdivision – required a lot of shoulder and ditch reconstruction.
Copper Ridge	Drainage problems at Copper Ridge Lane and Woodrow Dr – required us to acquire additional stormwater easement and add stormwater drainage structures in order to solve the problem.
Faimans Sunrise Addition	Drainage problems along Palimino Dr – required re-ditching and regrading of the roadway and ditch.
Leisure World Estates	Drainage along Northgate Drive has always been a problem and the construction of Leisure World just increased the problem. We are now required by the Burleigh Water Board to add additional culverts under Northgate Drive.
Apple Meadows 1 st	Drainage problems along Beacon Loop – required us to add stormwater drainage structures with in the subdivision to drain water out to the ditch along Highway 10.
Apple Meadows	Drainage problems with in the subdivision required us to re-ditch several areas.
WDH	Drainage problems with in the subdivision required us to do additional re-ditching.
Prairiewood Estates	The subdivision created drainage problems along 48 th Ave requiring the County and the residents to re-ditch and pump water during the year.

Burnt Creek:

Prairiecrest 2 nd	Drainage problems at 914 Violet Lane – required additional drainage work.
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Harvest Grove	Drainage problems along North Washington street – required us to replace culverts and perform major ditch repairs (which included a large ditch block) and rip-rap.
Harvest Grove	Drainage problems along the south and west sides of 8400 Northwood Drive – required us to re-ditch along 84 th Ave and Washington St.
Brentwood Estates	Drainage problems at 9030 Plainview Dr – required us to replace culverts and perform major ditch work through 9101 Wentworth Dr.
Hay Creek Pines	Major drainage problems along both Forest Drive and Oak Drive – resulted in the reconstruction of both roadways with the addition of a number of culverts and the re-ditching of much of the area.
Rustic Acres	Major drainage problems throughout the subdivision – required the reconstruction of both Shamrock Place and Clover Place.
Four K’s Estate	Additional runoff from the subdivision required the replacement and up sizing of culverts under 26 th Street – which should have been done as part of the subdivision construction.
Shamrock Acres	Poor drainage design throughout the subdivision (in particular along 26 th Street) has resulted in the County replacing several culverts and repairing the roadway numerous times.
Sunny Meadow Estates	Poor drainage throughout the subdivision has resulted in the County spending a lot of money on repairs to both Mirage Place and Desperado Place.

Fort Rice:

Twin Buttes	Poor drainage through the subdivision has resulted in flooding of several building structures – this has required the County to work with property owners on removing trees and re-ditching some of their property.
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Gibbs:

Country Creek	Numerous drainage problems along Runnel Road and Shoal Drive have caused the major problems in the area – this resulted in the re-drainage of water through the subdivision and the replacement of many culverts/approaches. The County now needs to snow blows the new drainage ditch each year to ensure spring runoff stays within the ditch.
Country Ridge	Because of the problems with in Country Creek, Country Ridge’s runoff needed to be delayed within the subdivision to allow Country Creek runoff to occur before more water was added to the system.
Country Creek	Drainage problems around 7331 and 7315 Runnel Road resulted in the county building several underground structures and stormwater drainage piping in order to deal with the problem.
Rock Creek	Drainage problems have will result in the County needing to replacing culverts and re-ditching this subdivision in the near future in order to meet the property owner’s needs.
East Meadows Estates	Drainage problems throughout the subdivision have resulted in the County installing subsurface drain tile along 80 th Street.
Brookfield Estates	Major drainage was allowed to go through the subdivision from the north. As a result of water problems within the subdivision, the residents built a berm (and drainage ditch) around the subdivision to divert the water – this has resulted in the County setting up an O&M agreement with the residents to clean, snow blow and maintain the new bypass ditch.
Rainbow Acres	Major water problems within the subdivision has caused the roadway to breakup – County and Township have had to spend extra money in this subdivision to improve the roadway and ditches.

TJ Ranch Estates	Drainage problems at 7245 Russell Road has resulted in the County changing culverts and improving the drainage in the area.
<u>Hay Creek:</u>	
Northridge Estates	We have had several drainage problems within the subdivision. So far, the County has had to have several meetings with residents to deal with the problems but have not had to make any changes to the existing structures.
State Street Office Park	Major drainage problems with in the subdivision required the County to re-ditch the main ditch within the subdivision and replace/reset several culverts.
Sunny-View Acres	Poor drainage within the subdivision has required the County to clear snow from ditches in order to enhance drainage in the spring. Some culverts have been replaced but every spring requires us to blow snow from the ditches.
Sunny-View Acres	Because the subdivision was not designed to deal with all the water from the area, the culverts on 84 th Ave have been replaced to reduce/delay the amount of water that enters the Sunny-View Acres Subdivision.
Crescent Ridge	Water problems along 78 th Ave have required the County to rebuild that roadway.
Grande Prairie Estates	Water coming from the east was not designed to go through this subdivision (between 4028 Rawhide Drive and 4041 Heartland Drive). The County needed to install drainage structures to divert the water to the north of the Grande Prairie Estates subdivision.
Green Acres	Major drainage problems along 57 th Ave NW, because of the Green Acres Subdivision, has required the County to re-ditch and place culverts along 57 th Ave.
Foxhaven 3 rd	The construction of Oakland Subdivision has caused drainage problems with in Foxhaven. County needed to replace culverts and do some re-ditching.
Breens	Drainage problems with in the subdivision required the County to replace some culverts and do some re-ditching.
Sabots	Drainage problems with in the subdivision required the County to replace some culverts and do some re-ditching.
<u>Lincoln:</u>	
Timberlane Place	Drainage leaving Timberlane Place was not accounted for when Whispering Bay was constructed. So the County was required to build drainage structures at 2882 Woodland Dr to ensure that residents to the east where not flooded during high Missouri River flows.
Fox Island	The subdivision design did not deal with high water tables that resulted in flooding in Timberlane Place and Fox Island subdivisions, so the County needed to constructed drainage structures adjacent to 3002 and 3005 Deer Lodge Drive.
Fox Island	Major flooding around the whole area required the County to construct the Tavis Road Pump Structure. Additional construction was required because a private developer was allowed to place flood control items on a public roadway.
Spiritwood Estates	Drainage problems within the subdivision required the County to do additional ditching and replace several culverts.
Metro Industrial Park	Poor drainage everywhere within the subdivision required the County to regrade the ditches and reset all of the culverts.

Apple Creek Industrial Park Poor drainage everywhere within the subdivision required the County to regrade all of the ditches and roadways and reset many of the culverts throughout the subdivision.

Secluded Acres The construction of Southbay resulted in drainage problems within Secluded Acre. This resulted in the County re-ditching several areas.

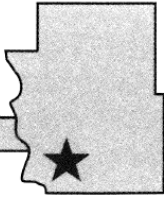
Riverview:

Sundown Acres Poor drainage between 14900 and 14844 Sand Dune Lane has required the County to reconstruct the drainage between the two properties.

ITEM

13

County of Burleigh



221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

Request for County Board Action

DATE: 5/6/2024

TO: Burleigh County Commission

FROM: Mark Splonskowski

ITEM: Bids for the Missouri Valley Complex farmland.

INFORMATION: The Burleigh County Commission authorized the advertisement for bids on the rental of the farmland located in the Missouri Valley Complex. This has been advertised and one bid was received from Clark Coleman. He offered \$50 an acre per year and suggested it being in a three-year contract.

REQUEST: Direct staff on how to proceed.

ITEM

14

COUNTY

WEED

BOARD

**BURLEIGH COUNTY WEED BOARD
MEETING**

JANUARY 17TH, 2024

Chairman Bakken called the meeting of the Burleigh County Weed Board to order.

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

There was a review of Rod Backman's Weed bill that had been outstanding for some time. Mr. Backman wondered how much he should pay. Comm. Bitner felt it was a single project and Chairman Bakken concurred. Comm. Munson wondered if there was a policy written down and a precedent set with the Weed Board on how people are billed. Comm. Schwab felt the new Weed Board would need to establish a policy as he didn't think there was one. Motion by Comm. Schwab, 2nd by Comm. Bitner to accept the cost sharing price of \$135.02. All members present voted "AYE". Motion carried. Chairman Bakken then discussed future meeting locations and recordings but thought it best to keep things status quo until a Weed Board was officially formed and a Weed Officer was hired. Comm. Schwab suggested having the meetings in the Tom Baker Room and have the Auditor's Office staff take the minutes. Comm. Bitner didn't want the Elections Coordinator burdened with taking minutes of the Weed Board and suggested her back up person do it. Chairman Bakken would like the Auditor to check on availability of the Tom Baker room for these meetings. Motion by Comm. Woodcox, 2nd by Comm. Munson to table the discussion until a Weed Officer is hired. All members present voted "AYE". Motion carried. Comm. Schwab stated that the chemicals are temporarily being stored at FertiLawn until spring but eventually a building is needed to store them per federal law. He also added that after attending the State Weed Board, a member of the ND Ag Department offered to sit in on Weed Board meetings to help them get started and answer questions.

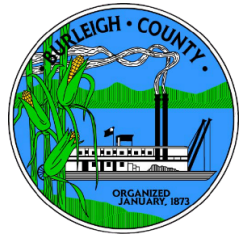
Meeting Adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

May 20, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the May 6, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
6. Sheriff Leben:
 - a. Burleigh East renovation project.
 - b. Crossroads Tavern Liquor License renewal.
 - c. Variance to Burleigh County Policy.
7. County Engineer Hall:
 - a. Township mileage certification.
 - b. Developer Waiver Request.
 - c. Weight limits variance.
 - d. Developer Agreement.
 - e. Underground easement request.
8. Extension Agent Kelsey Deckert:
 - a. Office closure dates.
9. County Human Resources Director Pam Binder:
 - a. Burleigh County Health Insurance Plan Summary.

b. Health Insurance Committee Recommendations.

10. Finance Director Leigh Jacobs:

1. Burleigh/Morton Detention Center sales tax bond.

a. Update on escrow fund,

b. Timing and next steps,

c. Repurchase options,

d. Request for Commission approval.

11. County Planning Director Flanagan:

a. City of Lincoln Service Agreement.

b. CRS Application.

12. Comm. Munson:

a. Request for funding for the Lewis and Clark Development group.

13. Chairman Bitner:

a. CCUS, Carbon Capture Utilization and Storage.

b. Discussion on the U.S Army Corps of Engineers Section 58 Permit.

14. Other business.

15. Adjourn.

The next regularly scheduled Commission meeting will be on June 3rd, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING**

MAY 6TH, 2024

5:30 PM

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

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

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

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the April 15th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Wayne Martinenson	2022	SW1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.2	\$88,100	\$74,700
Wayne Martinenson	2023	SW1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.3	\$93,100	\$79,000
Wayne Martinenson	2022	SE1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.4	\$104,600	\$96,900
Wayne Martinenson	2023	SE1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds	\$110,500	\$102,400

			ag value defined in NDCC 57-02-27.5		
Ira Smith	2023	Lot 14, Block 24, Homan Acres 5th	80% Disabled Veteran	\$297,700	\$257,200
Laureen Fordyce Hollifield	2022	Block 5, Jennings 1st, N 57' of Lot 5 & S 7' of Lot 6	100% Disabled Veteran	\$252,800	\$162,800
Laureen Fordyce Hollifield	2023	Block 5, Jennings 1st, N 57' of Lot 5 & S 7' of Lot 6	100% Disabled Veteran	\$258,800	\$78,800
Russell & Jane Gilbertson	2022	Lot 19, Block 1, Calgary Court Addition	70% Disabled Veteran	\$305,100	\$179,100
Russell & Jane Gilbertson	2023	Lot 19, Block 1, Calgary Court Addition	70% Disabled Veteran	\$340,400	\$214,400
Tara Star Rittel	2023	Lots 15-16, Block 36, Governor Pierce	Error in property description	\$146,400	\$102,300
William McCoy	2023	Block 1, Tatley Meadows V, part of Lot 4 & all lot 5 Palace Virdes First Condo Unit 2865-A Garage 2865-A Building H	70% Disabled Veteran	\$167,200	\$33,440
John & Julie McConnell	2023	Block 6, Northern Pacific, commencing @ NW corner of Lot 3; E 82' S at right angles 39', W 82', N 39' to beginning	Error in property description	\$181,700	\$152,400
Sharee Nelson	2022	Lot 8, Block 3, High Meadows 2nd	Error in property description	\$362,500	\$321,300
Sharee Nelson	2023	Lot 8, Block 3, High Meadows 2nd	Error in property description	\$389,600	\$344,800
Corrine Lee	2023	N 50' of Lot 3, Block 3, Northern Pacific	Wheelchair exempt	\$141,000	\$41,000
Joshua Smith	2023	Lot 7, Block 4, Prairiewood Estates 2nd	50% Homestead Credit	\$173,200	\$73,200
Lillian Seifert	2023	Lot 17, Block 5, French's 1st	100% Homestead Credit	\$273,100	\$73,100

Vickie A Calheim	2024	1990 Schult 76 x 16	100% Homestead Credit	\$26,666	\$0
Eugene Clarence & Karen K Smith	2022	Lot 9, Block 1, Calgary Court Addition	20% Homestead Credit	\$293,800	\$268,800
James & Terral Frieboes	2023	Block 10, Replat Homan Acres, Lot 1 & N 13' of Lot 2 Turnpike Ave Condo Unit A	50% Homestead Credit	\$176,100	\$88,050
Donald & Marietta Nygaard	2023	1999 Liberty 28 x 64, #06L30250X4	50% Homestead Credit	\$65,372	\$32,686
Donald & Marietta Nygaard	2024	1999 Liberty 28 x 64, #06L30250X4	50% Homestead Credit	\$65,372	\$32,686
Donna Carufel	2023	Block 1, Vision Heights, E 54.43' of Lot 5 & W 5' of Lot 6	50% Homestead Credit	\$300,100	\$200,100
Janice Nesja	2023	Block 1, Pebble Creek 8th Add replat, Lot 2 3312 Arrow Head Ranch Condo Unit 4	50% Homestead Credit	\$316,700	\$216,700
Kathleen Gibbs	2023	Lot 2, Block 4, Nagel's 5th	100% Homestead Credit	\$276,400	\$176,400
Diane Linke	2023	Block 2, Airport Road, Lot 2 less E 180' & less W 30'	100% Homestead Credit	\$338,800	\$138,800
Trent & Shelly Sack	2023	Block 53, Governor Pierce, Lot D, Tract 210 less tract 210A & tract 218B of Blocks 52-53 26th St Shop Condo Assoc Unit 2	Error in property description	\$585,400	\$470,000
Jerry & Nancy Christianson	2023	Lot 1, Block 6, Wachter's 11th	50% Homestead Credit	\$255,300	\$155,300
Leona Hartman	2022	Block 47, Governor Pierce, E 50' of W 100' of Lots 13-16	10% Homestead Credit	\$170,400	\$157,889
Darlene Danielson	2023	Lot 4, Block 5, Eastside Heights	100% Homestead Credit	\$261,800	\$136,800
Carl & Thelma Kvanvig	2023	Block 1, Meeks, Lot 1 less R/W parcels 8-1 & 8-2	50% Homestead Credit	\$351,500	\$251,500

Jerry Wutzke	2023	Lot 7, Block 2, Northwest Acres 2nd	50% Homestead Credit	\$344,300	\$244,300
Steve Thingelstad	2023	Lot 2, Block 4, Nagel's 5th	100% Homestead Credit	\$176,400	\$76,400
Eugene Clarence & Karen K Smith	2023	Lot 9, Block 1, Calgary Court Addition	100% Homestead Credit	\$330,500	\$130,500
Julie Schmidt	2023	Lot 14, Block 3, Valley View Terrace	100% Homestead Credit	\$126,900	\$26,900
Bobbie Hackman	2023	Block 12, Replat Homan Acres, Lots 26-27 Homan Acres Condo Unit 7	100% Disabled Persons Credit	\$103,700	\$0
Douglas Ellingson	2023	Lot 14, Block 3, Valley View Terrace	100% Homestead Credit	\$226,900	\$126,900
Sharon Smith	2023	Lot 24, Block 22, Homan Acres 5th	100% Homestead Credit	\$290,500	\$90,500

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Wayne Martinenson (4), Ira Smith, Laureen Fordyce Hollifield (2), Russell & Jane Gilbertson (2), Tara Star Rittel, William McCoy, John & Julie McConnell, Sharee Nelson (2), Corrine Lee, Joshua Smith, Lillian Seifert, Vickie A Calheim, Eugene Clarence & Karen K Smith (2), James & Terral Frieboes, Donald & Marietta Nygaard (2), Donna Carufel, Janice Nesja, Kathleen Gibbs, Diane Linke, Trent & Shelly Sack, Jerry & Nancy Christianson, Leona Hartman, Darlene Danielson, Carl & Thelma Kvanvig, Jerry Wutzke, Steve Thingelstad, Julie Schmidt, Bobbie Hackman, Douglas Ellingson, Sharon Smith, Dennis & Patricia Serafen, Berdell M Wilson, Donald Kasper, Larry A Holzer, Alan Kindt, Cynthia J Weekes, Ronald Seiler, Linnea Reeves, and David Swenson (2) abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Engineer Hall presented to the Commission a petition by Tony Fettig requesting the Commission vacate a section line in Wild Rose township. Chairman Bitner opened the public hearing. Arlene and Tony Fettig testified that there hasn't been any traffic that has gone through that area for about 40 years. She also stated that traversing the line is less than ideal, and it poses a potential fire risk as it dries during the summer. Tony also added that the Fettigs own land on both sides of the section line, and that they graze their cattle on either side of it. Paul Silbernagel, a neighbor of the Fettig's, also approached the podium and reiterated the same points. Alan Leier subsequently approached and stated that he was opposed to closing the section line for no reason. Motion by Comm. Schwab, 2nd by Comm. Munson to not abandon the section line due to the lack of any public benefit to closing the line. All members present voted "AYE". Motion carried.

County Planning Director Flanagan presented to the Commission the results of the April 10th planning commission meeting on the Baker Subdivision final plat in Missouri Township, and recommended the

Commission approve the Baker Subdivision final plat. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Baker Subdivision final plat. All members present voted "AYE". Motion carried. Chairman Bitner then opened the public hearing on the subject to amend Article 21 floodplain regulations; no one approached the podium and the public hearing was closed. Bitner pointed out to Flanagan that if the Commission were to approve the amended article, he'd like to have a word in section C to be changed from 'ridged' to 'rigid'. Motion by Comm. Munson, 2nd by Comm. Bakken to approve amended article 21 (including the word change). Comm. Munson, Bakken, and Bitner voted "AYE"; Comm. Schwab voted "NAY". Motion carried.

Sheriff Leben approached the Commission concerning the retirement release of a law enforcement K-9. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the retirement release of a law enforcement K-9. All members present voted "AYE". Motion carried. Sheriff Leben then proceeded to present to the Commission the timeline of the building at 2000 North 52nd, also known as Burleigh East, and the general state/condition of the property. Leben stated that there is a lot of work and repair that needs to be done to make Burleigh East functional, up-to-date, and habitable, and hopes to complete the project for less than \$500,000 based on preliminary estimates. Motion by Comm. Munson, 2nd by Comm. Bakken to table the discussion for the next meeting for when Comm. Woodcox could be present. All members present voted "AYE". Motion carried.

Finance Director Jacobs came forward and explained that the former Burleigh County jail had around a couple million dollars in its maintenance fund prior to the current Burleigh-Morton Detention Center, which has its own fund. Jacobs expressed concern that some mingling of the two funds might cause some confusion in the future and suggested that in the future the money from the old fund be moved to a bank account set aside for the jail fund. Jacobs then gave an update on the Burleigh/Morton County Detention Center bond, stating that the county now had enough cash to meet its obligations for the bond; however, Morton County was unwilling to put forward the necessary funds to make it possible to stop the sales tax. Jacobs then presented the topic of the Budget Committee. The Commission decided to continue having the budget committee and that the next Budget Committee will consist of Chairman Bitner, Comm. Bakken, County Auditor Splonskowski, County HR director Binder, and County Finance Director Jacobs.

States Attorney Lawyer Julie presented a request to convert an Attorney I position into an Investigator position. The current investigator working at the States Attorney office has been swamped with work in recent weeks. The States Attorney office wants an additional investigator to help split their responsibilities and relieve some of the stress of the workload. Motion by Comm. Schwab, 2nd by Comm. Bakken to convert an Attorney I position into an Investigator position within the States Attorney office and fill it. All members present voted "AYE". Motion carried.

Comm. Munson presented to the Commission a request for reconsider funding for the Lewis and Clark Development group; however, a motion was made by Comm. Munson himself, 2nd by Comm. Bakken to table this request for next meeting so that Comm. Woodcox could be present. Comm. Schwab, Munson, and Bakken voted "AYE"; Chairman Bitner voted "NAY". Motion carried. Comm. Munson then requested the Commission for guidance/advice concerning uses of land at the Missouri Valley Complex and uses of Burleigh County assets for Burleigh County property. Chairman Bitner and Comm. Schwab stated that any work to be done on the property should be placed out for bids instead of using the County highway department.

Chairman Bitner brought to the attention of the Commission regarding the ETA Stormwater drainage that the county has spent vast sums of money taking care of infrastructure and cleaning up problems that the city of Bismarck made and left behind; Bitner suggested that steps should be taken to stop this. Chairman Bitner then brought to the attention of the Commission an update concerning the Summit CO2 pipeline, saying a technical hearing has been scheduled and that there will not be an opportunity for public comment at the hearing. Chairman Bitner, Comm. Bakken and Comm. Schwab all share great concerns about the entire project and how it would adversely affect Burleigh County.

Auditor-Treasurer Splonskowski went before the Commission to present the bids for the Missouri Valley Complex farmland. In total, one bid was received the bid was from Clark Coleman offering \$50 an acre per year with the recommendation of a three-year contract. Motion by Comm. Munson, 2nd by Comm. Bakken to reject the bid as is. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to accept the financial offer for the lease of agricultural property at the Complex on a one-year basis. All members present voted "AYE". Motion carried.

Comm. Munson invited people to attend the Bismarck-Mandan Chamber EDC open house to discuss the home rule charter 1 cent sales tax the following day on May 7th at 7pm.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-577	Charles & Suzanna Hitchcock	2023	Block 20, Park Hill (aud lots), beg 92.5' N & 10' E of SW cor of Aud Lot 20, th E 54.7' N 7.5' E 94.3' N 125' W 149' S 132.5' to pt of beg	80% Disabled Veteran	\$75,300	\$0
24-587	KPJ LLC	2023	Block 4, Northern Pacific, S 105' of E1/2 of Lot 3	House was removed in November, prorated value for year	\$226,000	\$198,200
24-595	Margaret Bjelanovic	2023	Lot 1, Block 27, Sturgis	Error in property description	\$98,600	\$79,100
24-596	Daniel & Genevieve Welder	2023	Lot 15, Block 3, Wachter's 5th	100% Homestead Credit	\$286,500	\$86,500
24-597	Michael & Janette Fetch	2023	Lot 7, Block 2, Haycreek Meadows	90% Disabled Veteran	\$330,500	\$168,500
24-598	Craig Boeckel	2023	Block 1, Southport Phase II, Tract 1016 of Lot 2	50% Homestead Credit	\$480,700	\$380,700
24-599	Marilyn Schlosser	2023	Lot 13, Block 1, Edgewood Village 5th	50% Homestead Credit	\$384,100	\$284,100
24-600	Timothy & Debra Schumacher	2023	Lot 14, Block 4, Gateway Addition	50% Homestead Credit	\$302,700	\$202,700
24-601	Dianne Herr	2023	Lot 7, Block 1, Trenton 2nd Addition	50% Homestead Credit	\$316,400	\$216,400
24-602	Peggy Ann Freije-Ray	2022	Lot 1, Block 22, Jennings's 5th	100% Homestead Credit	\$245,400	\$120,400
24-603	Peggy Ann Freije-Ray	2023	Lot 1, Block 22, Jennings's 5th	100% Homestead Credit	\$286,000	\$86,000
24-606	Terry Palmer	2023	1971 Boise Cas Genora 66 x 14, #GA36M01740	100% Homestead Credit	\$7,269	\$0
24-607	Terry Palmer	2024	1971 Boise Cas Genora 66 x 14, #GA36M01740	100% Homestead Credit	\$7,269	\$0
24-608	Leona & Arnold Ziegler	2023	Lot 9, Block 9, Casey's 2nd	50% Homestead Credit	\$193,000	\$144,750

24-609	Kay & Dennis Berg	2023	Lot 22, Block 5, Cottonwood Parkview Addition	100% Homestead Credit	\$321,600	\$121,600
24-610	Luanda Makedonski	2022	NW1/4 beg @ NW1/4 S 1133', E 100' to TR POB E 300', N 435', W 300', S 435' to POB	50% Homestead Credit	\$192,800	\$180,289
24-611	Luanda Makedonski	2023	NW1/4 beg @ NW1/4 S 1133', E 100' to TR POB E 300', N 435', W 300', S 435' to POB	50% Homestead Credit	\$198,700	\$98,700

APPLICATION FOR LIQUOR LICENSE

Name of Applicant MISTY WATERS MARINA Classification of License D

Primary Contact GERRY VAN BEEK Phone 

Address 5800 BURNT CREEK LOOP Date of Birth/Incorporation 9/1999

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 2007

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____
 Residence _____
 Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
JEFF WOOD			91.25
GERRY VAN BEEK			8.75

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise: *MISTY WATER TOWN: 139 RING: 81 BLK: 01*
MISTY WATERS BLOCK 01 LOT 2

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes No
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. *SECURITY FIRST BANK - BANKING*
2. *KRAMER AGENCY - INSURANCE CO.*
3. *RED CARPET PETROLEUM*
FARSTAD OIL - FUEL SUPPLIER

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

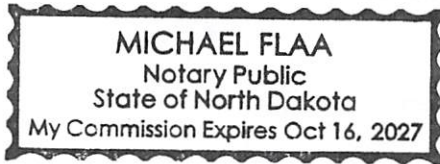
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Gerald Van Der

Signature of Applicant

Subscribed and sworn to before me this 19th day of APRIL, 2024



Michael Flaa

Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Hay Creek approve the
(Name of Township)

application for a Type D Retail Liquor License for

Misty Waters LLC
(Name of Establishment)

owned by River City Sports 3751 East Rossar Ave.
(Licensee) (Address) Bismark ND 58501

Mary L. Rennie
Chairman

Larry Heisley
Member

James C. Martel
Member

ATTEST

Clay Kubow
(Township Clerk)



LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number
24-006

Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit				<input type="checkbox"/> Restricted Event Permit*			
Games Authorized				<input type="checkbox"/> Raffle by a Political or Legislative District Party			
<input type="checkbox"/> Bingo	<input type="checkbox"/> Raffle	<input checked="" type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group UND Alumni Association & Foundation			Dates Authorized (Read Instruction 2) June 13, 2024	
Organization or Group Contact Person Ellie Johnson		E-mail [REDACTED]		Telephone Number [REDACTED]
Mailing Address 3501 University Avenue Stop 8157		City Grand Forks	State ND	ZIP Code 58202

SITE INFO

Site Name Hawktree Golf Club			County Burleigh	
Site Address 3400 Burnt Creek Loop		City Bismarck	State ND	ZIP Code 58503

If the city or county is placing restrictions on the permit, please explain

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

Raffe Board occuring on June 13, 2024

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 9338 (9-2023)

Applying for (check one)
 Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group UND Alumni Association & Foundation		Dates of Activity (Does not include dates for the sales of tickets) June 13, 2024	
Organization or Group Contact Person Ellie Johnson	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address 3501 University Avenue Stop 8157	City Grand Forks	State ND	ZIP Code 58202
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Hawktree Golf Club		County Burleigh	
Site Physical Address 3400 Burnt Creek Loop	City Bismarck	State ND	ZIP Code 58503
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle Board occurring on June 13, 2024			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle Board	50/50 Drawing - Cash	\$500
Total (limit \$40,000 per year)		\$ 500

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds
To benefit Athletic Scholarships at the University of North Dakota

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
 Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)
 Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)
 No Yes - Total Retail Value: **4,500** (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)
 Yes No

Printed Name of Organization Group's Permit Organizer Kristie Hunt	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization Group's Permit Organizer 	Title Controller	Date 5/8/24

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.

ITEM

6



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: May 13, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Crossroads Tavern Liquor License Renewal

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Request a Special Meeting of the Burleigh County Commission in regards to the Crossroads Tavern Liquor License Renewal.

Background:

The Crossroads Tavern located at 1205 Northstar Drive Bismarck, ND has had a Class D Liquor license since May 28, 2020. The business has been owned and operated by JJ Miller Holdings LLC with the original application listing Jocelyn Miller as owner and subsequent applications listing Jake and Jocelyn Miller as equal co-owners. Prior to the 2024 license renewal, Sheriff Leben provided information to the Burleigh County Commission relevant to the fitness of the owners as required by Burleigh County Alcoholic Beverage Rules and Regulations. During this current licensing period, on-going and additional information applicable to this license renewal has occurred. In accordance with the Burleigh County Alcoholic Beverage Rules and Regulations, the Sheriff shall investigate the facts stated in the application, and the character, reputation, and fitness of persons named in the application and shall report on such matters to the Board of County Commissioners.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319

**Burleigh East (BEAST) Presentation
2000 N 52nd St**

- I. 1989-Burleigh County constructed a County Shop at 2000 N 52nd St.**
- II. 2014- Burleigh County constructed a new County Shop and the Sheriff's Department took possession of the old County Shop.**
- III. Since 1989, we are not aware of any major renovations to the existing buildings.**
- IV. In 2014, the Sheriff's Department moved its Patrol Section to the main shop and office building. In addition, the department hired a full-time mechanic and put him and a deputy assigned to our Training Section in that same building to oversee and maintain all equipment and vehicles in addition to maintaining all buildings and property located in that complex.**
- V. When the department moved into the building in 2014, as a cost-savings measure, the department acquired used office furniture from NDACo for use in that building.**
- VI. Since 2014, the department has relied mainly on budget dollars to maintain and update the properties. Budgeted repairs and updates include window replacement, fuel pump replacement, parking lot work, fuel tank maintenance, and gate and shop door replacement.**
- VII. In 2022, our department requested and received ARPA funds in the amount of \$324, 312 for inside and outside repairs to Burleigh East. The inside repairs identified and completed were the replacement of the heating and cooling system, the replacement of three walk-through doors, and the**

replacement of the pressure washer and venting system for the machine.

The outside repairs identified and completed were the replacement of the roof over the administrative area of the building and repair to the damaged brick as a result of the failing roof.

One major repair that was deemed unnecessary and not completed was the repair/replacement of the roof over the shop area. We learned that the problem with inside moisture was not caused by a failing roof, but rather was being caused by the failing heating/cooling system and the build-up of inside moisture as a result.

VIII. Due to the age of the building, the gender make-up of employees using the building, damage caused by water leaks during the roof issues, the general wear and tear of the building over the years, and the fact that the building transitioned from a long term shop to a quasi-office building with no refresh or updates, we felt it was appropriate to come up with a plan to refresh the building, determine approximate costs, and identify potential funding sources to pay for the costs.

IX. A summary of the project needs are as follows:

Main Office Area

New Ceiling tiles

New Lighting

Updated Computer Wiring

New Wall Paint

Updated Electrical

New Flooring

Remodeled Bathrooms

**New Server Room
New Office Furniture**

Downstairs Shop Area

Remodel Existing Bathroom/Locker room facilities to accommodate male and female employees.

New lockers for locker rooms.

Refresh Mechanic Office

- X. Based upon preliminary discussion with contractors and some of the estimates we have received, we are hopeful that we could complete the project we are envisioning for less than \$500,000.**
- XI. In discussion with department staff and Finance Director Leigh Jacobs, funding sources we have identified include the following:**
- Re-dedicate remaining ARPA funds originally dedicated for repair work at BEAST- \$142,272. Original amount \$324,312.**
 - Re-dedicate remaining ARPA funds originally dedicated for PPE purchases for Burleigh County- \$142,384. Original amount \$374,440.**
 - Dedicate Local Assistance and Tribal Consistency Funds (LATCF) - \$100,000.**
 - Dedicate \$11,512 of remaining ARPA funds that have not been dedicated to any project.**
- XII. Based on those identified funds, we would estimate an \$80,000 shortfall on the project. Based on the board's direction, we could either budget for 2025 for a one-time spending to complete the project or authorize money to be spent from the**

“old” jail maintenance fund for the jail when it was located in the courthouse.

XIII. In conclusion, we are at a crossroads with that building and need to put some resources into it at some point in the near future. Basically, we wanted to get this before the commission so we could start the discussion.



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: May 14, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben
Burleigh County Sheriff

Re: Variance to Burleigh County Policy- Chapter 2 SECTION 10: STARTING SALARY

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve a variance to the starting salary for Deputy Sheriff Taylor Wray.

Background:

Taylor Wray is a former employee of the Burleigh County Sheriff's Department and is seeking re-employment after a thirteen month separation. See attached documentation.

Recommendation:

It is recommended that the County Commission approve the variance to the starting salary for Deputy Sheriff.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the variance to Burleigh County Policy Chapter 2 Section 10-Starting Salary.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319

Taylor Wray
Burleigh County Sheriff's Department
Employment History

April 10, 2017 Hired as a Deputy Sheriff.
April 5, 2020- Promoted to Corporal in Sheriff's Department.
May 29, 2022- Promoted to Sergeant in Sheriff's Department.
April 28, 2023- Resigned his position with Sheriff's Department.

Additional Information:

- Served as a Field Training Officer for new employees.
- Former Investigator
- Former School Resource Officer
- Former SWAT Team Member
- Former instructor in multiple disciplines.
- Reinstated as Deputy Sheriff Grade 7 Step 8 with a probationary increase after six months to step and grade at time of resignation Pay Grade 7 Step 9.

ITEM

7



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: May 20, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Township Mileage Certification

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the Biennial/Amended Township Road Mileage

BACKGROUND:

Every year the County Board of Commissioners are required by the State of North Dakota to certify the number of township road miles in each township. The Highway Department has reviewed the County/Township roadway system and has prepared the required forms for the County Commissioner Chair's signature. The total roadway mileage is as follows:

County Roadways:	586 miles
Organized Township Roadways:	746 miles
Un-Organized Township Roadways:	<u>153 miles</u>
Total:	1,485 miles

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That Burleigh County certifies the township road mileage breakdown and authorizes the Board Chairman to sign the required state forms.



COUNTY TOWNSHIP ROAD MILEAGE CERTIFICATIONS

OFFICE OF STATE TREASURER

SFN 58292 (9-2022)

Type of Certification (See Instructions)

Biennial (Effective July 1, 20 24)

Amendment (Effective: _____)

Name of County Burleigh	Name of County Official Preparing Form Nichole Howe	Telephone Number (701) 204-7748	Date 5/6/2024
-----------------------------------	---	---	-------------------------

ORGANIZED Townships

	A Organized Township Name	B Congressional Township and Range Number (List Only One Per Line)	C Road Miles in Each Congressional Township (Rounded to the Nearest Hundredth of a Mile)	D If the Congressional Township (Column B) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties	F If the Township & Range Number in Column (B) is Repeated on this Form Place an "X" in this Column
1.	Apple Creek	138-79	51.20			
2.	Boyd	138-78	25.42			
3.	Christiana	140-76	16.47			
4.	Clear Lake	140-75	22.16			
5.	Crofte	141-79	17.37			
6.	Gromwell	141-78	15.33			
7.	Driscoll	139-75	19.51			
8.	Ecklund	142-79	37.34			
9.		142-80	11.22			X
10.	Estherville	143-78	24.79			
11.	Frances	140-78	12.42			
12.	Ghylin	142-78	16.28			
13.	Gibbs	139-79	35.68			
14.	Glenview	141-80	17.30			
15.		141-81	0.18	X	Oliver	X
16.	Grass Lake	143-79	26.46			
17.	Harriet	142-75	11.82			
18.	Hay Creek	139-80	42.08	X	Morton	
19.		139-81	15.27	X	Morton	
20.	Hazel Grove	144-75	23.18			
21.	Lein	141-75	12.11			
22.	Logan	138-77	17.15			
23.	Long Lake	137-76	14.08			
24.	McKenzie	139-77	17.58			
25.	Menoken	139-78	24.75			
26.	Missouri	137-79	14.01	X	Morton	
27.	Morton	137-77	18.38			
28.	Naughton	140-79	15.73			

ORGANIZED Townships (continued)

	A Organized Township Name	B Congressional Township and Range Number (List Only One Per Line)	C Road Miles In Each Congressional Township (Rounded to the Nearest Hundredth of a Mile)	D If the Congressional Township (Column B) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties	F If the Township & Range Number in Column (B) is Repeated on this Form Place an "X" in this Column
29.	Painted Woods	142-81	7.40	X	Oliver	
30.		142-80	14.47			X
31.		141-81	0.23	X	Oliver	X
32.	Richmond	143-76	9.31			
33.	Rock Hill	142-77	14.17			
34.	Schrunk	144-77	4.91			
35.	Sibley Butte	140-77	10.08			
36.	Steiber	144-78	7.35			
37.	Sterling	139-76	18.17			
38.	Taft	138-76	12.61			
39.	Telfer	137-78	26.03			
40.	Thelma	138-75	7.32			
41.	Tygg	141-77	12.31			
42.	Wild Rose	137-75	8.05			
43.	Wilson	144-79	13.57			
44.	Wing	142-76	4.66			
45.						
46.						
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48.						
49.						
50.						
51.						
52.						
53.						
54.						
55.						
56.						
57.						
58.						
59.						
Organized Township Total			745.91			

UNORGANIZED Townships

	A Congressional Township and Range Number	B Road Miles Maintained in Township (Rounded to the Nearest Hundredth of a Mile)	C If the Number in Column (A) is Also Listed in the ORGANIZED section of This Form Place an "X" in This Column	D If the Congressional Township (Column A) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties
1.	Fort Rice 137-80	7.08		X	Morton
2.	Lincoln 138-80	40.27		X	Morton
3.	Burnt Creek 140-80	39.47			
4.	Riverview 140-81	22.37		X	Morton
5.	Lyman 141-76	11.60			
6.	Phoenix 143-75	11.34			
7.	Canfield 143-77	9.86			
8.	Florence Lake 144-76	10.52			
9.					
10.					
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31.					
32.					
33.					

UNORGANIZED Townships (continued)

	A Congressional Township and Range Number	B Road Miles Maintained in Township (Rounded to the Nearest Hundredth of a Mile)	C If the Number in Column (A) is Also Listed in the ORGANIZED section of This Form Place an "X" in This Column	D If the Congressional Township (Column A) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties
34.					
35.					
36.					
37.					
38.					
39.					
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57.					
58.					
59.					
60.					
61.					
62.					
Unorganized Township Total		152.51			
Organized Township Total		745.91			
Countywide Total		898.42			

I certify this schedule is a true account of township road mileage for our county. The mileage is based on the township road definitions as contained in the North Dakota Administrative Code, Article 84-03. The Office of State Treasurer will accept an electronic signature and printed name on the form.

Signature of County Commissioner Chair	Printed Name of County Commissioner Chair Brian Bitner	Date
--	---	------

INSTRUCTIONS FOR COMPLETING SCHEDULE

1. Types of Certification: Mark the proper one for the report being sent. (Biennial or Amendment)
 - a. Biennial: Biennial certification is only sent by the County Commission to the Office of State Treasurer by July 1 of each even numbered year.
 - b. Amendment: Whenever there is a mileage change in a township between biennial certifications, an amendment certified by the County Commission must be sent to the Office of State Treasurer. The amended mileage should be computed by increasing or decreasing mile increments listed on the most recent township mileage certification (Biennial or Amended) filed with the Office of State Treasurer. Amended changes will be effective the first day of the next quarter after received by the State Treasurer's Office.
2. Reporting Requirements:
 - a. Mileage must be listed to the nearest hundredth of a mile for both organized and unorganized townships. If an organized township consists of more than one township and range number, mileage must be listed individually for each township and range number.
 - b. Each organized township and its mileage must be listed individually. The name as well as the township and range numbers must be put on the form.
 - c. List the township and range numbers for each of the un-organized townships individually in the Unorganized Township section above.
 - d. Countywide total line is the sum of both the organized and unorganized township total lines.
 - e. County commission chairman must sign form sent to the Office of State Treasurer. The Office of State Treasurer will accept an electronic signature and printed name on the form.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: May 20, 2024

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."

Janice Aberle, in the NW ¼ of Section 29, Menoken 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 a minimum of 0.7 miles of County/Township roadways from the Subdivision to reach the pavement on CR 10.

Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer 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 Janice Aberle's request to waive the construction and paving requirements "*paving of all internal roadways and adjacent section line roads*" listed in the Pavement Policy, in conjunction with the approval of the her Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
5/13/2024



PARCEL ID: 33-139-78-00-29-400 OWNER: ABERLE, JANICE ACRES: 102.99
SITE ADDRESS:
MAIL ADDRESS: 5801 PRAIRIE ROSE LP, BISMARCK, ND 58501
LEGAL: MENOKE TOWNSHIP Section 29 NW1/4 LESS R/W LESS S539' (32.8) A TO -29-220 470922 801821 29-139-78

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: May 20, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: County Highway 10

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review request and direct staff on how to proceed.

BACKGROUND:

On September 6, 2023 the County Board passed following resolution regarding County Highway 10 from Bismarck City limit to 158th St. NE:

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve a reduced speed limit of 55 mph for all vehicles in addition to reducing the Max Gross Vehicle Weight to 80,000 pounds with a 6-ton max single axle weight, and eliminate all overload permits on this segment of the roadway.

We have received a request for a variance to this resolution. The County Highway Department has denied this request and Nick Mariner is appealing this denial to the County Board.

Good Morning. I am writing requesting a variance for load restrictions we have for a development project that requires fill off of Hwy 10. The area I am requesting this variance for begins at the intersection of Hwy 10 and 66th SE and would continue East to Fairview Lane (the entrance to Apple Creek County Club.

Please feel free to call or email back with any questions.

Thank You,
Nick Mariner

RECOMMENDATION:

It is recommended by the Highway Department that the County Board review and discuss the Mariner request and direct the staff on how to proceed.



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Request for County Board Action

DATE: May 20, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Developer Agreement

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

ACTION REQUESTED:
Review and Approve Developer Agreement.

BACKGROUND:
The Developers of Summit Point 1st Subdivision will not be able to complete roadway construction this year. They have asked the County to waive one of our County platting requirements and allow the Developers to record the plat before the Chip Seal is complete.

The Highway Department has developed the attached agreement to lay out the required criteria that needs to be met in order for the County to allow the plat to move forward to be recorded.

Once the Developers of Summit Point 1st Subdivision have signed the agreement and complete all other requirements of Burleigh County, they will be able to record the plat.

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the proper County officials are hereby authorized to enter into an agreement with SP Developers LLC to allow them to record the Summit Point 1st Subdivision prior to the completion of required roadway work.

Burleigh County Developer Agreement

THIS AGREEMENT is made and entered into this ____ day of _____, 2024 by and between **Burleigh County**, hereinafter called the County, the **North Dakota Department of Transportation**, hereinafter called the NDDOT, and **SP Developers LLC**, hereinafter called the Developer.

WHEREAS, the Developer wishes to have the plat for the Summit Point 1st Subdivision approved by the County prior to completion of the chip seal, which is a deviation from County policy. The Developer also wishes to have the construction of a right turn lane on North Dakota Highway 1804 (Northbound Lane) to Blue Spruce Road constructed after the Summit Point 1st Subdivision plat is recorded because a traffic study done regarding the Subdivision indicates that a right turn lane is not needed until after 30 Occupancy Permits are issued.

WHEREAS, the County and the NDDOT wish to safeguard the public interest in attempting to assure that said work will be in accordance with plans and requirements of the County and the NDDOT and will be completed in a proper, safe, and timely manner.

NOW THEREFORE the Developer has agreed to the following conditions:

1. Repair any damage to existing roadways in the subdivision caused by construction activities prior to the chip seal being placed on the roadways. Repair any damage to North Dakota State Highway 1804 adjacent to Spruce Hill Subdivision and Summit Point 1st Subdivision. The Developer must get a permit from the NDDOT before doing any repair work on Highway 1804.
2. Place the chip seal on all subdivision roadways by July 1, 2025.
3. It shall not be a requirement for the first 30 Occupancy Permits applied for within Summit Point 1st Subdivision that the North Dakota Highway 1804 (Northbound Lane) right turn lane to Blue Spruce Road be fully designed, constructed, and operational prior to the issuance of an Occupancy Permit. No additional Occupancy Permits shall be issued by Burleigh County until the turn lane is fully designed, constructed, operational, and approved in accordance with applicable NDDOT policies, guidelines, and procedures in the year the turn lane is to be constructed. The Developer shall contact the NDDOT Bismarck District Engineer when it is ready to request permission to construct the right turn lane and follow all NDDOT requirements and procedures to do so.
4. Perform all other activities deemed necessary by the County Engineer and the NDDOT to meet safety requirements, County standards, and NDDOT standards.
5. Be responsible for maintenance of the constructed roadways until final acceptance by the County Engineer and the NDDOT.
6. The Chip Seal on the subdivision roads must be completed no later than July 1, 2025. If this date is not met, no new approach permits or building permits will be issued by Burleigh County and Certificate of Occupancy's will be withheld on any open permits.

7. This agreement does not supersede any other stipulations that have been set forth by either the NDDOT or the Burleigh County Commission.
8. Provide Burleigh County with a signed agreement, between the Developer and a County approved contractor, to perform all subdivision road work as described above in the timeline prior to Burleigh County signing the plat for the subdivision.
9. In no event shall the County or the NDDOT be responsible for any costs whatsoever, including costs for additional work or costs occasioned by unforeseen or changed conditions encountered during the above-described work.
10. The decision of the Burleigh County Commission and the NDDOT upon any question connected with the execution of this agreement or upon any failure or delay in the prosecution of work by the Developer shall be final and conclusive.
11. To recognize that this is a special case and that this agreement shall not be interpreted as a new standard policy for the development of subdivisions.

The County, NDDOT and Developer each binds themselves, their partners, associates, successors, assigns, and legal representatives to the other party to this Agreement and to the partners, associates, successors, assigns, and legal representative of such other party with respect to all covenants of this Agreement without the written consent of the other.

The Developer shall defend, indemnify, and hold harmless the County and the NDDOT from and against all actions and claims, including attorney's fees and other costs of litigation related thereto, involving or in any way relating to establishing the right to indemnification, which may arise out of or in any way relates to Developer's failure to perform any of its obligations under this Agreement.

BURLEIGH COUNTY

Brian Bitner
Chairman, Burleigh County Commission

Date

Attest:

Burleigh County Auditor/Treasurer

Date

Burleigh County Engineer

Date

SP DEVELOPERS LLC

Cam Knutson, President

Date

Attest:

Date

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Ronald Henke, NDDOT Director

Date

Approved as to Substance:

Matthew Linneman

Date

Attest:

Date



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: May 20, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Underground Easement request

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review request and direct staff on how to proceed.

BACKGROUND:

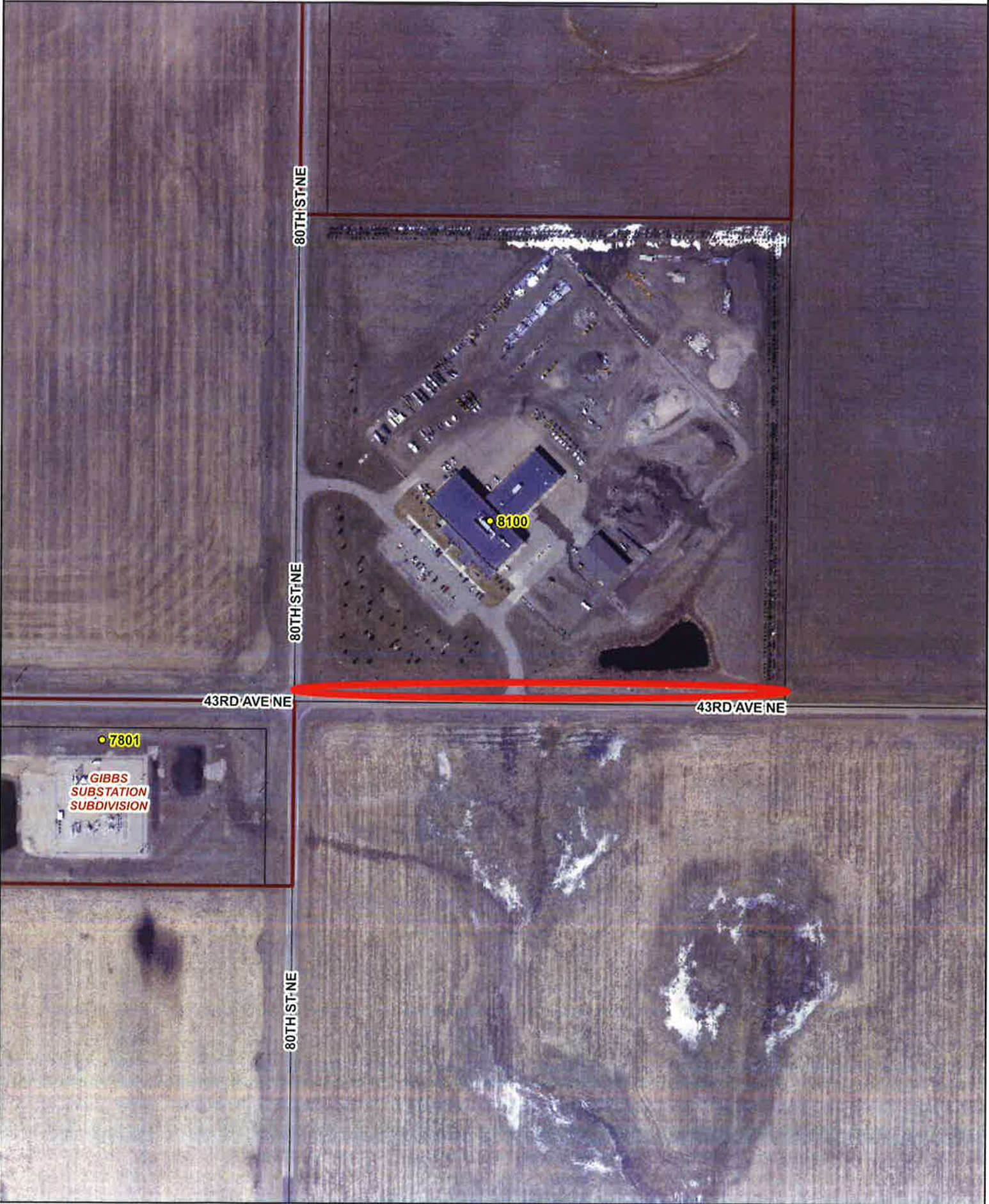
MDU is requesting an easement on Burleigh County Property (see attached easement and map) for under ground Cable Television, Communication, Electric and Gas Line to serve properties to the east of our shop.

RECOMMENDATION:

It is recommended by the Highway Department that the County Board review and discuss the MDU request and direct the staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
5/14/2024



**UNDERGROUND EASEMENT
CABLE TELEVISION, COMMUNICATION, ELECTRIC AND GAS LINES**

THIS EASEMENT, made this _____ day of _____, 20____, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a Delaware corporation, CAPITAL ELECTRIC COOPERATIVE INC., SIOUX FALLS CABLE TELEVISION, D/B/A MIDCONTINENT COMMUNICATIONS, a corporation, and BEK Communications Cooperative, a cooperative corporation of Steele, North Dakota, 58482, and their successors, hereinafter referred to as 'COMPANIES," and the following named persons, hereinafter, whether singular or plural, referred to as "OWNER," namely:

Burleigh County, whose address is 8100 43rd Ave NE, Bismarck, ND 58503

WITNESSETH, That for valuable consideration received, OWNER does hereby grant unto Companies for 99 years, jointly and severally, its and their respective successors and assigns, an easement to construct thereon, and thereafter reconstruct, increase the capacity of, operate, inspect, protect, maintain, repair, replace and remove such communication, electric and natural gas systems as the Companies may from time to time require, consisting of underground cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, repeater housings, markers, transformers, pedestals, pipelines, and other facilities used in the construction, operation, maintenance, increasing the capacity of, repair, replacement, and removal of said communication, electric and natural gas systems, upon, over and under a strip of land **10** feet wide across the following described real estate, situated in the County of Burleigh, State of North Dakota, to wit:

The North Ten (10) feet of the South Forty-three (43) feet of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 139 North, Range 79 West of the Fifth Principal Meridian, Burleigh County, North Dakota.

OWNER, its successors and assigns, hereby grants to Companies, jointly and severally, its and their successors and assigns, the right of ingress and egress at all reasonable times over and across the lands of Owner, to and from said strip of land for the purpose of exercising the rights herein granted; and to place surface markers beyond said strip. These communication, electric and natural gas systems will be bored across said tract of land.

ITEM

9

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN

Memorandum

To: Chairman Brian Bitner
Commissioner Steve Bakken
Commissioner Wayne Munson
Commissioner Steve Schwab
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP
HR Director/Risk Manager

Date: May 15, 2024

Re: Human Resource's Agenda item for May 20, 2024 Commission Meeting

Subject: Burleigh County Health Insurance Plan Summary & Recommendation

BACKGROUND:

Burleigh County established a self-insured health insurance plan effective for January 1, 2019. The Burleigh County Health Insurance Plan (The Plan) has been in place since that time. Blue Cross Blue Shield North Dakota (BCBSND) was contracted as the Third-Party Claims Administrator for The Plan.

The Health Insurance Committee was formed to help administer The Plan and to make recommendations to the Burleigh County Commission for the ongoing administration of The Plan. The Health Insurance Committee consists of the following members:

- Brian Bitner – Commission Chairman
- Mark Splonskowski – Auditor/Treasurer
- Brandi Caya – Deputy Auditor/Treasurer
- Leigh Jacobson – Finance Director
- Taylor Schmidt – Deputy Finance Director
- Marcus Hall – County Engineer
- Pam Binder – HR Director
- Megan Martin – HR Assistant II
- Tayonne Nachatilo – Business Manager
- Melissa Hanson - Recorder

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN

When The Plan was implemented, the Burleigh County Commission approved a \$3.2 million dollar loan for The Plan. This was done as a safeguard in case the claims for the first few years were more than the contributions into The Plan. There has been two \$500,000.00 payments made from the Health Insurance Loan back into the General Fund. These transfers were made in 2022 and 2023. There will be another loan payment of \$500,000.00 made in 2024. The balance of that loan is currently at \$2.2 million dollars and will be \$1.7 million dollars after the 2024 payment has been made.

I have enclosed the Burleigh County Health Insurance Plan (The Plan) Report. This report gives us a year-over-year analysis of how The Plan has operated since its implementation on January 1, 2019. This report reflects all of the costs associated with operating The Plan and it subtracts the income that is coming in from the contributions and other payment reimbursement arrangements for The Plan. Theoretically, what is left is either the Profit (which builds the reserves for The Plan), or the Loss (which reduces the reserve levels for The Plan).

The Plan has managed to stand on its own even with the COVID pandemic in the first years of The Plan's existence. That means that thus far, we have not had to access the Health Insurance Loan Funds.

In addition to the cost of the health insurance plans claims, there are other expenses that are included into the Plan costs.

The Burleigh County Health Insurance Plan (The Plan) purchases a reinsurance product called Stop-Loss Insurance. The current Stop-Loss product is purchased through BCBSND. The premiums for the Stop-Loss contract have gone up substantially over the years due to our claim's ratio. The table below shows the year-over-year difference in the Stop-Loss Premiums paid and the Stop-Loss credits received:

Burleigh County Actual	2019	2020	2021	2022	2023
Stop Loss Premiums	\$804,031.00	\$1,055,284.00	\$1,400,979.00	\$1,778,812.00	\$1,907,566.00
Stop Loss Credits	\$926,416.00	\$1,186,961.00	\$1,951,838.00	\$2,003,334.00	\$1,094,851.00
Totals	\$(122,385.00)	\$(131,677.00)	\$(550,859.00)	\$(224,522.00)	\$812,715.00

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN

The Plan also pays a Third-Party Administrative fee to BCBSND. This is the fee charged for processing claims and other operating duties for the Plan. The table below shows a year-by-year overview of the Administrative Fees:

	2019	2020	2021	2022	2023	2024
Administrative Fee (pmpm)	\$50.00	\$50.00	\$52.94	\$55.06	\$57.26	\$59.84
Expected Administrative Fee	\$175,200.00	\$175,200.00	\$181,690.00	\$204,162.00	\$206,136.00	\$214,706.00

The goal of any self-insured health insurance plan is to have a reserve built up for the years when claims costs may be higher than contributions and other reimbursements that are deposited into The Plan. The only way to build up that reserve is to raise the contributions that come into The Plan or to modify the Plan design.

With this goal in mind the Health Insurance Committee proposes the following recommendation to the Burleigh County Commission for the 2024 Plan year:

RECOMMENDATION:

The Health Insurance Committee approved the motion to recommend that the Burleigh County Commission increase the Health Insurance Premiums for 2025 to the monthly premium amounts listed in the below table:

Premiums	2024 Employee	2024 Employer	2024 Total Monthly	2025 Employee	2025 Employer	2025 Total Monthly
Single	\$48.00	\$910.00	\$958.00	\$64.80	\$1,231.20	\$1,296.00
Family	\$114.00	\$2,169.00	\$2,283.00	\$123.50	\$2,346.50	\$2,478.00

Burleigh County pays 95% of the premium and the employee pays 5% of the premium for the Burleigh County Health Insurance Plan. This is approximately an 8% increase.

The Health Insurance Committee did not recommend a loan payment for 2025. The remaining balance for the Health Insurance Plan Loan would be \$1.7 million dollars.

Burleigh County Health Insurance Plan Report

	01/01/2019 - 12/31/2019	01/01/2020 - 12/31/2020	01/01/2021 - 12/31/2021	01/01/2022 - 12/31/2022	01/01/2023 - 12/01/2023
Section 1: Source Document is the BCBSND Financial Report					
Total Average Subscribers	289	292	305	302	304
Total Average Members	819	830	858	838	836
Health Payments	\$ 3,498,895.34	\$ 3,675,060.66	\$ 4,453,494.41	\$ 4,458,212.00	\$ 4,096,984.00
Rx Payments	\$ 797,373.25	\$ 1,096,655.89	\$ 1,489,106.17	\$ 1,344,965.00	\$ 1,461,581.00
Blue Alliance Care Management	\$ 1,249.07	\$ 25,428.19	\$ 28,159.10	\$ 23,448.00	\$ -
Blue Alliance Shared Savings	\$ 19,744.20	\$ 102,833.84	\$ 55,079.65	\$ 74,830.00	\$ -
Total Group Paid	\$ 4,317,261.86	\$ 4,899,978.58	\$ 6,025,839.33	\$ 5,901,455.00	\$ 5,558,565.00
Stop Loss Credits	\$ (926,416.15)	\$ (1,364,824.44)	\$ (1,951,838.47)	\$ (2,003,334.00)	\$ (1,094,851.00)
Adjusted Group Liability	\$ 3,390,845.71	\$ 3,535,154.14	\$ 4,074,000.86	\$ 3,898,121.00	\$ 4,463,714.00
Rx Pharmacy Rebates	\$ (83,440.53)	\$ (280,623.93)	\$ (376,460.34)	\$ (304,781.49)	\$ (138,592.90)
Healthy Blue Rewards	\$ (20,851.75)	\$ -	\$ -	\$ -	\$ -
Adjusted Group Liability-Rx Rebates	\$ 3,286,553.43	\$ 3,254,530.21	\$ 3,697,540.52	\$ 3,593,339.51	\$ 4,325,121.10
Percentage Change		-1%	14%	-3%	20%
Section 2: Source Document is the Weekly BCBSND Health Insurance Plan Claims Invoices and Tax Statements.					
Stop Loss Premium Totals	\$ 875,931.54	\$ 1,055,283.93	\$ 1,400,979.40	\$ 1,778,812.00	\$ 1,907,566.00
BCBS ND Administrative Fees	\$ 173,500.00	\$ 175,450.00	\$ 193,813.34	\$ 199,813.00	\$ 208,541.00
Blue Card Administrative Fees	\$ 1,042.00	\$ 1,679.00	\$ 1,735.00	\$ 1,638.00	\$ 1,512.00
PQORI Fees	\$ -	\$ 2,077.72	\$ 2,210.46	\$ 2,393.82	\$ 2,514.00
Total Plan Premiums and Fees	\$ 1,050,473.54	\$ 1,234,490.65	\$ 1,598,738.20	\$ 1,982,656.82	\$ 2,120,133.00
Percentage Change		18%	30%	24%	7%
TOTAL PLAN COSTS	\$ 4,337,026.97	\$ 4,489,020.86	\$ 5,296,278.72	\$ 5,575,996.33	\$ 6,445,254.10
		4%	18%	5%	16%
Section 3: Source Document is the Infinite Visions Payroll Deductions Register Report					
Health Insurance Contributions:					
Employer	\$ 4,678,033.00	\$ 4,720,055.00	\$ 4,857,917.50	\$ 5,069,254.00	\$ 5,892,475.50
Employee	\$ 246,822.50	\$ 238,482.50	\$ 255,646.00	\$ 266,492.00	\$ 307,908.00
COBRA	\$ 22,334.19	\$ 27,008.00	\$ 28,883.00	\$ -	\$ 7,604.40
Total Premiums Collected	\$ 4,947,189.69	\$ 4,985,545.50	\$ 5,142,446.50	\$ 5,335,746.00	\$ 6,207,987.90
		1%	3%	4%	16%
PROFIT/(LOSS)	\$ 610,162.72	\$ 496,524.64	\$ (153,832.22)	\$ (240,250.33)	\$ (237,266.20)
On-Going Reserves		\$ 1,106,687.36	\$ 952,855.14	\$ 712,604.81	\$ 475,338.61
Loan Payable to BCC*	\$ 3,200,000.00	\$ 3,200,000.00	\$ 3,200,000.00	\$ 2,700,000.00	\$ 2,200,000.00

* The loan balance of \$2.2 million is listed separately and is not included in the on-going reserves balance.

ITEM

10

BMDC SALES TAX BOND UPDATE

- Burleigh County Finance Department

BACKGROUND

While researching all possible scenarios for bond defeasance we recently discovered, and confirmed with bond counsel and outside counsel, that because we refinanced our previous tax-exempt bond into taxable bonds, we are not subject to the restrictions that prohibit profit in a defeasance.

We are no longer limited to investing our escrow in SLGS, instead we can invest in US Treasuries. Additionally, rather than being required to call the bonds at the earliest date (November 1, 2025) we can instead invest our escrow out until the final payoff (November 1, 2032).

UPDATED ESCROW ESTIMATE

As a result of these changes, Colliers has prepared two new estimates for funding the escrow. Both estimates assume that the escrow will be funded with a combination of US Treasuries. The difference is the structure of bond payoff within the escrow account (Earliest Call Date vs Maturity).

By structuring the escrow to pay the bonds until maturity, Burleigh County will save over **\$2.2M**.

	Total Escrow Amount	Joint Share	Burleigh Share	Morton Share
Earliest Call Date	42,878,646.00	9,192,385.83	28,067,391.97	5,618,868.20
Maturity	40,134,014.00	9,192,385.83	25,780,564.59	5,161,063.58
Savings	2,744,632.00	-	2,286,827.38	457,804.62

TIMING AND NEXT STEPS

Colliers has advised us that because this defeasance will be more complicated than usual, we should start the defeasance process at least 60 days before we give notice to the tax dept.

Morton County is estimated to have collected enough sales tax to fund their share of the escrow in **September of 2024**. However, it is unlikely that they will have sufficient collections in time to begin the defeasance process on August 1, 2024. If Morton is not willing to deposit additional cash into escrow, Burleigh can deposit on their behalf, or wait until Q4 to give notice to the tax department.

Tax Dept Notice	Final Half Cent Sales Tax Collection	Defeasance Process Begins	Morton Under/(Over) Share of Escrow at Defeasance Date	Morton Under/(Over) Share of Escrow at Tax Notice Date
Q3 - 9/30/2024	12/31/2024	8/1/2024	318,487.56	(100,640.82)
Q4 - 12/31/2024	3/31/2025	10/1/2024	(260,017.89)	(676,908.41)

INTEREST RATE RISK

One potential downside to waiting until Q4 to give notice is interest rate risk. For each quarter of a percentage point US Treasury Yields decrease, Burleigh County’s cost to fund our share of the escrow could increase by over \$250,000.

Burleigh County, North Dakota

Multi-County Sales Tax Revenue Refunding Bonds Taxable Series 2020

Defeasance Analysis

Escrow to November 2032 Maturity

Sources & Uses

Dated 10/15/2024 | Delivered 10/15/2024

Sources Of Funds

Total Cash Contribution	31,383,488.50
Debt Service Reserve Funds on Deposit	5,155,292.21
Excess Sales Tax from Ongoing Collections	3,595,233.62

Total Sources **\$40,134,014.33**

Uses Of Funds

Total Cost of Investments	40,134,014.33
---------------------------	---------------

Total Uses **\$40,134,014.33**

\$53,120,000

Burleigh County, North Dakota

Multi-County Sales Tax Revenue Refunding Bonds Taxable Series 2020

Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
10/15/2024	-	-	-	-	-	-	-
11/01/2024	3,145,000.00	441,860.00	3,586,860.00	3,145,000.00	1.150%	441,860.00	3,586,860.00
05/01/2025	-	423,776.25	423,776.25	-	-	423,776.25	423,776.25
11/01/2025	4,175,000.00	423,776.25	4,598,776.25	4,175,000.00	1.300%	423,776.25	4,598,776.25
05/01/2026	-	396,638.75	396,638.75	-	-	396,638.75	396,638.75
11/01/2026	4,225,000.00	396,638.75	4,621,638.75	4,225,000.00	1.500%	396,638.75	4,621,638.75
05/01/2027	-	364,951.25	364,951.25	-	-	364,951.25	364,951.25
11/01/2027	4,290,000.00	364,951.25	4,654,951.25	4,290,000.00	1.700%	364,951.25	4,654,951.25
05/01/2028	-	328,486.25	328,486.25	-	-	328,486.25	328,486.25
11/01/2028	4,365,000.00	328,486.25	4,693,486.25	4,365,000.00	2.050%	328,486.25	4,693,486.25
05/01/2029	-	283,745.00	283,745.00	-	-	283,745.00	283,745.00
11/01/2029	4,455,000.00	283,745.00	4,738,745.00	4,455,000.00	2.200%	283,745.00	4,738,745.00
05/01/2030	-	234,740.00	234,740.00	-	-	234,740.00	234,740.00
11/01/2030	4,550,000.00	234,740.00	4,784,740.00	4,550,000.00	2.300%	234,740.00	4,784,740.00
05/01/2031	-	182,415.00	182,415.00	-	-	182,415.00	182,415.00
11/01/2031	4,655,000.00	182,415.00	4,837,415.00	4,655,000.00	2.422%	182,415.00	4,837,415.00
05/01/2032	-	126,046.25	126,046.25	-	-	126,046.25	126,046.25
11/01/2032	9,790,000.00	126,046.25	9,916,046.25	9,790,000.00	2.575%	126,046.25	9,916,046.25
Total	\$43,650,000.00	\$5,123,457.50	\$48,773,457.50	\$43,650,000.00	-	\$5,123,457.50	\$48,773,457.50

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	10/15/2024
Average Life	4.705 Years
Average Coupon	2.2986605%
Weighted Average Maturity (Par Basis)	4.705 Years
Weighted Average Maturity (Original Price Basis)	4.701 Years

Refunding Bond Information

Refunding Dated Date	10/15/2024
Refunding Delivery Date	10/15/2024

Burleigh County, North Dakota

Multi-County Sales Tax Revenue Refunding Bonds Taxable Series 2020

Defeasance Analysis

Escrow to November 2032 Maturity

Escrow Fund Cashflow

Date	Principal	Rate	Interest	Receipts	Disbursements	Cash Balance
10/15/2024	-	-	-	916.12	-	916.12
10/31/2024	3,127,000.00	2.250%	458,953.14	3,585,953.14	-	3,586,869.26
11/01/2024	-	-	-	-	3,586,860.00	9.26
04/30/2025	-	-	423,774.39	423,774.39	-	423,783.65
05/01/2025	-	-	-	-	423,776.25	7.40
10/31/2025	4,175,000.00	3.246%	423,774.39	4,598,774.39	-	4,598,781.79
11/01/2025	-	-	-	-	4,598,776.25	5.54
04/30/2026	41,000.00	0.750%	356,021.89	397,021.89	-	397,027.43
05/01/2026	-	-	-	-	396,638.75	388.68
10/31/2026	4,266,000.00	1.125%	355,868.14	4,621,868.14	-	4,622,256.82
11/01/2026	-	-	-	-	4,621,638.75	618.07
04/30/2027	33,000.00	0.500%	331,871.89	364,871.89	-	365,489.96
05/01/2027	-	-	-	-	364,951.25	538.71
10/31/2027	4,323,000.00	4.125%	331,789.39	4,654,789.39	-	4,655,328.10
11/01/2027	-	-	-	-	4,654,951.25	376.85
04/30/2028	86,000.00	1.250%	242,627.51	328,627.51	-	329,004.36
05/01/2028	-	-	-	-	328,486.25	518.11
10/31/2028	4,451,000.00	1.375%	242,090.01	4,693,090.01	-	4,693,608.12
11/01/2028	-	-	-	-	4,693,486.25	121.87
04/30/2029	73,000.00	2.875%	211,489.38	284,489.38	-	284,611.25
05/01/2029	-	-	-	-	283,745.00	866.25
10/31/2029	4,528,000.00	4.000%	210,440.00	4,738,440.00	-	4,739,306.25
11/01/2029	-	-	-	-	4,738,745.00	561.25
04/30/2030	116,000.00	3.500%	119,880.00	235,880.00	-	236,441.25
05/01/2030	-	-	-	-	234,740.00	1,701.25
10/31/2030	4,666,000.00	4.875%	117,850.00	4,783,850.00	-	4,785,551.25
11/01/2030	-	-	-	-	4,784,740.00	811.25
04/30/2031	178,000.00	4.625%	4,116.25	182,116.25	-	182,927.50
05/01/2031	-	-	-	-	182,415.00	512.50
08/15/2031	4,837,000.00	-	-	4,837,000.00	-	4,837,512.50
11/01/2031	-	-	-	-	4,837,415.00	97.50
02/15/2032	126,000.00	-	-	126,000.00	-	126,097.50
05/01/2032	-	-	-	-	126,046.25	51.25
08/15/2032	9,916,000.00	-	-	9,916,000.00	-	9,916,051.25
11/01/2032	-	-	-	-	9,916,046.25	5.00
Total	\$44,942,000.00	-	\$3,830,546.38	\$48,773,462.50	\$48,773,457.50	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Unrestricted
Cash Deposit	916.12
Cost of Investments Purchased with Bond Proceeds	40,133,098.21
Total Cost of Investments	\$40,134,014.33
Target Cost of Investments at bond yield	\$48,773,457.50
Actual positive or (negative) arbitrage	8,639,443.17
Yield to Receipt	4.5504778%
Yield for Arbitrage Purposes	-

Defeasance Burleigh Co Serie | SINGLE PURPOSE | 5/ 6/2024 | 10:43 AM

Burleigh County, North Dakota

Multi-County Sales Tax Revenue Refunding Bonds Taxable Series 2020

Defeasance Analysis

Escrow to November 2032 Maturity

Escrow Summary Cost

Maturity	Type	Coupon	Yield	\$ Price	Par Amount	Principal Cost	+Accrued Interest	= Total Cost
Escrow								
10/31/2024	T-NOTE	2.250%	5.334%	99.8593750%	3,127,000	3,122,602.66	32,119.73	3,154,722.39
10/31/2025	T-NOTE	0.250%	4.969%	95.2656250%	1,542,000	1,468,995.94	1,759.89	1,470,755.83
10/31/2025	T-NOTE	5.000%	4.966%	100.0312500%	2,633,000	2,633,822.81	60,101.09	2,693,923.90
04/30/2026	T-NOTE	0.750%	4.817%	94.0156250%	41,000	38,546.41	140.38	38,686.79
10/31/2026	T-NOTE	1.125%	4.716%	93.0781250%	4,266,000	3,970,712.81	21,909.62	3,992,622.43
04/30/2027	T-NOTE	0.500%	4.637%	90.1875000%	33,000	29,761.88	75.33	29,837.21
10/31/2027	T-NOTE	4.125%	4.614%	98.6250000%	4,323,000	4,263,558.75	81,408.67	4,344,967.42
04/30/2028	T-NOTE	1.250%	4.568%	89.2500000%	86,000	76,755.00	490.76	77,245.76
10/31/2028	T-NOTE	1.375%	4.536%	88.4375000%	4,451,000	3,936,353.13	27,939.70	3,964,292.83
04/30/2029	T-NOTE	2.875%	4.517%	93.3281250%	73,000	68,129.53	958.13	69,087.66
10/31/2029	T-NOTE	4.000%	4.513%	97.7031250%	4,528,000	4,423,997.50	82,685.22	4,506,682.72
04/30/2030	T-NOTE	3.500%	4.505%	95.1093750%	116,000	110,326.88	1,853.48	112,180.36
10/31/2030	T-NOTE	4.875%	4.509%	101.9218750%	4,666,000	4,755,674.69	103,843.86	4,859,518.55
04/30/2031	T-NOTE	4.625%	4.501%	100.6875000%	178,000	179,223.75	3,758.32	182,982.07
08/15/2031	STRIPS-I	-	4.523%	73.6630000%	4,837,000	3,563,079.31	-	3,563,079.31
02/15/2032	STRIPS-I	-	4.524%	72.0290000%	126,000	90,756.54	-	90,756.54
08/15/2032	STRIPS-I	-	4.529%	70.4090000%	9,916,000	6,981,756.44	-	6,981,756.44
Subtotal		-	-	-	\$44,942,000	\$39,714,054.03	\$419,044.18	\$40,133,098.21
Total		-	-	-	\$44,942,000	\$39,714,054.03	\$419,044.18	\$40,133,098.21

Escrow

Cash Deposit	916.12
Cost of Investments Purchased with Bond Proceeds	40,133,098.21
Total Cost of Investments	\$40,134,014.33

Delivery Date

10/15/2024

\$53,120,000

Burleigh County, North Dakota

Multi-County Sales Tax Revenue Refunding Bonds Taxable Series 2020

Total Refunded Debt Service

Date	Principal	Coupon	Interest	Total P+I
11/01/2024	3,145,000.00	1.150%	441,860.00	3,586,860.00
11/01/2025	4,175,000.00	1.300%	847,552.50	5,022,552.50
11/01/2026	4,225,000.00	1.500%	793,277.50	5,018,277.50
11/01/2027	4,290,000.00	1.700%	729,902.50	5,019,902.50
11/01/2028	4,365,000.00	2.050%	656,972.50	5,021,972.50
11/01/2029	4,455,000.00	2.200%	567,490.00	5,022,490.00
11/01/2030	4,550,000.00	2.300%	469,480.00	5,019,480.00
11/01/2031	4,655,000.00	2.422%	364,830.00	5,019,830.00
11/01/2032	9,790,000.00	2.575%	252,092.50	10,042,092.50
Total	\$43,650,000.00	-	\$5,123,457.50	\$48,773,457.50

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	10/15/2024
Average Life	4.705 Years
Average Coupon	2.2986605%
Weighted Average Maturity (Par Basis)	4.705 Years
Weighted Average Maturity (Original Price Basis)	4.701 Years

Refunding Bond Information

Refunding Dated Date	10/15/2024
Refunding Delivery Date	10/15/2024

	CURRENT BALANCE	TODAYS DEBITS	TODAYS CREDITS	PREVIOUS BALANCE	NET BAL CHANGE
1110013631 Escrow Fund	.00	.00	.00	.00	.00
1120013632 Cost of Issuance 44-17-524	.00	.00	.00	.00	.00
1120013633 Debt Service Fund 44-13-259	4,037,093.62	.00	.00	4,037,093.62	.00
1120013634 Reserve Fund 44-13-224	76,464.69	.00	.00	76,464.69	.00
1120013635 Burleigh Co Revenue 44-13-232	182.44	.00	.00	182.44	.00
1120013636 Morton Co Revenue 44-13-240	27.74	.00	.00	27.74	.00
1120013637 Burleigh Co Surplus 44-13-275	489,508.77	.00	.00	489,508.77	.00
1120013638 Morton Co Surplus 44-13-283	104,443.78	.00	.00	104,443.78	.00
1210013633 Debt Service Fund	.00	.00	.00	.00	.00
1210013634 Reserve Fund	5,078,827.52	.00	.00	5,078,827.52	.00
1210013637 Burleigh Co Surplus	27,815,923.31	.00	.00	27,815,923.31	.00
1210013638 Morton Co Surplus	4,244,749.17	.00	.00	4,244,749.17	.00
TOTAL ASSETS	41,847,221.04	.00	.00	41,847,221.04	.00
3100013622 Liability Fund Balance	41,847,221.04	.00	.00	41,847,221.04	.00
TOTAL LIABILITY/CAPITAL	41,847,221.04	.00	.00	41,847,221.04	.00
DIFFERENCE	.00	.00	.00	.00	.00

Amount needed to defease bond		\$ 40,134,014.00	<<---This number came from John at Colliers
less shared Reserve Fund		5,155,292.21	
less shared Debt Service Fund		4,037,093.62	
Amount to split between counties		<u>30,941,628.17</u>	
Burleigh	83.32%	25,780,564.59	
Morton	16.68%	\$ 5,161,063.58	

				BURLEIGH		MORTON			
		Balance 3/31/2024 (cash basis)		\$ 28,305,614.52		\$ 4,349,220.69			
		Defeasance amount, less debt service & reserve		<u>25,780,564.59</u>		<u>5,161,063.58</u>			
		Amount needed to defease as of 4/30/2024, net of debt service and reserve funds		<u>\$ (2,525,049.93)</u>		<u>\$ 811,842.89</u>			
								BURLEIGH	MORTON
								<i>Amount needed to defeafe, Burleigh</i>	<i>Amount needed to defeafe, Morton</i>
Receipt Quarter	Collection Quarter	Receipt Month	Collection Month	Sales Tax Receipts, Historical					
				Burleigh	Morton			(2,525,049.93)	811,842.89
Q2	Q1	5/19/2024	3/31/2024	688,155.85	132,196.41	ESTIMATE		(3,213,205.78)	679,646.48
Q2	Q2	6/22/2024	4/30/2024	1,066,011.06	185,829.63	ESTIMATE		(4,279,216.84)	493,816.85
Q3	Q2	7/24/2024	5/31/2024	987,741.14	175,329.29	ESTIMATE		(5,266,957.98)	318,487.56
Q3	Q2	8/21/2024	6/30/2024	1,095,716.25	218,445.94	ESTIMATE		(6,362,674.23)	100,041.62
Q3	Q3	9/22/2024	7/31/2024	1,021,130.79	200,682.44	ESTIMATE		(7,383,805.02)	(100,640.82)
Q4	Q3	10/20/2024	8/31/2024	716,756.35	159,377.07	ESTIMATE		(8,100,561.37)	(260,017.89)
Q4	Q3	11/22/2024	9/30/2024	1,366,765.51	235,014.56	ESTIMATE		(9,467,326.88)	(495,032.45)
Q4	Q4	12/21/2024	10/31/2024	950,487.81	181,875.96	ESTIMATE		(10,417,814.69)	(676,908.41)
Q1	Q4	1/21/2025	11/31/2024	700,759.27	127,606.44	ESTIMATE		(11,118,573.96)	(804,514.85)
Q1	Q4	2/21/2025	12/31/2024	1,405,633.01	248,832.50	ESTIMATE		(12,524,206.97)	(1,053,347.35)
Q1	Q1	3/21/2025	1/31/2025	922,938.59	158,318.59	ESTIMATE		(13,447,145.56)	(1,211,665.94)
Q2	Q1	4/21/2025	2/28/2025	488,370.25	103,451.54	ESTIMATE		(13,935,515.81)	(1,315,117.47)
Q2	Q1	5/21/2025	3/30/2025	688,155.85	132,196.41	ESTIMATE		(14,623,671.66)	(1,447,313.88)

ITEM

11



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: City of Lincoln Service Agreement
Date: 5-15-2024
From: Mitch Flanagan, Burleigh County Planning Director. *lll*

ITEM 1

Authorization of a Service Agreement with City of Lincoln

The City of Lincoln has requested that Burleigh County amend the existing service agreement for issuing of permits and providing building inspections to include floodplain management regulations within the agreement.

ACTION REQUESTED:

Recommend approval of new agreement.

Attachments:

Ex. 1- City of Lincoln Service Agreement 2024

Burleigh County and City of Lincoln Service Agreement

This is a service Agreement between the Burleigh County Building/ Planning/ Zoning Department (hereinafter "Burleigh County") and City of Lincoln, wherein Burleigh County will provide permit issuance, floodplain regulation and building inspection services to City of Lincoln.

In consideration of the conditions contained herein, Burleigh County and City of Lincoln agree as follows:

1. **Services Provided:** Burleigh County will issue all Building, Septic System, Plumbing and Mechanical permits for City of Lincoln, including all Regulatory Floodplain requirements. Burleigh County code enforcement inspectors shall provide building, mechanical inspections and septic system inspections in City of Lincoln pursuant to the State Building codes. Burleigh County will integrate the City of Lincoln inspections into its daily inspection schedule.
2. **Standards:** The construction, design, erection, alteration, demolition, removal, conversion, repair and maintenance of all buildings and structures on any properties within the jurisdiction of City of Lincoln shall be done in accordance with standards contained in the North Dakota State Building Code including the appendices contained therein except such portions as may be deleted, modified or amended by the Board of County Commissioners.
3. **Floodplain Regulations Specific Standards;** In all special flood hazards areas where base flood elevation data has not been determined or provided by FEMA FIRM Mapping, the following provisions shall be required:
 - a. Reference BLE Base Level Engineering as best available information in review and issuance of all development permit applications and non-structural development permit applications.
4. **Hours:** The hours of inspection services will be normal Burleigh County working hours, generally 8:00AM—5:00PM Monday through Friday, excepting holidays.
5. **Employment Status:** The inspectors performing the services under this Agreement are employees of Burleigh County and not employees of City of Lincoln. Burleigh County agrees to pay the inspectors performing services under this Agreement. City of Lincoln shall not be responsible for, and Burleigh County agrees to indemnify and hold City of Lincoln harmless, from liability for all costs of the inspectors related to the work of the inspectors for City of Lincoln, including and limited to work of the inspectors for City of Lincoln.
6. **Supervision:** Burleigh County agrees that it will supervise its inspectors and provide administrative and technical support as is necessary to fulfill the requirements of this Agreement.

7. **Reliance on Information:** Burleigh County inspectors are not responsible for relying or acting upon any incorrect information provided by a permit holder or for actions resulting from information not provided by a permit holder.
8. **Payment Terms:** City of Lincoln agrees that Burleigh County will collect and retain all fees related to inspection services rendered during the term of this Agreement. Such fees shall be according to Burleigh County's fee schedule which may be amended by the Burleigh County Commission from time to time.
9. **Representations as to Adequate Insurance Coverage:** Each party to this Agreement represents and warrants to the other that it has and shall maintain in effect liability insurance coverage in an amount of not less than \$5M workforce safety, and other appropriate forms of insurance coverage sufficient to generally protect the respective parties and their employees in carrying out the objectives of this Agreement.
10. **Liability:** Each party to this Agreement agrees to be responsible for its own negligent acts and the negligent acts of its respective officers, officials, employees or agents.
11. **Term of Agreement:** The term of this Agreement shall be for a period of one year from the date of approval noted below and shall automatically renew for successive five- year terms unless terminated pursuant to Paragraph 12.
12. **Termination:** This Agreement may be terminated by either party upon at least a thirty—day written notice.
13. **Modification or Alteration:** This Agreement may be modified or altered only by the mutual written agreement of both parties

Burleigh County


Dated this _____ day of _____, 2024

Mark Splonskowski, Auditor, Treasurer

Burleigh County Commission, Chair



Mayor, City of Lincoln




City Engineer, City of Lincoln



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Contract Development for Community Rating System Application
Date: 5-15-2024
From: Mitch Flanagan, Burleigh County Planning Director. 

ITEM 1

Review Community Rating System Incentive Program.

Participation in the Community Rating System was reviewed by the previous Planning Director; however, lack of availability prevented completion of an application. Functions of the Department have continued to increase; however, there is an opportunity to contract out for the development of the application. The proposal would be a cost share between the Emergency Management Department and Water Resource District Board budgets to contract the application development for a cost of up to \$20,000. A successful application would provide a flood insurance discount for current and future policy holders. The program would be maintained through the Building/Planning/Zoning Department.

ACTION REQUESTED:

Approve application development for the Community Rating System through a cost share between Emergency Management and the Water Resource District Board.

Attachments:

Ex. 1- CRS Information Sheet

National Flood Insurance Program Community Rating System

The Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program (NFIP). Over 1,500 communities participate nationwide.

In CRS communities, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community's efforts that address the three goals of the program:

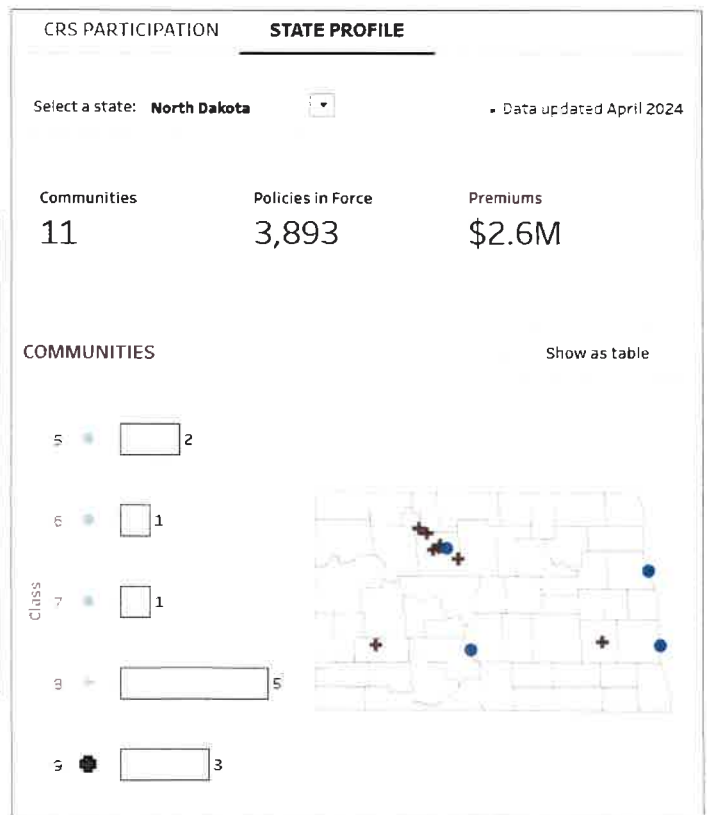
1. Reduce and avoid flood damage to insurable property.
2. Strengthen and support the insurance aspects of the National Flood Insurance Program.
3. Foster comprehensive floodplain management.

Burleigh County (outside Bismarck's ETA)

Policies in Force	165
Value of Insured Properties	\$49,138,000
Total Annual Premiums	\$144,694
Target Class 8 (10% Reduction)	\$14,470 Annual Savings

CRS Eligible Communities April 1, 2024 Effective Date

Community	Original Effective Date	Current Effective Date	CRS Class	% Discount
Bismarck, City of	10/1/2017	4/1/2023	7	15
Burlington, City of	5/1/2017	10/1/2023	9	5
Burlington, Township of	5/1/2017	5/1/2017	8	10
Carpio, City of	5/1/2017	10/1/2023	8	10
Dickinson, City of	5/1/2018	5/1/2018	9	5
Donnybrook, City of	5/1/2017	10/1/2023	8	10
Fargo, City of	5/1/2006	10/1/2017	5	25
Grand Forks, City of	10/1/1991	10/1/2003	5	25
Minot, City of	10/1/2016	4/1/2022	6	20
Sawyer, City of	5/1/2017	10/1/2023	8	10
Valley City, City of	5/1/2017	5/1/2017	9	5
Ward County	5/1/2017	10/1/2023	8	10



(Source: <https://www.fema.gov/floodplain-management/community-rating-system#visualizations>)

ITEM

12

Addenda item for May 6th Meeting

Action Requested: Reconsider Lewis & Clark Development Groups request for funding

Description: During our distribution of portfolios in November of 2022, it was suggested and voted on to drop the Lewis & Clark Development portfolio as we were no longer a participating member. From what we learned at our last meeting; we must participate according to the North Dakota Century Code. However we are not required to make an annual contribution. It has been suggested that we contribute .15 of a county mill which is approximately \$92,000. These funds are instrumental in providing funding for Grant Matches which are used in our community to assist local businesses and low income housing.

Action needed:

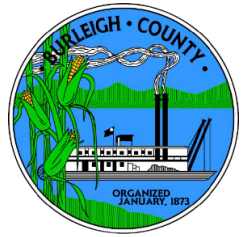
I request approval to fund the requested funding by the Lewis & Clark Development Group.

ITEM

13



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

June 3, 2024

3:00 PM

COUNTY BOARD OF EQUALIZATION

The Board shall meet during the first ten (10) days in June to equalize and correct the assessment rolls. The Board of Equalization may change the valuation and assessments of any real property upon the rolls, by increasing or diminishing the assessed value of thereof. The Board shall be responsible and just to render uniform taxation.

- A. The Board shall sit as the Township Board of Equalization for the Unorganized Townships.
- B. The Board shall then review the assessments of the cities of Bismarck, Lincoln, Regan, South Wilton, and Wing.
- C. The Board shall then review the assessments of all Organized and Unorganized Townships.
- D. Other Business.
- E. Adjourn.

5:00 PM *Invocation by Chaplain*

COUNTY PARK BOARD

1. Meeting called to order.
2. Consideration of the May 6, 2024, meeting minutes and bills.
3. Roll call of members
4. Kniefel Boat Ramp Dredging.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.

4. Consideration of the May 20, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
6. Planning Director Flanagan:
 - a. Appeal of complaint.
7. HR Director Binder:
 - a. Timekeeping and Payroll RFP update.
8. Sheriff Leben:
 - a. Burleigh East renovation.
9. Engineer Hall:
 - a. Petition to vacate section line.
 - b. Stormwater Easement.
10. Other Business
11. Adjourn.

COUNTY WEED BOARD

1. Meeting called to order.
2. Roll call of members.
3. Approval of the May 6, 2024, meeting minutes.
4. Discussion on amending the 2024 budget.
5. Other business.
6. Adjourn.

The next regularly scheduled County Commission meeting will be on June 17th, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**COUNTY
BOARD
OF
EQUALIZATION**

BURLEIGH COUNTY

EQUALIZATION REPORT



June 3rd, 2024



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Burleigh County Tax Equalization Meeting

Monday, June 3rd, 2024

Tom Baker Room

1. MOTION to approve assessments of the Unorganized Townships (the Board sits as the Township Boards of Equalization for each Unorganized Townships).
2. MOTION to approve Agricultural Land values to implement North Dakota State Tax Department recommendation on the average value per acre.
3. MOTION to approve the assessment of the Cities of Bismarck, Wing, Regan, South Wilton and Lincoln.
4. MOTION to approve assessments of the Organized and Unorganized Townships.
5. MOTION to approve Application for Property Tax Exemption for Improvements to Commercial and Residential Buildings N.D.C.C. §57-02.2 as recommended by Tax Equalization Director Allan Vietmeier.
6. MOTION to approve and accept the 2024 real property assessments as equalized, to authorize the County Tax Director to make corrections to property values in Burleigh County as needed, and further to adjourn sine die.

*County of Burleigh*221 N 5th St Bismarck ND 58501

Brian Bitner, Chairman
Burleigh County Board of Commissioners

This report is respectfully submitted as an overview of local property tax assessments in Burleigh County. Based on this summary, the county valuation increased 5.02 percent from February 1, 2023, to February 1, 2024, due to new construction, non-exemption remodeling and improvements, property classification changes, market changes, abatements, and reappraisals.

I recommend the County Board of Equalization decrease agricultural land outside the City of Bismarck by 3.16 percent to remain between 90% and 100% of the state recommended value for 2024.

Procedures for assessment and appraisal are conducted under guidance from the North Dakota Tax Commissioner's Office, North Dakota Century Code, and nationally recognized standards of mass appraisal of real property. The Burleigh County Tax Director respectfully recommends that the assessment roll be approved as submitted. Should anyone appear before the Board to protest an assessment in the 2024 report, and if the protest cannot be resolved today, I request that this office be given the opportunity to review the valuation in question. Should an inequity be noted, the abatement process as outlined in N.D.C.C. § 57-23 will be employed to rectify the discrepancy.

TRUE AND FULL VALUE FOR BURLEIGH COUNTY

Classification	2023*	2024	Difference
Agricultural Land	\$ 459,480,000	\$ 444,863,800	-3.17%
Commercial Land	\$ 1,025,501,200	\$ 1,088,582,500	6.15%
Residential Land	\$ 1,652,694,800	\$ 1,686,838,900	2.07%
Commercial Building	\$ 3,066,325,500	\$ 3,180,562,800	3.73%
Residential Building	<u>\$ 7,866,054,300</u>	<u>\$ 8,375,490,450</u>	<u>6.48%</u>
TOTAL	\$ 14,070,055,800	\$14,776,338,450	5.02%

TRUE AND FULL VALUE FOR BURLEIGH COUNTY (EXCLUDING THE CITY OF BISMARCK)

Classification	2023*	2024	Difference
Agricultural Land	\$ 458,707,100	\$ 444,228,800	-3.16%
Commercial Land & Building	\$ 232,346,400	\$ 238,381,900	2.60%
Residential Land & Building	<u>\$ 2,790,476,000</u>	<u>\$ 3,038,600,450</u>	<u>8.89%</u>
TOTAL	\$ 3,481,529,500	\$ 3,721,211,150	6.88%

*County of Burleigh*221 N 5th St Bismarck ND 58501**TRUE AND FULL VALUE FOR CITY OF BISMARCK**

Classification	2023*	2024	Difference
Agricultural Land	\$ 772,900	\$ 635,000	-17.84%
Commercial Land & Building	\$ 3,859,480,300	\$ 4,030,763,400	4.44%
Residential Land & Building	<u>\$ 6,728,273,100</u>	<u>\$ 7,023,728,900</u>	<u>4.39%</u>
TOTAL	\$10,588,826,300	\$11,055,127,300	4.41%

*2023 ASSESSMENT ROLL REFLECTS VALUES THAT WERE CERTIFIED TO THE STATE TAX DEPARTMENT. THESE VALUES HAVE CHANGED DURING THE 2023 YEAR DUE TO ABATEMENTS AND PRORATION'S.

Agricultural Land

Each year, the State Tax Department provides Burleigh County with an estimate of average value per acre of agricultural land, cropland, and non-cropland.

The original 2024 estimate from the State was authorized December of 2023 and was **\$481.00** per acre (county average), **\$743.06** per acre (cropland average) and **\$165.74** per acre (non-cropland average). These values are derived from agricultural statistics compiled over the past ten years and are used to capitalize the average annual gross return of an acre of land to a landowner.

The capitalization rate used in the valuation formula is calculated annually by the Agribusiness and Applied Economics Department of the North Dakota State University and provided to the State Tax Department. It is calculated by taking the twelve most recent years' gross federal land bank (AgriBank, FCB) mortgage rate of interest for North Dakota, eliminating the highest and lowest years, and averaging the remaining ten years.

I recommend that the County Board of Equalization lower all agricultural land outside the City of Bismarck -3.15% on average to remain in compliance with both the soils and the productivity model supplied to us by the ND Tax Department. This maintains a county average to \$480.00 per acre and keeps agricultural land within the state's recommendation. The range of tolerance is 10 percent.

Burleigh County Assessment Sales Ratio Study

The purpose of the Burleigh County Assessment Sales Ratio Study is to advise local assessment officials and to recommend to the Tax Commissioner changes to be made by the State Board of Equalization in the performance of the equalization duties prescribed by law. The current study includes sales of property occurring between January 1, 2023 and December 31, 2023.

STATE OF NORTH DAKOTA
County of Burleigh
 221 N 5th St Bismarck ND 58501

A current study of the county, which does not include the City of Bismarck, indicates Market adjustments needed for Residential property.

Based on a review of 2024 assessments and the 2023 sales ratio study, the county will be within the tolerances allowed by the State Board of Equalization for residential and commercial values when the assessment rolls are approved.

The Sales Ratio Study for 2023 is based on the following data:

	Residential	Commercial
2023 Sales and Appraisals	122	34
Total Sales/Appraisal Value	\$ 46,049,035	\$ 11,493,582
Total Assessment Value	\$ 39,855,200	\$ 10,339,100
Arithmetic Mean	89.4%	95%
Aggregate Mean	86.5%	90%
Median	84.9%	94.3%
Price Related Differential	1.03	1.06
Coefficient of Dispersion	10.46	10.39
Indicated Adjustment to be at 100%	15.1%	5.7%

Arithmetic Mean Ratio: Sum of the ratios divided by the number of ratios. This measure of central tendency is affected by extreme ratios.

Aggregate Mean: Sum of true and full values divided by the sum of the sales or appraisal prices. This number is affected by extremely large values (sales/appraisal price or true and full value).

Median: Ratios are arrayed from high to low and the median is the middle ratio in the array. This is not affected by extreme values and the goal is to have a median ratio between 0.90 and 1.00. This is the primary measure used by the North Dakota State Tax Department.

Price Related Differential (PRD): Measures regressivity or progressivity of assessor’s estimates of true and full value. The goal is to have the PRD between .98 and 1.03.

Coefficient of Dispersion (COD): Measures uniformity of true and full values estimate as an average deviation from the median. A COD of 10 percent or less is excellent, 10 to 20 percent is good and 20 to 30 percent is acceptable.

County of Burleigh

Conclusion

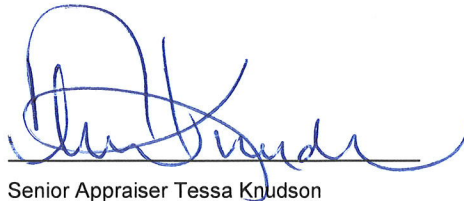
The 2024 assessment roll in Burleigh County is continuing to experience rapid upward growth in the residential sector. This condition is caused by the stable yet growing economy in Burleigh County and the state. The real estate market that has remained steady for years with sales numbers consistently good throughout the county. This is now beginning to explode. With these current conditions we will begin to see market trends that can begin a period of instability.

Some of the value changes that we are experiencing are due to the lack of available properties for sale. When this begins to happen, we start to witness a sellers' market. Burleigh County continues our ongoing reassessment cycles to stay current with the market trends of 2023.

The state of North Dakota and Burleigh County continue to lead national trends in low unemployment and new construction. We have a market that is exploding which from the equalization standpoint causes some volatility that we will have to closely monitor to remain within the allowed tolerances put forth by the State Board of Equalization.



Tax Equalization Director Allan Vietmeier



Senior Appraiser Tessa Knudson

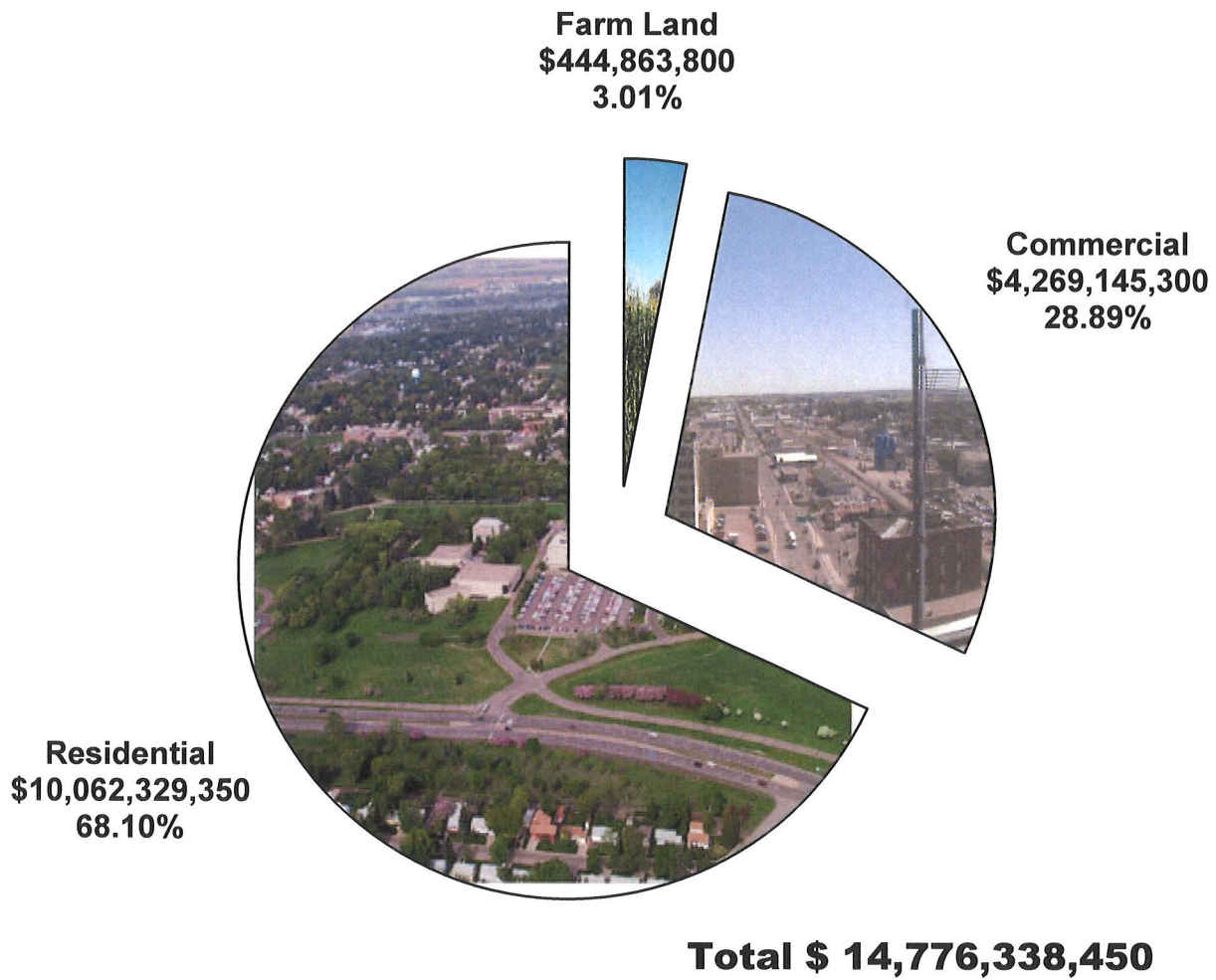


Appraiser I Erin Buchwitz



Appraiser II Breanna Zent

2024 Market Values By Class Rural and Bismarck

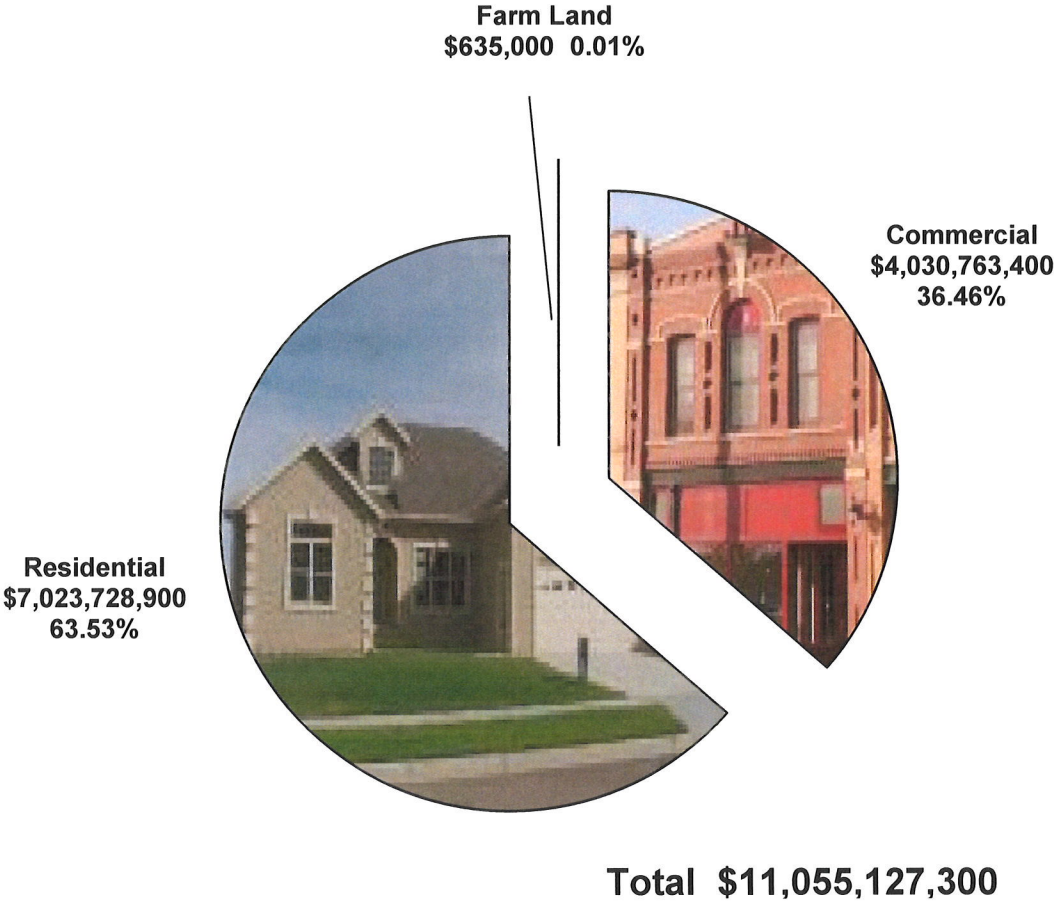


Homestead credits & Disabled Veteran credits
not included in values

Market Valuation Totals by Classification

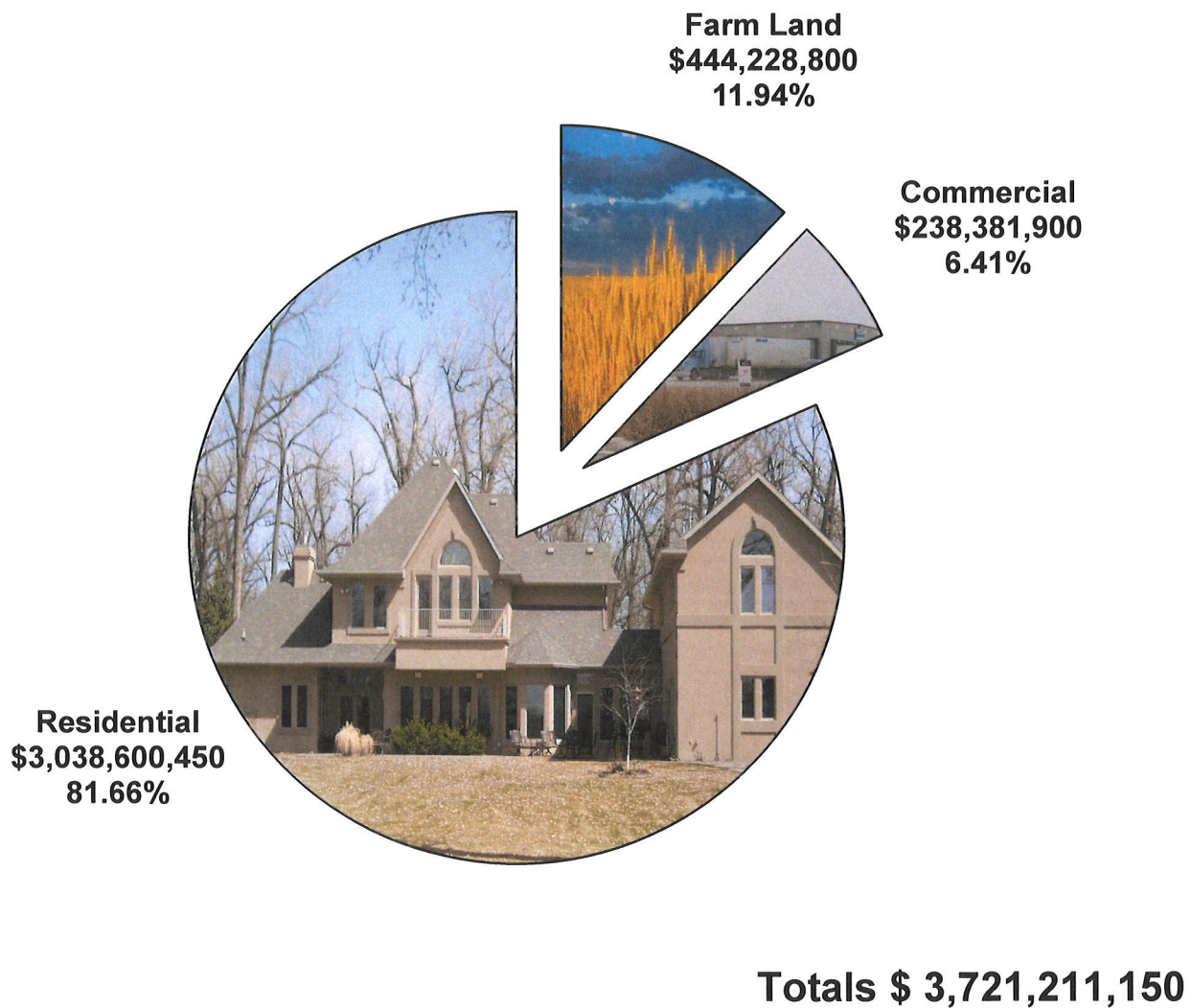
City/Township	Farm Land	% + or -	Commercial Land & Bldg	% + or -	Residential Land & Bldg	% + or -	Total	Total % + or -
Burleigh County & Small Cities								
2023	\$ 458,707,100		\$ 232,346,400		\$ 2,790,476,000		\$ 3,481,529,500	
2024	\$ 444,228,800		\$ 238,381,900		\$ 3,038,600,450		\$ 3,721,211,150	
Amount of Change	\$ (14,478,300)	-3.16%	\$ 6,035,500	2.60%	\$ 248,124,450	8.89%	\$ 239,681,650	6.88%
City of Bismarck								
2023	\$ 772,900		\$ 3,859,480,300		\$ 6,728,273,100		\$ 10,588,526,300	
2024	\$ 635,000		\$ 4,030,763,400		\$ 7,023,728,900		\$ 11,055,127,300	
Amount of Change	\$ (137,900)	-17.84%	\$ 171,283,100	4.44%	\$ 295,455,800	4.39%	\$ 466,601,000	4.41%
2023 Sub Total	\$ 459,480,000		\$ 4,091,826,700		\$ 9,518,749,100		\$ 14,070,055,800	
2024 Sub Total	\$ 444,863,800	-3.18%	\$ 4,269,145,300	4.33%	\$ 10,062,329,350	5.71%	\$ 14,776,338,450	5.02%

2024 Market Values by Class City of Bismarck



Homestead and Disabled Veteran credits not included
in values

2024 Market Values Rural & Small Cities (Excluding Bismarck)



Homestead and Disabled Veteran credits not included
in values

Market Valuations Cities

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
City of Bismarck					
2023	\$772,900	\$3,859,480,300	\$6,728,273,100	\$10,588,526,300	
2024	\$635,000	\$4,030,763,400	\$7,023,728,900	\$11,055,127,300	
Amount of Change	-\$137,900	\$171,283,100	\$295,455,800	\$466,601,000	4.41%
City of Lincoln					
2023	\$15,200	\$23,466,900	\$339,904,500	\$363,386,600	
2024	\$12,600	\$25,365,000	\$367,990,200	\$393,367,800	
Amount of Change	-\$2,600	\$1,898,100	\$28,085,700	\$29,981,200	8.25%
City of Regan					
2023	\$383,200	\$437,400	\$436,400	\$1,257,000	
2024	\$371,700	\$437,400	\$431,350	\$1,240,450	
Amount of Change	-\$11,500	\$0	-\$5,050	-\$16,550	-1.32%
City of Wing					
2023	\$0	\$1,105,000	\$3,822,700	\$4,927,700	
2024	\$0	\$1,290,900	\$4,090,000	\$5,380,900	
Amount of Change		\$185,900	\$267,300	\$453,200	9.20%
City of Wilton (South)					
2023	\$0	\$2,194,700	\$8,930,200	\$11,124,900	
2024	\$0	\$2,336,400	\$9,331,000	\$11,667,400	
Amount of Change		\$141,700	\$400,800	\$542,500	4.88%

Market Valuations Unorganized Townships

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Burnt Creek					
2023	\$9,407,900	\$11,999,600	\$301,605,700	\$323,013,200	
2024	\$8,907,600	\$12,267,300	\$332,280,300	\$353,455,200	
Amount of Change	-\$500,300	\$267,700	\$30,674,600	\$30,442,000	9.42%
Canfield					
2023	\$10,502,900	\$1,000	\$124,100	\$10,628,000	
2024	\$10,196,700	\$0	\$125,100	\$10,321,800	
Amount of Change	-\$306,200	-\$1,000	\$1,000	-\$306,200	-2.88%
Florence Lake					
2023	\$7,257,600	\$1,000	\$22,900	\$7,281,500	
2024	\$7,048,300	\$1,000	\$25,600	\$7,074,900	
Amount of Change	-\$209,300	\$0	\$2,700	-\$206,600	-2.84%
Fort Rice					
2023	\$1,259,100	\$1,996,400	\$52,562,500	\$55,818,000	
2024	\$1,131,700	\$1,467,000	\$56,706,600	\$59,305,300	
Amount of Change	-\$127,400	-\$529,400	\$4,144,100	\$3,487,300	6.25%
Lincoln					
2023	\$2,244,100	\$50,043,700	\$395,725,900	\$448,013,700	
2024	\$2,039,000	\$49,787,400	\$427,835,100	\$479,661,500	
Amount of Change	-\$205,100	-\$256,300	\$32,109,200	\$31,647,800	7.06%
Lyman					
2023	\$9,825,600	\$1,000	\$79,200	\$9,905,800	
2024	\$9,541,900	\$1,000	\$86,600	\$9,629,500	
Amount of Change	-\$283,700	\$0	\$7,400	-\$276,300	-2.79%
Phoenix					
2023	\$7,699,000	\$0	\$0	\$7,699,000	
2024	\$7,488,000	\$0	\$0	\$7,488,000	
Amount of Change	-\$211,000	\$0	\$0	-\$211,000	-2.74%
Riverview					
2023	\$4,848,300	\$7,030,100	\$104,058,900	\$115,937,300	
2024	\$4,655,700	\$7,483,700	\$112,687,700	\$124,827,100	
Amount of Change	-\$192,600	\$453,600	\$8,628,800	\$8,889,800	7.67%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Apple Creek					
2023	\$6,633,200	\$24,419,300	\$418,768,800	\$449,821,300	
2024	\$6,449,900	\$24,570,100	\$450,451,200	\$481,471,200	
Amount of Change	-\$183,300	\$150,800	\$31,682,400	\$31,649,900	7.04%

Boyd					
2023	\$10,114,900	\$520,200	\$10,941,100	\$21,576,200	
2024	\$9,798,100	\$653,400	\$11,589,200	\$22,040,700	
Amount of Change	-\$316,800	\$133,200	\$648,100	\$464,500	2.15%

Christiania					
2023	\$12,332,000	\$2,000	\$341,600	\$12,675,600	
2024	\$11,964,900	\$2,000	\$329,600	\$12,296,500	
Amount of Change	-\$367,100	\$0	-\$12,000	-\$379,100	-2.99%

Clear Lake					
2023	\$12,692,000	\$0	\$713,100	\$13,405,100	
2024	\$12,322,200	\$0	\$748,900	\$13,071,100	
Amount of Change	-\$369,800	\$0	\$35,800	-\$334,000	-2.49%

Crofte					
2023	\$12,270,500	\$739,000	\$7,020,700	\$20,030,200	
2024	\$11,881,600	\$783,900	\$7,471,800	\$20,137,300	
Amount of Change	-\$388,900	\$44,900	\$451,100	\$107,100	0.53%

Cromwell					
2023	\$10,959,100	\$24,400	\$1,075,400	\$12,058,900	
2024	\$10,639,600	\$99,400	\$1,095,300	\$11,834,300	
Amount of Change	-\$319,500	\$75,000	\$19,900	-\$224,600	-1.86%

Driscoll					
2023	\$12,278,200	\$471,900	\$3,947,400	\$16,697,500	
2024	\$11,925,500	\$514,200	\$3,945,200	\$16,384,900	
Amount of Change	-\$352,700	\$42,300	-\$2,200	-\$312,600	-1.87%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Ecklund					
2023	\$20,377,800	\$1,006,300	\$3,602,900	\$24,987,000	
2024	\$19,767,400	\$823,100	\$4,075,800	\$24,666,300	
Amount of Change	-\$610,400	-\$183,200	\$472,900	-\$320,700	-1.28%
Estherville					
2023	\$13,080,200	\$2,500	\$355,100	\$13,437,800	
2024	\$12,665,300	\$4,000	\$353,600	\$13,022,900	
Amount of Change	-\$414,900	\$1,500	-\$1,500	-\$414,900	-3.09%
Frances					
2023	\$10,158,200	\$6,500	\$244,000	\$10,408,700	
2024	\$9,868,800	\$6,500	\$244,000	\$10,119,300	
Amount of Change	-\$289,400	\$0	\$0	-\$289,400	-2.78%
Ghylin					
2023	\$12,761,500	\$58,600	\$607,500	\$13,427,600	
2024	\$12,313,100	\$57,600	\$608,500	\$12,979,200	
Amount of Change	-\$448,400	-\$1,000	\$1,000	-\$448,400	-3.34%
Gibbs					
2023	\$10,394,700	\$9,861,200	\$359,747,400	\$380,003,300	
2024	\$10,056,200	\$8,812,200	\$396,787,000	\$415,655,400	
Amount of Change	-\$338,500	-\$1,049,000	\$37,039,600	\$35,652,100	9.38%
Glenview					
2023	\$9,633,700	\$898,600	\$12,993,900	\$23,526,200	
2024	\$9,307,800	\$1,209,000	\$14,676,600	\$25,193,400	
Amount of Change	-\$325,900	\$310,400	\$1,682,700	\$1,667,200	7.09%
Grass Lake					
2023	\$13,707,800	\$142,000	\$864,800	\$14,714,600	
2024	\$13,299,100	\$142,000	\$955,600	\$14,396,700	
Amount of Change	-\$408,700	\$0	\$90,800	-\$317,900	-2.16%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Harriet					
2023	\$7,799,500	\$22,200	\$181,100	\$8,002,800	
2024	\$7,579,600	\$22,200	\$181,100	\$7,782,900	
Amount of Change	-\$219,900	\$0	\$0	-\$219,900	-2.75%

Hay Creek					
2023	\$4,578,200	\$59,127,200	\$699,884,800	\$763,590,200	
2024	\$4,431,600	\$62,311,200	\$767,341,900	\$834,084,700	
2015	-\$146,600	\$3,184,000	\$67,457,100	\$70,494,500	9.23%

Hazel Grove					
2023	\$10,108,700	\$1,000	\$58,100	\$10,167,800	
2024	\$9,822,300	\$1,000	\$62,500	\$9,885,800	
Amount of Change	-\$286,400	\$0	\$4,400	-\$282,000	-2.77%

Lein					
2023	\$10,651,500	\$3,600	\$795,200	\$11,450,300	
2024	\$10,351,200	\$2,600	\$806,600	\$11,160,400	
Amount of Change	-\$300,300	-\$1,000	\$11,400	-\$289,900	-2.53%

Logan					
2023	\$10,702,300	\$165,600	\$325,100	\$11,193,000	
2024	\$10,389,200	\$184,100	\$345,600	\$10,918,900	
Amount of Change	-\$313,100	\$18,500	\$20,500	-\$274,100	-2.45%

Long Lake					
2023	\$7,004,000	\$296,100	\$2,390,600	\$9,690,700	
2024	\$6,799,800	\$310,400	\$2,574,100	\$9,684,300	
Amount of Change	-\$204,200	\$14,300	\$183,500	-\$6,400	-0.07%

McKenzie					
2023	\$11,127,700	\$16,723,300	\$5,704,300	\$33,555,300	
2024	\$10,792,500	\$16,785,200	\$6,018,600	\$33,596,300	
Amount of Change	-\$335,200	\$61,900	\$314,300	\$41,000	0.12%

Menoken					
2023	\$11,380,000	\$7,550,600	\$10,907,900	\$29,838,500	
2024	\$10,992,500	\$8,243,300	\$11,105,800	\$30,341,600	
Amount of Change	-\$387,500	\$692,700	\$197,900	\$503,100	1.69%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Missouri					
2023	\$3,751,800	\$278,700	\$7,766,200	\$11,796,700	
2024	\$3,647,200	\$234,600	\$8,074,200	\$11,956,000	
Amount of Change	-\$104,600	-\$44,100	\$308,000	\$159,300	1.35%

Morton					
2023	\$7,285,200	\$358,900	\$2,403,900	\$10,048,000	
2024	\$7,084,500	\$385,600	\$2,708,200	\$10,178,300	
Amount of Change	-\$200,700	\$26,700	\$304,300	\$130,300	1.30%

Naughton					
2023	\$11,110,500	\$693,800	\$9,628,700	\$21,433,000	
2024	\$10,759,600	\$972,100	\$10,403,300	\$22,135,000	
Amount of Change	-\$350,900	\$278,300	\$774,600	\$702,000	3.28%

Painted Woods					
2023	\$9,263,300	\$158,100	\$11,069,700	\$20,491,100	
2024	\$9,014,800	\$85,800	\$12,595,500	\$21,696,100	
Amount of Change	-\$248,500	-\$72,300	\$1,525,800	\$1,205,000	5.88%

Richmond					
2023	\$10,007,500	\$4,000	\$287,200	\$10,298,700	
2024	\$9,721,500	\$4,000	\$295,100	\$10,020,600	
Amount of Change	-\$286,000	\$0	\$7,900	-\$278,100	-2.70%

Rock Hill					
2023	\$10,305,400	\$0	\$197,900	\$10,503,300	
2024	\$9,934,600	\$0	\$165,500	\$10,100,100	
Amount of Change	-\$370,800	\$0	-\$32,400	-\$403,200	-3.84%

Schrunk					
2023	\$10,460,400	\$6,000	\$207,900	\$10,674,300	
2024	\$10,157,500	\$6,700	\$217,300	\$10,381,500	
Amount of Change	-\$302,900	\$700	\$9,400	-\$292,800	-2.74%

Sibley Butte					
2023	\$10,025,600	\$50,000	\$147,600	\$10,223,200	
2024	\$9,738,400	\$50,000	\$147,600	\$9,936,000	
Amount of Change	-\$287,200	\$0	\$0	-\$287,200	-2.81%

Steiber					
2023	\$10,723,900	\$0	\$199,100	\$10,923,000	
2024	\$10,297,600	\$0	\$199,100	\$10,496,700	
Amount of Change	-\$426,300	\$0	\$0	-\$426,300	-3.90%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Sterling					
2023	\$13,655,200	\$9,058,700	\$5,142,300	\$27,856,200	
2024	\$13,157,600	\$9,259,000	\$5,624,000	\$28,040,600	
Amount of Change	-\$497,600	\$200,300	\$481,700	\$184,400	0.66%
Taft					
2023	\$12,382,500	\$1,196,600	\$935,200	\$14,514,300	
2024	\$12,014,500	\$1,196,600	\$935,200	\$14,146,300	
Amount of Change	-\$368,000	\$0	\$0	-\$368,000	-2.54%
Telfer					
2023	\$7,172,100	\$90,300	\$2,383,100	\$9,645,500	
2024	\$6,977,300	\$90,300	\$2,389,300	\$9,456,900	
Amount of Change	-\$194,800	\$0	\$6,200	-\$188,600	-1.96%
Thelma					
2023	\$9,620,500	\$31,200	\$85,300	\$9,737,000	
2024	\$9,305,000	\$28,700	\$89,900	\$9,423,600	
Amount of Change	-\$315,500	-\$2,500	\$4,600	-\$313,400	-3.22%
Trygg					
2023	\$11,470,300	\$0	\$309,700	\$11,780,000	
2024	\$11,105,700	\$0	\$331,200	\$11,436,900	
Amount of Change	-\$364,600	\$0	\$21,500	-\$343,100	-2.91%
Wild Rose					
2023	\$6,953,300	\$97,700	\$138,300	\$7,189,300	
2024	\$6,753,100	\$90,500	\$236,900	\$7,080,500	
Amount of Change	-\$200,200	-\$7,200	\$98,600	-\$108,800	-1.51%
Wilson					
2023	\$10,714,800	\$0	\$447,000	\$11,161,800	
2024	\$10,402,200	\$0	\$775,700	\$11,177,900	
Amount of Change	-\$312,600	\$0	\$328,700	\$16,100	0.14%
Wing					
2023	\$9,616,200	\$3,500	\$54,400	\$9,674,100	
2024	\$9,346,300	\$3,500	\$54,400	\$9,404,200	
Amount of Change	-\$269,900	\$0	\$0	-\$269,900	-2.79%

2022

Increase Due to New Construction vs. Valuation Increase on Existing Properties

Township	Commercial		Residential	Total
	Farm Land*	Land & Bldg	Land & Bldg	
Apple Creek				
Valuation 2024	\$6,449,900	\$24,570,100	\$450,451,200	\$481,471,200
2023 New Construction	\$0	-\$24,600	\$4,906,800	\$4,882,200
2024 Adjusted Value	\$6,449,900	\$24,594,700	\$445,544,400	\$476,589,000
Valuation 2023	\$6,633,200	\$24,419,300	\$418,768,800	\$449,821,300
Increase to Existing Property	-2.76%	0.72%	6.39%	5.95%
Increase Due to New Construction	0.00%	-0.10%	1.17%	1.09%
Gibbs				
Valuation 2024	\$ 10,056,200	\$ 8,812,200	\$ 396,787,000	\$ 415,655,400
2023 New Construction	\$0	-\$957,700	\$9,435,200	\$ 8,477,500
2024 Adjusted Value	\$10,056,200	\$9,769,900	\$387,351,800	\$407,177,900
Valuation 2023	\$10,394,700	\$9,861,200	\$359,747,400	\$380,003,300
Increase to Existing Property	-3.26%	-0.93%	7.67%	7.15%
Increase Due to New Construction	0.00%	-9.71%	2.62%	2.23%
Hay Creek				
Valuation 2024	\$4,431,600	\$62,311,200	\$767,341,900	\$834,084,700
2023 New Construction	\$0	\$766,500	\$17,562,300	\$18,328,800.00
2024 Adjusted Value	\$4,431,600	\$61,544,700	\$749,779,600	\$815,755,900
Valuation 2023	\$4,578,200	\$59,127,200	\$699,884,800	\$763,590,200
Increase to Existing Property	-3.20%	4.09%	7.13%	6.83%
Increase Due to New Construction	0.00%	1.30%	2.51%	2.40%
Fort Rice				
Valuation 2024	\$1,131,700	\$1,467,000	\$56,706,600	\$59,305,300
2023 New Construction	-\$95,300	-\$313,000	\$598,100	\$189,800
2024 Adjusted Value	\$1,227,000	\$1,780,000	\$56,108,500	\$59,115,500
Valuation 2023	\$1,259,100	\$1,996,400	\$52,562,500	\$55,818,000
Increase to Existing Property	-2.55%	-10.84%	6.75%	5.91%
Increase Due to New Construction	-7.57%	-15.68%	1.14%	0.34%
City of Lincoln				
Valuation 2024	\$12,600	\$25,365,000	\$367,990,200	\$393,367,800
2023 New Construction	-\$2,200	\$993,200	\$5,940,700	\$6,931,700
2024 Adjusted Value	\$14,800	\$24,371,800	\$362,049,500	\$386,436,100
Valuation 2023	\$15,200	\$23,466,900	\$339,904,500	\$363,386,600
Increase to Existing Property	-2.63%	3.86%	6.52%	6.34%
Increase Due to New Construction	-14.47%	4.23%	1.75%	1.91%

2022

Increase Due to New Construction vs. Valuation Increase on Existing Properties

Township	Commercial		Residential	Total
	Farm Land*	Land & Bldg	Land & Bldg	
Lincoln				
Valuation 2024	\$2,039,000	\$49,787,400	\$427,835,100	\$479,661,500
2023 New Construction	-\$156,000	-\$205,100	\$5,380,200	\$5,019,100
2024 Adjusted Value	\$2,195,000	\$49,992,500	\$422,454,900	\$474,642,400
Valuation 2023	\$2,244,100	\$50,043,700	\$395,725,900	\$448,013,700
Increase to Existing Property	-2.19%	-0.10%	6.75%	5.94%
Increase Due to New Construction	-6.95%	-0.41%	1.36%	1.12%
Burnt Creek				
Valuation 2024	\$8,907,600	\$12,267,300	\$332,280,300	\$353,455,200
2023 New Construction	-\$141,600	\$209,800	\$7,219,200	\$7,287,400
2024 Adjusted Value	\$9,049,200	\$12,057,500	\$325,061,100	\$346,167,800
Valuation 2023	\$9,407,900	\$11,999,600	\$301,605,700	\$323,013,200
Increase to Existing Property	-3.81%	0.48%	7.78%	7.17%
Increase Due to New Construction	-1.51%	1.75%	2.39%	2.26%
Riverview				
Valuation 2024	\$4,655,700	\$7,483,700	\$112,687,700	\$124,827,100
2023 New Construction	\$0	\$18,800	\$823,900	\$842,700
2024 Adjusted Value	\$4,655,700	\$7,464,900	\$111,863,800	\$123,984,400
Valuation 2023	\$4,848,300	\$7,030,100	\$104,058,900	\$115,937,300
Increase to Existing Property	-3.97%	6.18%	7.50%	6.94%
Increase Due to New Construction	0.00%	0.27%	0.79%	0.73%
County & Small Cities (Excluding The City of Bismarck)				
Valuation 2024	\$444,228,800	\$238,381,900	\$3,038,600,450	\$3,721,211,150
2023 New Construction	-\$395,100	\$487,900	\$51,866,400	\$51,959,200
2024 Adjusted Value	\$444,623,900	\$237,894,000	\$2,986,734,050	\$3,669,251,950
Valuation 2023	\$458,707,100	\$232,346,400	\$2,790,476,000	\$3,481,529,500
Increase to Existing Property	-3.07%	2.39%	7.03%	5.39%
Increase Due to New Construction	-0.09%	0.21%	1.86%	1.49%

BURLEIGH COUNTY
2024 EXEMPTIONS
Wheelchair, Blind, New Home, 5 Year Remodel, & Geothermal

Property #	Exemption	Wheelchr/Blind	2 Yr New Home	5 YR Remodel	Geothermal	Total
APPLE CREEK						
39-138-79-00-19-200		\$100,000				\$100,000
39-138-79-12-00-040		\$49,300				\$49,300
39-138-79-11-03-010		\$100,000				\$100,000
	SUBTOTAL	\$249,300	\$0	\$0	\$0	\$249,300
BURNT CREEK						
24-140-80-00-31-600		\$100,000				\$100,000
24-140-80-73-01-030		\$100,000				\$100,000
24-140-80-50-02-040		\$160,000				\$160,000
24-140-80-92-02-080		\$160,000				\$160,000
	SUBTOTAL	\$520,000	\$0	\$0	\$0	\$520,000
GIBBS						
32-139-79-06-01-190		\$100,000				\$100,000
	SUBTOTAL	\$100,000	\$0	\$0	\$0	\$100,000
HAY CREEK						
31-139-81-72-05-150		\$100,000				\$100,000
31-139-80-17-01-050		\$100,000				\$100,000
31-139-81-00-24-810		\$100,000				\$100,000
31-139-81-60-01-300		\$100,000				\$100,000
	SUBTOTAL	\$400,000	\$0	\$0	\$0	\$400,000
LINCOLN						
38-138-80-48-05-040		\$160,000				\$160,000
38-138-80-48-03-010		\$100,000				\$100,000
38-138-80-48-04-121		\$100,000				\$100,000
38-137-80-61-01-010		\$100,000				\$100,000
	SUBTOTAL	\$460,000	\$0	\$0	\$0	\$460,000
CITY OF LINCOLN						
CL-138-79-19-05-030			\$75,000			\$75,000
CL-138-79-19-05-040			\$75,000			\$75,000
CL-138-79-20-01-110			\$75,000			\$75,000
CL-138-79-75-04-300			\$75,000			\$75,000
CL-138-79-76-02-120			\$75,000			\$75,000
CL-138-79-02-02-100		\$ 100,000				\$100,000
CL-138-79-21-01-020		\$ 100,000				\$100,000
CL-138-79-22-01-040		\$ 100,000				\$100,000
CL-138-79-23-01-050		\$ 100,000				\$100,000
CL-138-79-34-03-030		\$ 100,000				\$100,000
CL-138-79-35-01-050		\$ 160,000				\$160,000
	SUBTOTAL	\$660,000	\$375,000	\$0	\$0	\$1,035,000
MOBILE HOME						
01-035-00-00-01-590		\$8,199.00				\$8,199
01-095-00-00-02-544		\$18,938.00				\$18,938
01-025-00-00-04-708		\$49,388.00				\$49,388
01-125-00-00-05-780		\$85,344.00				\$85,344
01-125-00-00-05-096		\$81,090.00				\$81,090
	SUBTOTAL	\$242,959	\$0	\$0	\$0	\$242,959
		Wheelchair/Blind	2 Year New Home	5 Year Remodel	Geothermal	Total
	GRAND TOTAL	\$2,632,259	\$375,000	\$0	\$0	\$3,007,259

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
MAY 6, 2024**

5:00 P.M

Chairman Bitner called the Burleigh County Park Board meeting to order.

A roll call of members: Commissioners Herman, Munson, Bakken, Schwab, Behm and Chairman Bitner present; Comm. Woodcox absent.

Motion by Comm. Munson 2nd by Comm. Behm to approve the October 2nd, 2023 and March 18th, 2024 minutes and bills. All members present voted, "AYE." Motion carried.

Comm. Munson presented to the Board a report of a site visit to Driscoll Park, pertaining to the unearthing of a time capsule there which is to be opened on June 14th. Comm. Munson asked the Board how much maintenance – if any – should be done to Driscoll Park prior to the June 14th event. Munson also suggested the Board, along with the Burleigh County Highway Department, locate the capsule and unearth it prior to June 14th so that it can be ready for the opening on that day. Comm. Behm said that he knows a person who was there when the capsule was buried, and could try to get in touch with them to save some time locating the capsule. Both Chairman Bitner & Comm. Bakken commented that the windmill at the park should be repaired and maintained due to its vintage value, and some discussion was had about refurbishing many of the signs in and around the park.

An update on the quote for the dredging of a boat ramp at Kimball Bottoms was given to the Board. One quote was received from Midwest Dragline at \$6,200, which proved similar to last year's amount. It was also revealed that the US Army Corps of Engineers penned a letter asking to clean the parking lot and asphalt sloughing off the slope at Kimball Bottoms either establishing an RFP or getting the Water Resource Board to help. Motion by Comm. Munson 2nd by Comm. Bakken to hire Midwest Dragline at \$6,200 to begin the dredging process. All members present voted, "AYE." Motion carried.

It was also presented to the Board that the US Army Corps of Engineers approved the 404 permit to dredge Kniefel Boat ramp, and a quote was recently put out to determine the cost.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

Addenda item for June 3rd, 2024 Park Board Meeting

Description: Dave Mayer will lead us through the bid for the dredging of Kniefel Boat Ramp

Dredging is required again at this boat ramp. We have been receiving calls from many residents that are having issues with the silt that has been deposited around the ramp making this ramp useable by one boat at a time.

We did have a local resident reach out to us asking if they can have the material that is removed. We have confirmed with the Corp and the local building official that the silt can be used at the location and for the purpose that it was requested for.

Action: Approve the low bid.

Bismarck Parks and Recreation District
Sediment Dredging- Kniefel Boat Ramp
Quote Form

- I certify that I have read and can meet all the specifications.
 Copy of Insurance certificate is enclosed.
 Copy of North Dakota Contractor's License or Certificate of Renewal enclosed.

Total Cost for Dredging 199 CY : \$ 10,200⁰⁰

Per CY Price (if needed): \$0 for extra yardage

Business:

Midwest Dragline

Contact Person:

Ron Steininger

Mailing Address:

4515 Hay Creek Drive

City, State, Zip:

Bismarck, ND 58503

Email:

midwestdragline@hotmail.com

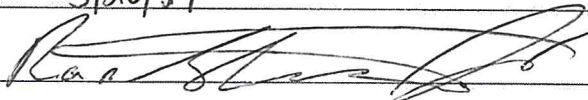
Phone(s):

701-220-5525

Date:

5/20/24

By (Signature):



COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

MAY 20TH, 2024

5:00 PM *Moment of silence in honor of former Burleigh County Comm. Mark Armstrong 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.

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

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the May 6th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Charles & Suzanna Hitchcock	2023	Block 20, Park Hill (aud lots), beg 92.5' N & 10' E of SW cor of Aud Lot 20, th E 54.7' N 7.5' E 94.3' N 125' W 149' S 132.5' to pt of beg	80% Disabled Veteran	\$75,300	\$0
KPJ LLC	2023	Block 4, Northern Pacific, S 105' of E1/2 of Lot 3	House was removed in November, prorated value for year	\$226,000	\$198,200
Margaret Bjelanovic	2023	Lot 1, Block 27, Sturgis	Error in property description	\$98,600	\$79,100
Daniel & Genevieve Welder	2023	Lot 15, Block 3, Wachter's 5th	100% Homestead Credit	\$286,500	\$86,500
Michael & Janette Fetch	2023	Lot 7, Block 2, Haycreek Meadows	90% Disabled Veteran	\$330,500	\$168,500
Craig Boeckel	2023	Block 1, Southport Phase II, Tract 1016 of Lot 2	50% Homestead Credit	\$480,700	\$380,700
Marilyn Schlosser	2023	Lot 13, Block 1, Edgewood Village 5th	50% Homestead Credit	\$384,100	\$284,100
Timothy & Debra Schumacher	2023	Lot 14, Block 4, Gateway Addition	50% Homestead Credit	\$302,700	\$202,700

Dianne Herr	2023	Lot 7, Block 1, Trenton 2nd Addition	50% Homestead Credit	\$316,400	\$216,400
Peggy Ann Freije-Ray	2022	Lot 1, Block 22, Jennings's 5th	100% Homestead Credit	\$245,400	\$120,400
Peggy Ann Freije-Ray	2023	Lot 1, Block 22, Jennings's 5th	100% Homestead Credit	\$286,000	\$86,000
Terry Palmer	2023	1971 Boise Cas Genora 66 x 14, #GA36M01740	100% Homestead Credit	\$7,269	\$0
Terry Palmer	2024	1971 Boise Cas Genora 66 x 14, #GA36M01740	100% Homestead Credit	\$7,269	\$0
Leona & Arnold Ziegler	2023	Lot 9, Block 9, Casey's 2nd	50% Homestead Credit	\$193,000	\$144,750
Kay & Dennis Berg	2023	Lot 22, Block 5, Cottonwood Parkview Addition	100% Homestead Credit	\$321,600	\$121,600
Luanda Makedonski	2022	NW1/4 beg @ NW1/4 S 1133', E 100' to TR POB E 300', N 435', W 300', S 435' to POB	50% Homestead Credit	\$192,800	\$180,289
Luanda Makedonski	2023	NW1/4 beg @ NW1/4 S 1133', E 100' to TR POB E 300', N 435', W 300', S 435' to POB	50% Homestead Credit	\$198,700	\$98,700

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Charles & Suzanna Hitchcock, KPJ LLC, Margaret Bjelanovic, Michael & Janette Fetch, Craig Boeckel, Marilyn Schlosser, Timothy & Debra Schumacher, Dianne Herr, Peggy Ann Freije-Ray (2), Terry Palmer (2), Leona & Arnold Ziegler, Kay & Dennis Berg, and Luanda Makedonski (2) abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Sheriff Leben came before the Commission and presented the renovation project at the building on 2000 North 52nd, also known as Burleigh East, to the Commission for discussion, as it had been tabled from the last commission meeting on May 6th per Sheriff Leben's request due to Comm. Woodcox's absence and Comm. Schwab's request for a packet containing the numbers. Motion by Comm. Woodcox, 2nd by Comm. Bakken to remove the item from the table for discussion. All members present voted "AYE". Motion carried. After some discussion about funding the project with some of the cash from the old jail fund, motion by Comm. Bakken, 2nd by Comm. Munson to table this item for the next meeting. All members present voted "AYE". Motion carried. Leben then presented to the Commission the liquor license renewal application for Crossroads Tavern. Due to several events and factors that arose within the last year, Leben recommended the Commission vote for a non-renewal of the liquor license, and to set a special meeting for May 31st for the Commission to review the matter and allow both sides to make their arguments. Chairman Bitner then set a special meeting of the Burleigh County Commission for May 31st at 10:00 am in the Tom Baker Room until further notice; no motion was needed. Leben presented to the Commission a variance to Burleigh

County policy, as a former deputy of the Burleigh County Sheriff's Department reapproached them and wishes to rejoin the department. Leben requested a variance to bring the deputy back at one step less than he was making for the six-month probation and then return him to his previous status following the probation's end. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the variance. All members present voted "AYE". Motion carried. Leben also briefly informed the Commission that the sheriff's department received notice from the state governor's office of an Emergency Management Assistance Compact (EMAC) request from the city of Milwaukee, Wisconsin, to assist with the Republican National Convention this summer; he didn't know if the governor authorized it, but the department indicated that it would consider sending up to four of its officers.

County Engineer Hall came forward and asked the Commission to certify the number of township road miles in each of the townships as required by the state of North Dakota; Hall recommended approval of the resolution. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution. All members present voted "AYE". Motion carried. Hall then presented the Commission a request of a waiving of a county policy requiring a developer to pave all the roads internally in a particular plat they put together as well as one road connecting their plat to a paved road system; the requestor in question was in Menoken Township. The request doesn't preclude the county from requiring them to construct/pave that portion at some point in the future. Hall recommended approval of the resolution; motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution. All members present voted "AYE". Motion carried. Hall then presented a request that was brought to the Highway department initially by a contractor to work on the first three miles of Highway 10 starting from Bismarck City limits. Since the commission passed a weight limit resolution on that section of road, Hall denied the request as he thought that it needed commission approval; however, he did promise the contractor to bring the matter to the Commission. Motion by Comm. Munson, 2nd by Comm. Woodcox to deny the request. Munson and Woodcox voted "AYE"; Bakken, Schwab, and Bitner voted "NAY". Motion failed. Motion by Comm. Bakken, 2nd by Comm. Schwab to allow for the variance on a week-to-week basis while monitoring the road, maintaining the 55 mph speed limit, and requiring the highway department to set up a haul road inspection and hold the contractor responsible for repairing any damage done to the road. Bakken, Schwab, Woodcox, and Bitner voted "AYE"; Munson voted "NAY". Motion carried. Hall then presented the Commission a developer agreement from Summit Point to review and recommended to approve. Motion by Comm. Bakken, 2nd by Comm. Munson to approve as recommended. All members present voted "AYE". Motion carried. Hall lastly brought to the Commission's attention an easement request by MDU to bore under county property, and asked the Commission on how the Highway department should proceed. After some deliberation, motion by Comm. Bakken, 2nd by Comm. Munson to table the item for next meeting and let Hall negotiate with MDU for a better deal for the county. All members present voted "AYE". Motion carried.

Extension agent Kelsey Deckert brought to the Commission some proposed office closure dates in anticipation of the upcoming Burleigh County Achievement Days. Deckert said that the extension offices will be closed July 9th from 2:30 to 5pm, and all day on July 11th as well as November 5th through 7th. No action was required.

County HR Director Binder presented the Commission a memo of the county health insurance plan summary to go over the numbers, data, and trends of previous years. Binder also presented a recommendation by the Health Insurance Committee to do an 8 percent increase for 2025 health

insurance; the employee-employer split would be 95 percent to 5 percent. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the increase. All members present voted “AYE”. Motion carried.

Finance Director Jacobs came next and resumed the discussion concerning the Burleigh/Morton Detention Center sales tax bond. Jacobs informed the Commission that there was a change with the county’s escrow account: it was revealed that the bond was originally a tax exempt bond but was refunded as a taxable item, and that the county has the option to pay off at the earliest maturity date or any date thereafter. Deputy Finance Director Taylor Schmidt stepped in as well and elaborated on this point, adding that Morton County is estimated to have enough cash to meet its obligations for the bond in September, but issues in timing on starting the process is of concern. Jacobs expressed that both Burleigh and Morton County would benefit greatly from paying this off sooner rather than later, and that the end of Q2 would be the best time to do so. To do so, the next steps would include liquidating and reinvesting investments from BND (which includes finding a professional or professional service to do it), funding Morton County’s escrow account, verifying investments with a CPA firm, work with the bond council, and repurchasing bonds as an investment (although discussion on this option is still ongoing). Jacobs ended with requesting the Commission for permission of approval of these steps: to liquidate holdings at BND, contract with a bidding agent or financial planner, buy securities to fund the escrow, contract with the verification agent, and guidance to approach Morton County about the escrow agreement. After some deliberation, the Commission decided not to take any action at this time.

County Planning Director Flanagan brought to the Commission an upgraded service agreement with the City of Lincoln. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the service agreement. All members present voted “AYE”. Motion carried. Flanagan then talked about beginning an application for the Community Ratings System (CRS) as a cost share between the Emergency Management Department and Water Resource District and could result in lower insurance rates for citizens in Burleigh County. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve and move forward with the process. All members present voted “AYE”. Motion carried.

Comm. Munson presented to the Commission a request to reconsider funding for the Lewis and Clark Development group and asked for consideration last year’s payment of \$92,000. Comm. Bakken expressed being in favor of fully funding this next budget cycle, while Comm. Schwab requested a full list of those who benefit from the funds. Comm. Munson promised to take steps to further research and provide the lists Comm. Schwab requested. No further action was taken.

Chairman Bitner brought out the notes he mentioned from last meeting concerning the carbon capture utilization and storage issue, and continued to highlight flaws and dishonesties in Summit Carbon Solutions’ pipeline project.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer


Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-604	Kerry Gullickson	2022	Lot 33, Block 23, Southwood Terrace 2nd Rep	Error in property description	\$258,800	\$257,600
24-605	Kerry Gullickson	2023	Lot 33, Block 23, Southwood Terrace 2nd Rep	Error in property description	\$272,600	\$271,400
24-612	Sharon M Wheeler	2022	Tract 1240 of part of Lots 3 & 7, Block 1, Southport Phase II	Error in property description	\$506,200	\$461,500
24-613	Sharon M Wheeler	2023	Tract 1240 of part of Lots 3 & 7, Block 1, Southport Phase II	Error in property description	\$530,700	\$486,000
24-614	Leroy & Christi Mittleider	2023	Lot 4, Block 4, East Meadows Estates	90% Disabled Veteran	\$299,500	\$263,500
24-617	Dan & Pam Bauer	2023	1975 Marshfield 14 x 70, #19236	100% Homestead Credit	\$7,526	\$0
24-618	Harold & Rita Gefroh	2022	Lot 9, Block 11, Sonnet Heights Subdivision	10% Homestead Credit	\$316,700	\$304,189
24-619	Harold & Rita Gefroh	2023	Lot 9, Block 11, Sonnet Heights Subdivision	100% Homestead Credit	\$324,300	\$124,300
24-620	Gary & Murian Vennie	2023	Lot A in SW1/4	100% Homestead Credit	\$85,700	\$0
24-621	Gale McHenry	2022	Lot 3, Block 10, Replat of Calkins	40% Homestead Credit	\$220,000	\$195,000
24-622	Robert Schmidt	2023	2000 Skyline 16 x 76, #D9300471N	100% Homestead Credit	\$40,468	\$0
24-623	Robert Schmidt	2024	2000 Skyline 16 x 76, #D9300471N	100% Homestead Credit	\$40,468	\$0

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Black Leg Brewery, LLC Classification of License BIB

Primary Contact Jay Down Phone 

Address 24750 62nd AVE SE McKenzie Date of Birth/Incorporation 2018

Is this a renewal of liquor license? Yes No

If yes, give date of original application 2018

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Black Leg Brewery LLC

Residence 

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Jay Down		Bismarck ND 58503	100

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

BIB

Exact legal description of proposed enterprise:

Micro Brewery

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor: Yes No

If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No

If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. First International Bank - Jeff Guing - Business operating loan
2. Starline Bank - Don Morgan - Business advisor
3. American Beer Equipment - Equipment manufacturer

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

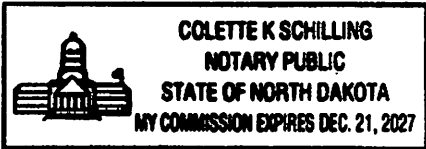
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.



 Signature of Applicant

Subscribed and sworn to before me this 22nd day of May, 2024



Colette K Schilling

 Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

 County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Logan approve the
(Name of Township)

application for a Type BB Retail Liquor License for

Black Leg Brewery
(Name of Establishment)

owned by Jay Doan
(Licensee)



[Signature]
Chairman

[Signature]
Member

Patrick R. Heaton
Member

ATTEST

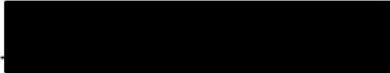
Correne Heaton
(Township Clerk)

24-008

21017-FG
443572C
Chantweels

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Compass ND LLC Classification of License F1

Primary Contact James Houtman Phone 

Address 7500 University Drive Date of Birth/Incorporation 8/17/2017

Is this a renewal of liquor license? Yes No

If yes, give date of original application 10/13/2017

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant N/A

Residence _____

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Please see attached			

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
N/A			

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

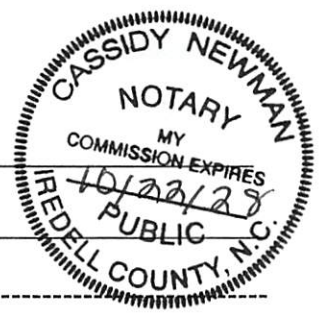
[Handwritten Signature]

Signature of Applicant

Subscribed and sworn to before me this 15th day of May, 2024

Cassidy Newman

Notary Public




Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

Compass Group ND LLC

Name	Address	Title	%
McConnell, Jennifer			0%
Meredith, Adrian L.			0%
Rossitch, Richard James			0%
Compass Group USA, Inc			100%

24-007


21017 - FG

443571C

Chesters

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Compass ND, LLC Classification of License I

Primary Contact James Houtman Phone 

Address 7500 University Drive Date of Birth/Incorporation 8/17/2017

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 10/13/2017

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant N/A

Residence _____

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

Please see attached

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

N/A

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

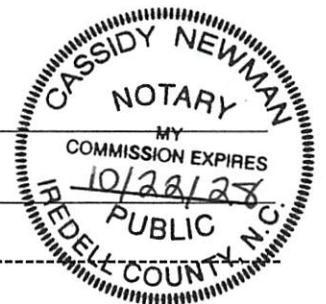
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

[Signature]
Signature of Applicant

Subscribed and sworn to before me this 15th day of May 2024

Cassidy Newman
Notary Public




Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

Compass Group ND LLC

Name	Address	Title	%
McConnell, Jennifer			0%
Meredith, Adrian L.			0%
Rossitch, Richard James			0%
Compass Group USA, Inc			100%



Burleigh County Auditor's Office

221 N 5th St
Bismarck ND 58501
(701) 222-6718
burleighco.com



Fireworks Display Permit Application

The following information is required for submission to complete the Fireworks Permit:

1. Certificate of Insurance: The permittee shall furnish a bond or insurance in an amount of two hundred fifty thousand dollars (\$250,000.00) per individual or five hundred thousand dollars (\$500,000.00) per occurrence, conditioned for the payment of all potential damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any act of the permittee, its agents, employees or subcontractors.
2. Certificate showing current certification (current license) as a Pyrotechnic Operator as well as a copy of a current picture identification.
3. Diagrams of display area, discharge layout, and description of materials to be discharged.
4. How pyrotechnic material will be stored.
5. If applicable, how crowd control will be conducted to maintain a safe firing area.
6. Date, location, and time of display.
7. Contact information including email and telephone numbers.

ND Century Code dictates that every application for a permit must be made in writing at least fifteen (15) days in advance of the date of the display; however, due to regularly scheduled Burleigh County Commission Meeting dates and time for review, **Burleigh County requests applications at least thirty (30) day in advance of the display.**

The application will be referred for an investigation to determine whether the operator of the display is competent and whether the display is of such character and is to be located, discharged, or fired that it will not be hazardous to property or endanger any person. If the investigation reports that the operator is competent and that the display as planned will conform to safety requirements, including the rules and regulations of the State Fire Marshal, the Auditor shall issue a permit for the display when the applicant pays a permit fee of two dollars (\$2.00). After the permit has been granted, sales, possession, use, and distribution of fireworks for such display are lawful for that purpose only. No permit granted hereunder is transferable. The State Fire Marshal shall adopt reasonable rules and regulations not inconsistent with the provisions of NDCC 23-15 to ensure that fireworks displays are given safely.

The penalty for failure to obtain a permit is a Class B Misdemeanor (NDCC 23-15-06: a maximum sentence of 30 days in jail and up to a \$1,500 fine).

Fireworks Display Permit Application (cont.)

Description of Event/Display	<u>Driscoll 4th of July Celebration</u>		
Job Value	_____	Display Date	<u>7-4-2024</u>
Display Address	<u>39th Ave SE Driscoll, ND 58532</u>		
Name of Pyrotechnics Contractor	<u>Jerry Keller</u>		

Applicant, Owner, Contractor, and Pyrotechnic Information

NOTE: The applicant's email address will be the primary contact during application, review, and inspection processes.

Applicant Information

Name Driscoll Betterment Club / Scott Whitman
Address 36742 Hwy 10 Driscoll, ND 58532
City Driscoll State ND Zip 58532
Phone [REDACTED] Email N/A

Owner Information

Name Alvin Fried
Address [REDACTED]
City Driscoll State ND Zip 58532
Phone [REDACTED] Email N/A

Contractor Information

Name Driscoll Betterment Club / Scott Whitman / President
Address 36742 Hwy 10
City Driscoll State ND Zip 58532
Phone [REDACTED] Email N/A

Fireworks Display Permit Application (cont.)

Pyrotechnician Information

Name Jerry Keller
Address [REDACTED]
City Bismarck State ND Zip 58501
Phone [REDACTED] Email [REDACTED]

Pyrotechnician Business Information

Name J & J Fire works
Address 3408 Thunderbird Lane
City Bismarck State ND Zip 58503
Phone [REDACTED] Email [REDACTED]

Submittal

Scott Whitman 5-15-24
Applicant Name Date Submitted

Burleigh County Auditor Date Received

Fee Received Yes No Date Received _____

Approval

ND Fire Marshal Date

Burleigh County Chairperson Date

Date: May 15, 2024

To: Auditor Splonskowski and Burleigh County Commission

From: Lonnie Jay Binder, Driscoll Betterment Club Treasurer

Subject: Driscoll's Annual 4th of July Fireworks Show Permit

The Driscoll Betterment Club (a nonprofit organization) has once again hired J & J Professional Fireworks of Bismarck to put on our Fireworks display for our annual 4th of July Celebration on July 4, 2024.

I will provide a brief history of the Driscoll 4th Of July Celebration. Driscoll is a small town on the eastern edge of Burleigh County, thirty-two (32) miles east of Bismarck. On July 4th, 1983 the town of Driscoll celebrated its Centennial. The celebration was such a success that the town residents decided to have an annual 4th of July Celebration. July 4, 2023 will mark the 40th Annual Driscoll 4th of July Celebration. The Driscoll Betterment Club took over the planning and execution of the annual Driscoll 4th of July Celebration from the 4th of July Committee. A good share of the Driscoll Betterment Club members are children of the original Driscoll 4th of July Committee members that started the 4th of July Celebration. It is a proud tradition of the town of Driscoll and many area town's residents attend this celebration every year.

Listed below is a list of the events going on in Driscoll on July 4, 2024:

- Bingo under the Shelter
- Mud Volleyball Tournament
- The Mr. Bubble clean fun slip and slide
- Dunking Booth
- Inflatables for kids
- Lawn tractor-train rides for kids
- Kids street games
- Food Vendors
- Craft Vendors
- Opening Ceremony with Wing Veteran's Club and Steele Amvets Color guards
- Kiddie Parade
- Regular Parade
- Antique Airplane flyover
- Button Prizes
- Raffle with great prizes
- DJ music street dance
- Professional Fireworks Show

The Sterling Rural Fire Department has agreed to be in Driscoll and on standby during the fireworks display. The water truck will remain on site after the fireworks have been ignited for the remainder of the night and the next day. In past years when it has been dry the Steele Fire Department has also brought a couple of their grass rigs to Driscoll for both the parade and as standby for the fireworks afterward.

The Burleigh County Sheriff's department has been made aware of all of our previous celebrations in the past and security is always hired. Both of these will be done again, as the time gets closer.

The Driscoll Betterment Club is requesting the approval of this permit application from Burleigh County so that we can still have our fireworks show if a burn ban is put into place.

Thank you for your consideration!



NOTICE OF CLEARANCE

for individuals transporting, shipping, receiving, or possessing explosive materials.

ISSUED TO: J & J FIREWORKS LLP

Federal Explosives license/permit no.: 3-ND-015-53-4H-00125

NOTICE DATE: 08/05/2021

Expiration Date: August 1, 2024

EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

Explosives License/Permit Type: 53-DEALER OF EXPLOSIVES

- 1 **WARNING.** Only those individuals listed below as RESPONSIBLE PERSONS and EMPLOYEE POSSESSORS with a background clearance status of "CLEARED" or "PENDING" are authorized to transport, ship, receive, or possess explosive materials in the course of employment with you.
- 2 **"DENIED" STATUS.** If an employee possessor has a background clearance status of "DENIED", you MUST take immediate steps to remove the employee from a position requiring the transporting, shipping, receiving, or possessing of explosive materials. Also, if the employee has been listed as a person authorized to accept delivery of explosive materials, you MUST remove the employee from such list and immediately, and in no event later than the second business day after such change, notify distributors of such change, as stated in 27 CFR 555.33(a).
- 3 **CHANGE IN RESPONSIBLE PERSONS.** You MUST report any change in responsible persons to the Chief, Federal Explosives Licensing Center, within 30 days of the change and new responsible persons MUST include "appropriate identifying information" as defined in 27 CFR 555.11. Fingerprints and photos are NOT required, however they will be required upon renewal of the license or permit.
- 4 **CHANGE OF EMPLOYEES.** You MUST report any change of employee/possessors to the Chief, FELC, within 30 days. Reports relating to newly hired employees must be submitted on ATF Form 5400.28 for EACH employee.

Premises Address: 3408 THUNDERBIRD LANE
BISMARCK, ND 58503

Mailing Address:

J & J FIREWORKS LLP
J & J FIREWORKS
3408 THUNDERBIRD LANE
BISMARCK, ND 58503

This 'Notice of Clearance' is provided to you as required by 18 U.S.C. 843(h) and MUST be retained as part of your permanent records and be made available for examination or inspection by ATF officers as required by 27 CFR 555.121. If you receive a Notice subsequent to this Notice, this Notice will no longer be valid.

In accordance with 27 CFR 555.33, Background Checks and Clearances, and 27 CFR 555.57, Change of Control, Change in Responsible Persons, and Change of Employees, ATF's Federal Explosives Licensing Center (FELC) has conducted background checks on the individual(s) you identified as a responsible person(s) and an employee/possessor(s) on your application, or reported after the issuance of your license/permit.

The following is a SUMMARY of the results of the background checks conducted on the individuals you reported as responsible persons and employee/possessors. ATF will be notifying ALL individuals listed on this document of their respective status by separate letter mailed to their residence address.

PLEASE BE ADVISED THAT IT IS UNLAWFUL FOR ANY PERSON REFLECTING A STATUS OF "DENIED" TO TRANSPORT, SHIP, RECEIVE, OR POSSESS EXPLOSIVE MATERIALS.

Please carefully review this Notice to ensure that all the information is accurate. If this Notice is incorrect, please return the Notice to the Chief, FELC, with a statement showing the nature of the error(s). The Chief, FELC, shall correct the error, and return a corrected Notice.

Number of RESPONSIBLE PERSON(S) : 2
Number of EMPLOYEE POSSESSOR(S): 0

LAST NAME, First Name, Middle Name Clearance Status

RESPONSIBLE PERSONS:

001 KELLER, JAMES ALLAN
001 KELLER, JERRY MICHAEL

2

Cleared
Cleared

EMPLOYEE POSSESSORS:

0

continued

LAST NAME, First Name, Middle Name Clearance Status

Premier Pyrotechnics, Inc.

certifies to all that

Jerry Keller

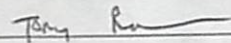
*Has successfully completed a course in NFPA -1123
and has fulfilled the requirements to be qualified as*

Pyrotechnician

April 24, 2004 under the Training Board seal.



Matt Sutcliffe - Lead Instructor

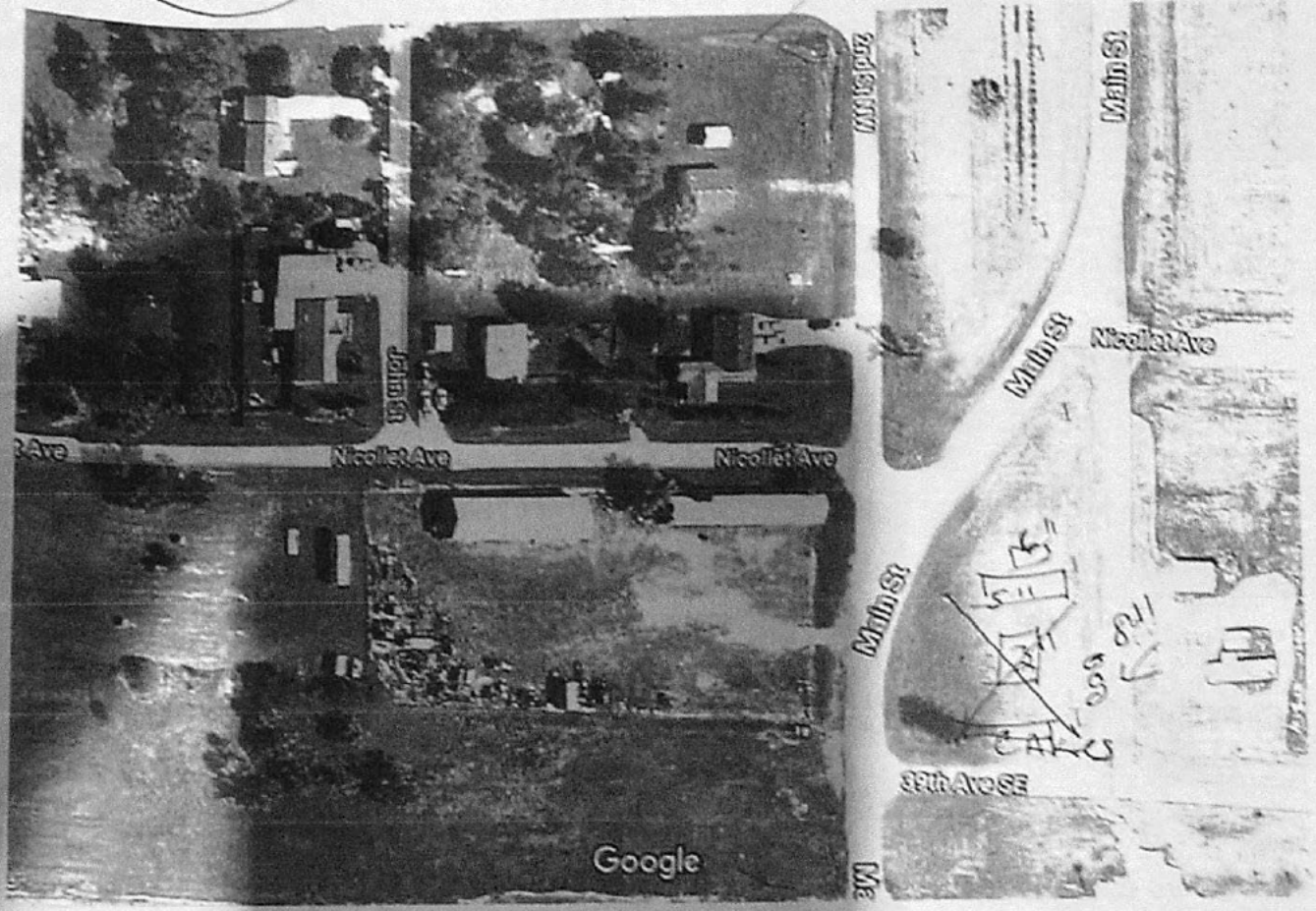


Tony Ramberg - Area Coordinator

5/30/22 8:59 PM

Google Maps

#3



Imagery ©2022 Maxar Technologies, USDA/PPAC/Geo, Map data ©2022 100 ft

#1

Contact: Jerry Kellee
[Redacted]

#4

Fireworks are stored in an Inspected Location and certified by the BATF. They will be transported in a trailer Inspected by the BATF.



STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
 www.attorneygeneral.nd.gov
 (701) 328-2210

Drew H. Wrigley
 ATTORNEY GENERAL

State Fire Marshal
 1720 Burlington Dr., Ste. 8
 Bismarck, ND 58504
 (701) 328-5555

June 29, 2022

J&J Fireworks
 ATTN: Jerry Keller

[REDACTED]
 Bismarck ND 58503
 [REDACTED]

RE: Driscoll Betterment Club – Fireworks Display – 39th Ave SE, Driscoll ND – July 4, 2022

Mr. Keller,

We have reviewed the fireworks/pyrotechnic plans for code compliance for the above noted event. The fireworks/pyrotechnic plans appear to meet the minimum requirements required by the North Dakota State Fire Marshal's Office.

NOTE:

- 1) The operator shall have primary responsibility for safety during transport, set up, display and post event.
- 2) Operators and operating assistants must meet the minimum qualifications as outlined by Chapter 10 of NFPA 1123 (2018 Edition).
- 3) Set up and operation of the display must meet the minimum code standards of the International Fire Code (2018 Edition) and NFPA 1123 (2018 Edition).
- 4) Cancellation procedures may be implemented by the local authority having jurisdiction (Sterling Rural Fire Protection District) for any but not limited to one of the following:
 - a. Fire danger is 'extreme' or 'red flag' level according to the ND Fire Danger Guide
 - b. If the potential wind speeds, inclusive of gusts, meet or exceed 20 MPH
 - c. Wind direction endangers person(s) or property
 - d. Thunderstorm or tornado warnings
 - e. Practices or conditions identified that do not meet minimum code requirements or would present an imminent fire and/or life safety hazard.

Please feel free to contact my office with any questions or concerns.
 Have a happy and safe 4th of July Celebration!

Respectfully,


Kimberly L. Ersland


Kimberly L. Ersland
 Chief Deputy State Fire Marshal
 [REDACTED]

cc: Fire Chief Melissa Meland, Sterling Rural Fire Protection District
 Emergency Manager Mary Senger, Burleigh County Emergency Management
 Kerry Berg, Driscoll Betterment Club

APPLICATION FOR LIQUOR LICENSE

Name of Applicant FLASH'S PLACE LLC Classification of License D

Primary Contact Wendelyn Krows Phone 

Address  Sterling ND Date of Birth/Incorporation 6-2012


Is this a renewal of liquor license? Yes No

If yes, give date of original application 6-2012

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Wendelyn Krows
 Residence  Sterling ND 58572
 Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
<u>Wendelyn Krows</u>		<u>Sterling ND</u>	<u>100%</u>

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

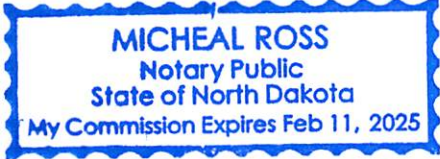
I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Wendelene Thomas
Signature of Applicant

Subscribed and sworn to before me this 29th day of May, 2024



[Signature]
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Sterling approve the
(Name of Township)

application for a Type D Retail Liquor License for

 FLASH'S PLACE
(Name of Establishment)

owned by Wendelyn Krous  Sterling
(Licensee)

 [Signature]
Chairman

 [Signature]
Member

 [Signature]
Member

ATTEST

 [Signature]
(Township Clerk)

24-004



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02/2018)

G- _____ (____)____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization **Hazelton Lions Club, Inc.**

The above organization is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location

Name of Location Moffit Bar			
Street 102 Mains St. N	City Moffit	ZIP Code 58560	County Burleigh
Beginning Date(s) Authorized 7/1/24		Ending Date(s) Authorized 6/30/25	Number of twenty-one tables if zero, enter "0":
Specific location where games of chance will be conducted and played at the site (required) Placement of Machine: North wall at east end; Play Area of Game: Entire bar area, exc			
If conducting Raffle or Poker activity provide date(s) or month(s) of event(s) if known			

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheels with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above Mark Splonskowski, Burleigh County Auditor	

INSTRUCTIONS:

1. City/County-Retain a **copy** of the Site Authorization for your files.
2. City/County-Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (Rev. 08-2019)

License Number (Office Use Only)

Site Owner (Lessor) Nicholson's Enterprises Llc		Site Name Moffit Bar		Site Phone Number [REDACTED]	
Site Address 102 Main Street N		City Moffit	State ND	Zip Code 58560	County Burleigh
Organization (Lessee) Hazelton Lions Club, Inc.		Rental Period 7/1/2024 to 6/30/2025		Monthly Rent Amount	
1. Is Bingo going to be conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
2. Is Twenty-One conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$	
3. Is Paddewheels conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Number of Tables _____ X Rent per Table \$ _____				\$	
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 200.00	
Please check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device					
<input checked="" type="checkbox"/> Electronic Dispensing Device Number of Electronic Devices _____ 4				\$ 200.00	
Total Monthly Rent				\$ 400.00	

5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here.

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.


The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.


At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor Dannell Nicholson	Title Owner Of Moffit Bar (lessor)	Date 5-19-24
Signature of Lessee Thomas M. Shea	Title Lions Club President (lessee)	Date 5/11/2024

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Nicholson Enterprises LLC Classification of License D

Primary Contact Darnell Nicholson Phone 

Address  Sterling, ND Date of Birth/Incorporation _____


Is this a renewal of liquor license? Yes No _____

If yes, give date of original application June 7th 2000

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- _____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- _____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Darnell Nicholson
 Residence Sterling, ND
 Post Office Address 

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

Darnell's Restaurant 2002-Aug.
Sterling Bar 2003-June
Nicholson Tavern Hazelton, ND-Jan 2006

Exact legal description of proposed enterprise:

Moffit TownSite Block 14 Lot 17

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No

If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:

Yes No

If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No

If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. McQuade Distributing - Purchasing
2. Jerome Distributing - Purchasing
3. Bank of Hazelton Checking & Loan

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

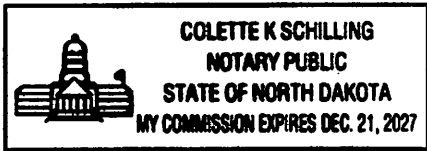
I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Darnell Nicholson
 Signature of Applicant

Subscribed and sworn to before me this 29th day of May, 2024



Colette K Schilling
 Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Long Lake approve the
(Name of Township)

application for a Type D Retail Liquor License for

Moffit Bar
(Name of Establishment)

owned by Nicholson Enterprises Sterling MD
(Licensee) (Address) 58572

Shane Carrell

Chairman

Chad Johnson

Member

Heaven Berg

Member

ATTEST

Pam Towne
(Township Clerk)

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Rolling Plains Adventures LLC Classification of License C

Primary Contact Jeremy Doan Phone 

Address 24750 62nd Ave SE, Mckenzie, ND 58572 Date of Birth/Incorporation 2000

Is this a renewal of liquor license? Yes No


If yes, give date of original application June 30, 2012

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Jeremy Doan

Residence 

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

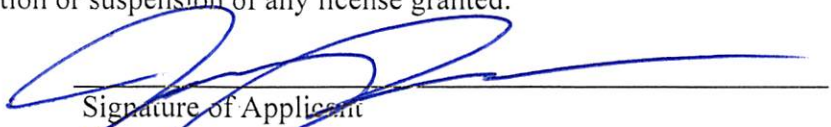
The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

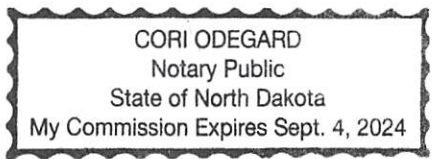
I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.


Signature of Applicant

Subscribed and sworn to before me this 2nd day of MAY, 2024



Cori Odegard
Notary Public
Burling County ND

Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL


To: Burleigh County Auditor

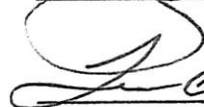
We, the Township Board of Logan approve the
(Name of Township)

application for a Type C Retail Liquor License for

Rolling Plains Adventures LLC
(Name of Establishment)

owned by Jeremy Doan 4607 Granite Dr, Bismarck, ND 58503
(Licensee) (Address)


Chairman


Member

Patrick R. Heaton
Member

ATTEST

Correne Heaton
(Township Clerk)

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES "SE"

Local Fee: \$25.00

Applicant (must have county license) TNT Tavern

1. Name of Licensee Travis Kocourek

2. Name of Business TNT Tavern, LLC

3. Mailing Address 212 John St, Driscoll ND 58532

4. State Alcoholic Beverage License Number AA-01836 5. Local License Number(s) 21-001

6. Date(s) and Time of Special Event 4th of July street dance Sprrlam

7. Describe Special Event Fully street dance in front of bar

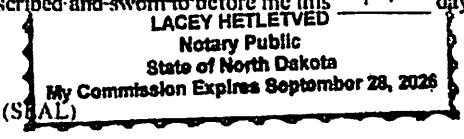
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 17 day of April, 20 24

Travis Kocourek
(Licensee)

BY _____
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 17 day of April, 20 24



Lacey Hetleved
(Notary Public)

Recommendation Approved _____ Denied _____ If denied, reason for denial: _____

[Signature]
(Burleigh County Sheriff) (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this _____ day of _____, 20 _____

(County Auditor)

**APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL**

To: Burleigh County Auditor

We, the Township Board of Driscoll approve the
(Name of Township)

application for a Type SE Retail Liquor License for

4th of July

TnT Tavern LLC

(Name of Establishment)

owned by Travis Kocourek
(Licensee)

Scott Whitten
Chairman

Lois Long
Member

Shawn Hazobe
Member

ATTEST

[Signature]
(Township Clerk)

DESCRIPTION OF PREMISES

1. Are premises located within the County of Burleigh? Yes No

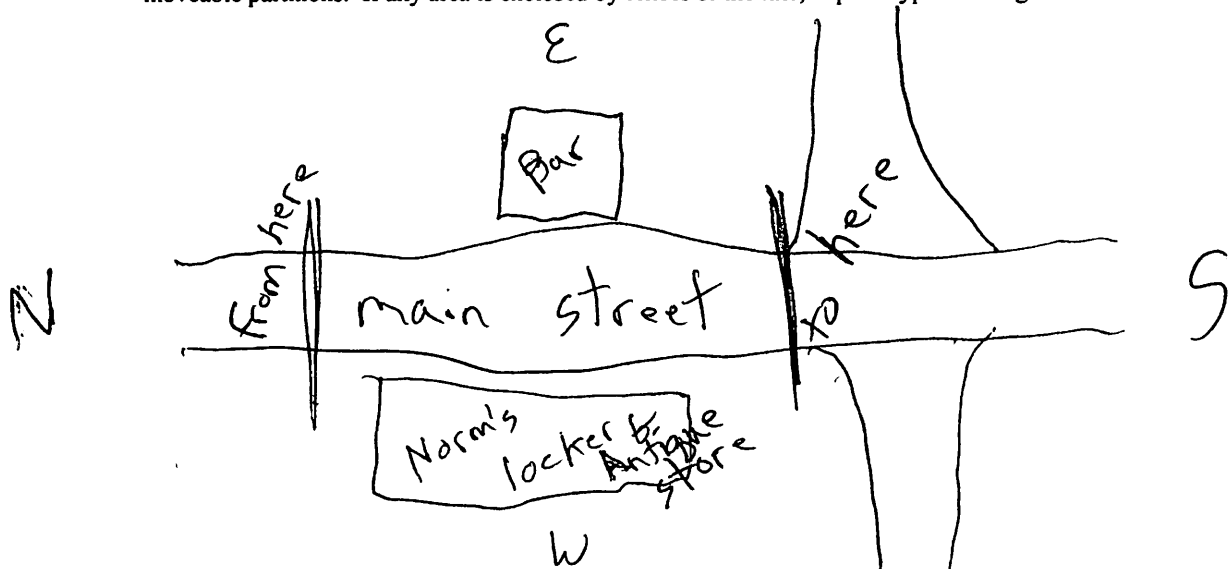
2. Address of premises:

21 Main St Driscoll 58532
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: main street

4. Do premises meet local and state requirements regarding sanitation and safety? Yes No

5. Draw a clear and understandable floor plan of the premises. Show all exits, bars, dining areas (if any), beverage coolers and beverage storage areas. Indicate which are solid walls, half walls, dividers, and moveable partitions. If any area is enclosed by fences or the like, explain type and height.



6. What part of the building will be used for the alcoholic beverage business (sale of beverages and consumption of beverages sold)? All Less than all. If less than all, fully explain and clearly indicate on the floor plan (outline with a different color):

24004

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES "SE"

Local Fee: \$25.00

- Applicant (must have county license) Tnt Tavern
1. Name of Licensee Travis Kocoursek
2. Name of Business Tnt Tavern, LLC
3. Mailing Address 212 John St, Driscoll ND 58532
4. State Alcoholic Beverage License Number AA-01836 5. Local License Number(s) 21-001
6. Date(s) and Time of Special Event June 7-9
7. Describe Special Event Fully Abate bike rally

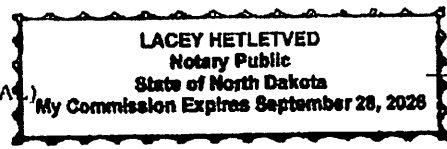
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 17 day of April, 20 2024

Signature of licensee: Tom Kumb

BY (Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 17 day of April, 20 24



Signature of Notary Public

Recommendation [X] Approved ___ Denied ___ If denied, reason for denial: ___

Signature of Burleigh County Sheriff: Sully Pl (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this ___ day of ___, 20___

(County Auditor)

DESCRIPTION OF PREMISES

1. Are premises located within the County of Burleigh? Yes No

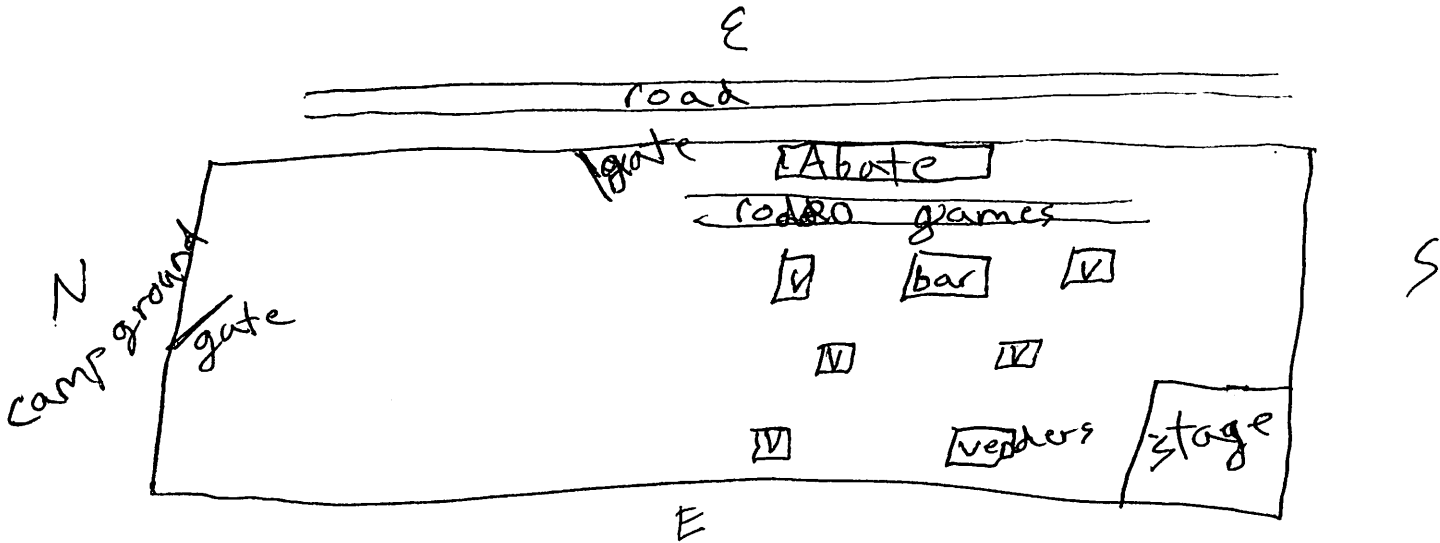
2. Address of premises:

Menoken 4-H picnic grounds (Menoken Grove) 58558
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: Menoken Grove

4. Do premises meet local and state requirements regarding sanitation and safety? Yes No

5. Draw a clear and understandable floor plan of the premises. Show all exits, bars, dining areas (if any), beverage coolers and beverage storage areas. Indicate which are solid walls, half walls, dividers, and moveable partitions. If any area is enclosed by fences or the like, explain type and height.



6. What part of the building will be used for the alcoholic beverage business (sale of beverages and consumption of beverages sold)? All Less than all. If less than all, fully explain and clearly indicate on the floor plan (outline with a different color):

**APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL**

To: Burleigh County Auditor

We, the Township Board of Menoken approve the
(Name of Township)

application for a Type SE Retail Liquor License for

Tnt Tavern
(Name of Establishment)

owned by Travis Kocourek Bar-31 Main St Driscoll
(Licensee) (Address)

Scott Jultz

Chairman

Sean Acme

Member

Stacy

Member

ATTEST

Belinda Maher
(Township Clerk)

Bismarck Mandan Security Inc

P.O. Box 744
428 Airport Road
Bismarck, ND 58502
Phone 701-223-2328 Fax 701-223-7969

INVOICE

DATE	INVOICE #
4/26/2024	12130

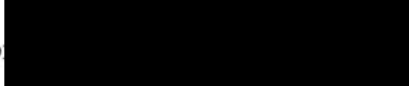
PAID
04/26/2024

TNT Tavern
Travis 701-204-3096

QUANTITY	ITEM	DESCRIPTION	RATE	AMOUNT
1	Guard	Security Guard Services Driscoll Street Dance - 7/4/24 1 Guard 8pm-1am	250.00	250.00
TERMS - NET 30. PLEASE REMIT TO ABOVE ADDRESS.			TOTAL	\$250.00

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Tnt Tavern Classification of License D

Primary Contact Travis Kocourek Pho 

Address 31 S. Main St, Driscoll ND Date of Birth/Incorporation 10.1.15
58532

Is this a renewal of liquor license? Yes X No _____


If yes, give date of original application 10.1.15

Check one of the following to indicate who is applying for the license:

- X 1. A physical resident and citizen of the State of North Dakota; or
- _____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- _____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Travis Kocourek

Residence 

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise: Driscoll 1st Addition
Block 7 Lots 1-3

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes No
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

- | | |
|---------------------------------|--------------|
| 1. First Community Credit Union | member |
| 2. Stifel | stock holder |
| 3. Investment Center of America | member |

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

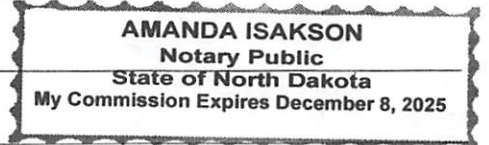
I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Tom Kanda

Signature of Applicant

Subscribed and sworn to before me this 23rd day of April, 2024

Amanda Isakson
Notary Public



Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Driscoll approve the
(Name of Township)

application for a Type D Retail Liquor License for

yearly
TNT Tavern LLC
(Name of Establishment)

owned by Travis Kucurek 212 John St
(Licensee) (Address) Driscoll, ND
58532

Scott Whitman
Chairman

Loren Long
Member

Shawn Haysle
Member

ATTEST

[Signature]
(Township Clerk)

ITEM

6



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Appeal of Complaint Form CF.103 Sent 5-17-2024
Date: 5-28-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Appeal request for additional time complete task,

On April 26, 2024 this office received a complaint concerning the use of private property located at 8520 S. Fork Junction to operate Beaver Creek Tree Services and disposing of tree debris (burning) from a commercial business. A notice to owner was sent on 5-17-2024 informing the owner of 30 days to remove the debris from the area. After meeting on site, the owner requested to extend this to 6-months (180 days) to perform the task from date of appeal.

ACTION REQUESTED:

Recommend allowing the stated time period to clean up site.

Attachments:

Ex. 1 8520 CF 103_sent
Ex. 2 8520 Photos_sent



NOTICE and ORDER

DATE: 5-17-2024

TO: Douglas & Kristin Schultz
8520 South Fork Junction
Bismarck, ND. 58504

RE: ZONING VIOLATIONS: 8520 South Fork Junction 58504
Legal Description: BRIARDALE III Block 01 LOT 3 817748

Dear Property Owner:

It has been brought to our attention, through a complaint, that your property is in violation of Article 30, Section 3.

FINDINGS: Article 30, Section 3. Accumulation of Certain Items Prohibited.

Section 3: *No person shall cause, permit, keep, accumulate or allow the accumulation of any, junk, refuse, surplus, scrap, salvage or other similar items outside of a closed building in any zoned district. The items for which accumulations are prohibited under this section may include one or more of the following but are not limited to hazardous wastes, scrap metals, used or scrap lumber, household appliances, machinery, construction or demolition waste or salvage, abandoned or unlicensed vehicle(s), automotive or machinery parts, tires, used oil or solvents, garbage or rubbish of any kind, waste paper, used furniture or other household goods, barrels, rags, boxes, cardboard, or other similar items. The fact that an item or items has value or is operational shall not excuse conduct prohibited by this section.*

You are hereby notified that 8520 South Fork Junction, was inspected on 5-10-2024. You are ordered to remove:

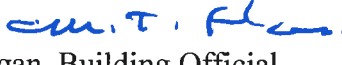
All Tree Reuse and Debris within thirty (30) days receipt of this order and to refrain from such practices.

AUTHORIZATION:

Such storage constitutes a violation as defined and amended: "Accumulation of Certain Items Prohibited.", Article 30 Section 3 Burleigh County Zoning Ordinance. You should be advised that under Article 30 Section 4 Violations, Penalty for Disregarding: Burleigh County has the authority, if the conditions described above are not remedied in the time allowed under this notice, to undertake legal proceedings of the corrections required.

APPEAL:

If you desire to appeal this order, you must file a written request within thirty (30) days receipt of this order with the Board of County Commissioners. The notice of appeal shall be delivered to and verified by the County Building Official, PO Box 5518 Bismarck ND. 58506.

Sincerely, 
Mitch Flanagan, Building Official
701-221-3727 Burleigh County, ND.





ITEM

7



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: June 3, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line and direct staff on how to proceed.

BACKGROUND:

Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, North Cape Properties LLP (Lyndon & Mona Mertz), has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets July 1, 2024 at 5:00 p.m. as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action.



BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Lot Modification | | | |

PROPERTY INFORMATION:		
Name of plat: N/A		
Legal description of property (lot, block, addition): Riverview Township Section 28 N 65' of Lot 1 28-140-81		
Street address of property: 10924 67th St. NW Bismarck ND 58503		
Existing Zoning:		Proposed zoning:
Acreage: .98		Number of lots: 1
Description of development proposal, including reason(s) for the request:		
APPLICANT/DEVELOPER:		
Name: Lyndon & Mona Mertz		Mailing address: 3204 sandy Lane SE Mandan ND 58554
Daytime telephone number: 701-220-0034 - 701-220-0014	FAX number: 701-223-7974	E-mail address: llmertz@hotmail.com
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name: North Cape Properties LLP		Mailing address: 3204 Sandy Lane SE Mandan ND 58554
Daytime telephone number: 701-220-0034 - 701-220-0014	FAX number: 701-223-7974	E-mail address: llmertz@hotmail.com
CONTACT PERSON/AGENT:		
Name/Firm: Lyndon or Mona Mertz		Mailing address: 3204 Sandy Lane SE Mandan ND 58554
Daytime telephone number: 701-220-0034 - 701-220-0014	FAX number: 701-223-7974	E-mail address: llmertz@hotmail.com

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

The following checklist must be completed and submitted with the application form.

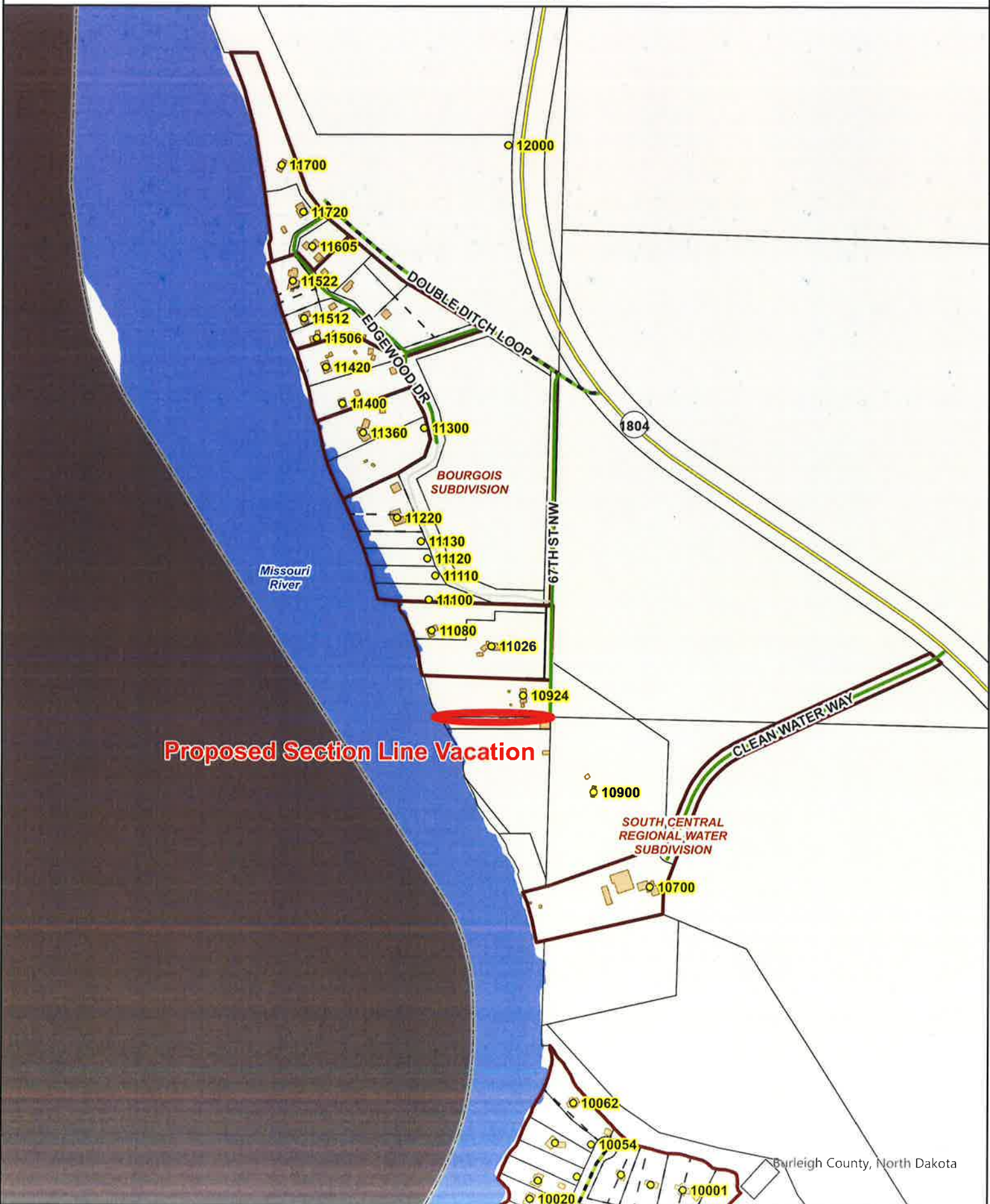
COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
<input type="checkbox"/> Preliminary Plat	Required pre-application meeting	Date:	
	6 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee of \$200-\$900 determined by number of lots		
	8½" x 11" reduction of plat		
	Digital copy of plat		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
	Written request for amendment to Fringe Area Road Master Plan (if applicable)		
<input type="checkbox"/> Final Plat	6 prints of plat, including all items listed in final plat checklist		
	Final plat checklist, completed by applicant		
	8½" x 11" reduction of plat		
	Digital copy of plat, if requested		
	Attorney's opinion of ownership, including all easement owners		
	Stormwater management plan		
<input type="checkbox"/> Minor Plat Modifications Modifications 3 lots or less	Map of property to be modified		
	Fee of \$200.00		
	4 prints of modification		
	Fee of \$300.00		
<input checked="" type="checkbox"/> Road Vacation	Legal description of property to be vacated		
	Map of property to be vacated		yes
	Fee of \$250.00		yes
	Legal description of property to be vacated		yes
	Letters of consent from utilities (street/alley vacation & easement release)		no
<input type="checkbox"/> Zoning Change	Fee of \$500.00 (zoning change)		
	Description of zoning change by legal description if multiple districts requested		
	Architectural/Engineered drawings (PUD only)		
	One (1) print of site plan, at 1"=100' scale (PUD only)		
	8½" x 11" reduction of site plan (PUD only)		
	Written statement (PUD only)		
<input type="checkbox"/> Special Use	Fee of \$300.00		
	3 prints of site plan, at 1"=20' or larger scale		
	8½" x 11" reduction of site plan		
	Photograph of building (moving building only)		
	Adjacent property owner petition (required for moving of a building, trap or skcet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		
<input type="checkbox"/> Development Permit	Fee of \$200.00		
	Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
	Completed Development Application		

Lot Modification	Fee of \$200.00		
	Sketch of survey, showing how the lot is proposed to be modified		
	Legal description of lot(s), both existing & proposed with square footage/acreage		

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
5/24/2024

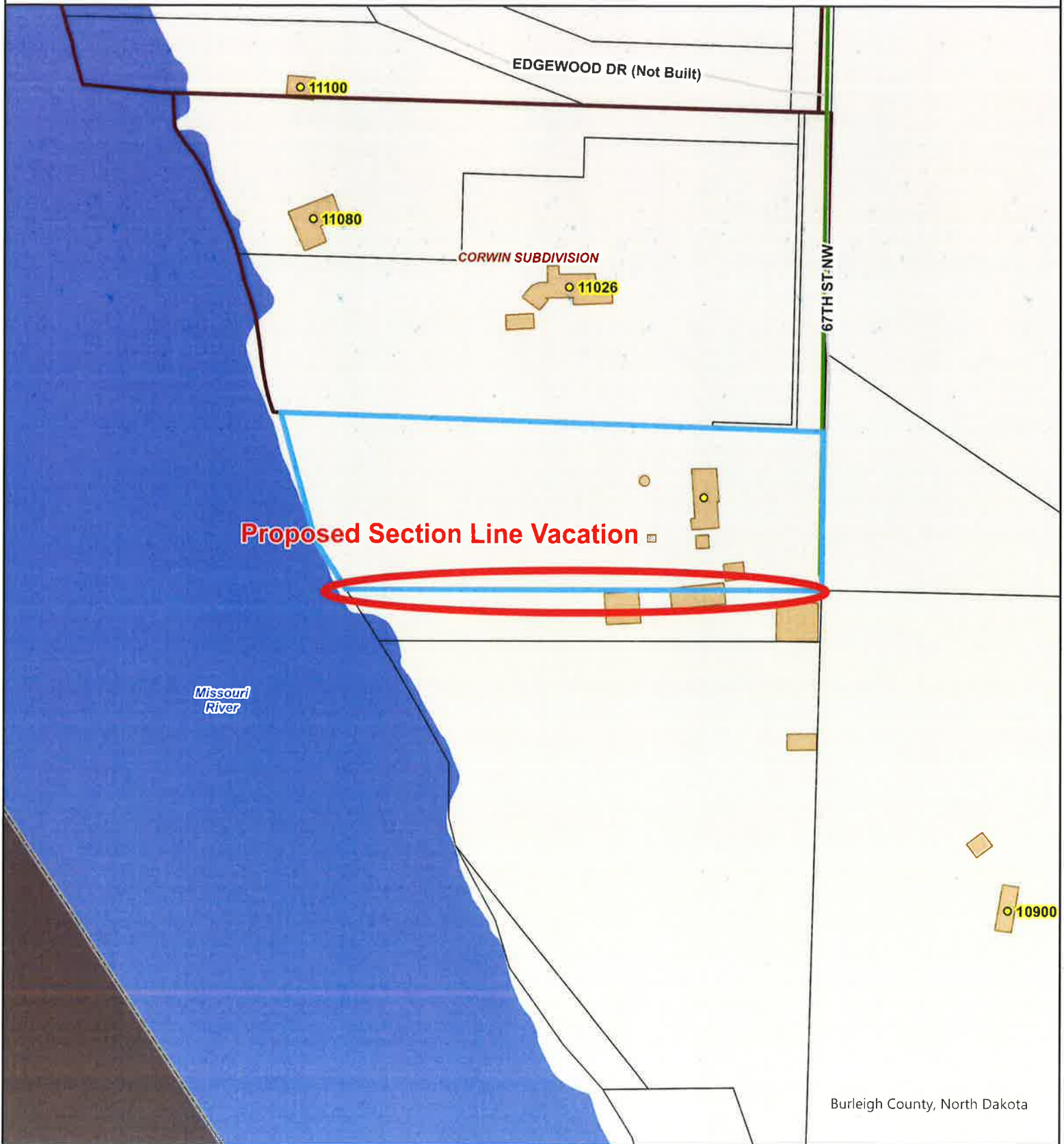


Proposed Section Line Vacation

Burleigh County, North Dakota

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
5/24/2024



Burleigh County, North Dakota

PARCEL ID: 23-140-81-00-21-610 OWNER: NORTH CAPE PROPERTIES LLP ACRES: 2.953
SITE ADDRESS: 10924 NW 67TH ST
MAIL ADDRESS: 3204 SANDY LANE SE, MANDAN, ND 58554
LEGAL: RIVERVIEW TOWNSHIP Section 21 PT SE1/4 21 BEG AT THE SE COR SEC21 W ALONG S LINE TO RIVER TH TO POB ETC (INCL PT LOT 1 BLOCK 1-CORWIN 139'X 8'+ 40' DED R/W) 21-140-81

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
5/24/2024



Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: June 3, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Accepting New Stormwater Easement

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

ACTION REQUESTED:

Accept new stormwater easement shown on the attached Exhibit.

BACKGROUND:

In June of 2018 Burleigh County accepted the Whispering Ridge 2nd Subdivision Plat. This plat contained several Stormwater & Drainage Easements. The owner of Block 1, Lot 2 has requested a realignment (see attachments) of the existing Stormwater & Drainage Easement within their lot. The Highway Department has reviewed the request and finds that it meets the public needs for drainage within the subdivision.

RECOMMENDATION:

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

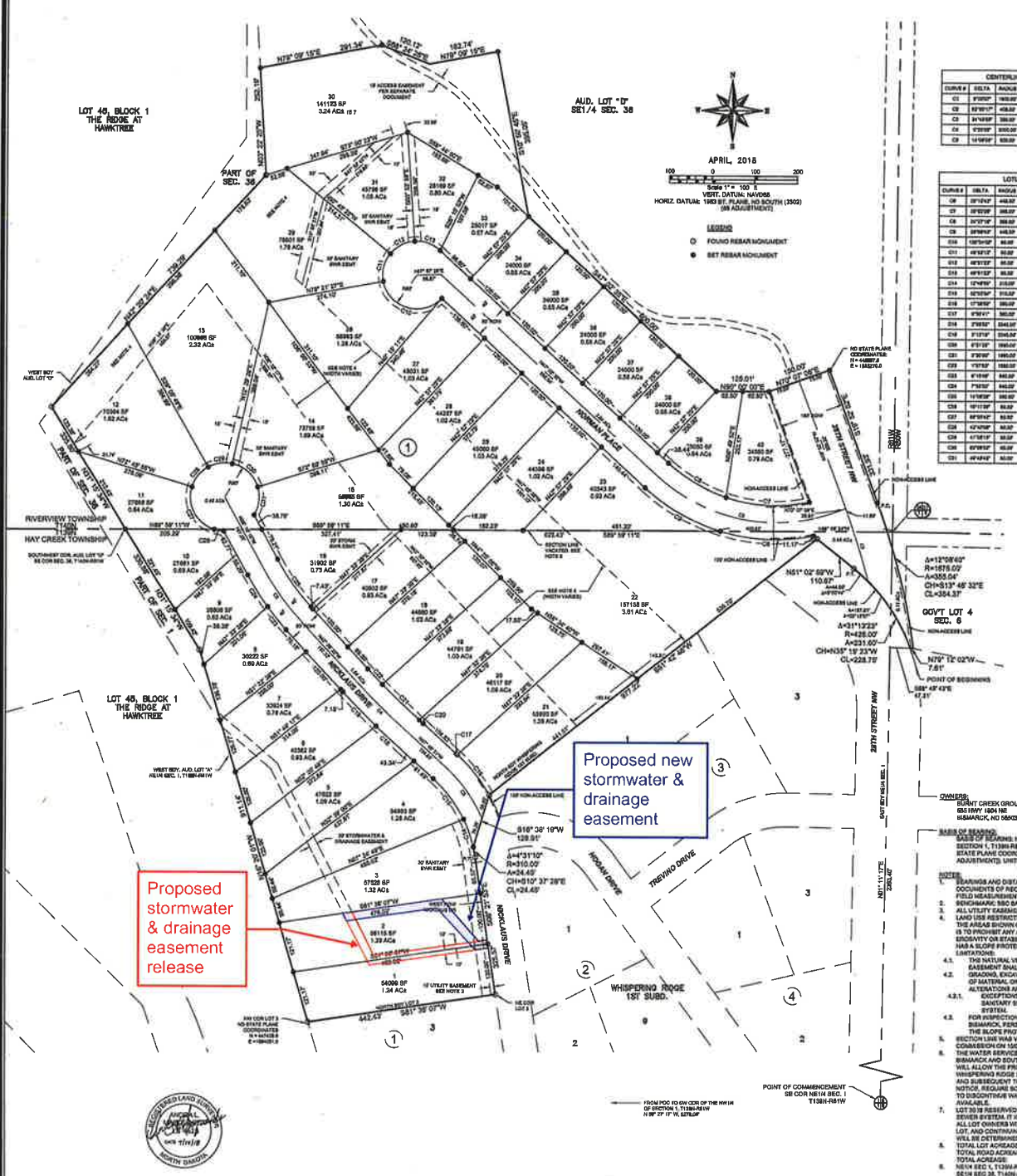
PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the new proposed Stormwater & Drainage Easement for Block 1, Lot 2 of the Whispering Ridge 2nd Subdivision Plat.

WHISPERING RIDGE 2ND SUBDIVISION

OF BURLEIGH COUNTY, NORTH DAKOTA

ALL OF LOTS 1 & 2, BLOCK 1, WHISPERING RIDGE 1ST SUBDIVISION, PART OF AUDITOR'S LOT "A" OF NE1/4 SEC. 1, T139N-R81W, PART OF GOVERNMENT LOT 4, SECTION 6, T139N-R80W, HAY CREEK TOWNSHIP, AND PART OF AUDITOR'S LOT "D" OF SE1/4 SEC. 36, T140N-R81W, RIVERVIEW TOWNSHIP, BURLEIGH COUNTY, NORTH DAKOTA



CENTERLINE STREET CURVE TABLE

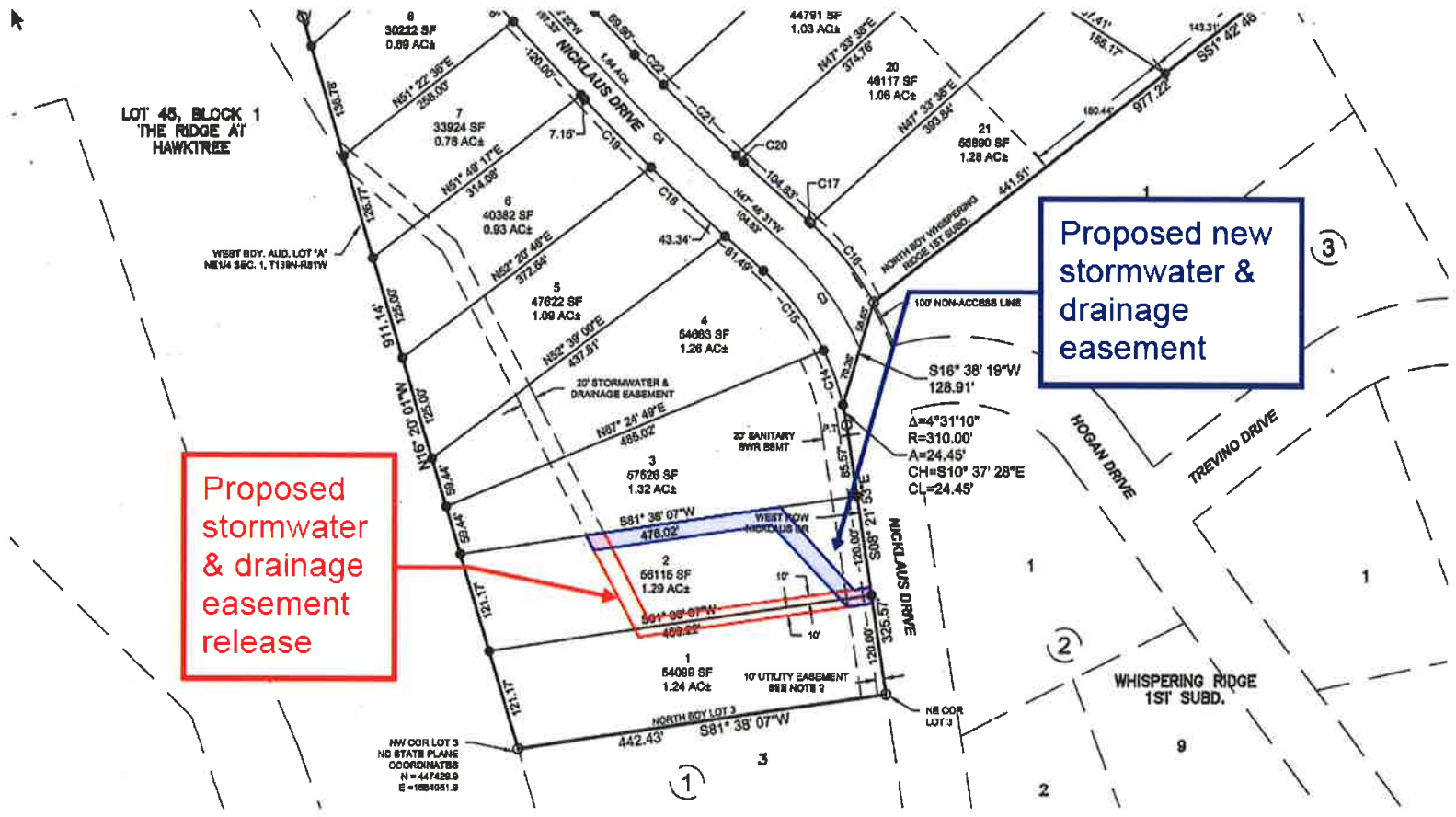
CURVE #	DELTA	ANGLE	LENGTH	CHORD BEARS	CHORD LENGTH
C1	37°00'00"	180.00'	180.00'	180.00'	180.00'
C2	37°00'00"	180.00'	180.00'	180.00'	180.00'
C3	37°00'00"	180.00'	180.00'	180.00'	180.00'
C4	37°00'00"	180.00'	180.00'	180.00'	180.00'
C5	37°00'00"	180.00'	180.00'	180.00'	180.00'
C6	37°00'00"	180.00'	180.00'	180.00'	180.00'

LOTLINE CURVE TABLE

CURVE #	DELTA	ANGLE	LENGTH	CHORD BEARS	CHORD LENGTH
C1	37°00'00"	180.00'	180.00'	180.00'	180.00'
C2	37°00'00"	180.00'	180.00'	180.00'	180.00'
C3	37°00'00"	180.00'	180.00'	180.00'	180.00'
C4	37°00'00"	180.00'	180.00'	180.00'	180.00'
C5	37°00'00"	180.00'	180.00'	180.00'	180.00'
C6	37°00'00"	180.00'	180.00'	180.00'	180.00'
C7	37°00'00"	180.00'	180.00'	180.00'	180.00'
C8	37°00'00"	180.00'	180.00'	180.00'	180.00'
C9	37°00'00"	180.00'	180.00'	180.00'	180.00'
C10	37°00'00"	180.00'	180.00'	180.00'	180.00'
C11	37°00'00"	180.00'	180.00'	180.00'	180.00'
C12	37°00'00"	180.00'	180.00'	180.00'	180.00'
C13	37°00'00"	180.00'	180.00'	180.00'	180.00'
C14	37°00'00"	180.00'	180.00'	180.00'	180.00'
C15	37°00'00"	180.00'	180.00'	180.00'	180.00'
C16	37°00'00"	180.00'	180.00'	180.00'	180.00'
C17	37°00'00"	180.00'	180.00'	180.00'	180.00'
C18	37°00'00"	180.00'	180.00'	180.00'	180.00'
C19	37°00'00"	180.00'	180.00'	180.00'	180.00'
C20	37°00'00"	180.00'	180.00'	180.00'	180.00'
C21	37°00'00"	180.00'	180.00'	180.00'	180.00'
C22	37°00'00"	180.00'	180.00'	180.00'	180.00'
C23	37°00'00"	180.00'	180.00'	180.00'	180.00'
C24	37°00'00"	180.00'	180.00'	180.00'	180.00'
C25	37°00'00"	180.00'	180.00'	180.00'	180.00'
C26	37°00'00"	180.00'	180.00'	180.00'	180.00'
C27	37°00'00"	180.00'	180.00'	180.00'	180.00'
C28	37°00'00"	180.00'	180.00'	180.00'	180.00'
C29	37°00'00"	180.00'	180.00'	180.00'	180.00'
C30	37°00'00"	180.00'	180.00'	180.00'	180.00'
C31	37°00'00"	180.00'	180.00'	180.00'	180.00'
C32	37°00'00"	180.00'	180.00'	180.00'	180.00'
C33	37°00'00"	180.00'	180.00'	180.00'	180.00'
C34	37°00'00"	180.00'	180.00'	180.00'	180.00'
C35	37°00'00"	180.00'	180.00'	180.00'	180.00'
C36	37°00'00"	180.00'	180.00'	180.00'	180.00'
C37	37°00'00"	180.00'	180.00'	180.00'	180.00'
C38	37°00'00"	180.00'	180.00'	180.00'	180.00'
C39	37°00'00"	180.00'	180.00'	180.00'	180.00'
C40	37°00'00"	180.00'	180.00'	180.00'	180.00'
C41	37°00'00"	180.00'	180.00'	180.00'	180.00'
C42	37°00'00"	180.00'	180.00'	180.00'	180.00'
C43	37°00'00"	180.00'	180.00'	180.00'	180.00'
C44	37°00'00"	180.00'	180.00'	180.00'	180.00'
C45	37°00'00"	180.00'	180.00'	180.00'	180.00'
C46	37°00'00"	180.00'	180.00'	180.00'	180.00'
C47	37°00'00"	180.00'	180.00'	180.00'	180.00'
C48	37°00'00"	180.00'	180.00'	180.00'	180.00'
C49	37°00'00"	180.00'	180.00'	180.00'	180.00'
C50	37°00'00"	180.00'	180.00'	180.00'	180.00'
C51	37°00'00"	180.00'	180.00'	180.00'	180.00'
C52	37°00'00"	180.00'	180.00'	180.00'	180.00'
C53	37°00'00"	180.00'	180.00'	180.00'	180.00'
C54	37°00'00"	180.00'	180.00'	180.00'	180.00'
C55	37°00'00"	180.00'	180.00'	180.00'	180.00'
C56	37°00'00"	180.00'	180.00'	180.00'	180.00'
C57	37°00'00"	180.00'	180.00'	180.00'	180.00'
C58	37°00'00"	180.00'	180.00'	180.00'	180.00'
C59	37°00'00"	180.00'	180.00'	180.00'	180.00'
C60	37°00'00"	180.00'	180.00'	180.00'	180.00'
C61	37°00'00"	180.00'	180.00'	180.00'	180.00'
C62	37°00'00"	180.00'	180.00'	180.00'	180.00'
C63	37°00'00"	180.00'	180.00'	180.00'	180.00'
C64	37°00'00"	180.00'	180.00'	180.00'	180.00'
C65	37°00'00"	180.00'	180.00'	180.00'	180.00'
C66	37°00'00"	180.00'	180.00'	180.00'	180.00'
C67	37°00'00"	180.00'	180.00'	180.00'	180.00'
C68	37°00'00"	180.00'	180.00'	180.00'	180.00'
C69	37°00'00"	180.00'	180.00'	180.00'	180.00'
C70	37°00'00"	180.00'	180.00'	180.00'	180.00'
C71	37°00'00"	180.00'	180.00'	180.00'	180.00'
C72	37°00'00"	180.00'	180.00'	180.00'	180.00'
C73	37°00'00"	180.00'	180.00'	180.00'	180.00'
C74	37°00'00"	180.00'	180.00'	180.00'	180.00'
C75	37°00'00"	180.00'	180.00'	180.00'	180.00'
C76	37°00'00"	180.00'	180.00'	180.00'	180.00'
C77	37°00'00"	180.00'	180.00'	180.00'	180.00'
C78	37°00'00"	180.00'	180.00'	180.00'	180.00'
C79	37°00'00"	180.00'	180.00'	180.00'	180.00'
C80	37°00'00"	180.00'	180.00'	180.00'	180.00'
C81	37°00'00"	180.00'	180.00'	180.00'	180.00'
C82	37°00'00"	180.00'	180.00'	180.00'	180.00'
C83	37°00'00"	180.00'	180.00'	180.00'	180.00'
C84	37°00'00"	180.00'	180.00'	180.00'	180.00'
C85	37°00'00"	180.00'	180.00'	180.00'	180.00'
C86	37°00'00"	180.00'	180.00'	180.00'	180.00'
C87	37°00'00"	180.00'	180.00'	180.00'	180.00'
C88	37°00'00"	180.00'	180.00'	180.00'	180.00'
C89	37°00'00"	180.00'	180.00'	180.00'	180.00'
C90	37°00'00"	180.00'	180.00'	180.00'	180.00'
C91	37°00'00"	180.00'	180.00'	180.00'	180.00'
C92	37°00'00"	180.00'	180.00'	180.00'	180.00'
C93	37°00'00"	180.00'	180.00'	180.00'	180.00'
C94	37°00'00"	180.00'	180.00'	180.00'	180.00'
C95	37°00'00"	180.00'	180.00'	180.00'	180.00'
C96	37°00'00"	180.00'	180.00'	180.00'	180.00'
C97	37°00'00"	180.00'	180.00'	180.00'	180.00'
C98	37°00'00"	180.00'	180.00'	180.00'	180.00'
C99	37°00'00"	180.00'	180.00'	180.00'	180.00'
C100	37°00'00"	180.00'	180.00'	180.00'	180.00'

TOMAN ENGINEERING
 801 1st Street NW, Mandan, ND 58554
 Phone: 701-883-8483 * Fax: 701-883-0923
 SURVEYOR: MICHAEL L. TOMAN, REG. 4422

- OWNERS:**
 BURST CREEK GROUP, LLC
 800 WEST MAIN
 BISMARCK, ND 58002
- DATE OF RECORDING:** NORTH BOUNDARY LINE OF THE NE1/4 SECTION 1, T139N-R81W SOUTH BY 11° WEST, 108.87H DAKOTA STATE PLANE COORDINATE SYSTEM RANGES SOUTH ZONE TIME ADJUSTMENT, UNITS ARE INTERNATIONAL FEET.
- NOTES:**
1. EASEMENTS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
 2. BENCHMARK: 100' BENCH STATION, ELEV. 108.86.
 3. ALL UTILITY EASEMENTS 10' WIDE UNLESS OTHERWISE NOTED.
 4. LAND USE RESTRICTION: THE PURPOSE OF THE RESECTION IN THE AREAS SHOWN ON THIS PLAT LOTS 12, 28 AND 31, BLOCK (1) IS TO PREVENT ANY ACTIVITY THAT COULD AFFECT THE STABILITY OR STABILITY OF THE SLOPE. EACH OF THE LOTS HAS A SLOPE PROTECTION EASEMENT AND DEVELOPMENT LIMITATIONS:
 - 4.1. THE NATURAL VEGETATION WITHIN THE SLOPE PROTECTION EASEMENT SHALL BE LEFT UNDISTURBED.
 - 4.2. GRADING, EROSION CONTROL, FILLING, TERRACING, STOCKPILING OF MATERIAL, OR EQUIPMENT, OR ANY OTHER BLINDING ALTERATIONS ARE NOT ALLOWED.
 - 4.3.1. OCCUPATION, INSTALLATION AND MAINTENANCE OF SANITARY SEWER SYSTEM AND STORM WATER SYSTEM.
 - 4.3. FOR PURVEYANCE AND MAINTENANCE PURPOSES, CITY OF BISMARCK PERSONNEL WILL BE ALLOWED ACCESS ONTO THE SLOPE PROTECTION EASEMENT.
 5. SECTION LINE WAS VACATED BY BURLEIGH COUNTY COMMISSION ON 10/28/2017.
 6. THE WATER SEWERAGE DEPARTMENT BETWEEN THE CITY OF BISMARCK AND SOUTH CENTRAL REGIONAL WATER DISTRICT WILL ALLOW THE PROMOTION OF WATER SERVICE TO WHISPERING RIDGE AND SUBSEQUENT FOR A PERIOD OF 1 YEAR AND SUBSEQUENT TO THAT TIME, THE CITY MAY, UPON A 3-YEAR NOTICE, REQUIRE SOUTH CENTRAL REGIONAL WATER DISTRICT TO DISCONTINUE WATER SERVICE IF CITY WATER SERVICE IS AVAILABLE.
 7. LOT 10 IS RESERVED FOR OBSERVATION AREA & SANITARY SEWER SYSTEM IT IS TO BE HELD IN OCCUPANCY BY ALL LOT OWNERS WITHIN THIS SUBDIVISION. ACCESS TO THIS LOT AND CONTIGUOUS ACCESS TO HAWKREEK GOLF COURSE WILL BE DETERMINED BY SEPARATE DOCUMENT.
 8. TOTAL LOT ACRES: 44.2
 9. TOTAL ROAD ACRES: 4.31
 10. TOTAL ACRES: 48.51
 11. NE1/4 SEC. 1, T139N-R81W: 21.68
 12. SE1/4 SEC. 36, T140N-R81W: 4.43
 13. GOVT LOT 4, SEC. 6, T139N-R80W: 4.11

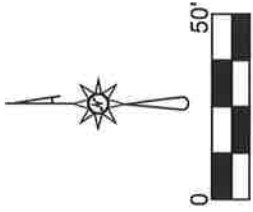


Proposed stormwater & drainage easement release

Proposed new stormwater & drainage easement



FROM PCD TO EW COR OF THE NW1/4 OF SECTION 1, T139N-R81W N 89° 27' 17" W, 5279.08'



NICKLAUS DR

POB
SE COR LOT 2
BLOCK 1,
WHISPERING
RIDGE 2ND
SUBD.

10' UTILITY EASEMENT

20' SANITARY
SEWER EASEMENT

S 81°37'45" W
24.83'

N 34°26'56" W
122.49'

20' STORM SEWER &
DRAINAGE EASEMENT

S 81°38'07" W
231.29'

N 26°59'33" W
10.52'

20' STORM SEWER &
DRAINAGE EASEMENT

POT

BLOCK 1
WHISPERING RIDGE
2ND SUBDIVISION

EXHIBIT "A"
20' STORM SEWER & DRAINAGE EASEMENT
LOTS 1 & 2, BLOCK 1
WHISPERING RIDGE 2ND SUBD.



**TOMAN ENGINEERING
COMPANY**

501 1st Street NW, Mandan, ND 58554
Phone: 701-663-6483 * Fax: 701-663-0923

COUNTY

WEED

BOARD

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
MAY 6, 2024**

8:30 P.M

Chairman Bakken called the Burleigh County Weed Board meeting to order.

A roll call of members: Commissioners Munson, Bitner, Schwab, and Chairman Bakken present; Comm. Woodcox absent.

Motion by Comm. Bitner 2nd by Comm. Munson to approve the January 17th, 2024 minutes. All members present voted, "AYE." Motion carried.

The Board discussed the weed officer position and contracted applicator services. Comm. Schwab stated that the past two weed officers lasted five and five-and-a-half days respectively; Comm. Schwab then expressed that the county should train new weed officer hires themselves. The problem for chemical storage has been resolved but there remains a problem regarding one weed killer chemical, as someone has to be licensed in order to wield and use it. Comm. Schwab suggested that he himself could take the test so that weeds can be killed in order to not waste another day trying to get a weed officer. Chairman Bakken inquired if there was any possibility of subcontracting with an adjacent county or counties, or by any other avenues; Comm. Schwab said they could try but he personally thinks it won't be successful. Comm. Munson mentioned that six months ago Morton County inquired if Burleigh County was interested at the time in sharing and/or hiring their services as needed and proposed exploring that prospect more seriously. After some deliberation, the Board came to a consensus that Comm. Schwab applying to take the test to spray weed killer did not pose a conflict of interest, and the Board would see if any of the adjacent counties would be open to help.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Steve Bakken, Chairman



Burleigh County Finance Department

316 N 5th St Ste 104
Bismarck, ND 58501
(701) 712-8353

TO: Burleigh County Commission

FROM: Leigh Jacobs
Burleigh County Finance Director

DATE: May 29, 2024

RE: Weed Board 2024 Budget Amendment

BACKGROUND:

The Landowner Assistance Program (LAP) provides weed boards with cost-share assistance for noxious weed control. To be eligible to receive LAP funds, weed boards must levy at least 3 mills for noxious weed control, or budget an amount equal to the revenue that could be raised by a levy of three mills.

The mills used to determine eligibility for LAP funds are calculated based on the taxable value of Burleigh County property located outside of Bismarck city limits. The value of 1 mill for 2023 is \$165,115. The 2023 appropriation for the weed board is \$402,174, \$93,171 short of the value of 3 mills, \$495,345 making Burleigh County ineligible to participate in LAP for 2024.

PROPOSED MOTION:

Authorize budget amendment for the Burleigh County Weed Board in the amount of \$93,171.

ATTACHMENTS:

1. Noxious Weed Annual Survey Report – 2023
2. 2024 Weed Board Detailed Expense Report
3. 2024 Weed Board Final Budget
4. 2023 Mill Levy Sheet
5. NDCC 4.1-47-16



Noxious Weed Annual Survey Report – 2023

Due date: March 1, 2024

Submit by email at: raweisz@nd.gov

Mail to: North Dakota Department of Agriculture
Attn: Richard Weisz
600 E Boulevard Ave Dept. 602
Bismarck, ND 58505-0020

1. COUNTY/CITY WEED BOARD _____

The person listed in the first row will be the weed control officer. Please note the main contact for mail/email with an asterisk.

Weed Board Role	Full Name	Address	City	State	Zip	Phone Number	Email Address
Weed Officer							
Board Chair							
Sec./Treas.							
Member							
Member							
Member							
Member							

Do you have a full time weed officer? (Circle one) YES / NO

Does your weed officer have other duties? (Circle one) YES / NO

If yes, briefly explain _____

2. LOCALLY LISTED NOXIOUS WEEDS & ACREAGES

Please include all county/city listed noxious weeds and their estimated density, treated and total acreages in the table below.

County/City Noxious Weeds	Public and Private Land		
	Estimated Total Infested Acreage	Treated Infested Acreage	
		Herbicide/Mechanical	Biological

3. BIOLOGICAL CONTROL

Number of acres treated biologically (1 release = 5 acres) as part of the LAP _____ TAG _____

What biological control agent(s) were used? _____

Do you have any collectable sites in your county? (Circle one) **YES** / **NO**

If yes, how many? _____

If you do have a collectable site, are you willing to hold a field day if requested? (Circle one) **YES** / **NO**

4. STATE NOXIOUS WEED ACREAGE SURVEY

State Noxious Weeds	Public and Private Land		
	Estimated Total Infested Acreage	Treated Infested Acreage	
		Herbicide/Mechanical	Biological
Absinth wormwood			
Canada thistle			
Dalmatian toadflax			
Diffuse knapweed			
Houndstongue			
Leafy spurge			
Musk thistle			
Palmer amaranth			
Purple loosestrife			
Russian knapweed			
Saltcedar			
Spotted knapweed			
Yellow toadflax			

5. MAPPING

Do you use mapping software? _____(Y/N)

If Yes, what software do you use? _____(Ex. AgTerra, Dataloggers, SpraySync etc.)

If no, why not?

Are you aware of the assistance NDDA, Jim Hansen, can provide with mapping to your county? _____(Y/N)

6. COMMENTS

Are there any infestations of invasive species or concerns you are aware of within your jurisdiction? If so, would you like assistance? Does your weed board have any special needs or requests?

SIGNATURE

DATE

PRINT NAME

TITLE

7. MILL LEVY (Please have your county auditor fill out and sign this portion)

What dollar amount is budgeted for weed control in your county's 2024 budget?

\$ _____

What is the value of 1 mill in your county?

\$ _____

County Auditor's signature

County of Burleigh

General Ledger - Detailed Expense Report

Fiscal Year: 2024-2024 From Date:5/1/2024 To Date:5/31/2024

FUND / DEPARTMENT / ACCOUNT	2024 Adopted Budget	Adjusted Budget	Range To Date	Year To Date	Budget Balance	Percent Used
2970 - WEED CONTROL						
49130 - WEED CONTROL						
00111 - SALARIES	\$69,793.00	\$69,793.00	\$0.00	\$2,425.46	\$67,367.54	3.48%
00112 - TEMPORARY SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
00211 - FRINGE BENEFITS	\$14,331.00	\$14,331.00	\$0.00	\$1,865.36	\$12,465.64	13.02%
00335 - BUILDING RENTAL	\$4,800.00	\$4,800.00	\$0.00	\$0.00	\$4,800.00	0.00%
00341 - TRAVEL-LODGING-MEALS	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
00361 - PUBLISHING & PRINTING	\$1,500.00	\$1,500.00	\$154.80	\$154.80	\$1,345.20	10.32%
00376 - DUES & PUBLICATIONS	\$500.00	\$500.00	\$0.00	\$285.00	\$215.00	57.00%
00381 - REPAIRS & MAINTENANCE	\$2,500.00	\$2,500.00	\$0.00	\$0.00	\$2,500.00	0.00%
00382 - CONTRACTED SERVICES	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
00398 - COUNTY SERVICES	\$7,000.00	\$7,000.00	\$0.00	\$0.00	\$7,000.00	0.00%
00411 - OFFICE SUPPLIES	\$500.00	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
00415 - POSTAGE	\$250.00	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
00424 - GAS OIL & FUEL	\$4,000.00	\$4,000.00	\$0.00	\$41.06	\$3,958.94	1.03%
00641 - FURNITURE & EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
00911 - MISCELLANEOUS	\$4,000.00	\$4,000.00	\$0.00	\$9.09	\$3,990.91	0.23%
00920 - CONTINUING EDUCATION	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
00967 - CHEMICALS	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00	0.00%
00969 - SPRAYING	\$185,000.00	\$185,000.00	\$0.00	\$0.00	\$185,000.00	0.00%
49130 - WEED CONTROL Total:	\$402,174.00	\$402,174.00	\$154.80	\$4,780.77	\$397,393.23	1.19%
Grand Total:	\$402,174.00	\$402,174.00	\$154.80	\$4,780.77	\$397,393.23	1.19%

End of Report

00967 - CHEMICALS - increase by \$33,000 to \$133,000
00969 - SPRAYING - increase by \$61,000 to \$246,000

Appropriation for Emergency Fund	1,468,000	
Less: Resources	(1,468,000)	
<u>Balance to be levied</u>		-
Appropriation for Veteran Services	490,704	
Plus: Delinquent Taxes and Reserve Fund	145,910	
Less: Resources	(171,928)	
<u>Balance to be levied (.70 Mills)</u>		464,686
Appropriation for Provident Building	545,071	
Less: Resources	(545,071)	
<u>Balance to be levied</u>		-
Appropriation for Missouri Valley Complex	78,100	
Less: Resources	(78,100)	
<u>Balance to be levied</u>		-
Appropriation for County Agent	431,610	
Plus: Delinquent Taxes and Reserve Fund	120,984	
Less: Resources	(290,974)	
<u>Balance to be levied (.39 Mills)</u>		261,620
Appropriation for Weed Board	402,174	\$495,345 / 165,115 = 3.00 Mills
Plus: Delinquent Taxes and Reserve Fund	111,430	- \$402,174 / 165,115 = 2.44 Mills
Less: Resources	(295,891)	\$ 93,171
<u>Balance to be levied (1.32 Mills)</u>		217,713
Appropriation for Water Resource District	1,010,800	
Plus: Delinquent Taxes	49,026	
Less: Resources	(79,300)	
<u>Balance to be levied (1.47 Mills)</u>		980,526
Appropriation for County Parks	8,190	
Plus: Reserve Funds	531,803	
Less: Resources	(539,993)	
<u>Balance to be levied</u>		-
Appropriation for BMDC Maintenance & Construction	300,000	
Less: Resources	(300,000)	
<u>Balance to be levied</u>		-
Appropriation for K-9 Patrol Program	18,000	
Less: Resources	(18,000)	
<u>Balance to be levied</u>		-
Appropriation for Parking	70,000	
Less: Resources	(70,000)	
<u>Balance to be levied</u>		-
Appropriation for McKenzie Haul Road	442,626	
Less: Resources	(442,626)	
<u>Balance to be levied</u>		-
Appropriation for CenCom	420,401	
Less: Resources	(420,401)	
<u>Balance to be levied</u>		-

Total Burleigh County Taxable Valuation (\$667,772,132) less city of Bismarck valuation (\$502,656,749) = taxable valuation for Weed board Mill Levy

**BURLEIGH COUNTY LEVIES, 2023
TAXABLE VALUATION OF BURLEIGH COUNTY, NORTH DAKOTA
(2023 TAXES BECOME DUE JANUARY 1, 2024, DELINQUENT MARCH 1, 2024)**

Real Estate (Farm Lands)	\$	22,970,460
Real Estate (Commercial)		205,389,735
Real Estate (Residential)		428,140,421
Railroads		2,686,583
Pipeline		654,083
Electric, Gas, & Heat		7,930,841
Total Taxable Valuation, Burleigh County, ND, 2023		<u>\$ 667,772,132</u>

City of Bismarck Population	73,622
Lincoln City	4,257
Regan City	35
South Wilton City	188
Wing City	132
Rural Burleigh County	<u>20,224</u>
Total Population of Burleigh County, ND (Official 2020 Census)	<u>98,458</u>

	667,772,123
	-502,656,749
	<hr/>
	165,115,374 / 1000 = \$165,115

Taxing District Number	Assessment District	Twp. and Range	2023 Taxable Valuation	Twp. or City	Ambulance Fire District	School	Park and Library	State and County	County Weed Board	Total Mills	TW Taxing District Number
01/01/01	Bismarck		502,656,749	77.91		107.19	32.63	42.17		259.90	01/01/01 Bismarck
3/SW/SW/AM	Grass Lake	143-79	986,686	22.25	16.50	134.36	1.94	42.17	1.32	218.54	3/SW/SW Grass Lake
4/28/CW/AM	Hazel Grove	144-75	508,100	18.00	16.50	92.00	1.94	42.17	1.32	171.93	4/28/CW Hazel Grove
5/SW/SW/AM	Wilson	144-79	570,650	18.00	16.50	134.36	1.94	42.17	1.32	214.29	5/SW/SW Wilson
6/SW/SW/AM	Steiber	144-78	539,841	6.49	16.50	134.36	1.94	42.17	1.32	202.78	6/SW/SW Steiber
6/29/SW/AM	Steiber	144-78	5,315	6.49	16.50	76.15	1.94	42.17	1.32	144.57	6/29/SW Steiber
7/SW/SW/AM	Canfield	143-77	141,367	18.00	16.50	134.36	1.94	42.17	1.32	214.29	7/SW/SW Canfield
7/28/CW/AM	Canfield	143-77	247,087	18.00	16.50	92.00	1.94	42.17	1.32	171.93	7/28/CW Canfield
7/28/SW/AM	Canfield	143-77	147,330	18.00	16.50	92.00	1.94	42.17	1.32	171.93	7/28/SW Canfield
8/28/CW/AM	Trygg	141-77	587,455	6.55	16.50	92.00	1.94	42.17	1.32	160.48	8/28/CW Trygg
9/SW/SW/AM	Painted Woods	142-80-81	969,958	18.00	16.50	134.36	1.94	42.17	1.32	214.29	9/SW/SW Painted Woods
10/SW/SW/AM	Ecklund	142-79-80	2,545,971	19.85	16.50	134.36	1.94	42.17	1.32	216.14	10/SW/SW Ecklund
11/SW/SW/AM	Ghlyin	142-78	801,745	18.00	16.50	134.36	1.94	42.17	1.32	214.29	11/SW/SW Ghlyin
12/SW/CW/AM	Schrunk	144-77	186,795	6.49	16.50	134.36	1.94	42.17	1.32	202.78	12/SW/CW/AM Schrunk
12/28/CW/AM	Schrunk	144-77	345,881	6.49	16.50	92.00	1.94	42.17	1.32	160.42	12/28/CW Schrunk
13/28/CW/AM	Phoenix	143-75	384,950	18.00	16.50	92.00	1.94	42.17	1.32	171.93	13/28/CW Phoenix
14/28/CW/AM	Florence Lake	144-76	363,961	18.00	16.50	92.00	1.94	42.17	1.32	171.93	14/28/CW Florence Lake
15/26/ST	Thelma	138-75	103,040	18.00	4.60	82.00	1.94	42.17	1.32	150.03	15/26/ST Thelma
15/35/ST	Thelma	138-75	383,384	18.00	4.60	79.70	1.94	42.17	1.32	147.73	15/35/ST Thelma
16/SW/SW/AM	Glenview	141-80	386,617	18.00	16.50	134.36	1.94	42.17	1.32	214.29	16/SW/SW Glenview
16/01/SW/AM	Glenview	141-81	746,612	18.00	16.50	107.19	1.94	42.17	1.32	187.12	16/01/SW Glenview
17/28/ST	Christiania	140-76	100,830	7.91	4.60	92.00	1.94	42.17	1.32	149.94	17/28/ST Christiania
17/35/ST	Christiania	140-76	531,243	7.91	4.60	79.70	1.94	42.17	1.32	137.64	17/35/ST Christiania
18/28/CW/AM	Lyman	141-76	494,894	18.00	16.50	92.00	1.94	42.17	1.32	171.93	18/28/CW Lyman
19/28/CW/AM	Richmond	143-76	513,499	11.68	16.50	92.00	1.94	42.17	1.32	165.61	19/28/CW Richmond
20/26/ST	Clear Lake	140-75	389,932	11.25	4.60	82.00	1.94	42.17	1.32	143.28	20/26/ST Clear Lake
20/28/ST	Clear Lake	140-75	51,230	11.25	4.60	92.00	1.94	42.17	1.32	153.28	20/28/ST Clear Lake
20/35/ST	Clear Lake	140-75	225,529	11.25	4.60	79.70	1.94	42.17	1.32	140.98	20/35/ST Clear Lake
21/26/CW/AM	Harriet	142-75	54,071	11.81	16.50	82.00	1.94	42.17	1.32	155.74	21/26/CW Harriet
21/28/CW/AM	Harriet	142-75	351,313	11.81	16.50	92.00	1.94	42.17	1.32	165.74	21/28/CW Harriet
22/26/CW	Lein	141-75	219,004	11.81	5.00	82.00	1.94	42.17	1.32	144.24	22/26/CW Lein
22/26/CW/AM	Lein	141-75	77,915	11.81	16.50	82.00	1.94	42.17	1.32	155.74	22/26/CW/AM Lein
22/28/CW	Lein	141-75	11,505	11.81	5.00	92.00	1.94	42.17	1.32	154.24	22/28/CW Lein
22/28/CW/AM	Lein	141-75	260,117	11.81	16.50	92.00	1.94	42.17	1.32	165.74	22/28/CW/AM Lein
23/01/BI	Riverview	140-81	5,264,317	18.00	13.00	107.19	1.94	42.17	1.32	183.62	23/01/BI Riverview
24/01/BI	Burnt Creek	140-80	14,681,823	18.00	13.00	107.19	1.94	42.17	1.32	183.62	24/01/BI Burnt Creek
25/01/BI	Naughton	140-79	233,780	17.59	13.00	107.19	1.94	42.17	1.32	183.21	25/01/BI Naughton
25/25/BI	Naughton	140-79	789,739	17.59	13.00	83.95	1.94	42.17	1.32	159.97	25/25/BI Naughton
26/28/BI	Frances	140-78	79,925	18.00	13.00	92.00	1.94	42.17	1.32	168.43	26/28/BI Frances
26/33/BI	Frances	140-78	439,291	18.00	13.00	60.03	1.94	42.17	1.32	136.46	26/33/BI Frances
27/SW/CW/AM	Rock Hill	142-77	193,306	18.00	16.50	134.36	1.94	42.17	1.32	214.29	27/SW/CW Rock Hill
27/28/CW/AM	Rock Hill	142-77	332,755	18.00	16.50	92.00	1.94	42.17	1.32	171.93	27/28/CW Rock Hill
28/28/CW/AM	Wing	142-76	488,622	8.19	16.50	92.00	1.94	42.17	1.32	162.12	28/28/CW Wing
31/01/BI	Hay Creek	139-80-81	35,073,934	9.72	13.00	107.19	1.94	42.17	1.32	175.34	31/01/BI Hay Creek
32/01/BI	Gibbs	139-79	17,242,314	3.63	13.00	107.19	1.94	42.17	1.32	169.25	32/01/BI Gibbs
32/33/BI	Gibbs	139-79	33,752	3.63	13.00	60.03	1.94	42.17	1.32	122.09	32/33/BI Gibbs
33/33/BI	Menoken	139-78	1,878,778	15.23	13.00	60.03	1.94	42.17	1.32	133.69	33/33/BI Menoken
34/33/ST	McKenzie	139-77	298,479	15.09	4.60	60.03	1.94	42.17	1.32	125.15	34/33/ST McKenzie
34/35/ST	McKenzie	139-77	1,689,317	15.09	4.60	79.70	1.94	42.17	1.32	144.82	34/35/ST McKenzie
35/35/ST	Sterling	139-76	1,757,534	15.93	4.60	79.70	1.94	42.17	1.32	145.66	35/35/ST Sterling
36/26/ST	Driscoll	139-75	478,995	18.00	4.60	82.00	1.94	42.17	1.32	150.03	36/26/ST Driscoll
36/35/ST	Driscoll	139-75	809,696	18.00	4.60	79.70	1.94	42.17	1.32	147.73	36/35/ST Driscoll
37/SW/SW/AM	Cromwell	141-77	411,282	18.00	16.50	134.36	1.94	42.17	1.32	214.29	37/SW/SW Cromwell
37/28/SW/AM	Cromwell	141-78	186,288	18.00	16.50	92.00	1.94	42.17	1.32	171.93	37/28/SW Cromwell
38/01/BI	Lincoln	138-80	20,512,067	18.00	13.00	107.19	1.94	42.17	1.32	183.62	38/01/BI Lincoln
39/01/BI	Apple Creek	138-79	14,142,873	6.22	13.00	107.19	1.94	42.17	1.32	171.84	39/01/BI Apple Creek
39/39/BI	Apple Creek	138-79	6,745,801	6.22	13.00	82.35	1.94	42.17	1.32	147.00	39/39/BI Apple Creek
40/33/BI	Boyd	138-78	1,094,607	18.00	13.00	60.03	1.94	42.17	1.32	136.46	40/33/BI Boyd
41/06/ST	Logan	138-77	357,032	18.00	4.60	70.96	1.94	42.17	1.32	138.99	41/06/ST Logan
41/35/ST	Logan	138-77	353,739	18.00	4.60	79.70	1.94	42.17	1.32	147.73	41/35/ST Logan
42/35/ST	Taft	138-76	824,836	17.02	4.60	79.70	1.94	42.17	1.32	146.75	42/35/ST Taft
43/SW/SW/AM	Estherville	143-78	658,008	18.65	16.50	134.36	1.94	42.17	1.32	214.94	43/SW/SW Estherville
43/28/SW/AM	Estherville	143-78	12,450	18.65	16.50	92.00	1.94	42.17	1.32	172.58	43/28/SW Estherville
45/45/BI	Missouri	137-79	551,144	18.00	13.00	83.80	1.94	42.17	1.32	160.23	45/45/BI Missouri
46/33/BI	Telfer	137-78	489,219	33.75	13.00	60.03	1.94	42.17	1.32	152.21	46/33/BI Telfer
47/06/ST	Morton	137-77	526,280	16.51	4.60	70.96	1.94	42.17	1.32	137.50	47/06/ST Morton
47/33/ST	Morton	137-77	13,671	16.51	4.60	60.03	1.94	42.17	1.32	126.57	47/33/ST Morton
48/06/ST	Long Lake	137-76	501,883	11.95	4.60	70.96	1.94	42.17	1.32	132.94	48/06/ST Long Lake
51/01/BI	Fort Rice	137-80	2,528,153	18.00	13.00	107.19	1.94	42.17	1.32	183.62	51/01/BI Fort Rice
52/SW/SW/AM	Crofte	141-79	895,246	14.71	16.50	134.36	1.94	42.17	1.32	211.00	52/SW/SW Crofte
52/01/SW/AM	Crofte	141-80	75,927	14.71	16.50	107.19	1.94	42.17	1.32	183.83	52/01/SW Crofte
53/28/ST	Sibley Butte	140-77	187,858	18.00	4.60	92.00	1.94	42.17	1.32	160.03	53/28/ST Sibley Butte
53/35/ST	Sibley Butte	140-77	322,565	18.00	4.60	79.70	1.94	42.17	1.32	147.73	53/35/ST Sibley Butte
54/06/BR	Wild Rose	137-75	210,359	0.00	5.00	70.96	1.94	42.17	1.32	121.39	54/06/BR Wild Rose
54/06/ST	Wild Rose	137-75	39,425	0.00	4.60	70.96	1.94	42.17	1.32	120.99	54/06/ST Wild Rose
54/26/BR	Wild Rose	137-75	108,990	0.00	5.00	82.00	1.94	42.17	1.32	132.43	54/26/BR Wild Rose
CL/01/BI	City of Lincoln	CL-01-BI	16,532,128	71.10	13.00	107.19	1.94	42.17	1.32	253.40	CL/01/BI City of Lincoln
CR/SW/SW/AM	City of Regan	CR-SW-SW	65,359	94.44	16.50	134.36	1.94	42.17	1.32	290.73	CR/SW/SW City of Regan
CW/28/CW/AM	City of Wing	CW-28-CW	239,8								

8. Attend meetings called by the commissioner to further noxious weed control under this chapter.

4.1-47-14. County noxious weed control program - Payment of expenses - Financial report - Tax levy authorization.

1. The board of county commissioners may pay the expenses of a county noxious weed control program authorized under this chapter from the county general fund, the noxious weed control fund, or both. In addition to the other program expenditures authorized in this chapter, the board of county commissioners may expend funds from the levy authorized under subsection 11 of section 57-15-06.7 to control noxious weeds or undesirable vegetation along county or township roads in the county.
2.
 - a. The county weed board may annually request from the board of county commissioners the levy of a tax, not to exceed the levy limitation in subsection 11 of section 57-15-06.7, but any tax levied under this section does not apply to property that lies within the boundaries of a city having a noxious weed control program under this chapter. In the year for which the levy is sought, a county weed board seeking approval of a property tax levy under this chapter must file with the county auditor, at a time and in a format prescribed by the county auditor, a financial report for the preceding calendar year showing the ending balances of each fund held by the county weed board during that year.
 - b. The board of county commissioners may levy the taxes authorized by this subsection and shall place those moneys in a separate fund designated as the weed control fund, which may be used to pay the expenses authorized under this section.
3. For purposes of this section, the expenses of a county noxious weed control program include compensation for and the reimbursement of expenses incurred by the county weed board, the county weed control officer and other employees of the board, and expenses incurred as authorized by this chapter.

4.1-47-15. State appropriations for noxious weed control - Distribution - Determination.

1. The commissioner shall consult with the county and city weed boards and develop a method for the distribution to county and city weed boards of all moneys appropriated by the state for noxious weed control, other than the landowner assistance grants provided for in section 4.1-47-16.
2. The method must:
 - a. Limit the amount that any county or city weed board is entitled to receive under this section to seventy-five percent of the board's actual expenditures under this section; and
 - b. Allow the commissioner to waive the limit provided for in this subsection if the commissioner determines that a noxious weed is seriously endangering areas of a county, a city, or the state.

4.1-47-16. State appropriations for noxious weed control - Landowner assistance program.

1. The commissioner shall consult with representatives of county and city weed boards and develop a formula for the distribution to eligible county weed boards and eligible city weed boards of all moneys appropriated by the state for the landowner assistance program.
2.
 - a. The formula must require that county officials budget, from revenues derived from county sources, an amount equal to the revenue that could be raised by a levy of at least three mills for noxious weed control against taxable property in the county which does not lie within the boundaries of a city having a noxious weed control program under this chapter.

- b. The formula must require that city officials budget, from city sources, an amount equal to the revenue that could be raised by a levy of at least three mills for noxious weed control.
 3.
 - a. The formula must require that the landowner contribute an amount equal to at least twenty percent of the cost to be expended on behalf of the landowner.
 - b. The nature and type of the landowner's contribution must be determined by the weed board having jurisdiction over the area in which the landowner's property is located.

4.1-47-17. Control of noxious weeds within cities.

The governing body of any city having a population of three thousand or more may establish a program for the control of noxious weeds within the jurisdictional limits of the city. If a program is not established, the county weed board shall administer a program for the city.

4.1-47-18. City weed board members - Terms - Compensation.

1. If the governing body of a city elects to establish a noxious weed control program, as authorized by section 4.1-47-17, the governing body shall appoint a weed board consisting of three, five, or seven members.
2. The term of office for a board member is four years or until a successor is appointed and qualified. The terms must be staggered so that no more than two expire each year.
3. Any qualified elector residing within the city is eligible to serve on the board.
4. A board member shall assume office at the first regular meeting of the city weed board following the member's appointment.
5. The governing body of the city shall remove a member of the city weed board for repeated unexcused failures to attend meetings, for refusal to act as a board member, or for incapacity. If a vacancy occurs on a city weed board, the governing body of the city, at its next regular meeting, shall appoint an individual who possesses the necessary qualifications to fill the unexpired term.
6. The city weed board shall elect a chairman and a vice chairman from among its members.
7. The city weed board shall appoint a secretary and a treasurer. The secretary and treasurer need not be members of the board.
8. The governing body of the city shall establish the rate of compensation for city weed board members.

4.1-47-19. City weed board - Powers.

A city weed board may:

1. Expend funds from all available sources if it determines that the extent of noxious weed infestation on certain land is so severe that undertaking control efforts would place an extreme financial burden on the landowner.
2. Employ and compensate additional personnel to assist with noxious weed control efforts.

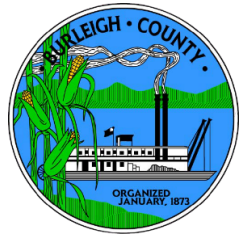
4.1-47-20. City weed board - Duties.

Each city weed board shall:

1. Implement a program for the control of noxious weeds;
2. Establish the time and place of regular board meetings;
3. Meet at least once each year;
4. Keep minutes of its meetings and a complete record of all official acts;
5. Control and disburse all moneys received by the city from any source for noxious weed control;
6.
 - a. Provide for the compensation of its members and its secretary and treasurer;
 - b. Reimburse its members and its secretary and treasurer for actual and necessary expenses; and



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

June 3, 2024

3:00 PM

COUNTY BOARD OF EQUALIZATION

The Board shall meet during the first ten (10) days in June to equalize and correct the assessment rolls. The Board of Equalization may change the valuation and assessments of any real property upon the rolls, by increasing or diminishing the assessed value of thereof. The Board shall be responsible and just to render uniform taxation.

- A. The Board shall sit as the Township Board of Equalization for the Unorganized Townships.
- B. The Board shall then review the assessments of the cities of Bismarck, Lincoln, Regan, South Wilton, and Wing.
- C. The Board shall then review the assessments of all Organized and Unorganized Townships.
- D. Other Business.
- E. Adjourn.

5:00 PM *Invocation by Chaplain*

COUNTY PARK BOARD

1. Meeting called to order.
2. Consideration of the May 6, 2024, meeting minutes and bills.
3. Roll call of members
4. Kniefel Boat Ramp Dredging.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.

4. Consideration of the May 20, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
6. Planning Director Flanagan:
 - a. Appeal of complaint.
7. HR Director Binder:
 - a. Timekeeping and Payroll RFP update.
8. Sheriff Leben:
 - a. Burleigh East renovation.
9. Engineer Hall:
 - a. Petition to vacate section line.
 - b. Stormwater Easement.
10. Comm. Schwab:
 - a. Discussion on amending the 2024 Weed Board budget.
11. Other Business
12. Adjourn.

The next regularly scheduled County Commission meeting will be on June 17th, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**COUNTY
BOARD
OF
EQUALIZATION**

BURLEIGH COUNTY

EQUALIZATION REPORT



June 3rd, 2024



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Burleigh County Tax Equalization Meeting

Monday, June 3rd, 2024

Tom Baker Room

1. MOTION to approve assessments of the Unorganized Townships (the Board sits as the Township Boards of Equalization for each Unorganized Townships).
2. MOTION to approve Agricultural Land values to implement North Dakota State Tax Department recommendation on the average value per acre.
3. MOTION to approve the assessment of the Cities of Bismarck, Wing, Regan, South Wilton and Lincoln.
4. MOTION to approve assessments of the Organized and Unorganized Townships.
5. MOTION to approve Application for Property Tax Exemption for Improvements to Commercial and Residential Buildings N.D.C.C. §57-02.2 as recommended by Tax Equalization Director Allan Vietmeier.
6. MOTION to approve and accept the 2024 real property assessments as equalized, to authorize the County Tax Director to make corrections to property values in Burleigh County as needed, and further to adjourn sine die.

*County of Burleigh*221 N 5th St Bismarck ND 58501

Brian Bitner, Chairman
Burleigh County Board of Commissioners

This report is respectfully submitted as an overview of local property tax assessments in Burleigh County. Based on this summary, the county valuation increased 5.02 percent from February 1, 2023, to February 1, 2024, due to new construction, non-exemption remodeling and improvements, property classification changes, market changes, abatements, and reappraisals.

I recommend the County Board of Equalization decrease agricultural land outside the City of Bismarck by 3.16 percent to remain between 90% and 100% of the state recommended value for 2024.

Procedures for assessment and appraisal are conducted under guidance from the North Dakota Tax Commissioner's Office, North Dakota Century Code, and nationally recognized standards of mass appraisal of real property. The Burleigh County Tax Director respectfully recommends that the assessment roll be approved as submitted. Should anyone appear before the Board to protest an assessment in the 2024 report, and if the protest cannot be resolved today, I request that this office be given the opportunity to review the valuation in question. Should an inequity be noted, the abatement process as outlined in N.D.C.C. § 57-23 will be employed to rectify the discrepancy.

TRUE AND FULL VALUE FOR BURLEIGH COUNTY

Classification	2023*	2024	Difference
Agricultural Land	\$ 459,480,000	\$ 444,863,800	-3.17%
Commercial Land	\$ 1,025,501,200	\$ 1,088,582,500	6.15%
Residential Land	\$ 1,652,694,800	\$ 1,686,838,900	2.07%
Commercial Building	\$ 3,066,325,500	\$ 3,180,562,800	3.73%
Residential Building	<u>\$ 7,866,054,300</u>	<u>\$ 8,375,490,450</u>	<u>6.48%</u>
TOTAL	\$ 14,070,055,800	\$14,776,338,450	5.02%

TRUE AND FULL VALUE FOR BURLEIGH COUNTY (EXCLUDING THE CITY OF BISMARCK)

Classification	2023*	2024	Difference
Agricultural Land	\$ 458,707,100	\$ 444,228,800	-3.16%
Commercial Land & Building	\$ 232,346,400	\$ 238,381,900	2.60%
Residential Land & Building	<u>\$ 2,790,476,000</u>	<u>\$ 3,038,600,450</u>	<u>8.89%</u>
TOTAL	\$ 3,481,529,500	\$ 3,721,211,150	6.88%

STATE OF NORTH DAKOTA
County of Burleigh

221 N 5th St Bismarck ND 58501

TRUE AND FULL VALUE FOR CITY OF BISMARCK

Classification	2023*	2024	Difference
Agricultural Land	\$ 772,900	\$ 635,000	-17.84%
Commercial Land & Building	\$ 3,859,480,300	\$ 4,030,763,400	4.44%
Residential Land & Building	<u>\$ 6,728,273,100</u>	<u>\$ 7,023,728,900</u>	<u>4.39%</u>
TOTAL	\$10,588,826,300	\$11,055,127,300	4.41%

*2023 ASSESSMENT ROLL REFLECTS VALUES THAT WERE CERTIFIED TO THE STATE TAX DEPARTMENT. THESE VALUES HAVE CHANGED DURING THE 2023 YEAR DUE TO ABATEMENTS AND PRORATION'S.

Agricultural Land

Each year, the State Tax Department provides Burleigh County with an estimate of average value per acre of agricultural land, cropland, and non-cropland.

The original 2024 estimate from the State was authorized December of 2023 and was **\$481.00** per acre (county average), **\$743.06** per acre (cropland average) and **\$165.74** per acre (non-cropland average). These values are derived from agricultural statistics compiled over the past ten years and are used to capitalize the average annual gross return of an acre of land to a landowner.

The capitalization rate used in the valuation formula is calculated annually by the Agribusiness and Applied Economics Department of the North Dakota State University and provided to the State Tax Department. It is calculated by taking the twelve most recent years' gross federal land bank (AgriBank, FCB) mortgage rate of interest for North Dakota, eliminating the highest and lowest years, and averaging the remaining ten years.

I recommend that the County Board of Equalization lower all agricultural land outside the City of Bismarck -3.15% on average to remain in compliance with both the soils and the productivity model supplied to us by the ND Tax Department. This maintains a county average to \$480.00 per acre and keeps agricultural land within the state's recommendation. The range of tolerance is 10 percent.

Burleigh County Assessment Sales Ratio Study

The purpose of the Burleigh County Assessment Sales Ratio Study is to advise local assessment officials and to recommend to the Tax Commissioner changes to be made by the State Board of Equalization in the performance of the equalization duties prescribed by law. The current study includes sales of property occurring between January 1, 2023 and December 31, 2023.

STATE OF NORTH DAKOTA
County of Burleigh
 221 N 5th St Bismarck ND 58501

A current study of the county, which does not include the City of Bismarck, indicates Market adjustments needed for Residential property.

Based on a review of 2024 assessments and the 2023 sales ratio study, the county will be within the tolerances allowed by the State Board of Equalization for residential and commercial values when the assessment rolls are approved.

The Sales Ratio Study for 2023 is based on the following data:

	Residential	Commercial
2023 Sales and Appraisals	122	34
Total Sales/Appraisal Value	\$ 46,049,035	\$ 11,493,582
Total Assessment Value	\$ 39,855,200	\$ 10,339,100
Arithmetic Mean	89.4%	95%
Aggregate Mean	86.5%	90%
Median	84.9%	94.3%
Price Related Differential	1.03	1.06
Coefficient of Dispersion	10.46	10.39
Indicated Adjustment to be at 100%	15.1%	5.7%

Arithmetic Mean Ratio: Sum of the ratios divided by the number of ratios. This measure of central tendency is affected by extreme ratios.

Aggregate Mean: Sum of true and full values divided by the sum of the sales or appraisal prices. This number is affected by extremely large values (sales/appraisal price or true and full value).

Median: Ratios are arrayed from high to low and the median is the middle ratio in the array. This is not affected by extreme values and the goal is to have a median ratio between 0.90 and 1.00. This is the primary measure used by the North Dakota State Tax Department.

Price Related Differential (PRD): Measures regressivity or progressivity of assessor’s estimates of true and full value. The goal is to have the PRD between .98 and 1.03.

Coefficient of Dispersion (COD): Measures uniformity of true and full values estimate as an average deviation from the median. A COD of 10 percent or less is excellent, 10 to 20 percent is good and 20 to 30 percent is acceptable.

County of Burleigh

Conclusion

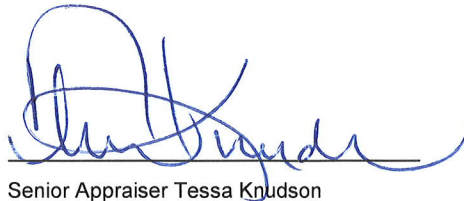
The 2024 assessment roll in Burleigh County is continuing to experience rapid upward growth in the residential sector. This condition is caused by the stable yet growing economy in Burleigh County and the state. The real estate market that has remained steady for years with sales numbers consistently good throughout the county. This is now beginning to explode. With these current conditions we will begin to see market trends that can begin a period of instability.

Some of the value changes that we are experiencing are due to the lack of available properties for sale. When this begins to happen, we start to witness a sellers' market. Burleigh County continues our ongoing reassessment cycles to stay current with the market trends of 2023.

The state of North Dakota and Burleigh County continue to lead national trends in low unemployment and new construction. We have a market that is exploding which from the equalization standpoint causes some volatility that we will have to closely monitor to remain within the allowed tolerances put forth by the State Board of Equalization.



Tax Equalization Director Allan Vietmeier



Senior Appraiser Tessa Knudson

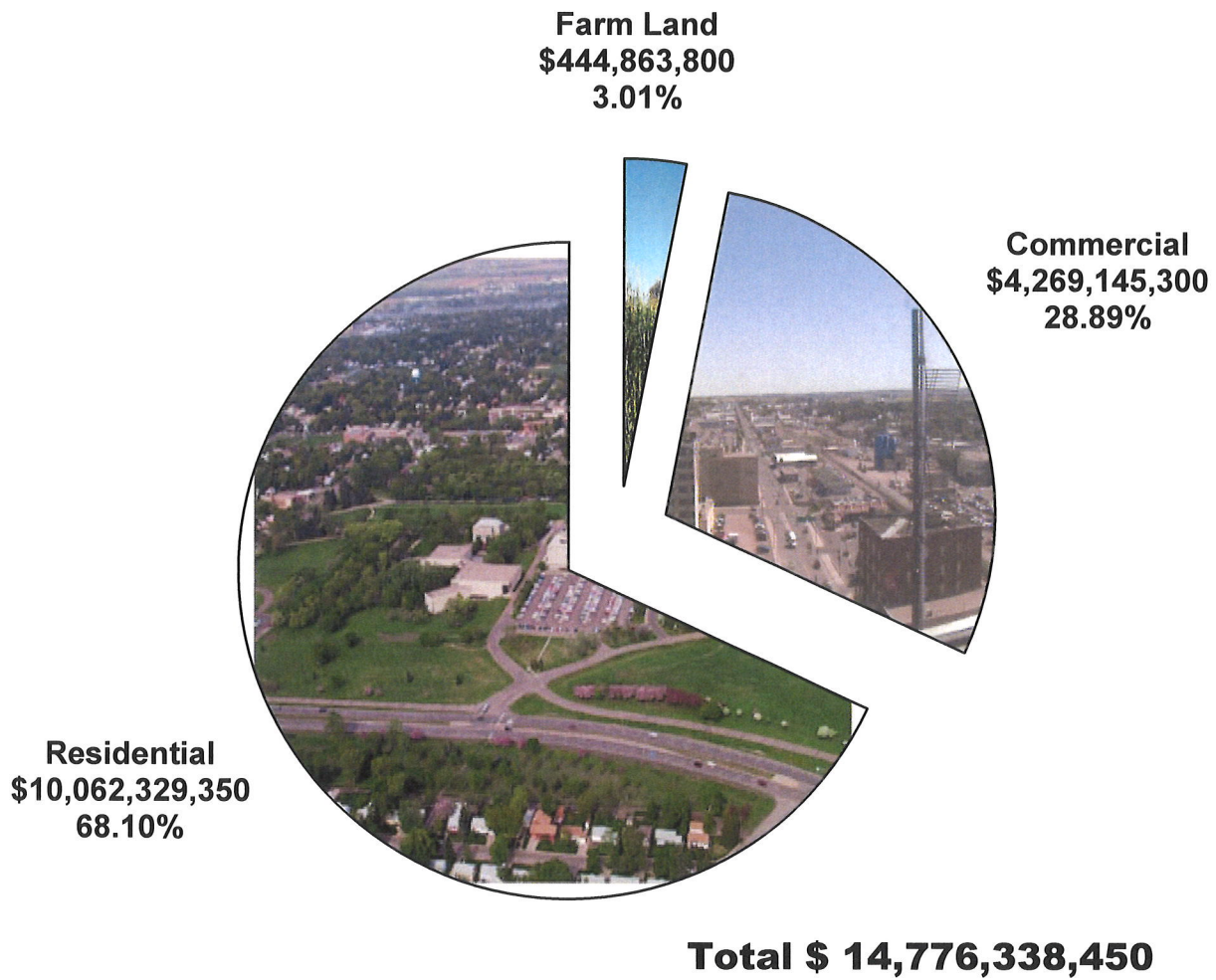


Appraiser I Erin Buchwitz



Appraiser II Breanna Zent

2024 Market Values By Class Rural and Bismarck

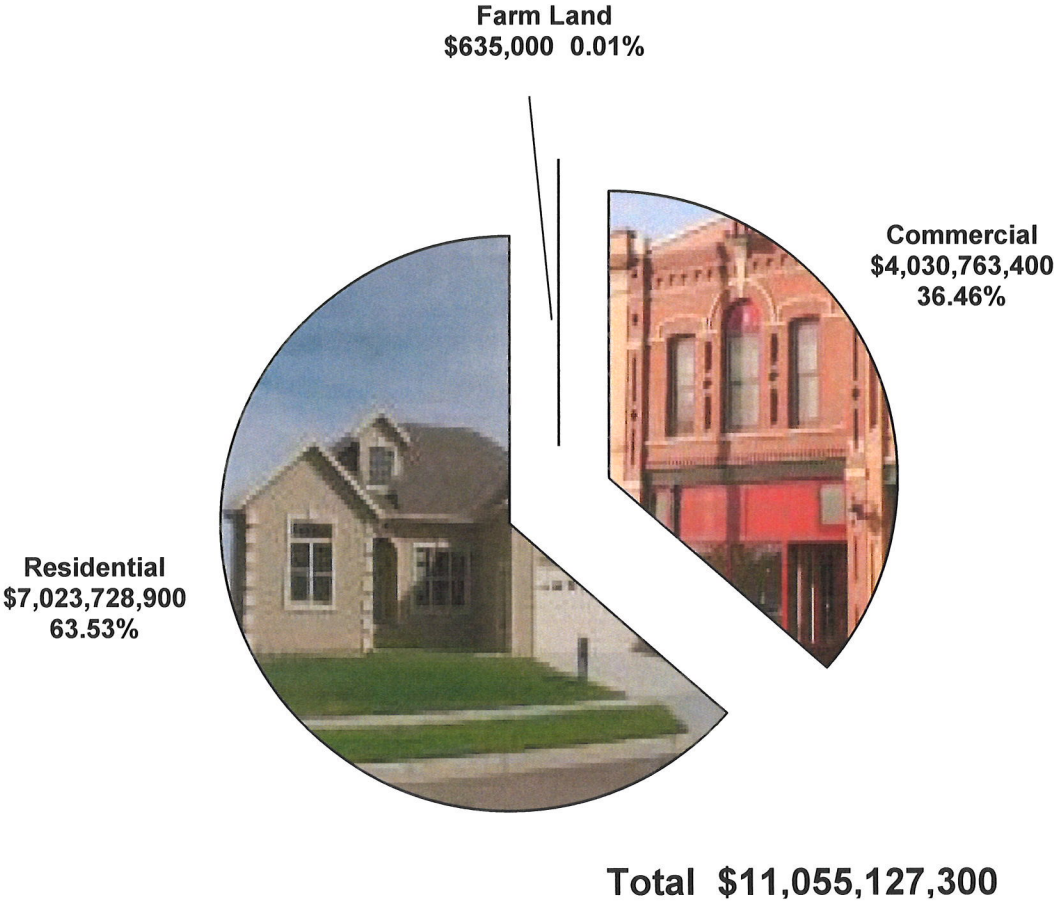


Homestead credits & Disabled Veteran credits
not included in values

Market Valuation Totals by Classification

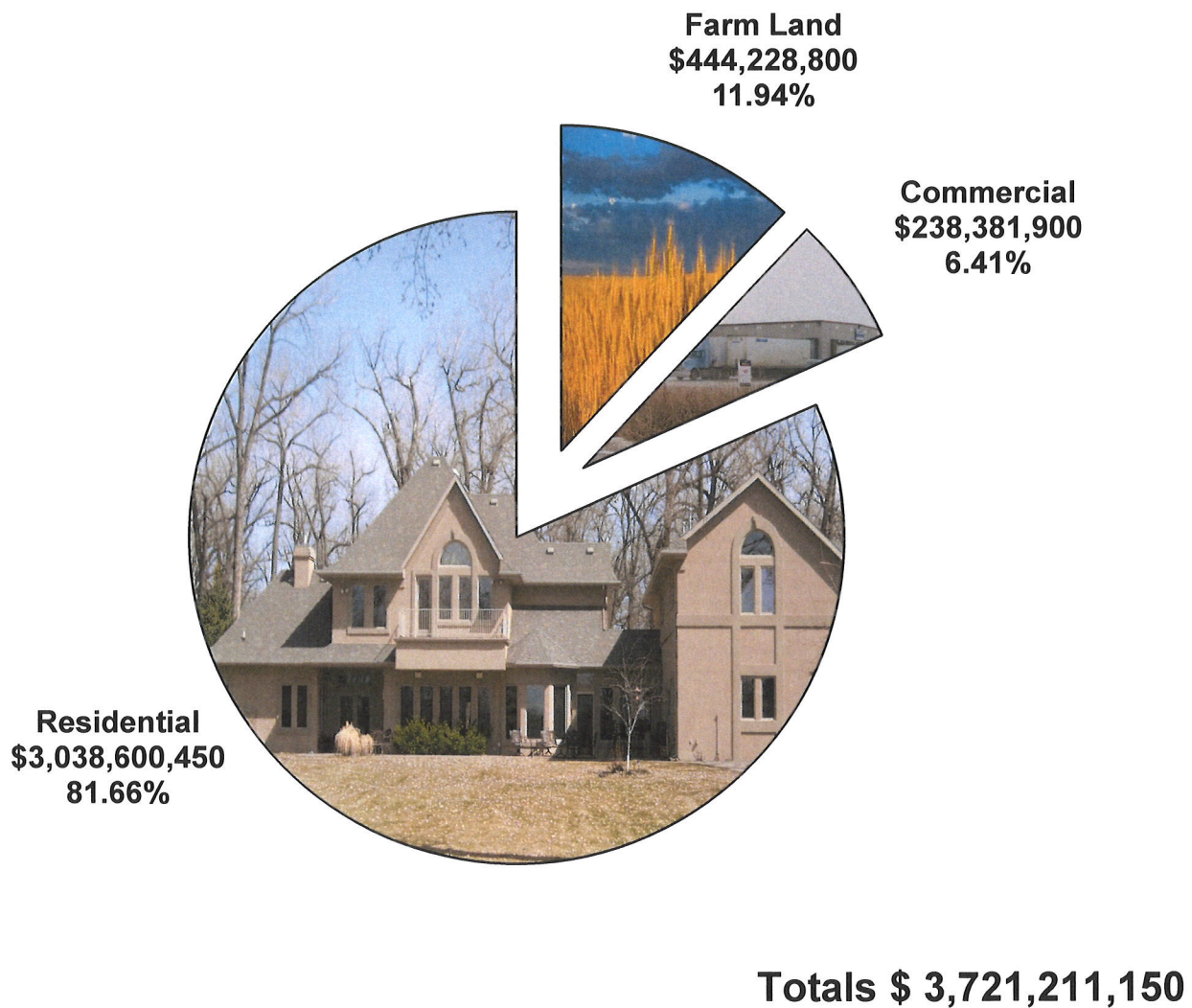
City/Township	Farm Land	% + or -	Commercial Land & Bldg	% + or -	Residential Land & Bldg	% + or -	Total	Total % + or -
Burleigh County & Small Cities								
2023	\$ 458,707,100		\$ 232,346,400		\$ 2,790,476,000		\$ 3,481,529,500	
2024	\$ 444,228,800		\$ 238,381,900		\$ 3,038,600,450		\$ 3,721,211,150	
Amount of Change	\$ (14,478,300)	-3.16%	\$ 6,035,500	2.60%	\$ 248,124,450	8.89%	\$ 239,681,650	6.88%
City of Bismarck								
2023	\$ 772,900		\$ 3,859,480,300		\$ 6,728,273,100		\$ 10,588,526,300	
2024	\$ 635,000		\$ 4,030,763,400		\$ 7,023,728,900		\$ 11,055,127,300	
Amount of Change	\$ (137,900)	-17.84%	\$ 171,283,100	4.44%	\$ 295,455,800	4.39%	\$ 466,601,000	4.41%
2023 Sub Total	\$ 459,480,000		\$ 4,091,826,700		\$ 9,518,749,100		\$ 14,070,055,800	
2024 Sub Total	\$ 444,863,800	-3.18%	\$ 4,269,145,300	4.33%	\$ 10,062,329,350	5.71%	\$ 14,776,338,450	5.02%

2024 Market Values by Class City of Bismarck



Homestead and Disabled Veteran credits not included
in values

2024 Market Values Rural & Small Cities (Excluding Bismarck)



Homestead and Disabled Veteran credits not included
in values

Market Valuations Cities

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
City of Bismarck					
2023	\$772,900	\$3,859,480,300	\$6,728,273,100	\$10,588,526,300	
2024	\$635,000	\$4,030,763,400	\$7,023,728,900	\$11,055,127,300	
Amount of Change	-\$137,900	\$171,283,100	\$295,455,800	\$466,601,000	4.41%
City of Lincoln					
2023	\$15,200	\$23,466,900	\$339,904,500	\$363,386,600	
2024	\$12,600	\$25,365,000	\$367,990,200	\$393,367,800	
Amount of Change	-\$2,600	\$1,898,100	\$28,085,700	\$29,981,200	8.25%
City of Regan					
2023	\$383,200	\$437,400	\$436,400	\$1,257,000	
2024	\$371,700	\$437,400	\$431,350	\$1,240,450	
Amount of Change	-\$11,500	\$0	-\$5,050	-\$16,550	-1.32%
City of Wing					
2023	\$0	\$1,105,000	\$3,822,700	\$4,927,700	
2024	\$0	\$1,290,900	\$4,090,000	\$5,380,900	
Amount of Change		\$185,900	\$267,300	\$453,200	9.20%
City of Wilton (South)					
2023	\$0	\$2,194,700	\$8,930,200	\$11,124,900	
2024	\$0	\$2,336,400	\$9,331,000	\$11,667,400	
Amount of Change		\$141,700	\$400,800	\$542,500	4.88%

Market Valuations Unorganized Townships

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Burnt Creek					
2023	\$9,407,900	\$11,999,600	\$301,605,700	\$323,013,200	
2024	\$8,907,600	\$12,267,300	\$332,280,300	\$353,455,200	
Amount of Change	-\$500,300	\$267,700	\$30,674,600	\$30,442,000	9.42%
Canfield					
2023	\$10,502,900	\$1,000	\$124,100	\$10,628,000	
2024	\$10,196,700	\$0	\$125,100	\$10,321,800	
Amount of Change	-\$306,200	-\$1,000	\$1,000	-\$306,200	-2.88%
Florence Lake					
2023	\$7,257,600	\$1,000	\$22,900	\$7,281,500	
2024	\$7,048,300	\$1,000	\$25,600	\$7,074,900	
Amount of Change	-\$209,300	\$0	\$2,700	-\$206,600	-2.84%
Fort Rice					
2023	\$1,259,100	\$1,996,400	\$52,562,500	\$55,818,000	
2024	\$1,131,700	\$1,467,000	\$56,706,600	\$59,305,300	
Amount of Change	-\$127,400	-\$529,400	\$4,144,100	\$3,487,300	6.25%
Lincoln					
2023	\$2,244,100	\$50,043,700	\$395,725,900	\$448,013,700	
2024	\$2,039,000	\$49,787,400	\$427,835,100	\$479,661,500	
Amount of Change	-\$205,100	-\$256,300	\$32,109,200	\$31,647,800	7.06%
Lyman					
2023	\$9,825,600	\$1,000	\$79,200	\$9,905,800	
2024	\$9,541,900	\$1,000	\$86,600	\$9,629,500	
Amount of Change	-\$283,700	\$0	\$7,400	-\$276,300	-2.79%
Phoenix					
2023	\$7,699,000	\$0	\$0	\$7,699,000	
2024	\$7,488,000	\$0	\$0	\$7,488,000	
Amount of Change	-\$211,000	\$0	\$0	-\$211,000	-2.74%
Riverview					
2023	\$4,848,300	\$7,030,100	\$104,058,900	\$115,937,300	
2024	\$4,655,700	\$7,483,700	\$112,687,700	\$124,827,100	
Amount of Change	-\$192,600	\$453,600	\$8,628,800	\$8,889,800	7.67%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Apple Creek					
2023	\$6,633,200	\$24,419,300	\$418,768,800	\$449,821,300	
2024	\$6,449,900	\$24,570,100	\$450,451,200	\$481,471,200	
Amount of Change	-\$183,300	\$150,800	\$31,682,400	\$31,649,900	7.04%

Boyd					
2023	\$10,114,900	\$520,200	\$10,941,100	\$21,576,200	
2024	\$9,798,100	\$653,400	\$11,589,200	\$22,040,700	
Amount of Change	-\$316,800	\$133,200	\$648,100	\$464,500	2.15%

Christiania					
2023	\$12,332,000	\$2,000	\$341,600	\$12,675,600	
2024	\$11,964,900	\$2,000	\$329,600	\$12,296,500	
Amount of Change	-\$367,100	\$0	-\$12,000	-\$379,100	-2.99%

Clear Lake					
2023	\$12,692,000	\$0	\$713,100	\$13,405,100	
2024	\$12,322,200	\$0	\$748,900	\$13,071,100	
Amount of Change	-\$369,800	\$0	\$35,800	-\$334,000	-2.49%

Crofte					
2023	\$12,270,500	\$739,000	\$7,020,700	\$20,030,200	
2024	\$11,881,600	\$783,900	\$7,471,800	\$20,137,300	
Amount of Change	-\$388,900	\$44,900	\$451,100	\$107,100	0.53%

Cromwell					
2023	\$10,959,100	\$24,400	\$1,075,400	\$12,058,900	
2024	\$10,639,600	\$99,400	\$1,095,300	\$11,834,300	
Amount of Change	-\$319,500	\$75,000	\$19,900	-\$224,600	-1.86%

Driscoll					
2023	\$12,278,200	\$471,900	\$3,947,400	\$16,697,500	
2024	\$11,925,500	\$514,200	\$3,945,200	\$16,384,900	
Amount of Change	-\$352,700	\$42,300	-\$2,200	-\$312,600	-1.87%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Ecklund					
2023	\$20,377,800	\$1,006,300	\$3,602,900	\$24,987,000	
2024	\$19,767,400	\$823,100	\$4,075,800	\$24,666,300	
Amount of Change	-\$610,400	-\$183,200	\$472,900	-\$320,700	-1.28%
Estherville					
2023	\$13,080,200	\$2,500	\$355,100	\$13,437,800	
2024	\$12,665,300	\$4,000	\$353,600	\$13,022,900	
Amount of Change	-\$414,900	\$1,500	-\$1,500	-\$414,900	-3.09%
Frances					
2023	\$10,158,200	\$6,500	\$244,000	\$10,408,700	
2024	\$9,868,800	\$6,500	\$244,000	\$10,119,300	
Amount of Change	-\$289,400	\$0	\$0	-\$289,400	-2.78%
Ghylin					
2023	\$12,761,500	\$58,600	\$607,500	\$13,427,600	
2024	\$12,313,100	\$57,600	\$608,500	\$12,979,200	
Amount of Change	-\$448,400	-\$1,000	\$1,000	-\$448,400	-3.34%
Gibbs					
2023	\$10,394,700	\$9,861,200	\$359,747,400	\$380,003,300	
2024	\$10,056,200	\$8,812,200	\$396,787,000	\$415,655,400	
Amount of Change	-\$338,500	-\$1,049,000	\$37,039,600	\$35,652,100	9.38%
Glenview					
2023	\$9,633,700	\$898,600	\$12,993,900	\$23,526,200	
2024	\$9,307,800	\$1,209,000	\$14,676,600	\$25,193,400	
Amount of Change	-\$325,900	\$310,400	\$1,682,700	\$1,667,200	7.09%
Grass Lake					
2023	\$13,707,800	\$142,000	\$864,800	\$14,714,600	
2024	\$13,299,100	\$142,000	\$955,600	\$14,396,700	
Amount of Change	-\$408,700	\$0	\$90,800	-\$317,900	-2.16%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Harriet					
2023	\$7,799,500	\$22,200	\$181,100	\$8,002,800	
2024	\$7,579,600	\$22,200	\$181,100	\$7,782,900	
Amount of Change	-\$219,900	\$0	\$0	-\$219,900	-2.75%

Hay Creek					
2023	\$4,578,200	\$59,127,200	\$699,884,800	\$763,590,200	
2024	\$4,431,600	\$62,311,200	\$767,341,900	\$834,084,700	
2015	-\$146,600	\$3,184,000	\$67,457,100	\$70,494,500	9.23%

Hazel Grove					
2023	\$10,108,700	\$1,000	\$58,100	\$10,167,800	
2024	\$9,822,300	\$1,000	\$62,500	\$9,885,800	
Amount of Change	-\$286,400	\$0	\$4,400	-\$282,000	-2.77%

Lein					
2023	\$10,651,500	\$3,600	\$795,200	\$11,450,300	
2024	\$10,351,200	\$2,600	\$806,600	\$11,160,400	
Amount of Change	-\$300,300	-\$1,000	\$11,400	-\$289,900	-2.53%

Logan					
2023	\$10,702,300	\$165,600	\$325,100	\$11,193,000	
2024	\$10,389,200	\$184,100	\$345,600	\$10,918,900	
Amount of Change	-\$313,100	\$18,500	\$20,500	-\$274,100	-2.45%

Long Lake					
2023	\$7,004,000	\$296,100	\$2,390,600	\$9,690,700	
2024	\$6,799,800	\$310,400	\$2,574,100	\$9,684,300	
Amount of Change	-\$204,200	\$14,300	\$183,500	-\$6,400	-0.07%

McKenzie					
2023	\$11,127,700	\$16,723,300	\$5,704,300	\$33,555,300	
2024	\$10,792,500	\$16,785,200	\$6,018,600	\$33,596,300	
Amount of Change	-\$335,200	\$61,900	\$314,300	\$41,000	0.12%

Menoken					
2023	\$11,380,000	\$7,550,600	\$10,907,900	\$29,838,500	
2024	\$10,992,500	\$8,243,300	\$11,105,800	\$30,341,600	
Amount of Change	-\$387,500	\$692,700	\$197,900	\$503,100	1.69%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Missouri					
2023	\$3,751,800	\$278,700	\$7,766,200	\$11,796,700	
2024	\$3,647,200	\$234,600	\$8,074,200	\$11,956,000	
Amount of Change	-\$104,600	-\$44,100	\$308,000	\$159,300	1.35%

Morton					
2023	\$7,285,200	\$358,900	\$2,403,900	\$10,048,000	
2024	\$7,084,500	\$385,600	\$2,708,200	\$10,178,300	
Amount of Change	-\$200,700	\$26,700	\$304,300	\$130,300	1.30%

Naughton					
2023	\$11,110,500	\$693,800	\$9,628,700	\$21,433,000	
2024	\$10,759,600	\$972,100	\$10,403,300	\$22,135,000	
Amount of Change	-\$350,900	\$278,300	\$774,600	\$702,000	3.28%

Painted Woods					
2023	\$9,263,300	\$158,100	\$11,069,700	\$20,491,100	
2024	\$9,014,800	\$85,800	\$12,595,500	\$21,696,100	
Amount of Change	-\$248,500	-\$72,300	\$1,525,800	\$1,205,000	5.88%

Richmond					
2023	\$10,007,500	\$4,000	\$287,200	\$10,298,700	
2024	\$9,721,500	\$4,000	\$295,100	\$10,020,600	
Amount of Change	-\$286,000	\$0	\$7,900	-\$278,100	-2.70%

Rock Hill					
2023	\$10,305,400	\$0	\$197,900	\$10,503,300	
2024	\$9,934,600	\$0	\$165,500	\$10,100,100	
Amount of Change	-\$370,800	\$0	-\$32,400	-\$403,200	-3.84%

Schrunk					
2023	\$10,460,400	\$6,000	\$207,900	\$10,674,300	
2024	\$10,157,500	\$6,700	\$217,300	\$10,381,500	
Amount of Change	-\$302,900	\$700	\$9,400	-\$292,800	-2.74%

Sibley Butte					
2023	\$10,025,600	\$50,000	\$147,600	\$10,223,200	
2024	\$9,738,400	\$50,000	\$147,600	\$9,936,000	
Amount of Change	-\$287,200	\$0	\$0	-\$287,200	-2.81%

Steiber					
2023	\$10,723,900	\$0	\$199,100	\$10,923,000	
2024	\$10,297,600	\$0	\$199,100	\$10,496,700	
Amount of Change	-\$426,300	\$0	\$0	-\$426,300	-3.90%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Sterling					
2023	\$13,655,200	\$9,058,700	\$5,142,300	\$27,856,200	
2024	\$13,157,600	\$9,259,000	\$5,624,000	\$28,040,600	
Amount of Change	-\$497,600	\$200,300	\$481,700	\$184,400	0.66%
Taft					
2023	\$12,382,500	\$1,196,600	\$935,200	\$14,514,300	
2024	\$12,014,500	\$1,196,600	\$935,200	\$14,146,300	
Amount of Change	-\$368,000	\$0	\$0	-\$368,000	-2.54%
Telfer					
2023	\$7,172,100	\$90,300	\$2,383,100	\$9,645,500	
2024	\$6,977,300	\$90,300	\$2,389,300	\$9,456,900	
Amount of Change	-\$194,800	\$0	\$6,200	-\$188,600	-1.96%
Thelma					
2023	\$9,620,500	\$31,200	\$85,300	\$9,737,000	
2024	\$9,305,000	\$28,700	\$89,900	\$9,423,600	
Amount of Change	-\$315,500	-\$2,500	\$4,600	-\$313,400	-3.22%
Trygg					
2023	\$11,470,300	\$0	\$309,700	\$11,780,000	
2024	\$11,105,700	\$0	\$331,200	\$11,436,900	
Amount of Change	-\$364,600	\$0	\$21,500	-\$343,100	-2.91%
Wild Rose					
2023	\$6,953,300	\$97,700	\$138,300	\$7,189,300	
2024	\$6,753,100	\$90,500	\$236,900	\$7,080,500	
Amount of Change	-\$200,200	-\$7,200	\$98,600	-\$108,800	-1.51%
Wilson					
2023	\$10,714,800	\$0	\$447,000	\$11,161,800	
2024	\$10,402,200	\$0	\$775,700	\$11,177,900	
Amount of Change	-\$312,600	\$0	\$328,700	\$16,100	0.14%
Wing					
2023	\$9,616,200	\$3,500	\$54,400	\$9,674,100	
2024	\$9,346,300	\$3,500	\$54,400	\$9,404,200	
Amount of Change	-\$269,900	\$0	\$0	-\$269,900	-2.79%

2022

Increase Due to New Construction vs. Valuation Increase on Existing Properties

Township	Commercial		Residential	Total
	Farm Land*	Land & Bldg	Land & Bldg	
Apple Creek				
Valuation 2024	\$6,449,900	\$24,570,100	\$450,451,200	\$481,471,200
2023 New Construction	\$0	-\$24,600	\$4,906,800	\$4,882,200
2024 Adjusted Value	\$6,449,900	\$24,594,700	\$445,544,400	\$476,589,000
Valuation 2023	\$6,633,200	\$24,419,300	\$418,768,800	\$449,821,300
Increase to Existing Property	-2.76%	0.72%	6.39%	5.95%
Increase Due to New Construction	0.00%	-0.10%	1.17%	1.09%
Gibbs				
Valuation 2024	\$ 10,056,200	\$ 8,812,200	\$ 396,787,000	\$ 415,655,400
2023 New Construction	\$0	-\$957,700	\$9,435,200	\$ 8,477,500
2024 Adjusted Value	\$10,056,200	\$9,769,900	\$387,351,800	\$407,177,900
Valuation 2023	\$10,394,700	\$9,861,200	\$359,747,400	\$380,003,300
Increase to Existing Property	-3.26%	-0.93%	7.67%	7.15%
Increase Due to New Construction	0.00%	-9.71%	2.62%	2.23%
Hay Creek				
Valuation 2024	\$4,431,600	\$62,311,200	\$767,341,900	\$834,084,700
2023 New Construction	\$0	\$766,500	\$17,562,300	\$18,328,800.00
2024 Adjusted Value	\$4,431,600	\$61,544,700	\$749,779,600	\$815,755,900
Valuation 2023	\$4,578,200	\$59,127,200	\$699,884,800	\$763,590,200
Increase to Existing Property	-3.20%	4.09%	7.13%	6.83%
Increase Due to New Construction	0.00%	1.30%	2.51%	2.40%
Fort Rice				
Valuation 2024	\$1,131,700	\$1,467,000	\$56,706,600	\$59,305,300
2023 New Construction	-\$95,300	-\$313,000	\$598,100	\$189,800
2024 Adjusted Value	\$1,227,000	\$1,780,000	\$56,108,500	\$59,115,500
Valuation 2023	\$1,259,100	\$1,996,400	\$52,562,500	\$55,818,000
Increase to Existing Property	-2.55%	-10.84%	6.75%	5.91%
Increase Due to New Construction	-7.57%	-15.68%	1.14%	0.34%
City of Lincoln				
Valuation 2024	\$12,600	\$25,365,000	\$367,990,200	\$393,367,800
2023 New Construction	-\$2,200	\$993,200	\$5,940,700	\$6,931,700
2024 Adjusted Value	\$14,800	\$24,371,800	\$362,049,500	\$386,436,100
Valuation 2023	\$15,200	\$23,466,900	\$339,904,500	\$363,386,600
Increase to Existing Property	-2.63%	3.86%	6.52%	6.34%
Increase Due to New Construction	-14.47%	4.23%	1.75%	1.91%

2022

Increase Due to New Construction vs. Valuation Increase on Existing Properties

Township	Commercial		Residential	Total
	Farm Land*	Land & Bldg	Land & Bldg	
Lincoln				
Valuation 2024	\$2,039,000	\$49,787,400	\$427,835,100	\$479,661,500
2023 New Construction	-\$156,000	-\$205,100	\$5,380,200	\$5,019,100
2024 Adjusted Value	\$2,195,000	\$49,992,500	\$422,454,900	\$474,642,400
Valuation 2023	\$2,244,100	\$50,043,700	\$395,725,900	\$448,013,700
Increase to Existing Property	-2.19%	-0.10%	6.75%	5.94%
Increase Due to New Construction	-6.95%	-0.41%	1.36%	1.12%
Burnt Creek				
Valuation 2024	\$8,907,600	\$12,267,300	\$332,280,300	\$353,455,200
2023 New Construction	-\$141,600	\$209,800	\$7,219,200	\$7,287,400
2024 Adjusted Value	\$9,049,200	\$12,057,500	\$325,061,100	\$346,167,800
Valuation 2023	\$9,407,900	\$11,999,600	\$301,605,700	\$323,013,200
Increase to Existing Property	-3.81%	0.48%	7.78%	7.17%
Increase Due to New Construction	-1.51%	1.75%	2.39%	2.26%
Riverview				
Valuation 2024	\$4,655,700	\$7,483,700	\$112,687,700	\$124,827,100
2023 New Construction	\$0	\$18,800	\$823,900	\$842,700
2024 Adjusted Value	\$4,655,700	\$7,464,900	\$111,863,800	\$123,984,400
Valuation 2023	\$4,848,300	\$7,030,100	\$104,058,900	\$115,937,300
Increase to Existing Property	-3.97%	6.18%	7.50%	6.94%
Increase Due to New Construction	0.00%	0.27%	0.79%	0.73%
County & Small Cities (Excluding The City of Bismarck)				
Valuation 2024	\$444,228,800	\$238,381,900	\$3,038,600,450	\$3,721,211,150
2023 New Construction	-\$395,100	\$487,900	\$51,866,400	\$51,959,200
2024 Adjusted Value	\$444,623,900	\$237,894,000	\$2,986,734,050	\$3,669,251,950
Valuation 2023	\$458,707,100	\$232,346,400	\$2,790,476,000	\$3,481,529,500
Increase to Existing Property	-3.07%	2.39%	7.03%	5.39%
Increase Due to New Construction	-0.09%	0.21%	1.86%	1.49%

BURLEIGH COUNTY
2024 EXEMPTIONS
Wheelchair, Blind, New Home, 5 Year Remodel, & Geothermal

Property #	Exemption	Wheelchr/Blind	2 Yr New Home	5 YR Remodel	Geothermal	Total
APPLE CREEK						
39-138-79-00-19-200		\$100,000				\$100,000
39-138-79-12-00-040		\$49,300				\$49,300
39-138-79-11-03-010		\$100,000				\$100,000
	SUBTOTAL	\$249,300	\$0	\$0	\$0	\$249,300
BURNT CREEK						
24-140-80-00-31-600		\$100,000				\$100,000
24-140-80-73-01-030		\$100,000				\$100,000
24-140-80-50-02-040		\$160,000				\$160,000
24-140-80-92-02-080		\$160,000				\$160,000
	SUBTOTAL	\$520,000	\$0	\$0	\$0	\$520,000
GIBBS						
32-139-79-06-01-190		\$100,000				\$100,000
	SUBTOTAL	\$100,000	\$0	\$0	\$0	\$100,000
HAY CREEK						
31-139-81-72-05-150		\$100,000				\$100,000
31-139-80-17-01-050		\$100,000				\$100,000
31-139-81-00-24-810		\$100,000				\$100,000
31-139-81-60-01-300		\$100,000				\$100,000
	SUBTOTAL	\$400,000	\$0	\$0	\$0	\$400,000
LINCOLN						
38-138-80-48-05-040		\$160,000				\$160,000
38-138-80-48-03-010		\$100,000				\$100,000
38-138-80-48-04-121		\$100,000				\$100,000
38-137-80-61-01-010		\$100,000				\$100,000
	SUBTOTAL	\$460,000	\$0	\$0	\$0	\$460,000
CITY OF LINCOLN						
CL-138-79-19-05-030			\$75,000			\$75,000
CL-138-79-19-05-040			\$75,000			\$75,000
CL-138-79-20-01-110			\$75,000			\$75,000
CL-138-79-75-04-300			\$75,000			\$75,000
CL-138-79-76-02-120			\$75,000			\$75,000
CL-138-79-02-02-100		\$ 100,000				\$100,000
CL-138-79-21-01-020		\$ 100,000				\$100,000
CL-138-79-22-01-040		\$ 100,000				\$100,000
CL-138-79-23-01-050		\$ 100,000				\$100,000
CL-138-79-34-03-030		\$ 100,000				\$100,000
CL-138-79-35-01-050		\$ 160,000				\$160,000
	SUBTOTAL	\$660,000	\$375,000	\$0	\$0	\$1,035,000
MOBILE HOME						
01-035-00-00-01-590		\$8,199.00				\$8,199
01-095-00-00-02-544		\$18,938.00				\$18,938
01-025-00-00-04-708		\$49,388.00				\$49,388
01-125-00-00-05-780		\$85,344.00				\$85,344
01-125-00-00-05-096		\$81,090.00				\$81,090
	SUBTOTAL	\$242,959	\$0	\$0	\$0	\$242,959
		Wheelchair/Blind	2 Year New Home	5 Year Remodel	Geothermal	Total
	GRAND TOTAL	\$2,632,259	\$375,000	\$0	\$0	\$3,007,259

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
MAY 6, 2024**

5:00 P.M

Chairman Bitner called the Burleigh County Park Board meeting to order.

A roll call of members: Commissioners Herman, Munson, Bakken, Schwab, Behm and Chairman Bitner present; Comm. Woodcox absent.

Motion by Comm. Munson 2nd by Comm. Behm to approve the October 2nd, 2023 and March 18th, 2024 minutes and bills. All members present voted, "AYE." Motion carried.

Comm. Munson presented to the Board a report of a site visit to Driscoll Park, pertaining to the unearthing of a time capsule there which is to be opened on June 14th. Comm. Munson asked the Board how much maintenance – if any – should be done to Driscoll Park prior to the June 14th event. Munson also suggested the Board, along with the Burleigh County Highway Department, locate the capsule and unearth it prior to June 14th so that it can be ready for the opening on that day. Comm. Behm said that he knows a person who was there when the capsule was buried, and could try to get in touch with them to save some time locating the capsule. Both Chairman Bitner & Comm. Bakken commented that the windmill at the park should be repaired and maintained due to its vintage value, and some discussion was had about refurbishing many of the signs in and around the park.

An update on the quote for the dredging of a boat ramp at Kimball Bottoms was given to the Board. One quote was received from Midwest Dragline at \$6,200, which proved similar to last year's amount. It was also revealed that the US Army Corps of Engineers penned a letter asking to clean the parking lot and asphalt sloughing off the slope at Kimball Bottoms either establishing an RFP or getting the Water Resource Board to help. Motion by Comm. Munson 2nd by Comm. Bakken to hire Midwest Dragline at \$6,200 to begin the dredging process. All members present voted, "AYE." Motion carried.

It was also presented to the Board that the US Army Corps of Engineers approved the 404 permit to dredge Kniefel Boat ramp, and a quote was recently put out to determine the cost.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

Addenda item for June 3rd, 2024 Park Board Meeting

Description: Dave Mayer will lead us through the bid for the dredging of Kniefel Boat Ramp

Dredging is required again at this boat ramp. We have been receiving calls from many residents that are having issues with the silt that has been deposited around the ramp making this ramp useable by one boat at a time.

We did have a local resident reach out to us asking if they can have the material that is removed. We have confirmed with the Corp and the local building official that the silt can be used at the location and for the purpose that it was requested for.

Action: Approve the low bid.

Bismarck Parks and Recreation District
Sediment Dredging- Kniefel Boat Ramp
Quote Form

- I certify that I have read and can meet all the specifications.
 Copy of Insurance certificate is enclosed.
 Copy of North Dakota Contractor's License or Certificate of Renewal enclosed.

Total Cost for Dredging 199 CY : \$ 10,200⁰⁰

Per CY Price (if needed): \$0 for extra yardage

Business:

Midwest Dragline

Contact Person:

Ron Steiniger

Mailing Address:

4515 Hay Creek Drive

City, State, Zip:

Bismarck, ND 58503

Email:

midwestdragline@hotmail.com

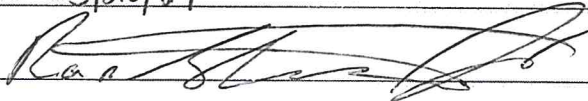
Phone(s):

701-220-5525

Date:

5/20/24

By (Signature):



COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

MAY 20TH, 2024

5:00 PM *Moment of silence in honor of former Burleigh County Comm. Mark Armstrong 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.

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

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the May 6th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Charles & Suzanna Hitchcock	2023	Block 20, Park Hill (aud lots), beg 92.5' N & 10' E of SW cor of Aud Lot 20, th E 54.7' N 7.5' E 94.3' N 125' W 149' S 132.5' to pt of beg	80% Disabled Veteran	\$75,300	\$0
KPJ LLC	2023	Block 4, Northern Pacific, S 105' of E1/2 of Lot 3	House was removed in November, prorated value for year	\$226,000	\$198,200
Margaret Bjelanovic	2023	Lot 1, Block 27, Sturgis	Error in property description	\$98,600	\$79,100
Daniel & Genevieve Welder	2023	Lot 15, Block 3, Wachter's 5th	100% Homestead Credit	\$286,500	\$86,500
Michael & Janette Fetch	2023	Lot 7, Block 2, Haycreek Meadows	90% Disabled Veteran	\$330,500	\$168,500
Craig Boeckel	2023	Block 1, Southport Phase II, Tract 1016 of Lot 2	50% Homestead Credit	\$480,700	\$380,700
Marilyn Schlosser	2023	Lot 13, Block 1, Edgewood Village 5th	50% Homestead Credit	\$384,100	\$284,100
Timothy & Debra Schumacher	2023	Lot 14, Block 4, Gateway Addition	50% Homestead Credit	\$302,700	\$202,700

Dianne Herr	2023	Lot 7, Block 1, Trenton 2nd Addition	50% Homestead Credit	\$316,400	\$216,400
Peggy Ann Freije-Ray	2022	Lot 1, Block 22, Jennings's 5th	100% Homestead Credit	\$245,400	\$120,400
Peggy Ann Freije-Ray	2023	Lot 1, Block 22, Jennings's 5th	100% Homestead Credit	\$286,000	\$86,000
Terry Palmer	2023	1971 Boise Cas Genora 66 x 14, #GA36M01740	100% Homestead Credit	\$7,269	\$0
Terry Palmer	2024	1971 Boise Cas Genora 66 x 14, #GA36M01740	100% Homestead Credit	\$7,269	\$0
Leona & Arnold Ziegler	2023	Lot 9, Block 9, Casey's 2nd	50% Homestead Credit	\$193,000	\$144,750
Kay & Dennis Berg	2023	Lot 22, Block 5, Cottonwood Parkview Addition	100% Homestead Credit	\$321,600	\$121,600
Luanda Makedonski	2022	NW1/4 beg @ NW1/4 S 1133', E 100' to TR POB E 300', N 435', W 300', S 435' to POB	50% Homestead Credit	\$192,800	\$180,289
Luanda Makedonski	2023	NW1/4 beg @ NW1/4 S 1133', E 100' to TR POB E 300', N 435', W 300', S 435' to POB	50% Homestead Credit	\$198,700	\$98,700

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Charles & Suzanna Hitchcock, KPJ LLC, Margaret Bjelanovic, Michael & Janette Fetch, Craig Boeckel, Marilyn Schlosser, Timothy & Debra Schumacher, Dianne Herr, Peggy Ann Freije-Ray (2), Terry Palmer (2), Leona & Arnold Ziegler, Kay & Dennis Berg, and Luanda Makedonski (2) abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Sheriff Leben came before the Commission and presented the renovation project at the building on 2000 North 52nd, also known as Burleigh East, to the Commission for discussion, as it had been tabled from the last commission meeting on May 6th per Sheriff Leben's request due to Comm. Woodcox's absence and Comm. Schwab's request for a packet containing the numbers. Motion by Comm. Woodcox, 2nd by Comm. Bakken to remove the item from the table for discussion. All members present voted "AYE". Motion carried. After some discussion about funding the project with some of the cash from the old jail fund, motion by Comm. Bakken, 2nd by Comm. Munson to table this item for the next meeting. All members present voted "AYE". Motion carried. Leben then presented to the Commission the liquor license renewal application for Crossroads Tavern. Due to several events and factors that arose within the last year, Leben recommended the Commission vote for a non-renewal of the liquor license, and to set a special meeting for May 31st for the Commission to review the matter and allow both sides to make their arguments. Chairman Bitner then set a special meeting of the Burleigh County Commission for May 31st at 10:00 am in the Tom Baker Room until further notice; no motion was needed. Leben presented to the Commission a variance to Burleigh

County policy, as a former deputy of the Burleigh County Sheriff's Department reapproached them and wishes to rejoin the department. Leben requested a variance to bring the deputy back at one step less than he was making for the six-month probation and then return him to his previous status following the probation's end. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the variance. All members present voted "AYE". Motion carried. Leben also briefly informed the Commission that the sheriff's department received notice from the state governor's office of an Emergency Management Assistance Compact (EMAC) request from the city of Milwaukee, Wisconsin, to assist with the Republican National Convention this summer; he didn't know if the governor authorized it, but the department indicated that it would consider sending up to four of its officers.

County Engineer Hall came forward and asked the Commission to certify the number of township road miles in each of the townships as required by the state of North Dakota; Hall recommended approval of the resolution. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution. All members present voted "AYE". Motion carried. Hall then presented the Commission a request of a wavering of a county policy requiring a developer to pave all the roads internally in a particular plat they put together as well as one road connecting their plat to a paved road system; the requestor in question was in Menoken Township. The request doesn't preclude the county from requiring them to construct/pave that portion at some point in the future. Hall recommended approval of the resolution; motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution. All members present voted "AYE". Motion carried. Hall then presented a request that was brought to the Highway department initially by a contractor to work on the first three miles of Highway 10 starting from Bismarck City limits. Since the commission passed a weight limit resolution on that section of road, Hall denied the request as he thought that it needed commission approval; however, he did promise the contractor to bring the matter to the Commission. Motion by Comm. Munson, 2nd by Comm. Woodcox to deny the request. Munson and Woodcox voted "AYE"; Bakken, Schwab, and Bitner voted "NAY". Motion failed. Motion by Comm. Bakken, 2nd by Comm. Schwab to allow for the variance on a week-to-week basis while monitoring the road, maintaining the 55 mph speed limit, and requiring the highway department to set up a haul road inspection and hold the contractor responsible for repairing any damage done to the road. Bakken, Schwab, Woodcox, and Bitner voted "AYE"; Munson voted "NAY". Motion carried. Hall then presented the Commission a developer agreement from Summit Point to review and recommended to approve. Motion by Comm. Bakken, 2nd by Comm. Munson to approve as recommended. All members present voted "AYE". Motion carried. Hall lastly brought to the Commission's attention an easement request by MDU to bore under county property, and asked the Commission on how the Highway department should proceed. After some deliberation, motion by Comm. Bakken, 2nd by Comm. Munson to table the item for next meeting and let Hall negotiate with MDU for a better deal for the county. All members present voted "AYE". Motion carried.

Extension agent Kelsey Deckert brought to the Commission some proposed office closure dates in anticipation of the upcoming Burleigh County Achievement Days. Deckert said that the extension offices will be closed July 9th from 2:30 to 5pm, and all day on July 11th as well as November 5th through 7th. No action was required.

County HR Director Binder presented the Commission a memo of the county health insurance plan summary to go over the numbers, data, and trends of previous years. Binder also presented a recommendation by the Health Insurance Committee to do an 8 percent increase for 2025 health

insurance; the employee-employer split would be 95 percent to 5 percent. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the increase. All members present voted "AYE". Motion carried.

Finance Director Jacobs came next and resumed the discussion concerning the Burleigh/Morton Detention Center sales tax bond. Jacobs informed the Commission that there was a change with the county's escrow account: it was revealed that the bond was originally a tax exempt bond but was refunded as a taxable item, and that the county has the option to pay off at the earliest maturity date or any date thereafter. Deputy Finance Director Taylor Schmidt stepped in as well and elaborated on this point, adding that Morton County is estimated to have enough cash to meet its obligations for the bond in September, but issues in timing on starting the process is of concern. Jacobs expressed that both Burleigh and Morton County would benefit greatly from paying this off sooner rather than later, and that the end of Q2 would be the best time to do so. To do so, the next steps would include liquidating and reinvesting investments from BND (which includes finding a professional or professional service to do it), funding Morton County's escrow account, verifying investments with a CPA firm, work with the bond council, and repurchasing bonds as an investment (although discussion on this option is still ongoing). Jacobs ended with requesting the Commission for permission of approval of these steps: to liquidate holdings at BND, contract with a bidding agent or financial planner, buy securities to fund the escrow, contract with the verification agent, and guidance to approach Morton County about the escrow agreement. After some deliberation, the Commission decided not to take any action at this time.

County Planning Director Flanagan brought to the Commission an upgraded service agreement with the City of Lincoln. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the service agreement. All members present voted "AYE". Motion carried. Flanagan then talked about beginning an application for the Community Ratings System (CRS) as a cost share between the Emergency Management Department and Water Resource District and could result in lower insurance rates for citizens in Burleigh County. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve and move forward with the process. All members present voted "AYE". Motion carried.

Comm. Munson presented to the Commission a request to reconsider funding for the Lewis and Clark Development group and asked for consideration last year's payment of \$92,000. Comm. Bakken expressed being in favor of fully funding this next budget cycle, while Comm. Schwab requested a full list of those who benefit from the funds. Comm. Munson promised to take steps to further research and provide the lists Comm. Schwab requested. No further action was taken.

Chairman Bitner brought out the notes he mentioned from last meeting concerning the carbon capture utilization and storage issue, and continued to highlight flaws and dishonesties in Summit Carbon Solutions' pipeline project.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer


Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-604	Kerry Gullickson	2022	Lot 33, Block 23, Southwood Terrace 2nd Rep	Error in property description	\$258,800	\$257,600
24-605	Kerry Gullickson	2023	Lot 33, Block 23, Southwood Terrace 2nd Rep	Error in property description	\$272,600	\$271,400
24-612	Sharon M Wheeler	2022	Tract 1240 of part of Lots 3 & 7, Block 1, Southport Phase II	Error in property description	\$506,200	\$461,500
24-613	Sharon M Wheeler	2023	Tract 1240 of part of Lots 3 & 7, Block 1, Southport Phase II	Error in property description	\$530,700	\$486,000
24-614	Leroy & Christi Mittleider	2023	Lot 4, Block 4, East Meadows Estates	90% Disabled Veteran	\$299,500	\$263,500
24-617	Dan & Pam Bauer	2023	1975 Marshfield 14 x 70, #19236	100% Homestead Credit	\$7,526	\$0
24-618	Harold & Rita Gefroh	2022	Lot 9, Block 11, Sonnet Heights Subdivision	10% Homestead Credit	\$316,700	\$304,189
24-619	Harold & Rita Gefroh	2023	Lot 9, Block 11, Sonnet Heights Subdivision	100% Homestead Credit	\$324,300	\$124,300
24-620	Gary & Murian Vennie	2023	Lot A in SW1/4	100% Homestead Credit	\$85,700	\$0
24-621	Gale McHenry	2022	Lot 3, Block 10, Replat of Calkins	40% Homestead Credit	\$220,000	\$195,000
24-622	Robert Schmidt	2023	2000 Skyline 16 x 76, #D9300471N	100% Homestead Credit	\$40,468	\$0
24-623	Robert Schmidt	2024	2000 Skyline 16 x 76, #D9300471N	100% Homestead Credit	\$40,468	\$0

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Black Leg Brewery, LLC Classification of License BIB

Primary Contact Jay Down Phone 

Address 24750 62nd AVE SE McKenzie Date of Birth/Incorporation 2018

Is this a renewal of liquor license? Yes No

If yes, give date of original application 2018

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Black Leg Brewery LLC

Residence 

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Jay Down		Bismarck ND 58503	100

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

BIB

Exact legal description of proposed enterprise:

Micro Brewery

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor: Yes No

If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No

If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. First International Bank - Jeff Guing - Business operating loan
2. Starline Bank - Don Morgan - Business advisor
3. American Beer Equipment - Equipment manufacturer

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

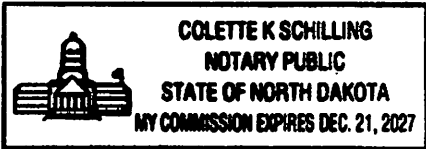
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.



 Signature of Applicant

Subscribed and sworn to before me this 22nd day of May, 2024



Colette K Schilling

 Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

 County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Logan approve the
(Name of Township)

application for a Type BB Retail Liquor License for

Black Leg Brewery
(Name of Establishment)

owned by Jay Doan
(Licensee)



[Signature]
Chairman

[Signature]
Member

Patrick R. Heaton
Member

ATTEST

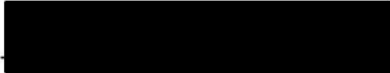
Correne Heaton
(Township Clerk)

24-008

21017-FG
443572C
Chantweels

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Compass ND LLC Classification of License F1

Primary Contact James Houtman Phone 

Address 7500 University Drive Date of Birth/Incorporation 8/17/2017

Is this a renewal of liquor license? Yes No

If yes, give date of original application 10/13/2017

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant N/A

Residence _____

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
<u>Please see attached</u>			

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
<u>N/A</u>			

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

N/A

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise:

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes No
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. N/A

2.

3.

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

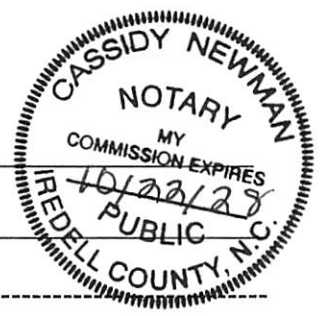
I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Signature of Applicant

Subscribed and sworn to before me this 15th day of May, 2024

Cassidy Newman

Notary Public




Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

Compass Group ND LLC

Name	Address	Title	%
McConnell, Jennifer			0%
Meredith, Adrian L.			0%
Rossitch, Richard James			0%
Compass Group USA, Inc			100%

24-007


21017 - FG

443571C

Chesters

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Compass ND, LLC Classification of License I

Primary Contact James Houtman Phone 

Address 7500 University Drive Date of Birth/Incorporation 8/17/2017

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 10/13/2017

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant N/A

Residence _____

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
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Please see attached

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

N/A

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

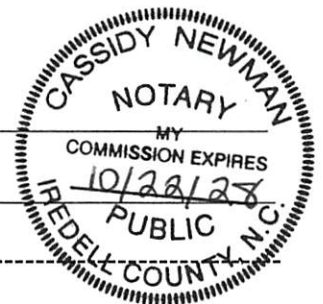


Signature of Applicant

Subscribed and sworn to before me this 15th day of May 2024



Notary Public




Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

Compass Group ND LLC

Name	Address	Title	%
McConnell, Jennifer			0%
Meredith, Adrian L.			0%
Rossitch, Richard James			0%
Compass Group USA, Inc			100%



Burleigh County Auditor's Office

221 N 5th St
Bismarck ND 58501
(701) 222-6718
burleighco.com



Fireworks Display Permit Application

The following information is required for submission to complete the Fireworks Permit:

1. Certificate of Insurance: The permittee shall furnish a bond or insurance in an amount of two hundred fifty thousand dollars (\$250,000.00) per individual or five hundred thousand dollars (\$500,000.00) per occurrence, conditioned for the payment of all potential damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any act of the permittee, its agents, employees or subcontractors.
2. Certificate showing current certification (current license) as a Pyrotechnic Operator as well as a copy of a current picture identification.
3. Diagrams of display area, discharge layout, and description of materials to be discharged.
4. How pyrotechnic material will be stored.
5. If applicable, how crowd control will be conducted to maintain a safe firing area.
6. Date, location, and time of display.
7. Contact information including email and telephone numbers.

ND Century Code dictates that every application for a permit must be made in writing at least fifteen (15) days in advance of the date of the display; however, due to regularly scheduled Burleigh County Commission Meeting dates and time for review, **Burleigh County requests applications at least thirty (30) day in advance of the display.**

The application will be referred for an investigation to determine whether the operator of the display is competent and whether the display is of such character and is to be located, discharged, or fired that it will not be hazardous to property or endanger any person. If the investigation reports that the operator is competent and that the display as planned will conform to safety requirements, including the rules and regulations of the State Fire Marshal, the Auditor shall issue a permit for the display when the applicant pays a permit fee of two dollars (\$2.00). After the permit has been granted, sales, possession, use, and distribution of fireworks for such display are lawful for that purpose only. No permit granted hereunder is transferable. The State Fire Marshal shall adopt reasonable rules and regulations not inconsistent with the provisions of NDCC 23-15 to ensure that fireworks displays are given safely.

The penalty for failure to obtain a permit is a Class B Misdemeanor (NDCC 23-15-06: a maximum sentence of 30 days in jail and up to a \$1,500 fine).

Fireworks Display Permit Application (cont.)

Description of Event/Display	<u>Driscoll 4th of July Celebration</u>		
Job Value	_____	Display Date	<u>7-4-2024</u>
Display Address	<u>39th Ave SE Driscoll, ND 58532</u>		
Name of Pyrotechnics Contractor	<u>Jerry Keller</u>		

Applicant, Owner, Contractor, and Pyrotechnic Information

NOTE: The applicant's email address will be the primary contact during application, review, and inspection processes.

Applicant Information

Name Driscoll Betterment Club / Scott Whitman
Address 36742 Hwy 10 Driscoll, ND 58532
City Driscoll State ND Zip 58532
Phone [REDACTED] Email N/A

Owner Information

Name Alvin Fried
Address [REDACTED]
City Driscoll State ND Zip 58532
Phone [REDACTED] Email N/A

Contractor Information

Name Driscoll Betterment Club / Scott Whitman / President
Address 36742 Hwy 10
City Driscoll State ND Zip 58532
Phone [REDACTED] Email N/A

Fireworks Display Permit Application (cont.)

Pyrotechnician Information

Name Jerry Keller
Address [REDACTED]
City Bismarck State ND Zip 58501
Phone [REDACTED] Email [REDACTED]

Pyrotechnician Business Information

Name J & J Fire works
Address 3408 Thunderbird Lane
City Bismarck State ND Zip 58503
Phone [REDACTED] Email [REDACTED]

Submittal

Scott Whitman 5-15-24
Applicant Name Date Submitted

Burleigh County Auditor Date Received

Fee Received Yes No Date Received _____

Approval

ND Fire Marshal Date

Burleigh County Chairperson Date

Date: May 15, 2024

To: Auditor Splonskowski and Burleigh County Commission

From: Lonnie Jay Binder, Driscoll Betterment Club Treasurer

Subject: Driscoll's Annual 4th of July Fireworks Show Permit

The Driscoll Betterment Club (a nonprofit organization) has once again hired J & J Professional Fireworks of Bismarck to put on our Fireworks display for our annual 4th of July Celebration on July 4, 2024.

I will provide a brief history of the Driscoll 4th Of July Celebration. Driscoll is a small town on the eastern edge of Burleigh County, thirty-two (32) miles east of Bismarck. On July 4th, 1983 the town of Driscoll celebrated its Centennial. The celebration was such a success that the town residents decided to have an annual 4th of July Celebration. July 4, 2023 will mark the 40th Annual Driscoll 4th of July Celebration. The Driscoll Betterment Club took over the planning and execution of the annual Driscoll 4th of July Celebration from the 4th of July Committee. A good share of the Driscoll Betterment Club members are children of the original Driscoll 4th of July Committee members that started the 4th of July Celebration. It is a proud tradition of the town of Driscoll and many area town's residents attend this celebration every year.

Listed below is a list of the events going on in Driscoll on July 4, 2024:

- Bingo under the Shelter
- Mud Volleyball Tournament
- The Mr. Bubble clean fun slip and slide
- Dunking Booth
- Inflatables for kids
- Lawn tractor-train rides for kids
- Kids street games
- Food Vendors
- Craft Vendors
- Opening Ceremony with Wing Veteran's Club and Steele Amvets Color guards
- Kiddie Parade
- Regular Parade
- Antique Airplane flyover
- Button Prizes
- Raffle with great prizes
- DJ music street dance
- Professional Fireworks Show

The Sterling Rural Fire Department has agreed to be in Driscoll and on standby during the fireworks display. The water truck will remain on site after the fireworks have been ignited for the remainder of the night and the next day. In past years when it has been dry the Steele Fire Department has also brought a couple of their grass rigs to Driscoll for both the parade and as standby for the fireworks afterward.

The Burleigh County Sheriff's department has been made aware of all of our previous celebrations in the past and security is always hired. Both of these will be done again, as the time gets closer.

The Driscoll Betterment Club is requesting the approval of this permit application from Burleigh County so that we can still have our fireworks show if a burn ban is put into place.

Thank you for your consideration!



NOTICE OF CLEARANCE

for individuals transporting, shipping, receiving, or possessing explosive materials.

ISSUED TO: J & J FIREWORKS LLP

Federal Explosives license/permit no.: 3-ND-015-53-4H-00125

NOTICE DATE: 08/05/2021

Expiration Date: August 1, 2024

EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

Explosives License/Permit Type: 53-DEALER OF EXPLOSIVES

- 1 **WARNING.** Only those individuals listed below as RESPONSIBLE PERSONS and EMPLOYEE POSSESSORS with a background clearance status of "CLEARED" or "PENDING" are authorized to transport, ship, receive, or possess explosive materials in the course of employment with you.
- 2 **"DENIED" STATUS.** If an employee possessor has a background clearance status of "DENIED", you MUST take immediate steps to remove the employee from a position requiring the transporting, shipping, receiving, or possessing of explosive materials. Also, if the employee has been listed as a person authorized to accept delivery of explosive materials, you MUST remove the employee from such list and immediately, and in no event later than the second business day after such change, notify distributors of such change, as stated in 27 CFR 555.33(a).
- 3 **CHANGE IN RESPONSIBLE PERSONS.** You MUST report any change in responsible persons to the Chief, Federal Explosives Licensing Center, within 30 days of the change and new responsible persons MUST include "appropriate identifying information" as defined in 27 CFR 555.11. Fingerprints and photos are NOT required, however they will be required upon renewal of the license or permit.
- 4 **CHANGE OF EMPLOYEES.** You MUST report any change of employee/possessors to the Chief, FELC, within 30 days. Reports relating to newly hired employees must be submitted on ATF Form 5400.28 for EACH employee.

Premises Address: 3408 THUNDERBIRD LANE
BISMARCK, ND 58503

Mailing Address:

J & J FIREWORKS LLP
J & J FIREWORKS
3408 THUNDERBIRD LANE
BISMARCK, ND 58503

This 'Notice of Clearance' is provided to you as required by 18 U.S.C. 843(h) and MUST be retained as part of your permanent records and be made available for examination or inspection by ATF officers as required by 27 CFR 555.121. If you receive a Notice subsequent to this Notice, this Notice will no longer be valid.

In accordance with 27 CFR 555.33, Background Checks and Clearances, and 27 CFR 555.57, Change of Control, Change in Responsible Persons, and Change of Employees, ATF's Federal Explosives Licensing Center (FELC) has conducted background checks on the individual(s) you identified as a responsible person(s) and an employee/possessor(s) on your application, or reported after the issuance of your license/permit.

The following is a SUMMARY of the results of the background checks conducted on the individuals you reported as responsible persons and employee/possessors. ATF will be notifying ALL individuals listed on this document of their respective status by separate letter mailed to their residence address.

PLEASE BE ADVISED THAT IT IS UNLAWFUL FOR ANY PERSON REFLECTING A STATUS OF "DENIED" TO TRANSPORT, SHIP, RECEIVE, OR POSSESS EXPLOSIVE MATERIALS.

Please carefully review this Notice to ensure that all the information is accurate. If this Notice is incorrect, please return the Notice to the Chief, FELC, with a statement showing the nature of the error(s). The Chief, FELC, shall correct the error, and return a corrected Notice.

Number of RESPONSIBLE PERSON(S) : 2
Number of EMPLOYEE POSSESSOR(S): 0

LAST NAME, First Name, Middle Name Clearance Status

RESPONSIBLE PERSONS:

001 KELLER, JAMES ALLAN
001 KELLER, JERRY MICHAEL

2

Cleared

Cleared

EMPLOYEE POSSESSORS:

0

continued

LAST NAME, First Name, Middle Name Clearance Status

Premier Pyrotechnics, Inc.

certifies to all that

Jerry Keller

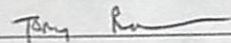
*Has successfully completed a course in NFPA -1123
and has fulfilled the requirements to be qualified as*

Pyrotechnician

April 24, 2004 under the Training Board seal.



Matt Sutcliffe - Lead Instructor

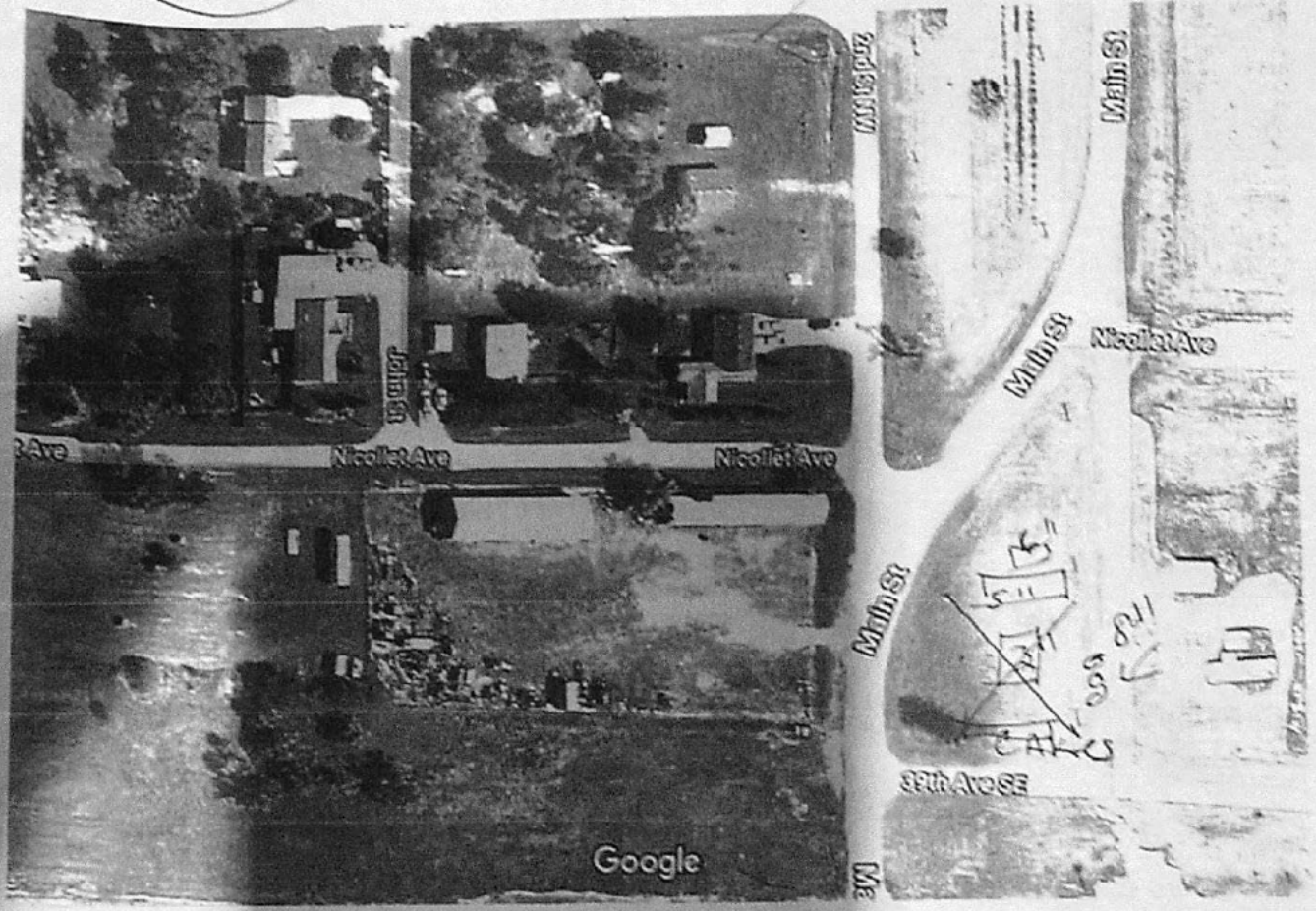


Tony Ramberg - Area Coordinator

5/30/22 8:59 PM

Google Maps

#3



Imagery ©2022 Maxar Technologies, USDA/PPAC/Geo, Map data ©2022 100 ft

#1

Contact: Jerry Kellee
 [Redacted]
 [Redacted]

#4

Fireworks are stored in an Inspected Location and certified by the BATF. They will be transported in a trailer Inspected by the BATF.

5/30/22, 8:57 PM

Google Maps

detour

closed at time of lighting



Fireworks Show

closed at time of lighting

Imagery ©2022 CNES / Airbus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2022 500 ft

akes

- 3" shells*
- 5" shells*
- 6" shells*
- 8" shells*





STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
 www.attorneygeneral.nd.gov
 (701) 328-2210

Drew H. Wrigley
 ATTORNEY GENERAL

State Fire Marshal
 1720 Burlington Dr., Ste. 8
 Bismarck, ND 58504
 (701) 328-5555

June 29, 2022

J&J Fireworks
 ATTN: Jerry Keller

[REDACTED]
 Bismarck ND 58503
 [REDACTED]

RE: Driscoll Betterment Club – Fireworks Display – 39th Ave SE, Driscoll ND – July 4, 2022

Mr. Keller,

We have reviewed the fireworks/pyrotechnic plans for code compliance for the above noted event. The fireworks/pyrotechnic plans appear to meet the minimum requirements required by the North Dakota State Fire Marshal's Office.

NOTE:

- 1) The operator shall have primary responsibility for safety during transport, set up, display and post event.
- 2) Operators and operating assistants must meet the minimum qualifications as outlined by Chapter 10 of NFPA 1123 (2018 Edition).
- 3) Set up and operation of the display must meet the minimum code standards of the International Fire Code (2018 Edition) and NFPA 1123 (2018 Edition).
- 4) Cancellation procedures may be implemented by the local authority having jurisdiction (Sterling Rural Fire Protection District) for any but not limited to one of the following:
 - a. Fire danger is 'extreme' or 'red flag' level according to the ND Fire Danger Guide
 - b. If the potential wind speeds, inclusive of gusts, meet or exceed 20 MPH
 - c. Wind direction endangers person(s) or property
 - d. Thunderstorm or tornado warnings
 - e. Practices or conditions identified that do not meet minimum code requirements or would present an imminent fire and/or life safety hazard.

Please feel free to contact my office with any questions or concerns.
 Have a happy and safe 4th of July Celebration!

Respectfully,


Kimberly L. Ersland


Kimberly L. Ersland
 Chief Deputy State Fire Marshal
 [REDACTED]

cc: Fire Chief Melissa Meland, Sterling Rural Fire Protection District
 Emergency Manager Mary Senger, Burleigh County Emergency Management
 Kerry Berg, Driscoll Betterment Club

APPLICATION FOR LIQUOR LICENSE

Name of Applicant FLASH'S PLACE LLC Classification of License D

Primary Contact Wendelyn Krows Phone 

Address  Sterling ND Date of Birth/Incorporation 6-2012


Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 6-2012

Check one of the following to indicate who is applying for the license:

- X 1. A physical resident and citizen of the State of North Dakota; or
- X 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- _____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Wendelyn Krows
 Residence  Sterling ND 58572
 Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
<u>Wendelyn Krows</u>		<u>Sterling ND</u>	<u>100%</u>

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

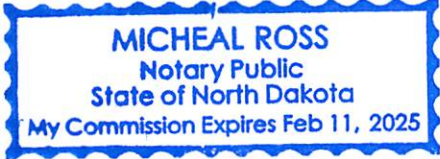
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Wendelene Thoms

 Signature of Applicant

Subscribed and sworn to before me this 29th day of May, 2024



[Signature]

 Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

 County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of sterling approve the
(Name of Township)

application for a Type D Retail Liquor License for

FLASH'S PLACE
(Name of Establishment)

owned by Wendelyn Krous  sterling
(Licensee)

[Signature]
Chairman

[Signature]
Member

[Signature]
Member

ATTEST

[Signature]
(Township Clerk)

24-004



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02/2018)

G- _____ (____)____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization **Hazelton Lions Club, Inc.**

The above organization is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location

Name of Location Moffit Bar			
Street 102 Mains St. N	City Moffit	ZIP Code 58560	County Burleigh
Beginning Date(s) Authorized 7/1/24		Ending Date(s) Authorized 6/30/25	Number of twenty-one tables if zero, enter "0":
Specific location where games of chance will be conducted and played at the site (required) Placement of Machine: North wall at east end; Play Area of Game: Entire bar area, exc			
If conducting Raffle or Poker activity provide date(s) or month(s) of event(s) if known			

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheels with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above Mark Splonskowski, Burleigh County Auditor	

INSTRUCTIONS:

1. City/County-Retain a **copy** of the Site Authorization for your files.
2. City/County-Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (Rev. 08-2019)

License Number (Office Use Only)

Site Owner (Lessor) Nicholson's Enterprises Llc		Site Name Moffit Bar		Site Phone Number [REDACTED]	
Site Address 102 Main Street N		City Moffit		State ND	
Organization (Lessee) Hazelton Lions Club, Inc.		Rental Period 7/1/2024 to 6/30/2025		Zip Code 58560	
				County Burleigh	
1. Is Bingo going to be conducted at this site?				Monthly Rent Amount	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted?				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
2. Is Twenty-One conducted at this site?				\$	
Number of Tables with wagers up to \$5 _____		X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
Number of Tables with wagers over \$5 _____		X Rent per Table \$ _____		\$	
3. Is Paddewheels conducted at this site?				\$	
Number of Tables _____		X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site?				\$	
Please check: <input type="checkbox"/> Jar Bar		<input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
<input checked="" type="checkbox"/> Electronic Dispensing Device		Number of Electronic Devices _____ 4		\$ 200.00	
Total Monthly Rent				\$ 400.00	

5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here.

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.


The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor Dannell Nicholson	Title Owner Of Moffit Bar (lessor)	Date 5-19-24
Signature of Lessee Thomas M. Shea	Title Lions Club President (lessee)	Date 5/11/2024

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Nicholson Enterprises LLC Classification of License D

Primary Contact Darnell Nicholson Phone 

Address u Sterling, ND Date of Birth/Incorporation _____


Is this a renewal of liquor license? Yes No _____

If yes, give date of original application June 7th 2000

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- _____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- _____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Darnell Nicholson
 Residence Sterling, ND
 Post Office Address 

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

Darnell's Restaurant 2002-Aug.
Sterling Bar 2003-June
Nicholson Tavern Hazelton, ND-Jan 2006

Exact legal description of proposed enterprise:

Moffit TownSite Block 14 Lot 17

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No

If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:

Yes No

If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No

If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. McQuade Distributing - Purchasing
2. Jerome Distributing - Purchasing
3. Bank of Hazelton Checking & Loan

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

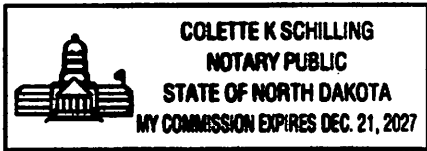
I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Darnell Nicholson
 Signature of Applicant

Subscribed and sworn to before me this 29th day of May, 2024



Colette K Schilling
 Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

 County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Long Lake approve the
(Name of Township)

application for a Type D Retail Liquor License for

Moffit Bar
(Name of Establishment)

owned by Nicholson Enterprises Sterling MD
(Licensee) (Address) 58572

Shane Carrell

Chairman

Chad Johnson

Member

Heaven Berg


Member

ATTEST

Pam Towne
(Township Clerk)

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Rolling Plains Adventures LLC Classification of License C

Primary Contact Jeremy Doan Phone 

Address 24750 62nd Ave SE, Mckenzie, ND 58572 Date of Birth/Incorporation 2000

Is this a renewal of liquor license? Yes No


If yes, give date of original application June 30, 2012

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Jeremy Doan

Residence 

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

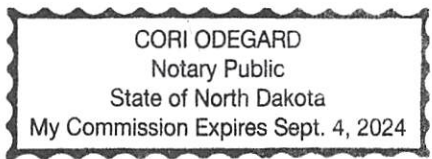
I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

[Signature]
Signature of Applicant

Subscribed and sworn to before me this 2nd day of MAY, 2024



[Signature]
Notary Public
Burling County ND

Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL


To: Burleigh County Auditor


We, the Township Board of Logan approve the
(Name of Township)

application for a Type C Retail Liquor License for

Rolling Plains Adventures LLC
(Name of Establishment)

owned by Jeremy Doan 4607 Granite Dr, Bismarck, ND 58503
(Licensee) (Address)


Chairman


Member

Patrick R. Heaton
Member

ATTEST

Correne Heaton
(Township Clerk)

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES "SE"

Local Fee: \$25.00

Applicant (must have county license) TNT Tavern

1. Name of Licensee Travis Kocourek

2. Name of Business TNT Tavern, LLC

3. Mailing Address 212 John St, Driscoll ND 58532

4. State Alcoholic Beverage License Number AA-01836 5. Local License Number(s) 21-001

6. Date(s) and Time of Special Event 4th of July street dance Sprrlam

7. Describe Special Event Fully street dance in front of bar

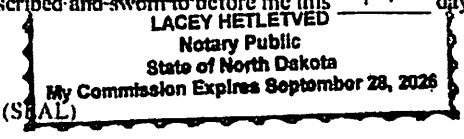
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 17 day of April, 20 24

Travis Kocourek
(Licensee)

BY _____
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 17 day of April, 20 24



Lacey Hetleved
(Notary Public)

Recommendation Approved _____ Denied _____ If denied, reason for denial: _____

[Signature]
(Burleigh County Sheriff) (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this _____ day of _____, 20 _____

(County Auditor)

**APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL**

To: Burleigh County Auditor

We, the Township Board of Driscoll approve the
(Name of Township)

application for a Type SE Retail Liquor License for

4th of July

TnT Tavern LLC

(Name of Establishment)

owned by Travis Kocourek
(Licensee)

Scott Whitten
Chairman

Lois Long
Member

Shawn Hazobe
Member

ATTEST

[Signature]
(Township Clerk)

DESCRIPTION OF PREMISES

1. Are premises located within the County of Burleigh? Yes No

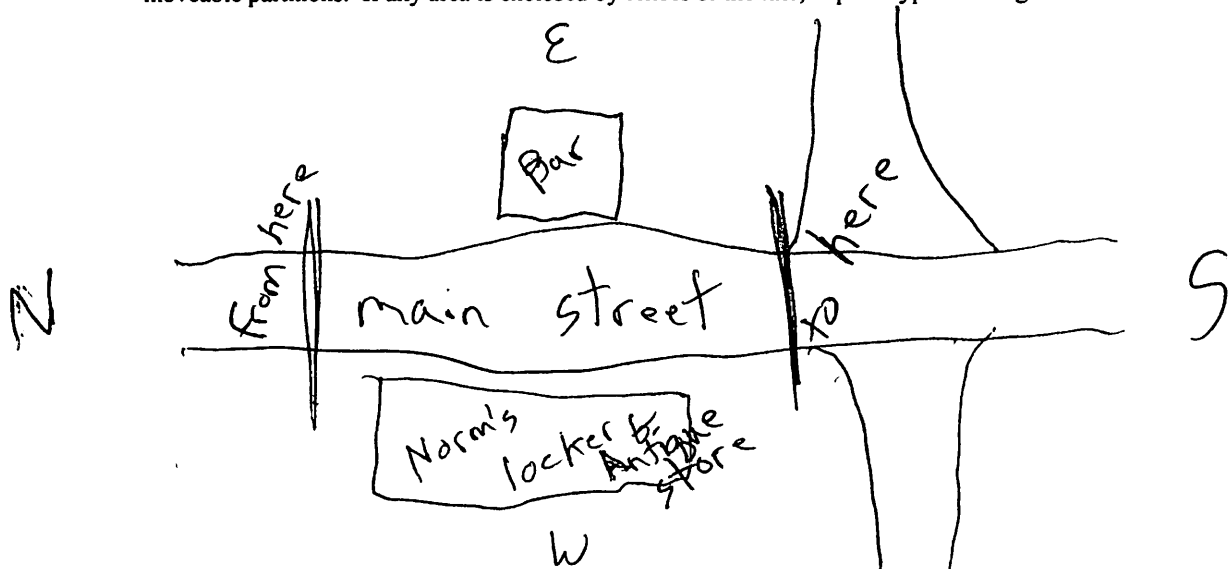
2. Address of premises:

21 Main St Driscoll 58532
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: main street

4. Do premises meet local and state requirements regarding sanitation and safety? Yes No

5. Draw a clear and understandable floor plan of the premises. Show all exits, bars, dining areas (if any), beverage coolers and beverage storage areas. Indicate which are solid walls, half walls, dividers, and moveable partitions. If any area is enclosed by fences or the like, explain type and height.



6. What part of the building will be used for the alcoholic beverage business (sale of beverages and consumption of beverages sold)? All Less than all. If less than all, fully explain and clearly indicate on the floor plan (outline with a different color):

24004

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES "SE"

Local Fee: \$25.00

- Applicant (must have county license) Tnt Tavern
1. Name of Licensee Travis Kocoursek
2. Name of Business Tnt Tavern, LLC
3. Mailing Address 212 John St, Driscoll ND 58532
4. State Alcoholic Beverage License Number AA-01836 5. Local License Number(s) 21-001
6. Date(s) and Time of Special Event June 7-9
7. Describe Special Event Fully Abate bike rally

8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 17 day of April, 20 2024

Signature of licensee: Tom Kumb

BY (Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 17 day of April, 20 24



Signature of Notary Public

Recommendation [X] Approved ___ Denied ___ If denied, reason for denial: ___

Signature of Burleigh County Sheriff: Sully Pl

(Burleigh County Sheriff) (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this ___ day of ___, 20___

(County Auditor)

DESCRIPTION OF PREMISES

1. Are premises located within the County of Burleigh? Yes No

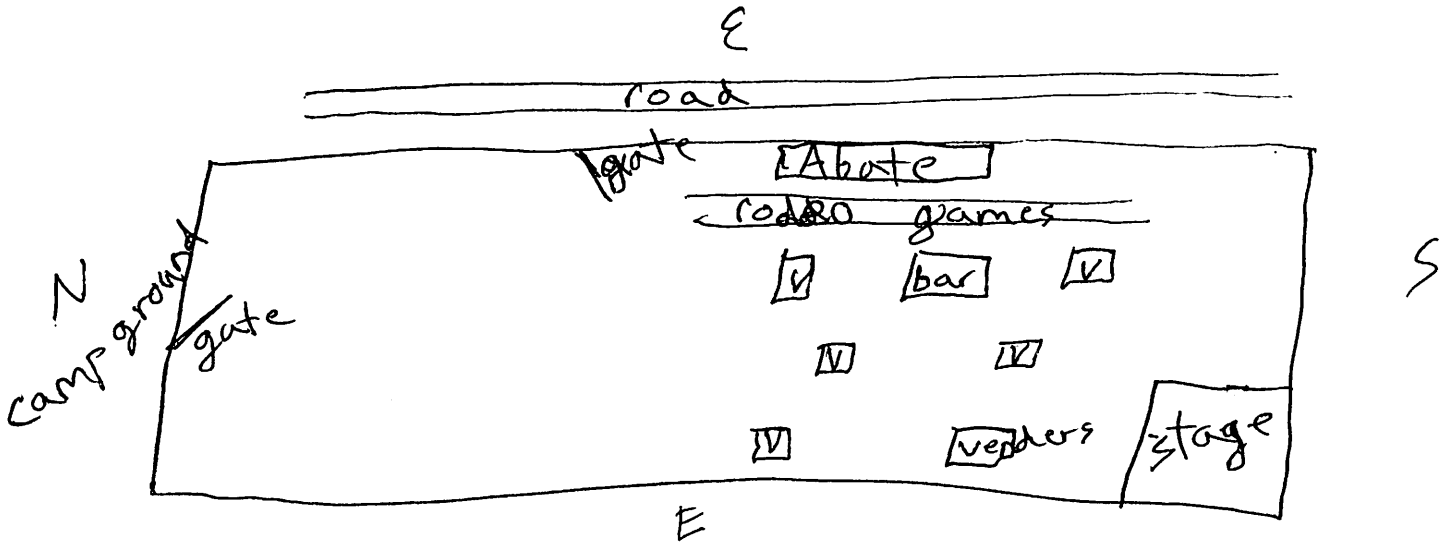
2. Address of premises:

Menoken 4-H picnic grounds (Menoken Grove) 58558
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: Menoken Grove

4. Do premises meet local and state requirements regarding sanitation and safety? Yes No

5. Draw a clear and understandable floor plan of the premises. Show all exits, bars, dining areas (if any), beverage coolers and beverage storage areas. Indicate which are solid walls, half walls, dividers, and moveable partitions. If any area is enclosed by fences or the like, explain type and height.



6. What part of the building will be used for the alcoholic beverage business (sale of beverages and consumption of beverages sold)? All Less than all. If less than all, fully explain and clearly indicate on the floor plan (outline with a different color):

**APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL**

To: Burleigh County Auditor

We, the Township Board of Menoken approve the
(Name of Township)

application for a Type SE Retail Liquor License for

Tnt Tavern
(Name of Establishment)

owned by Travis Kocourek Bar-31 Main St Driscoll
(Licensee) (Address)

Scott Jultz

Chairman

Sean Acme

Member

Stacy MacL...

Member

ATTEST

Belinda Maher
(Township Clerk)

Bismarck Mandan Security Inc

P.O. Box 744
428 Airport Road
Bismarck, ND 58502
Phone 701-223-2328 Fax 701-223-7969

INVOICE

DATE	INVOICE #
4/26/2024	12130

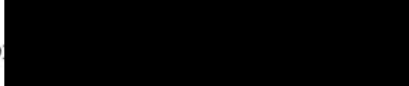
PAID
04/26/2024

TNT Tavern
Travis 701-204-3096

QUANTITY	ITEM	DESCRIPTION	RATE	AMOUNT
1	Guard	Security Guard Services Driscoll Street Dance - 7/4/24 1 Guard 8pm-1am	250.00	250.00
TERMS - NET 30. PLEASE REMIT TO ABOVE ADDRESS.			TOTAL	\$250.00

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Tnt Tavern Classification of License D

Primary Contact Travis Kocourek Pho 

Address 31 S. Main St, Driscoll ND Date of Birth/Incorporation 10.1.15
58532

Is this a renewal of liquor license? Yes X No _____


If yes, give date of original application 10.1.15

Check one of the following to indicate who is applying for the license:

- X 1. A physical resident and citizen of the State of North Dakota; or
- _____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- _____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Travis Kocourek

Residence 

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise: Driscoll 1st Addition
Block 7 Lots 1-3

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes No
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

- | | |
|---------------------------------|--------------|
| 1. First Community Credit Union | member |
| 2. Stifel | stock holder |
| 3. Investment Center of America | member |

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

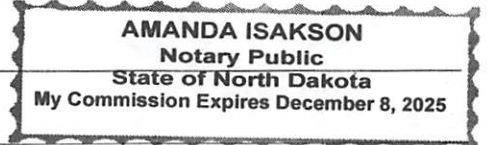
I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Tom Kanda

Signature of Applicant

Subscribed and sworn to before me this 23rd day of April, 2024

Amanda Isakson
Notary Public



Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Driscoll approve the
(Name of Township)

application for a Type D Retail Liquor License for

yearly
TNT Tavern LLC
(Name of Establishment)

owned by Travis Kucurek 212 John St
(Licensee) (Address) Driscoll, ND
58532

Scott Whitman
Chairman

Loren Long
Member

Shawn Haysle
Member

ATTEST

[Signature]
(Township Clerk)

ITEM

6



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Appeal of Complaint Form CF.103 Sent 5-17-2024
Date: 5-28-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Appeal request for additional time complete task,

On April 26, 2024 this office received a complaint concerning the use of private property located at 8520 S. Fork Junction to operate Beaver Creek Tree Services and disposing of tree debris (burning) from a commercial business. A notice to owner was sent on 5-17-2024 informing the owner of 30 days to remove the debris from the area. After meeting on site, the owner requested to extend this to 6-months (180 days) to perform the task from date of appeal.

ACTION REQUESTED:

Recommend allowing the stated time period to clean up site.

Attachments:

Ex. 1 8520 CF 103_sent
Ex. 2 8520 Photos_sent



NOTICE and ORDER

DATE: 5-17-2024

TO: Douglas & Kristin Schultz
8520 South Fork Junction
Bismarck, ND. 58504

RE: ZONING VIOLATIONS: 8520 South Fork Junction 58504
Legal Description: BRIARDALE III Block 01 LOT 3 817748

Dear Property Owner:

It has been brought to our attention, through a complaint, that your property is in violation of Article 30, Section 3.

FINDINGS: Article 30, Section 3. Accumulation of Certain Items Prohibited.

Section 3: *No person shall cause, permit, keep, accumulate or allow the accumulation of any, junk, refuse, surplus, scrap, salvage or other similar items outside of a closed building in any zoned district. The items for which accumulations are prohibited under this section may include one or more of the following but are not limited to hazardous wastes, scrap metals, used or scrap lumber, household appliances, machinery, construction or demolition waste or salvage, abandoned or unlicensed vehicle(s), automotive or machinery parts, tires, used oil or solvents, garbage or rubbish of any kind, waste paper, used furniture or other household goods, barrels, rags, boxes, cardboard, or other similar items. The fact that an item or items has value or is operational shall not excuse conduct prohibited by this section.*

You are hereby notified that 8520 South Fork Junction, was inspected on 5-10-2024. You are ordered to remove:

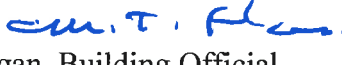
All Tree Reuse and Debris within thirty (30) days receipt of this order and to refrain from such practices.

AUTHORIZATION:

Such storage constitutes a violation as defined and amended: "Accumulation of Certain Items Prohibited.", Article 30 Section 3 Burleigh County Zoning Ordinance. You should be advised that under Article 30 Section 4 Violations, Penalty for Disregarding: Burleigh County has the authority, if the conditions described above are not remedied in the time allowed under this notice, to undertake legal proceedings of the corrections required.

APPEAL:

If you desire to appeal this order, you must file a written request within thirty (30) days receipt of this order with the Board of County Commissioners. The notice of appeal shall be delivered to and verified by the County Building Official, PO Box 5518 Bismarck ND. 58506.

Sincerely, 
Mitch Flanagan, Building Official
701-221-3727 Burleigh County, ND.





ITEM

7



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: June 3, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line and direct staff on how to proceed.

BACKGROUND:

Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, North Cape Properties LLP (Lyndon & Mona Mertz), has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets July 1, 2024 at 5:00 p.m. as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action.



BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Lot Modification | | | |

PROPERTY INFORMATION:		
Name of plat: N/A		
Legal description of property (lot, block, addition): Riverview Township Section 28 N 65' of Lot 1 28-140-81		
Street address of property: 10924 67th St. NW Bismarck ND 58503		
Existing Zoning:	Proposed zoning:	
Acreage: .98	Number of lots: 1	
Description of development proposal, including reason(s) for the request:		
APPLICANT/DEVELOPER:		
Name: Lyndon & Mona Mertz		Mailing address: 3204 sandy Lane SE Mandan ND 58554
Daytime telephone number: 701-220-0034 - 701-220-0014	FAX number: 701-223-7974	E-mail address: llmertz@hotmail.com
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name: North Cape Properties LLP		Mailing address: 3204 Sandy Lane SE Mandan ND 58554
Daytime telephone number: 701-220-0034 - 701-220-0014	FAX number: 701-223-7974	E-mail address: llmertz@hotmail.com
CONTACT PERSON/AGENT:		
Name/Firm: Lyndon or Mona Mertz		Mailing address: 3204 Sandy Lane SE Mandan ND 58554
Daytime telephone number: 701-220-0034 - 701-220-0014	FAX number: 701-223-7974	E-mail address: llmertz@hotmail.com

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

The following checklist must be completed and submitted with the application form.

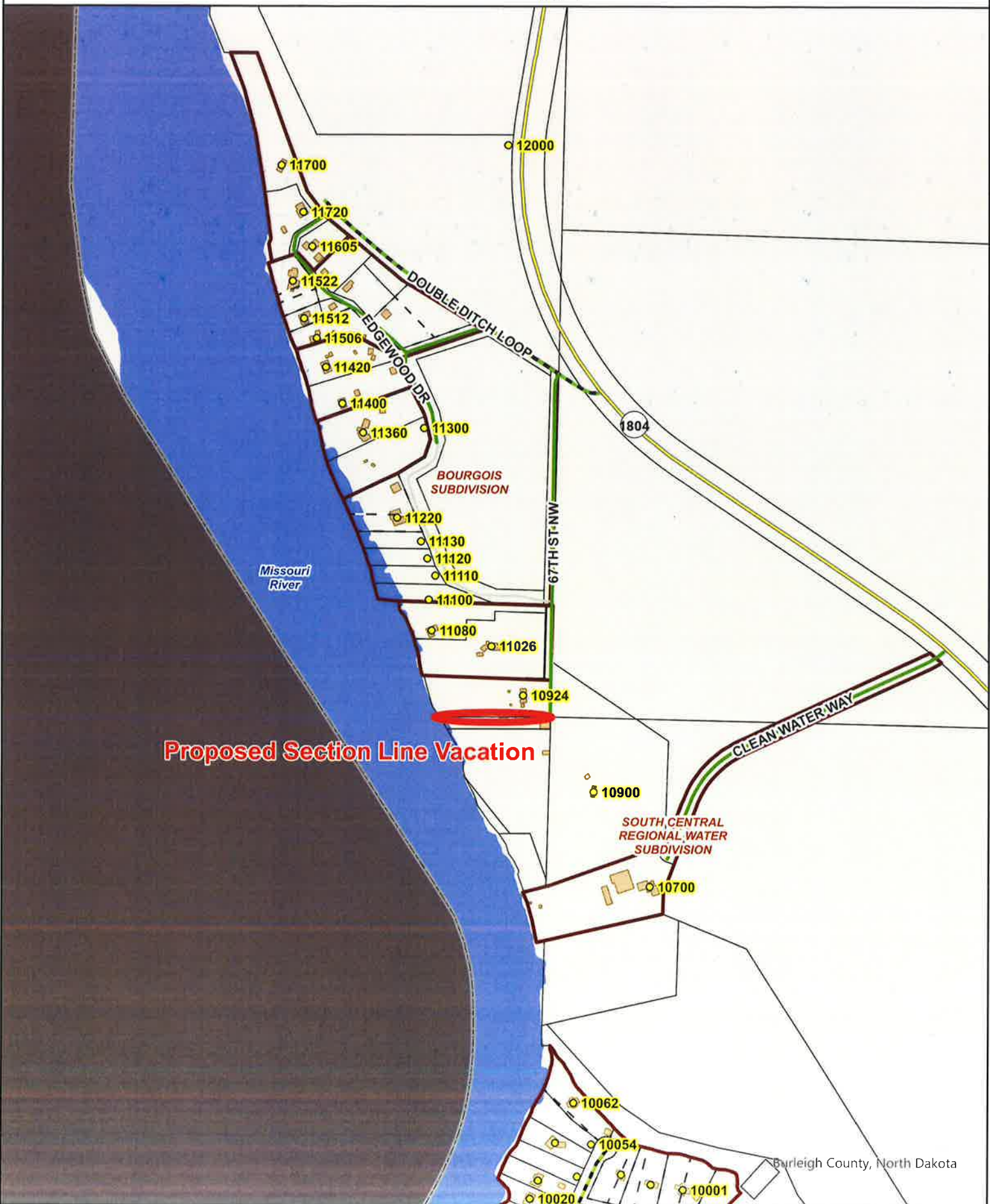
COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
<input type="checkbox"/> Preliminary Plat	Required pre-application meeting	Date:	
	6 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee of \$200-\$900 determined by number of lots		
	8½" x 11" reduction of plat		
	Digital copy of plat		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
	Written request for amendment to Fringe Area Road Master Plan (if applicable)		
<input type="checkbox"/> Final Plat	6 prints of plat, including all items listed in final plat checklist		
	Final plat checklist, completed by applicant		
	8½" x 11" reduction of plat		
	Digital copy of plat, if requested		
	Attorney's opinion of ownership, including all easement owners		
	Stormwater management plan		
<input type="checkbox"/> Minor Plat Modifications Modifications 3 lots or less	Map of property to be modified		
	Fee of \$200.00		
	4 prints of modification		
	Fee of \$300.00		
<input checked="" type="checkbox"/> Road Vacation	Legal description of property to be vacated		
	Map of property to be vacated		yes
	Fee of \$250.00		yes
	Legal description of property to be vacated		yes
	Letters of consent from utilities (street/alley vacation & easement release)		no
<input type="checkbox"/> Zoning Change	Fee of \$500.00 (zoning change)		
	Description of zoning change by legal description if multiple districts requested		
	Architectural/Engineered drawings (PUD only)		
	One (1) print of site plan, at 1"=100' scale (PUD only)		
	8½" x 11" reduction of site plan (PUD only)		
	Written statement (PUD only)		
<input type="checkbox"/> Special Use	Fee of \$300.00		
	3 prints of site plan, at 1"=20' or larger scale		
	8½" x 11" reduction of site plan		
	Photograph of building (moving building only)		
	Adjacent property owner petition (required for moving of a building, trap or skcet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		
<input type="checkbox"/> Development Permit	Fee of \$200.00		
	Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
	Completed Development Application		

Lot Modification	Fee of \$200.00		
	Sketch of survey, showing how the lot is proposed to be modified		
	Legal description of lot(s), both existing & proposed with square footage/acreage		

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

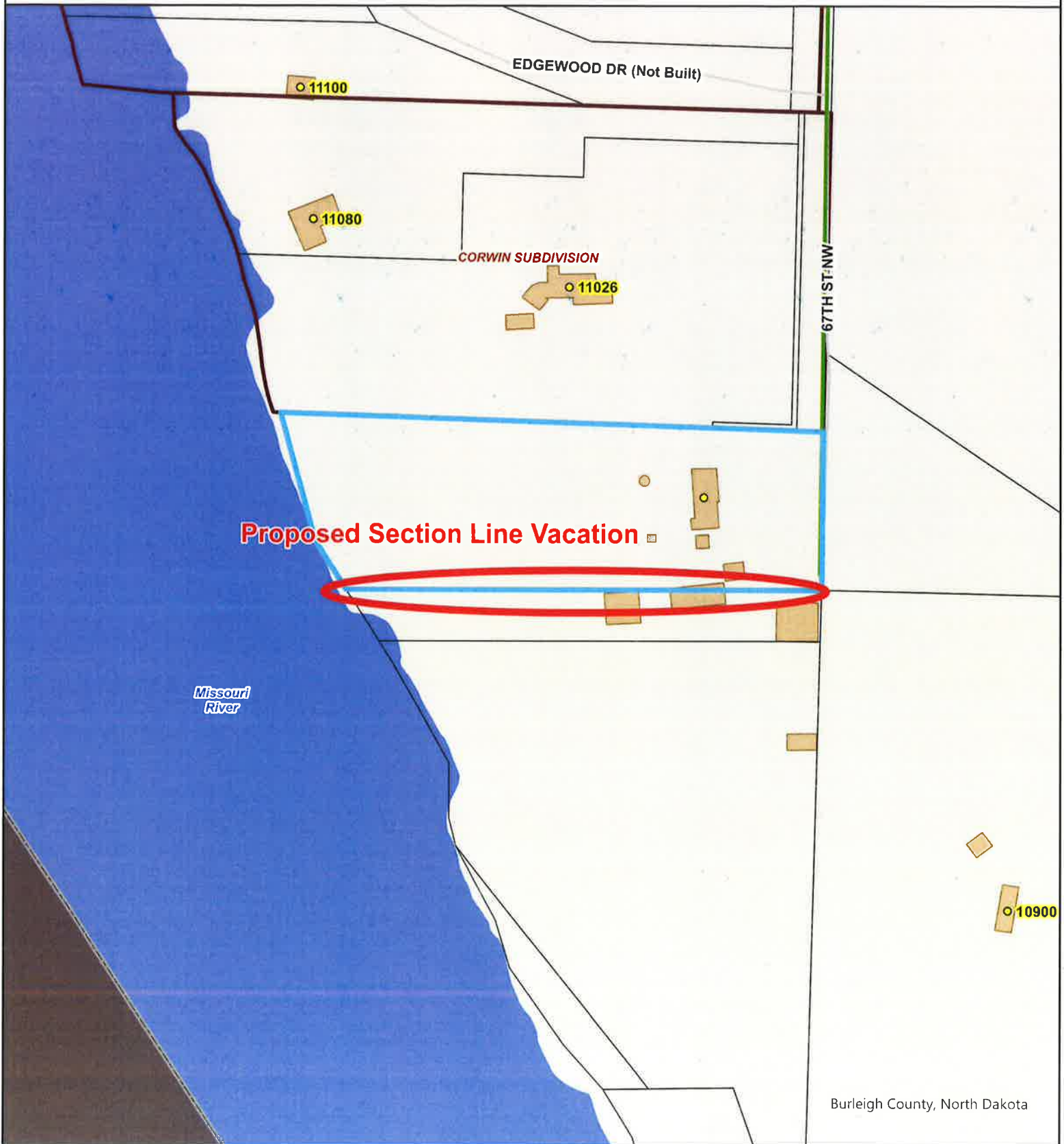
N
5/24/2024



Burleigh County, North Dakota

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
5/24/2024



PARCEL ID: 23-140-81-00-21-610 OWNER: NORTH CAPE PROPERTIES LLP ACRES: 2.953
SITE ADDRESS: 10924 NW 67TH ST
MAIL ADDRESS: 3204 SANDY LANE SE, MANDAN, ND 58554
LEGAL: RIVERVIEW TOWNSHIP Section 21 PT SE1/4 21 BEG AT THE SE COR SEC21 W ALONG S LINE TO RIVER TH TO POB ETC (INCL PT LOT 1 BLOCK 1-CORWIN 139'X 8'+ 40' DED R/W) 21-140-81

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
5/24/2024



Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: June 3, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Accepting New Stormwater Easement

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

ACTION REQUESTED:

Accept new stormwater easement shown on the attached Exhibit.

BACKGROUND:

In June of 2018 Burleigh County accepted the Whispering Ridge 2nd Subdivision Plat. This plat contained several Stormwater & Drainage Easements. The owner of Block 1, Lot 2 has requested a realignment (see attachments) of the existing Stormwater & Drainage Easement within their lot. The Highway Department has reviewed the request and finds that it meets the public needs for drainage within the subdivision.

RECOMMENDATION:

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

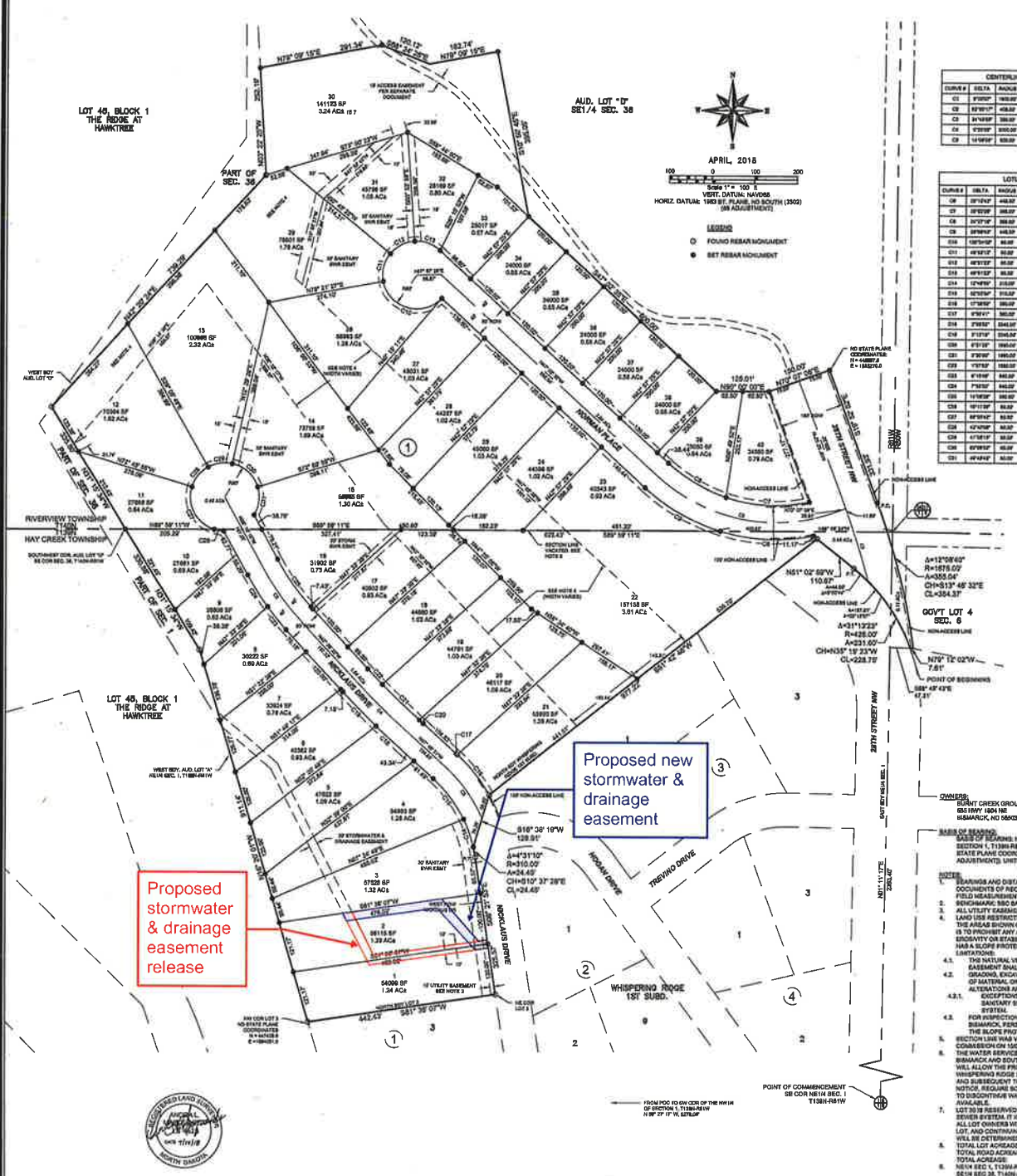
PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the new proposed Stormwater & Drainage Easement for Block 1, Lot 2 of the Whispering Ridge 2nd Subdivision Plat.

WHISPERING RIDGE 2ND SUBDIVISION

OF BURLEIGH COUNTY, NORTH DAKOTA

ALL OF LOTS 1 & 2, BLOCK 1, WHISPERING RIDGE 1ST SUBDIVISION, PART OF AUDITOR'S LOT "A" OF NE1/4 SEC. 1, T139N-R81W, PART OF GOVERNMENT LOT 4, SECTION 6, T139N-R80W, HAY CREEK TOWNSHIP, AND PART OF AUDITOR'S LOT "D" OF SE1/4 SEC. 36, T140N-R81W, RIVERVIEW TOWNSHIP, BURLEIGH COUNTY, NORTH DAKOTA



CENTERLINE STREET CURVE TABLE

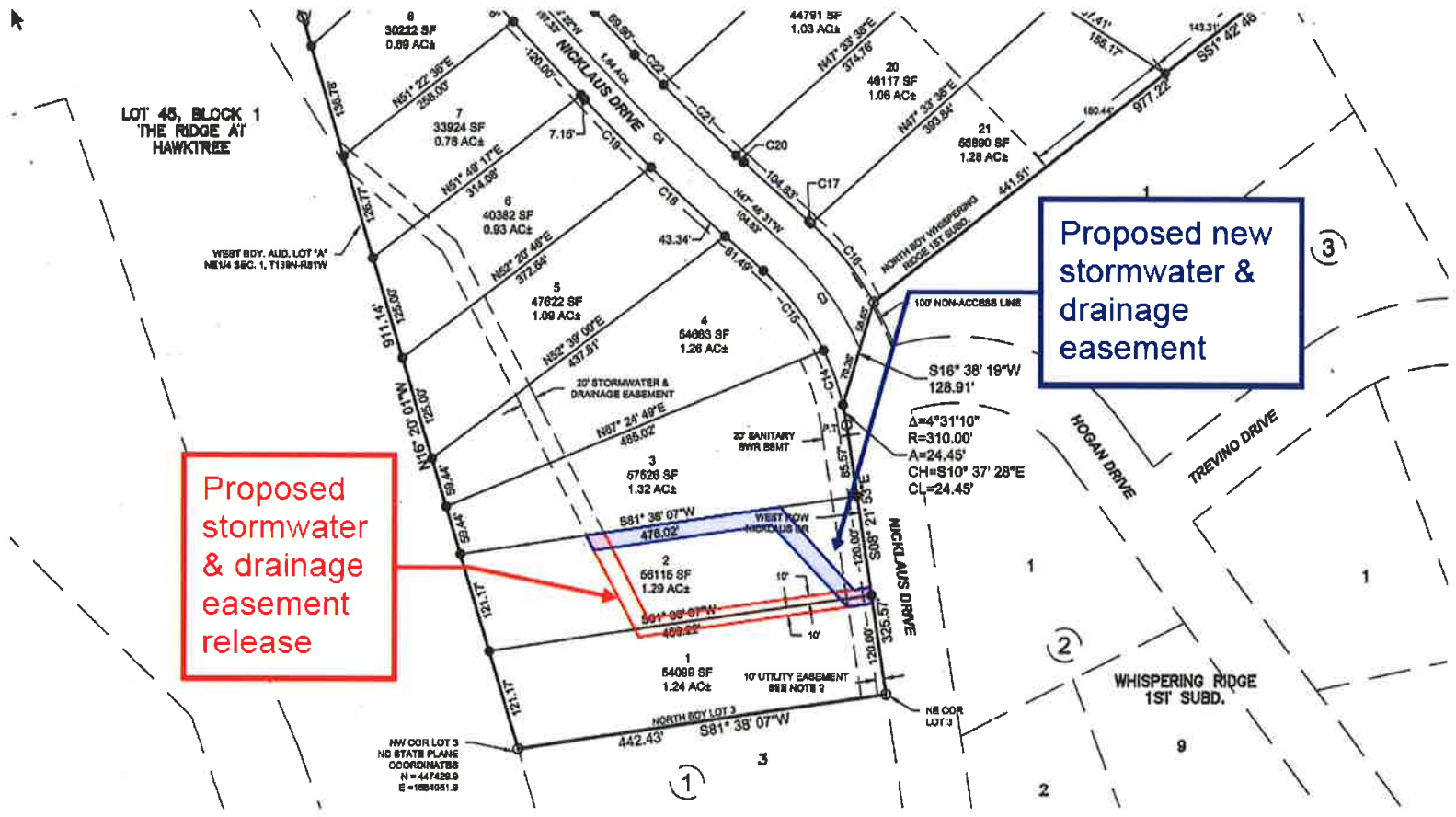
CURVE #	DELTA	ANGLE	LENGTH	CHORD BEARS	CHORD LENGTH
C1	37°00'00"	180.00'	180.00'	180.00'	180.00'
C2	37°00'00"	180.00'	180.00'	180.00'	180.00'
C3	37°00'00"	180.00'	180.00'	180.00'	180.00'
C4	37°00'00"	180.00'	180.00'	180.00'	180.00'
C5	37°00'00"	180.00'	180.00'	180.00'	180.00'
C6	37°00'00"	180.00'	180.00'	180.00'	180.00'

LOTLINE CURVE TABLE

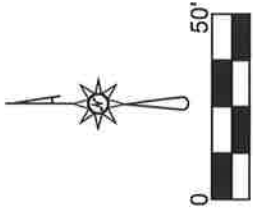
CURVE #	DELTA	ANGLE	LENGTH	CHORD BEARS	CHORD LENGTH
C1	37°00'00"	180.00'	180.00'	180.00'	180.00'
C2	37°00'00"	180.00'	180.00'	180.00'	180.00'
C3	37°00'00"	180.00'	180.00'	180.00'	180.00'
C4	37°00'00"	180.00'	180.00'	180.00'	180.00'
C5	37°00'00"	180.00'	180.00'	180.00'	180.00'
C6	37°00'00"	180.00'	180.00'	180.00'	180.00'
C7	37°00'00"	180.00'	180.00'	180.00'	180.00'
C8	37°00'00"	180.00'	180.00'	180.00'	180.00'
C9	37°00'00"	180.00'	180.00'	180.00'	180.00'
C10	37°00'00"	180.00'	180.00'	180.00'	180.00'
C11	37°00'00"	180.00'	180.00'	180.00'	180.00'
C12	37°00'00"	180.00'	180.00'	180.00'	180.00'
C13	37°00'00"	180.00'	180.00'	180.00'	180.00'
C14	37°00'00"	180.00'	180.00'	180.00'	180.00'
C15	37°00'00"	180.00'	180.00'	180.00'	180.00'
C16	37°00'00"	180.00'	180.00'	180.00'	180.00'
C17	37°00'00"	180.00'	180.00'	180.00'	180.00'
C18	37°00'00"	180.00'	180.00'	180.00'	180.00'
C19	37°00'00"	180.00'	180.00'	180.00'	180.00'
C20	37°00'00"	180.00'	180.00'	180.00'	180.00'
C21	37°00'00"	180.00'	180.00'	180.00'	180.00'
C22	37°00'00"	180.00'	180.00'	180.00'	180.00'
C23	37°00'00"	180.00'	180.00'	180.00'	180.00'
C24	37°00'00"	180.00'	180.00'	180.00'	180.00'
C25	37°00'00"	180.00'	180.00'	180.00'	180.00'
C26	37°00'00"	180.00'	180.00'	180.00'	180.00'
C27	37°00'00"	180.00'	180.00'	180.00'	180.00'
C28	37°00'00"	180.00'	180.00'	180.00'	180.00'
C29	37°00'00"	180.00'	180.00'	180.00'	180.00'
C30	37°00'00"	180.00'	180.00'	180.00'	180.00'
C31	37°00'00"	180.00'	180.00'	180.00'	180.00'
C32	37°00'00"	180.00'	180.00'	180.00'	180.00'
C33	37°00'00"	180.00'	180.00'	180.00'	180.00'
C34	37°00'00"	180.00'	180.00'	180.00'	180.00'
C35	37°00'00"	180.00'	180.00'	180.00'	180.00'
C36	37°00'00"	180.00'	180.00'	180.00'	180.00'
C37	37°00'00"	180.00'	180.00'	180.00'	180.00'
C38	37°00'00"	180.00'	180.00'	180.00'	180.00'
C39	37°00'00"	180.00'	180.00'	180.00'	180.00'
C40	37°00'00"	180.00'	180.00'	180.00'	180.00'
C41	37°00'00"	180.00'	180.00'	180.00'	180.00'
C42	37°00'00"	180.00'	180.00'	180.00'	180.00'
C43	37°00'00"	180.00'	180.00'	180.00'	180.00'
C44	37°00'00"	180.00'	180.00'	180.00'	180.00'
C45	37°00'00"	180.00'	180.00'	180.00'	180.00'
C46	37°00'00"	180.00'	180.00'	180.00'	180.00'
C47	37°00'00"	180.00'	180.00'	180.00'	180.00'
C48	37°00'00"	180.00'	180.00'	180.00'	180.00'
C49	37°00'00"	180.00'	180.00'	180.00'	180.00'
C50	37°00'00"	180.00'	180.00'	180.00'	180.00'
C51	37°00'00"	180.00'	180.00'	180.00'	180.00'
C52	37°00'00"	180.00'	180.00'	180.00'	180.00'
C53	37°00'00"	180.00'	180.00'	180.00'	180.00'
C54	37°00'00"	180.00'	180.00'	180.00'	180.00'
C55	37°00'00"	180.00'	180.00'	180.00'	180.00'
C56	37°00'00"	180.00'	180.00'	180.00'	180.00'
C57	37°00'00"	180.00'	180.00'	180.00'	180.00'
C58	37°00'00"	180.00'	180.00'	180.00'	180.00'
C59	37°00'00"	180.00'	180.00'	180.00'	180.00'
C60	37°00'00"	180.00'	180.00'	180.00'	180.00'
C61	37°00'00"	180.00'	180.00'	180.00'	180.00'
C62	37°00'00"	180.00'	180.00'	180.00'	180.00'
C63	37°00'00"	180.00'	180.00'	180.00'	180.00'
C64	37°00'00"	180.00'	180.00'	180.00'	180.00'
C65	37°00'00"	180.00'	180.00'	180.00'	180.00'
C66	37°00'00"	180.00'	180.00'	180.00'	180.00'
C67	37°00'00"	180.00'	180.00'	180.00'	180.00'
C68	37°00'00"	180.00'	180.00'	180.00'	180.00'
C69	37°00'00"	180.00'	180.00'	180.00'	180.00'
C70	37°00'00"	180.00'	180.00'	180.00'	180.00'
C71	37°00'00"	180.00'	180.00'	180.00'	180.00'
C72	37°00'00"	180.00'	180.00'	180.00'	180.00'
C73	37°00'00"	180.00'	180.00'	180.00'	180.00'
C74	37°00'00"	180.00'	180.00'	180.00'	180.00'
C75	37°00'00"	180.00'	180.00'	180.00'	180.00'
C76	37°00'00"	180.00'	180.00'	180.00'	180.00'
C77	37°00'00"	180.00'	180.00'	180.00'	180.00'
C78	37°00'00"	180.00'	180.00'	180.00'	180.00'
C79	37°00'00"	180.00'	180.00'	180.00'	180.00'
C80	37°00'00"	180.00'	180.00'	180.00'	180.00'
C81	37°00'00"	180.00'	180.00'	180.00'	180.00'
C82	37°00'00"	180.00'	180.00'	180.00'	180.00'
C83	37°00'00"	180.00'	180.00'	180.00'	180.00'
C84	37°00'00"	180.00'	180.00'	180.00'	180.00'
C85	37°00'00"	180.00'	180.00'	180.00'	180.00'
C86	37°00'00"	180.00'	180.00'	180.00'	180.00'
C87	37°00'00"	180.00'	180.00'	180.00'	180.00'
C88	37°00'00"	180.00'	180.00'	180.00'	180.00'
C89	37°00'00"	180.00'	180.00'	180.00'	180.00'
C90	37°00'00"	180.00'	180.00'	180.00'	180.00'
C91	37°00'00"	180.00'	180.00'	180.00'	180.00'
C92	37°00'00"	180.00'	180.00'	180.00'	180.00'
C93	37°00'00"	180.00'	180.00'	180.00'	180.00'
C94	37°00'00"	180.00'	180.00'	180.00'	180.00'
C95	37°00'00"	180.00'	180.00'	180.00'	180.00'
C96	37°00'00"	180.00'	180.00'	180.00'	180.00'
C97	37°00'00"	180.00'	180.00'	180.00'	180.00'
C98	37°00'00"	180.00'	180.00'	180.00'	180.00'
C99	37°00'00"	180.00'	180.00'	180.00'	180.00'
C100	37°00'00"	180.00'	180.00'	180.00'	180.00'

TOMAN ENGINEERING
 801 1st Street NW, Mandan, ND 58554
 Phone: 701-883-8483 * Fax: 701-883-0923
 SURVEYOR: MICHAEL L. TOMAN, REG. 4422

- OWNERS:**
 BURST CREEK GROUP, LLC
 800 WEST MAIN
 BISMARCK, ND 58002
- BASE OF RECORD:**
 BASE OF RECORDS: NORTH BOUNDARY LINE OF THE NE1/4 SECTION 1, T139N-R81W SOUTH BY 11° WEST, 108.87H DAKOTA STATE PLANE COORDINATE SYSTEM RANGES SOUTH ZONE (TIME ADJUSTMENT), UNITS ARE INTERNATIONAL FEET.
- NOTES:**
1. EASEMENTS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
 2. BENCHMARK: 100' BENCH STATION, ELEV. 100.00.
 3. ALL UTILITY EASEMENTS 10' WIDE UNLESS OTHERWISE NOTED.
 4. LAND USE RESTRICTION: THE PURPOSE OF THE RESECTION IN THE AREAS SHOWN ON THIS PLAT LOTS 12, 28 AND 31, BLOCK (1) IS TO PREVENT ANY ACTIVITY THAT COULD AFFECT THE STABILITY OR STABILITY OF THE SLOPE. EACH OF THE LOTS HAS A SLOPE PROTECTION EASEMENT AND DEVELOPMENT LIMITATIONS:
 - 4.1. THE NATURAL VEGETATION WITHIN THE SLOPE PROTECTION EASEMENT SHALL BE LEFT UNDISTURBED.
 - 4.2. GRADING, EROSION CONTROL, FILLING, TERRACING, STOCKPILING OF MATERIAL, OR EQUIPMENT, OR ANY OTHER BLINDING ALTERATIONS ARE NOT ALLOWED.
 - 4.3.1. OCCUPATION, INSTALLATION AND MAINTENANCE OF SANITARY SEWER SYSTEM AND STORM WATER SYSTEM.
 - 4.3. FOR PURIFICATION AND TREATMENT PURPOSES, CITY OF BISMARCK PERSONNEL WILL BE ALLOWED ACCESS ONTO THE SLOPE PROTECTION EASEMENT.
 5. SECTION LINE WAS VACATED BY BURLEIGH COUNTY COMMISSION ON 10/28/2017.
 6. THE WATER SEWERAGE DEPARTMENT BETWEEN THE CITY OF BISMARCK AND SOUTH CENTRAL REGIONAL WATER DISTRICT WILL ALLOW THE PROMOTION OF WATER SERVICE TO WHISPERING RIDGE AND SUBSEQUENT FOR A PERIOD OF 1 YEAR AND SUBSEQUENT TO THAT TIME, THE CITY MAY, UPON A 3-YEAR NOTICE, REQUIRE SOUTH CENTRAL REGIONAL WATER DISTRICT TO DISCONTINUE WATER SERVICE IF CITY WATER SERVICE IS AVAILABLE.
 7. LOT 10 IS RESERVED FOR OBSERVATION AREA & SANITARY SEWER SYSTEM. IT IS TO BE HELD IN OCCUPANCY BY ALL LOT OWNERS WITHIN THIS SUBDIVISION. ACCESS TO THIS LOT AND CONTIGUOUS ACCESS TO HAWKREEK GOLF COURSE WILL BE DETERMINED BY SEPARATE DOCUMENT.
 8. TOTAL LOT ACRES: 44.2
 9. TOTAL ROAD ACRES: 4.31
 10. TOTAL ACRES: 48.51
 11. NE1/4 SEC. 1, T139N-R81W: 21.68
 12. SE1/4 SEC. 36, T140N-R81W: 4.43
 13. GOVT LOT 4, SEC. 6, T139N-R80W: 4.11



FROM PCD TO EW COR OF THE NW1/4
OF SECTION 1, T139N-R81W
N 89° 27' 17" W, 5279.08'



NICKLAUS DR

POB
SE COR LOT 2
BLOCK 1,
WHISPERING
RIDGE 2ND
SUBD.

