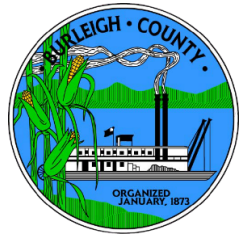




Lincoln, Fort Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman, & Phoenix
Unorganized Townships



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 |
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April 7, 2025

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 Agenda.
4. Consideration of the October 21, 2024, meeting minutes.
5. Bismarck Parks and Recreation Operations Director Mayer:
 - a. Request authorization to obtain quotes for the Dredging of Boat ramps - Kimball Bottoms and Kniefel.
 - b. Discussion of ramp rebuild.

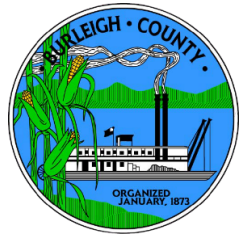
COUNTY COMMISSION.

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 16th, 2024, March 22nd, March 29th and April 2nd meetings minutes, and March 17th, 2025, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Primary Residence Credit Abatements.
 - c. Gaming site authorization.
 - d. 2nd access permit.
 - e. Accepting platted right of ways.
 - f. RRH Subdivision.
 - g. Love's Wastewater letter of approval.
 - h. ROW for Paradise Pointe Subdivision
6. Telecommunications Week Proclamation.

7. **PUBLIC HEARING** regarding plan on redesignating elective office of Burleigh County Auditor/Treasurer to appointive office.
8. States Attorney Lawyer:
 - a. Information regarding redesignation of Auditor/Treasurer to appointed office.
9. Chairman Bitner:
 - a. Appointment of Robert Hook as Facilities Director.
 - b. HTG architecture and engineering fees.
10. County Sheriff Leben:
 - a. North Dakota Department of Transportation traffic safety grant.
 - b. Burleigh East Bid Acceptance.
11. Missouri Valley Complex:
 - a. Update by Chair LaCoe
 - b. Zoning to Public update.
 - c. Plat update – Timing.
 - d. Request the county to request bids for Delineation of the Missouri Valley Complex
 - e. Ag and Equestrian update and request.
 - f. Missouri Valley Complex contracts review.
12. County Engineer Hall:
 - a. Petition to vacate section line.
13. County Planning Director Flanagan:
 - a. Sterling Township service agreement.
 - b. Summit Point 2nd Subdivision.
 - c. Solar energy systems facilities.
 - d. Changes to platted non-access lines.
14. County Finance Director Jacobs:
 - a. Historical Practices for Election Worker Informational Tax Returns
 - b. Fiscal Year 2024 Results
15. Discussion regarding Bismarck-Burleigh Public Health.
16. County Auditor/Treasurer Splonskowski:



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



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a. Investment status update.

17. Other Business.

18. Adjourn.

The next regularly scheduled Commission meeting will be on April 21st, 2025.

Mark Splonskowski

Burleigh County Auditor/Treasurer

COUNTY PARK BOARD

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
OCTOBER 21, 2024**

5:00 PM

Chairman Bitner called the Burleigh County Park Board meeting to order.

A roll call of members: Commissioners Munson, Woodcox, Bakken, Schwab, Herman and Chairman Bitner were present: Comm. Behm was absent.

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the July 15th, 2024 minutes and bills. All members present voted, "AYE." Motion carried.

A parks update was given by Dave from Bismarck Parks and Rec stating that the boat ramps at MacLean Bottoms and Kniefel have been pulled, while the ramps at Kimball Bottoms and Steckel remain; a couple fish cleaning stations have been shut down in anticipation of colder weather. Dave also stated that some scouting for the dredging of the boat ramps next year also took place, and he recommended that (with the Board's permission) the county begin filling out the 404 permit in preparation for said dredging next year. A consensus was reached among the commissioners to have the paperwork for the 404 permit started. No further action was taken.

Comm. Munson informed the Board that the DAV completed their six-year agreement with maintaining Driscoll Sibley Park, and their hope is that the county will find someone else to take care of the park moving forward.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

COUNTY COMMISSION

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

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

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

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

The following changes were made to the agenda:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
PUBLIC HEARING - STERLING
MARCH 22nd, 2025**

2:00 PM *Pledge of Allegiance*

Chairman Bitner called public hearing to order.

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

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

- Chair Bitner discussed information regarding the re-designation of the Auditor/Treasurer position to an appointed position and the committee he created to analyze that information.
- Vice-Chair Bakken opened the public hearing to the public for comment. Travis Schweitzer, Sam Schweitzer, Bo Rath, Jack McLean, Patrick Lengenfelder, Pamela Thompson, Kris Lengenfelder, Lucas Lang, Wendy O'Neill, Patricia Schonert, Rebecca Lengenfelder, and Kip Rath all spoke against the Auditor/Treasurer position becoming an appointed position. Melinda Berg spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position. County Auditor/Treasurer Mark Splonskowski spoke against the Auditor/Treasurer position becoming an appointed position and had further discussion with the Commission.

Meeting Adjourned

Mark Splonskowski,
County Auditor/Treasurer

Brian Bitner,
Chairman

**BURLEIGH COUNTY COMMISSION
PUBLIC HEARING - WILTON
MARCH 22nd, 2025**

10:00 AM *Pledge of Allegiance*

Chairman Bitner called public hearing to order.

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

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

- Chair Bitner listed the upcoming public hearings of later today, March 22nd, at 2:00pm in Sterling and on March 29th at 10:30am in Bismarck. He made note of the online form for comments located at Burleigh.gov.
- Vice-Chair Bakken opened the public hearing to the public for comment. Mary Ann Welder, David Bernhardt, and Dustin Gawrylow all spoke against the Auditor/Treasurer position becoming an appointed position. James Meyer and Karl Rakow spoke in favor of the Auditor/Treasurer position becoming an appointed position. David Jans and Debbie Jans all spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position.
- Comm. Bakken stated a reminder about the upcoming public hearings later today, March 22nd at 2:00pm at the Sterling School, March 29th at 10:30am in the Tom Baker Meeting Room, and on April 7th at 5:00pm at the regularly scheduled Commission meeting.

Meeting Adjourned

Mark Splonskowski,
County Auditor/Treasurer

Brian Bitner,
Chairman

**BURLEIGH COUNTY COMMISSION
PUBLIC HEARING - BISMARCK
MARCH 29th, 2025**

10:30 AM *Invocation by Vice-Chair Bakken and Pledge of Allegiance*

Vice-Chairman Bakken called public hearing to order.

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

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

- Vice-Chair Bakken listed the upcoming public hearing of the next regularly scheduled Commission meeting on April 7th at 5:00pm in the Tom Baker Room.
- Vice-Chair Bakken opened the public hearing to the public for comment. Doug Schonert and Robert Disney all spoke against the Auditor/Treasurer position becoming an appointed position. Roger Lawyer spoke in favor of the Auditor/Treasurer position becoming an appointed position. Gaylynn Becker spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position. County Auditor/Treasurer Mark Splonskowski spoke against the Auditor/Treasurer position becoming an appointed position and had a discussion with the Commission in regards.
- Vice-Chair Bakken reminded the people that public comment can still be submitted at Burleigh.gov.

Meeting Adjourned

Mark Splonskowski,
County Auditor/Treasurer

Brian Bitner,
Chairman

**BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
PROVIDENT BUILDING REMODEL
APRIL 2nd, 2025**

10:00 AM

Chairman Bitner called the Burleigh County Commission special meeting to order.

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

Alicia Fadley and Dan Schaff from HTG Architects presented information about the bids that were received for the Provident Building Renovation. The three bids that were received for general contractor were Roers, Capital City Construction, and Northwest Contracting. One bid was received for the electrical contract from Magnum Electric and no bids were received for the mechanical contract. Discussion was had on the bids received and how to proceed going forward. Human Services Zone Director Chelsea Flory and Emergency Management Director Mary Senger gave input.

Chair Bitner had requested information from HTG on what the cost to build a new building would be. Schaff broke down the costs and stated that a new building would cost between \$40,000,000 and \$52,000,000 not including the land acquisition. Comm. Munson mentioned that the cost to remodel the Provident Building would be \$13,000,000 to \$15,000,000 and brought up the option of buying a different building. Chair Bitner and Comm. Bakken stated that they had looked into buying a different building and that there wasn't any buildings available that matched the size needed by the county. Discussion was had.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the re-bidding of the electrical contract, mechanical contract, the asbestos abatement, and the repair to the roof of the Provident Building. All members present voted 'AYE'. Motion carried.

Comm. Woodcox started a discussion about the funding for the Provident Building Renovation. Auditor/Treasurer Splonskowski stated that the County received \$7,000,000 in ARPA funds for the project. Comm. Woodcox mentioned that with the renovation having a cost of \$15,000,000 less the \$7,000,000 that leaves the County with \$8,000,000 to fund. Finance Director Leigh Jacobs presented options for funding the remainder of the project which included current monies available and borrowing. Discussion was had.

Dan Schaff stated that a longer construction period than originally planned for will result in additional costs for HTG which will have to be billed to the County. Chair Bitner requested that this item be added to the April 7th, 2025 Commission Meeting for discussion.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
MARCH 17th, 2025**

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

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

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

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the meeting agenda with discussion on Comm. Bakken's trip to Washington DC being added to other business. All members present voted 'AYE'. Motion carried.

Chair Bitner listed the following meeting minutes which still needed approval; December 16th, 2024, and March 3rd, 2025 meeting minutes as well as the approval of the bills.

- Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the bills. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve the March 3rd, 2025 meeting minutes. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Bakken, 2nd by Comm. Woodcox to table the December 16th, 2025 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
Jade Falcon	2024	Lot 13, Block 4, Pheasant Valley	80% Disabled Veteran	\$642,000	\$480,000
Jascon & Carla Rundquist	2024	Lot 9, Block 7, Sattler's Sunrise 7th	100% Disabled Veteran	\$158,300	\$140,300
Harvey & Barbara Jackson	2024	N 16' of Lot 28, all Lot 29, & S17' of Lot 30, Block 38, Fisher	50% Homestead Credit	\$139,700	\$69,850
Janice Nesja	2024	Unit 4 3312 Arrowhead Condos, Lot 22, Block 1, Pebble Crk 8th Replat	50% Homestead Credit	\$311,800	\$211,800
Gary & Paula Hofland	2023	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	100% Homestead Credit	\$1,100	\$0

Gary & Paula Hofland	2024	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	50% Homestead Credit	\$3,400	\$1,700
Curtis Mertz	2025	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	\$28,103	\$14,052
Greg & Tracey Runyon	2025	2002 Atlantic 27 x 56	50% Homestead Credit	\$60,329	\$30,164
Clifton Erickson	2024	S50' of N200' of W1/2 less W30' of Blk 17, Block 17, Lincoln	100% Homestead Credit	\$220,400	\$20,400
Charles & Sandra Ketterling	2023	Lot 2, Block 11, Lincoln Replat of B11	50% Homestead Credit	\$223,800	\$123,800
Charles & Sandra Ketterling	2024	Lot 2, Block 11, Lincoln Replat of B11	50% Homestead Credit	\$237,500	\$137,500
Michael Brown	2023	Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	\$113,200	\$0
Michael Brown	2024	Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	\$119,200	\$0
James & Cynthia Vollmer	2024	Lot 6, Block 2, Indian Hills	50% Homestead Credit	\$284,200	\$184,200
Todd & Gabrielle Sutton	2024	N10' of Lot 23, all Lot 24, & S10' of Lot 25, Block 67, McKenzie & Coffin's	90% Disabled Veteran	\$238,100	\$197,600
Nancy & Jorge PichardoQuezada	2024	Lot 1, Block 1, Southbay 4th Add 2nd Replat	70% Disabled Veteran	\$230,200	\$156,700
Duane & Juanita Martin	2025	2016 Fairmont 28 x 64, serial #MY16-128538ABK	50% Homestead Credit	\$111,821	\$55,910
Robert Christenson	2023	Lot 14, Block 19, Morningside Heights	100% Homestead Credit	\$217,300	\$17,300
Mary Wieben	2024	Lot 12, Block 17, Washington Heights 10th	50% Homestead Credit	\$295,000	\$195,000

Curtis Mertz	2023	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	\$28,103	\$14,051
Curtis Mertz	2024	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	\$28,103	\$14,051
Larry Ensz	2025	1995 Royalton 16 x 76, serial #9423361A	100% Homestead Credit	\$34,145	\$0
Ernest Erhardt	2024	Lot A of Lots 8-9, North Star Acres	50% Homestead Credit	\$384,000	\$284,000
Daryl & Twila Wanner	2025	1994 Schult 64 x 28, serial #R263514AB	50% Homestead Credit	\$55,158	\$27,579
Marty & Judy Grothe	2023	1990 Marshfield Executive 17 x 76, VIN #062339	100% Homestead Credit	\$26,290	\$0
Tim Heckelsmiller	2024	1981 Chicasaw 70 x 14, VIN #6544w	Mobile home removed from lot in 2024	\$10,349	\$0
Tracy & Cynthia Vanous	2023	Lots 1, 2, and 4, Block 1, Schultz	50% Homestead Credit	\$352,300	\$252,300
Amelia Schweitzer	2024	Unit 4 Calgary Condos, Lot 3, Block 1, North Hills 7th	100% Homestead Credit	\$182,500	\$0
Jeffery & Victoria Haas	2024	Unit 4 & garage 4 (bldg 872) San Angelo Dr Condo Assoc, Lots 3-5, Block 2, Cottonwood Lake 5th	50% Homestead Credit	\$208,600	\$108,600
Kenneth & Alvinia Buchholz	2024	Lot 5, Block 20, Meadow Valley 4th	50% Homestead Credit	\$245,700	\$145,700
Marlene Streeper	2024	Unit 3084 Pheasant Run Condo, part of Lot 4, Block 2, Tatley Meadows V	50% Homestead Credit	\$185,000	\$92,500
Carleton & Yvonne Logan	2023	Lot 11, Block 2, the Pointe	100% Homestead Credit	\$350,700	\$150,700
Carleton Logan	2024	Lot 11, Block 2, the Pointe	100% Homestead Credit	\$367,100	\$167,100
Roger Allen & Sandra Thomsen	2024	Lot 10-11 less 10' x 117.5' tract in Lot 11, Block 2, Baldwin Townsite	50% Homestead Credit	\$74,100	\$37,050

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the Jade Falcon, Jascon & Carla Rundquist, Harvey & Barbara Jackson, Janice Nesja, Gary & Paula Hofland, Curtis Mertz, Greg & Tracey Runyon, Clifton Erickson, Charles & Sandra Ketterling, Michael Brown, James & Cynthia Vollmer, Todd & Gabrielle Sutton, Nancy & Jorge PichardoQuezada, Duane & Juanita Martin, Robert Christenson, Mary Wieben, Curtis Mertz, Larry Ensz, Ernest Erhardt, Daryl & Twila Wanner, Marty & Judy Grothe, Tim Heckelsmiller, Tracy & Cynthia Vanous, Amelia Schweitzer, Jeffery & Victoria Haas, Kenneth & Alvinia Buchholz, Marlene Streeper, Carleton & Yvonne Logan, Carleton Logan, Roger Allen & Sandra Thomsen abatements and the consent agenda in its entirety. All members present voted 'AYE'. Motion carried.

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

- Vice-Chair Bakken listed information on the upcoming public hearings. March 22nd at 10:00am in Wilton and at 2:00pm in Sterling. March 29th at 10:30am in Bismarck and April 7th, 2025 at the regularly scheduled 5:00pm commission meeting. Comm. Bakken also made note of the online form for comments located at Burleigh.gov.
- Vice-Chair Bakken opened the public hearing to the public for comment. Mike Connelly, Kyle Engelhardt, Jonathan Hooker, Travis Jensen, Ryan Marquart, Tim Mattson, Francis Schweitzer, Trina Schweitzer all spoke against the Auditor/Treasurer position becoming an appointed position. Joe Gross and Michelle Jundt spoke in favor of the Auditor/Treasurer position becoming an appointed position. Vice-Chair Bakken passed the meeting back to Chair Bitner.
- Chair Bitner responded to a news article regarding a cut to the Senior Citizen's budget. He spoke on a comment that he heard about the Finance Department being forbid to assist the Auditor/Treasurer in the County budgeting process and that it never happened. On request, Finance Director Leigh Jacobs spoke on this comment and referenced three different occasions the Finance Department met with the Auditor/Treasurer to work on the budget. He also referenced a meeting that occurred in 2024. There was discussion regarding the delay in posting the budget on the county website. Chair Bitner then listed the audit adjustments from the 2023 audit performed by the State Auditor's Office.