10' UTILITY EASEMENT

20' SANITARY
SEWER EASEMENT

S 81°37'45" W
24.83'

N 34°26'56" W
122.49'

20' STORM SEWER &
DRAINAGE EASEMENT

S 81°38'07" W
231.29'

N 26°59'33" W
10.52'

20' STORM SEWER &
DRAINAGE EASEMENT

POT

BLOCK 1
WHISPERING RIDGE
2ND SUBDIVISION

EXHIBIT "A"
20' STORM SEWER & DRAINAGE EASEMENT
LOTS 1 & 2, BLOCK 1
WHISPERING RIDGE 2ND SUBD.



**TOMAN ENGINEERING
COMPANY**

501 1st Street NW, Mandan, ND 58554
Phone: 701-663-6483 * Fax: 701-663-0923

ITEM

10



Burleigh County Finance Department

316 N 5th St Ste 104
Bismarck, ND 58501
(701) 712-8353

TO: Burleigh County Commission

FROM: Leigh Jacobs
Burleigh County Finance Director

DATE: May 29, 2024

RE: Weed Board 2024 Budget Amendment

BACKGROUND:

The Landowner Assistance Program (LAP) provides weed boards with cost-share assistance for noxious weed control. To be eligible to receive LAP funds, weed boards must levy at least 3 mills for noxious weed control, or budget an amount equal to the revenue that could be raised by a levy of three mills.

The mills used to determine eligibility for LAP funds are calculated based on the taxable value of Burleigh County property located outside of Bismarck city limits. The value of 1 mill for 2023 is \$165,115. The 2023 appropriation for the weed board is \$402,174, \$93,171 short of the value of 3 mills, \$495,345 making Burleigh County ineligible to participate in LAP for 2024.

PROPOSED MOTION:

Authorize budget amendment for the Burleigh County Weed Board in the amount of \$93,171.

ATTACHMENTS:

1. Noxious Weed Annual Survey Report – 2023
2. 2024 Weed Board Detailed Expense Report
3. 2024 Weed Board Final Budget
4. 2023 Mill Levy Sheet
5. NDCC 4.1-47-16



Noxious Weed Annual Survey Report – 2023

Due date: March 1, 2024

Submit by email at: raweisz@nd.gov

Mail to: North Dakota Department of Agriculture
Attn: Richard Weisz
600 E Boulevard Ave Dept. 602
Bismarck, ND 58505-0020

1. COUNTY/CITY WEED BOARD _____

The person listed in the first row will be the weed control officer. Please note the main contact for mail/email with an asterisk.

Weed Board Role	Full Name	Address	City	State	Zip	Phone Number	Email Address
Weed Officer							
Board Chair							
Sec./Treas.							
Member							
Member							
Member							
Member							

Do you have a full time weed officer? (Circle one) YES / NO

Does your weed officer have other duties? (Circle one) YES / NO

If yes, briefly explain _____

2. LOCALLY LISTED NOXIOUS WEEDS & ACREAGES

Please include all county/city listed noxious weeds and their estimated density, treated and total acreages in the table below.

County/City Noxious Weeds	Public and Private Land		
	Estimated Total Infested Acreage	Treated Infested Acreage	
		Herbicide/Mechanical	Biological

3. BIOLOGICAL CONTROL

Number of acres treated biologically (1 release = 5 acres) as part of the LAP _____ TAG _____

What biological control agent(s) were used? _____

Do you have any collectable sites in your county? (Circle one) **YES** / **NO**

If yes, how many? _____

If you do have a collectable site, are you willing to hold a field day if requested? (Circle one) **YES** / **NO**

4. STATE NOXIOUS WEED ACREAGE SURVEY

State Noxious Weeds	Public and Private Land		
	Estimated Total Infested Acreage	Treated Infested Acreage	
		Herbicide/Mechanical	Biological
Absinth wormwood			
Canada thistle			
Dalmatian toadflax			
Diffuse knapweed			
Houndstongue			
Leafy spurge			
Musk thistle			
Palmer amaranth			
Purple loosestrife			
Russian knapweed			
Saltcedar			
Spotted knapweed			
Yellow toadflax			

5. MAPPING

Do you use mapping software? _____(Y/N)

If Yes, what software do you use? _____(Ex. AgTerra, Dataloggers, SpraySync etc.)

If no, why not?

Are you aware of the assistance NDDA, Jim Hansen, can provide with mapping to your county? _____(Y/N)

6. COMMENTS

Are there any infestations of invasive species or concerns you are aware of within your jurisdiction? If so, would you like assistance? Does your weed board have any special needs or requests?

SIGNATURE

DATE

PRINT NAME

TITLE

7. MILL LEVY (Please have your county auditor fill out and sign this portion)

What dollar amount is budgeted for weed control in your county's 2024 budget?

\$ _____

What is the value of 1 mill in your county?

\$ _____

County Auditor's signature

County of Burleigh

General Ledger - Detailed Expense Report

Fiscal Year: 2024-2024 From Date:5/1/2024 To Date:5/31/2024

FUND / DEPARTMENT / ACCOUNT	2024 Adopted Budget	Adjusted Budget	Range To Date	Year To Date	Budget Balance	Percent Used
2970 - WEED CONTROL						
49130 - WEED CONTROL						
00111 - SALARIES	\$69,793.00	\$69,793.00	\$0.00	\$2,425.46	\$67,367.54	3.48%
00112 - TEMPORARY SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
00211 - FRINGE BENEFITS	\$14,331.00	\$14,331.00	\$0.00	\$1,865.36	\$12,465.64	13.02%
00335 - BUILDING RENTAL	\$4,800.00	\$4,800.00	\$0.00	\$0.00	\$4,800.00	0.00%
00341 - TRAVEL-LODGING-MEALS	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
00361 - PUBLISHING & PRINTING	\$1,500.00	\$1,500.00	\$154.80	\$154.80	\$1,345.20	10.32%
00376 - DUES & PUBLICATIONS	\$500.00	\$500.00	\$0.00	\$285.00	\$215.00	57.00%
00381 - REPAIRS & MAINTENANCE	\$2,500.00	\$2,500.00	\$0.00	\$0.00	\$2,500.00	0.00%
00382 - CONTRACTED SERVICES	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
00398 - COUNTY SERVICES	\$7,000.00	\$7,000.00	\$0.00	\$0.00	\$7,000.00	0.00%
00411 - OFFICE SUPPLIES	\$500.00	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
00415 - POSTAGE	\$250.00	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
00424 - GAS OIL & FUEL	\$4,000.00	\$4,000.00	\$0.00	\$41.06	\$3,958.94	1.03%
00641 - FURNITURE & EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
00911 - MISCELLANEOUS	\$4,000.00	\$4,000.00	\$0.00	\$9.09	\$3,990.91	0.23%
00920 - CONTINUING EDUCATION	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
00967 - CHEMICALS	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00	0.00%
00969 - SPRAYING	\$185,000.00	\$185,000.00	\$0.00	\$0.00	\$185,000.00	0.00%
49130 - WEED CONTROL Total:	\$402,174.00	\$402,174.00	\$154.80	\$4,780.77	\$397,393.23	1.19%
Grand Total:	\$402,174.00	\$402,174.00	\$154.80	\$4,780.77	\$397,393.23	1.19%

End of Report

00967 - CHEMICALS - increase by \$33,000 to \$133,000
00969 - SPRAYING - increase by \$61,000 to \$246,000

Appropriation for Emergency Fund	1,468,000	
Less: Resources	(1,468,000)	
<u>Balance to be levied</u>		-
Appropriation for Veteran Services	490,704	
Plus: Delinquent Taxes and Reserve Fund	145,910	
Less: Resources	(171,928)	
<u>Balance to be levied (.70 Mills)</u>		464,686
Appropriation for Provident Building	545,071	
Less: Resources	(545,071)	
<u>Balance to be levied</u>		-
Appropriation for Missouri Valley Complex	78,100	
Less: Resources	(78,100)	
<u>Balance to be levied</u>		-
Appropriation for County Agent	431,610	
Plus: Delinquent Taxes and Reserve Fund	120,984	
Less: Resources	(290,974)	
<u>Balance to be levied (.39 Mills)</u>		261,620
Appropriation for Weed Board	402,174	\$495,345 / 165,115 = 3.00 Mills
Plus: Delinquent Taxes and Reserve Fund	111,430	- \$402,174 / 165,115 = 2.44 Mills
Less: Resources	(295,891)	\$ 93,171
<u>Balance to be levied (1.32 Mills)</u>		217,713
Appropriation for Water Resource District	1,010,800	
Plus: Delinquent Taxes	49,026	
Less: Resources	(79,300)	
<u>Balance to be levied (1.47 Mills)</u>		980,526
Appropriation for County Parks	8,190	
Plus: Reserve Funds	531,803	
Less: Resources	(539,993)	
<u>Balance to be levied</u>		-
Appropriation for BMDC Maintenance & Construction	300,000	
Less: Resources	(300,000)	
<u>Balance to be levied</u>		-
Appropriation for K-9 Patrol Program	18,000	
Less: Resources	(18,000)	
<u>Balance to be levied</u>		-
Appropriation for Parking	70,000	
Less: Resources	(70,000)	
<u>Balance to be levied</u>		-
Appropriation for McKenzie Haul Road	442,626	
Less: Resources	(442,626)	
<u>Balance to be levied</u>		-
Appropriation for CenCom	420,401	
Less: Resources	(420,401)	
<u>Balance to be levied</u>		-

Total Burleigh County Taxable Valuation (\$667,772,132) less city of Bismarck valuation (\$502,656,749) = taxable valuation for Weed board Mill Levy

**BURLEIGH COUNTY LEVIES, 2023
TAXABLE VALUATION OF BURLEIGH COUNTY, NORTH DAKOTA
(2023 TAXES BECOME DUE JANUARY 1, 2024, DELINQUENT MARCH 1, 2024)**

Real Estate (Farm Lands)	\$	22,970,460
Real Estate (Commercial)		205,389,735
Real Estate (Residential)		428,140,421
Railroads		2,686,583
Pipeline		654,083
Electric, Gas, & Heat		7,930,841
Total Taxable Valuation, Burleigh County, ND, 2023	\$	667,772,132

City of Bismarck Population	73,622
Lincoln City	4,257
Regan City	35
South Wilton City	188
Wing City	132
Rural Burleigh County	20,224
Total Population of Burleigh County, ND (Official 2020 Census)	<u>98,458</u>

667,772,123	
-502,656,749	
165,115,374 / 1000 = \$165,115	

Taxing District Number	Assessment District	Twp. and Range	2023 Taxable Valuation	Twp. or City	Ambulance Fire District	School	Park and Library	State and County	County Weed Board	Total Mills	TW Taxing District Number
01/01/01	Bismarck		502,656,749	77.91		107.19	32.63	42.17		259.90	01/01/01 Bismarck
3/SW/SW/AM	Grass Lake	143-79	986,686	22.25	16.50	134.36	1.94	42.17	1.32	218.54	3/SW/SW Grass Lake
4/28/CW/AM	Hazel Grove	144-75	508,100	18.00	16.50	92.00	1.94	42.17	1.32	171.93	4/28/CW Hazel Grove
5/SW/SW/AM	Wilson	144-79	570,650	18.00	16.50	134.36	1.94	42.17	1.32	214.29	5/SW/SW Wilson
6/SW/SW/AM	Steiber	144-78	539,841	6.49	16.50	134.36	1.94	42.17	1.32	202.78	6/SW/SW Steiber
6/29/SW/AM	Steiber	144-78	5,315	6.49	16.50	76.15	1.94	42.17	1.32	144.57	6/29/SW Steiber
7/SW/SW/AM	Canfield	143-77	141,367	18.00	16.50	134.36	1.94	42.17	1.32	214.29	7/SW/SW Canfield
7/28/CW/AM	Canfield	143-77	247,087	18.00	16.50	92.00	1.94	42.17	1.32	171.93	7/28/CW Canfield
7/28/SW/AM	Canfield	143-77	147,330	18.00	16.50	92.00	1.94	42.17	1.32	171.93	7/28/SW Canfield
8/28/CW/AM	Trygg	141-77	587,455	6.55	16.50	92.00	1.94	42.17	1.32	160.48	8/28/CW Trygg
9/SW/SW/AM	Painted Woods	142-80-81	969,958	18.00	16.50	134.36	1.94	42.17	1.32	214.29	9/SW/SW Painted Woods
10/SW/SW/AM	Ecklund	142-79-80	2,545,971	19.85	16.50	134.36	1.94	42.17	1.32	216.14	10/SW/SW Ecklund
11/SW/SW/AM	Ghlyin	142-78	801,745	18.00	16.50	134.36	1.94	42.17	1.32	214.29	11/SW/SW Ghlyin
12/SW/CW/AM	Schrunk	144-77	186,795	6.49	16.50	134.36	1.94	42.17	1.32	202.78	12/SW/CW/AM Schrunk
12/28/CW/AM	Schrunk	144-77	345,881	6.49	16.50	92.00	1.94	42.17	1.32	160.42	12/28/CW Schrunk
13/28/CW/AM	Phoenix	143-75	384,950	18.00	16.50	92.00	1.94	42.17	1.32	171.93	13/28/CW Phoenix
14/28/CW/AM	Florence Lake	144-76	363,961	18.00	16.50	92.00	1.94	42.17	1.32	171.93	14/28/CW Florence Lake
15/26/ST	Thelma	138-75	103,040	18.00	4.60	82.00	1.94	42.17	1.32	150.03	15/26/ST Thelma
15/35/ST	Thelma	138-75	383,384	18.00	4.60	79.70	1.94	42.17	1.32	147.73	15/35/ST Thelma
16/SW/SW/AM	Glenview	141-80	386,617	18.00	16.50	134.36	1.94	42.17	1.32	214.29	16/SW/SW Glenview
16/01/SW/AM	Glenview	141-81	746,612	18.00	16.50	107.19	1.94	42.17	1.32	187.12	16/01/SW Glenview
17/28/ST	Christiania	140-76	100,830	7.91	4.60	92.00	1.94	42.17	1.32	149.94	17/28/ST Christiania
17/35/ST	Christiania	140-76	531,243	7.91	4.60	79.70	1.94	42.17	1.32	137.64	17/35/ST Christiania
18/28/CW/AM	Lyman	141-76	494,894	18.00	16.50	92.00	1.94	42.17	1.32	171.93	18/28/CW Lyman
19/28/CW/AM	Richmond	143-76	513,499	11.68	16.50	92.00	1.94	42.17	1.32	165.61	19/28/CW Richmond
20/26/ST	Clear Lake	140-75	389,932	11.25	4.60	82.00	1.94	42.17	1.32	143.28	20/26/ST Clear Lake
20/28/ST	Clear Lake	140-75	51,230	11.25	4.60	92.00	1.94	42.17	1.32	153.28	20/28/ST Clear Lake
20/35/ST	Clear Lake	140-75	225,529	11.25	4.60	79.70	1.94	42.17	1.32	140.98	20/35/ST Clear Lake
21/26/CW/AM	Harriet	142-75	54,071	11.81	16.50	82.00	1.94	42.17	1.32	155.74	21/26/CW Harriet
21/28/CW/AM	Harriet	142-75	351,313	11.81	16.50	92.00	1.94	42.17	1.32	165.74	21/28/CW Harriet
22/26/CW	Lein	141-75	219,004	11.81	5.00	82.00	1.94	42.17	1.32	144.24	22/26/CW Lein
22/26/CW/AM	Lein	141-75	77,915	11.81	16.50	82.00	1.94	42.17	1.32	155.74	22/26/CW/AM Lein
22/28/CW	Lein	141-75	11,505	11.81	5.00	92.00	1.94	42.17	1.32	154.24	22/28/CW Lein
22/28/CW/AM	Lein	141-75	260,117	11.81	16.50	92.00	1.94	42.17	1.32	165.74	22/28/CW/AM Lein
23/01/BI	Riverview	140-81	5,264,317	18.00	13.00	107.19	1.94	42.17	1.32	183.62	23/01/BI Riverview
24/01/BI	Burnt Creek	140-80	14,681,823	18.00	13.00	107.19	1.94	42.17	1.32	183.62	24/01/BI Burnt Creek
25/01/BI	Naughton	140-79	233,780	17.59	13.00	107.19	1.94	42.17	1.32	183.21	25/01/BI Naughton
25/25/BI	Naughton	140-79	789,739	17.59	13.00	83.95	1.94	42.17	1.32	159.97	25/25/BI Naughton
26/28/BI	Frances	140-78	79,925	18.00	13.00	92.00	1.94	42.17	1.32	168.43	26/28/BI Frances
26/33/BI	Frances	140-78	439,291	18.00	13.00	60.03	1.94	42.17	1.32	136.46	26/33/BI Frances
27/SW/CW/AM	Rock Hill	142-77	193,306	18.00	16.50	134.36	1.94	42.17	1.32	214.29	27/SW/CW Rock Hill
27/28/CW/AM	Rock Hill	142-77	332,755	18.00	16.50	92.00	1.94	42.17	1.32	171.93	27/28/CW Rock Hill
28/28/CW/AM	Wing	142-76	488,622	8.19	16.50	92.00	1.94	42.17	1.32	162.12	28/28/CW Wing
31/01/BI	Hay Creek	139-80-81	35,073,934	9.72	13.00	107.19	1.94	42.17	1.32	175.34	31/01/BI Hay Creek
32/01/BI	Gibbs	139-79	17,242,314	3.63	13.00	107.19	1.94	42.17	1.32	169.25	32/01/BI Gibbs
32/33/BI	Gibbs	139-79	33,752	3.63	13.00	60.03	1.94	42.17	1.32	122.09	32/33/BI Gibbs
33/33/BI	Menoken	139-78	1,878,778	15.23	13.00	60.03	1.94	42.17	1.32	133.69	33/33/BI Menoken
34/33/ST	McKenzie	139-77	298,479	15.09	4.60	60.03	1.94	42.17	1.32	125.15	34/33/ST McKenzie
34/35/ST	McKenzie	139-77	1,689,317	15.09	4.60	79.70	1.94	42.17	1.32	144.82	34/35/ST McKenzie
35/35/ST	Sterling	139-76	1,757,534	15.93	4.60	79.70	1.94	42.17	1.32	145.66	35/35/ST Sterling
36/26/ST	Driscoll	139-75	478,995	18.00	4.60	82.00	1.94	42.17	1.32	150.03	36/26/ST Driscoll
36/35/ST	Driscoll	139-75	809,696	18.00	4.60	79.70	1.94	42.17	1.32	147.73	36/35/ST Driscoll
37/SW/SW/AM	Cromwell	141-77	411,282	18.00	16.50	134.36	1.94	42.17	1.32	214.29	37/SW/SW Cromwell
37/28/SW/AM	Cromwell	141-78	186,288	18.00	16.50	92.00	1.94	42.17	1.32	171.93	37/28/SW Cromwell
38/01/BI	Lincoln	138-80	20,512,067	18.00	13.00	107.19	1.94	42.17	1.32	183.62	38/01/BI Lincoln
39/01/BI	Apple Creek	138-79	14,142,873	6.22	13.00	107.19	1.94	42.17	1.32	171.84	39/01/BI Apple Creek
39/39/BI	Apple Creek	138-79	6,745,801	6.22	13.00	82.35	1.94	42.17	1.32	147.00	39/39/BI Apple Creek
40/33/BI	Boyd	138-78	1,094,607	18.00	13.00	60.03	1.94	42.17	1.32	136.46	40/33/BI Boyd
41/06/ST	Logan	138-77	357,032	18.00	4.60	70.96	1.94	42.17	1.32	138.99	41/06/ST Logan
41/35/ST	Logan	138-77	353,739	18.00	4.60	79.70	1.94	42.17	1.32	147.73	41/35/ST Logan
42/35/ST	Taft	138-76	824,836	17.02	4.60	79.70	1.94	42.17	1.32	146.75	42/35/ST Taft
43/SW/SW/AM	Estherville	143-78	658,008	18.65	16.50	134.36	1.94	42.17	1.32	214.94	43/SW/SW Estherville
43/28/SW/AM	Estherville	143-78	12,450	18.65	16.50	92.00	1.94	42.17	1.32	172.58	43/28/SW Estherville
45/45/BI	Missouri	137-79	551,144	18.00	13.00	83.80	1.94	42.17	1.32	160.23	45/45/BI Missouri
46/33/BI	Telfer	137-78	489,219	33.75	13.00	60.03	1.94	42.17	1.32	152.21	46/33/BI Telfer
47/06/ST	Morton	137-77	526,280	16.51	4.60	70.96	1.94	42.17	1.32	137.50	47/06/ST Morton
47/33/ST	Morton	137-77	13,671	16.51	4.60	60.03	1.94	42.17	1.32	126.57	47/33/ST Morton
48/06/ST	Long Lake	137-76	501,883	11.95	4.60	70.96	1.94	42.17	1.32	132.94	48/06/ST Long Lake
51/01/BI	Fort Rice	137-80	2,528,153	18.00	13.00	107.19	1.94	42.17	1.32	183.62	51/01/BI Fort Rice
52/SW/SW/AM	Crofte	141-79	895,246	14.71	16.50	134.36	1.94	42.17	1.32	211.00	52/SW/SW Crofte
52/01/SW/AM	Crofte	141-80	75,927	14.71	16.50	107.19	1.94	42.17	1.32	183.83	52/01/SW Crofte
53/28/ST	Sibley Butte	140-77	187,858	18.00	4.60	92.00	1.94	42.17	1.32	160.03	53/28/ST Sibley Butte
53/35/ST	Sibley Butte	140-77	322,565	18.00	4.60	79.70	1.94	42.17	1.32	147.73	53/35/ST Sibley Butte
54/06/BR	Wild Rose	137-75	210,359	0.00	5.00	70.96	1.94	42.17	1.32	121.39	54/06/BR Wild Rose
54/06/ST	Wild Rose	137-75	39,425	0.00	4.60	70.96	1.94	42.17	1.32	120.99	54/06/ST Wild Rose
54/26/BR	Wild Rose	137-75	108,990	0.00	5.00	82.00	1.94	42.17	1.32	132.43	54/26/BR Wild Rose
CL/01/BI	City of Lincoln	CL-01-BI	16,532,128	71.10	13.00	107.19	1.94	42.17	1.32	253.40	CL/01/BI City of Lincoln
CR/SW/SW/AM	City of Regan	CR-SW-SW	65,359	94.44	16.50	134.36	1.94	42.17	1.32	290.73	CR/SW/SW City of Regan
CW/28/CW/AM	City of Wing	CW-28-CW	239,847	80.06							

8. Attend meetings called by the commissioner to further noxious weed control under this chapter.

4.1-47-14. County noxious weed control program - Payment of expenses - Financial report - Tax levy authorization.

1. The board of county commissioners may pay the expenses of a county noxious weed control program authorized under this chapter from the county general fund, the noxious weed control fund, or both. In addition to the other program expenditures authorized in this chapter, the board of county commissioners may expend funds from the levy authorized under subsection 11 of section 57-15-06.7 to control noxious weeds or undesirable vegetation along county or township roads in the county.
2. a. The county weed board may annually request from the board of county commissioners the levy of a tax, not to exceed the levy limitation in subsection 11 of section 57-15-06.7, but any tax levied under this section does not apply to property that lies within the boundaries of a city having a noxious weed control program under this chapter. In the year for which the levy is sought, a county weed board seeking approval of a property tax levy under this chapter must file with the county auditor, at a time and in a format prescribed by the county auditor, a financial report for the preceding calendar year showing the ending balances of each fund held by the county weed board during that year.
b. The board of county commissioners may levy the taxes authorized by this subsection and shall place those moneys in a separate fund designated as the weed control fund, which may be used to pay the expenses authorized under this section.
3. For purposes of this section, the expenses of a county noxious weed control program include compensation for and the reimbursement of expenses incurred by the county weed board, the county weed control officer and other employees of the board, and expenses incurred as authorized by this chapter.

4.1-47-15. State appropriations for noxious weed control - Distribution - Determination.

1. The commissioner shall consult with the county and city weed boards and develop a method for the distribution to county and city weed boards of all moneys appropriated by the state for noxious weed control, other than the landowner assistance grants provided for in section 4.1-47-16.
2. The method must:
 - a. Limit the amount that any county or city weed board is entitled to receive under this section to seventy-five percent of the board's actual expenditures under this section; and
 - b. Allow the commissioner to waive the limit provided for in this subsection if the commissioner determines that a noxious weed is seriously endangering areas of a county, a city, or the state.

4.1-47-16. State appropriations for noxious weed control - Landowner assistance program.

1. The commissioner shall consult with representatives of county and city weed boards and develop a formula for the distribution to eligible county weed boards and eligible city weed boards of all moneys appropriated by the state for the landowner assistance program.
2. a. The formula must require that county officials budget, from revenues derived from county sources, an amount equal to the revenue that could be raised by a levy of at least three mills for noxious weed control against taxable property in the county which does not lie within the boundaries of a city having a noxious weed control program under this chapter.

- b. The formula must require that city officials budget, from city sources, an amount equal to the revenue that could be raised by a levy of at least three mills for noxious weed control.
 3.
 - a. The formula must require that the landowner contribute an amount equal to at least twenty percent of the cost to be expended on behalf of the landowner.
 - b. The nature and type of the landowner's contribution must be determined by the weed board having jurisdiction over the area in which the landowner's property is located.

4.1-47-17. Control of noxious weeds within cities.

The governing body of any city having a population of three thousand or more may establish a program for the control of noxious weeds within the jurisdictional limits of the city. If a program is not established, the county weed board shall administer a program for the city.

4.1-47-18. City weed board members - Terms - Compensation.

1. If the governing body of a city elects to establish a noxious weed control program, as authorized by section 4.1-47-17, the governing body shall appoint a weed board consisting of three, five, or seven members.
2. The term of office for a board member is four years or until a successor is appointed and qualified. The terms must be staggered so that no more than two expire each year.
3. Any qualified elector residing within the city is eligible to serve on the board.
4. A board member shall assume office at the first regular meeting of the city weed board following the member's appointment.
5. The governing body of the city shall remove a member of the city weed board for repeated unexcused failures to attend meetings, for refusal to act as a board member, or for incapacity. If a vacancy occurs on a city weed board, the governing body of the city, at its next regular meeting, shall appoint an individual who possesses the necessary qualifications to fill the unexpired term.
6. The city weed board shall elect a chairman and a vice chairman from among its members.
7. The city weed board shall appoint a secretary and a treasurer. The secretary and treasurer need not be members of the board.
8. The governing body of the city shall establish the rate of compensation for city weed board members.

4.1-47-19. City weed board - Powers.

A city weed board may:

1. Expend funds from all available sources if it determines that the extent of noxious weed infestation on certain land is so severe that undertaking control efforts would place an extreme financial burden on the landowner.
2. Employ and compensate additional personnel to assist with noxious weed control efforts.

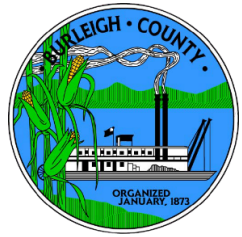
4.1-47-20. City weed board - Duties.

Each city weed board shall:

1. Implement a program for the control of noxious weeds;
2. Establish the time and place of regular board meetings;
3. Meet at least once each year;
4. Keep minutes of its meetings and a complete record of all official acts;
5. Control and disburse all moneys received by the city from any source for noxious weed control;
6.
 - a. Provide for the compensation of its members and its secretary and treasurer;
 - b. Reimburse its members and its secretary and treasurer for actual and necessary expenses; and



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

July 1, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the June 17, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Second Access permit application.
6. Vision Zero Coordinator Theresa Liebsch:
 - A. Vision Zero update.
7. County Engineer Hall:
 - a. **PUBLIC HEARING** for section line vacation request.
8. County Planning Director Flanagan:
 - a. Variance request.
9. Finance Director Jacobs:
 - a. Detention Center Sales tax bond update.
 - b. Continuation of Detention Center maintenance fund discussion.
10. Sheriff Leben:
 - a. Burleigh East discussion.
11. Elections Coordinator Hart:
 - a. Primary Election recap.

12. Comm. Bakken.
 - a. BNSF Railway update.
13. Other business.
14. Adjourn.

COUNTY WEED BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Consideration of the June 17, 2024, minutes, and bills.
4. Discussion on temporary worker.
5. Other business.
6. Adjourn.

The next regularly scheduled Commission meeting will be on July 15, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING**

JUNE 17TH, 2024

5:00 PM *Moment of silence in honor of former Burleigh County Comm. Bill Delmore 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.

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the May 31st, 2024 special meeting and June 3rd, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Jesse Baker	2022	Lot 16, Block 19, Meadow Valley 4th	50% Disabled Veteran	\$243,900	\$198,900
Jesse Baker	2023	Lot 16, Block 19, Meadow Valley 4th	60% Disabled Veteran	\$249,500	\$195,500
Steven & Deborah Van Berkom	2023	Block 3, Auditor's Lot 2A being a part of Lot 2, Promontory Point II	70% Disabled Veteran	\$570,400	\$444,400
Michelle Welder	2022	Lot 7, Block 1, High Meadows	True and full value exceeds market value; nonexistent improvement assessed	\$371,800	\$327,800
Michelle Welder	2023	Lot 7, Block 1, High Meadows	True and full value exceeds market value; nonexistent improvement assessed	\$399,900	\$355,900
Thomas & Kellie Erhardt	2023	Lot 4, Block 1, Rolling Meadows	50% Disabled Veteran	\$331,500	\$241,500

Harold Rants Jr	2023	2001 Yellowstone 28 x 60	100% Homestead Credit	\$67,872	\$0
Harold Rants Jr	2024	2001 Yellowstone 28 x 60	100% Homestead Credit	\$67,872	\$0
Darlene Steffan	2023	Lot 5, Block 2, Pebble Creek 9th Condo Assoc Unit 1, Garage Unit 1	100% Homestead Credit	\$199,900	\$0

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Jesse Baker (2), Steven & Deborah Van Berkom, Michelle Welder (2), Thomas & Kellie Erhardt, Harold Rants Jr (2), and Darlene Steffan abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Doug Moser, Jared Newton, and Eric Weber from the US Fish and Wildlife Service came to the Commission to request a motion of support for the sale of land by Rice Lake in Burleigh County. Moser explained that they were approached by Virgil Gluth to sell his property to the National Wildlife Refuge System; for the process of transferring land to continue moving forward, one of the things the US Fish and Wildlife Service needs to do is reach out to the county commission to get a signed letter at a later date. Motion by Comm. Bakken, 2nd by Comm. Munson to support the sale of land by Rice Lake. Comm. Woodcox, Munson, Bakken, and Bitner voted "AYE"; Comm. Schwab voted "NAY". Motion carried.

County Planning Director Flanagan presented to the Commission an appeal of complaint from Jonathan Byers regarding the issue of two residential properties on one lot. A complaint was filed against Mr. Byers because the double garage on his property was being used as a residence. Jonathan Byers then approached the podium and explained that the original owner of the property -- Francis Sanger -- lived in the garage while he was obtaining a permit to build the main residence on the property. The garage has had a kitchen, bedroom, laundry room, and bathroom in it since its construction under Sanger, and was advertised as a guest house when the property went up for sale in 2004. Although Byers' father-in-law did live in the garage-guest house for a time until his recent passing, Byers argued that because he was a family member and never paid rent to live there, there was never any violation of Burleigh County ordinances. Byers also emphasized that he knew he was unable to rent out the garage-guest house, and never had any intentions of renting the property to anyone. Because no one was currently living in the garage-guest house and with Director Flanagan making efforts to create a countywide accessory dwelling ordinance to account for a developing nationwide trend, a motion was made by Comm. Bakken, 2nd by Comm. Munson to dismiss the complaint levied against Mr. Byers. All members present voted "AYE". Motion carried. County Engineer Hall made a quick appearance to request the Commission approve a pavement waiver as part of the approval of the Fleck subdivision. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the request. All members present voted, "AYE". Motion carried. Flanagan then returned to present a recommendation for approval of the Fleck subdivision final plat. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the Fleck subdivision final plat. All members present voted, "AYE". Motion carried. Flanagan thereafter presented a recommendation for approval of the Riverside 3rd final subdivision plat. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Riverside 3rd final

subdivision plat. All members present voted, "AYE". Motion carried. Flanagan lastly presented a recommendation for approval of the Peaceful View final plat. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Peaceful View final plat. All members present voted, "AYE". Motion carried.

Metropolitan Planning Organization Executive Director Rachael Lukaszewski then came forth to the Commission to request approval of the 2024 Functional Classified Network. The network helps establish urbanized boundaries for the region and is designed to allow for roads to receive federal grant aid for construction or maintenance. Lukaszewski informed the commissioners that frontage roads and new collectors were added to the network, and that the urbanized area boundaries came in a little. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve Lukaszewski's request. All members present voted "AYE". Motion carried.

County Engineer Hall presented to the Commission an underground easement request from MDU across Burleigh County property. Hall stated that after working out the finer details and rewriting the easement in a more consistent form, he recommended that the Commission approve the request. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the underground easement request. All members present voted "AYE". Motion carried.

County Finance Director Jacobs gave another update regarding the Detention Center sales tax, stating that while the sales tax measure has passed the situation on the ground has not changed. Burleigh County has the capacity to pay off its portion of the bond, but Morton County is still lagging behind. Timing remains a big issue as well. With the recent approval of the one cent sales tax in the June 11th primary election, there may not be enough time to collect funds when the tax goes into full effect, so the sooner it's enacted the more tax can be collected and used for intended purposes. Motion by Comm. Munson, 2nd by Comm. Bakken to initiate the process for the one cent sales tax based on the recent election. Comm. Woodcox, Munson, Bakken, and Bitner voted "AYE"; Comm. Schwab voted "NAY". Motion carried. Lee then stated that some bonds will need to be liquidated and proposed retaining a bidding agent to assist in the process. Motion by Comm. Woodcox, 2nd by Comm. Bakken to move forward as presented. All members present voted "AYE". Motion carried. Jacobs then went on to touch on the BMD maintenance fund; however, this item was carried over to the next commission meeting agenda for further discussion.

Auditor/Treasurer Splonskowski presented to the Commission a new liquor license application from Jocelyn Miller for the Crossroads Tavern; the Commission was informed that Hay Creek township reviewed and rejected the application for a new liquor license. Motion by Comm. Munson, 2nd by Comm. Woodcox to not approve the license application for Crossroads. Prior to voting, the discussion on the matter continued as Jocelyn Miller came forward and informed the Commission that the Crossroads Tavern was being sold to Ryan Deichert. Deichert then took to the podium and asked the Commission if Miller could be approved on the license to operate the Crossroads on the interim until Deichert can obtain a state's license. Major Hulm from the Sheriff's Department then came forward and informed the Commission that since the May 31st special meeting on the topic, on June 9th at 2:00 am deputies from the Sheriff's Department were called to the Crossroads for a medical assist; upon arriving, they were greeted by a large crowd which hindered their ability to assist. While there, they also encountered a domestic incident. Hulm also informed the Commission that the day prior on June 16th at 1:46am the Sheriff's Department had to respond to a shots fired call in the Crossroads parking lot. Motion by Comm. Munson, 2nd by Comm. Woodcox to not approve the license application for Crossroads still stood – all members present voted "AYE". Motion carried.

Chairman Bitner shared with the Commission that he received a phone call from a county resident concerning the ballot language on the one cent sales, and how it wasn't as clear as it should've been. Bitner also shared with the Commission another phone call from a different county resident concerning the mowing of grasses & lawns next to roadways, asking to publicize the risks of blowing grass onto roads and how they affect traffic. Bitner also mentioned that after some discussion with the county auditor and elections director that the county hopes to see in the future a Q&A survey and summary from election poll workers to gauge how the election went and where operations can improve.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-634	Marjean Schwehr	2023	Block 2, Gateway Commons, Tract 2705A of part of Lot 1 Gateway Plaza Condo, Building 2705 Unit 5	50% Homestead Credit	\$127,700	\$63,850
24-635	Mary Magstadt	2023	Lot 2, Block 1, Ashwood 4th	100% Homestead Credit	\$415,500	\$215,500
24-636	Karen Baumgartner	2023	Block 1, Grandview Heights, Lots 4-5 & Lot A of Lot 6 Grandview Arms Condo Unit 15	50% Homestead Credit	\$107,200	\$53,600



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

24-007

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Bismarck Cancer Center Foundation

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Capital City Sporting Clays

Street 12945 71st Avenue NE	City Bismarck	ZIP Code 58501	County Burleigh
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Beginning Date(s) Authorized Sept. 27, 2024	Ending Date(s) Authorized Sept 27, 2024	Number of Twenty-One tables, if zero, enter "0" 0
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Specific location where games of chance will be conducted and played at the site (required)
Under the awning of the building

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known
September

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
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If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Capital City Sporting Clays		Site Name Capital City Sporting Clays		Site Phone Number
Site Address 12945 71st Avenue NE		City Bismarck	State ND	Zip Code 58501
County Burleigh		Rental Period 9/27/24 to 9/27/24		Monthly Rent Amount
Organization Bismarck Cancer Center Foundation				
1. Is Bingo going to be conducted at the site?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables _____ X Rent per Table \$ _____				\$
4. Is Pull Tabs involving either a jar bar or standard dispensing device conducted at this site?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Please Check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device				\$
5. Are Electronic Pull-Tabs conducted at this site?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
If "Yes" please indicate the number of devices _____				\$
Total Monthly Rent				\$
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input checked="" type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Mark Sanchez</i>	Title <i>Owner</i>	Date <i>5-24-24</i>
Signature of Lessee <i>Amy Gross</i>	Title <i>Executive Director</i>	Date <i>5-29-24</i>

24-006



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization
Dakota Junior Golf Association

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Apple Creek Country Club

Street 8921 E Highway 10	City Bismarck	ZIP Code 58501	County Burleigh
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Beginning Date(s) Authorized 7/1/2024	Ending Date(s) Authorized 6/30/2026	Number of Twenty-One tables, if zero, enter "0" 2
---	---	--

Specific location where games of chance will be conducted and played at the site (required)
South side of site. Excludes restrooms.

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|--|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input checked="" type="checkbox"/> Twenty-One |
| <input type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input checked="" type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
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If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a copy of the Site Authorization for your files.
2. City/County - Return the original Site Authorization form to the Organization.
3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Apple Creek Country Club		Site Name Apple Creek Country Club		Site Phone Number [REDACTED]
Site Address 8921 East Highway 10	City Bismarck	State ND	Zip Code 58504	County Burleigh
Organization Dakota Junior Golf Association		Rental Period 7/1/2024 to 6/30/2026		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 2 X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 5		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 875.00
Total Monthly Rent				\$ 875.00
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

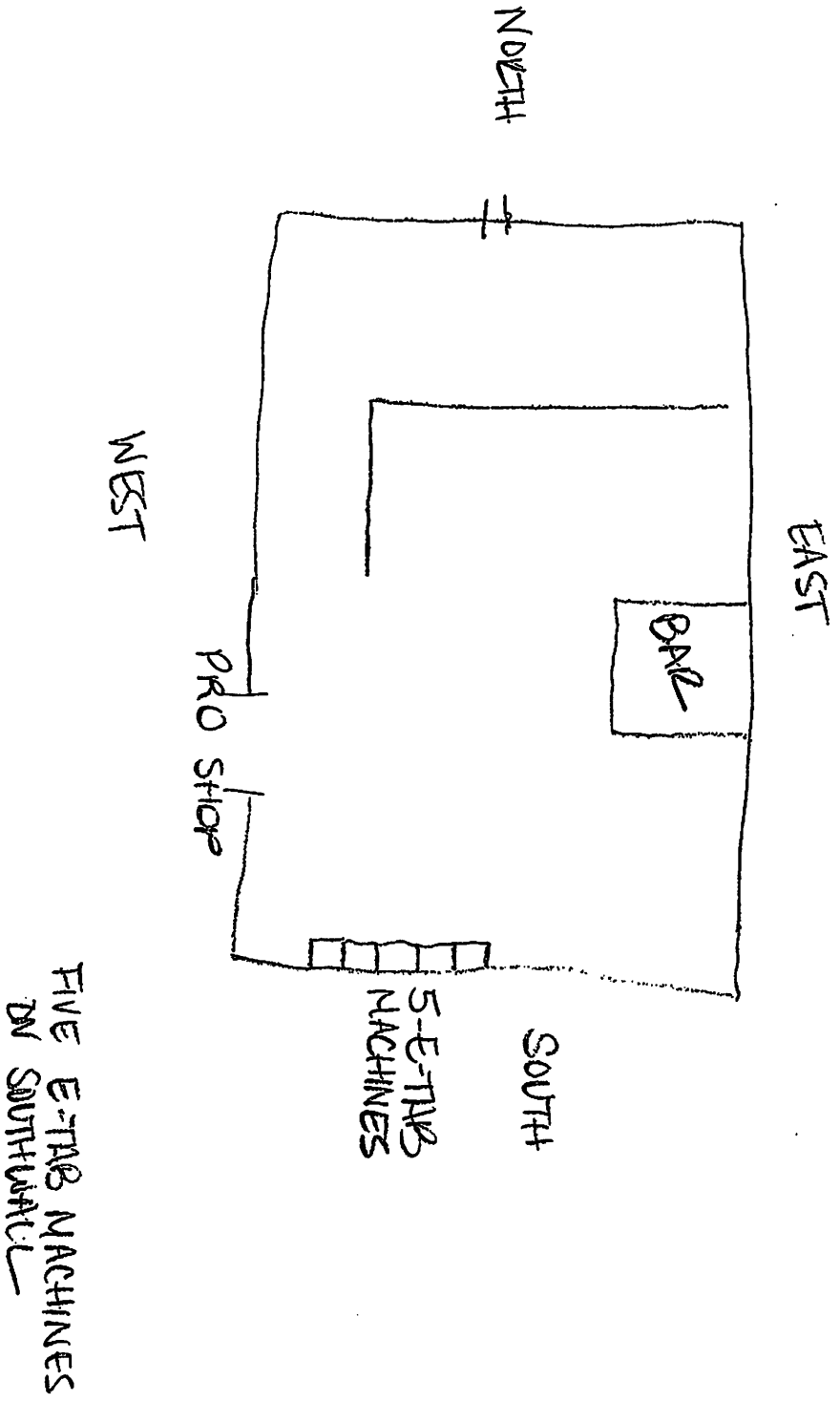
The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title GM	Date 1-24-24
Signature of Lessee 	Title Treasurer	Date 1-24-24

APPEALWEEL COUNTRY CLUB



24-005



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (2-2023)

G - _____ (____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization
Dakota Junior Golf Association

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Hawktree, Inc.

Street 3400 Burnt Boat Drive	City Bismarck	ZIP Code 58503	County Burleigh
--	-------------------------	--------------------------	---------------------------

Beginning Date(s) Authorized 7/1/2023	Ending Date(s) Authorized 6/30/2025	Number of Twenty-One tables, if zero, enter "0" 2
---	---	---

Specific location where games of chance will be conducted and played at the site (required)
East side of bar. Excludes restrooms.

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

1. City/County - Retain a copy of the Site Authorization for your files.
2. City/County - Return the original Site Authorization form to the Organization.
3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (2-2023)

AUG 24 2023

23-005

G-1068008A
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Dakota Junior Golf Association

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Hawktree, Inc.

Street 3400 Burnt Boat Drive	City Bismarck	ZIP Code 58503	County Burleigh
Beginning Date(s) Authorized 7/1/2023	Ending Date(s) Authorized 6/30/2025	Number of Twenty-One tables, if zero, enter "0" 2	

Specific location where games of chance will be conducted and played at the site (required)
East side of bar. Excludes restrooms.

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General 	Date JUL 01 2023
Signature of City/County Official 	Date 8/23/2023
Signature of City/County Official 	Date 5/16/2023
PRINT Name and official position of person signing on behalf of city/county above Mark Splansky	

INSTRUCTIONS:

1. City/County - Retain a copy of the Site Authorization for your files.
2. City/County - Return the original Site Authorization form to the Organization.
3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
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 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240

RECEIVED
 ATTY. GENERAL'S LICENSING DEPT.

AUG 23 2023

RECEIVED
 ATTY. GENERAL'S LICENSING DEPT.

JUN 14 2023

Check _____
 Draft _____
 Cash _____ M.O. _____

Check _____
 Draft _____
 Cash _____ M.O. _____



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (Rev. 08-2019)

License Number (Office Use Only)

Site Owner (Lessor) Hawktree, Inc.		Site Name Hawktree		Site Phone Number [REDACTED]
Site Address 3400 Burnt Creek Loop		City Bismarck	State ND	Zip Code 58503
County Burleigh				
Organization (Lessee) Dakota Junior Golf Association		Rental Period 7/1/2023 to 6/30/2025		Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____ Number of Tables with wagers over \$5 <u>2</u> X Rent per Table \$ _____		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 200.00
<input checked="" type="checkbox"/> Electronic Dispensing Device Number of Electronic Devices <u>3</u>				\$ 300.00
Total Monthly Rent				\$ 500.00

5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here.

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

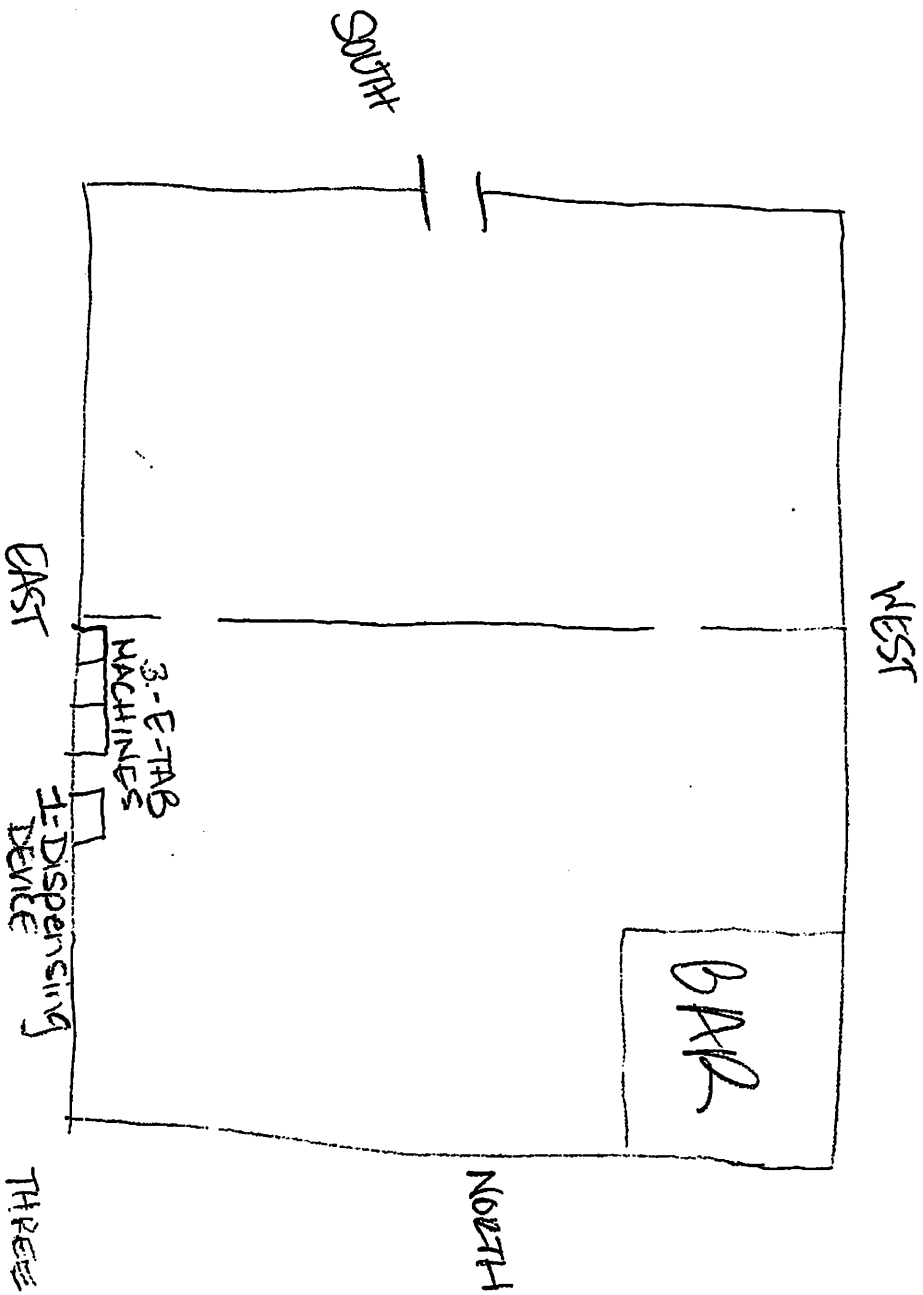
The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title GM / HEADPRO	Date 4/13/2023
Signature of Lessee 	Title Treasurer	Date 3/24/2023

(over)

LAUREL GOLF CLUB



THREE E-TAB MACHINES
ON EASTSIDE
ONE DISPENSING DEVICE
ON EASTSIDE



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

24-008

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Furry Friends Rockin Rescue

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Flash's Place

Street 1401 Hwy 83 NE	City Sterling	ZIP Code 58572	County Burleigh
---------------------------------	-------------------------	--------------------------	---------------------------

Beginning Date(s) Authorized July 20, 2024	Ending Date(s) Authorized July 20, 2024	Number of Twenty-One tables, if zero, enter "0"
--	---	---

Specific location where games of chance will be conducted and played at the site (required)
Raffle drawing will be outside - 50/50 Raffle

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known
July 20, 2024

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|--|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input checked="" type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Wendelyn Krous		Site Name Flash's Place		Site Phone Number [REDACTED]
Site Address 1401 Hwy 83 NE	City Sterling	State ND	Zip Code 58572	County Burleigh
Organization Furry Friends Rockin Rescue	Rental Period July 20, 2024 to July 20, 2024		Monthly Rent Amount	
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Total Monthly Rent				\$ ϕ
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here.		<input checked="" type="checkbox"/>		

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Wendelyn Krous</i>	Title <i>owner</i>	Date <i>6-18-2024</i>
Signature of Lessee <i>[Signature]</i>	Title <i>FFRR President</i>	Date <i>6-18-24</i>

BRIAN MARQUART

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Hawktree, Inc. Classification of License Type D

Primary Contact Matthew Nadeau Phone [REDACTED]

Address [REDACTED] Bismarck, ND 58503 Date of Birth/Incorporation 9/5/1996

Is this a renewal of liquor license? Yes x No _____

If yes, give date of original application 7/20/1997

Check one of the following to indicate who is applying for the license:

- _____ 1. A physical resident and citizen of the State of North Dakota; or
- x 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- _____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____
 Residence _____
 Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
see attached list			

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

see attached list

Date and type of any prior or present liquor business:

Current type D license held 7/1/2023- 6/30/2024.

Exact legal description of proposed enterprise:

Addition Name: The Ridge at Hawktree; TWN:139; RNG:81; BLK:01; LOT 17 & 44; Burleigh Co.
Addition Name: The Ridge at Hawktree; TWN:140; RNG:81; BLK:01; LOT 45; Burleigh Co.

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No

If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:

Yes No

If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No

If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Bremer Bank - lender [REDACTED]
2. Acushnet Co. - vendor of golf merchandise [REDACTED]
3. Callaway - vendor of golf merchandise [REDACTED]

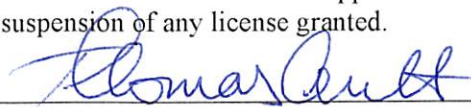
The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

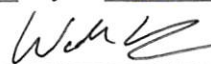
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

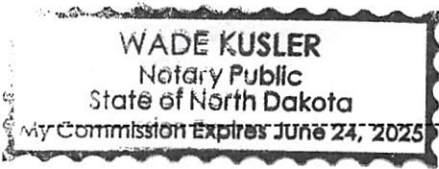


Signature of Applicant

Subscribed and sworn to before me this 4th day of June, 2024



Notary Public



Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Hay Creek approve the
(Name of Township)

application for a Type D Retail Liquor License for

Hawktree Golf Club

(Name of Establishment)

owned by Hawktree, Inc. 3400 Burnt Creek Loop, Bismarck, ND 58503
(Licensee) (Address)

Mary L. Rennick
Chairman

Larry Hardy
Member

James L. Mantel
Member

ATTEST

Alan J. Helmer
(Township Clerk)

Hawktree, Inc.
Attachment to Application for Liquor License
Ownership Information

<u>Name</u>	<u>Home Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Ownership</u>
-------------	---------------------	-------------	--------------	------------	------------------

Parties holding one or more percent:

Steve McCormick	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Karen McCormick	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Dan Waldoch	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Robb Sattler	[REDACTED]	Bismarck	ND	58501	[REDACTED]

All other parties having a financial interest:

Terrance Deeter	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Matthew Deeter	[REDACTED]	Bismarck	ND	58504	[REDACTED]
William Fleck	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Thomas Ault	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Mike Halpern Estate c/o Deb Wagner, PR	[REDACTED]	Oxford	MS	38655	[REDACTED]
Gary Johnson	[REDACTED]	Bismarck	ND	58504	[REDACTED]
Fred Schmidt	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Tracy Scott	[REDACTED]	Bismarck	ND	58504	[REDACTED]
Chatree Wongjirad	[REDACTED]	Las Vegas	NV	89138	[REDACTED]
Tim Herrmann	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Craig Johnson	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Dave Andrisen	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Albert Frank	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Steven Bietz	[REDACTED]	Bismarck	ND	58503	[REDACTED]
Treasury stock	[REDACTED]				[REDACTED]

**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number 24-008

Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit				<input type="checkbox"/> Restricted Event Permit*			
Games Authorized				<input type="checkbox"/> Raffle by a Political or Legislative District Party			
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO			
Name of Organization or Group Heartview Foundation			Dates Authorized (Read Instruction 2) July 18, 2024
Organization or Group Contact Person Jennifer Greuel		E-mail [REDACTED]	Telephone Number [REDACTED]
Mailing Address [REDACTED]		City Bismarck	State ND ZIP Code 58501

SITE INFO			
Site Name Apple Creek Country Club			County Burleigh
Site Address 8921 County Rd 10		City Bismarck	State ND ZIP Code 58501

If the city or county is placing restrictions on the permit, please explain

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

**Raffle at Golf Tournament - July 18, 2024
 (proceeds are for Client Care)**

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - (1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - (2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON			
Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (4-2023)

Applying for (check one)

Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Heartview Foundation		Dates of Activity (Does not include dates for the sales of tickets) July 18	
Organization or Group Contact Person Jennifer Greuel	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address [REDACTED]	City Bismarck	State ND	ZIP Code 58501
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Apple Creek Country Club	County Burleigh
Site Physical Address 8921 County Rd 10	City Bismarck
	State ND
	ZIP Code 58501
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle at golf tournament- 7/18	

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
50/50 Raffle	Approx \$300 cash	
	<i>(Client Care)</i>	
Total <i>(limit \$40,000 per year)</i>		\$

Intended Uses of Gaming Proceeds

Substance use treatment

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)

Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)

No Yes - Total Retail Value: [REDACTED] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

Yes No

Name Jennifer Greuel	Title Director of Communicatio	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official <i>Jf Greuel</i>		Title Director of Communications	Date 6/17/24

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

When we receive the signed and notarized Affidavit and Agreement a duplicate payment will be issued and forwarded to you. In the event you recover possession of the original check, DO NOT CASH IT, please advise the Burleigh County Auditor/Treasurer immediately. Our telephone number is (701) 222-6718.

MAIL THE SIGNED AND NOTARIZED AFFIDAVIT AND AGREEMENT TO:
Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

LASALLE SHOPPING CENTER LLC
3512 ROOSEVELT DR
BISMARCK, ND 58503-5853

Check Date: 03/27/2024
Original Check #: 128906
Check Amount: \$96,989.23

AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

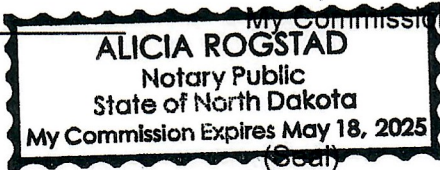
I hereby state under oath that the above-described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

I agree to indemnify, compensate, or make restitution to the County of Burleigh for any and all loss, damage and expense as a result of this issue of said new duplicate payment. If said original check alleged to have been lost or destroyed shall come into my possession, or under my control, I shall immediately return same to the Burleigh County Auditor, PO Box 5518, Bismarck, ND 58506-5518, for cancellation. If the aforesaid check shall at any time be cashed or presented to the Burleigh County Auditor/Treasurer by me or transferred to another person by me and result in a loss to the County of Burleigh, I shall promptly reimburse the Burleigh County Auditor/Treasurer for any such loss.

Subscribed and sworn to before me:

Ronald Krutson
Signature of Payee
Date 6/19/2024

Alicia Rogstad
Notary Public - County of Burleigh
My Commission Expires May 18, 2025



Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__

Burleigh County Auditor/Treasurer

Date

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

When we receive the signed and notarized Affidavit and Agreement a duplicate payment will be issued and forwarded to you. In the event you recover possession of the original check, DO NOT CASH IT, please advise the Burleigh County Auditor/Treasurer immediately. Our telephone number is (701) 222-6718.

MAIL THE SIGNED AND NOTARIZED AFFIDAVIT AND AGREEMENT TO:
Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:
LASALLE SHOPPING CENTER LLC
150 S 5TH STE 2500
MINNEAPOLIS, MN 55402-4209

Check Date: 03/27/2024
Original Check #: 128907
Check Amount: \$75,255.21

AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

I hereby state under oath that the above-described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

I agree to indemnify, compensate, or make restitution to the County of Burleigh for any and all loss, damage and expense as a result of this issue of said new duplicate payment. If said original check alleged to have been lost or destroyed shall come into my possession, or under my control, I shall immediately return same to the Burleigh County Auditor, PO Box 5518, Bismarck, ND 58506-5518, for cancellation. If the aforesaid check shall at any time be cashed or presented to the Burleigh County Auditor/Treasurer by me or transferred to another person by me and result in a loss to the County of Burleigh, I shall promptly reimburse the Burleigh County Auditor/Treasurer for any such loss.

Subscribed and sworn to before me:

Ronald Knutsen

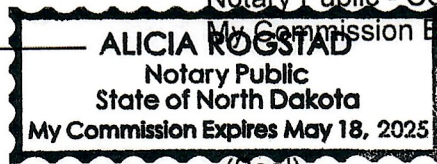
Signature of Payee

Date 6/19/2024

Alicia Rogstad

Notary Public - County of Burleigh

My Commission Expires May 18, 2025



(Seal)

Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__

Burleigh County Auditor/Treasurer

Date



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: July 1, 2024

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E.
County Engineer

RE: Second access permit for Matthew Routledge

Matthew Routledge from 7529 Country Hills Drive (Country Hills Second Subdivision Block 5, Lot 1) has requested a second access permit to his property. The first access approach is off of Country Hills Drive. He wishes to have a second approach off of Outland Road in order to have better access to the east side of his property. We have reviewed the location of the new proposed access off of Outland Road and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Matthew Routledge on the July 1, 2024 County Board Consent Agenda.

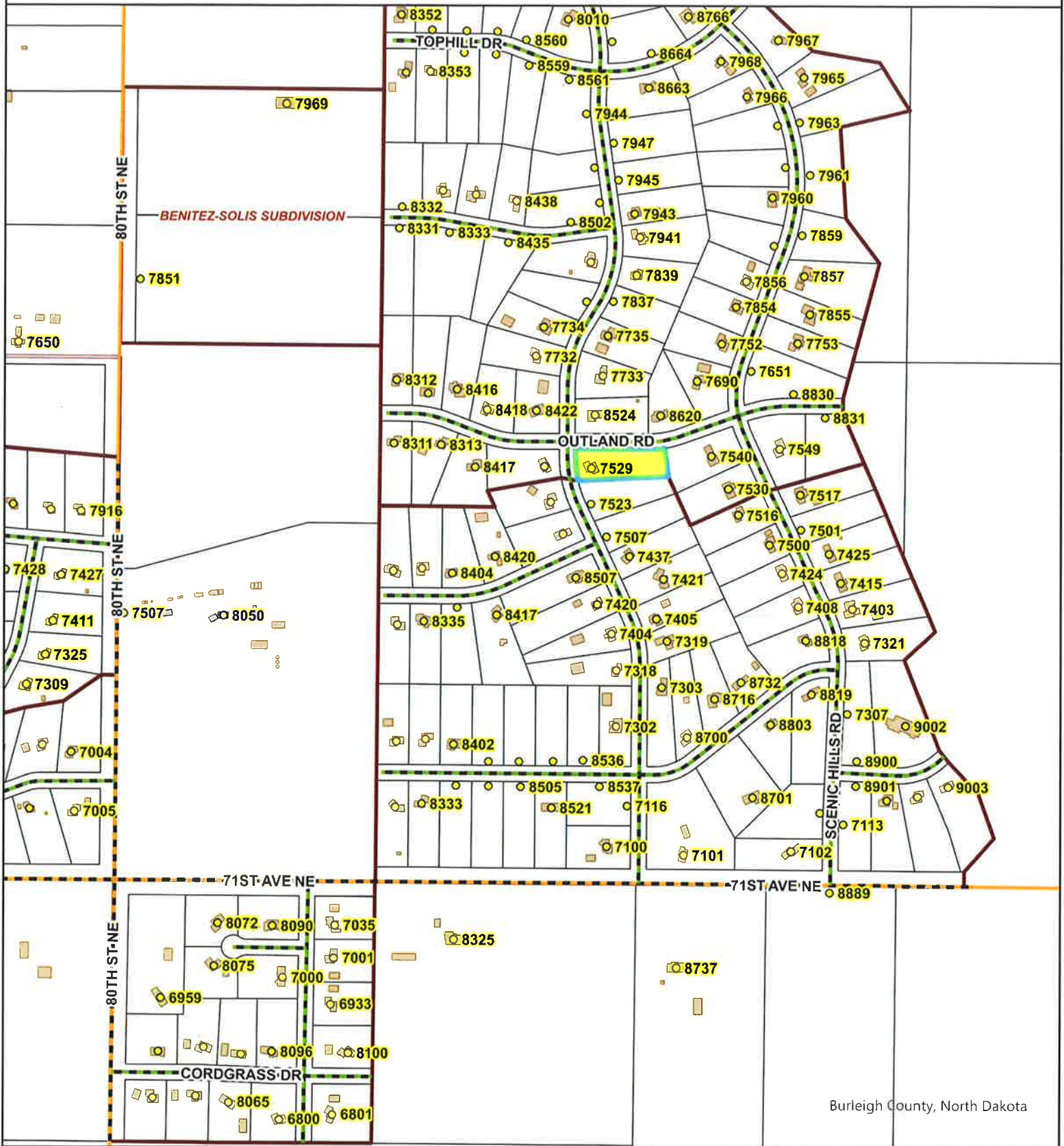
2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

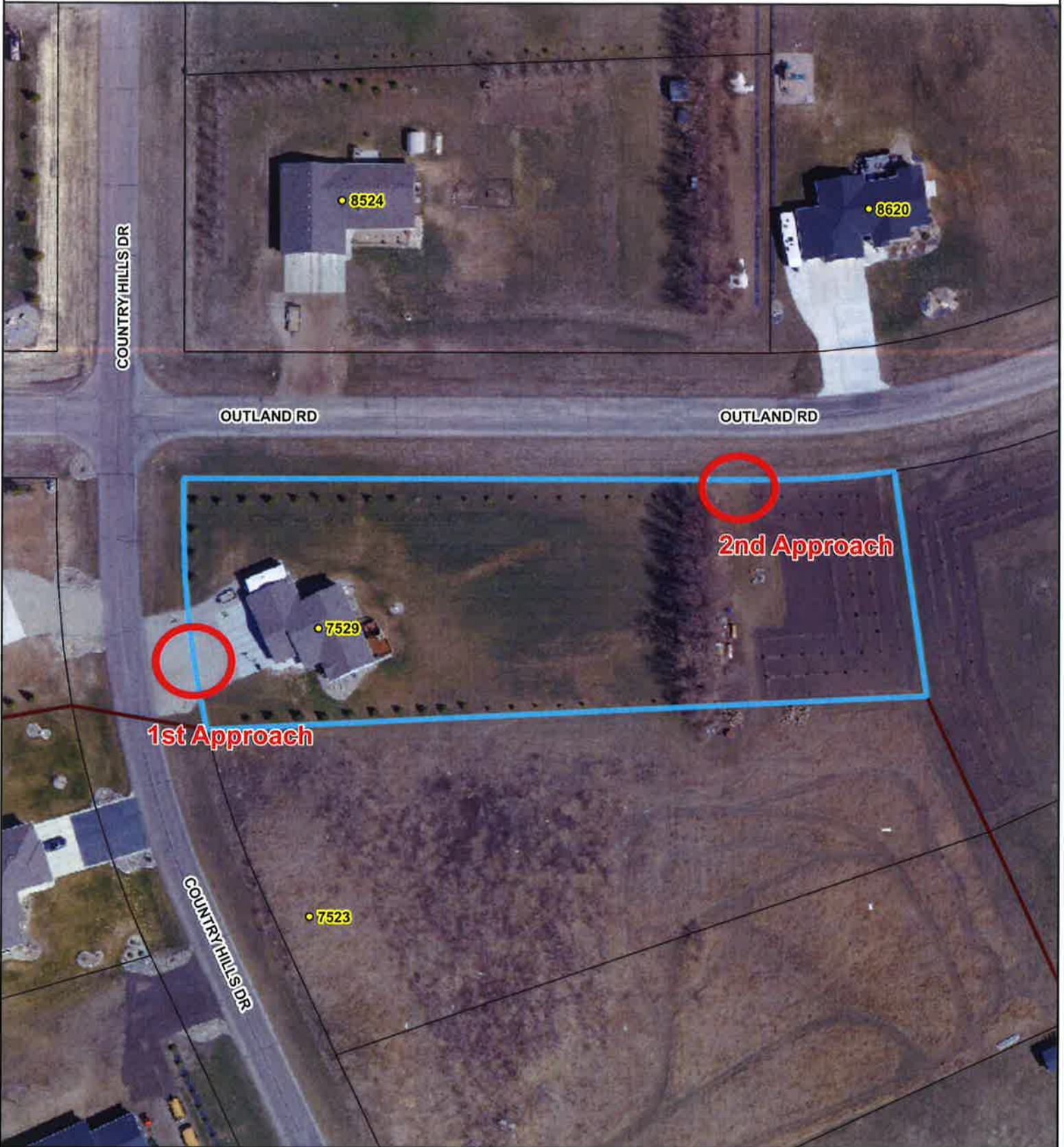
N
6/20/2024



PARCEL ID: 32-139-79-39-05-010 OWNER: ROUTLEDGE, MATTHEW & JENNIFER ACRES: 1.55
SITE ADDRESS: 7529 COUNTRY HILLS DR
MAIL ADDRESS: 7529 COUNTRY HILLS DR, BISMARCK, ND 58503
LEGAL: COUNTRY HILLS SECOND Block 05 LOT 1

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
6/20/2024



PARCEL ID: 32-139-79-39-05-010 OWNER: ROUTLEDGE, MATTHEW & JENNIFER ACRES: 1.55
SITE ADDRESS: 7529 COUNTRY HILLS DR
MAIL ADDRESS: 7529 COUNTRY HILLS DR, BISMARCK, ND 58503
LEGAL: COUNTRY HILLS SECOND Block 05 LOT 1

ITEM

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PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: July 1, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review petition to vacate section line, conduct Public Hearing, and direct staff on how to proceed.

BACKGROUND:

Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). North Cape Properties LLP (Lyndon & Mona Mertz) has filed a petition (see attached Application) with the County (Under NDCC 24-07) to vacate a portion of a section line on their property. In order to vacate this section line, the County/Township must conduct a Public Hearing, determine the public benefit of vacating this section line and ascertain any damages that are caused by discontinuing this roadway.

RECOMMENDATION:

It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.



BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Lot Modification | | | |

PROPERTY INFORMATION:		
Name of plat: N/A		
Legal description of property (lot, block, addition): Riverview Township Section 28 N 65' of Lot 1 28-140-81		
Street address of property: 10924 67th St. NW Bismarck ND 58503		
Existing Zoning:	Proposed zoning:	
Acreage: .98	Number of lots: 1	
Description of development proposal, including reason(s) for the request:		
APPLICANT/DEVELOPER:		
Name: Lyndon & Mona Mertz		Mailing address: 3204 sandy Lane SE Mandan ND 58554
Daytime telephone number: [REDACTED]	FAX number: [REDACTED]	E-mail address: [REDACTED]
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name: North Cape Properties LLP		Mailing address: 3204 Sandy Lane SE Mandan ND 58554
Daytime telephone number: [REDACTED]	FAX number: [REDACTED]	E-mail address: [REDACTED]
CONTACT PERSON/AGENT:		
Name/Firm: Lyndon or Mona Mertz		Mailing address: 3204 Sandy Lane SE Mandan ND 58554
Daytime telephone number: [REDACTED]	FAX number: [REDACTED]	E-mail address: [REDACTED]

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

The following checklist must be completed and submitted with the application form.

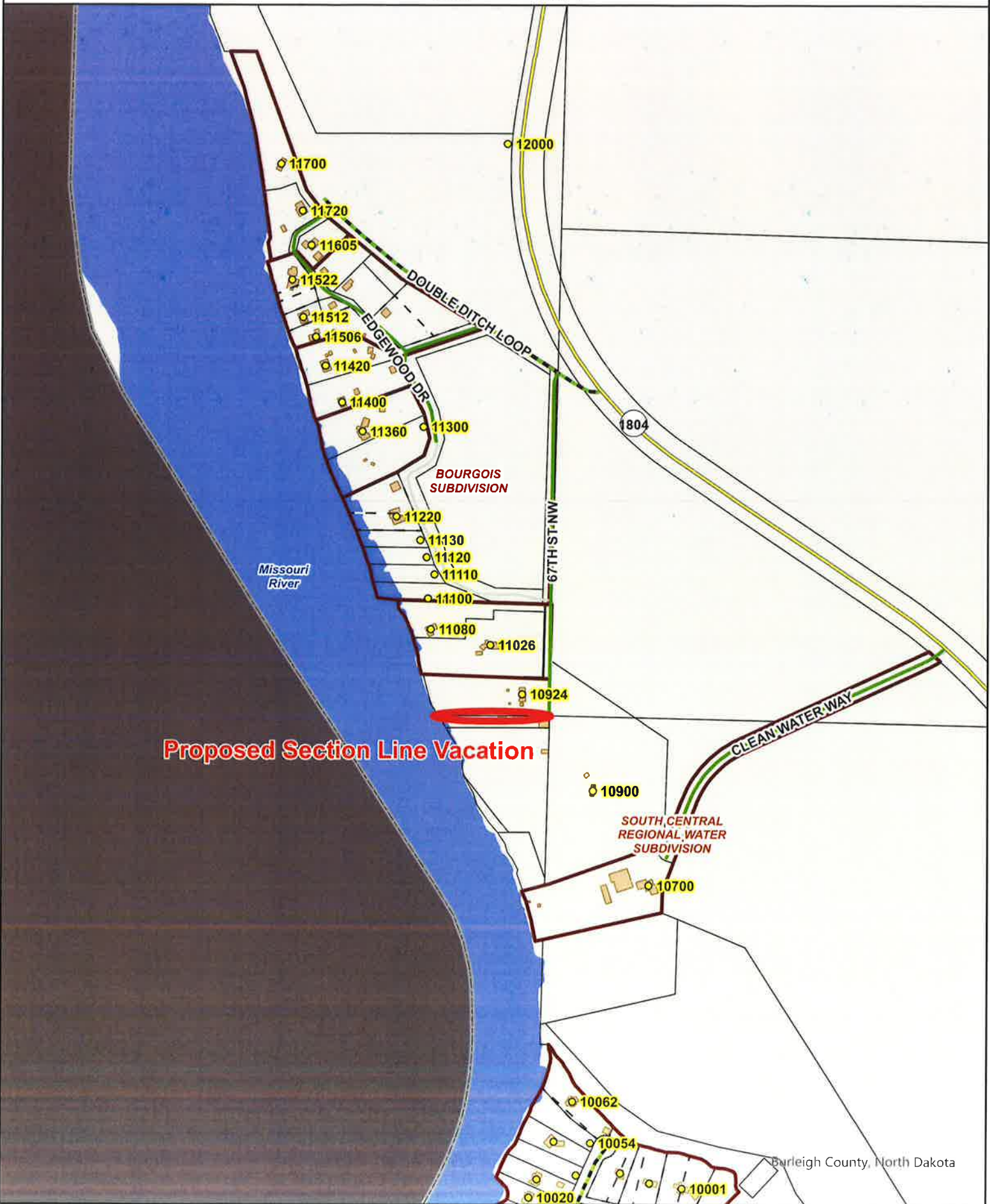
COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
<input type="checkbox"/> Preliminary Plat	Required pre-application meeting	Date:	
	6 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee of \$200-\$900 determined by number of lots		
	8½" x 11" reduction of plat		
	Digital copy of plat		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
	Written request for amendment to Fringe Area Road Master Plan (if applicable)		
<input type="checkbox"/> Final Plat	6 prints of plat, including all items listed in final plat checklist		
	Final plat checklist, completed by applicant		
	8½" x 11" reduction of plat		
	Digital copy of plat, if requested		
	Attorney's opinion of ownership, including all easement owners		
	Stormwater management plan		
<input type="checkbox"/> Minor Plat Modifications 3 lots or less	Map of property to be modified		
	Fee of \$200.00		
	4 prints of modification		
<input checked="" type="checkbox"/> Road Vacation	Map of property to be vacated		yes
	Fee of \$250.00		yes
	Legal description of property to be vacated		yes
	Letters of consent from utilities (street/alley vacation & easement release)		no
<input type="checkbox"/> Zoning Change	Fee of \$500.00 (zoning change)		
	Description of zoning change by legal description if multiple districts requested		
	Architectural/Engineered drawings (PUD only)		
	One (1) print of site plan, at 1"=100' scale (PUD only)		
	8½" x 11" reduction of site plan (PUD only)		
	Written statement (PUD only)		
<input type="checkbox"/> Special Use	Fee of \$300.00		
	3 prints of site plan, at 1"=20' or larger scale		
	8½" x 11" reduction of site plan		
	Photograph of building (moving building only)		
	Adjacent property owner petition (required for moving of a building, trap or skcet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		
<input type="checkbox"/> Development Permit	Fee of \$200.00		
	Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
	Completed Development Application		

Lot Modification	Fee of \$200.00		
	Sketch of survey, showing how the lot is proposed to be modified		
	Legal description of lot(s), both existing & proposed with square footage/acreage		

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
5/24/2024



Proposed Section Line Vacation

Burleigh County, North Dakota

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
5/24/2024



PARCEL ID: 23-140-81-00-21-610 OWNER: NORTH CAPE PROPERTIES LLP ACRES: 2.953
SITE ADDRESS: 10924 NW 67TH ST
MAIL ADDRESS: 3204 SANDY LANE SE, MANDAN, ND 58554
LEGAL: RIVERVIEW TOWNSHIP Section 21 PT SE1/4 21 BEG AT THE SE COR SEC21 W ALONG S LINE TO RIVER TH TO POB ETC (INCL PT LOT 1 BLOCK 1-CORWIN 139'X 8'+ 40' DED R/W) 21-140-81

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
5/24/2024



Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

ITEM

8



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: Recommendations from the 6-12-2024 meeting of Burleigh County Planning Commission.
Date: June 24, 2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Variance Request for 7921 Country Brook Road

Legal Description: Country Creek Third Block 05 Lot 1
Property Address: 7921 Country Brook Road

1. The owners of the above stated property intend to build a 2,240 sq./ ft. accessory building and are requesting a 30' variance due to the east property line being considered a rear lot line that normally requires a 50' setback.
2. Because this is corner lot, there are 40' setbacks on the west and north lot lines
3. The Planning Commission recommend approval of the variance with a vote of 7-2.

Recommended Motion: Approve the 20' distance from lot line variance request for 7921 Country Brook Road.

Attachments:

- Ex.1: 7921 Site location
- Ex.2: View facing south

DAKOTA COUNTRY DR

DAKOTA COUNTRY DR

DAKOTA COUNTRY DR

DAKOTA COUNTRY DR

COUNTRY BROOK RD

COUNTRY BROOK RD

BROOK RD



20'



ITEM

12

Please add the following to the next agenda as an FYI from BNSF...

June 21, 2024 BNSF Railway Update:

Trucks bringing material for the new embankment on the west side of the BNSF bridge project are expected to resume next week in double shifts as crews aim to complete the embankment this construction season. Westbound trucks will exit Liberty Memorial Bridge and travel the access road built on the ND DOT right of way adjacent to I-194, so trucks can avoid local roads. The project team would like to remind motorists to slow down and use caution throughout the work zone.

Steve Bakken, Vice Chair
Burleigh County Commission
221 N 5th St
Bismarck ND 58501

www.burleighco.com

COUNTY

WEED

BOARD

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
JUNE 17, 2024**

6:34 P.M

Chairman Bakken called the Burleigh County Weed Board meeting to order.

A roll call of members: Commissioners Munson, Woodcox, Bitner, Schwab, and Chairman Bakken present.

Auditor/Treasurer Splonskowski presented to the Board three bids for herbicide and one bid for a chemical applicator, and asked the Board for direction on where to move forward. Comm. Schwab brought to the attention of the Board that one of the bids for herbicide was received electronically, and asked if the Board can still accept an electronic bid. After some discussion, motion by Comm. Woodcox, 2nd by Comm. Munson to allow the electronic bid for consideration. All member present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Schwab to accept the low bid per chemical basis and to split the order on any chemical that they are the same. All member present voted "AYE". Motion carried. In terms of the applicator bid, Splonskowski expressed that the sole bid received did not fulfill all the requirements the Board desires. Motion by Comm. Bitner, 2nd by Comm. Schwab to reject the bid for chemical applicator. All member present voted "AYE". Motion carried. Some discussion ensued afterwards regarding how spraying is going to happen this year. Comm. Schwab explained that they have a weed officer now, but that they still need to be trained in order to be licensed. Comm. Schwab offered to continue calling other counties to see they could spare some manpower over to Burleigh County for work opportunities. After some more discussion, it was agreed that Auditor/Treasurer Splonskowski with Comm. Schwab would rework the bid while the Board pursued other paths and options

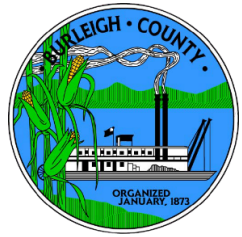
Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Steve Bakken, Chairman



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

July 15th, 2024

8:30 AM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Consideration of the June 3rd, 2024, minutes and bills.
4. Discussion on boat ramps for 2025-2026
5. Update on ramp dredging.
6. Keelboat boat ramp discussion.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the July 1st, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. 2nd Access permit.
 - c. Applications for licenses, raffles, and special events permits.
6. Lignite Energy Council update.
7. Lewis and Clark development Group.
8. County Engineer Hall:
 - a. Accepting platted right of way.
9. Emergency Manager Senger:

- a. Cost Share with the Burleigh County Water Resource District for the National Flood Insurance Community Rating System initial application.
10. Finance Director Jacobs.
 - a. Update on audited General Fund Reserves.
 - b. Estimate of Year-end General Fund reserves.
 11. Comm. Munson.
 - a. Missouri Valley Complex Committee request.
 12. Auditor/Treasurer Splonskowski:
 - a. Preliminary budget review.
 - b. Motion to adopt preliminary budget and call for final budget hearing September 16th, 2024.
 13. Enter into Executive Session under N.D.C.C. 44-04-18.4(7) for Provident Building Remodel Architectural Plan Review.
 14. Reconvene in open session.
 15. Other business.
 16. Adjourn.

The next regularly scheduled Commission meeting will be on August 5th, 2024.

The meeting will begin at 8:30 A.M July 15th and will run until adjourned or 5:00 P.M at the latest. If needed, the Commission will recess and reconvene at 8:30 A.M July 16th.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
JUNE 3, 2024**

5:00 P.M

Chairman Bitner called the Burleigh County Park Board meeting to order.

A roll call of members: Commissioners Herman, Munson, Woodcox, Bakken, Schwab, Behm and Chairman Bitner present.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the May 6th, 2024 minutes and bills. All members present voted, "AYE." Motion carried.

One quote was received for the dredging of Kniefel Boat ramp from Midwest Dragline for \$10,200, and it was recommended that the Board move forward with the quote. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the bid of \$10,200 to Midwest Dragline. All members present voted, "AYE." Motion carried.

Comm. Munson invited people to the revealing of the time capsule at Driscoll Sibley Park on June 14th at 11am.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

JULY 1ST, 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.

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

Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the June 17th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Marjean Schwehr	2023	Block 2, Gateway Commons, Tract 2705A of part of Lot 1 Gateway Plaza Condo, Building 2705 Unit 5	50% Homestead Credit	\$127,700	\$63,850
Mary Magstadt	2023	Lot 2, Block 1, Ashwood 4th	100% Homestead Credit	\$415,500	\$215,500
Karen Baumgartner	2023	Block 1, Grandview Heights, Lots 4-5 & Lot A of Lot 6 Grandview Arms Condo Unit 15	50% Homestead Credit	\$107,200	\$53,600

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the Marjean Schwehr, Mary Magstadt, and Karen Baumgartner abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Vision Zero Coordinator Theresa Liebsch gave the Commission an update on the Vision Zero program and detailed some of the efforts by Vision Zero to help educate people in Burleigh County on motor vehicle safety.

County Engineer Hall presented to the Commission a petition requesting the Commission vacate a section line in Riverview township. Chairman Bitner opened the public hearing. Lyndon Mertz approached the podium and stated that because the section line runs directly through his residential property, which is located on the Missouri River; since there are other sections lines that give direct access to the Missouri (and also much more developed), there is no real need for this particular section line to be open. Motion by Comm. Bakken, 2nd by Comm. Woodcox to close the section line. Comm. Bakken, Woodcox, and Schwab voted "AYE"; Comm. Munson and Bitner voted "NAY". Motion carried.

County Planning Director Flanagan presented to the Commission a variance request from the owners of 7921 Country Brook Road for a 30 foot variance on the east side of the property. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the variance as long as the building is placed as it is shown based on the supporting documents. Comm. Bakken, Munson, and Bitner voted "AYE"; Comm. Woodcox and Schwab voted "NAY". Motion carried.

Finance Director Jacobs then came forward and stated to the Commission that following written approval from the state tax department, the one cent sales tax will take effect on October 1st. However, since Morton County still hasn't paid off their share of the Detention Center sales tax bond, the Bank of North Dakota will sequester half a cent until the bond has been paid off. Jacobs also mentioned that Burleigh County will need an escrow fund in place prior to purchasing its investments, and that a meeting

with all relevant parties would be beneficial. Jacobs then asked for discussion of the BMD maintenance fund to be carried over again to the next commission meeting agenda for later discussion. No further action was taken.

Sheriff Leben also asked the Commission for the discussion on Burleigh East to be carried over again to the next commission meeting agenda for later discussion. No further action was taken.

Elections Coordinator Hart then approached the Commission and presented a recap of the June 11th primary election. The primary election was overall a success with few hiccups. Burleigh County saw a 23.5 percent voter turnout, which was three percent higher than the statewide turnout. Hart informed the Commission that there were 17,190 ballots cast out of 75,525 eligible voters, which included 2,719 absentee votes and 2,495 early votes. Hart also stated that the canvas board reviewed 164 ballots and accepted 96 of them.

Comm. Bakken gave a quick update regarding the BNSF Railway, stating that bridge construction has resumed and some closures will occur around River Road in the future.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-630	Bryan & Krista Diede Dennis & Aleja-Laura	2023	Block 3, Country West XXVI, Lot 1 & N 5' of Lot 2	100% Disabled Veteran	\$283,000	\$229,000
24-631	Larson Jerome & Gloria	2023	Lot 14, Block 25, Wachter's 9th Lot 90 & undivided interest in common	100% Disabled Veteran	\$451,500	\$271,500
24-633	Braxmeyer Nii Amahtey Sampah &	2023	areas, Block 3, Southbay 2nd Addn	60% Disabled Veteran	\$680,700	\$572,700
24-637	Antoinette Newman	2023	Lot 26, Block 8, Heritage Park Addition	100% Disabled Veteran	\$414,600	\$234,600
24-638	William & Jeanne Hunt	2023	Lot 2, Block 4, High Meadows 5th	Error in property description	\$365,400	\$346,900
24-639	William & Jeanne Hunt	2024	Lot 2, Block 4, High Meadows 5th	Error in property description	\$376,600	\$358,100
24-640	Tyler & Danielle Goetz	2022	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$376,000	\$340,400
24-641	Tyler & Danielle Goetz	2023	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$403,000	\$367,400
24-642	Tyler & Danielle Goetz	2024	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$412,200	\$376,600
24-644	Marsha Reimnitz	2023	Block 2, East View, Lot 502B of Lot 22 less S 50' of W 22' of said Lot 22	100% Homestead Credit	\$192,300	\$0
24-645	Heather Housley Dennis & Pamela	2023	SW1/4 Com at pt 890.8' W & 157' N of SE cor N80' E235' S80' W235' to pt of beg and tract 15' x 235', Block 2, Wing lands	100% Homestead Credit	\$42,500	\$0
24-646	Buchholz	2023	Block 29, Stein's 4th, Lot 1A of Lot A of Lot 2 also known as tract AA	50% Homestead Credit	\$214,500	\$114,500
24-647	Andrew Reimnitz	2023	Lot 2, Block 5, Parkview	50% Homestead Credit	\$217,700	\$117,700



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: July 15, 2024

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E.
County Engineer

RE: Second access permit for Kelly Morris

Kelly Morris from 4420 Crescent Ridge Road (Crescent Ridge Second Subdivision Block 3, Lot 5) has requested a second access permit to his property. The first access approach is off of Crescent Ridge Road. He wishes to have a second approach off of Crescent Ridge Road in order to have better access to the east side of his property. We have reviewed the location of the new proposed access off of Crescent Ridge Road and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Kelly Morris on the July 15, 2024 County Board Consent Agenda.

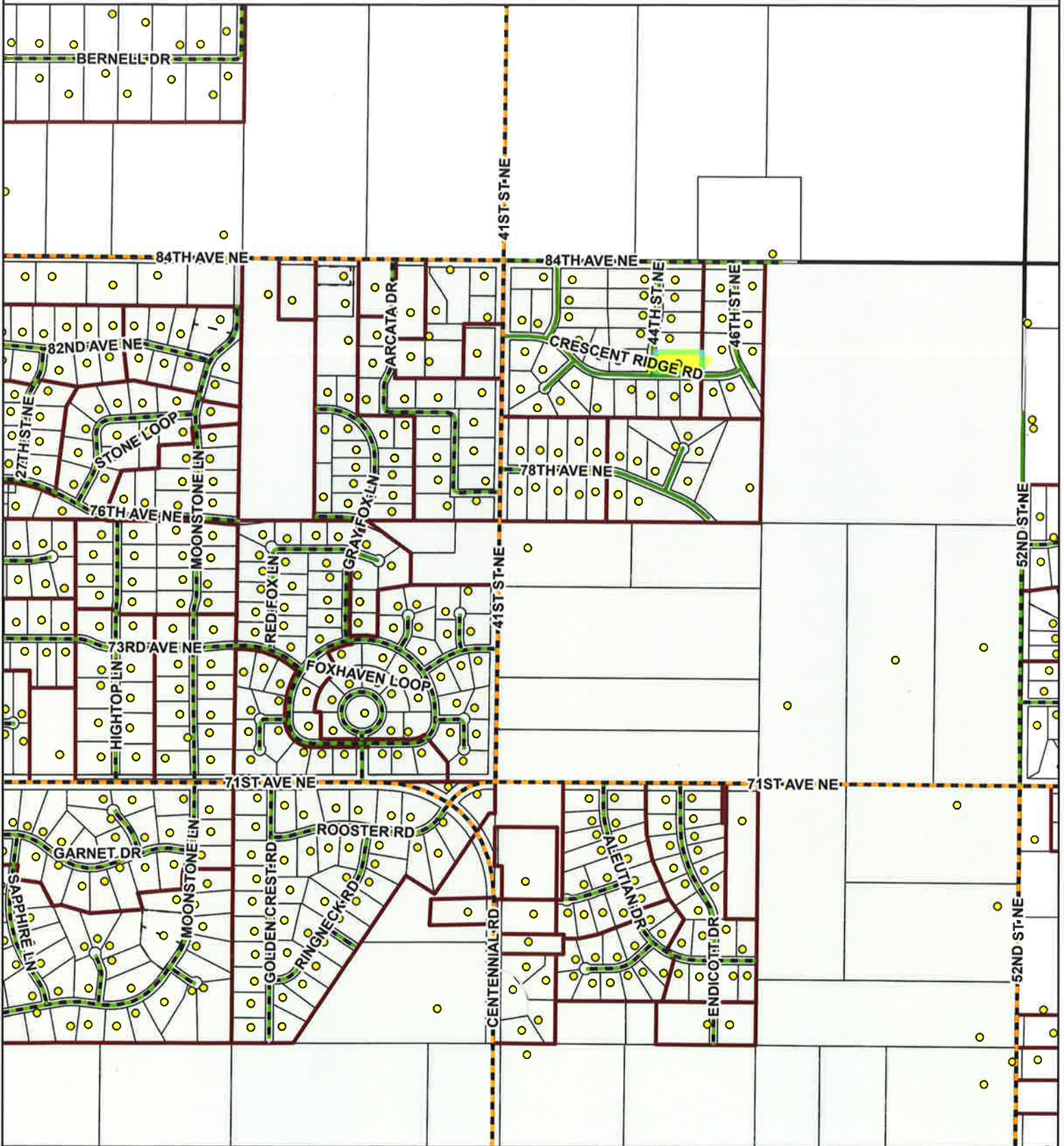
2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
7/3/2024



PARCEL ID: 31-139-80-0B-03-050 OWNER: MORRIS, KELLY & MARCY ACRES: 2.17
SITE ADDRESS: 4420 CRESCENT RIDGE RD
MAIL ADDRESS: 4420 CRESCENT RIDGE RD, BISMARCK, ND 58503-6325
LEGAL: CRESCENT RIDGE SECOND Block 03 LOT 5 522334

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
7/3/2024



PARCEL ID: 31-139-80-0B-03-050 OWNER: MORRIS, KELLY & MARCY ACRES: 2.17
SITE ADDRESS: 4420 CRESCENT RIDGE RD
MAIL ADDRESS: 4420 CRESCENT RIDGE RD, BISMARCK, ND 58503-6325
LEGAL: CRESCENT RIDGE SECOND Block 03 LOT 5 522334

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES
AT A SPECIAL EVENT AT DESIGNATED PREMISES
"SE"

Local Fee: \$25.00

- Applicant (must have county license) yes 23007
1. Name of Licensee Wendelya Krows
2. Name of Business FLASH'S PLACE LLC
3. Mailing Address 1401 Hwy 83 NE Steiling ND 58572
4. State Alcoholic Beverage License Number _____ 5. Local License Number(s) _____
6. Date(s) and Time of Special Event Friday July 19 Noon-1:00 AM July 20 Noon-1:00 AM
7. Describe Special Event Fully Wing Roled Beer Garden

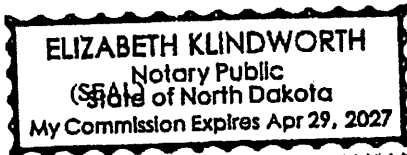
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 3 day of July, 2024

Wendelya Krows
(Licensee)

BY Wendelya Krows
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 3 day of July, 2024



Elizabeth Klindworth

Recommendation Approved _____ Denied _____ If denied, reason for denial: _____

July 18 7/18/24
(Burleigh County Sheriff) (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this _____ day of _____, 20____

(County Auditor)

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES
AT A SPECIAL EVENT AT DESIGNATED PREMISES
"SE"

Local Fee: \$25.00

Applicant (must have county license) yes 23007 PK

1. Name of Licensee Wendelyn Krous

2. Name of Business FLASH'S PLACE LLC

3. Mailing Address 1401 Hwy 83 NE Sterling ND 58572

4. State Alcoholic Beverage License Number _____ 5. Local License Number(s) _____

6. Date(s) and Time of Special Event Friday July 19 NOON-1:00 AM July 20 NOON-1:00 AM

7. Describe Special Event Fully Wing Roled Beer Garden

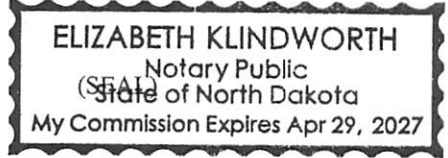
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 3 day of July, 2024

Wendelyn Krous
(Licensee)

BY Wendelyn Krous
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 3 day of July, 2024



Elizabeth Klindworth

Recommendation _____ Approved _____ Denied _____ If denied, reason for denial: _____

(Burleigh County Sheriff) (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this _____ day of _____, 20_____

(County Auditor)

DESCRIPTION OF PREMISES

1. Are premises located within the County of Burleigh? Yes No

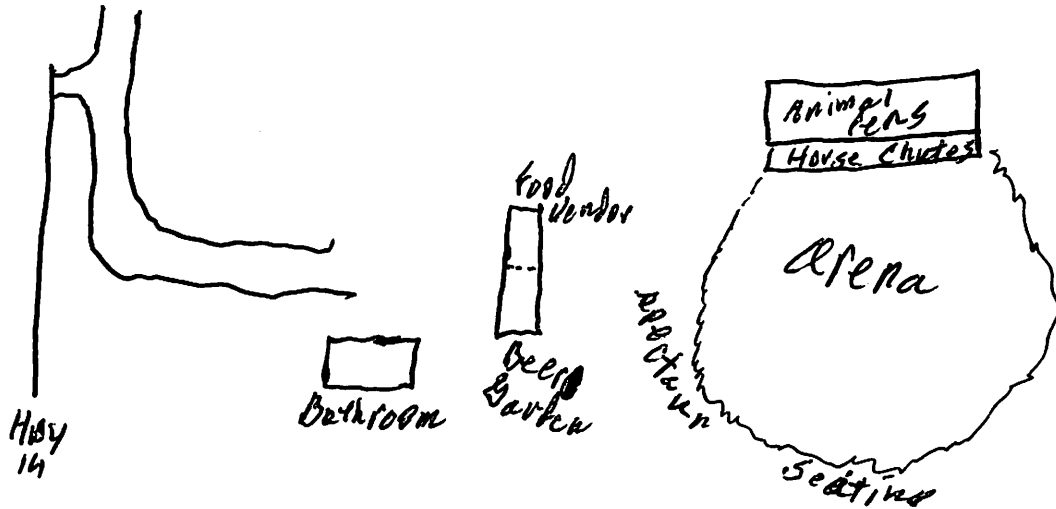
2. Address of premises:

45800 Hwy 14 Wing ND 58494
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: Wing Rodeo Grounds

4. Do premises meet local and state requirements regarding sanitation and safety? Yes No

5. Draw a clear and understandable floor plan of the premises. Show all exits, bars, dining areas (if any), beverage coolers and beverage storage areas. Indicate which are solid walls, half walls, dividers, and moveable partitions. If any area is enclosed by fences or the like, explain type and height.



6. What part of the building will be used for the alcoholic beverage business (sale of beverages and consumption of beverages sold)? All Less than all. If less than all, fully explain and clearly indicate on the floor plan (outline with a different color):

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Wing approve the
(Name of Township)

application for a Type 5 E Retail Liquor License for

FLASH'S PLACE
(Name of Establishment)

owned by Wendelya Krous [REDACTED] Sterling ND
(Licensee) (Address)

Nolan Swenson
Chairman

Larry Bergquist
Member

James Oswald
Member

ATTEST

Ella Swenson
(Township Clerk)



LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (2-2023)

Permit Number
24-009

Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*						
Games Authorized		<input type="checkbox"/> Raffle by a Political or Legislative District Party					
<input type="checkbox"/> Bingo	<input type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO	
Name of Organization or Group Anne Carlsen	Dates Authorized (Read Instruction 2) July 25, 2024
Organization or Group Contact Person Becky Aamodt	E-mail [REDACTED]
	Telephone Number [REDACTED]
Mailing Address [REDACTED]	City Bismarck
	State ND
	ZIP Code 58501

SITE INFO			
Site Name Black Leg Brewery LLC		County Burleigh	
Site Address [REDACTED]	City Sterling	State ND	ZIP Code 58572
If the city or county is placing restrictions on the permit, please explain			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)			
July 25th, 2024 - during our Suits and Boots Fundraising Event			

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

- 3. A licensed organization or organization that has a permit shall conduct games as follows:
 - a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - (1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - (2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON			
Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 9338 (4-2023)

Applying for (check one)
 Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Anne Carlsen		Dates of Activity (Does not include dates for the sales of tickets) July 25th, 2024	
Organization or Group Contact Person Becky Aamodt	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address [REDACTED]	City Bismarck,	State ND	ZIP Code 58501
Mailing Address (if different) [REDACTED]	City Bismarck,	State ND	ZIP Code 58501

SITE INFO

Site Name Black Leg Ranch	County		
Site Physical Address [REDACTED]	City Sterling,	State ND	ZIP Code 58572
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) July 25th, 2024- during our Suits and Boots Fundraising event			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Head or Tails	\$500 Visa Gift Card	\$500
Total (limit \$40,000 per year)		\$

Intended Uses of Gaming Proceeds

All Proceeds will benefit Anne Carlsen

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
 Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (if yes, the organization or group does not qualify for a local permit or restricted event permit)?
 Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (if yes, indicate the total retail value of all prizes previously awarded)?
 No Yes - Total Retail Value: [REDACTED] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (if yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)
 Yes No

Name Rebecca Aamodt	Title Events and Special Projec	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official <i>Jim Collinger</i>		Title CEO	Date 06/26/2024



STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
www.attorneygeneral.nd.gov
(701) 328-2210

Drew H. Wrigley
ATTORNEY GENERAL

June 28, 2024

Becky Aamodt
Anne Carlsen

RE: Local Permit Paddle Raffle

Dear Ms. Aamodt;

You are requesting approval for Anne Carlsen to conduct a “heads” or “tails” paddle raffle on July 25, 2024, at the Suits and Boots event held at the Black Leg Ranch.

N.D.A.C. § 99-01.3-01-05(6) (Permits) states in part that:

For a raffle, an organization shall comply with sections 99-01.3-05-01 through 99-01.3-05-04 and subsections 1 through 3 of section 99-01.3-05-05.

N.D.A.C. § 99-01.3-05-01 (Raffles) states in part that:

A raffle is a game in which a prize is won by a player who **bought a raffle ticket** or square on a raffle board. A winning player is determined by drawing a ticket stub or number of a square on a raffle board from a receptacle or by an alternate fair method approved by the Attorney General. The conduct of a raffle is the drawing or **alternate fair method of selection approved by the Attorney General.** (Emphasis added.)

Section 99-01.3-05-02 outlines the requirement for a raffle ticket and the conduct of the game, section 99-01.3-05-03 outlines the prize restrictions and requirements, section 99-01.3-05-04 outlines the information required on a raffle ticket, and section 99-01.3-05-05 defines the conduct and requirements needed to conduct a double roll tickets raffle.

As we understand Anne Carlsen will be conducting a “heads” or “tails” paddle raffle as follows; participants may purchase a paddle with a “cowboy boot” symbol on one side and a “business suit” symbol on the other side. All players with a paddle will be standing. An emcee with Mobile Pro will electronically “flip” the coin and a “cowboy boot” or “business suit” image will be displayed on a screen to determine which symbol will remain standing. There will be, at a minimum, one

spotter for every 25 players. As the number of participants diminishes, a group of 10 or less will be brought to the stage to continue the event until a winning player is determined. The spotters, emcee, and participants will be notified and trained on the rules of the game before the event starts.

Since the proposed paddle raffle does not include a ticket, sections 99-01.3-05-02, 99-01.3-05-04, and 99-01.3-05-05 would need waiver consideration for the conduct.

For Anne Carlsen to conduct the above paddle raffle the Office of Attorney General will require Anne Carlsen to follow these rules under North Dakota Administrative Code Chapter 99-01.3-05;

Section 99-01.3-05-02 (Limitations and requirements - worded for paddles)

Subsection 1.

Each paddle is a separate and equal chance to win with all other paddles sold. A person may not be required to buy more than one paddle or pay for anything other than the paddle to enter the raffle.

Subsection 2.

The organization may not allow a paddle seller to retain any portion of the price of a paddle as compensation.

Subsections 3 through 9 do not apply.

Subsection 10.

The organization may not print any word or phrase on promotional material or advertising which implies or expresses that a purchase of the paddle is a charitable donation.

Section 99-01.3-05-03 (Prize restrictions and requirements)

The organization must comply with subsections 1, 2, and 3. Subsections 4 through 8 do not apply.

Section 99-01.3-05-04 (Information on a ticket) and 99-01.3-05-05 (Double roll tickets) do not apply.

Additional requirements:

- Every paddle must have the same distinctive contrasting symbol on each side.
- The organization may not conduct the “flip” of the coin unless all official spotters are present and at their post.
- A clear announcement of the rules of the game must be made prior to the conduct.

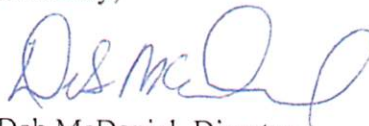
Based on several factors including the size of the venue, number of employees or volunteers designated as spotters, and a clear difference between the symbols on each side of the paddles, our

office considers this "heads" or "tails" paddle raffle to be an "alternative fair method" of selecting a raffle winner. Therefore, this office grants Anne Carlsen the required waivers to conduct this type of raffle if the required rules noted above are followed and the organization receives approval from Burleigh County.

If the organization wishes to conduct the "heads" or "tails" paddle raffle currently or in the future, in a manner other than as stated they must request, in writing, another determination from this office.

If I can be of further assistance in this matter, please write again or call me at 1-800-326-9240.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deb McDaniel". The signature is fluid and cursive, with the first name "Deb" and last name "McDaniel" clearly distinguishable.

Deb McDaniel, Director
Gaming Division

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Matpac Wrestling Club

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Capital City Gun Club

Street <i>8401 NE Highway 83</i>	City <i>Bismarck</i>	ZIP Code <i>ND</i>	County <i>58504</i>
-------------------------------------	-------------------------	-----------------------	------------------------

Beginning Date(s) Authorized <i>July 20 2024</i>	Ending Date(s) Authorized <i>July 20 2024</i>	Number of Twenty-One tables, if zero, enter "0" <i>0</i>
---	--	---

Specific location where games of chance will be conducted and played at the site (required)
On Gun Club grounds excluding restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|---|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input checked="" type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) <i>Jim Gebhardt</i>		Site Name <i>Capital City Gun Club</i>		Site Phone Number [REDACTED]	
Site Address <i>8401 NE Highway 83</i>		City <i>Bismarck</i>	State <i>ND</i>	Zip Code <i>58504</i>	County <i>Burleigh</i>
Organization <i>Matpac Wrestling Club</i>		Rental Period <i>July 20 2024 to July 20 2024</i>		Monthly Rent Amount	
1. Is Bingo going to be conducted at the site?			<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.			<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____			<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____					\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____			<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device			<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices _____			<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Total Monthly Rent					\$ <i>0</i>
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>					

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Jim Gebhardt</i>	Title <i>Board member 7-1-24</i>	Date <i>7-1-24</i>
Signature of Lessee <i>Julie Stuber</i>	Title <i>President</i>	Date <i>7-1-24</i>

ITEM

8



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: July 15, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Accepting Platted Right of Way

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

ACTION REQUESTED:

Accept platted right of way shown on the attached Plat.

BACKGROUND:

Burleigh County is required to accept (on their own behalf or on the behalf of one of our Townships) Right of Way shown on Plats that are approved by the City of Bismarck, City of Lincoln or Burleigh County.

Central Outpost Subdivision has been approved by the City of Bismarck and we are requesting that the County Board accept the Right of Way that is shown on the attached plat.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the Right of Way shown on the Central Outpost Subdivision.

ITEM

11

Missouri Valley Complex Committee

July 10, 2024

To: Auditor Mark Splonskowski

CC. Commissioner Wayne Munson

From: Kay LaCoe, Chair, Missouri Valley Complex Committee
Steven M Neu, Secretary/Coordinator, Missouri Valley Complex Committee

Subject: Request for Consideration by the Burleigh County Commission, July 15, 2024,
Commission Agenda

Auditor Splonskowski,

Please find this memo as a request of the Missouri Valley Complex Committee (MVCC) to be placed on the July 15, Burleigh County Commission Agenda with the following request and recommendations for approval of the Burleigh County Commission, as approved by motion of the MVCC on June 25, 2024.

Item 1. At the request of the committee, an engineering services proposal was solicited and reviewed by Commissioner Munson on June 5, to develop an updated plat map of the Complex. This request was made to effectively begin the planning process for currently considered and future improvements and development at the Missouri Valley Complex. The request was initiated due to the current plat map of the Complex was last updated and approved in 2006 with a PUD zoning change and last amended in 2013. The committee also felt that the planning of the complex would need to be in line with current City Planning and Zoning changes since 2013 including building code, utilities, easements, flood plain adjustments and ownership or operational changes.

In addition to the plat update, the Committee approved and recommends that consideration is given to rezoning the Complex to P (Public) rather than PUD (Planned Unit Development), It is felt by the MVCC that P (Public) as a common zoning of property owned by a governmental or public entity affords greater flexibility in development and to jointly develop common facilities outside of existing lease lots with far less restrictions or requirements to amend a PUD.

Two attachments are provided as part of this planning discussion with improvement thoughts presented by the MVCC members to the committee that will be reviewed at the meeting.

Attachment 1 – “Draft” Big Picture look at Missouri Valley Complex
Attachment 2 – “ Draft” Equestrian and Ag Center Footprint

Missouri Valley Complex Committee

The request to the Burleigh County Commission is for:

the Burleigh County Commission to approve engaging the services of Swenson-Hagen (Phase 1 and 2), on behalf of the Missouri Valley Complex Committee, to update the plat of the Missouri Valley Complex with consideration in the plating process to rezone the from PUD to P (Public).

Attachment – 3 Swenson – Hagen Proposal

And:

The Burleigh County Commission approve funding in the amount of \$50,000 for the Phase 1 and 2 planning services from the Missouri Valley Complex Fund.



SWENSON, HAGEN & CO. P.C.

civil engineering . surveying . land planning . hydrology
landscape & site design . construction management

June 3, 2024

Wayne Munson
Burleigh County Commissioner
221 5th Street
Bismarck, ND 58501

Re: Missouri Valley Fairgrounds

Dear Mr. Munson:

Swenson, Hagen & Co. appreciates the opportunity to provide the following fee proposals. We can provide the necessary services to prepare the platting and civil Engineering Design for the proposed improvements to the proposed grading, utilities and streets if so desired. These are setup to allow you to enter into service agreements as you desire. The work phases are a series of steps, conceptual/pre-planning, platting/zoning/storm water and design/administration/inspection.

Phase I - Concepts:

Phase I will consist of the development of a concept for the Fairgrounds Complex from various interested users, groups, or stakeholders. Attendance of various meetings, review of existing masterplans work sessions to define the uses and needs of the user groups to layout a conceptual plan of the campus. It is anticipated that if Phase I is started soon then Phase I could potentially be completed sometime in September.

Phase I \$20,000

Phase II - Platting/Zoning/Storm Water Management Plan:

Phase II will consist of a series of meetings will various city and county staff to initiate the platting process. The “platting process” will require approximately 5-6 months to complete. If this phase was started in September, for example, the platting could be complete in February and would open up for design through the winter to be possibly ready for construction in the spring.

Input from Phase I will be used to provide guidance on the layout infrastructure and access to provide easements on the plat. A zoning request will be submitted in conjunction with the plat. All applications and zoning requests will be prepared. Swenson, Hagen & Co. will prepare a preliminary plat, final and attend all planning and zoning and commission meetings. All staff meetings will be attended by Swenson, Hagen & Co.

In January of 2017 the City of Bismarck implemented a new storm water management plan ordinance. The site plan requires a SM-04 submittal before the submittal of the site plan. The City of Bismarck also requires a certification report that once the storm water facilities are implemented that they have been installed correctly. A storm water master plan and erosion control plan will be prepared in accordance with City of Bismarck Specifications. This plan will evaluate site drainage and address the impacts on local storm water infrastructure, as well as provide the erosion control plan required for grading activities. City storm water management plan review fees are not included.

Phase II \$30,000

Phase III - Grading, Water, Sanitary Sewer Plans and Specifications

Phase III service would generally consist of infra-structure for the complex, two multi-use parking lots and RV park with water and sewer service. Design of the various plan sets could be produced and approved to provide an opportunity to start grading in the spring of 2025, followed by utilities and paving. This could mean construction of utilities in 2025 and paving completion in 2026.

Grading plans and specifications to develop roadway networks, trail networks, and limited specific pad development. The grading plan will reference the proposed earth work necessary to modify the existing site to accommodate the proposed elevations.

The water, sanitary sewer and storm sewer improvements for the complex will be designed. Plans and specifications will be developed for approvals of the Department of water quality department and the City of Bismarck. Storm sewer plans will be developed to provide culvert crossings and required storm sewer.

Paving plans and specifications will be required to provide a rural road section to provide connectivity throughout the complex. The plans will be approved by the City of Bismarck and Burleigh County.

Two multi-use parking lots and a RV park will be designed and submitted for review with the City of Bismarck. The RV park will be designed for water and sewer service.

The project services would include bidding documents and contracts. The project will require construction staking for the various projects.

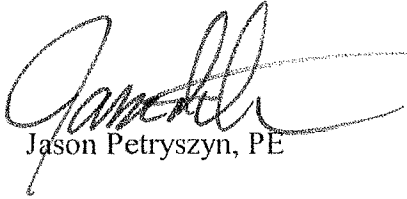
Swenson, Hagen & Co. will provide construction administration services and periodic site inspections, attend pre-construction meeting, facilitate weekly construction meetings, review shop drawings as directed by the owner and review pay requests.

Phase III \$130,000

City of Bismarck platting, zoning and site plan review fees are not included. Typical review fees for prelim. plat, final plat and zoning will be approx. \$3,000. Site plan and storm water review fees will be approx. \$2,000. UCC charges are not included. UCC fees will be required at the platting phase. Site electrical, mechanical or structural plans are not included. Geotechnical Reports are not included. Title work is required to be initiated by Burleigh County.

Thank you for the opportunity to provide this proposal. We look forward to working with you on this project.

Sincerely,

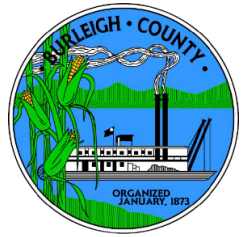
A handwritten signature in black ink, appearing to read 'Jason Petryszyn', with a horizontal line drawn through the middle of the signature.

Jason Petryszyn, PE

JP



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

August 5, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY WEED BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the July 1, 2024, meeting minutes and bills.
5. Update and discussion on approval of bills.
6. Other business.
7. Adjourn

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the July 15, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
6. Planning Director Flanagan:
 - a. Zoning change for Burleigh County Soil Conservation District.
 - b. Appeal of special use permit.
7. County Engineer Hall:
 - a. 2025 budget adjustments.
8. County Sheriff Leben:

- a. Quarterly jail report.
9. County Auditor Splonskowski/ County Finance Director Jacobs:
 - a. Preliminary Budget Discussion.
10. County Finance Director Jacobs.
 - a. Sales tax bond escrow fund.
 - b. Financial Statement Audit report.
11. Chairman Bitner:
 - a. Digitalization of County records.
12. County HR Director Binder:
 - a. Tyler Technologies Infinite Vision HR Module Implementation.
 - b. Finance Director and Deputy Finance Director Job Description.
13. Other business.
14. Adjourn.

The next regularly scheduled Commission meeting will be on August 19, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY

WEED

BOARD

**BURLEIGH COUNTY WEED BOARD
MEETING MINUTES
JULY 1, 2024**

6:06 P.M

Chairman Bakken called the Burleigh County Weed Board meeting to order.

A roll call of members: Commissioners Munson, Woodcox, Bitner, Schwab, and Chairman Bakken present.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the June 17th, 2024 minutes. All members present voted, "AYE." Motion carried.

Comm. Schwab brought to the Board's attention that a couple of companies expressed interest in doing some spraying for the county. Comm. Schwab said he'll be helping Weed Officer Johnson with negotiations so that some spraying can be done as soon as possible. Comm. Schwab warned that due to the circumstances they're in, the county won't have time to do the state highway rights-of-ways, which includes the interstate. No further action was taken.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Steve Bakken, Chairman

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

JULY 15TH, 2024

8:30 AM *Pledge of Allegiance*

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

Roll call of the members: Commissioners Woodcox, Munson, and Chairman Bitner were present; Comm. Bakken and Schwab were initially absent, both of whom arrived later.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the July 1st, 2024 meeting minutes and bills subject to Comm. Schwab's review. All members present voted, "AYE".

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
Bryan & Krista Diede	2023	Block 3, Country West XXVI, Lot 1 & N 5' of Lot 2	100% Disabled Veteran	\$283,000	\$229,000
Dennis & Aleja-Laura Larson	2023	Lot 14, Block 25, Wachter's 9th	100% Disabled Veteran	\$451,500	\$271,500
Jerome & Gloria Braxmeyer	2023	Lot 90 & undivided interest in common areas, Block 3, Southbay 2nd Addn	60% Disabled Veteran	\$680,700	\$572,700
Nii Amahtey Sampah & Antoinette Newman	2023	Lot 26, Block 8, Heritage Park Addition	100% Disabled Veteran	\$414,600	\$234,600
William & Jeanne Hunt	2023	Lot 2, Block 4, High Meadows 5th	Error in property description	\$365,400	\$346,900
William & Jeanne Hunt	2024	Lot 2, Block 4, High Meadows 5th	Error in property description	\$376,600	\$358,100
Tyler & Danielle Goetz	2022	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$376,000	\$340,400
Tyler & Danielle Goetz	2023	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$403,000	\$367,400
Tyler & Danielle Goetz	2024	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$412,200	\$376,600
Marsha Reimnitz	2023	Block 2, East View, Lot 502B of Lot 22 less S 50' of W 22' of said Lot 22	100% Homestead Credit	\$192,300	\$0
Heather Housley	2023	SW1/4 Com at pt 890.8' W & 157' N of SE cor N80' E235' S80' W235' to pt of beg and tract 15' x 235', Block 2, Wing lands	100% Homestead Credit	\$42,500	\$0
Dennis & Pamela Buchholz	2023	Block 29, Stein's 4th, Lot 1A of Lot A of Lot 2 also known as tract AA	50% Homestead Credit	\$214,500	\$114,500

Andrew Reimnitz	2023	Lot 2, Block 5, Parkview	50% Homestead Credit	\$217,700	\$117,700
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Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the Diede, Larson, Braxmeyer, Sampah & Newman, Hunt (2), Goetz (3), M. Reimnitz, Housley, Buchholz, & A. Reimnitz abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Jason Bohoer provided the Commission an update from the Lignite Energy Council, giving a rundown on how several factors – such as recent regulatory pushes by the Environmental Protection Agency, pressure from the neighboring state of Minnesota, and difficulty getting access to capital – have been affecting the state of North Dakota's lignite industry.

Brent Ekstrom from the Lewis & Clark Development Group came forward next and clarified to the Commission about what the Lewis & Clark Development Group does as an organization, namely lending for homeownership, affordable housing, and helping businesses connect with banks.

County Engineer Hall presented to the Commission from the city of Bismarck the Central Outpost Subdivision plat and recommended the Commission accept the platted right of way. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the platted right of way. All members present voted "AYE". Motion carried.

Emergency manager Senger presented to the Commission an idea to apply for the National Flood Insurance Community Rating System in a cost share opportunity alongside the Burleigh County Water Resource District for a 10 percent discount. Motion by Comm. Woodcox, 2nd by Comm. Bakken to the cost share. All members present voted "AYE". Motion carried.

Finance Director Jacobs appeared and gave an update on the general funds reserve, stating that the general fund reserves is currently sitting somewhere around \$16.6 million and leaves a current reserve balance of 47.6 percent. Jacobs estimated that the general funds reserve at year's end could end somewhere in the realm of \$19.5 to \$21.5 million.

The Missouri Valley Complex Committee brought to the Commission a request to approve engaging in the services of Swenson and Hagen phases one and two on behalf of the Committee to update the plat, and to approve the funding for the engineering services. Motion by Comm. Munson, 2nd by Comm. Woodcox to the approve the Missouri Valley Complex Committee's request. All members present voted "AYE". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission the preliminary review for Burleigh County's 2025 budget, with important points of focus including an update to the courthouse's boiler system (which would be paid through the county's general fund reserves), employee retention & recruitment, increased funding for public health, additional staff, and increased funding for the highway department. Splonskowski stated that the total 2025 general fund expenditure budget is \$40,383,254 (70 percent of that amount – or \$28,526,548 – is from salaries and fringe benefits), and the 2025 expenditure budget is \$75,018,395.

The Commission discussed individual items in the preliminary budget as follows:

- First: a discussion about the need to update the boiler in the county courthouse arose. Given that the issue had been brought up time and time again in past meetings and is necessary for day-to-day functioning of the courthouse, a motion was made by Comm. Munson, 2nd by Comm. Bakken to pay for a new boiler in the county courthouse out of the county's current maintenance fund, with any excess to come from general fund reserves. All members present voted "AYE". Motion carried.
- Second: Comm. Munson made a point that the county needs to be more involved in the management of Public Health, as Burleigh County only has a 25 percent share on the board of Bismarck-Burleigh Public Health; Comm. Munson advocated for Burleigh County to develop the necessary funds and reserves to either create its own or take over current public health operations. Motion by Comm. Bakken, 2nd by Comm. Schwab to not go with Munson's proposal and instead maintain the county's current commitment to Bismarck-Burleigh Public Health at 25 percent. Comm. Bakken, Schwab, and Bitner voted "AYE"; Comm. Munson and Woodcox voted "NAY". Motion carried.
- Third: within the current preliminary budget, the budget includes a two-step and two percent COLA increase to county employee salaries. This was discussed by the Commission, who decided to hold off on making any changes to this aspect until the next budget meeting. No further action was taken.

- Fourth: the Commission reviewed a request by the Planning Department for an additional planner employee as well as \$90,000 for a comprehensive planning update. County Planning Director Mitch Flanagan was not present to help answer some of the details the Commission wanted answers for. Motion by Comm. Bakken, 2nd by Comm. Woodcox to keep the employee and eliminate the plan update. Comm. Bakken, Schwab, Woodcox, and Bitner voted “AYE”; Comm. Munson voted “NAY”. Motion carried.
- Fifth: the Commission reviewed a renewed proposal for the hiring of a county administrator. While Chairman Bitner and Comm. Munson said they didn’t see a need for that position, Comm. Bakken and Woodcox disagreed. Both dissenting commissioners argued that with the current fractionalized nature of county operations – and as said operations look to move into the Provident Building and grow from there – the position of a county administrator should be considered more seriously. As discussion on this topic eventually came to a deadlock, a motion was made by Comm. Bakken, 2nd by Comm. Schwab to strike the county administrator position out of the budget. Comm. Bakken, Schwab, Woodcox, and Bitner voted “AYE”; Comm. Munson voted “NAY”. Motion carried.
- Sixth: the Commission reviewed a request by the Auditor’s office for an additional accountant. Auditor/Treasurer Splonskowski informed the Commission that this year the Finance Department was expressly forbidden from assisting the Auditor’s office by decision of the current portfolio holder of both the Finance Department and Auditor’s office (who is currently Chairman Bitner). Historically, the Finance Department has always assisted the Auditor’s office in the budget-making process; thus, the decision to bar the Finance Department and Auditor’s office from working together has resulted in an increased workload on the Auditor’s side. Splonskowski continued by saying if some of the Finance Director’s responsibilities are to be transferred over to the Auditor’s office, additional staff in the Auditor’s office is required to help with the increased workload. In the absence of the Finance Department, it was acknowledged that former Burleigh County Finance Director Clyde Thompson had been offering his services to help craft the budget for Burleigh County. Commissioner Munson pointed out that there was an agreement in place for the Finance Director Jacobs and Assistant Finance Director Schmidt to have 20 hours per week dedicated to working in the Auditor’s office for training and interdepartmental assistance, and perhaps suggested strengthening that option to resolve the problem. Comm. Schwab and Chairman Bitner both also proposed furthering the education of current staff within both the Auditor’s office and Finance Department. Motion by Comm. Munson, 2nd by Comm. Bakken to strike the accountant position out of the budget and maintain the 20-hours per week floating arrangement. Comm. Bakken, Schwab, Munson, and Bitner voted “AYE”; Comm. Woodcox voted “NAY”. Motion carried.
- Seventh: the Commission reviewed a request by the State’s Attorney office for additional staff. All of the Commission was in agreement to keep the request as is due to the State’s Attorney office remaining consistently understaffed. No further action was taken.
- Eighth: the Commission reviewed the Sheriff’s Department’s portion of the budget and had no questions for the Sheriff’s Department. No further action was taken.

The County Commission adjourned at 11:06 AM to allow the Burleigh County Park Board to conduct its meeting after reaching a quorum. The County Commission then reconvened at 11:12 AM to enter an executive session regarding the Provident Building; it publicly reconvened at 11:30 AM to continue its discussion of the preliminary budget. Roll call of the members: Commissioners Woodcox, Munson, Bakken, Schwab, and Chairman Bitner were present. Motion by Comm. Bakken, 2nd by Comm. Munson to proceed with their discussion from executive session to just affirm their consensus. All members present voted “AYE”.

- Ninth: the Commission reviewed the Highway Department’s portion of the budget. It was noted that the 2025 Highway Department proposed budget was around \$2 million less than 2024’s, as the Highway Department made many cuts to their budget. After some discussion, motion by Comm. Munson, 2nd by Comm. Bakken to have the Highway Department use their previous 2024 budget amount of \$16,482,488 for their 2025 operating budget with no mill levy increase using Legacy fund, General fund reserves, and Prairie Dog funds to fill it. Comm. Bakken, Schwab, Munson, and Bitner voted “AYE”; Comm. Woodcox voted “NAY”. Motion carried.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the preliminary budget. All members present voted “AYE”. Motion carried.

Emergency manager Senger returned to inform the Commission that at some point the county should look at negotiating a contract for the bid pot project for the water line and remodel, but the Commission had already taken the next steps necessary for that project.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-643	Bismarck Parks and Recreation District	2024	Lot 21, Block 8, Silver Ranch 3rd Addition	Property exempt from taxation	\$200	\$100
24-652	Todd Schimke	2023	Lots 1-2, Block 19, Fisher	50% Homestead Credit	\$254,400	\$154,400
24-653	Betty Baker	2023	Lot 8 & N 48' of Lot 9, Blk 22, Cliffords Subdivision	50% Homestead Credit	\$145,000	\$72,500



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

24-010

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Matpac Wrestling Club, Inc.

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Crossroads Tavern

Street 1205 Northstar Drive	City Bismarck	ZIP Code 58503	County Burleigh
---------------------------------------	-------------------------	--------------------------	---------------------------

Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	Number of Twenty-One tables, if zero, enter "0" 0
---	---	---

Specific location where games of chance will be conducted and played at the site (required)
Conducted inside the business with the exception of restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|--|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Jocelyn Miller		Site Name Crossroads Tavern		Site Phone Number [REDACTED]
Site Address 1205 Northstar Drive		City Bismarck	State ND	Zip Code 58503
County Burleigh		Rental Period 7/1/24 to 6/30/25		Monthly Rent Amount
Organization Matpac Wrestling Club, Inc.				
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables _____ X Rent per Table \$ _____				\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 400
Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device				
5. Are Electronic Pull-Tabs conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 1250
If "Yes" please indicate the number of devices 10				
Total Monthly Rent				\$ 1,650-
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Jocelyn Miller</i>	Title owner	Date 7-11-24
Signature of Lessee <i>Autie Kauter</i>	Title President	Date 7-11-24



LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number
24-010

Permit Type (check one)
 Local Permit Restricted Event Permit*
 Games Authorized
 Raffle by a Political or Legislative District Party
 Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Sanford Health Foundation		Dates Authorized (Read Instruction 2) Sept. 7, 2024	
Organization or Group Contact Person Kortney Moore	E-mail	Telephone Number	
Mailing Address	City Bismarck	State ND	ZIP Code 58501

SITE INFO

Site Name Beard Arena	County Burleigh
Site Address 16030 62nd Ave SE	City Menoken
	State ND
	ZIP Code 58558

If the city or county is placing restrictions on the permit, please explain

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)
50/50 Raffle on Sept. 7, 2024

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.

ITEM

6



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: Recommendations from the July 10, 2024 Burleigh County Planning Commission Meeting.
Date: 7-29-2024
From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1

Zoning Change for Burleigh County Soil Conservation District

Legal Description: Section 34 N OF NPRR ALL N1/2 LESS R/W 412690 34-139-78

Property Address: 1107 NE 171st St., Menoken, ND.

The Burleigh County Soil Conservation District is intending to construct an office space/ learning center facility. The 8,300-sf building will be used for public assembly that includes an educational/learning center. The proposed zoning will be Public Use District, which is established for areas in which the principal land use is governmental, civic or institutional uses. Current zoning is A-AG District.

The building permit and plans information have been reviewed. The zone change is the final step before issuing a permit. At the Planning Commission meeting a motion to recommend approval with 1 condition: apply a double chip seal to the gravel on 171st NE St.

Vote was 8-0 to recommend approval of zone change.

SUGGESTED MOTION:

Based on supporting documents and findings by County Staff, it is recommended to approve the zoning change to Public Use District.

Attachments: Ex. 1.1107 Site Location Facing SE
Ex. 2.1107 Site Location Facing NE



Ex. 2. 1107 Site Location Facing NE



Ex. 1. 1107 Site Location Facing SE



Burleigh County Building, Planning & Zoning
 PO Box 5518
 Bismarck ND 58506

burleighcobuilding@nd.gov
 701-221-3727

To: Burleigh County Commission.
 Re: Appeal of Planning Commission Decision
 Date: 7-29-2024
 From: Mitch Flanagan, Burleigh County Planning Director. lll

ITEM 1

Information for Appeal of Special Use Permit

On July 10th, 2024 the Planning Commission held a public hearing to consider permitting a commercial corn maze on the grounds of the Baldwin Greenhouse by Mary Podoll/ Stoll Farms LLC. 1725 201st Ave. NE, Baldwin, ND. The corn maze would run from August thru October. Clark Coleman, who has operated a corn maze at the Buckstop Junction would run the maze, Friday thru Sunday for the remainder of the week it will be operated by Stoll Farms. Onsite there will be a food truck, portable bathrooms, and a gravel parking lot. It will be open up to a half hour before sunset.

HISTORY and INFORMATION

Stoll Farms purchased the Baldwin Greenhouse in November of 2022. Prior to this, the Werre family operated the greenhouse during the growing and planting season and was closed during the fall and winter months. Since purchasing the greenhouse Stoll Farms have held several events which include food trucks, for example on Mother’s Day, 2024 over 2,000 people visited the green house and enjoyed the food available thru the food trucks on site. The greenhouses are open Monday through Sunday, closed on Wednesday

In the Spring of 2023, Burleigh County began to receive complaints about the activities and the amount of people on the greenhouse property. The concerns expressed were that the activities being held was not “agricultural” in nature.

Jamie Feist owns the property west of the greenhouse. Mr. Feist and his family breed and raise deer, which are wild and are not pets. The additional activities from the events and the food trucks alone have caused his deer to bolt against their pens, death and miscarriage within his stock. The pens are located approximately 35-40’ from the shared property line. In August of 2020, when Mr. Feist purchased his property, the greenhouse traffic was limited to those purchasing items at the greenhouse. Food trucks and various activities were not held on the property.

Mr. Feist is very concerned that the additional activity of a corn maze and participants in the corn maze trespassing on his property to see the deer. His male deer are just growing antlers and very skittish, the deer might bolt, break an antler and bleed out. The bolting of deer in one pen will cause a chain reaction in his other pens.

After lengthy testimony, the planning commission voted 7-2 in favor of denial.

ACTION REQUESTED:

1. Unless neighbors are able to reconcile the complaint-based conflict, the motion and recommendation from the Planning Commission should stand.
2. If approval is a consideration, the Special Use Permit for Stoll Farms should follow the draft Article 8 Section 28 requirements for Agricultural Recreation.

Attachments:

- Ex. 1 Site Location 1725 201st Ave. NE.
- Ex. 2 Appeal Request SUP Stoll Farms
- Ex. 3 Draft Article 8 Section 28 requirements for Agricultural Recreation.

ORDINANCE 24-0-----

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 8 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA RELATING TO SECTION 28 AGRICULTURAL RECREATION

Section 1. **Amendment** Article 8 of the Zoning Ordinance is hereby amended and re-enacted as follows:

Section 28 Agriculture Recreation

Agriculture Recreation may be permitted in an Agricultural District as a special use. All persons, entities or organizations wishing to establish the use of Agricultural Recreation within Burleigh County must apply for and be granted a special-use permit.

Definitions. The following definitions represent the meanings of terms as they are used in these regulations:

Agriculture. The Science or practice of cultivating the soil, producing crops and or raising livestock.

Agriculture Recreation. An agriculture recreation use combines agricultural production with recreational uses that are in common with and ancillary to the primary agricultural use and in conjunction with a single-family dwelling.

Agriculture Recreation Tier 1 Any agriculture-related activity, in conjunction with agricultural production which is intended to educate the public in a singular one-day event about agriculture, agricultural practices, agricultural activities, or agricultural products.

Agricultural Recreation Tier II Any agricultural-related use that combines agriculture production with recreation uses that are in common with and ancillary to the primary agricultural use, such as pumpkin patches, farm festivals, corn mazes, hayrides, trail rides, U-Pick orchards,

on-farm markets, floriculture, demonstration farms, U-Pick Christmas tree farms or similar activities for someone other than the property owner, involving the gathering of individuals assembled for the common purpose of said event.

Special Uses In order to carry out the purposes of this title. Board of Burleigh County Commissioners find it necessary to require that certain uses, because of unusual size, safety hazards, infrequent occurrence, effect on surrounding area, or other reasons, be reviewed by the Burleigh County Planning and Zoning Commission prior to the granting of a building permit or certificate of occupancy and that the Burleigh County Planning and Zoning Commission and the Zoning Administrator (where allowed) are hereby given limited discretionary powers relating to the granting of such a permit or certificate.

1. **Permanent Uses** (Planning and Zoning Commission approval) Burleigh County Planning and Zoning Commission is authorized to recommend approval of Special Use Permits for the following uses:

A. **Agriculture Recreation Tier II** may be permitted in any A-Agricultural District as a Special Use provided:

1. The use is ancillary to the primary agricultural uses and in conjunction with an owner-occupied single-family dwelling.
2. The lot in which the use is located is at least forty (40) acres in area, thirty-five (35) acres aliquot description.
- ~~3. Attendance is limited to seventy-five (75) persons in attendance per day. at any time.~~
4. Limited to thirty (30) events per year
5. Site design and building(s) must conform to all applicable requirements of the International Building Code (IBS) and the International Fire Code (IFC) as adopted by the State of North Dakota.
6. The events or activities shall not involve the construction or use of new or permanent structures.
7. All parking areas shall be mowed and designed to prevent debris from the site entering the public right-of-way, and be arranged to provide for orderly and safe loading or unloading and parking.
8. Sound generated by the use shall meet the requirements as outlined in NDCC.
9. All outdoor light fixtures shall be installed in a manner intended to limit the amount of off-site impacts. Light fixtures located near adjacent properties may require special shielding devices to prevent light trespass.

10. The use is setback a minimum of 100 feet to all adjacent properties.
11. A site plan is required.
12. If necessary, a stormwater management plan is required to be submitted for review and approval prior to the issuance of a building permit
13. Off-street parking is required. Parking on grass and agricultural areas may be gravel or low-cut grass area. Parking ratios shall be determined in accordance with Article 10 Automobile Parking.
14. Under certain circumstances, items for road/ditch repair and dust control application at the permittees cost, may be required.
15. Additional conditions may be included in the Special Use Permit.
16. After approval and issuance of a Special Use Permit, any violations of Section 28 may/shall be basis for revocation of the Special Use Permit.

Article 11 A-Agricultural Zoning District In an A-Agricultural District, the following regulations shall apply:

1. **Uses Permitted.** The following uses are permitted.
 - a. **Agricultural Recreation Tier 1**
 - i. Agriculture Recreation Tier 1 shall be allowed on a parcel of land forty (40) acres in area, (thirty-five (35) aliquot description.)
2. The following Special Uses are allowed as per Section 28 hereof:
 - a. **Agricultural Recreation Tier II**

Section 2 Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Severability If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such as adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date This ordinance shall take effect after final passage, adoption and publication as provided by law

First Reading Passed: _____

Passed and adopted this _____ day of _____, 2024

Brian Bitner

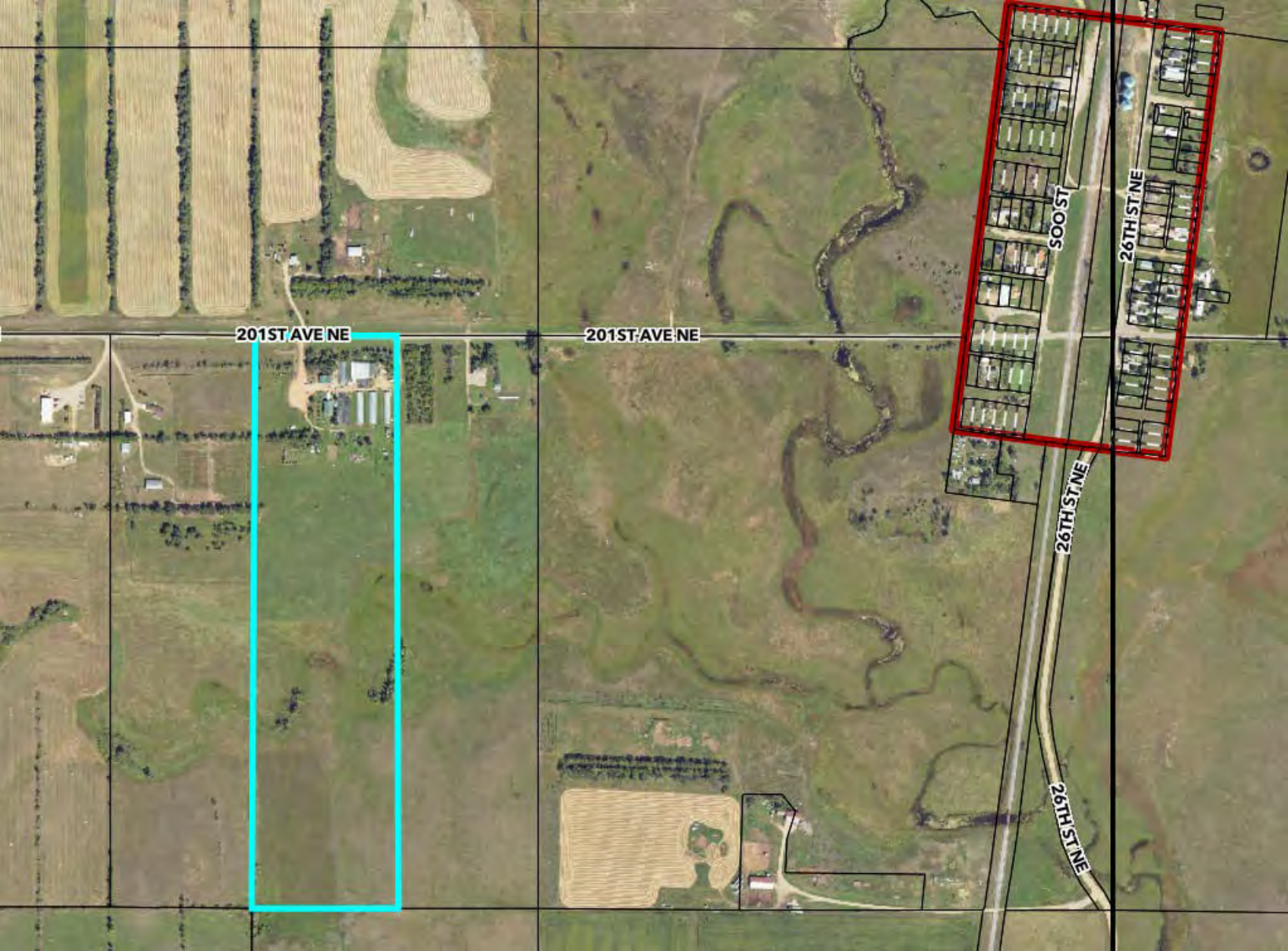
Chairperson

Final passage and adoption:

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____ day of _____, 2024

Mark Splonskowski, Burleigh County Auditor/Treasurer



201ST AVE NE

201ST AVE NE

300 ST

26TH ST NE

26TH ST NE

26TH ST NE

ORDINANCE 24-0-----

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Agriculture Recreation. An agriculture recreation use combines agricultural production with recreational uses that are in common with and ancillary to the primary agricultural use and in conjunction with a single-family dwelling.

Agriculture Recreation Tier 1

1. Any agriculture-related activity, in conjunction with agricultural production which is intended to educate the public in a singular one-day event about agriculture, agricultural practices, agricultural activities, or agricultural products.
2. Any agricultural-related use that combines agriculture production with commercial recreational activities that are ancillary to the primary agricultural use. Such uses include farm to table dinners, pumpkin patches, u-pick orchards, U-pick Christmas tree farm, and hayrides for

someone other than the property owner. Tier 1 agriculture recreation uses shall not exceed an occupancy of fifty (50) people per day.

Agricultural Recreation Tier II

Any agricultural-related use that combines agriculture production with recreation uses that are in common with and ancillary to the primary agricultural use, such as pumpkin patches, farm festivals, corn mazes, hayrides, trail rides, U-Pick orchards, on-farm markets, floriculture, demonstration farms, U-Pick Christmas tree farm or similar activities for someone other than the property owner, involving the gathering of individuals assembled for the common purpose of said event. Tier II agriculture recreation uses shall not exceed an occupancy of One-hundred (100) people per day.

Special Uses In order to carry out the purposes of this title. Board of Burleigh County Commissioners find it necessary to require that certain uses, because of unusual size, safety hazards, infrequent occurrence, effect on surrounding area, or other reasons, be reviewed by the Burleigh County Planning and Zoning Commission prior to the granting of a building permit or certificate of occupancy and that the Burleigh County Planning and Zoning Commission and the Zoning Administrator (where allowed) are hereby given limited discretionary powers relating to the granting of such a permit or certificate.

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 2. The lot in which the use is located is at least forty (40) acres in area, thirty-five (35) acres aliquot description.
 - ~~3.~~ Attendance is limited to One hundred (100) persons in attendance per day.
 4. Limited to thirty (35) events per year

5. Site design and building(s) must conform to all applicable requirements of the International Building Code (IBS) and the International Fire Code (IFC) as adopted by the State of North Dakota.
6. The events or activities shall not involve the construction or use of new or permanent structures.
7. All parking areas shall be mowed and designed to prevent debris from the site entering the public right-of-way, and be arranged to provide for orderly and safe loading or unloading and parking.
8. Sound generated by the use shall meet the requirements as outlined in NDCC.
9. All outdoor light fixtures shall be installed in a manner intended to limit the amount of off-site impacts. Light fixtures located near adjacent properties may require special shielding devices to prevent light trespass.
10. The use is setback a minimum of 100 feet to all adjacent properties.
11. A site plan is required.
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 - a. Agricultural Recreation Tier 1
 - i. Agriculture Recreation Tier 1 shall be allowed on a parcel of land forty (40) acres in area, (thirty-five (35) aliquot description.)
2. The following Special Uses are allowed as per Section 28 hereof:
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Section 2 Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Severability If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such as adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date This ordinance shall take effect after final passage, adoption and publication as provided by law

First Reading Passed: _____

Passed and adopted this _____ day of _____, 2024

Brian Bitner Chairperson

Final passage and adoption:

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____ day of _____, 2024

Mark Splonskowski, Burleigh County Auditor/Treasurer



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

CERTIFIED

July 11, 2024

Stoll Farms LLC
1725 201st Ave NE
Baldwin, ND 58521

RE: Special Use Permit Request

Dear Mary:

This letter is to inform you the Burleigh County Planning and Zoning Commission at its July 10, 2024 meeting denied a recommendation of "Do Pass" to the Board of Burleigh County Commissioners for the special use permit to hold a corn maze on your property described as:

Glenview Township Section 24, W 1/2 E 1/2 NW 1/4
Addressed as: 1725 201st Ave NE
Zoned: A-Agriculture

If you do not agree with the Burleigh County Planning and Zoning Commission decision, you can appeal their decision to the Burleigh County Board of Commissioners as per Article 2- Section 7 Appeals of the Burleigh County Zoning Ordinances:

"Any final decision of the Planning and Zoning Commission may be appealed to the Board of County Commissioners. Notice of appeal in writing shall be delivered to the County Auditor or the Chairman of the Board of County Commissioners within ten (10) days after the Planning and Zoning Commission's decision. A meeting on the appeal shall be scheduled for the Board of County Commissioners within forty-five (45) days of receipt of the notice of appeal. After the appeal has been heard, the Board of County Commissioners shall make its decision." Article 2, Section 7, Burleigh County Zoning Ordinances

Please let me know if you have any questions or concerns about this notification.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. McMonagle". The signature is fluid and cursive, with the first name "M." and last name "McMonagle" clearly visible.

Marla McMonagle
Associate Planner

E-mailed 7/11/2024

July 12, 2024

Mark Splonskowski, County Auditor
Brian Bitner, Burleigh County Commissioner Chairperson

Regarding: Appeal to action by Planning and zoning to deny Special Permit

Dear leaders,

This letter, delivered to you by email today, July 12, 2024 is a notice of appeal regarding the Planning and Zoning Committion's decision regarding our request for a corn maze.

I will include some information with this email in support of my request to allow a corn maze in Burleigh County at the Stoll Farms/Baldwin Greenhouse & Nursery, however it is my understanding that I will have the opportunity to provide additional information at the appeal meeting.

Planning and zoning staff have approached me about the vision that my family has for this property upon purchase due to a complaint from a neighboring property. It is my understanding from previous owners, this complaining by this neighbor was fairly regular. Mitch Flanagan suggested that in the spirit of being neighborly, I should request a special permit for some of the planned agriculture activities.

I did turn in this request in May, I think. But concurrently, there has been work on language for special permits.

Attachment A is a copy of the current Special permit language. It has no reference to corn mazes, pick your own produce activities, farmers markets or on farm sales of products.

Attachment B is the current language moving forward.

This special permit language and the lack of the staff to acknowledge the input from those stakeholders impacted by such language caused me great concern so I verbally asked to withdraw that request and focused solely on a Corn maze. In working with Farmer Clark Coleman, there has not been a requirement in the past and he suggested I not ask for permission. I believe we were already down the road, and was fearful that the don't ask, beg for forgiveness was not the right approach.

The Corn Maze is on agriculture land, zoned ag land at 1725 201st ave NE Baldwin ND. You may know it better as the Baldwin Greenhouse & Nursery. The Greenhouse business is also considered ag, but is contained to the north 8-9 acres. The remaining property has been cropped, hayed or grazed. The area of where corn is planted is considered by USDA to be cropland - and if we were USDA participants we would meet Highly erodible land and swampbuster rules.

The area will not be impacted by traffic as the Greenhouse has already demonstrated capacity of over 1000 people (I might say 2000 on busiest of days). Gravel parking lots can easily accommodate 100 vehicles, and there is also secondary parking on gravel throughout the greenhouse.

This issue at hand and the reason for denial, my understanding, is that one neighbor says that we adversely impact his right to raise confined livestock - in his case, whitetail deer.

July 12, 2024

Whether or not the planning and zoning staff had the authority to recommend a special permit process is a mute point now.

My ask is approval to host a corn maze on the Stoll Farm/Baldwin Greenhouse property. Impact to infrastructure is minimal, the site has adequate parking and facilities and is an excellent opportunity to highlight agriculture in the community. It is my observation that people in Burleigh County would enjoy such an event.

I recognize my neighbors right to raise whitetail deer. I even tip toe around them while doing agriculture activities like planting trees, managing weeds and considering fencing options.

In reading information on line about whitetail deer, most all sites included the value to creating good relationships. This is also my value, which is why I introduced my self and family to our neighbors with a nice bag of Christmas hot chocolate and our contact information. The neighbor with the deer made no effort after that time to continue discussion or share his concerns about noise or ask to share the cost of a fence. With our focus on getting the greenhouse running, asking our neighbors about fencing was not a priority.

In late March or April, with snow still on the ground (2022 - 2023), the family finally got a chance to walk past the greenhouses to the south 1/2 of the property. Two people walking in the pasture to check out grasses, weeds, look at the creek for fishing opportunities and camping! That was when Jamie came across their pasture yelling at them. Later that day he and his wife finally came by crying and telling my family they had killed or damaged a deer. It was very confrontational. In my opinion they had ample time to create communication.

We have been visited several times by the planning and zoning staff as well as the sheriff's department for going about our own business.

I would ask that this neighbor to neighbor dispute not be basis of simply saying no to what I view as an acceptable practice, an activity that the community wants and is an awesome bridge of community and agriculture.

Had he asked, we would have gladly worked to compromise a barrier fence. For example, there are portable windbreak panel structures that could be used as a model in critical places on our property boundary. Where there is deer to human viewscape, it would be our responsibility to build or finance.

Signage by neighbor is clear to customers, however, I am agreeable to adding more sign posts along his designated property line.

Attachment C is my recommendation

My request is a do pass for a special permit to have a corn maze, or an acknowledgment that there is not current requirement for such. If asked about applying for a PUD, please note that it was the special permit process recommended to me by staff.

Thank you for allowing me the appeals process and consideration for a change in decision

Mary Podoll, representative and family
Stoll Farms LLC/Baldwin Greenhouse & Nursery



Stoll Farms LLC Appeal to Corn Maze Do not Pass

There is no legal or reasonable basis for denial when all facts are allowed. The location has adequate parking, ease to accomodate vehicles and neighbor complaints are based on grudges and misinformation.

Contact: Mary Podoll, Family member

[REDACTED] **[REDACTED]**

4 Points of appeal

- 1. Corn Maze Request and Supporting Information**
- 2. INACCURATE, BIASED, and HARRASSING information provided to support a do not pass recommendation**
- 3. A Path to Yes for the community**
- 4. Applicability of Special permit ordinance as in place of corn maze application**

CORN MAZE

Early 2024, Clark Coleman offered the idea to host the Corn Maze at the Stoll Farms. He and his family had already decided they were not going to go back to the location at Buckstop Junction. The distance for equipment and labor was a deciding factor. Stoll Farms - includes the location of the Baldwin Greenhouse & Nursery (provided to help identify site).

Stoll Farms has 40 acres, approximately 8 acres of greenhouse/nursery and home. The remainder is pasture and cropland. The corn is planted on approximately 6 acres.

At the time of agreement, there was no known ordinance to impact this decision based on the experience of the Coleman's.

This location has adequate space for volume and low impact to infrastructure of roads.

A great activity for the community of all Burleigh County.

Corn Maze Special Permit Application

WHY: Discussion with Planning and Zoning staff regarding operations of Stoll Farms Produce growing and the Baldwin Greenhouse & Nursery Operations became a topic of discussion in the spring of 2023, just short months after purchase of property December 1, 2022, because Mitch Flanagan had been contacted by a neighbor. No significant changes were or are being made to the agriculture operation of growing and selling nursery and greenhouse crops. There is an added agriculture use of produce to this acreage zoned agriculture. Future plans and visions were shared with Mitch. There was no requirement needed for current operation, as I understood it at that time. To my knowledge, no additional calls or letters came from Planning and Zoning staff.

In Summer of 2024, I was made aware of the special permit draft for many of the agriculture activities that I mentioned to Planning and Zoning staff, therefore I made a call and was invited to the stakeholders meeting. That draft is still in discussion and will be heard at a public hearing in the future. In the meantime, I wanted to be proactive and follow the recommended action by PZ, even though the ordinance has not been passed. It was made clear to me that to be a good neighbor, I should ask for permission. Therefore, I applied for a variance, not knowing the correct terminology; and followed the recommendation to request a special permit.

In early July, Stoll Farms provided a check for \$300.00 and a map and information to show that our location is adequate (More than) for a corn maze.

Below are clarifications for this 40 acre property with a residence on site:

1. Corn Maze will be operated approximately 6-8 weeks (weather dependent) in the fall of 2024. T2. Site is on 201st Ave. Well maintained with asphalt.
3. Corn Maze traffic, according to the farmer planting corn will be less than 75 families (vehicles) per day. A day is an 8 hour day, 3 days per week with much smaller numbers the remainder of the week. Please note this is a clarification to the application.
4. There is parking on gravel that can easlily handle these 75 vehicles (More parking is availble in the fall when barriers are removed and parking can extend east and west along the gravel area between greenhouses). In May, on the busiest day, over a 10 hour period 200 cars have been accomodated for many years.
5. Porta potties are on site. Hosting schools tours easily accomodated 80 students at any one time (that was maximum on site 3rd graders/teachers in my recent experience).
6. Parking and people are well over 150' feet from property line. And, many hundred feet from residence.
In the corn maze, the path is a minumum of 100' from the CORRECT property line. In addition the corn is very tall and provides a sight and sound barrier from deer at about 2 rows into the field.
7. Checked in with township, they provided positive comments
8. Letters of support from Wilton Community and others

Because the Stoll Farms has already demonstrated the ability to manage volume on this location with no cause for additional road maintenance and residential concerns **I am requesting a do pass recommendation.** As for frequency, the corn maze request is for a single year 2024. We will work with planning and zoning for additional regulations/permit needs as they become part of the ordinance.

It is my desire to highlight why Stoll Farms/Baldwin Greenhouse Nursery and the 40 acres upon which it sits is a good site for a corn maze. Roads, Infrastructure, examples of success managing crowds. I believe that this has been demonstrated in the numbers of customers already utilizing Baldwin Greenhouse & Nursery.

Inaccurate, Bias and harrassing Information

In my effort to do the right thing, it opened up criticism from a neighbor who farms whitetail deer and the planning and zoning staff. I will address Jamie Fiest's concerns in Part 2, as well as statement and photos from planning and zoning staff.

In the court of public opinion, we have been tried and found wanting. This is the only place I have to correctly and publicly defend statements made with innaccurate, bias and harrassing information.

1. The no Trespassing signs placed between Jamie Fiest and Stoll Farms have been used as measurements by Jamie and by Planning and Zoning. These are as much as 40' inaccurate in places. 40 feet. In my conundrum to 'not' disturb Fiest's gorgeous deer, I did not continue to measure these distances. It can be noted that each measurement from the "Officially" staked property line boundary got substantially farther from Fiest's no tresspassing signs that he claimed marked the property. See photos and videos for verifiable documentation.

PHOTO Documentation
Included

The cost to the Stoll's was \$1800 to trust but verify. I no longer trust Jamie's or the Planning and Zoning staff's measurements and credibility. I hope you take this into consideration in this appeal.

2. Photos of deer damaged are publically damning to the Stoll's. I can neither confirm nor deny these photos. Here is what I know:

a. In December 2022, Jamie was provided a bag of Christmas goodies and my homemade Hot Cholote mix along with contact information for Jared and Ashley Stoll. Cell phones and the Greenhouse landline phone numbers were given. It was a meet and greet, and I gave him a great story of our vision for the 40 acres for agriculture and the nursery business. Which has all been used against my family, even if we haven't implemented.

b. In the spring, after much snow on the ground, Jared and Ashley had a chance to walk in the pasture south of their house for the 1st time. Just 2 people checking out their new place... They came back to the house clearly shaken by the experience of having Jamie - a stranger, coming at them across their property aggressively and loudly. Later that day, Jamie brought his wife and they yelled and cried and accused my family of killing their deer.

Just a reminder - that was the 1st time they met Jamie. I opened the door with communication and contact in December.

It did create resentment by my family who loves animals and would not intentionally hurt them. Also, the Fiest's didn't ask to share in additional fencing, barriers - they demanded that we do it. And during the previous meeting requested that we pay for their deer because they can't get insurance.

Making these requests in the court of public opinion - this feels like harrassment.

c. I have no verification of how many times the sheriff or planning or zoning was called by the Fiests based on rumor or assumptions. I do know that one of the Fiest's made my friend, very nervous because they would follow her with their vehicle when she came to help us at the Greenhouse. I do know, and can share videos of myself being on the property planting trees being watched by Jamie the entire time. I have also observed the Sheriff's deputies driven into the parking lot and out each May (albiet that is 2x).

d. I have been told but not verified that Jamie has talked poorly about us with the State Veterenarian who shared that with a friend of mine. He continues to share his point of view loudly and in a harrassing manner to anyone who gives him the time (As friends, should I suppose), but should a state employee - including the planning and zoning staff be sharing information shared in a conversation with others or be used as documentation in a report???

C. The spokespeople for Jamie and White Tail Deer raising represent groups that value good neighbor relationships. In fact is value number 3 on their website. Jamie is not a poster child as he not only has not made an effort, he has abused his neighbor. I have been told that Jamie did this to the previous owners as well. Scott Weere said with Mel fighting cancer, he didn't have time to fight the neighbor.

D. Lastly, because of my ill stated concerns at the stakeholders meeting, and expressing anger, I have created animosity with at least one or more of the board members. As you make this decision, please note that my family can not control my anger or my mouth and should not be penalized because I speak up in support of others opposition. E. In addition, I know that some of you know that Jamie Feist called the Sheriff after the last Planning and Zoning meeting that I threathened him. Here is what I said and these are facts 1. I have 11 grandchildren, 2. They all have bikes, atv's, and horses, 3. Maybe I should just let them all ride in the fields. (I also added "I can, but I won't). I'm 5'2, 59 years old, I don't carry anything more dangerous than a pocket knife or snippers for plant care at the greenhouse).

E. Whether or not, you like Jamie and his deer and dislike me, there should be path to yes for activities that the community wants. This should not be the court of law between neighbors with poor relationships.

A path to Yes

In addition to clearly marking the property boundary with a legal survey, we will:

1. Add Windbreak Panels: There is approximately 650' of deer fencing between properties. If Corn Maze is approved, we will add about 100' of panels. (Known as windbreak panels, picture provided). Some of the 650' has trees or other protection from deer eye of sight to areas where people other than family may be. (A map is included). This includes the area along the cropped field AND, it will be right next to the corn 40' from the property line. In addition there are at least 7 rows before the west end of the corn) making the maze 100' away from Deer Fence and several hundred feet from residences. (No clear information about 100' rule - that came about "After" the application was made. Also, it is cropped field and in no other ag application does one have to be 100' from property line).

The cost of panels is \$1000/30' at first search. I hope to borrow and find used panels to reduce this cost. Please note that the Fiest's have owned this property for how long(2020??) and have made no effort to add sound/sight barriers between properties????

2. More signs - We will add 9 more signs that indicate that our property ends. Most with tact and kindness... One even says "Shh, Deer Sleeping".

What rules apply?

In hindsight, I should not have applied for any type of request, even though Mitch Flanagan said in a discussion that I should. In the scheme of things a PUD may be needed for the overall operation of Stoll Farms, but until we have completed our vision and mission and "Plan", this would be premature. Therefore, since it was quite apparent that corn mazes would be included in the Special Ordinance regarding Ag tourism/recreation, and it might have been passed before we began hosting people to the corn maze, I did want to be a good neighbor and even a good stakeholder to follow the process.

Here are my points.

1. Previous experience by farmer planting corn maze did not include a need for any type of permit.
2. If I didn't have to have a Special permit, why was it accepted.
3. If it was needed with the current ordinance rules, which rules apply is vague.
4. The volume and frequency of the activity has already occurred at this location that has been the Baldwin Greenhouse & Nursery for over 20 years (with 31 years total agbusiness in operation)
5. Just because a neighbor complains, there should still be a path to yes, other than the opinions of the planning and zoning staff and board.
6. The planning and zoning staff used Feist's faulty information without verifying, and no one informed the Stoll's this was occurring.

Having a corn maze in the community is a good thing. It is located on a site that accommodate volume. Actions can be taken by Stolls to reduce impact to deer at their own costs.

Please consider a Do pass Recommendation.

Thank you very much for your consideration,

Mary Podoll

On behalf of my family Jared, Ashley, and Emmett Stoll.
Stoll Farms/Baldwin Greenhouse & Nursery

Attachments 1

Measurements made
at ~~First's~~^{No} Tresspassing signs

are 8' to 40'

from property line

The one used by P:Z staff
40'

Invoice Available upon
Request

4th No Trespassing Sign from

See
Video

NE corner is approximately 40'
from Property line.

Video shows that I was trying to
not disturb deer.

This sign was stated to be
Property line, when P&Z staff
measured w/ Jamie Feist.

Clearly this was inaccurate
information. Since Jamie
Placed the signs, he surely
knew he wasn't on the property line.

Attachments

A Path to

YES

Signs
,

In addition to
Jamie Feist's No
Trespassing sign

,'
Panels

9 more

9 Signs for Property line



83238204

Order Information		Shipping	
Sales Order Number: VP_GCNK94QQ Fulfillment Order Number: 79944114 Package Ref. Number: 79944-114 a Order Date: 7/16/2024 Shipping Method: Ground		MARY 1725 201st Ave NE Baldwin ND 58521-9793 United States	
Contents of this Package (box weight: 5.7 lbs)			Special Instructions
1		Custom Sign (892488935) 18" x 24" Single Sided Corrugated Plastic	B19
2		Custom Sign (892488936) 18" x 24" Single Sided Corrugated Plastic	B19
3		Custom Sign (892488937) 18" x 24" Single Sided Corrugated Plastic	B19
1		Custom Sign (892488938) 18" x 24" Single Sided Corrugated Plastic	B19
2		Custom Sign (892488939) 18" x 24" Single Sided Corrugated Plastic	B19
1		Custom Sign (892488940) 24" x 18" Single Sided	B19

Person a use

9 Signs received

**MACK METAL SALES WILL BE CLOSED THURSDAY, JULY 4TH AND FRIDAY, JULY 5TH IN
OBSERVANCE OF INDEPENDENCE DAY.
HAVE A SAFE AND WONDERFUL HOLIDAY!**

✕



HOME PAGE FARM AND RANCH INVENTORY
FABRICATION AND MANUFACTURING OUR STORY

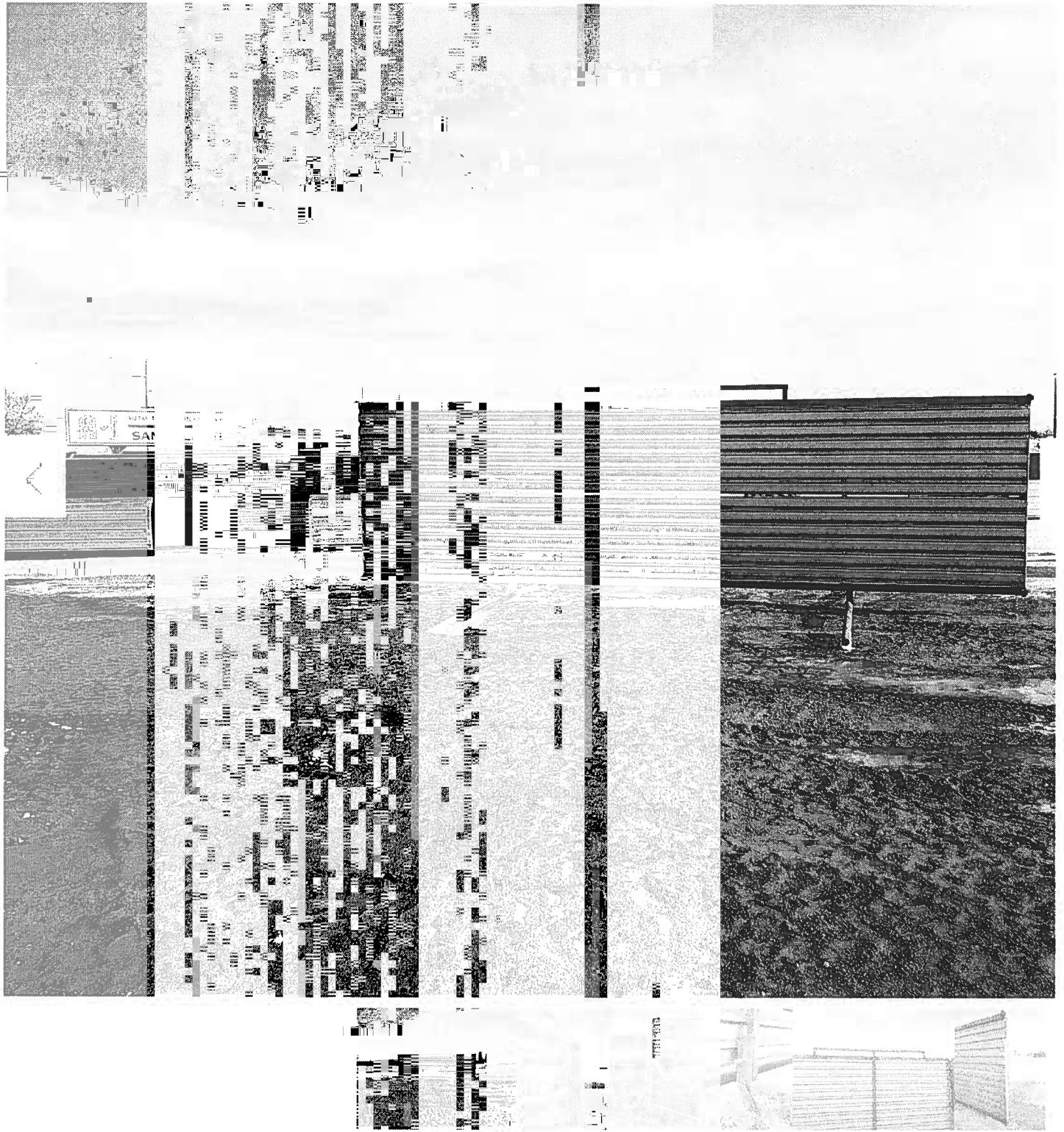
CONTACT US



Mack Metal 24' Free Standing Windbreak Panels

Our Free Standing Windbreak Panels are an essential piece of farm and ranch equipment that help keep your livestock warm and protected from harsh weather elements. Our 24' Windbreaks are 8 foot tall and come with removable legs—which are 12 foot wide. They are made with heavy duty 3" x 2" rectangular tubing and 22 ga super steel windbreak decking. They also come with lifting loops across the top horizontal brace to be easily moved and transported.

24' WINDBREAKS ARE MADE WITH 22 GAUGE TIN



Mack Metal's Standing Floor Panels

STANDARD SIZE WITH HEAVY DUTY

Incorrect,

Bias,

Harassing

Information

1st Complaint March 2023

~~*~~ Stoll's had owned since Dec 1 2022

4 months - snowed Dec
and didn't stop!

The only thing done outside was
push snow.

opening of Nursery - April 27th



NOTES

PLANNING AND ZONING COMMISSION

July 10, 2024

Analysis

The request for a Special Use Permit to have a corn maze is allow per the Burleigh County Zoning Ordinance Article 8 which states:

"In order to carry out the purpose of this Article, The board of County Commissers finds it necessary to require that certain uses, because of unusual size, safety hazards, infrequent occurrence, effect on surrounding area, or other reaseans, be reviewed by the County Planning and Zoning Commission and the Board of County Commissioners be and are hereby given limited descretionary powers relating to the granting of such permit or certificate."

The petitioner has submitted a site and operating plan for the corn maze as follows:

Hours will be from 9:00 am with the last person entering the maze one half hour before sunset. Normal operating hours are from 9:00am to 6:00pm on Monday, Tuesday, Thursday, Friday and Saturday. 10:00 am to 5:00pm on Sunday.

Corrective

only for small groups

1. The maze will operate from late August through October.
2. Clark Coleman will operate the maze Friday thru Sunday. Stoll Farms may run the maze the remaining days of the week or by appointment.
3. Parking will be in a gravel parking lot, located approximately 100' feet from the west property line. Over flow parking is not available
4. Restrooms/Porta Potties will be available and located within the greenhouse complex.
5. The maze is located in the middle of the parcel and approx. 6 acres in size.
6. A buffer of 7 rows of corn has been planted on the west side of property.

Primay crowd on F, S, Sunday.

PLANNING AND ZONING COMMISSION

July 10, 2024

Harassment of Stolls started March 23

The P&Z staff ~~is~~ knows that nothing was valid in that complaint Yet - here it is

History/Description

The petitioner approached Burleigh County on June 20, 2024 requesting a special use permit to have a commercial corn maze on the grounds of the Baldwin Greenhouse. The corn maze would run from August thru October. Clark Coleman, who in the past has had a corn maze at the Buckstop Junction will run the maze, Friday thru Sunday. Stoll Farms will run the maze the remainder of the week. There will also be a food truck, portable bathrooms, and a gravel parking lot. The last person to enter the maze on any day will be a half hour before sunset.

This is not the first Special Use application we have received from the petitioner. Stoll Farms, LLC had originally applied for a Special Use permit to operate a corn maze, teaching facility with an additional building, a commercial kitchen and educational growing sites for attendees. The petitioner was advised, her request does not fall under a special use category as the ordinance is written at this time. She was asked to wait with the first special use, until the ordinance is written. She was also advised because she has commercial activities, although farm related, they would not fit under allowable uses nor special uses of Article 12 - A-Agricultural Zoning of the Burleigh County Ordinances. Staff advised her to apply for a PUD. The petitioner is part of the Stakeholders Group for Agri-Recreation.

The Baldwin Greenhouse was owned and operated by the Werre family before being purchased by Stoll Farms in November of 2022. The Werre family operated the greenhouse during the growing and planting season. The green house was closed during the fall and winter months. Stoll Farms, LLC since purchasing the greenhouse have held several events which include food trucks. On Mother's Day of 2024 for example over 2,000 people visited the green house and enjoyed the food available thru the food trucks on site.

Starting in the Spring of 2023, Burleigh County started to receive complaints about the activities and the amount of people on the greenhouse property. The concern expressed was that the activities being held were not agricultural in nature. These non-agricultural events were affecting the neighboring property and his livestock.

INACCURATE
INFO GIVEN WAS WITHOUT CLARITY
to which item action needs a PUD or Special Permit

with ~~draw~~ draw

Not in writing

people

Food trucks sales NOT THIS HIGH

True

Harassment

But
No Activities

1st

In Spring of 2023 we didn't open until the last weekend in APRIL.



PLANNING AND ZONING COMMISSION

July 10, 2024

INACCURATE Info

Jamie Feist is a neighbor who shares the east/west property line with the greenhouse. Mr. Feist and his family raise and breed deer on his property. His animals are wild and are not pets. The additional activities with the food trucks alone have caused his deer to bolt against their pens and has caused death and miscarriage in his stock. His pens are located approximately 40' from the shared property line. When Mr. Feist purchased his property in August of 2020, the greenhouse was only operational between the summer months and traffic was limited to those purchasing items at the greenhouse. Food trucks and various activities were not held on the property.

- They did host education - They did open doors other times

The most recent complaint from Mr. Feist was the encroachment on his property by the equipment used to seed the corn maze. The operator of the equipment used Mr. Feist's 40' buffer zone to turn around while seeding the corn maze. The equipment caused damage to the plants and shrubbery Mr. Feist was trying to grow as an additional buffer to the deer pens on his property.

Mr. Feist is very concerned that the additional activity of a corn maze and participants in the corn maze trespassing on his property to see the deer. His male deer are just growing antlers and very skittish, the deer might bolt, break an antler and bleed out. The bolting of deer in one pen will cause a chain reaction in his other pens.

Has done Nothing for signs said

Mr. Feist has submitted documentation with his complaints (attachment - Feist Documentation)

County staff visited the site on June 28 to address Mr. Feist's complaint and verify additional information on the location of the corn maze. Measurements and pictures were taken at this time. (Attachment - Staff Documentation)

NO ONE told the Stoll's they would be on their Property

ON 6-9 Acres

w/ property line surveyed

INACCURATE

BIAS

Facing East



Property line Verified - Feist's were 8' to 40' ON Stoll Property

~~- Add Receipt for Surveyor~~

- Add video

~~- Add signage copy of receipt~~















POSTED
NO HUNTING
800-555-1234



POSTED
TRESPASSING
KEEP OUT





94 7F10

95 7F11

96

97

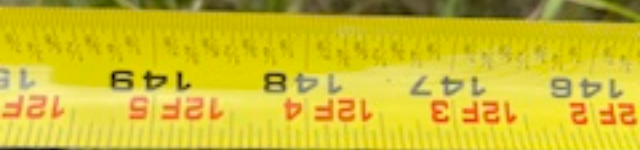
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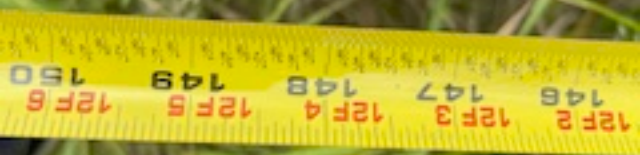
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17F 10
214

17F 11
215

18F
216

18F 1
217



ITEM

7



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: August 5, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: 2025 Budget Adjustments

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

ACTION REQUESTED:

Review proposed changes to the 2025 Budget and direct the Highway Department on how to proceed.

BACKGROUND:

During the July 15, 2024 County Board Meeting the Board directed the Highway Department to change their 2025 Proposed Budget expenditures to match their 2024 Approved Budget expenditures and then adjust their 2025 revenues to balance the 2025 budget. With this direction, the Highway Department budget (expenditures and revenues) will increase from \$14,127,876 to \$16,482,488 (an increase of \$2,354,612). In addition, the Board directed the Highway Department to eliminate any mill levy increase (over the approved 2024 level of 3.613 mills) shown in the proposed 2025 budget and replace additional mill levy revenues (\$2,798,800) with Legacy Funds, Highway Department Savings, General Fund transfer, or Prairie Dog Funds. The total increase in revenues required for the 2025 Proposed budget is \$5,153,412 coming from the following sources:

Legacy Fund:	\$1,041,296 (half of our allotment)
Highway Department Savings:	\$1,000,000
General Fund Transfer:	\$1,188,504
Selling of existing Equipment:	\$50,000
Prairie Dog Funds:	<u>\$1,873,612</u> (Used on Construction Projects)
Total	\$5,153,412

Budget Expenditures:	
Expenditures covered by multiple funds	\$2,798,800
Motor grader	\$481,000
Construction Projects*	<u>\$1,873,612</u>
	\$5,153,412

*Microsurfacing of 71st Ave NE from US83 to Centennial Road. Centennial Road from 71st Ave NE to Jericho Road. 66th Street SE from County Highway 10 to Lincoln Road.

*Mill and overlay of County Highway 10 from 236th Street SE to US83. (Fed/Local: 80%/20%)

*Chip seal of County Highway 10 from 66th Street SE to US83. (Fed/Local: 80%/20%)

RECOMMENDATION:

It is recommended that the County Board review the proposed changes and direct staff on how to proceed.

ITEM

9

BURLEIGH COUNTY FINANCE DEPARTMENT

Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

REQUEST FOR COUNTY BOARD ACTION

DATE: August 5th, 2024

TO: Mark Splonskowski, County Auditor

RE: Amendment to the Preliminary Budget

Please Include this item in the next Burleigh County Board agenda packet.

ACTION REQUESTED:

Amend the Preliminary Budget to show the general fund tax levy as \$21,805,080 with any budget deficit funded by utilizing general fund reserves. Amend the Preliminary Budget to show the County Road & Bridge fund tax levy as \$2,413,491 with any budget deficit funded by utilizing a combination of sources as identified by the County Engineer.

BACKGROUND:

The County Commission voted on July 15th 2024 to accept the Preliminary Budget presented by the County Auditor with various changes as discussed at the meeting. The County Commission discussed funding the budget without raising taxes. The only mechanism available to do this is to use reserves.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby amend the Preliminary Budget to levy \$21,805,080 in property taxes in the general fund and to utilize \$4,802,392 in general fund reserves to fund the difference between budgeted revenues and budgeted expenditures in the general fund, and to levy \$2,413,491 in property taxes in the County Road & Bridge fund and to use various non-property tax means to fund the difference between the budgeted revenues and budgeted expenditures in this fund as identified by the County Engineer.

**BURLEIGH COUNTY, NORTH DAKOTA
PRELIMINARY BUDGET 2025
GENERAL FUND**

GENERAL FUND REVENUES

	2022	2023	2024	2024	2025	CHANGE
	ACTUAL	ACTUAL	BUDGETED	ESTIMATE	BUDGET	
TAXES	\$ 13,146,683	\$ 14,588,484	\$ 20,956,366	\$ 20,560,000	\$ 20,560,000	\$ (396,366)
IN LIEU OF TAXES	28,982	32,899	32,000	46,000	33,000	1,000
LICENSES	11,275	11,195	12,000	12,000	11,500	(500)
PERMITS	180,792	112,483	180,000	115,000	112,000	(68,000)
FEDERAL IN LIEU	41,994	44,995	91,000	48,000	45,000	(46,000)
STATE GRANTS & FEES	190,476	229,576	175,000	175,000	175,000	-
STATE AID DISTRIBUTION	4,237,562	4,822,093	4,328,109	4,490,000	4,413,000	84,891
HOMESTEAD CREDIT	187,875	201,967	218,000	422,000	253,000	35,000
REIMBURSEMENTS	585,062	23,630	113,400	25,000	114,000	600
COUNTY COURT	25,907	25,991	25,000	25,000	25,000	-
COUNTY RECORDER	575,645	435,854	525,000	420,000	420,000	(105,000)
COUNTY AUDITOR	19,339	16,917	20,000	10,000	10,000	(10,000)
EMERGENCY MANAGEMENT	78,695	98,911	75,000	80,000	91,000	16,000
STATES ATTORNEY	101	920	500	500	500	-
COUNTY SHERIFF	561,033	392,141	422,000	560,000	539,000	117,000
SOC SRV MISC	811,505	802,032	550,000	800,000	196,000	(354,000)
DETENTION	3,183,577	4,177,877	5,043,778	4,770,000	4,706,000	(337,778)
INTEREST	(85,703)	1,556,965	1,113,000	1,800,000	1,460,000	347,000
RENT (MUNI COURT)	10,848	10,848	35,000	35,000	35,000	-
SALE OF ASSETS	-	80	10,000	1,000	1,000	(9,000)
MISC.	112,939	111,500	111,500	40,000	40,000	(71,500)
SUBTOTAL	23,904,587	27,697,356	34,036,653	34,434,500	33,240,000	(796,653)
TRANSFER IN	1,035,646	342,354	322,700	322,700	1,322,700	1,322,700
TOTAL	\$ 24,940,233	\$ 28,039,709	\$ 34,359,353	\$ 34,757,200	\$ 34,562,700	\$ 526,047

**BURLEIGH COUNTY, NORTH DAKOTA
PRELIMINARY BUDGET 2025
GENERAL FUND**

GENERAL FUND EXPENSES

	2022 ACTUAL	2023 ACTUAL	2024 BUDGETED	2024 ESTIMATE	2025 BUDGET	CHANGE
COUNTY BOARD	\$ 428,212	\$ 468,236	\$ 585,809	\$ 585,809	\$ 642,351	\$ 56,542
JUVENILE COURT	313,317	260,599	300,000	300,000	300,000	-
AUDITOR / TREASURER	694,648	742,788	821,955	818,055	856,965	35,010
ELECTIONS	522,746	225,686	536,000	536,000	143,500	(392,500)
TAX EQUALIZATION	426,454	426,213	513,973	499,474	550,034	36,061
RECORDER	359,258	422,021	458,121	458,121	525,505	67,384
HUMAN RESOURCES	442,538	573,340	651,573	651,573	797,129	145,556
PLANNING	379,023	415,939	422,291	422,291	596,526	174,235
INFO TECH DEPARTMENT	3,913	159,252	360,701	340,000	602,987	242,286
INCOME MAINTENANCE	650,944	671,044	538,500	-	-	(538,500)
CRTHSE BLDG & GRDS	946,163	469,729	534,311	534,311	2,209,689	1,675,378
CITY/COUNTY BUILDING	112,734	225,686	221,581	221,581	221,581	-
SUPT. OF SCHOOLS	72,000	72,000	75,000	75,000	79,000	4,000
PUBLISHING & PRINTING	13,675	16,367	15,000	15,000	15,000	-
SUPPLIES	12,173	12,232	12,000	12,000	12,000	-
TELEPHONE & POSTAGE	124,834	133,786	132,500	132,500	134,000	1,500
TECHNOLOGY	93,656	112,788	156,100	156,100	156,100	-
AUDIT FEES	74,500	35,000	-	-	-	-
INSURANCE	165,242	172,571	200,000	200,000	200,000	-
EMERGENCY MANAGEMENT	170,973	169,584	353,344	187,343	356,335	2,991
AMBULANCE	1,500	1,500	1,500	1,500	1,500	-
YOUTH BUREAU	66,777	87,781	93,444	93,444	93,444	-
PUBLIC ADMINISTRATOR	6,300	6,300	6,300	6,300	25,000	18,700
STATES ATTORNEY	2,800,863	3,335,237	4,940,294	4,278,467	5,895,670	955,376
VICTIM/WITNESS ADVOCATE	424,001	515,137	576,397	576,397	634,891	58,494
SHERIFF	6,744,396	7,300,764	8,578,422	8,000,000	9,370,952	792,530

Continued

**BURLEIGH COUNTY, NORTH DAKOTA
PRELIMINARY BUDGET 2025
GENERAL FUND**

YOUTH BUREAU	66,777	87,781	93,444	93,444	93,444	-
PUBLIC ADMINISTRATOR	6,300	6,300	6,300	6,300	25,000	18,700
STATES ATTORNEY	2,800,863	3,335,237	4,940,294	4,278,467	5,895,670	955,376
VICTIM/WITNESS ADVOCATE	424,001	515,137	576,397	576,397	634,891	58,494
SHERIFF	6,744,396	7,300,764	8,578,422	8,000,000	9,370,952	792,530

	2022 ACTUAL	2023 ACTUAL	2024 BUDGETED	2024 ESTIMATE	2025 BUDGET	CHANGE
DETENTION CENTER	9,048,356	9,864,749	11,836,104	11,000,000	12,626,404	790,300
PUBLIC HEALTH	214,249	295,418	300,000	300,000	582,201	282,201
BOAT RAMPS	37,923	43,512	41,747	41,747	161,500	119,753
KIMBALL BOTTOMS BOAT RAMP	18,795	19,633	23,433	23,433	46,500	23,067
MITCHELL LAKE/ DRISCOLL SIBLEY	3,741	8,429	10,300	10,300	16,500	6,200
CITY RECREATION	280,407	306,992	335,000	335,000	335,105	105
ADVERTISING	80,638	83,389	-	-	98,235	98,235
COMMUNICATIONS CENTER	675,241	658,578	897,149	658,578	917,288	20,139
ABANDONED CEMETERY	9,440	10,915	9,500	9,500	11,200	1,700
SUBTOTAL	26,419,630	28,323,194	34,538,349	31,479,824	39,215,092	4,676,743
TRANSFER OUT	550,000	118,640	350,000	350,000	150,000	(200,000)
TOTAL	\$ 26,969,630	\$ 28,441,833	\$ 34,888,349	\$ 31,829,824	\$ 39,365,092	\$ 4,476,743

Estimated Budget Revenue over (under) Budgeted Expenditures \$ (4,802,392)

Estimated Beginning Fund Balance, January 1 2025 19,546,308

Estimated Ending Balance, December 31 2025 \$ 14,743,916

Appropriation for General Government	\$ 39,365,092
Plus Delinquent Taxes	607,903
Plus Estimated Reserve Fund Balance, Dec 31, 2025	14,743,916
Less: Resources	32,911,831
	\$ 21,805,080

**BURLEIGH COUNTY, NORTH DAKOTA
PRELIMINARY BUDGET 2025
COUNTY ROAD AND BRIDGE FUND**

COUNTY ROAD AND BRIDGE FUND REVENUES

	2022 ACTUAL	2023 ACTUAL	2024 BUDGETED	2024 ESTIMATE	2025 BUDGET	CHANGE
MH & RE TAX	\$2,144,300	\$2,337,484	\$2,292,816	\$2,292,816	\$4,976,966	\$2,684,150
IN LIEU OF TAXES	4,706	5,289	3,300	3,300	5,000	1,700
PERMITS	55,559	70,217	79,500	79,500	75,500	(4,000)
STATE AID DISTRIBUTION	8,925	10,277	6,500	6,500	9,000	2,500
HOMESTEAD CREDIT	29,875	32,240	16,900	16,900	20,000	3,100
OPERATING GRANT	-	1,440,785	-	-	-	-
CTY RD WORK-POL SUBS	2,245,752	2,423,417	1,778,610	1,778,610	1,598,610	(180,000)
CTY RD WORK-STATE	-	-	-	-	-	-
CTY RD WORK-FEDERAL	3,000,000	-	-	-	-	-
CTY RD WORK-MISC	4,905	13,177	3,000	3,000	5,000	2,000
SERVICE WORK	101	44	-	-	-	-
INTEREST EARNINGS	2,246	21,833	-	-	10,000	10,000
SALE OF ASSETS	342,339	-	30,000	30,000	365,400	335,400
FUEL	3,482	3,047	1,200	1,200	1,200	-
OTHER MISC REVENUE	104,916	855,209	18,850	18,850	31,350	12,500
SUBTOTAL	7,947,106	7,213,018	4,230,676	4,230,676	7,098,026	2,867,350
TRANSFER IN	6,560,950	10,016,087	12,251,812	12,251,812	7,050,000	7,050,000
TOTAL	\$ 14,508,056	\$ 17,229,105	\$ 16,482,488	\$ 16,482,488	\$ 14,148,026	\$ 9,917,350

**PRELIMINARY BUDGET 2025
COUNTY ROAD AND BRIDGE FUND**

COUNTY ROAD AND BRIDGE FUND EXPENSES

	2022	2023	2024	2024	2025	CHANGE
	ACTUAL	ACTUAL	BUDGETED	ESTIMATE	BUDGET	
SALARIES	\$ 3,523,750	\$ 3,198,084	\$ 3,805,284	\$ 3,805,284	\$ 3,805,284	\$ -
TEMPORARY SERVICES	19,477	-	10,000	10,000	10,000	-
FRINGE BENEFITS	1,277,204	1,355,977	1,690,319	1,690,319	1,794,228	103,909
WORKMENS COMP	69,359	32,442	75,000	75,000	75,000	-
UNEMPLOYMENT COMP	2,743	200	20,000	20,000	20,000	-
ENGINEERING SUPPLIES	9,342	7,158	15,000	15,000	12,500	(2,500)
INSURANCE	91,822	111,804	100,000	100,000	115,000	15,000
EQUIPMENT RENTAL	25,480	26,280	25,000	25,000	25,000	-
TRAVEL-LODGING-MEALS	9,670	5,029	10,000	10,000	10,000	-
UTILITIES	162,415	189,747	190,000	190,000	210,000	20,000
ORGANIZATIONAL DUES	1,775	631	2,000	2,000	1,500	(500)
REPAIRS & MAINTENANCE	470,757	555,983	475,000	475,000	540,000	65,000
COUNTY SERVICES	-	-	-	-	-	-
OFFICE SUPPLIES	24,241	27,043	30,000	30,000	30,000	-
SHOP SUPPLIES	47,563	67,861	60,000	60,000	70,000	10,000
CONSTRUCTION SUPPLIES	1,512	3,162	25,000	25,000	20,000	(5,000)
GAS OIL & FUEL	726,193	662,461	500,000	500,000	600,000	100,000
BUILDING MAINTENANCE	119,750	100,740	120,000	120,000	180,000	60,000
COMPUTER SERVICES	48,820	54,497	60,000	60,000	70,000	10,000
GIS	15,017	14,426	17,000	17,000	20,000	3,000
RADIO SERVICE AGREEMENT	6,969	269,512	10,000	10,000	10,000	-
SIGNING	42,823	37,666	50,000	50,000	45,000	(5,000)
SALT SAND	23,055	24,889	80,000	80,000	50,000	(30,000)
FURNITURE & EQUIPMENT	7,472	20,158	90,000	90,000	70,000	(20,000)
MACHINERY & EQUIPMENT	1,436,552	1,391,701	1,770,000	1,770,000	1,640,000	(130,000)
CRACK POURING	68,360	38,228	75,000	75,000	50,000	(25,000)
CUTTING EDGES	24,015	92,552	35,000	35,000	90,000	55,000
CULVERTS & BRIDGES	11,064	5,522	70,000	70,000	40,000	(30,000)

Continued

**PRELIMINARY BUDGET 2025
COUNTY ROAD AND BRIDGE FUND**

	2022 ACTUAL	2023 ACTUAL	2024 BUDGETED	2024 ESTIMATE	2025 BUDGET	CHANGE
RIGHT OF WAY	-	-	30,000	30,000	15,000	(15,000)
GRAVELING & CRUSHING	459,355	304,315	458,701	458,701	758,164	299,463
VEGETATION CONTROL	3,750	4,100	4,000	4,000	4,000	-
DUST CONTROL	137,026	124,215	140,000	140,000	100,000	(40,000)
COUNTY WORK - IMPROVEMENTS	905,370	7,371,469	3,985,718	3,985,718	2,354,612	(1,631,106)
COUNTY WORK - MAINTENANCE	1,071,809	314,553	225,000	225,000	550,000	325,000
STATE ARPA FUNDS	500,000	-	-	-	-	-
CENTERLINE STRIPING	227,263	260,569	290,000	290,000	275,000	(15,000)
COLD PATCHING MIX	367,942	391,189	500,000	500,000	500,000	-
GRAVEL HAULING	334,393	520,666	382,000	382,000	352,000	(30,000)
BRIDGE INSPECTION	16,088	17,945	50,000	50,000	50,000	-
BISMARCK SHOP	18,669	1,300	20,000	20,000	20,000	-
MPO DUES & COST SHARING	3,004	19,345	20,000	20,000	8,000	(12,000)
CONTINUING EDUCATION	11,600	7,207	9,000	9,000	7,500	(1,500)
EMERGENCY FUND	-	-	-	-	-	-
TIRES	72,184	71,740	90,000	90,000	90,000	-
SAFETY	51,810	42,559	45,000	45,000	45,000	-
911 SIGNING	-	-	-	-	-	-
20% OF TAXES TO CITIES	-	-	-	-	-	-
BILLABLE MAINTENANCE WORK	-	-	-	-	600,000	600,000
SUBTOTAL	12,449,488	17,746,945	15,661,046	15,661,046	15,334,813	(326,234)
TRANSFERS OUT	1,956,625	1,057,625	1,105,000	1,105,000	1,149,700	1,149,700
	\$ 14,406,113	\$ 18,804,570	\$ 16,766,046	\$ 16,766,046	\$ 16,484,513	\$ 823,466

**Estimated Budget Revenue over (under) Budgeted Expenditures
to fund by a variety of non-property tax resources as suggested
by the County Engineer**

\$ (2,336,487)

ITEM

10

	CURRENT BALANCE	TODAYS DEBITS	TODAYS CREDITS	PREVIOUS BALANCE	NET BAL CHANGE
1110013631 Escrow Fund	.00	.00	.00	.00	.00
1120013632 Cost of Issuance 44-17-524	.00	.00	.00	.00	.00
1120013633 Debt Service Fund 44-13-259	3,598,839.61	.00	.00	3,598,839.61	.00
1120013634 Reserve Fund 44-13-224	5,156,454.25	.00	.00	5,156,454.25	.00
1120013635 Burleigh Co Revenue 44-13-232	182.62	.00	.00	182.62	.00
1120013636 Morton Co Revenue 44-13-240	27.76	.00	.00	27.76	.00
1120013637 Burleigh Co Surplus 44-13-275	13,941,888.15	.00	.00	13,941,888.15	.00
1120013638 Morton Co Surplus 44-13-283	4,757,699.29	.00	.00	4,757,699.29	.00
1210013633 Debt Service Fund	.00	.00	.00	.00	.00
1210013634 Reserve Fund	.00	.00	.00	.00	.00
1210013637 Burleigh Co Surplus	16,530,500.00	.00	.00	16,530,500.00	.00
1210013638 Morton Co Surplus	.00	.00	.00	.00	.00
TOTAL ASSETS	43,985,591.68	.00	.00	43,985,591.68	.00
3100013622 Liability Fund Balance	43,985,591.68	.00	.00	43,985,591.68	.00
TOTAL LIABILITY/CAPITAL	43,985,591.68	.00	.00	43,985,591.68	.00
DIFFERENCE	.00	.00	.00	.00	.00

Amount needed to defease bond	\$	40,505,971.28	<<---This number came from Bidding Agent
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less shared Reserve Fund		5,156,454.25	
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less shared Debt Service Fund		3,598,839.61	
--------------------------------------	--	--------------	--

Amount to split between counties		<u>31,750,677.42</u>	
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Burleigh	83.32%	26,454,664.43	
-----------------	--------	---------------	--

Morton	16.68%	\$ 5,296,012.99	
---------------	--------	-----------------	--

From: [Scott Wegner](#)
To: [Jacobs, Leigh](#); [John Lundby](#); [Willits, Carrie R](#)
Cc: [Rhone, Dawn R.](#); [Jason Kloos](#); [Unrath, Erica R.](#); [Splonskowski, Mark D.](#)
Subject: RE: Burleigh Morton Sales Tax
Date: Tuesday, March 12, 2024 4:30:46 PM
Attachments: [image001.png](#)

You don't often get email from swegner@aswbondlaw.com. [Learn why this is important](#)

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Leigh,

Just a few comments:

- a. to be clear, the Prior Issue Reserve, is really the DSR or debt service reserve for the outstanding bonds.
- b. and, Prior Issue DSR Funds, should be just: debt service fund
- c. the debt service fund amount - \$4,033,048.51 was accumulated from sales tax based on percentages, so each county should be credited a proportionate share
- d. however, the DSR amount - \$5,097,575.34 was funded from bond proceeds, not sales tax collections. So, this amount should reduce the total payoff first, before county shares are determined.

Scott D. Wegner

Arntson Stewart Wegner PC

701.255.1008

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Tuesday, March 12, 2024 3:48 PM
To: John Lundby <John.Lundby@colliers.com>; Scott Wegner <swegner@aswbondlaw.com>; Willits, Carrie R <cwillits@nd.gov>
Cc: Rhone, Dawn R. <dawn.rhone@mortonnd.org>; Jason Kloos <Jason.Kloos@colliers.com>; Unrath, Erica R. <eunrath@nd.gov>; Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: Burleigh Morton Sales Tax

Good afternoon,

In this case, each party has a share of the defeasance. Burleigh owes 83.32% or \$35,277,357.41, and Morton owes 16.68% or \$7,062,245.82. I think this is consistent with the amended JPA to use the average sales tax received over the life of the project.

Each party has its own surplus fund which they fund 100%, while the reserve and DSR are essentially funded based on sales taxes collected – basically 83/17. In this case, each party's amount due should

	BURLEIGH	MORTON
Balance 06/30/2024 (cash basis)	\$ 30,472,570.77	\$ 4,757,727.05
Defeasance amount, less debt service & reserve	<u>26,454,664.43</u>	<u>5,296,012.99</u>
Amount needed to defease as of 6/30/2024, net of debt service and reserve funds	<u>\$ (4,017,906.34)</u>	<u>\$ 538,285.94</u>

Receipt Quarter	Collection Quarter	Sales Tax Receipts, Historical					BURLEIGH	MORTON
		Receipt Month	Collection Month	Burleigh	Morton		Amount needed to defeas, Burleigh	Amount needed to defeas, Morton
Q3	Q2	7/22/2024	5/31/2024	582,771.95	152,213.06	ACTUAL	(4,017,906.34)	538,285.94
Q3	Q2	8/21/2024	6/30/2024	1,095,716.25	218,445.94	ESTIMATE	(4,600,678.29)	386,072.88
Q3	Q3	9/22/2024	7/31/2024	1,021,130.79	200,682.44	ESTIMATE	(5,696,394.54)	167,626.94
Q4	Q3	10/20/2024	8/31/2024	716,756.35	159,377.07	ESTIMATE	(6,717,525.33)	(33,055.50)
Q4	Q3	11/22/2024	9/30/2024	1,366,765.51	235,014.56	ESTIMATE	(7,434,281.68)	(192,432.57)
Q4	Q4	12/21/2024	10/31/2024	950,487.81	181,875.96	ESTIMATE	(8,801,047.19)	(427,447.13)
Q1	Q4	1/21/2025	11/31/2024	700,759.27	127,606.44	ESTIMATE	(9,751,535.00)	(609,323.09)
Q1	Q4	2/21/2025	12/31/2024	1,405,633.01	248,832.50	ESTIMATE	(10,452,294.27)	(736,929.52)
Q1	Q1	3/21/2025	1/31/2025	922,938.59	158,318.59	ESTIMATE	(11,857,927.28)	(985,762.03)
Q2	Q1	4/21/2025	2/28/2025	488,370.25	103,451.54	ESTIMATE	(12,780,865.87)	(1,144,080.61)
Q2	Q1	5/21/2025	3/30/2025	1,191,610.09	227,088.66	ESTIMATE	(13,269,236.12)	(1,247,532.15)
							(14,460,846.21)	(1,474,620.81)

County of Burleigh, North Dakota

Multi-County Sales tax Revenue Refunding Bonds

Taxable Series 2020

Escrow to Maturity 11/1/2032

DEFEASANCE ESTIMATE JULY 31, 2024

Escrow Summary Cost

Maturity	Type	Coupon	Yield	\$ Price	Par Amount	Principal Cost	+Accrued Interest	= Total Cost
Escrow								
10/31/2024	T-NOTE	1.500%	5.283%	99.1093750%	3,174,000	3,145,731.56	12,549.38	3,158,280.94
04/30/2025	T-NOTE	2.875%	4.921%	98.5312500%	36,000	35,471.25	272.81	35,744.06
10/31/2025	T-NOTE	5.000%	4.658%	100.4062500%	4,211,000	4,228,107.19	55,498.23	4,283,605.42
04/30/2026	T-NOTE	4.875%	4.454%	100.6875000%	114,000	114,783.75	1,464.88	116,248.63
10/31/2026	T-NOTE	1.125%	4.292%	93.3125000%	4,342,000	4,051,628.75	12,875.56	4,064,504.31
04/30/2027	T-NOTE	2.750%	4.196%	96.2968750%	110,000	105,926.56	797.35	106,723.91
10/31/2027	T-NOTE	0.500%	4.128%	89.1093750%	4,401,000	3,921,703.59	5,800.23	3,927,503.82
04/30/2028	T-NOTE	1.250%	4.099%	90.2187500%	86,000	77,588.13	283.36	77,871.49
10/31/2028	T-NOTE	1.375%	4.066%	89.6250000%	4,452,000	3,990,105.00	16,135.48	4,006,240.48
04/30/2029	T-NOTE	2.875%	4.055%	94.9531250%	72,000	68,366.25	545.63	68,911.88
10/31/2029	T-NOTE	4.000%	4.049%	99.7656250%	4,528,000	4,517,387.50	47,740.87	4,565,128.37
04/30/2030	T-NOTE	3.500%	4.056%	97.1718750%	115,000	111,747.66	1,060.94	112,808.60
10/31/2030	T-NOTE	4.875%	4.058%	104.4531250%	4,667,000	4,874,827.34	59,970.32	4,934,797.66
04/30/2031	T-NOTE	4.625%	4.060%	103.2968750%	180,000	185,934.38	2,194.36	188,128.74
08/15/2031	STRIPS-I	-	4.109%	75.1390000%	4,835,000	3,632,970.65	-	3,632,970.65
02/15/2032	STRIPS-I	-	4.131%	73.5070000%	126,000	92,618.82	-	92,618.82
08/15/2032	STRIPS-I	-	4.146%	71.9340000%	9,916,000	7,132,975.44	-	7,132,975.44
Subtotal		-	-	-	\$45,365,000	\$40,287,873.82	\$217,189.40	\$40,505,063.22
Total		-	-	-	\$45,365,000	\$40,287,873.82	\$217,189.40	\$40,505,063.22

Escrow

Cash Deposit	908.06
Cost of Investments Purchased with Bond Proceeds	40,505,063.22
Total Cost of Investments	\$40,505,971.28

Delivery Date

8/05/2024

	Yield	Total Escrow Amount	Joint Share	Burleigh Share	Morton Share
May 6, 2024 Estimate	4.550%	40,134,014.00	8,752,396.89	26,147,163.38	5,234,453.73
July 31, 2024 Estimate	4.132%	40,505,971.28	8,752,396.89	26,457,078.18	5,296,496.21
Change	-0.418%	371,957.28	-	309,914.81	62,042.47

Burleigh County, North Dakota

Multi-County Sales Tax Revenue Refunding Bonds Taxable Series 2020

Defeasance Analysis

Escrow to November 2032 Maturity

DEFEASANCE ESTIMATE MAY 6, 2024

Escrow Summary Cost

Maturity	Type	Coupon	Yield	\$ Price	Par Amount	Principal Cost	+Accrued Interest	= Total Cost
Escrow								
10/31/2024	T-NOTE	2.250%	5.334%	99.8593750%	3,127,000	3,122,602.66	32,119.73	3,154,722.39
10/31/2025	T-NOTE	0.250%	4.969%	95.2656250%	1,542,000	1,468,995.94	1,759.89	1,470,755.83
10/31/2025	T-NOTE	5.000%	4.966%	100.0312500%	2,633,000	2,633,822.81	60,101.09	2,693,923.90
04/30/2026	T-NOTE	0.750%	4.817%	94.0156250%	41,000	38,546.41	140.38	38,686.79
10/31/2026	T-NOTE	1.125%	4.716%	93.0781250%	4,266,000	3,970,712.81	21,909.62	3,992,622.43
04/30/2027	T-NOTE	0.500%	4.637%	90.1875000%	33,000	29,761.88	75.33	29,837.21
10/31/2027	T-NOTE	4.125%	4.614%	98.6250000%	4,323,000	4,263,558.75	81,408.67	4,344,967.42
04/30/2028	T-NOTE	1.250%	4.568%	89.2500000%	86,000	76,755.00	490.76	77,245.76
10/31/2028	T-NOTE	1.375%	4.536%	88.4375000%	4,451,000	3,936,353.13	27,939.70	3,964,292.83
04/30/2029	T-NOTE	2.875%	4.517%	93.3281250%	73,000	68,129.53	958.13	69,087.66
10/31/2029	T-NOTE	4.000%	4.513%	97.7031250%	4,528,000	4,423,997.50	82,685.22	4,506,682.72
04/30/2030	T-NOTE	3.500%	4.505%	95.1093750%	116,000	110,326.88	1,853.48	112,180.36
10/31/2030	T-NOTE	4.875%	4.509%	101.9218750%	4,666,000	4,755,674.69	103,843.86	4,859,518.55
04/30/2031	T-NOTE	4.625%	4.501%	100.6875000%	178,000	179,223.75	3,758.32	182,982.07
08/15/2031	STRIPS-I	-	4.523%	73.6630000%	4,837,000	3,563,079.31	-	3,563,079.31
02/15/2032	STRIPS-I	-	4.524%	72.0290000%	126,000	90,756.54	-	90,756.54
08/15/2032	STRIPS-I	-	4.529%	70.4090000%	9,916,000	6,981,756.44	-	6,981,756.44
Subtotal		-	-	-	\$44,942,000	\$39,714,054.03	\$419,044.18	\$40,133,098.21
Total		-	-	-	\$44,942,000	\$39,714,054.03	\$419,044.18	\$40,133,098.21

Escrow

Cash Deposit	916.12
Cost of Investments Purchased with Bond Proceeds	40,133,098.21
Total Cost of Investments	\$40,134,014.33

Delivery Date

10/15/2024

BURLEIGH COUNTY FINANCE DEPARTMENT

Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

REQUEST FOR COUNTY BOARD ACTION

DATE: August 5th, 2024

TO: Mark Splonskowski, County Auditor

RE: Amendment to the Preliminary Budget

Please Include this item in the next Burleigh County Board agenda packet.

ACTION REQUESTED:

Direct the County Auditor to complete and sign the escrow agreement with Morton County related to our Detention Center Sales Tax Bond.

BACKGROUND:

The County Commission voted on February 27 2024 in a joint meeting with the Morton County Commission to empower the County Auditor to enter into an escrow agreement with Morton County relating to our Detention Center Sales Tax Bonds.

RECOMMENDATION:

It is recommended that the County Board adopt the below proposed resolution(s).

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby direct the State's Attorney to draft an escrow agreement with the Morton County Auditor. The agreement should specify the following:

- (1) the basis for calculating the relative amount of the escrow cost payable by each County;
- (2) the relative amounts of the escrow cost payable by each County;
- (3) the payoff order for the escrow fund (i.e., first exhaust the mutual Reserve Fund, then the debt service fund, then each County's respective surplus funds);
- (4) if agreed by the Commission, that Burleigh is loaning to Morton County the difference between Morton County's relative amount of the escrow cost at (2) above and the amount Morton County has deposited at the Bank of North Dakota at the time the escrow agreement is signed;
- (5) if agreed by the Commission, when Morton must repay Burleigh County for loan;
- (6) any other terms deemed necessary by the State's Attorney

BURLEIGH COUNTY FINANCE DEPARTMENT

Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby direct the County Auditor, upon receipt of the escrow agreement from the State's Attorney to contact the Morton County Auditor at the earliest possible convenience and set a date to review and sign the escrow agreement. The County Auditor is directed to invite the following to this meeting: the Morton County Commission Chair, the Burleigh County Commission Chair, and the Burleigh County Finance Director. If the County Auditor is unable to reach the Morton County Auditor within five (5) business days of receipt of the escrow agreement from the State's Attorney, he must notify the portfolio holder immediately.

BURLEIGH COUNTY, NORTH DAKOTA

2023 FINANCIAL STATEMENT AUDIT FINDING AND RECOMMENDATIONS

Prepared by

BURLEIGH COUNTY FINANCE DEPARTMENT

**BURLEIGH COUNTY, NORTH DAKOTA
2023 FINANCIAL STATEMENT AUDIT
FINDINGS AND RECOMMENDATIONS**

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BURLEIGH COUNTY

Schedule of Audit Findings and Questioned Costs
For the Year Ended December 31, 2023

SECTION I – FINANCIAL STATEMENT FINDINGS

2023-001 – AUDIT ADJUSTMENTS – COUNTY & COMPONENT UNIT - MATERIAL WEAKNESS

Condition

During the audit of Burleigh County and Burleigh County Water Resource District, we proposed material adjusting entries to the financial statements in accordance with generally accepted accounting principles (GAAP). The adjustments were approved by management and are reflected in the financial statements.

Effect

There is an increased risk of material misstatement to Burleigh County's and Burleigh County Water Resource District's financial statements.

Cause

Burleigh County and Burleigh County Water Resource District may not have had procedures in place to ensure the financial statements are complete and accurate.

Criteria

Burleigh County and Burleigh County Water Resource District are responsible for the presentation of their financial statements and related note disclosures to ensure they are reliable, accurate, free of material misstatement, and in accordance with GAAP.

Repeat Finding

No.

Recommendation

We recommend Burleigh County and Burleigh County Water Resource District review their procedures for the preparation of the financial statements to ensure the financial statements are complete and accurate in accordance with GAAP.

Burleigh County and Burleigh County Water Resource District's Response

See Corrective Action Plan

BURLEIGH COUNTY

Schedule of Audit Findings and Questioned Costs - Continued

2023-002 – UNDER PLEDGED SECURITIES – SIGNIFICANT DEFICIENCY AND OTHER NONCOMPLIANCE

Condition

Burleigh County did not obtain adequate pledge of assets at Wells Fargo as of December 31, 2023. The County was under pledged by \$3,008,772.

Effect

Burleigh County is not in compliance with N.D.C.C. §21-04-09.

Cause

Burleigh County did not have a process to ensure the entity is adequately pledged.

Criteria

N.D.C.C. §21-04-09 states “When securities are pledged to the board of any public corporation, the treasurer or other individual legally charged with the custody of public funds shall require security in the amount of one hundred ten dollars for every one hundred dollars of public deposits.”

Additionally, the Committee of Sponsoring Organizations of the Treadway Commission (COSO) model defines internal control as a process designed to provide reasonable assurance of the achievement of objectives that involve the effectiveness and efficiency of operations, reliability of financial reporting, and compliance with applicable laws and regulations. Pertaining to the pledging of assets, management is responsible for adequate internal controls surrounding pledging of assets.

Repeat Finding

No.

Recommendation

We recommend that Burleigh County ensures that it maintains adequate pledges of securities at any bank where the bank balances could exceed FDIC Insurance.

Burleigh County’s Response

See Corrective Action Plan

BURLEIGH COUNTY

Schedule of Audit Findings and Questioned Costs - Continued

2023-003 – LACK OF SEGREGATION OF DUTIES – COMPONENT UNIT- MATERIAL WEAKNESS

Condition

Burleigh County Water Resource District has limited personnel responsible for most accounting functions. A lack of segregation of duties exists as limited personnel are responsible to collect and deposit monies, issue checks, send checks to vendors, record receipts disbursement in journals, maintain the general ledger, create credit memos, and perform bank reconciliations.

Effect

Limited segregation of duties exposes the District to the risk of loss of assets, potential liabilities, and damage to the reputation, whether due to error or fraud.

Cause

The Burleigh County Water Resource District has no full-time staff. They outsource their secretarial bookkeeping duties to a private company, which has limited staff, making segregating of duties difficult to accomplish.

Criteria

According to the COSO framework, proper internal controls surrounding custody of assets, the recording of transactions, reconciling bank accounts and preparation of financial statements dictates that there should be sufficient accounting personnel, so duties of employees are properly segregated. The segregation of duties would provide better control over the assets of Burleigh County Water Resource District.

Repeat Finding

Yes.

Recommendation

To mitigate the risk associated with this lack of segregation of duties, we recommend the following:

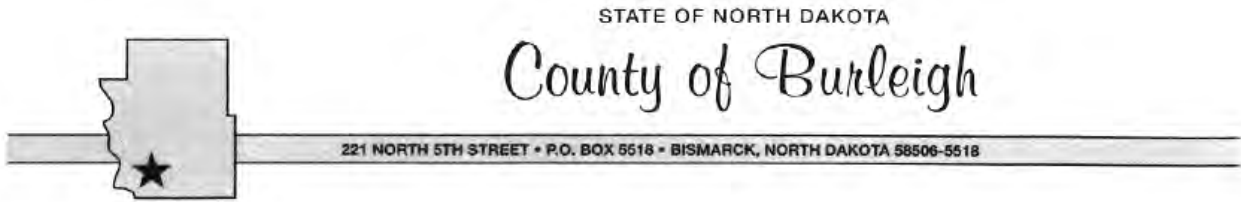
- Financial statements, credit memos, and payroll registers should be reviewed, analyzed, and spot-checked by a responsible official.
- Where possible, segregate the functions of approval, posting, custody of assets, and reconciliation as they relate to any amounts which impact the financial statements.

Burleigh County Water Resource District's Response

See Corrective Action Plan

SECTION II – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

No matters were reported.



Date: June 27, 2024
To: Joshua C. Gallion, ND State Auditor
From: Leigh Jacobs – Finance Director and Mark Splonskowski – County Auditor/Treasurer
RE: Burleigh County – FY2023 Corrective Action Plan

Contact Person Responsible for Corrective Action Plan: Leigh Jacobs and Mark Splonskowski

Section I – Financial Statement Findings:

2023-001 – AUDIT ADJUSTMENTS – COUNTY & COMPONENT UNIT - MATERIAL WEAKNESS

Condition:

During the audit of Burleigh County and Burleigh County Water Resource District, we proposed material adjusting entries to the financial statements in accordance with generally accepted accounting principles (GAAP). The adjustments were approved by management and are reflected in the financial statements.

Corrective Action Plan:

We agree with the recommendation. Burleigh County will review the list of proposed audit adjustments and ensure future audit years have financial statements in accordance with GAAP.

Anticipated Completion Date:

FY 2024

2023-002 - UNDER PLEDGED SECURITIES – SIGNIFICANT DEFICIENCY & OTHER NONCOMPLIANCE

Condition:

Burleigh County did not obtain adequate pledge of assets at Wells Fargo as of December 31, 2023. The County was under pledged by \$3,008,772.

Corrective Action Plan:

We agree with the recommendation. Burleigh County will review the current procedures in place and ensure cash held at banks have adequate pledging in accordance with state law.

Anticipated Completion Date:

FY 2024

Section II –Federal Award Findings and Questioned Costs:

No issues were reported.



Burleigh County Water Resource District

PO Box 1255
Bismarck, North Dakota 58502-1255
(701) 354-1501
www.bcwrdd.org

Date: June 4, 2024
To: Joshua C. Gallion, ND State Auditor
From: Wendy Egli, Executive Secretary
RE: Burleigh County Water Resource District – FY2023 Management's Response

Contact Person Responsible for Corrective Acton Plan: Wendy Egli, Executive Secretary

Section I – Financial Statement Findings:

2023-001 AUDIT ADJUSTMENTS – COUNTY & WATER RESOURCE DISTRICT – MATERIAL WEAKNESS

Condition:

During the audit of Burleigh County and Burleigh County Water Resource District, we proposed material adjusting entries to the financial statements in accordance with generally accepted accounting principles (GAAP). The adjustments were approved by management and are reflected in the financial statements.

Management's Response:

We Agree. The adjustments have been implemented at the time of the audit.

Anticipated Completion Date:

6/5/2024

2023-003 SEGREGATION OF DUTIES – WATER RESOURCE DISTRICT – MATERIAL WEAKNESS

Condition:

Burleigh County Water Resource District has limited staff responsible for the primary accounting functions. A lack of segregation of duties exists as one employee is responsible to collect monies, deposit monies, issue checks, send checks to vendors, record receipts and disbursements in the check register, maintain the general ledger, and perform bank reconciliations.

Management's Response:

We Agree. The Burleigh County Water Resource District has received this same material weakness recommendation in the past. A lack of resources to employ permanent staff and the use of consultants for our office administration limits the ability to truly segregate these functions. The Burleigh County Water Resource District has taken steps to mitigate the situation by having the Secretary/Treasurer Board Position review monthly balance sheets, financial transactions, bank statements, invoices, etc. separate from the office administration consultant. These reviews are documented via electronic edits, presented at monthly board meetings, and approved by the board via a formal motion.

Anticipated Completion Date:

We will evaluate this next fiscal year to see if it's feasible to hire more staff.

Current Board Members:

James Landenberger, Chairman 701-426-6439 Randy Binegar, Vice Chairman 701-595-4947
Dennis Reep, Secretary/Treasurer 701-595-2142 Roger Smith, Manager 701-400-6283
Kathleen Jones, Manager 701-400-7129



Burleigh County Water Resource District

PO Box 1255
Bismarck, North Dakota 58502-1255
(701) 354-1501
www.bcwrtd.org

Date: June 10, 2024
To: Joshua C. Gallion, ND State Auditor
FROM: Wendy Egli, Executive Secretary
RE: Burleigh County Water Resource District 2023 Schedule of Prior Year Findings

2022-001 SEGREGATION OF DUTIES – COMPONENT UNIT- MATERIAL WEAKNESS

Condition

Burleigh County Water Resource District has limited personnel responsible for most accounting functions. A lack of segregation of duties exists as limited personnel are responsible to collect and deposit monies, issue checks, send checks to vendors, record receipts disbursement in journals, maintain the general ledger, create credit memos, and perform bank reconciliations.

Recommendation

To mitigate the risk associated with this lack of segregation of duties, we recommend the following: • Financial statements, credit memos, and payroll registers should be reviewed, analyzed, and spot-checked by a responsible official. • Where possible, segregate the functions of approval, posting, custody of assets, and reconciliation as they relate to any amounts which impact the financial statements.

Current Status

Not implemented. Burleigh County Water Resource District will evaluate next fiscal year to see if it is feasible to hire more staff.

Current Board Members:

James Landenberger, Chairman 701-426-6439 Randy Binegar, Vice Chairman 701-595-4947
Dennis Reep, Secretary/Treasurer 701-595-2142 Roger Smith, Manager 701-400-6283
Kathleen Jones, Manager 701-400-7129

STATE AUDITOR
Joshua C. Gallion



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701-328-2241

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STATE OF NORTH DAKOTA
OFFICE OF THE STATE AUDITOR
STATE CAPITOL
600 E. Boulevard Ave. Dept. 117
Bismarck, North Dakota, 58505

ndsao@nd.gov

GOVERNANCE COMMUNICATION

July 1, 2024

Board of County Commissioners
Burleigh County
Bismarck, North Dakota

We have audited the financial statements of the governmental activities, the discretely presented component unit, each major fund and the aggregate remaining fund information of Burleigh County, North Dakota, for the year ended December 31, 2023. Professional standards require that we provide you with information about our responsibilities under general accepted auditing standards (and, if applicable, *Government Auditing Standards* and the Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated March 6, 2024. Professional standards also require that we communicate to you with the following information related to our audit.

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Burleigh County are described in Note 1 to the financial statements. No new accounting policies were adopted, and the application of existing policies was not changed during 2023. We noted no transactions entered into by Burleigh County during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements presented by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the governmental activities financial statements were:

Management's estimate of the useful lives of capital assets is based on past history of each classification of capital assets. We evaluated the key factors and assumptions used to develop the useful lives capital assets in determining that is reasonable in relation to the financial statements taken as a whole.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

FINDING #1 – AUDIT ADJUSTMENTS

Description of Finding

While preparing our financial statements, the State Auditor’s Office required a significant number of adjustments to our general ledger to prepare financial statements which comply with generally accepted accounting principles (GAAP). The specific adjustments are at **Appendix B**.

The SAO identified the cause as “Burleigh County...may not have had procedures in place to ensure the financial statements are complete and accurate.” This is a correct statement, but we need to identify specific causes and specific effects for corrective action to take place. Since each adjustment made by the SAO may have a different cause – or groups of adjustments may have a related cause – it is helpful review the list of adjusting entries individually to identify the cause of each individual adjustment or group of adjustments.

Adjusting entry not included in report: Reclassify ARPA fund balance as a liability

Description of entry

When the County received ARPA funds, we classified the entire amount as revenue when we received it. In total this was over \$18,000,000. This amount then became our fund balance; however, the cash received for the ARPA grant should be properly classified as a liability, because we must return it if we do not properly perform all requirements under the grant.

The Finance Department provided the County Auditor’s office with an journal entry on February 28, 2024 to properly classify the ARPA fund balance as a liability. The Finance Department approached the County Auditor’s office again in a meeting on March 6, 2024. The County Auditor’s office refused to make the adjusting entry to properly classify this account as a liability.

We sent our Trial Balance to the State Auditor’s Office on March 26, 2024, without correcting the ARPA account.

Consequently, this entry ended up as an audit finding.

Cause

The cause is a lack of continuing education in generally accepted accounting principles and a failure to make audit adjusting entries in prior years.

Effect

The effect is to overstate revenues in the years the grant was received and to understate liabilities for all years since the grant was received. This error is causing other issues in accounting for ARPA funds because we should be booking revenues as we expense things under the grant, since this is a reimbursement grant.

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

Recommendation

See recommendation #3.

Adjusting entry #1: Offset Negative Cash Balances

Description of entry

The County has a handful of funds with a negative balance in cash. Some funds, such as the CenComm fund, have carried a negative cash balance for several years. In effect, this means that such funds are borrowing money from other funds. This entry re-classifies the negative cash balances as a liability (“due to another fund.”)

Cause

The primary cause of this is a lack of cash management policies at both the County-wide level and at the fund level. The secondary issue is a failure to properly classify transactions at year-end for GAAP compliance and for financial statement presentation.

For example, it might be harmless to carry a negative balance in cash for a few months, but we must properly classify transactions in our ledger at year-end. Part of the reason for the State Auditor’s adjusting entry is that it’s simply hard to read a ledger with negative because cash is typically carried with a positive (debit) balance. Another reason for the entry is to maintain consistency within our ledger by showing a negative cash balance as a liability in the liabilities section of the balance sheet along with other similar items, rather than in the asset section of the balance sheet.

Effect

By carrying negative cash balances in accounts, the County is unable to correctly allocate interest revenue from certain pooled investments such as the Wells Fargo “sweep” account, especially with no inter-fund loan documents. This has led to the County possibly over-allocating interest to the CenComm fund which is shared with the City of Bismarck. Per the joint powers agreement, we must leave all interest earned on the CenComm investments in the fund. **See Appendix C.**

Recommendation

See recommendations #1, #2, and #3.

Citation: GASB Codification I. General Principles, 1800.802

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

Adjusting Entry #3: Reclassify Interest Income to Change in Investment Market Value

Description of entry

The County accounts for any change in an investment value from month to month as “interest revenue.” The adjusting entry breaks out the change in market value component from the interest revenue account within the County’s ledger.

Cause

The cause is the County classifying any change in investment value as interest revenue. Although the County is required to display investments at market value on the face of the financial statements, the County should not classify any change in value as interest revenue. In fact, there are several different reasons why an investment would change value. Among them are the amortization of a bond discount or premium; change in market value; or capitalization of interest expense. The County is currently recording all these transactions as “interest revenue.” The County is also recording bank fees as a reduction in interest revenue rather than as a separate line item within the account.

GASB does not require the County to separate the different elements of investment income on the financial statements; however, in this case, the recognition of the various elements of investment income in our general ledger provide management with critical decision-making information.

Effect

The effect is a loss of nuance in the financial records of the County. Some years this has been misleading for decision makers. In the year 2022, our financial statements showed negative interest of (\$85,703). This leads management to believe we do not have cash from interest revenue available to finance the County. **In fact, the County earned several hundred thousand dollars in interest during the 2022 fiscal year**, but due to a change in interest rates, our investments lost value. Since we are recording a change in market value as interest revenue, we show negative interest for the year, but the change in value had no impact on cash from interest revenue.

Recommendation

See recommendation #4.

Additionally, we recommend the County to account separately for each distinct transaction relating to investments. Typically, this will include transactions such as amortization of bond discounts or premiums; interest; fees; and unrealized gain or loss on investments. On the balance sheet, the change in investment value should be recorded in a contra-asset account to the investments called “Fair Value Adjustment.” An example adjustment is below:

**BURLEIGH COUNTY, NORTH DAKOTA
2023 FINANCIAL STATEMENT AUDIT
FINDINGS AND RECOMMENDATIONS**

The market value of a bond declined by \$1,000 during the month.

	<i>Debit</i>	<i>Credit</i>
<i>Unrealized Gain or Loss</i>	<i>\$1,000</i>	
<i>Fair Value Adjustment</i>		<i>\$1,000</i>

On the balance sheet, the fair value adjustment represents a **temporary decline** in the value of the investment. The unrealized gain or loss represents a loss on the income statement.

Citation: GASB Statement No. 31 Accounting and Financial Reporting for Certain Investments and for External Investment Pools

Adjusting Entry #4: Record Reimbursement from Morton County for BMDC

Description of entry

The County incorrectly removed Morton’s share of ARPA-funded detention center expenditures from the ledger.

Cause

The County has four (4) detention center positions which are funded by the ARPA grant. The County has a side letter with Morton County governing the reimbursement of those positions. In this letter, the Counties agreed that Morton would reimburse Burleigh 24.5% of these four positions. In the general ledger, when the County transferred these expenses from the general fund to the ARPA fund, we incorrectly transferred 100% of the salaries which includes the amount funded by Morton. Upon reimbursement from ARPA, we remove these expenses from the ARPA fund (crediting the expense) rather than crediting a revenue account because the County incorrectly booked all ARPA revenue upon receiving the cash. This means that these expenses are not recorded anywhere, nor are the associated reimbursement revenues from Morton.

Effect

The effect of this error is to understate jail revenues and expenses for the 2023 fiscal year by approximately \$150,000.

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

Recommendation

See recommendation #5

Additionally, the County should correct this transaction for fiscal year 2024 and onward.

Adjusting Entry #5: Reclassify Salary Expenses to Contracted Service Expenses

Description of entry

The County classified contracted services related to Clyde Thompson and Wayne Goter as salaries expenses in the County Board and State's Attorney funds, respectively.

Cause

The cause of this entry is the failure by the County to expand its general ledger accounts and account elements (Columns) as the County has grown over the decades. In this specific case, because the County Board and State's Attorney funds did not have a contracted services account added in the general ledger (although a contracted services account was subsequently added to the States Attorney), staff utilized the existing salaries expense account to account for contracted services. This practice goes back to 2019 at least.

Effect

The effect is to overstate salaries expense while understating contracted services. This could create some confusion with FICA compliance because we do not pay FICA taxes to contracted services, but we would expect all salaries expenses to have an associated FICA component.

Recommendations

See recommendation #4.

Additionally, the County should reclassify all such transactions as contracted services for fiscal year 2024 and beyond.

Adjusting Entry #6: Reclassify Interest Income from Internal Service Fund to Transfer In

Description of entry

The SAO is reclassifying interest expense recorded in the Health Insurance fund as a transfer out.

Cause

The general fund loaned money to the health insurance fund, which was invested. There were no loan documents drawn up at the time of the loan indicating a repayment schedule or an interest rate. At some point, the County made the decision to transfer interest earnings on this loan from the health

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

insurance fund to the general fund; however, we are not making the correct accounting entries to accomplish this.

We are booking interest revenue in the health insurance fund and booking the same amount of interest revenue in the general fund; then we are booking interest expense for the same amount in the health insurance fund. The net effect moves interest from the health insurance fund to the general fund, but in the process we double-book revenue and create an interest expense in the health insurance fund which has no explanation or logical reason to be there.

Without loan documents to support the inter-fund loan, there is no way to assign an interest rate to these funds. Consequently, this transaction should be recorded as a transfer.

Effect

The effect of booking interest revenue in the health insurance fund and the general fund for the same investment activity overstates our interest revenue.

Recommendation

See recommendation #7.

Adjusting Entry #7: Offset Negative Cash Balances

See adjusting entry #1.

Adjusting Entry #8: Adjustment to Decrease Inventory for 2023 Used Amount

Description of entry

The County has significant inventories, mostly in the Highway Department. These consist mainly of gravel and culverts. The County failed to adjust inventories to reflect the amounts on hand during the year-end inventory conducted by the highway department.

Cause

The County made no entries to inventory during the 2023 fiscal year. The cause is a failure to follow of policies and procedures, and a general lack of financial statement awareness within the County. The Highway Department sends these year-end adjusting entries to the County Auditor's Office or the Finance Department. This year, with no Finance Director or Assistant Finance Director at year end, the Highway Department sent this entry to the County Auditor and Deputy County Auditor. The County then failed to make this adjustment during the year-end closing process.

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

Effect

The effect understated expenditures in the highway department by approximately \$580,000, and overstated assets (inventory) by the same amount.

Recommendation

See recommendations #2, #5

Adjusting Entry #9: Adjustment to Record Retainage Payable

Description of entry

The County failed to record an expenditure and account payable related to a Retainage Payable on the 71st Ave Road Project.

Cause

The cause is a lack of policies and procedures relating to the year-end closing process.

Effect

The effect understates expenditures for 2023 by \$82,390 and understates liabilities by the same amount.

Recommendation

See recommendation #2

Adjusting Entry #10: Reclassify Interest Income to Change in Investment Market Value

Recommendation

See recommendation #3

Adjusting Entry #11: Reclassify Prairie Dog Funds from a Transfer In to Intergovernmental Revenue

Description of entry

The County recorded Prairie Dog funds received from the State as a Transfer In. The State Auditor's Office reclassified it as intergovernmental revenue (Note that under GASB, Transfers In are not considered revenues).

Cause

The cause is the failure to add new accounts to the ledger as needed and a lack of continuing education in governmental accounting. In this case, the Special Road and Bridge fund did not have an

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

Intergovernmental Revenue account set up. Rather than create a new account, the County booked Prairie Dog revenue as a transfer in. This is not consistent with GASB terminology which defines revenue as follows: “*revenues* means increases in (sources of) fund financial resources other than from interfund transfers and debt issue proceeds and redemptions of demand bonds.” Since we recorded this transaction as a transfer in, it is excluded from revenue under GASB.

Effect

The effect is to understate County revenues by \$4,000,000.

Recommendation

Reclassify this transaction as intergovernmental revenue in the 2023 ledger.

See recommendation #3, #4

Citation: Citation: GASB Codification I. General Principles, 1800.131

Adjusting Entry #12: Reclassify Miscellaneous Revenue to Intergovernmental Revenue and Sale of Assets

Description of entry

GASB classifies governmental fund revenues by fund and source. Major revenue sources are taxes, licenses and permits, intergovernmental revenues, charges for services, fines and forfeits, and miscellaneous.

GASB requires that sale of capital assets be reported as other financing sources.

This entry reclassifies our revenues to comply with GASB requirements.

While researching this entry, we learned that the County Auditor’s Office failed to remove six (6) deleted assets from our fixed asset listing after receiving the year-end update from the Highway Department. Included on these were the two motorgraders from the adjusting entry.

We sold these Motorgraders for \$330,000, but left them on the asset listing with a book value of \$301,500. In addition to the other assets we failed to dispose of from the asset listing at the end of 2023, we overstated our assets by \$344,850.56.

Cause

The cause is a failure to add new accounts to the ledger as needed. The cause is also a lack of continuing education in generally accepted accounting principles.

Effect

The effect is to lose the nuanced source of revenues by putting sale of assets and intergovernmental revenues into a miscellaneous account. We also increase the difficulty of preparing financial statements

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

that comply with generally accepted account principles because we are burying transactions that have specific reporting requirements among miscellaneous revenues.

Recommendation

See recommendation #3.

Citation: Citation: GASB Codification I. General Principles, 1800.130; GASB 34, ¶188

Adjusting Entry #13: Establish a Due to Other Funds Asset to Offset Negative Cash Balances

See Adjusting Entry #1.

Adjusting Entry #14: Adjustment to Record Off-Book Activity for the 2020 Sales Tax Bond

Description of entry

The County incorrectly accounted for the bond sinking fund at Bank of North Dakota related to our Detention Center Sales Tax bond. The County was essentially double-counting cash which resulted in a massively inflated cash balance on the books. The State Auditor's Office corrected this entry for us several years in a row, but we failed to make the adjusting entry on our books.

In 2023, rather than correct the entry, the County removed the bond sinking fund from our books. We also ceased to account for sales tax revenues at this time.

The Finance Department provided the County Auditor's office with an adjusting entry to add this account back to our books in the proper amounts on February 20, 2024 with an email showing the entry to make and the back up (support) for the entry. The Finance Department approached the County Auditor's office again in a meeting on March 6, 2024. The County Auditor's office refused to make the adjusting entry to add this account back to our books.

We sent our Trial Balance to the State Auditor's Office on March 26, 2024, without correcting the bond sinking entry.

Consequently, this entry ended up as an audit finding.

Cause

The cause is the failure to make the adjusting entries provided by the State Auditor's during financial statement audits over the years.

Effect

The effect is to understate assets, revenues, and fund balance by millions of dollars.

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

Recommendation

See recommendation #3, #5

Adjusting Entry #15: Prior Period Adjustment to Record Missed Payable from 2022

Description of entry

The County failed to properly accrue an expenditure at the end of 2022. The State Auditor's Office apparently missed this entry during the last audit. During the current year's financial audit, the State Auditor's Office corrected this error in our 2023 books.

Cause

The cause is the lack of effective year end closing procedures and the failure to record transactions using the transaction date. The date the County uses in the general ledger is the date the general ledger entry is made, not the transaction date. This is a departure from normal accounting practices. In virtually all cases, entities record the date the underlying transaction occurred, such as the date on an invoice, in the general ledger. The transaction date is vital for many reasons including classifying transactions within the correct year.

Effect

The effect is to understate expenditures during the 2022 year and to overstate expenditures during 2023.

Recommendation

See recommendation #2 and #8.

Adjusting Entry #16: Reclassify Interest Expense to Transfer Out

See adjusting entry #6.

Adjusting Entry #17: Prior Period Adjustment to Remove 66th St Project from CIP; reclassify assets 4578 and 4579 to CIP, and add back asset 4053

Adjusting Entry #18: Adjustment to Record Current Period Capital Asset Additions

Description of entry

This adjustment removes the 66th street project from construction in progress at the end of 2022; reclassifies to construction in progress 2 semi-trucks we started building in 2022 but finished in 2023; and adds an asset that the County Auditor's Office incorrectly deleted in 2021.

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

Cause

The cause is a lack of policies and procedures related to fixed assets and a lack of continuing education in generally accepted accounting principles.

Relating to the two semi-trucks we built, the County purchased the chassis in 2022, but the trucks were not finished until 2023. When the trucks were finished in 2023, the County simply went back to the asset listing and changed the cost of the assets, which will impact our prior year general ledger. The trucks should be classified as “construction in progress” until completed in 2023 then added to the fixed asset ledger and depreciated.

Effect

The effect is to misstate fixed assets in 2022 and to misstate depreciation.

Recommendation

See recommendations #2, #6.

Adjusting Entry #19: Record Payables found during the audit

Adjusting Entry #20: Record retainage payable

Description of entry

The County recorded expenses and payables relating to 2023 in 2024. The County did the same with a retainage. The State Auditor’s Office made the entry to move these expenses into the 2023 fiscal year.

Cause

The cause is a lack of year-end policies and procedures and the failure to record the transaction date in the ledger.

Effect

The effect is to understate liabilities and expenditures in the 2023 year.

Recommendation

See recommendation #2 and #8.

BURLEIGH COUNTY, NORTH DAKOTA 2023 FINANCIAL STATEMENT AUDIT FINDINGS AND RECOMMENDATIONS

FINDING #2: UNDER PLEDGED SECURITIES

Description of Finding

The County Treasurer, under NDCC 21-04-09, is required to obtain security for public funds in the amount of 110% of the deposit. The pledge acts as a form of insurance on amounts over the FDIC limit of \$250,000. The County failed to obtain sufficient pledged securities in the Wells Fargo account at year end.

Cause

The cause is a lack of policies and procedures surrounding the Auditor/Treasurer duties and a lack of internal controls to identify instances of non-compliance with laws and regulations.

Effect

The effect is to put public funds at risk.

Recommendation

The County should adopt policies and procedures surrounding the Auditor/Treasurer duties. The County should adopt internal controls to identify instances of non-compliance with laws and regulations.

FINDING #3: LACK OF SEGREGATION OF DUTIES

Description of Finding

Burleigh County Water Resources District has limited personnel responsible for most accounting functions, resulting in incompatible duties being performed by staff. An incompatible duty are duties that increase the risk of fraud or error.

Cause

The cause is a lack of staff.

Effect

The effect is to increase the risk of fraud or error.

Recommendation

The recommendation is to consider whether the cost of fully staffing the Water Resource District would exceed the risk of loss due to fraud or error, and to consider whether other procedures can be performed to minimize the risk associated with the lack of segregation of duties.

APPENDIX A - SUMMARY OF RECOMMENDATIONS

Finding No.	Summary of Recommendations	Related Audit Adjustment
1.	Cash Management	#1, #7, #13
2.	Year End Policies and Procedures	#1, #7, #8, #9, #13, #15, #17, #18, #19, #20
3.	GAAP Continuing Education	#1, #7, #11, #12, #14, ARPA entry
4.	General Ledger Update	#3, #5, #10, #11, #13
5.	Supervisory Review	#4, #8, #14
6.	Improve Fixed Asset Policies & Procedures	#17, #18
7.	Improve Documentation	#6, #16
8.	Add transaction date to general ledger	#15, #19, #20

Recommendation #1: Adopt County-wide and Fund-level Cash Management Policies

The County has several funds with a negative cash balance. Some of these accounts have carried a negative cash balance for several years. The reason for the negative cash balances is the County lacks County-wide and Fund-level cash management policies. The County simply “writes a check” from these funds without regard to how much cash the funds have. Some county funds, such as unorganized townships, cannot be made positive on the long-term due to economic factors (too few residents); other funds, such as CenComm, are negative because of a lack of cash management, planning, or awareness from staff and Treasurer.

The County should adopt County-wide and Fund-level cash management policies in coordination with department heads and the County Commission. The plan should include a cash forecast at both the County-wide and the Fund level, including plans to invest excess cash so investments mature in line with cash needs. The plan should include policies or procedures for situations where funds have negative cash, including identifying which funds are loaning money to the negative funds and reclassifying negative balances as a liability at period end.

By carrying negative cash balances in accounts, the county is unable to correctly allocate interest revenue from certain pooled investments such as the Wells Fargo “sweep” account, especially with no inter-fund loan documents. This has led to the County possibly over-allocating interest to the CenComm fund which is shared with the City of Bismarck. Per the joint powers agreement, we must leave all interest earned on the CenComm investments in the fund. **See Appendix C.**

Recommendation #2#: Improve year-end policies and procedures

Most of the County’s adjusting entries relate to the year-end process. In the past, the County Finance Director prepared Financial Statements, and it seems likely that this process acted as a review of the books, especially the year-end, because that is when many financial statement adjustments take place, such as accruing expenditures. The County is now outsourcing the financial statement preparation and the year-end process is suffering.

It is common in accountancy to revert to the “SALY” principal, an acronym which means “same as last year.” That seems to be the case with the County’s year-end process. We rely heavily on the prior year’s records to close the current year. The challenge becomes when we have new or different scenarios

APPENDIX A - SUMMARY OF RECOMMENDATIONS

develop throughout the year, which is often the case. In those cases, there is no record from prior years to rely on.

Rather than rely on a list of duties or on the prior year's activities, the County should take a holistic approach to closing the books by reflecting on broad categories such as payables, receivables, fixed assets, cash, etc. Another approach might be to create a checklist that reviews broad categories. For example, the checklist might ask, "Have all expenses been accrued?" and ask the accountant to check off fund-by-fund.

Whatever approach the County chooses, it must go further than simply a list of procedures we did last year. The County should involve more staff in the closing process. For example, the receivables accountant should oversee accruing receivables; likewise, the payables accountant with payables. This would improve the speed of the process rather than having one staff member do most of the work. It would also create opportunities for a level of review since one person wouldn't be doing all the work.

Recommendation #3 – Continuing Education in GAAP

Some of the adjusting entries relate to a misunderstanding or lack of continuing education in generally accepted accounting principles as they relate to governmental entities. For example, GASB statement 34 requires that revenue from sale of capital assets be reported as "Other Financing Sources." The County reported capital asset sales as "Miscellaneous Revenue," essentially burying the transaction in the ledger and making compliance with accounting standards much more difficult. Additionally, recording Prairie Dog Funds as a Transfer In is not correct under GAAP because transfers are not considered revenues; in this case, the Prairie Dog funds are intergovernmental revenues which must be reported as revenues.

Accounting standards are evolving, and sometimes we will encounter a new situation where we must apply an old accounting standard that we haven't applied up to this point. The county should adopt a continuing education policy for accounting staff which requires a certain number of hours per year.

Recommendation #4 – General Ledger Update

Some of the adjustments relate to the inadequacy of our general ledger to capture the breadth of economic activity in Burleigh County. Economic activity has exploded in the last 10-15 years, but our ledger has not been updated. We haven't added significantly more accounts – in fact, we have 17 fewer accounts in 2023 than in 2015. We haven't added any additional accounting elements – such as sub-departments or project codes.

The County should consider re-writing the general ledger to provide an adequate number of accounts and account elements (Funds, departments, sub-departments, accounts, project codes, etc.) to properly account for the vast increase in economic activity in Burleigh County since the current ledger was adopted.

One example is the Gas Tax Refund revenue account. Since at least 2015, this account recorded our quarterly Township distributions from the ND Treasurer; however, we have begun using this account as a catch-all for various State financial aid packages such as SB2016 in 2019; HB 1015 in 2021; and more recently in 2023, Prairie Dog and Legacy Fund distributions.

APPENDIX A - SUMMARY OF RECOMMENDATIONS

By adding various new State financial distributions to this existing account, we create inconsistencies within the ledger and make year-to-year comparisons impossible. These funds, especially permanent funding mechanisms such as Prairie Dog and Legacy Fund, should be in their own, new account, not in an account that historically captures the Township Road Distribution.

This is a systemic issue within our ledger goes back for years. Economic activity has dramatically increased in the State and in the region in the past decade, but we are using the same ledger from decades ago.

Other counties are handling their ledgers in completely different ways. Grand Forks County has five account elements (columns) and they have a wide range of accounts which capture the depth of their economic activity. For example, we have eleven (11) distinct sources of tax revenue represented in our "MH AND RE TAX" account, number 31110, including real estate tax; mobile home tax; railroad assessments; utility assessments; and more. Grand Forks County breaks each of these distinct sources of revenue out into their own account number. In total Grand Forks has over 4,000 accounts in their ledger while Burleigh has only 1,600.

Grand Forks County also provides for additional columns to capture important information. For example, they have a column with a unique identifier for grant-funded expenditures. They also use this column to capture the tax year. For example, every year they add a new account for the tax year. For 2025, they will add an account "xxxx.xxxx.xxxx.xxxx.2025." Another use for this column is to track Highway Department projects by a unique project number.

Recommendation #5 – Supervisory Review

A handful of adjusting entries were simple errors. The complexity of the underlying transaction can increase the chances of error. One such adjustment is the adjustment to correct Morton County's reimbursement for the Burleigh Morton Detention Center ARPA funded staff. This is a complex entry because it involves reimbursement from two sources: ARPA and Morton County. We failed to correctly account for this transaction, and as a result understated both revenues and expenditures by approximately \$150,000.

The County should implement policies so that adjusting entries are reviewed and signed off on by a supervisor, if possible. The Finance Director job description includes a duty to review journal entries; however, accounting staff do not report to the Finance Director and have refused to make the journal entries recommended by the Finance Director in the past. Consequently, this is not an effective internal control, unless it goes to the level of the County Commission, because the County Commission can direct the County Auditor to keep all books and records required by the Commission per NDCC 11-03-02 paragraph 7.

Recommendation #6 – Improve Fixed Assets Policies & Procedures

Several adjustments relate to fixed assets. Fixed Assets are generally kept in a part of the software called a "subsidiary ledger." The subsidiary ledger is a detailed list of all assets with their purchase date, cost, accumulated depreciation, current depreciation, book value, salvage value, and disposal date if disposed. The fixed asset subsidiary ledger is a critical part of the accounting record because it accounts for a large portion of the balance sheet by dollar value.

APPENDIX A - SUMMARY OF RECOMMENDATIONS

The County had errors relating to failure to add assets; delete assets; correctly classify assets as construction in progress; or remove construction in progress projects that were cancelled. The County should evaluate and improve fixed asset policies. Policy books and manuals are available online; the County should research and adopt fixed asset policies appropriate for its operations.

Recommendation #7 – Improve Documentation

The County general ledger has 149 funds and 82 departments but lacks any centralized documentation describing why the funds exist or what laws, agreements, regulations, or resolutions govern them. This is a major weakness in our accounting system and all but guarantees errors will occur. We've already had issues with the lack of documentation this year with a failure to pay the Bismarck Parks District based on an agreement from 1998. We needed a reminder from the Bismarck Parks District to make the agreed-upon payment.

This issue of a lack of documentation is systemic, and it's often hard to track issues such as Commission actions that impact accounting or finance. The County should organize documentation related to the general ledger by fund and department in a centralized, digital location.

Recommendation #8 – Add Transaction Date to General Ledger

The date field is a critical piece of accounting information recorded in every general ledger. In almost every case, the date shown in the ledger is the transaction date. This is often the date on an invoice, for example. Rather than record the transaction date, Burleigh County records the journal date – the date staff made the entry into the general ledger. The journal date is a trivial piece of information, whereas the transaction date is critical.

Without the transaction date, it's nearly impossible to forecast the current year's results or to compare the current year with the prior year, especially in years of staff turnover. As staff get busy or are in training, there's a greater delay between when a transaction occurs and when staff find time to enter the transaction into the ledger. Consequently, if staff fall behind compared to the previous year, then the transaction will show up at a later date in the ledger.

No transaction date makes the year-end process much more difficult, because we are required by GAAP to keep our books based on the transaction date, but we can't easily assess that information based on the general ledger.

Adding the transaction date to the ledger is a critical step in improving our financial report both to external users through our financial statements and internally with reports to management.

APPENDIX B - AUDIT ADJUSTING ENTRIES

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and report them to the appropriate level of management. Management has corrected all such misstatements. The schedules list all misstatements provided by management or detected as a result of audit procedures that were corrected by management.

2023 Adjustments - Primary Government

		<u>Audit Adjustments</u>	
		<u>Debit</u>	<u>Credit</u>
General Fund			
#1.	<u>Establish a Due From Other Funds Asset to Offset Negative Cash Balances in Special Revenue and Debt Service Funds</u>		
	Due From Other Funds	\$ 1,721,451	\$ -
	Cash	-	1,721,451
#2.	Remove February 2024 State Aid from Intergovernmental Receivables Revenue	496,424	-
	Intergovernmental Receivable	-	496,424
#3.	<u>Reclassify Interest Income to Change in Investment Market Value OFS</u>		
	Interest Income	156,293	-
	Change in Investment Market Value	-	156,293
#4.	<u>To Record Reimbursement from Morton County for BMDC</u>		
	Expenditures	148,099	-
	Charge for Service Revenues	-	148,099
#5.	<u>Reclassify Salary Expenses to Contracted Service Expenses</u>		
	Contracted Service Expenses	120,370	-
	Salary Expenses	-	120,370
#6.	<u>Reclassify Interest Income from Interfund Service Fund to Transfer In</u>		
	Interest Earnings	75,671	-
	Transfer In	-	75,671
Special Revenue Fund			
#7.	<u>Establish a Due to Other Funds Asset to Offset Negative Cash Balances in Special Revenue Fund with the General Fund</u>		
	Cash	\$ 1,691,164	\$ -
	Due to Other Funds	-	1,691,164
#8.	<u>Adjustment to Decrease Inventory for 2023 Used Amount</u>		
	Expenditures	579,738	-
	Inventory	-	579,738
#9.	<u>Adjustment to Record Retainage Payable</u>		
	Expenditures	82,390	-
	Retainage Payable	-	82,390
#10.	<u>Reclassify Interest Income to Change in Investment Market Value OFS</u>		
	Interest Income	271,702	-
	Change in Investment Market Value	-	271,702

Note: This adjusting entry was made in error; per discussion with SAO it is not material to our financial statements as a whole

APPENDIX B - AUDIT ADJUSTING ENTRIES

2023 Adjustments - Water Resource District		Audit Adjustments	
Fund Level Adjustments		Debit	Credit
#19.	<u>To Record Audit Found Payables</u> Expenditures Accounts Payable	150,829 -	- 150,829
#20.	<u>To Record Retainage Payable</u> Expenditures Retainage Payable	11,050 -	- 11,050

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, or reporting matter that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated July 1, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the County's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the *budgetary comparison information, schedule of employer's share of net pension liability and employer contributions, schedule of employer's share of net OPEB liability and employer contributions, and notes to the required supplementary information* which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the *schedule of expenditures of federal awards and notes to the schedule of expenditures of federal awards*, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

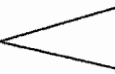
APPENDIX C - CENCOMM JOINT POWERS AGREEMENT

FIRST AMENDMENT TO AGREEMENT FOR JOINT EXERCISE OF GOVERNMENTAL POWERS

Paragraph 6 of the Agreement for Joint Exercise of Governmental Powers dated November 20, 2015, between the Bismarck City Commission, the Mandan City Commission and the Burleigh County Commission is amended to read as follows:

6. **Funding of the Central Dakota Communications Center.** The Central Dakota Communications Center, through the Authority, shall establish a budgeting process inclusive of fiscal agents from each of the **Parties**. The process shall coincide with the budgeting process of the **Parties** and annual budget management shall be accomplished through the **City of Bismarck**, complying with its ordinances, policies and procedures.

After revenue and that portion of 911 fees allocated for the annual operating budget, the remainder of the budget responsibility shall initially be split by the **Parties**:

<u>80%</u> - Burleigh County		35% - Burleigh County
		65% - City of Bismarck
<u>20%</u> - City of Mandan		

The allocated split shall be subject to review during the second year of operation and subsequent review and re-negotiation shall be every five (5) years thereafter, or as determined necessary by the Authority. Specialized grants that apply to specialized equipment, training or processes are excluded from this formula.

The **Parties** agree that the 911 fees collected under 57-40.6-02 shall be remitted to Burleigh County for management under the Authority but be accounted for as one fund. Any investment interest accrued on 911 fees shall remain within that fund. Fees collected will be allocated as follows:

- 75% - Central Dakota Communications Center annual operating budget revenue
- 15% - 911 Capital Improvement Fund
- 10% - North Dakota Association of Counties

A copy of each 911 fee remittance receipt shall be provided to the Director of the Central Dakota Communications Center for tracking, planning and budgeting purposes.

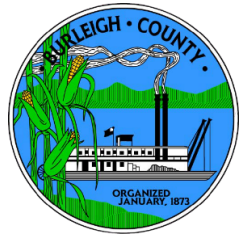
Each of the **Parties** agrees to make financial allocations based on the adopted Authority budget.

The **City of Bismarck**, Finance Department shall bill each of the **Parties** no less than quarterly for their share of budgetary obligations under this Agreement.

Approved this 5th day of July, 2016.



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

August 19, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY WEED BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the August 5, 2024, meeting minutes.
5. Discussion of minute approval process.
6. Other business.
7. Adjourn.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the August 5, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. 2025 City IT services Contract.
6. Bismarck City Planning Manager Daniel Nairn:
 - a. Bismarck Renaissance Zone program.
7. County Planner Flanagan:

- a. Consideration of special use permit appeal.
8. County Engineer Hall:
 - a. Developer waiver requests.
 - b. 2025 Highway budget clarification.
9. Sheriff Leben:
 - a. Burleigh East remodel update.
10. County Finance Director Jacobs.
 - a. Sales Tax Bond update.
11. Chairman Bitner:
 - a. Request to hold an executive session under North Dakota Century Code Section 44-04-19.1(9) regarding contract negotiation/negotiation strategy.
12. Other business.
13. Adjourn.

The next regularly scheduled Commission meeting will be on September 4, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY

WEED

BOARD

**BURLEIGH COUNTY WEED BOARD
MEETING MINUTES
AUGUST 5, 2024**

5:00 P.M

Chairman Bakken called the Burleigh County Weed Board meeting to order.

A roll call of members: Commissioners Munson, Woodcox, Bitner, Schwab, and Chairman Bakken present.

Motion by Comm. Munson, 2nd by Comm. Bitner to approve the agenda. All members present voted, "AYE."
Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the July 1st, 2024 minutes and bills. All members present voted, "AYE." Motion carried.

Comm. Schwab gave the Board an update regarding the approval of County Weed Board bills. He stated that in the past the Weed Board would convene to approve bills, but due to the brevity of such meetings and the fact that bills are often paid before they are approved, he suggested that bills for the Weed Board should be brought to the County Commission for approval. Motion by Comm. Bitner, 2nd by Comm. Munson for Weed Board bills to be brought to the County Commission for approval. All members present voted, "AYE." Motion carried.

County Weed Director Daron Johnson was then introduced to the board. Comm. Woodcox asked how the weed spraying was going. Johnson stated that they were trying to address the issues from closer to Bismarck first, then working their way out. Comm. Munson asked how many contactors they had employed and how many trucks. Johnson stated they had one contractor who had two trucks working on the spraying. Chairman Bakken asked for a little background and how the spraying for other entities was going. Johnson stated he and his wife were from Morton County and moved to the Menoken area 17 years ago. He also said that the focus was on County roads since there wasn't enough season left to hit much more than specific spots.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Steve Bakken, Chairman

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

AUGUST 5TH, 2024

5:10 PM

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.

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

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the July 15th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Bismarck Parks and Recreation District	2024	Lot 21, Block 8, Silver Ranch 3rd Addition	Property exempt from taxation	\$200	\$100
Todd Schimke	2023	Lots 1-2, Block 19, Fisher	50% Homestead Credit	\$254,400	\$154,400
Betty Baker	2023	Lot 8 & N 48' of Lot 9, Blk 22, Cliffords Subdivision	50% Homestead Credit	\$145,000	\$72,500

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Bismarck Parks and Rec, Todd Schimke, and Betty Baker abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Planning Director Flanagan presented to the Commission a zoning change for the Burleigh County Soil Conservation District, per the recommendation of the Burleigh County Planning Commission from their July 10th meeting. The area in question is located at 1107 NE 171st St in Menoken. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the zoning change. Comm. Woodcox, Bakken, and Bitner voted "AYE"; Comm. Munson and Schwab voted 'NAY'. Motion carried. Flanagan then presented an appeal of a special use permit denial for a corn maze. The main reason for the special use permit's denial was that there was no zoning ordinance that allowed for that special use permit to be applied to; Flanagan then showed the Commission a couple drafts of an agricultural tourism ordinance that could allow for a special use permit for this situation and others like it, and a discussion about expediting the process to get an agricultural tourism ordinance in place followed. Mary Podahl, representing Stall Farms and Balwin Greenhouse and Nursery (who are the ones appealing the denial), asked for clarity from the Commission about the appeal process and asked the Commission if the corn maze is okay to proceed based on current ordinances in place; the Commission did not provide an answer. Motion by Comm. Munson, 2nd by Comm. Bakken to ask Planning and Zoning Commission to accelerate the process of getting a special hearing about a proposed agricultural tourism ordinance. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to refund the appeal fee back to Stall Farms and Balwin Greenhouse and Nursery. All members present voted "AYE". Motion carried.

County Engineer Hall came forward and presented the Commission with some adjusted figures for the 2025 Highway Department budget. He presented the possibility of collecting the necessary funds for the 2025 budget from several sources. The Legacy funds, the Highway Dept. savings account, a General Fund Reserve transfer, sales of equipment, and Prairie Dog funds. He asked the Board for direction on how to proceed. Chairman Bitner expressed concerns about the General fund reserve transfer. Comm. Woodcox asked for clarification that the use of these different funds would ensure a zero mill levy increase to the Highway fund. Hall confirmed that that was true.

Sheriff Leben then came before the Commission and presented the quarterly jail report.

Auditor/Treasurer Splonskowski and County Finance Director Jacobs both stepped to the podium and asked for clarification of the intent of the Commission relating to the preliminary budget. Jacobs presented that the budgets within the General fund turned back \$4,721,000 to the General fund and therefore it should not be necessary to collect those extra funds in the 2025 budget. Chairman Bitner expressed the desire to not have a Property Tax increase in the County Portion. Motion by Comm. Munson, 2nd by Comm. Bakken to amend the Preliminary budget to levy \$21,805,080 in property taxes in the General Fund and to utilize \$4,802,392 in General fund reserves to fund the difference between the budgeted revenues and budgeted expenditures in the General Fund, and to levy 2,413,491 in property taxes in the County Road and Bridge fund and to use various non-property tax means to fund the difference between the budgeted revenues and budgeted expenditures in this fund as identified by the County Engineer. Splonskowski asked for clarification on the motion. He stated the resolution effectively said to levy the same dollar amount as last year, not the same mill levy, which would result in a mill levy decrease from last year because the value of a mil had increased, making less mills necessary to raise the same amount of funds. Chairman Bitner stated that that was the first time he had heard of that math. The Commission clarified that their intent was to not have a zero dollar increase in property tax collections. All members present voted "AYE". Motion carried.

County Finance Director Jacobs remained at the podium and gave an update about the sales tax bond escrow fund, and offered the Commission a resolution to have the state's attorney draft up an escrow agreement and have Morton County sign it (due to their involvement in the bond) After some further discussion, it was decided that contact with Morton County was needed to resolve the bond issue; motion by Comm. Bakken, 2nd by Comm. Munson. Comm. Schwab, Munson, Bakken, and Bitner voted "AYE"; Comm. Woodcox abstained. Motion carried. Jacobs then pivoted to discuss the Financial Statement Audit report, and after reading the details of the report recommended several changes/steps that could be taken to improve county finance operations. Motion by Comm. Bakken, 2nd by Comm. Munson to adopt Finance Director Jacobs' recommendations. All members present voted "AYE". Motion carried.

A discussion about the need for digitizing county records to relieve current storage space was then had amongst the commissioners, with the consensus being to have the department heads provide a summary of documents that would/could need digitizing by next meeting (hopefully). No further action was taken at this time.

County HR Director Binder then came up and talked about the Tyler Technologies HR module mentioned in previous meetings, presenting a proposal to the Commission to purchase the remaining HR module that the county does not have access to. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve and implement Director Binder's proposal. All members present voted "AYE". Motion carried. Binder then presented revamped job descriptions for the county finance director and deputy finance director. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the revamped job descriptions. All members present voted "AYE". Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Bakken to have the voting order of the commissioners be on a rotating basis. All members present voted "AYE". Motion carried.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-648	Charles & Tina Erling	2023	Lot 21, Block 13, Eagle Crest 6th Addition	Error in property description	\$611,300	\$486,800
24-649	Charles & Tina Erling	2024	Lot 21, Block 13, Eagle Crest 6th Addition	Error in property description	\$588,600	\$464,100
24-650	Bismarck Parks and Recreation District	2024	Lot 32, Block 1, Promontory Point VII	Property exempt from taxation	\$27,100	\$15,800
24-651	Jacqueline K Haag	2024	Block 7, North Hills 1st, Auditors Lot 3116 & undivided interest in common area	Error in property description	\$312,900	\$295,500
24-654	David & Sandra Fix	2023	Lot 6, Block 2, Rolling Hills 1st	50% Homestead Credit	\$358,400	\$258,400
24-655	Eric Remyse	2024	Lot 7, Block 8, Dakota Breeze	Basement only studs as finish	\$327,100	\$299,200
24-656	Joseph & Bonnie Newman	2023	Block 19, Wachter's 3rd, Lot 5 Southwood Condo Unit II	50% Homestead Credit	\$154,800	\$77,400
24-657	Eugene & Joyce Baldwin	2023	Lots 3-4, Block 18, Fisher	100% Homestead Credit	\$227,200	\$27,200

**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 17926 (2-2023)

Permit Number 24-011

Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*						
Games Authorized		<input type="checkbox"/> Raffle by a Political or Legislative District Party					
<input checked="" type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO		
Name of Organization or Group Sterling School TPA		Dates Authorized (Read Instruction 2) 9/29/24 and 12/12/24
Organization or Group Contact Person Tonya Bauer	E-mail [REDACTED]	Telephone Number [REDACTED]
Mailing Address PO Box 68	City Sterling	State ND ZIP Code 58572

SITE INFO			
Site Name Sterling Elementary School		County Burleigh	
Site Address 118 McKenzie St	City Sterling	State ND	ZIP Code 58572
If the city or county is placing restrictions on the permit, please explain			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)			
Bingo - 9/29/24 - one time			
Raffle - 12/12/24 - one time			

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
- Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
 - When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
 - Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

Applying for (check one)

Local Permit Restricted Event Permit*

Games to be conducted Raffle by a Political or Legislative District Party

Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One* Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Sterling School TPA		Dates of Activity (Does not include dates for the sales of tickets) 9-29-24, 12/12/24	
Organization or Group Contact Person Tonya Bauer	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address 118 McKenzie St	City Sterling	State ND	ZIP Code 58572
Mailing Address (if different) PO Box 68	City Sterling	State ND	ZIP Code 58572

SITE INFO

Site Name Sterling Elementary School	County Burleigh		
Site Physical Address 118 McKenzie St	City Sterling	State ND	ZIP Code 58572
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)			
Bingo - 9-29-24 - one time			
Raffle - 12/12/24 - one time			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Bingo	Solicited Prizes	1500
Raffle	Beef Bundles	2500
		Total (limit \$40,000 per year) \$4,000⁰⁰

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)

Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)

No Yes - Total Retail Value: [] (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

Yes No

Printed Name of Organization Group's Permit Organizer Tonya Bauer	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization Group's Permit Organizer <i>Tonya Bauer</i>	Title Principal/Teacher	Date 8/1/24

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.

CITY OF BISMARCK, NORTH DAKOTA
And
BURLEIGH COUNTY, NORTH DAKOTA
INFORMATION TECHNOLOGY SERVICES AGREEMENT

ARTICLE 1
RECITALS AND INTENT

1.1 This Agreement (“Agreement”) is made by and between the City of Bismarck (“City”) and Burleigh County (“County”), acting by and through their duly authorized representatives, and is effective on the date stated herein.

1.2 The County has requested information technology support (“IT”) for the County and desires to engage City to provide certain IT services in connection with the work assigned (“Services”).

ARTICLE 2
CONTRACTUAL RELATIONSHIP

2.1 The County agrees to employ the City, and the City agrees to perform, as an independent contractor, certain professional services on an as-needed basis pursuant to County issued task or work orders in accordance with the project described therein, except for the County’s highway department, social services department, and weed officer.

2.2 This Agreement shall serve as the general agreement for IT services under the terms and amounts listed on attached Exhibit A.

2.3 The Services to be provided under this Agreement are intended to include services within the scope of City’s IT department education, training and experience. At times, solutions may require the services beyond the scope of what the City provides. If there is an additional charge for this type of assistance, written notice will be provided to the County with the approval of the County Auditor before those services are engaged for vendors outside the City.

2.4 City shall comply with all applicable laws, rules and regulations governing all Services and any projects authorized by this Agreement.

ARTICLE 3
THE COUNTY’S RESPONSIBILITIES

3.1 The County shall provide to City all its criteria and requirements for any Project and all available information pertinent to the Project including previous reports. City may reasonably rely upon such information. County’s use of the hardware, software and network services under this agreement will follow all software agreements and user policies that City determines are necessary and communicated to County in order to comply with all agreements with third parties and for security measures for IT services. Any additional costs for software that requires a separate agreement with the County will be County’s responsibility. In order to prioritize and assign tasks as appropriate, all requests for IT services by County must be provided through SysAid. Large projects and upgrades should be provided to City in advance of each calendar year. If the upgrade or new software requires a large amount of staff time (i.e. 20 hours or more) or resources, County will be informed of that additional cost and time needed to complete those services.

The County is responsible for financing any hardware and software updates or upgrades that are required to maintain cybersecurity, network security, maintain warranty, and comply with IT policies and requirements. The City requires all hardware and software to be under warranty or under a software maintenance agreement. As a result, the City will not be able to troubleshoot any software or hardware that is out of warranty or does not comply with City policies and requirements.

All computer IT equipment must be approved by the City IT before purchase. This includes all software and hardware, including monitors, phones, tablets, laptops, or other hardware and software applications. If County purchases an unapproved device, the City may not be able to troubleshoot or maintain that software or hardware.

3.2 The County shall arrange for access to and make all provisions for City to enter upon public and private property as required for City to perform Services under this Agreement.

3.3 The County will examine City's studies, reports, sketches, drawings, specifications, proposals and other information submitted by City, consult with others as County deems appropriate, and render timely written approvals and decisions to the City. No new projects, major upgrades or hardware/software purchases will be supported by City unless those are approved by City Information Technology Department prior to purchase. If a purchase is done outside of this process, it or any hardware on which it runs will not be allowed to connect to the City's infrastructure nor hold the City responsible for supporting this with City staff, including network services. Purchases by County should be planned in advance and communicated to City to ensure proper resources are available. Exhibit A reflects the current server and use capacity. If more services or server space is needed for County, they will be required to pay for that additional need. If County's unauthorized purchase causes damage to the network or otherwise requires City to remedy any damage from a virus or unauthorized purchase, the County will pay the costs to return the system back to the same functionality prior to the unauthorized purchase. County is aware that the services under this Contract are for maintenance and support for existing IT needs. Any upgrades or new systems would need to be approved in advance by City with timeframes and personnel needs planned through the City's process and information technology governance council (ITGC), whose description and process is attached in Exhibit B. City usually makes those plans in advance of the beginning of each calendar year for the entire year.

3.4 The County shall give prompt written notice to City whenever County becomes aware of any development that affects the scope or timing of City's Services or of any defect or nonconformance in the Services of the City or work of the Contractor. In addition, the County shall notify the City of any employee separations/terminations immediately in order to avoid cybersecurity risk.

ARTICLE 4 PROFESSIONAL'S COMPENSATION

4.1 Invoices for Services performed under a task order may be submitted to County by City quarterly. Invoices will be due and payable within thirty (30) days after receipt.

4.2 No statement, term or provision in any invoice, bill or statement submitted to County by City will be construed to waive, amend or modify any term or provision of this Agreement.

ARTICLE 5 INDEMNIFICATION AND INSURANCE

5.1 The parties will indemnify, defend and hold harmless the other party, its directors, officers, agents and employees against claims, demands or causes of action; and all costs, losses, liabilities, expenses and judgments incurred in connection therewith, including attorneys' fees and court costs, brought by any other third party, based upon, in connection with, resulting from, arising out of, or occasioned by the acts, omissions or conduct of the party, its officers, agents, or employees in the execution or performance of this Agreement.

5.2 The parties shall each obtain and maintain, throughout the term of the Agreement, General Liability insurance with a limit of not less than \$1,000,000 general aggregate.

ARTICLE 6 DURATION, EXTENSION AND TERMINATION

6.1 This agreement shall be for a term of one (1) year and shall be eligible to renew for additional terms of one (1) year annually upon the written agreement of both parties. Time is of the essence in the performance of this Agreement.

6.2 This agreement may be terminated by either party for cause if either party fails substantially to perform through no fault of the other and does not commence correction of such non-performance within fifteen (15) business days of written notice and diligently complete the correction thereafter. Upon delivery of such notice, the City shall, unless the notice states otherwise, immediately discontinue all Services, proceed to cancel promptly all existing orders and

contracts insofar as such orders or contracts are chargeable to the Services, and deliver to the County all instruments of service produced under this Agreement. Upon termination, the County will owe the City for all compensation earned under this Agreement to date of termination, without termination expenses.

ARTICLE 7
MISCELLANEOUS

7.1 This Agreement shall be effective upon its execution by the City and the County, and shall remain in full force until all obligations under this Agreement have been fulfilled, unless sooner terminated as provided herein.

7.2 This Agreement shall be construed and enforced for all purposes pursuant to the laws of the State of North Dakota. Venue shall be exclusively in the state courts of proper jurisdiction of Burleigh County, North Dakota.

7.3 This Agreement is non-assignable. Neither the City nor the County shall assign, sublet or transfer its interest in this Agreement without the prior written consent of the other.

7.4 This Agreement represents the entire agreement between the City and the County with respect to the subject matter hereof and supersedes and merges all prior negotiations, representations, discussions or agreements, either written or oral, with respect to the subject matter hereof.

7.5 This Agreement may be amended only by written instrument signed by duly authorized representatives of both the City and the County. The County's payment of invoices or statements shall not be deemed as the County's acceptance of any term or provision that amends or modifies this Agreement or the task order under which payment is made.

7.7 No consent or waiver, express or implied, by either party to this Agreement, to or of any breach of default by the other in the performance of any obligations under this Agreement shall be deemed or construed to be a consent or waiver to or of any other or future breach or default by such party. Failure on the part of any party to this Agreement to complain of any act or failure to act of the other party or to declare the other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder.

7.8 If a provision of this Agreement, or the application thereof to any person or circumstances, is rendered or declared illegal for any reason or shall be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby, but shall be enforced to the greatest extent permitted by applicable law. The parties agree to negotiate in good faith for a proper amendment to this Agreement in the event any provision hereof is declared illegal, invalid or unenforceable.

7.9 All notices required or permitted hereunder shall be in writing and shall be deemed delivered three (3) days after deposit with the United States Postal Service, certified mail, return receipt requested, addressed to the respective other party at the addresses shown below:

If to City: Dmitriy Chernyak, Finance Director
 dchernyak@bismarcknd.gov
 PO Box 5503
 Bismarck, ND 58502-5503

If to County: Mary Senger, IT Director
 msenger@nd.gov
 PO Box 5518
 Bismarck, ND 58506-5518

7.10 The headings and captions used in this Agreement are for convenience only and shall not affect in any way the meaning or interpretations of the provisions set forth herein.

7.11 This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

IN WITNESS WHEREOF, this Agreement is hereby executed as of the last date set forth below.

COUNTY OF BURLEIGH, NORTH DAKOTA

By: _____ Date: _____
Brian Bitner, County Commission Chairperson

ATTEST:

APPROVED AS TO FORM:

County Auditor

State's Attorney

CITY OF BISMARCK, NORTH DAKOTA

By: _____ Date: _____
Michael Schmitz, President City Commission

ATTEST:

APPROVED AS TO FORM:

City Administrator

City Attorney

City of Bismarck
 Billing for IT Service to Burleigh County - Exhibit A
 For Calendar Year 2025

Note: ALL requests for services MUST be submitted through SysAid and/or ITGC

	2023	2024	2025
Annual Service Charges			
IT Services - Minimum Charge (Cost per Device)	\$ 118,191	\$ 135,802	\$ 143,950
Cybersecurity Initiative (ClearPass, Aruba Central, etc.)	9,500	10,165	10,673
Equipment Use Allocation	2,500	2,675	2,809
Total Annual Service Charges	<u>130,191</u>	<u>148,642</u>	<u>157,432</u>
Continuous Annual Costs			
Microsoft Licensing Costs (Microsoft SQL, Windows, Server, and RDS Licensing)	\$ -	\$ -	\$ -
AS400 CPU Time (Continue)	475	-	-
WAN Access Charge / Fiber Costs (Annual)	5,325	5,698	5,983
Network Infrastructure Costs (Annual)	1,279	1,368	1,437
Total Continuous Annual Costs	<u>5,800</u>	<u>5,698</u>	<u>5,983</u>
Total Costs to County (excluding on-call and variable license costs)	<u>\$ 135,991</u>	<u>\$ 154,339</u>	<u>\$ 163,414</u>
Services Outside of Regular Work Schedule (8am - 5pm) / On-Call			
Minimum 2-hour charge for on-call (after hours)	\$ 170	\$ 196	\$ 208
Hourly overtime charge (after minimum 2-hour charge)	\$ 85	\$ 98	\$ 104

Note: The City of Bismarck is no longer providing Microsoft Office licensing for Burleigh County based on Burleigh County decision.

ITEM

6



MEMORANDUM

Renaissance Zone Reauthorization and Development Plan

TO: Brian Bitner, Chair of Burleigh County Commission

FROM: Daniel Nairn, AICP, Planning Manager

DATE: August 14, 2024

The Bismarck Renaissance Zone Authority like to request support for a 5-year reauthorization of Bismarck's Renaissance Program, approval of a Renaissance Zone Development Plan, and consideration of appointment of a Burleigh County commissioner to the Renaissance Zone Authority.

Bismarck City Commission unanimously approved amendments to the Renaissance Zone Development Plan and a 5-year extension of the program on July 9, 2024. Support from all of the taxing entities will be necessary to continue the program beyond January 4, 2025.

Burleigh County Commission voted to support a 1-year extension of the Renaissance Zone on December 4, 2023, requesting changes to the Development Plan prior to given a longer term of support. The Renaissance Zone Authority has made changes to the program by amending the Development Plan, and now requests a 5-year extension of the program. A draft of the new Development is attached to this memo.

Among the changes is to provide a greater opportunity for all political subdivisions to participate. In particular, Burleigh County Commission could appoint one of its members to sit on the Renaissance Zone Authority. The Renaissance Zone Authority meets monthly to recommend new projects and also administer downtown design review. Secondly, approval of Burleigh County would be required before making any changes to the Renaissance Zone Development plan, which establishes the guidelines and boundary for the program. The Development Plan also adjusts the exemption values to meet a request made by Burleigh County Commission.



CITY OF BISMARCK RENAISSANCE ZONE DEVELOPMENT PLAN

Submitted by the Bismarck
Renaissance Zone Authority

JUNE 13, 2024

City of Bismarck Renaissance Zone Development Plan

Revision History

Revision Type	Date of City Commission Approval
Original Document	November 22, 2000
Revisions	March 30, 2001
Revisions	November 13, 2003
Revisions	September 28, 2004
Revisions	April 10, 2007
Major Revisions	June 12, 2012
Boundary Modification	June 1, 2013
5-Year Extension Request	April 20, 2016
5-Year Extension Request	July 11, 2017
Revisions	August 14, 2018
Boundary Modification	May 28, 2019
Revisions	November 26, 2019
Revisions	December 22, 2020
Boundary Modification and Revisions	May 24, 2022
Major Revisions	July 9, 2024

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Appendices

Appendix A: Memorandum of Agreement between City and State for Continuation of Program

Appendix B: Map of Renaissance Zone Boundaries

Appendix C: Description of Properties

Appendix D: Renaissance Zone Needs Assessments (2016)

Appendix E: Renaissance Zone Program Return on Investment Evaluation (2020)

Appendix F: Bylaws for the Renaissance Zone Authority

Appendix G: Evidence of Community Support

A. Introduction

This Development Plan for the Bismarck Renaissance Zone is adopted pursuant to Chapter 40-63 of the North Dakota Century Code for the purpose of governing the City's Renaissance Zone program. This Plan establishes the current Renaissance Zone boundary, provides a description of the physical assets within the Renaissance Zone, sets goals and objectives for the program, outlines project types and criteria for approval, describes activities for management, promotion, and development of the program, and provides evidence of community support for Bismarck's Renaissance Zone program.

This Development Plan was originally adopted by the Bismarck Board of City Commissioners on November 22, 2000 and approved by the North Dakota Department of Commerce – Division of Community Services (DCS) in May of 2001. The plan has been amended on a number of occasions to revise program guidelines, adjust the boundary of the Renaissance Zone, and authorize an extension of the program in accordance with state law. A Memorandum of Agreement between the City and State for the continuation of the Bismarck Renaissance Program through January 3, 2025 is included as Attachment A.

The Renaissance Zone program provides tax exemptions and credits to both residents and businesses for revitalization and redevelopment activities within the Renaissance Zone boundaries. The Renaissance Zone is both a local and statewide program that provides both property tax and income tax incentives to property and business owners who invest in qualified projects.

This plan has been submitted by the Renaissance Zone Authority and approved by the Bismarck Board of City Commissioners:

Renaissance Zone Authority

Jim Christianson, Chair

Joe Fink, Vice Chair

Greg Zenker, City Commissioner

Dustin Gawrylow, Member

Kirsten Dvorak, Member

Nancy Guy, Member

Wayne Munsen, Member

David Witham, Design Advisor

Eric Hoffer, Design Advisor

Board of City Commissioners

Mike Schmitz, Mayor

Anne Cleary

Steve Marquardt

Michael Connelly

Greg Zenker

B. Definitions

The following terms are defined here for use within this Renaissance Zone Development Plan:

Authority: Renaissance Zone Authority.

Baseline Value: the Current Taxable Value of the property at the time of project application, as set by City Assessing and approved by the State Board of Equalization, unless adjusted according to criteria of this Plan.

Capital Improvements: All capital expenses of the project, including the cost incurred for the repair, replacement or renovation of a building's exterior, roof, structure, electrical and/or plumbing systems, heating/ventilation/air conditioning systems, windows, exterior doors, elevator improvements and accessibility. The Authority may also consider other improvements that are a permanent and integral to the building, as well as site improvements needed to correct drainage problems that have resulted in damage to the building. Improvements to infrastructure or utility services outside of a building and improvements that are unique to a specific use and/or unlikely to be of use to future occupants of a building shall not be considered Capital Improvements.

City: City of Bismarck, North Dakota, public and corporate.

City Commission: Bismarck Board of City Commissioners.

Current Taxable Value: True and full taxable value of a project's parcel(s), including both land and improvements, most recently set by the City of Bismarck and recognized by the North Dakota Board of Equalization.

DCS: The State of North Dakota's Department of Commerce Division of Community Services.

Final Improvement Value: the taxable value of the property, as set by City Assessing and approved by the State Board of Equalization, in the first year after Project Completion.

Historic Building: Any building contributing to an historic district on the National Register of Historic Places, individually listed on the National Register of Historic Places, or greater than 50 years in age and deemed historic by the Authority.

Increment Value: The difference between Baseline Value and Final Improvement Value of a project.

Plan: City of Bismarck's Renaissance Zone Development Plan, unless otherwise referenced.

Political Subdivision(s): Collectively plural, singularly each of its own, City of Bismarck, Burleigh County, Bismarck Public Schools, and Bismarck Park District.

Project Completion: Issuance of a Letter of Final Approval by DCS to the City, which is forwarded to the applicant. City staff will deem a project complete if the initial scope of work presented to the City Commission, including any conditions attached to the approval, is completed and all necessary permits, such as a certificate of occupancy, are granted for the primary occupancy of the building. It is not necessary for all commercial lease spaces to be built-out and occupied prior to Project Completion.

Staff: City of Bismarck's Community Development Department - Planning Division.

Single-Family Dwelling: A single-family detached home, townhouse, single unit in a duplex, or a condominium.

Tentative Approval: Issuance of a Letter of Tentative Approval by DCS to the City, which is forwarded to the applicant. Projects are tentatively approved once initial review by the City and DCS is completed and the project construction may commence.

C. Description of Bismarck's Renaissance Zone

1. Downtown Bismarck

Bismarck's downtown area is located in the center of the community and within one-half mile of the State Capitol to the north and Kirkwood Mall (a regional shopping center) to the south. The downtown is well connected by roads, with Washington Street, 7th Street, and 9th Street serving as the main north-south routes linking downtown with Interstate 94 and the Bismarck Municipal Airport. Rosser Avenue, Main Avenue, Broadway Avenue and Front Avenue serve as the main east-west routes linking downtown to the Dakota Zoo and recreation areas along the Missouri River.

The downtown also hosts many important civic institutions, including the federal and county courthouses, the City and County Office Building, The Bismarck Veterans Memorial Library, the Camp Hancock State Historic Site, as well as the City-owned Event Center and Belle Mehus Auditorium. Although not directly within the downtown or Renaissance Zone, the major medical providers for the region are adjacent to the downtown to the east.

While Bismarck has been fortunate in the fact that its downtown has not had the level of deterioration that many downtowns have seen over the years, the City recognizes that its involvement is needed to ensure the continued viability of the downtown. Starting with the development of the Central Business District Plan in 1993 and continuing through the 2013 Downtown Bismarck Subarea Plan, a variety of projects and programs have worked together to stimulate new development in the downtown area and maintain the vitality of the heart of the community. Particularly since the establishment of the Renaissance Zone in 2001, the City has seen a significant investment in the core of the community and this investment is expected to continue with on-going participation in the program.

The City utilizes two distinct zoning districts within the downtown area, the DC – Downtown Core District and DF – Downtown Fringe District. Many, but not all, of the properties within the Renaissance Zone are located within these districts. The purpose of the downtown zoning districts is to preserve and enhance the mixed-use, pedestrian-oriented nature of the City's downtown area. The two zoning districts allow a wide range of mutually supportive uses in order to enhance downtown Bismarck's role as a commercial, cultural, governmental, health/medical, entertainment and residential center. The districts also facilitate the creation of a strong and distinctive sense of place through the inclusion of open space and public plazas.

All development within these downtown zoning districts is subject to a design review process, which is currently under the purview of the Authority. The use of the 2015 Downtown Design Guidelines helps to maintain the historical integrity, enhance the quality of design, and preserve the human-scale development of downtown Bismarck.

2. History of the Bismarck Renaissance Zone Program

The Bismarck Renaissance Zone has been in effect for over fifteen years, and several noteworthy changes and events have occurred since the inception of the program.

a. Origins of the Renaissance Zone Program

In February 2000, the City Commission created a Renaissance Zone Advisory Committee to consider the establishment of a Renaissance Zone in Bismarck. Over the course of eight months, the Committee held meetings to identify an area that would most benefit from being included in the Zone. Initially, the Committee examined an area extending from 26th Street on the east to the western corporate limits, including several blocks north and south of Main Avenue. After further discussion, an inventory of properties and a survey of property owners, the Committee concluded that the Zone should be located in the downtown area. As in most communities, Bismarck’s downtown area has been impacted by commercial development on the periphery of the city. While property values in the downtown area had remained relatively steady, the number of vacant buildings was on the rise.

The program formally began with the approval by the North Dakota DCS in May of 2001. The first projects received hearings and were selected by the Authority and the City Commission approximately one year later. The effects of the Renaissance Zone program, in terms of rising property values, started to occur by 2004, shortly after the first projects were completed and in place.

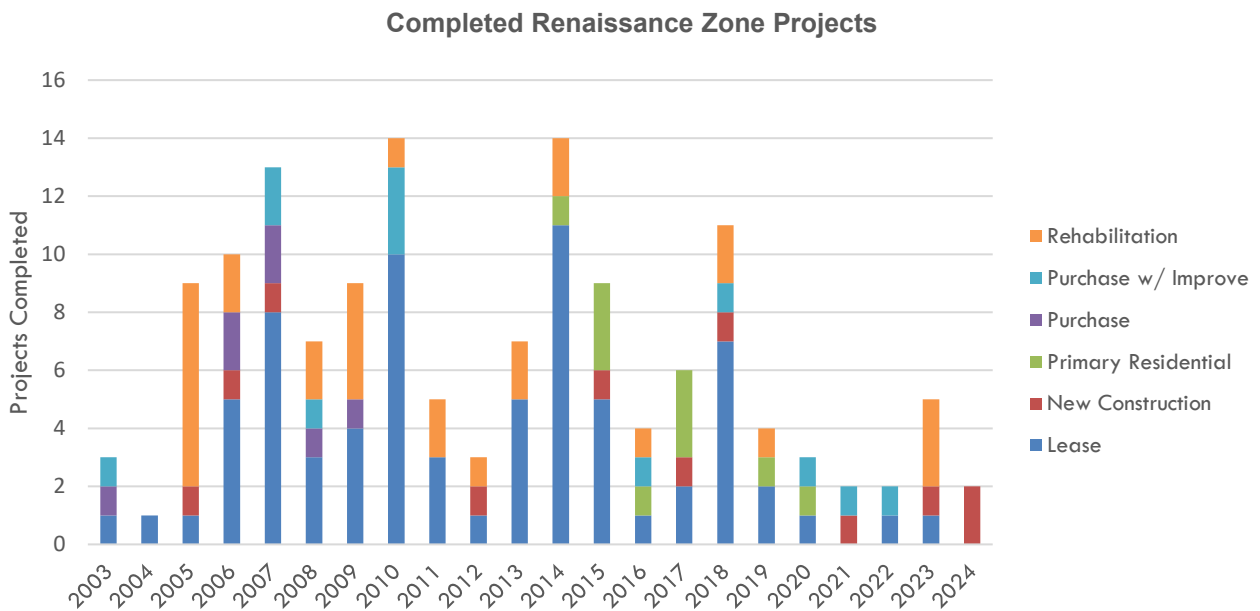


Figure 1: Completed Projects by Type and by Year

b. Modifications to the Renaissance Zone Boundaries

The boundaries of the Renaissance Zone have changed on a number of occasions. The original Renaissance Zone from 2001 encompassed 21½ blocks in the downtown area of the community. The Renaissance Zone was expanded by 11 blocks in November 2003 and by another three blocks in February 2008.

During the 2009 state legislative assembly, communities were allowed to remove blocks that had been determined “complete” or “non-progressing” and relocate the block elsewhere within the contiguous boundary. In June 2013 the boundary of the Renaissance Zone was modified to remove four blocks that were deemed complete and to include four new blocks of property. Each modification was made in accordance with Chapter 40-63 of the North Dakota Century Code.

The 2015 Legislature passed a bill to allow communities to increase the maximum number of blocks contained in the Renaissance Zone. After outreach and consideration, the Authority determined the additional blocks allowed by this change to the enabling legislation would not be implemented at that time. The Authority added one additional block in 2017 between Main Avenue and the railroad tracks and west of North 1st Street. This area is a portion of a city block that is within the DC – Downtown Core zoning district but was omitted from the Zone in the initial Plan.

After engaging in outreach with property owners, including interest letters, an open house, and a public hearing, eight additional blocks were added in 2019. One block was deemed completed.

In 2021, the Authority opted to create a Boundary Modification Plan and offer advanced notice to property owners regarding blocks proposed for expansion or completion. In November 2021, property owners within several existing blocks were notified of potential completion, and the Authority held a public hearing in May 2022. During this hearing, three blocks were completed and one block was added. Taking into account provisions for half blocks, the total amount of blocks uses was reduced to 41.5.

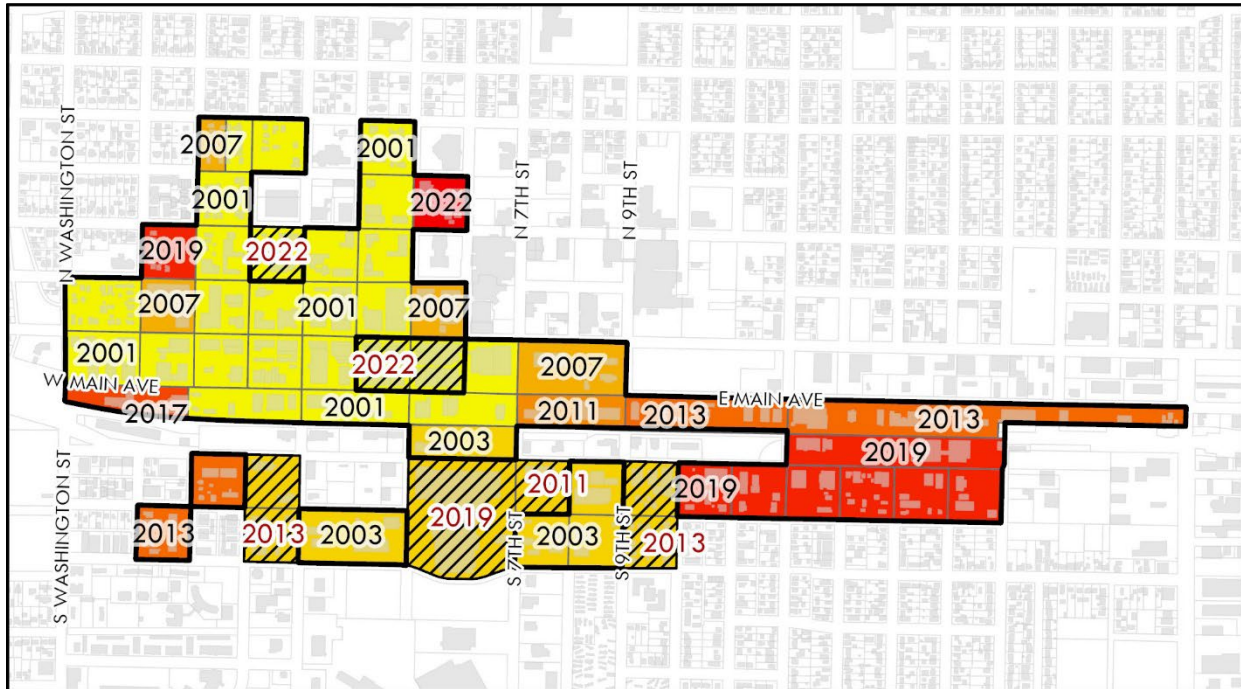


Figure 1: Modifications of Boundary. Year added in **black**; Year completed in **red**

c. Extension of the Renaissance Zone Program

After 21 years of operation, the Bismarck Renaissance Zone was discontinued on August 1, 2022 due to a lack of community support provided by all required political subdivisions. Projects were underway or completed during this period, but no new applications were reviewed by the Authority. State law was amended to allow municipalities with discontinued Renaissance Zones to be reinstated in the same manner as initial adoption. The necessary community support was received from all political subdivisions to reinstate the program in December of 2023, with commitments to make certain changes to this Plan and Bismarck City Code of Ordinances.

The Bismarck Renaissance Zone Program was reinstated on January 4, 2024 and began soliciting new projects again upon completion of an agreement between the City and the DCS, which is attached as Appendix A.

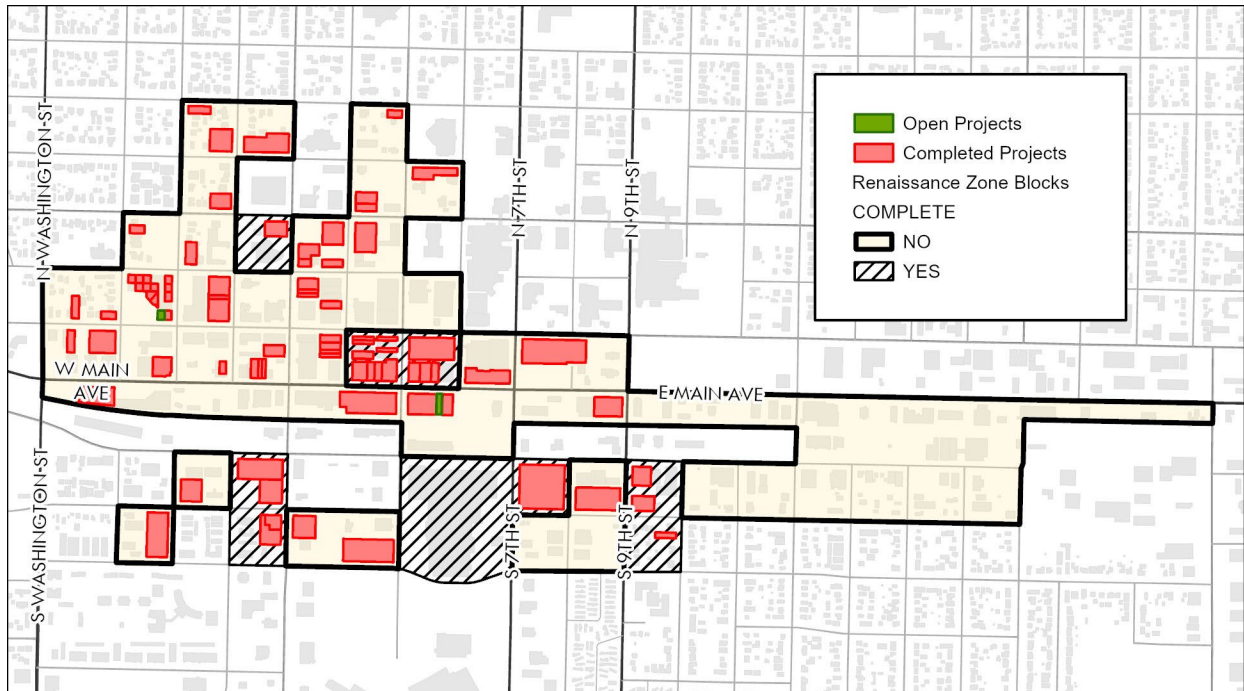


Figure 2: Open or Completed and Approved Renaissance Zone Projects

3. Property Descriptions

Descriptions of properties/structures on each block in the Renaissance Zone, along with the present uses and conditions, is attached as Appendix C. The Renaissance Zone includes both commercial and residential properties.

4. Geographic Boundaries and Blocks of the Renaissance Zone

The current Renaissance Zone map has been attached as Appendix B. The current boundaries are legally described as:

- Blocks 13, 15, 16, 21, and 24, Northern Pacific Addition
- Blocks 2, 4, 6, 8, 10, 12, 13, 16, 19, 28, 30, 37, 40, 42, 44, 49, 50, 51, 52, 54, 56, 58, 59, 60, 62, 64, 65, 66, 67, 68, 73, 75, 84, 104, 106, , 110, 112, 116, 122, and 124 Original Plat
- Block 25, Northern Pacific Second Addition
- Blocks 17-20, Sturgis Addition
- Blocks 29, 31, and 33, Williams Survey Addition
- Tracts along the south side of Main Avenue between South 9th Street and Airport Road in Williams Survey, Sturgis Addition and Governor Pierce Addition

- Tracts bounded by East Front Avenue, South 12th Street, BNSF railroad tracks, and the east line of Auditors Lot 1600 of Section 3, Township 138 North, Range 80 West, all within Sturgis Addition.

Blocks identified by just a number are original blocks from 2001; blocks identified by a number and the letter “A” are blocks added in 2003 or relocated in 2013; blocks identified by a number and the letter “B” are blocks added in 2007; the block identified by a number and the letter “C” was added in 2011 when a block originally added in 2003 was deemed complete, removed from the boundary and relocated within the contiguous Renaissance Zone boundary; the block identified by a number and letter “D” was added in 2017, the blocks identified by a number and the letter “E” were added in 2019, and the block identified by a number and the letter “F” was added in 2022.

For the purposes of calculating the total allotment of blocks permitted, several of the blocks within the Renaissance Zone shall be considered half blocks because of the presence of government-owned buildings. Blocks 9, 13, 19, 22, 23, 3B, and 8E are considered half blocks. Blocks 1 and 1B are named independently to account for when the blocks were added, but they constitute one block together.

5. Description of Assets within the Renaissance Zone

Many of the blocks comprising the Renaissance Zone contain historically significant structures. In February 2000, the *Historical Architectural Inventory and Evaluation of Downtown Bismarck, North Dakota report* was completed. The report contains an extensive evaluation of any area within downtown Bismarck as a historical district, and the Downtown Bismarck Historic District was formally designated on the National Register of Historic Places in 2001.

Attractive natural features are also present in some of the blocks, particularly the County Courthouse and Camp Hancock landscaped areas. It is the intent of the Plan to promote the growth and redevelopment of the downtown area through, among other strategies, the preservation and improvement of such assets.

D. Goals and Objectives of the Renaissance Zone Program

1. Goals and Objectives

The goals and objectives of the Renaissance Zone program are intended to guide project selection, as well as all policies, procedures, and marketing related to the Renaissance Zone program.

The goals and objectives were set by the Renaissance Zone Advisory Committee in preparation of the original Plan in 2000. These were based on outreach and surveys, as well as input from the committee, and they have been reaffirmed with minor updates over time, as needed.

- a. Establish the Renaissance Zone as the center of business life, government and cultural opportunity for the Bismarck region.
 - i. Maintain the Zone as a mixed-use area accommodating a wide range of retail, governmental, service and residential functions.
 - ii. Promote continued support for redevelopment activities in the Zone.
 - iii. Promote and advocate activities and programs that meet the needs of varied age, interest, and socioeconomic groups at all times of the day and night and throughout the year.
 - iv. Create centrally located public open spaces in the Zone for cultural events and gathering spaces.
 - v. Create an organized system of open spaces and linkages to provide a framework for the Zone.
 - vi. Locate major cultural facilities such as the library, theater and the like in the Zone.
 - vii. Create an identity for the Zone through consistent and complementary design practices as outlined in the Downtown Design Guidelines (2015) for the DC-Downtown Core and DF-Downtown Fringe zoning districts.
- b. Promote the Renaissance Zone as the preferred location for hotel, class A office buildings, specialty retail, government and institutional uses.
 - i. Examine the possibility of providing incentives, such as financing for new development. Public/private joint ventures and other unique approaches to redevelopment should be encouraged.
 - ii. Identify unique businesses, events, and other attractions that may be feasible in the Zone.

- iii. Encourage the location of governmental, financial institutions and other service functions in the Zone.
- c. Maximize accessibility of the Renaissance Zone from throughout the region and provide safe, convenient, and attractive circulation within the zone.
 - i. Provide adequate and convenient on- and off-street parking for all uses within the Zone, while minimizing the overall amount of land dedicated solely to parking when possible.
 - ii. Provide adequate and convenient traffic circulation in and around the Zone without disadvantaging its role as a destination point.
 - iii. Provide for safe, comfortable surface and second level pedestrian circulation within the Zone.
 - iv. Continue to explore opportunities for second level pedestrian walkways throughout the Zone.
 - v. Provide for multi-modal access to and within the Zone such as bicycle connections and parking as well as public transportation access.
- d. Arrange compatible land uses in compact and orderly ways to enhance the functions of the Renaissance Zone.
 - i. Reinforce emerging entertainment, medical, office/service and retail districts with compatible land uses.
 - ii. Concentrate redevelopment in the Zone.
 - iii. New office and retail space should be concentrated around existing buildings.
 - iv. Any new construction, including parking structures, should include street level retail and service uses.
 - v. Encourage redevelopment of the upper levels of existing buildings as residential apartments and lofts and identify sites for new Multifamily Residential.
 - vi. Plan for the expansion of major institutional facilities in an orderly manner to minimize the impact on existing land uses.
- e. Encourage a zone that upholds Bismarck's heritage as well as recognizes and takes advantage of its pattern of development.
 - i. Develop strategies for public and private financing of improvements.
 - ii. Identify potential developers and adaptive reuses for historically significant buildings.

- iii. Promote historic and unique buildings to potential tenants and tourists.
 - iv. Encourage redevelopment that is within the provisions of the DC-Downtown Core and DF-Downtown Fringe zoning districts and the Downtown Design Guidelines (2015)
- f. Achieve high quality in the design and visual appearance of the Renaissance Zone.
- i. Create a Zone framework that establishes urban, architectural, site design and signage guidelines that reinforce the unique, positive aspects of Bismarck's history and architecture.
 - ii. Utilize the following plans as the framework from which to base redevelopment decisions:
 - Together 2045 Comprehensive Plan (2022)
 - Renaissance Zone Development Plan
 - Historic Architectural Inventory and Evaluation of Downtown Bismarck, North Dakota (2000)
 - DC-Downtown Core and DF-Downtown Fringe Zoning Regulations (2006 and subsequent revisions)
 - Downtown Bismarck Subarea Plan (2013)
 - Downtown Design Guidelines (2015)
 - Infill and Redevelopment Plan (2017)
 - Downtown Streetscape Standards (2021)
 - iii. Preserve the integrity of the City's architectural and open space landmarks including the Burleigh County Courthouse, historic Northern Pacific train depot, Belle Mehus City Auditorium, World War Memorial Building and the Patterson Hotel.
 - iv. Continue the implementation of a cohesive system of streetscape treatments that reinforce a sense of human scale and balance between pedestrian and automobile space.
 - v. Continue to encourage public art in the downtown streetscape and public spaces that contributes to Bismarck's unique character and sense of place.
 - vi. Continue efforts to promote compliance with the landscaping and screening ordinance and the overall greening of downtown through cooperative efforts with the City Forester and private property owners to increase vegetation within the Zone.

- g. Promote the Renaissance Zone as a location for increased housing opportunities.
 - i. Promote the Renaissance Zone as a location for new housing opportunities within the community.
 - ii. Continue public outreach and educational efforts to publicize the use of the Renaissance Zone Program for housing projects, including presentations to organizations such as the Bismarck-Mandan Apartment Association, Bismarck-Mandan Board of Realtors, engineering and architectural firms, the IDEA Center, Small Business Association, title companies and financial lenders.
 - iii. Continue to support the creation of market-rate rental housing and owner-occupied housing choices to create balance in the downtown housing market, as well as housing at different levels of affordability to ensure that downtown is a home for all.
 - iv. Maintain a safe and attractive environment for downtown residents.
 - v. Maintain the existing infrastructure and support improvements as needed to support an increased downtown population.
 - vi. Support the continuation of existing retail and the establishment of new retail and service businesses that would bolster a downtown neighborhood, including a marketplace that offers basic food commodities including dairy products, fresh produce and general grocery items.

2. Concurrence with Comprehensive Plan

The Renaissance Zone program is intended to provide a benefit to the entire community, and not just the businesses, residents, and property owners working and living within the Renaissance Zone boundary. In this respect, the goals and objectives of this Plan may be seen as supporting the broader plans of the City, as well as Burleigh County.

The City Commission adopted the Together 2045 Comprehensive Plan on December 27, 2022. The following goals and objective of this plan are relevant to the performance of the Renaissance Zone program:

- Encourage excellence and innovation in local architecture, particularly in areas of high visibility such as downtown, and along major corridors (S2d)
- Increase efficiency of urban land use to maximize public investment in infrastructure and services thereby reducing cost for tax and ratepayers (S4a)
- Embrace the unique role of downtown in the social and economic life of the community (S7)

- Allow older buildings to be adaptively reused for new purposes while still protecting life and safety through application of the existing building code (S9b)
- Apply urban design practices promoted in this plan to establish developments that add value, rather than detract from, their surroundings (G1a)
- Encourage additional housing in the center of the community to support activity and eyes on the street for the majority of the day and night (G1d)
- Provide financial investments and other incentives to revitalize older and potentially disinvested areas of the city, identified as CORE areas on the Growth Phasing Plan (G8d)

3. Targeted Properties

Properties and structures have been identified to be targeted as potential Renaissance Zone projects. A Needs Assessment was completed in 2016 to identify potential new Renaissance Zone projects. This document is attached as Appendix D.

4. Evaluation of Milestones and Benchmarks

The Renaissance Zone program is evaluated periodically to ensure adherence to program goals and objectives. Data is collected to provide a quantitative basis for the evaluation, recognizing that less tangible qualitative goals, such as community pride and high-quality design, should also be considered in an overall evaluation.

The Authority conducted a Return on Investment Evaluation in 2020, which is attached as Appendix E. This section of the Plan summarizes and updates these findings, as well as other relevant metrics.

- The Renaissance Zone program has encouraged private investment in the zone. From the first completed project (2004) to present, a total of 143 projects have been completed in the City adding \$108,062,977 in documented private investment to the downtown area.
- The Renaissance Zone program has spurred job creation. 610.25 full-time equivalent new jobs have been created by the participating businesses.
- The Renaissance Zone program has positively contributed to the property tax base for the City, County, Schools and Parks. After several years of stagnant or declining value, the assessed value of property in the Renaissance Zone increased by approximately 6.7% per year between 2005 and 2020. On average, the cost of the property tax incentive for rehabilitation Renaissance Zone projects

in Bismarck has been recouped within two years and three months after the property re-enters the tax rolls.

- The Renaissance Zone program has helped nurture entrepreneurship. Many projects have been small-scale rehabilitations or leases for new businesses – the median value of the rehabilitation projects has been \$491,295 in investment. A thriving business start-up culture has emerged with regular meetings held in downtown venues.
- The Renaissance Zone program has facilitated high-quality design. Although Downtown Design Review requirements are applied by ordinance regardless of participation in the Renaissance Zone program, property owners have expressed anecdotally that the incentives available have enabled them to use higher-quality design than would otherwise be feasible.
- The Renaissance Zone program has provided housing opportunities downtown. New housing construction was an early goal of the program, but success was slow at first. Only 47 new housing units were created between 2004 and 2017. In 2017, a total of 492 housing units were counted in a survey of the Downtown Core and Downtown Fringe areas. Since this time, a total of 203 housing units have been created through four separate Renaissance Zone projects. All buildings are completed and now occupied.
- The Renaissance Zone program has reduced blight and deteriorated conditions. Several prominent new construction and rehabilitation Renaissance Zone projects have involved the removal of serious blighted conditions that were imposing a negative effect on surrounding properties and the Renaissance Zone as a whole.
- The Renaissance Zone has supported efficient use of public infrastructure. All of the aforementioned private investment utilizes roads, water, sewer, and stormwater infrastructure that is already in place, allowing the City to optimize revenue relative to public cost.

E. Administration and Management of the Renaissance Zone Program

The Renaissance Zone program will be administered according to standards and guidelines established in this Plan, along with state law and guidance from the State Division of Community Development and the Office of State Tax Commissioner.

1. Project Review and Selection Process

Each proposed Renaissance Zone project will be reviewed by the Authority according to the criteria established in this Plan. The review process will be used as a way to screen those projects qualifying for designation as a Renaissance Zone project.

a. Project Consultation and Application

Interested property owners or tenants are encouraged to contact staff for consultation before submitting an application. Applications, including supporting documents and an application fee to be set by the City Commission, are submitted to the Community Development Department.

If it is determined by Staff that the application is complete and the proposed project generally meets the requirements for a Renaissance Zone project of the proposed type, a public hearing will be scheduled before the Authority at their next regularly scheduled meeting. A Staff report detailing the project will be prepared for the Authority along with a Staff recommendation for action. The Staff report identifies the goals and objectives met by the project to determine the public benefit. A notice of the hearing will typically be placed in the official city newspaper once each week for two consecutive weeks prior to the hearing. A notice of hearing will typically also be sent to all property owners within 350 feet of the proposed project at least 10 days prior to the public hearing. Failure to adhere to these notice requirements does not invalidate any action conducted at the hearing.

b. Public Hearing with the Authority

Public hearings for projects will be conducted according to standard procedures and protocol, adopted by the Authority. Staff provides background information regarding the request as well as a recommendation, and the Chair of the Authority opens the public hearing. The applicant or applicant's representative may make an oral presentation to the Authority. Other interested parties may also make oral presentations either supporting or opposing the application. In order to expedite the hearing process, it is suggested that any written materials and/or comments be submitted to the Community Development Department – Planning Division prior to the hearing. Following the hearing, the Authority will

either continue deliberations to a future meeting or make a recommendation on the proposed project to the City Commission.

The Authority may, at their discretion, add conditions to any recommended approval. Unless stated otherwise, any conditions of an approval must be met prior to completion of a project. The Authority may also adjust the percentage of a property tax exemption for any Renaissance Zone project if and only if the project meets all minimum state requirements for project approval.

c. Final Action by the Board of City Commissioners

A recommendation from the Authority will be placed on the next available agenda of the City Commission. Staff will present the Authority recommendation to the City Commission, who will have final City approval authority for all Renaissance Zone projects. Upon approval of a Renaissance Zone project by the City Commission, the project must also be approved or tentatively approved by DCS.

d. Project Implementation and Completion

Staff will continue to work with the applicant to ensure the project is completed as proposed and that all required documentation is submitted. Any material change to an approved Renaissance Zone project, including changes to building materials, building elevations or site design, must be approved by the Authority prior to implementation. Staff may grant minor alterations to a project scope upon request, as long as all program guidelines will still clearly be met and the alteration would not substantively change the outward appearance of the project.

Unless stated otherwise as a condition of project approval, all Renaissance Zone projects must be completed within 18 months of the date indicated within the the project's Tentative Approval. The recipient of the Renaissance Zone project may request an extension of this deadline, and the Authority is authorized to grant any extension to a date certain for good reason. It is the recipients' responsibility to request an extension.

After Project Completion, Staff will administer an exit survey to the applicant, with the purpose of evaluating the Renaissance Zone process and the degree to which the final investment decisions were influenced by the Renaissance Zone program. The results will be recorded and made available to the general public.

2. Minimum Criteria for Project Selection

In order to qualify for consideration as a Renaissance Zone project, a project proposal must meet the following criteria. It should be noted that the project selection criteria for the City are above and beyond what is required by the State. Projects will not be

accepted merely on the grounds that state Renaissance Zone eligibility standards are met. The intent of the criteria is to encourage and reward significant levels of investment in properties and incentivize projects that create positive benefits for the entire community.

a. Minimum Criteria for All Projects

- i. The project and resulting use are consistent with the goals and objectives of this Plan.
- ii. The project is within the current boundary of the Bismarck Renaissance Zone.
- iii. The property or lease space has not received Renaissance Zone funding in the past. However, a lease of space within a building rehabilitated or constructed through a previous Renaissance Zone project and the rehabilitation of a property within which a previous lease Renaissance Zone project has been completed may be eligible.
- iv. All construction and renovation activities associated with a Renaissance Zone project must comply with all building code and zoning code requirements, including Downtown Design Review if the property is within the DC - Downtown Core or DF – Downtown Fringe zoning districts.
- v. The Authority may also apply Downtown Design Review, based on the Downtown Design Guidelines, in their review of Renaissance Zone projects that are outside of the DC - Downtown Core or DF – Downtown Fringe zoning districts.
- vi. The applicant for a Renaissance Zone project has satisfied all state and local tax obligations and tax liens of record for taxes owed to North Dakota or a political subdivision thereof, as required by NDCC § 54-35-26, at the time of application.
- vii. All required state forms, such as the Certificate of Good Standing, are completed and submitted before final approval.

b. Rehabilitation Projects

Rehabilitation projects are any rehabilitation of an existing building, whether commercial or residential. Projects that involve the demolition and reconstruction of a portion of a building may also be considered rehabilitation projects, as long as the overall footprint of the building is not increased. All rehabilitation projects must meet the following standards:

- i. Tentative Approval is secured before start of construction. No work completed prior to Tentative Approval of the project may be included in the total investment required to qualify .

- ii. Exterior rehabilitation is sufficient to eliminate any and all deteriorated conditions visible on the exterior of the building.
- iii. Projects include a level of Capital Improvement totaling not less than **fifty percent (50%)** of its Current Taxable Value for a parcel which is primarily commercial in nature and a level of Capital Improvement not less than **twenty percent (20%)** of its Current Taxable Value for a Single-Family Residence.

Single-Family Residence Rehabilitation

**Capital Improvement
(percent of Current Taxable
Value)**

Property Tax Exemption

Less than 20%	0%
20% to less than 25%	20%
25% to less than 30%	40%
30% to less than 35%	60%
35% to less than 40%	80%
40% or greater	100%

- iv. Additionally, commercial projects include a minimum Capital Improvement of **\$40 per square foot** or **\$30 per square foot** for Multifamily Residential projects based on the square footage of the entire building, including partial floors such as mezzanines but excluding basements unoccupied or used only for storage and any unoccupied penthouse space. The minimum Capital Improvement for mixed-use projects is determined by a weighted average of the proportion of residential and commercial area to the total building area. For example, a project that is 80% commercial and 20% residential would require \$38 per square foot in investment. The same investment may be counted toward both the percentage and the square footage standards, and whichever standard is higher shall apply. The Authority may waive this provision for good reason.
- v. Additionally, Single-Family Residence projects include a minimum investment of **\$25 per square foot** in capital investment based on the square footage of the entire building, excluding unfinished basements. The same investment may be counted toward both the percentage and the square footage standards, and whichever standard is higher shall apply. The Authority may waive this provision for good reason.

- vi. Projects involving the rehabilitation of a Single-Family Residence or condominium must be the primary residence of the owner. Homeowners who occupy a portion of a duplex or townhome may be considered single-family for the purposes of this program. Verification of a person's primary residence is accomplished with a self-certification statement on the application form.
- vii. Projects that include a historic preservation and restoration activity must also be reviewed and approved by the State Historical Society, according to additional statewide criteria, in order to be eligible for additional tax credits.

c. New Construction Projects

New Construction projects are the construction of any new commercial and/or residential building or any addition to an existing commercial and/or residential building. New Construction projects must meet the following standards:

- i. Tentative approval by the DCS is secured before start of construction. No work completed prior to tentative approval of the project may be counted toward the required levels of investment.
- ii. New Construction projects include a minimum investment of **\$150 per square foot** for commercial projects or **\$100 per square foot** for residential projects in Capital Improvement based on the square footage of all floor area of the entire building. The minimum investment for mixed-use projects is determined by a weighted average of the proportion of residential and commercial area to the total building area. For example, a project that is 80% commercial and 20% residential would require \$140 per square foot in investment. The Authority may waive this provision for good reason.
- iii. In order to be eligible for a state income tax exemption for the property owner of any newly-constructed Single-Family Residential property, including condominiums, the owner must be the primary occupant of the residential unit. Verification of a person's primary residence would be accomplished with a self-certification statement on the application form.
- iv. New construction of accessory buildings is generally not eligible, with the exception of new accessory dwelling units to Single-Family Residential parcels.

d. Purchase with Improvement Projects

Purchase with Improvement projects are the transfer of property to a new owner with significant Capital Improvement of that property. Purchase with Improvement projects must meet the following standards:

- i. Tentative Approval is secured before the property is transferred to the new owner.
- ii. Projects are eligible for a benefit based on the level of investment as a percentage of the Current Taxable Value according to the following table. The Authority has the discretion to deviate from these guidelines on a case-by-case basis if specific building condition and/or other project specific factors warrant.

Capital Improvement (percent of assessed value)	Property Tax Exemption
Less than 10%	0%
10% to less than 20%	40%
20% to less than 35%	60%
35% to less than 50%	80%
50% or greater	100%

By state guidelines, the total amount of Capital Improvement must exceed 50% of the Current Taxable Value to qualify for an income tax exemption.

e. Commercial Lease Projects

Commercial Lease projects are the lease and occupation of a commercial space within a building by a non-owner tenant that meets the following standards:

- i. The tenant is a new or expanding business moving into the Renaissance Zone, an existing business expanding within the Renaissance Zone, or the continuation of a lease by an existing Renaissance Zone tenant in a building rehabilitated as an approved Renaissance Zone project.
- ii. Tentative Approval is secured before the occupation of the lease space and start of business by the tenant.
- iii. If the leased space is within a building previously rehabilitated or constructed as an approved Renaissance Zone project, no minimum level of Capital Improvement is required. Otherwise, the following additional standards must be met:
 - a. The lease project includes a minimum investment of \$40 per square foot in Capital Improvement or permanent cosmetic improvements based on the square footage of the entire lease space.

- b. The building within which the lease project is proposed does not contain any known structural deficiencies or deteriorated conditions visible on the exterior of the building that may compromise the investment made in the lease space. The Authority may require an inspection or owner's affidavit if there is reason to believe such deficiencies may exist.

f. Utility Infrastructure Projects

Utility infrastructure projects are Rehabilitation, New Construction, or Purchase with Improvements projects that include rehabilitation of public infrastructure, including the burying of utility lines, as a component of the project.

- i. The utility rehabilitation must be proposed by a regulated public utility that includes, but is not limited to, electrical, gas and communications, for the purpose of rehabilitating infrastructure in the Renaissance Zone or burying existing utility lines. It does not apply to utility infrastructure that a property owner pays special assessments to the City for a specified period of time such as water, sewer or pavement improvements.
- ii. A minimum of 80% of the total project investment must be used toward Capital Improvement to the building. The total project investment must meet the established minimum investment criteria for the type of project specified.
- iii. Staff will monitor all public infrastructure projects through on-site building inspections conducted in conjunction with the rehabilitation projects. Additionally, all Renaissance Zone project costs and expenses must be verified prior to the submittal of final project documentation to DCS.
- iv. Applicants for public infrastructure projects are eligible to receive the same benefits as other approved Renaissance Zone projects, as outlined in the following section.
- v. City agrees to work with the State Board of Equalization to determine the property tax exemption for utility projects.

3. Project Benefits

Qualified projects approved by the City Commission and DCS are entitled to receive the benefits as outlined herein, unless adjusted to a lower amount by the City Commission during the project review process.

- a. Income Tax Exemption

All approved projects may receive an exemption from state income tax derived from the property for a period of five years, beginning on the month a project achieves Project Completion. Property owners claim the income tax exemption annually through use of proper forms submitted with their returns. Income tax exemptions are not administered or tracked by the City, and detailed conditions and procedures are set by the North Dakota Office of State Tax Commissioner.

b. Property Tax Exemption

All approved projects receive an exemption from a portion of property taxes assessed to the project's parcel(s) for a period of five years after Project Completion. The City wishes to exercise the option allowed by State law to grant partial Renaissance Zone tax exemptions.

The Bismarck Assessing Department registers the property tax exemption upon Project Completion, with no further action from the applicant necessary. Property tax assessments are applied annually. Projects that are deemed complete by February 1 will begin the five-year exemption period on that tax year. Project deemed complete after February 1 will begin the five-year exemption period on the following tax year.

The value of the property tax exemption for each project is determined through the following steps.

- i. Baseline Value of the property is determined during initial project review by the Authority and City Commission. By default, the Baseline Value is the Current Taxable Value of the property at the time of project application, as set by City Assessing and approved by the State Board of Equalization. Notwithstanding, Baseline Value may be adjusted by the Authority and City Commission to account for any complete or partial demolition of the property's current improvements proposed in the scope of work or recently completed. The extent of adjustment made should be based on the following considerations:
 - a. Demolition of Historic Buildings should be discouraged.
 - b. Demolition of buildings presenting a hazard to public safety, clear blighting impact, or other evidence of poor condition should not be discouraged.
 - c. The Authority may utilize previous years of Taxable Value to account for recent demolitions reflected in the Current Taxable Value.

- ii. Final Improvement Value of the property will be estimated during initial project review based on the proposed scope of work and project costs submitted by the applicant, and this estimate will be reported to the Authority and City Commission. The actual Final Improvement Value will not be known until the tax assessment following Project Completion.
- iii. Increment Value is the difference between Baseline Value and Final Improvement Value of a project.
- iv. The total value of the property tax exemption granted through the Renaissance Zone will be the taxes derived from the entire Increment Value. Baseline Value will remain fully taxable throughout the five-year exemption period for all Political Subdivisions.

4. Administrative Roles and Responsibilities

Certain roles and responsibilities for administration of the Renaissance Zone program are assigned to various parties. Administration and management of the Bismarck Renaissance Zone program will be conducted by an appointed Authority and Staff under the authority of the City Commission.

a. Renaissance Zone Authority

The Authority is an advisory body to the City Commission given the role of establishing and revising program guidelines and reviewing all applications and/or proposals for Renaissance Zone approval. The Authority is comprised of nine voting members and two non-voting design advisors, described as follows:

- One voting member of the City Commission, appointed by the City Commission.
- Five voting at-large members appointed by the City Mayor and approved by the City Commission
- One voting member of the Burleigh County Commission, appointed by the Burleigh County Commission
- One voting member of Bismarck Public Schools Board, appointed by the Bismarck Public Schools Board
- One voting member of the Bismarck Park Board, appointed by the Bismarck Park Board.
- Two non-voting design advisors appointed by the voting members of the Authority.

The appointments of at-large members are staggered with a term of three years. The appointments of members of boards and commissions run concurrent with

that appointed member's term with that Political Subdivision, unless that board or commission selects an alternative appointee.

In the case that the County, School Board, or Park Board choose not to appoint a member to the Authority, the City Commission shall have the option to appoint an additional at-large member for a three-year term. That board may again choose to appoint a member upon expiration of the term of the at-large member appointed by the City Commission in this manner.

The Authority will hold regular monthly meetings to hear and discuss applications and proposed projects. In addition to project selection, the Authority is tasked with reviewing and revising, as necessary, program requirements and guidelines, participating in the promotion and marketing of the program, and directing Staff to prepare revisions to this Plan.

The Authority is governed according to adopted bylaws which are attached as Appendix F.

b. City of Bismarck Staff

Staff will provide the primary administrative support to the Authority.

Staff is responsible for dissemination of information about the program, the intake and initial screening of applications for Renaissance Zone projects, preparation of amendments to this Plan and any City ordinances relevant to the program, maintenance and presentation of data on the program, evaluation of program effectiveness through an exit survey and other methods, preparation of annual reports to DCS, and presentation of Authority recommendations to the City Commission. Staff will also function as the primary liaison between DCS and the Authority.

Other City departments have a supportive role in program administration. The Finance Department - Assessing Division implements all approved local property tax exemptions, and the City Attorney's Office advises the Authority on legal matters.

Staff will also periodically verify that completed Single-Family Residence projects remain owner-occupied for the duration each project's exemption period, with use of available public data. Properties that are verified as no longer owner-occupied will be removed from the Renaissance Zone program. Staff will work with the Burleigh County Auditor in such situations where a completed project becomes delinquent on taxes after approval.

Staff will verify pre-existing tax clearance at the time of application, in compliance with NDCC § 54-35-26, through several means. Income tax clearance will be verified through a Certificate of Good Standing form obtained from the State Tax

Commissioners Office. Property tax clearance will be verified through self-disclosure by the applicant. Additionally, staff will verify that all properties owned by the applicant in Burleigh County are not tax delinquent, and staff will take appropriate action should staff be made aware of tax delinquencies from other political subdivisions.

c. City of Bismarck Board of City Commissioners

The City Commission retains ultimate authority over local administration of the Bismarck Renaissance Zone program. All projects recommended for approval by the Authority are presented to the City Commission for final action.

5. Promotion and Marketing of the Renaissance Zone Program

Promotion and marketing of the Renaissance Zone program is an important part of implementing the Plan and sustaining the program. Promotion efforts will be coordinated between Staff, members of the Authority, The Downtown Business Association, property owners, developers, commercial realtors and other business organizations.

The Renaissance Zone program is promoted through the following additional methods:

- An active page on the City website that includes updated and relevant information regarding the program.
- The availability of an information guide that provides a more concise description of the requirements and review process outlined in the Plan.
- Presentations to civic and professional groups with an interest in the Renaissance Zone program.
- Preparation of data and analysis of the costs and benefits of the Renaissance Zone program upon request.
- Periodic mailings to properties within the Renaissance Zone area or areas considered for possible expansion of the Renaissance Zone.

It is important to note that the City is a partner in promoting the Renaissance Zone Program, but not to the extent that the City's efforts will supplant the responsibility of property owners and developers to create and promote projects.

6. Potential Future Renaissance Zone Program Revisions

The state enabling legislation for Renaissance Zone programs includes certain features that the City has opted not to exercise within this Plan. The Authority may take advantage of these options through future revisions to this Plan.

a. Modifications of Renaissance Zone Boundaries

The City does not currently utilize all blocks available by state law. According to the 2020 U.S Census, the population of the City is 73,622. A city of this population is allotted 47 blocks (34 blocks plus 1 block per additional 5,000 population). The City Renaissance Zone boundary currently utilizes 41.5 blocks, with a remaining 5.5 blocks available.

If sufficient interest from property owners and businesses becomes evident, the Authority may consider a future expansion of the boundary. State law allows up to three blocks of a Renaissance Zone to be non-contiguous with the rest of the Renaissance Zone. At this time, the Authority has chosen not to utilize this option, although may choose to in the future.

The Authority wishes to plan future boundary modifications, whether the addition of new blocks into the Zone or the completion of certain blocks within the Zone, well in advance of implementing changes, allowing property owners the ability to consider potential improvements to their property within a known timeframe.

The Authority will review a boundary modification plan at least annually. Blocks within the future expansion or completion areas will be considered for action, and future areas will be adjusted accordingly. All changes to the boundaries will be approved by the City Commission in the form of a revision to the Plan.

Establishing boundaries well in advance of prospective development is essential to the effectiveness of the program. While the Authority may receive requests from property owners to extend boundaries to support a proposed project, such a request may not be considered as a sole reason for boundary modification.

The following criteria will be used for any expansion:

1. The addition of the block(s) will further the goals and objectives of this Plan.
2. The addition of the block(s) will not exceed the total allowable blocks for the Renaissance Zone, either in the core contiguous area or any allowed non-contiguous blocks.
3. The proposed block(s) include evident disinvestment and redevelopment potential, as indicated by building condition, building-to-land-value ratios, rate of change in assessed value, age of buildings, zoning, or other evidence.
4. Sufficient property subject to property tax liability exists or is anticipated to exist within the proposed block(s) to allow utilization of the program
5. Sufficient public infrastructure currently exists, or is underway or planned, to support any envisioned redevelopment.

The following criteria will be used for any completions:

1. All owners within the block(s) have been given a one-year written notice of the intent to complete the block and an opportunity to voice any concerns to the Authority in a public hearing.
2. The block has been within the Renaissance Zone for at least three years.
3. A significant portion of the block(s) is either ineligible, due to a previous Renaissance Zone project or current public/non-profit ownership, or has limited property owner interest.

F. Development Plan Amendments

This Plan may be amended at any time, according to the procedures of this section. The Authority will hold a duly-noticed public hearing to solicit input and review any proposed amendment to the Plan, including text amendments or modifications to the Renaissance Zone boundary. After the public hearing, the Authority provides a recommendation on the proposed amendment to the City Commission. Only amendments with a recommendation to approve will proceed.

The recommended amendment is submitted to the next available regularly-scheduled meeting of the City Commission for their consideration and potential adoption. If adopted by the City Commission, the amendment will be submitted to the Burleigh County Commission, Bismarck Public Schools Board, and Bismarck Park Board for potential support during their next available regularly-scheduled meeting. The requests shall be sent concurrently, with the order of board reviews determined only by the scheduling of each agenda. Alternatively, a special meeting of multiple boards may be convened, upon mutual agreement, for the purpose of adoption/support of the Plan.

An amendment shall become adopted only if adopted by the City Commission and supported by all political subdivisions. Upon final adoption, the amendment is forwarded to DCS for review according to state law. It shall take effect upon final approval by DCS. Projects will follow the effective Plan in place at the time of submittal of project application.

G. Evidence of Community Support

There is broad-based support for the Renaissance Zone from residential and business interests. Appendix G includes letters of support submitted in 2022 from:

- Bismarck Parks and Recreation District
- Bismarck Public Schools Board
- Bismarck Mandan Chamber-EDC
- Bismarck Downtown Business Association
- Other Institutions and Businesses

The Authority and Staff will work to preserve and grow this community support by furthering the goals and objectives of this Plan.

ITEM

7



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

TO: Burleigh County Commission

RE: Appeal of Planning and Zoning Commission Decision

DATE: 8-13-2024

FROM: Mitch Flanagan, Burleigh County Planning Director

ITEM 1

Information for Appeal of Special Use Permit

On July 10, 2024, the Planning and Zoning Commission held a public hearing to consider permitting a commercial corn maze on the grounds of the Baldwin Greenhouse, 1725 201st. Avenue NE, Baldwin, ND. The request was received from Stoll Farms represented by Mary Podoll. The corn maze would run from August thru October of 2024. Clark Coleman, who has operated a corn maze at the Buck Stop Junction would run the maze, Friday thru Sunday. The remained of the week the maze will be operated by Stoll Farms. A site plan has been submitted showing the location of portable bathrooms, the parking lot and food trucks.

HISTORY and INFORMATION

Stoll Farms LLC purchased the Baldwin Greenhouse in November of 2022. Prior to this, the Were family operated the greenhouse during the growing and planting season, with the greenhouse being closed during fall and winter. Stoll farms has held several events which include food trucks for example on Mother's Day, 2024 over 2,00 people visited the greenhouse and enjoyed the food available thru food trucks on site. The green house is open Monday through Sunday, closed on Wednesday.

Spring of 2023, Burleigh County began receiving complaints regarding the activities and the amount of people on the greenhouse property. The concerns expressed were that the activities being held were not agricultural in nature.

The property west of the greenhouse is owned by Jamie Feist. He breeds and raises deer, with are considered non-conventional livestock. The additional activities on the greenhouse property have caused concerns with his livestock. His has experience death and miscarriages within his herd. When he purchased his property in August of 2020, the greenhouse activities were limited to those purchasing items. Food trucks and various activities were not held on the property. He is concerned with the addition of a corn maze and the activities surrounding the operation of the corn maze will affect his livestock and his livelihood.

Burleigh County Planning and Zoning staff recommended a denial of the Special Use permit for the following reasons:

1. The operation of the corn maze is not an agricultural activity.
2. Operation of the corn maze will directly affect the neighboring property owner's pursuit of agricultural activities.
3. Neighboring property owner could sustain livestock loss and financial hardships due to the activity surrounding the corn maze activity.
4. The operation of the corn maze does not follow the intent of Article 11 A-Agricultural District Regulations, Section 1 – Description which states:
 - a. *The A-Agricultural District is established as a district in which the principal use of land is for general agricultural uses. The regulations are intended to prohibit commercial and industrial usage of the land and to prohibit any other use which would interfere with the development or continuation of the agricultural use of the land; and to discourage any use which because of its character or size would create requirements and cost to public services such as police or fire protection, water supply and sewerage before such services can be systematically and adequately provided.*
5. The application for this type of Special Use Permit does not coincide with the Burleigh County Comprehensive Plan.

The July public hearing regarding the special use was attended by members of Burleigh County for and against the operation of the corn maze. After consideration of testimony, the Burleigh County Planning and Zoning Commission voted against the motion to approve the special use permit by a vote of 2 for the motion, 6 against the motion.

The denial was appealed on July 12, 2024.

Attachments:

- | | |
|-----------|--|
| Exhibit 1 | Site Location 1725 201 st Ave NE |
| 2 | Appeal Request – Stoll Farms |
| 3 | Burleigh County Planning and Zoning Staff Report |

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**



July 12, 2024

Mark Splonskowski, County Auditor
Brian Bitner, Burleigh County Commissioner Chairperson

Regarding: Appeal to action by Planning and zoning to deny Special Permit

Dear leaders,

This letter, delivered to you by email today, July 12, 2024 is a notice of appeal regarding the Planning and Zoning Committion's decision regarding our request for a corn maze.

I will include some information with this email in support of my request to allow a corn maze in Burleigh County at the Stoll Farms/Baldwin Greenhouse & Nursery, however it is my understanding that I will have the opportunity to provide additional information at the appeal meeting.

Planning and zoning staff have approached me about the vision that my family has for this property upon purchase due to a complaint from a neighboring property. It is my understanding from previous owners, this complaining by this neighbor was fairly regular. Mitch Flanagan suggested that in the spirit of being neighborly, I should request a special permit for some of the planned agriculture activities.

I did turn in this request in May, I think. But concurrently, there has been work on language for special permits.

Attachment A is a copy of the current Special permit language. It has no reference to corn mazes, pick your own produce activities, farmers markets or on farm sales of products.

Attachment B is the current language moving forward.

This special permit language and the lack of the staff to acknowledge the input from those stakeholders impacted by such language caused me great concern so I verbally asked to withdraw that request and focused solely on a Corn maze. In working with Farmer Clark Coleman, there has not been a requirement in the past and he suggested I not ask for permission. I believe we were already down the road, and was fearful that the don't ask, beg for forgiveness was not the right approach.

The Corn Maze is on agriculture land, zoned ag land at 1725 201st ave NE Baldwin ND. You may know it better as the Baldwin Greenhouse & Nursery. The Greenhouse business is also considered ag, but is contained to the north 8-9 acres. The remaining property has been cropped, hayed or grazed. The area of where corn is planted is considered by USDA to be cropland - and if we were USDA participants we would meet Highly erodible land and swampbuster rules.

The area will not be impacted by traffic as the Greenhouse has already demonstrated capacity of over 1000 people (I might say 2000 on busiest of days). Gravel parking lots can easily accommodate 100 vehicles, and there is also secondary parking on gravel throughout the greenhouse.

This issue at hand and the reason for denial, my understanding, is that one neighbor says that we adversely impact his right to raise confined livestock - in his case, whitetail deer.

July 12, 2024

Whether or not the planning and zoning staff had the authority to recommend a special permit process is a mute point now.

My ask is approval to host a corn maze on the Stoll Farm/Baldwin Greenhouse property. Impact to infrastructure is minimal, the site has adequate parking and facilities and is an excellent opportunity to highlight agriculture in the community. It is my observation that people in Burleigh County would enjoy such an event.

I recognize my neighbors right to raise whitetail deer. I even tip toe around them while doing agriculture activities like planting trees, managing weeds and considering fencing options.

In reading information on line about whitetail deer, most all sites included the value to creating good relationships. This is also my value, which is why I introduced my self and family to our neighbors with a nice bag of Christmas hot chocolate and our contact information. The neighbor with the deer made no effort after that time to continue discussion or share his concerns about noise or ask to share the cost of a fence. With our focus on getting the greenhouse running, asking our neighbors about fencing was not a priority.

In late March or April, with snow still on the ground (2022 - 2023), the family finally got a chance to walk past the greenhouses to the south 1/2 of the property. Two people walking in the pasture to check out grasses, weeds, look at the creek for fishing opportunities and camping! That was when Jamie came across their pasture yelling at them. Later that day he and his wife finally came by crying and telling my family they had killed or damaged a deer. It was very confrontational. In my opinion they had ample time to create communication.

We have been visited several times by the planning and zoning staff as well as the sheriff's department for going about our own business.

I would ask that this neighbor to neighbor dispute not be basis of simply saying no to what I view as an acceptable practice, an activity that the community wants and is a awesome bridge of community and agriculture.

Had he asked, we would have gladly worked to compromise a barrier fence. For example, there are portable windbreak panel structures that could be used as a model in critical places on our property boundary. Where there is deer to human viewscape, it would be our responsibility to build or finance.

Signage by neighbor is clear to customers, however, I am agreeable to adding more sign posts along his designated property line.

Attachment C is my recommendation

My request is a do pass for a special permit to have a corn maze, or an acknowledgment that there is not current requirement for such. If asked about applying for a PUD, please note that it was the special permit process recommended to me by staff.

Thank you for allowing me the appeals process and consideration for a change in decision

Mary Podoll, representative and family
Stoll Farms LLC/Baldwin Greenhouse & Nursery
701-255-0736

Stoll Farms LLC Appeal to Corn Maze Do not Pass

There is no legal or reasonable basis for denial when all facts are allowed. The location has adequate parking, ease to accomodate vehicles and neighbor complaints are based on grudges and misinformation.

**Contact: Mary Podoll, Family member
baldwingreenhouse@outlook.com 701-391-7759**

4 Points of appeal

- 1. Corn Maze Request and Supporting Information**
- 2. INACCURATE, BIASED, and HARRASSING information provided to support a do not pass recommendation**
- 3. A Path to Yes for the community**
- 4. Applicability of Special permit ordinance as in place of corn maze application**

CORN MAZE

Early 2024, Clark Coleman offered the idea to host the Corn Maze at the Stoll Farms. He and his family had already decided they were not going to go back to the location at Buckstop Junction. The distance for equipment and labor was a deciding factor. Stoll Farms - includes the location of the Baldwin Greenhouse & Nursery (provided to help identify site).

Stoll Farms has 40 acres, approximately 8 acres of greenhouse/nursery and home. The remainder is pasture and cropland. The corn is planted on approximately 6 acres.

At the time of agreement, there was no known ordinance to impact this decision based on the experience of the Coleman's.

This location has adequate space for volume and low impact to infrastructure of roads.

A great activity for the community of all Burleigh County.

Corn Maze Special Permit Application

WHY: Discussion with Planning and Zoning staff regarding operations of Stoll Farms Produce growing and the Baldwin Greenhouse & Nursery Operations became a topic of discussion in the spring of 2023, just short months after purchase of property December 1, 2022, because Mitch Flanagan had been contacted by a neighbor. No significant changes were or are being made to the agriculture operation of growing and selling nursery and greenhouse crops. There is an added agriculture use of produce to this acreage zoned agriculture. Future plans and visions were shared with Mitch. There was no requirement needed for current operation, as I understood it at that time. To my knowledge, no additional calls or letters came from Planning and Zoning staff.

In Summer of 2024, I was made aware of the special permit draft for many of the agriculture activities that I mentioned to Planning and Zoning staff, therefore I made a call and was invited to the stakeholders meeting. That draft is still in discussion and will be heard at a public hearing in the future. In the meantime, I wanted to be proactive and follow the recommended action by PZ, even though the ordinance has not been passed. It was made clear to me that to be a good neighbor, I should ask for permission. Therefore, I applied for a variance, not knowing the correct terminology; and followed the recommendation to request a special permit.

In early July, Stoll Farms provided a check for \$300.00 and a map and information to show that our location is adequate (More than) for a corn maze.

Below are clarifications for this 40 acre property with a residence on site:

1. Corn Maze will be operated approximately 6-8 weeks (weather dependent) in the fall of 2024. T2. Site is on 201st Ave. Well maintained with asphalt.
3. Corn Maze traffic, according to the farmer planting corn will be less than 75 families (vehicles) per day. A day is an 8 hour day, 3 days per week with much smaller numbers the remainder of the week. Please note this is a clarification to the application.
4. There is parking on gravel that can easlily handle these 75 vehicles (More parking is availble in the fall when barriers are removed and parking can extend east and west along the gravel area between greenhouses). In May, on the busiest day, over a 10 hour period 200 cars have been accomodated for many years.
5. Porta potties are on site. Hosting schools tours easily accomodated 80 students at any one time (that was maximum on site 3rd graders/teachers in my recent experience).
6. Parking and people are well over 150' feet from property line. And, many hundred feet from residence.
In the corn maze, the path is a minumum of 100' from the CORRECT property line. In addition the corn is very tall and provides a sight and sound barrier from deer at about 2 rows into the field.
7. Checked in with township, they provided positive comments
8. Letters of support from Wilton Community and others

Because the Stoll Farms has already demonstrated the ability to manage volume on this location with no cause for additional road maintenance and residential concerns **I am requesting a do pass recommendation.** As for frequency, the corn maze request is for a single year 2024. We will work with planning and zoning for additional regulations/permit needs as they become part of the ordinance.

It is my desire to highlight why Stoll Farms/Baldwin Greenhouse Nursery and the 40 acres upon which it sits is a good site for a corn maze. Roads, Infrastructure, examples of success managing crowds. I believe that this has been demonstrated in the numbers of customers already utilizing Baldwin Greenhouse & Nursery.

Inaccurate, Bias and harrassing Information

In my effort to do the right thing, it opened up criticism from a neighbor who farms whitetail deer and the planning and zoning staff. I will address Jamie Fiest's concerns in Part 2, as well as statement and photos from planning and zoning staff.

In the court of public opinion, we have been tried and found wanting. This is the only place I have to correctly and publicly defend statements made with innaccurate, bias and harrassing information.

1. The no Trespassing signs placed between Jamie Fiest and Stoll Farms have been used as measurements by Jamie and by Planning and Zoning. These are as much as 40' inaccurate in places. 40 feet. In my conundrum to 'not' disturb Fiest's gorgeous deer, I did not continue to measure these distances. It can be noted that each measurement from the "Officially" staked property line boundary got substantially farther from Fiest's no tresspassing signs that he claimed marked the property. See photos and videos for verifiable documentation.

PHOTO Documentation
Included

The cost to the Stoll's was \$1800 to trust but verify. I no longer trust Jamie's or the Planning and Zoning staff's measurements and credibility. I hope you take this into consideration in this appeal.

2. Photos of deer damaged are publically damning to the Stoll's. I can neither confirm nor deny these photos. Here is what I know:

a. In December 2022, Jamie was provided a bag of Christmas goodies and my homemade Hot Cholote mix along with contact information for Jared and Ashley Stoll. Cell phones and the Greenhouse landline phone numbers were given. It was a meet and greet, and I gave him a great story of our vision for the 40 acres for agriculture and the nursery business. Which has all been used against my family, even if we haven't implemented.

b. In the spring, after much snow on the ground, Jared and Ashley had a chance to walk in the pasture south of their house for the 1st time. Just 2 people checking out their new place... They came back to the house clearly shaken by the experience of having Jamie - a stranger, coming at them across their property aggressively and loudly. Later that day, Jamie brought his wife and they yelled and cried and accused my family of killing their deer.

Just a reminder - that was the 1st time they met Jamie. I opened the door with communication and contact in December.

It did create resentment by my family who loves animals and would not intentionally hurt them. Also, the Fiest's didn't ask to share in additional fencing, barriers - they demanded that we do it. And during the previous meeting requested that we pay for their deer because they can't get insurance.

Making these requests in the court of public opinion - this feels like harrassment.

c. I have no verification of how many times the sheriff or planning or zoning was called by the Fiests based on rumor or assumptions. I do know that one of the Fiest's made my friend, very nervous because they would follow her with their vehicle when she came to help us at the Greenhouse. I do know, and can share videos of myself being on the property planting trees being watched by Jamie the entire time. I have also observed the Sheriff's deputies driven into the parking lot and out each May (albiet that is 2x).

d. I have been told but not verified that Jamie has talked poorly about us with the State Veterenarian who shared that with a friend of mine. He continues to share his point of view loudly and in a harrassing manner to anyone who gives him the time (As friends, should I suppose), but should a state employee - including the planning and zoning staff be sharing information shared in a conversation with others or be used as documentation in a report???

C. The spokespeople for Jamie and White Tail Deer raising represent groups that value good neighbor relationships. In fact is value number 3 on their website. Jamie is not a poster child as he not only has not made an effort, he has abused his neighbor. I have been told that Jamie did this to the previous owners as well. Scott Weere said with Mel fighting cancer, he didn't have time to fight the neighbor.

D. Lastly, because of my ill stated concerns at the stakeholders meeting, and expressing anger, I have created animosity with at least one or more of the board members. As you make this decision, please note that my family can not control my anger or my mouth and should not be penalized because I speak up in support of others opposition. E. In addition, I know that some of you know that Jamie Feist called the Sheriff after the last Planning and Zoning meeting that I threathened him. Here is what I said and these are facts 1. I have 11 grandchildren, 2. They all have bikes, atv's, and horses, 3. Maybe I should just let them all ride in the fields. (I also added "I can, but I won't). I'm 5'2, 59 years old, I don't carry anything more dangerous than a pocket knife or snippers for plant care at the greenhouse).

E. Whether or not, you like Jamie and his deer and dislike me, there should be path to yes for activities that the community wants. This should not be the court of law between neighbors with poor relationships.

A path to Yes

In addition to clearly marking the property boundary with a legal survey, we will:

1. Add Windbreak Panels: There is approximately 650' of deer fencing between properties. If Corn Maze is approved, we will add about 100' of panels. (Known as windbreak panels, picture provided). Some of the 650' has trees or other protection from deer eye of sight to areas where people other than family may be. (A map is included). This includes the area along the cropped field AND, it will be right next to the corn 40' from the property line. In addition there are at least 7 rows before the west end of the corn) making the maze 100' away from Deer Fence and several hundred feet from residences. (No clear information about 100' rule - that came about "After" the application was made. Also, it is cropped field and in no other ag application does one have to be 100' from property line).

The cost of panels is \$1000/30' at first search. I hope to borrow and find used panels to reduce this cost. Please note that the Fiest's have owned this property for how long(2020??) and have made no effort to add sound/sight barriers between properties????

2. More signs - We will add 9 more signs that indicate that our property ends. Most with tact and kindness... One even says "Shh, Deer Sleeping".

What rules apply?

In hindsight, I should not have applied for any type of request, even though Mitch Flanagan said in a discussion that I should. In the scheme of things a PUD may be needed for the overall operation of Stoll Farms, but until we have completed our vision and mission and "Plan", this would be premature. Therefore, since it was quite apparent that corn mazes would be included in the Special Ordinance regarding Ag tourism/recreation, and it might have been passed before we began hosting people to the corn maze, I did want to be a good neighbor and even a good stakeholder to follow the process.

Here are my points.

1. Previous experience by farmer planting corn maze did not include a need for any type of permit.
2. If I didn't have to have a Special permit, why was it accepted.
3. If it was needed with the current ordinance rules, which rules apply is vague.
4. The volume and frequency of the activity has already occurred at this location that has been the Baldwin Greenhouse & Nursery for over 20 years (with 31 years total agbusiness in operation)
5. Just because a neighbor complains, there should still be a path to yes, other than the opinions of the planning and zoning staff and board.
6. The planning and zoning staff used Feist's faulty information without verifying, and no one informed the Stoll's this was occurring.

Having a corn maze in the community is a good thing. It is located on a site that accomodate volume. Actions can be taken by Stolls to reduce impact to deer at their own costs.

Please consider a Do pass Recommendation.

Thank you very much for your consideration,

Mary Podoll

On behalf of my family Jared, Ashley, and Emmett Stoll.
Stoll Farms/Baldwin Greenhouse& Nursery

Attachments 1

Measurements made
at ~~First's~~ ^{No} Tresspassing signs

are 8' to 40'

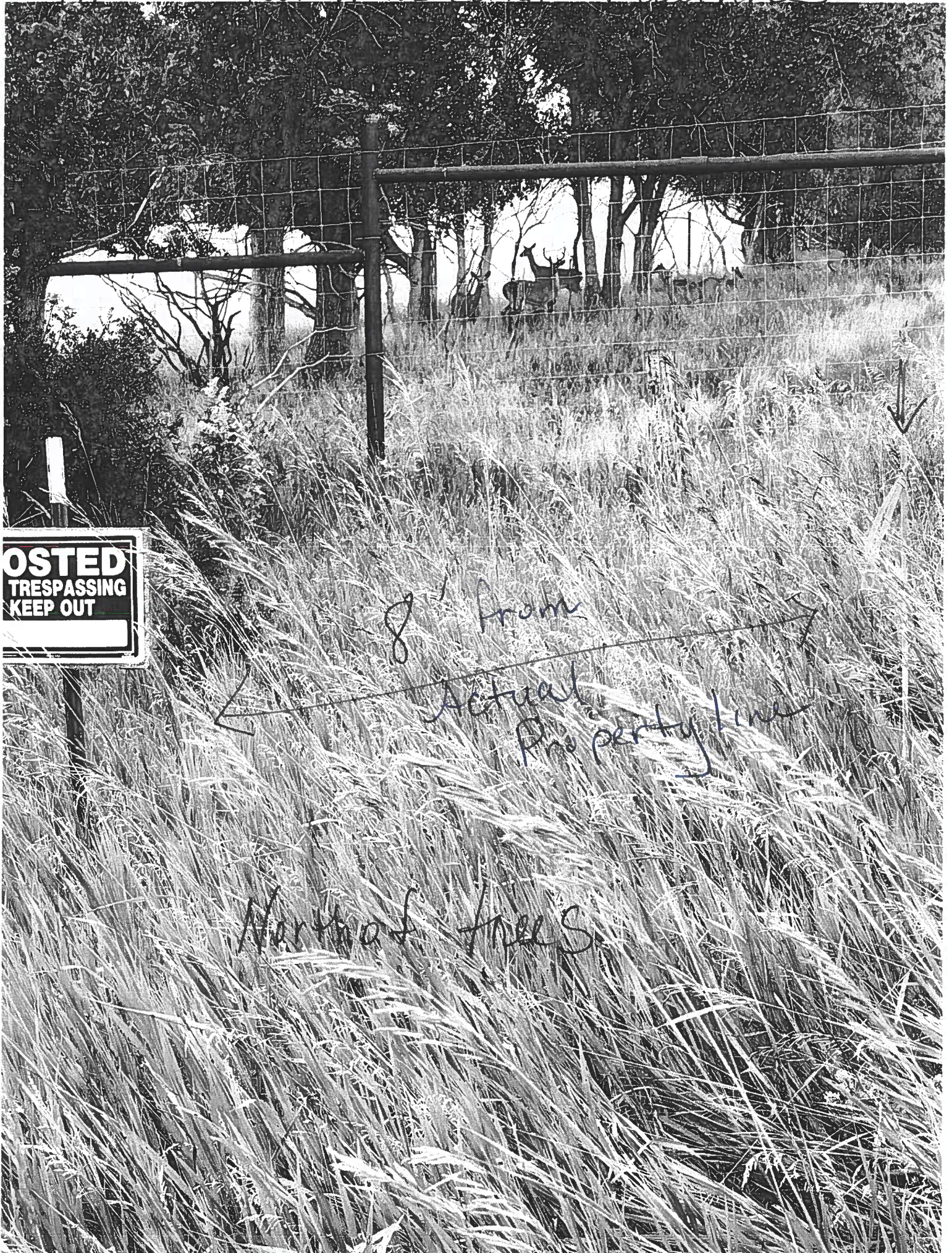
from property line

The one used by P:Z staff
40'

Invoice Available upon
Request

①

POST A NE Corner of deer fence



POSTED
TRESPASSING
KEEP OUT

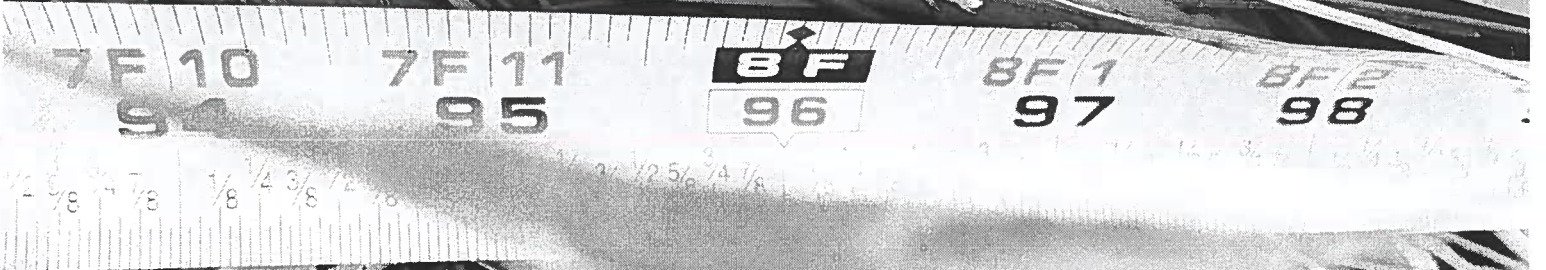
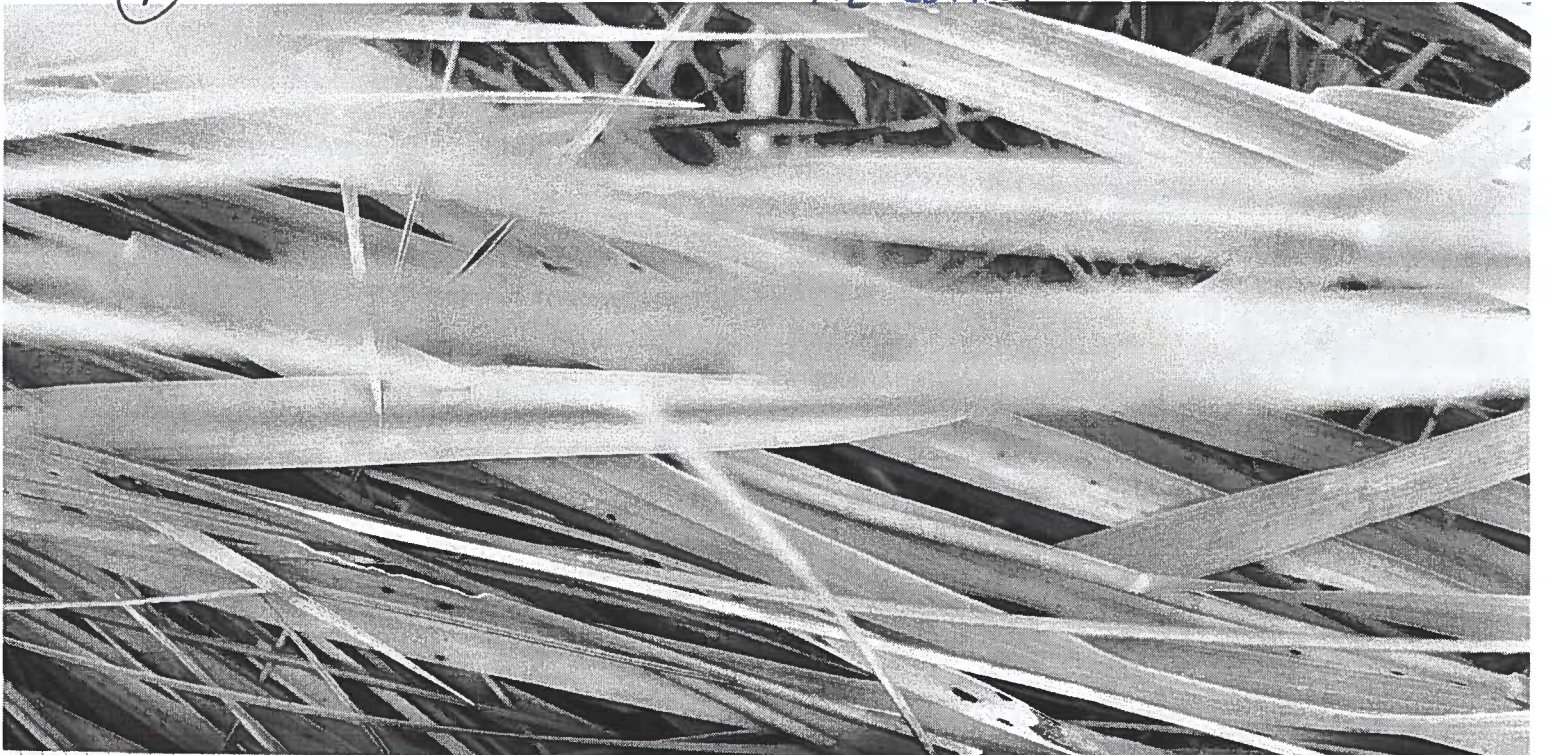
8' from

Actual Property line

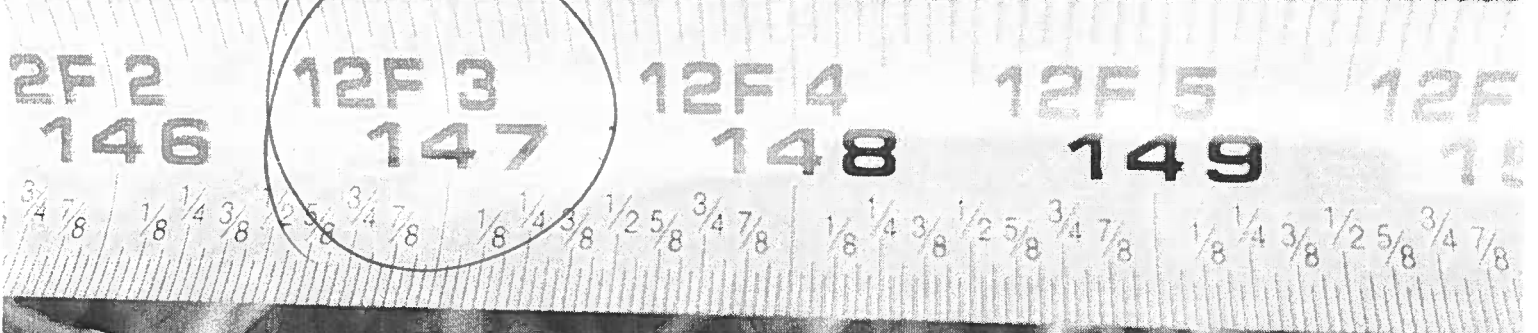
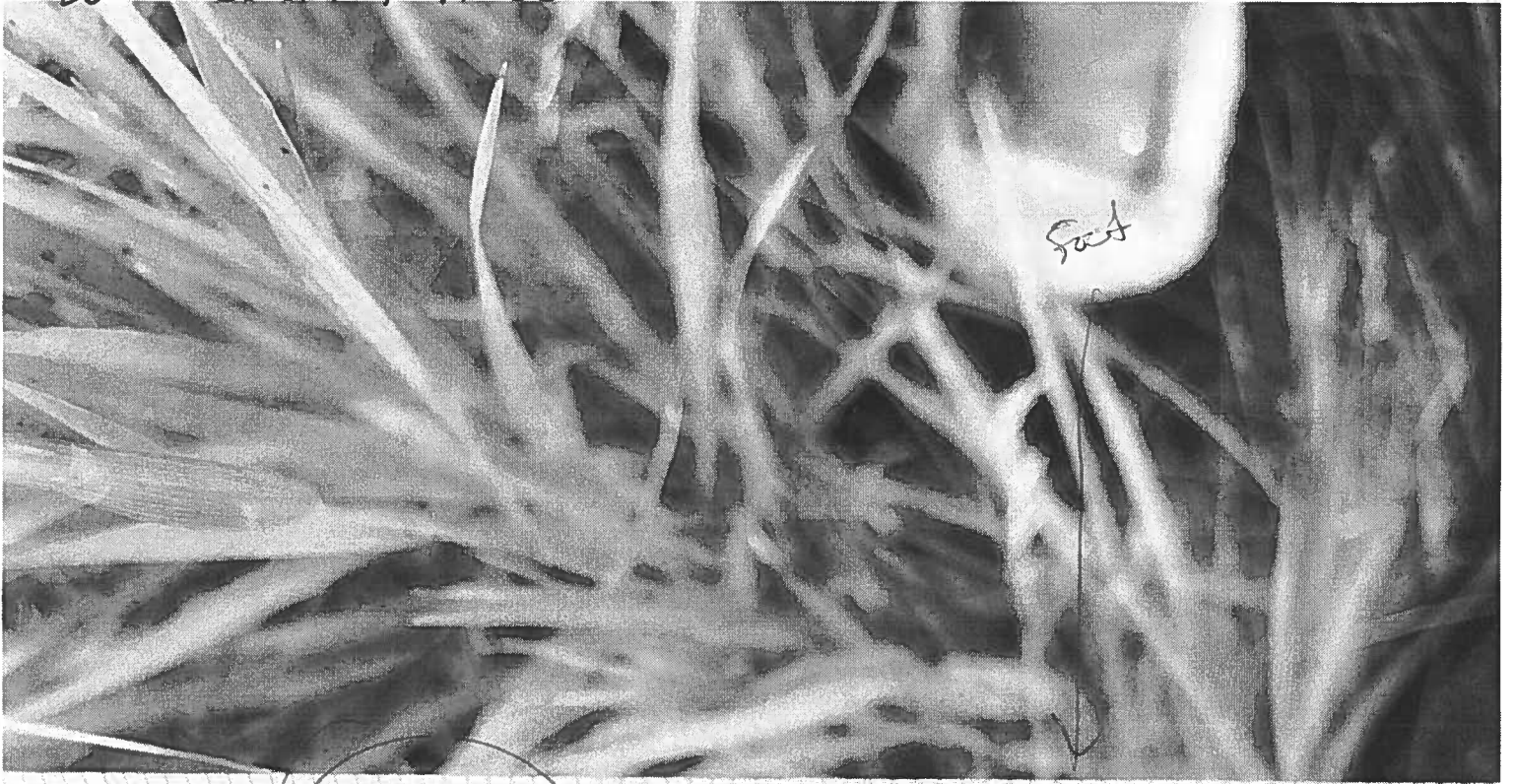
North of trees

①

NE corner



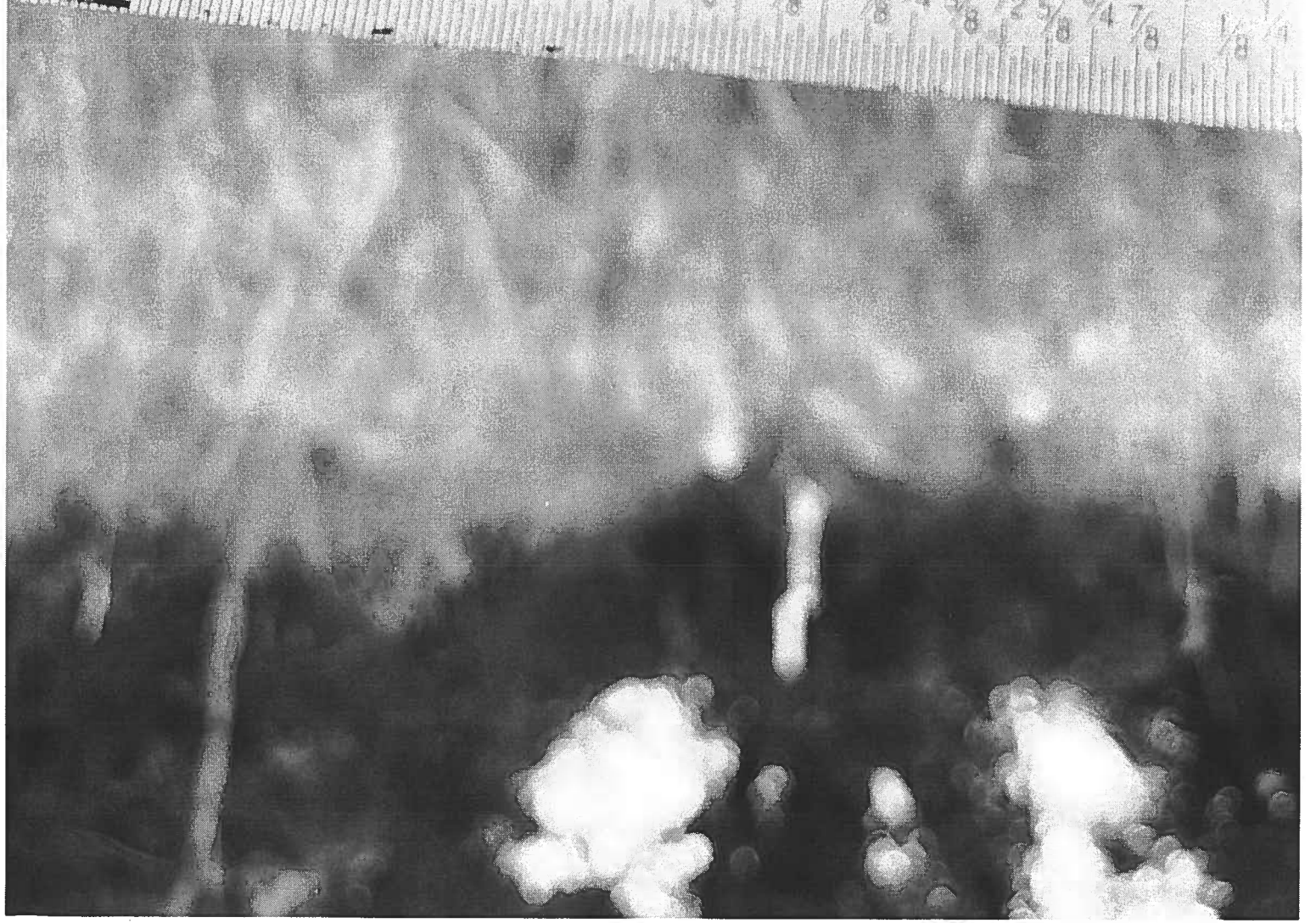
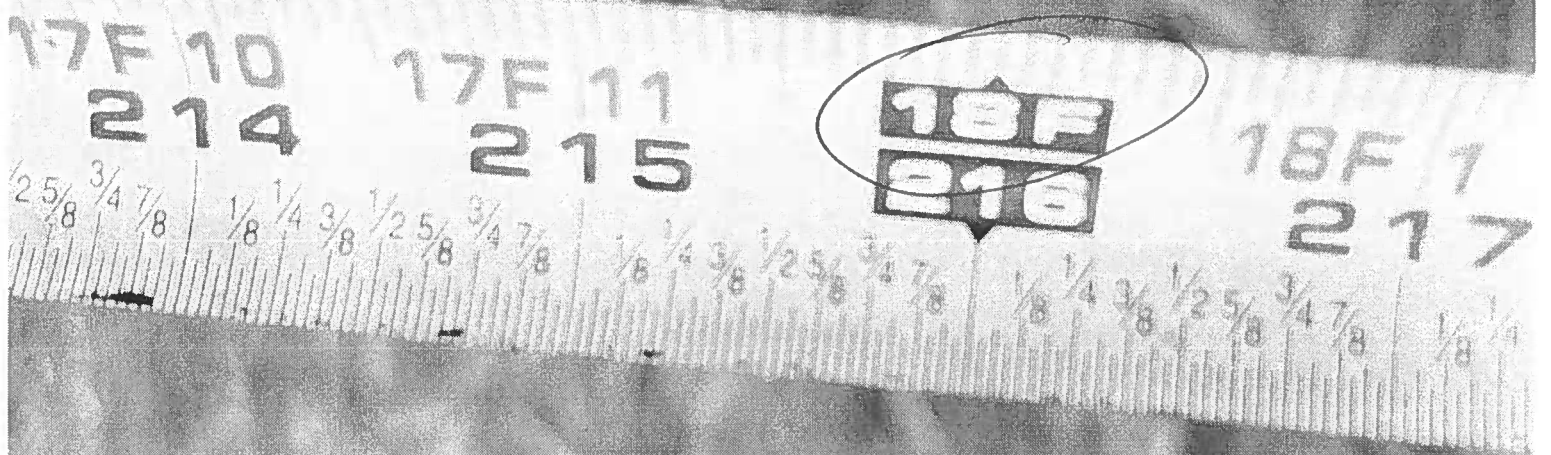
2 South of trees



South of trees

3rd post

from (NE corner of deer fence)





4th No Trespassing Sign from

See
Video

NE corner is approximately 40'
from Property line.

Video shows that I was trying to
not disturb deer.

This sign was stated to be
Property line, when P&Z staff
measured w/ Jamie Feist.

Clearly this was inaccurate
information. Since Jamie
Placed the signs, he surely
knew he wasn't on the property line.

Attachments

A Path to

YES

Signs
,

In addition to
Jamie Feist's No
Trespassing sign

,'
Panels

9 more

9 Signs for Property line



83238204

Order Information		Shipping	
Sales Order Number: VP_GCNK94QQ Fulfillment Order Number: 79944114 Package Ref. Number: 79944-114 a Order Date: 7/16/2024 Shipping Method: Ground		MARY 1725 201st Ave NE Baldwin ND 58521-9793 United States	
Contents of this Package (box weight: 5.7 lbs)			Special Instructions
1		Custom Sign (892488935) 18" x 24" Single Sided Corrugated Plastic	B19
2		Custom Sign (892488936) 18" x 24" Single Sided Corrugated Plastic	B19
3		Custom Sign (892488937) 18" x 24" Single Sided Corrugated Plastic	B19
1		Custom Sign (892488938) 18" x 24" Single Sided Corrugated Plastic	B19
2		Custom Sign (892488939) 18" x 24" Single Sided Corrugated Plastic	B19
1		Custom Sign (892488940) 24" x 18" Single Sided	B19

Person a use

9 signs received





Corrugated Plastic

This shipment completes your order.

79944114

Box: Mini Sandwich Board Box (32x21x3)

**MACK METAL SALES WILL BE CLOSED THURSDAY, JULY 4TH AND FRIDAY, JULY 5TH IN
OBSERVANCE OF INDEPENDENCE DAY.
HAVE A SAFE AND WONDERFUL HOLIDAY!**

✕



HOME PAGE FARM AND RANCH INVENTORY
FABRICATION AND MANUFACTURING OUR STORY

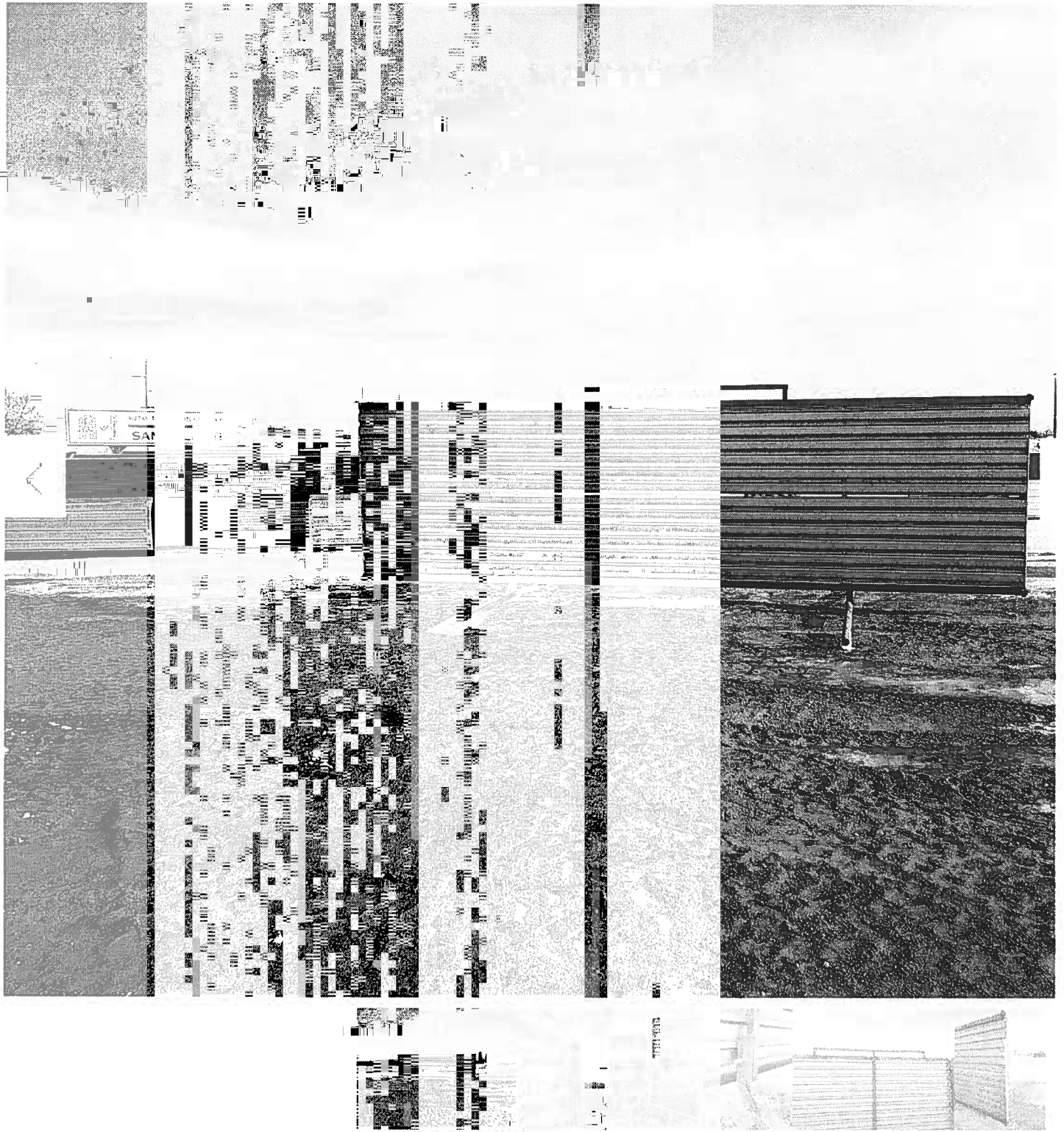
CONTACT US



Mack Metal 24' Free Standing Windbreak Panels

Our Free Standing Windbreak Panels are an essential piece of farm and ranch equipment that help keep your livestock warm and protected from harsh weather elements. Our 24' Windbreaks are 8 foot tall and come with removable legs—which are 12 foot wide. They are made with heavy duty 3" x 2" rectangular tubing and 22 ga super steel windbreak decking. They also come with lifting loops across the top horizontal brace to be easily moved and transported.

24' WINDBREAKS ARE MADE WITH 22 GAUGE TIN



Mack Metal's Standing Floor Panels

STANDARD SIZE WITH HEAVY DUTY

Incorrect,

Bias,

Harassing

Information

1st Complaint March 2023

* Stoll's had owned since Dec 1 2022

4 months - snowed Dec
and didn't stop!

The only thing done outside was
push snow.

opening of Nursery - April 27th



NOTES

PLANNING AND ZONING COMMISSION

July 10, 2024

Analysis

The request for a Special Use Permit to have a corn maze is allow per the Burleigh County Zoning Ordinance Article 8 which states:

"In order to carry out the purpose of this Article, The board of County Commissers finds it necessary to require that certain uses, because of unusual size, safety hazards, infrequent occurrence, effect on surrounding area, or other reaseans, be reviewed by the County Planning and Zoning Commission and the Board of County Commissioners be and are hereby given limited descretionary powers relating to the granting of such permit or certificate."

The petitioner has submitted a site and operating plan for the corn maze as follows:

Hours will be from 9:00 am with the last person entering the maze one half hour before sunset. Normal operating hours are from 9:00am to 6:00pm on Monday, Tuesday, Thursday, Friday and Saturday. 10:00 am to 5:00pm on Sunday.

Corrective

only for small groups

1. The maze will operate from late August through October.
2. Clark Coleman will operate the maze Friday thru Sunday. Stoll Farms may run the maze the remaining days of the week or by appointment.
3. Parking will be in a gravel parking lot, located approximately 100' feet from the west property line. Over flow parking is not available
4. Restrooms/Porta Potties will be available and located within the greenhouse complex.
5. The maze is located in the middle of the parcel and approx. 6 acres in size.
6. A buffer of 7 rows of corn has been planted on the west side of property.

Primay crowd on F, S, Sunday.

PLANNING AND ZONING COMMISSION

July 10, 2024

Harassment of Stolls started March 23

The P&Z staff ~~is~~ knows that nothing was valid in that complaint Yet - here it is

History/Description

The petitioner approached Burleigh County on June 20, 2024 requesting a special use permit to have a commercial corn maze on the grounds of the Baldwin Greenhouse. The corn maze would run from August thru October. Clark Coleman, who in the past has had a corn maze at the Buckstop Junction will run the maze, Friday thru Sunday. Stoll Farms will run the maze the remainder of the week. There will also be a food truck, portable bathrooms, and a gravel parking lot. The last person to enter the maze on any day will be a half hour before sunset.

This is not the first Special Use application we have received from the petitioner. Stoll Farms, LLC had originally applied for a Special Use permit to operate a corn maze, teaching facility with an additional building, a commercial kitchen and educational growing sites for attendees. The petitioner was advised, her request does not fall under a special use category as the ordinance is written at this time. She was asked to wait with the first special use, until the ordinance is written. She was also advised because she has commercial activities, although farm related, they would not fit under allowable uses nor special uses of Article 12 - A-Agricultural Zoning of the Burleigh County Ordinances. Staff advised her to apply for a PUD. The petitioner is part of the Stakeholders Group for Agri-Recreation.

The Baldwin Greenhouse was owned and operated by the Werre family before being purchased by Stoll Farms in November of 2022. The Werre family operated the greenhouse during the growing and planting season. The green house was closed during the fall and winter months. Stoll Farms, LLC since purchasing the greenhouse have held several events which include food trucks. On Mother's Day of 2024 for example over 2,000 people visited the green house and enjoyed the food available thru the food trucks on site.

Starting in the Spring of 2023, Burleigh County started to receive complaints about the activities and the amount of people on the greenhouse property. The concern expressed was that the activities being held were not agricultural in nature. These non-agricultural events were affecting the neighboring property and his livestock.

~~IN~~ INACCURATE
INFO GIVEN WAS WITHOUT CLARITY
to which item action needs a PUD or Special Permit

with draw

Not in writing

people

Food trucks sales NOT THIS HIGH

True

Harassment

But No Activities

1st

In Spring of 2023 we didnt open until the last weekend in APRIL.



PLANNING AND ZONING COMMISSION

July 10, 2024

INACCURATE Info

Jamie Feist is a neighbor who shares the east/west property line with the greenhouse. Mr. Feist and his family raise and breed deer on his property. His animals are wild and are not pets. The additional activities with the food trucks alone have caused his deer to bolt against their pens and has caused death and miscarriage in his stock. His pens are located approximately 40' from the shared property line. When Mr. Feist purchased his property in August of 2020, the greenhouse was only operational between the summer months and traffic was limited to those purchasing items at the greenhouse. Food trucks and various activities were not held on the property.

- They did host education - They did open doors other times

The most recent complaint from Mr. Feist was the encroachment on his property by the equipment used to seed the corn maze. The operator of the equipment used Mr. Feist's 40' buffer zone to turn around while seeding the corn maze. The equipment caused damage to the plants and shrubbery Mr. Feist was trying to grow as an additional buffer to the deer pens on his property.

Mr. Feist is very concerned that the additional activity of a corn maze and participants in the corn maze trespassing on his property to see the deer. His male deer are just growing antlers and very skittish, the deer might bolt, break an antler and bleed out. The bolting of deer in one pen will cause a chain reaction in his other pens.

Has done Nothing for signs said

Mr. Feist has submitted documentation with his complaints (attachment - Feist Documentation)

County staff visited the site on June 28 to address Mr. Feist's complaint and verify additional information on the location of the corn maze. Measurements and pictures were taken at this time. (Attachment - Staff Documentation)

NO ONE told the Stoll's they would be on their Property

ON 6-9 Acres

w/ property line surveyed

INACCURATE

BIAS

Facing East



Property line Verified - Feist's were 8' to 40' ON Stoll Property

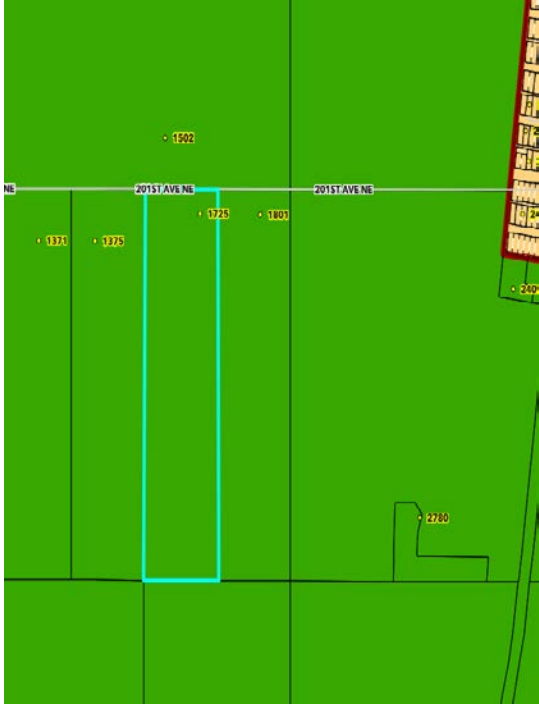
~~- Add Receipt for Surveyor~~

- Add video

~~- Add signage copy of receipt~~

Agenda Item 4-2

Application for a Special Use Permit

Project Summary	
Public Hearing Status:	Baldwin Green House – Corn Maze Planning and Zoning Commission – Consideration
Petitioner/Developer	Stoll Farms LLC – Mary Podoll
Address:	1725 201 st Ave. NE, Baldwin, ND
Location:	Glenview Township, Section 24, W 1/2 E 1/2 NW 1/4 Range 80
	 <p>Attachment 4-2-1 Location Map</p>
Project Size:	40 acres more or less A- Agricultural Zoning
Petitioners Request	Approval of a Special Use Permit and a “Do Pass” recommendation to the Board of Burleigh County Commissioners.
Posted	Bismarck Tribune 6/26 & 7/1/2024 Burleigh County Website 6/28/2024 Surrounding Property Owners 6/28/2024
2-mile notification area – 132 letters	

As set forth under Chapter 11, Section 33 of the North Dakota Century Code and Article 33 of the Burleigh County Ordinances, the Planning Commission shall approve or disapprove the subdivision of all lands within its jurisdiction and recommend the same to the Board of Burleigh County Commissioners



History/Description

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PLANNING AND ZONING
COMMISSION

July 10, 2024

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Facing East





Analysis

The request for a Special Use Permit to have a corn maze is allow per the Burleigh County Zoning Ordinance Article 8 which states:

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The petitioner has submitted a site and operating plan for the corn maze as follows:

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4. Restrooms/Porta Potties will be available and located within the greenhouse complex.
5. The maze is located in the middle of the parcel and approx. 6 acres in size.
6. A buffer of 7 rows of corn has been planted on the west side of property.