County Engineer Marcus Hall presented a resolution to waive the pavement policy, at this time, for the proposed plat for Ski Haven LLP. Motion by Comm. Bakken, 2nd by Woodcox to approve the resolution to waive the pavement policy, at this time, for Ski Haven LLP. All members present voted 'AYE'. Motion carried.

County States Attorney Julie Lawyer presented a request for a salary variance for an investigator position. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the salary variance. All members present voted 'AYE'. Motion carried.

The Commission had a discussion regarding the rental agreement between Burleigh County and the City of Bismarck for the City/County Building and the Courthouse. Comm. Bakken noted that the City of Bismarck was inquiring about the rental agreements and any changes that might take place that would affect those. Chair Bitner stated that the County has to wait until the Provident Building remodel finish date is established to make a decision on the City/County Building and that no changes are needed at the Courthouse.

County Emergency Management Director Mary Senger presented a request for a County burn ban. Mary stated that she has heard back from all but one Fire Chief and they are all for instituting these restrictions. Chair Bitner made note of a local fire and commended the staff that responded and extinguished it. Comm. Bakken, 2nd by Comm. Woodcox to institute the burn ban. All members voted 'AYE'. Motion carried.

In other business, Comm. Bakken discussed his trip to Washington DC for a carbon sequestration conference. Comm. Schwab spoke about the Summit Carbon Pipeline and reminded people of the Primary Residence Property Tax Credit which can be applied for until March 31st, 2025. Comm. Schwab brought up an issue regarding Election Workers and the delay in receiving their tax forms. He asked Auditor/Treasurer Splonskowski to come up and answer some questions. Splonskowski, Human Resources Director Pam Binder, and the Commission had a discussion regarding the Election Worker tax forms. Chair Bitner requested a copy of the meeting recordings and emails, mentioned by Binder, be sent to him and the State's Attorney. Comm. Bakken noted the upcoming public hearing dates and a reminder of the online form to submit comments.

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
24-695	Ida & Benjamin Erickson	2023	Lot 3, Block 2, East Valley Estates	100% Disabled Veteran	\$403,400	\$331,400
24-696	James & Marie Mills	2024	Auditor's Lot 8 in SW1/4, Section 17, Apple Creek Township	Error in property description	\$193,600	\$167,600
25-180	New Fortune Real Estate LLC	2023	Lot 8, Block 12, Riverview	Error in property description	\$347,900	\$280,200
25-181	New Fortune Real Estate LLC	2024	Lot 8, Block 12, Riverview	Error in property description	\$345,700	\$280,200
25-182	Tyler Maher	2024	Lot 3, Block 6, Boulder Ridge 2nd Addn, plus undiv. Interest in common areas	90% Disabled Veteran	\$406,800	\$285,300
25-188	Richard & Marilyn Strom	2023	Lot 8, Block 7, Wheatland Hills	50% Homestead Credit	\$253,600	\$153,600
25-189	Richard & Marilyn Strom	2024	Lot 8, Block 7, Wheatland Hills	50% Homestead Credit	\$270,700	\$170,700
25-190	Cecil & Darcie Uglow	2023	Lot 10, Block 3, Replat of Calkins	50% Homestead Credit	\$168,900	\$84,450
25-191	Cecil & Darcie Uglow	2024	Lot 10, Block 3, Replat of Calkins	50% Homestead Credit	\$168,300	\$84,150
25-192	Kevin Murschel	2023	S20' of Lot 1 Unit C, Block 2, Arman	50% Homestead Credit	\$167,400	\$83,700
25-193	Kevin Murschel	2024	S20' of Lot 1 Unit C, Block 2, Arman	100% Homestead Credit	\$175,600	\$0
25-194	Donavon Hatzenbuhler	2024	Unit 114 Pinecrest Condo, Lots 9-12 & W10.2' of Lot 13, Block 14, Wachter's 2nd	50% Disabled Veteran	\$105,300	\$52,650
25-195	Tanner & Ashley Russell	2024	Lot 2, Block 9, Washington Heights 2nd	50% Disabled Veteran	\$350,700	\$260,700
25-196	Wayne & Sharon Keeler	2025	2011 28 x 56, ser #220AB	50% Homestead Credit	\$90,709	\$45,355
25-197	Darlene Kelley	2023	Lot 10, Block 3, Jennings 1st	100% Homestead Credit	\$223,400	\$23,400

25-198	Darlene Kelley	2024	Lot 10, Block 3, Jennings 1st	100% Homestead Credit	\$229,600	\$29,600
25-199	Roberta Nelson	2023	Lot 3, Block 7, Wachter's 6th	50% Homestead Credit	\$274,000	\$174,000
25-200	Eric Juno	2024	1971 Townhouse Rollohome 66 x 14	Mobile home removed from lot in 2024	\$7,288	\$0
25-201	Eric Juno	2025	1971 Townhouse Rollohome 66 x 14	Mobile home removed from lot in 2024	\$7,288	\$0
25-202	Timothy Keller	2024	1972 Schult 58 x 14, VIN #I109723	Mobile home removed from lot in 2024	\$6,428	\$0
25-203	Timothy Keller	2025	1972 Schult 58 x 14, VIN #I109723	Mobile home removed from lot in 2024	\$6,428	\$0
25-204	Virgil Kuntz	2024	1970 Star 64 x 14	Mobile home removed from lot in 2024	\$7,169	\$0
25-205	Virgil Kuntz	2025	1970 Star 64 x 14	Mobile home removed from lot in 2024	\$7,169	\$0
25-206	Marriah Potter	2023	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	\$7,288	\$0
25-207	Marriah Potter	2024	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	\$7,288	\$0
25-208	Marriah Potter	2025	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	\$7,288	\$0
25-209	Derle Marchus	2024	1977 Rollohome 66 x 14, VIN 31802	Mobile home removed from lot	\$8,285	\$0

25-210	Derle Marchus	2025	1977 Rollohome 66 x 14, VIN 31802	Mobile home removed from lot	\$8,285	\$0
25-211	Claudine Pochant	2025	1998 Schult 16 x 76, serial #R280513	50% Homestead Credit	\$36,675	\$18,337
25-212	Marvin Herauf	2025	1979 Atlantic 56 x 24, serial #479014-3230	100% Homestead Credit	\$14,918	\$0
25-213	Marlys Geinert	2024	Lot A of Lot 6 & Lot A of Lot 7 less that part taken for R/W, Block 0, Pollock's Addn	Error in property description	\$264,400	\$185,100
25-214	Dale & Ellen Schafer	2024	Lot 4, Block 1, Promontory Point IV 2nd Replat	100% Disabled Veteran	\$572,700	\$392,700
25-215	Larry Holzer	2024	Lot 14 less N15', Block 16, Lincoln Replat B 16	100% Homestead Credit	\$205,300	\$5,300
25-216	Katherine Hager	2023	Lot 10, Block 11, Replat pt Marian Park 2nd	50% Homestead Credit	\$208,300	\$108,300
25-217	Katherine Hager	2024	Lot 10, Block 11, Replat pt Marian Park 2nd	50% Homestead Credit	\$232,500	\$132,500
25-218	Vaughn Chesrown	2024	Lot 2 except E2' & E4' of Lot 1, Block 6, North Hills 1st	50% Homestead Credit	\$224,900	\$124,900
25-219	Jerome Rodgers	2024	Lot 2, Block 1, Gateway 3rd	100% Homestead Credit	\$440,400	\$240,400
25-220	Marcy Krueger	2024	Lot 15, Block 1, Welle	100% Homestead Credit	\$370,500	\$170,500
25-224	Rosella Ohlhauser	2024	1979 Medallion 68 x 16, serial #5193N	100% Homestead Credit	\$10,805	\$0
25-225	Rosella Ohlhauser	2025	1979 Medallion 68 x 16, serial #5193N	100% Homestead Credit	\$10,805	\$0
25-226	Donald DuFrame	2024	Lot 4, Block 4, Fort Lincoln Est #1	100% Homestead Credit	\$259,200	\$59,200
25-227	Donald DuFrame	2025	Lot 4, Block 4, Fort Lincoln Est #1	100% Homestead Credit	\$237,300	\$37,300
25-228	Marcia Barnes	2023	Lot 9, Block 18, S & W Third	50% Homestead Credit	\$174,800	\$74,800

25-229	Laurie Jean Newman	2025	1999 Schult 28 x 64, serial #R288353AB	50% Homestead Credit	\$65,372	\$32,686
25-230	Bernice Fuchs	2023	Lots 9-10, Block 26, Sturgis	100% Homestead Credit	\$207,600	\$7,600
25-231	Gerald & Susan Tschider	2024	S60' of Lot 3, Block 2, Jennings 1st	50% Homestead Credit	\$297,400	\$197,400
25-232	Margaret Elkin	2024	Lot 3, Block 1, Register's 1st	50% Homestead Credit	\$176,500	\$88,250
25-233	Rodney & Marlene Hanson	2024	Unit 1433 Washington Circle Condos, Aud Lots 1-2 of Lots A-F of Lots 23-26, Block 30, Wachter's 3rd	100% Homestead Credit	\$219,000	\$19,000
25-234	Alvina Mehlhoff	2024	Lot 14, Block 1, Weston Village 1st & b undivided int in common area	50% Homestead Credit	\$245,000	\$145,000
25-235	Marilyn Campbell	2024	Unit 3E the Sheraton Condo, Aud Lot A, Gateway Commons	100% Homestead Credit	\$134,100	\$0
25-236	Ronald Dockter	2025	2009 Friendship 64 x 28, serial #MY0931412AB	Combined parcels - moved mobile home w/ parcel CW-142-76-00-09- 120	\$103,667	\$0
25-237	Lorraine Ferderer	2023	Lot 3, Block 2, Cottonwood Lake 6th Add Replat	50% Homestead Credit	\$328,300	\$228,300
25-238	Lorraine Ferderer	2024	Lot 3, Block 2, Cottonwood Lake 6th Add Replat	50% Homestead Credit	\$315,600	\$215,600
25-239	Carleen Hennenfent	2023	Unit XXV Meadow Brook Condos, Lot 55 less N150', Block 23, Southwood Terrace 2nd Replat	100% Homestead Credit	\$234,600	\$34,600
25-240	Carleen Hennenfent	2024	Unit XXV Meadow Brook Condos, Lot 55 less N150', Block 23, Southwood Terrace 2nd Replat	100% Homestead Credit	\$246,400	\$46,400
25-241	James Fetter	2023	Lots 9-10 less W20' for alley, Block 41, Flannery & Wetherby	50% Homestead Credit	\$321,500	\$221,500
25-242	James Fetter	2024	Lots 9-10 less W20' for alley, Block 41, Flannery & Wetherby	50% Homestead Credit	\$339,800	\$239,800

25-243	Patricia Stadig	2025	1986 Riveroaks 16 x 76, serial #981	100% Homestead Credit	\$22,934	\$0
25-244	Janice Jensen	2024	Lot 9, Block 23, S & W 6th Addn	100% Homestead Credit	\$215,000	\$15,000
25-245	Joan Orvik	2025	1987 Bellavista 76 x 16, serial #78 A15685	100% Homestead Credit	\$24,612	\$0
25-246	Judy Braley	2023	2012 Redman 32 x 68, ser #A000579AB	100% Homestead Credit	\$131,539	\$0
25-247	Judy Braley	2024	2012 Redman 32 x 68, ser #A000579AB	50% Homestead Credit	\$131,539	\$65,769
25-249	Margaret Kiefer	2023	Unit 3214 Hay Creek Meadows Condos, Lots 6-9, Block 4, Hay Creek Meadows	50% Homestead Credit	\$196,100	\$98,050
25-250	Margaret Kiefer	2024	Unit 3214 Hay Creek Meadows Condos, Lots 6-9, Block 4, Hay Creek Meadows	50% Homestead Credit	\$203,000	\$103,000
25-251	Richard Lorenz	2023	E100' of Lots 11-12, Block 46, Governor Pierce	50% Homestead Credit	\$234,900	\$134,900
25-252	Richard Lorenz	2024	E100' of Lots 11-12, Block 46, Governor Pierce	50% Homestead Credit	\$240,000	\$140,000
25-253	James & Jane Morgan	2024	Lot 8, Block 8, Highland Acres	100% Homestead Credit	\$340,100	\$140,100
25-254	Leora & Dirk Bauer	2024	Lot 14, Block 2, Meadow Valley	50% Homestead Credit	\$291,100	\$191,100
25-255	Bob & Patty Gefre	2023	Unit 3335 Rolling Hills Condos I, Lot 1, Block 1, East Hills Addn Replat	50% Homestead Credit	\$314,800	\$214,800
25-256	Beverly Prom	2025	1992 Schult 28 x 56, serial #R255399AB	50% Homestead Credit	\$39,984	\$19,992
25-257	Brenda Medeiros	2024	Lot 12, Block 2, Edgewood Village 1st & undiv int in common areas Lots 1, 10, 14, 23, 34, 39, & 50	100% Homestead Credit	\$390,700	\$190,700

25-258	Andy Schmit	2024	Lot 8 less SELY 2', said 2' being measured adj & parallel to lot line common to Lots 7- 8 & SELY 2' Lot 9 said 2' meas adj & parallel to Lots 8-9, Block 1, the Pointe	50% Homestead Credit	\$369,600	\$269,600
25-259	Marlyn Pegors	2024	SW1/4 28-139-76	100% Homestead Credit	\$35,400	\$0
25-260	Bonnie & Bruce Trom	2024	Lot 5, Block 4, Fort Lincoln Est #1	50% Homestead Credit	\$331,000	\$231,000
25-261	Bonnie & Bruce Trom	2025	Lot 5, Block 4, Fort Lincoln Est #1	50% Homestead Credit	\$293,400	\$193,400
25-262	Linda Masseth	2023	Unit 12 & garage 8, Washington Court Condos Bldg 2036, Lot C, Block 13, Replat Homan Acres	100% Homestead Credit	\$113,700	\$0
25-263	Linda Masseth	2024	Unit 12 & garage 8, Washington Court Condos Bldg 2036, Lot C, Block 13, Replat Homan Acres	100% Homestead Credit	\$119,700	\$0
25-264	Barb Schantz	2023	Unit 120, Riverside Park Condos, pt of NW1/4NW1/4 sec 5 & pt of gov lot 1 sec 6 138-80, Block 5, City Lands 138-80	100% Homestead Credit	\$234,700	\$34,700
25-265	Barb Schantz	2024	Unit 120, Riverside Park Condos, pt of NW1/4NW1/4 sec 5 & pt of gov lot 1 sec 6 138-80, Block 5, City Lands 138-80	100% Homestead Credit	\$217,400	\$17,400
25-266	Scott & Corey Detling - Garry & Betty Detling-	2023	Lot 15, Block 2, Vision Heights	50% Homestead Credit	\$92,200	\$46,100
25-267	Scott & Corey Detling - Garry & Betty Detling-	2024	Lot 15, Block 2, Vision Heights	50% Homestead Credit	\$102,700	\$51,350
25-268	Veronica Schneider	2024	Unit 17 & parking space 8 & storage area 14 & undivided int in common area, Lots 3- 6, Block 1, Replat of Calkins	100% Homestead Credit	\$104,300	\$0

25-269	Betty Peterson	2023	Lot 16, Block 2, Northridge	100% Homestead Credit	\$172,000	\$0
25-270	John Weisz	2024	Lot 9, Block 9, Marian Park 1st	100% Homestead Credit	\$251,400	\$51,400
25-271	Leora & Dirk Bauer	2023	Lot 14, Block 2, Meadow Valley	50% Homestead Credit	\$274,600	\$174,600
25-272	Tim & Patty Thorsness	2024	Lot 7 less 683 sq ft in tract beg @ NW cor Lot 7 NELY along N L line 160.38 to NE cor 58.67'	50% Homestead Credit	\$235,200	\$135,200
25-273	Connie Heer	2024	Lot 2B of Lot 2, Block 2, Kilber North Addition	50% Homestead Credit	\$309,200	\$209,200
25-274	Brian Burkett	2024	Lot 7, Block 21, Meadow Valley 4th	50% Homestead Credit	\$270,700	\$170,700
25-275	Cynthia Sanford	2023	W 40' of Lot 19, Block 4, Gateway Addn	50% Homestead Credit	\$301,200	\$201,200
25-276	Beverly Herner	2024	Unit 201 Capital Arms Condos, Lot 9, Block 7, Casey's 2nd	50% Homestead Credit	\$161,800	\$80,900
25-277	Semsudin (Sam) Basic	2025	1977 Holly Park 14 x 66, serial #M604297	100% Homestead Credit	\$7,983	\$0
25-278	Gary & Margo Dietz	2024	Lot 12, Block 1, Briardale	100% Disabled Veteran	\$334,800	\$154,800
25-279	Sandy Svihla	2025	1974 Rollohome 70 x 14, serial #J1276	100% Homestead Credit	\$7,814	\$0
25-280	Brenda McLellan	2024	Lot 4, Block 2, Apple Meadows 2nd	50% Homestead Credit	\$347,400	\$247,400
25-281	Kim & Debbie Sabot	2024	Unit 2 East Hills Condo 1509+1519, Lots 2- 3, Block 3, East Hills Addn Replat	50% Homestead Credit	\$326,300	\$226,300
25-282	Deborah Frank	2024	Unit 13, South Aires Condo, S76' of Lot 2, all Lot 3 & N34' of Lot 4, Block 17, Wachter's 2nd	100% Homestead Credit	\$102,700	\$0
25-283	Rosemary Ridley	2023	Lot 3, Block 2, Wachter's 5th	100% Homestead Credit	\$238,400	\$38,400