Facing South



County staff visited the site on June 28, 2024. Staff notes on the site visit are as follows:

1. Measurements were taken along the west side property line to the corn maze. The average distance to the property line is 15'. (see Staff Documentation)
2. A footpath is located along the property line to the south end of the maze on both the east and west sides of the site.
3. The buffer rows of corn run east to west. The buffer rows should run north to south to provide a more effective visual buffer between the maze and the neighboring property.

Staff Findings:

1. The special use application fulfills the administrative requirements of Article 8, Section 1, General Provisions.
2. Growing of corn is allowed in an A-Agricultural Zoning District
3. The operators of the corn maze will charge a fee for participation.
4. The petitioner states 400 to 2000 people could participate in the maze on any given day.
5. The corn maze does not have a 100' buffer between properties.
6. The maze is approximately 15' from the east/west property line.
7. The corn maze could be considered a commercial enterprise which is not allowed in an A-Agricultural Zoning District.



PLANNING AND ZONING
COMMISSION

July 10, 2024

8. Operation of the corn maze does not follow the intent of Article 11 A- Agricultural District Regulations, Section 1 – Description which states:
 - a. *The A-Agricultural District is established as a district in which the principal use of land is for general agricultural uses. The regulations are intended to prohibit commercial and industrial usage of the land and to prohibit any other use which would interfere with the development or continuation of the agricultural use of the land; and to discourage any use which because of its character or size, would create requirements and cost to public services such as police and fire protection, water supply, and sewerage before such services can be systematically and adequately provided.*
9. Food Trucks are not considered an agricultural activity.
10. According to the “proposed” Agri-Recreational Ordinance: operation of the corn maze will have a size limit of 75 people per event and limited to 30 events per year.
11. The operation of a corn maze for commercial purposes is not an allowable use in A-Agricultural Zoned Districts.
12. Operation of the corn maze will impact the surrounding property owners use and enjoyment of their property.
13. The application for this type Special Use Permit does not coincide with the Burleigh County Comprehensive Plan

Planning Staff Recommendation

Staff recommends denial of the Special Use Permit as the operation of a corn maze is not an allowable use or special use in an A-Agricultural Zoned District.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

1. Approve the Special Use Permit and give a “Do Pass” recommendation to the Board of County Commissioners



PLANNING AND ZONING
COMMISSION

July 10, 2024

2. Approve the Special Use Permit with conditions and give a "Do Pass" after all condition have been completed.
3. Deny the Special Use Permit with reason.
4. Table the Special Use for more information.

STAFF
DOCUMENTATION

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
7/2/2024



PARCEL ID: 16-141-80-00-24-403 OWNER: STOLL HOLDINGS LLP ACRES: 40
SITE ADDRESS: 1725 NE 201ST AVE
MAIL ADDRESS: 1725 201ST AVE NE, BALDWIN, ND 58521
LEGAL: GLENVIEW TOWNSHIP Section 24 W1/2E1/2NW1/4 772217 24-141-80

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

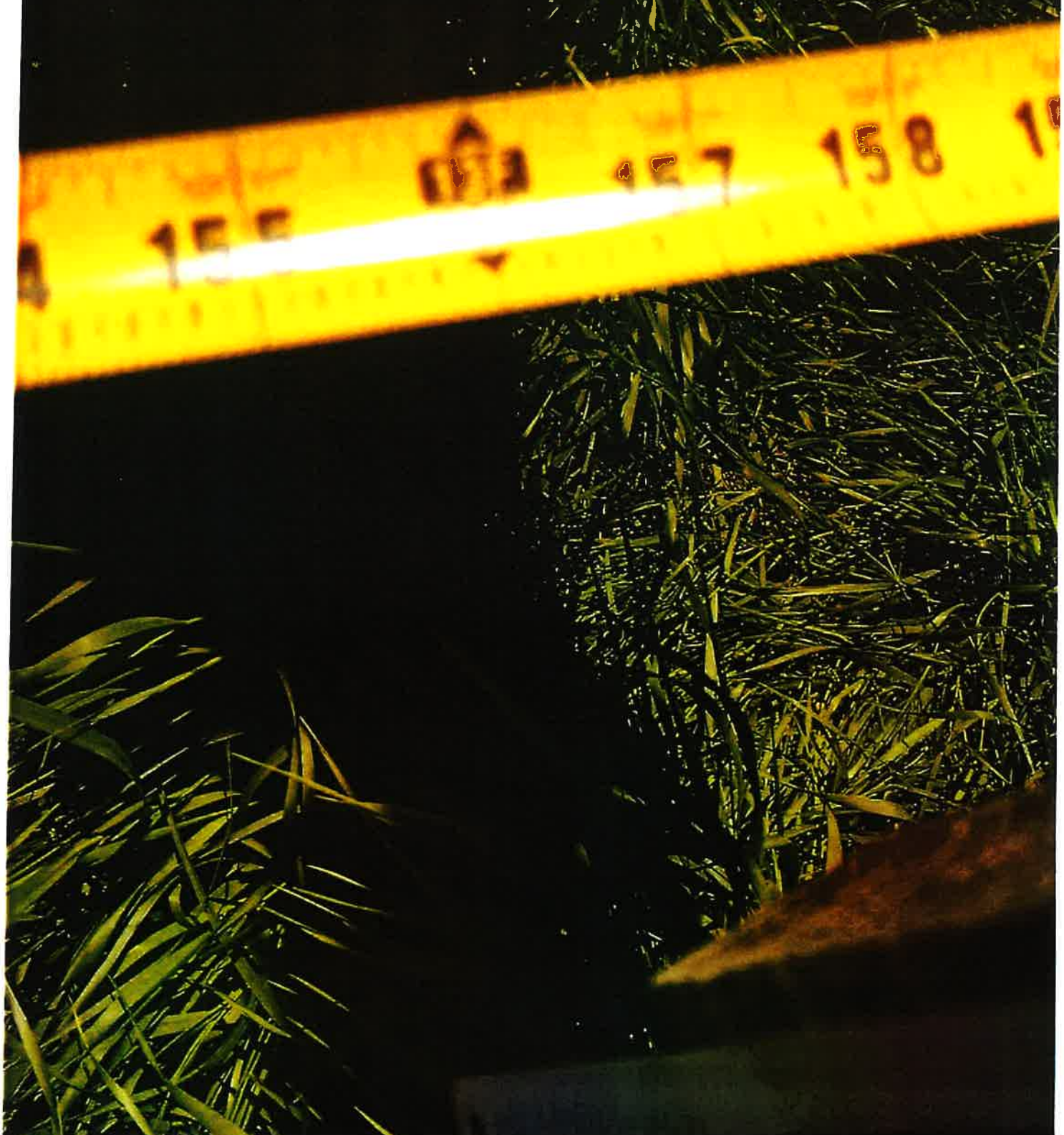
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LOCATION MAP

N
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Distance from property line to
corn maze 13'



From property line
to deer pens



Distance of property line to corn
maze.



Property Line Marker





Corn maze - corn
planted east to west



Feist Property Line

corn maze

East

Looking East
From Feist Property Line

West



STOLL FARM
DOCUMENTATION

McMonagle, Marla M.

From: Baldwingreenhouse@outlook.com
Sent: Monday, June 10, 2024 12:30 PM
To: McMonagle, Marla M.
Subject: Request for a temporary variance approval for a corn maize

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

In September, Stoll Farms LLC would like to host the Coleman's Corn Maize. Length of the activity is weather dependent, but the goal is to start in late August and continue through October. The field is agriculture and the corn will be harvested. The location is zoned for agriculture. There is adequate parking, spiffy biffs on site,

The location is 1725 201st Ave NE, Baldwin, ND 58521. This address is also the location of the Baldwin Greenhouse & Nursery.

Since the current policy for special permits is in draft, I believe that this the current process to use. However, whatever the title, please present to the board for awareness?

The primary roads are Highway 83 and 201st street - both are paved and well cared for roads.

Please let me know if any additional information is needed?

As for the other activities, I will put together a better packet for the larger plan now that I have more information about the final plan for the new farmer program. I hope that the special permit issue will be resolved before August, so I can turn in the official request in September!

Thank for all you do!

Mary

Mary Podoll
Baldwin Greenhouse & Nursery volunteer
Americorp Member Strengthen ND
Strong Farm Incubator.

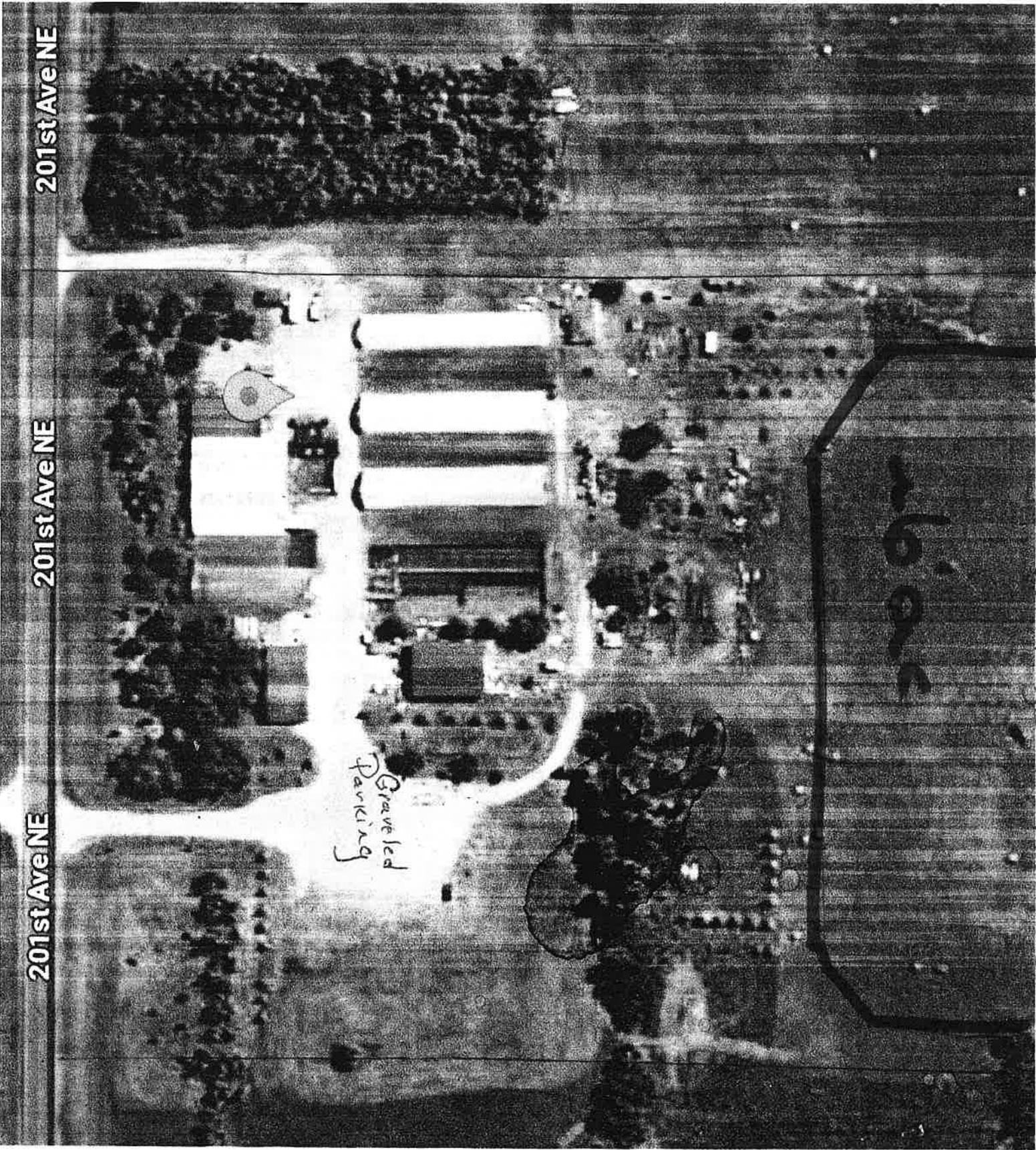
27

201st Ave NE

201st Ave NE

201st Ave NE

40 ACRES NOT TO SCALE NOT TO SCALE



Boac in Ag Field

Fw: Special Use Permit Information needed

2 messages

Baldwingreenhouse@outlook.com <Baldwingreenhouse@outlook.com>
Reply-To: Baldwingreenhouse@outlook.com <Baldwingreenhouse@outlook.com>
To: Mary Podoll <mary@strengthennd.com>

Thu, Jun 20 at 8:02 PM

Yahoo Mail: Search, Organize, Conquer

----- Forwarded Message -----

From: "McMonagle, Marla M." <mmcmonagle@nd.gov>
To: "Baldwingreenhouse@outlook.com" <Baldwingreenhouse@outlook.com>
Cc: "Flanagan, Mitch" <mflanagan@nd.gov>
Sent: Thu, Jun 20, 2024 at 4:46 PM
Subject: Special Use Permit Information needed

Hi Mary,

I was looking over your site plan. I will need some addition information on the site plan and regarding your special use permit.

Can you show on the site plan the following?

*Stoll Farms LLC / Baldwin Greenhouse & Nursery
easily handled 400 on our busiest day.
Transactions
Families (most) Probably 2,000 people
4-8*

1. Show and label distances from the sides of the corn maze and property lines.
2. Show and label all walking pathways, parking areas, restrooms etc. If within 100' of the neighboring properties please show and list the distance. *ALL Greater than 100'*
3. Show and label distances from properties lines all parking areas and overflow parking areas.
4. Label all parking surfaces i.e. gravel, grass, etc. *GRAVEL*
5. If corn maze is to operated in the evenings, please show and describe lighting. *NOT at dark*

Here are the questions I have regarding the special use permit:

1. How many people do you plan to go through the maze? Per day? *? 1st Year -> 200 maybe*
2. Is there a limit to the amount of people per day in the maze?
3. Is there a limit to the amount of people in the maze at one time? *NOT AT this time*
4. What days and hours do you plan to operate the corn maze? Is it going to be every day, specific days of the week?
5. Is the maze going to operated at night, what are your lighting plans? *NA F, S, S - by the Coleman's*
6. What other activities/events will be associated with the corn maze? *M-Th by the Stoll's Food Truck on site*

I have attached some maps to help you with your site plan. Things do not have to be to scale, but I need a detailed site plan for the project. If you could get this information to me as soon as possible that would be great. I need to include as much information as possible for my staff report which is due on June 27th.

McMonagle, Marla M.

From: Mary Podoll <mary@strengthennd.com>
Sent: Monday, June 24, 2024 2:24 PM
To: Mary Podoll; Flanagan, Mitch; McMonagle, Marla M.
Subject: Re: Stoll Farms LLC Baldwin Greenhouse & Nursery special permit corn maze
Attachments: Mary Podoll mary@strengthennd.com.pdf

You don't often get email from mary@strengthennd.com. [Learn why this is important](#)

******* CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *******

Good afternoon, I scanned documents for special permit information. It is titled with email address I used to copy-sorry about that.

The only area that may be closer than 100ft is the cropland field. However, there are a minimum of 7 rows of corn that create a sight and sound barrier for this neighbor, as he raises deer. With the corn maze being away from the property line.

We handled about 2000 people on Mothers Day with parking and food trucks. Parking is graveled, walk paths are mowed grass, and the last participants will be allowed no later than 30 minutes before sunset.

Clark Coleman and his family are running the corn maze on Friday-Sunday. They have been near the Buckstop Junction in the past. They have exhibited a professional and manageable agriculture related activity and I'm excited to work with them.

The township chair had no concerns, neighbors north and east and Baldwin community and Wilton Community are welcoming this activity. The neighbor with deer should be accustomed to people and noise, And we included a sound and sight barrier with 7 rows of corn that are not part of the maze...

I do not know how to estimate numbers, but we should be able to manage appropriately with day to day on site management and cooperation with the Coleman family.

Thank you!

Mary Podoll
701-391-7759

On Mon, Jun 24, 2024 at 2:06 PM Mary Podoll <mpodoll7@icloud.com> wrote:

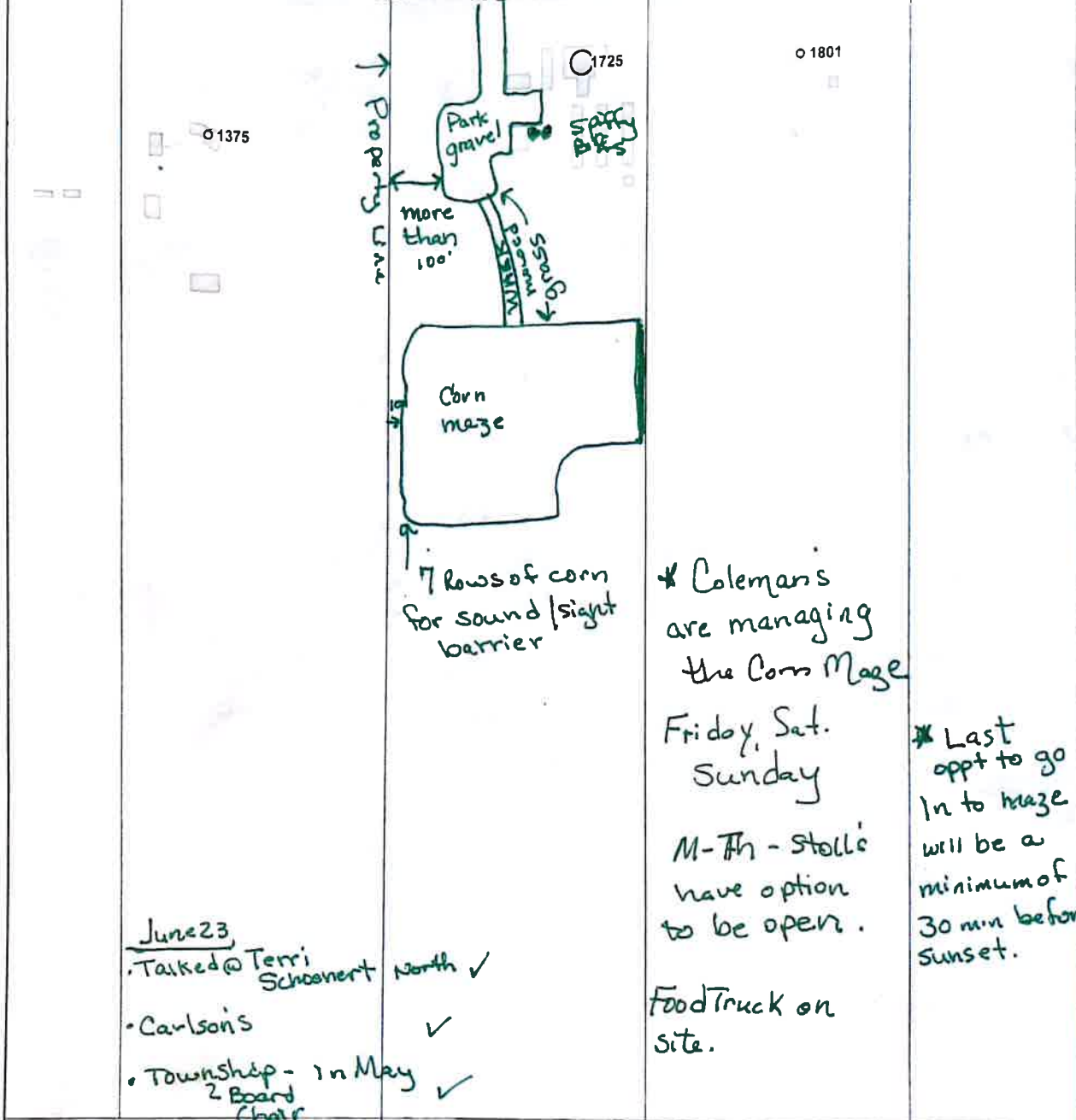
Sent from my iPhone

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

6/20/2024

01502
Stoll Farm LLC
Baldwin Greenhouse & Nursery

201ST AVE NE



* Coleman's are managing the Corn Maze

Friday, Sat. Sunday

M-Th - Stoll's have option to be open.

Food Truck on site.

* Last opt to go in to maze will be a minimum of 30 min before sunset.

- June 23
- Talked @ Terri Schoenert North ✓
- Carlson's ✓
- Township - in May ✓
2 Board Chair

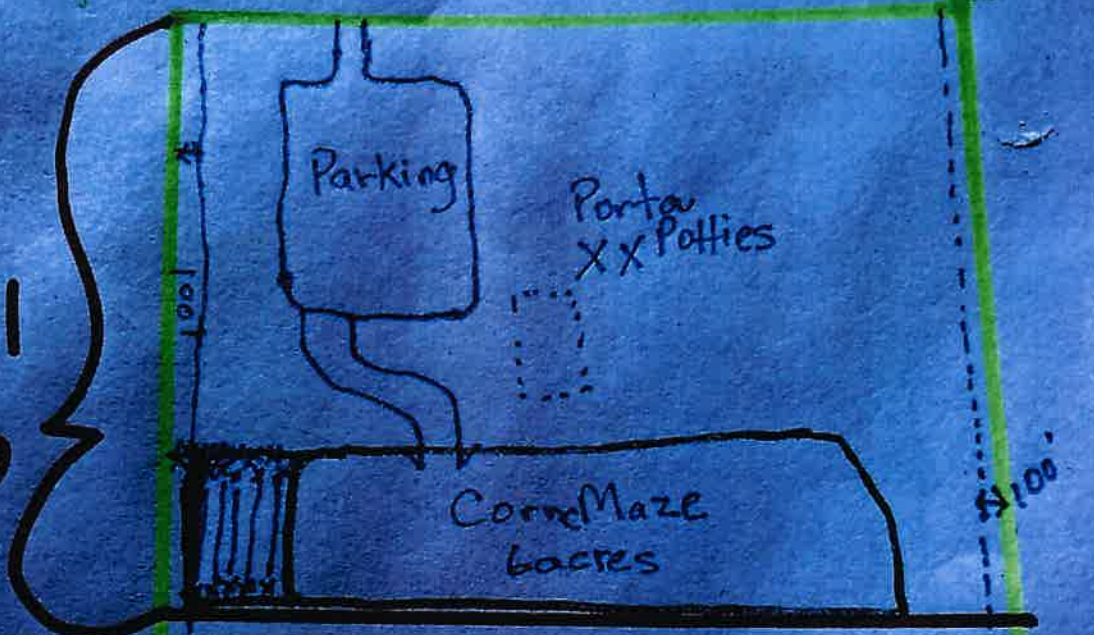
If you need letters of support:

Wilton Mayor / Coleman's / People in Baldwin Area

Burleigh County, North Dakota

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

201st Ave



erial
photo

mas p
orn for
sight
er

Creek

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

8/29/2024



Property Line ↓

Property Line ↓

Corn maze
r. loc

★ There is a sound/sight barrier of 4 corn rows before the maze starts.

- 3. Parking Areas > 100'
- 4. Graveled Parking
- 5. will NOT be operated after dark

- 1. # People - unknown
- 2. No Limitations
- 3. Planned at this time
- 4. Friday, Saturday, Sunday, and weekdays M, T, TH } by the Coleman's
or by a ppt } by the Stoll's

6. Includes a maybe a food truck on site.

FEIST
DOCUMENTATION

Private Road

Pen 1 Pen 2

Pen 5 Pen 4 Pen 3

Proposed
CORN
MAZE

FEIST
JAMIE

WEDDE
SCOTT

Sat

2D

Hunt Map

Pen 3

6 feet from property line

5 feet from property line

2 feet from property line

CORN MAZE

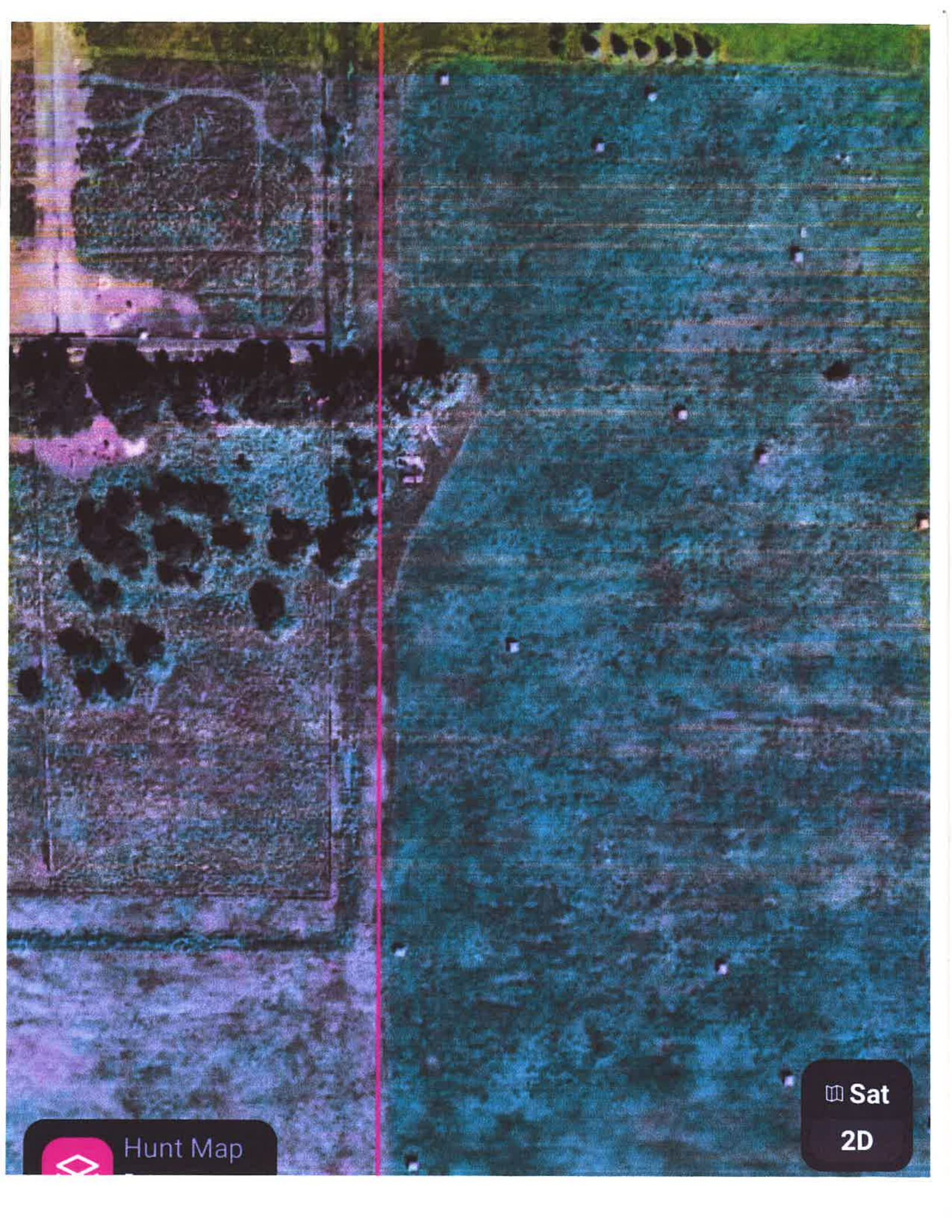
35 feet

privacy screen

Property Line

In 2023 ~~by~~ planted by Feist and trampled and ruined by seeding of corn maze from tractor driving around my no trespassing signs and along pen 3. 35' into my property.

multiple videos of tractor doing this during planting



 Hunt Map

 Sat
2D



Add line

Save



Undo

Drop Point

Line name

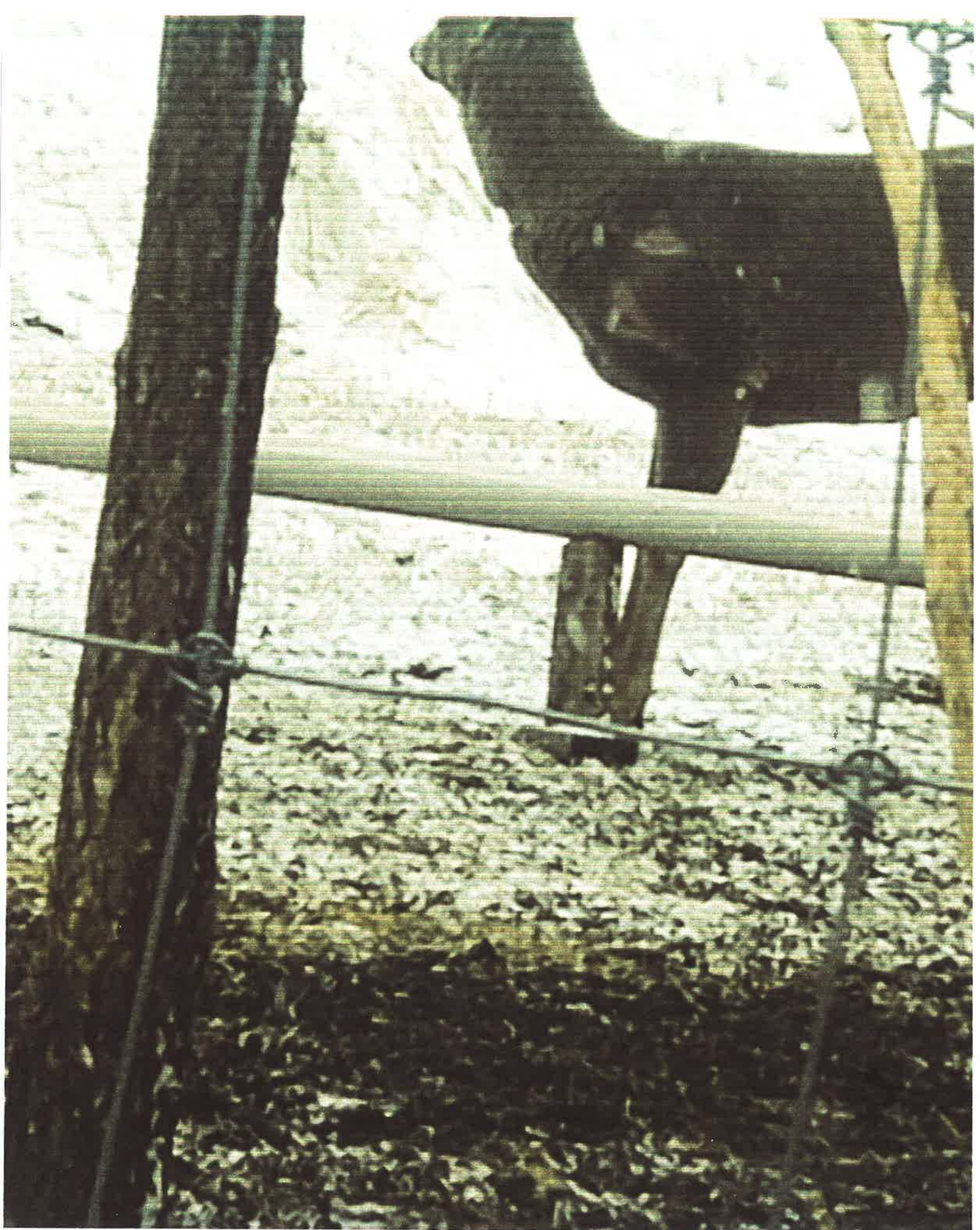
Save













ITEM

8



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: August 19, 2024

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."

The Biegler's, in the SE $\frac{1}{4}$ of Section 29, Sterling Township (see attached map), is proposing a three (3) lot subdivision (Biegler 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 paving of 0.464 miles of County/Township roadways from the Subdivision to reach the pavement on US 83.

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.

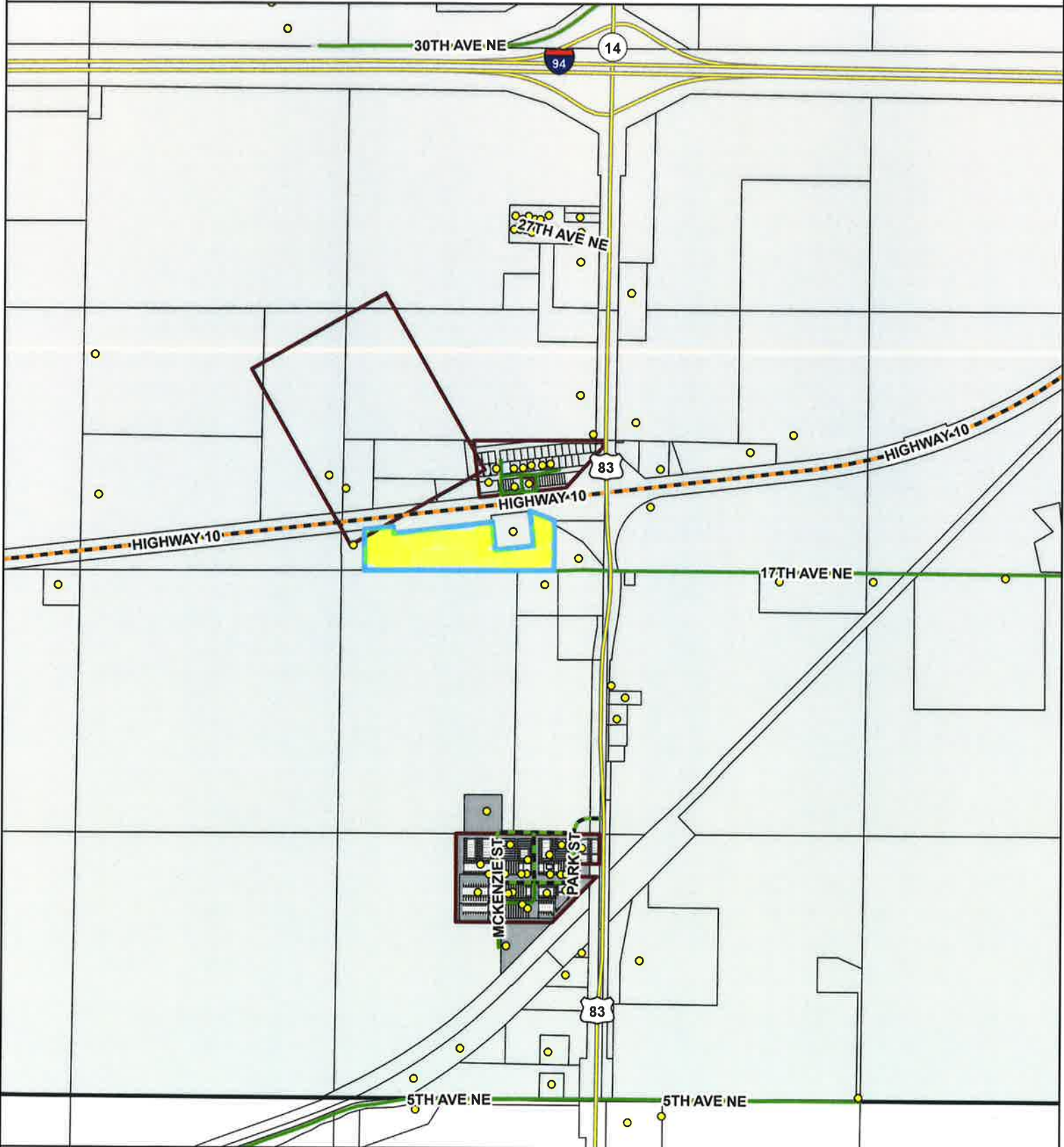
PROPOSED RESOLUTION:

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 the Biegler's request to waive the construction and paving requirements "*paving of all internal roadways and adjacent section line roads*" listed in the Pavement Policy, in conjunction with the approval of the Biegler Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

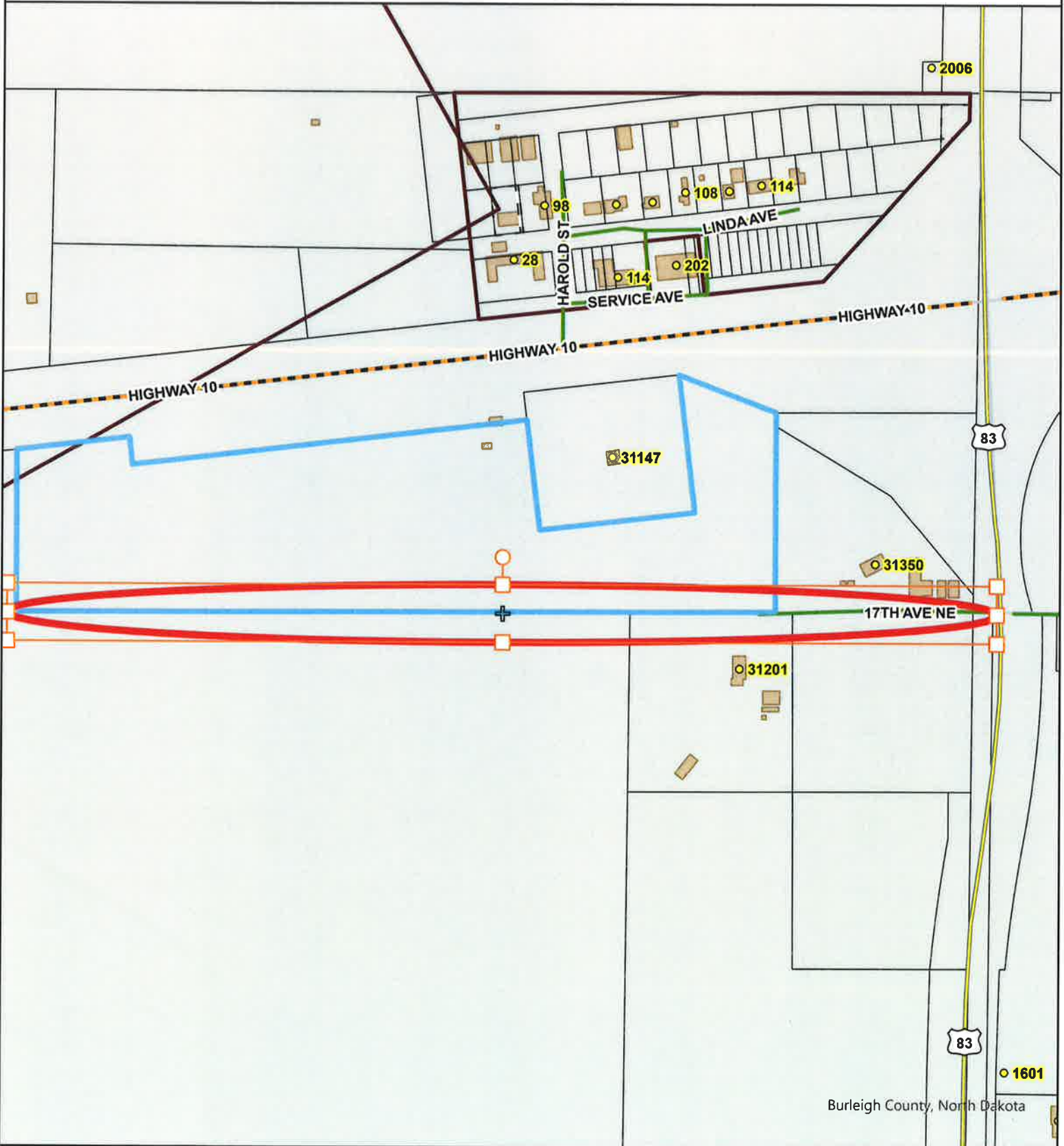
N
8/12/2024



PARCEL ID: 35-139-76-00-29-832 OWNER: BIEGLER, JOYCE ACRES: 17.58
SITE ADDRESS:
MAIL ADDRESS: RJ & KA BIEGLER LE 31302 5TH AVE NE, STERLING, ND 58572-9703
LEGAL: STERLING TOWNSHIP Section 29 LOT E LESS LOT E-1, LESS 1.02AC TRACT TO -830 29-139-76

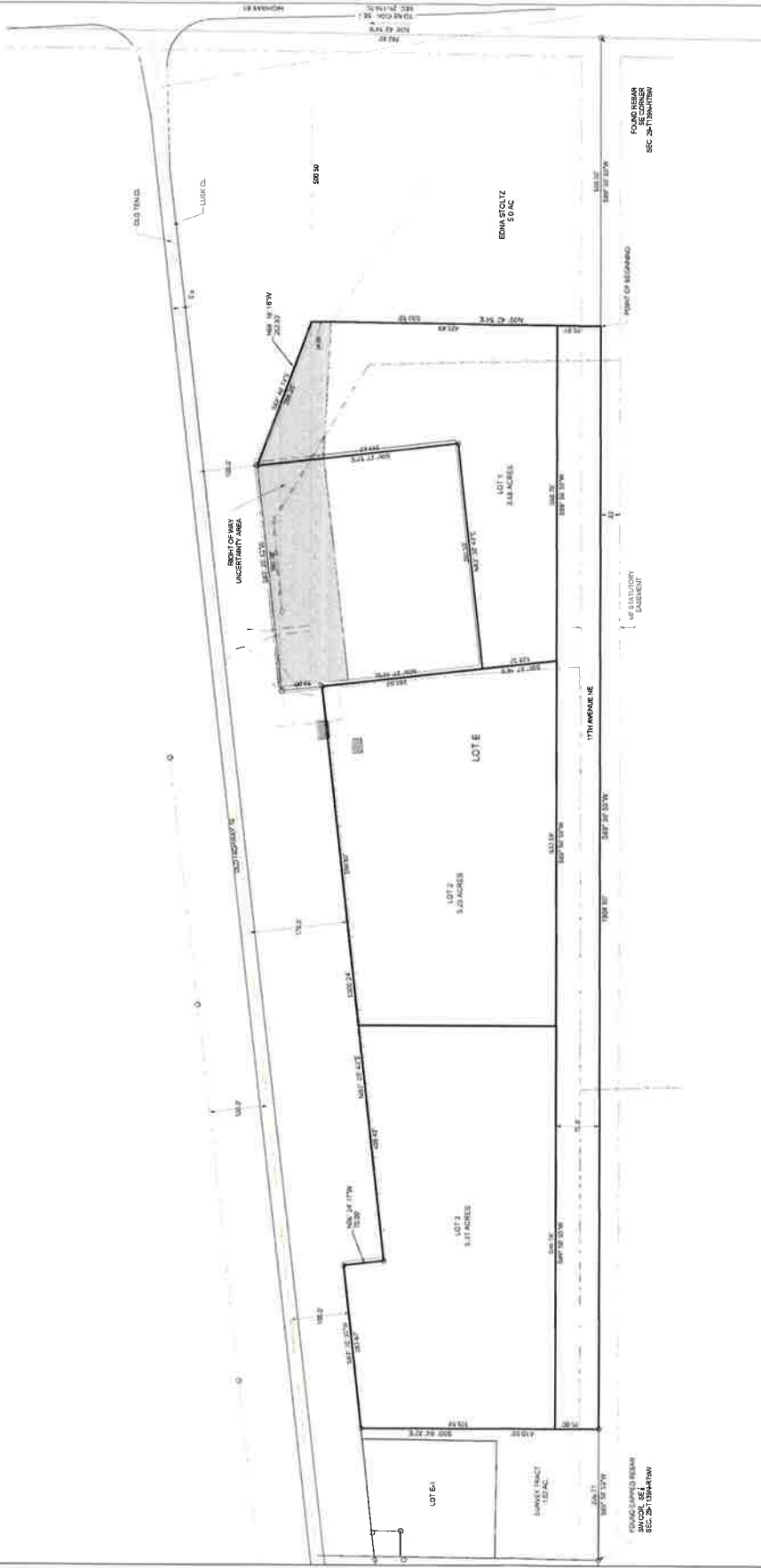
BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
8/12/2024



PARCEL ID: 35-139-76-00-29-832 OWNER: BIEGLER, JOYCE ACRES: 17.58
SITE ADDRESS:
MAIL ADDRESS: RJ & KA BIEGLER LE 31302 5TH AVE NE, STERLING, ND 58572-9703
LEGAL: STERLING TOWNSHIP Section 29 LOT E LESS LOT E-1, LESS 1.02AC TRACT TO -830 29-139-76

PRELIMINARY PLAT
BIEGLER SUBDIVISION
 PART OF AUDITOR'S LOT E IN THE SOUTHEAST QUARTER
 SECTION 29, T139N, R76W
 BURLEIGH COUNTY, NORTH DAKOTA



DATE: JAN 17, 2024
 SCALE: 1" = 40'
 VERTICAL CURVE: NONE
 BASED ON NORTH-DAKOTA SOUTH ZONE-NAD83 INTERNATIONAL FEET. ALL DISTANCES AND BEARINGS REPORTED BY PARTY FROM THE BENCH STATION AND ARE REPORTED IN RED.

PROFESSIONAL LAND SURVEYOR
 MARK R. ISAKOV, LS-9622

I L S S E	State of North Dakota Burleigh County Section 29, T139N, R76W	Mark R. Isakov License No. LS-9622 Exp. Date 12/31/2024 www.ndlsurveyors.com
-----------------------	---	---

- NOTES**
1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS RECORDS DUE TO DIFFERENCES IN MEASUREMENT METHODS.
 2. DISTANCES ARE REPORTED IN RED.
 3. DISTANCES ARE REPORTED IN RED.

ADDITIONAL NOTES

1. BOUNDARY UNCERTAINTY AREA
 2. FOUND BURN MARK
 3. DISTANCES ARE REPORTED IN RED



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
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701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: August 19, 2024

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."

Jacob Morrissette and Jason Cherney, in the NE ¼ of Section 5, Riverview Township (see attached map), is proposing a two (2) lot subdivision (Cherney Morrissette 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 1.25 miles of County/Township roadways from the Subdivision to reach the pavement on ND 1804.

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.

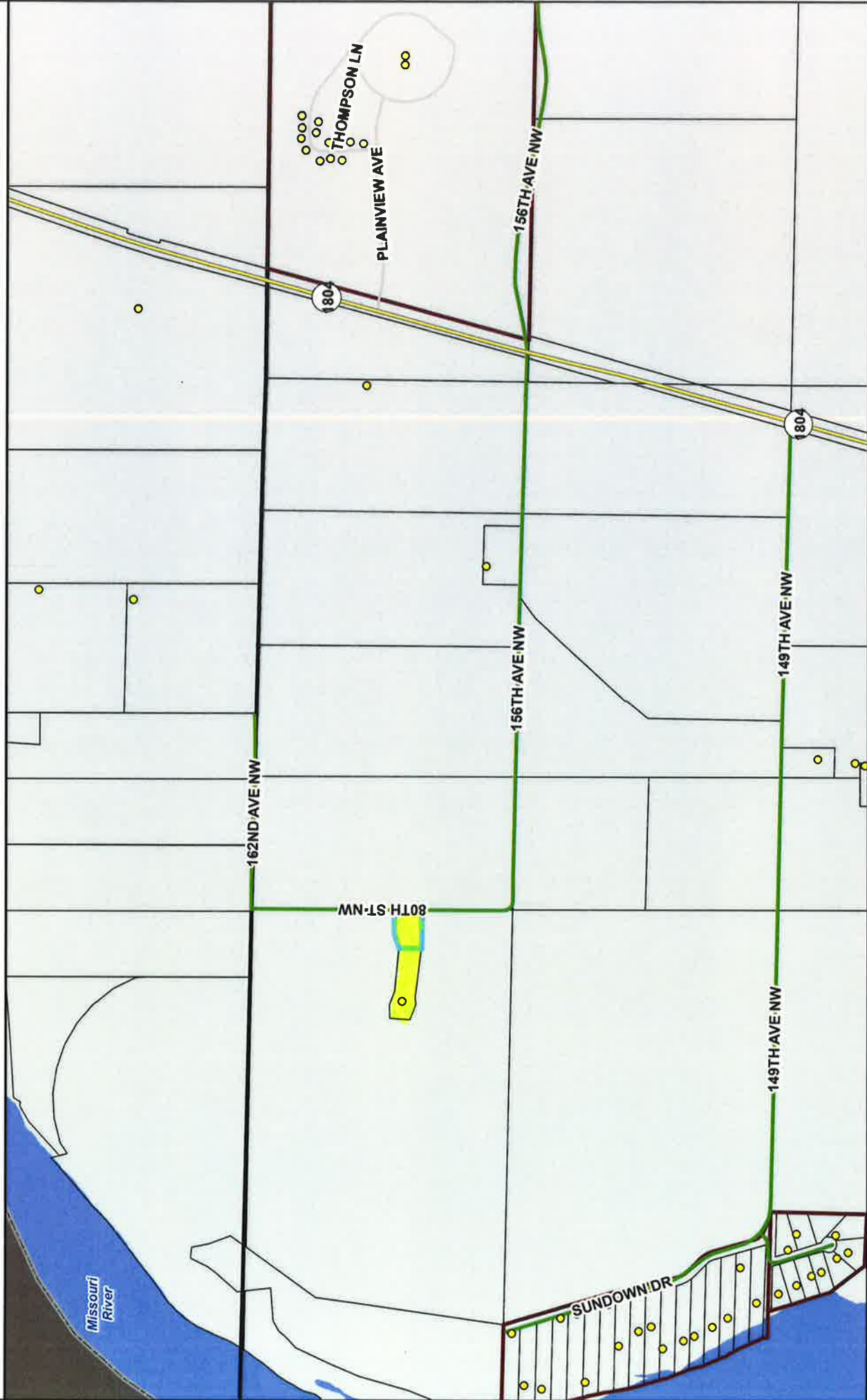
PROPOSED RESOLUTION:

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 the Biegler's request to waive the construction and paving requirements "*paving of all internal roadways and adjacent section line roads*" listed in the Pavement Policy, in conjunction with the approval of the Cherney Morrissettee Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
8/12/2024



PARCEL ID: 23-140-81-00-05-210 OWNER: MORRISSETTE, JACOB ACRES: 2.37

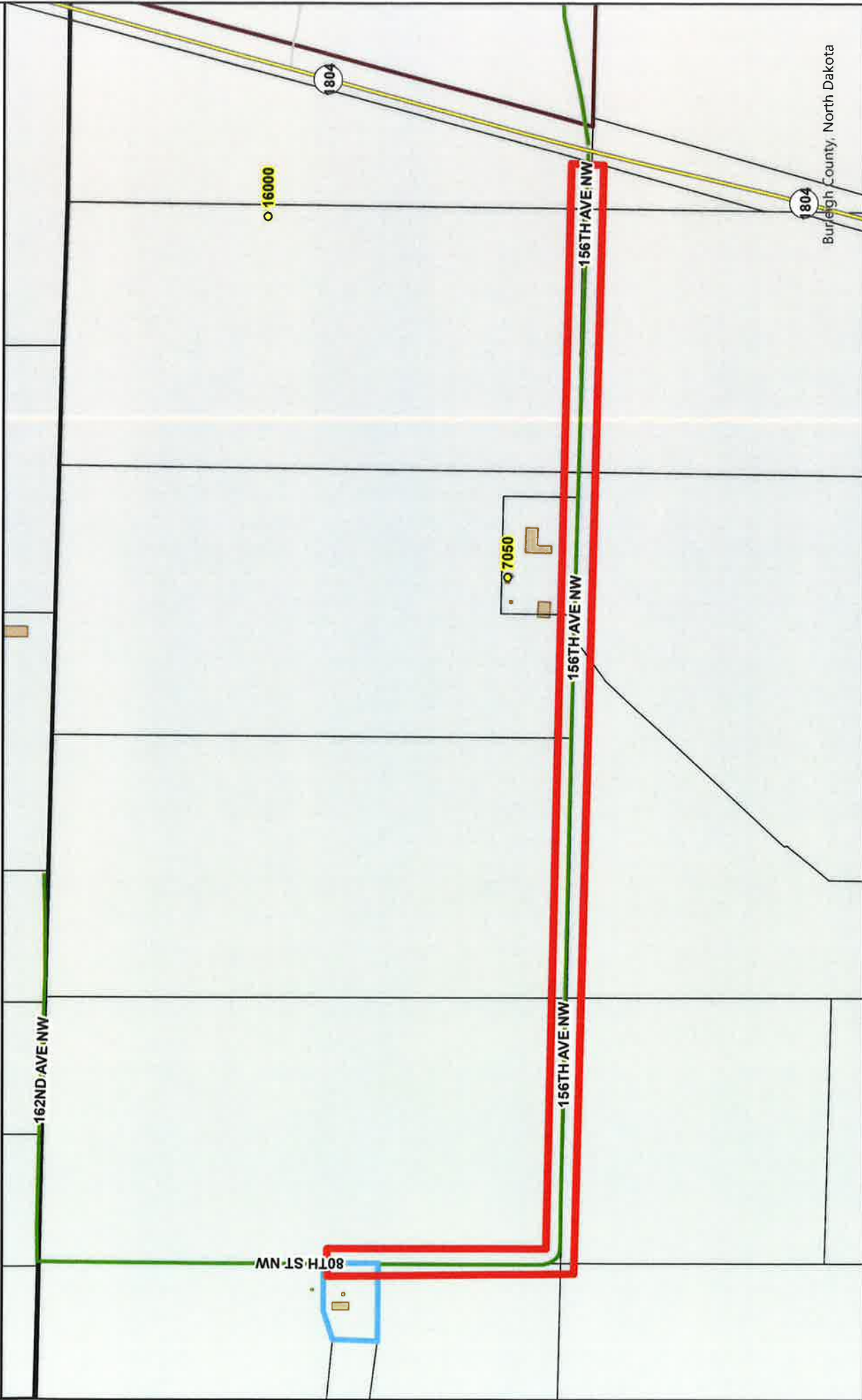
SITE ADDRESS: MAIL ADDRESS: 8131 RIDGELAND DR, BISMARCK, ND 58503

LEGAL: RIVERVIEW TOWNSHIP Section 05 A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA; THENCE S00°01'41W, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 1408.04', TO THE POINT OF BEGINNING. THEN

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
8/12/2024



PARCEL ID: 23-140-81-00-05-210 OWNER: MORRISSEWEE, JACOB ACRES: 2.37

SITE ADDRESS: MAIL ADDRESS: 8131 RIDGELAND DR, BISMARCK, ND 58503

LEGAL: RIVERVIEW TOWNSHIP Section 05 A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA; THENCE S00°01'41W, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 1408.04', TO THE POINT OF BEGINNING. THEN

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

PRELIMINARY PLAT
CHERNEY MORRISSETTEE SUBDIVISION
 PART OF NORTHEAST QUARTER
 SECTION 5, T140N, R81W
 BURLEIGH COUNTY, NORTH DAKOTA



SCALE 1" = 50'
 0 25 50

DATE AUGUST 21ST, 2024

VERTICAL DATUM: NAVD83
 HORIZONTAL DATUM: NAD83
 BASED ON NORTH DAKOTA SOUTH
 ZONE ADJUST INTERNATIONAL FEET
 BY FPM FROM THE BLSK CALCULATION
 ANNUAL REPORTED ROUND

PROFESSIONAL LAND SURVEYOR
 MARK R. BRACK, LICENSE #

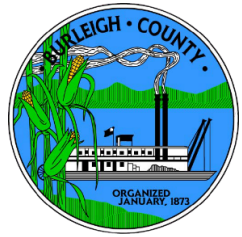
CHERNEY MORRISSETTEE SUBDIVISION PART OF NORTHEAST QUARTER SECTION 5, T140N, R81W BURLEIGH COUNTY, NORTH DAKOTA	Independent Land Surveying & Engineering
JASON C. & SARAH L. CHERNEY PROFESSIONAL LAND SURVEYORS 4735 5th Ave. SW Fargo, ND 58103-1008 Phone: (701) 785-0018 Fax: (701) 785-0019 www.cherneyland.com	Mark R. Brack, License # 1548 Jason C. Cherney, License # 1549 Sarah L. Cherney, License # 1550

- NOTES:
1. THIS SURVEY WAS CONDUCTED USING THE FOLLOWING METHODS OF RECORDING:
 - 1. FIELD SURVEYING
 - 2. RECORDS OF RECORDS TO DIFFERENT METHODS OF RECORDING
 - 3. SURVEYING INSTRUMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN
 - 4. SURVEYING CORRECTION - AGRICULTURAL

OWNER:
 JACOB MORRISSETTEE
 1000 MORRISSETTEE
 BRANCK, ND 58401
 JASON C. & SARAH L. CHERNEY
 PROFESSIONAL LAND SURVEYORS
 BRANCK, ND 58401



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

September 4, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the August 19, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Check replacement.
6. Burleigh County School Reorganization Committee applications.
7. County engineer Hall:
 - a. Petition to vacate roadway right of way.
 - b. 2nd approach permits request.
 - c. Developer Waiver request.
8. HR Director Binder:
 - a. Risk Management Policy and 2025 Benefits Open Enrollment.
9. County Recorder Hanson:
 - a. Salary variance request.
10. Comm. Munson:
 - a. Bismarck Burleigh Public Health Services JPA.
11. Comm. Schwab:
 - a. Update on and discussion on the Co 2 pipeline.

12. County Planner Flanagan:

- a. Present the Findings of the August 29, 2024 Planning Commission Meeting:
Amendments to Article 8 Section 28.

13. Other business.

14. Adjourn.

The next regularly scheduled Commission meeting will be on September 16, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING**

AUGUST 19TH, 2024

5:08 PM

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.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the August 5th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Charles & Tina Erling	2023	Lot 21, Block 13, Eagle Crest 6th Addition	Error in property description	\$611,300	\$486,800
Charles & Tina Erling	2024	Lot 21, Block 13, Eagle Crest 6th Addition	Error in property description	\$588,600	\$464,100
Bismarck Parks and Recreation District	2024	Lot 32, Block 1, Promontory Point VII	Property exempt from taxation	\$27,100	\$15,800
Jacqueline K Haag	2024	Block 7, North Hills 1st, Auditors Lot 3116 & undivided interest in common area	Error in property description	\$312,900	\$295,500
David & Sandra Fix	2023	Lot 6, Block 2, Rolling Hills 1st	50% Homestead Credit	\$358,400	\$258,400
Eric Remyense	2024	Lot 7, Block 8, Dakota Breeze	Basement only studs as finish	\$327,100	\$299,200
Joseph & Bonnie Newman	2023	Block 19, Wachter's 3rd, Lot 5 Southwood Condo Unit II	50% Homestead Credit	\$154,800	\$77,400
Eugene & Joyce Baldwin	2023	Lots 3-4, Block 18, Fisher	100% Homestead Credit	\$227,200	\$27,200

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the Charles & Tina Erling (2), Bismarck Parks and Recreation District, Jacqueline K Haag, David & Sandra Fix, Eric Remyense, Joseph & Bonnie Newman, and Eugene & Joyce Baldwin abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Bismarck City Planning Manager Daniel Nairn came forward to the Commission to give an update on the Bismarck Renaissance Zone program. Mr. Nairn explained that per a previous recommendation by the city of Bismarck, some changes were to be made to some of the program guidelines in order for the project to work a little smoother and clearer. These changes include appointing a county commissioner for a year to the Renaissance Authority; the appointment of members to the Renaissance Authority by local authorities (including the school board, the park board, and the county commission); that any changes to the plan would need to be brought to the local authorities; and that the base value of the property before the exemption is approved would remain the same rather than only the lot value being taxed as before. Mr. Nairn presented a request for both the Commission's support of continuing the program for 5 years and an approval of the development plan. Motion by Comm. Munson, 2nd by Comm. Woodcox to support the continuation of the Bismarck Renaissance Zone program for 5 years and approval of the

development plan. Comm. Munson, Bakken, and Woodcox voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

County Planner Flanagan presented a clarification of a special use permit appeal by Stall Farms and Balwin Greenhouse and Nursery for a corn maze near Baldwin. Because there is no ordinance yet in place to allow for the corn maze to operate as intended, no further action was required.

County Engineer Hall came and presented a pavement waiver request by a proposed subdivision in Sterling Township, and recommended approval of the proposal. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the meeting agenda. All members present voted "AYE". Motion carried. Hall then presented another pavement waiver request by a proposed subdivision in Riverview Township, and also recommended approval of the proposal. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried. Hall then asked for clarification on the 2025 Highway budget, as the Commission voted to have the Highway Department have the same budget amount as their 2024 budget but keep the same mill levy, then later voted to have the dollar figure remain the same. This contradiction by the Commission would leave the Highway Department short on cash needed for their budget because of the difference between the same mill levy versus the same dollar amount. Motion by Comm. Woodcox, 2nd by Comm. Bakken to reduce the proposed mills to keep the dollars levied the same as 2024 and then transfer cash from the general reserve account, per Hall's recommendation. Comm. Bakken, Munson, Woodcox, and Schwab voted "AYE"; Comm. Bitner voted "NAY". Motion carried.

Sheriff Leben gave the Commission another update regarding the Burleigh East remodeling efforts, saying that because the project is larger than anticipated the county will need to open bids in accordance with North Dakota century code. First motion by Comm. Munson, 2nd by Comm. Woodcox to allow the Sheriff's Department to begin contact architects to get the process started, with second motion by Comm. Woodcox, 2nd by Comm. Bakken to prevent Comm. Bitner from voting in the first motion. All members excluding Bitner present voted "AYE" for both motions. Motions carry.

Finance Director Jacobs gave another sales tax bond update, stating that the county executed its contract with the bidding agent.

Chairman Bitner then requested to hold an executive session regarding negotiation/negotiation strategy. Motion by Comm. Woodcox, 2nd by Comm. Bakken to move into executive session. All members present voted "AYE". Motion carried.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
			East Hills Addn Rplt, Block 1, Lot 2 Rolling			
24-659	Bede & Rose Marie Frank	2023	Hills Condos II Unit 104	50% Homestead Credit	\$312,500	\$212,500
				True and full value		
24-660	Bob Gilbertson	2023	1986 Vista North 16 x 76, #3644V	exceeds market value	\$23,426	\$11,713
				True and full value		
24-661	Bob Gilbertson	2024	1986 Vista North 16 x 76, #3644V	exceeds market value	\$23,426	\$11,713

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

When we receive the signed and notarized Affidavit and Agreement a duplicate payment will be issued and forwarded to you. In the event you recover possession of the original check, DO NOT CASH IT, please advise the Burleigh County Auditor/Treasurer immediately. Our telephone number is (701) 222-6718.

MAIL THE SIGNED AND NOTARIZED AFFIDAVIT AND AGREEMENT TO:
Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

MARY MAGSTADT
1800 TELLURIDE LN
BISMARCK, ND 58504

Check Date: 07/15/2024
Original Check #: 130121
Check Amount: \$1,499.16

AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

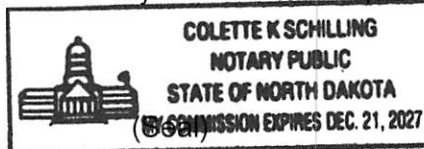
I hereby state under oath that the above-described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

I agree to indemnify, compensate, or make restitution to the County of Burleigh for any and all loss, damage and expense as a result of this issue of said new duplicate payment. If said original check alleged to have been lost or destroyed shall come into my possession, or under my control, I shall immediately return same to the Burleigh County Auditor, PO Box 5518, Bismarck, ND 58506-5518, for cancellation. If the aforesaid check shall at any time be cashed or presented to the Burleigh County Auditor/Treasurer by me or transferred to another person by me and result in a loss to the County of Burleigh, I shall promptly reimburse the Burleigh County Auditor/Treasurer for any such loss.

Subscribed and sworn to before me:

Mary Magstadt
Signature of Payee
Date 8-19-24

Colette K Schilling
Notary Public - County of Burleigh
My Commission Expires 12/21/27



Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__

Burleigh County Auditor/Treasurer

Date

ITEM

6

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Brian Duchscherer

Address: 5824 Heritage Ridge Road

Home Phone: None Work: [REDACTED] Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:
School Reorganization Committee

List below the skills or qualifications you could bring to this Board or Commission:

Former School Superintendent
Former member of the State Board of Education

If you have any special interest or reason for serving on this Board or Commission, please explain below.

Was asked if I would be interested in being on this committee.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: Dakota Leadership Solutions.

List below the associations or institutions with which you are closely associated, or serve as a director or officer: None

Signature: [Signature] Date: 8-23-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY
Date Appointed by Commission _____
Term Start Date _____
Term End Date _____
Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Brenda L. Blazer

Address: 200 North 3rd Street, Suite 201, Bismarck, ND 58501

Home Phone: _____ Work: Cell:

Email:

Board or Commission on which you prefer to serve:

School Reorganization Committee

List below the skills or qualifications you could bring to this Board or Commission:

Attorney

Interest in the committee

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I would like to continue to serve on this committee.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Board of Directors, Missouri Slope Area United Way

Signature: Brenda Blazer Date: 2/31/2024

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Linda Buchmann

Address: 5951 162nd AVE NE Baldwin ND 58521

Home Phone: [REDACTED] Work: [REDACTED] Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:

School Reorganization Committee

List below the skills or qualifications you could bring to this Board or Commission:

I have a very high interest in rural education

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I have lived in Naughton Township for 43 years and am very active on

Principal Occupation/Source of Income (check one) School board & township board,

- | | | | |
|-------------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input checked="" type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

List below the associations or institutions with which you are closely associated, or serve as a director or officer: Burleigh County Sp Ed Board, Naughton School Board

Signature: Linda Buchmann Date: 7-10-2024

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY
Date Appointed by Commission _____
Term Start Date _____
Term End Date _____
Oath Returned _____

ITEM

7



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: September 4, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Roadway Right of Way

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Accept petition to vacate roadway and set time and date for Public Hearing.

BACKGROUND:

Ronnie and Kathy Biegler in Sterling Townsite would like to have a portion the excess Right of Way along County Highway 10 vacated. The property is located in the SE $\frac{1}{4}$ of Section 29, Township 139N, Range 76W, Sterling Township - Burleigh County (See attached map). They have filed a petition (see attached letter) with the County Engineer (Under NDCC 24-07) to vacate the excess Right of Way. In order to vacate this Right of Way, the County/Township must conduct a Public Hearing and ascertain any damages that are caused by eliminating this Right of Way.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said Right of Way, and sets October 7, 2024 at 5:00 p.m. as the time and date for a Public Hearing to review the proposed vacation and ascertain any damages that are caused by this action.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

8/22/2024

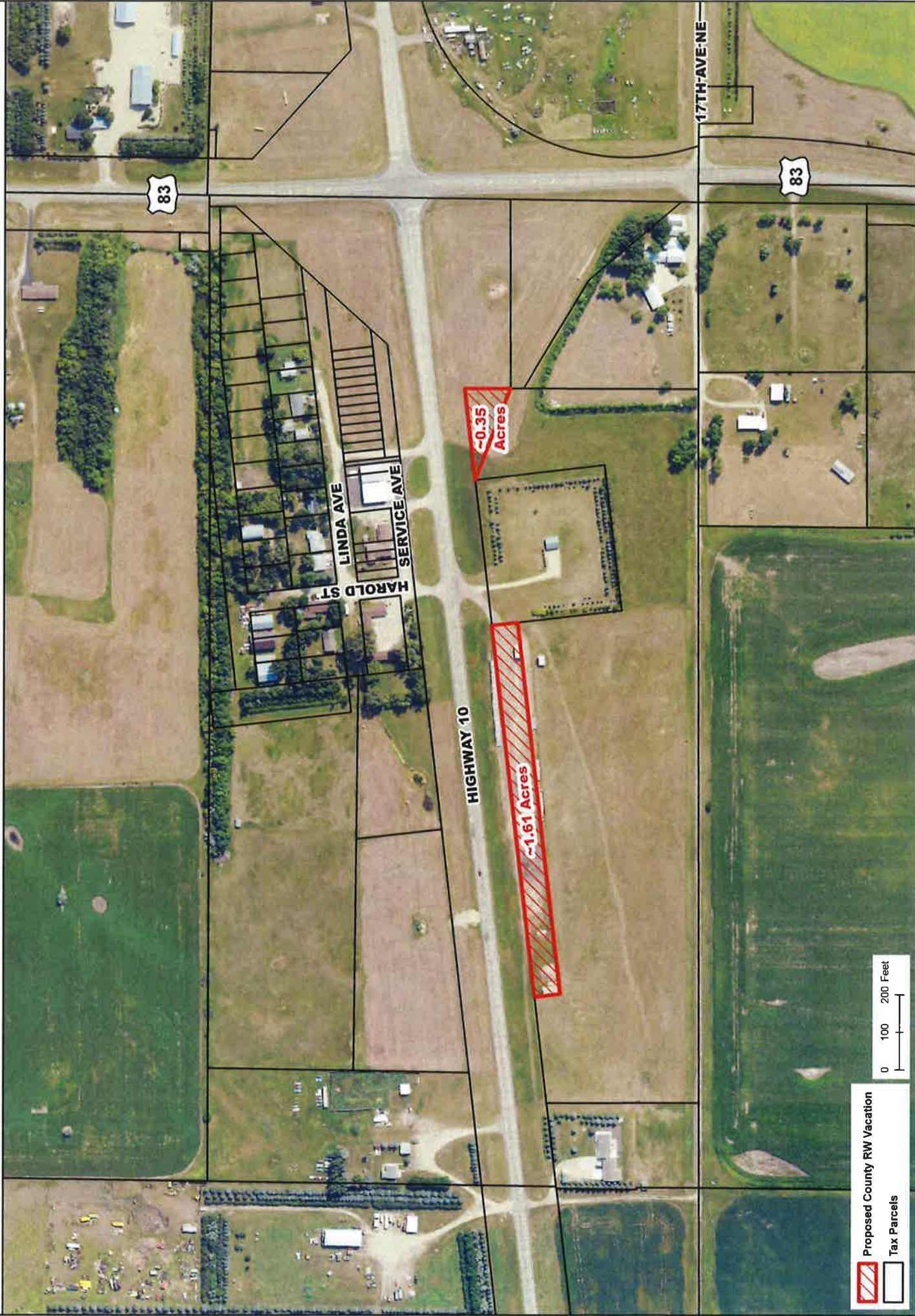





BURLEIGH COUNTY, NORTH DAKOTA

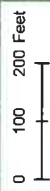
PROPOSED COUNTY RIGHT-OF-WAY VACATION HIGHWAY 10 AND US 83

08/21/2024



 Proposed County RW Vacation

 Tax Parcels



Map produced by Burleigh County GIS. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Email to: mahall@nd.gov



**BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION**

Application submitted for (check all that apply):

- Preliminary Plat
- Road Vacation
- Lot Modification
- Final Plat
- Zoning Change
- Minor Plat Modification
- Development Permit
- Plat Vacation
- Special Use Permit

PROPERTY INFORMATION:			
Name of plat: <i>Biegler Subdivision</i>			
Legal description of property (lot, block, addition):			
Street address of property:			
Existing Zoning:		Proposed zoning:	
Acreage: <i>1.66 acres and 0.35 acres</i>		Number of lots:	
Description of development proposal, including reason(s) for the request:			
APPLICANT/DEVELOPER:			
Name: <i>Ronnie and Kathy Biegler</i>		Mailing address: <i>31302 5th Ave NE</i>	
Daytime telephone number:	FAX number:	E-mail address:	
		<i>ronnie@biegler.com</i>	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: <i>Mark</i>		Mailing address: <i>4215 Old Red Trail - Mandan ND 58554</i>	
Daytime telephone number:	FAX number:	E-mail address:	

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A
<input type="checkbox"/>	Preliminary Plat	Required pre-application meeting	Date:	
		6 prints of plat, including all items listed in preliminary plat checklist		
		Preliminary plat checklist, completed by applicant		
		Fee of \$200-\$900 determined by number of lots		
		8½" x 11" reduction of plat		
		Digital copy of plat		
		Road master plan & adjacent owner's consent (if required)		
		For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
		Written request for amendment to Fringe Area Road Master Plan (if applicable)		
		<input type="checkbox"/>	Final Plat	6 prints of plat, including all items listed in final plat checklist
Final plat checklist, completed by applicant				
8½" x 11" reduction of plat				
Digital copy of plat, if requested				
Attorney's opinion of ownership, including all easement owners				
Stormwater management plan				
<input type="checkbox"/>	Minor Plat Modifications 3 lots or less	Map of property to be modified		
		Fee of \$200.00		
		4 prints of modification		
		Fee of \$300.00		
<input checked="" type="checkbox"/>	Road Vacation	Legal description of property to be vacated		
		Map of property to be vacated		
		Fee of \$250.00		
		Legal description of property to be vacated		
		Letters of consent from utilities (street/alley vacation & easement release)		
<input type="checkbox"/>	Zoning Change	Fee of \$500.00 (zoning change)		
		Description of zoning change by legal description if multiple districts requested		
		Architectural/Engineered drawings (PUD only)		
		One (1) print of site plan, at 1"=100' scale (PUD only)		
		8½" x 11" reduction of site plan (PUD only)		
		Written statement (PUD only)		
<input type="checkbox"/>	Special Use	Fee of \$300.00		
		3 prints of site plan, at 1"=20' or larger scale		
		8½" x 11" reduction of site plan		
		Photograph of building (moving building only)		
		Adjacent property owner petition (required for moving of a building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		
<input type="checkbox"/>	Development Permit	Fee of \$200.00		
		Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
		Completed Development Application		

Lot Modification	Fee of \$200.00		
	Sketch of survey, showing how the lot is proposed to be modified		
	Legal description of lot(s), both existing & proposed with square footage/acreage		

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: September 4, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: 2nd Approach Permits

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review and Direct the County Highway Department on how to proceed with Andrew Hetland request.

BACKGROUND:

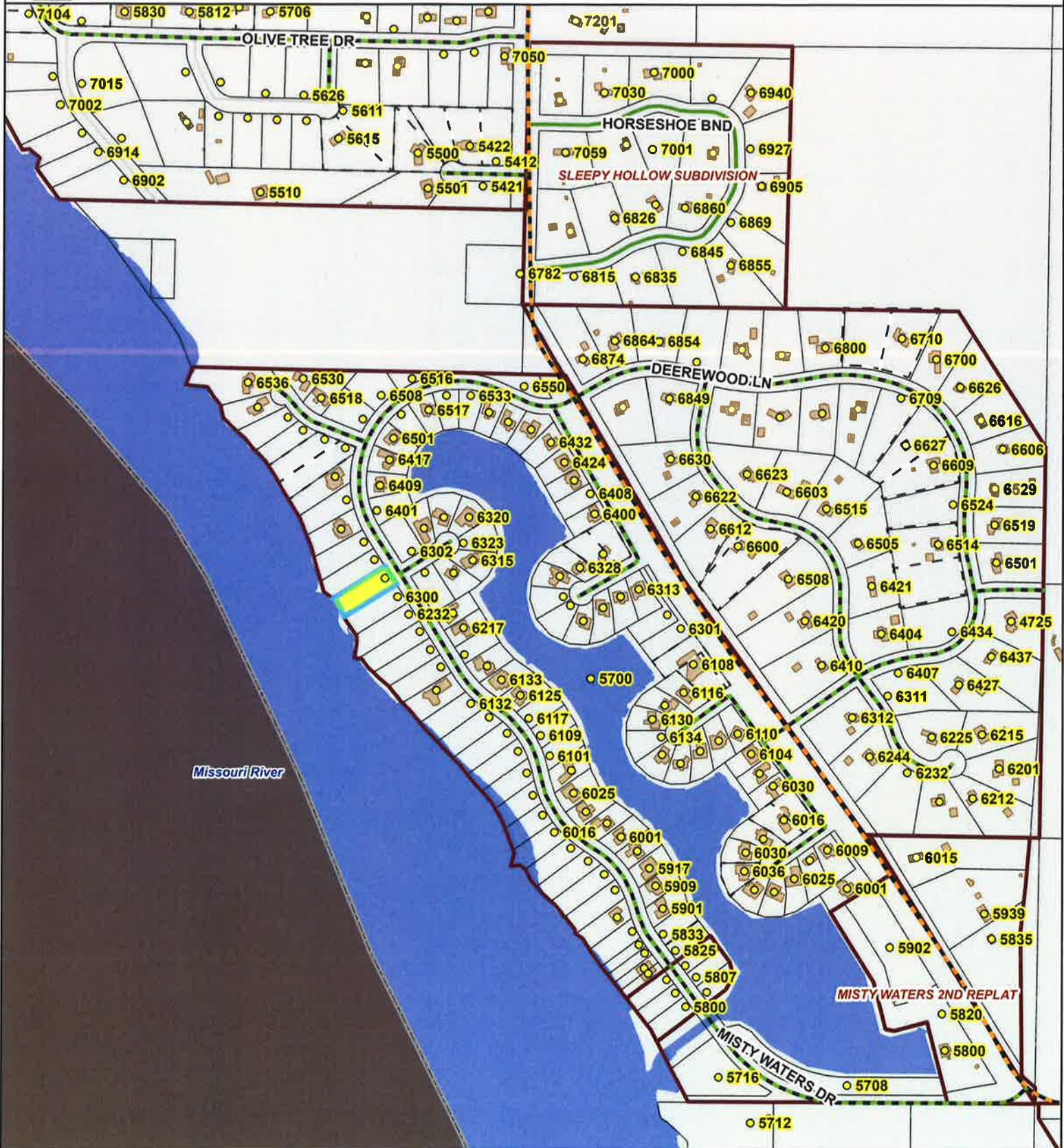
Andrew Hetland has requested a second approach permit to a property described as Block 03, Lot 17, of Misty Waters Subdivision (6308 Misty Waters Drive). Both the first and second approaches will enter the property from Misty Waters Drive. The second approach was rejected because it is too close to the first approach (around 50 feet).

Andrew Hetland has requested an appeal of the Highway Department's denial to the County Board.

RECOMMENDATION:

It is recommended that the Burleigh County Board discuss the above item and direct the County Highway Department on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



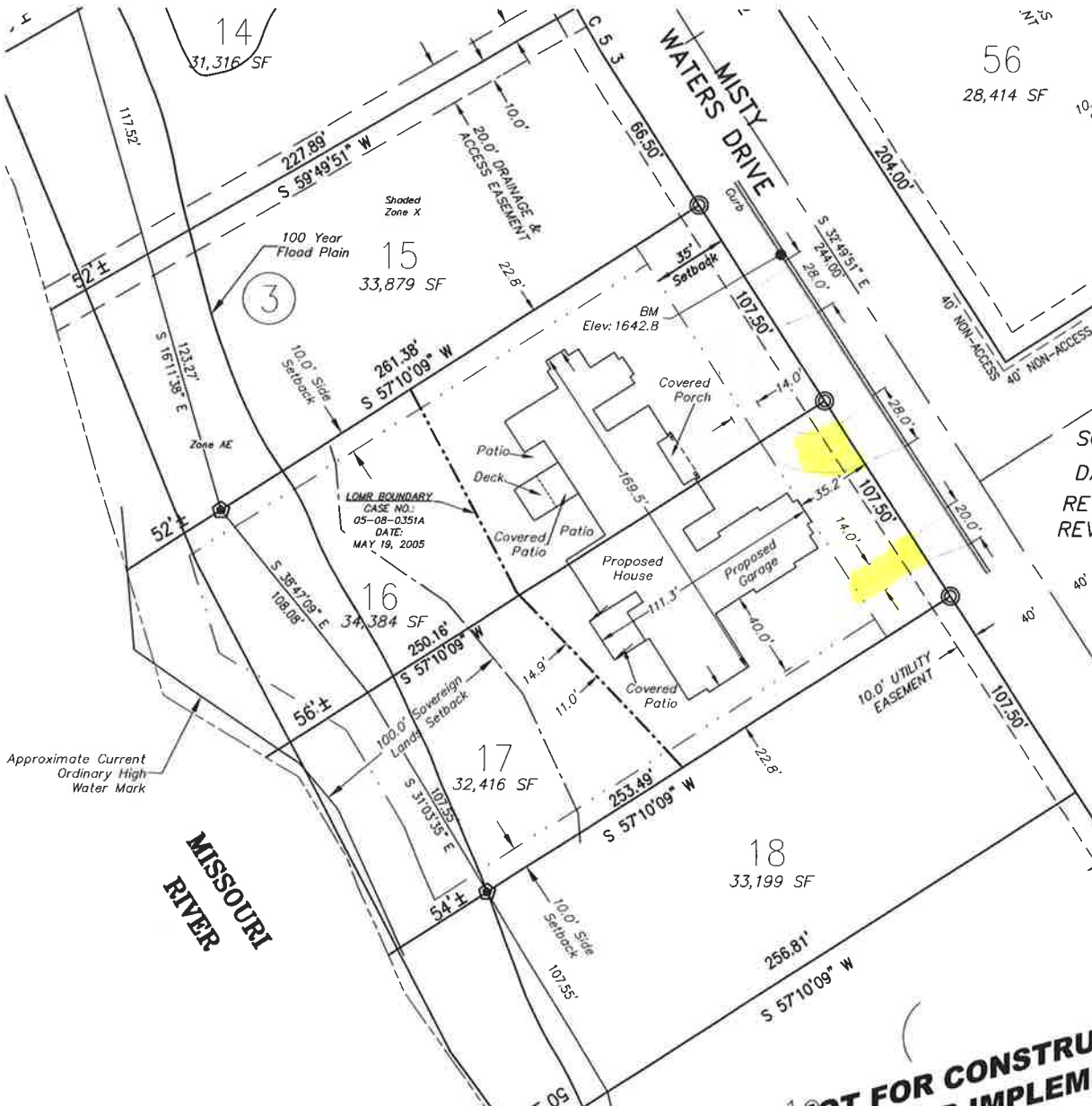
PARCEL ID: 31-139-81-60-03-170 OWNER: HETLAND, ANDREW ACRES: 0.74
SITE ADDRESS: 6308 MISTY WATERS DR
MAIL ADDRESS: 2934 CARRIAGE CIR, BISMARCK, ND 58503
LEGAL: MISTY WATERS Block 03 LOT 17 644375 646307



PARCEL ID: 31-139-81-60-03-170 OWNER: HETLAND, ANDREW ACRES: 0.74
SITE ADDRESS: 6308 MISTY WATERS DR
MAIL ADDRESS: 2934 CARRIAGE CIR, BISMARCK, ND 58503
LEGAL: MISTY WATERS Block 03 LOT 17 644375 646307

LOT SURVEY EXHIBIT

LOTS 16 & 17 BLOCK 3
 SUBDIVISION Misty Waters
 ADDRESS 6316 Misty Waters Drive
 BUILDER Mark Fleck Construction



SCALE: 1" = 80'
 DATE: 4/22/24
 REVISED: 6/4/24
 REVISED: 8/13/24

Datum:
 NAVD 88

Base Flood
 Elev: 1640.9
 FIRM PANEL:
 38015C0760E
 JUNE 6, 2024

PRELIMINARY-NOT FOR CONSTRUCTION,
 RECORDING PURPOSES OR IMPLEMENTATION

- ⊙ FOUND MONUMENT
- SET MONUMENT
- BUILDING SETBACK OR NON-ACCESS STAKE
- ⊕ FOUND WITNESS MONUMENT ON PROPERTY LINE

NOTES

THE BUILDING SETBACK LINES SHOWN ARE TYPICAL, THERE MAY BE OTHER BUILDING RESTRICTIONS, COVENANTS OR INTERPRETATIONS THAT AFFECT THIS PROPERTY. THE BUILDER IS RESPONSIBLE FOR VERIFYING THE BUILDING DIMENSIONS AND VERIFYING THE BUILDING SETBACKS WITH THE APPROPRIATE APPROVING AUTHORITIES. DIMENSIONS ARE FROM PLAT. BUILDING AS SHOWN HAS NOT BEEN FIELD SURVEYED.



SWENSON, HAGEN & COMPANY P.C.

909 Basin Avenue
 Bismarck, North Dakota 58504
 shcong@swensonhagen.com
 Phone (701) 223 - 2600
 Fax (701) 223 - 2606

Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

FAXED OR EMAILED TO:
 BUILDER OR OWNER

DATED:



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: September 4, 2024

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."

Kenneth and Lucinda Makedonski, in the NW ¼ of Section 9, Sterling (see attached map), is proposing a four (4) lot subdivision (Makedonski 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 0.25 miles of County/Township roadways along the north edge of the subdivision from SH 14 to the east edge of the subdivision.

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:

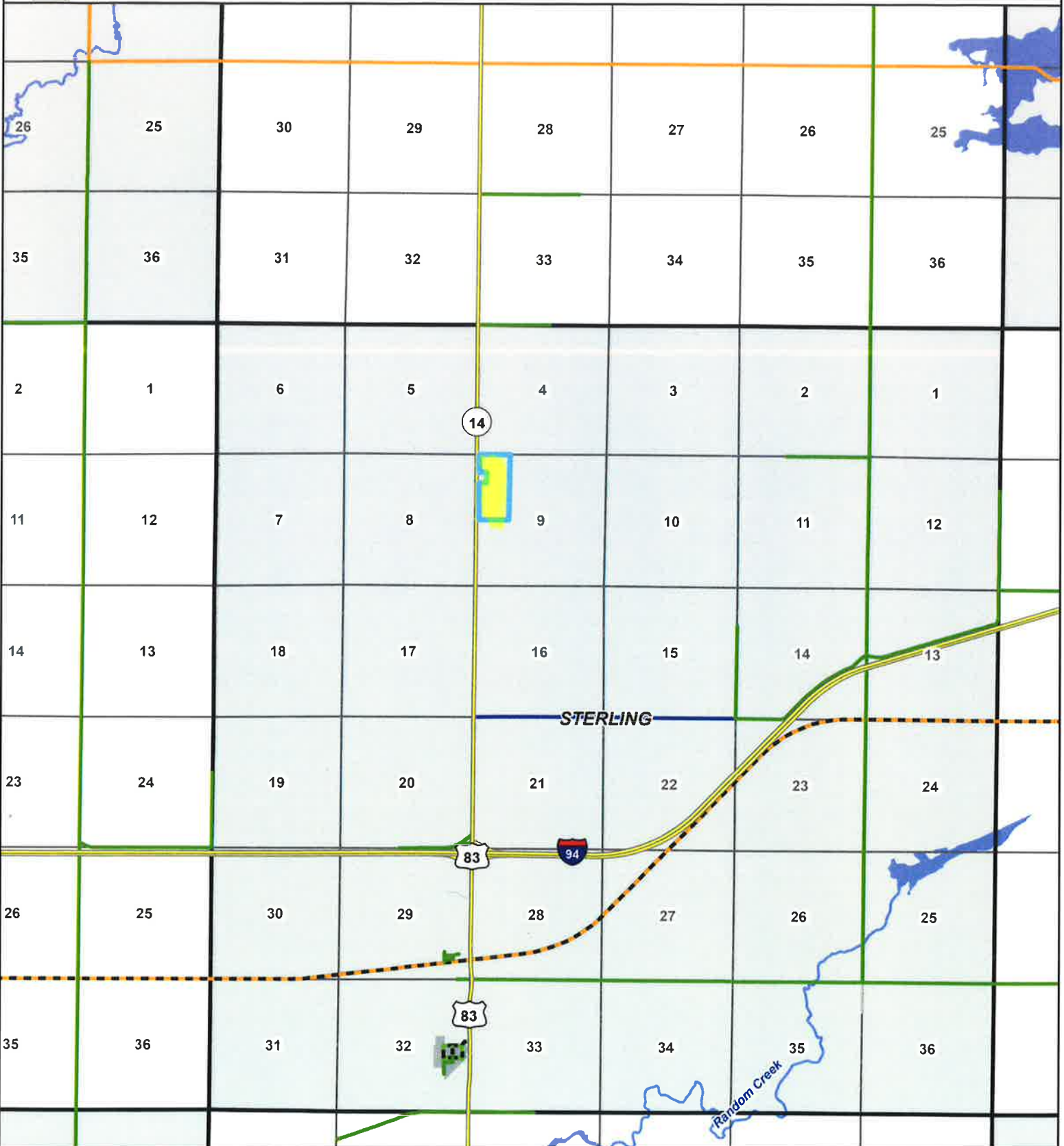
It is recommended that the County Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

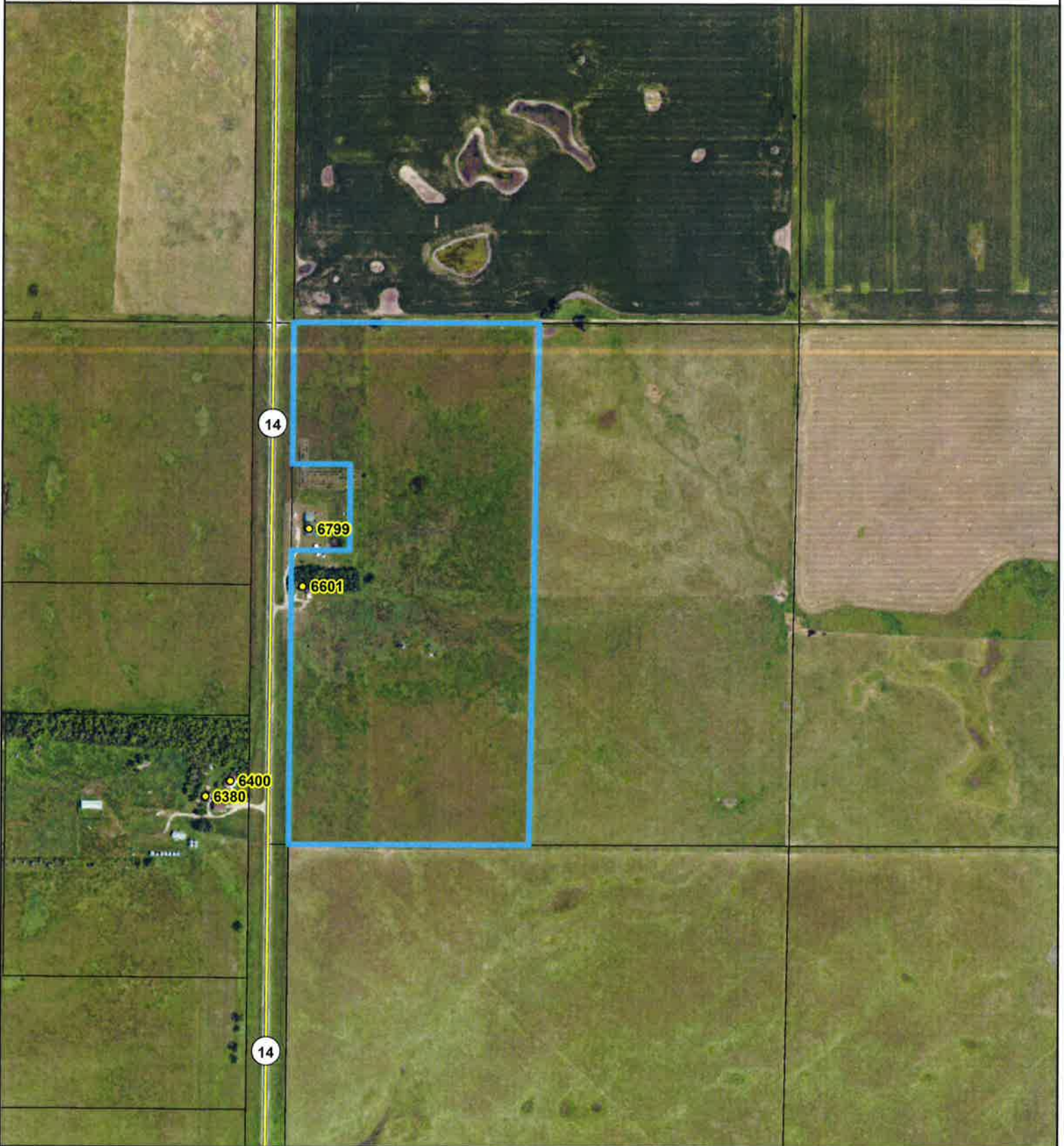
THEREFORE, BE IT RESOLVED: That the County Board of Commissioners do hereby recognize that the waiving of the Pavement Policy at this time is only to allow the proposed plat to be approved and does not preclude the County/Township from requiring the property owner from sharing in the cost to construct 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 the Makedonski's request to waive the construction and paving requirements "adjacent section line roads" listed in the Pavement Policy, in conjunction with the approval of the Makedonski Subdivision.

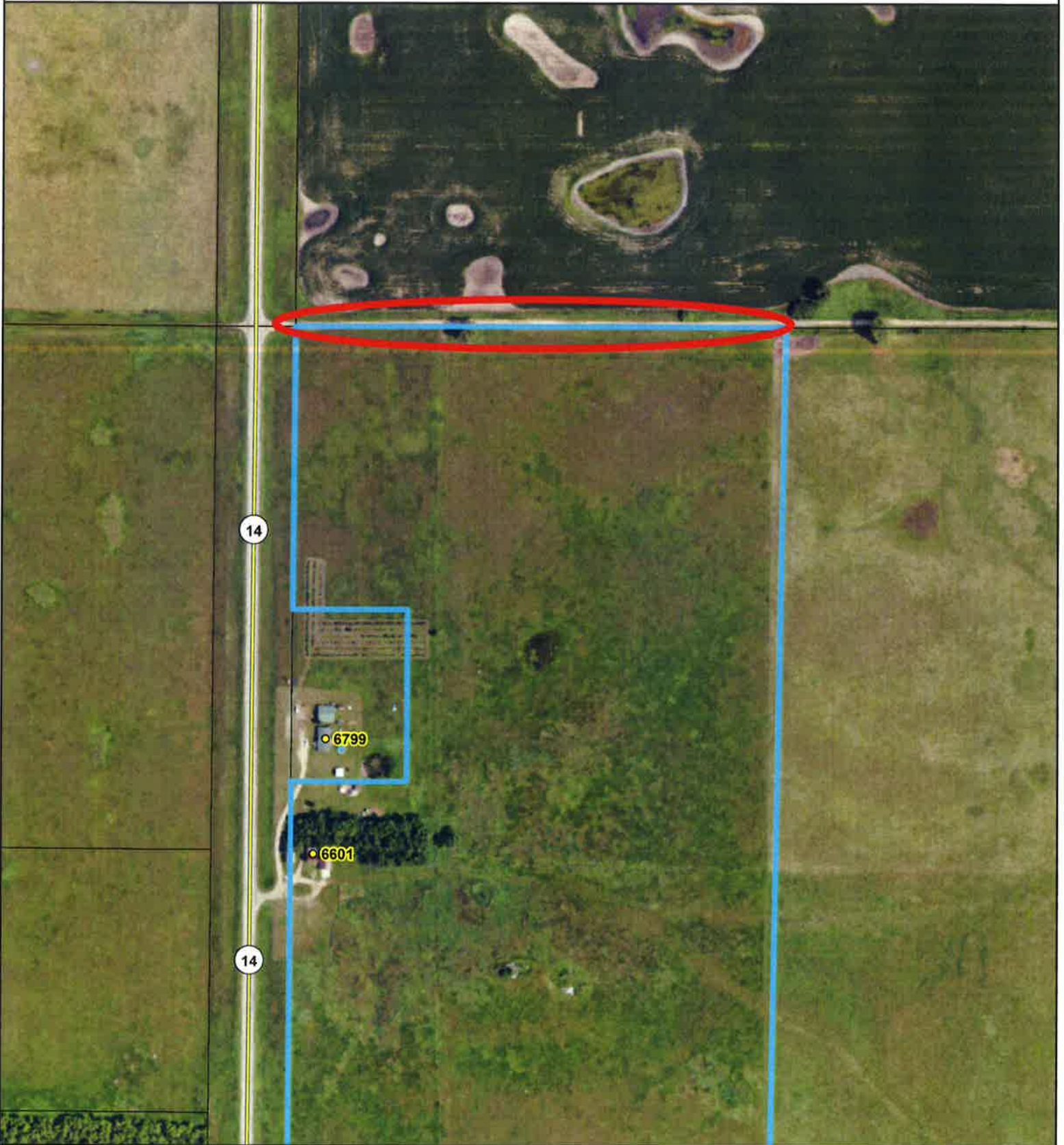
BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



PARCEL ID: 35-139-76-00-09-400 OWNER: MAKEDONSKI, LUCINDA J & MAKEDONSKI, KENNETH ACRES: 73
SITE ADDRESS:
MAIL ADDRESS: 6601 HWY 14, STERLING, ND 58572-9712
LEGAL: STERLING TOWNSHIP Section 09 W1/2NW1/4 LESS 3AC-401 & R/W 690113 09-139-76



PARCEL ID: 35-139-76-00-09-400 OWNER: MAKEDONSKI, LUCINDA J & MAKEDONSKI, KENNETH ACRES: 73
SITE ADDRESS:
MAIL ADDRESS: 6601 HWY 14, STERLING, ND 58572-9712
LEGAL: STERLING TOWNSHIP Section 09 W1/2NW1/4 LESS 3AC-401 & R/W 690113 09-139-76



PARCEL ID: 35-139-76-00-09-400 OWNER: MAKEDONSKI, LUCINDA J & MAKEDONSKI, KENNETH ACRES: 73
SITE ADDRESS:
MAIL ADDRESS: 6601 HWY 14, STERLING, ND 58572-9712
LEGAL: STERLING TOWNSHIP Section 09 W1/2NW1/4 LESS 3AC-401 & R/W 690113 09-139-76

ITEM

8

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN

Memorandum

To: Chairman Brian Bitner
Commissioner Steve Bakken
Commissioner Wayne Munson
Commissioner Steve Schwab
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP
HR Director/Risk Manager

Date: August 28, 2024

Re: HR Agenda Items

Subject: Risk Management Policy

Background:

This policy contains the following risk management policies:

- Safety Policy
- Safety Training (LMS Courses)
- Annual Inspections
- WSI – Worker’s Compensation
- Designated Medical Provider
- Return to work and Light Duty Assignments
- Exposure Control Policy
 - Blood Bourne Pathogens & Bodily Fluids
 - Hazardous Chemicals & Materials
- Ergonomics
- Accidents involving County Property

The Risk Management Policy has been updated for changes made by the North Dakota Association of Counties (NDACo), County Employer Group (CEG) Program.

The Return to Work and Light Duty Assignment Policy has been placed within this Risk Management Policy.

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN

Recommendation:

The recommendation would be to approve the revised Risk Management Policy as presented.

Subject: Burleigh County Benefits Open Enrollment for 2025

Background:

Annually, Burleigh County offers an open enrollment period where employees can add, change, or remove their Health Insurance, Dental Insurance, Vision Insurance, Life Insurance and Flexible Spending accounts coverage to be effective January 1st of the following year.

This year the Open Enrollment period is from Monday, October 7, 2024 through Friday, November 1, 2024.

The Human Resources department will email/mail the Open Enrollment materials out to all employees sometime in the month of September.

Recommendation:

For your Information only. No recommendation needed.

	Risk Management Policy	BCHR - 02 Policy Revised: 08/25/2024 Board Approved:
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Statement of Philosophy:

Burleigh County has established a proactive Risk Management program to assist in providing a safe and healthful work environment for employees, customers, and visitors. This program includes risk reporting, risk mitigation and safety training. It is the responsibility of all Burleigh County employees to identify, respond, monitor, and communicate risks associated with any activity, function, or process in which they engage. The Human Resource Director is the designated Risk Manager for Burleigh County.

Purpose:

To identify potential problems before they occur, provide a process for reporting safety risks and a resolution to the safety risks, and provide a safe and productive work environment.

Safety Policy

Each employee is expected to obey safety rules and to exercise caution in all work activities. All employees must follow the safety guidelines including wearing appropriate personal protective equipment (PPE) as required.

All employees are responsible for cooperation in all aspects of safety and health. They shall comply with rules and regulations for their own safety, for the safety of their fellow workers, and for the safety of the general public. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or (where appropriate) remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

Training

Burleigh County provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, written communications, and Risk Management training sessions.

Employees and supervisors receive periodic workplace safety training. The training covers safety and health hazards along with safe work practices and procedures to eliminate or minimize hazards. All permanent full-time employees are expected to complete a Learning Management System (LMS) safety training course on a quarterly basis.

Annual Inspections

Work area safety inspections will be conducted annually in all departments of Burleigh County to be in compliance with the Risk Management Program.

Workforce Safety – WSI

Workforce Safety and Insurance (N.D.C.C. §65-01) is a no-fault mandatory insurance plan to provide benefits to employees for job related injury or disease, or in the case of death, to a beneficiary. Burleigh County employees are protected by North Dakota Workforce Safety and Insurance against accidental injury in the performance of their official duties.

- **Incident/Near Misses and First Report of Injury forms must be submitted to the Human Resource Department within 24 hours or as soon as possible the next business day.**

Near Miss/Incident/Accident Report:

1. A Near Miss/Incident/Accident Report form must be completed anytime an employee is involved in an incident or accident that *could have* or *did* cause injury and the employee is not seeking medical attention. This form may also be used to report any potentially unsafe conditions so these conditions may be remedied immediately. Forms should contain the required information, with the employee filling out the Employee Section and the supervisor completing the Supervisor Investigation Report and listing any witnesses.
2. Whenever County property has been damaged, (vehicles, buildings, etc.) an incident report must be completed stating as much information as possible.
 - a) If the damaged property is a result of a motor vehicle accident, it must be investigated, and a copy of the police report must be included with the incident report.
 - b) Whenever an employee is involved in a motor vehicle accident while driving a county owned vehicle, or driving their personal vehicle for county business, they will be required to complete an alcohol and/or drug test.
3. For accidents and injuries involving County visitors, employees shall first find proper assistance to meet the visitor's needs. The employee should then complete the Incident Report and submit it to the Human Resource Department.
4. Employees are responsible for notifying their Supervisor or Department Head of any incident or accident as soon as possible after the incident or accident occurs. If an incident or accident results in an employee seeking medical treatment, a First Report of Injury (FROI) form is required.

First Report of Injury (FROI):

Injured employees that seek medical attention must complete a FROI, with the employee filling out sections 1, 2 and signing where indicated in section 3. The Human Resource Department will complete section 4 on behalf of Burleigh County and submit the FROI to WSI and assist the injured employee with any questions.

Time Loss Benefits

If an employee is injured in such a way that they will be absent from work for more than five (5) days, the employee may be eligible for time loss wages from WSI. Determination of time loss wages is provided by WSI only after receiving all mandatory claim forms and Doctor's report of injury with recommendations and restrictions clearly defined.

An injured employee may elect to use accumulated sick or annual leave while receiving WSI benefits, however, the combination of benefits *shall not* exceed the employee's base salary. The

use of sick or annual leave in conjunction with the benefits provided by WSI will provide the employee with his/her regular pay.

1. An employee who elects to use leave while receiving WSI benefits will be paid an amount equal to the difference between the employee's regular base salary and the amount of benefits the employee receives from WSI while on leave.
 - a) The employee's leave shall be deducted with the number of hours that corresponds to the difference between WSI benefits and regular base salary.
 - b) The employee must provide a copy of the benefit check from WSI to their supervisor so proper leave time may be deducted and differential pay may be calculated appropriately.
2. An employee who has utilized all leave benefits, or who has elected not to use accrued leave benefits, must be placed on leave without pay status for the remainder of the recovery period on the basis of State and Federal laws.
 - a) Once accrued leave is no longer available or the employee elects not to utilize accrued leave, he/she will no longer be required to furnish the supervisor with a copy of the benefit check.
 - b) An employee may remain in a leave without pay status for a period not to exceed two (2) years.

Employees receiving benefits from WSI are not eligible for leave donations.

Designated Medical Provider (DMP)

To provide a safer workplace and effectively handle work-related injuries, Burleigh County participates in the Designated Medical Provider (DMP) program. An employee that is injured at work can go to any Medical Provider that participates in the DMP program.

Designated Medical Provider Form:

An injured employee may be seen by their personal Primary Care Physician as long as the injured employee's Physician works for one of the designated medical organizations. A care provider that is not part of the DMP network must be listed on the injured employee's DMP form *before* the injury occurs. Information on which medical organizations are in the DMP network is available from the Burleigh County Human Resource Office.

DMP forms are reviewed annually as a part of Risk Management Training, and changes can be made at any time throughout the year.

DMP forms are available from the Burleigh County Human Resource Office.

Return to work – Light & Restricted Duty Assignments

Light-duty assignments under this policy are specially created temporary job assignments for employees injured or otherwise incapacitated. Such light-duty assignments are temporary assignments only, are not vacant or permanent positions within Burleigh County, and are not available to employees on a permanent basis under *any* circumstances. The availability of such light-duty assignments depends on the employee's restrictions and the business needs of the county. The existence of this light duty policy does not in any way guarantee that light duty will be available at any given time, or for any employee who requests it.

If a light duty assignment is available, an employee will be permitted to work in a light duty assignment only after the county receives a written statement from employee's treating health care provider approving the assignment for the injured employee. In general, the county will review the status of the temporary light duty assignment with the affected employee every 30 days, considering the county's business needs and the employee's condition, to determine if continuation of the assignment is appropriate.

If a light-duty assignment is offered by the county and approved by the employee's physician, an employee's refusal to accept the offer of light-duty may affect the employee's right to workers' compensation benefits under applicable law. However, if the employee's injury or illness qualifies as a serious health condition for purposes of the Family and Medical Leave Act, such refusal to accept light duty will not impact the employee's rights under the Act.

If at any point an employee is medically determined to have sustained permanent restrictions, the creation or continuation of a temporary light duty assignment will *not* be considered. In that event, the county will review the employee's situation separately, to determine the appropriate steps to be taken, if any, under the Americans with Disabilities Act, other applicable law, and other relevant county policies.

General Provisions:

Temporary light-duty assignments are limited in number and variety.

1. Employees injured or otherwise disabled in the line of duty (WSI Claims) shall be given preference in initial assignments to light duty over employees injured or disabled while off duty.
2. Employees who are injured while not on duty, or have medical conditions requiring less strenuous duties than their normal duties while rehabilitating their condition/injury, are eligible to apply for light duty assignments.
3. Assignments may be changed at any time, upon the approval of the treating physician, if deemed in the best interest of the employee or the county.
4. Employees working light duty must notify their supervisor of alterations in their light duty assignments to ensure that it is covered under their physician's restrictions.

Light-duty assignments are strictly temporary and normally should not exceed 12 weeks in duration. After 12 weeks or if anticipated to go beyond this timeframe, personnel on temporary light-duty who are not capable of returning to their original duty assignment shall present a request for extension of temporary light duty, with supporting documentation to their supervisor.

- **Light-duty assignments shall not be made for disciplinary reasons.**

Requests for and Assignment to Temporary Light-Duty:

1. Employees shall notify their supervisor in writing on a Light-duty request form that they intend to request a light-duty assignment within the department. This form will need to be forwarded for approval by the Department Head and the Human Resource Director. Upon notification the supervisor will provide the employee with their job description and physical requirements to be taken to their attending physician. The physician will determine what duties the officer can perform. Employees will be placed on eligible leave status until a light-duty assignment is approved.
2. The physician is expected to provide the employee with a detailed note, utilizing the "Return to work certification form", which identifies the work restrictions and expected

duration of the light-duty status. The form must include a prognosis for recovery, nature of work restrictions, and the fact that the employee can assume the duties involved. The form shall be signed by the attending physician. This will then be turned into your supervisor and attached to the Light-duty request form. If there are any questions on the physician's orders, the supervisor, department head, or human resources will contact the physician for clarification. Employees will need to provide monthly updates from the physician as to their work restrictions and any changes appropriate.

3. Once an employee is cleared for light-duty, a determination will be made on what light-duty is available within their department. Once light-duty has been found the supervisor will notify the employee of the availability or non-availability of a light-duty assignment. The supervisor will set in writing the hours of light-duty work, schedule, duration, and work permitted under the physician's restrictions. Every effort should be made to assign employees to positions consistent with their pay classification. However, where deemed appropriate, personnel may be assigned to positions designated for personnel of lower classification.

Supervisor Responsibilities:

- a) Monitoring compliance with the physician's restrictions and acting if violations occur.
 - b) Ensure the employee's time record is complete and accurate.
 - c) Perform evaluation documentation upon request of the employee's regular supervisor.
 - d) Notify the department head of any alteration of assignment of the light-duty employee to ensure it is covered under the physician's restrictions.
4. Employees on temporary light-duty are prohibited from engaging in outside employment or extra duty assignments in which they may be reasonably expected to perform similar job functions for which they may have been determined physically or mentally unable to perform on behalf of their department that from the basis of their temporary light-duty assignment.
 5. Employees on temporary light-duty must refrain from any off-duty or recreational activities that do not comply with their physician's light duty restrictions. Employees who abuse the light-duty program are subject to disciplinary action, up to and including termination.

Employment during pregnancy:

1. Employees that have confirmed they are pregnant shall notify their supervisor in writing. This correspondence shall include the expected delivery date and the name of the attending physician.
2. The supervisor will notify the department head keeping in mind the importance of confidentiality.
3. Employees may, with written approval of their physician, continue to perform their regularly assigned duties.
4. When the employee's physician determines the employee can no longer perform their work assignment, she may apply for temporary light-duty.

Return to Regular Duty:

A physician's clearance must be provided to the employee's supervisor in order to return to full/regular duty status with no restrictions.

Exposure Control Policy

Burleigh County is committed to providing a safe and healthful working environment to all employees. To minimize the risk to employees of an occupational exposure to bloodborne pathogens, bodily fluids and/or hazardous chemicals Burleigh County requires that personal protective equipment (PPE) be used, and all safety procedures be followed.

Bloodborne Pathogens & Bodily Fluids:

Those employees who are determined to have occupational exposure to blood or other potentially infectious materials (OPIM) must comply with the procedures and work practices outlined in this policy.

1. Burleigh County will provide and maintain all necessary personal protective equipment (PPE), engineering controls (e.g., sharps containers), labels, and red bags as required. No employee shall knowingly risk exposure to blood or other potentially infectious materials by failing to use the PPE provided.
2. Gloves must be worn when coming in contact with blood or other potentially infectious materials.
3. Protective masks and goggles must be worn when there is a possibility of a splash of blood or other potentially infectious materials.
4. Hands must be washed immediately following any contact with blood or other potentially infectious materials even if gloves have been used.

If an employee is exposed to blood or other potentially infectious materials the following steps should be followed.

1. The employee must notify their supervisor of the exposure.
 - a. The exposed employee should seek *immediate* medical attention.
During regular business hours the employee should be seen at St. Alexius Occupational Health and Wellness.
After regular business hours the employee should be seen at the St. Alexius Emergency Room.
2. The supervisor should assist the employee with completing the First Report of Injury (FROI) form, refer to the Workforce Safety – WSI, First Report of Injury form. The Human Resource Department should receive the FROI within 24 hours or the next business day. The Department Head should also be notified.
3. The need for follow-up care will be determined by WSI. If the employee requires follow-up testing the employee will need to schedule an appointment with St. Alexius per the schedule provided by WSI.
4. In cases of exposure to blood, bodily fluids or other infectious disease, source individuals should be tested in accordance with North Dakota Century Code, 23-07.5.
 - **Failure to adhere to the follow-up appointments recommended by WSI could result in the loss of coverage for the exposure.**

Hazardous Chemicals & Materials:

To ensure that information about the dangers of all hazardous chemicals and materials used by Burleigh County is known by all affected employees, the following hazardous information

program has been established. Under this program, you will be informed of the hazardous properties of chemicals with which you work, safe handling procedures and measures to take to protect yourself from these chemicals.

1. All containers must be clearly labeled as to their contents, note the appropriate hazard warning, and list the manufacturer's name and address.
2. Material Safety Data Sheets (MSDSs) must be available to employees in all locations where hazardous chemicals are used.
3. Each department is responsible for updating and storing MSDSs.
4. All employees working with hazardous materials must use recommended PPE.

If an employee is accidentally exposed to hazardous materials the following steps should be followed.

1. The employee must notify their supervisor of the exposure.
 - a. The exposed employee should seek *immediate* medical attention at the closest emergency room.
2. The supervisor should assist the employee with completing the First Report of Injury (FROI) form, refer to the Workforce Safety – WSI, First Report of Injury form. The Human Resource Department should receive the FROI within 24 hours or the next business day. The Department Head should also be notified.

Any mishaps, such as spills must be reported as a Near Miss/Incident/Accident Report to the HR office within twenty-four (24) hours. See Near Miss/Incident/Accident Report section within this policy.

Ergonomics

Burleigh County, in association with the North Dakota Association of Counties (NDACo), has developed and continues to maintain an ergonomics program which educates and informs all employees about the basic principles of ergonomics. The aim of the program is to eliminate or reduce the incidents of cumulative trauma or repetitive motion injuries (RMI).

When a cumulative trauma injury or other RMI has been reported at Burleigh County that results from a job, process, or operation, a worksite evaluation will be conducted. The evaluation identifies potential exposures that may have caused the injury and determines the methods Burleigh County will use to control or minimize them. Affected employees will be informed of the potential exposures and trained in the control measures

Worksite evaluations:

An employee may request an ergonomic evaluation by contacting the Human Resource office. The evaluation identifies potential exposures to cumulative trauma or RMI and determines the methods Burleigh County will use to control or minimize them.

Every reasonable effort will be made to correct the exposure in a timely manner. If the exposure cannot be corrected, efforts will be made to minimize it.

1. Burleigh County will consider reasonable, cost-effective engineering or administrative controls to correct or minimize exposures.

Employee training:

The ergonomics program also focuses on educating employees on their personal responsibility to ensure good work habits (such as posture and body mechanics) and adequate fitness for work.

1. Cumulative trauma or repetitive motion injuries such as carpal tunnel syndrome and back injury.
2. Proper body mechanics, posture, manual lifting techniques, workstation design, etc.
3. Other work-related stressors such as vibration, heat and cold, poor lighting and static positioning.

Controlling Cumulative Trauma or RMI:

Early symptoms of ergonomically related injuries. Employees must report symptoms to their supervisors. This information should be documented on a Near Miss/Incident/Accident report, or a FROI if the employee is seen by a physician. For questions on reporting see WSI section.

1. Any injury resulting in a Workforce Safety & Insurance (Workers Compensation) claim must have the appropriate paperwork completed by the employee and physician at that time of diagnosis.

Reporting procedures

Workers NOT seeking medical attention:

1. Complete an Initial Near Miss/Incident/Accident Report. This report **MUST** be turned into the Human Resources Office within 24 hours or by the next business day.
2. Supervisors or Department Heads should be informed as soon as possible when an incident occurs. The involved employee or someone designated by them should take all necessary actions to inform their Supervisor. If a Supervisor cannot be contacted, call the Human Resources Office at 701-222-6669.

Workers requiring medical attention:

1. If necessary, seek medical attention as soon as possible.

All severe or life-threatening injuries should go to the nearest emergency room or call 911.

For non-emergency injuries during regular business hours call first and go to:

Sanford Occupational Medicine Clinic – 701-323-5222
2603 E Broadway
Bismarck, ND

2. Supervisors or Department Heads should be informed as soon as possible when an injury occurs. The injured employee or someone designated by them should take all necessary actions to inform their Supervisor. If a Supervisor cannot be contacted, call the Human Resources Office at 701-222-6669 (during regular business hours).
3. Employees requiring medical attention need to complete a First Report of Injury (FROI) Form (SFN2828) filling out sections 1 & 2 and signing and dating in section 3. If you need assistance with this form, please contact the Human Resources Office.
4. Supervisors are required to complete an Accident Investigation – Root Cause form, which should be turned in to the Human Resources Office within 4 business days. If you need assistance with this form, contact the Human Resources Office.

Accidents Involving Property Damage

1. Check for injuries for all involved parties. If injuries are present and require medical assistance, radio Central Dispatch with the exact location of the accident and the number of people involved.
2. Call for law enforcement on all accidents that occur on public roads.
3. Notify your supervisor immediately of the accident if a supervisor is not available contact the Human Resources Office (during regular business hours).

The following steps must be completed for accidents involving property damage

1. Gather and exchange driver information with all parties involved. Names, phone numbers, license plate numbers, insurance carriers, vehicle year, make and model.
2. Complete the Burleigh County Near Miss/Incident/Accident Report.

If the accident involves a collision using a County vehicle, or if the employee was using a personal vehicle driving for County business post-accident drug testing may be required, please see the Burleigh County Alcohol and Controlled Substance Workplace Policy – Post-accident testing.

Post-accident testing is required when any of the following conditions exist:

1. Any injuries are present.
2. One or more vehicles must be towed from the scene.
3. The damage to any single vehicle is believed to exceed \$4,000.

Reporting Deadlines:

Near Miss/Incident/Accident Report – 24 hours or next business day.

First Report of Injury – 24 hours or next business day.

Accident Investigation – Root Cause Report – 4 business days.

Light Duty Form

Initial Near Miss/Incident/Accident Report

Supervisor must submit report immediately to Risk Manager upon completion of all sections

Employee Section

Date of incident ___/___/___ Day of week _____ Time of incident _____ a.m./p.m.
Employee Name _____ SSN _____
Employee home address _____ Employee home phone _____
Job Title _____ Department _____ Birth date _____
Supervisor Name _____ Supervisor phone _____
Incident needing medical attention _____ **OR** Incident w/o medical attention _____
Did you seek medical attention? Yes _____ No _____ Date you sought medical attention _____
Name of treating physician _____ Medical Facility _____
Body parts injured _____/_____/_____
Location of incident _____
Description of incident _____

Were there witnesses? Yes _____ No _____ If yes, please list witnesses/phone numbers on back of form.
What could I have done to prevent the injury? _____

Do you feel you have been properly trained to perform your job duties? _____

Print name _____ Employee signature _____ Date _____

Supervisor Investigation Report

Description of incident _____
Immediate cause of injury _____

What safety training/equipment could have prevented this injury? _____
Has corrective action been initiated? If yes, what corrective action is being taken? _____
Management review _____ Signature _____ Date _____
If no management review has been done, when will it be done? _____
Was a non-county employee injured as a result of this incident? Yes _____ No _____ If yes, provide the name and address of all non-county employees on the back of this form.
Was there property damage? Yes _____ No _____ If yes, please complete property damage report located on the back of this form.
Print name _____ Supervisor signature _____ Date _____

Witness Information to Incident

Please provide the following information about the witness(es) to the incident:

Name _____
Phone number _____
Address _____

Name _____
Phone number _____
Address _____

Non-County Injury Information

Please provide the following information on each non-county person injured:

Describe the nature of the incident/injury to the non-county employee.

Name _____
Phone number _____
Address _____

Name _____
Phone number _____
Address _____

Property Damage Report

Please provide picture if available

What property was damaged? _____

Where can damaged property be seen? _____

Owner of the property _____

Witnesses: (List all known witnesses – If more room is needed attach another sheet)

Name _____
Phone number _____
Address _____

Name _____
Phone number _____
Address _____

Were the police involved? Yes ___ No ___ If yes, provide the name of the officer.

Print name _____ Signature of supervisor _____ Date _____





FIRST REPORT OF INJURY
CLAIMS DIVISION
 SFN 2828 (04/2022)

1600 E Century Ave, Ste 1
 PO Box 5585
 Bismarck ND 58506-5585
Telephone 800-777-5033
 Toll Free Fax 888-786-8695
 TTY (hearing impaired) 800-366-6888
 Fraud and Safety Hotline 800-243-3331
 www.workforcesafety.com

SECTION 1 - Completion of this section is required			
Claim number	Employee's (First name)	(Last name)	Social Security number*
Date of birth	Gender <input type="checkbox"/> Female <input type="checkbox"/> Male	Marital status <input type="checkbox"/> Single <input type="checkbox"/> Married	Employee's telephone number
Employee's physical address (Street address)			
City		State	ZIP/Postal code
Employee's mailing address, if different than physical address (Street address, PO Box number)			
City		State	ZIP/Postal code
Date of injury	Time of injury <input type="checkbox"/> AM <input type="checkbox"/> PM	Nature of injury or illness (broken left leg, carpal tunnel left wrist, etc.)	
Body parts injured (Example: 2 nd /middle finger, shoulder, ankle, etc.) <input type="checkbox"/> Left <input type="checkbox"/> Right <input type="checkbox"/> NA			
How did the injury happen?			
Has this claim been filed in another state/province? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, which state?			
Where did the injury happen? (City)		(County)	(State)
Clinic/hospital name			Emergency room visit <input type="checkbox"/> Yes <input type="checkbox"/> No
Treating doctor's name			Date of first treatment <input type="checkbox"/> NA
Clinic/hospital mailing address (Street address, PO Box number)			Clinic/hospital telephone number
City		State	ZIP/Postal code
Employer's name			Employer's telephone number
Employer's mailing address		City	State ZIP/Postal code
What is the employee's job?	Date hired (Month)	(Year)	Last day worked in ND prior to injury
SECTION 2 – Employee completion			
Date employer notified	Person you notified	Before this injury, have you had any problems, injuries, or treatment to the injured body parts? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Have you missed or will you miss 5 or more consecutive days of work due to the injury? OR Has a doctor taken you off work for 5 or more consecutive days? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Witness to the injury (First name)	(Last name)	Telephone number	
SECTION 3 – Release of information/fraud warning/signature			

Release of information

I understand and agree that North Dakota law determines all my rights and obligations to and from WSI. I authorize any medical provider or facility, any insurance company, including workers' compensation relating to work injuries, any law enforcement or military agency, any government benefit agency including the Social Security Administration, and any educational agency or institution to release to WSI, its agents and attorneys, any and all information or records, including all prior records as well as those pertaining to mental health, alcohol, or drug abuse, and HIV/AIDS/AIDS-related illness. I authorize healthcare providers to respond to WSI regarding my injury, including request for conclusions and opinions not otherwise contained within existing medical records.

(Continued on page 2)

First Report of Injury continued on page 2. Submit both pages to WSI.

FIRST REPORT OF INJURY

SFN 2828 (04/2022)

Claim number	Employee's (First name)	(Last name)
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In addition, I authorize any education agency or institution to release to WSI any and all "educational records" as defined by 20 U.S.S 21 Sec. 1232g. This authorization continues while I have any claim open or pending before WSI. WSI is exempt from HIPAA regulations. I authorize WSI to release any information or records about my claim to third parties or their insurers for the purpose of resolving claims against third parties. I authorize the release of any medical information related to my claim to my employer.

Fraud warning
 Any person claiming benefits or compensation from WSI who files a false claim, or makes a false statement, or fails to notify WSI as to the receipt of income or an increase in income from employment, in connection with any claim or application for workers' compensation benefits will forfeit any future benefits and may be guilty of a felony which is punishable by imprisonment, substantial fines, or both. These criminal penalties are applicable to all persons dealing with WSI, including injured employees, employers, medical providers, and attorneys.

Signature
 By signing this form, I acknowledge that I have read and understand the release of information and fraud warning. I understand that falsifying this claim or making a false statement regarding this claim may be a felony, punishable by substantial fines and imprisonment. I authorize the release of information and agree that statements in this form are true and accurate.

Employee's signature	Date signed
-----------------------------	--------------------

In addition to myself, I authorize WSI to release information on my claim to (please print)

First name	Last name	Relationship
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SECTION 4 - Employer completion

Employer's account number	Rate class	Is employee a corporate officer, owner, or family member? <input type="checkbox"/> Yes <input type="checkbox"/> No
Employer's name	Mailing address (Street address, PO Box number)	
City	State	ZIP/Postal code

Has the employee missed or will they miss 5 or more consecutive days of work due to the injury? **OR** Has a doctor taken the employee off work for 5 or more consecutive days? Yes No

Date employer notified	Person notified	Before this injury, are you aware of the employee having any problems, injuries, or treatment to the injured body part? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
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Do you have a Designated Medical Provider (DMP)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Did the employee add another medical provider? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, which provider?	Do you question this claim? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain in section 5.
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Employer's signature	Title	Date signed
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SECTION 5 – Additional information or comments

* In compliance with the Federal Privacy Act of 1974, disclosure of the Social Security number on this form is mandatory pursuant to N.D.C.C. § 65-05-02. The Social Security number is used for identification and verification purposes. Failure to provide this information may result in a delay in processing your request.

To report an instance of fraud, contact the ND Fraud and Safety Hotline at 800-243-3331.

REQUEST FOR TEMPORARY LIGHT DUTY

PART A - (To be completed by employee and given to immediate supervisor)

I am requesting a temporary light duty assignment to accommodate a non-work related injury or illness, and I have attached appropriate medical documentation to support my request. I understand -light duty is not a "make work" situation, it is an accommodation. I understand I may be required to have my work hours changed in order to provide me with work. All efforts will be made to provide work within my craft and salary level that meets my restrictions.

Employee's Printed Name	Signature/Date
Position	Department
Physician's Name	Physician's Specialty
Physician's Address	Physician's Telephone Number
City and State	

PART B - (To be completed by employee's immediate supervisor and submitted to the Department Head)

Based on the medical restrictions outlined on the accompanying Return to Work Certification Form:

_____ Work **IS** Available

_____ Work Related Injury

_____ Work **IS NOT** Available

_____ Non-Work Related Injury

Supervisor's Signature

Date

Department Head Signature

Date

PART C - (To be completed by the Department Head)

_____ Light Duty is approved from _____ to _____. If Light Duty is required beyond 12 weeks, an updated physician statement will be required.

_____ Light Duty is denied. (Provide employee with a written notice as to the reason(s) for denial of Light Duty work.)

Department Head Signature

Date

Printed Name

RETURN TO WORK CERTIFICATION FORM

PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR ABILITY:

Patient's Name (PRINTED) Department

What is the cause of the employee's need for a restricted work assignment, and what parts of the body are affected? (DO NOT INCLUDE DETAILED MEDICAL INFORMATION)

Estimate duration for restriction(s). Give specific date, if known: _____

What was the last date you examined the employee? _____

Please indicate below the patient's ability to perform the following tasks continuously or intermittently, and give the number of hours per day they may perform each task:

ACTIVITY	CONTINUOUS	INTERMITTENT	#HRS/Day
1. Lifting/ Carrying: (State Max. Weight)	#Lbs.	#Lbs.	
2. Sitting			
3. Standing			
4. Walking			
5. Climbing			
6. Kneeling			
7. Bending/Stooping			
8. Twisting			
9. Pulling/Pushing			
10. Simple Grasping			
11. Fine Manipulation (includes keyboarding)			
12. Reaching above Shoulder			
13. Driving a Vehicle (Specify)			-
14. Operating Machinery (Specify)_			
15. Temperature Extremes			
16. High Humidity			
17. Chemical, Solvents, etc. (Identify)			
18. Fumes/Dust (Identify type)			
19. Noise (Give dBA)			
20. Other: (Describe)			
21. Are interpersonal relations affected because of a neuropsychiatric condition? (e.g., Ability to give or take supervision, meet deadlines, etc.) _____ Yes _____ No (Describe) _____			

Attach any additional medical information you feel might be helpful in assigning this employee to appropriate duties.

Doctor Signature Doctor's Name (PRINTED) Specialty Date

Address City and Zip Code Phone

Burleigh County

2 0 2 5 Benefits

Open Enrollment



October 7 , 2024 - November 1, 2024

Be on the look out for more information to follow.

ITEM

10

**20254 JOINT POWERS AGREEMENT
FOR PROVISION OF PUBLIC HEALTH SERVICES**

THIS AGREEMENT is between the City of Bismarck (**Bismarck**) and Burleigh County (**Burleigh**) collectively known as the "Parties".

PRELIMINARY STATEMENT

Bismarck is a home rule city organized and operated under a Home Rule Charter pursuant to [Chapter 40-05.1](#), North Dakota Century Code. **Burleigh County (Burleigh)** is a county organized and operated pursuant to Title 11 of the North Dakota Century Code.

The Parties have the authority to enter into a Joint Powers Agreement pursuant to Section [54.40.3-01](#), North Dakota Century Code and [Article VII](#), Section 10 of the North Dakota Constitution. The Parties each have the authority to provide public health services.

FOR VALUABLE CONSIDERATION and pursuant to NDCC Chapter [54-40.3](#), Article VII, Section 10, North Dakota Constitution, and NDCC Section [23-35-04](#) which allows Burleigh and Bismarck to enter into an agreement to provide health services to Burleigh and the cities throughout Burleigh which do not have a public health unit, the parties agree as follows (the "Agreement"):

1. Purpose. Burleigh and Bismarck hereby enter into this Agreement in accordance with state statute to provide public health services in Burleigh and in the cities throughout Burleigh which do not have a public health unit.
2. Authority. Bismarck has the authority under NDCC [Chapter 23-35](#) to form and operate a public health department and to provide public health services. Burleigh has the authority under NDCC Section 23-35-04(2) to enter into an agreement, with a city public health department, that complies with NDCC Chapter 54-40.3, for the provision of health services within the county and in cities throughout the county which do not have public health services. The Parties, pursuant to the authority contained in NDCC Chapter 54-40.3 and North Dakota Constitution Article VII, Section 10 and the above listed sections hereby enter into this Agreement for the provision of health services in Burleigh and cities in Burleigh that do not have public health services.
3. Financial Administration. **Burleigh** will pay to **Bismarck** an annual sum billed in equal monthly payments, in return for the provision of services by Bismarck-Burleigh Public Health as set forth below. **The total contract amount for 20254 is ~~\$580,664-~~ \$582,502.** In consideration of the payment of \$280,664.00 paid by Burleigh to

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Bismarck after the 2024 tax rates were set, Bismarck will reduce their property tax levy for 2025 by \$280,664.00 for the amounts paid for the 2024 Public Health budget to have Burleigh pay 25% of the budget for Public Health. The portion of the budget attributable to mill rate reductions for the amounts paid by Burleigh in 2025 will be reflected in the 2026 Bismarck property tax rates. Since this agreement reflects the same 25% contribution by Burleigh, there would be no increase nor decrease in Bismarck's property tax mill rate attributable to Public Health's budget in 2026.

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4. Contracts. All contracts, grant applications, or grant acceptances regarding the normal operations of Bismarck-Burleigh Public Health shall be approved by Bismarck. Any grant funds awarded to Bismarck-Burleigh Public Health shall be applied to programs for the benefit of both rural Burleigh and Bismarck residents.
5. General Administration-Committee. The general administration of this Agreement shall be under the supervision of a committee (the Committee) made up of the Burleigh County Auditor, the Bismarck City Administrator, and the Director of Bismarck-Burleigh Public Health. The Committee is not an independent entity. It is an administrative entity without separate legal existence from its constituent members. The committee shall have no decision-making authority regarding the operation of Bismarck-Burleigh Public Health. The committee's primary responsibility shall be mediating and addressing any issues that may arise in the provision of services under this Agreement. Reports concerning the proposed disposition of issues arising under this Agreement shall be reported to each governing body for final disposition.
6. Services. Under this Agreement, public health services provided in rural Burleigh County by Bismarck-Burleigh Public Health will include, but are not limited to, the core functions outlined in ND Century Code [23-35-02](#).
7. Relationship of Parties: This Agreement shall not be construed to create any form of any employment relationship between Burleigh and Bismarck-Burleigh Public Health, or any person designated by Bismarck-Burleigh Public Health under the provisions of this Agreement. It is the intention of the parties hereto to maintain separate and distinct organizations, and Bismarck-Burleigh Public Health through its designated employees shall at all times be acting as an independent contractor in providing services to and for the benefit of Burleigh. Bismarck-Burleigh Public Health shall be responsible to control and supervise all of its employees and to pay compensation to or for the employees of all wages, salaries, taxes, withholding payments, fees, as well as other benefits or compensation to any pension or retirement plans. Bismarck-Burleigh Public Health

shall not claim that Burleigh is responsible for the payment of any of the foregoing payments, withholdings, contributions, or taxes in relationship to its designated employees.

8. Effective Date. This Agreement shall become effective upon signature of all of the parties.
9. Term. The term of this Agreement is from **January 1, 2025** through **December 31, 2025** subject to cancellation by either Burleigh County or the City of Bismarck upon 60 days' notice.
10. This Agreement supersedes and replaces the AGREEMENT FOR PROVISION OF PUBLIC HEALTH SERVICES FOR BURLEIGH COUNTY BY THE CITY OF BISMARCK PUBLIC HEALTH or any other agreement for the provision of public health services currently in affect between the Parties.

BURLEIGH COUNTY

Dated this ____ day of _____, 20__

~~Steve Balken~~ Brian Bittner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor/Treasurer

CITY OF BISMARCK

Dated this ____ day of _____, 20__

Michael T. Schmitz, President
Board of Bismarck City Commissioners
City of Bismarck

Renae A. Moch, Director
Bismarck-Burleigh Public Health

Attest: _____

Jason Tomanek ~~Keith J. Hunke~~, Administrator
City of Bismarck

DRAFT



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

September 16, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the September 4, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Second access permit request.
6. Comm. Munson:
 - a. Provident Building remodel project discussion.
7. County Planner Flanagan:
 - a. Consideration of Fireworks ordinance.
8. Public Health Director Renae Moch:
 - a. Bismarck-Burleigh Public Health update.
9. County Engineer Hall:
 - a. 2nd approach permits.
10. Sheriff Leben:
 - a. 2024/2025 North Dakota Dept. of Transportation Traffic safety Grant.
11. County Auditor Splonskowski:
 - a. Crossroads Bar Liquor License application.

12. County Finance Director Jacobs:

- a. Continuation of Property Tax estimates discussion.

13. Other business.

6:00 PM

Final Budget Public Hearing

The Burleigh County Commission will conduct a **PUBLIC HEARING** for the purpose of discussion on the proposed budget as published & adoption of the FINAL BUDGET for the year ending on December 31, 2025. Any taxpayer who may appear shall be heard in favor of or against any proposed expenditures or tax levies. When the hearing shall be concluded, the board shall adopt such estimate as finally is determined. All taxes shall be levied in specific amounts and shall not exceed the amount specified in the published estimates.

- Open **PUBLIC HEARING** regarding Final 2025 Budget • Motion to approve appropriate (maximum) levies for the Unorganized Townships.
- Motion to Adopt 2025 Final Budget & appropriate 2024 mill levies.

14. Adjourn.

The next regularly scheduled Commission meeting will be on October 7, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING
SEPTEMBER 4TH, 2024**

5:00 PM *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.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the meeting agenda, with an additional item for a discussion regarding property taxes. All members present voted "AYE". Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the August 19th, 2024 meeting minutes and bills with the correction of adding the vote from the executive session to the August 19th minutes. 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Bede & Rose Marie Frank	2023	East Hills Addn Rplt, Block 1, Lot 2 Rolling Hills Condos II Unit 104	50% Homestead Credit	\$312,500	\$212,500
Bob Gilbertson	2023	1986 Vista North 16 x 76, #3644V	True and full value exceeds market value	\$23,426	\$11,713
Bob Gilbertson	2024	1986 Vista North 16 x 76, #3644V	True and full value exceeds market value	\$23,426	\$11,713

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Bede & Rose Marie Frank and Bob Gilbertson (2) plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Chairman Bitner began the discussion about property taxes – estimated notices of increase had recently gone out in the past couple of weeks and people were confused as to why the estimated figures show their property taxes increased, as the Commission assured the public that they didn't anticipate a property tax increase. What it boiled down to was that even if the dollar amount remains at zero, the market can still fluctuate and thus affect the taxable value of the property and property taxes overall.

Deetta Phelps came forward to the Commission and expressed concerns about the erosion of Sibley Drive into Apple Creek. Mrs. Phelps raised concerns about how the stone barrier preventing further erosion into Apple Creek doesn't have any safety precautions (like guardrails) to prevent cars from sliding over the rocks and into the creek during the winter. Furthermore, Mrs. Phelps also highlighted concerns over the potential for ice jams in Apple Creek come next spring with the current situation.

Burleigh County Superintendent of Schools Brent Dick presented to the Commission three applications for the Burleigh County School Reorganization Committee and recommended to approve the three candidates as presented. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the three candidates to the Burleigh County School Reorganization Committee. All members present voted "AYE". Motion carried.

County Engineer Hall came and presented a petition to the Commission requesting to vacate a roadway right of way, and recommended a public hearing for the petition be set for October 7th. Motion by Comm. Munson, 2nd by Comm. Woodcox to set a public hearing for October 7th. All members present voted "AYE". Motion carried. Hall then presented a request for appeal of

the Highway Department's denial of a 2nd approach permit up by the Misty Waters development; however, the Commission was uncomfortable with making a decision at this time without more details regarding the situation. Motion by Comm. Bakken, 2nd by Comm. Schwab to table the item for another meeting until further information is provided. All members present voted "AYE". Motion carried. Hall then presented a pavement waiver request near Sterling township and recommended approving the proposal. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the proposal. All members present voted "AYE". Motion carried.

HR Director Binder showcased an updated version of the county's Risk Management Policy to the Commission and asked for its approval. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the updated Risk Management Policy. All members present voted "AYE". Motion carried. Binder then went on to say that open enrollment for 2025 benefits will take place from October 7th through November 1st.

County Recorder Hanson presented to the Commission a salary variance request for a county employee transferring over to the Recorder's office. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the salary variance request. All members present voted "AYE". Motion carried.

Comm. Munson unveiled a joint powers agreement proposal for Bismarck-Burleigh Public Health Services between the city of Bismarck and Burleigh County; motion by Comm. Munson, 2nd by Comm. Woodcox to approve the joint powers agreement proposal. Comm. Munson, Woodcox, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Comm. Schwab gave an update on the CO2 pipeline, suggesting that the Commission begin sending certified letters to Summit Carbon Solutions to inform them that they're on the agenda and notify them to attend, or to ask Summit why they aren't showing up to the county commission meetings to argue their case. A consensus was reached by the commissioners to draft a concrete list of questions to Summit by next meeting. No further action was needed.

On behalf of County Planner Flanagan, Comm. Munson presented to the Commission the findings from the August 29th, 2024 Planning Commission meeting, stating that they denied an amendment to Article 8, Section 28 due to the need to continue hammering out the finer details.

Chairman Bitner informed the Commission that they received a draft of a bid for contract for the Provident building's fire suppression systems before the winter.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-665	Connie Ensz	2022	Lot 3 & E 1/2 of Lot 4, Block 9, Riverview	20% Homestead Credit	\$132,300	\$107,300
24-666	Connie Ensz	2023	Lot 3 & E 1/2 of Lot 4, Block 9, Riverview	50% Homestead Credit	\$178,900	\$89,450
24-676	Dustin & Deann Zaun	2024	Lot 8, Block 5, Island Park Est	True and full value exceeds market value	\$498,500	\$466,200
24-685	Kent & Renee Ward	2024	Auditor's Lot B of Lot 1, Block 1, Ash Land Estates	True and full value exceeds market value	\$733,300	\$659,300
24-686	Mark & Shirley Voss	2024	Pt sect 28-138-80	Home is uninhabitable	\$108,300	\$43,800



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: September 16, 2024

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E.
County Engineer

RE: Second access permit for Tim Anderson

Tim Anderson from 3103 Fontenelle Drive (Fox Island 2nd Subdivision Block 5, Lot 6) has requested a second access permit to his property. The first access approach is off of Fontenelle Drive. He wishes to have a second approach off of Fontenelle Drive in order to have safer access to his property. We have reviewed the location of the new proposed access off of Fontenelle Drive and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Tim Anderson on the September 16, 2024 County Board Consent Agenda.

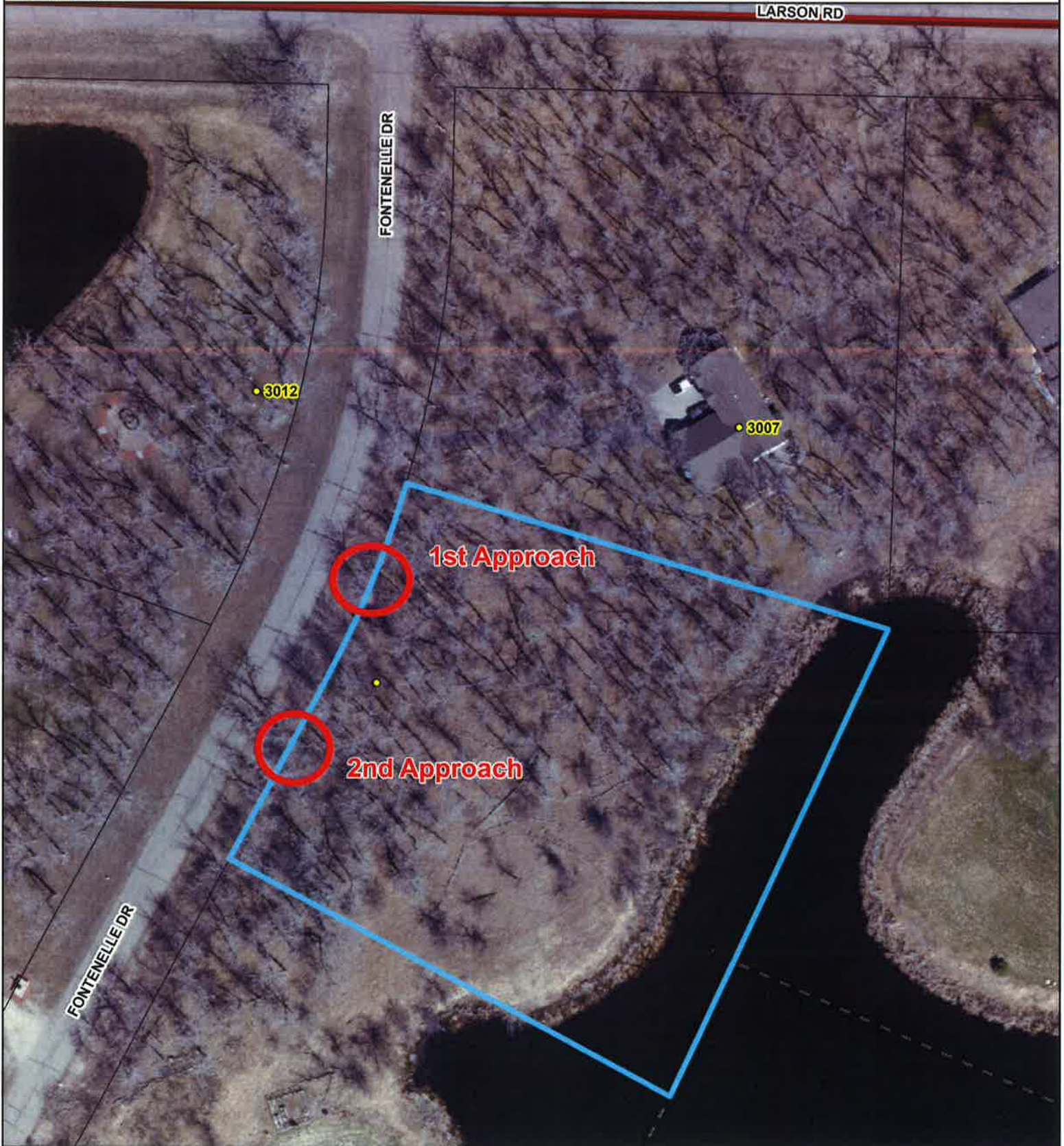
2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.



PARCEL ID: 38-138-80-34-05-060 OWNER: ANDERSON, JENNIFER & TIM ACRES: 2.09
SITE ADDRESS: 3103 FONTENELLE DR
MAIL ADDRESS: 215 MARIETTA DR, BISMARCK, ND 58504
LEGAL: FOX ISLAND SECOND Block 05 LOT 6 466862



PARCEL ID: 38-138-80-34-05-060 OWNER: ANDERSON, JENNIFER & TIM ACRES: 2.09
SITE ADDRESS: 3103 FONTENELLE DR
MAIL ADDRESS: 215 MARIETTA DR, BISMARCK, ND 58504
LEGAL: FOX ISLAND SECOND Block 05 LOT 6 466862

ITEM

6

Addenda item for September 16th, 2024 Meeting

Action Requested: Consider purchasing another building rather than remodel the Provident Building.

Description:

After previewing the projected remodel costs of the Provident Building, I wanted to look at other options. The projected cost is several million dollars above our initial estimates.

Attached is a brochure for a building in downtown Bismarck that is for sale and has enough room for our operations.

Action needed: none at this time.

City Center Plaza - Offered for Sale

418 E Broadway Ave., - Bismarck, ND
\$1,900,000



Bill Daniel | President
CCIM, Broker
Bill@DanielCompanies.com

Taylor Daniel | Vice President
Commercial Realtor®
Taylor@DanielCompanies.com

DanielCompanies.com

AWESOME OWNER / USER OR INVESTMENT

Executive Summary For Sale

Address:	418 E Broadway Ave - Bismarck, ND 58501
Price:	\$1,900,000
Year Built:	1956
Legal Description:	Addition Name: ORIGINAL PLAT BLK:66 - ORIGINAL PLAT Block: 66 LOTS 9-12
Parcel ID:	0001-066-020
Lot Size:	14,000 sf
Building Size:	26,936 sf
Zoning:	Downtown Core Zoning
Taxes 2023:	\$31,422.55
Specials Balance:	\$17,179.29 - (\$2,767.77 Annual Installment)

Broker does not guarantee the information describing this property. Interested parties are advised to independently verify the information through personal inspectors or with appropriate professionals.

Property Highlights:

- In the HEART of Downtown Bismarck
- Across the street from City Parking Ramp
- Walking distance to of the downtown restaurants / bars / shops / services
- Easy Access to Bismarck Event Center, Kirkwood Mall, and Bismarck Airport
- Opportunity Zone Eligible

FOR SALE

- Private Office Suites
- Secure Building
- 2 Restrooms on 2nd Fl, and 2 restrooms on Lower Level
- Common Conference Room on 2nd floor
- Elevator
- Great Location: SW Corner of N 5th St and E Broadway Ave.

POTENTIAL USES:

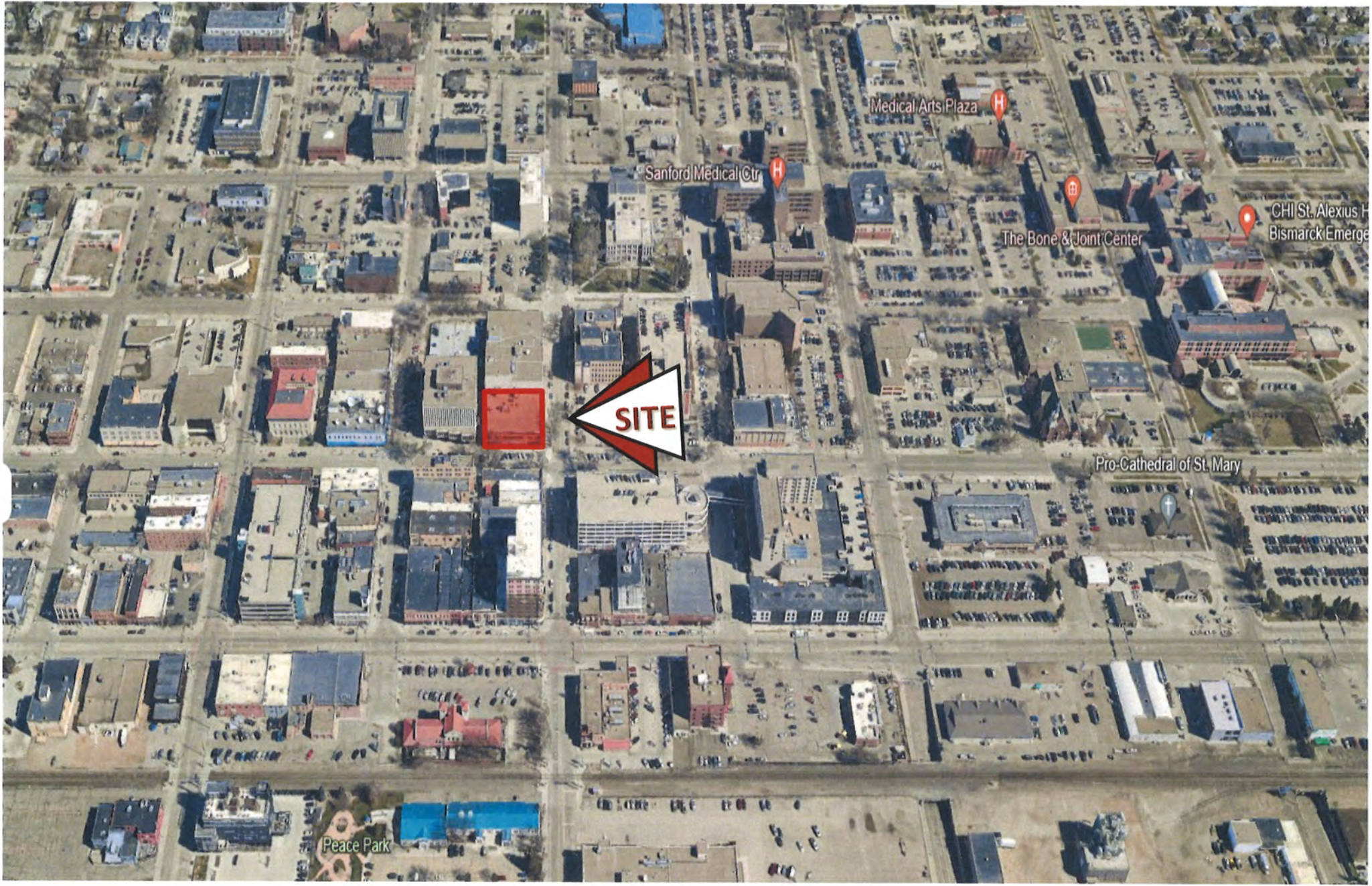
- Professional Services
- Medical Offices
- Financial Center
- Legal Office
- Accounting Firm
- Government Offices
- Engineering Firm
- Association Headquarters
- Energy Industry
- Investment Property



Bill Daniel | President
CCIM, Broker
Bill@DanielCompanies.com

Taylor Daniel | Vice President
Commercial Realtor®
Taylor@DanielCompanies.com

DanielCompanies.com



Sanford Medical Ctr

Medical Arts Plaza

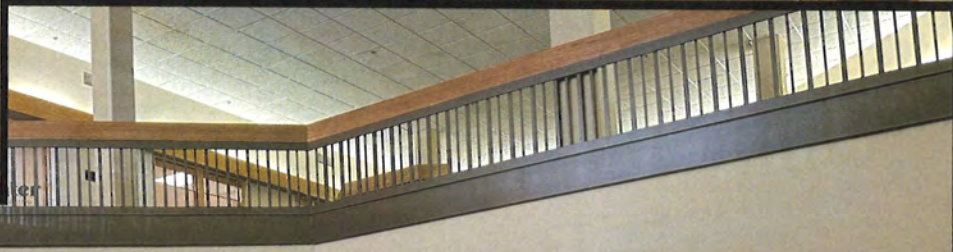
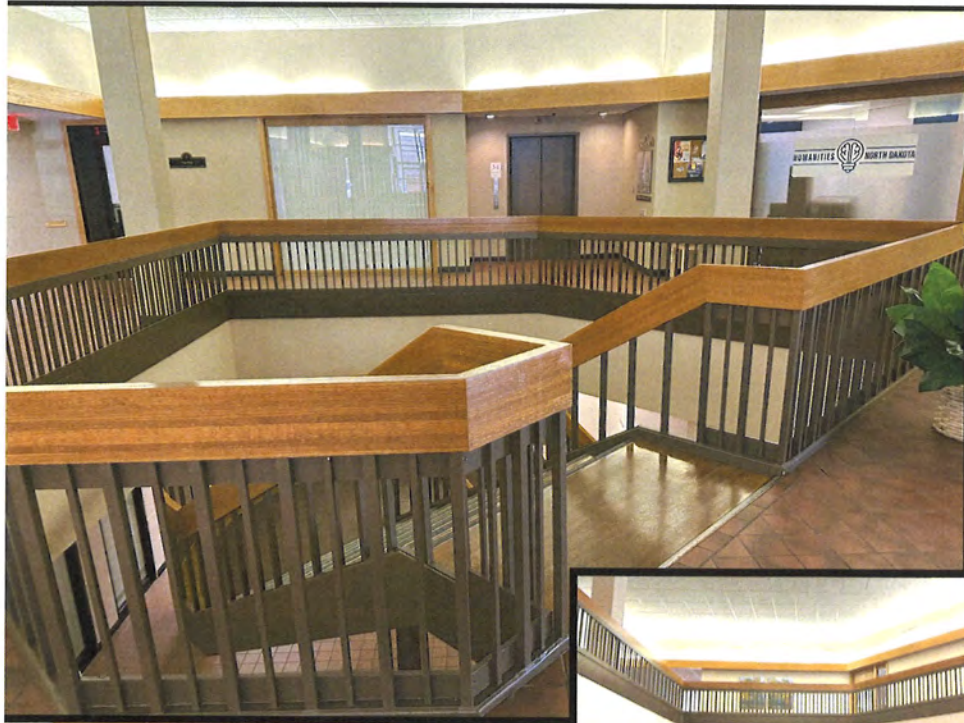
The Bone & Joint Center

CHI St. Alexis H
Bismarck Emerg

Pro-Cathedral of St. Mary

Peace Park

SITE




DANIEL COMPANIES
The Leader in Commercial Real Estate

Bill Daniel | President
CCIM, Broker
Bill@DanielCompanies.com

Taylor Daniel | Vice President
Commercial Realtor®
Taylor@DanielCompanies.com

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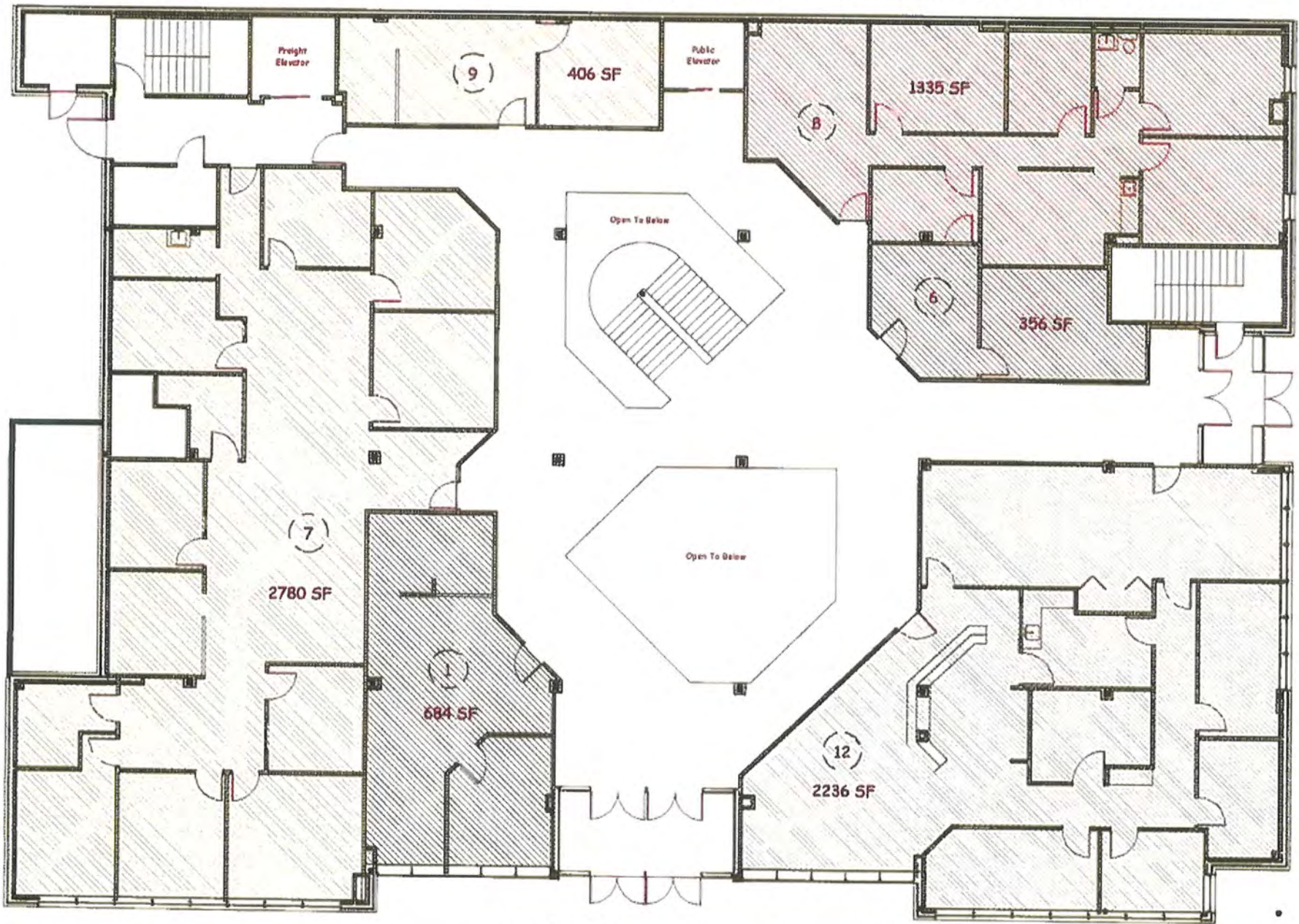
City Center Plaza - 418 East Broadway Avenue - Bismarck, North Dakota



Drawn By: Inline Designer, Inc (5/6/11)

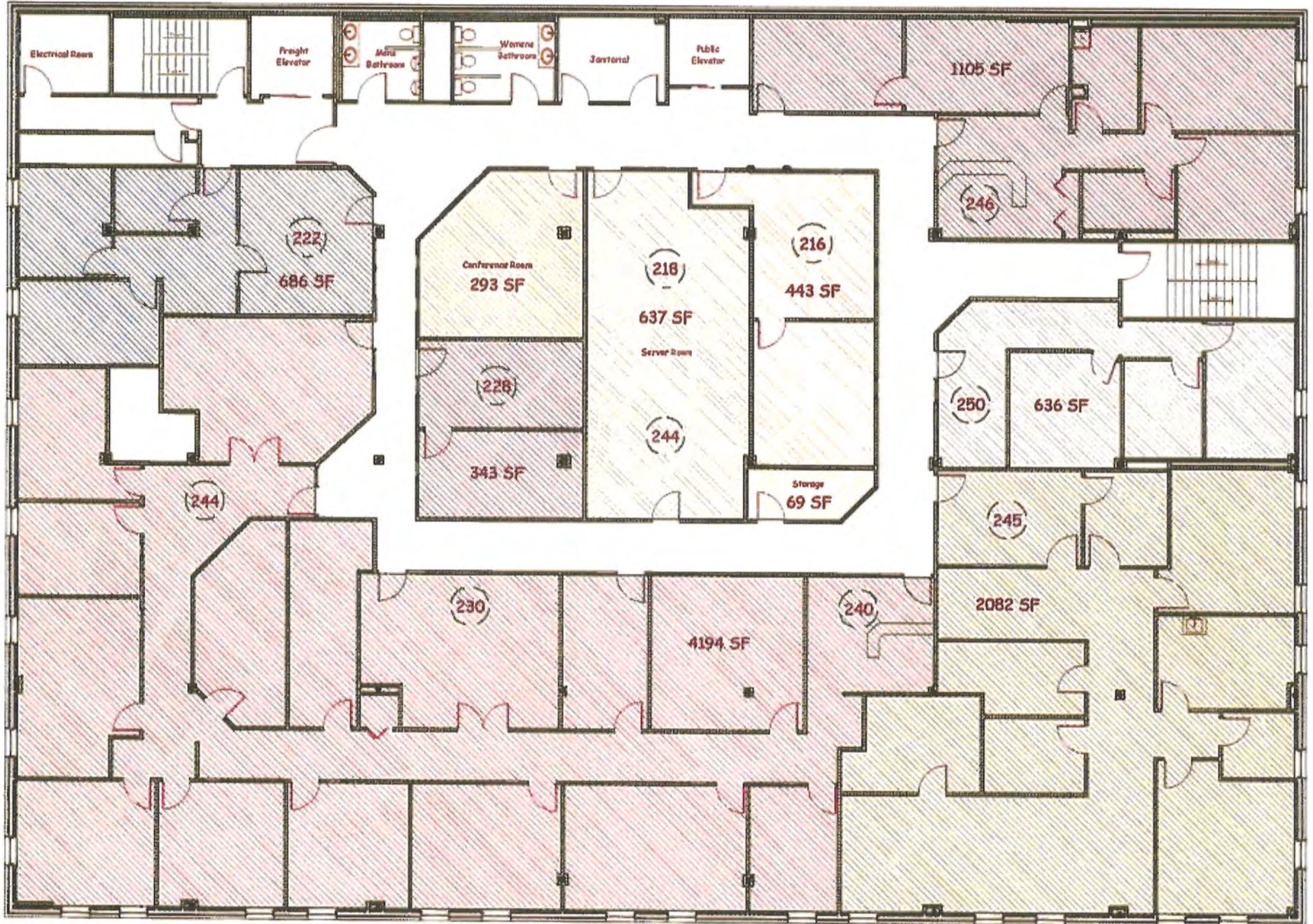
Lower Level Layout

City Center Plaza - 418 East Broadway Avenue - Bismarck, North Dakota



Main Floor Layout

City Center Plaza - 418 East Broadway Avenue - Bismarck, North Dakota

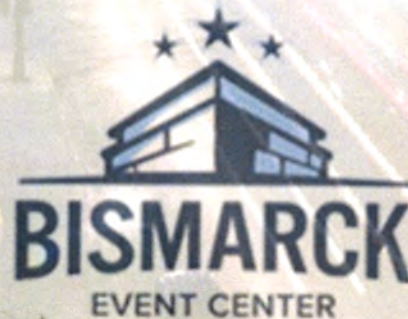
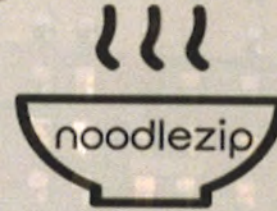


Drawn By: Inline Designs, Inc (5/6/11)

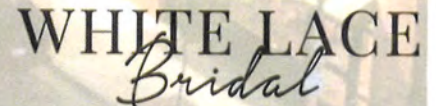
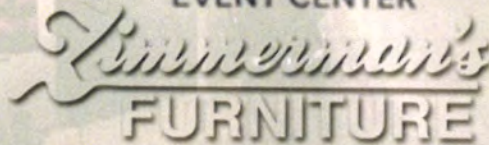
Second Floor Layout



Join Exciting Downtown Bismarck!

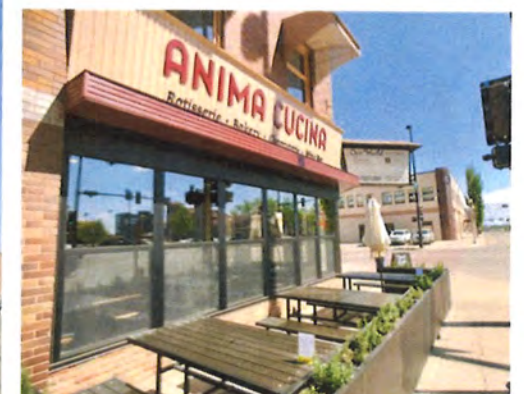


Bismarck Veterans Memorial Public Library



Small town. Growing city.







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Commercial Realtor®**

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Powerful Team. Powerful Process. Powerful Results.

ITEM

7



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Consideration of Fireworks Ordinance
Date: 9-10-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Consideration of Fireworks Ordinance

It has been requested by a member of the public to consider a fireworks ordinance for Burleigh County.

ACTION REQUESTED:

For discussion purposes only, any action at this time will not be necessary.

ITEM

9



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: ~~September 4, 2024~~ **September 16, 2024**

TO: **Mark Splonskowski**
County Auditor

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

RE: **2nd Approach Permits**

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review and Direct the County Highway Department on how to proceed with Andrew Hetland request.

BACKGROUND:

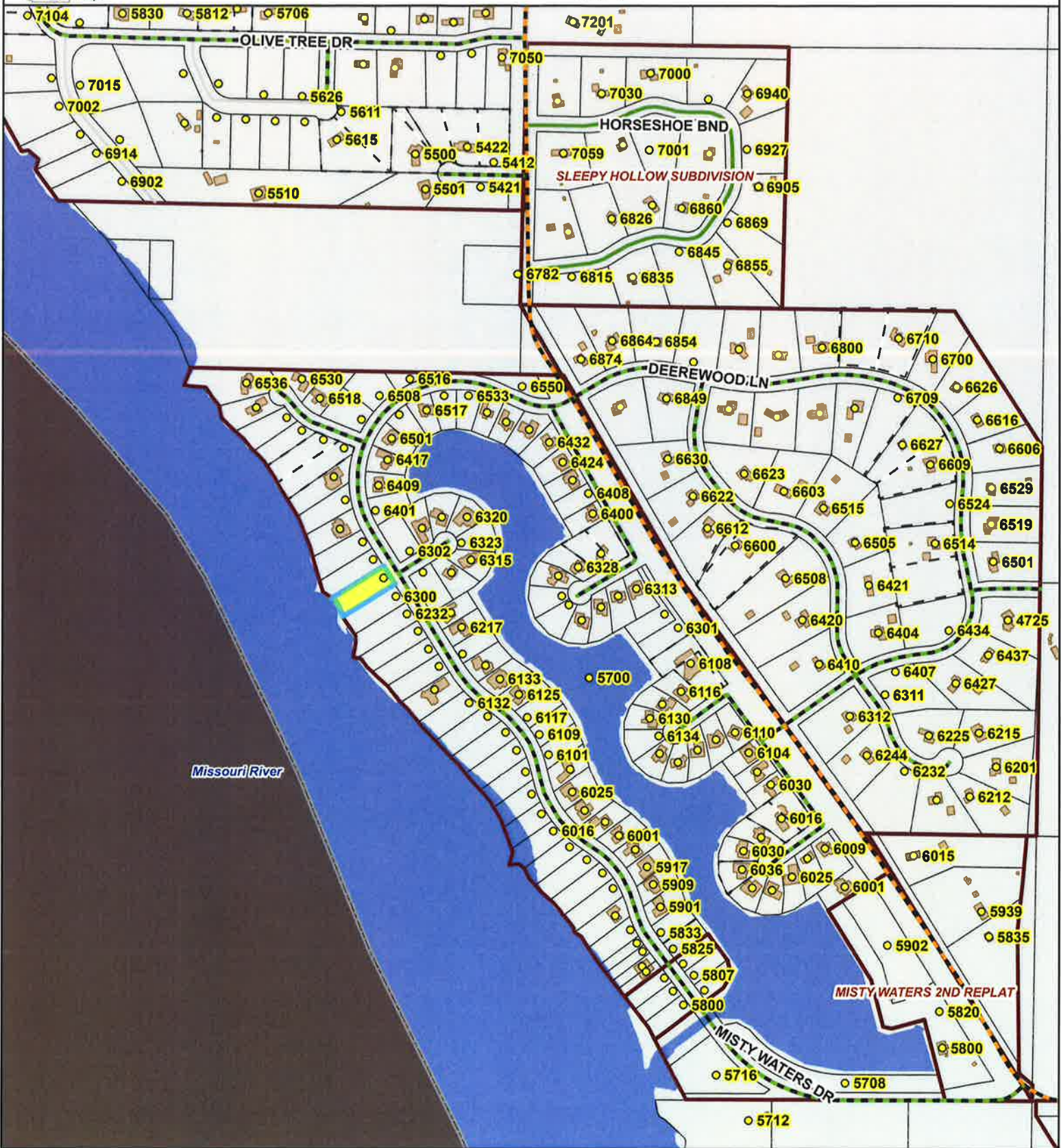
Andrew Hetland has requested a second approach permit to a property described as Block 03, Lot 17, of Misty Waters Subdivision (6308 Misty Waters Drive). Both the first and second approaches will enter the property from Misty Waters Drive. The second approach was rejected because it is too close to the first approach (around 50 feet).

Andrew Hetland has requested an appeal of the Highway Department's denial to the County Board.

RECOMMENDATION:

It is recommended that the Burleigh County Board discuss the above item and direct the County Highway Department on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



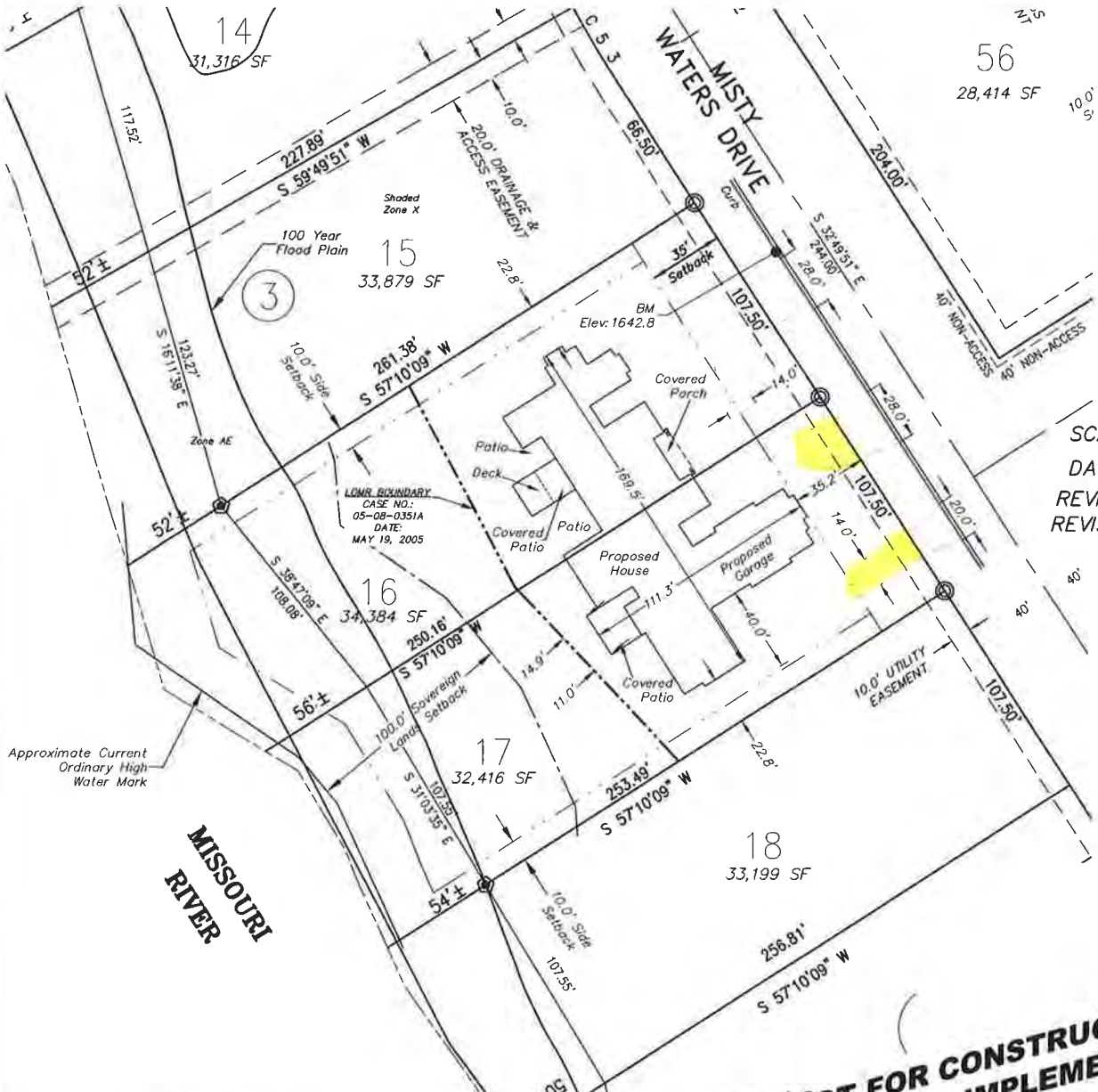
PARCEL ID: 31-139-81-60-03-170 OWNER: HETLAND, ANDREW ACRES: 0.74
SITE ADDRESS: 6308 MISTY WATERS DR
MAIL ADDRESS: 2934 CARRIAGE CIR, BISMARCK, ND 58503
LEGAL: MISTY WATERS Block 03 LOT 17 644375 646307



PARCEL ID: 31-139-81-60-03-170 OWNER: HETLAND, ANDREW ACRES: 0.74
SITE ADDRESS: 6308 MISTY WATERS DR
MAIL ADDRESS: 2934 CARRIAGE CIR, BISMARCK, ND 58503
LEGAL: MISTY WATERS Block 03 LOT 17 644375 646307

LOT SURVEY EXHIBIT

LOTS 16 & 17 BLOCK 3
 SUBDIVISION Misty Waters
 ADDRESS 6316 Misty Waters Drive
 BUILDER Mark Fleck Construction



SCALE: 1" = 80'
 DATE: 4/22/24
 REVISED: 6/4/24
 REVISED: 8/13/24

 Datum:
 NAVD 88

 Base Flood
 Elev: 1640.9
 FIRM PANEL:
 38015C0760E
 JUNE 6, 2024

PRELIMINARY-NOT FOR CONSTRUCTION,
 RECORDING PURPOSES OR IMPLEMENTATION

- FOUND MONUMENT
- SET MONUMENT
- BUILDING SETBACK OR NON-ACCESS STAKE
- ⊕ FOUND WITNESS MONUMENT ON PROPERTY LINE

NOTES

THE BUILDING SETBACK LINES SHOWN ARE TYPICAL, THERE MAY BE OTHER BUILDING RESTRICTIONS, COVENANTS OR INTERPRETATIONS THAT AFFECT THIS PROPERTY. THE BUILDER IS RESPONSIBLE FOR VERIFYING THE BUILDING DIMENSIONS AND VERIFYING THE BUILDING SETBACKS WITH THE APPROPRIATE APPROVING AUTHORITIES. DIMENSIONS ARE FROM PLAT. BUILDING AS SHOWN HAS NOT BEEN FIELD SURVEYED.



SWENSON, HAGEN & COMPANY P.C.

909 Basin Avenue
 Bismarck, North Dakota 58504
 sheng@swensonhagen.com
 Phone (701) 223 - 2600
 Fax (701) 223 - 2606

Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

FAXED OR EMAILED TO: _____ DATED: _____
 BUILDER OR OWNER

ITEM

10



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: September 10, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: 2024/2025 North Dakota Department Of Transportation Traffic Safety Grant

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve the 2024/2025 ND DOT Traffic Safety Grant. The grant is available for review in the Burleigh County Auditor's Office.

Background:

The ND DOT Traffic Safety Grant is an annual grant awarded to Burleigh County. The grant award is used to fund additional traffic safety enforcement in high risk areas such as Impaired Driving, Distracted Driving, Occupant Protection, and Speed Enforcement.

Recommendation:

It is recommended that the County Commission approve the grant agreement.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the ND DOT Traffic Safety Grant between Burleigh County and the State of North Dakota.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

**LE Overtime Grant Award Information
Phone Call/Email Verification FFY 2025**

All agencies submitting a proposal to request overtime funding for the enforcement programs of Impaired Driving, Occupant Protection, Underage Drinking, Distracted Driving, and Speed were contacted by phone or email regarding their funding request. Equipment requests were also included in these proposals. Camera and Radar requests are deferred until spring, 2025.

Each agency was informed of their eligibility based on the performance measures implemented 10/1/2013 for impaired driving, speed enforcement, distracted driving and occupant protection. **Funding was awarded based on the agency statistics gathered by enforcement logs entered from 10/1/2023 through 7/22/2024.** If the agency was not in the FFY2024 grant, the most recent year the agency was in the program, either FFY2023 or FFY2022, was used.

Agency: BURLEIGH COUNTY SHERIFF'S DEPARTMENT

Notification made by Program Manager, Kelly Aberle:

Date: 8/16/2024

To: Lt. Tracy Nelson

Email: tnelson@burleighsd.com

Notes: Determination was based on previous agency performance and hours worked. The high visibility enforcement period for the speed campaign has been adjusted to run from July 1 to August 4, 2025, instead of the previously scheduled period from July 1 to August 14, 2025. The speed award amounts were determined by the reduction in days and previous performance.

Occupant Protection:

Baseline Average .44, or 1 OP every 2.27 hours: FFY24 Average was: 2.02

(Consideration for temporary status with average of .21 - .33, or minimum of 1 OP every 4 hrs, 45 min)

Previously on temporary status: No

Funding Awarded: Yes

Requested: \$4900 + \$500 mileage

Granted: \$4900 + \$250 mileage

Impaired Driving:

Baseline Average .15, 1 alcohol/drug cite every 8.33 hours: FFY24 Average was: .18

(Consideration given for temporary status with average of .06 -.09, minimum of 1 alc. every 16 hrs, 40 minutes)

Previously on temporary status: No

Funding Awarded: Yes

Requested: \$5500 + \$700 mileage

Granted: \$5500 + \$500 mileage

Speed Enforcement:

Speed Enforcement: Baseline Average 1.51, or 1 SP cite every .71 hours: FFY24 Average: 2.23

Previously on temporary status: No

Funding Awarded: Yes

Requested: \$4900+ \$500 mileage

Granted: \$4000 + \$0 mileage

Distracted Driving:

Baseline Average used is .43, 1 DD every 3.33 hours: FFY24 Average was: .54

(Temporary status was based on .15 – .25)

Previously on temporary status: No

Funding Awarded: Yes

Requested: \$2750 + \$300 mileage

Granted: \$2750 + \$300 mileage

Underage Drinking:

Requested Salary: \$0

Funding Awarded: No

Educational Resources: \$0

Granted: Salary \$0 Educational Material \$0

In-Car Video Camera Request: No

Requested: 2

Awarded: TBD

Radar/Lidar Request: No

Requested: 2

Awarded: TBD

ITEM

11

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Crossroads Bar Operators LLC Classification of License D

Primary Contact Ryan Deichert Phone [REDACTED]

Address 1205 NorthStar Drive, Bismarck, ND Date of Birth/Incorporation 8-16-2024

Is this a renewal of liquor license? Yes _____ No x

If yes, give date of original application _____

Check one of the following to indicate who is applying for the license:

- 1. A physical resident and citizen of the State of North Dakota; or
- x 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____
Residence _____
Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Ryan Deichert	[REDACTED]	Bismarck, ND 58501	50%
Corey Schick	[REDACTED]	Mandan, ND 58554	25%
Lloyd Deringer	[REDACTED]	Bismarck, ND 58503	25%

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
Same as above			

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
Same as above		

Date and type of any prior or present liquor business:

Owners are also affiliated with:

Jimmy V's - Bismarck

Pier Bar and Grill - Bismarck

Central Station - Mandan

Big Stick Cigar Lounge - Mandan

Aviator's Bar - Mandan

Exact legal description of proposed enterprise:

N1/2 of Lots 1 & 2, Block 5, Northstar Commercial Park Third Addition

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No

If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:

Yes No

If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No

If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Reed Hendrickson - Starion Bank - Commercial Banker [REDACTED]
2. Chris Fraser - Bravera Bank - Commercial Banker [REDACTED]
3. Jason McCauley - US Foods - [REDACTED]


The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

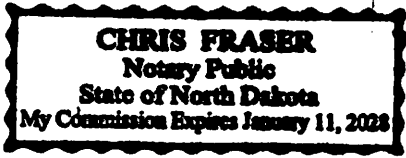
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.


I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.



 Signature of Applicant

Subscribed and sworn to before me this 22 day of August, 2021





 Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

 County Auditor

ALLEGANY COUNTY LIQUOR LICENSE
LAW'S - THE BOARD APPROVAL

To: Board of County Auditors

We, the Township Board of Hay Creek approve the
(Name of Township)

application for a Type Retail Liquor License for

Crossroads Bar & Grill
(Name of Establishment)

owned by Crossroads Bar Operators LLC 1295 North Star Drive, Biomed, N.C.
(Licensee) (Address)

Mary L. Kennick
Chairman

James C. Martel
Member

Larry Haisly
Member

Sept 3, 2024

ATTEST

Clay Huber
Township Clerk



STATE RETAIL ALCOHOLIC BEVERAGE FLOOR PLAN
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 14985 (03-2020)

License Number

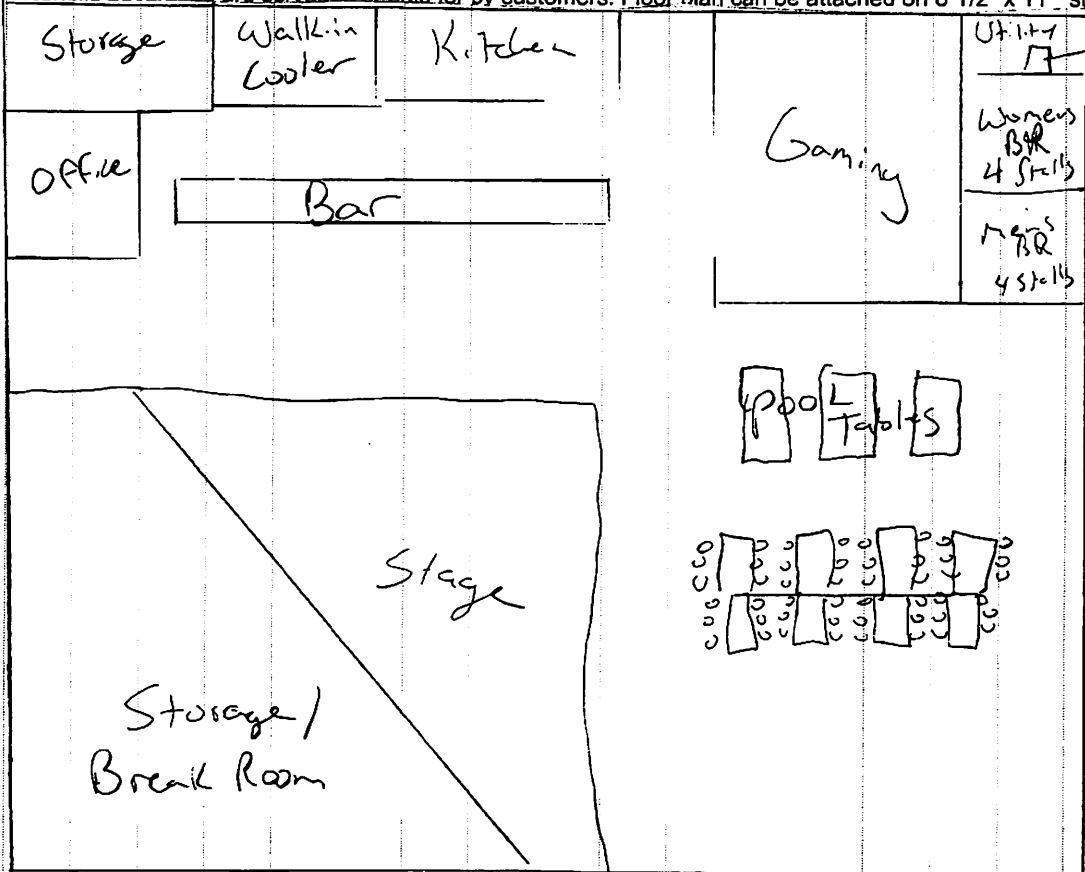
Floor Plan Submitted for
 New License Amendment to Existing License

Applicant or Licensee Name (if corporation, limited liability company, etc., enter legal name)
 Crossroads Bar Operators LLC

Business Name
 Crossroads Bar and Grill

Street Address of Business 1205 NorthStar Dr	City Bismarck	State ND	ZIP Code 58503	County Burleigh
---	------------------	-------------	-------------------	--------------------

Use the space below to draw a clear and understandable floor plan of the premises to be licensed. Show all exits, bars, dining areas (if any), beverage coolers and beverage storage areas. Indicate which are solid walls, dividers, and movable partitions. Use a different color to outline the area to be used for the sale and/or dispensing of alcoholic beverages, or the "licensed premises" of the establishment. This should include the areas where alcoholic beverages are served to or paid for by customers. Floor plan can be attached on 8 1/2" x 11" standard size form.



Printed Name of Individual Submitting Floor Plan
 Ryan Deichert

Official Position
 Managing Member

Signature of Individual

Date

For Licensing Use Only

Mail to:
 Office of Attorney General
 Licensing Section
 600 E Boulevard Ave Dept. 125
 Bismarck ND 58505-0040

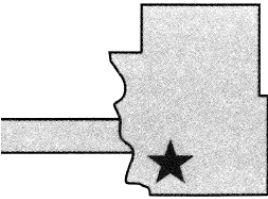
Questions please call (701) 328-2329

All Items required for this Permit have been meet.

These Items are on file and can be seen upon request.

PUBLIC HEARING

County of Burleigh



221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

September 16, 2024

Burleigh County Commissioners:

The following is the final budget for Burleigh County for the calendar year 2025. The document contains the budgets for the General, Special Revenue, and Debt Service Funds.

The County Commission’s goal for the 2025 General Fund and Road and Bridge budget is to maintain services at the current level and to remain sustainable while collecting the same dollar amount as was levied in the 2024 budget.

Some high points discussed by the Commission for the 2025 calendar year budget have been:

1. Remodel of the Provident Building to consolidate our departments currently within the City/County Building into the Provident Building already owned by the County.
2. Update the Boiler System within the Courthouse.
3. Employee retention and recruitment.

The County Commission approved 4 additional positions (FTEs) requested in the 2024 budget. One FTE Planner for the Planning Department, three FTE’s State’s Attorney – Attorney II, Attorney I, and Legal Assistant III.

As well as the continued employment of four Detention officers that were previously paid for through ARPA funds, these four positions would now be paid for through the General fund.

The total 2024 General Fund Budget is \$39,363,592, with \$28,183,936 or 71% coming from Salary and Fringe Benefits.

The total expenditure Budget for 2025 is \$80,232,866 compared to 2024 at \$77,611,661 for an increase of \$2,621,205. This is mainly due to the increase directed by the Commission of the Road and Bridge fund to reflect the 2024 expenditure allocation amount, as well as the increases to the General fund budget and Special revenue budgets. The increase to the Road and Bridge fund is being offset by a potential General Reserve fund transfer as well as other funding sources so that the amount levied in property taxes remains the same as last year. The increase to the General Fund is also being offset by a General Fund Reserve transfer as well as a transfer from the Courthouse Maintenance fund for the boiler system so that the amount levied in Property taxes is the same as last year. The Main drivers for the potential budget increase for the 2025 budget are:

1. \$3,019,389 for Salary and Fringe Benefits including all proposed new FTE’s County wide.
2. \$2,354,612 for the Highway Department.
3. \$1,500,000 for a new heating system for the Courthouse.

The total amount to be levied from Burleigh County approved Preliminary budgets for 2025 is as follows:

a. General Fund	\$21,802,760
b. Unorganized Townships....	\$867,200
c. Road and Bridge	\$2,410,657
d. Job Development	\$80,760
e. County Library.....	\$327,115
f. Senior Citizens.....	\$765,155
g. Veteran Services.....	\$513,949

- h. County Agent.....\$410,362
- i. Weed Board.....\$353,923

The total amount to be levied from Burleigh County approved budgets for 2024 is as follows:

- a. General Fund\$21,805,080
- b. Unorganized Townships.... \$813,500
- c. Road and Bridge\$2,413,491
- d. Job Development\$0
- e. County Library.....\$320,803
- f. Senior Citizens.....\$443,833
- g. Veteran Services.....\$464,686
- h. County Agent.....\$261,620
- i. Weed Board.....\$217,713

Total 2025 amount to be levied.....\$27,531,881

Total 2024 amount levied.....\$26,740,726

The County used the 2024 true and full property valuation for the 2025 property tax calculations. Property values increased on average 5% from the previous year.

In the 2025 budget, the County Commission will use a collection of \$30,591,951 in property tax revenues, which is an increase of \$1,172,278 from the previous year. New growth amounts to \$511,845 for a net difference of \$660,433 on existing parcels.

This equates to a decrease on a \$300,000 home inside city limits of \$9.72 and a home outside of city limits of \$1.35 for a decrease of .72 and .1 mills respectively.

The current preliminary budget includes a 2 step and 2% COLA increase to salaries to continue efforts to remain competitive in the increasingly difficult task of employee recruitment and retention.

No income from sales tax revenues has been taken into consideration in these calculations.

The Health Insurance committee recommends an 8% increase in the plan premiums for 2025.

Debt service funds are established to collect special assessments annually and make payments on existing debt service. These funds are budgeted based on the annual debt service needed to pay for special assessment bonds using special assessment collections.