25-284	Rosemary Ridley	2024	Lot 3, Block 2, Wachter's 5th	100% Homestead Credit	\$243,200	\$43,200
25-288	Brenda Hausauer	2023	Lot 2, Block 6, Marian Park 2nd	50% Homestead Credit	\$248,700	\$148,700
25-289	Brenda Hausauer	2024	Lot 2, Block 6, Marian Park 2nd	50% Homestead Credit	\$267,000	\$167,000
25-290	Lynette Lewis	2025	1970 Blairhouse 66 x 14, serial #5505Z	100% Homestead Credit	\$7,096	\$0
25-292	Charlie Deichert	2024	Lot 14, Block 2, Sattler's Sunrise 1st	50% Homestead Credit	\$282,600	\$182,600
25-293	Cynthia Kellogg	2024	Unit 3 Owens Ave Condos, S170' of Lot 12 less Lot 12A, Block 18, Replat Tibesar's 1st Subdivision	50% Homestead Credit	\$185,800	\$92,900
25-294	Ronda Fox	2024	Unit A Bldg 3212 Arrow Head Ranch, Lots 4,6,8,10, Block 1, Pebble Creek 8th Rpt & Lot 15 less WLY 148' of SLY 180', Block 2, Pebble Creek 8th	100% Homestead Credit	\$306,900	\$106,900
25-295	Lavata Becker	2024	Lot 16, Block 4, Cottonwood Parkview Addn	100% Homestead Credit	\$484,900	\$351,567
25-296	Steven Rustand	2023	N57.5' of Lot 6, Block 10, Riverview	100% Homestead Credit	\$192,100	\$0
25-297	Steven Rustand	2024	N57.5' of Lot 6, Block 10, Riverview	50% Homestead Credit	\$194,500	\$97,250
25-298	Eileen Bavendick	2023	Lot 2, Block 19, Jennings's 4th	100% Homestead Credit	\$279,400	\$79,400
25-299	Eileen Bavendick	2024	Lot 2, Block 19, Jennings's 4th	100% Homestead Credit	\$279,900	\$79,900
25-300	Dennis & Joan Peltz	2023	Lot 18, Block 4, Heritage Park Addn	50% Homestead Credit	\$485,100	\$385,100
25-301	Dennis & Joan Peltz	2024	Lot 18, Block 4, Heritage Park Addn	50% Homestead Credit	\$514,600	\$414,600
25-302	Barb Knutson	2023	NE1/4 29-139-77	100% Homestead Credit	\$128,100	\$0

25-303	Barb Knutson	2024	NE1/4 29-139-77	50% Homestead Credit	\$138,600	\$69,300
25-304	Fabian John Kramer	2023	Lot 5, Block 00, B + R Estates	100% Homestead Credit	\$238,900	\$138,900
25-305	Fabian John Kramer	2024	Lot 5, Block 00, B + R Estates	100% Homestead Credit	\$248,400	\$148,400
25-306	Jean Kessler	2023	Unit 209 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	100% Homestead Credit	\$87,000	\$0
25-307	Jean Kessler	2024	Unit 209 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	100% Homestead Credit	\$96,000	\$0

STATE OF NORTH DAKOTA
County of Burleigh
221 N 5th St Bismarck ND 58501

Burleigh County Commissioners,

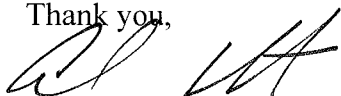
As you are aware the North Dakota Legislature created the Primary Residence Credit (PRC) program in the 2023 legislative session. This PRC was to be applied for between the dates of January 1st and March 31st of 2024 to be included on the 2024 property tax statement. For real estate this is not an issue; we are given the information to provide to our programming team and credits are placed on their tax bills.

Where the issue arises is with the PRC on manufactured homes not valued on real estate. Since those properties pay their taxes forward, they had already received their statements for 2024 tax year before the PRC application window was closed. Therefore, we will need to do refund checks for those that applied. There are 849 applicants that the Auditor/Treasurers office will need to refund them their portion of the PRC.

Currently there is legislation in the works to correct this issue moving forward beginning in 2026. I am hopeful that this will eliminate the need to write hundreds of checks in the future years and the abatements are used to correct minor issues that arise.

My request of you is approval of the abatements as presented in the consent agenda. Allowing the Auditor/Treasurer staff to begin the refund process.

Thank you,



Allan Vietmeier
Burleigh County Director of Tax Equalization



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

25-001

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

31 Main St

City

Driscoll

ZIP Code

58532

County

Burleigh

Beginning Date(s) Authorized

07-01-2025

Ending Date(s) Authorized

06-30-2026

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)

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)

☐

Bingo

☐

Club Special

☐

Sports Pools

☐

ELECTRONIC Quick Shot Bingo

☐

Tip Board

☐

Twenty-One

☒

Raffles

☐

Seal Board

☐

Poker

☐

ELECTRONIC 50/50 Raffle

☐

Punchboard

☐

Calcuttas

☐

Pull Tab Jar

☐

Prize Board

☐

Paddlewheel with Tickets

☒

Pull Tab Dispensing Device

☐

Prize Board Dispensing Device

☐

Paddlewheel Table

☐

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>Travis Kocourek</i>		Site Name <i>TNT Tavern</i>		Site Phone Number <i>[REDACTED]</i>
Site Address <i>31 Main St</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>07-01-2025 to 06-30-2026</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 <u> </u> X Rent per Table \$ <u> </u>		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
Number of Tables with wagers over \$5 <u> </u> X Rent per Table \$ <u> </u>				\$
3. Is Paddlewheels conducted at this site? Number of Tables <u> </u> X Rent per Table \$ <u> </u>		<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 <u> </u>		<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>3/22/25</i>
Signature of Lessee <i>Ellen Lind</i>	Title <i>Gaming Manager</i>	Date <i>3/22/25</i>



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Memo

Date: April 7, 2025

To: Mark Splonskowski
County Auditor

From: Marcus J. Hall P.E.
County Engineer

RE: Second access permit for Isaiah Moch

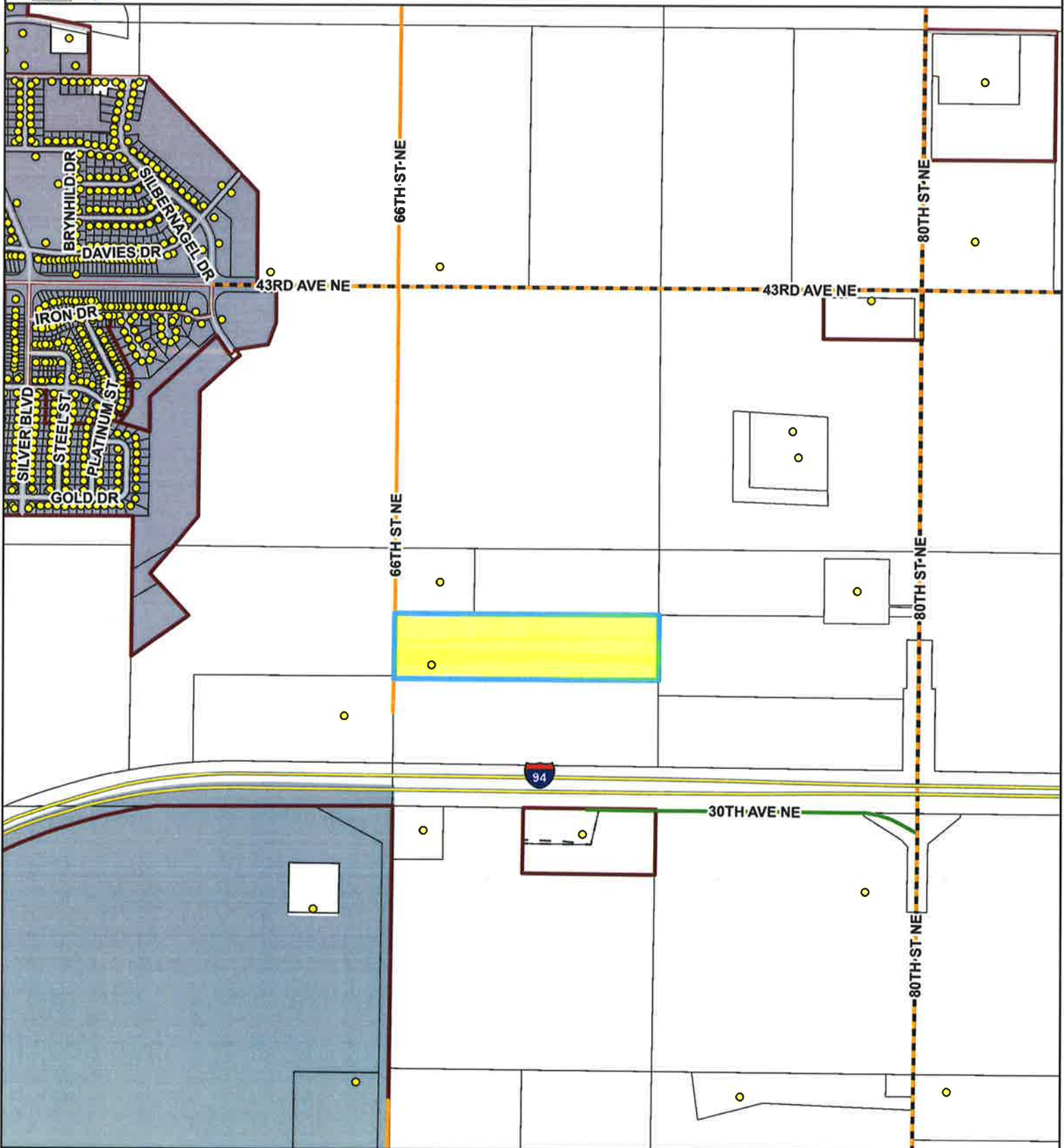
Isaiah Moch from 3429 NE 66th Street has requested a second access permit to his property. The first access approach is off of 66th Street NE. He wishes to have a second approach off of 66th Street NE in order to have better access to the north side of his property. We have reviewed the location of the 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 Isaiah Moch on the April 7, 2025 County Board Consent Agenda.

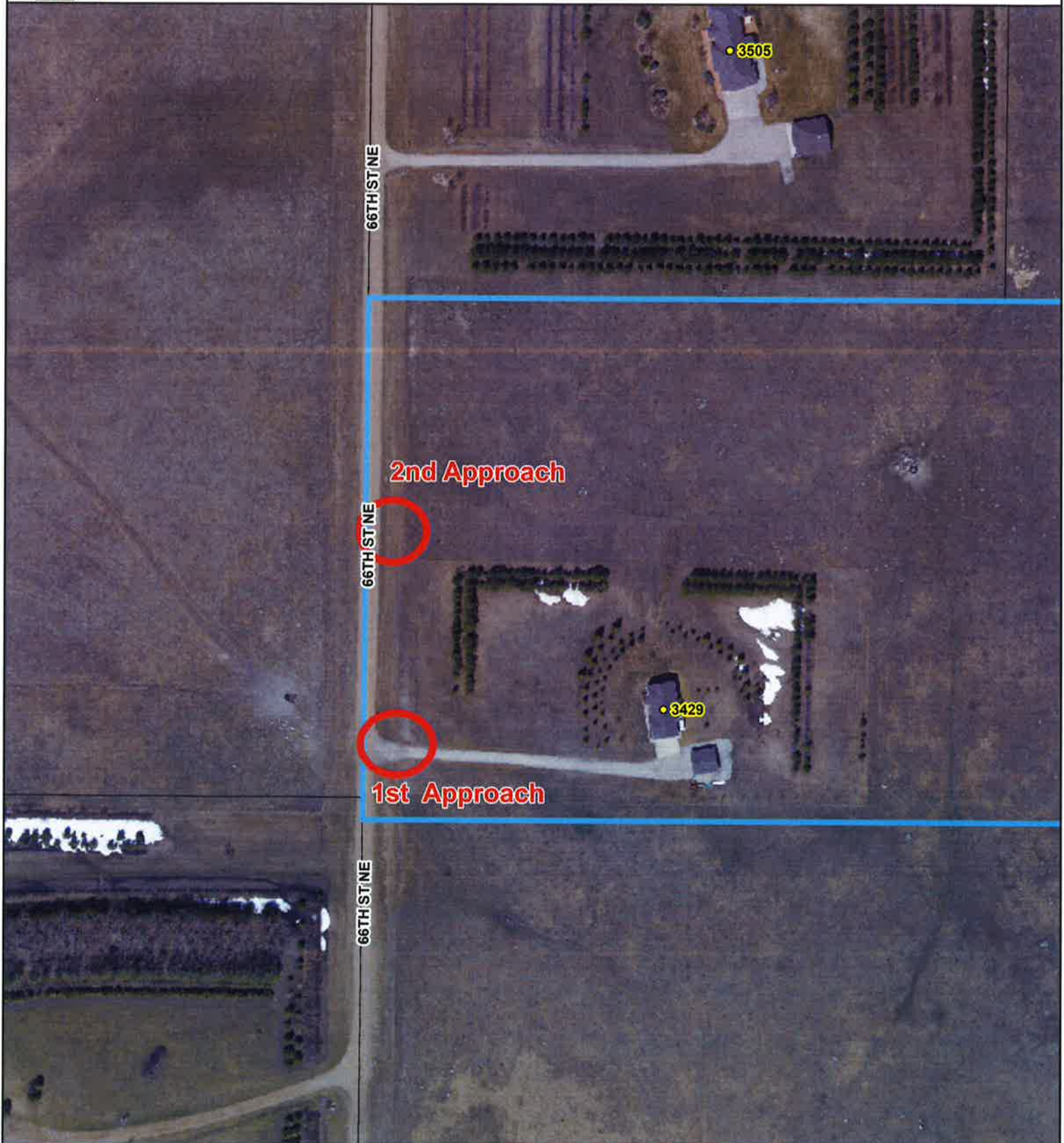
2nd Approach Permits Requirements

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: 32-139-79-00-20-602 OWNER: MOCH, ISAIAH W ACRES: 40
SITE ADDRESS: 3429 NE 66TH ST
MAIL ADDRESS: 3429 66TH ST NE, BISMARCK, ND 58503
LEGAL: GIBBS TOWNSHIP Section 20 S1/2N1/2SW1/4 20-139-79



PARCEL ID: 32-139-79-00-20-602 OWNER: MOCH, ISAIAH W ACRES: 40
SITE ADDRESS: 3429 NE 66TH ST
MAIL ADDRESS: 3429 66TH ST NE, BISMARCK, ND 58503
LEGAL: GIBBS TOWNSHIP Section 20 S1/2N1/2SW1/4 20-139-79



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 7, 2025

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.

Cieslak 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.

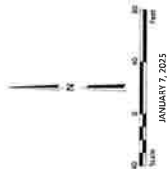
RECOMMENDATION:

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 Cieslak Subdivision Plat.

PART OF THE NORTHEAST 1/4
OF THE NORTHEAST 1/4
SECTION 7, T. 138 N., R. 79 W., 5th P.M.
CITY OF BISMARCK
BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

- HIGH MONUMENT SET
- HIGH MONUMENT SET
- PLAY BOUNDARY
- ACT LINE
- (NA NON-ACCESS)
- UTILITY CASING
- CONCRETE BOUNDARY
- POINT OF BEGINNING
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- FLOODWAY & STORMWATER AND DRAINAGE DRAINAGE
- FLOODPLAIN - 100%

AREA DATA

LOT ACRES:	3.000 ACRES
RIGHT OF WAY ACRES:	2.330 ACRES
TOTAL ACRES:	5.330 ACRES

NOTES

BAIRS OF BEATING:
NORTH: DIAGRAM 10TH ZONE BY
CITY OF CHICAGO

COORDINATE DATUM:
NAD 83 SOUTH ZONE
UNIT: METERS
UNIT AREA: INTERNATIONAL FEET
WITH MANSUETED ROUND TO
COORDINATE CONVERSION FACTOR TO U.S. 0.9998413

VERTICAL DATUM:
SLU: 1988
NE CORNER OF SECTION 7, 131N, 179W

DATE OF SURVEY:
AUGUST 13, 2024

FLOOD VERTICAL DATUM:
NAVD 88

FEVAL: 588466
MAP NUMBER: M202100815E
DATE: JUNE 6, 2024

TOPOGRAHIC CONTOURS:

[illegible][illegible]

OWNER'S CERTIFICATE AND DEDICATION

I, MARY A. CIESUAL, BEING THE OWNER OF THE LANDS PLATTED HEREON, HAVE CAUSED THE LAND TO BE PLATTED AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THIS PLAT THAT CIESUAL SUBDIVISION AND DEDICATE ALL RIGHTS OF WAY TO BURLING COUNTY AS SHOWN ON THIS PLAT FOR PUBLIC USE, AND CONSENT TO ANY ACCESS CONFLICT TO THE PROPERTY AS SHOWN, AND AFFIRM THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

I ALSO DEDICATE TO BURLING COUNTY ALL EASEMENTS AS SHOWN ON THIS PLAT AS "UTILITY EASEMENTS" TO RUN WITH THE LAND FOR GAS, ELECTRIC, COMMUNICATION AND/OR OTHER PUBLIC UTILITIES OR FOR ANY OTHER CERTAIN TYPES OF LAND DESCRIBED HEREON.

STATE OF _____ } ss.
COUNTY OF _____ }

JOHN A. COLLIER
501 LINCOLN AVE.
BIRMINGHAM, MO 65504

ON THIS _____ DAY OF _____, 2025, BEFORE ME PERSONALLY APPEARED MARY A. CIESLAK, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE AND SHE ACKNOWLEDGE TO ME THAT SHE EXECUTED THE SAME

_____, COUNTY _____, NOTARY PUBLIC

APPROVAL OF CITY PLANNING AND ZONING COMMISSION:

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA, ON THE _____ DAY OF _____, 2025, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND ORDINANCES OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIR

ATTEST: BEN CHRETH - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

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

THE FOREGOING ACTION OF THE BOARD OF COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS APPROVED THE _____ DAY OF _____, 2025.

MICHAEL T. SCHWITZ - PRESIDENT

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION OF ALL RIGHTS OF WAY AS SHOWN ON THIS PLAT. THE FORGOING ACTION OF THE BOARD OF COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS APPROVED THE DAY OF 2025.

BRIAN BITNER - CHAIR

ATTEST: MARK SPILONSKOWSKI - COUNTY AUDITOR/TREASURER

APPROVAL OF CITY ENGINEER

GABRIEL J. SCHELL, CITY ENGINEER TO THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAN.

GABRIEL J. SCHELL, CITY ENGINEER

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

TODD MARSHALL HEREBY CERTIFY I AM A LICENSED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

HOUSTON ENGINEERING, INC
3712 LOCKPORT STREET
BISMARCK, NORTH DAKOTA, 58501

TODD MARSHALL
PROFESSIONAL LAND SURVEYOR

PLAT OF
RRH SUBDIVISION
A PART OF THE SOUTHWEST 1/4 OF
SECTION 21, TOWNSHIP 139 NORTH, RANGE 76 WEST, BURLEIGH COUNTY, NORTH DAKOTA

PERIMETER METES & BOUNDS DESCRIPTION

Part of the Southwest Quarter of Section 21, Township 139 North, Range 76 West, of the 5th Principal Meridian, Burleigh County, North Dakota, described as follows:

Commencing at the southwest corner of said section 21, thence N 0 deg. 23 min. 48 sec. E along the west line of section 21 a distance of 408.81 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 101.94 feet to the point of beginning; thence N 0 deg. 23 min. 48 sec. E a distance of 909.83 feet; thence S 89 deg. 55 min. 39 sec. E a distance of 760.02 feet; thence S 0 deg. 21 min. 31 sec. W a distance of 1318.16 feet to the south line of said section 21; thence N 89 deg. 55 min. 13 sec. W along the south line of said section 21 a distance of 90.90 feet to the northerly NDDOT right of way line along interstate highway no. 1-94, thence N 58 deg. 28 min. 46 sec. W along said NDDOT right of way line a distance of 782.64 feet to the point of beginning.

Said tract contains 19.87 acres, more or less.

DRAINAGE EASEMENT DESCRIPTION

Beginning at the northwest corner of Lot 1, Block 1 of RRH Subdivision, thence S 0 deg. 23 min. 48 sec. W along the west line of said Lot 1 a distance of 12.32 feet; thence S 75 deg. 52 min. 39 sec. E a distance of 225.15 feet; thence S 89 deg. 00 min. 25 sec. E a distance of 461.69 feet to the beginning of a tangent curve, concave to the right (southwesterly), having a radius of 30.00 feet; thence easterly along said curve 46.79 feet through a central angle of 89 deg. 21 min. 56 sec. to the end of the curve; thence S 0 deg. 21 min. 31 sec. W a distance of 1213.61 feet to the south line of said Lot 1; thence S 89 deg. 55 min. 13 sec. E along the south line of said Lot 1 a distance of 40.00 feet; thence N 0 deg. 21 min. 31 sec. E a distance of 1262.64 feet; thence N 89 deg. 00 min. 25 sec. W a distance of 528.84 feet; thence N 75 deg. 52 min. 39 sec. W a distance of 193.69 feet to the north line of said Lot 1; thence N 89 deg. 55 min. 13 sec. W along the north line of said Lot 1 a distance of 33.08 feet to the point of beginning.

Said easement contains 1.49 acres, more or less.

LAGOON EASEMENT DESCRIPTION

Commencing at the southwest corner of Lot 1, Block 1 of RRH Subdivision, thence N 55 deg. 27 min. 39 sec. E a distance of 77.47 feet to the point of beginning; thence N 28 deg. 53 min. 45 sec. W a distance of 24.04 feet; thence N 0 deg. 23 min. 48 sec. E a distance of 241.31 feet; thence N 45 deg. 23 min. 48 sec. E a distance of 38.11 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 223.10 feet; thence N 80 deg. 23 min. 20 sec. E a distance of 85.21 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 294.65 feet; thence S 0 deg. 18 min. 47 sec. W a distance of 560.56 feet; thence S 54 deg. 06 min. 21 sec. W a distance of 80.15 feet; thence N 72 deg. 06 min. 04 sec. W a distance of 253.76 feet; thence N 35 deg. 51 min. 08 sec. W a distance of 43.92 feet; thence N 00 deg. 23 min. 48 sec. E a distance of 73.54 feet; thence N 90 deg. 00 min. 00 sec. W a distance of 89.74 feet; thence N 58 deg. 11 min. 18 sec. W a distance of 228.90 feet to the point of beginning.

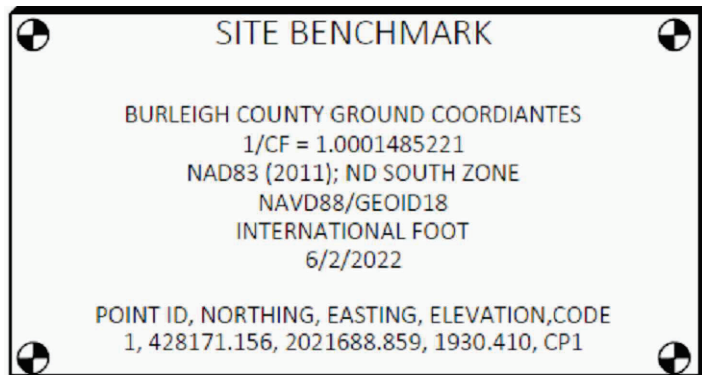
Said easement contain 6.81 acres, more or less.

AREA DATA:

Lot 1, Block 1 865,595 Sq. Ft. 19.87 Acres

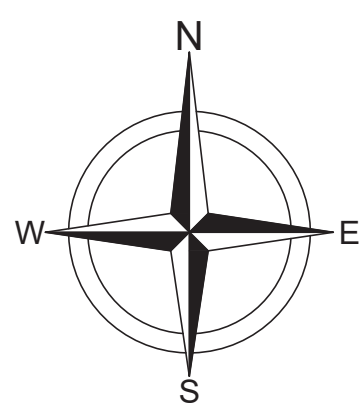
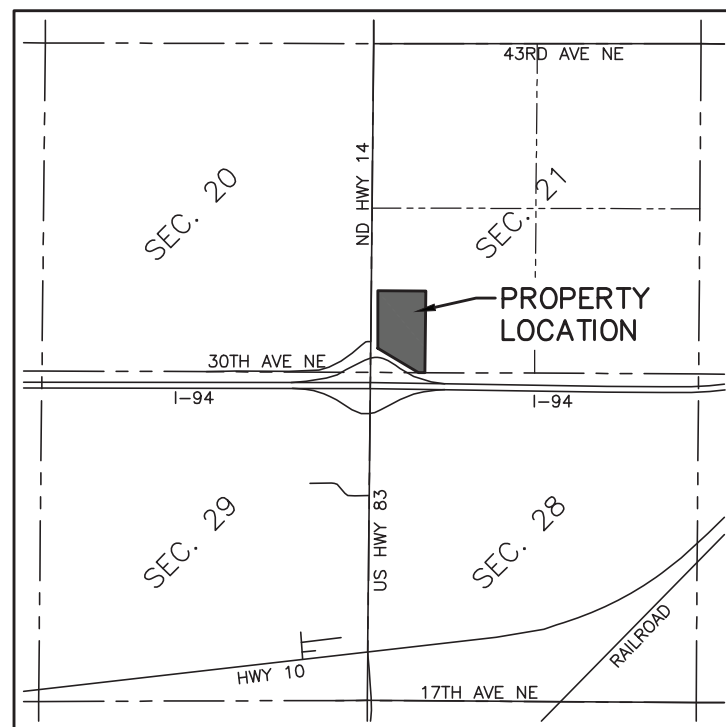
RESTRICTED USE ON STORMWATER & DRAINAGE EASEMENT

- Stormwater & Drainage Easements are constructed to collect, store, convey, and/or treat stormwater runoff. They are constructed to prevent or limit flood damage and environmental impacts to properties both within and outside of the plat.
- Property owners shall not place any type of fill material or make any alterations to the permanent vegetated cover on the Stormwater & Drainage Easement (no open hill soil is allowed). They shall not plant any trees or shrubs within the easement with the intent to screen or provide a snow shelter bet. Individual trees and shrubs may be planted within the easement with the prior approval of the County Engineer. Property owners shall not construct any type of structure (including fences, garages, outbuildings, sheds, driveways, parking pads, landscaping gardens, and septic fields) or other features that interfere with the intended use of the Stormwater & Drainage Easement.



VICINITY MAP

NOT TO SCALE



Scale in Feet

BASIS OF BEARINGS:
GRID NORTH

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH ALUMINUM CAP LS-10871
- RIGHT OF WAY POST
- NON-ACCESS LINE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

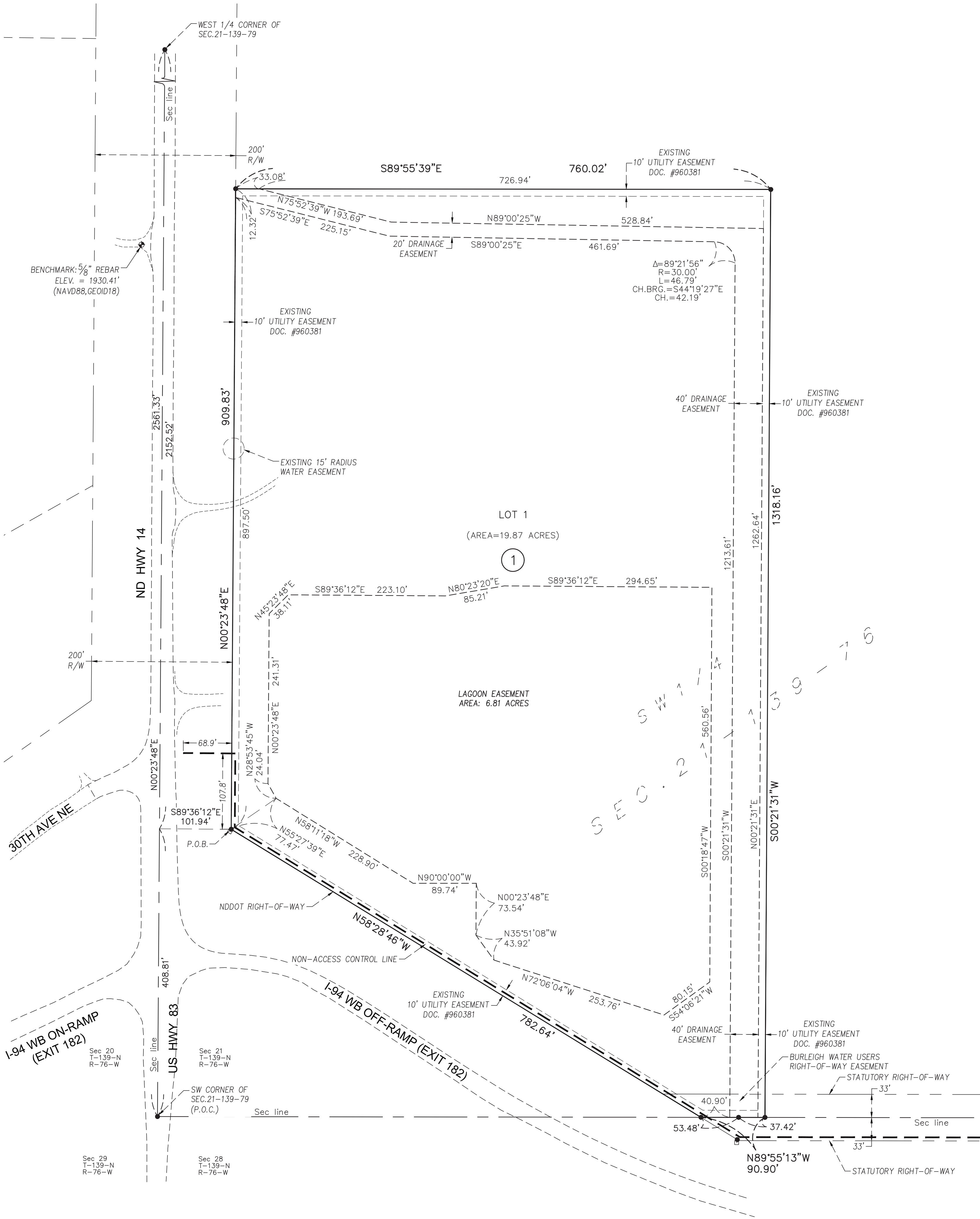
HORIZONTAL DATUM: BURLEIGH COUNTY GROUND COORDINATES
ND COORDINATE SYSTEM OF 1983, NAD83(2011)
ND SOUTH ZONE, INTERNATIONAL FOOT DEFINITION
COMBINATION FACTOR: 0.9998515



PROPERTY OWNER:
ROSE ROCK HOLDINGS LLC
PO BOX 5256
OAK BROOK, IL 60522-5256

PARCEL #:
35-139-76-00-21-610

PRELIMINARY PLAT DATE: 10-23-2024



OWNERS DEDICATION

We, the undersigned, being the sole owners of the land platted hereon, do hereby voluntarily consent to the execution of said plat and do 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". We further dedicate drainage and lagoon easements as shown hereon.

Signature _____

Name Timothy J. Doty, II
Roserock Holdings, LLC

State of _____
County of _____

On this _____ day of _____, 20____, before me, a Notary Public in and for said County and State, personally appeared _____, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same in the name of RRH Subdivision.

Notary Public, _____ County, _____

APPROVAL OF BOARD OF COUNTY COMMISSION

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.

This 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 on the Board of County Commission of Burleigh County, North Dakota, was taken by resolution approved on the _____ day of _____, 20____.

Brian Bitner, Chairman

Attest: Mark Splonskowski
County Auditor/Treasurer

APPROVAL OF THE COUNTY ENGINEER

I, Marcus J. Hall, P.E., County Engineer of the County of Burleigh, North Dakota, hereby approve this plat of RRH Subdivision, as shown on this plat.

Dated this _____ day of _____, 20____.

Marcus J. Hall, P.E., County Engineer

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

The County Planning and Zoning Commission of the County of Burleigh, North Dakota, hereby approves the RRH 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 ordinances of the County of Burleigh and regulation adopted by said Planning and Zoning Commission.

The foregoing action on the County Planning and Zoning Commission of Burleigh County, North Dakota, was taken by resolution approved on the _____ day of _____, 20____.