The County continues to have new construction in both residential and commercial development within the county. This creates opportunities for new growth but also creates challenges to increase services and provide infrastructure maintenance and improvements. The County is continuing to feel the effects of inflation, resulting in the increased costs of services. Many estimates were made based on the information available at the time this preliminary budget was approved. The County will continue to monitor inflationary impacts on operations to create strategies to offset cost increases while creating minimal impact on the taxpayers as the county continues to grow and expand.

A summary of Expenditures and Revenues for the 2025 General Fund Balance is:

Revenue: \$35,078,145

Expenditure: \$39,363,592

Difference: (\$4,285,477) To be paid for out of General Fund Reserves for Courthouse Heating System and Property tax buydown.

Mark Splonskowski
Burleigh County Auditor/Treasurer

County of Burleigh

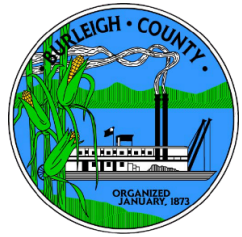
221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

TO: Burleigh County Commission
FROM: Mark Splonskowski
DATE: September 16, 2024
SUBJECT: 2025 Preliminary Budget Changes

1. Highway Department
 - a. Increase budget to amount from 2024 (16,609,220).
 - b. Collect same dollar amount as in 2024.
 - c. Plan to pay for budget through Legacy funds, Highway Dept. Savings, General Fund Transfer, selling of existing equipment, Prairie Dog funds, and the 2024 mill levy (3.61).
2. Bismarck/ Burleigh Public Health:
 - a. Pay 25% of the bill instead of 50%. Removed \$582,802 from original preliminary budget. Increase over last year = \$282,501
3. County Board
 - a. Remove County Administrator. Removed \$220,965.27 from original preliminary budget.
4. Auditor's office.
 - a. Remove Accountant II. Removed \$126,246.92 from original preliminary budget.
5. Planning Dept.
 - a. Remove Comprehensive plan renewal. Removed \$90,000 from original preliminary budget.
6. **TOTAL removed from General Fund expenditures = \$1,020,013.**
7. **Total from Highway Dept.**
 - a. **Increased expenditure budget 2,164,194. Reduced mill levy request by 4 mills. (from 7.61 to 3.61).**



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

October 7, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the September 16, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
6. County Engineer Hall:
 - a. PUBLIC HEARING Vacation of excess Right of Way.
 - b. Consideration of Jake Brake ordinance.
 - c. County Highway 10.
 - d. Authorization to advertise for bids.
 - e. Authorization to sell used Equipment.
 - f. Annual fee schedule.
 - g. Developer Waiver Request.
 - h. Township/County Maintenance agreement.
7. County Planning Director Flanagan:
 - a. Aberle 2nd Subdivision.
 - b. Membership in Government Partners Program.
8. Bismarck/Burleigh Public Health JPA discussion.
9. City Recreation JPA discussion.
10. Garrison Diversion discussion.

11. County Auditor/Treasurer Splonskowski.

- a. Establishment of minimum sales price for property acquired by the County through tax deed proceedings (non-payment of real estate taxes).
- b. Approval of 2025 meetings calendar.
- c. Final budget meeting recap.

12. Comm. Munson:

- a. NDACO Conference.

13. Chairman Bitner:

- a. Provident Building bid package 1 (water line) bid opening is October 10, 2024, 2:00 PM, First floor conference room.
- b. Schedule Special Commission meeting at 3:00 PM to award contract for completion this fall.

14. Other business.

15. Adjourn.

The next regularly scheduled Commission meeting will be on October 21, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING
SEPTEMBER 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, and Chairman Bitner were present, with Comm. Bakken also present via conference call.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the September 4th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Connie Ensz	2022	Lot 3 & E 1/2 of Lot 4, Block 9, Riverview	20% Homestead Credit	\$132,300	\$107,300
Connie Ensz	2023	Lot 3 & E 1/2 of Lot 4, Block 9, Riverview	50% Homestead Credit	\$178,900	\$89,450
Dustin & Deann Zaun	2024	Lot 8, Block 5, Island Park Est	True and full value exceeds market value	\$498,500	\$466,200
Kent & Renee Ward	2024	Auditor's Lot B of Lot 1, Block 1, Ash Land Estates	True and full value exceeds market value	\$733,300	\$659,300
Mark & Shirley Voss	2024	Pt sect 28-138-80	Home is uninhabitable	\$108,300	\$43,800

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Connie Ensz (2), Dustin & Deann Zaun, Kent & Renee Ward, and Mark & Shirley Voss abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Comm. Munson brought to the Commission's attention that because the preliminary budget for the remodel of the Provident building was much higher than anticipated, the county should seriously consider other options once the engineers' estimates for the remodel return. No further action was taken.

County Planner Flanagan presented to the Commission for discussion only a consideration of a county fireworks ordinance – particularly about the actual size, noise, and duration of fireworks – and suggested that (if there was incentive) there should be a meeting where the general public can voice their concerns/opinions on the matter, which would be done via the procedures established in the county's home rule charter. This discussion was spurred by a complaint from Burke Strothman of southwest Bismarck, who came to the podium and recounted how this past Fourth of July his neighbors just outside of city limits were shooting fireworks well before and after July 4th and generally being a nuisance. Mr. Strothman also pointed out that the excessive fireworks in the area was also severely affecting the neighborhood's pets and causing them to run away if left outside. At Comm. Woodcox's request, Sheriff Leben came forward and further explained that this issue is not new to Burleigh County; Leben further stated that any meaningful change would either need to come through legislation from the state or from an

ordinance from the county, and even then any talks on limiting fireworks would necessitate discussion with representatives of the firework industry. The Commission gave Flanagan the go ahead to begin the process of developing a fireworks ordinance draft, and suggested he get in contact with commercial businesses with firework permits to appear at public hearings. No further action was taken.

Public Health Director Renee Moch gave an update to the Commission on the Community Health Needs assessment. Moch stated that after conducting surveys and meeting with both CHNA and housing & homeless stakeholders, Bismarck-Burleigh Public Health identified the biggest issues currently impacting the Bis-Man area: a lack of affordable housing, lack of public transportation, the absence of a 24/7 low barrier emergency shelter, and lack of emergency support services for people with addiction and/or mental health issues. Moch suggested that a community triage center would be a huge step in helping those in crisis with mental health and addiction issues, and to better direct them to resources in the area. It was also stated that the Bismarck city commission in their last meeting granted approval to Bismarck-Burleigh Public Health to coordinate talks between Bismarck-Mandan's hospitals, law enforcement, and local government on what a community triage center would look like.

County Engineer Hall gave an update regarding the request for appeal from the September 4th county commission meeting on the Highway Department's denial of a 2nd approach permit by the Misty Waters development. Hall said he was contacted by two officers from the association in Misty Waters after reaching out and was told that they needed more time to talk about the issue. Hall recommended the item be pushed back to next meeting on October 7th. No further action was taken.

Sheriff Leben spoke about the 2024/2025 North Dakota Dept. of Transportation Traffic Safety Grant in the amount of \$18,200 that has been awarded to Burleigh County to fund additional traffic safety enforcement in high-risk areas such as Impaired Driving, Distracted Driving, Occupant Protection, and Speed Enforcement. This is an annual grant reimbursable back to the county. Motion by Comm. Schwab, 2nd by Comm. Munson to participate in this grant. All members present voted "AYE". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission a new liquor license application for the Crossroads Tavern. Splonskowski stated that the license has new owners and a new agreement attached with it and stated that Hay Creek Township approved the license. Ryan Deichert, the new owner of the Crossroads Tavern, came forward to the podium and addressed the Commission, stating that after purchasing all tangible & intangible assets from the previous owners, Mr. Deichert has overseen the implementation of new lighting in the parking lot, additional cameras, ID scanners, and the hiring of trained security to the establishment; Mr. Deichert made a point however that Crossroads Tavern will continue to maintain the 2 AM closing time currently in place. Sheriff Leben came up again and said after talking with Mr. Deichert, he is confident that Crossroads is doing everything they can to start off on the best foot. Motion by Comm. Schwab to approve the new liquor license application for the Crossroads Tavern only if the closing time was moved up to 1 AM. There was no second; motion died. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the new liquor license application for the Crossroads Tavern as presented. Comm. Munson, Bakken, Woodcox, and Bitner voted "AYE"; Comm. Schwab voted "NAY". Motion carried.

County Finance Director Jacobs came up to continue the discussion once again regarding property tax estimates. Jacobs said that there was an error in some of the estimated tax bills there were sent out, which was why some people were calling in confused about why there were some tax increases. Jacobs said the Finance Department is drafting a response to resolve the issue.

At this point, the Commission opened a public hearing for discussion of the final 2025 county budget, and for any items people wish to touch on before that.

Terry Fleck came to the podium and had some general questions about centrally assessed property, and then about the Burleigh County one cent sales tax.

Dwight Hinkle asked who he can talk to about numbers regarding his tax assessments.

Kristie Rose came forward and gave a quick statement about if normal people can't assess and tell government the value of their properties, then railroad companies and wind farms shouldn't be able to that either. Mrs. Rose also said that we can provide more affordable housing in the community by stopping artificial inflation of property values and stop raising tax because there's money on the table.

Karen Wolfer asked why her home went up 10 percent.

Joel Andres asked if there was anything in the Constitution that says you can't double tax.

Adam Rose came forward and gave a message urging people to talk to their legislators to get answers.

County Auditor/Treasurer Splonskowski then presented the budget to the Commission. He first gave a quick explanation of the tax estimates and that they were based upon official actions of the County Commission, although the Commission's desire may have been to have a zero dollar increase in taxes levied, their official actions did not facilitate that goal. Auditor Splonskowski then presented the final budget for 2025 and a review of the preliminary budget changes thus far. This is listed as the last four pages of the agenda packet.

As the Commission reviewed the final budget, the commissioners began discussing specific aspects of the budget as follows:

- First: Comm. Schwab questioned why there was \$200,000 in the budget proposed to fix the roof of the senior citizen center. While the county has a 99-year lease on the building, there was nothing in it concerning building maintenance by the county. The director of the senior citizen center explained that the amount was for the roof damaged during the heavy rainstorm, and for other maintenance projects. After some more back and forth and a couple of tangents later, no action was ultimately taken.
- Second: Comm. Munson stated that the Veterans' Services Office plans to eliminate a job position due to a recent retirement in the department and a decision to not refill said position; such a move would save \$114,219.08 in the county budget. Motion by Comm. Munson, 2nd by Comm. Woodcox to reduce the Veterans' Services Office by \$114,219.08. Comm. Schwab, Woodcox, Munson, and Bitner voted "AYE"; Comm. Bakken was absent. Motion carried.
- Third: A certain amount of money is needed to be appropriated for the weed board to qualify for the lab program. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the weed control budget of \$556,011.35, utilizing \$153,837.35 out of account number 2970 to balance the budget (thereby collecting the same dollar amount as last year). Comm. Schwab, Woodcox, Munson, and Bitner voted "AYE"; Comm. Bakken was absent. Motion carried.
- Fourth: Comm. Munson noted that in the Missouri Valley Complex fund, there was a duplicate of line items between himself and the Extension office. Motion by Comm. Munson, 2nd by Comm. Woodcox to remove the line item '4H Premium' from the Missouri Valley Complex budget of \$3,000. Comm. Schwab, Woodcox, Munson, and Bitner voted "AYE"; Comm. Bakken was absent. Motion carried.
- Fifth: The Commission noticed that under 'County Advertising', there was \$80,760 listed for the Lewis and Clark Development Group. However, the budget committee had recommended that the amount for the 2025 should be \$92,234.98. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the \$92,234.98 for the Lewis and Clark Development Group. Comm. Munson, Bakken, and Woodcox voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.
- Sixth: Concerning the county library, motion by Comm. Woodcox, 2nd by Comm. Munson to keep the library budget the same as last year's. Comm. Munson, Bakken, Schwab, and Woodcox voted "AYE"; Comm. Bitner voted "NAY". Motion carried.
- Seventh: After some input by the director of the senior citizens center, motion by Comm. Munson, 2nd by Comm. Woodcox to reduce the senior citizens budget by \$106,200. Said motion was then modified by Comm. Munson, 2nd by Comm. Woodcox to reduce the senior citizens budget by \$56,640. All members present voted, "AYE". Motion carried.
- Eighth: A discussion was had about the potential need to consolidate the individual department supply budgets into one overall county supplies budget. The Commission came to a consensus that this discussion is best suited on the next department head meeting agenda. No further action was taken.
- Ninth: Comm. Schwab once again began to talk about the Garrison Diversion Conservancy District and how it has only become a drain on Burleigh County taxpayers' dollars. Motion by Comm. Schwab, 2nd by Comm. Woodcox to not pay the yearly amount for the Garrison Diversion Conservancy, but the motion was later withdrawn. The Commission came to a consensus to put this item on the next commission meeting agenda. No further action was taken.
- Tenth: Motion by Comm. Woodcox, 2nd by Comm. Schwab to remove funding under the 'City Recreation' item (amounting to \$335,000 for the upkeep the city of Bismarck's parks), The motion was then withdrawn, and the Commission came to a consensus to put this item on the next commission meeting agenda. No further action was taken.

- Eleventh: There was some general confusion about the emergency fund amongst the commissioners. No concrete answers could be given; no further action was taken.
- Twelfth: Comm. Woodcox brought up the topic of new full-time county employees. In addition to already trying to add employees in the Sheriff's Department and the State Attorney's Office, County Planner Flanagan informed the Commission that he hopes to add a new Planner I position in the Planning and Zoning Department. Comm. Woodcox then pivoted to talk about employee wages and asked for some clarification about the finer details on both the two-step and two percent COLA increase to county employee salaries. County HR Director Binder, Sheriff Leben, and County Engineer Hall all helped to give some input on the matter. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the two-step and two percent COLA increase. All members present voted "AYE". Motion carried.

At this time the Burleigh County Commission adjourned and convened as the unorganized townships' Board of Supervisors for Burnt Creek, Riverview, Florence Lake, Fort Rice, Lincoln, Canfield, Lyman, and Phoenix. Roll call of the members: Commissioners Woodcox, Munson, Schwab, and Chairman Bitner were present, with Comm. Bakken also present via conference call. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the appropriate or maximum mills levies for the unorganized townships. All members present voted "AYE". Motion carried.

At this time the unorganized townships' Board of Supervisors adjourned and convened as the Burleigh County Commission. Roll call of the members: Commissioners Woodcox, Munson, Schwab, and Chairman Bitner were present, with Comm. Bakken also present via conference call. Motion by Comm. Munson, 2nd by Comm. Bakken to adopt the 2025 final budget and appropriate 2024 mill levies, then amended by Comm. Munson, 2nd by Comm. Woodcox to also include the utilization of general reserve funds to subsidize the difference between last year's mill levy and this year's \$27.224 million, up to \$393,565. All members present voted "AYE". Motion carried.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-662	Brian Nelson	2023	Lots 7-8, Block 93, McKenzie & Coffin's	Error in property description	\$200,100	\$150,300
24-663	Brian Nelson	2024	Lots 7-8, Block 93, McKenzie & Coffin's	Error in property description	\$209,100	\$159,300
24-667	Bryan Haefner	2024	Lot 4, Block 6, Parkview	Error in property description	\$336,500	\$245,900
24-668	Allen Darling	2023	Block 36, Park Hill (Aud Lots), W 57' of N 165' of W1/2 of Aud Lot 36	Error in property description	\$200,800	\$168,300
24-669	Allen Darling	2024	Block 36, Park Hill (Aud Lots), W 57' of N 165' of W1/2 of Aud Lot 36	Error in property description	\$206,000	\$168,300
24-670	Luke Hauser	2024	Block 10, Flannery & Wetherby, Lots 7-8 & N1/2 of Lot 9	Error in property description	\$234,200	\$191,700
24-671	Cody Fleck	2024	Lot 3, Block 2, Country West X	Error in property description	\$529,700	\$336,100
24-672	Bruce & Holly Gaugler	2024	Lot 18, Block 21, Casey's 4th	Error in property description	\$238,000	\$223,400
24-673	Edward & Paula McLoughlin	2024	Lot 16, Block 9, Marian Park 1st	Error in property description	\$273,000	\$235,800
24-674	Michelle Welder	2024	Lot 7, Block 1, High Meadows	Error in property description	\$397,800	\$353,800
24-675	Grendahl Design Co LLC	2024	Lot 13, Block 3, Washington Heights	Error in property description	\$239,300	\$204,300
24-677	Bavendick Properties LLP & Harley Swenson	2022	Lot 13-C, Block 4, Eastdale	Error in property description	\$733,700	\$593,500
24-678	Bavendick Properties LLP & Harley Swenson	2023	Lot 13-C, Block 4, Eastdale	Error in property description	\$797,600	\$657,400
24-679	Bavendick Properties LLP & Harley Swenson	2024	Lot 13-C, Block 4, Eastdale	Error in property description	\$850,400	\$710,200
24-681	Morgan & Christopher Nelson	2024	Lot 19, Block 1, Southwood Terrace Replat Park Blk 1	Error in property description	\$278,900	\$239,100
24-682	City of Bismarck	2024	Lot 1, Block 3, South Meadows Addition	Property exempt from taxation	\$300	\$200

24-683	David + Roger Vollmers, Kerry Vossler	2023	Lots 2-4, Block 27, Sturgis	Error in property description	\$204,800	\$127,900
24-684	David + Roger Vollmers, Kerry Vossler	2024	Lots 2-4, Block 27, Sturgis	Error in property description	\$213,100	\$127,900
24-688	James & Pamela Vukelic	2023	Lots 11-16, Block 7, McKenzie's	Error in property description	\$739,600	\$621,400
24-690	Cary Schilling	2024	Block 33, City Lands 139-80, Beg 66' N of NE cor Blk 87 McKenzie & Coffins; thence E 117' to Ztrue point beg, thence N305' W267' S305' E267' to beg	Demo	\$366,100	\$296,100
24-691	Clubhouse West LLC	2024	Lot 2, Block 1, Schilling 2nd Addn	Structure demolished end of July 2024	\$2,100,000	\$1,521,400
24-692	Raymond & Beth Leischner	2023	Lot 12, Block 2, Jennings 1st	50% Homestead Credit	\$224,300	\$124,300



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Matpac Wrestling Club, Inc.

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Crossroads Tavern

Street 1205 Northstar Drive	City Bismarck	ZIP Code 58503	County Burleigh
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Beginning Date(s) Authorized 9/1/24	Ending Date(s) Authorized 6/30/25	Number of Twenty-One tables, if zero, enter "0" 2
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Specific location where games of chance will be conducted and played at the site (required)
Games will be conducted in bar area, excluding the restrooms.

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input checked="" type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input checked="" type="checkbox"/> Twenty-One |
| <input checked="" type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input checked="" type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input checked="" type="checkbox"/> Calcuttas |
| <input checked="" type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input checked="" type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input checked="" type="checkbox"/> Paddlewheel Table |
| <input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) <i>Crossroads Bar Operators, LLC</i>		Site Name Crossroads Tavern		Site Phone Number	
Site Address 1205 Northstar Drive		City Bismarck	State ND	Zip Code 58503	County Burleigh
Organization Matpac Wrestling Club, Inc.		Rental Period 9/1/24 to 6/30/25		Monthly Rent Amount	
1. Is Bingo going to be conducted at the site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$	
Number of Tables with wagers over \$5 2 X Rent per Table \$ 300				\$ 600	
3. Is Paddlewheels conducted at this site? Number of Tables 1 X Rent per Table \$ 200		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 200	
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 325	
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 10		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 1250	
Total Monthly Rent				\$ 2,375	
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>					

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>[Signature]</i>	Title <i>Managing Member</i>	Date <i>8-15-2024</i>
Signature of Lessee <i>[Signature]</i>	Title <i>President</i>	Date <i>8-15-2024</i>



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

24-010

Full, Legal Name of Gaming Organization

Matpac Wrestling Club, Inc.

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Crossroads Tavern

Street 1205 Northstar Drive	City Bismarck	ZIP Code 58503	County Burleigh
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Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	Number of Twenty-One tables, if zero, enter "0" 0
---	---	---

Specific location where games of chance will be conducted and played at the site (required)

Conducted inside the business with the exception of restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|---|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official <i>Mark Splonkowski</i>	Date 8-6-2024
PRINT Name and official position of person signing on behalf of city/county above <i>Mark Splonkowski</i>	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Jocelyn Miller		Site Name Crossroads Tavern		Site Phone Number 701-751-1189
Site Address 1205 Northstar Drive		City Bismarck	State ND	Zip Code 58503
County Burleigh		Rental Period 7/1/24 to 6/30/25		Monthly Rent Amount
Organization Matpac Wrestling Club, Inc.				
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables _____ X Rent per Table \$ _____				\$
4. Is Pull Tabs Involving either a Jar bar or standard dispensing device conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 400
Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device				
5. Are Electronic Pull-Tabs conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 1250
If "Yes" please indicate the number of devices 10				
Total Monthly Rent				\$ 1,650-

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here.

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Jocelyn Miller</i>	Title owner	Date 7-11-24
Signature of Lessee <i>Butt</i>	Title President	Date 7-11-24

ITEM

6

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: October 7, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Vacation of excess Right of Way – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Conduct Public Hearing for the Vacation of excess Right of Way along County Highway 10.

BACKGROUND:

A local resident would like to have/purchase the excess Right of Way on County Highway 10 along their property. The property is located in the SE ¼ of Section 29, Township 139N, Range 76W, Sterling Township - Burleigh County (See attached map). The resident has filed a petition (see attached Application) to vacate the excess Right of Way. In order to vacate this roadway, the County/Township must conduct a Public Hearing and ascertain any damages that are caused by discontinuing this Right of Way along a Public Roadway.

RECOMMENDATION:

It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

8/22/2024

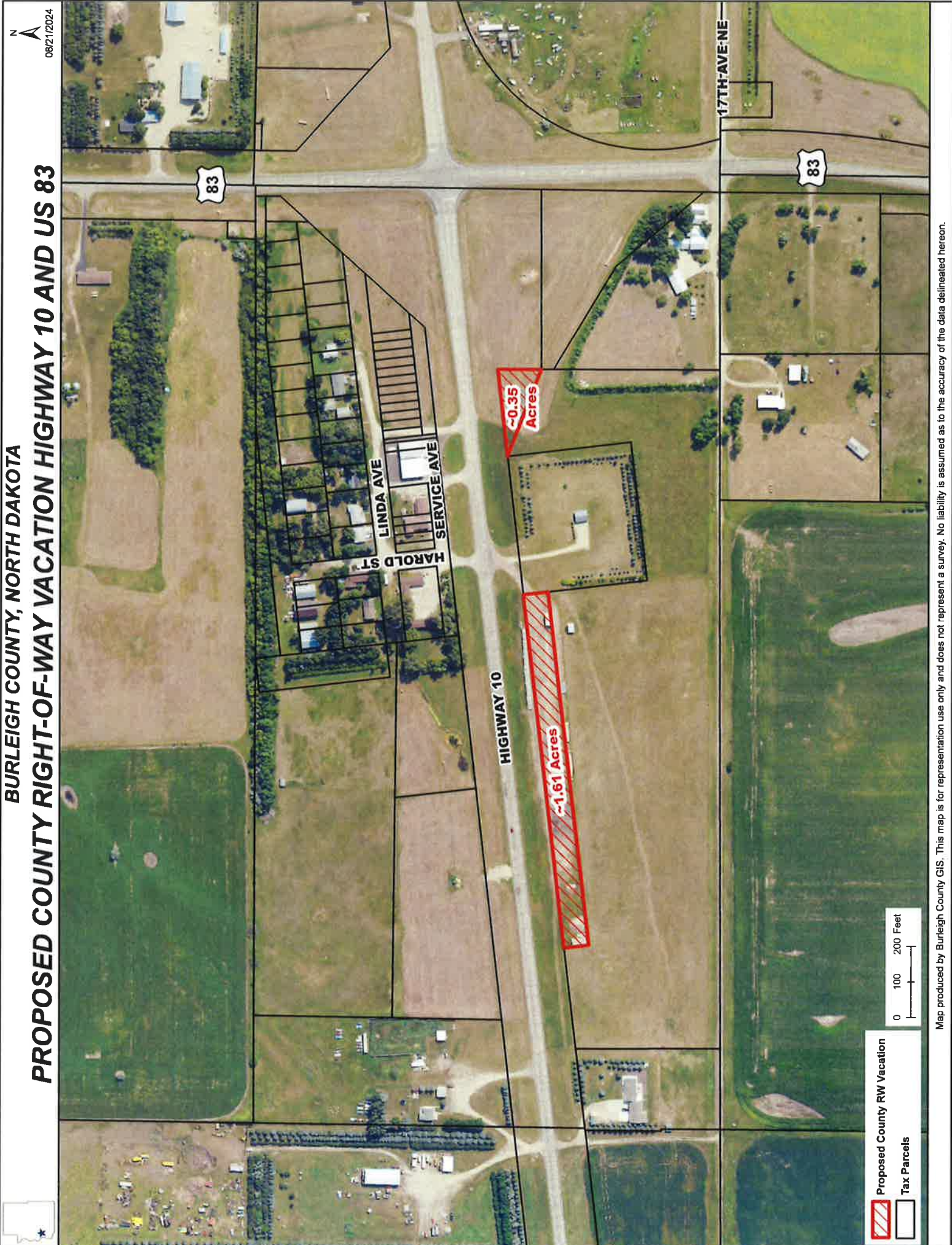


Sterling

Sterling Reservoir

Random Creek

PROPOSED COUNTY RIGHT-OF-WAY VACATION HIGHWAY 10 AND US 83



 Proposed County RW Vacation
 Tax Parcels



Map produced by Burleigh County GIS. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Email to: mahall@nd.gov



**BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION**

Application submitted for (check all that apply):

- Preliminary Plat
- Road Vacation
- Lot Modification
- Final Plat
- Zoning Change
- Minor Plat Modification
- Development Permit
- Plat Vacation
- Special Use Permit

PROPERTY INFORMATION:			
Name of plat: <i>Biegler Subdivision</i>			
Legal description of property (lot, block, addition):			
Street address of property:			
Existing Zoning:		Proposed zoning:	
Acreage: <i>1.66 acres and 0.35 acres</i>		Number of lots:	
Description of development proposal, including reason(s) for the request:			
APPLICANT/DEVELOPER:			
Name: <i>Ronnie and Kathy Biegler</i>		Mailing address: <i>31302 5th Ave NE</i>	
Daytime telephone number: <i>701-387-4772</i>	FAX number: <i>701-387-4779</i>	E-mail address: <i>ronkathy@bektel.com</i>	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: <i>Mark</i>		Mailing address: <i>4215 Old Red Trail - Mandan ND 58554</i>	
Daytime telephone number: <i>701-595-2079</i>	FAX number:	E-mail address: <i>mark@ilsurveynd.com</i>	

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST					
Applying for:			Submitted	N/A	
<input type="checkbox"/>	Preliminary Plat	Required pre-application meeting	Date:		
		6 prints of plat, including all items listed in preliminary plat checklist			
		Preliminary plat checklist, completed by applicant			
		Fee of \$200-\$900 determined by number of lots			
		8½" x 11" reduction of plat			
		Digital copy of plat			
		Road master plan & adjacent owner's consent (if required)			
		For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township			
		Written request for amendment to Fringe Area Road Master Plan (if applicable)			
		<input type="checkbox"/>	Final Plat	6 prints of plat, including all items listed in final plat checklist	
Final plat checklist, completed by applicant					
8½" x 11" reduction of plat					
Digital copy of plat, if requested					
Attorney's opinion of ownership, including all easement owners					
Stormwater management plan					
<input type="checkbox"/>	Minor Plat Modifications 3 lots or less	Map of property to be modified			
		Fee of \$200.00			
		4 prints of modification			
		Fee of \$300.00			
<input checked="" type="checkbox"/>	Road Vacation	Legal description of property to be vacated			
		Map of property to be vacated			
		Fee of \$250.00			
		Letters of consent from utilities (street/alley vacation & easement release)			
<input type="checkbox"/>	Zoning Change	Fee of \$500.00 (zoning change)			
		Description of zoning change by legal description if multiple districts requested			
		Architectural/Engineered drawings (PUD only)			
		One (1) print of site plan, at 1"=100' scale (PUD only)			
		8½" x 11" reduction of site plan (PUD only)			
		Written statement (PUD only)			
<input type="checkbox"/>	Special Use	Fee of \$300.00			
		3 prints of site plan, at 1"=20' or larger scale			
		8½" x 11" reduction of site plan			
		Photograph of building (moving building only)			
		Adjacent property owner petition (required for moving of a building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)			
<input type="checkbox"/>	Development Permit	Fee of \$200.00			
		Site plan, drawn to scale (no larger than 11" x 17"), with dimensions			
		Completed Development Application			

Lot Modification	Fee of \$200.00		
	Sketch of survey, showing how the lot is proposed to be modified		
	Legal description of lot(s), both existing & proposed with square footage/acreage		

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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www.burleighco.com

Request for County Board Action

DATE: October 7, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Consideration of Jake Brake Ordinances

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review a proposed ordinance on Jake Braking and set a Public Hearing.

BACKGROUND:

For some time the States Attorney, Sheriff and Highway Departments have been working on trying to solve numerous noise complaints that we have received using the existing North Dakota Century Code (NDCC). However, the existing NDCC does not provide a convenient method of fulfilling our residents' needs. The new process of establishing an ordinance under the Home Rule Charter seems to provide a much better method.

The vast majority of our complaints are generated because of individuals using un-muffled compression brakes (Jake Brakes) in residential areas. We believe that the attached proposed ordinance will provide law enforcement a method to help reduce the use of said brakes within posted areas.

RECOMMENDATION:

It is recommended that the Board review the attached Ordinance and set a Public Hearing date of November 4th for a second reading of the attached Ordinance.

A BURLEIGH COUNTY ORDINANCE FOR THE REGULATION/USE OF UN-MUFFLED COMPRESSION BRAKES WHERE PROHIBITED

NOW THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA:

SECTION 1. General Provisions

1. Burleigh County Home Rule Charter allows for the creation of an ordinance which prohibits the use of un-muffled compression brakes on public roadways in posted areas.

SECTION 2. Purpose

1. The purpose of this Ordinance is to control the use of engine breaks that create excessive noise that may disturb the public and to promote the general health, safety, and welfare of the citizens of Burleigh County.

SECTION 3. Definitions

1. "Compression Brakes" means the use of the engine to decelerate or reduce or slow the forward motion of a motor vehicle by compression of the engine. "Compression brakes" are also referred to as "exhaust brakes" and/or "Jake brakes."

SECTION 4. Use of un-muffled compression brakes where prohibited.

1. No person shall use motor vehicle brakes on public roadways within posted areas of the County that are in any way activated or operated by the un-muffled compression of the engine of that motor vehicle or any unit or part thereof. It shall be an affirmative defense to prosecution under this section that the un-muffled compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.
2. This section shall not apply to motorcycles or vehicles of any fire department, whether or not responding to an emergency.

SECTION 5. Penalty for Offenses

1. The County engineer shall have authority to post appropriate signs consistent with these provisions. The penalty for a violation of this section is fifty dollars.

SECTION 6. Repealer

1. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. Severability Clause

1. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 8. When Effective

1. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

First Reading Passed: _____

Second Reading Passed: _____

Passed and adopted this ____ day of _____ 20__.

Burleigh County Commission – Chairperson

Attest: Mark Splonskowski, County Auditor



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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www.burleighco.com

Request for County Board Action

DATE: October 7, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: County Highway 10

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review the request and direct staff on how to proceed.

BACKGROUND:

At the September 6, 2023 County Board Meeting, the Board placed Load Restrictions and Speed Limit reduction on the portion of County Highway 10 from the Bismarck City Limit to 158th Street NE. The limits were placed on this segment of roadway due to the deteriorating condition of County Highway 10. The speed limit was reduced from 65 mph to 55 mph and the weight limit was reduced to 80,000 pounds with a 6-ton max single axle weight. During the discussion of this action it was stated that the Board would reconsider these restrictions once the roadway was refurbished.

We have just completed a 4" mill and overlay of this segment of roadway and local contractors are requesting that the County Board considers reinstating the previous speed limit and weight limits.

RECOMMENDATION:

It is recommended that the Board review the situation and direct the Highway Department on how to proceed.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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Request for County Board Action

DATE: October 7, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to advertise for bids.

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for two new motor graders.

BACKGROUND:

As part of the approved 2025 Burleigh County Budget, the Highway Department has requested the purchase of two new motor graders. We wish to purchase the motor graders under a 5 year - total cost bid with a guaranteed repurchase price at the end of this period. In order to get the new motor graders in place before end of the year increases we would like to start the process. At this time, we would like to start the advertising process; however, we will not receive or pay for the new motor graders until next year.

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTIONS:

THEREFORE BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for two new motor graders under a 5 year - total cost bid with a guaranteed repurchase price at the end of this period.



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Request for County Board Action

DATE: October 7, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Sale of equipment

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to sell used equipment.

BACKGROUND:

The Highway Department would like to sell the attached list of used surplus equipment.

These units have been replaced with other units and are no longer needed within the Department.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to work with Public Surplus in selling the attached list of used surplus equipment.

ITEMS TO BE AUCTIONED TO PUBLIC

1. One (1) 2001 Tenco snowblower 275HP Serial #17434 Unit #19-91
2. One (1) 2011 Chevrolet 1500 Crew Cab 4x4 Serial #3GCPKSE37BG244248 5.3 liter V8 Unit # 10-28
3. One (1) 2002 Blaw-Knox Paver PF150 Serial # 15025-30
4. One (1) 2010 IH 7600 Tandem Axle Dump Truck Serial#1HTWXSJT5AJ176079 Workforce Diesel Unit # 11-77
5. One (1) 2010 IH 7600 Tandem Axle Dump Truck Serial#1HTWXSJT3AJ176078 Workforce Diesel Unit # 11-78
6. One (1) 1991 Trailking Trailer TKT40 20 ton Serial # 1TKC02827MM048908 Unit # 18-91
7. One (1) 2002 Loadtrail Utility Trailer Serial # 4ZEHH121831156367 Unit # 18-99
8. One (1) 2010 Kubota Zero Turn Mower Diesel Serial # 30951 Unit 21-06
9. One (1) Used Hydraulics Wet Kit
10. One (1) Used Forced America Hydraulics With Controlers
11. One (1) Used 8ft Ford pickup Box



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Request for County Board Action

DATE: October 7, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Annual Fee Schedule

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

The Burleigh County Board sets the 2025 Highway Department fee schedule.

BACKGROUND:

The Highway Department is seeking approval of the 2025 Highway Department fee schedule. This year we have made a few changes to the fee schedule and are asking for County Board approval.

The Highway Department's proposed fee schedule does include changes in the following areas:

- 1) In 2015 we started a new fee schedule for Township Road Maintenance agreements. Our goal at that time was to collect at least 25% of the actual cost of services for the prior three-year average expense. In 2016 we increased our goal to 50% of the actual cost of service. This year we are proposing to keep our goal at the 50% level. During the discussion regarding State reimbursement for snow removal during the 2022/2023 winter, the Townships and County agreed that the County would keep all of the reimbursement from the State (even for township roadways) and in return the County would not raise our annual maintenance fee for three years (2024, 2025, 2026). Therefore, we are recommending a proposed fee increases for 2025 to be as follows:

- a) 0% increase in 2025
 - b) As in 2024, we are also keeping a maximum fee charge to any township of 100% of what they would collect if they levied 18 mills.
- 2) We are also proposing minor changes in equipment rates. These increases/decreases are a result of the Department staying in compliance with Century Code section 24-05-04.1.

RECOMMENDATION:

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

THEREFORE, BE IT RESOLVED: That Burleigh County hereby adopts the attached 2025 Highway Department fee schedule.

APPENDIX B
BURLEIGH COUNTY HIGHWAY DEPARTMENT
2025 FEE SCHEDULE (Proposed 09/24/2024)

	2019 Fees	2020 Fees	2021 Fees	2022 Fees	2023 Fees	2024 Fees	2025 Fees
Permits							
Road Approach	50.00	50.00	50.00	50.00	50.00	50.00	50.00
Utility/Right-of-Way	0.00	0.00	0.00	0.00	0.00	See attached	In Review
Oversize/Overweight	Load Pass	Load Pass	Load Pass	Load Pass	Load Pass	Load Pass	Load Pass
Culverts - under 24"							
Spiral CMP - 15" - per foot	10.80	11.28	**	**	**	**	**
Spiral CMP - 18" - per foot	13.50	14.10	**	**	**	**	**
Riveted CMP - 15" - per foot	12.96	13.56	**	**	**	**	**
Riveted CMP - 18" - per foot	16.20	16.95	**	**	**	**	**
Culvert Bands - 15" - each	32.40	33.96	**	**	**	**	**
Culvert Bands - 18" - each	40.50	42.45	**	**	**	**	**
Flared End Sections - 15" - each	68.60	73.90	**	**	**	**	**
Flared End Sections - 18" - each	90.00	97.00	**	**	**	**	**
** Based on Bid Price							
Signs							
Speed Limit & Standard Signs - 24 x 30	27.02	27.02	***	***	***	**	**
Minimum Maintenance - 30 x 18	28.00	28.00	***	***	***	**	**
Truck 40 MPH - 24 x 24	26.35	26.35	***	***	***	**	**
Stop Signs - 30 x 30	33.51	34.79	***	***	***	**	**
Yield Sign - 36 x 36	17.63	17.63	***	***	***	**	**
911 Address Material							
4" numbers - each	3.95	4.00	***	***	***	**	**
U Posts - each	5.56	5.56	***	***	***	**	**
Installation	xxx	xxx	xxx	xxx	xxx	xxx	xxx
Telespar							
Post 2" - per foot	3.58	3.63	***	***	***	**	**
Anchor 2 1/4" - per foot	4.09	4.35	***	***	***	**	**
Sleeve 2 1/2" - per foot	3.27	3.27	***	***	***	**	**

***** Sign charges are based on actual cost of sign at time of purchase**

xxx Installation costs will be charged per "Township Labor Rates" plus equipment costs

	2019 Fees	2020 Fees	2021 Fees	2022 Fees	2023 Fees	2024 Fees	2025 Fees
<u>Township Road Maintenance Agreement</u>							
Gravel Roads							
Summer Maintenance (Blading & Weed Mowing)	See	See	See	See	See	See	See
Winter Maintenance (Snow Plowing)	Below	Below	Below	Below	Below	Below	Below
Year-round Maintenance							
Subdivision Summer Maint. (Blading & Weed Mowing)							
Subdivision Winter Maintenance (Snow Plowing)							
Subdivision Year-round Maintenance							
Paved Roads							
Summer Maintenance (Asphalt Maint. & Weed Mowing)							
Winter Maintenance (Snow Plowing & Intersection Sanding)							
Year-round Maintenance							
Subdivision Summer Maint. (Asphalt Maint. & Weed Mowing)							
Subdivision Winter Maintenance (Snow Plowing)							
Subdivision Year-round Maintenance							
Subdivision Year-round Maintenance (Curbed Roadway)							
Crack Sealing & Asphalt Patching							
Fee to Expense Ratio Goal	50%	50%	50%	50%	50%	50%	50%

Below is the percentage of increase for townships based on the fee to cost ratio for the prior 3 years.

If your township 3 year average Fee to Cost ratio is:

Less than 30%	0%
Greater than 30% - less than 40%	0%
Greater than 40% - less than 45%	0%
Greater than 45% - less than 50%	0%
Greater than 50%	0%
Maximum Fee charged = 18 mills	

Gravel/Scoria/Sand - 2008-2012 Billed for royalty cost only - 2013 and on Billed for royalty & crushing costs per pit

<u>Pits Depleted in 2024</u>	<u>Gravel</u>	<u>2025</u>	<u>Sand</u>	<u>2025</u>
Sherman	<i>Ereth</i>	6.00	<i>Judy Jo</i>	0.50
County 1	<i>Glovich 2</i>	5.06	<i>Pile 12</i>	18.18
Clausen 2022	<i>Horneman 2</i>	5.60	<i>Schock Sand</i>	12.49
Randy Ryberg	<i>Mills-Mixed</i>	10.10	<i>Sterling</i>	18.18
	<i>Mills-Not Mixed</i>	6.00		
	<i>Schock</i>	6.65		
*Cost of gravel & sand is per CY	<i>Schock 2-2024</i>	12.49		
	<i>Sherman 2</i>	10.33		

	2019	2020	2021	2022	2023	2024	2025
	Fees	Fees	Fees	Fees	Fees	Fees	Fees

Township Labor Rates

Salary - Hourly Average for Road Personnel	41.39	43.42	42.88	46.22	49.26	50.98	57.35
Fringe Benefits charged for Regular Hours							
Salary-Overtime	38.58	40.14	41.05	44.86	46.96	47.17	53.06
Fringe Benefits not charged for Overtime							

					Actual Cost up to	Actual Cost up to	Actual Cost up to
Engineering & Supervision (% of Total Project Cost)	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%

Township Equipment Rates

Township received a 50% discount for 2008-2024 charges

50% discount for 2025

Pick-up	16.41	16.31	14.88	18.43	24.95	19.94	17.29
1 Ton Truck	28.72	28.65	25.80	32.71	46.75	36.46	32.16
Single Axle Dump	40.58	41.57	40.57	43.92	56.30	45.38	46.53
winter rate	78.34	80.15	79.60	97.79	94.50	85.43	76.61
Tandem Axle Dump	78.46	80.37	71.57	84.78	107.06	87.38	90.68
winter rate	118.44	121.09	112.52	129.86	140.14	121.80	125.55
Truck Tractor	59.82	61.27	60.58	72.23	91.48	74.02	76.86
Twin Engine Scraper	182.42	158.41	152.26	223.45	275.63	254.49	239.50
Mid-Size 6-way Dozer	80.86	76.54	76.44	94.55	113.13	106.81	77.12
Motorgrader	167.98	134.70	109.52	122.27	151.52	153.84	154.26
winter rate	198.80	165.80	140.43	153.94	181.09	184.47	185.86
Motorgrader V-Plow Attachment	50.42	50.76	50.35	51.50	49.00	50.63	52.31
Ag Tractor	30.00	30.00	30.00	40.00	40.00	40.00	45.00
4 yd Front End Loader	70.15	81.55	78.12	96.24	94.86	89.94	83.97
3 yd Front End Loader	74.43	50.89	50.92	60.04	70.57	66.32	50.05
Skid Steer	28.99	30.08	29.13	40.90	51.85	50.56	60.53
Excavator	87.09	86.81	87.10	112.85	134.69	133.83	120.30
Gravel Pup Trailer	10.35	10.50	10.38	11.24	8.73	9.13	8.98
Belly Dump Trailer	12.62	12.78	12.66	13.90	11.27	11.96	11.91
Side Dump Trailer	16.50	16.69	16.60	17.61	15.13	15.80	16.80
Tandem Bumper Hitch Trailer	10.58	6.01	6.36	7.73	6.59	7.04	7.07
Walk-n-Roller	16.95	17.32	17.22	19.05	14.49	15.62	16.18
13 Wheel Pull Type Roller	29.56	31.71	31.92	34.92	26.55	28.63	31.12
Water Truck	54.09	55.33	50.18	57.74	68.58	58.47	60.02
15' Rotary Mower	14.65	14.92	14.97	17.47	12.23	12.97	11.08
9' Disc Mower	15.18	15.48	15.58	16.68	11.59	12.22	10.33
Off-Set Mower Hitch	5.00	5.00	5.00	10.00	10.00	10.00	12.00
Tandem Taylor Way Disc	20.00	20.00	20.00	20.00	20.00	20.00	20.00
Two Stage Snow Blower	142.68	145.43	134.70	153.80	170.39	152.13	161.30

	2019 Fees	2020 Fees	2021 Fees	2022 Fees	2023 Fees	2024 Fees	2025 Fees
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Inter-Department Charges

Service Work	55.00	55.00	55.00	55.00	55.00	55.00	55.00
Fuel Sur-Charge							
Bismarck Shop	0.02	0.02	0.00	0.00	0.00	0.00	0.00
Wing Shop	0.05	0.05	0.05	0.05	0.05	0.05	0.05

Private Work

Driveway Blading - 1/4 hour	NA	44.53	38.10	42.12	50.20	51.21	52.90
Winter Rate-Snow Plowing	NA	52.31	45.83	50.04	57.59	58.87	60.80
Driveway Blading - 1/2 hour	104.69	89.06	76.20	84.25	100.40	102.41	105.81
Winter Rate-Snow Plowing	120.10	104.61	91.66	100.08	115.18	117.73	121.61
Driveway Blading - 3/4 hour	157.03	133.59	114.30	126.36	150.60	153.62	158.71
Winter Rate-Snow Plowing	180.14	156.92	137.48	150.12	172.77	176.59	182.41
Driveway Blading - 1 hour	209.37	178.12	152.40	168.49	200.78	204.82	211.61
Winter Rate-Snow Plowing	240.19	209.22	183.31	200.16	230.35	235.45	243.21

If other than motorgrader used in snow plowing - cost of work will be calculated using the non-discounted township equipment rates plus township labor rate.

In 2013 Burleigh County stopped providing gravel, gravel hauling or use of gravel from a county pit on any private driveway.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: October 7, 2024

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."

The Rath's, in the NW $\frac{1}{4}$ of Section 4, Taft Township (see attached map), is proposing a four (4) lot subdivision (Rath 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 roadways along the north edge of the subdivision from SH 83 to the east edge of the subdivision.

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:

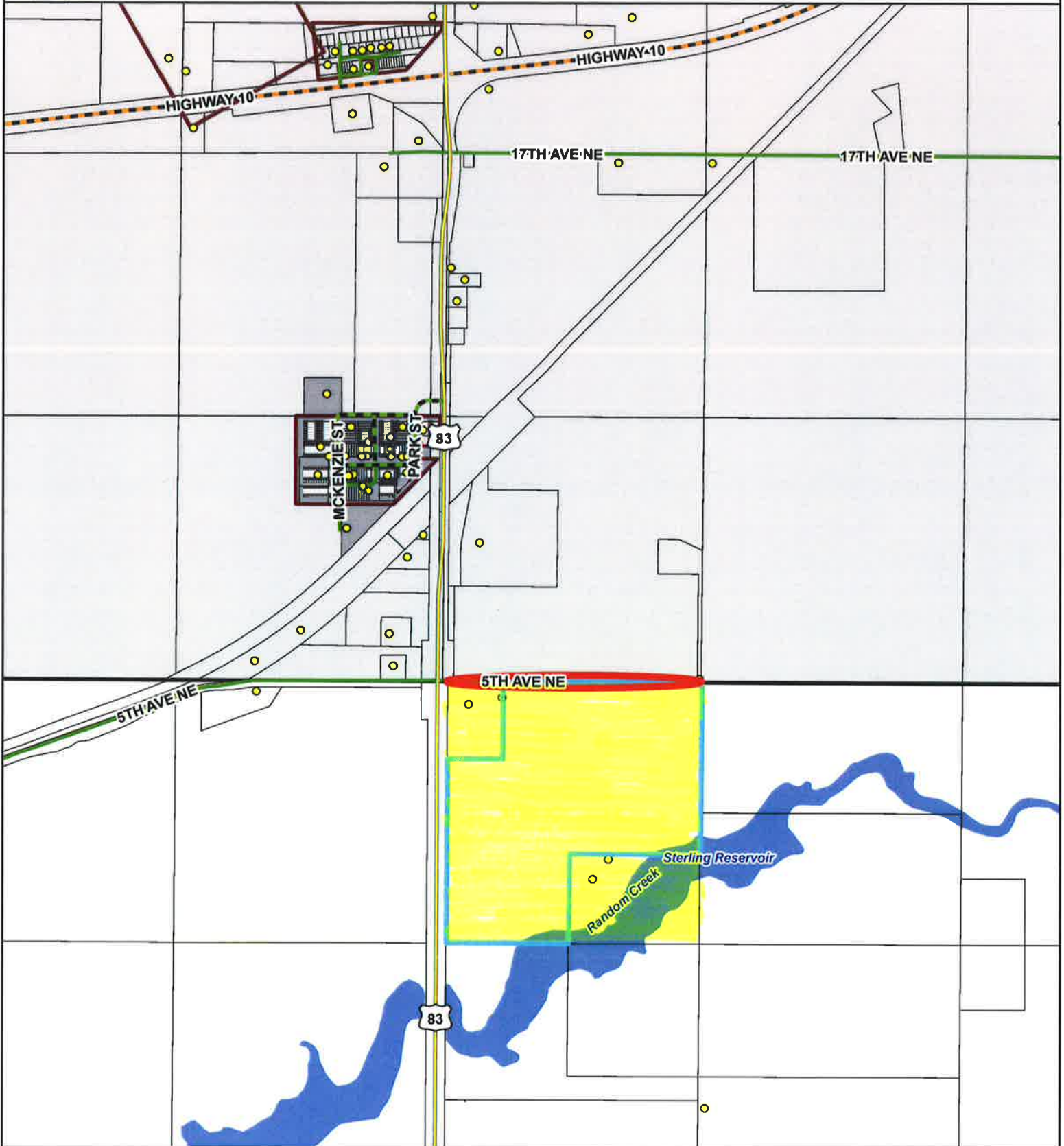
It is recommended that the County Board adopt the attached proposed resolution.

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 the Rath's request to waive the construction and paving requirements "adjacent section line roads" listed in the Pavement Policy, in conjunction with the approval of the Rath Subdivision.

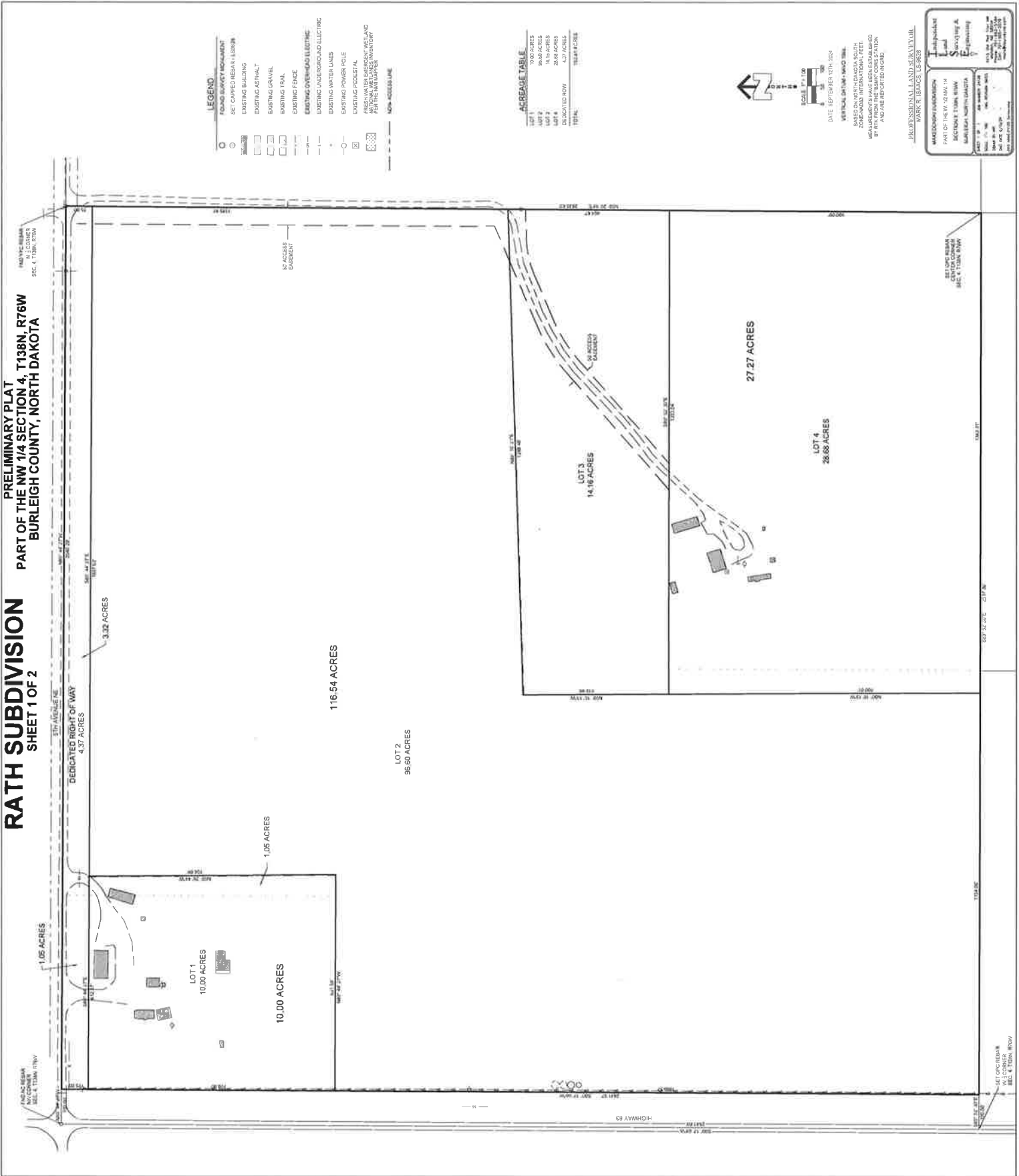
BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



PARCEL ID: 42-138-76-00-04-400 OWNER: BOHRER, GAYLE ACRES: 118.69
SITE ADDRESS:
MAIL ADDRESS: 6806 W 3RD ST UNIT 36, GREELEY, CO 80634-9030
LEGAL: TAFT TOWNSHIP Section 04 NW1/4 LESS 27.27-430 & NP R/W & LESS HWY R/W LESS 10.0 AC-410; 460686 561798 04-138-76

RATH SUBDIVISION SHEET 1 OF 2

PRELIMINARY PLAT PART OF THE NW 1/4 SECTION 4, T138N, R76W BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

FOUND SURVEY MONUMENT

- SET CORNER (BEAR 1) 1/8" DIA
- EXISTING BUILDING
- ▨ EXISTING ASPHALT
- ▩ EXISTING GRAVEL
- ▧ EXISTING TRAIL
- ▦ EXISTING FENCE

EXISTING OVERHEAD ELECTRIC

- 1 — EXISTING UNDERGROUND ELECTRIC
- 2 — EXISTING WIRE LINES
- 3 — EXISTING POWER POLE
- 4 — EXISTING PEDESTAL

EXISTING UNDERGROUND ELECTRIC

- ▨ EXISTING UNDERGROUND ELECTRIC
- ▩ EXISTING UNDERGROUND ELECTRIC
- ▧ EXISTING UNDERGROUND ELECTRIC
- ▦ EXISTING UNDERGROUND ELECTRIC

NON-ACCESS LINE

ACREAGE TABLE

LOT	ACRES
LOT 1	10.00 ACRES
LOT 2	96.60 ACRES
LOT 3	14.16 ACRES
LOT 4	28.68 ACRES
TOTAL	149.44 ACRES

SCALE: 1" = 100'
DATE: SEPTEMBER 10TH, 2024
VERTICAL DATUM: NAVD 83
HORIZONTAL DATUM: NAD 83
MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK GNSS SURVEYING METHOD AND ARE REPORTED IN GROUND.

PROFESSIONAL LAND SURVEYOR
MARK A. BRIGGS, LICENSE 123456789

MAKEDONN FUNDATION
PART OF THE NW 1/4 SECTION 4, T138N, R76W
BURLEIGH COUNTY, NORTH DAKOTA

SEAL
MARK A. BRIGGS
123456789
NORTH DAKOTA
REGISTERED PROFESSIONAL LAND SURVEYOR



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: October 7, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Maintenance Agreement between the County Highway Department and both organized and unorganized Townships.

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the Annual Road Maintenance Agreements

BACKGROUND:

Every year the Burleigh County Highway Department enters into an annual Township Road Maintenance Agreement with each township. The agreement clarifies the roles and responsibilities of each party in the maintenance of township roads. The County Board must approve the agreement and direct the proper County/Township officials to sign the agreement.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

As the Burleigh County Board:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to enter into an agreement with the County's Townships, assigning the roles and responsibility for maintaining township roads within Burleigh County.

As the Unorganized Township Supervisors:

THEREFORE BE IT RESOLVED: That the proper Township officials are hereby authorized to enter into an agreement with the County, assigning the roles and responsibility for maintaining township roads within the township.

ITEM

7



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Recommendations from the September 11, 2024 meeting of Burleigh County Planning Commission
Date: 9-26-2024
From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1

Aberle 2nd Subdivision & Zoning Change

Legal Description: Part of the NW 1/4 of Section 29, Township 139 N Range 78 W

Property Address: TBD

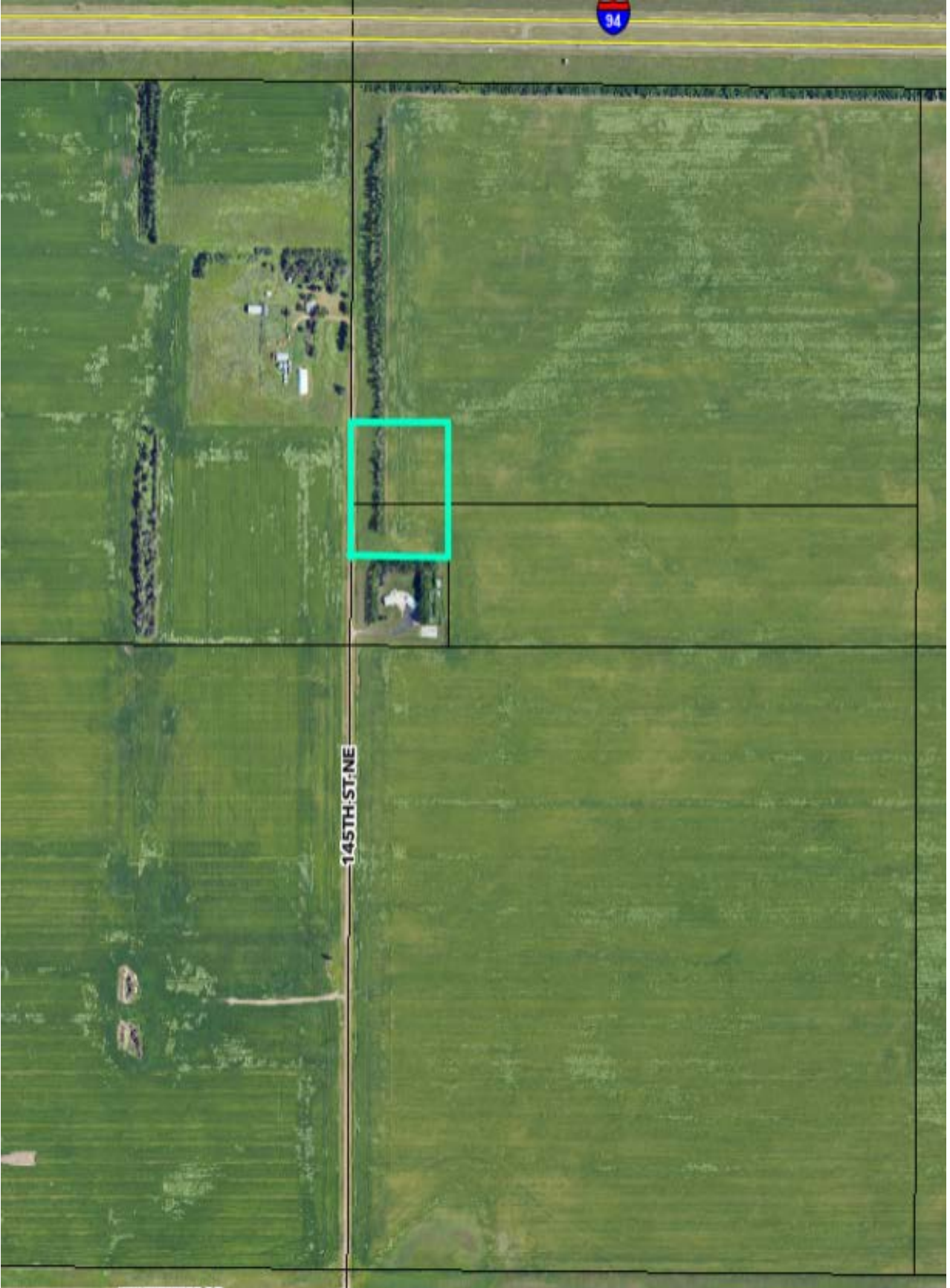
Burleigh County was asked in May of 2024 by Landon Niemiller of Swenson Hagen Surveying regarding creation of a 5.04 AC, one lot subdivision from 2 parcels containing 131.96 AC. The size and location of the proposed subdivision did not raise concerns during a preliminary review meeting. The zoning change from A-Agricultural to R1-Rural Single Family Residential did not raise concerns. The Planning Commission recommended approval for the zone change and final plat by a vote of 6-0.

ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve Aberle 2nd Final Subdivision Plat and Zone Change

Attachments:

- 01 Aberle 2nd Final Subdivision
- 02 Aberle Site Location
- 03 Aberle Site Location



SECTION 29
T. 139 N.
R. 78 W.

ND STATE PLANE
COORDINATES
SOUTH ZONE,
INTERNATIONAL
FEET
NAD 83
ADJUSTMENT
OF 2011
N 425,330.0
E 1,953,335.2

1726.48'
N00°26'54"E

S89°28'42"E 460.00'

385.00'

SECTION LINE

75'

145TH ST NE

20' UTILITY EASEMENT 570.00'

①

1
5.04 AC±

570.00'

S00°26'54"W 570.00'

S 1/2
NW 1/4
SECTION 29
T. 139 N.
R. 78 W.

N00°26'54"E 570.00'

3.3' STATUTORY RIGHT-OF-WAY

N00°26'54"E
350.00'

S89°33'06"E

30' WATERMAIN EASEMENT
DOC # 493814

210.9'

144.1'

S02°11'59"W

30' WATERMAIN EASEMENT

170.9'

75'

385.00'

149.3'

N89°28'42"W 460.00'

ND STATE PLANE
COORDINATES
SOUTH ZONE,
INTERNATIONAL
FEET
NAD 83
ADJUSTMENT
OF 2011
N 424,760.1
E 1,953,330.8

S. 350' OF THE W. 460'

NW 1/4
SECTION 29
T. 139 N.
R. 78 W.





Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Big Sky Passenger Rail Authority
Date: 10-1-2024
From: Mitch Flanagan, Burleigh County Planning Director. *lll*

ITEM 1

MPO Membership in the Government Partners Program

The Government Partners Program- GPP, has been developed by BSPRA (Big Sky Passenger Rail Authority) and is being offered to communities potentially impacted by future restoration/expansion of passenger rail service. This information is provided for this Board to consider and approve becoming a member of the BSPRA's GPP through the MPO. Participant costs to the County will not apply as the membership fee would be paid for by the MPO's budget.

17 routes were identified with the "Big Sky North Coast Corridor" replacing North Coast Hiawatha Line which was discontinued in 1979 and is a 2,300-mile corridor.

- Membership in the GPP gains access to support services provided by BSPRA to navigate the challenges and opportunities which will be presented to local communities;
 - Building or renovating train stations along the route – location and funding
 - Developing relevant services near stations and creating destinations
 - Creating connecting transit services and other transportation opportunities
 - The GPP will provide opportunities to learn from experiences of others through a collaborative "Passenger Rail Community"
 - The GPP will offer forums to support cooperation and coordination among communities
 - The GPP will provide tools for community planning and project development along with federal funding opportunities
 - The general program and resources of the GPP will be tailored to meet local needs

ACTION REQUESTED:

Consider motion to join the Government Partners Program through the MPO. A final action will need to take place prior to October 15th.

Attachments:
FRA_LDSS_Policy Board_Aug. 2024



FRA
LONG-DISTANCE
SERVICE STUDY

Long-Distance Service Study Engagement Schedule



About the FRA Long-Distance Service Study

The Infrastructure Investment and Jobs Act (IIJA) of 2021 requires the FRA to conduct a study to evaluate the restoration of daily intercity rail passenger service along —

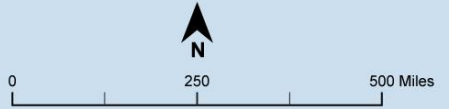
- any Amtrak Long-Distance routes that were discontinued; and
- any Amtrak Long-Distance routes that occur on a nondaily basis.
- FRA may also evaluate potential new Amtrak Long-Distance routes, including with specific attention provided to routes in service as of April 1971 but not continued by Amtrak.

Existing Network



Legend

- Existing Network**
- Amtrak Routes
 - Long-Distance
 - Northeast Corridor
 - State-Supported

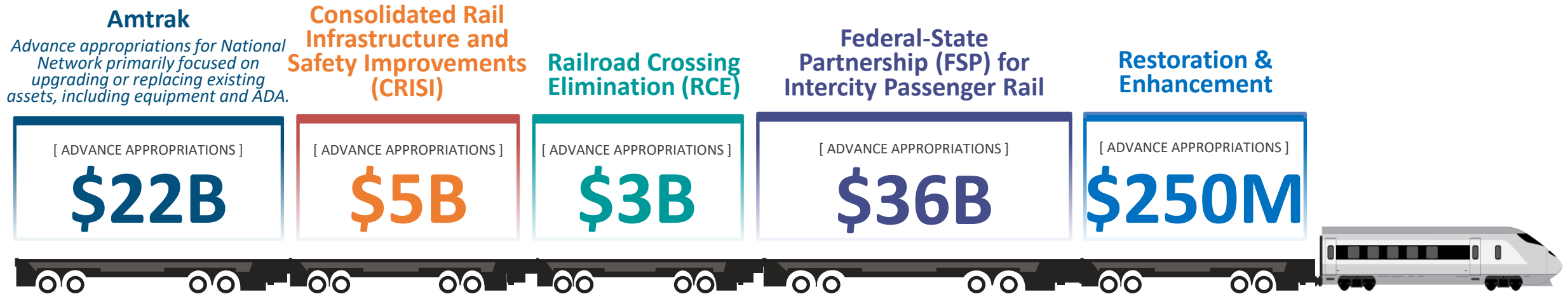


Federal Funding Program Overview: BIL Advance Appropriations

[ADVANCE APPROPRIATIONS]

From FY22-FY26

\$66B in total funding



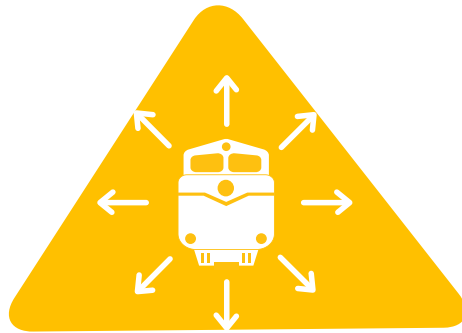
Corridor Identification and Development Program Overview

Build the foundation for a long-term rail program



Corridor ID creates a foundational framework for identifying and developing new or improved intercity passenger rail (IPR) services. Under the program, FRA will:

Bring world-class passenger rail service to regions across the country



Solicit proposals for implementing new or improving existing IPR services

Select corridors for development

Partner with corridor sponsor to prepare (or update) a Service Development Plan (SDP)

Grow a safer, cleaner, more equitable rail system



SDP includes a “corridor project inventory”

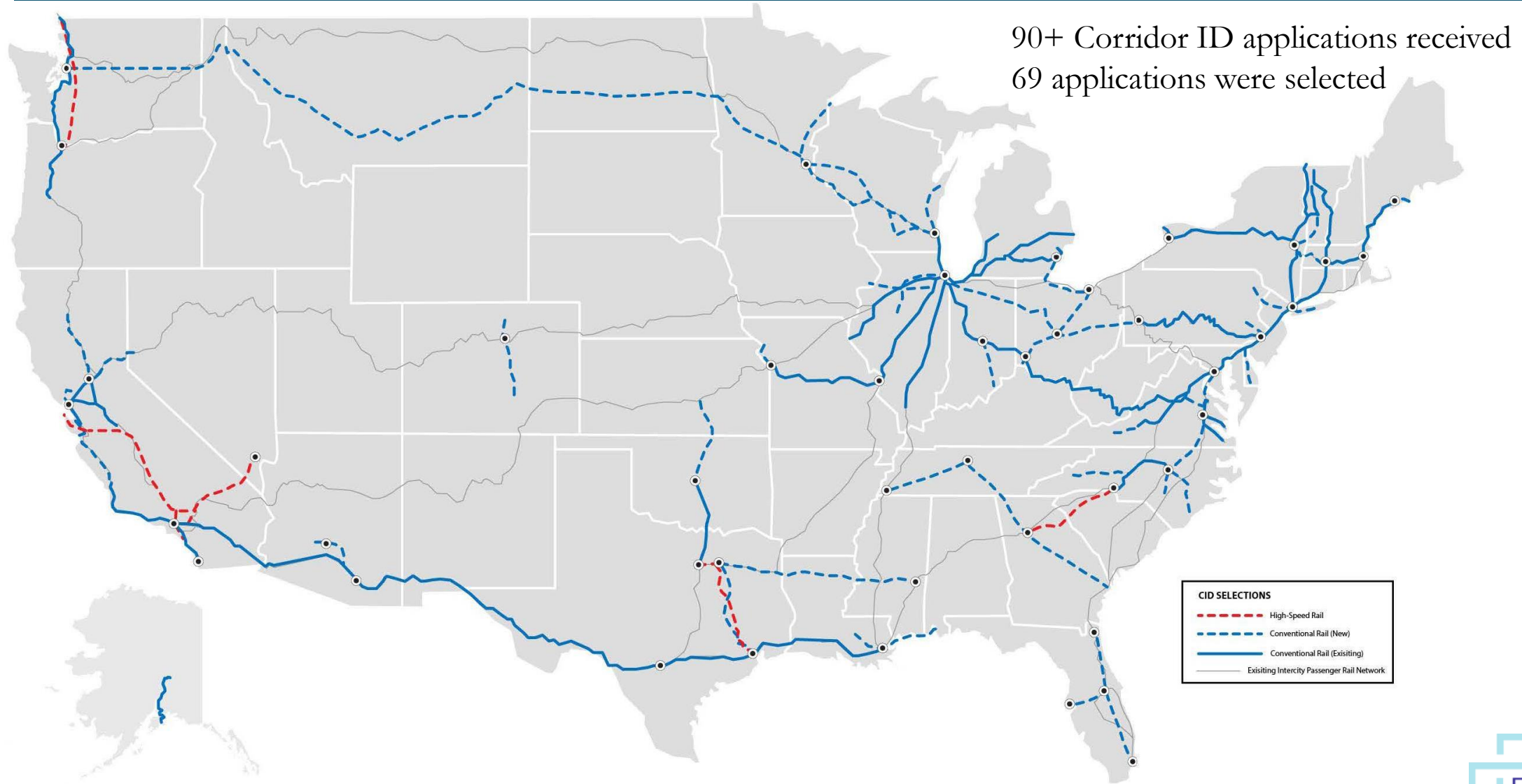
Corridor project inventories populate a prioritized “pipeline” of projects

Projects in the Corridor ID Pipeline are eligible for funding under FRA’s financial assistance programs

Nexus between the Long-Distance Service Study and Corridor ID Program

- Corridor ID eligibility includes both short-distance (less than 750 miles) services, along with increasing the frequency of long-distance service, and restoring service over any route formerly operated by Amtrak.
- Long-distance service corridors selected into Corridor ID include:
 - Daily Cardinal Service (Amtrak) – Increase service frequency of a long-distance route
 - Daily Sunset Limited Service (Amtrak) – Increase service frequency of a long-distance route
 - North Coast Hiawatha (Big Sky Passenger Rail Authority) - Restoration of service over all or portions of an intercity passenger rail route formerly operated by Amtrak

FY 22 Corridor ID Selections

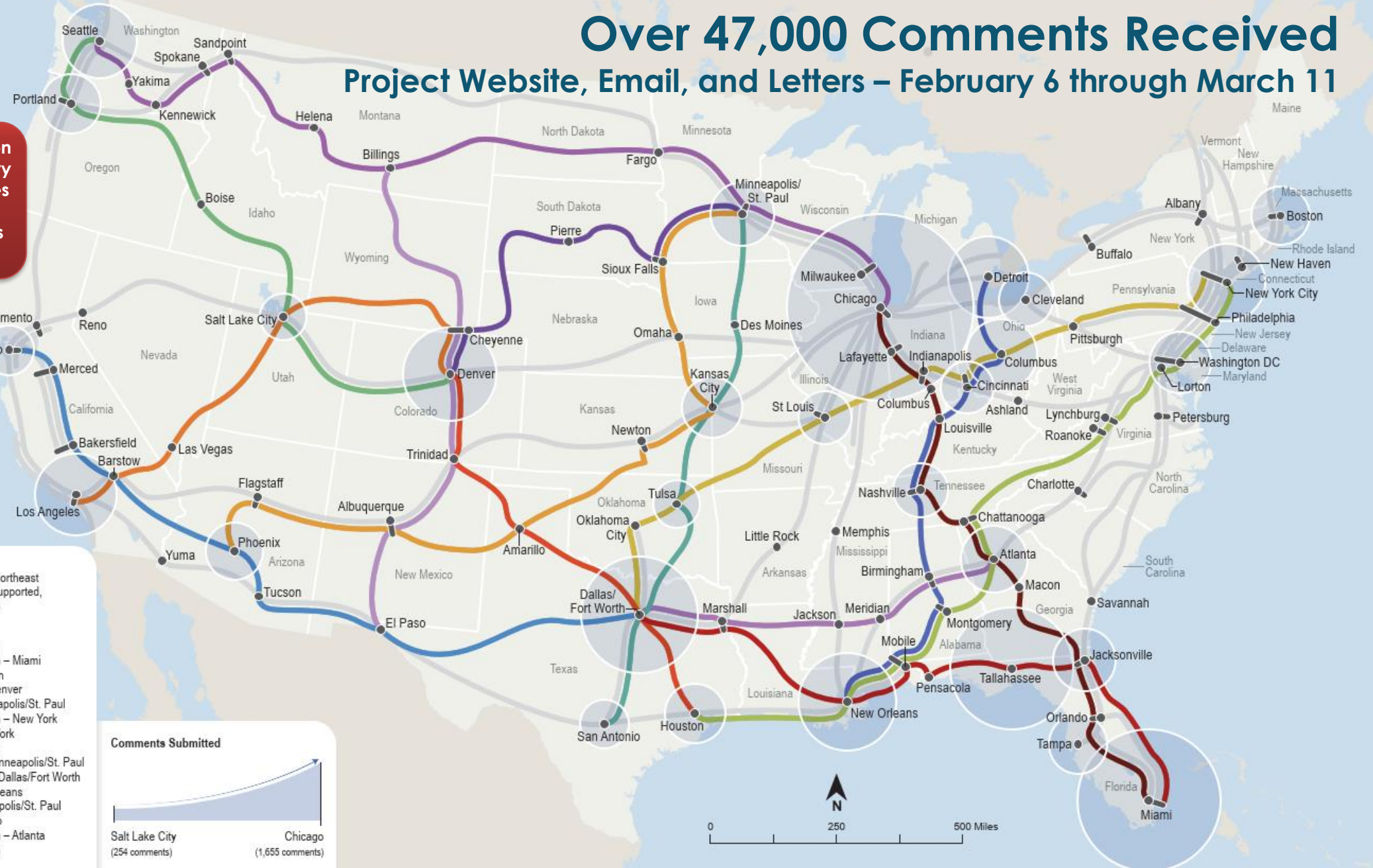
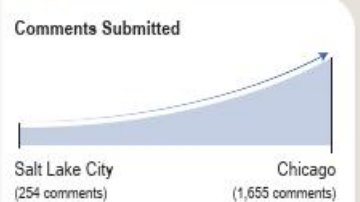


Over 47,000 Comments Received

Project Website, Email, and Letters – February 6 through March 11

Further analysis after completion of this study would be necessary to advance the preferred routes through project planning and project development activities prior to implementation.

- Legend**
- Baseline Network**
 - Long-Distance, Northeast Corridor, State-Supported, Baseline Projects
 - Preferred Routes**
 - Chicago – Miami
 - Dallas/Fort Worth – Miami
 - Denver – Houston
 - Los Angeles – Denver
 - Phoenix – Minneapolis/St. Paul
 - Dallas/Fort Worth – New York
 - Houston – New York
 - Seattle – Denver
 - San Antonio – Minneapolis/St. Paul
 - San Francisco – Dallas/Fort Worth
 - Detroit – New Orleans
 - Denver – Minneapolis/St. Paul
 - Seattle – Chicago
 - Dallas/Fort Worth – Atlanta
 - El Paso – Billings



SEATTLE - CHICAGO

Seattle - Chicago

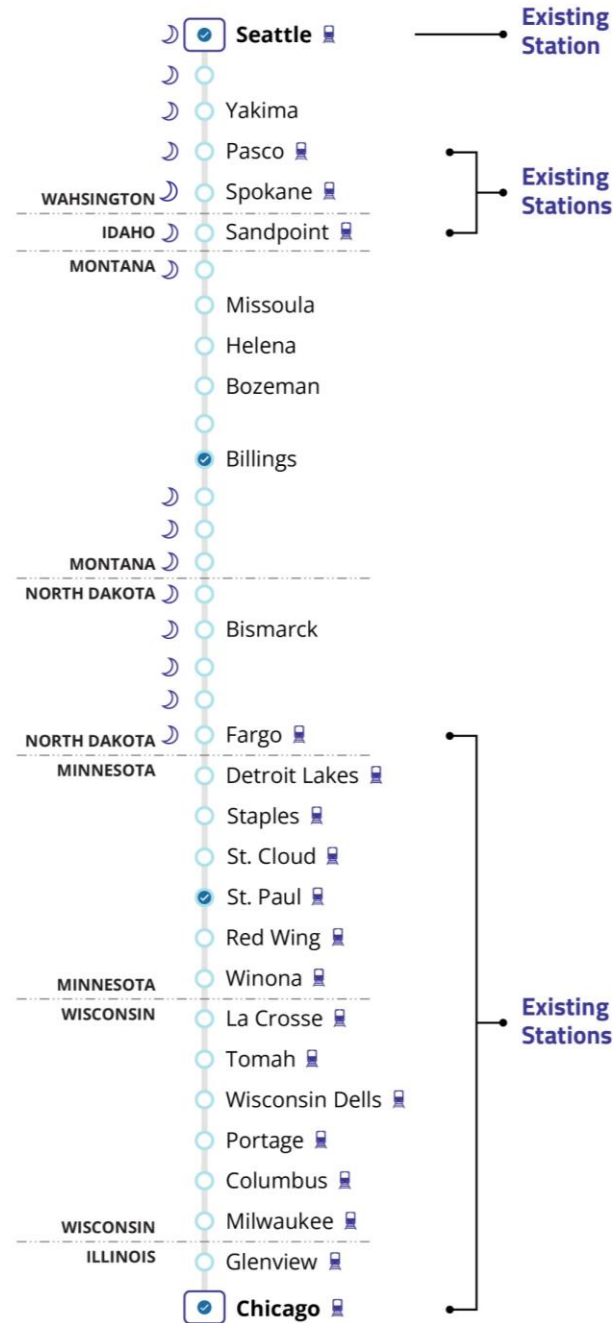
Conceptual Service Overview

Not an FRA proposal for service

Route Service Metrics		
Scheduled run time	avg. of both directions	approx. 50 hours
Route length	avg. of both directions	2,314 miles
Seattle, WA departure time	local time	early afternoon
Chicago, IL arrival time	local time	late afternoon ⁺²
Chicago, IL departure time	local time	early morning
Seattle, WA arrival time	local time	nighttime ⁺²
Average travel time improvements	hours	11
Route Stations		
Total number of stations	count of stations	34
Stations in small communities	count of stations	11
Existing stations adding new service	count of stations	19

Average travel time improvements are for existing OD pairs when using a new route compared to an existing route

Daytime = 5:00 a.m.-10:59 p.m. (5 a.m.-7:59 a.m. early morning; 8 a.m.-10:59 a.m. late morning; 11 a.m.-12:59 p.m. midday; 1 p.m.-3:59 p.m. early afternoon; 4 p.m.-5:59 p.m. late afternoon; 6 p.m.-8:59 p.m. early evening; 9 p.m.-10:59 p.m. late evening). Nighttime = 11 p.m.-4:59 a.m.



Legend

- ☾ Some Arrivals at Night
- 🌙 All Arrivals at Night
- Station
- ▭ Terminal
- 🚂 Connecting Existing Amtrak Rail Service
- ✓ Connecting Preferred Route

Some arrivals at night depends on direction. All existing stations and new stations in cities with over 50K people are labeled.

These conceptual schedules are not FRA proposals for service. This study selected conceptual departure times to maximize daytime service for highest population market pairs on a preferred route.

Further analysis and identification of funding after completion of this study would be necessary to advance the preferred routes through project planning and project development activities, including detailed schedule development.

Seattle - Chicago

Equity and Accessibility

1,285 miles
of discontinued
long-distance
routes restored

Additional Populations Served		
Population served	in thousands of people	1,090
Rural population	in thousands of people	210
Rural population in areas of persistent poverty	in thousands of people	40
Rural population that is transportation disadvantaged	in thousands of people	38
Rural population that is health disadvantaged	in thousands of people	49
Population on tribal lands	in thousands of people	42

Additional Institutions Served		
Medical centers	count of centers	2
Higher education institutions	count of institutions	24
Historically black colleges and universities	count of institutions	0
Military installations	count of installations	4
NPS Lands	count of NPS units measured	2

Not an FRA proposal for service

Further analysis and identification of funding after completion of this study would be necessary to advance the preferred routes through project planning and project development activities, including detailed schedule development.

- Legend**
- Baseline Network**
 - Long-Distance, Northeast Corridor, State-Supported, Baseline Projects
 - Preferred Routes**
 - Preferred Routes
 - Preferred Route: **Seattle - Chicago**
 - Stations in Cities with Populations over 50K: **Seattle - Chicago**

Seattle - Chicago

Selected Passenger Service-Required Cost Estimate Ranges

Selected Passenger Service-Required Cost Ranges		
Vehicle costs	2025 dollars, in millions	\$850-1,100
Station and maintenance facility costs	2025 dollars, in millions	\$1,340-1,740
Track class and PTC upgrade costs	2025 dollars, in millions	\$720-930
O&M costs (annual)	2025 dollars, in millions	\$96-136

Cost estimate ranges include Professional Services. Cost estimate ranges do not include other capital projects including track capacity and operational improvement projects.

Legend

Baseline Network

- Long-Distance, Northeast Corridor, State-Supported, Baseline Projects

Preferred Routes

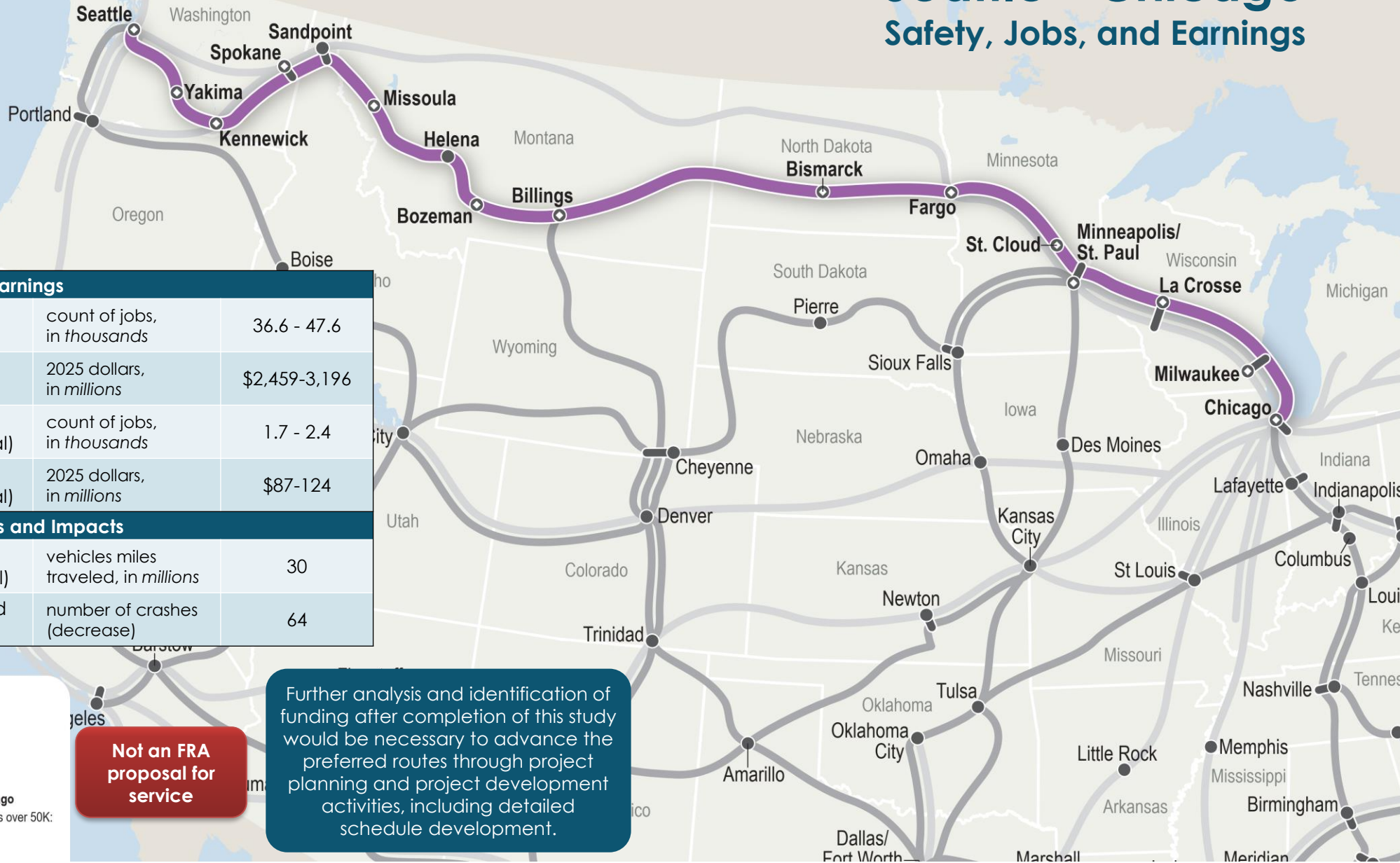
- Preferred Routes
- Preferred Route: Seattle - Chicago
- Stations in Cities with Populations over 50K: Seattle - Chicago

Not an FRA proposal for service

Further analysis and identification of funding after completion of this study would be necessary to advance the preferred routes through project planning and project development activities, including detailed schedule development.

Seattle - Chicago

Safety, Jobs, and Earnings



Estimated Jobs and Earnings		
Jobs supported by construction	count of jobs, in thousands	36.6 - 47.6
Earnings supported by construction	2025 dollars, in millions	\$2,459-3,196
Jobs supported by operations (annual)	count of jobs, in thousands	1.7 - 2.4
Earning supported by operations (annual)	2025 dollars, in millions	\$87-124
Route Travel Changes and Impacts		
Travel shifted from vehicle to rail (annual)	vehicles miles traveled, in millions	30
Total crashes avoided (annual)	number of crashes (decrease)	64

- Legend**
- Baseline Network**
 - Long-Distance, Northeast Corridor, State-Supported, Baseline Projects
 - Preferred Routes**
 - Preferred Routes
 - Preferred Route: **Seattle - Chicago**
 - Stations in Cities with Populations over 50K: **Seattle - Chicago**

Not an FRA proposal for service

Further analysis and identification of funding after completion of this study would be necessary to advance the preferred routes through project planning and project development activities, including detailed schedule development.

Preferred Routes

Corridor ID Program

Initial Program Selections to Support Project Development Activities

- Seattle - Chicago (North Coast Hiawatha)
- Daily Cardinal
- Daily Sunset Limited

Additional Preferred Routes

Next steps: Initiate Project Planning

- Houston - New York
- Chicago - Miami
- Dallas/Fort Worth - New York
- Denver - Houston
- Los Angeles - Denver
- Phoenix - Minneapolis/St. Paul
- San Francisco - Dallas/Fort Worth
- Detroit - New Orleans
- Dallas/Fort Worth - Atlanta
- San Antonio - Minneapolis/St. Paul
- Denver - Minneapolis/St. Paul
- Dallas/Fort Worth - Miami
- Seattle - Denver
- El Paso - Billings

There is currently no sustained funding or program to advance the development of preferred routes identified by this study

CLOSING AND NEXT STEPS

Moving Forward



Report to Congress

- Complete later in 2024
- Establish options for restoring and expanding long-distance service
- Include ideas for ongoing collaboration and planning
- Acknowledge the need for additional analysis, coordination, funding



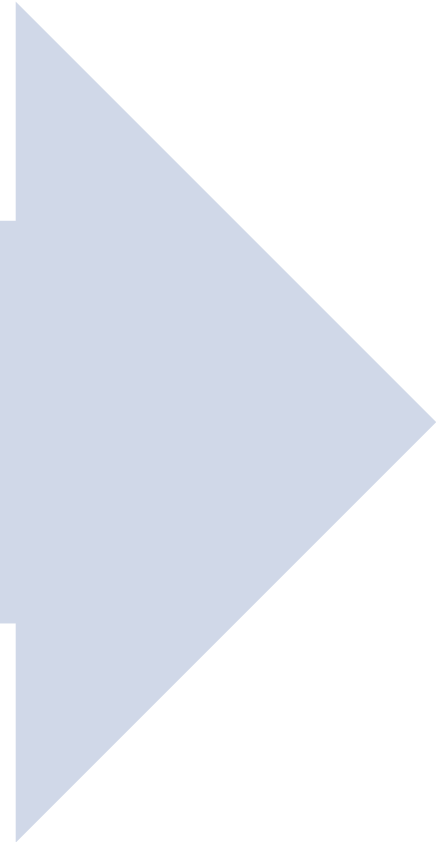
Corridor ID

- Provides sustained support for new or improved passenger corridors through planning and project development stages
- Includes some long-distance routes
 - Daily Cardinal
 - Daily Sunset Limited
 - North Coast Hiawatha



Comments Received

- Maintain a database of comments for reference in future planning processes



Thank You!

- After the final report is submitted to Congress, it will be published on the study and FRA websites.
- www.fralongdistancerailstudy.org



ITEM

8

MEMORANDUM

DATE: 10/01/2024
TO: Mark Splonskowski, Auditor, Treasurer
Burleigh County Commission
FROM: Commissioner Munson / Renae Moch
ITEM: 2025 Joint Powers Agreement for Public Health Services

REQUEST:

Approve and sign the 2025 Joint Powers Agreement with the City of Bismarck for Public Health Services in Burleigh County.

Please place this item on the October 7, 2024, Burleigh County Commission Agenda.

BACKGROUND INFORMATION:

At the September 4, 2024, Burleigh County Commission meeting, the commission approved the 2025 Joint Powers Agreement for Public Health services. The agreement was approved but not signed.

1. On September 24, 2024, the Bismarck City Commission met and approved a modification to the 2025 Joint Powers Agreement. The modification to the 2025 Joint Powers Agreement adds the following statement:

“In consideration of the payment of \$280,664.00 paid by **Burleigh** to **Bismarck** for Public Health after the 2024 tax rates were set and **Burleigh’s** continued contribution in 2025, **Bismarck** reduced the property tax mill rate for the 2025 tax levy.

The total contract amount of \$582,502, representing a 25% cost share of the public health budget, remains unchanged and all contract terms remain the same as approved by the Burleigh County Commission on September 4, 2024.

REQUEST:

Approve and sign the updated 2025 Joint Powers Agreement with the City of Bismarck for Public Health services.

ATTACHMENTS:

- 1 – Digital copy updated 2025 Joint Powers Agreement with changes in red font.
- 2 – Hard copies of the 2025 Joint Powers Agreement for signature.

**2025 JOINT POWERS AGREEMENT
FOR PROVISION OF PUBLIC HEALTH SERVICES**

THIS AGREEMENT is between the City of Bismarck (**Bismarck**) and Burleigh County (**Burleigh**) collectively known as the "Parties".

PRELIMINARY STATEMENT

Bismarck is a home rule city organized and operated under a Home Rule Charter pursuant to [Chapter 40-05.1](#), North Dakota Century Code. **Burleigh County (Burleigh)** is a county organized and operated pursuant to Title 11 of the North Dakota Century Code.

The Parties have the authority to enter into a Joint Powers Agreement pursuant to Section [54.40.3-01](#), North Dakota Century Code and [Article VII](#), Section 10 of the North Dakota Constitution. The Parties each have the authority to provide public health services.

FOR VALUABLE CONSIDERATION and pursuant to NDCC Chapter [54-40.3](#), Article VII, Section 10, North Dakota Constitution, and NDCC Section [23-35-04](#) which allows Burleigh and Bismarck to enter into an agreement to provide health services to Burleigh and the cities throughout Burleigh which do not have a public health unit, the parties agree as follows (the "Agreement"):

1. Purpose. Burleigh and Bismarck hereby enter into this Agreement in accordance with state statute to provide public health services in Burleigh and in the cities throughout Burleigh which do not have a public health unit.
2. Authority. Bismarck has the authority under NDCC [Chapter 23-35](#) to form and operate a public health department and to provide public health services. Burleigh has the authority under NDCC Section 23-35-04(2) to enter into an agreement, with a city public health department, that complies with NDCC Chapter 54-40.3, for the provision of health services within the county and in cities throughout the county which do not have public health services. The Parties, pursuant to the authority contained in NDCC Chapter 54-40.3 and North Dakota Constitution Article VII, Section 10 and the above listed sections hereby enter into this Agreement for the provision of health services in Burleigh and cities in Burleigh that do not have public health services.
3. Financial Administration. **Burleigh** will pay to **Bismarck** an annual sum billed in equal monthly payments, in return for the provision of services by Bismarck-Burleigh Public Health as set forth below. **The total contract amount for 2025 is - \$582,502.**

In consideration of the payment of \$280,664.00 paid by **Burleigh** to **Bismarck** for Public Health after the 2024 tax rates were set and **Burleigh's** continued contribution in 2025, **Bismarck** reduced the property tax mill rate for the 2025 tax levy.

4. Contracts. All contracts, grant applications, or grant acceptances regarding the normal operations of Bismarck-Burleigh Public Health shall be approved by Bismarck. Any grant funds awarded to Bismarck-Burleigh Public Health shall be applied to programs for the benefit of both rural Burleigh and Bismarck residents.
5. General Administration-Committee. The general administration of this Agreement shall be under the supervision of a committee (the Committee) made up of the Burleigh County Auditor, the Bismarck City Administrator, and the Director of Bismarck-Burleigh Public Health. The Committee is not an independent entity. It is an administrative entity without separate legal existence from its constituent members. The committee shall have no decision-making authority regarding the operation of Bismarck-Burleigh Public Health. The committee's primary responsibility shall be mediating and addressing any issues that may arise in the provision of services under this Agreement. Reports concerning the proposed disposition of issues arising under this Agreement shall be reported to each governing body for final disposition.
6. Services. Under this Agreement, public health services provided in rural Burleigh County by Bismarck-Burleigh Public Health will include, but are not limited to, the core functions outlined in ND Century Code [23-35-02](#).
7. Relationship of Parties: This Agreement shall not be construed to create any form of any employment relationship between Burleigh and Bismarck-Burleigh Public Health, or any person designated by Bismarck-Burleigh Public Health under the provisions of this Agreement. It is the intention of the parties hereto to maintain separate and distinct organizations, and Bismarck-Burleigh Public Health through its designated employees shall at all times be acting as an independent contractor in providing services to and for the benefit of Burleigh. Bismarck-Burleigh Public Health shall be responsible to control and supervise all of its employees and to pay compensation to or for the employees of all wages, salaries, taxes, withholding payments, fees, as well as other benefits or compensation to any pension or retirement plans. Bismarck-Burleigh Public Health shall not claim that Burleigh is responsible for the payment of any of the foregoing payments,

withholdings, contributions, or taxes in relationship to its designated employees.

8. Effective Date. This Agreement shall become effective upon signature of all of the parties.

9. Term. The term of this Agreement is from **January 1, 2025, through December 31, 2025** subject to cancellation by either Burleigh County or the City of Bismarck upon 60 days' notice.

10. This Agreement supersedes and replaces the AGREEMENT FOR PROVISION OF PUBLIC HEALTH SERVICES FOR BURLEIGH COUNTY BY THE CITY OF BISMARCK PUBLIC HEALTH or any other agreement for the provision of public health services currently in affect between the Parties.

BURLEIGH COUNTY

Dated this _____ day of _____, 20__

Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor/Treasurer

CITY OF BISMARCK

Dated this _____ day of _____, 20__

Michael T. Schmitz, President
Board of Bismarck City Commissioners
City of Bismarck

Rena A. Moch, Director
Bismarck-Burleigh Public Health

Attest: _____
Jason Tomanek, Administrator
City of Bismarck

ITEM

9

Let's Play!

November 12, 2014

Dear Burleigh County Commission Chair Jim Peluso:

The Bismarck Parks and Recreation District was informed by letter dated October 14, 2014 that the Burleigh County Commission voted to reduce the County Park mill levy from one (1) mill to one-half (1/2) mill on October 8, 2014 (Exhibit A). This includes the mill levy for county parks extended within the City of Bismarck.

An Agreement for the Joint Exercise of Governmental Powers ("JPA") between Burleigh County, City of Bismarck, Bismarck Park District and Burleigh County Park Board was executed on July 1, 1998 (Exhibit B). This JPA is an agreement regarding the levy of one mill for the expenses and activities program of the County Park Board, under the control of the City or City Park District. The agreement was made for the purpose of enhancing the recreational opportunities for residents of the City and the County and to provide for adequate law enforcement and other support for existing and recreational facilities.

The JPA outlines how "[r]evenue from the one mill levy within the City of Bismarck shall be used." In summary, the JPA provides that part of the one mill levy goes to the Park District for riverfront improvements and Sibley Park.

Section 54-40-04 of the North Dakota Century Code on joint powers agreements provides that a JPA "may be continued for a definite term or until rescinded or terminated in accordance with its terms." The terms of this JPA are that the JPA can be terminated at the close of any calendar year by any party upon one year's written notice to all other parties. Therefore, a notice to terminate is required to all the parties. If such a notice was given now, in November 2014, the earliest the JPA could terminate is December 31, 2015.

The Park District has approved its budget for 2015. The budget was based upon estimated value of the mill being \$290,456. Reducing the County mill levy from one (1) mill to one-half (1/2) mill reduces the Bismarck Parks and Recreation District's share of the tax levy by \$98,029 (Exhibit C).

Reducing the mill from one to one-half effectively terminates the one mill agreement and if this reduction to one-half mill takes place for calendar year 2015, the termination is not in accordance with law or the terms of the JPA. It is understood that the County Park mill levy cannot legally be reinstated to the full one-mill levy for 2015. However, since the Park District's budget has already been approved with the expectation of the full one mill per the JPA, we ask that the Burleigh County Commission consider providing additional money to fund the Park District at the one mill rate. In addition, we would like to invite the Burleigh County Commissioners or their designated representative(s) to discuss this Joint Powers Agreement and expectations for 2016.

Sincerely,

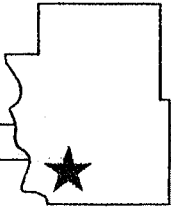


Julie Jeske
Bismarck Board of Park Commissioners President

A nationally accredited park and recreation agency.

STATE OF NORTH DAKOTA

County of Burleigh



221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

October 14, 2014

Mr. Randy Bina
Director
Bismarck Park & Rec District
400 East Front Avenue
Bismarck, North Dakota 58504

Dear Randy:

Please be advised that the Burleigh County Commission at their October 8, 2014 regular meeting, upon conclusion of the 2015 budget hearing, voted to reduce the County Park mill levy from one (1) mill to ½ mill.

This included the mill levy for county parks extended within the City of Bismarck.

Sincerely,

A handwritten signature in cursive script that reads "Jim Peluso".

Jim Peluso
Chairman, Burleigh County Commission

AGREEMENT FOR THE JOINT EXERCISE OF GOVERNMENTAL POWERS

The City of Bismarck ("City"), Burleigh County ("County"), the City of Bismarck Park District ("Park District") and the Burleigh County Board of Park Commissioners ("County Park Board"), having in common a portion of their territories, hereby agree to jointly or cooperatively exercise their respective separate powers with regard to the levy of one mill for the expenses and activities program of the County Park Board, including construction, improvement, repair, operation, and maintenance of park and recreational areas and their facilities and those recreational activities of benefit to the general populace of the County which are under the control of the City or City Park District. This agreement is made pursuant to the provisions of Chapter 54-40 of the North Dakota Century Code for the purpose of enhancing the recreational opportunities for residents of the City and County, and to provide for adequate law enforcement and other support for existing and recreational facilities.

- 1) Consent to one Mill Levy. The City hereby consents to the levy of up to one mill within the City, as provided by Section 11-28006, N.D.C.C., and subsection 10 of Section 57-15-06.7, N.D.C.C., for the purposes authorized by Section 11-28-06 and by the terms of this agreement. The Mayor and City Administrator are authorized and directed to execute a resolution consenting to this levy.
- 2) Distribution of Funds. Revenue from the one mill levy within the City of Bismarck shall be used as follows:
 - a) 35% of the mill shall be split 50/50 between the County and City/Park District for the benefit of Riverfront Improvements on lands under the management or ownership of the City of Bismarck, Bismarck Park District, or the County.
 - b) 35% of the mill shall be used for the operation and improvements of Sibley Park, under the management of the City Park District.
 - c) 15% of the mill shall be used for the operation and improvements to county riverfront facilities under management of the Burleigh County Park Board.
 - d) 15% of the mill shall be used for law enforcement and maintenance to riverfront facilities under management or ownership of the Park District and the City of Bismarck.
- 3) Distribution of Funds. The County Auditor shall distribute funds as collected with monthly apportionment in amounts equal to the agreed to percentages to the County Park Board and the Bismarck Park District. The Park District shall be holder of the funds for City and Park District use.
- 4) Term. This agreement shall be in affect for successive (one) 1 year terms or until terminated.
- 5) Termination. This agreement may be terminated effective at the close of any calendar year by any party upon one year's written notice to all other parties. When terminated, the County's authority to levy the one mill shall also terminate.

6) Ownership. Unless otherwise agreed to in writing, all facilities constructed or improved pursuant to this agreement, shall remain the property of the party who holds title to the land on which the facilities are located, inventoried and insured accordingly.

Date: July 1, 1998

CITY OF BISMARCK:

By: [Signature]
Mayor, City of Bismarck

Attest: [Signature]
City Administrator

BURLEIGH COUNTY:

By: [Signature]
President, Board of County Commissioners

(SEAL)
Attest: [Signature]
County Auditor

BURLEIGH COUNTY PARK BOARD
BISMARCK PARK DISTRICT:

By: [Signature]
President, Board of Park Commissioners

(SEAL)
Attest: [Signature]
Clerk

BISMARCK PARK DISTRICT
BURLEIGH COUNTY-PARK-BOARD:

By: [Signature]
President, Board of Park Commissioners

Attest: [Signature]
Clerk

10/21/2014

Impact of County Cutting Mill to 1/2

	Projected @ 1/2 mill	Actual Projected Deficit
General Sibley	\$ 50,830	\$ (50,830)
Fund 31	\$ 47,199	\$ (47,199)
	<u>\$ 98,029</u>	<u>\$ (98,029)</u>

Estimated Value of 2015 mill: \$ 290,456

General Sibley (35%)	\$ 101,660	x 1/2=	\$ 50,830
Fund 31 (32.5%)	\$ 94,398	x 1/2=	\$ 47,199
Burleigh County (32.5%)	\$ 94,398		
	<u>\$ 290,456</u>		<u>\$ 98,029</u>

\$ 266,456.21

ITEM

10

Garrison Diversion Conservancy District (GDCD)

Procedure to request withdrawal from the conservancy district

1. Commissioners pass resolution to petition the GDCD Board of Directors (“Board”) to exclude the county.
 - a. Resolution must state specific reasons why such county will not be benefited by the establishment and development of the Garrison diversion unit.
2. Auditor and Commission Chair file a petition to exclude the county.
 - a. Petition must state specific reasons why such county will not be benefited by the establishment and development of the Garrison diversion unit.
3. Within 60 days, the Board shall meet to consider the petition where they can:
 - a. Grant the petition; OR
 - b. Set a time and place for a hearing
 - i. The Board must publish the hearing notice for 2 consecutive weeks; and
 - ii. The hearing must be within 10-20 days of the last publication.
4. If there is a hearing, the Board must determine whether the county will or will not be benefited by the establishment and development of the Garrison diversion unit.
 - a. If determine will not be benefited, then shall grant the petition.
 - i. The county shall be liable for and shall pay to the district taxes levied before exclusion.
 - b. If determine will be benefited, then shall deny the petition.

The Commission will need to list specific reasons why Burleigh County will not be benefited by continued membership in the Garrison Diversion Conservancy District.

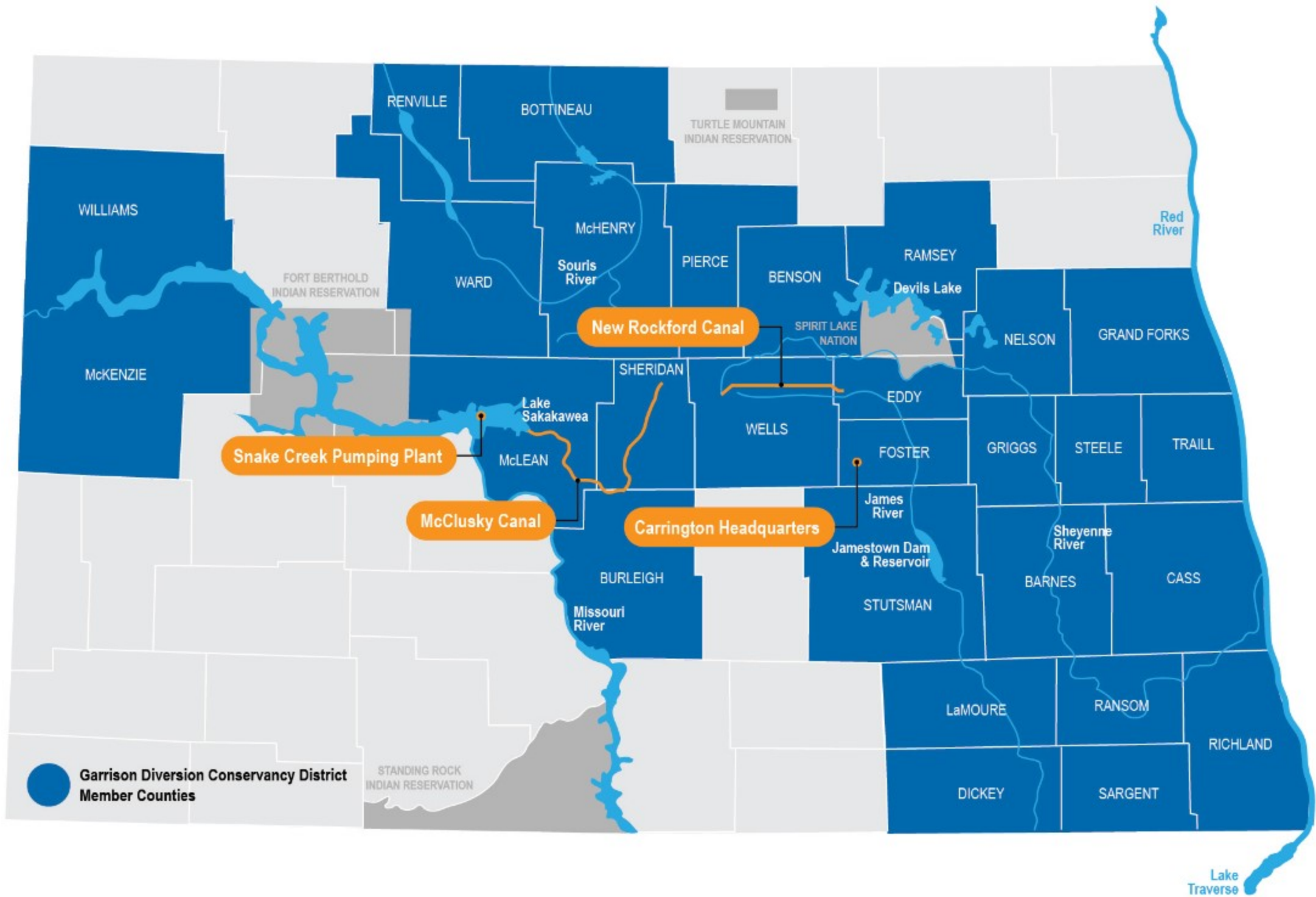
According to the Garrison Diversion website, Burleigh County petitioned to join in 1988. It is suggested to review what projects the GDCD has done since that time and whether those projects have benefited Burleigh County and to look at current and future projects to determine if those projects will benefit Burleigh County.

GDCD annual reports from 2003 - 2022 can be found here - <https://garrisondiversion.org/about-garrison-diversion/annual-reports/>

A list of current projects and programs can be found here - <https://garrisondiversion.org/> - under the “Focus Areas” tab.

61-24-16. County may be excluded from conservancy district if not benefited.

1. Any county in the conservancy district not benefited or not to be benefited, in whole or in part, by the establishment of the Garrison diversion unit of the Missouri River basin project as authorized by Act of Congress, approved December 22, 1944 [58 Stat. 887], and acts amendatory thereof or supplementary thereto, may be excluded from the district as provided herein. The board of county commissioners of any such county may by resolution direct the county auditor and the chairman of the board to file with the board of directors of the conservancy district a petition, for and on behalf of the county, requesting the board of directors of the district to exclude such county therefrom. A certified copy of the resolution of the county board shall accompany and be filed with such petition. The petition and resolution shall state specific reasons why such county will not be benefited by the establishment and development of the Garrison diversion unit.
2. Within sixty days from the date of filing said resolution and petition for exclusion from the district, the district board shall meet to consider such petition. It may grant such petition or it may fix a time and place for a hearing thereon. If a hearing be set, the secretary of the board shall cause notice of the filing of such petition for exclusion, and of the time and place for a hearing, to be published once each week for two consecutive weeks in a newspaper of general circulation printed in the district. The hearing mentioned in such notice shall be held not less than ten nor more than twenty days after the last publication of such notice. The notice shall state that any person, corporation, limited liability company, municipality, and county in the district may appear or be represented at the hearing and show cause why the petition should or should not be granted. The board shall hear the petition at the time and place mentioned in the notice.
3. If after the hearing on the petition the district board of directors shall determine that the county requesting to be excluded from the district will not be benefited, the district board shall by resolution grant the petition and shall direct the chairman and secretary to execute the order of the board excluding such county from the conservancy district. If, however, the district board shall decide that such county will be benefited it shall deny the petition and direct the chairman and secretary to execute its order refusing to exclude such county from the district. A county excluded from the conservancy district shall not be liable for any obligations thereof incurred after exclusion but shall be liable for and shall pay to the district taxes levied before exclusion.
4. If any contract shall have been made with the United States or any agency thereof before such petition is filed, such petition shall not be granted unless consented thereto by the appropriate agency of the United States and if such agency gives its consent upon condition, such conditions shall be included in the order of exclusion and the county may be required to and in that event such county shall continue to pay any tax levies required to meet the obligations of any such contract.



Garrison Diversion Conservancy District Member Counties

STANDING ROCK INDIAN RESERVATION

TURTLE MOUNTAIN INDIAN RESERVATION

FORT BERTHOLD INDIAN RESERVATION

SPIRIT LAKE NATION

Red River

Lake Traverse

RENVILLE

BOTTINEAU

WILLIAMS

McHENRY

PIERCE

BENSON

RAMSEY

WARD

Souris River

Devils Lake

New Rockford Canal

NELSON

GRAND FORKS

McKENZIE

SHERIDAN

WELLS

EDDY

Snake Creek Pumping Plant

Lake Sakakawea

McLEAN

FOSTER

GRIGGS

STEELE

TRAIL

McClusky Canal

Carrington Headquarters

James River

Jamestown Dam & Reservoir

Sheyenne River

BURLEIGH

Missouri River

STUTSMAN

BARNES

CASS

LaMOURE

RANSOM

RICHLAND

DICKEY

SARGENT

Resolution to Authorize Filing of Petition to Exclude Burleigh County from the Garrison Diversion Conservancy District

Purpose

The purpose of this resolution is to authorize the Burleigh County Auditor and the Chair of the Burleigh County Board of Commissioners to file with the board of directors of the Garrison Diversion Conservancy District a petition, drafted by the Burleigh County State's Attorney pursuant to this resolution, for and on behalf of the county, requesting the Board of Directors of the Garrison Diversion Conservancy District to exclude Burleigh County from the Garrison Diversion Conservancy District.

Resolution

WHEREAS, Burleigh County has been a member of the Garrison Diversion Conservancy District since 1988;

WHEREAS, [benefiting projects, if any] have been done that have benefited Burleigh County;

WHEREAS, [benefiting projects, if any] have been completed and will not be of future benefit to Burleigh County;

WHEREAS, [non-benefiting projects] have been done that have not benefited Burleigh County;

WHEREAS, no future projects have been identified that will benefit Burleigh County;

NOW BE IT RESOLVED, that the Burleigh County Commission authorizes the Burleigh County Auditor and the Chair of the Burleigh County Board of Commissioners to file with the board of directors of the Garrison Diversion Conservancy District a petition, drafted by the Burleigh County State's Attorney pursuant to this resolution, for and on behalf of the county, requesting the Board of Directors of the Garrison Diversion Conservancy District to exclude Burleigh County from the Garrison Diversion Conservancy District.

ITEM

11

NOTICE IS HEREBY GIVEN, that the following real estate has been forfeited to the County of Burleigh, State of ND, for delinquent taxes; that said County has taken tax deed to such property and will offer for sale at public auction at the Office of the County Auditor in said County on Tuesday, November 19, 2024 beginning at 10:00 am ACCORDING to NDCC 57-28-19, some Cities have the first option to purchase property; therefore, some parcels may not be listed at sale time. EACH PARCEL of real estate will be offered separately and sold to the highest bidder thereof, but not for a sum less than the minimum sale price. The purchaser will be required to pay cash for all parcels of real estate sold plus \$20.00 as and for the filing fee with the County Recorder. This sale will continue from day to day until complete. REAL PROPERTY, fixtures, and structures are without warranty or representation.

LISTED OWNER	PROPERTY ADDRESS	PARCEL ID#	2024 MV	Delq. Taxes + Pen. & Int	Delq. Specials + Pen. & Int.	TOTAL DELQ. AMOUNT + \$50 FEE	Est. 2024 Tax	Est. 2024 Specials	EST. 2024 TOTAL	MINIMUM SALE AMOUNT
3-D PROPERTIES LLP	1421 BURLINGTON DR #4	1463-003-154	222,400.00	\$8,386.52	\$843.03	\$9,279.55	\$2,890.09	\$225.31	\$3,115.40	\$12,394.95
3-D PROPERTIES LLP	4903 PLATOON AVE	2200-004-001	54,500.00	\$2,225.51	\$14,684.18	\$16,959.69	\$708.23	\$3,659.91	\$4,368.14	\$21,327.83
3-D PROPERTIES LLP	1701 BRIGADE ST	2200-004-050	84,100.00	\$3,437.81	\$19,942.25	\$23,430.06	\$1,092.88	\$4,916.44	\$6,009.32	\$29,439.38
A TO Z TRAGEDY RELIEF AND	4300 FULLER AVE	38-138-80-46-05-010	9,100.00	\$293.49	\$0.00	\$343.49	\$83.55	\$0.00	\$83.55	\$427.04
A TO Z TRAGEDY RELIEF AND	4200 FULLER AVE	38-138-80-46-05-020	37,300.00	\$1,202.98	\$0.00	\$1,252.98	\$342.45	\$0.00	\$342.45	\$1,595.43
BAILEY, ROSE R	NONE	48-137-76-63-13-200	1,000.00	\$22.34	\$0.00	\$72.34	\$6.65	\$0.00	\$6.65	\$78.99
BOULDER RIDGE DEVELOPMENT INC	636 E LASALLE DR	1514-005-001	800.00	\$2,000.00	\$6,806.64	\$8,856.64	\$10.40	\$2,394.20	\$2,404.60	\$11,261.24

BURLEIGH COUNTY COMMISSION AND PARK BOARD
2025 MEETING SCHEDULE

TOM BAKER MEETING ROOM, CITY/COUNTY BUILDING
221 N 5TH ST, BISMARCK, ND 58501

<u>DATE</u>	<u>AGENDA</u>
Jan. 6 22 (Wed)	Regular Meeting – Reorganize/Assign Portfolios 2 nd Meeting
Feb. 3 19 (Wed)	Regular Meeting 2 nd Meeting
Mar. 3 17	Regular Meeting 2 nd Meeting
Apr. 7 21	Regular Meeting 2 nd Meeting
May 5 19	Regular Meeting 2 nd Meeting
Jun. 2 16	Regular Meeting/Equalization 2 nd Meeting
Jul. 7 21 & 22	Regular Meeting 2 nd Meeting & Preliminary Budget Introduction (8:30AM)
Aug. 4 18	Regular Meeting 2 nd Meeting
Sept. 3 (Wed) 15	Regular Meeting 2 nd Meeting/Final Budget Hearing
Oct. 6 20	Regular Meeting Hearing to establish minimum sales prices for tax sale 2 nd Meeting
Nov. 3 17 18	Regular Meeting 2 nd Meeting Annual Tax Sale (10:00 AM)
Dec. 1 15	Regular Meeting 2 nd Meeting

NDCC 11-11-05. Meetings of board - Time and place.

The board of county commissioners shall meet and hold regular meetings for the transaction of business at a time and place to be designated by the commission on a date certain established by resolution or ordinance of the commission. The county auditor shall have power to call special meetings when the interests of the county demand it. The chairman of the board, or a majority of the members thereof, may call special meetings that must be noticed in accordance with section 44-04-20.



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

October 21, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the July 15, 2024 meeting minutes.
5. Parks Update.
6. Other Business.
7. Adjourn.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the October 7, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Check replacements.
6. Engineer Hall:
 - a. PUBLIC HEARING: Vacation of excess right of way.
 - b. Maintenance Certification.
 - c. Highway 10 weight limits.
7. Bravera Insurance presentation.

8. City Recreation discussion.
9. County Planner Flanagan:
 - a. Makedonski Subdivision.
 - b. Cherney Morrissette Subdivision.
10. Finance Director Jacobs:
 - a. Unclaimed property list.
11. County Sheriff Leben:
 - a. Capital Electric rate fee agreement.
 - b. Burleigh East renovation project.
12. Auditor/Treasurer Splonskowski:
 - a. Delinquent tax list minimum sales price approval.
13. Garrison Diversion discussion.
14. Other business.
15. Adjourn.

The next regularly scheduled Commission meeting will be on November 4, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
JULY 15, 2024**

11:06 AM

Chairman Bitner called the Burleigh County Park Board meeting to order.

A roll call of members: Commissioners Munson, Woodcox, Bakken, Schwab, Behm and Chairman Bitner were present: Comm. Herman was absent.

Motion by Chairman Bitner, 2nd by Comm. Munson to approve the June 3rd, 2024 minutes and bills subject to Comm. Schwab's review. All members present voted, "AYE." Motion carried.

Comm. Munson lead a discussion concerning boat ramps for the years 2025 and 2026. With the proposed closing of one of the boat ramps in Bismarck, Comm. Munson presented to the Board requests he's heard from local anglers to increase boat ramps and parking spaces in other places around Burleigh County, and that plans to implement these requested ramps and spaces are slowly getting underway.

An update to the ramp dredging at Kimball Bottoms and Kniefel Boat Landing was presented to the Board, stating that both projects were completed.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING**

OCTOBER 7TH, 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 Commission added two items to the agenda, one concerning a 2nd approach permit for Andrew Hetland and another for the appointment of state fair delegates. The Commission also removed from the agenda item number nine, which was a discussion concerning the city recreation joint powers agreement. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the September 16th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Brian Nelson	2023	Lots 7-8, Block 93, McKenzie & Coffin's	Error in property description	\$200,100	\$150,300
Brian Nelson	2024	Lots 7-8, Block 93, McKenzie & Coffin's	Error in property description	\$209,100	\$159,300
Bryan Haefner	2024	Lot 4, Block 6, Parkview	Error in property description	\$336,500	\$245,900
Allen Darling	2023	Block 36, Park Hill (Aud Lots), W 57' of N 165' of W1/2 of Aud Lot 36	Error in property description	\$200,800	\$168,300
Allen Darling	2024	Block 36, Park Hill (Aud Lots), W 57' of N 165' of W1/2 of Aud Lot 36	Error in property description	\$206,000	\$168,300
Luke Hauser	2024	Block 10, Flannery & Wetherby, Lots 7-8 & N1/2 of Lot 9	Error in property description	\$234,200	\$191,700
Cody Fleck	2024	Lot 3, Block 2, Country West X	Error in property description	\$529,700	\$336,100
Bruce & Holly Gaugler	2024	Lot 18, Block 21, Casey's 4th	Error in property description	\$238,000	\$223,400
Edward & Paula McLoughlin	2024	Lot 16, Block 9, Marian Park 1st	Error in property description	\$273,000	\$235,800
Michelle Welder	2024	Lot 7, Block 1, High Meadows	Error in property description	\$397,800	\$353,800
Grendahl Design Co LLC	2024	Lot 13, Block 3, Washington Heights	Error in property description	\$239,300	\$204,300
Bavendick Properties LLP & Harley Swenson	2022	Lot 13-C, Block 4, Eastdale	Error in property description	\$733,700	\$593,500

Bavendick Properties LLP & Harley Swenson	2023	Lot 13-C, Block 4, Eastdale	Error in property description	\$797,600	\$657,400
Bavendick Properties LLP & Harley Swenson	2024	Lot 13-C, Block 4, Eastdale	Error in property description	\$850,400	\$710,200
Morgan & Christopher Nelson	2024	Lot 19, Block 1, Southwood Terrace Replat Park Blk 1	Error in property description	\$278,900	\$239,100
City of Bismarck	2024	Lot 1, Block 3, South Meadows Addition	Property exempt from taxation	\$300	\$200
David + Roger Vollmers, Kerry Vossler	2023	Lots 2-4, Block 27, Sturgis	Error in property description	\$204,800	\$127,900
David + Roger Vollmers, Kerry Vossler	2024	Lots 2-4, Block 27, Sturgis	Error in property description	\$213,100	\$127,900
James & Pamela Vukelic	2023	Lots 11-16, Block 7, McKenzie's	Error in property description	\$739,600	\$621,400
Cary Schilling	2024	Block 33, City Lands 139-80, Beg 66' N of NE cor Blk 87 McKenzie & Coffins; thence E 117' to Ztrue point beg, thence N305' W267' S305' E267' to beg	Demo	\$366,100	\$296,100
Clubhouse West LLC	2024	Lot 2, Block 1, Schilling 2nd Addn	Structure demolished end of July 2024	\$2,100,000	\$1,521,400
Raymond & Beth Leischner	2023	Lot 12, Block 2, Jennings 1st	50% Homestead Credit	\$224,300	\$124,300
Ronny Kraft	2023	Lot 40, Block 5, Falconer Estates	100% Homestead Credit	\$287,400	\$87,400

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Brian Nelson (2), Bryan Haefner, Allen Darling (2), Luke Hauser, Cody Fleck, Bruce & Holly Gaugler, Edward & Paula McLoughlin, Michelle Welder, Grendahl Design Co LLC, Bavendick Properties LLP & Harley Swenson (3), Morgan & Christopher Nelson, City of Bismarck, David + Roger Vollmers/Kerry Vossler (2), James & Pamela Vukelic, Cary Schilling, Clubhouse West LLC, Raymond & Beth Leischner, and Ronny Kraft abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Engineer Hall presented multiple items to the Commission, which are as follows:

- Chairman Bitner opened the floor for a public hearing on for the vacation of an excess right of way located along Highway 10 near Sterling. Kathy Biegler, one of the owners of the adjacent property to the right of way, stepped forward and asked that the right of way be annexed into their property, stating that the ND Department of Transportation had used that right of way for their operations and were now in the process of withdrawing their equipment and removing structures they had accidentally built on her land. The public hearing was then closed. Motion by Comm. Woodcox, 2nd by Comm. Bakken to extent the public hearing to next meeting to allow the state's attorney time to analyze a proper course of action. All members present voted "AYE". Motion carried.
- In response to various noise complaints caused by unmuffled compression brakes, Hall presented for consideration to the Commission a draft ordinance titled *Burleigh County Ordinance for the Regulation or Use of Unmuffled Compression Brakes Where Prohibited*; Hall recommended that a public hearing be held on November 4th. Motion by Comm. Munson, 2nd by Comm. Bakken to recommend a public hearing on November 4th for the draft ordinance titled *Burleigh County Ordinance for the Regulation or Use of Unmuffled Compression Brakes Where Prohibited*. All members present voted "AYE". Motion carried.

- Hall then discussed with the Commission about the load and speed limit restrictions currently in place on County Highway 10. In a previous meeting on September 6th, 2024, the Commission voted in favor of implementing new restrictions on County Highway 10 due to a pressing need to fix the damage done to the highway, reducing the speed limit from 65mph to 55mph and reducing the weight limit down to 80,000 lbs with a six-ton max weight. The Commission stated that it would reconsider these restrictions once the Highway Department finished refurbishing the highway. With construction now finished, Hall asked the Commission to discuss the restrictions and direct the Highway Department on how to proceed moving forward. While some residents asked the Commission revert to the pre-September 6th numbers, many others also asked to keep the current restrictions in place. After some back and forth, motion by Comm. Schwab, 2nd by Comm. Munson to make no changes and keep the restrictions currently in place as they are (55mph speed limit and 80,000 lbs with a six-ton maximum single-axle weight). Comm. Woodcox motioned to amend Comm. Schwab's motion to keep car traffic at 65mph, but because it wasn't his motion to amend and Comm. Schwab was unwilling to amend, the Commission voted on Comm. Schwab's motion as is. Comm. Schwab, Munson, and Woodcox voted "AYE"; Comm. Bakken and Bitner voted "NAY". Motion carried. Comm. Woodcox was confused why the motion that was just passed still had the 55mph speed limit in place, as he thought other commissioners has a right to amend other commissioners' motions. After some confusion, motion by Comm. Woodcox, 2nd by Comm. Munson to reconsider Comm. Schwab's motion and change it so that the car traffic speed limit is at 65mph, not 55mph. Comm. Woodcox, Bakken, and Bitner voted "AYE"; Comm. Munson and Schwab voted "NAY". Motion carried. General confusion follows. At Chairman Bitner's request for a new motion, motion by Comm. Munson, 2nd by Comm. Bakken to have a 65mph speed limit for automobiles, a 55mph speed limit for trucks, and a maximum 80,000 lbs/six-ton axle weight on County Highway 10, amended by Comm. Munson to have the new speed limits be applied from city limits all the way to the county line. Motion then pulled by Comm. Munson and placed on the agenda for next meeting so that Hall can look at some finer details. No further action was taken.
- Hall asked for authorization for the county auditor and county engineer to advertise for bids regarding two motor gratters, and recommended approval. Motion by Comm. Schwab, 2nd by Comm. Munson to approve Hall's recommendation. All members present voted "AYE". Motion carried.
- Hall asked for authorization to sell used equipment at public auction, and recommended approval. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve Hall's recommendation. All members present voted "AYE". Motion carried.
- Hall asked for approval of the Highway Department's annual fee schedule, save for the utility permits (which will be brought forward at a later date). Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Highway Department's 2025 fee schedule. All members present voted "AYE". Motion carried.
- Hall presented a developer waiver request for a plat in Taft township, and recommended approval for both resolutions in the agenda packet. Motion by Comm. Bakken, 2nd by Comm. Munson to approve both resolutions. All members present voted "AYE". Motion carried. Hall also suggested that in terms of developer waiver requests, if there are four or less lots, they could be automatically placed on the consent agenda. The commissioners by consensus agreed with Hall's suggestion; no further action was taken.
- Hall presented a township/county maintenance agreement for the Commission's approval and recommended that the Commission approve the agreement from the county's perspective, and then sit as the unorganized township board and approve it from that perspective as well. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the maintenance agreement between the county and all organized townships. All members present voted "AYE". Motion carried. At this time the Burleigh County Commission recessed and convened as the unorganized townships' Board of Supervisors for Burnt Creek, Riverview, Florence Lake, Fort Rice, Lincoln, Canfield, Lyman, and Phoenix. Roll call of the members: Commissioners Woodcox, Bakken, Munson, Schwab, and Chairman Bitner were present. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the maintenance agreement between the county and all unorganized townships. All members present voted "AYE". Motion carried. At this time the unorganized townships' Board of Supervisors adjourned and convened as the Burleigh County Commission.
- The 2nd approach permit for Andrew Hetland was in a way an update regarding the request for appeal from the September 4th county commission meeting on the Highway Department's denial of a 2nd approach permit by the Misty Waters development. Hall finally heard back from the Misty Waters Association and said that they told him they were okay with approving the 2nd approach permit; Hall recommended moving forward and approving the permit. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the 2nd approach permit. Comm. Woodcox, Schwab, Bakken, and Bitner voted "AYE"; Comm. Munson voted "NAY". Motion carried.

County Planning Director Flanagan brought forward papers for a zone change for Aberle 2nd subdivision and recommended approval of the Planning Commission's recommendations. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Planning Commission's recommendations. All members present voted "AYE". Motion carried. Flanagan then brought up the idea of county MPO membership in the Government Partners Program (GPP) via the Big Sky Passenger Rail Authority, in regards to the efforts to reopen and expand passenger rail services across the United States. Membership would be approximately \$180 dollars per year (assuming all five jurisdictions – Bismarck, Mandan, Lincoln, Morton County, and Burleigh County – join the GPP). Motion by Comm. Munson, 2nd by Comm. Schwab to join the GPP through the MPO with the authorization of a fee of \$180 from the planning budget – if the amount changes GPP representatives must come before the Commission to ask for additional funding. All members present voted "AYE". Motion carried.

Comm. Munson began a discussion regarding the Bismarck/Burleigh Public Health joint powers agreement that was recently approved, citing how he would like the JPA amended to state the dollars that the city of Bismarck did remove from their budget this year. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the new JPA. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

A discussion on the Garrison Diversion Conservancy District popped off, with the Burleigh County Director for Garrison Diversion Larry Cashion stepping forward to the podium. Larry explained that for Burleigh County specifically, the Garrison Diversion Unit helps maintain the 14 miles of the McClusky Canal within Burleigh County, maintains the recreational facilities on the Chain of Lakes, assists farmers with developing irrigation along the canal, and helps administer the funds from the federal MRNI program to promote state water projects. Alan Walter, Chairman of the Garrison Diversion Board, came forward and gave some background information on how the Garrison Diversion Unit has changed since its inception, and Tammy Norgard, attorney from Vogel Law Firm, came forward to elaborate that the tax levy by Burleigh County is not being used directly to pay for other projects under the GDU and on how the process for leaving the Garrison Diversion Conservancy District works. A consensus was reached to continue this discussion at the next commission meeting and think what to put into a petition to leave the GDU; no further action was taken.

The Commission then briefly discussed about the appointment of delegates to the North Dakota State Fair Committee. Motion by Comm. Woodcox, 2nd by Comm. Munson to appoint Tyler Kralicek and Steve Bakken as Burleigh County delegates to the North Dakota State Fair Committee. All members present voted "AYE". Motion carried.

Auditor-Treasurer Splonskowski presented to the Commission a list of three-year delinquent properties and the proposed minimum sales price for the upcoming tax sale on November 19th. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the minimum sales prices for the listed three-year delinquent properties. All members present voted "AYE". Motion carried. Splonskowski then presented a proposed 2025 county commission meeting calendar for approval. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the 2025 meeting calendar. All members present voted "AYE". Motion carried.

A recap of the final budget meeting was then had, mostly for clarification. During that meeting, when the motion by Comm. Munson was made to have the overage not covered by property taxes be covered by the reserve funds, it was not clarified that the reserve funds mentioned were the individual department reserve funds, not the county general reserve funds. Splonskowski warned the Commission if they chose to reduce the total amount of reserves collected for this year, it could potentially cause a snowball effect where there are that much less resources for each of those funds for the following year. Additionally, he also warned that should each of the individual funds buy themselves down, the amount that they will need to levy will be larger than this year because they'll have less reserves. Clarification about the emergency fund was also given, with Splonskowski explaining that the county emergency fund essentially is its own mill levy and line item. The reason the emergency fund is bigger this year is because of the interest accrued on it. Clarified motion by Comm. Munson, 2nd by Comm. Bakken to utilize the reserve funds in each department's reserve balances to help balance out the total budget. Comm. Schwab, Munson, Bakken, and Bitner voted "AYE"; Comm. Woodcox voted "NAY". Motion carried.

Comm. Munson informed the Commission that he will be attending the North Dakota Association of Counties conference and offered to go as a delegate representing Burleigh County. A consensus was reached to let Comm. Munson attend the conference representing Burleigh County. No further action was taken.

Chairman Bitner announced a bid opening for the Provident Building bid package on October 10th, 2024, at 2pm in the first floor conference room of the City/County Building. Bitner also scheduled a special commission meeting at 3pm that same day to award a contract for completion this fall.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-689	Travis & Cora Strand	2024	Lot 1, Block 5, Country Creek 5th	Equalize with similar homes in area	\$408,400	\$380,700
24-698	Larry Kershaw	2022	Lot E of SE1/4	60% Homestead Credit	\$262,300	\$187,300
24-699	Larry Kershaw	2023	Lot E of SE1/4	100% Homestead Credit	\$271,000	\$71,000
24-701	Eric & Lorraine Richards	2024	Lot 1 in NE1/4, Morton Township	Property qualifies for farm res exemption	\$124,500	\$14,800
24-702	Francis & Carol Miller	2024	SE1/4, Section 22, Menoken Township	Property qualifies for farm res exemption	\$234,600	\$48,000

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

When we receive the signed and notarized Affidavit and Agreement a duplicate payment will be issued and forwarded to you. In the event you recover possession of the original check, DO NOT CASH IT, please advise the Burleigh County Auditor/Treasurer immediately. Our telephone number is (701) 222-6718.

MAIL THE SIGNED AND NOTARIZED AFFIDAVIT AND AGREEMENT TO:
Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

KASY OR CHERE STAUS
713 N 23RD ST
Bismarck, ND 58501

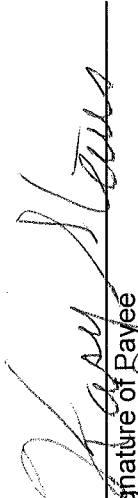
Check Date: 1/31/2023
Original Check #: 125268
Check Amount: \$495.73

AFFIDAVIT AND AGREEMENT

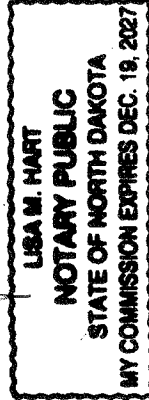
I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

I hereby state under oath that the above-described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

I agree to indemnify, compensate, or make restitution to the County of Burleigh for any and all loss, damage and expense as a result of this issue of said new duplicate payment. If said original check alleged to have been lost or destroyed shall come into my possession, or under my control, I shall immediately return same to the Burleigh County Auditor, PO Box 5518, Bismarck, ND 58506-5518, for cancellation. If the aforesaid check shall at any time be cashed or presented to the Burleigh County Auditor/Treasurer by me, or transferred to another person by me and result in a loss to the County of Burleigh, I shall promptly reimburse the Burleigh County Auditor/Treasurer for any such loss.


Signature of Payee

Subscribed and sworn to before me on
October 4th, 2024



Notary Public - County of Burleigh
My Commission Expires 12-19-2027

(Seal)

Application approved by the Burleigh County Commission on _____, 20____.

Duplicate warrant # _____ issued this _____ day of _____, 20____.

Burleigh County Auditor/Treasurer

Date

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

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Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

KAYLA MAHOWALD
3407 CHISHOLM TRAIL
Bismarck, ND 58503

Check Date: 12/2/2022
Original Check #: 124678
Check Amount: \$30

AFFIDAVIT AND AGREEMENT

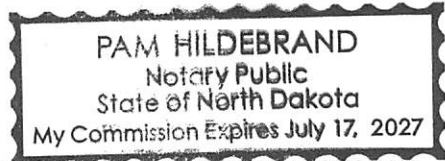
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Kayla Mahowald
Signature of Payee

Subscribed and sworn to before me on 10-8, 2024.
[Signature]
Notary Public - County of Burleigh
My Commission Expires 7-17-27



(Seal)

Application approved by the Burleigh County Commission on _____, 20____.

Duplicate warrant # _____ issued this _____ day of _____, 20____.

Burleigh County Auditor/Treasurer

Date

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

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Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

KAYLA MAHOWALD
3407 CHISHOLM TRAIL
Bismarck, ND 58503

Check Date: 12/2/2022
Original Check #: 124678
Check Amount: \$264.13

AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

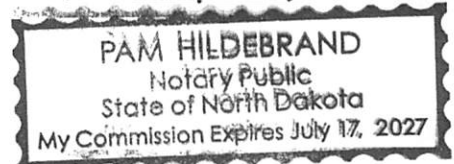
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Kayla Mahowald
Signature of Payee

Subscribed and sworn to before me on 12-8, 2024.

[Signature]
Notary Public - County of Burleigh
My Commission Expires 7-17-27



(Seal)

Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__.

Burleigh County Auditor/Treasurer

Date

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

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Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

MISSOURI RIVER CORONERS
16101 54TH ST NW
BISMARCK, ND 58503

Check Date: 09/13/2024
Original Check #: 130557
Check Amount: \$6,510.00

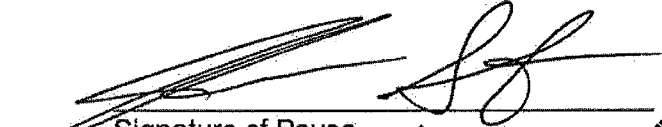
AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

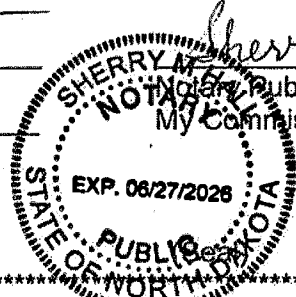
I hereby state under oath that the above-described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

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Subscribed and sworn to before me:



Signature of Payee
Date 10/8/2024


Sherry M. Hall

Notary Public - County of Burleigh
My Commission Expires 6-27-26

Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__

Burleigh County Auditor/Treasurer

Date

ITEM

6

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: ~~October 7, 2024~~ **October 21, 2024**

TO: **Mark Splonskowski**
County Auditor

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

RE: Vacation of excess Right of Way – PUBLIC HEARING

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Conduct Public Hearing for the Vacation of excess Right of Way along County Highway 10.

BACKGROUND:

A local resident would like to have/purchase the excess Right of Way on County Highway 10 along their property. The property is located in the SE ¼ of Section 29, Township 139N, Range 76W, Sterling Township - Burleigh County (See attached map). The resident has filed a petition (see attached Application) to vacate the excess Right of Way. In order to vacate this roadway, the County/Township must conduct a Public Hearing and ascertain any damages that are caused by discontinuing this Right of Way along a Public Roadway.

Additional information: If approved by the County Board it would be the Highway Department's plan to (once the property is vacated by the NDDOT) Quit Claim the property to the adjacent Property owners after due compensation is received.

As stated in the October 7th meeting, the Highway Department is currently paying \$3,000 per acre for Roadway Right of Way. We have also reviewed the value of the property with the Burleigh County Tax Director and he has stated that he feels comfortable with saying that the land is worth \$3,500 per acre. Once the County Board

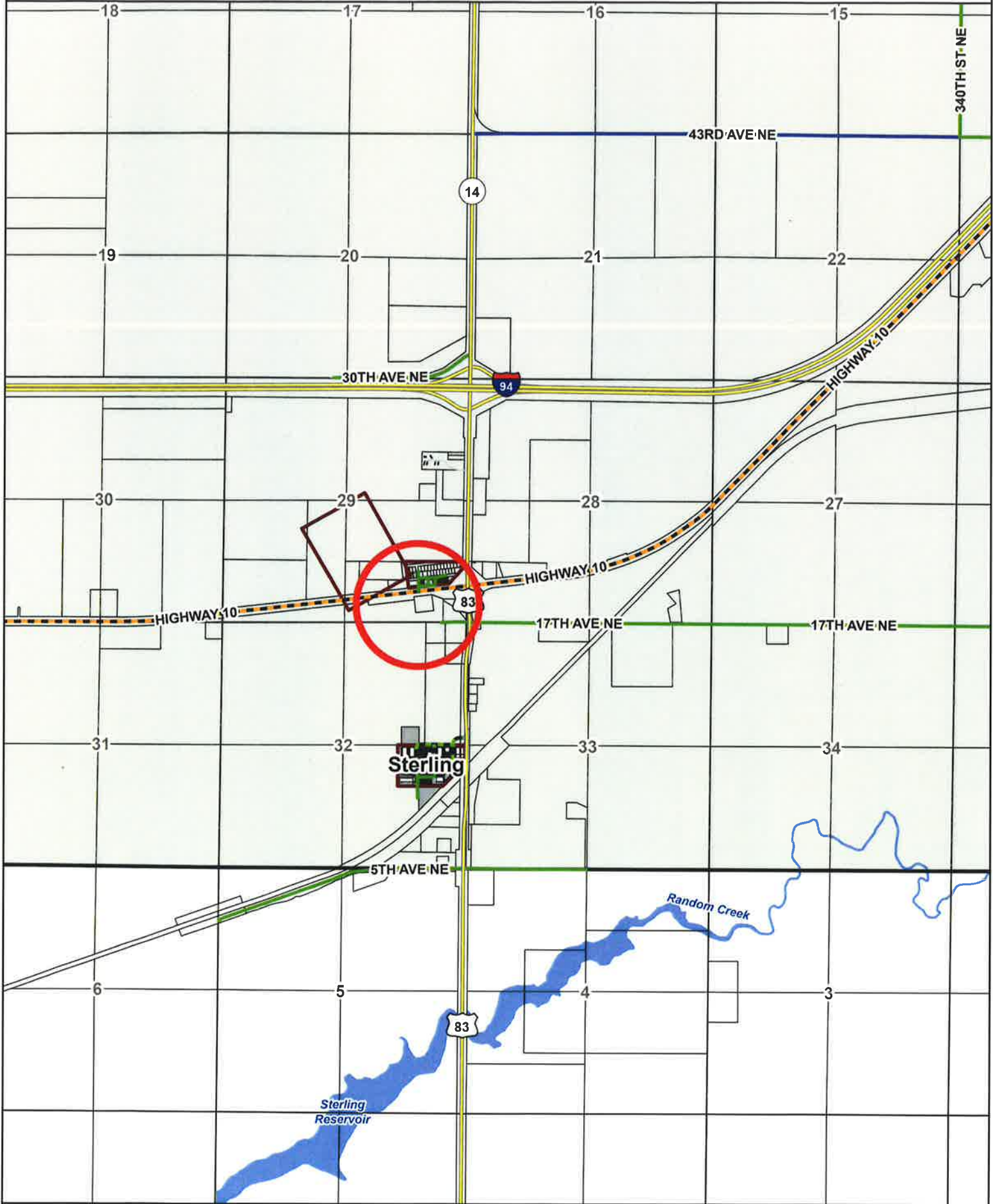
sets the value of the property, the Highway Department will execute the required agreements.

RECOMMENDATION:

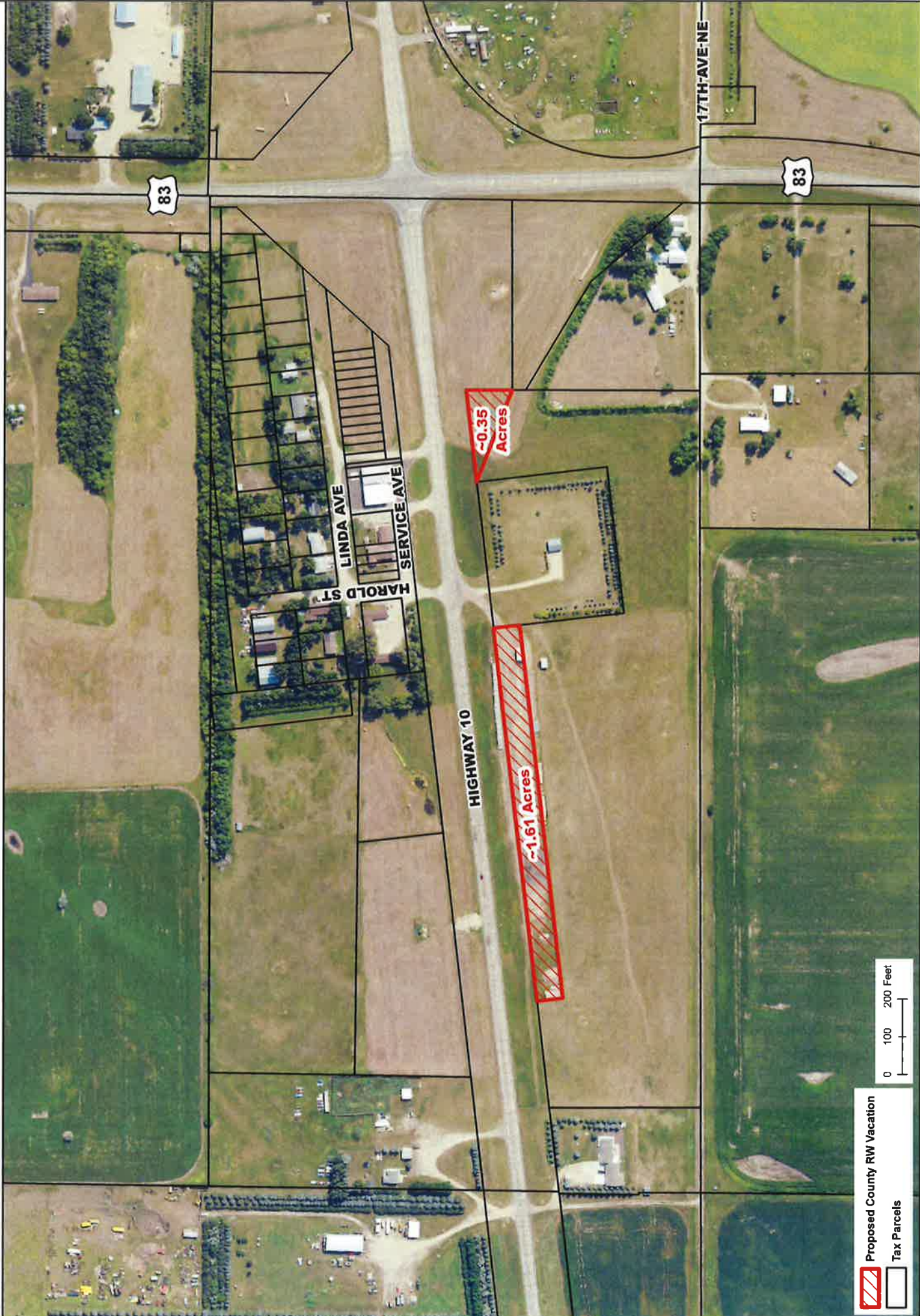
It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

8/22/2024



PROPOSED COUNTY RIGHT-OF-WAY VACATION HIGHWAY 10 AND US 83



 Proposed County RW Vacation
 Tax Parcels



Map produced by Burleigh County GIS. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



**BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION**

Application submitted for (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Minor Plat Modification | <input type="checkbox"/> Plat Vacation |
| <input checked="" type="checkbox"/> Road Vacation | <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Development Permit | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Lot Modification | | | |

PROPERTY INFORMATION:			
Name of plat: <i>Biegler Subdivision</i>			
Legal description of property (lot, block, addition):			
Street address of property:			
Existing Zoning:		Proposed zoning:	
Acreage: <i>1.66 acres and 0.35 acres</i>		Number of lots:	
Description of development proposal, including reason(s) for the request:			
APPLICANT/DEVELOPER:			
Name: <i>Ronnie and Kathy Biegler</i>		Mailing address: <i>31302 5th Ave NE</i>	
Daytime telephone number: [REDACTED]	FAX number: [REDACTED]	E-mail address: [REDACTED]	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: <i>Mark</i>		Mailing address: <i>4215 Old Red Trail - Mandan ND 58554</i>	
Daytime telephone number: [REDACTED]	FAX number:	E-mail address: [REDACTED]	

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A
<input type="checkbox"/>	Preliminary Plat	Required pre-application meeting	Date:	
		6 prints of plat, including all items listed in preliminary plat checklist		
		Preliminary plat checklist, completed by applicant		
		Fee of \$200-\$900 determined by number of lots		
		8½" x 11" reduction of plat		
		Digital copy of plat		
		Road master plan & adjacent owner's consent (if required)		
		For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township		
		Written request for amendment to Fringe Area Road Master Plan (if applicable)		
		<input type="checkbox"/>	Final Plat	6 prints of plat, including all items listed in final plat checklist
Final plat checklist, completed by applicant				
8½" x 11" reduction of plat				
Digital copy of plat, if requested				
Attorney's opinion of ownership, including all easement owners				
Stormwater management plan				
<input type="checkbox"/>	Minor Plat Modifications 3 lots or less	Map of property to be modified		
		Fee of \$200.00		
		4 prints of modification		
		Fee of \$300.00		
<input checked="" type="checkbox"/>	Road Vacation	Legal description of property to be vacated		
		Map of property to be vacated		
		Fee of \$250.00		
		Legal description of property to be vacated		
		Letters of consent from utilities (street/alley vacation & easement release)		
<input type="checkbox"/>	Zoning Change	Fee of \$500.00 (zoning change)		
		Description of zoning change by legal description if multiple districts requested		
		Architectural/Engineered drawings (PUD only)		
		One (1) print of site plan, at 1"=100' scale (PUD only)		
		8½" x 11" reduction of site plan (PUD only)		
		Written statement (PUD only)		
<input type="checkbox"/>	Special Use	Fee of \$300.00		
		3 prints of site plan, at 1"=20' or larger scale		
		8½" x 11" reduction of site plan		
		Photograph of building (moving building only)		
		Adjacent property owner petition (required for moving of a building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		
<input type="checkbox"/>	Development Permit	Fee of \$200.00		
		Site plan, drawn to scale (no larger than 11" x 17"), with dimensions		
		Completed Development Application		

Lot Modification	Fee of \$200.00		
	Sketch of survey, showing how the lot is proposed to be modified		
	Legal description of lot(s), both existing & proposed with square footage/acreage		

COUNTY SUBMISSION CHECKLIST				
Applying for:			Submitted	N/A



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: October 21, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Maintenance Certification

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize County Officials to sign Maintenance Certification

BACKGROUND:

Every year the Burleigh County Highway Department reviews all federal aid highway projects and certifies that they are being maintained in a good and safe condition for general public use, and that maintenance is being done in accordance with the North Dakota Department of Transportation "Construction and Maintenance Agreements."

Under current State and Federal rules, the County Board must approve the certification and direct the proper County officials to sign the certification.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to sign the annual county federal aid projects Maintenance Certification.

**MAINTENANCE CERTIFICATION
COUNTY FEDERAL AID PROJECT**

North Dakota Department of Transportation, Local Government
SFN 51026 (8-2017)

All federal aid highway projects have been inspected and are being maintained in a good and safe condition for general public use. Maintenance is in accordance with the North Dakota Department of Transportation "Construction and Maintenance Agreements".

Approved as to form:

States Attorney (Type or print) Julie Lawyer
Signature

County of Burleigh
Date

County Auditor (Type or print) Mark Splonskowski
Signature

Chairman, Board of County Commissioners (Type or print) Brian Bitner
Signature

Recommended for approval:

County Engineer/Highway Supervisor (Type or print) Marcus Hall
Signature



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleigh.gov

Request for County Board Action

DATE: ~~October 7, 2024~~ **October 21, 2024**

TO: **Mark Splonskowski**
County Auditor

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

RE: County Highway 10

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review the request and direct staff on how to proceed.

BACKGROUND:

At the September 6, 2023 County Board Meeting, the Board placed Load Restrictions and Speed Limit reduction on the portion of County Highway 10 from the Bismarck City Limit to 158th Street NE. The limits were placed on this segment of roadway due to the deteriorating condition of County Highway 10. The speed limit was reduced from 65 mph to 55 mph and the weight limit was reduced to 80,000 pounds with a 6-ton max single axle weight. During the discussion of this action it was stated that the Board would reconsider these restrictions once the roadway was refurbished.

We have just completed a 4" mill and overlay of this segment of roadway and local contractors are requesting that the County Board considers reinstating the previous speed limit and weight limits.

The Highway Department has reviewed the current road condition and restrictions and makes the following recommendations:

Speed Limits:

- 1) From the Bismarck City Limit (66th Street NE) east to 119th Street NE the Speed Limit should be 55 mph for all vehicles.
- 2) From 119th Street NE east to the County Line the Speed Limit should be 65 mph with a Truck Speed Limit of 55 mph.

Weight Limits:

- 1) From the Bismarck City Limits (66th Street NE) east to 158th Street NE the Weight Limit should be max weight of 80,000 pounds with legal axle load configuration.
- 2) From 158th Street NE east to US 83 (Sterling) the Weight Limit should be max weight of 105,500 pounds with legal axle load configuration.
- 3) From US 83 (Sterling) east to the County Line the Weight Limit should be max weight of 80,000 pounds with legal axle load configuration.
- 4) The Highway Department shall also permit one-time Over-Weight Permits (that meet previously established rules) under/using the LoadPass Permit system on Highway 10 from the Bismarck City Limit (66th Street NE) east to the County Line.
- 5) The County will also allow Haulers to purchase (and use) a Harvest Permit from the LoadPass Permit system. Harvest Permits are valid between July 15 and November 30 each year and allow the hauler to increase loads weights on 80,000-pound roadways to 88,000 pounds.

RECOMMENDATION:

It is recommended that the Board approve the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board establishes the following Speed and Weight Limits on County Highway 10:

Speed Limits:

- 1) From the Bismarck City Limit (66th Street NE) east to 119th Street NE the Speed Limit should be 55 mph for all vehicles.
- 2) From 119th Street NE east to the County Line the Speed Limit should be 65 mph with a Truck Speed Limit of 55 mph.

Weight Limits:

- 1) From the Bismarck City Limits (66th Street NE) east to 158th Street NE the Weight Limit should be max weight of 80,000 pounds with legal axle load configuration.
- 2) From 158th Street NE east to US 83 (Sterling) the Weight Limit should be max weight of 105,500 pounds with legal axle load configuration.

- 3) From US 83 (Sterling) east to the County Line the Weight Limit should be max weight of 80,000 pounds with legal axle load configuration.
- 4) The Highway Department shall also permit one-time Over-Weight Permits (that meet previously established rules) under/using the LoadPass Permit system on Highway 10 from the Bismarck City Limit (66th Street NE) east to the County Line.
- 5) The County will also allow Haulers to purchase (and use) a Harvest Permit from the LoadPass Permit system. Harvest Permits are valid between July 15 and November 30 each year and allow the hauler to increase loads weights on 80,000-pound roadways to 88,000 pounds.

ITEM

8

Let's Play!

November 12, 2014

Dear Burleigh County Commission Chair Jim Peluso:

The Bismarck Parks and Recreation District was informed by letter dated October 14, 2014 that the Burleigh County Commission voted to reduce the County Park mill levy from one (1) mill to one-half (1/2) mill on October 8, 2014 (Exhibit A). This includes the mill levy for county parks extended within the City of Bismarck.

An Agreement for the Joint Exercise of Governmental Powers ("JPA") between Burleigh County, City of Bismarck, Bismarck Park District and Burleigh County Park Board was executed on July 1, 1998 (Exhibit B). This JPA is an agreement regarding the levy of one mill for the expenses and activities program of the County Park Board, under the control of the City or City Park District. The agreement was made for the purpose of enhancing the recreational opportunities for residents of the City and the County and to provide for adequate law enforcement and other support for existing and recreational facilities.

The JPA outlines how "[r]evenue from the one mill levy within the City of Bismarck shall be used." In summary, the JPA provides that part of the one mill levy goes to the Park District for riverfront improvements and Sibley Park.

Section 54-40-04 of the North Dakota Century Code on joint powers agreements provides that a JPA "may be continued for a definite term or until rescinded or terminated in accordance with its terms." The terms of this JPA are that the JPA can be terminated at the close of any calendar year by any party upon one year's written notice to all other parties. Therefore, a notice to terminate is required to all the parties. If such a notice was given now, in November 2014, the earliest the JPA could terminate is December 31, 2015.

The Park District has approved its budget for 2015. The budget was based upon estimated value of the mill being \$290,456. Reducing the County mill levy from one (1) mill to one-half (1/2) mill reduces the Bismarck Parks and Recreation District's share of the tax levy by \$98,029 (Exhibit C).

Reducing the mill from one to one-half effectively terminates the one mill agreement and if this reduction to one-half mill takes place for calendar year 2015, the termination is not in accordance with law or the terms of the JPA. It is understood that the County Park mill levy cannot legally be reinstated to the full one-mill levy for 2015. However, since the Park District's budget has already been approved with the expectation of the full one mill per the JPA, we ask that the Burleigh County Commission consider providing additional money to fund the Park District at the one mill rate. In addition, we would like to invite the Burleigh County Commissioners or their designated representative(s) to discuss this Joint Powers Agreement and expectations for 2016.

Sincerely,

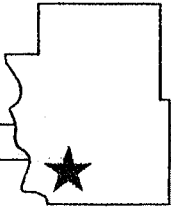


Julie Jeske
Bismarck Board of Park Commissioners President

A nationally accredited park and recreation agency.

STATE OF NORTH DAKOTA

County of Burleigh



221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

October 14, 2014

Mr. Randy Bina
Director
Bismarck Park & Rec District
400 East Front Avenue
Bismarck, North Dakota 58504

Dear Randy:

Please be advised that the Burleigh County Commission at their October 8, 2014 regular meeting, upon conclusion of the 2015 budget hearing, voted to reduce the County Park mill levy from one (1) mill to ½ mill.

This included the mill levy for county parks extended within the City of Bismarck.

Sincerely,

A handwritten signature in cursive script, which appears to read "Jim Peluso". The signature is written in black ink and is positioned above the printed name and title.

Jim Peluso
Chairman, Burleigh County Commission

AGREEMENT FOR THE JOINT EXERCISE OF GOVERNMENTAL POWERS

The City of Bismarck ("City"), Burleigh County ("County"), the City of Bismarck Park District ("Park District") and the Burleigh County Board of Park Commissioners ("County Park Board"), having in common a portion of their territories, hereby agree to jointly or cooperatively exercise their respective separate powers with regard to the levy of one mill for the expenses and activities program of the County Park Board, including construction, improvement, repair, operation, and maintenance of park and recreational areas and their facilities and those recreational activities of benefit to the general populace of the County which are under the control of the City or City Park District. This agreement is made pursuant to the provisions of Chapter 54-40 of the North Dakota Century Code for the purpose of enhancing the recreational opportunities for residents of the City and County, and to provide for adequate law enforcement and other support for existing and recreational facilities.

- 1) Consent to one Mill Levy. The City hereby consents to the levy of up to one mill within the City, as provided by Section 11-28006, N.D.C.C., and subsection 10 of Section 57-15-06.7, N.D.C.C., for the purposes authorized by Section 11-28-06 and by the terms of this agreement. The Mayor and City Administrator are authorized and directed to execute a resolution consenting to this levy.
- 2) Distribution of Funds. Revenue from the one mill levy within the City of Bismarck shall be used as follows:
 - a) 35% of the mill shall be split 50/50 between the County and City/Park District for the benefit of Riverfront Improvements on lands under the management or ownership of the City of Bismarck, Bismarck Park District, or the County.
 - b) 35% of the mill shall be used for the operation and improvements of Sibley Park, under the management of the City Park District.
 - c) 15% of the mill shall be used for the operation and improvements to county riverfront facilities under management of the Burleigh County Park Board.
 - d) 15% of the mill shall be used for law enforcement and maintenance to riverfront facilities under management or ownership of the Park District and the City of Bismarck.
- 3) Distribution of Funds. The County Auditor shall distribute funds as collected with monthly apportionment in amounts equal to the agreed to percentages to the County Park Board and the Bismarck Park District. The Park District shall be holder of the funds for City and Park District use.
- 4) Term. This agreement shall be in affect for successive (one) 1 year terms or until terminated.
- 5) Termination. This agreement may be terminated effective at the close of any calendar year by any party upon one year's written notice to all other parties. When terminated, the County's authority to levy the one mill shall also terminate.

6) Ownership. Unless otherwise agreed to in writing, all facilities constructed or improved pursuant to this agreement, shall remain the property of the party who holds title to the land on which the facilities are located, inventoried and insured accordingly.

Date: July 1, 1998

CITY OF BISMARCK:

By: [Signature]
Mayor, City of Bismarck

Attest: [Signature]
City Administrator

BURLEIGH COUNTY:

By: [Signature]
President, Board of County Commissioners

(SEAL)
Attest: [Signature]
County Auditor

BURLEIGH COUNTY PARK BOARD
BISMARCK PARK DISTRICT:

By: [Signature]
President, Board of Park Commissioners

(SEAL)
Attest: [Signature]
Clerk

BISMARCK PARK DISTRICT
BURLEIGH COUNTY-PARK-BOARD:

By: [Signature]
President, Board of Park Commissioners

Attest: [Signature]
Clerk

10/21/2014

Impact of County Cutting Mill to 1/2

	Projected @ 1/2 mill	Actual Projected Deficit
General Sibley	\$ 50,830	\$ (50,830)
Fund 31	\$ 47,199	\$ (47,199)
	<u>\$ 98,029</u>	<u>\$ (98,029)</u>

Estimated Value of 2015 mill: \$ 290,456

General Sibley (35%)	\$ 101,660	x 1/2=	\$ 50,830
Fund 31 (32.5%)	\$ 94,398	x 1/2=	\$ 47,199
Burleigh County (32.5%)	\$ 94,398		
	<u>\$ 290,456</u>		<u>\$ 98,029</u>

\$ 266,456.21

ITEM

9



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Recommendations of the October 9, 2024 meeting of Burleigh County Planning Commission

Date: 10-15-2024

From: Mitch Flanagan, Burleigh County Planning Director. *lll*

ITEM 1

Makedonski Final Subdivision

Legal Description: Part of the West 1/2 of the Northwest 1/4 Section 9, Township 139N, Range 76W

Property Address: 6799 Hwy 17, Sterling ND. 58572

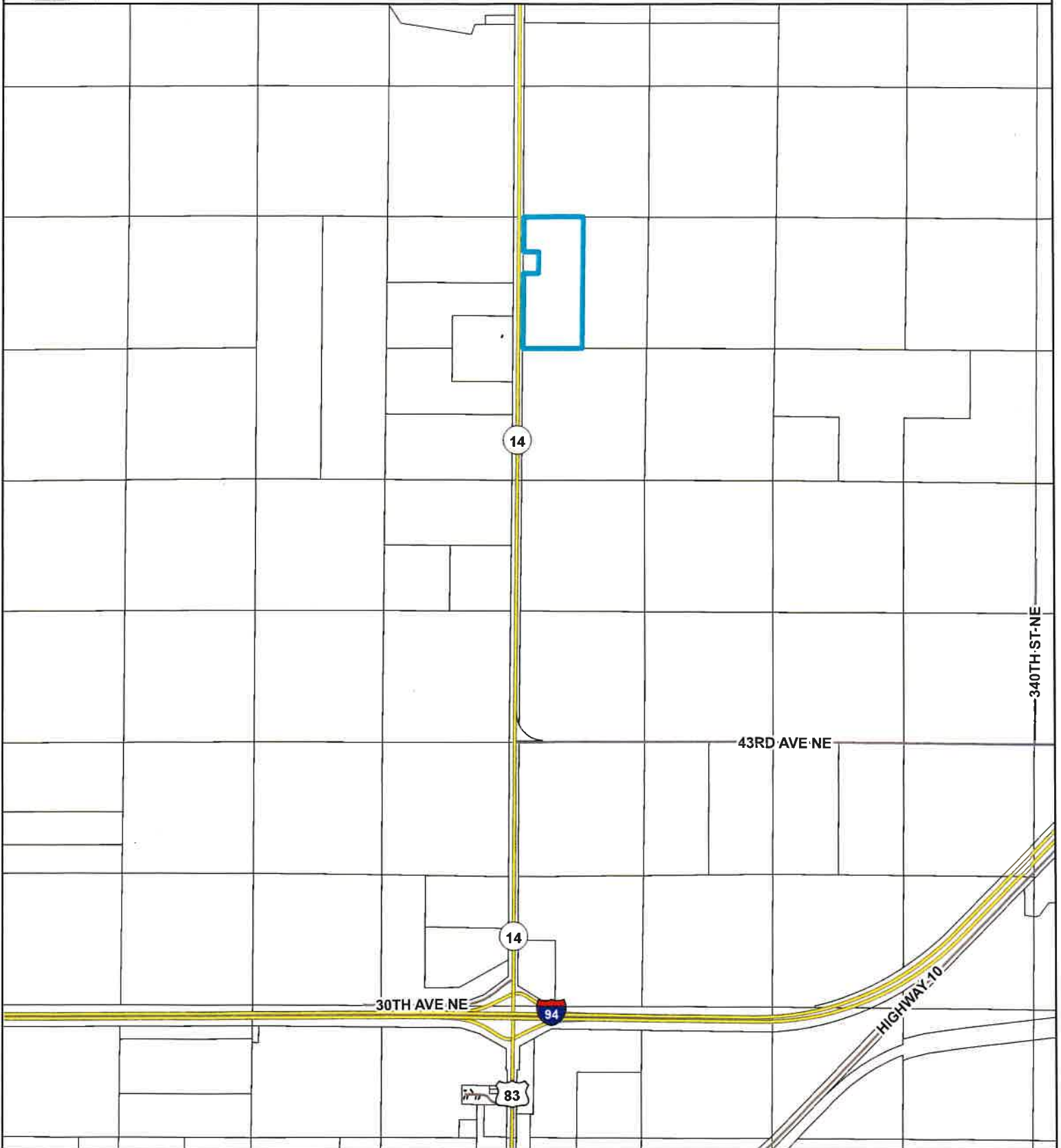
In July of 2024, Burleigh County was asked by Mark Isaacs of ILS Surveying concerning a four (4) lot subdivision from 2 parcels containing 76 AC. The size and location of the proposed subdivision did not raise concerns during the preliminary and final plat meeting. Sterling Township recommended approval of the plat and to leave the zoning as AG. The Planning Commission recommended approval of the final plat by a vote of 6-0.

ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve Makedonski Final Subdivision Plat.

Attachments: Ex.1 Makedonski Final Plat.
Ex. 2 Site Location.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



PARCEL ID: 35-139-76-00-09-400

OWNER: MAKEDONSKI, LUCINDA J & MAKEDONSKI, KENNETH

ACRES: 73

SITE ADDRESS:

MAIL ADDRESS: 6601 HWY 14, STERLING, ND 58572-9712

LEGAL: STERLING TOWNSHIP Section 09 W1/2NW1/4 LESS 3AC-401 & R/W 690113 09-139-76



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Recommendations from the October 9, 2024 meeting of Burleigh County Planning Commission
Date: 10-16-2024
From: Mitch Flanagan, Burleigh County Planning Director. *ill*

ITEM 1

Cherney Morrissette Final Subdivision

Legal Description: Part of the Northeast 1/4 Section 5, Township 140N, Range 81 W

Property Address: 15700 NW 80th St. Bismarck, ND 58501

Burleigh County was asked by Mark Isaacs of ILS Surveying regarding a two (2) lot subdivision containing 6.05 acres. The review committee did not find issues or concern. Zoning for this property will remain R1-Rural Single Family Residential.

The Planning Commission recommended approval of the final plat by a vote of 6-0.

ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve Cherney Morrissette Final Subdivision Plat.

Attachments: Ex.1 Cherney Morrissette Final Plat.
Ex. 2 Site Location.



PARCEL ID: 23-140-81-00-05-210 OWNER: MORRISSETEE, JACOB ACRES: 2.37

SITE ADDRESS:

MAIL ADDRESS: 8131 RIDGELAND DR, BISMARCK, ND 58503

LEGAL: RIVERVIEW TOWNSHIP Section 05 A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST SECTION CORNER OF SECTION 5, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA; THENCE S0°01'41W, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 1408.04', TO THE POINT OF BEGINNING. THENCE S0

Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

ITEM

11



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: October 16, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben
Burleigh County Sheriff

A handwritten signature in blue ink that reads "Kelly Leben".

Re: Capital Electric Rate Fee Agreement

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Discuss transferring the Burleigh Morton Detention Center from a Large Commercial Rate Fee to a Coincident Peak Rate Fee.

Background:

The Burleigh Morton Detention Center is billed under the Large Commercial Rate Fee for electrical services by Capital Electric Cooperative. Capital Electric Cooperative has analyzed BMDC's electrical usage and has indicated BMDC will benefit financially in the short term by transferring to the Coincident Peak Rate Fee for electrical services. In 2025, BMDC will be required to transfer to the Coincident Peak Rate Fee and projected rate increases will more than likely negate short-term savings. Other cost savings factors are being considered in conjunction and cooperation with Capital Electric Cooperative.

Recommendation:

It is recommended that the County Commission authorize the Burleigh County Sheriff's Department to enter into the Coincident Peak Rate Fee Agreement with Capital Electric Cooperative.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to enter into an agreement with Capital Electric Cooperative on their Coincident Peak Rate Fee Agreement.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

Burleigh-Morton County Detention Center Rate Change Information:

Starting January 1, 2025, the facility will be automatically converted from a Large Commercial electric rate to Capital Electric's Coincident Peak (CP) rate. Here is a chart showing how the (2) rates compare:

Large Commercial Rate		Coincident Peak Rate	
Service charge:	\$75.00	Service charge:	\$23.00
Usage Charge:	\$0.045	Usage Charge:	\$0.03323
Demand:	\$14.50	On-Peak Demand:	\$23.26
Grid Capacity:	\$2.00	Grid Capacity:	\$2.50

By simply switching from our Large Commercial rate to our Coincident Peak (CP) rate, the facility stands to save \$1,695/month. **If additional action is taken to avoid all On-Peak usage, the facility has the potential to save \$13,358/month!**

The recommended action would be to operate the facility on the generator during peak time periods. To achieve this action, Capital Electric would provide the facility with an automatic controller to activate the generator and transfer switch. When the controller receives a signal from Capital Electric signaling a peak time period, the controller will switch the facility over to generator operation. After the peak time period has passed, the controller will return the facility to the electric grid.

Here is an outline of the pros and cons of this procedure change:

PROS:

1. Reduced base charge
2. Reduced KWH rate
3. Only pay demand for On-Peak demand. (The facility currently pays for demand regardless of when it occurs in the month.
4. Replenishing the fuel for the generator. (The fuel is currently 7-years old).

CONS:

1. Additional generator run hours
2. Additional generator fuel costs (Estimated at \$3,600/month)
3. Potential additional generator maintenance costs.
4. Up-front investment costs to enhance the generators from Tier III to Tier IV emissions standards. (Roughly estimated to be \$70,000)
5. Up-front investment costs to connect additional electric services to the transfer switch.

***Based on the potential savings that can be achieved by utilizing the generator for On-Peak operation, the payback on the Up-front investments is estimated to be under 1 year.**



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: October 16, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Burleigh East Renovation Project

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Authorize the Burleigh County Sheriff's Department to negotiate and enter into a contract with Ubl Design Group for architectural services for the Burleigh East (BEAST) renovation project.

Background:

The Burleigh County Sheriff's Department solicited proposals from four companies for architectural services for the Burleigh East Renovation Project. All four companies submitted proposals after completing walk-throughs and discussion with department leads for the renovation. A review committee of three department evaluators and one county employee evaluator selected Ubl Design Group based on submitted proposals and walk-through feedback.

Recommendation:

It is recommended that the County Commission authorize the Burleigh County Sheriff's Department to enter into negotiations and final contract with Ubl Design Group for the Burleigh East Renovation Project.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to negotiate and contract with Ubl Design Group for renovation of the described property.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

ITEM

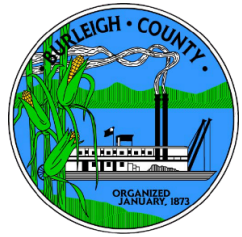
12

NOTICE IS HEREBY GIVEN, that the following real estate has been forfeited to the County of Burleigh, State of ND, for delinquent taxes; that said County has taken tax deed to such property and will offer for sale at public auction at the Office of the County Auditor in said County on Tuesday, November 19, 2024 beginning at 10:00 am ACCORDING to NDCC 57-28-19, some Cities have the first option to purchase property; therefore, some parcels may not be listed at sale time. EACH PARCEL of real estate will be offered separately and sold to the highest bidder thereof, but not for a sum less than the minimum sale price. The purchaser will be required to pay cash for all parcels of real estate sold plus \$20.00 as and for the filing fee with the County Recorder. This sale will continue from day to day until complete. REAL PROPERTY, fixtures, and structures are without warranty or representation.

LISTED OWNER	PROPERTY ADDRESS	PARCEL ID#	2024 MV	Delq. Taxes + Pen. & Int	Delq. Specials + Pen. & Int.	TOTAL DELQ. AMOUNT + \$50 FEE	Est. 2024 Tax	Est. 2024 Specials	EST. 2024 TOTAL	MINIMUM SALE AMOUNT
3-D PROPERTIES LLP	1421 BURINGTON DR #4	1463-003-154	222,400.00	\$8,386.52	\$843.03	\$9,279.55	\$2,890.09	\$225.31	\$3,115.40	\$12,394.95
3-D PROPERTIES LLP	4903 PLATOON AVE	2200-004-001	54,500.00	\$2,225.51	\$14,684.18	\$16,959.69	\$708.23	\$3,659.91	\$4,368.14	\$21,327.83
3-D PROPERTIES LLP	1701 BRIGADE ST	2200-004-050	84,100.00	\$3,437.81	\$19,942.25	\$23,430.06	\$1,092.88	\$4,916.44	\$6,009.32	\$29,439.38
A TO Z TRAGEDY RELIEF AND	4300 FULLER AVE	38-138-80-46-05-010	9,100.00	\$293.49	\$0.00	\$343.49	\$83.55	\$0.00	\$83.55	\$427.04
A TO Z TRAGEDY RELIEF AND	4200 FULLER AVE	38-138-80-46-05-020	37,300.00	\$1,202.98	\$0.00	\$1,252.98	\$342.45	\$0.00	\$342.45	\$1,595.43
BAILEY, ROSE R	NONE	48-137-76-63-13-200	1,000.00	\$22.34	\$0.00	\$72.34	\$6.65	\$0.00	\$6.65	\$78.99
BOULDER RIDGE DEVELOPMENT INC	636 E LASALLE DR	1514-005-001	800.00	\$2,000.00	\$6,806.64	\$8,856.64	\$10.40	\$2,394.20	\$2,404.60	\$11,261.24
BURLEIGH COUNTY TAX SALE (2022)	622 BOEHM DR	0115-003-100	-	\$168.12	\$7,057.42	\$7,275.54	\$0.00	\$949.86	\$949.86	\$1.00
BURLEIGH COUNTY TAX SALE (2023)	2627 E ROSSER AVE	0655-004-001	-	\$575.81	\$5,114.82	\$5,740.63	\$0.00	\$39.65	\$39.65	\$1.00
BURLEIGH COUNTY TAX SALE (2022)	4612 NORMANDY ST	1511-002-120	-	\$352.03	\$1,912.82	\$2,314.85	\$0.00	\$319.20	\$319.20	\$1.00
BURLEIGH COUNTY TAX SALE (2023)	637 E LASALLE DR	1514-004-001	-	\$2,711.34	\$14,792.34	\$17,553.68	\$0.00	\$3,132.98	\$3,132.98	\$1.00
BURLEIGH COUNTY TAX SALE (2022)	5117 NORMANDY ST	1516-002-001	-	\$134.04	\$14,993.71	\$15,177.75	\$0.00	\$2,292.44	\$2,292.44	\$1.00
BURLEIGH COUNTY TAX SALE (2023)	124 NINA LN	2225-002-150	-	\$847.81	\$26,796.67	\$27,694.48	\$0.00	\$3,783.78	\$3,783.78	\$1.00
HUDSON, CRAY J	1937 HOUSTON DR	0608-002-125	350,300.00	\$11,169.51	\$0.00	\$11,219.51	\$4,096.93	\$0.00	\$4,096.93	\$15,316.44
KREIN, DALE A & JESSICA L	NONE	35-139-76-65-03-150	1,000.00	\$22.75	\$0.00	\$72.75	\$7.28	\$0.00	\$7.28	\$80.03
KREIN, DALE A & JESSICA L	NONE	35-139-76-65-03-160	1,000.00	\$22.75	\$0.00	\$72.75	\$7.28	\$0.00	\$7.28	\$80.03
KREIN, DALE A & JESSICA L	NONE	35-139-76-65-03-170	1,000.00	\$22.75	\$0.00	\$72.75	\$7.28	\$0.00	\$7.28	\$80.03
KREIN, DALE A & JESSICA L	NONE	35-139-76-65-03-180	1,000.00	\$22.75	\$0.00	\$72.75	\$7.28	\$0.00	\$7.28	\$80.03
KREIN, DALE A & JESSICA L	NONE	35-139-76-65-03-190	1,000.00	\$22.75	\$0.00	\$72.75	\$7.28	\$0.00	\$7.28	\$80.03
KREIN, DALE A & JESSICA L	224 MAIN AVE	35-139-76-65-03-200	18,000.00	\$325.54	\$0.00	\$375.54	\$117.98	\$0.00	\$117.98	\$493.52
KUHN, DEBRA & KUHN, JESSICA	203 MAIN ST	CW-142-76-00-08-230	32,700.00	\$1,277.46	\$0.00	\$1,327.46	\$382.57	\$0.00	\$382.57	\$1,710.03
MCGUIRE, DONALD M	3100 E AVE C	0430-011-010	242,800.00	\$9,973.44	\$959.07	\$10,982.51	\$2,839.67	\$19.06	\$2,858.73	\$13,841.24
OTTO PROPERTIES, LLC	3330 CROCUS AVE	1345-005-001	2,000.00	\$92.38	\$1,600.61	\$1,742.99	\$25.99	\$0.00	\$25.99	\$1,768.98
SHERMAN, MARVIN	NONE	33-139-78-62-21-180	7,200.00	\$171.92	\$0.00	\$221.92	\$48.13	\$0.00	\$48.13	\$270.05
SOUTHBAY DEVELOPMENT LLC	911 CALYPSO DR	1555-003-270	14,000.00	\$545.90	\$1,452.07	\$2,047.97	\$181.93	\$138.10	\$320.03	\$2,368.00
SOUTHBAY DEVELOPMENT LLC	4053 DOWNING ST	1555-007-035	13,700.00	\$533.74	\$954.99	\$1,538.73	\$178.03	\$0.00	\$178.03	\$1,716.76



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

November 4, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the October 10th special meeting minutes and October 21st meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Check replacements.
 - d. 2nd access permits.
6. County Engineer Hall:
 - a. **PUBLIC HEARING:** Jake Brake Ordinance.
 - b. Accepting Platted Right of Way.
7. Sheriff Leben:
 - a. Attendant care shelter agreement.
 - b. 2024 Justice Assistance Grant.
 - c. Salary variance request.
8. Comm. Munson:
 - a. Auxiliary board applications.
9. Comm. Schwab:
 - a. Update on CO2 Pipeline.
10. Other business.

11. Adjourn.

The next regularly scheduled Commission meeting will be on November 18, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
OCTOBER 10, 2024**

2:00 PM

Chairman Bitner called the Burleigh County Commission special meeting to order.

A roll call of members: Commissioners Munson and Bitner were present, with Comm. Bakken also present via conference call. Comm. Woodcox and Schwab were absent.

Kylie from HTG Architects presented two bids for Provident Building Bid Package 1 (water line) of the Burleigh County Provident building renovation. Roers submitted a bid for \$96,500, and Northwest Contracting submitted a bid for \$43,197.

Motion by Chairman Bakken, 2nd by Comm. Munson to accept the low bidder and award the bid to Northwest Contracting. All members present voted, "AYE." Motion carried.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING
OCTOBER 21ST, 2024**

5:09 PM

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.

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

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the October 7th, 2024 meeting minutes and bills, and to amend item 6a, denoting it as an extended public hearing rather than just a public hearing. 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Travis & Cora Strand	2024	Lot 1, Block 5, Country Creek 5th	Equalize with similar homes in area	\$408,400	\$380,700
Larry Kershaw	2022	Lot E of SE1/4	60% Homestead Credit	\$262,300	\$187,300
Larry Kershaw	2023	Lot E of SE1/4	100% Homestead Credit	\$271,000	\$71,000
Eric & Lorraine Richards	2024	Lot 1 in NE1/4, Morton Township	Property qualifies for farm res exemption	\$124,500	\$14,800
Francis & Carol Miller	2024	SE1/4, Section 22, Menoken Township	Property qualifies for farm res exemption	\$234,600	\$48,000

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Travis & Cora Strand, Larry Kershaw (2), Eric & Lorraine Richards, and Francis & Carol Miller abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Engineer Hall came forward and presented more information relating to the undecided vacation of an excess right of way located along Highway 10 near Sterling from last meeting. Hall informed the Commission that if the county would relinquish the right of way to the property owners adjacent to it, the county would still have some degree of right of way to operate on should any projects in the area were to occur on Highway 10, and that the value of the 1.96 acre property would be worth \$3,500 per acre, or \$6,860 total. Chairman Bitner opened the floor for a continuation of the public hearing from October 7th's meeting on the vacation of an excess right of way. Since no one came forward, the public hearing was then closed. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the sale of the 1.96 acres at \$3,500 an acre. All members present voted "AYE". Motion carried. Hall then presented a maintenance certification to the Commission for approval. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the certification as recommended. All members present voted "AYE". Motion carried.

Hall then discussed again with the Commission about the load and speed limit restrictions on County Highway 10. On September 6th, 2024, the Commission voted in favor of implementing new restrictions on County Highway 10 due to a pressing need to fix the damage done to the highway, reducing the speed limit from 65mph to 55mph and reducing the weight limit down to 80,000 lbs with a six-ton max weight. The Commission stated that it would reconsider these restrictions once the Highway Department finished refurbishing the highway. In a previous meeting on October 7th, 2024, Hall asked the Commission to discuss the restrictions and direct the Highway Department on how to proceed moving forward, where various contradictory and confusing motions were made. Hall presented a proposed resolution to the Commission based on all the points that were discussed at the last meeting. Regarding the speed limits, the proposed resolution stated that from the Bismarck city limits at 66th Street out to 119th Street the speed limit be set at 55mph for all vehicles, and that from 119th Street to the county line the speed limit be set at 65mph for automobiles and 55mph for trucks. Comm. Bakken expressed his strong aversion to splitting the speed limits and stood firm on a uniform speed limit for all vehicles, regardless whether it be 55 or 65mph. Comm. Schwab stated that he wouldn't support a speed limit going over 55mph in general. Motion by Comm. Bakken, 2nd by Comm. Munson to have a uniform speed limit of 55mph from the Bismarck city limits through Apple Valley and then 65mph past Apple Creek to the county line. Comm. Woodcox, Munson, Bakken, and Bitner voted "AYE"; Comm. Schwab voted "NAY". Motion carried. Regarding weight limits, within the proposed resolution Hall recommended an 80,000 lb limit with legal axel loads from the Bismarck city limits at 66th Street to 158th Street, a 105,500 lb limit with legal axel loads from 158th to US Highway 83 by Sterling, and an 80,000 lb limit with legal axel loads again from Sterling to the county line. Hall also recommended for restarting the approval of overload permits from the city limits to the county line, and to use and allow harvest permits for farmers in the area. Motion by Comm. Munson,

2nd by Comm. Bakken to approve the weight limits as outlined in the packet and recommended by Hall. All members present voted "AYE". Motion carried.

A Bravera Insurance presentation was to be shown to the Commission, but no representatives from Bravera Bank were present at the meeting. The item was added to the next county commission agenda on November 4th; no further action was taken.

Comm. Woodcox talked about a joint powers agreement that was signed in 1998 between the city of Bismarck, the city park district, and Burleigh County. In it, it said that the JPA will levy one city mill to city residents and divvy the funds as follows: 35 percent will be split evenly 50/50 between the county and city park district for the benefit of riverfront improvement, 35 percent will be used at Sibley Park, 15 percent will be used for the Burleigh County Park Board, and 15 percent will be used for law enforcement along the riverfront. Kevin Klipfel from Bismarck Parks and Rec was present to answer any questions. The main issue the commissioners mulled over was if the Bismarck City Parks and Recreation District has its own mill levy authority, budget, and park board, then why should the county collect funds for the city park district. A consensus was reached to have the county auditor look in the 1998 commission minutes to find more details about the JPA's creation; no further action was taken.

County Planner Flanagan presented to the Commission two items for recommendation from the Planning Commission. The first item was concerning Makedonski final subdivision near Sterling. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Makedonski final subdivision. All members present voted "AYE". Motion carried. The second item was concerning Cherney Morrisette subdivision in Riverview Township. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Cherney Morrisette subdivision. All members present voted "AYE".

Deputy Finance Director Schmidt gave a list that noted outstanding checks the county has sent out, and stated that with the Commission's approval the Finance department could cancel those checks and send the amounts to unclaimed properties. Motion by Comm. Bakken, 2nd by Comm. Woodcox to cancel said checks and send the amounts to unclaimed properties. All members present voted "AYE".

Sheriff Leben came forward and talked about a new rate fee agreement with Capital Electric regarding the Burleigh-Morton Detention Center. With some further explanations by Josh Schaffner with Capital Electric, the Commission was told that the rate structures at Capital Electric are changing and would go into effect starting January 1st, 2025. However, the Burleigh-Morton Detention Center could switch to a coincident peak rate fee right now and save roughly \$1,700 a month for the remainder of the 2024 year before the forced changes in January. Motion by Comm. Bakken, 2nd by Comm. Munson to approve switching the Burleigh-Morton Detention Center to a coincident peak rate fee. All members present voted "AYE". Sheriff Leben then discussed about the architectural and engineering selection process for the Burleigh East renovation project. Leben said that out of the four companies the Sheriff's Department looked and talked with, Ubl Design Group was the most promising candidate. Leben then requested the Commission to grant the Sheriff's Department the ability to move forward and enter into a contract with Ubl Design Group. Motion by Comm. Munson, 2nd by Comm. Woodcox to allow the Sheriff's Department to enter into contract with Ubl Design Group. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor-Treasurer Splonskowski presented to the Commission once again a list of three-year delinquent properties and the proposed minimum sales price for the upcoming tax sale on November 19th. Splonskowski stated that the full list was not printed out in its entirety at the last commission meeting due to a technical error when the list transferred from Excel to Adobe, so he wanted to make sure the full list was shown to the commissioners. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the minimum sales prices for the listed three-year delinquent properties. All members present voted "AYE". Motion carried.