Dennis Agnew, Chairman

Attest: Mitch Flanagan, Secretary

SURVEYOR'S CERTIFICATE

Thomas D. Weigel, being duly sworn, deposes and says that he is the Registered Professional Land Surveyor who prepared and made the attached plat of "RRH SUBDIVISION", a part of the Southwest Quarter of Section 21, Township 139 North, Range 76 West of the Fifth Principal Meridian, Burleigh County, North Dakota; that said plat is a true and correct representation of said survey; that all distances are correctly shown on said plat; that monuments have been placed in the ground as indicated for the guidance of future surveys; all dimensional and geodetic details are correct.



State of North Dakota)
county of Burleigh)

On this _____ day of _____, 20____, before me, a notary public in and for said county and state, personally appeared Thomas D. Weigel, registered land surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public, Burleigh County, North Dakota

I-94



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Information for RRH Final Subdivision and Zone Change

Date: 3-24-2025

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

ITEM 1

Approval of RRH Final Subdivision

At the February 3, 2025 County Commission meeting the zone change and RRH Subdivision Final Plat were approved contingent on the approval of the ND DEQ Wastewater System Permit. We are in receipt of the letter of approval for that system as of March 19, 2025.

ACTION REQUESTED

Upon receiving approval for the NDDEQ Permit and findings of the Planning Commission, it is recommended to approve RRH Final Subdivision and Zone Change.

Attachments: Ex.1 RRH Subdivision Final Plat
Ex.2 Love's Wastewater System DEQ Letter of Approval

March 11, 2025

Amelia Jordan, PE
Apex Companies, LLC
6666 S. Sheridan Road, Ste 250
Tulsa, OK 74133

RE: Plans and Specifications Approval
Love's Travel Stops & Country Stores, Inc. #224
Wastewater, Water, and RV Systems
Sterling, ND

Dear Ms. Jordan:

The plans and specifications for the above-referenced project have been reviewed by this department and are hereby approved contingent on the below provisos. Approval is based on a design wastewater flow of 7,500 gallons per day.

A variance from the Ten States Standards requirements for a water storage tank overflow has been approved for this specific project only and shall not be construed as approval for any future projects.

- The project's wastewater treatment system will require a Class 1A certified operator. This operator can be employed directly by the facility or through a contract. Please contact Hamid Ihsan at 701-328-5413.
- The project will need permits to operate from Food and Lodging. Contact Department of Health and Human Services Food and Lodging Unit at 701-328-1291 or email foodandlodging@nd.gov for specifics.

Should you have any questions, please contact Ryan Allery at 701-328-5294 or rjallery@nd.gov.

Sincerely,



David J. Bruschwein, P.E.
Director
Division of Municipal Facilities

DJB:ra:pc

cc: Bismarck Environmental Health Division
Mitch Flanagan, Burleigh Co. Building/Planning/Zoning Dept.
Julie Wagendorf, Division of Food and Lodging
Hamid Ihsan, NDDEQ



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 7, 2025

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.

Paradise Pointe 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 Paradise Pointe Subdivision Plat.

ITEM

6

National Public Safety Telecommunications Week

April 13 – 19, 2025

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 13th – 19th, 2025 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 13th – 19th, 2025 as National Public Safety Telecommunications Week in Burleigh County.

Signed this _____ day of April, 2025.

Chair

Burleigh County Commission
Burleigh County, ND

ITEM

7

PUBLIC HEARING

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

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

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

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

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

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

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

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

Dated this _____ day of _____, 2025.

Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

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

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

ITEM

10



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: March 31, 2025

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 Amendment to 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 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



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: April 2, 2025

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Burleigh East Renovation Project Bid Award

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

Action Requested:

Review and award bids for the Burleigh East Renovation Project based on received bids for General Construction, Mechanical Construction, and Electrical Construction.

Background:

Burleigh County Sheriff's Department in conjunction with Ubl Design, advertised and received bids for the Burleigh East Renovation Project. A presentation will be made on bids received and one bid that was received outside of identified bid procedures. A recommendation will be made on bid acceptance.

Recommendation:

It is recommended that the County Commission award renovation bids for the Burleigh East Remodel Project based on discussion and recommendations.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to contract for the renovation of Burleigh East based on received bids and recommendations.

COURTHOUSE

514 E. Thayer • PO Box 1416

Bismarck, ND 58502-1416

P 701-222-6651 • F 701-221-6899

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4000 Apple Creek Road • PO Box 2499

Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319

TABULATION OF BIDS

PROJECT: Burleigh County Sheriff's Department - Patrol Section Renovation

20001 52nd Street NE
Bismarck, ND 58506

BIDS RECEIVED BY: Jeff Uhl, Principal Architect
Uhl Design Group, P.C.

BID TIME & DATE: Bids Received at 11:00 AM Central Time

Bid Opening at 11:00 AM Central Time
April 1, 2025

Architect's estimate: \$700,000

BID LOCATION: Tom Baker Conference Room/ City County Building

221 North 5th Street
Bismarck, ND 58504

GENERAL CONSTRUCTION BIDS

	CONTRACTOR NAME City, State	ADDENDUM				ENVELOPE #1		BASE BID	ALTERNATE G1	ALTERNATE M1	ALTERNATE E1	
		Addendum #1 March 14, 2025	Addendum #2 March 21, 2025	Addendum #3 March 25, 2025	Addendum #4 March 24, 2025	Bid Bond (5%)	ND Contractor's License #					
1	Capital City Construction Bismarck, ND											
2	Dakota West Contracting Bismarck, ND	X	X	X	X	X	X	\$182,400.00	\$158,200.00			\$340,600.00
3	Missouri River Contracting Bismarck, ND											
4	Paramount Builders Bismarck, ND	X	X	X	X	X	X	\$269,446.00	\$207,512.00			\$476,958.00
5	Roers Construction Bismarck, ND	X	X	X	X	X	X	\$276,600.00	\$155,600.00			\$432,200.00
6	Tobias Marmion Construction Bismarck, ND											

MECHANICAL CONSTRUCTION BIDS

	CONTRACTOR NAME City, State	ADDENDA				ENVELOPE #1	BASE BID	ALTERNATE G1	ALTERNATE M1	ALTERNATE E1	
		Addendum #1 March 14, 2025	Addendum #2 March 21, 2025	Addendum #3 March 25, 2025	Addendum #4 March 24, 2025						
1	Advanced Mechanical Bismarck, ND	X	X	X	X	X	\$106,580.00		\$33,035.00		\$139,615.00
2	Central Mechanical Mandan, ND										
3	Cooling & Heating Unlimited Bismarck, ND										
4	HA Thompson & Sons Bismarck, ND	X	X	X	X	X	\$96,800.00		\$44,800.00		\$141,600.00
5	Northern Plains Bismarck, ND	X	X	X	X	X	\$88,650.00		\$42,100.00		\$130,750.00
6	City Air Mechanical Bismarck, ND	X	X	X	X	X	\$117,408.00		\$52,379.00		\$169,787.00

ELECTRICAL CONSTRUCTION BIDS

	CONTRACTOR NAME City, State	ADDENDA				ENVELOPE #1	BASE BID	ALTERNATE G1	ALTERNATE M1	ALTERNATE E1	
		Addendum #1 March 14, 2025	Addendum #2 March 21, 2025	Addendum #3 March 25, 2025	Addendum #4 March 24, 2025						
1	RK Electric LLC Bismarck, ND	X	X	X	X	X	\$167,475.00			\$110,145.00	\$277,620.00
2	Speed's Electric Bismarck, ND										
3	Bergstrom Electric, Inc. Grand Forks, ND	X	X	X	X	X	\$113,800.00			\$64,200.00	\$178,000.00

ITEM

11

Missouri Valley Complex Committee

April 2, 2025

To: Mr. Wayne Munson, Commissioner
Burleigh County
Missouri Valley Complex Liaison

From: Kay LaCoe. Chair
Missouri Valley Complex Committee

Subject: Request for Burleigh County Commission Action

Commissioner Munson,

On behalf of the Missouri Valley Complex Committee, I am writing to you to place on the April 7th Commission meeting agenda this memo with attachments and recommendations for consideration by the Commission.

The items requesting action by the Commission as approved by the Committee are as follows:

1-To receive an update and report from Swenson Hagen Engineering on the progress of Rezoning the Missouri Valley Complex.

2 -To receive an update and report from Swenson Hagen Engineering on the progress and schedule of plat development of the Missouri Valley Complex including defining of activity and use within the Complex. (attachment 1 - Map)

****The Missouri Valley Complex Committee additionally asks the Commission to approve the following items relating to the plat development:**

**** The Committee asks the Commission to approve public development of all roads, water service, sewer, parking lots and utilities.**

Missouri Valley Complex Committee

****The Committee asks the Commission to Call for Proposals to conduct a Wetlands Delineation Survey of the Complex north of the Hay Creek Channel to include identification of wetland recommendations within proposed project areas, mitigation plans for identified impacted wetland and to provide up to a 5-year oversight of any wetland mitigation. (attachment 2 RFP) (attachment 3 map)**

****The Committee asks the Commission to fund the Mitigation Delineation from the Missouri Valley Complex Fund.**

The Missouri Valley Complex Committee has reviewed and approved to move forward to the County Commission, for approval, the following request from the Equestrian and Ag Complex Committee as follows:

****The Missouri Valley Complex Committee requests on behalf of the Equestrian and Ag Committee approval to proceed with the project plan development of the proposed Burleigh County Equestrian and Ag Center on the site identified on the preliminary plat as a Burleigh County project.**

Please reference the enclosed preliminary site plan renderings for the proposed project. Representatives of the Equestrian and Ag Committee will be attending to provide a detailed overview of the proposed project. (attachments 4,5)

1. Consideration of Missouri Valley Complex Ag and Hay Leases 2025.

The Missouri Valley Complex Committee reviewed the proposed 2025 Ag Land and Hay Leases and propose the following recommendations.

**** Ag Land Lease:**

The Missouri Valley Complex Committee recommends that Burleigh County does not lease the ag land in 2025 due to the possible need for access to the site for project development and wetlands survey.

In lieu of a lease, the Missouri Valley Complex Committee recommends that the ag land area is overseeded to a grass cover crop that may provide for a contract for hay in the fall of 2025.

Missouri Valley Complex Committee

**** Hay Land Lease:**

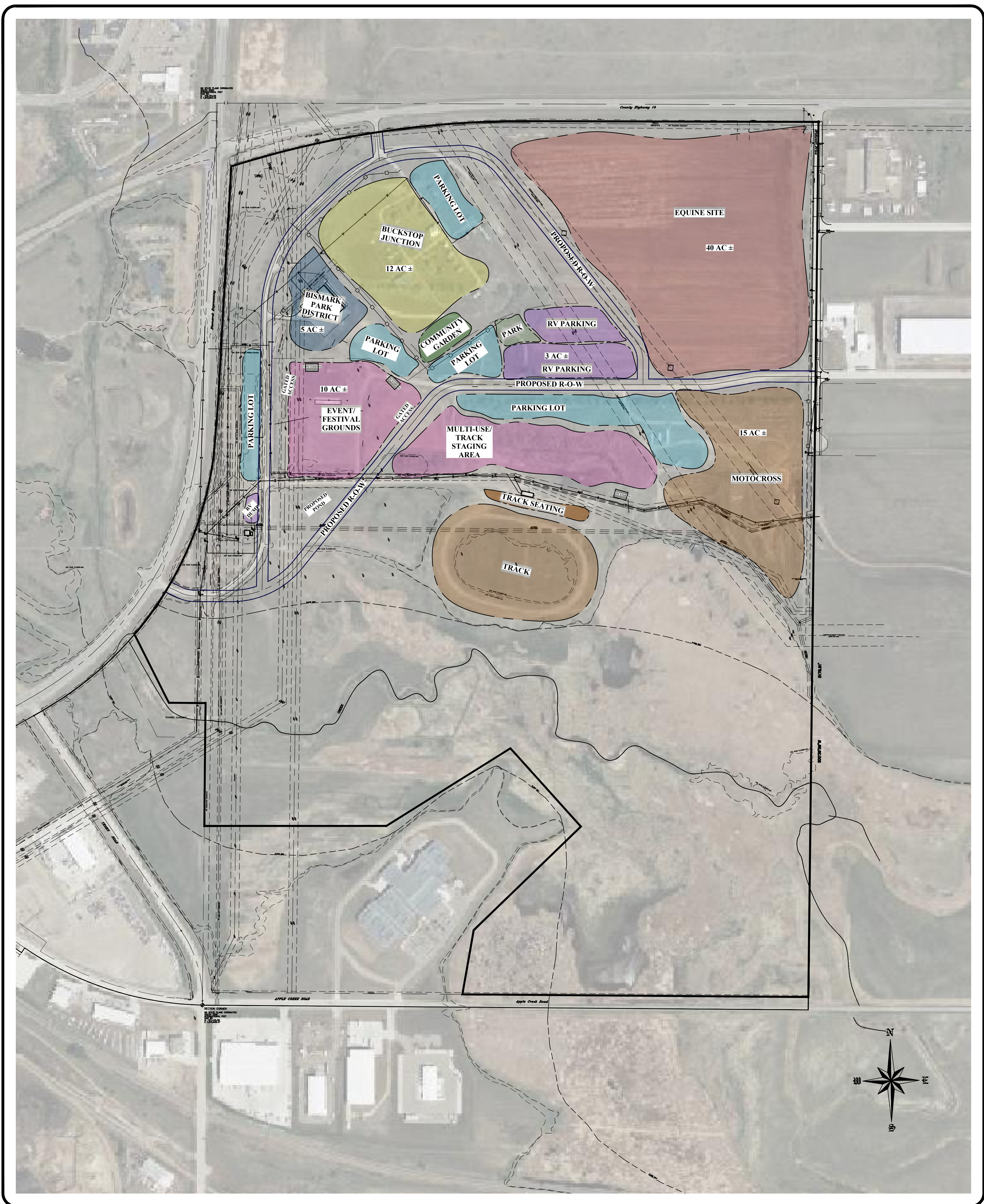
The Missouri Valley Complex Committee supports the leasing of the hay land at the Complex.

On behalf of the Missouri Valley Complex Committee, I and other committee members will be in attendance to assist in any way with presenting the request.

Thank you for your support and presenting our recommendations for consideration and action to the full Burleigh County Commission at the upcoming April 7th meeting.

MISSOURI VALLEY COMPLEX

PRELIMINARY CONCEPT





March 28, 2025

Mark Splonskowski
Burleigh County
221 N 5th Street
Bismarck, ND 58501

Dear Mr. Splonskowski:

Please be advised that the Bismarck Planning & Zoning Commission on Wednesday, March 26, 2025, recommended approval of your request for a zoning map amendment from the PUD – Planned Unit Development zoning district to the P – Public zoning district for Lots 1 and 3-19, Block 1, Missouri Valley Complex.


Your proposal will next be considered by the Board of City Commissioners on Tuesday, April 8, 2025, at 5:15 p.m. in the Tom Baker Meeting Room, City-County Office Building, 221, North 5th Street, Bismarck, North Dakota.

The City of Bismarck is providing applicants and their consulting engineers with the option of participating in the meeting without having to appear in person. If you wish to appear at the meeting remotely, please contact the City's Administration Department at bismarckadmin@bismarcknd.gov.

Additional information on this request can be found by going to our on-line Land Records Management System, eTRAKiT, at <https://trackitapi.bismarcknd.gov/etrakit/> and searching for project number ZC2024-018.

If you have any questions or need any additional information, please contact me, the planner in our office assigned to this project, at 701-355-1850 or ljohnson@bismarcknd.gov.

Sincerely,


Isak Johnson
Planner

IJ/ssf

dc: Landon Niemiller – Swenson Hagen & Co.