A continuation of last meeting's discussion about the Garrison Diversion Conservancy District then occurred. Comm. Woodcox informed the other commissioners that the county Water Resource District will be looking into their records to see if the Garrison Diversion program ever benefitted the Water Resource District and thus the county. If the program does benefit the Burleigh County Water Resource District, then the main argument for leaving said program – that Burleigh County is not benefiting at all from being in the Garrison Diversion Conservancy District – becomes moot. Kim Cook from the Garrison Diversion Conservancy District stepped to the podium and offered to answer any questions. Comm. Schwab then asked to table the discussion so that the county can gather more information.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-694	Jeffery & Doreen Schumacher	2024	Block 33, City Lands 139-80, Beg 66' N of NE cor Blk 86 McKenzie & Coffins; thence W50' N150' E50' S150' to beg	Error in property description	\$379,200	\$267,600
24-697	Kristie Kulzer	2024	Block 16, Southwood Terrace Replat pt Blk 1, W40' of Lot 3, All Lots 4-7 Willow Wood Condo Unit 322	Error in property description	\$189,900	\$176,200
24-703	Stephen Crossairt	2024	1983 Blairhouse 70 x 14, VIN#74B4Z	Mobile home was removed from lot	\$17,050	\$0
24-704	Marlene Warnke	2022	2003 Champion 28 x 66, #05033200734	40% Homestead Credit	\$79,002	\$47,402
24-708	Richard Sprynczynatyk	2023	Block 41, Fisher, S20' of E75' of Lot 11 & E75' of Lots 12-13	100% Homestead Credit	\$129,200	\$29,200
24-709	Michael Sprynczynatyk	2023	Block 41, Fisher, S20' of E75' of Lot 11 & E75' of Lots 12-13	100% Homestead Credit	\$29,200	\$0
24-715	Kurtis Bender	2022	1974 Rollohome 14 x 72, #J1353	100% Homestead Credit	\$7,546	\$0
24-716	Kurtis Bender	2023	1974 Rollohome 14 x 72, #J1353	100% Homestead Credit	\$8,029	\$0
24-717	Kurtis Bender	2024	1974 Rollohome 14 x 72, #J1353	100% Homestead Credit	\$8,029	\$0

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

Carefully read the AFFIDAVIT AND AGREEMENT; then sign it before a Notary Public.

When we receive the signed and notarized Affidavit and Agreement a duplicate payment will be issued and forwarded to you. In the event you recover possession of the original check, DO NOT CASH IT, please advise the Burleigh County Auditor/Treasurer immediately. Our telephone number is (701) 222-6718.

MAIL THE SIGNED AND NOTARIZED AFFIDAVIT AND AGREEMENT TO:
Burleigh County Auditor/Treasurer, P.O. Box 5518, Bismarck, ND 58506-5518.

NAME AND ADDRESS OF PAYEE:

CHERYL ENERVOLD
6825 N STAR ACRES RD
BISMARCK, ND 58503

Check Date: 03/22/2023
Original Check #: 125732
Check Amount: \$194.60

AFFIDAVIT AND AGREEMENT

I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

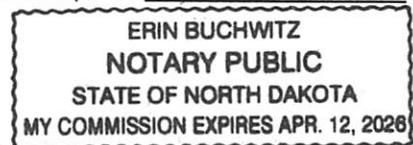
I hereby state under oath that the above-described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

I agree to indemnify, compensate, or make restitution to the County of Burleigh for any and all loss, damage and expense as a result of this issue of said new duplicate payment. If said original check alleged to have been lost or destroyed shall come into my possession, or under my control, I shall immediately return same to the Burleigh County Auditor, PO Box 5518, Bismarck, ND 58506-5518, for cancellation. If the aforesaid check shall at any time be cashed or presented to the Burleigh County Auditor/Treasurer by me or transferred to another person by me and result in a loss to the County of Burleigh, I shall promptly reimburse the Burleigh County Auditor/Treasurer for any such loss.

Subscribed and sworn to before me:

Cheryl Enerbold
Signature of Payee
Date 10-29-24

Erin Buchwitz
Notary Public - County of _____
My Commission Expires _____



(Seal)

Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__

Burleigh County Auditor/Treasurer

Date



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: November 4, 2024

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E.
County Engineer *MJH*

RE: Second access permit for Reggie Pahl

Reggie Pahl from 1016 Silver Spur Place (The Ranch Subdivision Block 4, Lot 7) has requested a second access permit to his property. The first access approach is off of Silver Spur Place. He wishes to have a second approach off of Trail Boss Way in order to have access to his shop. We have reviewed the location of the new proposed access off of Trail Boss Way and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Reggie Pahl on the November 4, 2024 County Board Consent Agenda.

2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.



PARCEL ID: 24-140-80-80-04-070 OWNER: BOSCHERT, KATELYN & BOSCHERT, SUMNER ACRES: 0.84
SITE ADDRESS: 1016 SILVER SPUR PL
MAIL ADDRESS: %PAHL, REGINALD L & AMY L LE 4101 COLEMAN ST UNIT 4, BISMARCK, ND 58503
LEGAL: THE RANCH Block 04 LOT 7



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Memo

Date: November 4, 2024

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E. *MJH*
County Engineer

RE: Second access permit for Daron Johnson

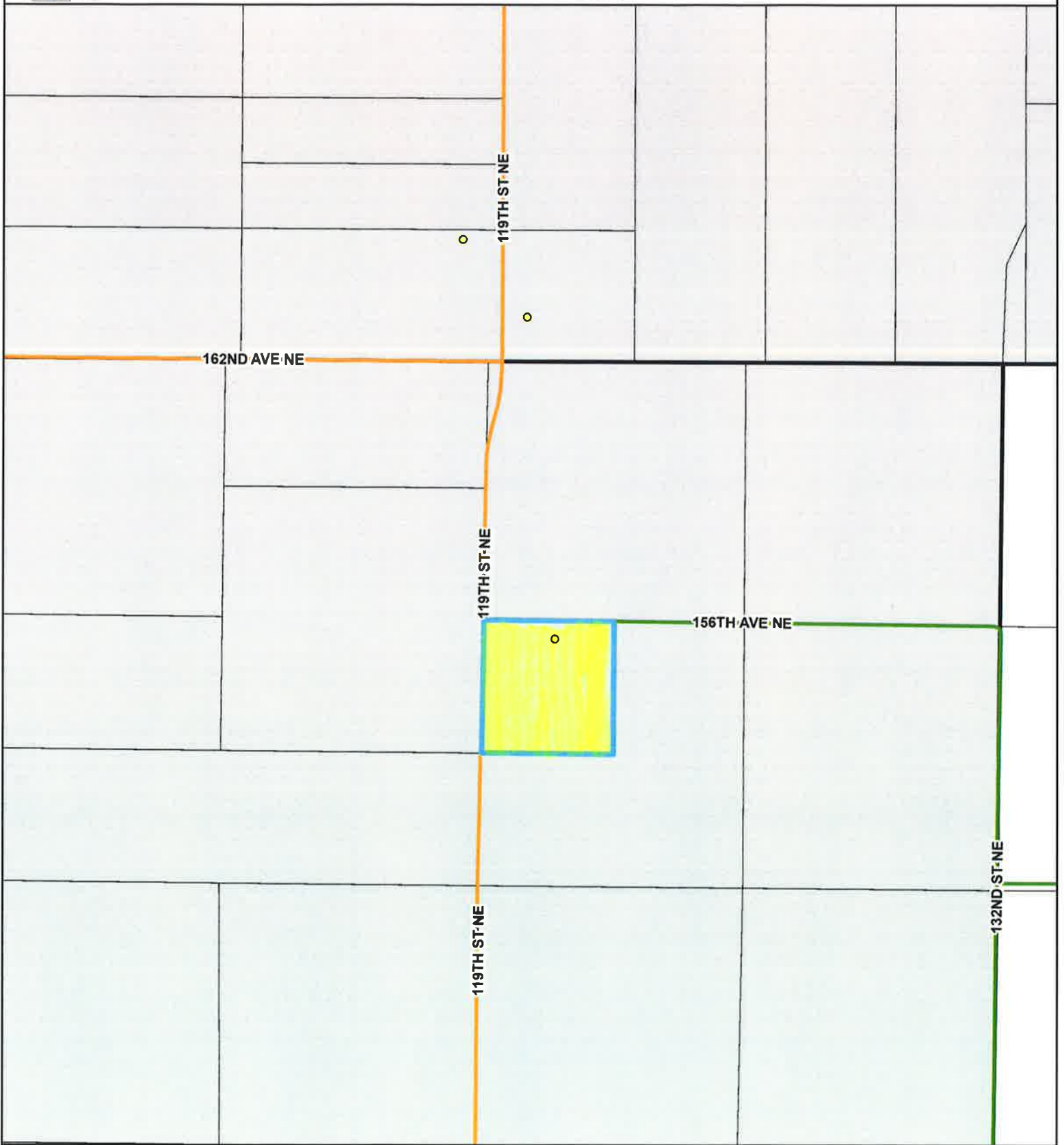
Daron Johnson from 12051 156th Ave NE has requested a second access permit to his property. The first access approach is off of 156th Ave NE. He wishes to have a second approach off of 119th Street NE in order to have access the south side of his property. We have reviewed the location of the new proposed access off of 119th Street NE and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Daron Johnson on the November 4, 2024 County Board Consent Agenda.

2nd Approach Permits Requirements

A second approach permit shall be granted by the County Engineer unless the application does not meet one of the following criteria:

- 1) The distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center distance)
- 2) The requested approach provides adequate sight distance for the given speed zone (As set forth in "A Policy on Geometric Design of Highways and Street" by AASHTO.)
- 3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.



PARCEL ID: 25-140-79-00-01-605 OWNER: JOHNSON, DARON S & > ACRES: 40
SITE ADDRESS: 12051 NE 156TH AVE
MAIL ADDRESS: PIERETTE JOHNSON, JEAN 12051 156TH AVE NE, MENOKEN, ND 58558-9622
LEGAL: NAUGHTON TOWNSHIP Section 01 NW1/4SW1/4 699017 01-140-79



PARCEL ID: 25-140-79-00-01-605 OWNER: JOHNSON, DARON S & > ACRES: 40
SITE ADDRESS: 12051 NE 156TH AVE
MAIL ADDRESS: PIERETTE JOHNSON, JEAN 12051 156TH AVE NE, MENOKE, ND 58558-9622
LEGAL: NAUGHTON TOWNSHIP Section 01 NW1/4SW1/4 699017 01-140-79

ITEM

6

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: November 4, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Jake Brake Ordinances – Public Hearing

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review a proposed ordinance on Jake Braking and conduct a Public Hearing.

BACKGROUND:

For some time the States Attorney, Sheriff and Highway Departments have been working on trying to solve numerous noise complaints that we have received using the existing North Dakota Century Code (NDCC). However, the existing NDCC does not provide a convenient method of fulfilling our residents' needs. The new process of establishing an ordinance under the Home Rule Charter seems to provide a much better method.

The vast majority of our complaints are generated because of individuals using un-muffled compression brakes (Jake Brakes) in residential areas. We believe that the attached proposed ordinance will provide law enforcement a method to help reduce the use of said brakes within posted areas.

RECOMMENDATION:

It is recommended that the Board review the attached Ordinance and conduct a Public Hearing. After Public Hearing, direct Staff on how to proceed. Approve Ordinance, Approve Ordinance with changes, Reject Ordinance, Table for additional information.

A BURLEIGH COUNTY ORDINANCE FOR THE REGULATION/USE OF UN-MUFFLED COMPRESSION BRAKES WHERE PROHIBITED

NOW THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA:

SECTION 1. General Provisions

1. Burleigh County Home Rule Charter allows for the creation of an ordinance which prohibits the use of un-muffled compression brakes on public roadways in posted areas.

SECTION 2. Purpose

1. The purpose of this Ordinance is to control the use of engine breaks that create excessive noise that may disturb the public and to promote the general health, safety, and welfare of the citizens of Burleigh County.

SECTION 3. Definitions

1. "Compression Brakes" means the use of the engine to decelerate or reduce or slow the forward motion of a motor vehicle by compression of the engine. "Compression brakes" are also referred to as "exhaust brakes" and/or "Jake brakes."

SECTION 4. Use of un-muffled compression brakes where prohibited.

1. No person shall use motor vehicle brakes on public roadways within posted areas of the County that are in any way activated or operated by the un-muffled compression of the engine of that motor vehicle or any unit or part thereof. It shall be an affirmative defense to prosecution under this section that the un-muffled compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.
2. This section shall not apply to motorcycles or vehicles of any fire department, whether or not responding to an emergency.

SECTION 5. Penalty for Offenses

1. The County engineer shall have authority to post appropriate signs consistent with these provisions. The penalty for a violation of this section is fifty dollars.

SECTION 6. Repealer

1. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. Severability Clause

1. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 8. When Effective

1. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

First Reading Passed: _____

Second Reading Passed: _____

Passed and adopted this ____ day of _____ 20__.

Burleigh County Commission – Chairperson

Attest: Mark Splonskowski, County Auditor



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: November 4, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Accepting Platted Right of Way

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

ACTION REQUESTED:

Accept platted right of way shown on the attached Plat.

BACKGROUND:

Burleigh County is required to accept (on their own behalf or on the behalf of one of our Townships) Right of Way shown on Plats that are approved by the City of Bismarck, City of Lincoln or Burleigh County.

Landsberger Second Subdivision has been approved by the City of Bismarck and we are requesting that the County Board accept the Right of Way that is shown on the attached plat.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the Right of Way shown on the Landsberger Second Subdivision.

ITEM

7



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: October 28, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Attendant Care Shelter Agreement

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve the Attendant Care Shelter Agreement. The agreement is available for review in the Burleigh County Auditor's Office.

Background:

The Attendant Care Shelter Agreement is an annual contract to provide attendant care services for Burleigh County. The agreement is for non-secure, short term placement of delinquent, and Children in Need of Services (CHINS).

Recommendation:

It is recommended that the County Commission approve the shelter care agreement.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to enter in to an agreement between Burleigh County, North Dakota Association of Counties, and the State of North Dakota.

COURTHOUSE

514 E. Thayer • PO Box 1416

Bismarck, ND 58502-1416

P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499

Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: October 21, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben *Kelly L*
Burleigh County Sheriff

Re: 2024 Justice Assistance Grant

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve the 2024 Justice Assistance Grant between Burleigh County and the City of Bismarck

Background:

The Justice Assistance Grant (JAG) is an annual grant awarded to the City of Bismarck with Burleigh County as a Sub-Grantee. The grant award is used to aid in equipment purchases.

Recommendation:

It is recommended that the County Commission approve the grant agreement.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the JAG Agreement between Burleigh County and the City of Bismarck.

COURTHOUSE

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GMS APPLICATION NUMBER O-BJA-2024-172239

AGREEMENT FOR USE OF JUSTICE ASSISTANCE GRANT AWARD (JAG)

The City of Bismarck ("City") and Burleigh County ("County") collectively known as "Parties" agree as follows:

1. **Disparate Allocation.** The City and County hereby agree that the County bears more than 50% of the costs associated with prosecution or incarceration of the City's Part 1 violent crime. As the City and County have concurrent jurisdiction and the City is scheduled to receive 150% more in grant funding, the City and County agree there is a disparate allocation and will therefore submit a joint application for the total eligible allocation to be shared as outlined in this agreement.
2. **Expenditure of JAG Grant.** The City and County hereby agree to expend JAG funds in the following manner and for the purpose stated below.
3. **Purpose.** That the Bismarck Police Department and the Burleigh County Sheriff's Department will share the grant funds under CFDA# 16.738 with 65% or \$17,501.25 the City and 35% or \$9,423.75 to the County. The program will encompass equipment and programs that have been applied for and approved through the JAG application process.
4. **Budget.** The grant amount is \$26,925 and requires funds be expended in 3 years. In addition, grant mandates require a budget which was submitted with the grant application. Both parties agree that the budget will be followed as outlined in the application.
5. **Fund Expenditures.** Funds may be expended by either Department in the furtherance of the stated purpose area and upon agreement of both the Chief of Police and Sheriff. Use of the funds will be consistent with the terms of the grant.
6. **Fiscal Agent.** The City of Bismarck, Bismarck Police Department will designate an individual as the fiscal agent whom will administer the financial and program requirements.
7. **Grant Assurances.** Both the City and the County agree to comply with all of the applicable Guidance for Grants and Agreements and including all applicable Standard Assurances and Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements which are attached to and made a part of this Agreement.
8. **Equipment.** The County agrees that tangible personal property having a useful life of more than one year and a purchase price that exceeds the lesser of the capitalization level of the City, or \$5000, (Equipment) purchased with federal funds will remain the property of the County and, when no longer needed, will be returned to the City or disposed of pursuant to the direction of the City. This paragraph shall survive the end of the term or other termination of this Agreement and remain in effect until such time as the personal property is disposed of pursuant to this paragraph.
9. The County shall respond to and clear all material weaknesses resulting from A-133 Audits. Material weaknesses identified in County current A-133 Audit must be reconciled prior to



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: October 16, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Variance to Burleigh County Policy- Chapter 2 SECTION 10: STARTING SALARY

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve a variance to the starting salary for Deputy Sheriff Kenneth Custodio.

Background:

Kenneth Custodio is a former employee of the Burleigh County Sheriff's Department and is seeking re-employment after a twenty-two month separation. See attached documentation.

Recommendation:

It is recommended that the County Commission approve the variance to the starting salary for Deputy Sheriff.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the variance to Burleigh County Policy Chapter 2 Section 10-Starting Salary.

COURTHOUSE

514 E. Thayer • PO Box 1416
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DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499
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Kenneth Custodio
Burleigh County Sheriff's Department
Employment History

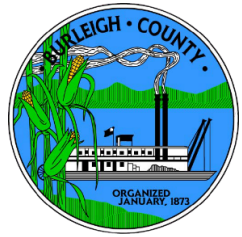
April 9, 2018 Hired as a Deputy Sheriff.
December 23, 2022 Resigned his position with Sheriff's Department.

Additional Information:

- Served as a Field Training Officer for new employees.
- Former Investigator
- Former Rural Enforcement and Outreach Deputy
- Former SWAT Team Member
- Former Drone Operator.
- Reinstated as Deputy Sheriff Grade 7 Step 6 with a probationary increase after six months to step and grade at time of resignation Pay Grade 7 Step 7.



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

November 18, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY WEED BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the October 4, 2024 meeting minutes.
5. Chemical application bids for 2025 season.
6. Other Business.
7. Adjourn.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the October 18, special meeting minutes and November 4, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Check replacement.
6. Bismarck Parks and Rec. Operations Manager Dave Mayer:
 - a. Special Road Funds Grant.
7. Comm. Munson:

- a. Missouri Valley Complex. Zoning amendment from PUD to Public.
8. County Engineer Hall:
 - a. Proposed project priority list.
 - b. Award of bids for Motor graders.
9. Sheriff Leben:
 - a. Handgun replacement project.
 - b. Back the Blue grant program update.
10. County Auditor/Treasurer Splonskowski:
 - a. Executive meeting minutes discussion.
11. County Finance Director Jacobs:
 - a. 2024 First Quarter investment report.
12. Other business.
13. Adjourn.

The next regularly scheduled Commission meeting will be on December 2, 2024.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY

WEED

BOARD

**BURLEIGH COUNTY WEED BOARD
MEETING MINUTES
October 4, 2024**

11:30 A.M

Chairman Bakken called the Burleigh County Weed Board meeting to order.

A roll call of members: Commissioners Munson, Bitner, Schwab, and Chairman Bakken present.

Motion by Comm. Bitner, 2nd by Comm. Munson to approve the agenda. All present voted "aye" motion carried.

Motion by Comm. Munson 2nd by Comm. Schwab to approve the August 19th, 2024, meeting minutes. All members present voted, "AYE." Motion carried.

County Weed officer Johnson went over the website setup and discussed format ideas. The Commissioners added ideas for the website to better serve the public.

Johnson then gave a Township roadway spraying report. He stated that they have managed to spray 39 out of 47 Townships but would try to keep running sprayers as long as possible.

Johnson gave an update on the Soil Conservation, he said that there tends to be issues with new tree rows that the plant and weeds taking over the areas.

Johnson then updated on the amounts of chemicals. He stated they sold mostly Milestone, however he also sold the other chemicals as well.

Johnson gave the board an update on the insurance for the distribution center. He stated that he spoke with Donna and said that the coverage is for the spraying or transporting chemicals only. He stated that he was unsure of the amount of coverage they should have for the Chemicals themselves in case of a power outage and the chemicals freeze. He suggested possibly purchasing a backup generator. They spoke about a grant that could possibly help pay for the generator. The Commission agreed by consensus to look further into the generator grant.

Johnson then gave the board an update on the proposed 2025 Chemical applicators contract. He asked if it would be beneficial to have more than 1 contractor. They also discussed how many times chemicals should be applied and set the dates for the Notice of Bids and removal of stipend from contract and talked about drone application. The Board agreed by consensus to remove the stipend from contract application and accept bidding dates accepting bids from December 1 through January 6 with an award date of January 20.

Johnson discussed that the conferences he attended were educational and he met the sales reps from Nutrien and Van Diest. He also mentioned upcoming meetings in Fargo, Mandan, and Bismarck. As well as getting Apps for his County phone as well as the possibility of a beetle program.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Steve Bakken, Chairman

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING
NOVEMBER 4TH, 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.

Three items were added to the agenda: first was a Bravera insurance presentation (which was to be done immediately following the agenda's approval), second was a Mr. Craig Olhauser speaking about the load restrictions on Highway 10, and third was about elections and other topics. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the amended meeting agenda. All members present voted "AYE". Motion carried.

Scott Fenrich from Bravera Insurance came forward to talk about the county's current insurance services and pitched to the Commission about Bravera Bank potentially submitting a proposal prior to the county's next insurance renewal. A consensus was reached among the commissioners to look into the idea as the county gets closer to renewing its insurance. No further action was taken.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the October 10th special meeting minutes and the October 21st meeting minutes and bills, with slight changes in the special meeting minutes to fix some typos. Comm. Bakken, Schwab, Munson, and Bitner voted "AYE"; Comm. Woodcox voted "NAY". 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Jeffery & Doreen Schumacher	2024	Block 33, City Lands 139-80, Beg 66' N of NE cor Blk 86 McKenzie & Coffins; thence W50' N150' E50' S150' to beg	Error in property description	\$379,200	\$267,600
Kristie Kulzer	2024	Block 16, Southwood Terrace Replat pt Blk 1, W40' of Lot 3, All Lots 4-7 Willow Wood Condo Unit 322	Error in property description	\$189,900	\$176,200
Stephen Crossairt	2024	1983 Blairhouse 70 x 14, VIN#74B4Z	Mobile home was removed from lot	\$17,050	\$0
Marlene Warnke	2022	2003 Champion 28 x 66, #05033200734	40% Homestead Credit	\$79,002	\$47,402
Richard Sprynczynatyk	2023	Block 41, Fisher, S20' of E75' of Lot 11 & E75' of Lots 12-13	100% Homestead Credit	\$129,200	\$29,200
Michael Sprynczynatyk	2023	Block 41, Fisher, S20' of E75' of Lot 11 & E75' of Lots 12-13	100% Homestead Credit	\$29,200	\$0
Kurtis Bender	2022	1974 Rollohome 14 x 72, #J1353	100% Homestead Credit	\$7,546	\$0
Kurtis Bender	2023	1974 Rollohome 14 x 72, #J1353	100% Homestead Credit	\$8,029	\$0
Kurtis Bender	2024	1974 Rollohome 14 x 72, #J1353	100% Homestead Credit	\$8,029	\$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Jeffery & Doreen Schumacher, Kristie Kulzer, Stephen Crossairt, Marlene Warnke, Richard Sprynczynatyk, Michael Sprynczynatyk, and Kurtis Bender (3) abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Chairman Bitner opened the floor for a public hearing concerning jake braking and County Engineer Hall's draft ordinance titled *Burleigh County Ordinance for the Regulation or Use of Unmuffled Compression Brakes Where Prohibited*. Julie Lawyer from the State's Attorney Office suggested the proposed ordinance replace the term "affirmative defense" with just "defense" in section 4 subsection 1. The public hearing was then closed. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the ordinance with the change to section 4 subsection 1 removing the term "affirmative". All members present voted "AYE". Motion carried. County Engineer Hall then presented an acceptance of right of way in Landsburg 2nd subdivision. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the acceptance of right of way. All members present voted "AYE". Motion carried.

Sheriff Leben came up and presented to the Commission the annual attendant care shelter agreement for renewal, which provides non-secure, short-term placement of children for low level offenses, in need of services, etc. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the agreement. All members present voted "AYE". Motion carried. Leben then went on to discuss the 2024 Justice Assistance Grant, which is an annual which allows the Sheriff's Department to purchase identified equipment. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the grant. All members present voted "AYE". Motion carried. Lastly, Sheriff Leben asked the Commission to approve a salary variance request for a deputy sheriff position in the

Sheriff's Department. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the salary variance request. All members present voted "AYE". Motion carried.

Comm. Munson told the Commission that he asked the Auditor's office to investigate how many terms are coming up at the end of December and encouraged anyone interested in being on any of the county boards to fill out an auxiliary board application. Deputy Auditor Caya stated that one spot in Bismarck planning commission (5-year term), one spot in the county housing authority (5-year term), three spots on the human service zone board (3-year terms), two spots on the county park board (3-year terms), and two spots in water management board (3-year terms) are ending their terms either in November or at the year's end. Comm. Munson then asked the Auditor's office to work with the county IT department to update the website with all the term durations and appropriate member information for said positions.

Comm. Schwab began talking about the CO2 Pipeline project by Summit Carbon Solutions, talking about how out-of-state actors and influences are being involved in the project, announcing his intentions of sending a letter to the John Deere corporation – one of the investors in the project – demanding to know why they're using eminent domain against their customers, and asked about how the Commission can find evidence of collusion between the North Dakota state government and Summit Carbon Solutions. Comm. Schwab then asked for a continuation of this discussion for the next meeting, and a consensus was reached among the commissioners on this point.

Craig Olhauser came forward to talk to the Commission about the load restrictions on Highway 10, and went into depth on how the Commission's decision from October 21st's commission meeting to implement 80,000 lb limit with legal axel loads from the Bismarck city limits at 66th Street to 158th Street, a 105,500 lb limit with legal axel loads from 158th to US Highway 83 by Sterling, and an 80,000 lb limit with legal axel loads again from Sterling to the county line as been affecting the farmers and businesses between the Sterling and Driscoll areas. Motion by Comm. Bakken, 2nd by Comm. Woodcox to implement a 105,500 lb limit with legal axel loads from Sterling to the county line on Highway 10 to remedy the issue. Comm. Bakken, Schwab, Woodcox, and Bitner voted "AYE"; Comm. Munson voted "NAY". Motion carried.

Comm. Munson asked Deputy Auditor Caya to come forward and explain the election process to the Commission and the public, as well as how secure the election process is. Caya explained that the only thing connected to the Internet are the poll pads used by the clerk to check voters in so that they can make sure they aren't voting more than once; all other machines, such as the ExpressVote and DS200 machines, are not connected to the Internet whatsoever. Caya then explained that once the DS200 machines tally all the votes, the information from the machine is stored in a media stick and printed on a paper receipt, which is then brought by the election workers to the auditor's office. Once there, the media sticks are plugged into a computer (that is once again not connected to the Internet) and processed, with that finalized information then transferred to another media stick and ultimately uploaded to the state.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING**

October 18, 2024

11:00 AM

Chair Bitner called the meeting of the Burleigh County Commission to order.

Roll call of the members: Chair Bitner, Commissioners Bakken and Munson present.

Emergency Management Director Mary Senger explained the October 12, 2024 Fire Emergency and Burn Restrictions Declaration is valid for seven days when signed by the Chair and can only be continued with the consent of the Board. Current restrictions would be in place through November 15, 2024.

Motion by Commissioner Bakken and second by Commission Munson to continue the Fire Emergency Declaration through November 15, 2024. All members present voted "AYE". Motion carried.

Meeting adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chair

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-658	Jacob Fred	2023	Lot 25, Block 3, Wheatland Hills	90% Disabled Veteran	\$273,100	\$111,100
24-664	Braxton & Alyssa Miller	2023	Lot 15, Block 6, Fort Lincoln Est #2	70% Disabled Veteran	\$223,200	\$97,200
24-680	Kelly Cargle	2023	Lot 12, Block 3, North Lincoln 2nd	90% Disabled Veteran	\$158,600	\$140,600
24-687	Prairie Aire Homes Inc	2024	Lot 9, Block 1, Whispering Ridge 2nd	Property was adjusted to reflect market value like similar properties	\$918,900	\$866,000
24-700	Lucas & Angela Wescott	2023	Lot 13, Block 10, Meadow Valley 3rd	50% Disabled Veteran	\$296,200	\$206,200
24-705	Blayn Auch	2022	Block 39, Park Hill (Aud Lots), N 126' of E1/2 of Auditor's Lot 39 less N 33'	Error in property description	\$188,100	\$152,400
24-706	Blayn Auch	2023	Block 39, Park Hill (Aud Lots), N 126' of E1/2 of Auditor's Lot 39 less N 33'	Error in property description	\$206,000	\$166,900
24-707	Blayn Auch	2024	Block 39, Park Hill (Aud Lots), N 126' of E1/2 of Auditor's Lot 39 less N 33'	Error in property description	\$219,100	\$177,600
24-710	Rainmaker Properties LLC	2024	Lots 9-10, Block 6, Morningside Heights Replat	Error in property description	\$1,132,200	\$1,041,400
24-711	Rainmaker Properties LLC	2024	Lot 18 & E45' of Lot 17, Block 14, Wachter's 2nd	Error in property description	\$855,100	\$813,100
24-712	Calvary United Methodist Church	2022	Lots 4-8, Block 2, East View	Error in property description	\$390,800	\$250,400
24-713	Calvary United Methodist Church	2023	Lots 4-8, Block 2, East View	Error in property description	\$390,800	\$250,400
24-714	Calvary United Methodist Church	2024	Lots 4-8, Block 2, East View	Proration of year, daycare no longer operating in church	\$390,800	\$20,900
24-718	Sondra Wedgeworth	2024	1975 Buddy 66 x 14, #4281	Mobile home removed from lot	\$8,171	\$0
24-719	Ronald Hulm	2023	Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums Unit 223 & Garage G-11 & parking space P-11	100% Homestead Credit	\$195,600	\$0
24-725	Norma Geiger	2022	E46' of Lot 8, Block 2, Sasse	100% Disabled Persons Credit	\$217,900	\$144,983

24-726	Norma Geiger	2022	Lot 3246 of Knollwood II Townhouse Project, Lot 1, Block 2, North Hills Fifth Addn	100% Disabled Persons Credit	\$234,200	\$182,117
24-727	Norma Geiger	2023	Lot 3246 of Knollwood II Townhouse Project, Lot 1, Block 2, North Hills Fifth Addn	100% Disabled Persons Credit	\$243,100	\$43,100
24-728	Bernie & Sandra Stolz	2023	Lot 20, Block 14, Replat Tibesar's 1st Subdivision	100% Homestead Credit	\$272,300	\$105,633

ITEM

6

November 13, 2024

Brian Bitner, Chair
Burleigh County Commission
221 North 5th Street
Bismarck, ND 58501

RE: Special Road Funds Grant – State of North Dakota – General Sibley Park and Campground – Day Use Park Road Rehabilitation Project

Dear Chair Bitner:

The Bismarck Parks and Recreation District is requesting the Burleigh County Commission to sponsor the submittal for a Special Roads Funds Grant with the State of North Dakota. The project we are planning to submit is the reconstruction of the day use park at General Sibley Park and Campground. The project entails not only the reconstruction of the roadway and parking lots along the route, but the addition of pavement at the boat ramp to encourage access and use of the boat ramp at the park.

We are requesting sponsorship from the County commission as a pass through for the funds. The Bismarck Parks and Recreation District would be responsible for any local matching funds required for the project.

Sincerely,



Kevin Klipfel
Executive Director

Cc: David Mayer, Operations Director

ITEM

7

Zoning Map Amendment—Missouri Valley Complex

As part of the re-zoning & re-platting of Missouri Valley Complex, a pre-application meeting with City of Bismarck staff was held to inform them of the plans for the area, as well as get their input on the project going forward.

While the project area is limited, the existing plat & PUD zoning affects properties owned by the State of North Dakota (Dept. of Transportation), and the City of Bismarck (Wastewater), and the Burleigh/Morton County Detention Center.

City of Bismarck staff has recommended that all of the properties currently zoned PUD in the Missouri Valley Complex are included in the re-zoning to P (Public). Similar facilities, such as the Missouri River Correctional Center and the ND State Penitentiary are in P zoned properties, so there is a precedent for correctional facilities being a standard/allowable use in the zoning.

There are benefits to this proposal for the Burleigh County and the City of Bismarck. Since the property is zoned PUD, significant changes/upgrades to the facility may require a PUD amendment approval from the city commission, which can take 3-4 months to be approved. With the change to P zoning, the approval process would be handled administratively by city staff in a significantly faster process. Additionally, including all of the properties in the zoning change would eliminate the need to track uses/construction for stand-alone PUD-zoned lots.

Our request to the county commission is to either sign the attached application to include the Detention Center in a zoning map amendment request, or forward the information to the Detention Center Board or Manager for their review.

Attachments:

Zoning map amendment application

Exhibits—City of Bismarck property; Burleigh/Morton Detention Center property; State of ND (DOT) property.



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E Main Ave

E Main Av

Missouri Valley
Fairgrounds

ND Game
& Fish

Hay Creek

E Bismarck Expy

Expressway
Bend

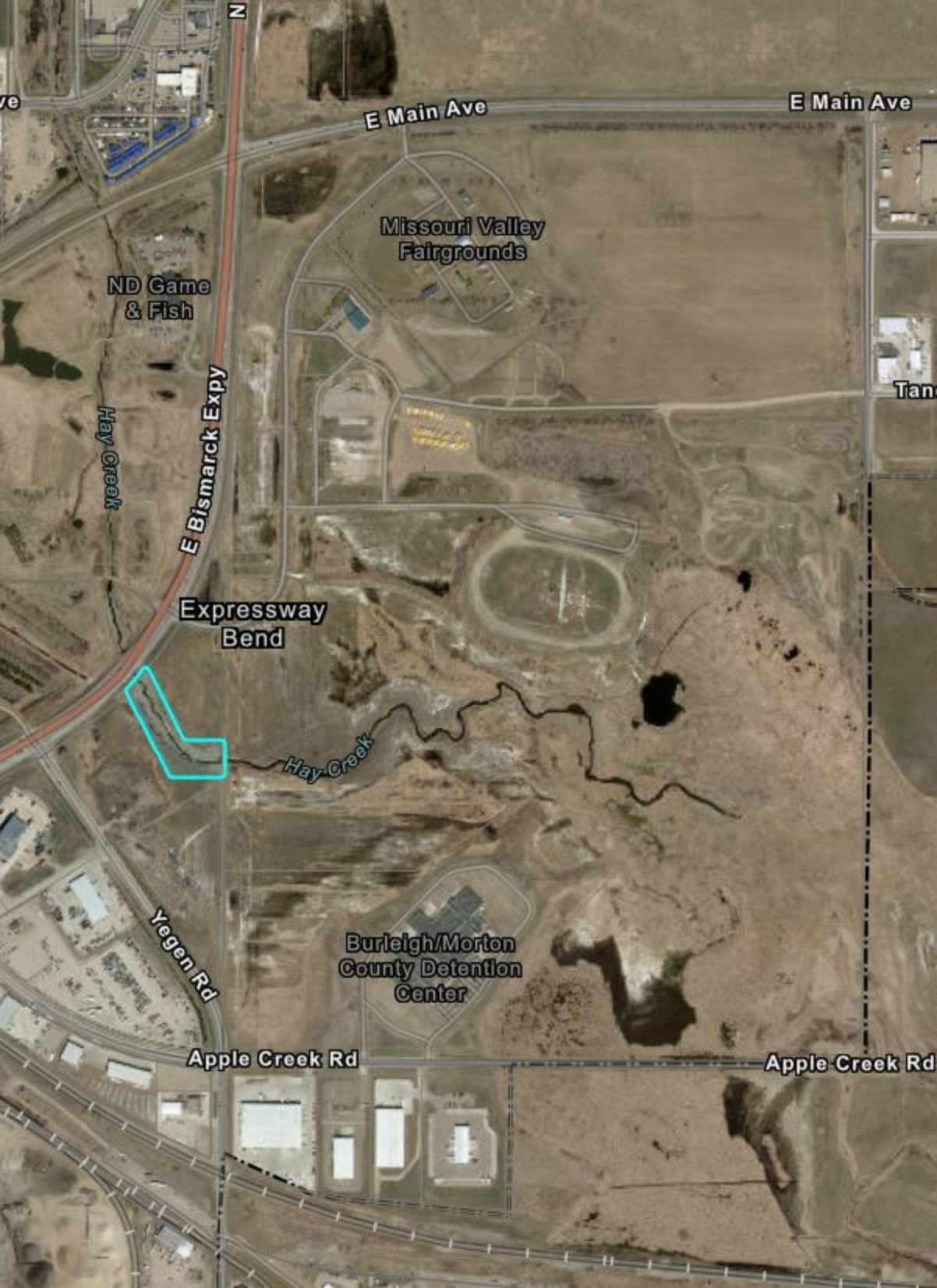
Hay Creek

Yegen Rd

Burlleigh/Morton
County Detention
Center

Apple Creek Rd

Apple Creek



E Main Ave

E Main Ave

Missouri Valley
Fairgrounds

ND Game
& Fish

Hay Creek

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Hay Creek

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County Detention
Center

Apple Creek Rd

Apple Creek Rd



City of Bismarck
 Community Development Department
 Planning Division
 Phone: 701-355-1840 • FAX: 701-222-6450
 PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov TDD: 711

Last Revised: 5/28/2024

UNIFIED DEVELOPMENT APPLICATION

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

Application submitted for (check all that apply):

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Preliminary Major Plat | <input type="checkbox"/> Final Major Plat | <input type="checkbox"/> Minor Plat | <input type="checkbox"/> Plat Vacation |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Planned Unit Development (PUD) / PUD Amendment | |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance | <input type="checkbox"/> Rural Lot Split (RR & RR5) | |
| <input type="checkbox"/> Major Street Plan Amendment | | <input type="checkbox"/> Future Land Use Plan Amendment | |

Lot Modification

- Lot Line Adjustment
- Lot Split
- Lot Combination

Plat Modification

- Street/Alley Vacation
- Easement Release
- Non-Access Line Release

PROPERTY INFORMATION			
Project Name:	Missouri Valley Complex Zoning Text Amendment		
Legal description: (Lot, Block, Addition/Subdivision)	Lots 1, 3-19 Block 1 Missouri Valley Complex		
Street address of property:	3805 E. Bismarck Expressway, Bismarck, ND		
Existing Zoning:	PUD	Proposed Zoning:	P
Acreage:		Number of Lots:	18
Description of development proposal, including reason(s) for the request: <i>(if additional room is needed, please attach a separate sheet)</i>	Re-Zone the Missouri Valley Complex area, including the city of Bismarck sanitary lift station, and the Burleigh-Morton County Detention Center to allow the Public zoning, the MVC committee, The Burleigh county Commission, and the City of Bismarck staff to interpret the uses within the area.		

APPLICANT/DEVELOPER	
Name:	Burleigh County
Mailing Address:	221 N 5th St., Bismarck, ND 58501

PROPERTY OWNER (If Different Than Applicant/Developer)	
Name:	State of North Dakota (Lot 3 Block 1)
Mailing Address:	600 East Boulevard Ave

CONTACT PERSON/CONSULTANT (If Different Than Applicant/Developer)	
Name:	Swenson Hagen & Co
Mailing Address:	909 Basin Ave., Bismarck, ND 58504

CONFIDENTIAL INFORMATION:

This application is an open record under NDCC 44-04 and will be available to the public for review. Telephone numbers and electronic mail (e-mail) that are provided to the Community Development Department for the purpose of communicating with an applicant are exempt from this requirement and are considered to be confidential/non-public information.

This portion of the application must be completed, but it will be kept separate from the rest of the application and the contact information contained herein will not be available to the public for review.

APPLICANT/DEVELOPER			
Name:	Burleigh County		
Daytime Phone:		E-mail:	

PROPERTY OWNER <i>(If Different Than Applicant/Developer)</i>			
Name:	State of North Dakota		
Daytime Phone:		E-mail:	

CONTACT PERSON/CONSULTANT <i>(If Different Than Applicant/Developer)</i>			
Name:	Swenson Hagen & Co		
Daytime Phone:	701 223 2600	E-mail:	lniemiller@swensonhagen.com

I/we attest that this application is complete with the required information as outlined in the attached submittal checklist. I/we grant approval for City of Bismarck staff to enter the property described herein for purposes related to evaluation, public notification, and documentation of the requested action.

If a subdivision plat application: Because of scheduling and calendar considerations, the subdivision plat may not be finally approved within 30 days as per NDCC Section 40-48-21. I/we hereby waive said requirements in return for expeditious consideration of my application by the City. I/we understand that the City of Bismarck will record the approved subdivision with the Burleigh County Recorder's Office on my/our behalf once it has been signed and submitted to the City in recordable form.

If an annexation application: I/we understand that the City will post legal notice of public hearing on my/our behalf rather than the applicant as specified in NDCC Section 40-51.2-05.

I/we understand the regulations of the Bismarck Zoning Ordinance and the North Dakota Century Code as they pertain to this request(s). I/we certify that all property owners have signed or ratified this application. I/we hereby request favorable consideration of the above-described development application.

(Applicant's Signature) (Printed Name) (Date)

(Owner's Signature, if different) (Printed Name) (Date)

(Additional Owner's Signature, if applicable) (Printed Name) (Date)

(Additional Owner's Signature, if applicable) (Printed Name) (Date)

VERIFICATION FOR PLAT MODIFICATION REQUESTS:

The oath of at least one petitioner is required for plat modification requests only
(vacation of street/alley, release of non-access line, or release of easement)

STATE OF NORTH DAKOTA)
 : SS
COUNTY OF BURLEIGH)

On this _____ day of _____, 20____, before me, a notary public in and for said county and state, appeared _____, known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

Notary Public
Burleigh County, State of North Dakota

Submittal Deadlines:

The Planning and Zoning Commission regularly meets on the fourth Wednesday of each month. All development applications – except for variances, lot modifications and plat modifications – are due at **12:00 noon on the Friday that is 33 calendar days prior** to the meeting.

The Board of Adjustment regularly meets on the first Thursday of each month. All development applications for variances are due at **5:00 p.m. on the Monday that is 24 calendar days prior** to the meeting.

The Board of City Commissioners regularly meets on the second and fourth Tuesdays of each month. All development applications for plat modifications (street/alley vacation, non-access line release, easement release) are due at **5:00 p.m. on the Friday that is 25 calendar days prior** to the meeting.

Development applications for lot modifications are processed administratively and may be submitted at any time.



City of Bismarck
 Community Development Department
 Planning Division
 Phone: 701-355-1840 • FAX: 701-222-6450 • TDD: 711
 PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov

Last Revised: 5/11/2017

SIGNATURES FOR MULTIPLE OWNERS

NOTE: E-TRAKIT APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

Use this signature page when more than one property owner is applying for a request.

PROPERTY INFORMATION	
TRAKIT Project #:	Missouri Valley Complex Zoning Amendment
Legal description: <small>(Lot #, Block #, Addition/Subdivision Name)</small>	Lot 6 Block 1 Missouri Valley Complex
Street address of property: <small>(if applicable)</small>	3701 E. Bismarck Expressway

I understand the regulations of the Bismarck Zoning Ordinance and the NDCC as they pertain to this request(s). I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above referenced project.

Michelle Klose
 City of Bismarck - Waste Water

 (Owner's Signature) (Printed Name) (Date)

 (Additional Owner's Signature) (Printed Name) (Date)

 (Additional Owner's Signature) (Printed Name) (Date)

	Written justification for the use of private roadways, if applicable	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Plat Vacation	Fee of \$1,200.00 Map of area to be vacated Legal description of area to be vacated	Submitted <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Annexation/ Detachment	Fee of \$750.00 Map of area to be annexed/detached Legal description of area to be annexed or detached	Submitted <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> Zoning Map Amendment	Fee of \$1,300.00 Map of area to be rezoned Legal description of area to be rezoned, including lots and blocks by district if multiple zoning district are requested	Submitted <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Planned Unit Development (PUD) or PUD Amendment	Fee of \$1,400.00 (new PUD) or \$1,100.00 (major PUD amendment) 1 print of the site exhibit, at not less than 1" = 100' scale and digital version (.pdf) <u>emailed to the City</u> or uploaded to TRAKIT 8-1/2 " x 11" paper reduction of the site exhibit Written statement Architectural drawings	Submitted <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Major Street Plan (MSP) Amendment	Fee of \$1,300.00 (if not submitted in conjunction with plat) Written justification outlining need for Major Street Plan amendment Map of proposed modification of roadway alignments, drawn to scale, in digital form (.pdf) <u>emailed to the City</u> or uploaded to TRAKIT	Submitted <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Future Land Use Plan (FLUP) Amendment	Fee of \$1,300.00 (if not submitted in conjunction with zoning map amendment) Written justification outlining need for Future Land Use Plan amendment Map of proposed amendment to Future Land Use Plan, drawn to scale, in digital form (.pdf) <u>emailed to the City</u> or uploaded to TRAKIT	Submitted <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

ITEM

8



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: November 18, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Burleigh County Proposed Project Priority List

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the 2025 Burleigh County Project Priority List

BACKGROUND:

The Highway Department will present to the County Board a proposed list of construction projects for the 2025 Construction Season. (Project List will be distributed at the Board Meeting.)

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board adopts the attached 2025 Burleigh County Construction Project List, and authorizes the Highway Department to allocate resources to design, acquire right of way and construct the prioritized projects under the North Dakota Century Code and Burleigh County policies.

2025 Construction Projects

RANK	PROJECT DESCRIPTION	PROJECT #	LENGTH	CONTRACTOR	FUNDING SOURCE	AMERICAN RESCUE PLAN	COST TO "COUNTY WORK IMPROVEMENT" LINE ITEM 878	COST TO "COUNTY WORK MAINT." LINE ITEM 879	COST TO "COUNTY WORK FOR OTHERS BILLED OUT" LINE ITEM 882	TOTAL PROJECT COST
1	Unorganized Township Chip Seal Program (Roadways to be determined in Spring of the Construction year)	1004-XX(25)	5.0 to 10.0 miles	Out for Bids	Unorganized Township Funds	\$0	\$0	\$0	\$150,000	\$150,000
2	Organized Township Chip Seal Program (Roadways to be determined in the Spring of the Construction year)	1004-XX(25)	5.0 to 10.0 miles	Out for Bids	Township Funds	\$0	\$0	\$0	\$150,000	\$150,000
3	County Chip Seal Program	1004-(25)	5.0 to 10.0 miles	Out for Bids	Burleigh County	\$0	\$0	\$200,000	\$0	\$200,000
4	Miscellaneous Smaller Projects (Both County and Township Projects)	N.A.	N.A.	Burleigh County	Burleigh County and Township Funds	\$0	\$0	\$200,000	\$200,000	\$400,000
5	Annual Gravel Road Construction Project - 26th Street NE from 43rd Avenue NE to 71st Avenue NE and 57th Avenue NE from 26th Street NE to Centennial Road. (Part 2 - Grading) (Year 2)	0072	3.0 mi	Burleigh County	Burleigh County	\$0	\$0	\$100,000	\$0	\$100,000
6	Bryan Slough Project (Forcemain)	0170	N.A.	Out for Bids	ARP	\$1,000,000	\$0	\$0	\$0	\$1,000,000
7	Microsurfacing Projects: 1) 71st Ave NE from US 83 to Centennial Road. 2) Centennial Road from 71st Ave NE to Jericho Road. 3) 66th Street SE from County Highway 10 to Lincoln Road.	0187	7.5 miles	Out for Bids	Burleigh County	\$0	\$562,500	\$0	\$0	\$562,500
8	Mill and overlay of County Highway 10 from 236th Street SE to US83. (Total cost \$2,700,000 @80/20 split Fed: \$2,160,000 Local: \$540,000)	0185	6.0 miles	Out for Bids	Federal and Burleigh County	\$0	\$540,000	\$0	\$0	\$2,700,000
9	Chip seal of County Highway 10 from 66th Street SE to US83. (Total cost \$665,000 @80/20 split Fed: \$532,000 Local: \$133,000)	0185	19.0 miles	Out for Bids	Federal and Burleigh County	\$0	\$133,000	\$0	\$0	\$665,000
10	Intersection reconstruction work: Intersection of County Highway 10 and 80th Street SE. (Added to Construction Program by County Board in January 2025.)	SFP-0001(25)	N.A.	Out for Bids	Burleigh County	\$0	\$638,112	\$0	\$0	\$638,112
11	Reconstruction of Fuller Ave, Cavalry Drive, Rifle Range Drive, and Carbine Drive (Phase II - Grading and Drainage)	0171	2.0 mi	Out for Bids	Lincoln Township	\$0	\$0	\$50,000	\$100,000	\$150,000
					TOTAL Annual Cost =	\$1,000,000	\$1,873,612	\$550,000	\$600,000	\$6,715,612

County Work Improvement line item 878 will be 100% Prairie Dog Funding.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.gov

Request for County Board Action

DATE: November 18, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

Please include the following item in the next Burleigh County Board packet.

ACTION REQUESTED:

Authorize the proper County officials to accept the low bid for 2 (two) new Motor Graders.

BACKGROUND:

On October 7, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for 2 (two) new Motor Graders under a 5 year - total cost bid with a guaranteed repurchase price at the end of this period. Bids were opened on November 4, 2024 and the following bids were received:

	<u>At Bid Opening</u>		
	<u>Total Sum bid</u>	<u>Less Buy Back</u>	<u>Total Bid Cost</u>
RDO Equipment	\$452,400.00	\$167,100.00	\$285,300.00
Butler Machinery	\$468,300.00	\$180,000.00	\$288,300.00

Budget Amount \$962,000.

New units will be a John Deere 772GP.

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the following low bid from RDO Equipment for 2 (two) Motor Graders of \$904,800.00 under a 5 year - total cost bid with a guaranteed repurchase price at the end of this period, and authorize the proper County officials to enter into a contract with said bidder.

ITEM

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BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: November 13, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben *Kelly H*
Burleigh County Sheriff

Re: Handgun Replacement Project

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Approve the purchase of departmental handguns and related equipment from the Burleigh County Asset Forfeiture Fund.

Background:

The Burleigh County Sheriff's Department is in the process of replacing all handguns and related equipment based on lifecycle replacement. This replacement was budgeted for in the 2025 budget. In accordance with the Burleigh County Asset Forfeiture Policy, commission approval is required based on total cost.

Recommendation:

It is recommended that the County Commission authorize purchase of departmental handguns from the department Asset Forfeiture account.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to purchase the requested equipment with Burleigh County Asset Forfeiture funds.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416

P 701-222-6651 • F 701-221-6899

www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: November 13, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Back the Blue Grant Program-Update

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Request authorization to adjust funding amounts from ND Back the Blue Grant Program.

Background:

HB 1307 approved during the 2023 legislative session awards money to ND Law Enforcement agencies to assist with recruitment and retention of Deputy Sheriff and Detention Officer positions. The Burleigh County Sheriff's Department requests authorization to adjust funding amounts based on staff turnover.

Recommendation:

It is recommended that the County Commission authorize the Burleigh County Sheriff's Department to implement program changes and expend funding amounts received from the grant.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to implement the updated program as presented.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416

P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319

ITEM

10

**BURLEIGH COUNTY COMMISSION
MEETING**

JULY 15TH, 2024

8:30 AM *Pledge of Allegiance*

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

Roll call of the members: Commissioners Woodcox, Munson, and Chairman Bitner were present; Comm. Bakken and Schwab were initially absent, both of whom arrived later.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the July 1st, 2024 meeting minutes and bills subject to Comm. Schwab's review. All members present voted, "AYE".

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
Bryan & Krista Diede	2023	Block 3, Country West XXVI, Lot 1 & N 5' of Lot 2	100% Disabled Veteran	\$283,000	\$229,000
Dennis & Aleja-Laura Larson	2023	Lot 14, Block 25, Wachter's 9th	100% Disabled Veteran	\$451,500	\$271,500
Jerome & Gloria Braxmeyer	2023	Lot 90 & undivided interest in common areas, Block 3, Southbay 2nd Addn	60% Disabled Veteran	\$680,700	\$572,700
Nii Amahtey Sampah & Antoinette Newman	2023	Lot 26, Block 8, Heritage Park Addition	100% Disabled Veteran	\$414,600	\$234,600
William & Jeanne Hunt	2023	Lot 2, Block 4, High Meadows 5th	Error in property description	\$365,400	\$346,900
William & Jeanne Hunt	2024	Lot 2, Block 4, High Meadows 5th	Error in property description	\$376,600	\$358,100
Tyler & Danielle Goetz	2022	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$376,000	\$340,400
Tyler & Danielle Goetz	2023	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$403,000	\$367,400
Tyler & Danielle Goetz	2024	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$412,200	\$376,600
Marsha Reimnitz	2023	Block 2, East View, Lot 502B of Lot 22 less S 50' of W 22' of said Lot 22	100% Homestead Credit	\$192,300	\$0
Heather Housley	2023	SW1/4 Com at pt 890.8' W & 157' N of SE cor N80' E235' S80' W235' to pt of beg and tract 15' x 235', Block 2, Wing lands	100% Homestead Credit	\$42,500	\$0
Dennis & Pamela Buchholz	2023	Block 29, Stein's 4th, Lot 1A of Lot A of Lot 2 also known as tract AA	50% Homestead Credit	\$214,500	\$114,500

Andrew Reimnitz	2023	Lot 2, Block 5, Parkview	50% Homestead Credit	\$217,700	\$117,700
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Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the Diede, Larson, Braxmeyer, Sampah & Newman, Hunt (2), Goetz (3), M. Reimnitz, Housley, Buchholz, & A. Reimnitz abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Jason Bohoer provided the Commission an update from the Lignite Energy Council, giving a rundown on how several factors – such as recent regulatory pushes by the Environmental Protection Agency, pressure from the neighboring state of Minnesota, and difficulty getting access to capital – have been affecting the state of North Dakota's lignite industry.

Brent Ekstrom from the Lewis & Clark Development Group came forward next and clarified to the Commission about what the Lewis & Clark Development Group does as an organization, namely lending for homeownership, affordable housing, and helping businesses connect with banks.

County Engineer Hall presented to the Commission from the city of Bismarck the Central Outpost Subdivision plat and recommended the Commission accept the platted right of way. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the platted right of way. All members present voted "AYE". Motion carried.

Emergency manager Senger presented to the Commission an idea to apply for the National Flood Insurance Community Rating System in a cost share opportunity alongside the Burleigh County Water Resource District for a 10 percent discount. Motion by Comm. Woodcox, 2nd by Comm. Bakken to the cost share. All members present voted "AYE". Motion carried.

Finance Director Jacobs appeared and gave an update on the general funds reserve, stating that the general fund reserves is currently sitting somewhere around \$16.6 million and leaves a current reserve balance of 47.6 percent. Jacobs estimated that the general funds reserve at year's end could end somewhere in the realm of \$19.5 to \$21.5 million.

The Missouri Valley Complex Committee brought to the Commission a request to approve engaging in the services of Swenson and Hagen phases one and two on behalf of the Committee to update the plat, and to approve the funding for the engineering services. Motion by Comm. Munson, 2nd by Comm. Woodcox to the approve the Missouri Valley Complex Committee's request. All members present voted "AYE". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission the preliminary review for Burleigh County's 2025 budget, with important points of focus including an update to the courthouse's boiler system (which would be paid through the county's general fund reserves), employee retention & recruitment, increased funding for public health, additional staff, and increased funding for the highway department. Splonskowski stated that the total 2025 general fund expenditure budget is \$40,383,254 (70 percent of that amount – or \$28,526,548 – is from salaries and fringe benefits), and the 2025 expenditure budget is \$75,018,395.

The Commission discussed individual items in the preliminary budget as follows:

- First: a discussion about the need to update the boiler in the county courthouse arose. Given that the issue had been brought up time and time again in past meetings and is necessary for day-to-day functioning of the courthouse, a motion was made by Comm. Munson, 2nd by Comm. Bakken to pay for a new boiler in the county courthouse out of the county's current maintenance fund, with any excess to come from general fund reserves. All members present voted "AYE". Motion carried.
- Second: Comm. Munson made a point that the county needs to be more involved in the management of Public Health, as Burleigh County only has a 25 percent share on the board of Bismarck-Burleigh Public Health; Comm. Munson advocated for Burleigh County to develop the necessary funds and reserves to either create its own or take over current public health operations. Motion by Comm. Bakken, 2nd by Comm. Schwab to not go with Munson's proposal and instead maintain the county's current commitment to Bismarck-Burleigh Public Health at 25 percent. Comm. Bakken, Schwab, and Bitner voted "AYE"; Comm. Munson and Woodcox voted "NAY". Motion carried.
- Third: within the current preliminary budget, the budget includes a two-step and two percent COLA increase to county employee salaries. This was discussed by the Commission, who decided to hold off on making any changes to this aspect until the next budget meeting. No further action was taken.

- Fourth: the Commission reviewed a request by the Planning Department for an additional planner employee as well as \$90,000 for a comprehensive planning update. County Planning Director Mitch Flanagan was not present to help answer some of the details the Commission wanted answers for. Motion by Comm. Bakken, 2nd by Comm. Woodcox to keep the employee and eliminate the plan update. Comm. Bakken, Schwab, Woodcox, and Bitner voted “AYE”; Comm. Munson voted “NAY”. Motion carried.
- Fifth: the Commission reviewed a renewed proposal for the hiring of a county administrator. While Chairman Bitner and Comm. Munson said they didn’t see a need for that position, Comm. Bakken and Woodcox disagreed. Both dissenting commissioners argued that with the current fractionalized nature of county operations – and as said operations look to move into the Provident Building and grow from there – the position of a county administrator should be considered more seriously. As discussion on this topic eventually came to a deadlock, a motion was made by Comm. Bakken, 2nd by Comm. Schwab to strike the county administrator position out of the budget. Comm. Bakken, Schwab, Woodcox, and Bitner voted “AYE”; Comm. Munson voted “NAY”. Motion carried.
- Sixth: the Commission reviewed a request by the Auditor’s office for an additional accountant. Auditor/Treasurer Splonskowski informed the Commission that this year the Finance Department was expressly forbidden from assisting the Auditor’s office by decision of the current portfolio holder of both the Finance Department and Auditor’s office (who is currently Chairman Bitner). Historically, the Finance Department has always assisted the Auditor’s office in the budget-making process; thus, the decision to bar the Finance Department and Auditor’s office from working together has resulted in an increased workload on the Auditor’s side. Splonskowski continued by saying if some of the Finance Director’s responsibilities are to be transferred over to the Auditor’s office, additional staff in the Auditor’s office is required to help with the increased workload. In the absence of the Finance Department, it was acknowledged that former Burleigh County Finance Director Clyde Thompson had been offering his services to help craft the budget for Burleigh County. Commissioner Munson pointed out that there was an agreement in place for the Finance Director Jacobs and Assistant Finance Director Schmidt to have 20 hours per week dedicated to working in the Auditor’s office for training and interdepartmental assistance, and perhaps suggested strengthening that option to resolve the problem. Comm. Schwab and Chairman Bitner both also proposed furthering the education of current staff within both the Auditor’s office and Finance Department. Motion by Comm. Munson, 2nd by Comm. Bakken to strike the accountant position out of the budget and maintain the 20-hours per week floating arrangement. Comm. Bakken, Schwab, Munson, and Bitner voted “AYE”; Comm. Woodcox voted “NAY”. Motion carried.
- Seventh: the Commission reviewed a request by the State’s Attorney office for additional staff. All of the Commission was in agreement to keep the request as is due to the State’s Attorney office remaining consistently understaffed. No further action was taken.
- Eighth: the Commission reviewed the Sheriff’s Department’s portion of the budget and had no questions for the Sheriff’s Department. No further action was taken.

The County Commission adjourned at 11:06 AM to allow the Burleigh County Park Board to conduct its meeting after reaching a quorum. The County Commission then reconvened at 11:12 AM to enter an executive session regarding the Provident Building; it publicly reconvened at 11:30 AM to continue its discussion of the preliminary budget. Roll call of the members: Commissioners Woodcox, Munson, Bakken, Schwab, and Chairman Bitner were present. Motion by Comm. Bakken, 2nd by Comm. Munson to proceed with their discussion from executive session to just affirm their consensus. All members present voted “AYE”.

- Ninth: the Commission reviewed the Highway Department’s portion of the budget. It was noted that the 2025 Highway Department proposed budget was around \$2 million less than 2024’s, as the Highway Department made many cuts to their budget. After some discussion, motion by Comm. Munson, 2nd by Comm. Bakken to have the Highway Department use their previous 2024 budget amount of \$16,482,488 for their 2025 operating budget with no mill levy increase using Legacy fund, General fund reserves, and Prairie Dog funds to fill it. Comm. Bakken, Schwab, Munson, and Bitner voted “AYE”; Comm. Woodcox voted “NAY”. Motion carried.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the preliminary budget. All members present voted “AYE”. Motion carried.

Emergency manager Senger returned to inform the Commission that at some point the county should look at negotiating a contract for the bid pot project for the water line and remodel, but the Commission had already taken the next steps necessary for that project.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

**BURLEIGH COUNTY COMMISSION
MEETING**

AUGUST 19TH, 2024

5:08 PM

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.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the August 5th, 2024 meeting minutes and 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Charles & Tina Erling	2023	Lot 21, Block 13, Eagle Crest 6th Addition	Error in property description	\$611,300	\$486,800
Charles & Tina Erling	2024	Lot 21, Block 13, Eagle Crest 6th Addition	Error in property description	\$588,600	\$464,100
Bismarck Parks and Recreation District	2024	Lot 32, Block 1, Promontory Point VII	Property exempt from taxation	\$27,100	\$15,800
Jacqueline K Haag	2024	Block 7, North Hills 1st, Auditors Lot 3116 & undivided interest in common area	Error in property description	\$312,900	\$295,500
David & Sandra Fix	2023	Lot 6, Block 2, Rolling Hills 1st	50% Homestead Credit	\$358,400	\$258,400
Eric Remyense	2024	Lot 7, Block 8, Dakota Breeze	Basement only studs as finish	\$327,100	\$299,200
Joseph & Bonnie Newman	2023	Block 19, Wachter's 3rd, Lot 5 Southwood Condo Unit II	50% Homestead Credit	\$154,800	\$77,400
Eugene & Joyce Baldwin	2023	Lots 3-4, Block 18, Fisher	100% Homestead Credit	\$227,200	\$27,200

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the Charles & Tina Erling (2), Bismarck Parks and Recreation District, Jacqueline K Haag, David & Sandra Fix, Eric Remyense, Joseph & Bonnie Newman, and Eugene & Joyce Baldwin abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Bismarck City Planning Manager Daniel Nairn came forward to the Commission to give an update on the Bismarck Renaissance Zone program. Mr. Nairn explained that per a previous recommendation by the city of Bismarck, some changes were to be made to some of the program guidelines in order for the project to work a little smoother and clearer. These changes include appointing a county commissioner for a year to the Renaissance Authority; the appointment of members to the Renaissance Authority by local authorities (including the school board, the park board, and the county commission); that any changes to the plan would need to be brought to the local authorities; and that the base value of the property before the exemption is approved would remain the same rather than only the lot value being taxed as before. Mr. Nairn presented a request for both the Commission's support of continuing the program for 5 years and an approval of the development plan. Motion by Comm. Munson, 2nd by Comm. Woodcox to support the continuation of the Bismarck Renaissance Zone program for 5 years and approval of the

development plan. Comm. Munson, Bakken, and Woodcox voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

County Planner Flanagan presented a clarification of a special use permit appeal by Stall Farms and Balwin Greenhouse and Nursery for a corn maze near Baldwin. Because there is no ordinance yet in place to allow for the corn maze to operate as intended, no further action was required.

County Engineer Hall came and presented a pavement waiver request by a proposed subdivision in Sterling Township, and recommended approval of the proposal. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the meeting agenda. All members present voted "AYE". Motion carried. Hall then presented another pavement waiver request by a proposed subdivision in Riverview Township, and also recommended approval of the proposal. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the meeting agenda. All members present voted "AYE". Motion carried. Hall then asked for clarification on the 2025 Highway budget, as the Commission voted to have the Highway Department have the same budget amount as their 2024 budget but keep the same mill levy, then later voted to have the dollar figure remain the same. This contradiction by the Commission would leave the Highway Department short on cash needed for their budget because of the difference between the same mill levy versus the same dollar amount. Motion by Comm. Woodcox, 2nd by Comm. Bakken to reduce the proposed mills to keep the dollars levied the same as 2024 and then transfer cash from the general reserve account, per Hall's recommendation. Comm. Bakken, Munson, Woodcox, and Schwab voted "AYE"; Comm. Bitner voted "NAY". Motion carried.

Sheriff Leben gave the Commission another update regarding the Burleigh East remodeling efforts, saying that because the project is larger than anticipated the county will need to open bids in accordance with North Dakota century code. First motion by Comm. Munson, 2nd by Comm. Woodcox to allow the Sheriff's Department to begin contact architects to get the process started, with second motion by Comm. Woodcox, 2nd by Comm. Bakken to prevent Comm. Bitner from voting in the first motion. All members excluding Bitner present voted "AYE" for both motions. Motions carry.

Finance Director Jacobs gave another sales tax bond update, stating that the county executed its contract with the bidding agent.

Chairman Bitner then requested to hold an executive session regarding negotiation/negotiation strategy. Motion by Comm. Woodcox, 2nd by Comm. Bakken to move into executive session. All members present voted "AYE". Motion carried.

The County Commission reconvened after the end of the executive session with all members present. Motion by Comm. Bakken 2nd by Comm. Munson to approve the consensus determined in Executive Session. All members present voted "AYE." Motion carried.

Meeting adjourned.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

ITEM

11

BURLEIGH COUNTY FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: NOVEMBER 13, 2024

TO: MARK SPLONSKOWSKI
County Auditor

FROM: LEIGH J JACOBS, CPA
Finance Director

RE: Q1 2024 Investment Report to Burleigh County Commission

Please place the attached Q1 2024 Investment Report to the Burleigh County Commission on the next Burleigh County Board agenda.

ACTION REQUESTED:

Receive the Q1 Investment Report as required by the County Investment Policy.

BACKGROUND:

The County Investment Policy requires quarterly and annual investment reports to be delivered to the Burleigh County Commission. This requirement has been neglected in recent years. Consequently, the Finance Department prepared a quarterly report for Q1 2024 to begin to get the County up to date on its reporting requirements to the Commission.

RECOMMENDATION:

It is recommended that the Board review the attached Q1 2024 Investment Report. Staff will be available at the meeting to answer questions.

**BURLEIGH COUNTY, NORTH DAKOTA
REPORT ON INVESTMENT RETURN
Q1 2024**

Prepared by

BURLEIGH COUNTY FINANCE DEPARTMENT

NOVEMBER 1, 2024

EXECUTIVE SUMMARY

The County’s investment policy requires a quarterly report to management on the following topics: disclosure of all transactions during the quarter; summary of the quarter’s total investment return; indication of any areas of policy concern (if identified); and suggested changes to investment strategy.

TRANSACTIONS DURING THE QUARTER

The County made only two **active investment decisions** during the quarter. The **first active decision** made on February 2nd was to invest January’s sales tax and the proceeds from a matured US Treasury (“Treasury” or “Treasuries”); however, February and March sales tax were **not** invested during the quarter, nor was a Treasury which matured in February. The **second active decision** made effective February 28th was to re-invest with Choice Bank Certificates of Deposit (CDs) from Choice Bank which matured during the quarter. It is unclear if the County received bids when making this decision. The re-invested CDs had significantly lower yields than the Treasury benchmarks. For example, the County purchased a 3-month CD with Choice for \$2,400,000 which yielded 4.0% when Treasuries purchased the same day with the same 3-month maturity yielded 5.38%.

The County made **passive investment decisions** during the quarter. The County allowed CDs to mature into money markets at First International Bank. The money markets yielded lower than Treasuries. The County also allowed sales taxes and maturing Treasuries at the Bank of North Dakota (“BND”) to accrue in BND’s money market earning 6/10ths of a percent (.6%) rather than promptly re-investing in Treasuries. Treasury yields exceeded 5% during this time.

RETURN ON INVESTMENT

Bank	Average Balance	Interest Earned 1/1/2024 - 3/31/2024	Benchmarked Interest	Difference Over/(Under) Benchmark
Bank of North Dakota (money market)	\$ 4,746,089.98	\$ 7,021.61	\$ 63,047.87	\$ (56,026.26)
Wells Fargo	25,906,371.37	262,250.52	306,918.78	(44,668.26)
First International Bank	32,953,683.60	373,512.49	391,630.79	(18,118.30)
BNC National Bank	1,194,626.77	40,071.14	44,671.05	(4,599.91)
Choice Bank	5,412,862.91	65,995.99	75,546.83	(9,550.84)
Bravera	4,778,409.78	61,002.03	64,276.28	(3,274.25)
	\$ 74,992,044.40	\$ 809,853.78	\$ 946,091.60	\$ (136,237.82)

Using Treasuries as a benchmark, the County **underperformed** the market by \$136,238 during the quarter. Much of this came from the failure to invest sales tax proceeds in a timely manner; failure to invest the BND sales tax debt service account at all; delays in investing maturing investments; failure to properly utilize the Wells Fargo Zero Balance Account; and the overuse of money markets for convenience, despite money markets underperforming Treasuries in all months of the quarter.

Every decision the County made during the period performed below the benchmark. The only exception is the BND sales tax accounts which are invested in Treasuries; however, those accounts were not effectively managed. On average, the County had \$4,746,090 in uninvested funds on hand at BND throughout the quarter. These funds sat in BND’s money market earning 6/10ths of a percent (.6%).

POLICY CONCERNS

The County's investment policy is adequate; however, the County is not following the policy. The County seems to be disregarding the policy objectives. For example, the County has over \$13,000,000 in uninvested cash in BND's money market at quarter end earning only 6/10ths of a percent (.6%) while Treasuries yield over 5%. This is contrary to the policy objective of "Yield" which requires the County to prioritize yield when sufficient liquidity exists.

CHANGES TO INVESTMENT STRATEGY

The County's investment practices prioritize convenience above the policy objectives. For example, the County accepts a lower rate of return than the benchmark for the convenience of using money markets. Fully eighty percent (80%) of the County's non-sales tax investments are held in money markets at quarter end. The County should re-structure its investment strategy to comply with the investment policy. Convenience should be considered only after other investment objectives are achieved.

REPORT ON INVESTMENT PERFORMANCE

BURLEIGH COUNTY

JANUARY 1, 2024 THROUGH MARCH 31, 2024

Burleigh County has a formal investment policy which guides investment decisions. The policy requires both annual and quarterly reporting to the Burleigh County Commission (hereafter “the Commission.”) The purpose of the required quarterly report is to disclose all transactions during the quarter; to summarize the quarter’s total investment return; to indicate any areas of policy concern (if identified); and to suggest changes to investment strategy.

TRANSACTIONS DURING THE QUARTER

At year end, the County held \$85,036,281 in investments. This amount does not include funds held in trust for other entities such as property taxes received on behalf of the City of Bismarck, the School District, etc.

The table below summarizes the investment decisions the County made during Q1 2024:

Date	Bank	Description	Amount	Investment Decision	Alternative Decisions
1/23/2024	Bank of North Dakota	Sales Tax Deposit	700,759.27	Did not invest until 2/2/2024 - left in BND Money Market earning .60%	Treasuries - 1 Month 5.39%; 3 month 5.37%; 6 month 5.24%; 12 month 4.81%
1/31/2024	Bank of North Dakota	Note Matures	4,000,000.00	Did not invest until 2/2/2024 - left in BND Money Market earning .60%	Treasuries - 1 Month 5.38%; 3 month 5.38%; 6 month 5.22%; 12 month 4.73%
2/16/2024	First International Bank	CDs Mature	7,751,159.46	Cash matured into money market earning 5.21%	Treasuries - 1 Month 5.38%; 3 month 5.39%; 6 month 5.34%; 12 month 5.00%
2/22/2024	Bank of North Dakota	Sales Tax Deposit	1,405,633.01	Did not invest until 4/2/2024 - left in BND Money Market earning .60%	Treasuries - 1 Month 5.39%; 3 month 5.41%; 6 month 5.35%; 12 month 5.01%
2/28/2024	Choice Financial	CD Matured	6,000,000.00	Reinvested as below:	
2/28/2024	Choice Financial	Invest CD	2,400,000.00	Invest CD @ Choice - 3 months, 4%	Invested in 3 month Treasury @ 5.38%
2/28/2024	Choice Financial	Invest CD	868,187.99	Invest CD @ Choice - 6 months, 4.5%	Invest in 6 month Treasury @ 5.32%
2/28/2024	Choice Financial	Invest CD	1,000,000.00	Invest CD @ Choice - 12 months, 4.75%	Invest in 12 month Treasury @ 5.01%
2/29/2024	Bank of North Dakota	Note Matures	1,862,677.25	Did not invest until 4/2/2024 - left in BND Money Market earning .60%	Treasuries - 1 Month 5.39%; 3 month 5.41%; 6 month 5.35%; 12 month 5.01%
3/21/2024	Bank of North Dakota	Sales Tax Deposit	922,938.59	Did not invest until 4/2/2024 - left in BND Money Market earning .60%	Treasuries - 1 Month 5.37%; 3 month 5.39%; 6 month 5.32%; 12 month 5.01%
3/28/2024	BNC	Note Matures	1,147,018.68	Did not invest until 4/19/2024 - deposit in Wells Fargo earning 5.19%	Treasuries - 1 Month 5.39%; 3 month 5.37%; 6 month 5.34%; 12 month 5.03%

The highlighted decisions above represent **active investment decisions** made during the quarter. These are decisions where the County directed the investment of County funds. All other decisions made during the quarter were **passive investment decisions** where the County did not direct the investment of County funds. In total, the County made **two** active investment decisions during the quarter.

The first active investment decision was made February 1, 2024 and effective February 2, 2024. The timeline in making this decision is as follows:

1/25/2024: Carrie Willits, the Trust Officer at BND, emails the County Auditor/Treasurer and Deputy Auditor/Treasurer informing that a Treasury Note with a balance of \$4,000,000 and interest of \$50,000 will mature on 1/31/24. She also indicates that an additional \$1,000,000 is available for re-investment.

2/1/2024: The County Auditor directs BND to invest the available funds into a 3-month Treasury. The investments are made the following day.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31,2024**

The second active investment decision was made 2/28/2024. A CD in the amount of \$6,000,000 matured at Choice Bank. The County re-invested the funds at Choice Bank to mature for 3 months at 4.0%, 6 months at 4.5% and 12 months at 4.75%. It is unclear if the County received bids for these investments as required by our investment policy; however, bids received from BND only 1 month prior to this were significantly higher for 3 and 6 month Treasuries and equivalent for 12 month Treasuries – although by the time this investment was made, yields on a 12 month Treasury had increased by .25% and therefore exceeded the yield on the 12-month CD from Choice Bank.

Passive investment decisions involved depositing the proceeds from matured investments into money markets. Certificates of Deposit from First International Bank matured in the quarter and were deposited in the bank's money market earning 5.21%. At this time, a one month Treasury yielded 5.39%. A certificate of deposit held at BNC National Bank matured at the end of the quarter; however, this was not re-invested until 4/19/2024. It's unclear where this cash was deposited prior to being re-invested.

The other passive investment decision involved sales tax deposits and maturing Treasuries at BND which were not promptly re-invested. The County received sales tax deposits monthly and proceeds from maturing notes in February and March. These funds were not invested until 4/2/2024. During that time, they earned only 6/10ths of one percent (.60%) in BND's money market. Treasury yields during this time were as follows: one-month for 5.39%; three month for 5.41%; six month for 5.35%; and twelve month for 5.01%.

RETURN ON INVESTMENT

To give context to our return on investment, we benchmarked our quarterly returns against US Treasuries of comparable term purchased on the same day. For example, a six month CD is benchmarked against a six month Treasury; a twelve month CD against a twelve month Treasury, etc. Money markets or demand deposits are benchmarked against a one-month treasury. The rationale behind using the one-month benchmark for money markets or demand deposits is that an investor can achieve comparable liquidity to a demand deposit by investing, on a rolling basis, in one-month Treasuries, such that the Treasuries mature on a daily, weekly, biweekly, etc. basis. (In fact, this is probably exactly what the public-fund money markets are doing.)

We summarize the return on investment below. For investments maturing during the quarter, we benchmark the investment performance against a US Treasury, of similar maturity, purchased on the same day the investment was purchased; however, we only benchmark interest earned during the quarter (1/1/2024 through 3/31/2024). We retrieved historical Treasury data from the US Treasury website for use in this report.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31, 2024**

BANK OF NORTH DAKOTA

Date	Transaction	Amount	Burleigh Share BND Account Balance	Invested	Uninvested Cash	Interest @ BND	Days Not Invested	Interest Earned (Actual)	Interest @ Benchmark- 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
12/31/2023	Bank Statement		32,102,795.76	28,706,621.00	3,396,174.76	0.60%	23	1,284.03	5.39%	11,534.90	\$ (10,250.87)
1/23/2024	Sales Tax Deposit	700,759.27	32,803,555.03	28,706,621.00	4,096,934.03	0.60%	8	538.77	5.39%	4,839.99	(4,301.22)
1/31/2024	Note Matures	4,000,000.00	32,946,817.08	24,706,621.00	8,240,196.08	0.60%	1	135.46	5.38%	1,214.58	(1,079.13)
2/2/2024	Purchase T Note	5,369,500.00	32,946,817.08	30,076,121.00	2,870,696.08	0.60%	20	943.79	5.39%	8,478.38	(7,534.59)
2/22/2024	Sales Tax Deposit	1,405,633.01	34,352,450.09	30,076,121.00	4,276,329.09	0.60%	7	492.07	5.39%	4,420.44	(3,928.36)
2/29/2024	Note Matures	1,862,677.25	34,423,200.78	28,213,443.75	6,209,757.03	0.60%	21	2,143.64	5.39%	19,257.05	(17,113.41)
3/21/2024	Sales Tax Deposit	922,938.59	35,346,139.37	28,213,443.75	7,132,695.62	0.60%	7	820.75	5.37%	7,345.70	(6,524.95)
3/28/2024	Notes Mature	6,313,443.75	35,346,139.37	21,900,000.00	13,446,139.37	0.60%	3	663.10	5.39%	5,956.82	(5,293.73)
3/31/2024	Bank Statement		35,349,893.72	21,900,000.00	13,449,893.72						\$ (56,026.26)

Deposits at the BND consist of sales tax revenues and interest earned on invested sales tax revenues. Investments consist of US Treasuries. Since we are benchmarking against Treasuries any investments at BND will immediately be at benchmark. The only way in which BND could fail to meet benchmarks is for funds to remain uninvested. Uninvested funds earned an interest rate of .60% (6/10ths of one percent) during the period. In benchmarking BND, we focused on days funds were not invested. We benchmarked uninvested funds at the one-month Treasury rate. At the beginning of the period, the County had \$3,396,175 in uninvested funds at BND. At the end of the period, the County had \$13,449,894 in uninvested funds. For the period, the County earned \$56,026 under the benchmark of a one-month Treasury with **no** days uninvested.

WELLS FARGO SWEEP ACCOUNT

The Wells Fargo Sweep account, also known as the Zero Balance Account (ZBA), is designed to allow for the maximum investment of funds by keeping the account balance at zero overnight. The account goes negative through the day as checks are drawn, and at the close of business, Wells Fargo “sweeps” cash from the money market into the ZBA to cover the checks drawn throughout the day and bring the balance of the account up to zero. This type of account is common and is employed by many other entities including the North Dakota Treasurer’s Office.

Burleigh County failed to take full advantage of the account. Burleigh County set the account balance at \$3,000,000 (this is known as the “PEG” amount) instead of zero. Consequently, \$3,000,000 remained effectively uninvested for the entire quarter. This uninvested amount is allowed to earn enough interest to pay the account fees but no more. For the period, the County earned \$33,935 under the benchmark of one-month Treasuries.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31, 2024**

Date	Uninvested "PEG" Amount	Days Not Invested	Interest Earned (Actual)	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2024	3,000,000	30	2,019.12	5.39%	13,290.41	\$ (11,271.29)
1/31/2024	3,000,000	29	2,093.31	5.39%	12,847.40	(10,754.09)
2/29/2024	3,000,000	31	1,382.91	5.39%	13,733.42	(12,350.51)
3/31/2024	3,000,000					
						<u>\$ (34,375.89)</u>

The County uses the Sweep account as one of its primary investment vehicles. Substantially all property taxes are receipted into Wells Fargo by February 15th. The funds are deposited into the sweep account until utilized. The sweep account underperformed the benchmark of a one-month Treasury throughout the quarter. In total, the sweep account underperformed the benchmark by \$11,816.

Date	Account #	Description	Amount	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark	Over/(Under) Benchmark
1/31/2024	Sweep		15,000,587.70	12,000,587.70	31	5.21%	53053.87	5.39%	54,936.39	\$ (1,882.52)
2/29/2024	Sweep		25,184,305.32	22,184,305.32	29	5.18%	91316.37	5.39%	95,003.53	(3,687.16)
3/31/2024	Sweep		28,534,221.08	25,534,221.08	31	5.18%	112384.9	5.40%	117,107.63	(4,722.69)
										<u>\$ (10,292.37)</u>

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31, 2024**

FIRST INTERNATIONAL BANK – CERTIFICATES OF DEPOSIT

The County purchased a handful of CDs with First International Bank during 2023. Treasuries yielded a substantially higher interest rate when purchased on the same date as these CDs. During the quarter, these CDs underperformed Treasuries by \$6,664.

Month	Bank	Account Type	Account ID	Effective/Purchase Date	Maturity Date	Opening Balance	Ending Balance	Interest Rate	Interest Earned 1/1/2024 - 2/15/2024	Interest @ Benchmark - 6M/12M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/31/2024 - 2/15/2024	First Inter	CD	1027657245	8/17/2023	2/15/2024	1,875,000.00	1,875,000.00	5.00%	11,815.07	5.50%	12,996.58	\$ (1,181.51)
1/31/2024 - 2/15/2024	First Inter	CD	1027657334	8/17/2023	2/15/2024	1,875,000.00	1,875,000.00	5.00%	11,815.07	5.50%	12,996.58	(1,181.51)
1/31/2024 - 2/15/2024	First Inter	CD	1026799666	2/16/2023	2/15/2024	1,875,000.00	1,875,000.00	4.10%	9,688.36	5.01%	11,838.70	(2,150.34)
1/31/2024 - 2/15/2024	First Inter	CD	1026799968	2/16/2023	2/15/2024	1,875,000.00	1,875,000.00	4.10%	9,688.36	5.01%	11,838.70	(2,150.34)
												\$ (6,663.70)

FIRST INTERNATIONAL BANK – MONEY MARKETS

The County maintains a substantial amount of its investments in the First International Bank money markets. When the CDs above matured, the bank deposited those funds into the money market. The money market consistently underperformed one-month Treasuries purchased at any point during the quarter. During the quarter, this investment underperformed the benchmark by \$11,455.

Date	Account #	Description	Amount	Account Balance	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2024	*661	Opening Balance		11,484,234.94	11,484,234.94	31	5.23%	51,012.03	5.39%	52,572.63	\$ (1,560.60)
1/1/2024	*866	Opening Balance		10,105,629.01	10,105,629.01	31	5.23%	44,888.37	5.39%	46,261.63	(1,373.26)
1/31/2024	*661	Bank Statement		11,535,064.51	11,535,064.51	16	5.21%	26,344.19	5.38%	27,203.79	(859.60)
1/31/2024	*866	Bank Statement		10,149,465.03	10,149,465.03	16	5.21%	23,179.71	5.38%	23,936.05	(756.34)
2/16/2024	*661	CD Matures	3,875,579.73	15,410,644.24	15,410,644.24	13	5.21%	28,596.24	5.39%	29,584.21	(987.97)
2/16/2024	*866	CD Matures	3,875,579.73	14,025,044.76	14,025,044.76	13	5.21%	26,025.10	5.39%	26,924.24	(899.14)
2/29/2024	*661	Bank Statement		15,465,999.24	15,465,999.24	31	5.20%	68,304.63	5.40%	70,931.73	(2,627.10)
2/29/2024	*866	Bank Statement		14,073,640.61	14,073,640.61	31	5.20%	62,155.37	5.40%	64,545.96	(2,390.59)
3/31/2024	*661	Bank Statement		15,533,752.26	15,533,752.26						
3/31/2024	*866	Bank Statement		13,783,750.98	13,783,750.98						\$ (11,454.60)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31, 2024**

BNC NATIONAL BANK – CERTIFICATES OF DEPOSIT

The County purchased a handful of CDs with BNC National Bank during 2023. Treasuries yielded a substantially higher interest rate when purchased on the same dates as these CDs. During the quarter, these CDs underperformed Treasuries by \$4,019.

Month	Bank	Account Type	Account ID	Effective/Purchase Date	Maturity Date	Opening Balance	Ending Balance	Interest Rate	Interest Earned 1/1/2024 - 3/31/2024	Interest @ Benchmark - 12M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2024 - 3/31/2024	BNC	CD	1026982193	3/30/2023	3/28/2024	1,147,018.68	-	4.50%	12,444.37	4.64%	12,831.53	(387.16)
1/1/2024 - 3/31/2024	BNC	CD	1027404525	6/29/2023	6/27/2024	1,147,018.68	1,147,018.68	4.70%	13,440.54	5.43%	15,528.12	(2,087.58)
1/1/2024 - 3/31/2024	BNC	CD	1027832233	9/28/2023	9/26/2024	1,147,018.68	1,147,018.68	4.94%	14,126.87	5.48%	15,671.10	(1,544.23)
												\$ (4,018.97)

BNC NATIONAL BANK – MONEY MARKETS

The County maintains a small amount of its investments in the BNC National Bank money market. The money market consistently underperformed one-month Treasuries purchased at any point during the quarter. During the quarter, this investment underperformed the benchmark by \$581.

Date	Account #	Description	Account Type	Amount	Account Balance	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2024	9596	Opening Balance	Money Market		47,578.42	47,578.42	31	0.50%	20.21	5.39%	217.9	\$ (197.69)
1/31/2024	9596	Bank Statement	Money Market		47,598.62	47,598.62	29	0.50%	18.92	5.39%	203.92	(185.00)
2/29/2024	9596	Bank Statement	Money Market		47,617.53	47,617.53	31	0.50%	20.23	5.40%	218.48	(198.25)
3/31/2024	9596	Bank Statement	Money Market		47,637.76	47,637.76		0.50%				\$ (580.94)

CHOICE BANK – CERTIFICATES OF DEPOSIT

The County had two CDs at Choice Bank at the beginning of the quarter. The larger CD for \$6,000,000 matured on 2/28/2024. It is unclear whether the County received bids when it re-invested these funds in CDs with Choice Bank. The CDs the County purchased with the proceeds of the maturing CD significantly underperformed Treasuries. For example, the County purchased a three-month CD yielding 4.00% interest. On the same day, a three-month Treasury yielded 5.38% - nearly 1.5% more. During the quarter, these CDs underperformed the benchmark by \$9,400.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31, 2024**

Month	Bank	Account Type	Account ID	Description	Effective/Purchase Date	Maturity Date	Opening Balance	Ending Balance	Interest Rate	Interest Earned 1/1/2024 - 3/31/2024	Interest @ Benchmark 3M/6M/12M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/31/2024 - 3/31/2024	Choice	CD			2/28/2023	2/28/2024	6,000,000.00	6,000,000.00	4.50%	43,643.84	5.03%	48,784.11	\$ (5,140.27)
1/31/2024 - 3/31/2024	Choice	CD			4/18/2023	4/18/2024	500,000.00	500,000.00	4.50%	5,609.59	4.81%	5,996.03	(386.44)
1/31/2024 - 3/31/2024	Choice	CD			2/28/2024	5/28/2024	2,400,000.00	2,400,000.00	4.00%	8,679.45	5.38%	11,673.86	(2,994.41)
1/31/2024 - 3/31/2024	Choice	CD			2/28/2024	8/28/2024	868,187.99	868,187.99	4.50%	3,532.22	5.32%	4,175.87	(643.65)
1/31/2024 - 3/31/2024	Choice	CD			2/28/2024	2/28/2025	1,000,000.00	1,000,000.00	4.75%	4,294.52	5.01%	4,529.59	(235.07)
													\$ (9,399.84)

CHOICE BANK – MONEY MARKETS

The County maintains a small amount of its investments in the Choice Bank money market. The money market consistently underperformed one-month Treasuries purchased at any point during the quarter. During the quarter, this investment underperformed the benchmark by \$151.

Date	Account #	Description	Account Type	Amount	Account Balance	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2024	*1605	Opening Balance	Money Market		28,652.52	28,652.52	31	3.30%	80.31	5.39%	131.53	\$ (51.22)
1/31/2024	*1605	Bank Statement	Money Market		28,731.61	28,731.61	29	3.30%	75.33	5.39%	123.36	(48.03)
2/29/2024	*1605	Bank Statement	Money Market		28,805.80	28,805.80	31	3.30%	80.74	5.40%	132.48	(51.74)
3/31/2024	*1605	Bank Statement	Money Market		28,885.31	28,885.31						\$ (151.00)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31, 2024**

BRAVERA BANK – CERTIFICATES OF DEPOSIT

The County has one twelve-month CD purchased on July 17, 2023. This CD yielded less than a twelve-month Treasury purchased on the same date. During the quarter, this investment underperformed the benchmark by \$475.

Month	Bank	Account Type	Account ID	Effective/Purchase Date	Maturity Date	Opening Balance	Ending Balance	Interest Rate	Interest Earned 1/1/2024 - 3/31/2024	Interest @ Benchmark - 12M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/31/2024 - 3/31/2024	Bravera	CD	130004512	7/17/2023	7/15/2024	680,000.00	680,000.00	5.06%	8,578.43	5.34%	9,053.13	\$ (474.70)
												\$ (474.70)

BRAVERA BANK – MONEY MARKET

The County maintains a substantial amount of its investments in the Bravera Bank money market. The money market consistently underperformed one-month Treasuries purchased at any point during the quarter. During the quarter, this investment underperformed the benchmark by \$2,800.

Date	Account #	Description	Account Type	Amount	Account Balance	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2024	*5116	Opening Balance	Money Market		4,072,987.70	4,072,987.70	31	5.12%	17,786.37	5.39%	18,724.32	\$ (937.95)
1/31/2024	*5116	Bank Statement	Money Market		4,090,236.69	4,090,236.69	29	5.12%	16,704.78	5.39%	17,585.69	(880.91)
2/29/2024	*5116	Bank Statement	Money Market		4,106,441.18	4,106,441.18	31	5.12%	17,932.45	5.40%	18,913.14	(980.69)
3/31/2024	*5116	Bank Statement	Money Market		4,123,831.85	4,123,831.85						\$ (2,799.55)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31, 2024**

FIXED INCOME INVESTMENTS

The County maintains a fixed income investment portfolio with Wells Fargo and with Bremer Bank. The portfolios were purchased several years ago when interest rates were much lower. With rising rates, the value of the portfolios have declined; however, since the investments are in bonds, our interest payments are not affected by a change in the market value of the bond. The County began divesting of the Wells Fargo portfolio within the last year or two, but we still maintain a significant balance in this account.

The market value of the accounts at year end are summarized in the below table.

	Wells Fargo	Bremer	Total
<i>Less than 1 Year</i>	\$ 3,103,648.00	\$ 367,525.45	\$ 3,471,173.45
<i>1-2 Years</i>	1,352,297.25	550,254.76	1,902,552.01
<i>2-5 Years</i>	315,390.95	1,153,040.61	1,468,431.56
<i>5-10 Years</i>	523,614.25	532,469.33	1,056,083.58
<i>10+ Years</i>	643,365.20	59,626.18	702,991.38
	\$ 5,938,315.65	\$ 2,662,916.33	\$ 8,601,231.98

REPORT ON INVESTMENT PERFORMANCE BURLEIGH COUNTY JANUARY 1, 2024 THROUGH MARCH 31, 2024

POLICY CONCERNS

The County’s investment policy is sufficiently detailed and robust for the County’s needs. The policy lists objectives in priority order, which makes the objectives easy to follow. The policy needs some addendums, such as investment parameters and internal control documents. But the main challenge the County faces with its investment policy is a failure to follow the policy. For example, to have over \$13,000,000 in uninvested funds in the Bank of North Dakota at quarter end runs contrary to investment objective #3 – Yield – that “the investment portfolio shall be designed with the objective of attaining a market rate of return.” Other examples include failing to develop cash flow estimates and failing to diversify the portfolio by investment type and maturity. Failing to provide a quarterly report to the Commission in a timely manner is still another example.

CHANGES TO INVESTMENT STRATEGY

The County’s current investment strategy prioritizes convenience over the investment objectives laid out in the policy. For instance, the County accepted a lower rate of return in money markets to avoid making active investment decisions such as taking bids, transferring cash to the high bidder, and making the required journal entries into the accounting system. In fact, the County’s use of money markets is so pervasive that it accounts for 80% of our non-sales tax investments (sales taxes are held in trust the Bank of North Dakota) and 60% of total investments. As indicated earlier in the report, money markets under-performed Treasuries in every month of the quarter.

Security Type	% of portfolio	Amount
FIXED INCOME SECURITIES	8.88%	\$ 8,889,314.50
MONEY MARKET	61.52%	61,602,529.01
CD	7.73%	7,742,225.35
US TREASURIES	21.87%	21,900,000.00
	100.00%	<u>\$ 100,134,068.86</u>

The convenience provided by the money markets comes at a price. First, we earned less money than we would have earned by investing in Treasuries. Second, we failed to “lock in” any investments during the quarter, which would protect us against falling interest rates. Had we

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2024 THROUGH MARCH 31,2024**

locked in a twelve month Treasury at the end of Q1, the Treasury would yield more than money markets yield currently due to interest rate declines in recent months.

The recommended change to strategy investment strategy is to follow the investment policy as written. As mentioned, certain addendums should be considered, such as specific investment parameters and internal control documents. The investment parameters should include guidelines for term and type of investment. Internal control documents should include, at a minimum, an investment checklist documenting who made the investment; who approved the investment; why the investment was chosen; and what bids were received; among other things. At a minimum, the County should begin following the investment policy as written immediately, whether or not the County adopts any addendums.

EXHIBIT A BURLEIGH COUNTY INVESTMENT POLICY

BURLEIGH COUNTY INVESTMENT POLICY

I. Governing Authority

Legality

The Burleigh County investment program shall be operated in conformance with federal, state, and other legal requirements, including NDCC 21-06-07.

II. Scope

This policy applies to the investment of all funds. Proceeds from certain bond issues may be covered by a separate policy.

1. *Pooling of Funds*

Except for cash in certain restricted and special funds, the County of Burleigh will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

III. General Objectives

The primary objectives, in priority order, of investment activities shall be safety, liquidity, and yield:

1. *Safety*

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

a. Credit Risk

The County of Burleigh will minimize credit risk, which is the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to the types of securities listed in Section VII of this Investment Policy
- Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the County of Burleigh will do business in accordance with Section V
- Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

b. Interest Rate Risk

The County of Burleigh will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity
- Investing operating funds primarily in shorter-term securities or similar investment pools and limiting the average maturity of the portfolio in accordance with this policy (see section VIII).

2. *Liquidity*

EXHIBIT A

BURLEIGH COUNTY INVESTMENT POLICY

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in local government investment pools which offer same-day liquidity for short-term funds.

3. *Yield*

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. **Return on investment is of secondary importance compared to the safety and liquidity objectives described above.** The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following exceptions:

- A security swap would improve the quality, yield, or target duration in the portfolio.
- Liquidity needs of the portfolio require that the security be sold.

4. *Local Considerations*

The County of Burleigh seeks to promote local economic development through various programs and activities. Where possible, funds may be invested for the betterment of the local economy. The County of Burleigh may accept a proposal from an eligible institution which provides for a reduced rate of interest for community development projects. The Board of County Commissioner's recognizes that such investments might diminish investment yields in exchange for potential expansion of the tax base.

IV. Standards of Care

1. *Prudence*

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

The "prudent person" standard states that, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

2. *Ethics and Conflicts of Interest*

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the County of Burleigh.

3. *Delegation of Authority*

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BURLEIGH COUNTY INVESTMENT POLICY

Authority to manage the investment program is granted to the County Auditor\Treasurer, hereinafter referred to as investment officer and derived from the following: NDCC 11-14-06 & 21-04-04. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established written procedures and internal controls for the operation of the County of Burleigh investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

V. Designated Depositories, Authorized Financial Institutions and Broker/Dealers

1. Designated Depositories, Authorized Financial Institutions, and Broker/Dealers

Pursuant to ND Century Code 21-04 public funds belonging to the County of Burleigh must be deposited in the Bank of North Dakota or in financial institutions which have been duly designated as depositories. The Board of Burleigh County Commissioners shall at its regular meeting in January of each even-numbered year, shall designate depositories of public funds and semiannually shall approve the acceptance of any securities as pledge for repayment of deposits.

In addition, a list will be maintained of approved security broker/dealers selected by creditworthiness (e.g., a minimum capital requirement of \$10,000,000 and at least five years of operation). These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines.
- Proof of National Association of Securities Dealers (NASD) certification (not applicable to Certificate of Deposit counterparties).
- Proof of state registration.
- Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties).
- Certification of having read and understood and agreeing to comply with the County of Burleigh investment policy.
- Evidence of adequate insurance coverage.

An annual review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the investment officer (or designee).

2. Minority and Community Financial Institutions

From time to time, the investment officer may choose to invest in instruments offered by minority and community financial institutions. In such situations, a waiver to certain parts of the criteria under Paragraph 1 may be granted. All terms and relationships will be fully disclosed prior to purchase and will be reported to and approved by the Board of Burleigh County Commissioners on a consistent basis in advance and shall be consistent with state law.

VI. Safekeeping and Custody

1. Delivery vs. Payment

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BURLEIGH COUNTY INVESTMENT POLICY

All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds.

2. Safekeeping

Securities may be held by an independent third-party custodian selected by the Burleigh County as evidenced by safekeeping receipts in the County of Burleigh's name. The safekeeping institution shall annually provide a copy of their most recent report on internal controls (Statement of Auditing Standards No. 70, or SAS 70).

3. Internal Controls

The investment officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the County of Burleigh are protected from loss, theft or misuse. Details of the internal control system shall be documented and shall be reviewed and updated annually. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

The internal controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the County of Burleigh.

Internal control compliance should be assured through the Burleigh County annual independent audit.

VII. Suitable and Authorized Investments

1. Investment Types

Pursuant to North Dakota Century Code Chapter 21-06-07, the County of Burleigh may invest moneys in its general fund, or balances in any special or temporary fund, in:

- Bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organization created by an act of Congress.
- Securities sold under agreements to repurchase written by a financial institution in which the underlying securities for the agreement to repurchase are of a type listed above. Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. (See GFOA Recommended Practices in Appendix.)
- Certificates of deposit fully insured by the federal deposit insurance corporation or by the state.
- Obligations of the state.
- Local government investment pools either state-administered or developed through joint powers statutes and other intergovernmental agreement legislation.
- State and local securities:
 - (1) Any security that is a general obligation of any state or local government with taxing powers and is rated in the highest three categories by a nationally recognized rating agency.
 - (2) An obligation of the state housing finance agency that is rated in the highest two categories by a nationally recognized rating agency.
 - (3) Any security that is a general obligation of a school district and is rated in the highest

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BURLEIGH COUNTY INVESTMENT POLICY

two categories by a nationally recognized rating agency.

(4) Obligations of this state and general obligations of its political subdivisions.

- Commercial paper issued by a United States corporation rated in the highest quality category by at least two nationally recognized rating agencies and matures in two hundred seventy days or less.

Investment in derivatives of the above instruments shall require authorization by the Board of Burleigh County Commissioners.

2. *Collateralization*

Except as is otherwise provided in NDCC sections 21-04-16 and 21-04-17, and before any deposit is made in any depository other than the Bank of North Dakota, such depository shall furnish a bond payable to the County of Burleigh in an amount that at least equals the largest deposit that at any time may be in such depository.

The Board of Burleigh County Commissioners may accept from any financial institution, as security for repayment of deposits, a pledge of securities in lieu of a personal or surety bond. When securities are so pledged to the County of Burleigh, the Board of Burleigh County Commissioners shall require security in the amount of one hundred ten dollars for every one hundred dollars of deposits. Securities that are eligible for the pledge are bills, notes, or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, irrevocable standby letters of credit issued by federal home loan banks of a rating of AA or better by Moody's Investor Service, Inc. or Standard & Poor's Corporation, federal land bank bonds, bonds, notes, warrants, certificates of indebtedness, insured certificates of deposit, shares of investment companies registered under the Investment Companies Act of 1940, letters of credit issued by the Bank of North Dakota, and all other forms of securities issued by the state of North Dakota, its boards, agencies or instrumentalities, or by any county, city township, school district, park district or other political subdivision of the state of North Dakota, whether payable from special revenues or supported by the full faith and credit of the issuing body, and bonds issued by any other state of the United States or such other securities approved by the banking board.

The Board of Burleigh County Commissioners semiannually shall approve the acceptance of any securities as pledge for repayment of deposits.

Where allowed by state law and in accordance with the GFOA Recommended Practices on the Collateralization of Public Deposits, full collateralization will be required on all demand deposit accounts, including checking accounts and non-negotiable certificates of deposit. (See GFOA Recommended Practices in Appendix.)

VIII. Investment Parameters

1. *Diversification*

It is the policy of the County of Burleigh to diversify its investment portfolios. To eliminate risk of loss resulting from the over-concentration of assets in a specific maturity, issuer, or class of securities, all cash and cash equivalent assets in all Burleigh County funds shall be diversified by maturity, issuer, and class of security. Diversification strategies shall be determined and revised periodically by the investment committee/investment officer for all funds except for the employee retirement fund.

In establishing specific diversification strategies, the following general policies and constraints

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BURLEIGH COUNTY INVESTMENT POLICY

shall apply: Portfolio maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector. Maturities selected shall provide for stability of income and reasonable liquidity.

For cash management funds:

- Liquidity shall be assured through practices ensuring that the next disbursement date and payroll date are covered through maturing investments or marketable U.S. Treasury bills.
- Risks of market price volatility shall be controlled through maturity diversification such that aggregate price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.
- The investment committee/investment officer shall establish strategies and guidelines for the percentage of the total portfolio that may be invested in securities other than repurchase agreements, Treasury bills or collateralized certificates of deposit. The committee shall conduct a quarterly review of these guidelines and evaluate the probability of market and default risk in various investment sectors as part of its considerations.

2. *Maximum Maturities*

To the extent possible, the County of Burleigh shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the County of Burleigh will not directly invest in securities maturing more than five (5) years from the date of purchase or in accordance with state statutes. The County of Burleigh shall adopt weighted average maturity limitations (which often range from 90 days to 3 years), consistent with the investment objectives.

Reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the Board of County Commissioners. (See the GFOA Recommended Practice on "Maturities of Investments in a Portfolio" in Appendix.)

Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds such as local government investment pools, money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

3. *Competitive Bids*

The investment officer shall obtain competitive bids from at least two brokers or financial institutions on all purchases of investment instruments purchased on the secondary market.

IX. Reporting

1. *Methods*

The investment officer shall submit quarterly an investment report that summarizes the quarter's total investment return. The report shall disclose all transactions during the past quarter. The report shall be in compliance with state law (if any) and shall be distributed to the Board of Burleigh County Commissioners and others as may be required by law.

EXHIBIT A

BURLEIGH COUNTY INVESTMENT POLICY

Each quarterly report may indicate any areas of policy concern and suggested or planned revision of investment strategies.

Within 60 days of the end of the fiscal year, the investment officer shall present a comprehensive annual report on the investment program and investment activity. The annual report shall include 12-month and separate quarterly comparisons of return and suggest policies and improvements that might be made in the investment program. Alternatively, this report may be included within the County of Burleigh annual Comprehensive Annual Financial Report.

2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks should be established against which portfolio performance shall be compared on a regular basis. The benchmarks should be reflective of the actual investments being purchased.

3. Marking to Market

The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed. In defining market value, considerations should be given to the GASB Statement 31 pronouncement.

X. Policy Considerations

1. Exemption

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

2. Amendments

This policy will be reviewed on an annual basis. Any changes must be approved by the Board of County Commissioners in consultation with the investment officer and the individuals charged with maintaining internal controls.

VII. Approval of Investment Policy

The investment policy shall be formally approved and adopted by the Board of Burleigh County Commissioners and reviewed annually.

VIII. List of Attachments

The following documents, as applicable, are attached to this policy:

- North Dakota century code
- Listing of authorized personnel
- Listing of authorized broker/dealers and financial institutions
- Internal Controls

XIII. Other Documentation

- Master Repurchase Agreement, other repurchase agreements and tri-party agreements,

EXHIBIT A

BURLEIGH COUNTY INVESTMENT POLICY

- Broker/Dealer Questionnaire,
- Credit studies for securities purchased and financial institutions used,
- Safekeeping agreements,
- Wire transfer agreements,
- GFOA Recommended Policies.

AUTHORIZED PERSONNEL

Burleigh County Auditor/Treasurer
Leo Vetter

Deputy Auditor/Treasurer
Brandi Caya

Deputy Finance Director
Justin Schulz

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BURLEIGH COUNTY INVESTMENT POLICY

-CERTIFICATION-

I hereby certify that I have personally read the investment policies of the County of Burleigh and have implemented reasonable procedures and controls designed to prohibit investment transactions inconsistent with your policies. Whenever we are notified in writing, we will inform our sales personnel of your investment objectives, outlook, strategy and risk constraints. We will notify you immediately by telephone and in writing in the event of a material adverse change in our financial condition. We pledge to exercise due diligence in informing you of fundamental risks associated with financial transactions conducted with our firm. Price markup will be consistent with prevailing institutional pricing at the time of each transaction. I attest to the accuracy of our responses to your questionnaire.

Signed: _____

(Countersigned by corporate officer responsible for compliance.)

EXHIBIT A

BURLEIGH COUNTY INVESTMENT POLICY

COUNTY OF BURLEIGH

INVESTMENT PROCEDURES and INTERNAL CONTROLS

A. Introduction:

The Burleigh County Auditor\Treasurer has the responsibility of conducting cash and investment transactions for all funds held by or for the benefit of the County of Burleigh. The responsibility for the management of the investments here and after in this document will be referred to as the investment officer. The investment program has been delegated to the investment officer who shall implement the investment policy by following the investment procedures and internal controls herein delineated.

B. Objective:

The Investment Procedures and Internal Controls Manual provides an outline for investment management. This manual shall be reviewed annually.

C. Internal Control:

The system of internal controls is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

D. Investment Decisions:

The investment officer shall adhere to the guidelines of the government's investment policy regarding all investment purchases or any other cash and investment transactions.

F. Delegation of Authority:

As established by the investment policy, certain specified individuals (i.e., the Deputy Auditor\Treasurer, Accountant) have authority to transact investments. In case of an absence of officer, procedures and specific alternate personnel should be delineated.

G. Segregation of Duties and Compensating Controls:

The government shall establish written internal controls, which should include:

1. Control of Collusion:

Collusion is a situation where two or more employees are working in conjunction to defraud their employer. Employee duties will be shifted periodically to reduce the opportunity for collusion.

2. Segregation of duties:

By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a good separation of duties is achieved.

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BURLEIGH COUNTY INVESTMENT POLICY

3. Custodial safekeeping:
Securities purchased from any bank or dealer, including appropriate collateral, should be placed into an independent third-party institution for custodial safekeeping.
4. Avoidance of physical deliver securities:
Book entry securities are much easier to transfer and account for since actual delivery is never taken. Physical delivery securities must be properly safeguarded as are any valuable documents. The potential of fraud and loss increases with physical delivery securities.
Bearer form securities are much easier to convert to personal use than securities that are registered in the name of the government.
5. Clear delegation of authority to subordinate staff members:
Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid any improper actions. Clear delegation of authority also preserves the internal control structure that is built around the various staff positions and their respective responsibilities.
6. Written confirmation of all transactions (transfer, fax, Internet) for investments and wire transfers:
Due to the potential for errors and improprieties arising from telephone/electronic transactions, all such transactions will be documented in writing and approved by the auditor\treasurer.
7. Development of an electronic funds transfer agreement with banks:
This agreement should outline the various controls and security provisions for making and receiving electronic funds transfers.
 - a) Dual authorization and signatures of the County Auditor\Treasurer and Deputy Auditor\Treasurer shall be required shall be required for all transfers.
 - b) Financial institutions will have written instructions regarding government authorizations for wire transfers, restrictions on accounts where funds can be wired, and other procedures that will mitigate unauthorized movement of funds (e.g., call-back to independent person, written confirmations, etc.)
8. All personnel will be required to take minimum planned vacations thereby requiring other personnel to temporarily assume their duties.
9. Insurance shall be secured at appropriate levels to bond employees charged with investment and cash handling responsibilities shall be acquired from the ND State Bond Fund.

H. Operations:

Procedures and duties recommended include:

1. Investment Procedures:

The following is a basic outline of routine daily procedures necessary to maintain proper documentation on cash and investment transactions;

Each morning, the daily bank balance report shall be obtained from the depository bank(s).

Overnight (sweep) repurchase agreements and/or money market accounts interest shall be verified and recorded. All incoming and maturing investments shall be verified with the custodial bank. All earned interest, maturing investments, and incoming funds should be verified and recorded.

Daily information regarding the cash requirements and required maturity dates shall be provided by the Deputy Auditor\Treasurer. All security purchases or sells must be recorded on a confirmation form.

On a daily basis, it is necessary to conduct cash and investment activity within specific

EXHIBIT A

BURLEIGH COUNTY INVESTMENT POLICY

bank accounts, and all transactions within each account shall be recorded on a daily investment worksheet. All worksheets shall be maintained by the Deputy Auditor\Treasurer, and the worksheets shall be available for review upon request.

Proper documentation and authorization shall be required before any cash or investment transaction is executed. All investment documentation shall require the signature of the Auditor\Treasurer or the Deputy Auditor\Treasurer.

2. Authorized Wires:

Only the Auditor\Treasurer or Deputy Auditor\Treasurer shall be authorized to wire funds according to the approved wire transfer agreement for investment. Wire instructions and personal identification numbers (PIN's) shall be safeguarded. All bank transfer requests shall be in writing and require a second confirmation by another Burleigh County employee. The purpose of the bank transfer must be stated as part of the transfer information. ACH procedures shall also be delineated.

3. Securities Confirmations:

The processing of securities' confirmations, including filing and reconciling, shall be conducted by an individual not permitted to purchase and sell investments.

4. Safekeeping Procedures:

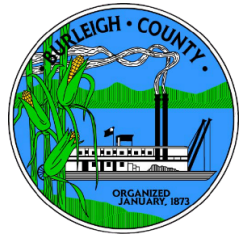
All securities purchased shall be received by "delivery vs. payment" (per the investment policy) to the custodian for safekeeping.

Certificates of deposit are permitted to be held at the issuing bank.

Collateral for certificates of deposit and purchased securities in connection with repurchase agreements may be delivered to the governments' designated custodian. Additional requirements and procedures should be outlined in a third-party custodial safekeeping agreement regarding safekeeping procedures.



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

December 2, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

Administration of Oath of Office for newly elected Commissioners and other elected officials.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the November 18, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
6. County Finance Director Jacobs:
 - a. Continuation of Q1 2024 Investment Report discussion- March 28, 2024 check.
7. County Auditor/Treasurer Splonskowski:
 - a. Quarter 1 2024 investment report clarification.
 - b. Final Budget clarification.
 - c. Consideration of amended 2025 meeting calendar.
8. County Engineer Hall:
 - a. Hwy 10 mill and overlay.
 - b. Request for consultant engineering on Hwy 10 project.
 - c. Authorization to advertise for bids.
9. Rachel Lukaszewski, Bismarck-Mandan MPO:
 - a. Arrive 2050 Metropolitan Transportation Plan.
10. County Planner Flanagan:
 - a. Wiese Subdivision.
 - b. Big Sky passenger rail letter of support.

11. County HR Director Binder:

- a. 2025 Holidays Approval from the Holiday Policy.

12. Sheriff Leben:

- a. Burleigh East renovation project and Fund Commitment.

13. Comm. Munson:

- a. Formal grievance discussion.

14. CO2 pipeline discussion.

15. Other business.

16. Adjourn.

The next regularly scheduled Commission meeting will be on December 16th, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING
NOVEMBER 18TH, 2024**

5:23 PM

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.

Several revisions were made to the agenda: firstly, an item concerning an update on the CO2 pipeline was added after the consent agenda. Secondly, item eleven (11) regarding the 2024 First Quarter investment report was moved before the added CO2 pipeline item. Thirdly, various items added under "other business" included renaming the municipal courtroom in the county courthouse, addressing an unexpected issue with the boiler replacement in the county courthouse, discussing (for informational purposes only) a recently submitted Apple Creek ordinance to Burleigh County, an application for an opening in the Burleigh County Water Resource Board, and an item about a bridge quarter mile south of McKenzie on County Road 236. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the revised meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the October 18th, 2024 special meeting minutes and the November 4th, 2024 meeting minutes 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Jacob Fred	2023	Lot 25, Block 3, Wheatland Hills	90% Disabled Veteran	\$273,100	\$111,100
Braxton & Alyssa Miller	2023	Lot 15, Block 6, Fort Lincoln Est #2	70% Disabled Veteran	\$223,200	\$97,200
Kelly Cargle	2023	Lot 12, Block 3, North Lincoln 2nd	90% Disabled Veteran	\$158,600	\$140,600
Prairie Aire Homes Inc	2024	Lot 9, Block 1, Whispering Ridge 2nd	Property was adjusted to reflect market value like similar properties	\$918,900	\$866,000
Lucas & Angela Wescott	2023	Lot 13, Block 10, Meadow Valley 3rd	50% Disabled Veteran	\$296,200	\$206,200
Blayn Auch	2022	Block 39, Park Hill (Aud Lots), N 126' of E1/2 of Auditor's Lot 39 less N 33'	Error in property description	\$188,100	\$152,400
Blayn Auch	2023	Block 39, Park Hill (Aud Lots), N 126' of E1/2 of Auditor's Lot 39 less N 33'	Error in property description	\$206,000	\$166,900
Blayn Auch	2024	Block 39, Park Hill (Aud Lots), N 126' of E1/2 of Auditor's Lot 39 less N 33'	Error in property description	\$219,100	\$177,600
Rainmaker Properties LLC	2024	Lots 9-10, Block 6, Morningside Heights Replat	Error in property description	\$1,132,200	\$1,041,400
Rainmaker Properties LLC	2024	Lot 18 & E45' of Lot 17, Block 14, Wachter's 2nd	Error in property description	\$855,100	\$813,100
Calvary United Methodist Church	2022	Lots 4-8, Block 2, East View	Error in property description	\$390,800	\$250,400
Calvary United Methodist Church	2023	Lots 4-8, Block 2, East View	Error in property description	\$390,800	\$250,400
Calvary United Methodist Church	2024	Lots 4-8, Block 2, East View	Proration of year, daycare no longer operating in church	\$390,800	\$20,900
Sondra Wedgeworth	2024	1975 Buddy 66 x 14, #4281	Mobile home removed from lot	\$8,171	\$0
Ronald Hulm	2023	Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums Unit 223 & Garage G-11 & parking space P-11	100% Homestead Credit	\$195,600	\$0
Norma Geiger	2022	E46' of Lot 8, Block 2, Sasse	100% Disabled Persons Credit	\$217,900	\$144,983

Norma Geiger	2022	Lot 3246 of Knollwood II Townhouse Project, Lot 1, Block 2, North Hills Fifth Addn	100% Disabled Persons Credit	\$234,200	\$182,117
Norma Geiger	2023	Lot 3246 of Knollwood II Townhouse Project, Lot 1, Block 2, North Hills Fifth Addn	100% Disabled Persons Credit	\$243,100	\$43,100
Bernie & Sandra Stolz	2023	Lot 20, Block 14, Replat Tibesar's 1st Subdivision	100% Homestead Credit	\$272,300	\$105,633

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Jacob Fred, Braxton & Alyssa Miller, Kelly Cargle, Prairie Aire Homes Inc, Lucas & Angela Wescott, Blayn Auch (3), Rainmaker Properties LLC (2), Calvary United Methodist Church (3), Sondra Wedgeworth, Ronald Hulm, Norma Geiger, and Bernie & Sandra Stolz abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Finance Director Jacobs presented the 2024 First Quarter investment report to the Commission. Jacobs began by stating that the Auditor/Treasurer is responsible for the investment of county funds, and that the Auditor/Treasurer's office has recently been neglectful of providing quarterly and yearly reports of county investments to the Commission; thus, the Finance Department took it upon themselves to present a quarterly report for 2024's first quarter. Using the US Treasury as a benchmark, Jacobs stated that Burleigh County underperformed by \$136,238. Of that roughly \$136,000 amount, Jacobs explained that Burleigh County lost \$90,000 due to a failure to invest (when further broken down, \$56,000 was lost due to failing to invest Burleigh County sales tax funds and Morton County funds in the Bank of ND, while the remaining \$34,000 was lost due to failing to invest funds in Wells Fargo) and lost \$46,000 due to poor investment choices. Jacobs then presented some more figures, and further broke down/questioned some of the decisions undertaken by Auditor/Treasurer's office. When Auditor/Treasurer Splonskowski asked the Commission to approach and explain his side of the investing process, Chairman Bitner strongly rejected – although he verbally confirmed that Auditor/Treasurer Splonskowski would be given a chance to explain within the next couple of meetings. A consensus was reached among the commissioners to continue this thread over the next couple of meetings to gather more information before making any decisions. No further action was taken.

An update regarding the CO2 pipeline was given following the recent approval of a permit by the ND Publics Service Commission to Summit Carbon Solutions for construction of a CO2 pipeline. In order to file an appeal against the permit, Burleigh County needs to file all appropriate paperwork with the court by December 15th. Chairman Bitner then opened the floor for public comment on the situation. Curtis Jundt, Kevin Chevey, and an unnamed individual all expressed extreme disapproval and condemned the actions of both the ND Publics Service Commission and Summit Carbon Solutions. Public comment was then closed, and it was mentioned by Comm. Schwab that he hopes to put this item on next meeting's agenda.

Bismarck Parks and Recreation Operations Manager Dave Mayer came up to ask for the Commission's endorsement/support for the Parks and Rec District to apply for the Special Road Funds Grant. Motion by Comm. Bakken, 2nd by Comm. Munson to endorse the Bismarck Parks and Rec District's application. Comm. Woodcox, Munson, Bakken, and Bitner voted, "AYE"; Comm. Schwab was absent. Motion carried.

Comm. Munson discussed changing the Missouri Valley Complex's zoning status from PUD to Public. With ownership of the area split between the city of Bismarck, the state of North Dakota, and the Burleigh County Detention Center, if one of the entities changed their zoning status from PUD to public but the rest don't, expansion and/or development becomes stifled with paperwork. The city of Bismarck and state of North Dakota both agreed to sign off changing their portions' status to public, leaving Burleigh County as the final party needed to sign to move forward. Motion by Comm. Munson, 2nd by Comm. Bakken to move to approve the support of signing the unified development application to public. All members present voted, "AYE". Motion carried.

County Engineer Hall asked the Commission for approval of the 2025 Burleigh County construction program, which includes some items such as chip seals, a dry pipe at Brian Slough, a couple of micro surface projects, a mill and overlay project on Highway 10, and a traffic analysis report for a proposed gas station on the corner of Highway 10 and 80th. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the 2025 construction program. All members present voted, "AYE". Motion carried. Hall then asked the Commission for approval of low bids for two motor graders. Motion by Comm. Schwab, 2nd by Comm. Munson to approve the low bids. All members present voted, "AYE". Motion carried.

Sheriff Leben came up and explained to the Commission that due to their consistent usage, handguns in the Sheriff's Department are replaced on a life cycle basis (usually seven to nine years). With the current handgun pool coming up on eight years, the department purchased new handguns and Sheriff Leben requested the Commission approve the paying of invoices using asset forfeiture dollars. Motion by Comm. Schwab, 2nd by Comm. Bakken to allow the Sheriff's Department to move forward with the process. All members present voted, "AYE". Motion carried. Leben then provided the Commission an update on the Back the Blue grant program, stating that after being awarded \$168,903 from the state to help retain law enforcement and correction staff, the department ended up with a fair portion of unused funds. Leben said that he will come back with a more thorough report on the program, and requested authorization from the Commission to work with HR to determine how to best utilize the unused funds so they don't have to send any money back to the state. Motion by Comm. Munson, 2nd by Comm. Bakken to authorize the Sheriff's Department to work with HR. All members present voted, "AYE". Motion carried.

County Auditor/Treasurer Splonskowski came forward to briefly discuss the procedure for the approval of executive meeting minutes. No further action was taken.

The Commission reviewed a request from John Fraase inquiring about whether the Commission would consider letting the city of Bismarck rename the municipal courtroom in the courthouse after former city of Bismarck Judge William Sevren, who served for

42 plus years. A consensus was reached among the commissioners to extend an invitation to John Fraase to attend the next commission meeting to further delve into the topic. No further action was taken.

The Commission was then briefed on an urgent issue concerning the boiler in the county courthouse, as the current boiler broke down and the necessary parts to fix it aren't currently available. The Commission expressed desires to start the installation process now and have some temporary boilers installed in the courthouse in anticipation of oncoming cold weather; afterwards, much of the temporary measures and installations would then be incorporated into the final, newly upgraded boiler system. In terms of cost, a budget amendment would be made & funds would be transferred to offset any additional expenditures. Motion by Comm. Munson, 2nd by Comm. Bakken to move forward with the idea. All members present voted, "AYE". Motion carried.

For informational purposes only, the commissioners briefly discussed amongst themselves about a recently submitted proposed ordinance from Apple Creek township to Burleigh County concerning all commercial vehicles on Apple Creek township roads. Julie from the State's Attorney's Office mentioned that there's nothing in statutory authority that allows a township board to adopt ordinances.

County Auditor/Treasurer Splonskowski came back up and stated that he has been working on updating the list and term dates for all auxiliary board members in Burleigh County. Splonskowski mentioned that while doing so, he noticed that there is an opening in the Burleigh County Water Resource Board coming up and asked when the Commission would like to review the applications. A consensus was reached among the commissioners to review all applications on the last commission meeting in December. No further action was taken.

Comm. Schwab then began talking about a bridge in very bad disrepair, located about a quarter mile south of McKenzie on County Road 236, and how the county needs to act now to repair it. County Engineer Hall came up and further explained to the Commission about the timeline and condition of the bridge, and expressed how he wishes to speak further with Comm. Schwab about possible ramifications and solutions, and ultimately present a more thorough report to the Commission at the next commissioning meeting. A consensus was reached among the commissioners to put the item on the next meeting's agenda. No further action was taken.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-720	Sprynczynatyk, Michael & Richard	2023	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	\$129,200	\$109,000
24-721	Sprynczynatyk, Michael & Richard	2024	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	\$129,200	\$109,000
24-722	Old Dominion Freight Line Inc	2022	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	\$4,130,000	\$3,221,400
24-723	Old Dominion Freight Line Inc	2023	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	\$4,501,700	\$3,511,300
24-724	Old Dominion Freight Line Inc	2024	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	\$4,740,900	\$3,700,000
24-729	Douglas & Karen Sokolofsky	2024	Lot 12, Block 1, North Hills 13th	50% Homestead Credit	\$445,500	\$345,500
24-731	Ronald & Laurie Jensen	2023	Lots 1-2 less N 59'(or S 55.08' of Lots 1-2), Block 6, Riverview	50% Homestead Credit	\$214,000	\$114,000
24-732	Carma Branch and Leslie Edison	2024	Lot 9, Block 11, Highland Acres	100% Homestead Credit	\$265,100	\$65,100
24-733	Dana Clairmont c/o Dana Breiner	2023	Lot 4, Block 21, Morningside Heights	100% Disabled Persons Credit	\$113,400	\$13,400
24-734	Thomas & Twylla Rausch	2024	Block 85, McKenzie & Coffin's, W30' of S15' of Lot 7, W30' of Lots 8-12, E10' of alley adj on W; E15' of Lot 42 all lots 43-44 & W10' alley adj Lot 44	100% Homestead Credit	\$358,100	\$158,100
24-736	Susan Lemke	2023	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	\$260,700	\$60,700
24-737	Susan Lemke	2024	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	\$272,200	\$72,200
24-738	Dennis & Paula Duffield	2023	Lot 13, Block 3, Cottonwood Lake 4th & undivided interest in Lot 32, Block 1	50% Homestead Credit	\$434,800	\$334,800

ITEM

7

BURLEIGH COUNTY COMMISSION AND PARK BOARD
2025 MEETING SCHEDULE

TOM BAKER MEETING ROOM, CITY/COUNTY BUILDING
221 N 5TH ST, BISMARCK, ND 58501

	<u>DATE</u>	<u>AGENDA</u>
WOODCOX	Jan. 6 21 (Tues)	Regular Meeting – Reorganize/Assign Portfolios 2 nd Meeting
BITNER	Feb. 3 19 (Wed)	Regular Meeting 2 nd Meeting
BAKKEN	Mar. 3 17	Regular Meeting 2 nd Meeting
MUNSON	Apr. 7 21	Regular Meeting 2 nd Meeting
SCHWAB	May 5 19	Regular Meeting 2 nd Meeting
WOODCOX	Jun. 2 16	Regular Meeting/Equalization 2 nd Meeting
BITNER	Jul. 7 21 & 22	Regular Meeting 2 nd Meeting & Preliminary Budget Introduction (8:30 AM)
BAKKEN	Aug. 4 18	Regular Meeting 2 nd Meeting
MUNSON	Sept. 3 (Wed) 15	Regular Meeting 2 nd Meeting/Final Budget Hearing
SCHWAB	Oct. 6 20	Regular Meeting Hearing to establish minimum sales prices for tax sale 2 nd Meeting
WOODCOX	Nov. 3 17 18	Regular Meeting 2 nd Meeting Annual Tax Sale (10:00 AM)
BITNER	Dec. 1 15	Regular Meeting 2 nd Meeting

NDCC 11-11-05. Meetings of board - Time and place.

The board of county commissioners shall meet and hold regular meetings for the transaction of business at a time and place to be designated by the commission on a date certain established by resolution or ordinance of the commission. The county auditor shall have power to call special meetings when the interests of the county demand it. The chairman of the board, or a majority of the members thereof, may call special meetings that must be noticed in accordance with section 44-04-20.

ITEM

8



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: December 2, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall P.E.
County Engineer

RE: County Highway 10 mill, overlay and chip seal project Concurrence Letter

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Approve the estimated amounts for the County Highway 10 from 236th Street SE to US 83 mill and overlay and County Highway 10 from 66th Street SE to US 83 chip seal project.

BACKGROUND:

The North Dakota Department of Transportation (NDDOT) is requesting that Burleigh County concur with the estimated cost sharing amounts for the County Highway 10 from 236th Street SE to US 83 mill and overlay and County Highway 10 from 66th Street SE to US 83 chip seal project. On November 15, 2024 the NDDOT opened bids for the County Highway 10 project.

Contractor:

Central Specialties Inc.

Knife River Material

Mayo Construction Co.

Border States Paving Inc.

Northern Improvement Co.

Strata Corporation

Bid Amount:

\$3,182,375.04

\$3,280,261.76

\$3,328,105.76

\$3,613,826.90

\$3,756,782.70

\$3,899,474.46

Engineers Estimate

\$3,645,270.45

Cost Breakdown:

County Highway 10 Project:

Total Cost (Construction)	\$3,182,375.04
Federal Funds	\$2,545,900.03
County Funds	\$636,475.01

2025 Budgeted Amount: \$673,000.00

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the proper County officials are hereby authorized to sign the attached resolution informing the NDDOT that Burleigh County concurs with the selection of Central Specialties Inc. for the construction of the County Highway 10 from 236th Street SE to US 83 mill and overlay and County Highway 10 from 66th Street SE to US 83 chip seal project.

RESOLUTION

WHEREAS, the bid in the amount of \$3,182,375.04 from Central Specialties Inc. received in the bid opening of November 15, 2024 for Project SC-0836(068) was the low bid received.

WHEREAS, this bid is considered reasonable.

NOW THEREFORE, be it resolved by the Board of County Commissioners of BURLEIGH County will award to Central Specialties Inc. the contract for Project SC-0836(068) and hereby authorizes the Chairman of the Board to sign said contract.

It is further understood that the County shall reimburse the North Dakota Department of Transportation for any payments made under this contract, which are not collectible from the Federal Highway Administration.

ATTEST:

County Auditor

Chairman, Board of County
Commissioners

County: BURLEIGH_____

This is to certify that the above resolution was adopted and passed at a meeting of the Board of County Commissioners at _____ County on _____.

County Auditor



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: December 2, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to seek a consultant engineering firm to perform construction engineering services for mill, overlay and chip seal of County Highway 10.

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to seek an engineering firm to perform construction engineering services.

BACKGROUND:

The 2025 Burleigh County Construction Program includes the Mill and Overlay of County Highway 10 from 236th Street NE to US 83 and the Chip Seal of County Highway 10 from 66th Street NE to US 83 (Federally funded project). The project was let on November 15th by the State and construction will be funded under an 80/20 (Federal/Local) split.

The use of consultant firms can be beneficial in completing projects that require certain capabilities that we do not have in house, or require faster action than our current staffing can provide. The project will require us to follow the Federal Construction Process (a process that we currently are not certified to complete), we propose using a consultant firm to perform this function. Interested engineering consultant firms will submit a written proposal addressing: staff experience and technical capabilities, current workload, understanding of project scope, fee schedule, etc. After a review of the proposals, we will select the most qualified consultant and the NDDOT and County will work with them to develop the scope and timeline for the project. Once the details of

the project have been worked out, we will apply their fee schedule and come up with a total cost. This will then be brought back to the Board for approval. The construction engineering services for this project will be performed (and funded) under an 80/20 (federal/local) split.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise to seek construction engineering services proposals for the Mill, Overlay and Chip Seal of the County Highway 10 project.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: December 2, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to advertise for bids.

Please place the following item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for: Painted Pavement Markings, Crushing of Gravel, Township Gravel Hauling, Dust Control, and Chip Seal projects.

BACKGROUND:

Every year the Burleigh County Highway Department bids out the following items: Painted Pavement Markings, Crushing of Gravel, Township Gravel Hauling, Dust Control, and Chip Seal projects. Historically, the Highway Department does a separate resolution for each item; however, this year we are presenting one resolution to cover all items.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for: Painted Pavement Markings, Crushing of Gravel, Township Gravel Hauling, Dust Control, and Chip Seal projects.

ITEM

9

To: Burleigh County Board of County Commissioners
From: Rachel Lukaszewski, Executive Director– Bis-Man MPO
Jason Carbee, Project Manager – HDR
Date: November 14, 2024
Re: Review and Resolution of Receipt for Arrive 2050 (BMMPO
2025-2050 Metropolitan Transportation Plan)

Introduction

Arrive 2050 is the Metropolitan Transportation Plan (MTP) for the Bismarck-Mandan Metropolitan Planning Organization (BMMPO), which includes the City of Bismarck, City of Mandan, City of Lincoln, Burleigh County, and Morton County. As a long-range planning tool, it covers a planning horizon for the future 25 years. Attached to this memorandum is an Executive Summary for the Arrive 2050 MTP. Also, the full document may be accessed from the study website, Arrive2050.com. **The BMMPO, and their consultant HDR, request and the opportunity to present the final Arrive 2050 MTP to the Burleigh County Board of County Commission at their December 2, 2024 meeting.**

Summary

Arrive 2050 is designed to help the BMMPO and local jurisdictions meet current and future transportation needs and to gauge the success of these efforts with established performance measures. Arrive 2050 will guide the development of multimodal transportation systems throughout the Bismarck-Mandan metropolitan area for the next 5 years. It will be used to prioritize federal transportation spending throughout this period, and as such, it is vitally important that the plan reflect the choices and needs of the Bismarck-Mandan metropolitan area's residents, workers, and visitors. Since transportation has a broad impact on society, long-range transportation planning must consider concerns, such as impact upon the environment, land use, and economic development, in addition to traditional transportation-related issues, such as mobility and safety.

Plan Development Process

Development of Arrive 2050 includes the following key processes:

- Identify the baseline and future conditions based on historic growth and development, analyze the region's transportation system, and evaluate existing issues and needs.
- Create a transportation vision, goals, and objectives to guide the development.
- Establish a fiscal constraint.
- Evaluate options and alternatives that will address the region's transportation issues and needs and help meet the overall transportation vision for Bismarck-Mandan.
- Prioritize projects based on need, fiscal constraint and timeline for implementation.
- Plan review and approval by the Bismarck-Mandan MPO's Policy Board.

Public Engagement

The development of Arrive 2050 was conducted with a pro-active public involvement process. BMMPO staff also worked cooperatively with decision-makers of its member jurisdictions, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the North Dakota Department of Transportation (NDDOT), and the public to execute a continuous, cooperative, and comprehensive planning process and develop the highest quality public investment plan for our region.

A steering committee was established to provide technical direction and guidance of the Metropolitan Transportation Plan (MTP) development. Representation on the committee included:

- City of Bismarck
- City of Mandan
- City of Lincoln
- Burleigh County
- Morton County
- Federal Transit Administration
- Federal Highway Administration
- North Dakota Department of Transportation

Four rounds of public input opportunity were held at strategic phases of the MTP development process. Each phase was structured to ensure inputs from the public would support key elements of the Arrive 2050 MTP. Additional tools such as a project web page and social media were executed to engage the public and key stakeholders.

Vision, Goals, Objectives & Performance Measures

The future of the transportation system in the Bismarck-Mandan metropolitan area will be driven by the vision, goals, objectives, and performance measures developed for Arrive 2050. The goals developed for Arrive 2050 reflect guidance from MAP-21 planning factors, MAP-21 and FAST Act National Performance Goals, the Bipartisan Infrastructure Legislation, current Federal Planning Emphasis Areas, the NDDOT statewide transportation plan, and input from project stakeholders and community outreach.

Constrained & Prioritized Plan

Development of the project list for Arrive 2050 is based on an established fiscal constraint agreed to between the Bismarck-Mandan MPO and NDDOT. All projects were prioritized through a process which balanced technical analysis, public input, project needs and feasibility. These elements were used to determine which projects would be selected for the constrained funding plan and in what period the project(s) would be proposed (short, mid, or long-range).

Requested Action:

The Bismarck-Mandan MPO requests a motion for acceptance of Arrive 2050, the 2025-2050 Metropolitan Transportation Plan, by Resolution of Receipt.



ARRIVE 2050

METROPOLITAN
TRANSPORTATION PLAN



Executive
Summary
October 2024



The Metropolitan Transportation Plan

The MTP is the MPO’s road map for navigating the region’s future multimodal transportation system. The plan reflects local conditions and assesses the performance of the Bismarck-Mandan region’s transportation system while meeting the metropolitan transportation planning requirements of the Bipartisan Infrastructure Law. Under these requirements, the MTP:

- Must be updated every 5 years;
- Must be fiscally constrained;
- Utilizes a planning horizon of at least 20 years;
- Consults local agencies, NDDOT, Federal Highway Administration (FHWA), and Federal Transit Administration (FTA);
- Is a performance-based plan that guides progress toward regional performance measures and targets while supporting state performance targets.

Arrive 2050 builds off the 2045 MTP to continue transportation planning in the Bismarck-Mandan region while incorporating the findings and recommendations of plans and studies that have been completed since the publication of the 2045 MTP. The plan was developed in accordance with Bismarck-Mandan MPO’s Public Participation Plan to ensure proactive public involvement throughout the MTP development process.

The Metropolitan Transportation Planning Process

Federal regulations related to metropolitan transportation planning require MPOs to develop four key documents (listed below) to ensure transportation planning in the region is performance based, multimodal, continuous, cooperative, and comprehensive.

Metropolitan Transportation Plan (MTP)



Guides the development of the area’s transportation system over the next 20+ years. The MTP is required to be updated every 5 years for the MPO to maintain eligibility for federal transportation dollars. The MTP addresses transportation system needs and provides a set of methods, strategies, and actions for developing an integrated multimodal system that supports the efficient movement of people and goods, including pedestrians, bicyclists, automobile drivers, transit users, and freight shippers.

Transportation Improvement Program (TIP)



Identifies federally funded transportation improvements in the area over a 4-year time frame. Federal regulations require each MPO to develop a TIP for projects using federal transportation funding sources. The TIP is developed on an annual basis in cooperation with MPO area member jurisdictions, transit providers, and NDDOT.

Unified Planning Work Program



Describes the multimodal transportation planning projects to be conducted in the Bismarck-Mandan MPO area in any specified 2-year period. This biennial document is the foundation for requesting federal funds and a control tool for scheduling, budgeting, and monitoring the transportation planning process.

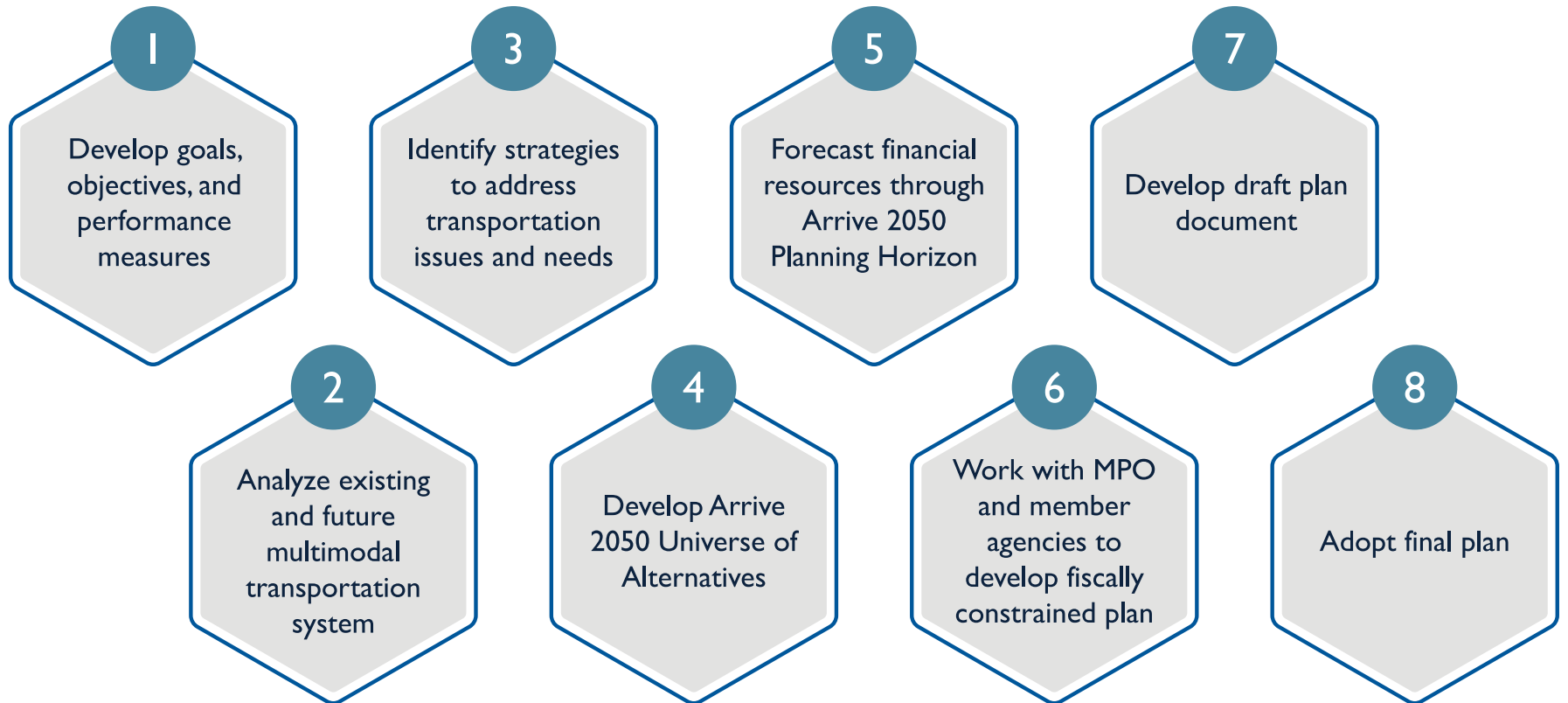
Public Participation Plan



Identifies the role of the MPO regarding public participation and provides guidelines to be followed in achieving public involvement through advertising, public meetings, hearings, and other relevant forums.



The Arrive 2050 Process





Arrive 2050 Goals

	Safety		Maintenance
	Economic		Forward-Thinking
	Resilient		Active Transportation and Transit
	Efficiency and Reliability		Equity



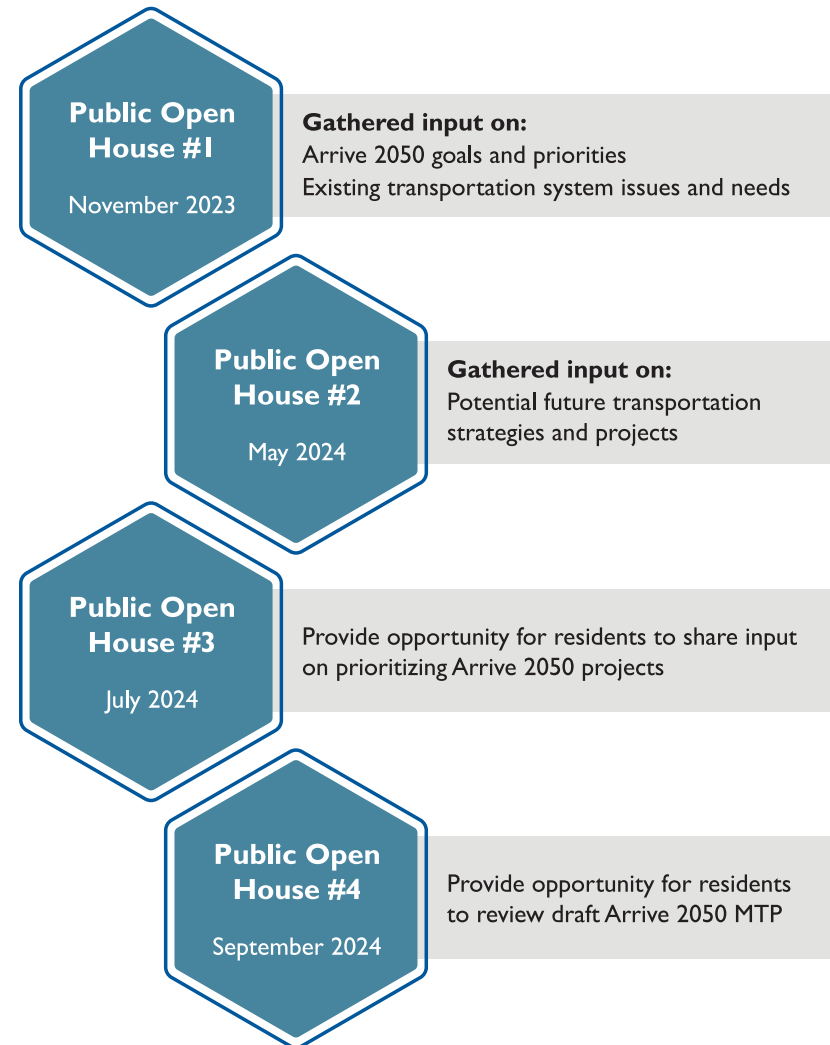
Public Engagement

Public engagement is a key driver of Arrive 2050 and was ongoing throughout the plan’s development. Public engagement is critical to the transportation planning process. Public engagement activities held as a part of Arrive 2050 include:

<p>Arrive 2050 Website</p> 	<p>Online Surveys</p> 
<p>Public Open Houses</p> 	<p>Arrive 2050 Steering Committee</p> 
<p>Stakeholder Meetings</p> 	<p>MPO TAC, MPO Policy Board, and NDDOT Management Committee Updates</p> 









Public Open Houses

A series of public open houses were held at various milestones during the development of Arrive 2050:





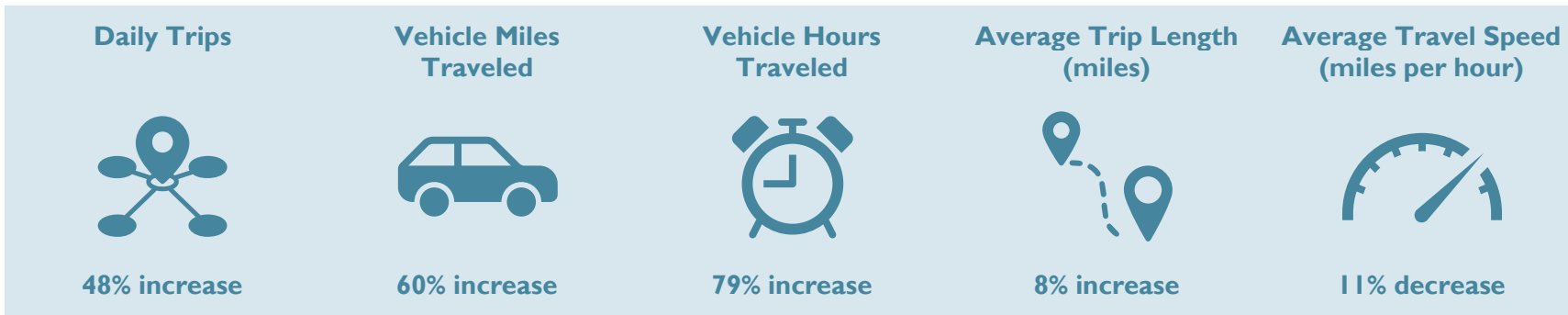
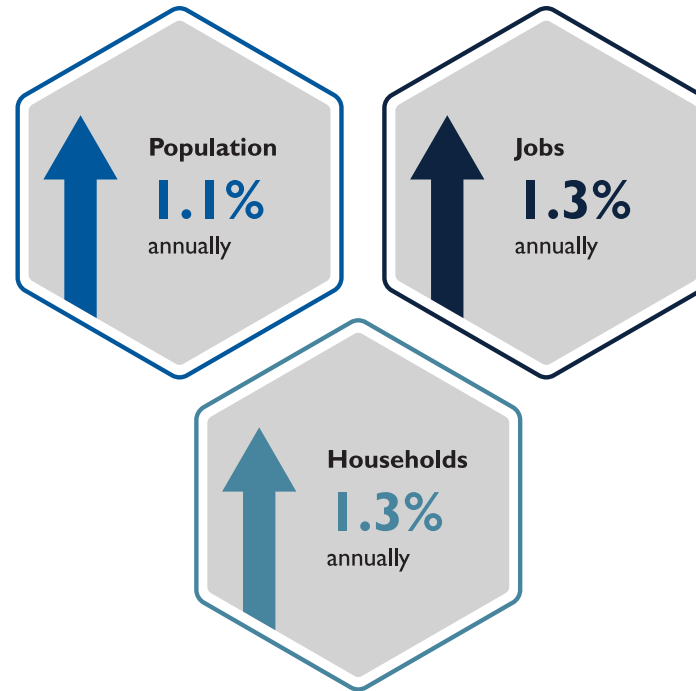
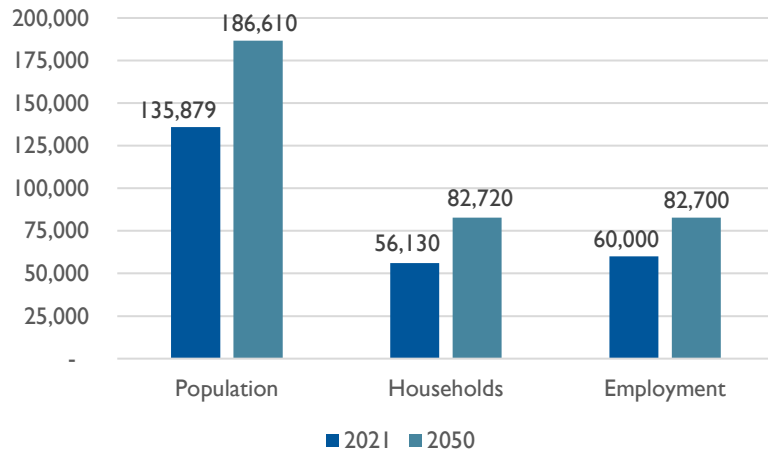
Baseline Transportation System Performance – Summary of Issues and Needs

	Safety	Frequent crashes occur along the MPO's higher-volume arterial roadway network; crashes resulting in serious injury have increased in the region.
	Traffic Operations	AM and PM peak hour congestion today due to high numbers of road users, future growth expected to lead to additional congestion.
	Freight	The presence of high freight-generating land uses in eastern and southern Bismarck highlights the need to provide efficient connections among freight destinations and the region's highways and interstate system.
	Bicycle Pedestrian System	The existing bicycle and pedestrian network provides a strong foundation for future expansion that can enhance system connectivity while providing increased access to community destinations.
	Transit Services	Transit ridership saw a significant decline in 2020, and ridership has begun to trend toward pre-2020 levels. Investment in transit-supportive improvements will encourage additional ridership in the future.
	Pavement Conditions	Continued investment and management of the MPO's pavement assets can address pavement deficiencies while preventing a decline in conditions that would result in deterioration beyond an acceptable level.
	Bridge Conditions	Several bridges are in poor condition, while others exhibit functional deficiencies that impact their ability to support usage by all types of vehicles. Improving these structurally and functionally deficient bridges can prevent load restrictions and/or closures in the future.
	Cross-area Travel	Cross-area travel and mobility has been identified as a significant issue, specifically north-south travel in Bismarck and east-west travel in Mandan. Barriers to continuous corridors and arterial access levels are some of the cross-area travel issues.



Growth and Performance of the Future Transportation System

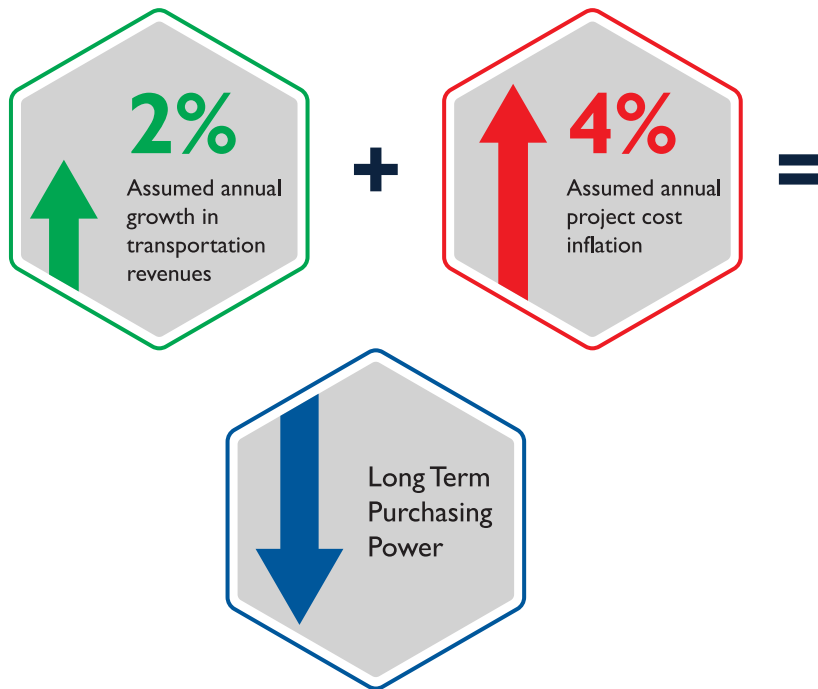
Based on anticipated growth trends for the MPO Area's household and employment levels, overall future travel conditions through the year 2050 were analyzed. This analysis resulted in the evaluation of key transportation performance measures and anticipated future issues.





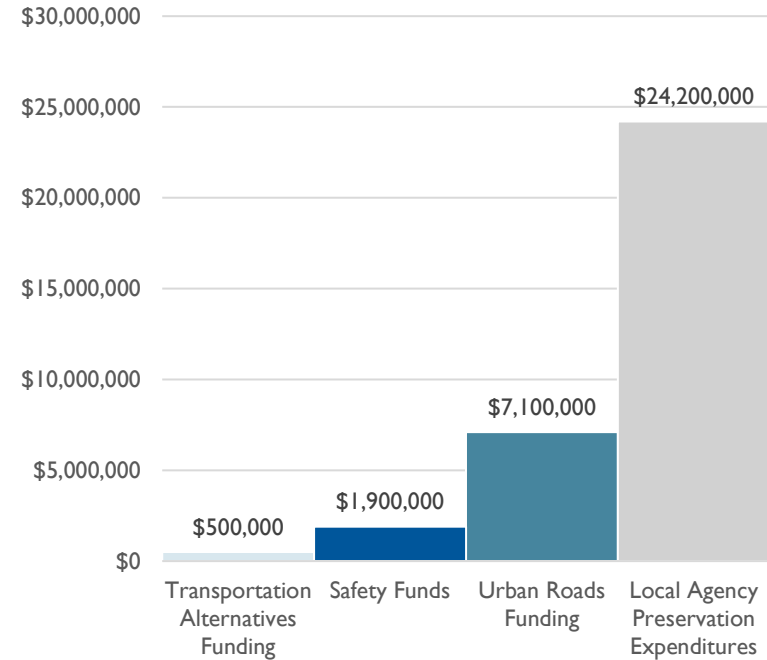
Arrive 2050 Funding Plan

Projected Future Funding Levels - The Arrive 2050 Plan is fiscally constrained. This means that we have estimated future transportation funding levels and evaluated transportation needs to create a plan that we can reasonably afford.



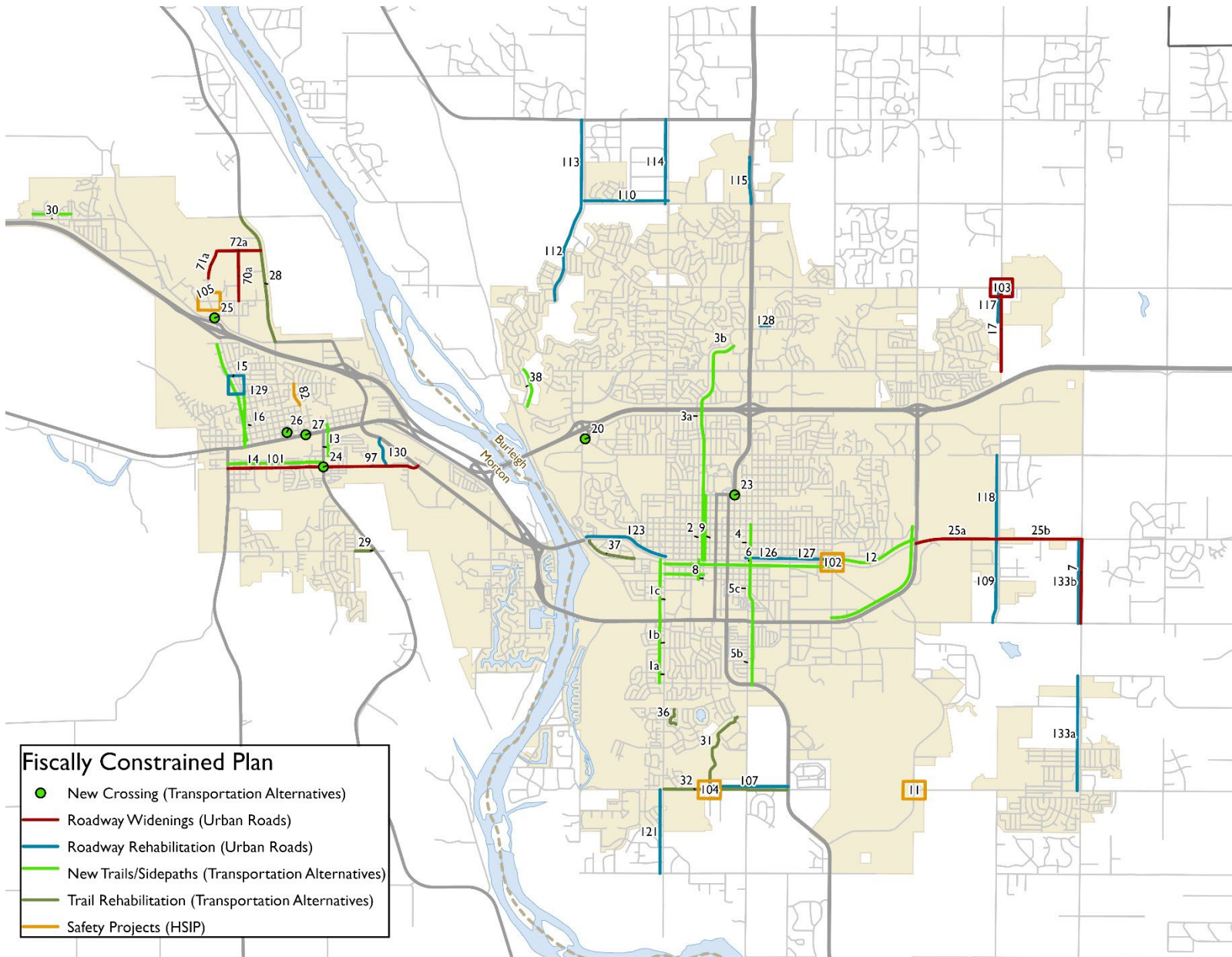
Annual future funding levels for the MPO’s key transportation programs were forecasted through the year 2050 to understand the revenue levels the agency can reasonably expect through the life of Arrive 2050. These funds are federally-sourced and allocated to the MPO on an annual basis:

Annual Funding Levels for Transportation



Fiscally Constrained Plan

The Arrive 2050 plan evaluated available funding, anticipated needs to maintain the existing system, and the priorities for the transportation system to identify a fiscally constrained plan. There are numerous other priority projects that do not fit within current funding sources that the MPO and its partners will continue to look for opportunities to implement. The map below shows the range of project types that are part of the Arrive 2050 plan.



- Fiscally Constrained Plan**
- New Crossing (Transportation Alternatives)
 - Roadway Widening (Urban Roads)
 - Roadway Rehabilitation (Urban Roads)
 - New Trails/Sidepaths (Transportation Alternatives)
 - Trail Rehabilitation (Transportation Alternatives)
 - Safety Projects (HSIP)

*This is a summary of the fiscally constrained plan. More details are available in the fiscally constrained chapter on page 142 (151/237 in pdf) at: arrive2050.com/meeting/assets/documents/Arrive_2050_Draft_Document_09232024.pdf

Resolution of Receipt

For the 2025-2050 Bismarck-Mandan
Metropolitan Transportation Plan

Whereas, the U.S. Department of Transportation requires the development, approval, and maintenance of a Metropolitan Transportation Plan for the Bismarck-Mandan Metropolitan Planning Organization (MPO) as a condition of Federal transportation funding; and

Whereas, the MPO has been designated by the Governor of North Dakota as the organization responsible for preparing and maintaining the Metropolitan Transportation Plan; and

Whereas, the MPO after an extensive public and stakeholder involvement process and substantial consideration of technical, environmental, financial, and social factors has prepared the 2025-2050 Metropolitan Transportation Plan which is in compliance with Federal and State transportation planning guidance; and

Whereas, Burleigh County staff has actively participated in Plan development and has had the opportunity to review the 2025-2050 Metropolitan Transportation Plan, and any comments received have been addressed within the Plan; and

Whereas, all relevant State and Federal agencies have had the opportunity to review the Plan and any comments received have been addressed within the Plan; and

Whereas, notice was published for a public hearing in accordance with the MPO Public Participation Plan, and the Burleigh County Planning and Zoning Commission held a public hearing on the 2025-2050 Metropolitan Transportation Plan and has accepted it as a guide for their future planning and development policies, and has recommended it to the Burleigh County Commission; and

Now Therefore be it Resolved, by the Burleigh County Commission that it receives the 2025-2050 Metropolitan Transportation Plan; and

Be It Further Resolved, that Burleigh County staff is directed to implement or support the 2025-2050 Metropolitan Transportation Plan.

CERTIFICATE

The undersigned representatives of Burleigh County certify that the forgoing is true and correct copy of a Resolution, received at a legally convened meeting of the Burleigh County Commission held on December 2, 2024.

By: _____
Steve Bakken
Chairman, Burleigh County Commission

_____ Date

Attest: _____
Mark Splonskowski
Auditor/ Treasurer, Burleigh County

_____ Date

ITEM

10



Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Recommendations from the November 13, 2024 meeting of Burleigh County Planning Commission
Date: 11-25-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Wiese Final Subdivision & Zoning

Legal Description: Being a Part of the SE 1/4, Section 34, Township 139 N, Range 79W

Property Address: TBD.

Burleigh County was asked by Thomas Leshovsky – Wold Engineering P.C. regarding the approval of a one (1) lot subdivision containing 2 acres, including a zoning change from A- Agricultural to R1- Single Family Residential. The Planning Commission recommended approval of the zoning and final plat by a vote of 9-0.

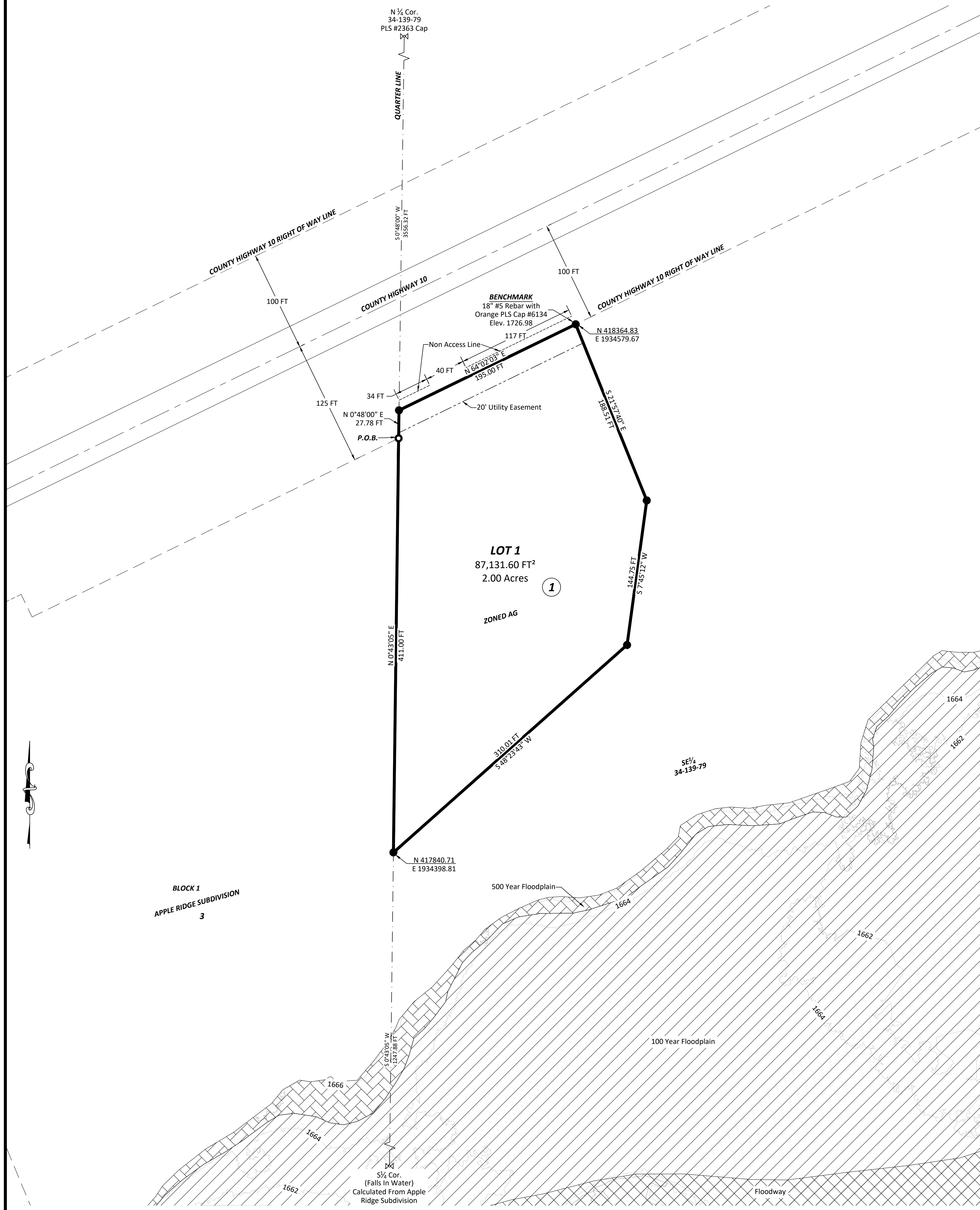
ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve Wiese Final Subdivision and Zone Change.

Attachments: Ex.1 Wiese Subdivision Final Plat.
Ex. 2 Wiese Site Location.

WIESE ACRES SUBDIVISION

BEING A PART OF THE SE $\frac{1}{4}$, SECTION 34, TOWNSHIP 139 N, RANGE 79 W,
OF BURLEIGH COUNTY, NORTH DAKOTA



DESCRIPTION:

Know all men by these presents that Richard Schuler, being Owner and Proprietor, of an Unplatted Part of the SE $\frac{1}{4}$, Section 34, Township 139 N, Range 79 W, of the 5th Principal Meridian, Burleigh County, North Dakota, being more particularly described as follows:
Beginning at the Northeast Corner, of Lot 3, Block 1, of Apple Ridge Subdivision, a Plat being on file at the Burleigh County Recorder's Office; Thence N 0°48'00" E, on the North-South Quarter Line, of said Section 34, a distance of 27.78 FT, to a Point being on the South Right of Way Line of County Highway 10; Thence N 64°02'03" E, on said Right of Way Line, a distance of 195.00 FT; Thence S 21°57'40" E, a distance of 188.51 FT; Thence S 7°45'12" W, a distance of 144.75 FT; Thence S 48°23'43" W, a distance of 310.01 FT, to a Point being on the East Line of said Lot 3; Thence N 0°43'05" E, on the East Line of said Lot 3, a distance of 411.00 FT, to the Point of Beginning.
Said described tract, of land contains 2.00 Acres more or less. Have caused the same to be surveyed and platted as shown hereon, to be known as Wiese Acres Subdivision, to Burleigh County, North Dakota and hereby dedicate Right-of-Way and easements as shown to Burleigh County, in witness whereof, the owners hereunto affixed their signatures.

SURVEYOR'S CERTIFICATE

I, Thomas R. Leshovsky, a duly Registered Professional Land Surveyor, do hereby certify that I have Surveyed and Platted, the Foregoing described land. That Lots, Distances, Areas and Locations as shown on the foregoing Plat and in the Description Thereof, are true and correct to the best of my Knowledge and Belief. The Subdivision Plat represents a survey made by Thomas R. Leshovsky or under the surveyor's direct supervision, and that the monuments shown thereon are accurate, all required monuments have been set, and that all dimensional and geodetic details are correct.

Thomas R. Leshovsky P.L.S. #6134

STATE OF NORTH DAKOTA, COUNTY OF _____

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Thomas R. Leshovsky, Registered Land Surveyor, well known to be such, and acknowledged to me that he executed the foregoing Surveyor's Certificate as his own free act and deed.

My commission expires _____

Notary Public, State of North Dakota

OWNER'S CERTIFICATE OF DEDICATION

We, the undersigned, being sole owners of the land platted herein, do hereby voluntarily consent to the execution of said plat and do dedicate all the right of way identified herein to Burleigh County. We also dedicate Easements to run with the land for gas, electric, telephone, water or other public utilities or services on or under those certain strips of land designated hereon as "Utility Easement".

Richard Schuler

STATE OF NORTH DAKOTA, COUNTY OF _____

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Richard Schuler, well known to be the person described in the foregoing description and acknowledged to me that he executed the same on his own free act and deed.

My commission expires _____

Notary Public, State of North Dakota

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

The County Planning and Zoning Commission of Burleigh County, North Dakota, hereby approves Wiese Addition as shown on this plat, this plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and the ordinances of the County of Burleigh and regulations adopted by said Planning and Zoning Commission.

The foregoing action of the County Planning and Zoning Commission of Burleigh County, North Dakota, was taken by resolution approved on this ____ Day of _____, 2024.

Dennis Agnew, Chairman

Attest: Mitch Flanagan, Secretary

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of the County of Burleigh, North Dakota, has approved the Subdivision of land as shown on this plat. Has accepted the dedication of all streets shown thereon, and does hereby vacate any previous platting within the boundary of this plat.

The plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and ordinances of the County of Burleigh.

The foregoing action of the Board of County Commission of Burleigh County, North Dakota, was taken by resolution approved on this ____ Day of _____, 2024.

Brian Bitner, Chairman

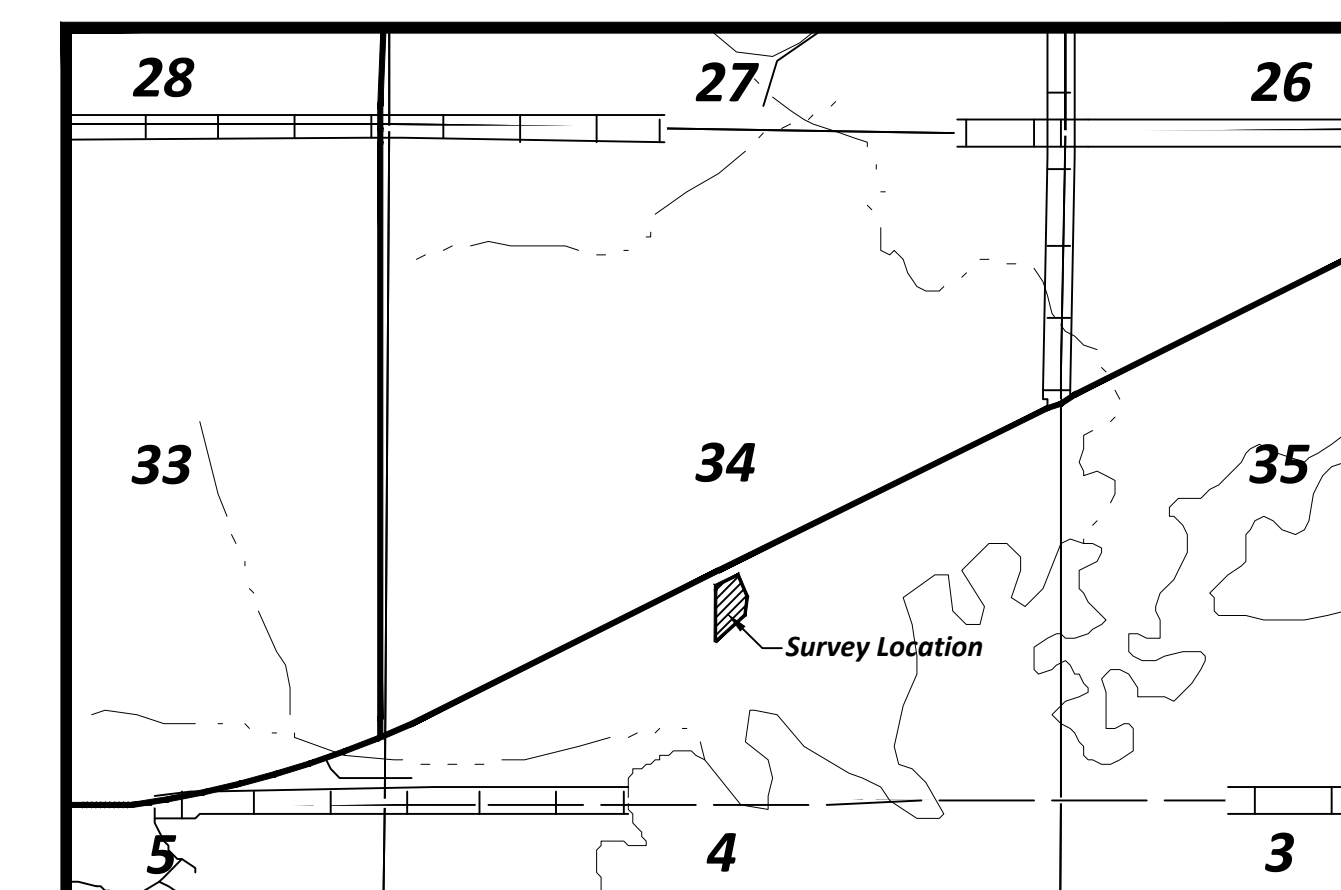
Attest: Mark Splonkowski, County Auditor/Treasurer

APPROVAL OF THE COUNTY ENGINEER

I, Marcus J Hall, County Engineer for the County of Burleigh, North Dakota, hereby approves this plat of "Wiese Acres Subdivision" as shown on the plat, Dated this ____ Day of _____, 2024.

Marcus J Hall, PE, County Engineer

LOCATION MAP (SCALE 1" = 1500')



NOTES:

Plat is subject to all prior Easements of Record.

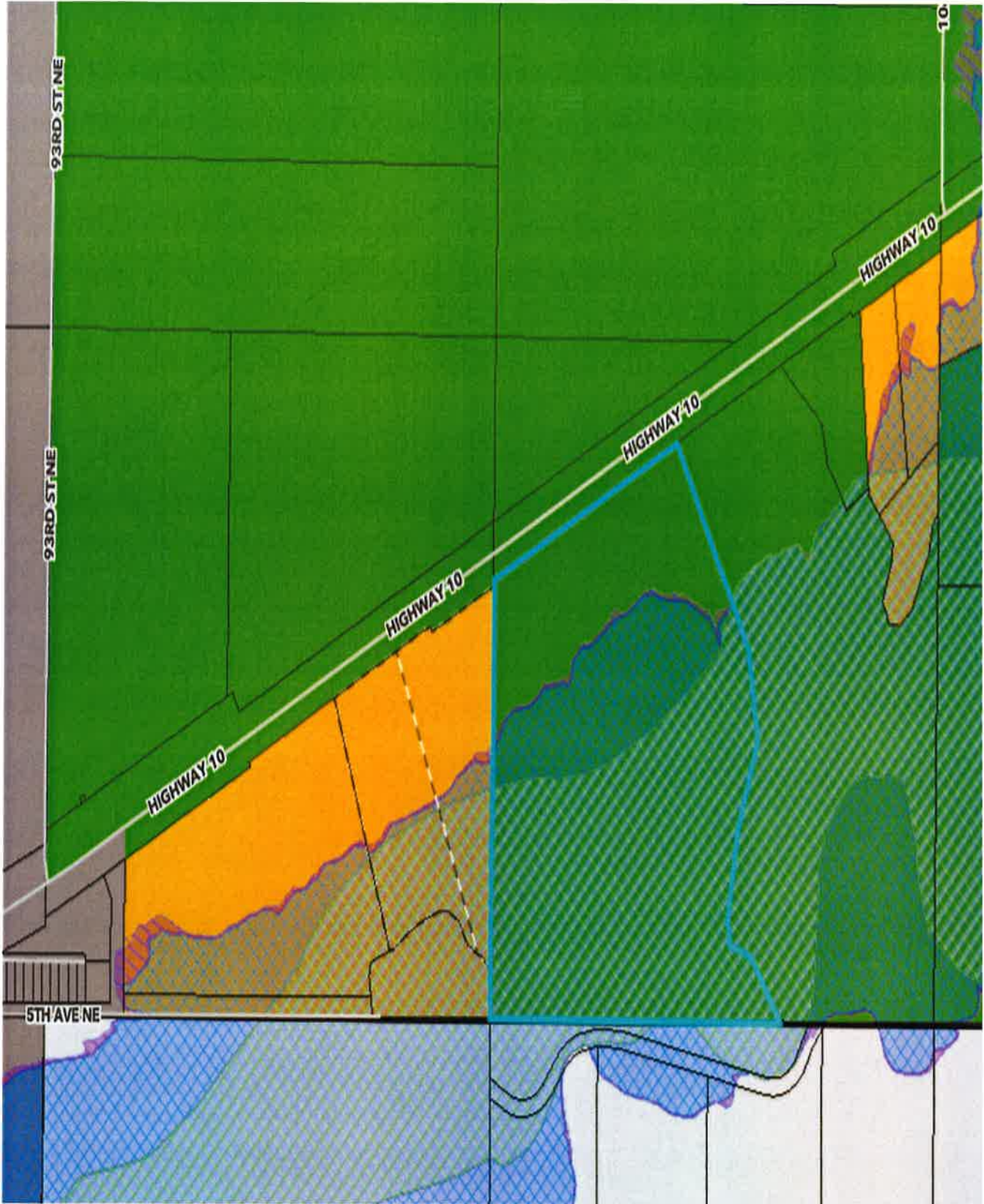
Bearings and Distances may vary from previous plats due to different methods of measurement.

A 20' Utility Easement is on the streetside of every Lot.

State Plane Coordinates shown are North Dakota (South Zone) NAD83 Int. Feet. NGS OPUS Solution was used to establish coordinates.

Elevations Shown are NAVD88 Int. Feet.

Wiese Subdivision Site Location





Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Big Sky Passenger Rail Authority
Date: 11-25-2024
From: Mitch Flanagan, Burleigh County Planning Director. *lll*

ITEM 1

Letter of Support

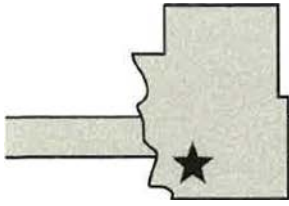
The Government Partners Program- GPP, has been developed by BSPRA (Big Sky Passenger Rail Authority) and is being offered to communities potentially impacted by future restoration/expansion of passenger rail service. On 10-7-2024 this Board considered and approved becoming a member of the BSPRA's GPP through the MPO.

The membership will allow access to support services provided by BSPRA to navigate the challenges and opportunities which will be presented to local communities in providing for the restoration of the former North Coast Hiawatha passenger rail line.

ACTION REQUESTED:

Consider approving the letter of support for the Government Partners Program through the MPO.

Attachments:
GPP Letter of support



STATE OF NORTH DAKOTA
County of Burleigh

221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

December 2, 2024

Big Sky Passenger Rail Authority
100 N 27th St, Suite 600 D
Billings, MT 59101

Re: BSPRA's Corridor ID Project

Dear Members of the Big Sky Passenger Rail Authority,

The possibility of restoring the former North Coast Hiawatha passenger rail line that once served our North Dakota communities continues to gain momentum on both a local and national level. Several factors seem to point to the likelihood of the restoration of this service.

The Federal Railroad Administration, through the FRA Long Distance Service study, has identified this passenger rail line as a recommended route to be restored to service and the Corridor Identification and Development Program has accepted the BSPRA sponsored project "Big Sky North Coast Corridor" into its program. The "Big Sky North Coast Corridor" project includes the reinstatement of the former North Coast Hiawatha passenger rail line.

Support for this effort is growing on a local level, as well. The Burleigh County Commission is in support of the restoration of a passenger rail service, such as the "Big Sky North Coast Corridor", to serve Burleigh County. Such a service has the potential to provide significant economic benefit to the residents and visitors of Burleigh County, our region, and to the state of North Dakota. The Burleigh County Commission recently approved becoming members of the BSPRA's Government Partner Program, which demonstrates our commitment to having a passenger rail service within our region.

Sincerely,

Brian Bittner
Chairman, Burleigh County Commission

ITEM

11

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN

Memorandum

To: Chairman Brian Bitner
Commissioner Steve Bakken
Commissioner Wayne Munson
Commissioner Steve Schwab
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP
HR Director/Risk Manager

Date: November 26, 2024

Re: Human Resource's Agenda items for December 2, 2024 Commission Meeting


Subject One: Holiday Policy

BACKGROUND:

I have included the Burleigh County Holiday Policy. Under Holidays (1)a-l lists the paid holidays that Burleigh County has observed in the past years. Juneteenth is not on this list. Although Juneteenth is a recognized holiday by the Federal government, it is not observed as a recognized paid holiday by the state of North Dakota. Burleigh County has not recognized Juneteenth as a paid holiday either.

RECOMMENDATION:

My recommendation is to keep the paid Holidays as listed on the current Holiday Policy.

	Holiday Policy	BCHR – 03 Last Revision Date: 06/28/2021 Board Approved: 07/07/2021
---	-----------------------	--

Statement of Philosophy: It is the policy of Burleigh County to identify observed holidays and the eligibility for and circumstances under which Holidays are allowed.

Purpose: identify observed holidays and the eligibility for and circumstances under which Holidays are recognized and paid.

Holidays: Burleigh County observes the Federal Holidays that have been approved by the Burleigh County Commission at the first meeting in December of the preceding year.

- 1) The approved holidays for Burleigh County employees are listed below:
 - a) New Year’s Day
 - b) Martin Luther King, Jr Day
 - c) President’s Day
 - d) Good Friday
 - e) Memorial Day
 - f) Independence Day
 - g) Labor Day
 - h) Veteran’s Day
 - i) Thanksgiving Day
 - j) County Offices will close at noon on December 24th, unless it is a holiday or weekend
 - k) Christmas Day
 - l) Any additional holiday that has been approved by the Burleigh County Commission prior to the occurrence of the holiday.

- 2) If such holiday falls on a Saturday, the preceding Friday shall be observed as the holiday, or if the holiday falls on Sunday, the Monday following shall be observed as the holiday.

- 3) Standard Holiday Policy Full-time and part-time employees who are not otherwise required to work, shall take each holiday off and receive full pay. In the event the Burleigh County Commissioners designate a portion of a day as a holiday, only that portion will be considered as a holiday. To receive compensation for holidays, an employee must have worked a full shift on the employee's scheduled work shift or be on an approved leave with pay on the day before and the day after the holiday.

- 4) Condition A Non-exempt full-time and salaried part-time employee (as defined by the Fair Labor Standard Act and identified by the Burleigh County Commissioners) who work on a holiday shall receive double compensation.
- 5) Condition B Non-exempt full-time and salaried part-time employees whose regular day off falls on a holiday shall receive regular rate compensation for the day (or portion thereof as is applicable) and shall have the holiday off.
 - a) Under both Condition A and Condition B the employee's department head shall have the option of crediting the employee with compensatory time off, on an hour for hour basis or paying straight time in lieu of the compensation due beyond normal pay. Unless otherwise specified by the department head before the holiday, the additional compensation shall be compensatory time off.
- 6) Employees who are employed less than full time (40 hours per week) but 20 hours or more per week shall be paid holiday pay based on a prorated number of hours worked.
 - a) Holiday pay will be prorated based on the number of hours worked in a pay period divided by the number of hours available for work in the pay period.
- 7) Employees who are employed less than 20 hours per week and seasonal employees shall receive neither paid holiday time nor additional compensation for working on a holiday.

ITEM

12



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: November 27, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Burleigh East Renovation Project Update and Fund Commitment

Please place the following item on the next Burleigh County Commission agenda.

Action Requested:

Update on the proposed renovation of the Burleigh County property at 2000 N 52nd St. and discuss committing funding sources to include American Rescue Plan Funds (ARPA) and Local Assistance and Tribal Consistency Funds (LATCF).

Background:

Burleigh County Sheriff's Department began the process for remodeling the building identified as Burleigh East located at 2000 N 52nd St. An architect has been hired and a contract signed. Due to timing requirements of ARPA and LATCF funds, those monies must be committed prior to the end of calendar year 2024. By allocating those funds to this project, Burleigh County will meet the requirements set out with that funding source.

Recommendation:

It is recommended that the County Commission dedicate the remaining ARPA and LATCF funds to the Burleigh East Remodel Project.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to commit the identified funds for renovation of the described property.

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

	Amount Approved/Committed	Amount Spent
\$	\$	\$
Morton Township	1,900.00	1,677.20
Wilton	666,666.00	666,666.66
Burleigh County	1,000,000.00	2,070,876.83
SCRWD	758,151.00	751,104.00
Wilton Ambulance	50,000.00	49,998.00
Burleigh County	374,440.00	232,167.50
Wing Ambulance	50,000.00	27,105.00
Wilton Fire	50,000.00	1,776.89
Burleigh County	324,312.00	182,005.33

Subtotal

188,581.00

Amount allocated by the Commission to CIP
Unallocated

Total

188,581.00

Available to recommit
\$ 222.80
0.42
23,630.17
7,047.00
2.00
142,272.50
22,895.00
48,223.11
142,306.67

386,599.67

188,581.00
11,512.42

\$ 586,693.09

LATCF Funds \$100,000

Total \$686,693.09



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 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |
Stream on [freetv.org](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

December 16, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 2, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Emmons County Emergency Management Service JPA.
6. County States Attorney Lawyer:
 - a. Victim/Witness grant funding.
 - b. Continuation of discussion regarding County Auditor/Treasurer.
7. John Fraase:
 - a. Courtroom name discussion.
8. County Finance director Jacobs:
 - a. 2023 Investment Report; Q2 2024 & Q3 2024 Investment Returns.
9. County Auditor/Treasurer Splonskowski:
 - a. Investment clarification.
 - b. 2024 General Election Recap.
10. Chairman Bitner:
 - a. Continuation of Co2 pipeline discussion.
 - b. Standalone election computer discussion.
11. Consideration of Auxiliary Board applications.

12. County Engineer Hall:
 - a. Developer Waiver Request.
 - b. 236th ST SE Bridge discussion.
13. Other business.
14. Adjourn.

The next regularly scheduled Commission meeting will be on January 6, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING
DECEMBER 2ND, 2024**

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

Administration of Oath of Office for newly elected Commissioners and other elected officials

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.

Like last meeting's (Nov. 18th, 2024), several revisions were once again made to the agenda. Firstly, item 7A on the agenda regarding clarification on the First Quarter 2024 investment report by County Auditor/Treasurer Splonskowski was quickly struck out by Chairman Bitner. Secondly, the discussion on the CO2 pipeline was moved up to be had after the approval of the consent agenda. Thirdly, an item regarding an investigation report was added to item 13 (formal grievance discussion by Comm. Munson). Lastly, an item regarding human services appointments by the request of Comm. Bakken was added under "other business". Motion by Comm. Munson, 2nd by Comm. Bakken to approve the meeting agenda as amended. All members present voted "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the November 18th, 2024 meeting minutes and bills with a slight amendment in the November 18th minutes regarding some word changes. 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.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Sprynczynatyk, Michael & Richard	2023	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	\$129,200	\$109,000
Sprynczynatyk, Michael & Richard	2024	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	\$129,200	\$109,000
Old Dominion Freight Line Inc	2022	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	\$4,130,000	\$3,221,400
Old Dominion Freight Line Inc	2023	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	\$4,501,700	\$3,511,300
Old Dominion Freight Line Inc	2024	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	\$4,740,900	\$3,700,000
Douglas & Karen Sokolofsky	2024	Lot 12, Block 1, North Hills 13th	50% Homestead Credit	\$445,500	\$345,500
Ronald & Laurie Jensen	2023	Lots 1-2 less N 59'(or S 55.08' of Lots 1-2), Block 6, Riverview	50% Homestead Credit	\$214,000	\$114,000
Carma Branch and Leslie Edison	2024	Lot 9, Block 11, Highland Acres	100% Homestead Credit	\$265,100	\$65,100
Dana Clairmont c/o Dana Breiner	2023	Lot 4, Block 21, Morningside Heights	100% Disabled Persons Credit	\$113,400	\$13,400
Thomas & Twylla Rausch	2024	Block 85, McKenzie & Coffin's, W30' of S15' of Lot 7, W30' of Lots 8-12, E10' of alley adj on W; E15' of Lot 42 all lots 43-44 & W10' alley adj Lot 44	100% Homestead Credit	\$358,100	\$158,100
Susan Lemke	2023	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	\$260,700	\$60,700
Susan Lemke	2024	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	\$272,200	\$72,200
Dennis & Paula Duffield	2023	Lot 13, Block 3, Cottonwood Lake 4th & undivided interest in Lot 32, Block 1	50% Homestead Credit	\$434,800	\$334,800

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Michael & Richard Sprynczynatyk (2), Old Dominion Freight Line Inc (3), Douglas & Karen Sokolofsky, Ronald & Laurie Jensen, Carma Branch and Leslie Edison, Dana Clairmont c/o Dana Breiner, Thomas & Twylla Rausch, Susan Lemke (2), and Dennis & Paula Duffield abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

The Commission decided via consensus to hold a special meeting/executive session at 10am on Wednesday, December 4th to discuss potential litigation and appeal of Summit Carbon Solutions' CO2 permit. Chairman Bitner then once again opened the floor for public comment on the CO2 pipeline situation. More general negative opinions about Summit and its pipeline were shared by Jeff Jennings, Curtis Jundt, Gary Anderson, and Kevin Chevey.