übi
design group

BURLEIGH COUNTY EQUESTRIAN & AG CENTER



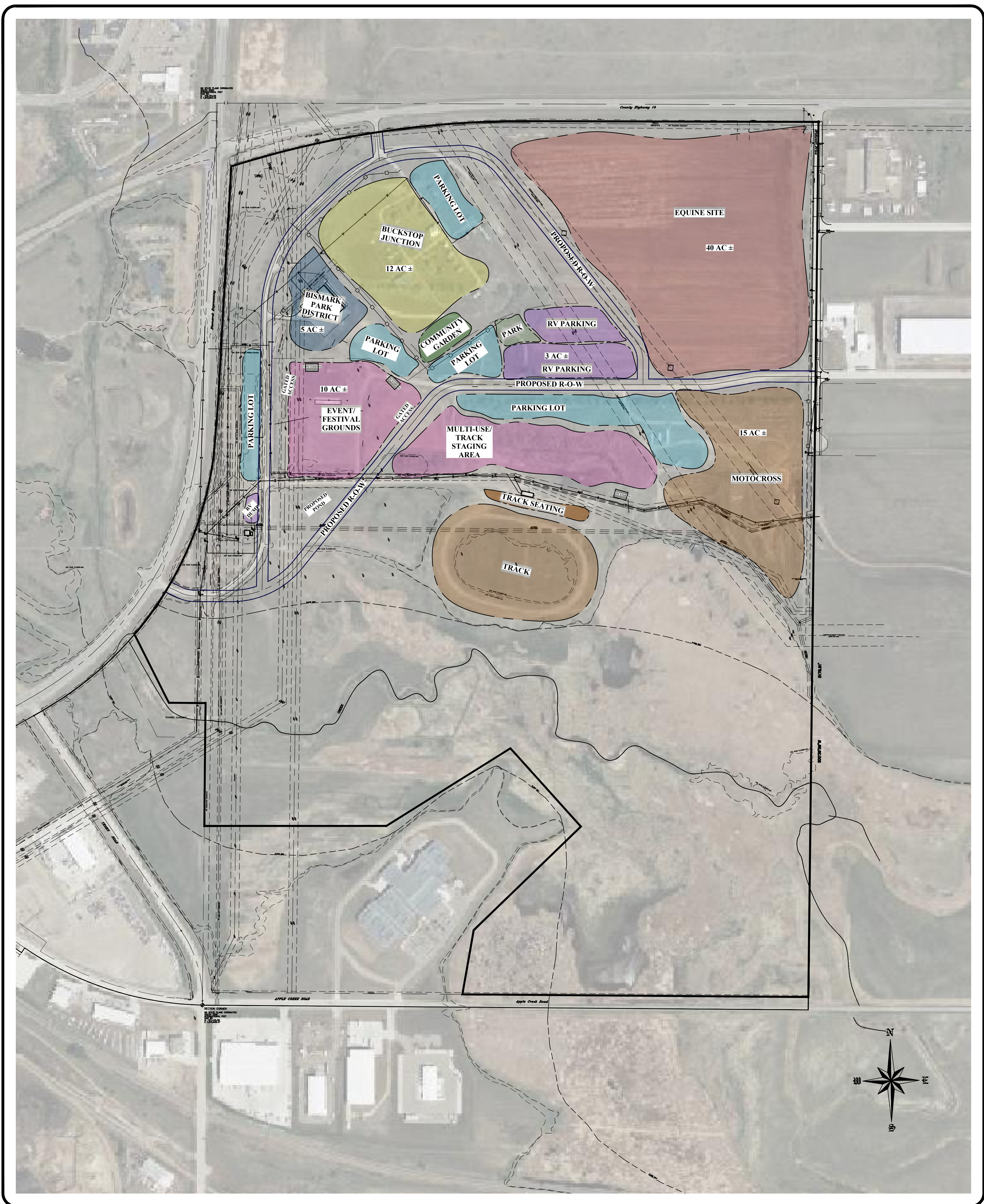
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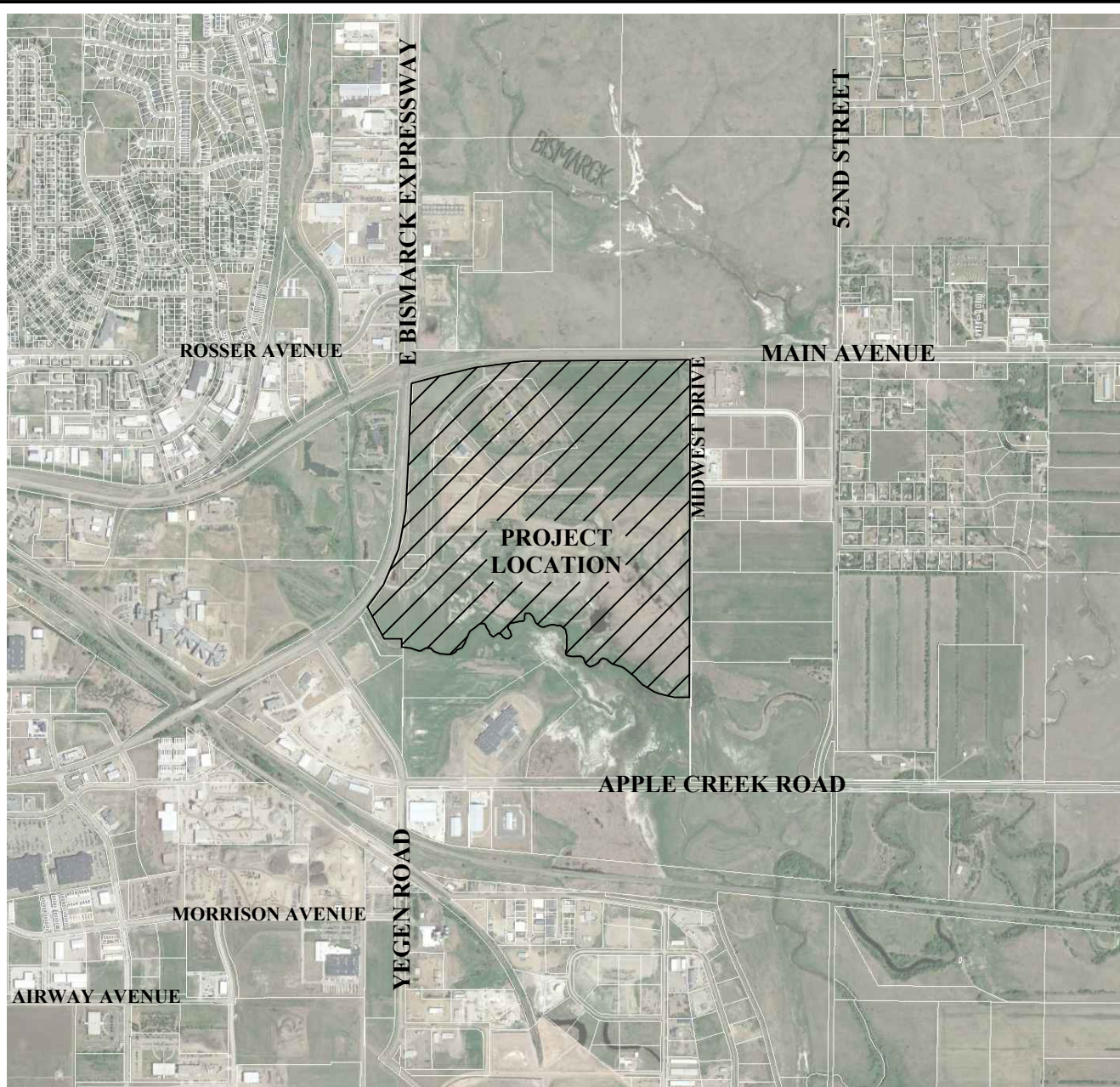
design group


BURLEIGH COUNTY EQUESTRIAN & AG CENTER

MISSOURI VALLEY COMPLEX

PRELIMINARY CONCEPT






 NOT TO SCALE



SWENSON, HAGEN & COMPANY P.C.

Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

3002 Airway Avenue
 Bismarck, North Dakota 58504
sheng@swensonhagen.com
 Phone (701) 223 - 2600
 Fax (701) 223 - 2606

PROJECT AREA MAP
MISSOURI VALLEY COMPLEX
BISMARCK, ND

**Missouri Valley Complex
Request for Proposal**

**To Perform
Environmental Consulting Services
4/2/2025**

**For Burleigh County
&
Missouri Valley Complex Committee**

**Proposals Must be delivered to:
Burleigh County Auditor
221 North 5th Street
BY
12:00 PM Central Time 4/29/2025**

PURPOSE

Burleigh County is soliciting proposals from qualified consultants to assist the "County" with wetland delineation services, submittal of a possible mitigation plan/permit to the Corps of Engineers and possible post construction monitoring as required by an approved permit. After the delineation and report are completed; the Consultant will meet with the County to discuss its findings and possible next steps. If the County decides that wetland impacts are unavoidable, the Consultant may be asked to enter into a sub-contract for additional services.

LOCATION

The project area is located south and east of the intersection of Main Avenue and Bismarck Expressway (See Project Area Map), on lands owned by Burleigh County. The area is commonly known as the Missouri Valley Complex.

CONSULTANT OBLIGATIONS

Consultant must analyze and respond to all sections of this RFP providing sufficient information to allow the County to evaluate the Proposal. Consultant, by submitting its Proposal, agrees that any costs incurred by the Consultant in responding to this RFP, are to be borne by the Consultant and may not be billed to County. Consultant's proposal must match the order in which the RFP was submitted or clearly state where the information resides. If County has any confusion or difficulty in retrieving the required information from the Consultant's proposal, it may result in disqualification of such proposal.

SUBCONTRACTING

No portion of the work shall be subcontracted without prior written consent of the County. In the event that Consultant desires to subcontract some part of the work specified in the contract, Consultant shall furnish the County the names, qualifications and experience of the proposed subcontractor(s). The consultant shall, however, remain fully liable and responsible for the work to be done by subcontractor(s) and shall assure compliance with all the requirements of the contract.

DISPOSITION OF PROPOSALS

All material submitted in response to this RFP will become the property of the County and may be returned only at the option of the County and at the expense of the Consultant. Successful and unsuccessful bidders will be notified in writing or via email. The County shall not be obligated to detail any of the results of the evaluation.

CONTRACTUAL COMMITMENT OF PROPOSAL

The contents of submitted Proposals will be considered obligations of the successful Consultant. No information should be submitted that is not intended to be incorporated into the Proposal and any contract that may result from such Proposal. If there is any inconsistency between the terms herein and any of the other contract documents, the terms in the other contract documents shall prevail.

PROJECT GOALS AND OBJECTIVES

The County's goal for this project is physically flagging and locating via GPS, the wetland boundaries surveyed and consultant will be responsible for identifying and mapping all **wetland** areas within the project area in compliance with federal, state, and local regulations. The **delineation** process will establish precise **wetland** boundaries and provide the necessary documentation to support future land development and permitting requirements. Consultant is responsible for the completion of a wetland delineation report in accordance with the 1987 Wetland Delineation Manual, Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region. Additionally, the consultant will be required to submit a Formal Determination request through the appropriate regulatory agencies.

SCHEDULE

Work will be conducted as soon as the growing season starts in 2025.

EVALUATION AND SELECTION PROCESS

Firms interested in performing the work must submit one electronic proposal in PDF format. The electronic copy must be submitted prior to the date and time listed on the cover of this RFP to be considered. Late proposals will not be considered.

Proposals shall be submitted to:

County Auditor
City / County Building
221 North 5th Street
Bismarck, ND 58501

- Each proposal shall contain a cover letter signed by an authorized officer who can sign contracts for the firm. The pages of the cover letter will not be counted as a part of the pages. Also include the individuals email address below each signature on the cover letter.

- Qualifications of your firm and staff proposed to perform the work described in this request for proposal. This should include resumes of staff and any recommendation / commendation letters received from past projects.
- Each proposal shall include a cost proposal for the requested work. Any additional work requested will be executed with a sub-contract.
- Past Performance – Past performance on similar contracts must be demonstrated in terms of deliverables that were completed, cost control and compliance measures that the firm uses, whether projects were completed on time and within cost. Past performance should be described with a list of comparable projects. Listed projects should include, a project description, owner, and contact information, cost of project, and types of deliverables.
- Project Management and Team Organization – Applicant should describe staff who will be involved and to what level, the project lead and organization. Additional information should include quality assurance and cost control measures, and prior experience of the project team as a unit.
- Related Experience shall include experience in submittals of mitigation plans and post-construction monitoring of mitigation projects.
- The proposal pages shall be numbered and must be limited to 6 pages in length. Proposals that exceed the page length requirement will not be considered.

Each proposal will be evaluated by a selection committee consisting of County staff members and/or representatives. The County reserves the right to limit the interviews to a minimum of three firms whose proposals most clearly meet the RFP requirements. Firms not selected to be interviewed will be notified in writing.

Selection will be based on the following weighted criteria:

Weight

<u>10%</u>	i. Past performance
<u>10%</u>	ii. Ability of professional personnel
<u>10%</u>	iii. Willingness to meet time and budget requirements
<u>20%</u>	iv. Cost Proposal
<u>10%</u>	v. Recent, current, and projected workloads of the persons and/or firms
<u>10%</u>	vi. Related experience on similar projects
<u>30%</u>	viii. Project understanding, issues, and approach

Weights for each criterion are assigned independently. Maximum total weight is 100 points.

RIGHT OF REJECTION

The County reserves the right to reject any or all proposals.

ITEM

12



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 7, 2025

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, Wachter Development, Inc, 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.

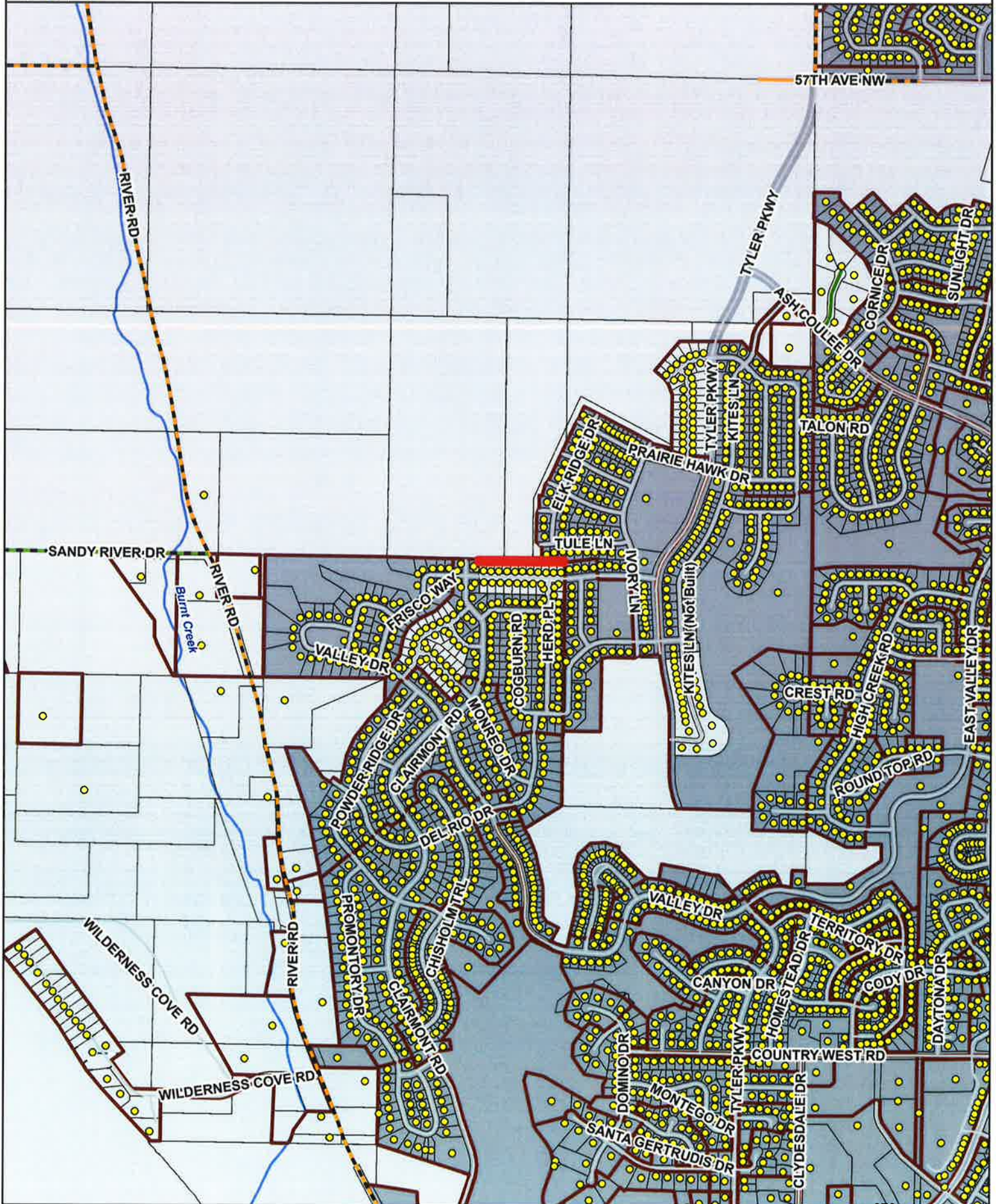
RECOMMENDATION:

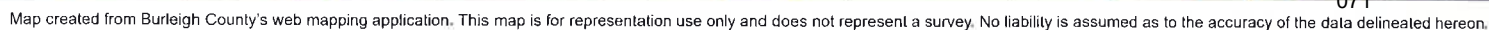
It is recommended that the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets May 5, 2025 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







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: Promontory Point Sixth Addition

Legal description of property (lot, block, addition): Lots 2-12 Block 4 Promontory Point Sixth Addition

Street address of property: 2508, 2502, 2416, 2410, 2404, 2318, 2312, 2306, 220, 2214, 2208 Frisco Way

Existing Zoning:

Proposed zoning:

Acreage:

Number of lots: 11

Description of development proposal, including reason(s) for the request:

Vacate the section line & statutory ROW from Lots 2-12 Block 4 Promontory Point Sixth Addition. Future roadway masterplans no longer use this area as the route. Property is not within the annexed limits of Bismarck.

APPLICANT/DEVELOPER:

Name: Wachter Development, Inc.

Mailing address: PO Box 520, Bismarck, ND 58502

Daytime telephone number:
701 223 2200

FAX number:

E-mail address:
cw@investcore.com

PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):

Name:

Mailing address:

Daytime telephone number:

FAX number:

E-mail address:

CONTACT PERSON/AGENT:

Name/Firm: Swenson Hagen & Co

Mailing address: 3002 Airway Ave, Bismarck, ND 58504

Daytime telephone number:
701 223 2600

FAX number:

E-mail address:
lniemiller@swensonhagen.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.

[Signature]
(Applicant's Signature)

3/20/2025
(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 20th day of March, 2025, before me, a notary public in and for said county and state, appeared
Derek Wachter, 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.

LISA MACDONALD
Notary Public
State of North Dakota
My Commission Expires July 31, 2026

Lisa MacDonald
Notary Public
Burleigh County, State of North Dakota
My Commission Expires: July 31, 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		
		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	X	
		Legal description of property to be vacated	X	
		Letters of consent from utilities (street/alley vacation & easement release)		X
<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)		
	Adjacent property owner petition (required for accessory building prior to residence)		
Minor Plat/Lot Modification	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		



PROMONTORY POINT VI ADDITION

Part of the East Half of the Northwest Quarter and Part of Government Lot 1 of Section 19,
Township 139 North, Range 80 West of the Fifth Principal Meridian,
City of Bismarck, Burleigh County, North Dakota



PARCEL CURVE DATA		
CURVE	DELTA	RADIUS / ARC LENGTH
C1	04°02'20"	60.00 / 44.08
C2	04°15'21"	140.00 / 102.31
C3	01°25'30"	140.00 / 40.17
C4	02°15'40"	140.00 / 30.00
C5	04°27'11"	80.00 / 44.35
C10	01°50'35"	133.00 / 39.33
C11	01°50'35"	67.00 / 18.81
C12	01°50'37"	117.00 / 33.00

PARCEL CURVE DATA		
CURVE	DELTA	RADIUS / ARC LENGTH
C13	03°52'56"	117.00 / 78.48
C14	00°17'24"	183.00 / 23.28
C15	02°18'08"	183.00 / 68.04
C16	02°04'57"	183.00 / 66.32
C17	00°14'15"	183.00 / 16.73
C22	00°58'46"	133.00 / 20.88
C23	01°20'25"	133.00 / 24.00
C24	01°20'31"	67.00 / 22.61

PARCEL CURVE DATA		
CURVE	DELTA	RADIUS / ARC LENGTH
C25	01°21'52"	133.00 / 24.08
C26	03°43'29"	133.00 / 79.06
C27	04°25'21"	67.00 / 51.95
C31	04°31'03"	67.00 / 50.50
C32	04°31'03"	133.00 / 100.24

LEGEND:

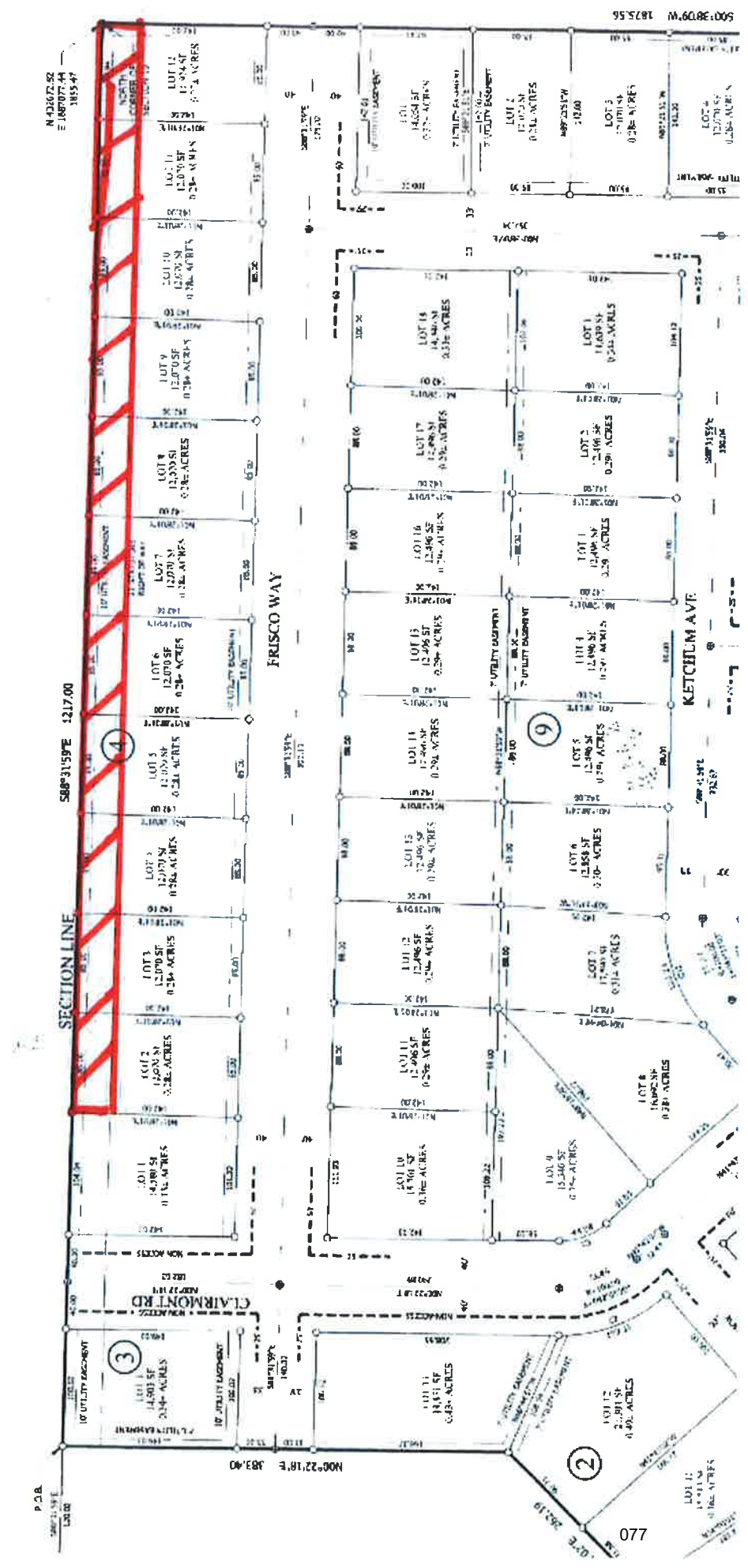
- POINT MONUMENT
- RESERVE OF US 844
- ROADWAY FRONT
- PLAT BOUNDARY
- NON-ACCESS LINE
- STUTTS LAMINATE
- SECTION LINE

SEH

PHONE: 701.334.7321
415 S. GARDEN AVE., SUITE 6
BISMARCK, ND 58101-5607
WWW.SEH-ND.COM

OMONTORY POINT VI ADDITION

of the Northwest Quarter and Part of Government Lot 1 of Section 19,
139 North, Range 80 West of the Fifth Principal Meridian,
City of Bismarck, Burleigh County, North Dakota



ITEM

13



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Sterling Township Service Agreement
Date: 3-24-2025
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Authorization of a Service Agreement with Sterling Township

Sterling Township has requested that Burleigh County provide services for issuing permits and conducting necessary building inspections for the project known as Love's Gas Station and Travel Center, based on the conditions as provided in the Sterling Township Service Agreement.

ACTION REQUESTED

Recommend approval of service agreement.

Attachments: Ex.1 Sterling Township Service Agreement 2025

Burleigh County and Sterling Township Service Agreement

This is a service Agreement between the Burleigh County Building/Planning/Zoning Department (Burleigh County) and Sterling Township wherein Burleigh County will provide permit issuance, building plan review and building inspection services to Sterling Township for Loves Gas Station and Travel Center at Address TBD, Sterling, North Dakota.

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

1. **Services Provided:** Burleigh County will issue all construction related permits for Sterling Township. Burleigh County Building Official shall act as the building official for Sterling Township. Burleigh County Code Enforcement Inspectors will provide foundation inspections, framing inspections, mechanical inspections, plumbing inspections, final inspections and, when appropriate, issue certificates of occupancy in Sterling Township pursuant to the State Building Codes. Burleigh County will integrate the Sterling Township inspections into its daily inspection schedule. Burleigh County will also provide plan review services.
2. **Hours:** The hours of inspection services will be normal Burleigh County working hours, generally 8AM-5PM Monday through Friday, excepting holidays.
3. **Employment Status:** The inspectors performing the services under this Agreement are employees of Burleigh County and not employees of Sterling Township. Burleigh County agrees to pay the inspectors performing services under this Agreement. Sterling Township shall not be responsible for, and Burleigh County agrees to indemnify and hold Sterling Township harmless from, liability for all costs of the inspectors related to the work of the inspectors for Sterling Township, including and limited to State and Federal income tax, social security taxes, worker's compensation benefits, unemployment compensation premiums, wages, mileage, and or fringe benefits.
4. **Supervision:** Burleigh County agrees it will supervise its inspectors and provide clerical and technical support as is necessary to fulfill the requirements of this Agreement.
5. **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.
6. **Payment Terms:** Sterling Township agrees 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.
7. **Representations as to Adequate Insurance Coverage:** Each party to this Agreement represents and warrants to the other it has and shall maintain in effect liability insurance coverage in an amount of not less than \$1,000,000, 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.

8. 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, and or agents.
9. Term of Agreement: The term of this Agreement shall be for the duration of the Loves Gas Station and Travel Center Project, beginning on the date of approval and ending when the Project is fully completed, unless terminated pursuant to Paragraph 10.
10. Termination: This Agreement may be terminated by either party upon at least a thirty (30)-day written notice.
11. Modification or Alteration: This Agreement contains the entire agreement of the parties with respect to the subject matter of the Agreement. This Agreement supersedes any prior agreement, understandings, or negotiations, whether written or oral. This Agreement can only be amended through a written document formally executed by all parties.

Burleigh County

Dated this ____ day of _____, ~~2024~~ ²⁰²⁵ JW

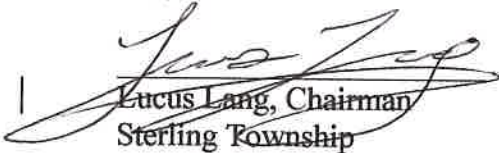
Attest:

Brian Bittner, Chairman
Burleigh County Commission

Sterling Township

Dated this 18 day of March, ~~2024~~ ²⁰²⁵ JW

Attest:

| 
Lucas Lang, Chairman
Sterling Township



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Recommendations from March 12, 2025 Burleigh County Planning Commission Meeting

Date: 3-24-2025

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

ITEM 1

Approval of Summit Pt. 2nd Subdivision

Legal Description: Lots 3 and 4, Block 2, Summit Point First Subdivision within the NW ¼ of Section 35, Township 140 North, Range 81 West

Property Address: Lots 3 & 4, Block 2 Summit Point Subdivision Riverview Township

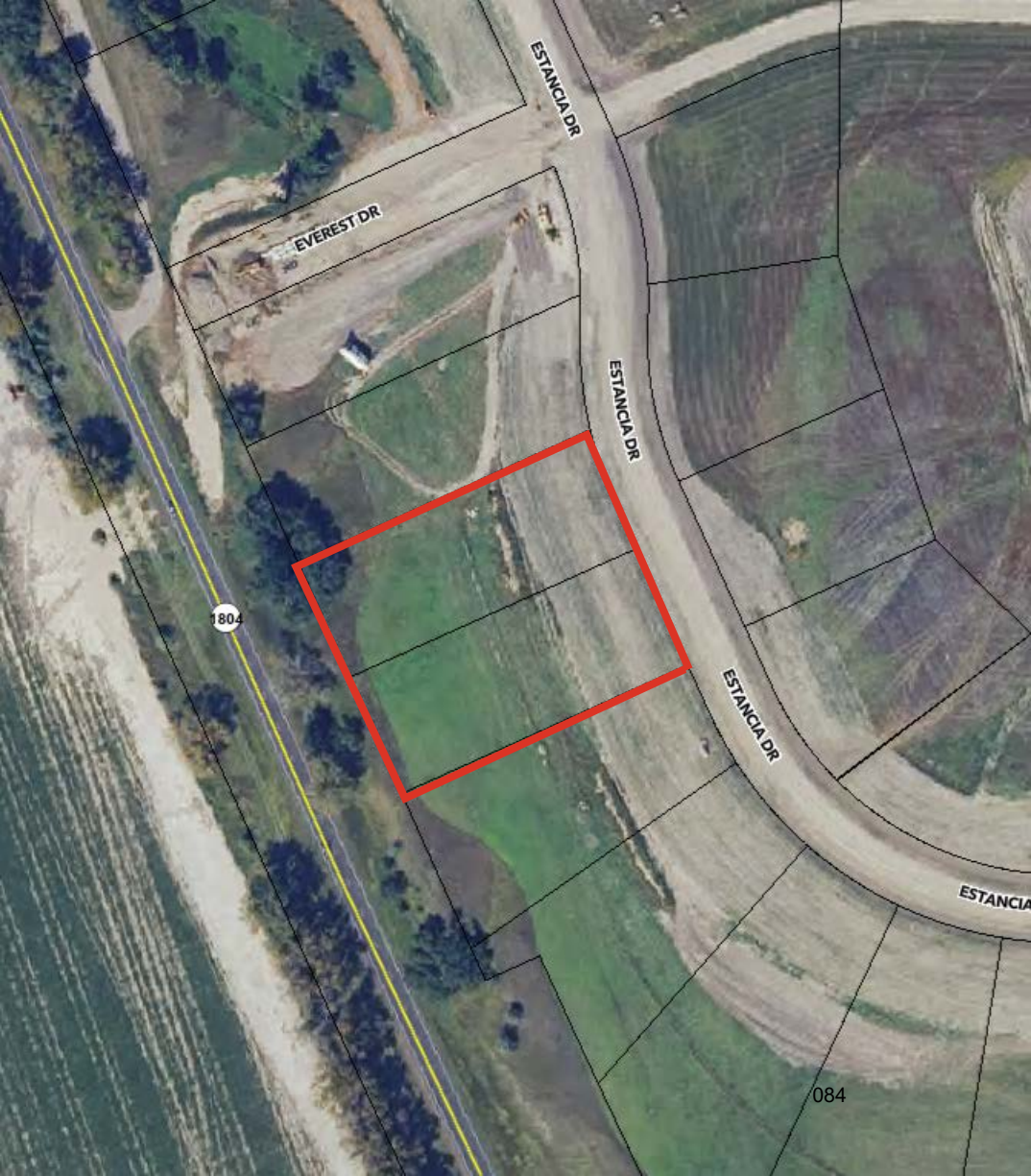
Burleigh County staff met with owners John & Sarah Wonnenberg of Lots 3 & 4, Block 2 of the Summit Point 1st Subdivision, they intend to combine the 2 lots into 1 lot to build a house. The plat was reviewed under Article 33 Section 12 Short Plat process. This area is zoned PUD- Single Family Residential.

- A public hearing for the Final Plat was held on 3-12-2025.
- The Plat contained 2 revisions to meet Art. 33 section 12.

ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve Summit Pt 2nd Subdivision Final Plat.

Attachments: Ex.1 Summit Pt. 2nd Subdivision Final Plat
Ex.2 Site Location



ESTANCIA DR

EVEREST DR

ESTANCIA DR

ESTANCIA DR

ESTANCIA

1804

084



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Amend Article 8 Solar Energy System Facilities
Date: 3-24-2025
From: Mitch Flanagan, Burleigh County Planning Director. mif

ITEM 1

Art.8 Section 29 Solar Energy Systems

It has become necessary to consider amending the current Article 8 to include Solar Energy Systems under a Special Use Permit. Section 29 will allow for the development of onsite renewable energy systems such as an Accessory use in any District and Solar Farms within an Ag. District. Article 8 draft ordinance was presented to the Planning Commission on July 10th and September 11th. Public hearings for the ordinance were held on 11-13-2024 and 3-12-2025

ACTION REQUESTED

Consider motion to approve Article 8 Section 29 ordinance.