County Finance Director Jacobs gave a continuation of the Q1 2024 Investment Report discussion from last meeting (November 18th, 2024), this time specifically focusing on a check dated March 28, 2024. He clarified that the reason this check didn't deposit into the county's Wells Fargo account as soon as possible was not the fault of BNC National Bank (or any bank or institution for that matter), but because it was sitting on a desk somewhere in the county offices and was forgotten about. Jacobs then gave some details about the Burleigh County investment committee following a question asked by Comm. Munson about said committee, namely about frequency of meetings and general operating processes.

County Auditor/Treasurer Splonskowski asked for a clarification on the 2025 final budget – the county doesn't collect any reserves for the Water Resource District, and that to buy them down the county would need to use \$66,038 in general fund dollars or force the Water Resource District to use their own reserves for that amount to do so. After some deliberation, a consensus was reached among the commissioners to collect the same dollar amount for the Water Resource District as last year but not give them any general funds. No further action was taken. Splonskowski then presented to the Commission an amended 2025 meeting calendar, which replaced the Wednesday, January 22nd, 2025 meeting with a Tuesday, January 21st, 2025 meeting due to a conflict in scheduling. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the amended 2025 meeting calendar. All members present voted "AYE". Motion carried.

County Engineer Hall presented a concurrence letter from the NDDOT about the Highway 10 mill project, which requested that Burleigh County concur with the estimated cost-sharing amount for the project; Hall then presented to the Commission a proposed resolution for approval. Motion by Comm. Schwab, 2nd by Comm. Munson to approve Hall's proposed resolution. All members present voted "AYE". Motion carried. Hall subsequently requested Commission approval for the Highway Department to look for consultant engineering firms willing to assist in the Highway 10 project. Motion by Comm. Munson, 2nd by Comm. Bakken to approve Hall's request for consultant engineering. All members present voted "AYE". Motion carried. Hall lastly asked for approval from the Commission to authorize the Highway Department to advertise for annual bids. Motion by Comm. Woodcox, 2nd by Comm. Schwab to authorize the advertisement of bids by the Highway Department. All members present voted "AYE". Motion carried.

Kim Ripple from Bismarck-Mandan MPO and MPO consultant Jason Carby from HDR presented to the Commission the Arrive 2050 Metropolitan Transportation Plan, which aims to improve the local transportation network through expansion or maintenance, and requested the Commission approve the Arrive 2050 Metropolitan Transportation Plan through a resolution of receipt. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Arrive 2050 Metropolitan Transportation Plan with amended wording error. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a Wiese Subdivision plat in Gibbs township to the Commission and requested approval by the Commission. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the Wiese Subdivision plat. All members present voted "AYE". Motion carried. Flanagan then showed a conceptual letter of support by Burleigh County for the Big Sky North Coast passenger rail project for Commission review. Motion by Comm. Bakken, 2nd by Comm. Munson to send a letter of support for the project with amended spelling error. All members present voted "AYE". Motion carried.

County HR Director Binder asked for Commission approval of the same list of holidays from 2024 in the new 2025 Holiday Policy. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the 2025 Holiday Policy. All members present voted "AYE". Motion carried.

Chairman Bitner recused himself from the next item, relinquishing chairmanship over to Comm. Bakken. Sheriff Leben gave a brief update on the Burleigh East renovation project, stating that any remaining ARPA funds need to be committed prior to the year's end in order to be used in the project. Motion by Comm. Schwab, 2nd by Comm. Munson to authorize remaining ARPA funds to the Burleigh East renovation project. All members (excluding Bitner) present voted "AYE". Motion carried. Chairmanship was then returned to Comm. Bitner.

Comm. Munson presented to the Commission a formal grievance request by Auditor/Treasurer Splonskowski regarding the process of selecting interview panels. While Auditor/Treasurer Splonskowski did not have enough copies of a letter he attached with the grievance report form, he offered to read it to the Commission, but was quickly shut down by Comm. Munson because he preferred to have all the documents in person. A consensus among the commissioners was had to move this item to the next Commission meeting. No further action was taken.

Julie Lawyer from the State's Attorney's Office (SAO) came up and presented the findings of an internal investigation within the Auditor/Treasurer's office. The investigation originally stemmed from a complaint made on October 5th, 2024, about text messages sent by Auditor/Treasurer Splonskowski being a potential policy violation of the federal Hatch Act. Allegations of a potential hostile workplace environment in the Auditor/Treasurer's office were also lumped into and examined during the investigation following Elections Coordinator Lisa Hart's resignation on October 15th, 2024, and subsequent phone call with County HR Director Binder on October 17th, 2024, but these were soon proved to be unfounded and subsequently dismissed. In short, 66 text messages were sent by Auditor/Treasurer Splonskowski during work hours to various individuals, telling them and anyone they know to not vote for Brian Bitner for County Commissioner during the 2024 general election. When provided with an open records request from the SAO, some but not all the desired material were provided by Splonskowski. Splonskowski indicated to the SAO that he did not believe that his personal opinions sent on his personal phone met the criteria of an open record (despite him sending them as the county auditor), and that he didn't believe that as an elected official that the Hatch Act applied to him. The SAO determined that the Hatch Act does in fact apply to elected officials, and that Splonskowski was found having violated the Hatch Act, as he used his position to try and influence an election result via the text messages. Although Splonskowski cannot be terminated from his position as he is an elected official and there is very little the county can effectively do in terms of discipline, Julie recommended that Splonskowski attend Secretary of State elections training for Hatch Act compliance, as well as remedial training regarding open records/meetings. Chairman Bitner recused himself from the discussion and again relinquished chairmanship over to Comm. Bakken. As the commissioners talked about how to ensure/verify Splonskowski completes the recommended training from the SAO, the conversation brazenly evolved into an open discussion on

how to potentially oust the current Auditor/Treasurer from office, or eliminate the Auditor/Treasurer as an elected office altogether and convert the position into a Commission-appointed one. Ultimately, motion by Comm. Schwab, 2nd by Comm. Woodcox to table the item for next commission meeting. All members (excluding Bitner) present voted "AYE". Motion carried. Chairmanship was then returned to Comm. Bitner.

Comm. Bakken gave the floor to Burleigh County Human Service Zone Director Chelsey Flory, who informed the Commission that three positions on the human services board are expiring. Flory requested the Commission approve the reappointment of Senator Dick Devers and Trevor Vennett to the board and to open Leslie Piercy's position up for applications, as she is not seeking reappointment. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the reappointment of Senator Dick Devers and Trevor Vennett, open Piercy's position up for applications, and for Comm. Bakken to retain the portfolio of the human services board until portfolios change (if at all). Comm. Munson, Schwab, Bakken, and Bitner voted "AYE"; Comm. Woodcox abstained. Motion carried.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-743	Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	\$248,500	\$148,500
24-744	Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	\$266,400	\$166,400
24-748	Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	\$294,300	\$194,300
24-750	Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	\$7,484	\$0
24-751	Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	\$7,983	\$0
24-752	Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	\$7,983	\$0
24-753	Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	\$277,300	\$77,300
24-754	Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117'	50% Homestead Credit	\$357,000	\$257,000
24-755	Kevin & Christine Soule	2024	N 50' to beg	100% Homestead Credit	\$168,600	\$0

**JOINT POWERS AGREEMENT
FOR PROVISION OF
EMERGENCY MANAGEMENT SERVICES**

This agreement is made this 16th day of December 2024, by and between Burleigh County, North Dakota, a political subdivision, and Emmons County, North Dakota, a political subdivision.

WHEREAS, Burleigh County and Emmons County are organized and operated pursuant to Title 11 of the North Dakota Century Code and have the authority to enter into a Joint Powers Agreement pursuant to Section 54.40.3.01, North Dakota Century Code and Article VII, Section 10 of the North Dakota Constitution.

WHEREAS, North Dakota Century Code (N.D.C.C) 37-17.1-07 provides that "each county shall maintain an emergency management organization that serves the entire county or must be a member of a regional emergency management organization that serves more than one county"; and

WHEREAS, Emmons County has been challenged to maintain an effective emergency management program based on its part-time requirements, and after exploring various options to provide for an emergency management program has determined the most effective method would be to pay for services; and

WHEREAS, Burleigh County maintains highly qualified fulltime staff in its emergency management program, is willing and capable of providing emergency management services, and has determined that it can leverage efficiency within its own program to provide fee-based emergency management services.

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual covenants contained herein the parties agree as follows:

1. Scope of Services: Burleigh County and Emmons County agree that Burleigh County, through its Emergency Management Department, shall furnish services to and for Emmons County by providing emergency management services in accordance with the terms and conditions of this Agreement. Burleigh County assumes the obligation to provide such services through its Emergency Management employees consistent with the terms of this Agreement in compliance with established professional standards. In furtherance, but not in limitation of the scope of services designated herein, such duties, obligations and responsibilities shall include the following:
 - A. Burleigh County shall incorporate the National Incident Management System, which includes the Incident Command System (ICS)/Unified Command System (UCS), into the local emergency operations plan (LEOP).

- B. Burleigh County shall develop, review, and update the Local Emergency Operations Plan (LEOP) to ensure it adequately addresses all hazards and issues that may arise during an emergency/disaster, identify resources including local, private, voluntary, and mutual aid, and conduct planning meetings to review and identify roles and responsibilities.
 - C. Burleigh County shall manage the Emmons County's Emergency Management Program Grant (EMPG) to include the submission of a grant application with budget and work plan. Further, Burleigh County shall complete the items in the work plan, provide an accounting for grant funds, submit reimbursement requests, including proper documentation and proof of payments, submit quarterly progress reports, and maintain grant records, including the inventory of equipment purchases.
 - D. Burleigh County shall complete a training plan for Emmons County responders based upon Homeland Security Exercise and Evaluation Program results and NIMS training requirements. (Based upon monies allotted via budget and/or grants).
2. Term: The agreement of this term shall be for a period of one year beginning upon the effective date of January 1, 2025 and terminating on December 31, 2025. This agreement shall renew yearly unless either party delivers a sixty (60) day written notice, at any time during the contract period, to the other party of its intention to discontinue further services under this agreement.
3. Compensation: Emmons County agrees to pay Burleigh County for services to be provided under the terms of this Agreement as follows:
- A. A base monthly fee of \$1,500.00 will be paid to Burleigh County to offset the current Emergency Management Program budget since services will be provided in day-to-day activities.
 - B. Emmons County agrees to pay additional fees based on an hourly rate for dedicated service hours and specific operational costs identified per month. A cost estimate is provided in Attachment A (Budget).
 - C. The fees generated through Attachment A will not include hours of work required to support emergency and disaster response. Those fees will be a separate cost and based on regular or overtime hours and apportioned to supported jurisdictions.
 - D. As the program matures, the monthly fee will adjust according to a documented work history. Depending on workload requirements, the service provider may need to increase staff to sustain service goals.

4. Insurance: Each County will agree to assume its own liability for claims of any nature including all costs, expenses, and attorneys' fees which may result from or arise out of this agreement.

Burleigh County shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-insurance pools or government self-retention funds, authorized to do business in North Dakota the following insurance policies: commercial general liability; automobile liability; and workforce safety insurance covering all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are \$250,000 per person and \$500,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workforce safety insurance compensation. The Counties shall furnish certificates of insurance evidencing these coverages are in effect and providing that the coverages may not be canceled or modified without thirty (30) days prior written notice to the other County.

5. Status of Burleigh County Employees: In the performance of the services rendered by Burleigh County through its designated employees are employees of Burleigh County and not employees of Emmons County.
6. Relationship of Parties: This Agreement shall not be construed to create any form of any employment relationship between any Burleigh County Emergency Management Department employee and Emmons County under the provisions of this Agreement. It is the intention of the parties hereto to maintain separate and distinct organizations, and Burleigh County through its designated employees shall be acting as an independent contractor in providing services to and for the benefit of Emmons County. Burleigh County shall be responsible to control and supervise all its employed Emergency Management Department employees and to pay compensation to the same for all wages, salaries, taxes, withholding payments, fees, as well as other professional education, professional liability insurance premiums, and contributions to any pension plans. Burleigh County shall not claim that Emmons County is responsible for the payment of any of the foregoing payments, withholdings, contributions, or taxes in relationship to its designated employees.
7. Indemnification and Liability of Parties: Each party to this Agreement shall be responsible for the claims, losses, damages, and expenses, which may arise out of the negligent or wrongful acts or omissions of that party or that party's agents, employees, or representatives acting in the scope of their duties in this Agreement. Each party to this Agreement agrees to inform the other in the event such party is notified of an investigation or claim arising out of the services provided under the terms and conditions of this Agreement and shall provide reasonable access to the information involving such investigation or claim. Each party shall further notify the other party of the disposition of any such investigation or claim.

8. Termination: This Agreement shall terminate upon the expiration of the term established herein. Either party may further terminate this Agreement for breach of any of the duties outlined herein upon ninety (90) days written notice delivered to the other party. Upon termination of this Agreement, as provided for above, neither party shall have any further obligation or duty hereunder except for those obligations which have accrued prior to the date of termination.
9. Governing Law: This Agreement shall be construed in accordance with and governed by the laws of the State of North Dakota and shall further be subject to all applicable federal laws, rules, and regulations.
10. Compliance with Laws and Regulations: It is the intention of Emmons County and Burleigh County to fully comply with all applicable laws and regulations in performing their respective duties and responsibilities under this Agreement. The parties shall cooperate during the entire term of this Agreement to assist each party in fully complying with the laws and regulations required in providing emergency management services.
11. Notices: Any notice required or permitted to be given under this Agreement shall be deemed properly given at the time it is mailed, properly addressed and postage prepaid to the addresses specified below, or to such other and further addresses as may be specified in writing:

Burleigh County Auditor
221 N 5th St
Bismarck, ND 58501

Emmons County Auditor
100 4th St NW
Linton, ND 58552

Dated this 16th day of December 2024, Burleigh County:

BY: _____
Brian Bitner, Commission Chairperson

Dated this 3rd day of December 2024, Emmons County:

BY: 
Erin Magrum, Commission Chairperson

Attachment A

	Yearly	Monthly
Burleigh County Fixed Operating Expenses/Supplies		
	\$ 18,000.00	\$1,500.00

Emmons County Emergency Management Budget		
EM Contract Per Hour	\$ 13,200.00	\$ 1,100.00
*Estimate 27.5 hours/month		
FICA	\$ 818.40	\$ 68.20
Medicare	\$ 191.40	\$ 15.95
Other Expenses	\$ 2,000.00	\$ 166.67
Program Cost	\$ 34,209.80	\$ 2,850.82

ITEM

6

BURLEIGH COUNTY STATE'S ATTORNEY

JULIE LAWYER
STATE'S ATTORNEY

To: Burleigh County Commissioners
From: Julie Lawyer, Burleigh County State's Attorney
Date: December 16, 2024
Re: Victim / Witness grant funding



As reported during the budget sessions, the Victim / Witness Coordinator program applies annually for federal VOCA grants.

As previously reported, the program has been granted \$110,285 for the period of October 1, 2024 through September 30, 2025.


We have been notified that the North Dakota Department of Corrections and Rehabilitation (ND DOCR) is allocating additional VOCA funds to VOCA recipients, including our victim / witness program.

Our program has been awarded an additional \$50,715 for the period of October 1, 2024 through June 30, 2025 by ND DOCR.

BURLEIGH COUNTY STATE'S ATTORNEY

JULIE LAWYER
STATE'S ATTORNEY

To: Burleigh County Commissioners

From: Julie Lawyer, Burleigh County State's Attorney 

Date: December 16, 2024

Re: Continuation of discussion regarding County Auditor / Treasurer

At the December 2, 2024 meeting, the Board asked for additional information regarding removal from office of a county officer and converting an elective office to an appointed office.

Attached please find the relevant law regarding those topics.

Petition for Removal by Governor - N.D.C.C. § 44-11-01, et. seq.

The governor may remove from office any ... county auditor, ... county treasurer, ...whenever it appears to the governor by a preponderance of the evidence after a hearing as provided in this chapter, that the officer has been guilty of misconduct, malfeasance, crime in office, neglect of duty in office, or of habitual substance abuse or gross incompetency.

A petition for removal must be filed with the attorney general.

Charges against the official may be made by petition of 50 qualified electors of the county or by the state's attorney.

When a petition is filed, the attorney general shall conduct an investigation within 30 days.

The attorney general then makes a recommendation whether a removal proceeding should be conducted and, if so, whether the accused officer should be suspended during the pendency of the proceeding.

After receiving the attorney general's recommendation, the governor shall then determine whether to proceed with appointment of a special commissioner. If the governor chooses not to proceed, notice and a summary of reasons for the decision goes to the persons who filed the petition. If the governor chooses to proceed, the governor can request the county's state's attorney to appear and prosecute. With the governor's approval, the state's attorney can request the attorney general or a state's attorney of another county to prosecute.

A hearing shall be held within 30 days of the appointment of the special commissioner. Within 10 days of the hearing, the special commissioner shall provide a report of proceedings, summary of testimony, findings as to whether any allegations were proven, exhibits, and evidence, and a recommendation whether the accused officer should be removed from office.

If the governor removes the officer, the board has five days to fill the position. The removed person can appeal the decision to the district court.

Recall of elected officials - N.D.C.C. § 44-08-21 & N.D.Const. Art. III, § 10

Any elected official ... of any county ... shall be subject to recall by petition of electors equal in number to 25% of those who voted at the preceding general election for office of governor in the ... county ... in which the official is to be recalled.

The petition shall be filed with the official with who a petition for nomination to the office in question is filed (county auditor), who shall call a special election if he finds the petition valid and sufficient. No elector may remove his name from a recall petition.

The name of the official to be recalled shall be placed on the ballot unless he resigns within 10 days after the filing of the petition. Other candidates for the office may be nominated in a manner provided by law. No official shall be subject twice to recall during the term for which he was elected.

Resignation of officers - N.D.C.C. § 44-02-02

The resignation of an elective county officer must be in writing and made by filing or depositing the resignation in the county auditor's office except the county auditor's resignation is filed or deposited with the board of county commissioners.

Converting an elected office to an appointed office - N.D.C.C. Ch. 11-10.2

The county and its citizens may, if included in the [home rule] charter and implemented through ordinances: ... provide for county elected and appointed officers and employees, their selection, powers, duties, qualification, and compensation, and the terms of county appointed officers and employees. ... A home rule charter may not diminish the term of office for which a current county officer was elected, redesignate that elected office during that term as appointed, or reduce the salary of the office of that term. N.D.C.C. § 11-09.1-05(6)

The Board of County Commissioners may follow state law converting the elected offices of the county auditor/treasurer and the county recorder into appointed offices. Any resolution to convert an elected office to an appointed office shall not shorten the term for which the official was elected nor reduce the salary of the official's office for that term. Burleigh County Home Rule Charter, Art. III § 3.

A county may, without requiring local citizens to permit county home rule powers, ... redesignate an elective county office as an appointive office ... N.D.C.C. § 11-10.2-01(1)(c)

The redesignation of a county office as elective or appointive, may be accomplished by resolution of the board of county commissioners, subject to the right of referendum in the county electors. N.D.C.C. § 11-10.2-02

1. Board of County Commissioners, by majority vote, adopts a preliminary resolution redesignating a county office as appointive.
2. The complete text of the proposed plan is published in the official newspaper at least one time during two different weeks within the 30 days immediately following adoption of the preliminary resolution.
3. The board of county commissioners shall hold public hearings and community forums or other suitable means to:
 - a. Disseminate information;
 - b. Receive suggestions and comments;
 - c. Encourage public discussion of the purpose, conclusion, and recommendations of the plan.
4. Within 2 years after adoption of the preliminary resolution, the board of county commissioners may by final resolution approve or amend the plan and approve it for implementation according to its terms.

The final resolution may be referred to the qualified electors by a petition protesting the plan

1. The petition must be signed by 10% or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election.
2. The petition must be filed with the county auditor before 4:00 p.m. on the 30th day after the final resolution is adopted.
3. Within 10 days of filing, the auditor shall determine whether the petition contains the signatures of a sufficient number of qualified electors.
 - a. Any insufficiencies may be cured by filing an amended petition within 10 days after declaration of insufficiency.
4. If a sufficient, timely petition is filed with the auditor, the final resolution is suspended.

5. The board of county commissioners shall then reconsider the referred resolution and either:
 - a. Repeal the resolution in its entirety; or
 - b. Submit the resolution to a vote of the county electors at the next regular election.
 - i. If submitted to a vote, the complete text of the resolution is to be published in the official newspaper of the county within 14-30 days of the election.
 - ii. If a majority of voters approves the resolution, the plan incorporated in the resolution is effective and becomes operative according to its terms as if it had not been suspended.

ITEM

8

BURLEIGH COUNTY FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: DECEMBER 11, 2024

TO: MARK SPLONSKOWSKI
County Auditor

FROM: LEIGH J JACOBS, CPA
Finance Director

RE: 2023 Investment Report to Burleigh County Commission

Please place the attached 2023 Investment Report and Q1, Q2, Q3 2024 Summary of Return on Investment to the Burleigh County Commission on the next Burleigh County Board agenda.

ACTION REQUESTED:

Receive the 2023 Investment Report as required by the County Investment Policy.

BACKGROUND:

The County Investment Policy requires a quarterly and annual investment report to be delivered to the Burleigh County Commission. This requirement has been neglected in recent years. Consequently, the Finance Department prepared an annual report for 2023 to get the County up to date on its reporting requirements to the Commission.

RECOMMENDATION:

It is recommended that the Board review the attached 2023 Investment Report and Q1, Q2, Q3 2024 Summary of Return on Investment. Staff will be available at the meeting to answer questions.

**BURLEIGH COUNTY, NORTH DAKOTA
REPORT ON INVESTMENT RETURN
FY 2023**

Prepared by

BURLEIGH COUNTY FINANCE DEPARTMENT

December 6th, 2024

BURLEIGH COUNTY, NORTH DAKOTA

REPORT ON INVESTMENT RETURN

FY 2023

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

The County's investment policy requires an annual report to management on the following topics: disclosure of all transactions during the year; summary of the year's total investment return; indication of any areas of policy concern (if identified); and suggested changes to investment strategy.

TRANSACTIONS DURING THE YEAR

The County made only twenty-two (22) **active investment decisions** during the year. This equates to less than two active decisions per month. All the decisions but one underperformed Treasuries. Some of the decisions carried a heavy price in terms of opportunity costs, i.e. the opportunity to invest in higher-yielding US Treasuries. For instance, the decision on February 16th to invest \$22,500,000 in Certificates of Deposit (CDs) with First International Bank and Trust ("First International") cost the County \$66,000 in potential interest revenues from US Treasuries in 2023 alone, with the costs continuing into 2024 on 12-month CDs. It's unclear if the County received bids for this CD despite its huge cost at \$22.5m. On February 28th, the County purchased a 12-month CD with Choice Bank ("Choice") for \$6,000,000 yielding 4.50%. It's unclear if the County received bids for this purchase; however, rates on a 12-month Treasury which the County purchased at Bank of North Dakota ("BND") on February 2nd were 4.67%, and rates had risen to 5.03% by the end of February. The opportunity cost of this decision exceeded \$26,000 in 2023.

The County made **passive investment decisions** during the year. For example, the County failed to capitalize on rising interest rates. The County left \$30,000,000 in its First International money market earning **less than 1%** during January when our **Wells Fargo Sweep account was paying 4.04% at the beginning of the month (see Appendix A.1.)**. The County prints daily reports from Wells Fargo which report on the previous day's yield in the account; therefore, the County knew rates were far higher at Wells Fargo, yet the County failed to transfer money from First International to take advantage of the higher rates at Wells Fargo. **This inaction cost the county \$75,000 in opportunity cost in the month of January alone.**

In another example, when the CDs purchased from First International on February 16th began to mature, the County on May 23rd deposited the proceeds into First International's money markets which yielded almost one percent (1%) **less** than similar Treasuries. The cost to the County over \$9,000 **per month** in lost potential interest revenue while rates held.

In another example, the County allowed sales taxes to sit uninvested at the Bank of North Dakota throughout the year. At the beginning of 2023, the County held over \$18,500,000 in uninvested cash at the Bank of North Dakota earning only .38%. Although the County invested much of this idle cash in February, the County went four months – from April 4th to August 2nd – without making a single investment at BND, despite collecting

BURLEIGH COUNTY, NORTH DAKOTA REPORT ON INVESTMENT RETURN FY 2023

EXECUTIVE SUMMARY

sales taxes monthly. On average, the County held \$6,181,606 in uninvested cash at the Bank of North Dakota throughout the year. Excluding Q1 2023, the County averaged \$4,700,000 in uninvested cash during the remaining months of the year. The failure to invest sales taxes cost the County \$236,000.

The County's decision to leave cash uninvested at BND impacted Morton County, as well. Burleigh County has a fiduciary obligation to manage Morton County's sales taxes held in trust at BND and pledged to our joint detention center bond. Under the bond documents, only the Burleigh County Auditor/Treasurer may invest sales taxes for Burleigh and Morton Counties. Morton's uninvested cash balance averaged \$2,157,618 throughout the year, with an average of \$1,750,000 during the last three quarters of the year. The failure to invest Morton County's sales taxes cost Morton County nearly \$78,000.

RETURN ON INVESTMENT

Bank	Average Balance	Interest \$ Earned	Earned Interest Rate	Benchmarked Interest	Benchmark Interest Rate	Difference Over/(Under) Benchmark
Bank of North Dakota - Burleigh County	\$ 28,120,083.56	\$ 1,028,334.81	3.66%	\$ 1,264,499.56	4.50% ^a	\$ (236,164.75) (0.84)%
Bank of the West	962,824.35	18.80	0.0020%	10,559.42	4.48%	(10,540.62) (4.48)%
BNC National Bank	3,178,344.78	122,128.47	3.8425%	156,680.93	4.93%	(34,552.46) (1.09)%
Bravera Bank	2,124,727.49	96,548.12	4.54%	109,728.38	5.16%	(13,180.26) (0.62)%
Choice Bank	6,611,017.22	267,684.66	4.05%	303,860.89	4.60%	(36,176.22) (0.55)%
First Interational Bank	30,655,097.92	1,247,903.47	4.07%	1,531,684.80	5.00%	(283,781.33) (0.93)%
Wells Fargo (Sweep) - General Fund	14,046,068.21	683,718.63	4.87%	687,958.91	4.90%	(4,240.28) (0.03)%
Wells Fargo (Sweep) - "PEG"	3,000,000.00	16,819.47	0.56%	149,238.08	4.97%	(132,418.61) (4.41)%
Subtotal, Burleigh County	88,698,163.53	3,463,156.43 ✓	3.90%	4,214,210.96	4.75%	(751,054.53) (0.85)%
Bank of North Dakota - Morton County	4,571,057.97	151,344.94	3.31%	229,145.55	5.01% ^a	(77,800.61) (1.70)%
Grand Total, Burleigh & Morton	\$ 93,269,221.49	\$ 3,614,501.37 ✓	3.88%	\$ 4,443,356.51	4.76%	\$ (828,855.14) (0.89)%
^a Note: Morton County's benchmark exceeds Burleigh's because Morton on average 47% of their cash uninvested in BND's money market. We benchmarked money markets against 1-mo. Treasuries. Given the inverted yield curve, this credited Morton's benchmark with the higher-yielding 1-month Treasury rates.						

Using Treasuries as a benchmark, the County **underperformed** the market by \$751,055 during the year. Adding Morton County brings the total to \$828,855. Much of this comes from the failure to invest sales tax proceeds; failure to invest the \$3,000,000 "PEG" balance at Wells Fargo; failure to capitalize on rising rates; and a handful of poorly conceived and executed investment decisions involving CDs at First International and Choice.

Every decision the County made during the period except one performed below the benchmark. The only other exception is the BND sales tax accounts which are invested in Treasuries; however, the County made the questionable decision of purchasing \$5,000,000 in Treasuries maturing in January 2025. The County should have refrained from purchasing securities in that account with such a long maturity because this

BURLEIGH COUNTY, NORTH DAKOTA

REPORT ON INVESTMENT RETURN

FY 2023

EXECUTIVE SUMMARY

purchase conflicted with our bond repayment plan. Ultimately, these investments had to be sold at a discount to purchase investments that properly coincided with our bond repayment schedule.

TIMELINE OF RETURN ON INVESTMENT BY ELECTED OFFICIAL TERM IN OFFICE

	AUDITOR/TREASURER VETTER 1/1/2023 - 3/31/2023	AUDITOR/TREASURER SPLONSKOWSKI 4/1/2023 - 12/31/2023	DEPUTY AUDITOR/TREASURER 1/1/2023 - 12/31/2023	TOTAL FY 2023
Bank of North Dakota - Burleigh County	\$ (89,779.03)	\$ (146,385.72)	\$ (236,164.75)	\$ (236,164.75)
Bank of North Dakota - Morton County	(27,743.64)	(50,056.97)	(77,800.61)	(77,800.61)
Bank of the West	(10,540.62)	-	(10,540.62)	(10,540.62)
BNC National Bank	(21,095.86)	(13,456.60)	(34,552.46)	(34,552.46)
Bravera Bank	(6,902.47)	(6,277.80)	(13,180.26)	(13,180.26)
Choice Bank	(29,894.38)	(6,281.85)	(36,176.22)	(36,176.22)
First Interational Bank	(204,615.86)	(79,165.47)	(283,781.33)	(283,781.33)
Wells Fargo (Sweep) - General Fund	(1,886.49)	(2,353.79)	(4,240.28)	(4,240.28)
Wells Fargo (Sweep) - "PEG"	(27,163.97)	(105,254.64)	(132,418.61)	(132,418.61)
	<u>\$ (419,622.31)</u>	<u>\$ (409,232.84)</u>	<u>\$ (828,855.14)</u>	<u>\$ (828,855.14)</u>

POLICY CONCERNS

The County's investment policy is adequate; however, the County is not following the policy objectives. For example, the County went four months – April 4th to August 2nd – without making a single investment at BND, despite receiving sales taxes monthly. Sales taxes accumulated in the BND money market earning around .60% (6/10ths of one percent). These decisions run contrary to the "Yield" objective of our investment strategy.

CHANGES TO INVESTMENT STRATEGY

The County's investment practices prioritize convenience above the policy objectives. For example, the County accepts a lower rate of return than the benchmark for the convenience of using money markets. The County should re-structure its investment strategy to comply with the investment policy. Convenience should be considered only after other investment objectives are achieved.

REPORT ON INVESTMENT PERFORMANCE

BURLEIGH COUNTY

JANUARY 1, 2023 THROUGH DECEMBER 31, 2023

Burleigh County has a formal investment policy which guides investment decisions. The policy requires annual reporting to the Burleigh County Commission (hereafter “the Commission.”) The purpose of the required annual report is to disclose all transactions during the year; to summarize the year’s total investment return; to indicate any areas of policy concern (if identified); and to suggest changes to investment strategy.

TRANSACTIONS DURING THE YEAR

At year end 2022, the County held \$81,290,773 in cash and investments per our 2022 financial statement audit report. This amount does not include fiduciary funds held in trust for other entities such as property taxes received on behalf of the City of Bismarck, the School District, etc.

The table below summarizes the investment decisions the County made during Q1 2024:

Date	Bank	Decision	Effect of Decision	Auditor
1/24/2023	Choice Bank	Deposit \$1,004,244 in CD proceeds in Money Market @ 3.30%	Underperformed Treasuries by over 1.27%	VETTER
2/3/2023	Bank of North Dakota	Invest \$15,628,128 of Burleigh sales taxes	Failed to invest \$3,802,003 of Burleigh sales taxes; part is invested too long - 01/2025	VETTER
2/6/2023	Bank of North Dakota	Invest \$1,172,764 of Burleigh sales taxes	Failed to invest \$2,629,238 of Burleigh sales taxes	VETTER
2/16/2023	First International	Purchase \$22,500,000 in CDs at 4.03% - 4.18%	Underperformed Treasuries by .80% by weighted avg.	VETTER
2/28/2023	Choice Bank	Purchase \$6,000,000 in 12 Month CD @ 4.50%	Underperformed Treasuries by .53%	VETTER
3/6/2023	Bank of North Dakota	Invest \$1,825,793 of Burleigh sales taxes	Failed to invest \$3,752,976 of Burleigh sales taxes	VETTER
3/17/2023	First International	Deposit \$3,532,054 in CD proceeds in Money Market @ 4.37%	Overperformed 1-mo. Treasury by .11%; underperformed 2-mo. by .12%	VETTER
3/30/2023	BNC National Bank	Purchase 3/6/12 Months CD @ 4.15% - 4.50%	Underperformed Treasuries by .39% by weighted avg.	VETTER
4/3/2023	Bank of North Dakota	Invest \$3,248,483 of Burleigh sales taxes	Failed to invest \$3,626,379 of Burleigh sales taxes	SPLONSKOWSKI
4/18/2023	Choice Bank	Purchase \$500,000 in 12 Month CD @ 4.50%	Underperformed Treasuries by .31%	SPLONSKOWSKI
5/23/2023	First International	Deposit \$11,362,747 in CD proceeds in Money Market @ 4.67%	Underperformed Treasuries by .96%; underperformed Wells Fargo by .25%	SPLONSKOWSKI
June 2023	BNC National Bank	Left \$47,459 in cash or CD interest in money market @ .5%	Underperformed Treasuries by 4.81%	SPLONSKOWSKI
6/29/2023	BNC National Bank	Renew 3 Month CD of \$1,147,019 for 12 Months @ 4.70%	Underperformed Treasuries by .73%	SPLONSKOWSKI
7/15/2023	Bravera	Renew 10 month CD of \$680,000 for 12 Months @ 5.06%	Underperformed Treasuries by .29%	SPLONSKOWSKI
8/3/2023	Bank of North Dakota	Invest \$7,000,000 of Burleigh sales taxes	Failed to invest \$3,922,328 of Burleigh sales taxes	SPLONSKOWSKI
8/14/2023	Bravera	Transferred matured investments from Wells Fargo to Bravera money market @ 5.12% - WF Sweep was 5.19%	Underperformed Treasuries by .27%; underperformed WF sweep by .07%	SPLONSKOWSKI
8/17/2023	First International	Renew 6 Month CDs of \$3,750,000 for 6 months @ 5.00%	Underperformed Treasuries by .5%	SPLONSKOWSKI
8/31/2023	Bank of North Dakota	Invest \$1,795,479 of Burleigh sales taxes	Failed to invest \$5,095,620 of Burleigh sales taxes	SPLONSKOWSKI
9/12/2023	Choice Bank	Transfer via check \$1,000,000 to Bravera money market at 5.12%	Underperformed Treasuries by .27%; loss of 2 days interest while check in transit	SPLONSKOWSKI
9/28/2023	BNC National Bank	Renew 6 Month CD of \$1,147,019 for 12 Months @ 5.06%	Underperformed Treasuries by .42%	SPLONSKOWSKI
9/29/2023	Bank of North Dakota	Invest \$3,800,000 of Burleigh sales taxes	Failed to invest \$5,640,751 of Burleigh sales taxes	SPLONSKOWSKI
10/3/2023	Bank of North Dakota	Invest \$2,324,000 of Burleigh sales taxes	Failed to invest \$3,319,334 of Burleigh sales taxes	SPLONSKOWSKI

Auditor Splonskowski began his term of office on April 1, 2023. Prior to this, Leo Vetter served as the County Auditor/Treasurer. The Deputy Auditor/Treasurer position, responsible for investments under the Auditor, was fully staffed and with no turnover during the year under both Auditor/Treasurers. The table below summarizes the opportunity cost of lost interest revenue under the respective Auditors during the year, based on when the decision was made:

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

TIMELINE OF RETURN ON INVESTMENT BY ELECTED OFFICIAL TERM IN OFFICE

	AUDITOR/TREASURER VETTER 1/1/2023 - 3/31/2023	AUDITOR/TREASURER SPLONSKOWSKI 4/1/2023 - 12/31/2023	DEPUTY AUDITOR/TREASURER 1/1/2023 - 12/31/2023	TOTAL FY 2023
Bank of North Dakota - Burleigh County	\$ (89,779.03)	\$ (146,385.72)	\$ (236,164.75)	\$ (236,164.75)
Bank of North Dakota - Morton County	(27,743.64)	(50,056.97)	(77,800.61)	(77,800.61)
Bank of the West	(10,540.62)	-	(10,540.62)	(10,540.62)
BNC National Bank	(21,095.86)	(13,456.60)	(34,552.46)	(34,552.46)
Bravera Bank	(6,902.47)	(6,277.80)	(13,180.26)	(13,180.26)
Choice Bank	(29,894.38)	(6,281.85)	(36,176.22)	(36,176.22)
First Interational Bank	(204,615.86)	(79,165.47)	(283,781.33)	(283,781.33)
Wells Fargo (Sweep) - General Fund	(1,886.49)	(2,353.79)	(4,240.28)	(4,240.28)
Wells Fargo (Sweep) - "PEG"	(27,163.97)	(105,254.64)	(132,418.61)	(132,418.61)
	<u>\$ (419,622.31)</u>	<u>\$ (409,232.84)</u>	<u>\$ (828,855.14)</u>	<u>\$ (828,855.14)</u>

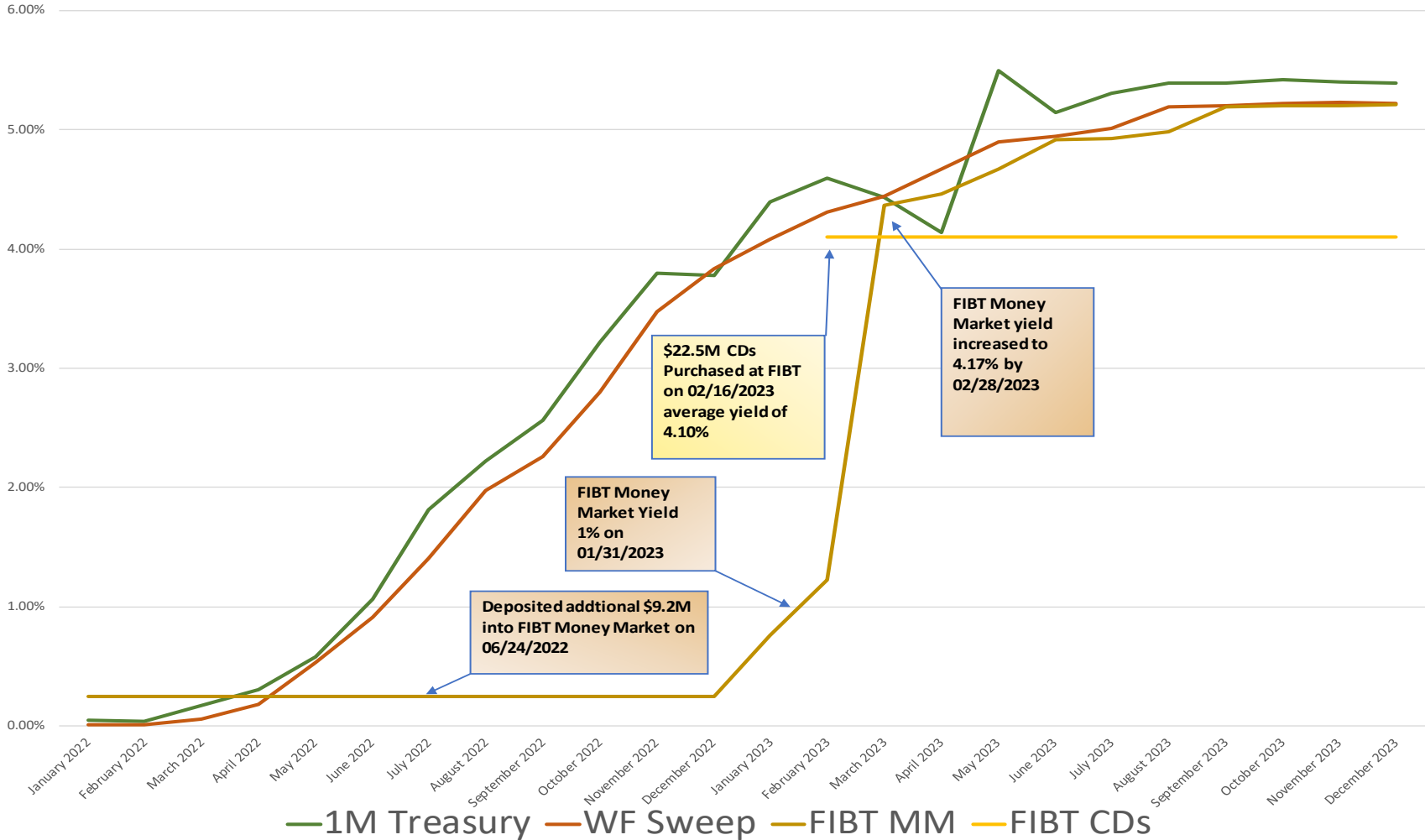
In total the County made twenty-two investment decisions during the year. This amounts to less than two investment decisions per month. The County made non-decisions or passive decisions during the Year such as allowing funds to mature into money markets (e.g., Treasuries maturing into BND's money market). The County failed in all decisions but one to match or exceed the return on Treasuries (excluding active investments at BND in Treasuries). Most of the loss during the year stems from one passive and two active decisions at First International and from a handful of passive decisions at BND.

The problematic decisions at First International began with the passive decision to leave cash in the First International money market for the first forty-six (46) days of the year. The First International money market averaged 1.22% during this period.

The County knew this rate was far below the rate at Wells Fargo. The County prints daily reports from its Wells Fargo Sweep account. These reports showed the Wells Fargo Sweep exceeded the rate at First International for much of 2022. **See the chart below.** See also an example of the daily report from December 15, 2022 at **Appendix A.2**. Despite knowing this, the County allowed over \$30,000,000 to sit in the First International money market for the first six weeks of the year. Furthermore, US Treasuries paid more than the Wells Fargo Sweep account. The decision to leave cash in the First International money market cost the County \$125,000 compared with investing in Treasuries. Even the simple act of transferring cash to our Wells Fargo account during this forty-six-day period would have earned the County an additional \$100,000.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Interest Rate Comparison 2022-2023



**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

In an active investment decision, the County on February 16th, 2023, made the decision to purchase \$22,500,000 in First International CDs. These CDs averaged 4.10%. On the same day, the County earned 4.31% in the Wells Fargo Sweep account (see **Appendix A.3.**), and Treasuries averaged 4.86%. **Twelve days later, the First International money market yield at 4.17% exceeded the rate on our CDs.** The decision to purchase CDs instead of higher-yielding Treasuries cost the County \$66,000 during the year.

There's no indication the County tried to mitigate the effects of this decision under a new Auditor/Treasurer. To the contrary, the County deposited proceeds from these CDs at First International in May, when half these CDs matured. The County deposited the proceeds plus interest of \$11,362,747 into money markets earning .96% **less** than Treasuries. This decision cost the County more than \$9,000 a month over Treasuries while the rates held.

The passive decision (or non-decision) to leave cash uninvested at BND cost the County \$236,000 during the year. At one point, the County went four months – from April 4th to August 2nd– without making a single investment at BND, despite collecting sales taxes monthly. Under our sales tax bond documents, the responsibility to invest sales taxes, including Morton County, lies with the Burleigh County Auditor/Treasurer. The failure to invest Morton County sales taxes held at BND cost Morton County \$77,800.

Of the loss at BND, \$146,000 happened during the last three quarters of the year. During the last three quarters of 2023, Burleigh County averaged \$4,700,000 in uninvested cash. During the same period, Morton lost \$50,000 in potential interest income on an average of \$1,750,000 in uninvested cash.

Another decision was the passive decision to leave over \$2,000,000 in the BNC National Bank account during Q1 earning only .75% interest. By simply transferring this cash to Wells Fargo Sweep the County would have earned over \$18,000 in additional interest revenues. Treasuries earned even more during the period.

In still another example, the County purchased a \$6,000,000 CD with Choice Bank on February 28th paying 4.50%. At the same time, the County could have purchased a Treasury with the same maturity earning 5.03%. This decision cost the County \$26,000 during the year.

Another costly passive decision was the decision to maintain a \$3,000,000 balance in the Wells Fargo Zero Balance account rather than reduce this balance to \$0, as the name implies, and invest the \$3,000,000 overage. Although the County adopted a zero-balance position in this account in 2024 at the request of the Finance Department, the County lost approximately \$130,000 in earning potential on the \$3,000,000 balance during 2023.

REPORT ON INVESTMENT PERFORMANCE

BURLEIGH COUNTY

JANUARY 1, 2023 THROUGH DECEMBER 31, 2023

The table below outlines provides a detailed listing of the investment decisions made during the year.

Date	Bank	Description	Amount	Investment Decision	Alternative Decisions	Affect of Investment Decision	Decision Type	Auditor
1/24/2023	Choice Bank	Liquid	1,004,243.60	Deposit CD proceeds in Money Market @ 3.30%	Purchase 1-month Treasury @ 4.57%	Loss of opportunity to invest in higher paying Treasuries	Passive	VETTER
2/3/2023	Bank of North Dakota	T Note 9128283VD	3,908,569.33	Purchase Treasury Maturing 8/3/2023	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	VETTER
2/3/2023	Bank of North Dakota	T Bill 912796137	3,917,765.23	Purchase Treasury maturing 1/31/2024	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	VETTER
2/3/2023	Bank of North Dakota	T Note 912828529	3,921,213.23	Purchase Treasury maturing 7/31/2024	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	VETTER
2/3/2023	Bank of North Dakota	T Note 91282CFA4	3,880,578.73	Purchase Treasury maturing 1/31/2025	Purchase shorter-term investment	Invested for too long. County had to sell at a loss to fund bond escrow account.	Active	VETTER
2/6/2023	Bank of North Dakota	T Note 91282CGG0	1,172,764.29	Purchase Treasury maturing 1/31/2025	Purchase shorter-term investment	Invested for too long. County had to sell at a loss to fund bond escrow account	Active	VETTER
2/16/2023	First International	1 Month	1,875,000.00	Purchase 1 Month CD @ 4.03%	Purchase Treasury @ 4.61%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	3 Months	7,500,000.00	Purchase 3 Months CD @ 4.08%	Purchase Treasury @ 4.82%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	3 Months	1,875,000.00	Purchase 3 Months CD @ 4.08%	Purchase Treasury @ 4.82%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	6 Months	1,875,000.00	Purchase 6 Months CD @ 4.13%	Purchase Treasury @ 5.02%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	12 Months	1,875,000.00	Purchase 12 Months CD @ 4.18%	Purchase Treasury @ 5.01%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	1 Month	1,875,000.00	Purchase 1 Month CD @ 4.03%	Purchase Treasury @ 4.61%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	3 Months	1,875,000.00	Purchase 3 Months CD @ 4.08%	Purchase Treasury @ 4.82%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	6 Months	1,875,000.00	Purchase 6 Months CD @ 4.13%	Purchase Treasury @ 5.02%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/16/2023	First International	12 Months	1,875,000.00	Purchase 12 Months CD @ 4.18%	Purchase Treasury @ 5.01%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
2/28/2023	Choice Bank	12 Months	6,000,000.00	Purchase 12 Month CD @ 4.50%	Purchase 12 Month Treasury @ 5.03%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
3/6/2023	Bank of North Dakota	T Bill 912796251	1,825,792.50	Purchased Treasury with Reserve fund maturing 8/31/2023	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	VETTER
3/17/2023	First International	Liquid	3,532,053.53	Deposit CD proceeds in Money Market @ 4.37%	Purchase 1-month Treasury @ 4.26%	Gain over 1M; loss over 2M Treasury at 4.49%	Passive	VETTER
3/30/2023	Bank of the West	Money Market	1,162,893.60	Invest in BNC CD @ 4.15%	Purchase 3 Month Treasury @ 4.69%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
3/30/2023	BNC National Bank	3 Months	1,147,018.68	Purchase 3 Months CD @ 4.15%	Purchase 3 Month Treasury @ 4.94%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
3/30/2023	BNC National Bank	6 Months	1,147,018.68	Purchase 6 Months CD @ 4.30%	Purchase 6 Month Treasury @ 4.89%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
3/30/2023	BNC National Bank	12 Months	1,147,018.68	Purchase 12 Months CD @ 4.50%	Purchase 12 Month Treasury @ 4.64%	Loss of opportunity to invest in higher paying Treasuries	Active	VETTER
4/3/2023	Bank of North Dakota	T Bill 912796C56	977,281.15	Purchase Treasury maturing 9/28/2023	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	SPLONSKOWSKI
4/3/2023	Bank of North Dakota	T Bill 912796C56	2,271,201.39	Purchased Treasury with Reserve fund maturing 9/28/2023	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	SPLONSKOWSKI
4/18/2023	Choice Bank	12 Months	500,000.00	Purchase 12 Month CD @ 4.50%	Purchase 12 Month Treasury @ 4.81%	Loss of opportunity to invest in higher paying Treasuries	Active	SPLONSKOWSKI
5/23/2023	First International	Liquid	11,362,746.91	Deposit CD proceeds in Money Market @ 4.67%	Purchase 1-month Treasury @ 5.63%	Loss of opportunity to invest in higher paying Treasuries	Passive	SPLONSKOWSKI
June 2023	BNC National Bank	Liquid	47,458.67	Leave cash or CD interest in Money Market @ .5%	Purchase 1 Month Treasury @ 5.31%	Loss of opportunity to invest in higher paying Treasuries	Passive	SPLONSKOWSKI
6/29/2023	BNC National Bank	12 Months	1,147,018.68	Renew 3 Month CD for 12 Months @ 4.70%	Purchase 12 Month Treasury @ 5.43%	Loss of opportunity to invest in higher paying Treasuries	Active	SPLONSKOWSKI
7/15/2023	Bravera	12 Months	680,000.00	Renew 10 month CD for 12 Months @ 5.06%	Purchase 12 Month Treasury @ 5.35%	Loss of opportunity to invest in higher paying Treasuries	Active	SPLONSKOWSKI
8/3/2023	Bank of North Dakota	T Bill 912797G87	7,000,000.00	Purchased Treasury maturing 7/11/2024	Invest all available funds	Invested a portion of available cash	Active	SPLONSKOWSKI
8/14/2023	Bravera	Liquid	3,000,000.00	Transferred matured investments from Wells Fargo to Money Market @ 5.12% - W	Purchase 1 Month Treasury @ 5.39%	Loss of opportunity to invest in higher paying Treasuries	Active	SPLONSKOWSKI
8/17/2023	First International	6 Months	1,875,000.00	Purchase 6 Months CD @ 5.00%	Purchase Treasury @ 5.50%	Loss of opportunity to invest in higher paying Treasuries	Passive	SPLONSKOWSKI
8/17/2023	First International	6 Months	1,875,000.00	Purchase 6 Months CD @ 5.00%	Purchase Treasury @ 5.50%	Loss of opportunity to invest in higher paying Treasuries	Passive	SPLONSKOWSKI
8/31/2023	Bank of North Dakota	T Bill 912797GP6	1,795,478.88	Purchased Treasury maturing 2/29/2024 with Reserve fund	Invest all available funds	Invested a portion of available cash	Active	SPLONSKOWSKI
9/12/2023	Choice Bank	Liquid	1,000,000.00	Checking withdrawal from MM to Bravera @ 5.12% on 9/14	Purchase 1-month Treasury @ 5.39%	Loss of interest while check in transit; loss of interest on higher paying Treasury	Active	SPLONSKOWSKI
9/28/2023	BNC National Bank	12 Months	1,147,018.68	Renew 6 Month CD for 12 Months @ 5.06%	Purchase 12 Month Treasury @ 5.48%	Loss of opportunity to invest in higher paying Treasuries	Active	SPLONSKOWSKI
9/29/2023	Bank of North Dakota	T Bill 912797GY7	3,800,000.00	Purchased Treasury maturing 3/28/2024	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	SPLONSKOWSKI
10/3/2023	Bank of North Dakota	T Bill 912797GY7	2,324,000.00	Purchased Treasury with Reserve fund maturing 3/28/2024	Purchase investment in a timely manner when cash became available	Invested a portion of available cash	Active	SPLONSKOWSKI

RETURN ON INVESTMENT

To give context to our return on investment, we benchmarked our annual returns against US Treasuries of comparable term purchased on the same day. For example, a six-month CD is benchmarked against a six-month Treasury; a twelve-month CD against a twelve-month Treasury, etc. Money markets or demand deposits are benchmarked against a one-month treasury. The rationale behind using the one-month benchmark for money markets or demand deposits is that an investor can achieve comparable liquidity to a demand deposit by investing, on a rolling basis, in one-month Treasuries, such that the Treasuries mature on a daily, weekly, biweekly, etc. basis. (In fact, this is probably exactly what the public-fund money markets are doing.)

We summarize the return on investment below. For investments maturing during the year, we benchmark the investment performance against a US Treasury, of similar maturity, purchased on the same day the investment was purchased; however, we only benchmark interest earned during the year (1/1/2023 through 12/31/2023). We retrieved historical Treasury data from the US Treasury website for use in this report.

REPORT ON INVESTMENT PERFORMANCE

BURLEIGH COUNTY

JANUARY 1, 2023 THROUGH DECEMBER 31, 2023

Bank	Average Balance	Interest \$ Earned	Earned Interest Rate	Benchmarked Interest	Benchmark Interest Rate	Difference Over/(Under) Benchmark
Bank of North Dakota - Burleigh County	\$ 28,120,083.56	\$ 1,028,334.81	3.66%	\$ 1,264,499.56	4.50% ^a	\$ (236,164.75) (0.84)%
Bank of the West	962,824.35	18.80	0.0020%	10,559.42	4.48%	(10,540.62) (4.48)%
BNC National Bank	3,178,344.78	122,128.47	3.8425%	156,680.93	4.93%	(34,552.46) (1.09)%
Bravera Bank	2,124,727.49	96,548.12	4.54%	109,728.38	5.16%	(13,180.26) (0.62)%
Choice Bank	6,611,017.22	267,684.66	4.05%	303,860.89	4.60%	(36,176.22) (0.55)%
First Interational Bank	30,655,097.92	1,247,903.47	4.07%	1,531,684.80	5.00%	(283,781.33) (0.93)%
Wells Fargo (Sweep) - General Fund	14,046,068.21	683,718.63	4.87%	687,958.91	4.90%	(4,240.28) (0.03)%
Wells Fargo (Sweep) - "PEG"	3,000,000.00	16,819.47	0.56%	149,238.08	4.97%	(132,418.61) (4.41)%
Subtotal, Burleigh County	88,698,163.53	3,463,156.43 ✓	3.90%	4,214,210.96	4.75%	(751,054.53) (0.85)%
Bank of North Dakota - Morton County	4,571,057.97	151,344.94	3.31%	229,145.55	5.01% ^a	(77,800.61) (1.70)%
Grand Total, Burleigh & Morton	\$ 93,269,221.49	\$ 3,614,501.37 ✓	3.88%	\$ 4,443,356.51	4.76%	\$ (828,855.14) (0.89)%
^a Note: Morton County's benchmark exceeds Burleigh's because Morton on average 47% of their cash uninvested in BND's money market. We benchmarked money markets against 1-mo. Treasuries. Given the inverted yield curve, this credited Morton's benchmark with the higher-yielding 1-month Treasury rates.						

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

BANK OF NORTH DAKOTA – BURLEIGH

Deposits at BND consist of sales tax revenues and interest earned on invested sales tax revenues. Investments consist of US Treasuries. Since we are benchmarking against Treasuries any investments at BND will immediately be at benchmark. The only way in which BND could fail to meet benchmarks is for funds to remain uninvested. Uninvested funds earned an interest rate of .56% (56/100ths of one percent) during the period. In benchmarking BND, we focused on days funds were not invested. We benchmarked uninvested funds at the one-month Treasury rate. At the beginning of the period, the County had \$18,547,917 in uninvested funds at BND. At the end of the period, the County had \$3,379,637 in uninvested funds. For the period, the County earned \$236,165 under the benchmark of a one-month Treasury with **no** days uninvested.

Morton County started the period with \$2,767,835 in uninvested funds and ended the period with \$1,673,084 in uninvested funds. For the period, Morton County earned \$77,801 under the benchmark of a one-month Treasury with **no** days uninvested.

REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023

Date	Transaction	Amount	Invested	Uninvested Cash	Interest @ BND	Days Not Invested	Interest Earned (Actual)	Interest @ Benchmark- 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
12/31/2022	Beginning Balance	\$ -	\$ 4,150,000.00	\$ 18,547,916.83	0.38%	24	\$ 4,634.44	4.03%	\$ 49,149.44	\$ (44,515.00)
1/24/2023	Sales Tax	877,964.60	-	19,425,881.43	0.38%	7	1,415.69	4.57%	17,025.59	(15,609.90)
1/31/2023	Month End Balance	-	4,150,000.00	19,430,130.27	0.41%	3	654.77	4.53%	7,234.40	(6,579.63)
2/3/2023	Purchase T-Bills	15,628,127.52	15,628,127.52	3,802,002.75	0.41%	3	128.12	4.56%	1,424.97	(1,296.85)
2/6/2023	Purchase T-Bills	1,172,764.29	1,172,764.29	2,629,238.46	0.41%	16	472.54	4.57%	5,267.12	(4,794.58)
2/22/2023	Sales Tax	1,106,193.47	-	3,735,431.93	0.41%	6	251.76	4.57%	2,806.18	(2,554.42)
2/28/2023	Maturity of Note	1,826,000.00	(1,826,000.00)	5,561,431.93						
2/28/2023	Month End Balance	-	19,124,891.81	5,578,768.49	0.53%	6	486.04	4.60%	4,218.47	(3,732.43)
3/6/2023	Purchase T-Bills	1,825,792.50	20,950,684.31	3,752,975.99	0.53%	15	817.43	4.68%	7,218.05	(6,400.62)
3/21/2023	Sales Tax	778,510.89	-	4,531,486.88	0.53%	10	658.00	3.99%	4,953.60	(4,295.60)
3/31/2023	Maturity of Note	2,324,000.00	18,626,684.31	6,874,861.67	0.54%	3	305.13	4.69%	2,650.12	(2,344.99)
4/3/2023	Purchase T-Bills	3,248,482.54	21,875,166.85	3,626,379.13	0.54%	21	1,126.66	4.65%	9,701.81	(8,575.15)
4/24/2023	Sales Tax	739,956.36	-	4,366,335.49	0.54%	6	387.59	3.47%	2,490.61	(2,103.02)
4/30/2023	Month End Balance	-	21,875,166.85	4,368,150.77	0.61%	1	73.00	4.31%	515.80	(442.80)
5/1/2023	Bond Payment	(379,671.05)	-	3,988,479.72	0.61%	18	1,199.82	4.41%	8,674.12	(7,474.30)
5/19/2023	Sales Tax	688,155.85	-	4,676,635.57	0.61%	12	937.89	5.52%	8,487.13	(7,549.24)
5/31/2023	Month End Balance	-	21,875,166.85	4,678,815.11	0.59%	22	1,663.86	5.18%	14,608.16	(12,944.30)
6/22/2023	Sales Tax	1,066,011.06	-	5,744,826.17	0.59%	8	742.89	5.12%	6,446.80	(5,703.91)
6/30/2023	Month End Balance	-	21,875,166.85	5,747,291.24	0.61%	24	2,305.21	5.18%	19,575.43	(17,270.22)
7/24/2023	Sales Tax	987,741.14	-	6,735,032.38	0.61%	7	787.91	5.37%	6,936.16	(6,148.25)
7/31/2023	Interest Payment	187,296.06	-	6,922,328.44						
7/31/2023	Month End Balance	-	21,875,166.85	6,922,328.44	0.61%	3	347.06	5.38%	3,061.00	(2,713.94)
8/3/2023	Maturity of Note	4,000,000.00	17,966,597.52	10,922,328.44						
8/3/2023	Purchase T-Bills	7,000,000.00	24,966,597.52	3,922,328.44	0.61%	18	1,179.92	5.39%	10,425.87	(9,245.95)
8/21/2023	Sales Tax	1,095,716.25	-	5,018,044.69	0.61%	10	838.63	5.39%	7,410.21	(6,571.58)
8/31/2023	Purchase T-Bills	1,795,478.88	26,762,076.41	3,222,565.81						
8/31/2023	Maturity of Note	1,870,820.00	24,936,283.91	5,093,385.81						
8/31/2023	Month End Balance	-	24,936,283.91	5,095,620.45	0.59%	22	1,812.09	5.39%	16,554.48	(14,742.39)
9/22/2023	Sales Tax	1,021,130.79	-	6,116,751.24	0.59%	6	593.24	5.40%	5,429.66	(4,836.42)
9/28/2023	Maturity of Notes	3,324,000.00	21,687,801.36	9,440,751.24	0.59%	1	152.60	5.40%	1,396.71	(1,244.11)
9/29/2023	Purchase T-Bills	3,800,000.00	25,487,801.36	5,640,751.24	0.59%	1	91.18	5.40%	834.52	(743.34)
9/30/2023	Month End Balance	-	25,487,801.36	5,643,333.52	0.61%	3	282.94	5.40%	2,504.71	(2,221.77)
10/3/2023	Purchase T-Bills	2,324,000.00	27,811,801.36	3,319,333.52	0.61%	17	943.05	5.40%	8,348.35	(7,405.30)
10/20/2023	Sales Tax	716,756.35	-	4,036,089.87	0.61%	11	741.98	5.42%	6,592.65	(5,850.67)
10/31/2023	Month End Balance	-	27,811,801.36	4,037,997.55	0.59%	1	65.27	5.40%	597.40	(532.13)
11/1/2023	Bond Payment	(2,961,138.50)	-	1,076,859.05	0.59%	21	365.54	5.40%	3,345.64	(2,980.10)
11/22/2023	Sales Tax	1,366,765.51	-	5,404,763.06	0.59%	8	698.92	5.39%	6,385.02	(5,686.10)
11/30/2023	Month End Balance	-	27,811,801.36	2,422,335.76	0.61%	21	850.14	5.40%	7,525.83	(6,675.69)
12/21/2023	Sales Tax	950,487.81	-	3,372,823.57	0.61%	10	563.68	5.35%	4,943.73	(4,380.05)
12/31/2023	Month End Balance	-	27,811,801.36	3,379,636.55						\$ (236,164.75)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

BANK OF NORTH DAKOTA – MORTON

Date	Transaction	Amount	Invested	Uninvested Cash	Interest @ BND	Days Not Invested	Interest Earned (Actual)	Interest @ Benchmark- 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
12/31/2022	Beginning Balance	\$ -	\$ 850,000.00	\$ 2,767,834.67	0.38%	24	\$ 691.58	4.03%	\$ 7,334.38	\$ (6,642.80)
1/24/2023	Sales Tax	159,764.28	-	2,927,598.95	0.38%	7	213.35	4.07%	2,285.13	(2,071.78)
1/31/2023	Month End Balance	-	850,000.00	2,930,186.20	0.41%	22	724.12	4.19%	7,400.13	(6,676.01)
2/22/2023	Sales Tax	194,341.24	-	3,124,527.44	0.41%	6	210.58	4.21%	2,162.34	(1,951.76)
2/28/2023	Maturity of Note	374,000.00	476,000.00	3,498,527.44						
2/28/2023	Month End Balance	-	476,000.00	3,485,014.93	0.53%	6	303.63	4.27%	2,446.19	(2,142.56)
3/6/2023	Purchase T-Bills	373,957.50	849,957.50	3,111,057.43	0.53%	15	677.61	4.27%	5,459.27	(4,781.66)
3/21/2023	Sales Tax	126,518.06	-	3,237,575.49	0.53%	10	470.11	4.45%	3,947.18	(3,477.07)
3/31/2023	Maturity of Note	476,000.00	373,957.50	3,713,575.49	0.53%					
3/31/2023	Month End Balance	-	373,957.50	3,718,571.58	0.53%	3	161.99	4.48%	1,369.25	(1,207.26)
4/3/2023	Purchase T-Bills	2,419,748.13	2,793,705.63	1,298,823.45	0.54%	21	403.52	4.47%	3,340.29	(2,936.77)
4/24/2023	Sales Tax	139,878.38	-	1,438,701.83	0.54%	6	127.71	4.57%	1,080.80	(953.09)
4/30/2023	Month End Balance	-	2,793,705.63	1,439,376.64	0.61%	1	24.06	4.56%	179.82	(155.76)
5/1/2023	Bond Payment	(77,763.95)	-	1,361,612.69	0.61%	18	409.60	4.57%	3,068.66	(2,659.06)
5/19/2023	Sales Tax	132,196.41	-	1,493,809.10	0.61%	12	299.58	4.57%	2,244.40	(1,944.82)
5/31/2023	Month End Balance	-	2,793,705.63	1,494,531.21	0.59%	22	531.48	4.55%	4,098.70	(3,567.22)
6/22/2023	Sales Tax	185,829.63	-	1,680,360.84	0.59%	8	217.30	4.57%	1,683.12	(1,465.82)
6/30/2023	Month End Balance	-	2,793,705.63	1,681,125.36	0.61%	24	674.29	4.56%	5,040.61	(4,366.32)
7/24/2023	Sales Tax	175,329.29	-	1,856,454.65	0.61%	7	217.18	4.55%	1,619.95	(1,402.77)
7/31/2023	Month End Balance	-	2,793,705.63	1,857,334.39	0.61%	21	651.85	4.53%	4,840.77	(4,188.92)
8/21/2023	Sales Tax	218,445.94	-	2,075,780.33	0.61%	10	346.91	4.54%	2,581.93	(2,235.02)
8/31/2023	Maturity of Note	383,180.00	2,419,748.13	2,458,960.33						
8/31/2023	Purchase T-Bills	367,748.69	2,787,496.81	2,091,211.64						
8/31/2023	Month End Balance	-	2,787,496.81	2,092,197.87	0.59%	22	744.02	4.57%	5,763.00	(5,018.98)
9/22/2023	Sales Tax	200,682.44	-	2,292,880.31	0.59%	6	222.38	4.57%	1,722.49	(1,500.11)
9/28/2023	Maturity of Notes	2,430,562.30	367,748.69	4,723,442.61	0.59%	1	76.35	4.59%	593.99	(517.64)
9/29/2023	Purchase T-Bills	2,600,000.00	2,967,748.69	2,123,442.61	0.59%	1	34.32	4.61%	268.19	(233.87)
9/30/2023	Month End Balance	-	2,967,748.69	2,169,948.70	0.61%	3	108.79	4.61%	822.20	(713.41)
10/3/2023	Purchase T-Bills	476,000.00	3,443,748.69	1,693,948.70	0.61%	17	481.27	4.61%	3,637.12	(3,155.85)
10/20/2023	Sales Tax	159,377.07	-	1,853,325.77	0.61%	11	340.71	4.58%	2,558.10	(2,217.39)
10/31/2023	Month End Balance	-	3,443,748.69	1,854,232.77	0.59%	1	29.97	4.59%	233.18	(203.21)
11/1/2023	Bond Payment	(609,296.96)	-	1,244,935.81	0.59%	21	422.60	4.61%	3,301.98	(2,879.38)
11/22/2023	Sales Tax	235,014.56	-	1,479,950.37	0.59%	8	191.38	4.59%	1,488.87	(1,297.49)
11/30/2023	Month End Balance	-	3,443,748.69	1,495,820.00	0.61%	21	524.97	4.58%	3,941.59	(3,416.62)
12/21/2023	Sales Tax	181,875.96	-	1,677,695.96	0.61%	10	280.38	4.57%	2,100.57	(1,820.19)
12/31/2023	Month End Balance	-	3,443,748.69	1,673,084.38						
										<u>\$ (77,800.61)</u>

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

WELLS FARGO SWEEP ACCOUNT

The Wells Fargo Sweep account, also known as the Zero Balance Account (“ZBA”), is designed to allow for the maximum investment of funds by keeping the account balance at zero overnight. The account goes negative through the day as checks are drawn, and at the close of business, Wells Fargo “sweeps” cash from the money market into the ZBA to cover the checks drawn throughout the day and bring the balance of the account up to zero. This type of account is common and is employed by many other entities including the North Dakota Treasurer’s Office.

Burleigh County failed to take full advantage of the account. Burleigh County set the account balance at \$3,000,000 (this is known as the “PEG” amount) instead of zero as the account name would imply. Consequently, \$3,000,000 remained effectively uninvested for the entire year. This uninvested amount is allowed to earn enough interest to pay the account fees but no more. For the period, the County earned \$132,419 under the benchmark of one-month Treasuries.

Date	Uninvested "PEG" Amount	Days Not Invested	Interest Earned (Actual)	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2023	3,000,000.00	31	\$ 1,864.39	4.03%	\$ 10,268.22	\$ (8,403.83)
2/1/2023	3,000,000.00	28	1,987.87	4.54%	10,448.22	(8,460.35)
3/1/2023	3,000,000.00	31	1,420.76	4.60%	11,720.55	(10,299.79)
4/1/2023	3,000,000.00	30	1,230.14	4.69%	11,564.38	(10,334.24)
5/1/2023	3,000,000.00	31	1,214.79	4.41%	11,236.44	(10,021.65)
6/1/2023	3,000,000.00	30	1,312.38	5.25%	12,945.21	(11,632.83)
7/1/2023	3,000,000.00	31	1,170.12	5.18%	13,198.36	(12,028.24)
8/1/2023	3,000,000.00	31	1,206.70	5.39%	13,733.42	(12,526.72)
9/1/2023	3,000,000.00	30	1,203.37	5.39%	13,290.41	(12,087.04)
10/1/2023	3,000,000.00	31	1,220.95	5.40%	13,758.90	(12,537.95)
11/1/2023	3,000,000.00	30	1,248.01	5.40%	13,315.07	(12,067.06)
12/1/2023	3,000,000.00	31	1,739.99	5.40%	13,758.90	(12,018.91)
						\$ (132,418.61)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

The County uses the Sweep account as one of its primary investment vehicles. Substantially all property taxes are receipted into Wells Fargo by February 15th. The funds are deposited into the Sweep account until utilized. The Sweep account underperformed the benchmark of a one-month Treasury throughout the year. In total, the Sweep account underperformed the benchmark by \$4,240.

Date	Account #	Description	Average Balance	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/31/2023	Sweep	Burleigh Funds	\$ 20,696,472.81	\$ 17,696,472.81	31	4.10%	61,602.82	4.0300%	\$ 60,570.42	\$ 1,032.40
2/28/2023	Sweep	Burleigh Funds	26,819,673.88	23,819,673.88	28	4.34%	79,219.69	4.5400%	82,957.72	(3,738.03)
3/31/2023	Sweep	Burleigh Funds	24,178,719.97	21,178,719.97	31	4.65%	83,561.21	4.6000%	82,742.07	819.14
4/30/2023	Sweep	Burleigh Funds	21,668,013.01	18,668,013.01	30	4.66%	71,577.15	4.6900%	71,961.35	(384.20)
5/31/2023	Sweep	Burleigh Funds	20,932,636.03	17,932,636.03	31	4.95%	75,362.74	4.4100%	67,166.32	8,196.42
6/30/2023	Sweep	Burleigh Funds	21,581,133.41	18,581,133.41	30	4.96%	75,732.98	5.2500%	80,178.86	(4,445.88)
7/31/2023	Sweep	Burleigh Funds	20,953,133.40	17,953,133.40	31	5.16%	78,701.86	5.1800%	78,983.95	(282.09)
8/31/2023	Sweep	Burleigh Funds	16,924,419.14	13,924,419.14	31	5.20%	61,520.58	5.3900%	63,743.32	(2,222.74)
9/30/2023	Sweep	Burleigh Funds	12,268,856.09	9,268,856.09	30	5.21%	39,693.08	5.3900%	41,062.30	(1,369.22)
10/31/2023	Sweep	Burleigh Funds	8,555,265.68	5,555,265.68	31	5.23%	24,690.19	5.4000%	25,478.12	(787.93)
11/30/2023	Sweep	Burleigh Funds	5,918,791.35	2,918,791.35	30	5.23%	12,546.80	5.4000%	12,954.64	(407.84)
12/31/2023	Sweep	Burleigh Funds	7,395,663.62	4,395,663.62	31	5.23%	19,509.53	5.4000%	20,159.84	(650.31)
										\$ (4,240.28)

FIRST INTERNATIONAL BANK – CERTIFICATES OF DEPOSIT

The County purchased \$22,500,000 of CDs with First International Bank on February 16th using cash invested in the First International money market, which earned 1.22% at the time the CDs were purchased. On that day, our Wells Fargo Sweep account yielded more than the CDs purchased (see **Appendix A.3.**). Treasuries yielded a substantially higher interest rate than these CDs, and by February 28th, only twelve days later, our First International money market yielded more than the CDs purchased on February 16th. It's unclear if the County followed its investment policy in receiving bids for this transaction, despite the enormous size of the transaction at \$22.5m.

When these CDs matured, the County either deposited the proceeds into money markets or purchased additional CDs at First International.

The purchase of \$22.5m in CDs on February 16th underperformed the benchmark of similar Treasuries by \$66,000 during 2023. The additional CDs purchased August 17th underperformed the benchmark of similar Treasuries by \$7,000. In total, the First International CDs underperformed the benchmark by \$73,000.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Purchase Date	Maturity Date	Term	Term (Days)	Bank	Account Type	Opening Balance	Interest Rate	Interest Earned 2023	Interest @ Benchmark - Similar Term Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
2/16/2023	3/16/2023	1 Month	28	First International	CD	\$ 1,875,000.00	4.03%	\$ 5,796.58	4.61%	\$ 6,630.82	\$ (834.24)
2/16/2023	5/18/2023	3 Months	91	First International	CD	7,500,000.00	4.08%	76,290.41	4.82%	90,127.40	(13,836.99)
2/16/2023	5/18/2023	3 Months	91	First International	CD	1,875,000.00	4.08%	19,072.60	4.82%	22,531.85	(3,459.25)
2/16/2023	8/17/2023	6 Months	182	First International	CD	1,875,000.00	4.13%	38,612.67	5.02%	46,933.56	(8,320.89)
2/16/2023	2/16/2024	12 Months	318	First International	CD	1,875,000.00	4.18%	68,282.88	5.01%	81,841.44	(13,558.56)
2/16/2023	3/16/2023	1 Month	28	First International	CD	1,875,000.00	4.03%	5,796.58	4.61%	6,630.82	(834.24)
2/16/2023	5/18/2023	3 Months	91	First International	CD	1,875,000.00	4.08%	19,072.60	4.82%	22,531.85	(3,459.25)
2/16/2023	8/17/2023	6 Months	182	First International	CD	1,875,000.00	4.13%	38,612.67	5.02%	46,933.56	(8,320.89)
2/16/2023	2/16/2024	12 Months	318	First International	CD	1,875,000.00	4.18%	68,282.88	5.01%	81,841.44	(13,558.56)
8/17/2023	2/15/2024	6 Months	136	First International	CD	1,875,000.00	5.00%	34,931.51	5.50%	38,424.66	(3,493.15)
8/17/2023	2/15/2024	6 Months	136	First International	CD	1,875,000.00	5.00%	34,931.51	5.50%	38,424.66	(3,493.15)
											\$ (73,169.17)

FIRST INTERNATIONAL BANK – MONEY MARKETS

At the beginning of the year, the County held \$30,000,000 at First International in money markets earning only .76%. Meanwhile, the Wells Fargo Sweep account – also a money market – was earning 4.04% (see Appendix A.1.). The rates at Wells Fargo rose gradually during 2022, topping 4% on December 15, 2022 (see Appendix A.2.). The County prints daily activity reports from Wells Fargo, so the higher rate was known to the County, yet the County maintained its accounts at the much lower yielding First International money market.

On February 16th, forty-six days into the year, with its money market earning only 1.69% on average, the County purchased \$22,500,000 in CDs with First International averaging 4.10%. For the first forty-six days of the year, the First International money market underperformed the benchmark of a one-month Treasury by \$125,000.

In May, when half these CDs matured, the County chose to deposit the proceeds plus interest of \$11,362,747 into money markets earning 4.67%, which was .96% less than Treasuries. On the same day, according to the County’s daily report, the Wells Fargo Sweep account was paying significantly more than First International’s money market at 4.94% (see Appendix A.4.), but the County chose to keep its cash in First International, choosing convenience over yield. This decision to deposit CD proceeds into money markets underperformed the benchmark of a one-month Treasury by over \$9,000 a month while the rates held. In total, the First International money markets underperformed the benchmark of a one-month Treasury by \$210,000 during 2023.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Date	Account	Description	Amount	Account Balance	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2023	County Reserves	Opening Balance	\$ 14,753,327.08	\$ 14,753,327.08	\$ 14,753,327.08	2.00	0.76%	614.39	4.03%	\$ 3,257.86	\$ (2,643.47)
1/3/2023	County Reserves	Deposit	148.97	14,753,476.05	14,753,476.05	28.00	0.76%	8,601.48	4.03%	45,610.47	(37,008.99)
1/31/2023	County Reserves	Interest Deposit	9,501.26	14,762,977.31	14,762,977.31	1.00	0.76%	307.39	4.53%	1,832.23	(1,524.84)
2/1/2023	County Reserves	Deposit	219.18	14,763,196.49	14,763,196.49	15.00	1.22%	7,401.82	4.54%	27,544.48	(20,142.66)
2/16/2023	County Reserves	Purchase CD	(14,763,196.49)	-	-	12.00	1.22%	-	4.61%	-	-
2/28/2023	County Reserves	Interest Deposit	7,360.49	7,360.49	7,360.49	1.00	1.22%	0.25	4.60%	0.93	(0.68)
3/1/2023	County Reserves	Opening Balance		7,360.49	7,360.49	1.00	4.37%	0.88	4.60%	0.93	(0.05)
3/2/2023	County Reserves	Withdrawal	(7,360.49)	-	-	15.00	4.37%	-	4.68%	-	-
3/17/2023	County Reserves	Deposit	1,651,363.75	1,651,363.75	1,651,363.75	14.00	4.37%	2,767.96	4.26%	2,698.28	69.68
3/31/2023	County Reserves	Interest Capitalization	2,910.44	1,654,274.19	1,654,274.19	1.00	4.37%	198.06	4.69%	212.56	(14.50)
4/1/2023	County Reserves	Opening Balance		1,654,274.19	1,654,274.19	2.00	4.46%	404.28	4.65%	421.50	(17.22)
4/3/2023	County Reserves	Deposit	505.87	1,654,780.06	1,654,780.06	25.00	4.46%	5,055.01	4.65%	5,270.36	(215.35)
4/28/2023	County Reserves	Interest Capitalization	5,947.02	1,660,727.08	1,660,727.08	2.00	4.46%	405.85	4.31%	392.20	13.65
4/30/2023	County Reserves	Ending Balance		1,660,727.08	1,660,727.08	1.00	4.46%	202.93	4.31%	196.10	6.83
5/1/2023	County Reserves	Deposit	846.16	1,661,573.24	1,661,573.24	22.00	4.67%	4,676.99	4.41%	4,416.60	260.39
5/23/2023	County Reserves	Deposit	9,468,955.76	11,130,529.00	11,130,529.00	8.00	4.67%	11,392.78	5.63%	13,734.77	(2,341.99)
5/31/2023	County Reserves	Interest Capitalization	17,134.00	11,147,663.00	11,147,663.00	1.00	4.67%	1,426.29	5.18%	1,582.05	(155.76)
6/1/2023	County Reserves	Deposit	1,030.63	11,148,693.63	11,148,693.63	29.00	4.92%	43,580.70	5.25%	46,503.80	(2,923.10)
6/30/2023	County Reserves	Interest Capitalization	44,062.78	11,192,756.41	11,192,756.41	1.00	4.92%	1,508.72	5.18%	1,588.45	(79.73)
7/1/2023	County Reserves	Opening Balance	-	11,192,756.41	11,192,756.41	2.00	4.93%	3,023.58	5.18%	3,176.90	(153.32)
7/3/2023	County Reserves	Deposit	986.20	11,193,742.61	11,193,742.61	28.00	4.93%	42,333.81	5.20%	44,652.30	(2,318.49)
7/31/2023	County Reserves	Interest Capitalization	45,871.22	11,239,613.83	11,239,613.83	1.00	4.93%	1,518.12	5.38%	1,656.69	(138.57)
8/1/2023	County Reserves	Deposit	1,022.70	11,240,636.53	11,240,636.53	30.00	4.98%	46,009.62	5.39%	49,797.56	(3,787.94)
8/31/2023	County Reserves	Interest Capitalization	46,478.73	11,287,115.26	11,287,115.26	1.00	4.98%	1,540.00	5.39%	1,666.78	(126.78)
9/1/2023	County Reserves	Deposit	1,031.66	11,288,146.92	11,288,146.92	28.00	5.19%	44,942.29	5.39%	46,674.17	(1,731.88)
9/29/2023	County Reserves	Interest Capitalization	47,052.48	11,335,199.40	11,335,199.40	1.00	5.19%	1,611.77	5.40%	1,676.99	(65.22)
9/30/2023	County Reserves	Ending Balance	-	11,335,199.40	11,335,199.40	1.00	5.19%	1,611.77	5.40%	1,676.99	(65.22)
10/1/2023	County Reserves	Opening Balance	-	11,335,199.40	11,335,199.40	1.00	5.20%	1,614.88	5.40%	1,676.99	(62.11)
10/2/2023	County Reserves	Deposit	1,005.33	11,336,204.73	11,336,204.73	29.00	5.20%	46,835.61	5.40%	48,636.98	(1,801.37)
10/31/2023	County Reserves	Interest Capitalization	48,883.78	11,385,088.51	11,385,088.51	1.00	5.20%	1,621.99	5.40%	1,684.37	(62.38)
11/1/2023	County Reserves	Deposit	1,110.52	11,386,199.03	11,386,199.03	29.00	5.20%	47,042.16	5.40%	48,851.47	(1,809.31)
11/30/2023	County Reserves	Interest Capitalization	47,555.16	11,433,754.19	11,433,754.19	1.00	5.20%	1,628.92	5.40%	1,691.57	(62.65)
12/1/2023	County Reserves	Deposit	1,042.05	11,434,796.24	11,434,796.24	28.00	5.21%	45,701.59	5.40%	47,368.25	(1,666.66)
12/29/2023	County Reserves	Interest Capitalization	49,438.70	11,484,234.94	11,484,234.94	2.00	5.21%	3,278.51	5.44%	3,423.25	(144.74)
12/31/2023	County Reserves	Ending Balance	-	11,484,234.94	11,484,234.94	1.00	5.21%	1,639.26	5.44%	1,711.62	(72.36)
											\$ (80,786.79)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Month	Days	Account	Average Balance	Interest % (APY)	Interest Earned	Benchmark Rate	Benchmark Interest	Over/(Under) Perform
January	31	County Reserves	\$ 250,000.00	1.00%	\$ 219.18	4.41%	\$ 936.05	\$ (716.87)
February	28	County Reserves	131,598.24	1.16%	116.99	4.59%	463.37	(346.38)
March	31	County Reserves	139,035.79	4.37%	505.87	4.42%	521.53	(15.66)
April	30	County Reserves	250,000.00	4.50%	846.16	4.10%	842.05	4.11
May	31	County Reserves	250,000.00	4.66%	1,030.63	5.42%	1,150.15	(119.52)
June	30	County Reserves	250,000.00	4.91%	986.20	5.14%	1,056.46	(70.26)
July	31	County Reserves	250,000.00	4.92%	1,022.70	5.31%	1,128.10	(105.40)
August	31	County Reserves	250,000.00	4.97%	1,031.66	5.39%	1,143.62	(111.96)
September	30	County Reserves	250,000.00	5.18%	1,005.33	5.40%	1,108.77	(103.44)
October	31	County Reserves	250,000.00	5.19%	1,110.52	5.41%	1,149.61	(39.09)
November	30	County Reserves	250,000.00	5.19%	1,042.05	5.40%	1,109.78	(67.73)
December	31	County Reserves	250,000.00	5.08%	1,009.06	5.38%	1,143.28	(134.22)
								\$ (1,826.42)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Date	Account	Description	Amount	Account Balance	Invested	Days Interest Earned	Interest % (APY)	Interest Earned	Interest @ Benchmark - 1M Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
1/1/2023	ARPA Funds	Opening Balance	\$ 15,506,176.25	\$ 15,506,176.25	\$ 15,506,176.25	30.00	0.76%	\$ 9,686.05	4.03%	\$ 51,361.55	\$ (41,675.50)
1/31/2023	ARPA Funds	Deposit	9,985.93	15,516,162.18	15,516,162.18	1.00	0.76%	323.08	4.53%	1,925.70	(1,602.62)
2/1/2023	ARPA Funds	Opening Balance	-	15,516,162.18	15,516,162.18	15.00	2.15%	13,709.49	4.54%	28,949.33	(15,239.84)
2/16/2023	ARPA Funds	Withdrawal	(7,500,000.00)	8,016,162.18	8,016,162.18	12.00	2.15%	5,666.22	4.61%	12,149.43	(6,483.21)
2/28/2023	ARPA Funds	Interest Capitalization	19,643.61	8,035,805.79	8,035,805.79	1.00	2.15%	473.34	4.60%	1,012.73	(539.39)
3/1/2023	ARPA Funds	Opening Balance	-	8,035,805.79	8,035,805.79	5.00	4.38%	4,821.48	4.60%	5,063.66	(242.18)
3/6/2023	ARPA Funds	Withdrawal	(651,074.74)	7,384,731.05	7,384,731.05	11.00	4.38%	9,747.84	4.68%	10,415.51	(667.67)
3/17/2023	ARPA Funds	Deposit	1,880,689.78	9,265,420.83	9,265,420.83	3.00	4.38%	3,335.55	4.26%	3,244.17	91.38
3/20/2023	ARPA Funds	Interest Capitalization	159.49	9,265,580.32	9,265,580.32	11.00	4.38%	12,230.57	4.27%	11,923.41	307.16
3/31/2023	ARPA Funds	Deposit	858.89	9,266,439.21	9,266,439.21	-	4.38%	-	4.69%	-	-
3/31/2023	ARPA Funds	Interest Capitalization	30,453.05	9,296,892.26	9,296,892.26	1.00	4.38%	1,115.63	4.69%	1,194.59	(78.96)
4/1/2023	ARPA Funds	Opening Balance	-	9,296,892.26	9,296,892.26	27.00	4.46%	30,672.10	4.65%	31,978.76	(1,306.66)
4/28/2023	ARPA Funds	Interest Capitalization	33,412.28	9,330,304.54	9,330,304.54	2.00	4.46%	2,280.17	4.31%	2,203.49	76.68
4/30/2023	ARPA Funds	Ending Balance	-	9,330,304.54	9,330,304.54	1.00	4.46%	1,140.09	4.31%	1,101.74	38.35
5/1/2023	ARPA Funds	Opening Balance	-	9,330,304.54	9,330,304.54	10.00	4.67%	11,937.68	4.41%	11,273.05	664.63
5/11/2023	ARPA Funds	Withdrawal	(534,895.08)	8,795,409.46	8,795,409.46	12.00	4.67%	13,503.97	5.71%	16,511.27	(3,007.30)
5/23/2023	ARPA Funds	Deposit	1,893,791.15	10,689,200.61	10,689,200.61	8.00	4.67%	10,941.06	5.63%	13,190.18	(2,249.12)
5/31/2023	ARPA Funds	Interest Capitalization	37,003.35	10,726,203.96	10,726,203.96	1.00	4.67%	1,372.37	5.18%	1,522.24	(149.87)
6/1/2023	ARPA Funds	Opening Balance	-	10,726,203.96	10,726,203.96	29.00	4.92%	41,929.17	5.25%	44,741.49	(2,812.32)
6/30/2023	ARPA Funds	Interest Capitalization	42,392.94	10,768,596.90	10,768,596.90	1.00	4.92%	1,451.55	5.18%	1,528.26	(76.71)
7/1/2023	ARPA Funds	Opening Balance	-	10,768,596.90	10,768,596.90	30.00	4.93%	43,634.94	5.18%	45,847.67	(2,212.73)
7/31/2023	ARPA Funds	Interest Capitalization	44,129.03	10,812,725.93	10,812,725.93	1.00	4.93%	1,460.46	5.38%	1,593.77	(133.31)
8/1/2023	ARPA Funds	Opening Balance	-	10,812,725.93	10,812,725.93	6.00	4.98%	8,851.62	5.39%	9,580.37	(728.75)
8/7/2023	ARPA Funds	Withdrawal	(641,485.65)	10,171,240.28	10,171,240.28	24.00	4.98%	33,305.94	5.38%	35,981.11	(2,675.17)
8/31/2023	ARPA Funds	Interest Capitalization	42,571.08	10,213,811.36	10,213,811.36	1.00	4.98%	1,393.56	5.39%	1,508.29	(114.73)
9/1/2023	ARPA Funds	Opening Balance	-	10,213,811.36	10,213,811.36	28.00	5.19%	40,664.96	5.39%	42,232.01	(1,567.05)
9/29/2023	ARPA Funds	Interest Capitalization	42,574.16	10,256,385.52	10,256,385.52	1.00	5.19%	1,458.37	5.40%	1,517.38	(59.01)
9/30/2023	ARPA Funds	Ending Balance	-	10,256,385.52	10,256,385.52	1.00	5.19%	1,458.37	5.40%	1,517.38	(59.01)
10/1/2023	ARPA Funds	Opening Balance	-	10,256,385.52	10,256,385.52	26.00	5.20%	37,990.78	5.40%	39,451.96	(1,461.18)
10/27/2023	ARPA Funds	Deposit	38,247.52	10,294,633.04	10,294,633.04	3.00	5.20%	4,399.90	5.41%	4,577.59	(177.69)
10/30/2023	ARPA Funds	Withdrawal	(318,523.46)	9,976,109.58	9,976,109.58	1.00	5.20%	1,421.25	5.40%	1,475.92	(54.67)
10/31/2023	ARPA Funds	Interest Capitalization	44,165.45	10,020,275.03	10,020,275.03	1.00	5.20%	1,427.55	5.40%	1,482.45	(54.90)
11/1/2023	ARPA Funds	Opening Balance	-	10,020,275.03	10,020,275.03	29.00	5.20%	41,398.83	5.40%	42,991.10	(1,592.27)
11/30/2023	ARPA Funds	Interest Capitalization	41,850.26	10,062,125.29	10,062,125.29	1.00	5.20%	1,433.51	5.40%	1,488.64	(55.13)
12/1/2023	ARPA Funds	Opening Balance	-	10,062,125.29	10,062,125.29	28.00	5.21%	40,215.42	5.40%	41,682.01	(1,466.59)
12/29/2023	ARPA Funds	Interest Capitalization	43,503.72	10,105,629.01	10,105,629.01	2.00	5.21%	2,884.95	5.44%	3,012.31	(127.36)
12/31/2023	ARPA Funds	Ending Balance	-	10,105,629.01	10,105,629.01	1.00	5.21%	1,442.47	5.44%	1,506.15	(63.68)
											\$ (87,556.38)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Month	Days	Account	Average Balance	Interest Earned	Benchmark Rate	Benchmark Interest	Over/(Under) Benchmark
January	31	Health Insurance	\$ 1,081,630.50	\$ 526.74	4.41%	\$ 4,049.85	\$ (3,523.11)
February	28	Health Insurance	1,105,301.05	726.74	4.59%	3,891.87	(3,165.13)
March	31	Health Insurance	1,086,617.76	806.42	4.42%	4,075.92	(3,269.50)
April	30	Health Insurance	1,129,829.12	915.38	4.10%	3,805.51	(2,890.13)
May	31	Health Insurance	1,096,940.06	869.18	5.42%	5,046.57	(4,177.39)
June	30	Health Insurance	979,296.95	603.78	5.14%	4,138.34	(3,534.56)
July	31	Health Insurance	787,375.83	361.86	5.31%	3,552.96	(3,191.10)
August	31	Health Insurance	795,691.94	337.90	5.39%	3,639.88	(3,301.98)
September	30	Health Insurance	830,914.17	409.99	5.40%	3,685.16	(3,275.17)
October	31	Health Insurance	879,613.87	387.27	5.41%	4,044.85	(3,657.58)
November	30	Health Insurance	799,720.75	336.96	5.40%	3,550.07	(3,213.11)
December	31	Health Insurance	781,926.61	332.06	5.38%	3,575.86	(3,243.80)
							\$ (40,442.56)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

BNC NATIONAL BANK – CERTIFICATES OF DEPOSIT

The County purchased a handful of CDs with BNC National Bank (“BNC”) during 2023. Treasuries yielded a substantially higher interest rate when purchased on the same dates as these CDs. During the year, these CDs underperformed the benchmark of similar Treasuries by \$12,332.

Purchase Date	Maturity Date	Term	Term (Days)	Bank	Account Type	Opening Balance	Interest Rate	Interest Earned 2023	Interest @ Benchmark - Similar Term Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
3/30/2023	6/29/2023	3 Months	91	BNC	CD	\$ 1,147,018.68	4.15%	\$ 11,867.72	4.94%	\$ 14,126.87	\$ (2,259.16)
3/30/2023	9/28/2023	6 Months	182	BNC	CD	1,147,018.68	4.30%	24,593.34	4.89%	27,967.77	(3,374.43)
3/30/2023	3/28/2024	1 Year	276	BNC	CD	1,147,018.68	4.50%	39,030.06	4.64%	40,244.33	(1,214.27)
6/29/2023	6/27/2024	1 Year	185	BNC	CD	1,147,018.68	4.70%	27,324.18	5.43%	31,568.15	(4,243.97)
9/28/2023	9/26/2024	1 Year	94	BNC	CD	1,147,018.68	5.06%	14,947.07	5.48%	16,187.73	(1,240.67)
											\$ (12,332.49)

BNC NATIONAL BANK – MONEY MARKETS

The County maintains a small amount of its investments in the BNC money market. The money market consistently underperformed one-month Treasuries purchased at any point during the year. During the year, this investment underperformed the benchmark of a one-month Treasury by \$1,170.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Month	Days	Interest % (APY)	Average Balance	Interest Earned	Benchmark Rate	Benchmark Interest	Over/(Under) Perform
January	31	-	\$ -	\$ -	4.41%	\$ -	\$ -
February	28	-	-	-	4.59%	-	-
March	31	-	-	-	4.42%	-	-
April	30	-	-	-	4.10%	-	-
May	31	-	-	-	5.42%	-	-
June	30	-	-	-	5.14%	-	-
July	31	0.50%	47,468.75	20.16	5.31%	214.20	(194.04)
August	31	0.50%	47,488.91	20.16	5.39%	217.24	(197.08)
September	30	0.50%	47,508.75	19.52	5.40%	210.70	(191.18)
October	31	0.50%	47,528.60	20.18	5.41%	218.56	(198.38)
November	30	0.50%	47,558.22	19.53	5.40%	211.12	(191.59)
December	31	0.50%	47,583.32	20.20	5.38%	217.61	(197.41)
							\$ (1,169.67)

BNC – CASH SERVICE ACCOUNT

The County maintained a significant amount of cash in a BNC Cash Service account during the first quarter of the year earning a fraction of the benchmark rate of a one-month Treasury. In total, this account underperformed the benchmark of a one-month Treasury by \$21,050.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Month	Days	Average Balance	Interest % (APY)	Interest Earned	Benchmark Rate	Benchmark Interest	Over/(Under) Perform
January	31	\$ 2,276,341.66	0.75%	\$ 1,450.38	4.41%	\$ 8,523.09	\$ (7,072.71)
February	28	2,277,792.06	0.75%	1,310.79	4.59%	8,020.32	(6,709.53)
March	31	2,318,037.36	0.75%	1,476.92	4.42%	8,695.00	(7,218.08)
April	30	1,476.95	0.75%	0.85	4.10%	4.97	(4.12)
May	31	1,477.80	0.75%	0.94	5.42%	6.80	(5.86)
June	30	1,478.74	0.75%	0.91	5.14%	6.25	(5.34)
July	31	1,479.65	0.75%	0.94	5.31%	6.68	(5.74)
August	31	1,480.59	0.75%	0.93	5.39%	6.77	(5.84)
September	30	1,481.52	0.75%	0.91	5.40%	6.57	(5.66)
October	31	1,482.43	0.75%	0.94	5.41%	6.82	(5.88)
November	30	1,483.37	0.75%	0.90	5.40%	6.58	(5.68)
December	31	1,484.27	0.75%	0.94	5.38%	6.79	(5.85)
							\$ (21,050.30)

CHOICE BANK – CERTIFICATES OF DEPOSIT

The County had one CD at Choice at the beginning of the year. During the year, the County purchased two additional CDs at Choice, a 12-month CD for \$6,000,000 and another 12-month for \$500,000. The former CD underperformed a similar-term Treasury by .53% and the latter by .31%. During the year, these CDs underperformed the benchmark by \$29,000.

Purchase Date	Maturity Date	Term	Interest Earned 2023	Bank	Account Type	Opening Balance	Interest Rate	Interest Earned 2023	Interest @ Benchmark - Similar Term Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
7/24/2022	1/24/2023	6 Months	23	Choice Bank	CD	\$ 1,000,000.00	0.70%	\$ 441.10	2.94%	\$ 1,852.60	\$ (1,411.50)
2/28/2023	2/28/2024	12 Months	306	Choice Bank	CD	6,000,000.00	4.50%	226,356.16	5.03%	253,015.89	(26,659.73)
4/18/2023	4/18/2024	12 Months	257	Choice Bank	CD	500,000.00	4.50%	15,842.47	4.81%	16,933.84	(1,091.37)
											\$ (29,162.60)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

CHOICE BANK – MONEY MARKETS

The County maintained a sizeable balance in the Choice money market for much of 2023. The money market consistently underperformed one-month Treasuries purchased at any point during the year. In total, the Choice money market underperformed the benchmark of a one-month Treasury by \$7,000.

Month	Days	Average Balance	Interest % (APY)	Interest Earned	Benchmark Rate	Benchmark Interest	Over/(Under) Perform
January	31	\$ 258,975.16	3.30%	\$ 714.84	4.41%	\$ 969.66	\$ (254.82)
February	28	1,004,243.60	3.55%	2,689.45	4.59%	3,536.04	(846.59)
March	31	1,006,933.05	3.63%	3,055.28	4.42%	3,777.02	(721.74)
April	30	1,009,988.33	3.82%	3,112.98	4.10%	3,401.86	(288.88)
May	31	1,013,101.31	4.05%	3,420.95	5.42%	4,660.86	(1,239.91)
June	30	1,016,522.26	4.07%	3,341.99	5.14%	4,295.65	(953.66)
July	31	1,019,864.25	4.12%	3,499.67	5.31%	4,602.05	(1,102.38)
August	31	1,023,363.92	4.33%	3,693.92	5.39%	4,681.36	(987.44)
September	30	393,724.50	4.29%	1,361.25	5.40%	1,746.20	(384.95)
October	31	28,419.09	3.30%	78.44	5.41%	130.68	(52.24)
November	30	28,497.53	3.30%	76.12	5.40%	126.50	(50.38)
December	31	28,573.65	3.30%	0.04	5.38%	130.67	(130.63)
							\$ (7,013.62)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

BRAVERA BANK – CERTIFICATES OF DEPOSIT

The County began the year with one CD at Bravera Bank (“Bravera”). This was a CD purchased on 9/15/2022 at 2.10% interest – approximately half the yield of a similar Treasury at 4.00%. When the CD matured, the County re-invested with Bravera for the same amount. It’s not clear if the County received bids when making this re-investment; however, the CD underperformed Treasuries by .29%. During the year, the CDs at Bravera underperformed the benchmark of similar Treasuries by \$7,800.

Purchase Date	Maturity Date	Term	Term (Days)	Bank	Account Type	Opening Balance	Interest Rate	Interest Earned 2023	Interest @ Benchmark - Similar Term Treasury	Interest Earned @ Benchmark (Estimate)	Over/(Under) Benchmark
9/15/2022	7/15/2023	10 months	195	Bravera	CD	680,000.00	2.10%	7,629.04	4.00%	14,531.51	\$ (6,902.47)
7/15/2023	7/15/2024	1 Year	169	Bravera	CD	680,000.00	5.06%	15,931.38	5.35%	16,844.44	(913.06)
											\$ (7,815.53)

BRAVERA BANK – MONEY MARKET

Beginning the last half of 2023, the County deposited a substantial amount of its investments in the Bravera money market. The money market consistently underperformed the benchmark of a one-month Treasuries throughout the year. During the year, the Bravera money market underperformed the benchmark of a one-month Treasury by \$5,300.

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

Month	Days	Average Balance	Interest % (APY)	Interest Earned	Benchmark Rate	Benchmark Interest	Over/(Under) Perform
January	31	\$ -	-	\$ -	4.41%	\$ -	\$ -
February	28	-	-	-	4.59%	-	-
March	31	-	-	-	4.42%	-	-
April	30	-	-	-	4.10%	-	-
May	31	-	-	-	5.42%	-	-
June	30	-	-	-	5.14%	-	-
July	31	-	-	-	5.31%	-	-
August	31	1,645,161.29	5.12%	7,397.26	5.39%	7,525.77	(128.51)
September	30	3,574,553.52	5.12%	14,687.93	5.40%	15,853.39	(1,165.46)
October	31	4,022,085.19	5.12%	17,080.09	5.41%	18,495.30	(1,415.21)
November	30	4,039,165.28	5.12%	16,599.31	5.40%	17,930.42	(1,331.11)
December	31	4,055,764.59	5.12%	17,223.11	5.38%	18,547.57	(1,324.46)
							\$ (5,364.73)

BANK OF THE WEST – MONEY MARKET

The County maintained a significant amount of cash in a Bank of the West account during the first quarter of the year earning a fraction of the benchmark rate of a one-month Treasury. In total, this account underperformed the benchmark of a one-month Treasury by \$10,541.

Month	Days	Average Balance	Interest % (APY)	Interest Earned	Benchmark Rate	Benchmark Interest	Over/(Under) Perform
January	31	\$ 1,162,884.68	0.05000%	\$ 9.88	4.41%	\$ 4,354.08	\$ (4,344.20)
February	28	1,162,893.60	0.05000%	8.92	4.59%	4,094.66	(4,085.74)
March	31	562,694.77		-	4.42%	2,110.68	(2,110.68)
							\$ (10,540.62)

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

FIXED INCOME INVESTMENTS

The County maintains a fixed income investment portfolio with Wells Fargo and with Bremer Bank. The portfolios were purchased several years ago when interest rates were much lower. With rising rates, the value of the portfolios have declined; however, since the investments are in bonds, our interest payments are not affected by a change in the market value of the bond. The County began divesting of the Wells Fargo portfolio within the last year or two, but we still maintain a significant balance in this account.

The market value of the accounts at year end are summarized in the below table.

	Wells Fargo	Bremer	Total
<i>Less than 1 Year</i>	\$ 3,103,648.00	\$ 367,525.45	\$ 3,471,173.45
<i>1-2 Years</i>	1,352,297.25	550,254.76	1,902,552.01
<i>2-5 Years</i>	315,390.95	1,153,040.61	1,468,431.56
<i>5-10 Years</i>	523,614.25	532,469.33	1,056,083.58
<i>10+ Years</i>	643,365.20	59,626.18	702,991.38
	\$ 5,938,315.65	\$ 2,662,916.33	\$ 8,601,231.98

REPORT ON INVESTMENT PERFORMANCE

BURLEIGH COUNTY

JANUARY 1, 2023 THROUGH DECEMBER 31, 2023

POLICY CONCERNS

The County’s investment policy is sufficiently detailed and robust for the County’s needs. The policy lists objectives in priority order, which makes the objectives easy to follow. The policy needs some addendums, such as investment parameters and internal control documents. But the main challenge the County faces with its investment policy is a failure to follow the policy. For example, the County went four months – from April 4th to August 2nd– without making a single investment at BND, despite collecting sales taxes monthly. This runs contrary to investment objective #3 – Yield – that “the investment portfolio shall be designed with the objective of attaining a market rate of return.” Other examples include failing to develop cash flow estimates and failing to diversify the portfolio by investment type and maturity. Failing to provide an annual report to the Commission in a timely manner is still another example.

CHANGES TO INVESTMENT STRATEGY

The County’s current investment strategy prioritizes convenience over the investment objectives laid out in the policy. For instance, the County accepted a lower rate of return in money markets to avoid making active investment decisions such as taking bids, transferring cash to the high bidder, and making the required journal entries into the accounting system. In fact, the County’s use of money markets is so pervasive that it accounts for 80% of our non-sales tax investments (sales taxes are held in trust the Bank of North Dakota) and 60% of total investments. As indicated earlier in the report, money markets under-performed Treasuries in every month of the year.

Security Type	Amount	% of portfolio
FIXED INCOME SECURITIES	\$ 8,880,820.05	10.44%
CD	18,121,056.04	21.31%
MONEY MARKET	29,327,783.91	34.49%
US TREASURIES	28,706,621.00	33.76%
	<u>\$ 85,036,281.00</u>	

The convenience provided by the money markets comes at a price. First, we earned less money than we would have earned by investing in Treasuries. Second, we failed to “lock in” any investments during the year, which would protect us against falling interest rates.

The recommended change to strategy investment strategy is to follow the investment policy as written. As mentioned, certain addendums should be considered, such as specific investment parameters and internal control documents. The investment parameters should include

**REPORT ON INVESTMENT PERFORMANCE
BURLEIGH COUNTY
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

guidelines for term and type of investment. Internal control documents should include, at a minimum, an investment checklist documenting who made the investment; who approved the investment; why the investment was chosen; and what bids were received; among other things. At a minimum, the County should begin following the investment policy as written immediately, whether or not the County adopts any addendums.



Previous Day Composite Report

APPENDIX A.1.

Standard Previous Day Composite Report

As of 12/30/2022

Company: COUNTY OF BURLEIGH

User: Brandi Caya

01/03/2023 09:06 AM ET

Commercial Electronic Office®

Treasury Information Reporting

Currency: USD

Bank: Account: (ND)

WELLS FARGO BANK, N.A.
COUNTY OF BURLEIGH

Balances

Closing Ledger Balance	5,618,476.00
Closing Collected Balance	3,000,000.00
Opening Available Balance	36,909,083.65
One Day Float	2,618,476.00
Two+ Day Float	.00
MTD Average Closing Ledger Balance	10,075,156.36
MTD Average Closing Collected Balance	8,888,810.71
Total Credits	3,747,357.63
Total Debits	4,892,292.63
Total Number Credits	8
Total Number Debits	16

Sweep Activity

Sweep Ending Balance	27,371,524.47
Funds Pending Inv/Red	3,919,083.18
Pending Investment Position	31,290,607.65
Shares Purchased(Credit)	17,982,359.42
Shares Redeemed(Debit)	.00
Dividends Paid	.00
Fund Yield	4.04%
SEC Yield(7-Day Average)	4.04%
Accrued Dividends Month-To-Date	9,631.40
Last Month's Dividends	2,863.02
Dividends Year-To-Date	.00

Summaries

Type of Credit	Number of Items	Amount
Total ACH Credits	5	97,369.83
Total Deposits	2	2,847,177.49
Total Wire Transfer Credits	1	802,810.31

Credit Totals 8 3,747,357.63

Type of Debit	Number of Items	Amount
Total ACH Debits	1	208,620.89
Total Checks Paid	12	88,793.20
Total Return Item Debits	1	3,904.14
Total Sweep Debits	1	3,919,083.18
Total ZBA Debits	1	671,891.22

Debit Totals 16 4,892,292.63

Credit Transactions

12/30/2022	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091006376168690 BURLEIGH TAX ND Settlement 123022 000016657938054 Burleigh County, ND	Credit Amount: Bank Ref: IA924686471058	74,636.00
12/30/2022	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00018611665 Unique ID: 00000091003653218659 5/3 BANKCARD SYS COMB. DEP. 123022 4445018611665 5/3 BANKCARD COMB. DEP. 4445018611665	Credit Amount: Bank Ref: IA272183912787	17,349.75
12/30/2022	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091006378334720 MERCHANT BANKCD DEPOSIT 221229 496004060885 BURLEIGH COUNTY	Credit Amount: Bank Ref: IA000013900873	4,285.81



Previous Day Composite Report

APPENDIX A.2.

Custom

As of 12/15/2022

Company: COUNTY OF BURLEIGH

User: Brandi Caya

12/19/2022 09:28 AM ET

Commercial Electronic Office®

Treasury Information Reporting

Currency: USD

Bank: Account: (ND)

WELLS FARGO BANK, N.A.
COUNTY OF BURLEIGH

Balances

Closing Ledger Balance	9,205,190.98
Closing Collected Balance	9,200,259.98
Opening Available Balance	9,205,190.98
One Day Float	4,931.00
Two+ Day Float	.00
MTD Average Closing Ledger Balance	9,650,113.31
MTD Average Closing Collected Balance	9,610,403.91
Total Credits	43,473.47
Total Debits	1,714.09
Total Number Credits	6
Total Number Debits	6

Sweep Activity

Sweep Ending Balance	.00
Funds Pending Inv/Red	.00
Pending Investment Position	.00
Shares Purchased(Credit)	.00
Shares Redeemed(Debit)	.00
Dividends Paid	.00
Fund Yield	4.01%
SEC Yield(7-Day Average)	3.66%
Accrued Dividends Month-To-Date	153.63
Last Month's Dividends	2,863.02
Dividends Year-To-Date	74,460.69

Summaries

Type of Credit	Number of Items	Amount
Total ACH Credits	5	31,432.95
Total Deposits	1	12,040.52
Credit Totals	6	43,473.47
Type of Debit	Number of Items	Amount
Total Checks Paid	6	1,714.09
Debit Totals	6	1,714.09

Credit Transactions

12/15/2022	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091006071591422 BURLEIGH TAX ND Settlement 121522 000016552718990 Burleigh County, ND	Credit Amount: Bank Ref: IA924684521214	22,549.55
12/15/2022	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091005773436699 ND ASSOCIATION O NDACo COUN Dec 15	Credit Amount: Bank Ref: IA310590553475	8,119.08
12/15/2022	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091005862452753 SIMPLIFILE LC RECFFEE1213 121322 NDC9AP- BURLEIGH COUNTY	Credit Amount: Bank Ref: IA001034095485	500.00
12/15/2022	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00018611665 Unique ID: 00000091006079020763 5/3 BANKCARD SYS COMB. DEP. 121522 4445018611665 5/3 BANKCARD COMB. DEP. 4445018611665	Credit Amount: Bank Ref: IA272180052725	244.32



Previous Day Composite Report

Standard Previous Day Composite Report

As of 02/16/2023

Company: COUNTY OF BURLEIGH

User: Brandi Caya

02/17/2023 09:16 AM ET

Commercial Electronic Office®

Treasury Information Reporting

Currency: USD

Bank: Account: (ND)

WELLS FARGO BANK, N.A.
COUNTY OF BURLEIGH

Balances

Closing Ledger Balance	3,011,474.00
Closing Collected Balance	3,000,000.00
Opening Available Balance	56,883,652.77
One Day Float	.00
Two+ Day Float	11,474.00
MTD Average Closing Ledger Balance	5,385,524.25
MTD Average Closing Collected Balance	3,000,000.00
Total Credits	157,231.26
Total Debits	4,496,574.26
Total Number Credits	5
Total Number Debits	14

Sweep Activity

Sweep Ending Balance	49,410,089.35
Funds Pending Inv/Red	4,473,563.42
Pending Investment Position	53,883,652.77
Shares Purchased(Credit)	.00
Shares Redeemed(Debit)	25,890,109.59
Dividends Paid	.00
Fund Yield	4.31%
SEC Yield(7-Day Average)	4.31%
Accrued Dividends Month-To-Date	149,338.70
Last Month's Dividends	154,511.22
Dividends Year-To-Date	154,511.22

Summaries

Type of Credit	Number of Items	Amount
Total ACH Credits	5	157,231.26
Credit Totals	5	157,231.26
Type of Debit	Number of Items	Amount
Total Checks Paid	12	19,736.05
Total Return Item Debits	1	3,274.79
Total Sweep Debits	1	4,473,563.42
Debit Totals	14	4,496,574.26

Credit Transactions

2/16/2023	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091006061864651 BURLEIGH TAX ND Settlement 021623 000017118073322 Burleigh County, ND	Credit Amount: Bank Ref: IA924684114771	90,181.43
2/16/2023	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00018611665 Unique ID: 00000091006068768150 5/3 BANKCARD SYS COMB. DEP. 021623 4445018611665 5/3 BANKCARD COMB. DEP. 4445018611665	Credit Amount: Bank Ref: IA272185653926	46,612.31
2/16/2023	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 01330047242 Unique ID: 00000091005971808700 AMERICAN EXPRESS SETTLEMENT 230215 1330047242 BURLEIGH CO 1330047242	Credit Amount: Bank Ref: IA000015693910	13,254.07
2/16/2023	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091005775110009 SIMPLIFILE LC REC FEE 0214 021423 NDC9AP- BURLEIGH COUNTY	Credit Amount: Bank Ref: IA001035093212	4,498.75



Previous Day Composite Report

APPENDIX A.3.

Standard Previous Day Composite Report

As of 05/23/2023

Company: COUNTY OF BURLEIGH

User: BERNADETTE IVEY

05/24/2023 09:23 AM ET

Commercial Electronic Office®

Treasury Information Reporting

Currency: USD
Bank: Account: (ND)

WELLS FARGO BANK, N.A.
COUNTY OF BURLEIGH

Balances

Closing Ledger Balance	3,034,638.00
Closing Collected Balance	3,000,000.00
Opening Available Balance	20,818,475.34
One Day Float	34,638.00
Two+ Day Float	.00
MTD Average Closing Ledger Balance	3,071,561.43
MTD Average Closing Collected Balance	3,000,000.00
Total Credits	51,113.95
Total Debits	33,229.95
Total Number Credits	4
Total Number Debits	16

Sweep Activity

Sweep Ending Balance	17,781,313.50
Funds Pending Inv/Red	2,523.84
Pending Investment Position	17,783,837.34
Shares Purchased(Credit)	.00
Shares Redeemed(Debit)	227,112.92
Dividends Paid	.00
Fund Yield	4.94%
SEC Yield(7-Day Average)	4.92%
Accrued Dividends Month-To-Date	50,121.86
Last Month's Dividends	68,392.04
Dividends Year-To-Date	600,176.49

Summaries

Type of Credit	Number of Items	Amount
Total ACH Credits	3	5,521.00
Total Deposits	1	45,592.95
Credit Totals	4	51,113.95

Type of Debit	Number of Items	Amount
Total ACH Debits	1	871.00
Total Checks Paid	13	29,664.32
Total Return Item Debits	1	170.79
Total Sweep Debits	1	2,523.84
Debit Totals	16	33,229.95

Credit Transactions

5/23/2023	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091004430999613 SIMPLIFILE LC REC FEE 0519 051923 NDC9AP- BURLEIGH COUNTY	Credit Amount: Bank Ref: IA001037688516	2,894.15
5/23/2023	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091005664206563 BURLEIGH TAX ND Settlement 052323 000017952579858 Burleigh County, ND	Credit Amount: Bank Ref: IA924688813896	2,501.85
5/23/2023	169 / MISCELLANEOUS ACH CREDIT Cust Ref: 00000000000 Unique ID: 00000091005771237389 CSC 5232023C BURLEIGH, ND BURLEIGH COUNTY, ND	Credit Amount: Bank Ref: IA000016289467	125.00
	MISCELLANEOUS ACH CREDIT Total	Credit Amount	5,521.00
5/23/2023	301 / COMMERCIAL DEPOSIT	Credit Amount:	45,592.95

CSC - Recorder

APPENDIX B.1.

Month	Days	a	b	c	d
		Investment Interest Recorded	Correct Amount	Actual Interest Earned	Over/(Under) Paid
January	31	\$ 965.38	38.84%	\$ 375.00	\$ 590.38
February	28	769.95	48.03%	369.77	400.18
March	31	860.34	29.28%	251.91	608.43
April	30	645.53	18.74%	120.98	524.55
May	31	11,197.79	23.84%	2,669.29	8,528.50
June	30	4,511.03	34.53%	1,557.80	2,953.23
July	31	4,687.50	45.54%	2,134.89	2,552.61
August	31	4,751.92	28.23%	1,341.32	3,410.60
September	30	4,810.22	39.03%	1,877.62	2,932.60
October	31	4,990.78	49.40%	2,465.25	2,525.53
November	30	4,868.39	34.93%	1,700.48	3,167.91
December	31	5,049.97	43.02%	2,172.55	2,877.42
Total amount overpaid to fund 2908 for 2023:					31,071.94


Month	Days	a	b	c	d
		Average Daily Balance	Cash Interest Recorded	Cash Interest Earned	Over/(Under) Paid
January	31	900,745.90	-	3,123.37	(3,123.37)
February	28	900,745.90	-	2,974.53	(2,974.53)
March	31	553,421.68	-	2,087.22	(2,087.22)
April	30	417,768.79	-	1,601.81	(1,601.81)
May	31	117,768.79	-	489.91	(489.91)
June	30	117,768.79	-	478.97	(478.97)
July	31	122,458.56	-	522.16	(522.16)
August	31	263,151.62	-	1,161.01	(1,161.01)
September	30	263,151.62	-	1,124.62	(1,124.62)
October	31	267,889.15	-	1,187.97	(1,187.97)
November	30	410,014.91	-	1,761.29	(1,761.29)
December	31	417,565.18	-	1,851.89	(1,851.89)
Total amount overpaid to fund 2908 for 2023:					(18,364.74)

Net overpaid to CenComm fund \$ 12,707.19

The County has a negative cash balance of \$1m in the CenComm fund. The County also has a large investment with CenComm. The County should have cashed the investment to pay the negative cash balance. Rather than do so, the County allocated the entire investment balance to the CenComm fund, per our JPA with the City.

The County has failed to allocat interest earned in the Wells Fargo Sweep account to any fund including CenComm.

The combination of these two errors resulted in an overpayment to the CenComm fund, shared with the City of Bismarck, of over \$12,000.

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 02-41410-533
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Employee: _____
Job Title: Deputy Auditor/Treasurer
Job Status: Exempt
Salary Grade: 12

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Auditor/Treasurer
DBM Rating: C44/C51


Job Summary: Under the supervision of the Auditor/Treasurer/Tax, is responsible for supervision of clerical staff, tax collection function, accounting functions, preparing, balancing, and making daily bank deposits, and reconciling periodic statements of the County’s bank accounts.

Responsibilities:

- 60 % time Supervise, schedule, train, and evaluate staff in the Auditor/Treasurer area of the department, and prepare and mail tax statements, entry of tax collections, and issuance of receipts.
- 25 % time Manage and perform fund investment activities and monitors cash flow requirements of county including preparation of required reports and apportioning various funds to proper districts and custodial accounts.
- 15 % time Maintain periodic financial reports related to general ledger, accounting for special funds, tax collections, and investment of funds, assist with the budget and mill levy processes.

Essential Job Duties:

1. Oversee the collection and recording of all county revenues; prepare and balance daily receipts and deposits of funds, prepare listing of all checks and cash, and reconciliation checking account(s) and periodic statements of bank accounts.
2. Prepare needed data for annual audit, internal report requests, maintain pledged securities.
3. Serve as an active member of the Burleigh County Investment Committee.
4. Assist in the annual budget preparation including calculation of tax levies, preparing assessment list/abstract, special assessment districts.
5. Assist in review of warrants and orders for payments issued by the county to determine whether they are legal obligations of the County, have been properly budgeted, and do not represent over payment to any payee or from any fund.
6. Assist County Auditor/Treasurer in the official record keeping process including taking minutes of County Commission and other meetings.
7. Serve as contact (liaison) for Banks, all Auditor/Treasurer software systems, online (web-based) programs.
8. Responsible for research, troubleshooting, and problem-solving processes for the technical programs and the overall Auditor/Treasurer’s department.
9. Create property tax statements, courtesy notices (two time a year), estimate statements, taxation notices, in lieu of taxes, public utilities (electrical and transmission) distribution lines – verifying, reporting, and billing.
10. Process year-end entries, perform rollover and annual closing processes for connection groups.
11. Supervise, train, process timekeeping, monitor workload, evaluate performance, and provide assistance to staff in the department.
12. Assist with elections as directly by the Auditor/Treasurer.
13. Provide backup for telephone calls and assist the public.

	<p>Burleigh County, North Dakota</p> <p>Job Description</p>	<p>Last Date Revised: 04/17/2023</p> <p>Job Description # 02-41410-533</p>
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14. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Bachelor’s degree in finance, accounting, or business administration, five(5) years’ experience in accounting including banking and investing funds, and two (2) or more years supervisory experience, and/or an equivalent combination of education and experience.
2. Knowledge of state and local laws governing the assessment and collection of real estate taxes.
3. Knowledge of legal property descriptions and common property instruments such as warranty and quit claim deeds, death certificates, and plats.
4. Must possess excellent written and communication skills with eh ability to prepare clear, concise, and accurate reports, and maintain effective working relationships with the public and other employees.
5. Ability to perform day-to-day accounting operations, technical computer skills, sufficient in the implementation of an integrated financial management system, and problem solving and analytical skills, sufficient to identify problem areas.
6. Must have valid North Dakota drivers license with clean driving record.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Deputy Auditor/Treasurer position. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

Employee Signature

Date

APPENDIX C.2.

Joan Zimmerman	Accounts Receivable / Daily Checkout / Supply Orders / Liquor Licenses Gaming, Raffle, Bingo Permits / Fast Forward (Mail) / Special Assessment Creation / Website Maintenance / Duties as Assigned
Erika White	Office and Election Manager / Duties as Assigned
Brandi Caya	Month End Processing / Monthly Apportioning / Banking and Investments / Escrow Accounts (Property Taxes) / Mill Levy Calculations / Duties as Assigned
New AP Employee	Accounts Payable / Apportioning / Credit Card Coordinator / Phone Bills / Duties as Assigned
Erin Buchwitz	Deed Transfers / Legal Publications / Township Information / Website Maintenance / Commission Meeting Minutes and Agendas / Abatement Maintenance / Entry of Homestead and Vet Credits / 3 Year Delinquent Taxes / Special Assessment Maintenance / Multiple Parcel Maintenance / Duties as Assigned
Tessa Knudson	Property File Maintenance / New Subdivisions – Annexations / Property Splits / Legal Descriptions / Deed Transfers / Property Tax Assessments / Mill Levies / CAMA System / Reporting of Homestead and Vet Credits / Real Property Assessments (Inspections Outside of Bismarck) / Equalization / Mobile Home Taxation and Maintenance / Duties as Assigned
Mark Splonskowski	Real Property Assessments (Inspections Outside of Bismarck) / Equalization / Property Tax Estimates / CAMA System / Exemptions / Mobile Home Taxation and Maintenance / Duties as Assigned
Trudy Jackson	Mobile Home Taxation and Maintenance / Abatement / Building Permit Maintenance (CAMA) / Deed Maintenance (CAMA) / Duties as Assigned
Al Vietmeier	Deputy Auditor/Tax Director – Oversees Tax Equalization Department Real Property Assessments (Outside of Bismarck) / Equalization / Abatements / Property Tax Exemptions and Credits / GIS / Notice of Increase / Duties as Assigned
Robin Grenz	Deputy Auditor/Treasurer – Oversees Property Tax Investments / Investments / ACH Transfers / Month End / Online Payments / Duties as Assigned
Kevin Glatt	Auditor/Treasurer – Oversees Entire Office

ALL STAFF ASSISTS with TAX STATEMENT MAILING, TAX COLLECTIONS and ELECTIONS!

Clyde Thompson	Chief Accountant/Finance Director – Annual Audit, Budget, Mill Levies, Building and Grounds , Property and Casualty Insurance
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This is an old "Office Duties" file found on the Auditor's drive by the Finance Department. This describes who is was historically responsible for Investments, which was always the Deputy Auditor/Treasurer and Auditor/Treasurer, not the Finance Director.

Investment Policy

One of my goals for 2005 was the development and adoption of a county investment policy. I believe it is prudent for Burleigh County to have a formal policy covering the investment of county funds for several reasons. To help meet this goal I attended a Government Finance Officers Association Training Conference in April of this year. Shortly after I returned I visited with Park Commissioner Gregoire (after a Park Board Meeting) about my plans to draft an Investment Policy, hoping to draw upon his knowledge and experience as an investment advisor. Mr. Gregoire agreed to review the policy upon completion of the draft. Deputy Auditor\Treasurer Bettenhausen and I also discussed the proposed policy with Comm. Johnson and requested that he provide us with his insights regarding the policy as he also is a licensed investment professional.

A DRAFT INVESTMENT POLICY was provided to all Commissioners, State's Attorney Riha, HR Director Czosnek, and Mr. Gregoire on August 25, 2005. This draft was the culmination of many, many hours of effort by several members of staff. Minor changes were made based upon State's Attorney Riha's advice. Gregoire offered several thought provoking questions AND favorable comments regarding the draft.

THE INVESTMENT POLICY

- I. Sets standards and parameters for county investments,
- II. Identifies county investment objectives,
- III. Organizes and formalizes investment activities,
- IV. Helps protect the assets of county from inappropriate and/or poor investment decisions,
- V. Identifies internal controls,
- VI. GASB requirements,
- VII. Enhances Audit performance.
- VIII. Educates Investment staff and elected officials.

THE INVESTMENT POLICY FORMALIZES WHAT THE COUNTY TREASURER HAS BEEN DOING FOR SEVERAL YEARS.

This is an old document the Finance Department found on the Auditor's drive. It describes the historical practice surrounding investments and some of the history regarding the investment policy. This document describes how the Deputy Auditor/Treasurer continued with Treasurer duties after the offices were combined. This includes investments as specifically mentioned below in the highlighted portion.

In response to Commissioner Woodcox's comments at the last Commission meeting, I believe his comments were unfounded, unwarranted, not well thought, and disrespectful to my office and Mr. Gregoire.

Woodcox's statement that this policy puts the power of all investments into one person's hands is not very well thought or studied as ND Century Code provides this authority to the County Treasurer.

Commissioner Woodcox had ample opportunity to visit with me and/or staff prior to the meeting regarding Gregoire's role and possible conflict of interest along with current investment practices.

PERHAPS WE SHOULD DISCUSS ALL SUCH CONFLICTS.

Would Comm. Johnson not have the same conflict? What about Woodcox's own conflicts? As a matter of fact, shortly after the July County Commission meeting, Woodcox visited with Deputy Auditor/Treasurer Bettenhausen regarding investment of county funds. Woodcox was briefed on current investment practices and *attempted to use the influence of his office to persuade Deputy Auditor/Treasurer Bettenhausen to direct investments to BNC Bank where he sits on the Board of Directors and has a financial interest.* (Attachment)

Gregoire's review of the Draft Investment Policy did not and will not create any conflict of interest. Gregoire will be required to meet same requirements as any other potential depository of Burleigh County funds. Furthermore, Gregoire did not attempt to use his position on the County Park Board to influence the investment decisions of myself or any other staff member. Unfortunately I cannot say the same about Comm. Woodcox.

In regards to any perceived conflict of interest that I may have, be advised my role in the investment process has been as a resource to Deputy Auditor/Treasurer Bettenhausen. Mrs. Bettenhausen was responsible for the investments prior to the office combination and has continued that role. I have no interest in Kirkwood Bank (attachments) and offer the following affidavit willingly signed by Bettenhausen confirming that I have never tried to influence the investment of funds in Kirkwood Bank. Unfortunately I cannot say the same about Comm. Woodcox.

Does this policy need to be approved by the Commission?

ETHICS

Finance Director Recurring Duties

Daily Items

Misc Receipt Review
Review invoices from the Accounting Technician

This is a "duty list" for the Finance director provided by Auditor Splonskowski to the Finance Director in January.

Monthly Items

Financial Review
Budget Performance Reports to the Department Heads and Commissioners
Journal Entry Review
Attend Commission Meetings
Review and Sign off on bi-weekly check run
Vision Zero Reimbursement Voucher submitted to NDACo by the 10th of each month
Update: K-Drive-Finance Director-Sales Tax - Detention Bond: This is done by going to:
<https://www.treasurer.nd.gov/>
then revenue distribution - historical revenue distributions-county-select Burleigh
enter the appropriate values

Although the current Finance Director does not agree this is an appropriate list of duties for any finance director to perform, notably, nowhere does the word "investment" appear in the list of duties.

Quarterly Items

Quarterly Billing - Files in drawer 2 of the left filing cabinet
 911
 BMDC - Bill Morton County's share
 Municipal Court
 Extention - Horticulture Agent
 Send CenComm quarterly report to Angie
ARPA Report File in drawer 1 of the right filing cabinet
 Login to ID.me - click on Compliance reports on the left side of the screen -
 click on the appropriate report for the quarter
Financial Summary to the Commissioners
Professional Building Parking collection - K Drive - Contracts-Leases - Parking - Tracking Sheets
 Verify all parties have paid for the quarter, if not contact to collect

Semi-Annual

May and October - Haul Road transfer from 2140 to 4140 and payment of Invoice

Annual

Spec Ops - \$400 bill to Bismarck Police Department
Finance Manual Review and update as needed
Year End Processing
Prepare Audit documents for annual audit - K Drive-Finance Director-Audits
Prepare Annual Budget - K Drive-Finance Director-Budget
 Prepare Preliminary Budget

APPENDIX C.4.

Lead Budget Committee Hearings

Present Preliminary Budget to the Commission

Present Final Budget to the Commission

Prepare Preliminary Tax Levies - K Drive-Robin F Drive-Mill Levy Robin

1. Obtain the new Max Mill Levy Worksheets from the State Tax Department as well as the annual Levy Limitations guide.
2. Run the Valuation Listing and Property Class Valuation Reports from Taxwise
3. Obtain the Preliminary Budgets from all taxing districts.
4. Upon completion of the worksheets enter the information on the Mill Levy Sheet Front and Back. Work with a member of the office to proof that sheet.
5. Upon completion have the Deputy Auditor/Treasurer proof the Max Levy Sheets.
6. Following proofing provide Tessa the Mill Levy Sheet to enter into Taxwise.

Prepare Final Tax Levies - K Drive-Robin F Drive-Mill Levy Robin

1. Update using the above processes using current Valuations and Final Budgets.

Annual Insurance Review and Renewal - Donna with Bain will send all renewal docs

Annual Capital Improvement Plan applications due from department heads by June 1st

EXHIBIT A **APPENDIX D.1.**
BURLEIGH COUNTY INVESTMENT POLICY

**BURLEIGH COUNTY
INVESTMENT POLICY**

I. Governing Authority

Legality

The Burleigh County investment program shall be operated in conformance with federal, state, and other legal requirements, including NDCC 21-06-07.

II. Scope

This policy applies to the investment of all funds. Proceeds from certain bond issues may be covered by a separate policy.

1. *Pooling of Funds*

Except for cash in certain restricted and special funds, the County of Burleigh will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

III. General Objectives

The primary objectives, in priority order, of investment activities shall be safety, liquidity, and yield:

1. *Safety*

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

a. Credit Risk

The County of Burleigh will minimize credit risk, which is the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to the types of securities listed in Section VII of this Investment Policy
- Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the County of Burleigh will do business in accordance with Section V
- Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

b. Interest Rate Risk

The County of Burleigh will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity
- Investing operating funds primarily in shorter-term securities or similar investment pools and limiting the average maturity of the portfolio in accordance with this policy (see section VIII).

2. *Liquidity*

EXHIBIT A APPENDIX D.1. BURLEIGH COUNTY INVESTMENT POLICY

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in local government investment pools which offer same-day liquidity for short-term funds.

3. *Yield*

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. **Return on investment is of secondary importance compared to the safety and liquidity objectives described above.** The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following exceptions:

- A security swap would improve the quality, yield, or target duration in the portfolio.
- Liquidity needs of the portfolio require that the security be sold.

4. *Local Considerations*

The County of Burleigh seeks to promote local economic development through various programs and activities. Where possible, funds may be invested for the betterment of the local economy. The County of Burleigh may accept a proposal from an eligible institution which provides for a reduced rate of interest for community development projects. The Board of County Commissioner's recognizes that such investments might diminish investment yields in exchange for potential expansion of the tax base.

IV. Standards of Care

1. *Prudence*

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

The "prudent person" standard states that, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

2. *Ethics and Conflicts of Interest*

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the County of Burleigh.

3. *Delegation of Authority*

EXHIBIT A APPENDIX D.1. BURLEIGH COUNTY INVESTMENT POLICY

Authority to manage the investment program is granted to the County Auditor\Treasurer, hereinafter referred to as investment officer and derived from the following: NDCC 11-14-06 & 21-04-04. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established written procedures and internal controls for the operation of the County of Burleigh investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

V. Designated Depositories, Authorized Financial Institutions and Broker/Dealers

1. *Designated Depositories, Authorized Financial Institutions, and Broker/Dealers*

Pursuant to ND Century Code 21-04 public funds belonging to the County of Burleigh must be deposited in the Bank of North Dakota or in financial institutions which have been duly designated as depositories. The Board of Burleigh County Commissioners shall at its regular meeting in January of each even-numbered year, shall designate depositories of public funds and semiannually shall approve the acceptance of any securities as pledge for repayment of deposits.

In addition, a list will be maintained of approved security broker/dealers selected by creditworthiness (e.g., a minimum capital requirement of \$10,000,000 and at least five years of operation). These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines.
- Proof of National Association of Securities Dealers (NASD) certification (not applicable to Certificate of Deposit counterparties).
- Proof of state registration.
- Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties).
- Certification of having read and understood and agreeing to comply with the County of Burleigh investment policy.
- Evidence of adequate insurance coverage.

An annual review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the investment officer (or designee).

2. *Minority and Community Financial Institutions*

From time to time, the investment officer may choose to invest in instruments offered by minority and community financial institutions. In such situations, a waiver to certain parts of the criteria under Paragraph 1 may be granted. All terms and relationships will be fully disclosed prior to purchase and will be reported to and approved by the Board of Burleigh County Commissioners on a consistent basis in advance and shall be consistent with state law.

VI. Safekeeping and Custody

1. *Delivery vs. Payment*

EXHIBIT A APPENDIX D.1. BURLEIGH COUNTY INVESTMENT POLICY

All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds.

2. Safekeeping

Securities may be held by an independent third-party custodian selected by the Burleigh County as evidenced by safekeeping receipts in the County of Burleigh's name. The safekeeping institution shall annually provide a copy of their most recent report on internal controls (Statement of Auditing Standards No. 70, or SAS 70).

3. Internal Controls

The investment officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the County of Burleigh are protected from loss, theft or misuse. Details of the internal control system shall be documented and shall be reviewed and updated annually. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

The internal controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the County of Burleigh.

Internal control compliance should be assured through the Burleigh County annual independent audit.

VII. Suitable and Authorized Investments

1. Investment Types

Pursuant to North Dakota Century Code Chapter 21-06-07, the County of Burleigh may invest moneys in its general fund, or balances in any special or temporary fund, in:

- Bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organization created by an act of Congress.
- Securities sold under agreements to repurchase written by a financial institution in which the underlying securities for the agreement to repurchase are of a type listed above. Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. (See GFOA Recommended Practices in Appendix.)
- Certificates of deposit fully insured by the federal deposit insurance corporation or by the state.
- Obligations of the state.
- Local government investment pools either state-administered or developed through joint powers statutes and other intergovernmental agreement legislation.
- State and local securities:
 - (1) Any security that is a general obligation of any state or local government with taxing powers and is rated in the highest three categories by a nationally recognized rating agency.
 - (2) An obligation of the state housing finance agency that is rated in the highest two categories by a nationally recognized rating agency.
 - (3) Any security that is a general obligation of a school district and is rated in the highest

EXHIBIT A APPENDIX D.1. BURLEIGH COUNTY INVESTMENT POLICY

two categories by a nationally recognized rating agency.

(4) Obligations of this state and general obligations of its political subdivisions.

- Commercial paper issued by a United States corporation rated in the highest quality category by at least two nationally recognized rating agencies and matures in two hundred seventy days or less.

Investment in derivatives of the above instruments shall require authorization by the Board of Burleigh County Commissioners.

2. *Collateralization*

Except as is otherwise provided in NDCC sections 21-04-16 and 21-04-17, and before any deposit is made in any depository other than the Bank of North Dakota, such depository shall furnish a bond payable to the County of Burleigh in an amount that at least equals the largest deposit that at any time may be in such depository.

The Board of Burleigh County Commissioners may accept from any financial institution, as security for repayment of deposits, a pledge of securities in lieu of a personal or surety bond. When securities are so pledged to the County of Burleigh, the Board of Burleigh County Commissioners shall require security in the amount of one hundred ten dollars for every one hundred dollars of deposits. Securities that are eligible for the pledge are bills, notes, or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, irrevocable standby letters of credit issued by federal home loan banks of a rating of AA or better by Moody's Investor Service, Inc. or Standard & Poor's Corporation, federal land bank bonds, bonds, notes, warrants, certificates of indebtedness, insured certificates of deposit, shares of investment companies registered under the Investment Companies Act of 1940, letters of credit issued by the Bank of North Dakota, and all other forms of securities issued by the state of North Dakota, its boards, agencies or instrumentalities, or by any county, city township, school district, park district or other political subdivision of the state of North Dakota, whether payable from special revenues or supported by the full faith and credit of the issuing body, and bonds issued by any other state of the United States or such other securities approved by the banking board.

The Board of Burleigh County Commissioners semiannually shall approve the acceptance of any securities as pledge for repayment of deposits.

Where allowed by state law and in accordance with the GFOA Recommended Practices on the Collateralization of Public Deposits, full collateralization will be required on all demand deposit accounts, including checking accounts and non-negotiable certificates of deposit. (See GFOA Recommended Practices in Appendix.)

VIII. Investment Parameters

1. *Diversification*

It is the policy of the County of Burleigh to diversify its investment portfolios. To eliminate risk of loss resulting from the over-concentration of assets in a specific maturity, issuer, or class of securities, all cash and cash equivalent assets in all Burleigh County funds shall be diversified by maturity, issuer, and class of security. Diversification strategies shall be determined and revised periodically by the investment committee/investment officer for all funds except for the employee retirement fund.

In establishing specific diversification strategies, the following general policies and constraints

EXHIBIT A APPENDIX D.1. BURLEIGH COUNTY INVESTMENT POLICY

shall apply: Portfolio maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector. Maturities selected shall provide for stability of income and reasonable liquidity.

For cash management funds:

- Liquidity shall be assured through practices ensuring that the next disbursement date and payroll date are covered through maturing investments or marketable U.S. Treasury bills.
- Risks of market price volatility shall be controlled through maturity diversification such that aggregate price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.
- The investment committee/investment officer shall establish strategies and guidelines for the percentage of the total portfolio that may be invested in securities other than repurchase agreements, Treasury bills or collateralized certificates of deposit. The committee shall conduct a quarterly review of these guidelines and evaluate the probability of market and default risk in various investment sectors as part of its considerations.

2. *Maximum Maturities*

To the extent possible, the County of Burleigh shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the County of Burleigh will not directly invest in securities maturing more than five (5) years from the date of purchase or in accordance with state statutes. The County of Burleigh shall adopt weighted average maturity limitations (which often range from 90 days to 3 years), consistent with the investment objectives.

Reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the Board of County Commissioners. (See the GFOA Recommended Practice on "Maturities of Investments in a Portfolio" in Appendix.)

Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds such as local government investment pools, money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

3. *Competitive Bids*

The investment officer shall obtain competitive bids from at least two brokers or financial institutions on all purchases of investment instruments purchased on the secondary market.

IX. Reporting

1. *Methods*

The investment officer shall submit quarterly an investment report that summarizes the quarter's total investment return. The report shall disclose all transactions during the past quarter. The report shall be in compliance with state law (if any) and shall be distributed to the Board of Burleigh County Commissioners and others as may be required by law.

EXHIBIT A APPENDIX D.1. BURLEIGH COUNTY INVESTMENT POLICY

Each quarterly report may indicate any areas of policy concern and suggested or planned revision of investment strategies.

Within 60 days of the end of the fiscal year, the investment officer shall present a comprehensive annual report on the investment program and investment activity. The annual report shall include 12-month and separate quarterly comparisons of return and suggest policies and improvements that might be made in the investment program. Alternatively, this report may be included within the County of Burleigh annual Comprehensive Annual Financial Report.

2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks should be established against which portfolio performance shall be compared on a regular basis. The benchmarks should be reflective of the actual investments being purchased.

3. Marking to Market

The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed. In defining market value, considerations should be given to the GASB Statement 31 pronouncement.

X. Policy Considerations

1. Exemption

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

2. Amendments

This policy will be reviewed on an annual basis. Any changes must be approved by the Board of County Commissioners in consultation with the investment officer and the individuals charged with maintaining internal controls.

VII. Approval of Investment Policy

The investment policy shall be formally approved and adopted by the Board of Burleigh County Commissioners and reviewed annually.

VIII. List of Attachments

The following documents, as applicable, are attached to this policy:

- North Dakota century code
- Listing of authorized personnel
- Listing of authorized broker/dealers and financial institutions
- Internal Controls

XIII. Other Documentation

- Master Repurchase Agreement, other repurchase agreements and tri-party agreements,

EXHIBIT A **APPENDIX D.1.**
BURLEIGH COUNTY INVESTMENT POLICY

- Broker/Dealer Questionnaire,
- Credit studies for securities purchased and financial institutions used,
- Safekeeping agreements,
- Wire transfer agreements,
- GFOA Recommended Policies.

AUTHORIZED PERSONNEL

Burleigh County Auditor/Treasurer
Leo Vetter

Deputy Auditor/Treasurer
Brandi Caya

Deputy Finance Director
Justin Schulz

EXHIBIT A **APPENDIX D.1.**
BURLEIGH COUNTY INVESTMENT POLICY

-CERTIFICATION-

I hereby certify that I have personally read the investment policies of the County of Burleigh and have implemented reasonable procedures and controls designed to prohibit investment transactions inconsistent with your policies. Whenever we are notified in writing, we will inform our sales personnel of your investment objectives, outlook, strategy and risk constraints. We will notify you immediately by telephone and in writing in the event of a material adverse change in our financial condition. We pledge to exercise due diligence in informing you of fundamental risks associated with financial transactions conducted with our firm. Price markup will be consistent with prevailing institutional pricing at the time of each transaction. I attest to the accuracy of our responses to your questionnaire.

Signed: _____

(Countersigned by corporate officer responsible for compliance.)

EXHIBIT A **APPENDIX D.1.**
BURLEIGH COUNTY INVESTMENT POLICY

COUNTY OF BURLEIGH
INVESTMENT PROCEDURES and INTERNAL CONTROLS

A. Introduction:

The Burleigh County Auditor\Treasurer has the responsibility of conducting cash and investment transactions for all funds held by or for the benefit of the County of Burleigh. The responsibility for the management of the investments here and after in this document will be referred to as the investment officer. The investment program has been delegated to the investment officer who shall implement the investment policy by following the investment procedures and internal controls herein delineated.

B. Objective:

The Investment Procedures and Internal Controls Manual provides an outline for investment management. This manual shall be reviewed annually.

C. Internal Control:

The system of internal controls is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

D. Investment Decisions:

The investment officer shall adhere to the guidelines of the government's investment policy regarding all investment purchases or any other cash and investment transactions.

F. Delegation of Authority:

As established by the investment policy, certain specified individuals (i.e., the Deputy Auditor\Treasurer, Accountant) have authority to transact investments. In case of an absence of officer, procedures and specific alternate personnel should be delineated.

G. Segregation of Duties and Compensating Controls:

The government shall establish written internal controls, which should include:

1. Control of Collusion:

Collusion is a situation where two or more employees are working in conjunction to defraud their employer. Employee duties will be shifted periodically to reduce the opportunity for collusion.

2. Segregation of duties:

By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a good separation of duties is achieved.

EXHIBIT A **APPENDIX D.1.**
BURLEIGH COUNTY INVESTMENT POLICY

3. Custodial safekeeping:
Securities purchased from any bank or dealer, including appropriate collateral, should be placed into an independent third-party institution for custodial safekeeping.
4. Avoidance of physical deliver securities:
Book entry securities are much easier to transfer and account for since actual delivery is never taken. Physical delivery securities must be properly safeguarded as are any valuable documents. The potential of fraud and loss increases with physical delivery securities.
Bearer form securities are much easier to convert to personal use than securities that are registered in the name of the government.
5. Clear delegation of authority to subordinate staff members:
Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid any improper actions. Clear delegation of authority also preserves the internal control structure that is built around the various staff positions and their respective responsibilities.
6. Written confirmation of all transactions (transfer, fax, Internet) for investments and wire transfers:
Due to the potential for errors and improprieties arising from telephone/electronic transactions, all such transactions will be documented in writing and approved by the auditor\treasurer.
7. Development of an electronic funds transfer agreement with banks:
This agreement should outline the various controls and security provisions for making and receiving electronic funds transfers.
 - a) Dual authorization and signatures of the County Auditor\Treasurer and Deputy Auditor\Treasurer shall be required shall be required for all transfers.
 - b) Financial institutions will have written instructions regarding government authorizations for wire transfers, restrictions on accounts where funds can be wired, and other procedures that will mitigate unauthorized movement of funds (e.g., call-back to independent person, written confirmations, etc.)
8. All personnel will be required to take minimum planned vacations thereby requiring other personnel to temporarily assume their duties.
9. Insurance shall be secured at appropriate levels to bond employees charged with investment and cash handling responsibilities shall be acquired from the ND State Bond Fund.

H. Operations:

Procedures and duties recommended include:

1. Investment Procedures:

The following is a basic outline of routine daily procedures necessary to maintain proper documentation on cash and investment transactions;

Each morning, the daily bank balance report shall be obtained from the depository bank(s).

Overnight (sweep) repurchase agreements and/or money market accounts interest shall be verified and recorded. All incoming and maturing investments shall be verified with the custodial bank. All earned interest, maturing investments, and incoming funds should be verified and recorded.

Daily information regarding the cash requirements and required maturity dates shall be provided by the Deputy Auditor\Treasurer. All security purchases or sells must be recorded on a confirmation form.

On a daily basis, it is necessary to conduct cash and investment activity within specific

EXHIBIT A **APPENDIX D.1.**
BURLEIGH COUNTY INVESTMENT POLICY

bank accounts, and all transactions within each account shall be recorded on a daily investment worksheet. All worksheets shall be maintained by the Deputy Auditor\Treasurer, and the worksheets shall be available for review upon request.

Proper documentation and authorization shall be required before any cash or investment transaction is executed. All investment documentation shall require the signature of the Auditor\Treasurer or the Deputy Auditor\Treasurer.

2. Authorized Wires:

Only the Auditor\Treasurer or Deputy Auditor\Treasurer shall be authorized to wire funds according to the approved wire transfer agreement for investment. Wire instructions and personal identification numbers (PIN's) shall be safeguarded. All bank transfer requests shall be in writing and require a second confirmation by another Burleigh County employee. The purpose of the bank transfer must be stated as part of the transfer information. ACH procedures shall also be delineated.

3. Securities Confirmations:

The processing of securities' confirmations, including filing and reconciling, shall be conducted by an individual not permitted to purchase and sell investments.

4. Safekeeping Procedures:

All securities purchased shall be received by "delivery vs. payment" (per the investment policy) to the custodian for safekeeping.

Certificates of deposit are permitted to be held at the issuing bank.

Collateral for certificates of deposit and purchased securities in connection with repurchase agreements may be delivered to the governments' designated custodian. Additional requirements and procedures should be outlined in a third-party custodial safekeeping agreement regarding safekeeping procedures.

APPENDIX E.1.

From: [Caya, Brandi M.](#)
To: [Splonskowski, Mark D.](#); [Jacobs, Leigh](#)
Cc: [Schmidt, Taylor](#)
Subject: RE: Investment Committee
Date: Sunday, January 28, 2024 3:40:49 PM

Same.

Brandi Caya
Deputy Auditor/Treasurer
Burleigh County
(701) 222-6719

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Friday, January 26, 2024 4:01 PM
To: Jacobs, Leigh <ljacobs@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>; Caya, Brandi M. <brcaya@nd.gov>
Subject: RE: Investment Committee

Im open on the 2nd.

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Friday, January 26, 2024 3:26 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>; Caya, Brandi M. <brcaya@nd.gov>
Subject: Investment Committee

Good afternoon,

May I suggest we reconvene the investment committee ASAP (AFTER the 1099 deadline).

We have a considerable amount of interest income budgeted for FY 2024, and we need to ensure we reinvest things as they mature so we hit our budgeted revenues.

I'm a little concerned about the timing considering Justin left around October. It's been four months, and if he made some shorter-term investments prior to his departure, those could be coming due or could already be matured.

Does anyone have availability on Friday, Feb 2?

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501

APPENDIX E.2.

From: [Schmidt, Taylor](#)
To: [Jacobs, Leigh](#)
Subject: FW: Investment Committee Meeting
Date: Wednesday, December 11, 2024 10:21:50 AM
Attachments: [Burleigh County Investment Committee Agenda.docx](#)

Taylor Schmidt
Deputy Finance Director
Burleigh County

(701) 712-8354
schmidt.taylor@nd.gov
316 N 5th St Ste 104
Bismarck, ND 58501
www.burleigh.gov

From: Schmidt, Taylor
Sent: Friday, May 3, 2024 4:01 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>; Caya, Brandi M. <brcaya@nd.gov>
Cc: Jacobs, Leigh <ljacobs@nd.gov>
Subject: Investment Committee Meeting

Good afternoon,

I've been going over some of our investment procedures and would like to discuss them in person. I've attached an agenda that is a rough outline of what I've been looking at. Would everyone able to make room in your calendars for an Investment Meeting sometime next week? Let me know what times will/won't work.

Thanks,

Taylor Schmidt
Deputy Finance Director
Burleigh County

(701) 712-8354
schmidt.taylor@nd.gov
316 N 5th St Ste 104
Bismarck, ND 58501
www.burleigh.gov

APPENDIX E.2.

Burleigh County Investment Committee Agenda

Date: TBD

This is the agenda
from the May
Investment
Committee meeting.

1. Interest Allocation
 - a. Investment Policy Review
 - i. Section 2 Line 1 – Pooling of Funds
 - b. Sweep Account Interest Allocation
 - i. Allocating sweep account interest based on Average Daily Balance
 - ii. Removing non general fund dollars from sweep account
 - iii. Amend Pooling of Funds Policy
2. Cash Flow
 - a. Investment Policy Review
 - i. Section 2 Line 1b – Interest Rate Risk
 - ii. Section 2 Line 2 – Liquidity
 - iii. Section 8 Line 1– Diversification Bids
 - iv. Section 8 Line 2 – Maximum Maturities
 - v. Section 8 Line 3 – Competitive Bids
 - b. Cash Flow considerations
 - i. Interest Rate Risk Example
 - ii. Negative Cash
 - iii. Investment Maturities vs Cash Flow Needs
3. Reporting
 - a. Investment Policy Review
 - i. Section 9 Line 1 – Methods
 - ii. Section 9 Line 2 – Performance Standards
 - iii. Section 9 Line 3 – Marking to Market
 - b. Investment Market Value
 - c. Investment Evaluation
 - d. Investment Report

APPENDIX E.3.

September 10, 2024 - Investment Meeting Agenda

- I. WF Zero Balance Account
 - a. PEG set at \$10m for a time
 - b. lowered to \$3m
 - c. Should lower to \$0
 - i. Did we contact WF about lowering PEG to \$0?

Brandi emailed Wells Fargo to lower the PEG to \$1.5m.

Taylor asked for terms of the account but did not get terms from WF. Taylor said no PEG is required, per WF 50% of clients use \$0 balance. No additional fee – fees based on transactions. Fee is approximately \$1273 per month.

At \$3m PEG we are losing \$12,000 per month in interest on the sweep at current rates.

At zero balance we would earn \$12,000 per month in interest at current rates.

At \$1.5m PEG we lose \$6000 a month in potential interest @ current rates

ND State Treasurer operates with a zero balance account.

Action item: Brandi will inquire with Wells Fargo about lowering PEG to \$0 and if that will increase fees.

- II. Concentration of credit at Financial Institution
 - a. We have \$30m in First International
 - b. We have \$68m as of 9/5/2024
 - c. 43.5% of cash is at FIL
 - i. This seems to be over-concentrated
 - ii. ACTION ITEM: Determine what is the max % of total cash we are willing to keep at a given financial institution (15%? 25%?, etc)
 - iii. If First international is over the max, then the recommendation is to move the all/most/some of account # 661 out and into other financial institutions/investments
 - d. We have \$20m in Wells Fargo cash + \$6/7/8m in WF investments
 - i. This seems to be over-concentrated as well
 - ii. General Fund is \$5m over last year at this time due to increased RE taxes

Mark trying to consolidate banks down to 5, perhaps 6.

Finance Dept suggests expanding on the policy to define what % is a concentration at a financial institution, and what % is a concentration in a maturity and/or what % should we have in a given maturity or type

APPENDIX E.3.

Action item: Mark wants to consolidate banks and stay in ND banks. **Finance will look at banks to see if any can be removed. See what kind of investments we have and how long it will take to get out of there. Can we mature investments out of BNC**

- III. Concentration of investments by maturity
 - a. We have approximately \$50m in money markets/sweep
 - i. \$20m WF
 - ii. \$15.8m FIL 662
 - iii. \$13.5M FIL ARPA
 - b. Per policy we should be diversified in our maturity of investments
 - c. Money markets will decline due to rate cuts
 - d. ACTION ITEM: Determine the maturity distribution for reserves and ARPA (i.e. 3month/6month/9month)

- IV. Concentration of investments by type
 - a. We are heavily in money markets
 - b. Our other investments are mostly CDs
 - c. Treasuries have a higher yield
 - i. For example our money markets are probably invested in short term (1month) Treasuries on a rolling basis
 - ii. Money markets must be in allowable investments per NDCC
 - iii. FIL makes money by discounting their investments (if Treasuries are 5.5%, FIL gives us 5.25% and pockets the difference)
 - d. ACTION ITEM: Determine the mix of investments by type (this may need to be revisited as rates change)

Mark would like to move cash into more of an even mix between the various investment types (CD, Fixed Income, Money Market, CD, Treasuries)

Mark would like to trial an investment mix and evaluate how it is going. At that point if it is going well, we can draft a policy or guidelines

Taylor mentioned first international money market is mostly reserves and can probably be invested for a longer period.

Action Item: Finance will create a hypothetical investment mix for Mark to review. We will focus on Reserves at this point in time

- V. Cash forecast
 - a. Historically the county has invested reserves
 - b. The county should consider investing operating cash
 - i. We collected 95%+ of our taxes by Feb 15
 - ii. These could be invested to mature as we need to pay bills throughout the year

APPENDIX E.3.

- c. To do so requires a cash forecast
- d. Finance can assist but the Auditor/Treasurer should review
- e. **ACTION ITEM: Draft a cash forecast auditor to review**

VI. ~~Negative Cash~~

- a. ~~Having negative cash makes cash forecasting difficult~~
- b. ~~For example, if the general fund has \$5m but CenComm has -\$1m then the general fund really has \$4m~~
- c. ~~Negative cash is causing us to over-allocate interest to certain funds such as CenComm~~
- d. ~~For example, Provident Building has negative cash but has an investment~~
- e. ~~Fort Rice has negative cash but has an investment~~
- f. ~~Etc~~
- g. ~~ACTION ITEM: Correct the negative cash balances [this is a recommendation the Commission voted to adopt]. We may need to change the accounting practices to use payable/receivable or due to/from OR use cash forecasting to avoid going negative~~

VII. Investment checklist

- a. Do we need to develop a checklist where everyone involved signs off or initials off on a checklist for each investment?
- b. Checklist could be saved and stored the with record of investment

ACTION ITEM: Finance will prepare an investment checklist for Auditor to review

APPENDIX E.4.

From: [Schmidt, Taylor](#)
To: [Splonskowski, Mark D.](#); [Caya, Brandi M.](#)
Cc: [Jacobs, Leigh](#); [Binder, Pamela J.](#)
Subject: Investment Mix
Date: Thursday, September 19, 2024 11:54:28 AM
Attachments: [image001.png](#)

Good morning,

These tables show our current cash and investment mix as of 08/31/2024 (July fixed income balances). As we discussed in our investment meeting, per investment policy diversification of financial institution and investment type are the County's top investment priorities. The Finance Department recommends keeping no more than 25% of County funds at any bank (except BND) and no more than 50% of County investments in one investment type (except treasuries). As you can see below, based on Finance's recommended maximum allocation, we are over-concentrated in First International and Wells Fargo and are over-concentrated in money market accounts.

These are only guidelines that can and should be reviewed on a regular basis and revised as needed. The goal is to have a broad set of guidelines to provide a reasonable rationale for investment decisions that align with the investment priorities in our investment policy. Once we're in agreement on strategy, our office can create some cash flow forecasts and suggest specific investments for specific funds. This will be a significant undertaking that will take some time. We would start with recommendations of investments for general fund reserves currently held at First International.

Mark, do you have any thoughts on this allocation before we move forward?

Investment Report notes:

This email is in response to a request from Auditor Splonskowski in the Sept. 10th investment Committee meeting. This is noted as an "Action Item" in the meeting minutes. Despite the Deputy Finance Director deliberately waiting until after the Final Budget Hearing to send this email, he received no response until recently, after the Q1 2024 investment report was delivered and this email, and the non-response from the Auditor/Treasurer, was mentioned in a public hearing.

APPENDIX E.4.

Bank	Combined Balance	Current %	Max %	Difference	Amount Under/(Over)
BNC	1,196,248.92	1.73%	25.00%	23.27%	16,102,766.03
BND	1,027.40	0.00%	100.00%	100.00%	69,195,032.41
Bravera Bank	7,184,787.67	10.38%	25.00%	14.62%	10,114,227.28
Bremer	2,733,461.05	3.95%	25.00%	21.05%	14,565,553.90
Choice Bank	1,029,280.15	1.49%	25.00%	23.51%	16,269,734.80
First International Bank	30,974,435.22	44.76%	25.00%	-19.76%	(13,675,420.27)
Wells Fargo	26,076,819.40	37.69%	25.00%	-12.69%	(8,777,804.45)
Total	69,196,059.81	100.00%			

Investment Type	Combined Balance	Current %	Max %	Difference	Amount Under/(Over)
Fixed Income	8,996,528.99	13.00%	50.00%	37.00%	25,601,500.92
Money Market	54,378,474.78	78.59%	50.00%	-28.59%	(19,780,444.88)
CD	5,821,056.04	8.41%	50.00%	41.59%	28,776,973.87
Treasuries	-	0.00%	100.00%	100.00%	69,196,059.81
Total	69,196,059.81	100.00%			

Thanks,

Taylor Schmidt
Deputy Finance Director
 Burleigh County

(701) 712-8354
schmidt.taylor@nd.gov
 316 N 5th St Ste 104
 Bismarck, ND 58501
www.burleigh.gov

APPENDIX E.5.

From: [Splonskowski, Mark D.](#)
To: [Schmidt, Taylor](#); [Caya, Brandi M.](#)
Cc: [Jacobs, Leigh](#); [Binder, Pamela J.](#); [Splonskowski, Mark D.](#)
Subject: RE: Investment Mix
Date: Wednesday, December 4, 2024 2:52:06 PM
Attachments: [image001.png](#)

Hey, I'm going through my old emails and found this one. I Mostly agree with this breakdown however I'd like to discuss it and steps moving forward in person. Would we be able to set up a time next week along with the meeting on the Audit findings? Thanks

From: Schmidt, Taylor <schmidt.taylor@nd.gov>
Sent: Thursday, September 19, 2024 11:54 AM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>; Caya, Brandi M. <brcaya@nd.gov>
Cc: Jacobs, Leigh <ljacobs@nd.gov>; Binder, Pamela J. <pjbinder@nd.gov>
Subject: Investment Mix

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Treasuries	-	0.00%	100.00%	100.00%	69,196,059.81
Total	69,196,059.81	100.00%			

Thanks,

Taylor Schmidt
Deputy Finance Director
Burleigh County

(701) 712-8354
schmidt.taylor@nd.gov
316 N 5th St Ste 104
Bismarck, ND 58501
www.burleigh.gov

TIMELINE OF RETURN ON INVESTMENT BY TERM IN OFFICE

	AUDITOR/TREASURER		AUDITOR/TREASURER		DEPUTY		TOTAL
	VETTER		SPLONSKOWSKI		AUDITOR/TREASURER		
	1/1/2023 - 3/31/2023	4/1/2023 - 12/31/2023	1/1/2024 - 9/30/2024	1/1/2023 - 12/31/2023	1/1/2024 - 9/30/2024		
Bank of North Dakota - Burleigh County	\$ (89,779.03)	\$ (146,385.72)	\$ (292,528.73)	\$ (236,164.75)	\$ (292,528.73)	\$ (528,693.48)	
Bank of North Dakota - Morton County	(27,743.64)	(50,056.97)	(83,340.43)	(77,800.61)	(83,340.43)	(161,141.04)	
Bank of the West	(10,540.62)	-	-	(10,540.62)	-	(10,540.62)	
BNC National Bank	(21,095.86)	(13,456.60)	(10,561.69)	(34,552.46)	(10,561.69)	(45,114.15)	
Bravera Bank	(6,902.47)	(6,277.80)	(12,465.70)	(13,180.26)	(12,465.70)	(25,645.97)	
Choice Bank	(29,894.38)	(6,281.85)	(20,254.30)	(36,176.22)	(20,254.30)	(56,430.52)	
First Interational Bank	(204,615.86)	(79,165.47)	(59,669.25)	(283,781.33)	(59,669.25)	(343,450.58)	
Wells Fargo (Sweep) - General Fund	(1,886.49)	(2,353.79)	(32,189.89)	(4,240.28)	(32,189.89)	(36,430.17)	
Wells Fargo (Sweep) - "PEG"	(27,163.97)	(105,254.64)	(104,154.40)	(132,418.61)	(104,154.40)	(236,573.01)	
	<u>\$ (419,622.31)</u>	<u>\$ (409,232.84)</u>	<u>\$ (615,164.40)</u>	<u>\$ (828,855.14)</u>	<u>\$ (615,164.40)</u>	<u>\$ (1,444,019.54)</u>	

Q1 2024 SUMMARY

Bank	Investment Type	Average Balance	Interest Earned 1/1/2024 - 3/31/2024	Benchmarked Interest	Difference Over/(Under) Benchmark
Bank of North Dakota	Money Market	\$ 4,746,089.98	\$ 7,021.61	\$ 63,047.87	\$ (56,026.26)
Wells Fargo	Sweep "PEG"	3,000,000.00	5,495.34	39,871.23	(34,375.89)
	Sweep Money Market	22,906,371.37	256,755.18	267,047.55	(10,292.37)
First International Bank	CDs	7,500,000.00	43,006.85	49,670.55	(6,663.70)
	Money Market	25,453,683.60	330,505.64	341,960.24	(11,454.60)
BNC National Bank	CDs	1,147,018.68	40,011.78	44,030.75	(4,018.97)
	Money Market	47,608.09	59.36	640.30	(580.94)
Choice Bank	CDs	5,384,094.00	65,759.62	75,159.46	(9,399.84)
	Money Market	28,768.92	236.37	387.37	(151.00)
Bravera	CDs	680,000.00	8,578.43	9,053.13	(474.70)
	Money Market	4,098,409.78	52,423.60	55,223.15	(2,799.55)
Subtotal, Burleigh					(136,237.82)
Bank of North Dakota	Money Market - Morton	3,473,362.15	3,245.89	29,222.31	(25,976.42)
Subtotal, Morton					(25,976.42)
Total					<u><u>\$ (162,214.23)</u></u>

Q2 2024 SUMMARY

Bank	Investment Type	Average Balance	Interest Earned 4/1/2024 - 6/30/2024	Benchmarked Interest	Difference Over/(Under) Benchmark
Bank of North Dakota	Money Market	\$ 17,320,843.07	\$ 9,827.64	\$ 87,544.78	\$ (77,717.14)
Wells Fargo	Sweep "PEG"	3,000,000.00	3,787.46	40,163.02	(36,375.56)
	Sweep Money Market	25,600,621.21	325,332.91	338,507.73	(13,174.82)
First International Bank	CDs	700,000.00	3,739.73	4,031.42	(291.69)
	Money Market	30,313,062.29	380,399.02	404,249.33	(23,850.31)
BNC National Bank	CDs	1,147,018.68	27,319.79	30,516.67	(3,196.88)
	Money Market	49,145.88	62.16	657.95	(595.79)
Choice Bank	CDs	750,000.00	37,622.56	45,290.03	(7,667.47)
	Money Market	107,365.95	1,677.43	2,767.89	(1,090.46)
Bravera	CDs	913,509.34	20,163.32	20,930.26	(766.93)
	Money Market	4,141,050.27	51,478.92	55,437.29	(3,958.37)
Subtotal, Burleigh					(168,685.43)
Bank of North Dakota	Money Market - Morton	5,998,776.62	2,444.89	21,754.72	(19,309.83)
Subtotal, Morton					(19,309.83)
Total					<u>\$ (187,995.26)</u>

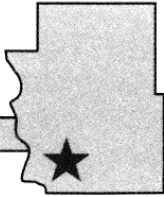
Q3 2024 SUMMARY

Bank	Investment Type	Average Balance	Interest Earned 7/1/2024 -9/30/2024	Benchmarked Interest	Difference Over/(Under) Benchmark
Bank of North Dakota	Money Market	\$ 12,343,382.36	\$ 20,348.29	\$ 179,133.63	\$ (158,785.34) <i>f</i>
Wells Fargo	Sweep "PEG"	3,000,000.00	3,542.27	36,945.22	(33,402.95)
	Sweep Money Market	21,740,609.26	273,699.01	282,421.71	(8,722.70)
First International Bank	CDs	700,000.00	8,821.92	9,510.03	(688.11)
	Money Market	30,306,040.72	386,658.96	403,379.80	(16,720.84)
BNC National Bank	CDs	1,147,018.68	13,833.99	14,982.26	(1,148.28)
	Money Market	109,455.65	163.93	1,184.76	(1,020.83)
Choice Bank	CDs	934,094.00	18,180.74	19,967.35	(1,786.61)
	Money Market	29,199.66	234.38	393.30	(158.92)
Bravera	CDs	913,509.34	27,050.69	27,737.23	(686.54)
	Money Market	4,193,030.54	52,696.71	56,476.31	(3,779.60)
Subtotal, Burleigh					(226,900.72)
Bank of North Dakota	Money Market - Morton	3,503,893.40	4,986.43	43,040.61	(38,054.18) <i>f</i>
Subtotal, Morton					(38,054.18)
Subtotal, with bond-related activity					(264,954.91)
Less bond-related activity					88,875.52
Total					\$ (176,079.39)

f Of these amounts, \$88,876 were due to the bidding agent advising us to liquidate our investments so we could re-structure our portfolio to mature alongside our bonds to maturity at 2032. \$76,188 was Burleigh and \$12,688 was Morton.

ITEM

9



Request for County Board Action

DATE: 12/16/2024
TO: Burleigh County Commission
FROM: Mark Splonskowski
ITEM: 2024 General Election recap

Chairman and Commissioners, I would like to give you a recap of the 2024 General election, an overview of the challenges faced, and the turnout we experienced.

The 2024 General Election was historic in many ways, not only because of the Presidential race, but also due to the several contentious measures on the ballot, but more specifically for Burleigh County with the resignation of the Election Coordinator. The General Election preparation began almost as soon as the Primary election Canvass board was complete. From doing inventory on supplies to preparing the notices for newspapers. There are many steps in putting on an election before ballots even arrive in the Office for Absentee voting.

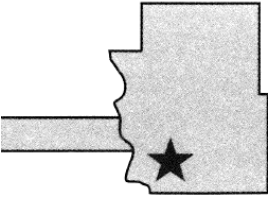
Absentee voting became available on 9/26/2024 and in total, 9,637 absentee votes were received and processed by my office and prepared for the Absentee precinct. With the resignation of the Elections Coordinator, we had to reallocate duties within the office as well as take on more duties for each person in order to make up for this loss. The Secretary of State office was extremely helpful through this process and helped us overcome this challenge. Through this process, mistakes were found, corrected, and noted to prevent them from happening again. One example is the Stand-alone Election Computer issue which was found and promptly corrected. We also went above and beyond the typically required testing and verifications in order to ensure ourselves and the Secretary of States Office that certain procedures had been done correctly and completed.

My staff worked very hard through the election process as well as the Tax and Equalization office who have been an integral part of our election process for years. On top of this, several other departments generously sent available staff to assist us in the preparation for the election. Poll workers are an integral part of any election, and this year was no exception. Burleigh County had 297 election workers trained and working on election day or on standby in case of a cancelation. These individuals did a great job working the elections and are greatly appreciated by me and my office for taking time out of their lives to do such a great civic duty. 19,065 votes were cast during Early Vote and 24,164 on Election Day. Between absentee, Early vote and Election Day, 52,866 total votes were cast, resulting in a 69.99% voter turnout in Burleigh County beating the State turnout of 62.61%. Although this election year was very challenging and difficult, my office and all those who helped us were able to complete the election process successfully and with minimal issues. I cannot adequately express the gratitude and pride I feel for my staff for all they did through this years' election. We were able to adapt and overcome while providing a great election experience for the voters and also ensuring all security measures for followed correctly.

ITEM

11

County of Burleigh



221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

December 9, 2024

Press release:

Burleigh County is now seeking applications to the following terms on the various Auxiliary Boards ending 12/31/2024.

Bismarck Planning Commission- ETA member	5 Year Term	1 Position
Burleigh County Housing Authority	5 Year Term	1 Position
Burleigh County Human Service Zone Board	3 Year Term	1 Position
Burleigh County Park Board	3 Year term	2 Positions
Burleigh County School District Reorganization	3 Year Term	3 Positions
Burleigh County Water Resource Board	3 Year Term	2 Positions

Missouri Valley Complex Committee, (Junior/High School Rodeo Appointee) 1 Position

Auxiliary Board applications can be found at:

<https://www.burleigh.gov/boards>

Mark Splonskowski
Burleigh County Auditor/Treasurer

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Brian J Fettig

Address: 3851 Prairie Pines Loop, Bismarck, ND 58503

Home Phone: [REDACTED] Work: [REDACTED] Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:

Planning and Zoning

List below the skills or qualifications you could bring to this Board or Commission: With my 25 yrs in the Engineering and Construction industry, I have a deep understanding of development. My career has also helped me become a clear communicator. My colleagues would describe as a fair, levelheaded person capable of making well - informed decisions keeping the community interests first. I am continually forced to analyze situations to make well informed decisions.

If you have any special interest or reason for serving on this Board or Commission, please explain below. Having lived in the area all my life, I have an interest in the community and its growth. I am very proud of living here and would like to see it continue to prosper, and continue to be the clean, nice community it is. I would like the opportunity to represent the citizens and give back to the community by addressing concerns with my levelheaded approach.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

none

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

ND AGC, Chamber EDC, ND ready mix association

Signature: *Brian Fettig* Date: 11/7/24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: **Chuck Mischel**

Address: **2706 Berkshire Dr, Bismarck, ND 58503**

Home Phone: **N/A**

Work: [REDACTED]

Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve: **Burleigh County Auxiliary Board**

List below the skills or qualifications you could bring to this Board or Commission: **Have been on several boards in the past including past Chair of the Operator Certification Advisory Committee affiliated with the ND Department of Environmental Quality.**

If you have any special interest or reason for serving on this Board or Commission, please explain. **Looking for an opportunity to keep my involvement in anything water related & anything regarding Burleigh County as well.**

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input checked="" type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: **N/A**

List below the associations or institutions with which you are closely associated or serve as a director or officer: **Past Chair on the Operator Certification Advisory Committee.**

Signature:  Date: 10/23/24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: ROGER C SMITH

Address:

Home Phone: NA Work: NA Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:

WATER RESOURCE DISTRICT - ZALCOMBENT

List below the skills or qualifications you could bring to this Board or Commission:

SERVED ON WATER BOARD 1-3-YEAR TERM, CAREER WATER RESOURCE ENGINEER

If you have any special interest or reason for serving on this Board or Commission, please explain below.

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input checked="" type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

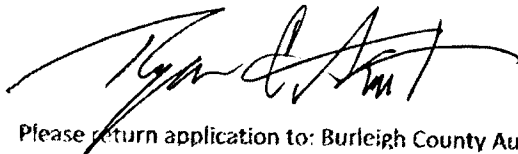
List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

NONE

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

BOD U.S. CURLING ASSOCIATION
DAKOTA TERRITORY CURLING ASSOCIATION
NORTH DAKOTA CURLING FOUNDATION

Signature:



Date:

11/18/24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission

Term Start Date _____

Term End Date

Oath Returned

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Cynthia Chavez

Address: 2834 Warwick Loop, Bismarck ND 58504

Home Phone: _____ Work: [REDACTED] Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:

Burleigh County Housing Authority

List below the skills or qualifications you could bring to this Board or Commission:

I have served on the Burleigh County Housing Authority Board as a resident commissioner for the past five years.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I'm the current Resident Commissioner and my term is expiring and I would like to continue to serve my community.

Principal Occupation/Source of Income (check one)

- | | | | |
|---|------------------------------------|---|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input checked="" type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Burleigh County Housing Authority

Signature: Cynthia Chavez Date: 12-14-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Errol J. Behm

Address: 3203 Impala Lane, Bismarck, ND 58503

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

Burleigh County Park Board

List below the skills or qualifications you could bring to this Board or Commission:

Former State Employee - Local Gov't @ NDDOT
Bis-Man Reel & Rec. Retired Army Reserve & NONG
If you have any special interest or reason for serving on this Board or Commission, please explain below.

Serve interests of locals, river projects
Park improvements, etc
Principal Occupation/Source of Income (check one)

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Farmer | <input checked="" type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input checked="" type="checkbox"/> Government | <input type="checkbox"/> Student | <input checked="" type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

N/A

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Bis-Man Reel & Rec
Brush Lake Recreation Service District

Signature: Errol J. Behm Date: 12-12-2024

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

Board or Commission on which you prefer to serve:

Burleigh County Park Board

List below the skills or qualifications you could bring to this Board or Commission:

I graduated from Minot State College in 1994 with a bachelor's degree in Earth Science with a minor in Chemistry. I retired July 31, 2024, after 30 years working for the North Dakota Department of Transportation (NDDOT). During this time, I worked with the Public, Contractors, and NDDOT staff on Highway projects everywhere in the state. Gaining valued experience collaborating with the public and people. Since I have always been interested in the outdoors, I decided over 15 years ago to become involved with committees, clubs, and organizations to give something back to this great state of North Dakota. I was born here, raised here, educated here, and never left North Dakota wanting to make sure that citizens of North Dakota always came first in outdoor interests. I have gained experience working for the citizens of North Dakota over the past 30 years, particularly during the last three years as a Park Board Member of Burleigh County. Over the past thirty years, I have obtained a vast amount of experience and knowledge in working with computers, policy input, and legislative work while working at the NDDOT and affiliate organizations with which I am involved.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

My main interest is to not only serve and work for Burleigh County, but also its residents to make sure the parks are in tip/top shape. This carries over to what others from outside the County see when they are visiting and using our Parks and facilities. It is a pleasure hearing about various activities they were intended to be used for allowing everyone to enjoy their time spent there. I have enjoyed working as a member of the Park Board for the past three years, and I believe that I can and will offer more input when needed. Yes, I look forward to being selected as a member of the Burleigh County Park Board working with the County Commissioners to make our Burleigh County Parks the best.

Board or Commission on which you prefer to serve:

Burleigh County Park Board

List below the skills or qualifications you could bring to this Board or Commission:

I graduated from Minot State College in 1994 with a bachelor's degree in Earth Science with a minor in Chemistry. I retired July 31, 2024, after 30 years working for the North Dakota Department of Transportation (NDDOT). During this time, I worked with the Public, Contractors, and NDDOT staff on Highway projects everywhere in the state. Gaining valued experience collaborating with the public and people. Since I have always been interested in the outdoors, I decided over 15 years ago to become involved with committees, clubs, and organizations to give something back to this great state of North Dakota. I was born here, raised here, educated here, and never left North Dakota wanting to make sure that citizens of North Dakota always came first in outdoor interests. I have gained experience working for the citizens of North Dakota over the past 30 years, particularly during the last three years as a Park Board Member of Burleigh County. Over the past thirty years, I have obtained a vast amount of experience and knowledge in working with computers, policy input, and legislative work while working at the NDDOT and affiliate organizations with which I am involved.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

My main interest is to not only serve and work for Burleigh County, but also its residents to make sure the parks are in tip/top shape. This carries over to what others from outside the County see when they are visiting and using our Parks and facilities. It is a pleasure hearing about various activities they were intended to be used for allowing everyone to enjoy their time spent there. I have enjoyed working as a member of the Park Board for the past three years, and I believe that I can and will offer more input when needed. Yes, I look forward to being selected as a member of the Burleigh County Park Board working with the County Commissioners to make our Burleigh County Parks the best.

**BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM**

Name: Jeffery A. Herman

Address: 533 Meadow Lane Bismarck, ND 58504-5364

Home Phone: (cell) Work: (cell) Cell: (701) 400-5089

Email: jnwher@bis.midco.net

Board or Commission on which you prefer to serve:

Burleigh County Park Board

List below the skills or qualifications you could bring to this Board or Commission:

***See Attached.

If you have any special interest or reason for serving on this Board or Commission, please explain below.

***See Attached

Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input checked="" type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

Choice Bank, Choice Wealth, Wells Fargo, and First Community Credit Union.

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Burleigh County - Burleigh County Park Board, Bis-Man Reel & Rec Vice President,
North Dakota Sport Fishing Congress - Treasurer, Friends of Lake Sakakawea - Board
Member, Delta Waterfowl "Puddle Jumpers Chapter" - Chapter Chairman.

Signature: Jeffery A. Herman Date: _____

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Michael Barsness

Address: 2111 Sherman Drive, Bismarck ND 58504

Home Phone: [REDACTED] Work: [REDACTED] Cell: [REDACTED]

Email: [REDACTED]

Board or Commission on which you prefer to serve:
Planning and Zoning Commission

List below the skills or qualifications you could bring to this Board or Commission:
35 years in the construction industry, currently serving as a Sr PM and lead KA's ND K-12 projects division. 20+ years as a resident of Bismarck Experience with public speaking and school boards.

If you have any special interest or reason for serving on this Board or Commission, please explain below.
I am interested in the ETA/zone of influence relationship between the cit and county. I am at the point in my career where I would like to give be
Principal Occupation/Source of Income (check one)

- | | | | |
|-------------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input checked="" type="checkbox"/> Professional |
| <input type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: I have no financial interest in any other business

List below the associations or institutions with which you are closely associated, or serve as a director or officer: Theta Chi Fraternity Alumni Association (Fargo, ND)

Signature:  Date: 11/21/24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

Splonskowski, Mark D.

From: noreply@civicplus.com
Sent: Saturday, November 30, 2024 11:39 PM
To: Whitnie Olsen; Jason Tomanek; Ben Ehreth
Subject: Online Form Submittal: City of Bismarck Board, Commission & Committee Membership Application

CAUTION: ***External Email - Use caution clicking links or opening attachments***

City of Bismarck Board, Commission & Committee Membership Application

Name: Matthew Preszler

Address: 405 Glenwood Drive

City: Bismarck

State: NORTH DAKOTA

Zip: 58554

Phone Number: [REDACTED]

Email Address: [REDACTED]

Are you currently a resident of the City of Bismarck Yes

What board or commission are you applying to serve? Planning & Zoning Commission

Descriptions of Boards, Commissions & Committees: [View Descriptions of Each Board & Committee](#)

List the skills or qualifications you could bring to this board, commission or committee: I possess a strong understanding of microeconomics, macroeconomics, geography and demography. My communication skills are excellent in both written and verbal form. I am pragmatic have the the interpersonal communication assets to come to solutions for complex problems.

Please explain your reasons for wanting to serve on this board, commission, or committee: While I have only lived in Bismarck for almost three years, I have been a frequent visitor to the area for 20. During my summer breaks during college, I was a foreman on a road construction crew that did surfacing for many of the roads in residential neighborhoods. I could tell that Bismarck was

growing and with the advent of the shale revolution, it would face many challenges with this exponential growth. For example, Bismarck has grown by about 20% between 2010 and 2020 and is on track for that same level of growth for likely the next 20-30 years. I possess the foresight to help Bismarck through these challenges.

What is your principal occupation?

Produce Manager/Appraiser

List the associations or institutes with which you are closely associated, or serve as a director or officer:

Young Republicans
American Society of Farm Managers and Rural Appraisers

(Section Break)

If applying for the Parking Authority, do you own property within the Downtown Parking District?

Field not completed.

What is the address of your property within the Downtown Parking District?

Field not completed.

(Section Break)

If applying for the Historic Preservation Commission, please indicate if you have experience in architecture, history, architectural history, planning, archeology, or other historic preservation related disciplines, such as American studies, American civilization, cultural geography or cultural anthropology.

Field not completed.

If applying for the Civil Service Commission, Historic Preservation Commission or Special Assessment Commission, please upload your resume.

Field not completed.

(Section Break)

If applying for the Special Assessment Task Force, please indicate any of the items below that apply to you.

Field not completed.

Section 1 - Special

A majority of official members are required to be in attendance in order for boards, commissions & committees to conduct business.

X

Signature of Applicant:

Matthew Preszler

By checking this box I acknowledge that I am electronically signing this application.

Electronic Signature

Date:

11/30/2024

Email not displaying correctly? [View it in your browser.](#)

**Burleigh County
Auxiliary Board
Application Form**

Name: Steven M Neu
Address: 919 N 1st St, Bismarck ND. 58501
Phone: [REDACTED]
Email: [REDACTED]

Board or Commission on which you prefer to serve:

Burleigh County Park Board

List below the skills or qualifications you could bring to this Board or Commission:

My family has been Burleigh County residents since May 1987 and users of county and city parks and recreation facilities and programs. Along with being a program and facility user, I offer extensive and diverse board experience having served on local, regional, and national policy/governance, civic and program boards. I offer experience of a thirty plus year career in public parks and recreation, a degree in parks and recreation administration, an interest in improving the current offerings and planning the future of Burleigh County Parks.

Principal/Occupation/Source of Income:

Retired

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

N/A

List below the associations or institutions with which you are closely associated, or serve as a Director or officer:

Currently serve on the Board of Directors as Secretary of the Bismarck Far West Rotary Club and serve as secretary/coordinator of the Missouri Valley Complex Committee.

Signature:  _____ **Date:** 12-11-2024 _____

Please return application to : Burleigh County Auditor/Treasurer – PO Box 5518 – Bismarck, ND 58506

Office Use Only

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Trent Wanger

Address: 5924 Magnolia Drive, Bismarck ND
(701)

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve: Bismarck Planning + Zoning Commission

List below the skills or qualifications you could bring to this Board or Commission: I have been a member of The Bismarck Planning and Zoning Commission from Jan 1 2020 until Dec 2024 - Would like to serve a second term
If you have any special interest or reason for serving on this Board or Commission, please explain below.

Resident of The ETA

Principal Occupation/Source of Income (check one)

- | | | | |
|--|------------------------------------|---|---|
| <input type="checkbox"/> Farmer | <input type="checkbox"/> Military | <input type="checkbox"/> Investor/Retired | <input type="checkbox"/> Clerical & Sales |
| <input type="checkbox"/> Laborer | <input type="checkbox"/> Craftsman | <input type="checkbox"/> Business Owner | <input type="checkbox"/> Professional |
| <input checked="" type="checkbox"/> Government | <input type="checkbox"/> Student | <input type="checkbox"/> Other | |

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: None

List below the associations or institutions with which you are closely associated, or serve as a director or officer: Bismarck Rural Fire Department Board of Directors - Vice President
North Dakota Correctional Centers Administrators Association - Vice President

Signature: Trent Wanger Date: 12-8-24

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____
Term Start Date _____
Term End Date _____
Oath Returned _____

ITEM

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BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Request for County Board Action

DATE: December 16, 2024
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:

We have received a request from Jason and Mary Kobilansky at Huchler Park Subdivision Block 1, Lot 1 (4051 Sandy River Drive) to reconsider a pavement waiver request that was denied by the County in 2016.

In 2016, the County Board denied a pavement wavier request from Jack Jones. The request was part of a proposed lot split of the above property. Mr. Jones was proposing to divide said property into 3 lots which would have required him to reconstruct (and pave) Fernwood Drive (approximately 1,150 feet) south of Sandy River Drive. At the May 16, 2016 County Board Meeting, the Board denied this request noting (among other things) that since the County and the MPO had designated the extension of Fernwood Drive past this property south to River Road as the main collector route in this area, not reconstructing and paving this route as development took place would place a burden on other tax payers in the county.

At this time, the Kobilansky's are proposing a lot split in order to build one additional home (2 – lots). Under the current Pavement Policy, *“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.” Under the Pavement Policy, the splitting of this property would require them to re-construct and pave 1,150 feet of County/Township roadways along the west edge of this property.

Waiving the Pavement Policy allows the County Board to approve the proposed plat/lot split 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 review the request, and if you wish to allow the waiver, 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 the Kobilansky's request to waive the construction and paving requirements "adjacent section line roads" listed in the Pavement Policy, in conjunction with the approval of this proposed lot split.



PARCEL ID: 31-139-81-26-01-010 OWNER: KOBILANSKY, JASON A & MARY T ACRES: 7.11
SITE ADDRESS: 4051 SANDY RIVER DR
MAIL ADDRESS: 4051 SANDY RIVER DR, BISMARCK, ND 58503
LEGAL: HUCHLER PARK Block 01 LOT 1

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



PARCEL ID: 31-139-81-26-01-010 OWNER: KOBILANSKY, JASON A & MARY T ACRES: 7.11
SITE ADDRESS: 4051 SANDY RIVER DR
MAIL ADDRESS: 4051 SANDY RIVER DR, BISMARCK, ND 58503
LEGAL: HUCHLER PARK Block 01 LOT 1



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
BISMARCK, ND 58503
701-204-7748
FAX 701-204-7749
www.burleighco.com

Date: December 9, 2024

To: Burleigh County Commissioners

From: Marcus Hall P.E.
Burleigh County Engineer

Subject: Bridge #08-126-40.0 (On 236th Street SE – 4.3 miles south of County Hy 10)

This memorandum has been put together to inform the County Board of Commissioners of concerns that both Commissioner Schwab and I share regarding the condition of Bridge #08-126-40.0 (on 236th Street SE – 4.3 miles south of County Highway 10). This bridge has a single span and was constructed in 1950 and consists of a timber deck on timber beams with timber piling for the abutment supports. The bridge has a current Operating Rating of HS13.6 and has a maximum posted load of 10 Tons. (Both very low numbers for a bridge open to the public and in need of immediate replacement.) The Bridge largely services our agriculture community and functions as the main route from the south-central part of the county north to County Highway 10 and then either to I-94, Bismarck or Sterling. The Bridge is inspected every other year by the NDDOT and we have also conducted off year inspections to stay on top of its condition. I have included the most recent NDDOT inspection (Inspection Date: 11/06/2024) and our most recent inspection (Inspection Date: 02/29/2024) for your review.

We have been trying to get this bridge replaced for some time. In 2021 we applied for federal bridge funds through the NDDOT and this bridge was selected for replacement in 2024. However, because of construction inflation many structures throughout the State have to be delayed, and unfortunately this structure is now scheduled to be let in January 2026. Our main concern is that it will be delayed again or money for this program will run out before this replacement is completed.

With this in mind we currently see two options before us.

Option 1

Use local funds to replace the bridge. We believe that we could have the plans and permits completed for an April letting and (if all goes well at the Concrete Culvert fabrication plant) constructed by the fall of 2025. Currently, we believe that the Construction and Construction

Engineering cost would run between \$900,000 and \$1,000,000. By doing this we would be giving up on Federal funding but we would be ensuring the quickest replacement time.

Option 2

Continue on with the federal program and let the project in January 2026 (assuming they don't once again delay the project or terminate the program before that). We would still be responsible for matching funds and noneligible items, totaling around \$250,000 of local money. If all went according to plan (and both Commissioner Schwab and I have our doubts that this will take place) the project could be completed by the fall of 2026.

As stated at the beginning of this memo Commissioner Schwab and I are concerned that this bridge could go down at anytime or deteriorate to such a point that we would have to close it before we are ready to replace it. Both outcomes would be bad for the safety and economical wellbeing of the area. Therefore, we are asking the Board to consider Option 1 and fund the project through General fund reserves.