Attachments: Ex. 1- Article 8 Section 29 Solar Energy Systems.

ORDINANCE 25-005 ZO

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 8 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA TO INCLUDE SECTION 29 SOLAR ENERGY SYSTEMS

Section 1. **Amendment** Article 8 of the Zoning Ordinance is hereby amended and re-enacted as follows:

SECTION 29 Solar Energy System Facilities

A solar energy system may be permitted in an Agricultural District upon approval as a special use, provided the criteria and submittal requirements are met.

Burleigh County finds that it is in the public interest to encourage the use and development of renewable energy systems (including solar energy systems) that have a positive impact on energy conservation with limited adverse impact on nearby properties. Burleigh County supports the use of solar collection systems and the development of solar energy farms. Consistent with the Burleigh County Comprehensive Plan, it is the intent of the County with this Section to create standards for the reasonable capture and use, by households, businesses and property owners, of their solar energy resource and encourage the development and use of solar energy.

1. DEFINITIONS

The following words, terms and phrases, when used in this Article and Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:

1. **Agrivoltaics**- The dual use of land for combining agriculture with solar energy production, typically, with raised co-located solar arrays above agricultural activity.
2. **Building-Integrated Solar System**- An active solar system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building integrated systems include, but are not limited to, photovoltaic or thermal solar systems that are contained within roofing materials, windows, skylights and awnings.

3. Community Solar Energy System- A solar-electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system.
4. Ground Mounted Panels- Freestanding solar panels mounted to the ground by use of stabilizers or similar apparatus.
5. kWac – Kilowatt, Alternating Current
6. Lot – The word “lot” when used alone shall mean, unless the context of the Article clearly indicates otherwise, a “zoning lot” as defined in Article 3 – Definitions.
7. mWac – Megawatt, Alternating Current
8. Off-Grid Solar Energy System – An active solar energy system that converts solar energy directly into electricity. Unlike on-grid solar power systems, off-grid systems do not connect to the national utility grid.
9. Photovoltaic System- An active solar energy system that converts solar energy directly into electricity.
10. Photo Panel System A system that incorporates discrete photovoltaic panels that convert solar radiation into electricity, including rack support systems.
11. Roof or Building Mounted SES- Solar Energy System (panels) that are mounted to the roof or building using brackets, stands or other apparatus.
12. Roof Pitch- The final exterior slope of a building roof calculated by the rise over the run, typically, but not exclusively, expressed in twelfths such as 3/12, 9/12, 12/12.
13. Solar Access- A view of the sun, from any point on the collector surface that is not obscured by any vegetation, building, or object located on parcels of land other than the parcel upon which the solar collector is located, between the hours of 9:00 AM and 3:00 PM Standard time on any day of the year.
14. Solar Collector- A device, structure or a part of a device or structure that the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical or electrical energy.

15. Solar Energy- Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.
16. Solar Energy System (SES)- A system that converts solar radiation to usable energy, including photovoltaic panel systems and solar thermal systems. An active solar energy system that collects or stores solar energy and transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, thermal or chemical means.
17. Solar Farm- A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or other conversion technology, for the primary purpose of wholesale sales of generated electricity. A solar farm is the primary land use for the parcel on which it is located.
18. Solar Thermal System- A system that converts solar radiation to thermal energy for use in heating and cooling.

2. APPLICABILITY

These regulations are for all solar energy systems and solar energy farms on properties and structures under the jurisdiction of the Burleigh County Zoning Ordinance except that Burleigh County requires the owner or operator of solar farms that would generate electricity greater than 50 megawatts of power to have approval for such a system from the North Dakota Public Service Commission.

Types of Solar Energy Systems.

1. Rooftop solar energy systems:

Accessory to the primary land use, designed to supply energy for the primary use:

- a. These systems are permitted accessory uses in all districts in which buildings are permitted. The owner or contractor shall receive a building and a mechanical permit before installing a rooftop solar energy system.
- b. Size Classification for the following rooftop Solar Photo Voltaic systems:
 - i. Residential – 1 to 20 kWac – accessory use, connected to existing load, rooftop or ground mount.

- ii. Small Commercial – 20 to 50 kWac – accessory use, connected to existing load, rooftop or ground mount.
 - iii. Large Commercial – 50 kWac to 100 MWac – accessory use, connected to existing load, rooftop or ground mount.
- c. Exemption:
- i. A Rooftop mounted solar panel in Residential Districts for a single family dwelling primary structure is exempt from this section

2. Ground-mount solar energy systems:

Accessory to the primary land use, designed to supply energy for the primary use.

- a. Ground-mount systems are permitted accessory uses in all districts in which buildings are permitted.
- b. Ground-mount systems require a Burleigh County building permit and are subject to the accessory use standards for the district in which it is located, including setback. The height of a ground-mounted shall not exceed 10 feet and shall not cover or encompass more than 10 percent of the total property area or lot size.
- c. Size Classification for the following ground mounted Solar Photo Voltaic Systems:
 - i. Residential – 1 to 20 kWac – accessory use, connected to existing load, rooftop or ground mount.
 - ii. Small Commercial – 20 to 50 kWac – accessory use, connected to existing load, rooftop or ground mount.
 - iii. Large Commercial – 50 kWac to 100 MWac – accessory use, connected to existing load, rooftop or ground mount.

3. Community solar energy systems:

Roof or ground-mount solar energy systems, may be either accessory or primary use, designed to supply energy for off-site uses on the distribution grid, but not for export to the wholesale market or connection to the electric transmission grid.

These systems shall be subject to the following conditions:

- a. Rooftop community solar energy systems are permitted in AG districts in which buildings are permitted.
- b. Ground-mount community solar energy systems are an accessory use in all districts.

- c. All structures must meet the setback, height and coverage limitations for the district in which the system is located.
- d. Size Classification of Community Solar – 100 kWac to 1MWac – primary or special use, not connected to a load, typically ground mount.
- e. Ground-mount systems must meet all required standards for structures in the district in which the system is located.
- f. Site Plan Required: The owner or operator shall submit to the County a detailed site plan for both existing and proposed conditions. These plans shall show the location of all areas where solar arrays would be placed, the existing and proposed structures, property lines, access points, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high-water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the County.
- g. Power and communication lines. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. The Building Official or their designee may grant exemptions to this requirement in instances where shallow bedrock, water courses or other elements of the natural landscape interfere with the ability to bury lines.

4. Solar farms:

Ground-mount solar energy arrays that are the primary use on the lot or of a property, designed for providing energy to off-site uses or export to the wholesale market. These types of systems are permitted and regulated by the North Dakota Public Service Commission and ND State Electrical Board.

- a. Solar farms are allowed under a special use permit in Agricultural (AG) zoning.
- b. Shall be on properties of at least 10 acres in size.
- c. Size Classification of Solar Farms Photo Voltaic Systems – 10 MWac to 500 MWac – primary or special use, not connected to a load, ground mount.
- d. Stormwater management and erosion and sediment control, if required, shall meet the design restrictions of the County.

- e. Foundations. If required, the manufacturer's engineer or a ND registered design professional shall certify that the foundation and design of the solar panels meets the accepted professional standards, given local soil and climate conditions.
- f. Other standards and codes. All solar farms shall meet all applicable local, state and federal regulatory standards, including the State of North Dakota Building Code and the National Electric Code.
- g. Power and communication lines. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. The Building Official or their designee may grant exemptions to this requirement in instances where shallow bedrock, water courses or other elements of the natural landscape interfere with the ability to bury lines as reviewed by the manufacturer's engineer or a ND registered design professional.
- h. Site Plan Required. The owner or operator of the solar farm must submit to the County a digital copy of site plan (pdf format, full size) at 1" = 20' or larger scale, if integral to request for both existing and proposed conditions. These plans shall show the location of all areas where solar arrays would be placed, proposed location and distances from the existing and proposed structures, property lines, access points to the site, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high-water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the county including:
 - i. Date the site plan was prepared,
 - ii. North point indication
 - iii. Section, township and range numbers
 - vi. Topographic contours with a minimum contour interval of ten (10) feet, with indication of datum used,
 - v. Location map inset showing the township(s) in which the project is located and the boundary of the proposed project.
 - iv. Location of all existing public roads, dimensions and location of any utility easements and rights-of-way within five hundred (500) feet of proposed solar farm.
- i. The County allows the installation of small operations, security, and equipment buildings on the site of solar farms as permitted accessory uses to the solar farm

- j. The owner or operator shall contain all unenclosed electrical conductors located above ground within structures that control access or they must be protected from entry by a six-foot tall fence.

5. Accessory Solar Energy Systems:

- a. Solar Access: an applicant may obtain solar easements from the adjoining property owners to preserve direct access to sunlight, as authorized by Section 47-05-01.2 of the North Dakota Century Code. A permit granted by Burleigh County to install a solar energy system does not guarantee solar access.
- b. Accessory Use: Solar energy systems are permitted as an accessory use, subject to all requirements of Article 8 and the building code requirements of Article 22 Section 1.
 - i. An accessory solar energy system must be located on the same lot or parcel of land as the primary use it is intended to serve.
 - ii. An accessory solar energy system is intended to produce energy primarily for on-site consumption but excess electrical power may be transferred to a power supply grid pursuant to utility company interconnection agreements.

6. Size Classification of Solar Photo Voltaic Systems:

- a. Residential – 1 to 20 kWac – accessory use, connected to existing load, rooftop or ground mount.
- b. Small commercial – 20 to 50 kWac – accessory use, connected to existing load, rooftop or ground mount.
- c. Large Commercial – 50 kWac to 100 MWac – accessory use, connected to existing load, rooftop or ground mount.
- d. Community Solar – 100 kWac to 1MWac – primary or special use, not connected to a load, typically ground mount.
- e. Solar Farm – 10MWac to 500 MWac – primary or special use, not connected to a load, ground mount.

7. Decommissioning Plan:

The County requires the owner or operator to submit a decommissioning plan for ground-mounted systems to ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life.

The owner or operator shall decommission the solar panels in the event they are not

in use for twelve (12) consecutive months. The plan shall include provisions for the removal of all structures that are above ground and foundations, the restoration of soil and vegetation and a soundly-based plan ensuring financial resources will be available to fully decommission the site. The disposal of structures and/or foundations shall meet all County requirements and the requirements of the County Solid Waste Ordinance. The County also may require the owner or operator to post a bond, letter of credit or establish an escrow account to ensure property decommissioning.

8. Prohibitions:

The County prohibits community solar farms located within:

- a. All Floodplain Districts and Designated SFHA Areas.

9. Additional standards:

In addition to the requirements listed above, all solar energy systems shall meet the following standards.

- a. The owners or operators of electric solar energy systems that are connected in parallel with the service provider to the electric distribution or transmission system, either directly or through the existing service of the primary use on the site, shall obtain an interconnection agreement with the electric utility in whose service territory the system is located. Off-grid systems are exempt from this requirement.
- b. Electric solar system components that are connected to a building electric system must have an Underwriters Laboratory (UL) listing.
- c. All solar energy systems shall meet the standards of the North Dakota State Electrical Board, North Dakota State Building Code, National Electric Safety Code and National Electric Code.
- d. Solar farms shall control all Noxious Weeds according to NDCC Chapter 4.1-47.
- e. All electrical lines serving a freestanding accessory solar energy system shall be buried.
- f. Installation of all rooftop solar systems shall meet the standards of the North Dakota Building Code.
- g. All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector that affects adjacent or nearby properties. Steps to minimize glare nuisance may include selective placement of the

system, screening on the north side of the solar array, reducing use of the reflector system or other remedies that limit glare.

- h. Roof-mounted solar systems shall not exceed the maximum allowed height in any zoning district.
- i. All exterior electrical and plumbing lines, batteries, and other appurtenant features serving a building-mounted accessory solar energy system shall be either screened or painted/coated to match the color of adjacent roofing or siding materials. This provision does not apply to a solar collector.
- j. The non-collecting side of a solar collector and other appurtenant features of any freestanding accessory solar energy system shall be screened from view of said public right-of-way with landscape buffer and/or fencing.
- k. Commercial rooftop systems shall be placed on the roof to limit visibility from the public right-of-way or to blend into the roof design, provided that minimizing visibility still allows the property owner to reasonably capture solar energy.
- l. Setbacks. All equipment and structures shall meet the setback and coverage limitations for the zoning district in which the system is located. No free-standing accessory solar energy system may extend into or over a legally recorded easement.
- m. Additional conditions or specific allowances to this ordinance may be considered in the review and approval of the Special Use Permit.

10. **Fees:**

The special use permit fee will be based on .001 x total project cost. An application fee of \$1,000.00 shall be payable at the time of application for a special use permit, with the remained of the special use permit fee remitted by the applicant prior to commencement of construction. Or:

- a. \$300.00 whichever is greater.

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 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.

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 _____ day of _____, 2025

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____ day of _____, 2025

Mark Splonskowski, Burleigh County Auditor/Treasurer



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Administrative Change to Platted Non-Access Lines.
Date: 3-24-2025
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Changing Non-Access Lines

Non-access lines are selectively drawn on a plat to limit access to high speed, high traffic volume roadways and at intersections to lower traffic accidents. County Staff reviews the non-access line locations and makes recommendations to the County Commission for their approval. Once non-access lines are recorded on a plat, it currently requires the owner to replat the allowed access to a new location. Staff's intentions are to be able to make an administrative change to a non-access line on the plat, while not compromising important safety concerns.

Minor changes to a Non-Access Line can be completed in a less complicated method by use of a Resolution and Affidavit which would proceed as follows:

1. \$250.00 Non-access line modification fee.
2. Applications reviewed by Burleigh County Planning and Zoning, the Burleigh County Highway Department, and additional Staff as needed.
3. After the petition is presented at a public hearing to the Planning Commission, the resolution and affidavit documents are submitted to the Board of Burleigh County Commissioners for approval.
4. Auditor stamps and signs the Affidavit
5. All documents will be recorded by County Staff and filed with the original subdivision.

Using this method/policy would shorten the time and reduce costs for application, surveying and recording. Recent properties affected by platted Non-Access Lines:

1. Braunagel Subdivision: 1072 NE 171st St.
2. Twin Buttes Subdivision: 4800 102nd Ave SE.
3. Riverside 3rd Subdivision: 9922 Island Road.
4. Heritage Reserve Subdivision: 12009 Acadia Drive.

ACTION REQUESTED

Consider recommendations to allow administrative changes to a platted non-access line.

Attachments: Ex.1 Sample Resolution.
Ex.2 Sample Affidavit.

RESOLUTION 25-01

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS COUNTY OF BURLEIGH, NORTH DAKOTA MODIFICATION OF NON-ACCESS LINE

WHEREAS, the owners of property described as _____, adjoining and contiguous to a platted non-access control lines, have heretofore joined in petition requesting that parts of said non-access control lines be modified, verified by oath of at least one petitioner and accompanied by a plat of said non-access control lines to be modified having set forth the facts and reason for said modification; and

WHEREAS, said platted non-access control lines were shown on the plat of _____ which was recorded on _____ (document # _____) and

WHEREAS, The County Engineer has determined that the parts of the non-access control lines to be modified does not adversely affect traffic movements or public safety.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners for Burleigh County, North Dakota that the petition heretofore described to modify the non-access control line described as:

Legal Description of Non-Access Line

Is in all things allowed and granted

BE IT FURTHER RESOLVED that the petition heretofore described to modify the _____ of the non-access control line described as:

Legal Description of Non-Access Line Modification

Is in all things allowed and granted.

BE IT FURTHER RESOLVED the County Auditor is hereby authorized to file this resolution for record in the office of the County Recorder. Burleigh County, North Dakota.

Adopted this _____ day of _____, 20__.

CERTIFICATE

I, _____, do hereby certify that I am the duly elected, qualified, and acting County Auditor of the County of Burleigh, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted by the Board of County Commissioners at its regular meeting of _____ 20__.

IN WITNESS WHEREOF, have hereunto set my hand and the seal of the County of Burleigh, North Dakota, this _____ day of _____, 20__

Mark Splonskowski
County Auditor. Burleigh County, North Dakota

AFFIDAVIT OF NON-ACCESS LINE MODIFICATION

AFD 25-001

The Burleigh County Commission at a regular scheduled meeting on _____, 2025, duly modified the following non-access line as described below:

Witness my hand and seal this _____ day of _____, 2025

Mark Splonskowski,
Burleigh County Auditor

MODIFICATION OF NON-ACCESS LINE

The Non-Access Line vacation is situated on _____

, Burleigh County North Dakota being more particularly described as follows:

Legal description of non-access line: