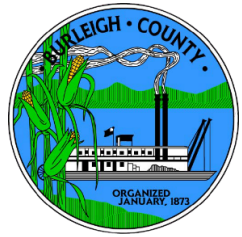




Lincoln, Fort Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman, & Phoenix
Unorganized Townships



Burleigh County Commission Meeting Agenda

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

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

July 15th, 2024

8:30 AM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Consideration of the June 3rd, 2024, minutes and bills.
4. Discussion on boat ramps for 2025-2026
5. Update on ramp dredging.
6. Keelboat boat ramp discussion.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the July 1st, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. 2nd Access permit.
 - c. Applications for licenses, raffles, and special events permits.
6. Lignite Energy Council update.
7. Lewis and Clark development Group.
8. County Engineer Hall:
 - a. Accepting platted right of way.
9. Emergency Manager Senger:

- a. Cost Share with the Burleigh County Water Resource District for the National Flood Insurance Community Rating System initial application.
10. Finance Director Jacobs.
 - a. Update on audited General Fund Reserves.
 - b. Estimate of Year-end General Fund reserves.
 11. Comm. Munson.
 - a. Missouri Valley Complex Committee request.
 12. Auditor/Treasurer Splonskowski:
 - a. Preliminary budget review.
 - b. Motion to adopt preliminary budget and call for final budget hearing September 16th, 2024.
 13. Enter into Executive Session under N.D.C.C. 44-04-18.4(7) for Provident Building Remodel Architectural Plan Review.
 14. Reconvene in open session.
 15. Other business.
 16. Adjourn.

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

The meeting will begin at 8:30 A.M July 15th and will run until adjourned or 5:00 P.M at the latest. If needed, the Commission will recess and reconvene at 8:30 A.M July 16th.

Mark Splonskowski
Burleigh County Auditor/Treasurer

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
JUNE 3, 2024**

5:00 P.M

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

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the May 6th, 2024 minutes and bills. All members present voted, "AYE." Motion carried.

One quote was received for the dredging of Kniefel Boat ramp from Midwest Dragline for \$10,200, and it was recommended that the Board move forward with the quote. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the bid of \$10,200 to Midwest Dragline. All members present voted, "AYE." Motion carried.

Comm. Munson invited people to the revealing of the time capsule at Driscoll Sibley Park on June 14th at 11am.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

JULY 1ST, 2024

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

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

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

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

Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the June 17th, 2024 meeting minutes and bills. All members present voted, "AYE". Motion carried.

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

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Marjean Schwehr	2023	Block 2, Gateway Commons, Tract 2705A of part of Lot 1 Gateway Plaza Condo, Building 2705 Unit 5	50% Homestead Credit	\$127,700	\$63,850
Mary Magstadt	2023	Lot 2, Block 1, Ashwood 4th	100% Homestead Credit	\$415,500	\$215,500
Karen Baumgartner	2023	Block 1, Grandview Heights, Lots 4-5 & Lot A of Lot 6 Grandview Arms Condo Unit 15	50% Homestead Credit	\$107,200	\$53,600

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the Marjean Schwehr, Mary Magstadt, and Karen Baumgartner abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Vision Zero Coordinator Theresa Liebsch gave the Commission an update on the Vision Zero program and detailed some of the efforts by Vision Zero to help educate people in Burleigh County on motor vehicle safety.

County Engineer Hall presented to the Commission a petition requesting the Commission vacate a section line in Riverview township. Chairman Bitner opened the public hearing. Lyndon Mertz approached the podium and stated that because the section line runs directly through his residential property, which is located on the Missouri River; since there are other sections lines that give direct access to the Missouri (and also much more developed), there is no real need for this particular section line to be open. Motion by Comm. Bakken, 2nd by Comm. Woodcox to close the section line. Comm. Bakken, Woodcox, and Schwab voted "AYE"; Comm. Munson and Bitner voted "NAY". Motion carried.

County Planning Director Flanagan presented to the Commission a variance request from the owners of 7921 Country Brook Road for a 30 foot variance on the east side of the property. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the variance as long as the building is placed as it is shown based on the supporting documents. Comm. Bakken, Munson, and Bitner voted "AYE"; Comm. Woodcox and Schwab voted "NAY". Motion carried.

Finance Director Jacobs then came forward and stated to the Commission that following written approval from the state tax department, the one cent sales tax will take effect on October 1st. However, since Morton County still hasn't paid off their share of the Detention Center sales tax bond, the Bank of North Dakota will sequester half a cent until the bond has been paid off. Jacobs also mentioned that Burleigh County will need an escrow fund in place prior to purchasing its investments, and that a meeting

with all relevant parties would be beneficial. Jacobs then asked for discussion of the BMD maintenance fund to be carried over again to the next commission meeting agenda for later discussion. No further action was taken.

Sheriff Leben also asked the Commission for the discussion on Burleigh East to be carried over again to the next commission meeting agenda for later discussion. No further action was taken.

Elections Coordinator Hart then approached the Commission and presented a recap of the June 11th primary election. The primary election was overall a success with few hiccups. Burleigh County saw a 23.5 percent voter turnout, which was three percent higher than the statewide turnout. Hart informed the Commission that there were 17,190 ballots cast out of 75,525 eligible voters, which included 2,719 absentee votes and 2,495 early votes. Hart also stated that the canvas board reviewed 164 ballots and accepted 96 of them.

Comm. Bakken gave a quick update regarding the BNSF Railway, stating that bridge construction has resumed and some closures will occur around River Road in the future.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-630	Bryan & Krista Diede Dennis & Aleja-Laura	2023	Block 3, Country West XXVI, Lot 1 & N 5' of Lot 2	100% Disabled Veteran	\$283,000	\$229,000
24-631	Larson Jerome & Gloria	2023	Lot 14, Block 25, Wachter's 9th Lot 90 & undivided interest in common	100% Disabled Veteran	\$451,500	\$271,500
24-633	Braxmeyer Nii Amahtey Sampah &	2023	areas, Block 3, Southbay 2nd Addn	60% Disabled Veteran	\$680,700	\$572,700
24-637	Antoinette Newman	2023	Lot 26, Block 8, Heritage Park Addition	100% Disabled Veteran	\$414,600	\$234,600
24-638	William & Jeanne Hunt	2023	Lot 2, Block 4, High Meadows 5th	Error in property description	\$365,400	\$346,900
24-639	William & Jeanne Hunt	2024	Lot 2, Block 4, High Meadows 5th	Error in property description	\$376,600	\$358,100
24-640	Tyler & Danielle Goetz	2022	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$376,000	\$340,400
24-641	Tyler & Danielle Goetz	2023	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$403,000	\$367,400
24-642	Tyler & Danielle Goetz	2024	Lot 1, Block 2, Pebble Creek 7th	Error in property description	\$412,200	\$376,600
24-644	Marsha Reimnitz	2023	Block 2, East View, Lot 502B of Lot 22 less S 50' of W 22' of said Lot 22	100% Homestead Credit	\$192,300	\$0
24-645	Heather Housley Dennis & Pamela	2023	SW1/4 Com at pt 890.8' W & 157' N of SE cor N80' E235' S80' W235' to pt of beg and tract 15' x 235', Block 2, Wing lands	100% Homestead Credit	\$42,500	\$0
24-646	Buchholz	2023	Block 29, Stein's 4th, Lot 1A of Lot A of Lot 2 also known as tract AA	50% Homestead Credit	\$214,500	\$114,500
24-647	Andrew Reimnitz	2023	Lot 2, Block 5, Parkview	50% Homestead Credit	\$217,700	\$117,700



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Memo

Date: July 15, 2024

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Kelly Morris

Kelly Morris from 4420 Crescent Ridge Road (Crescent Ridge Second Subdivision Block 3, Lot 5) has requested a second access permit to his property. The first access approach is off of Crescent Ridge Road. He wishes to have a second approach off of Crescent Ridge Road in order to have better access to the east side of his property. We have reviewed the location of the new proposed access off of Crescent Ridge Road and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Kelly Morris on the July 15, 2024 County Board Consent Agenda.

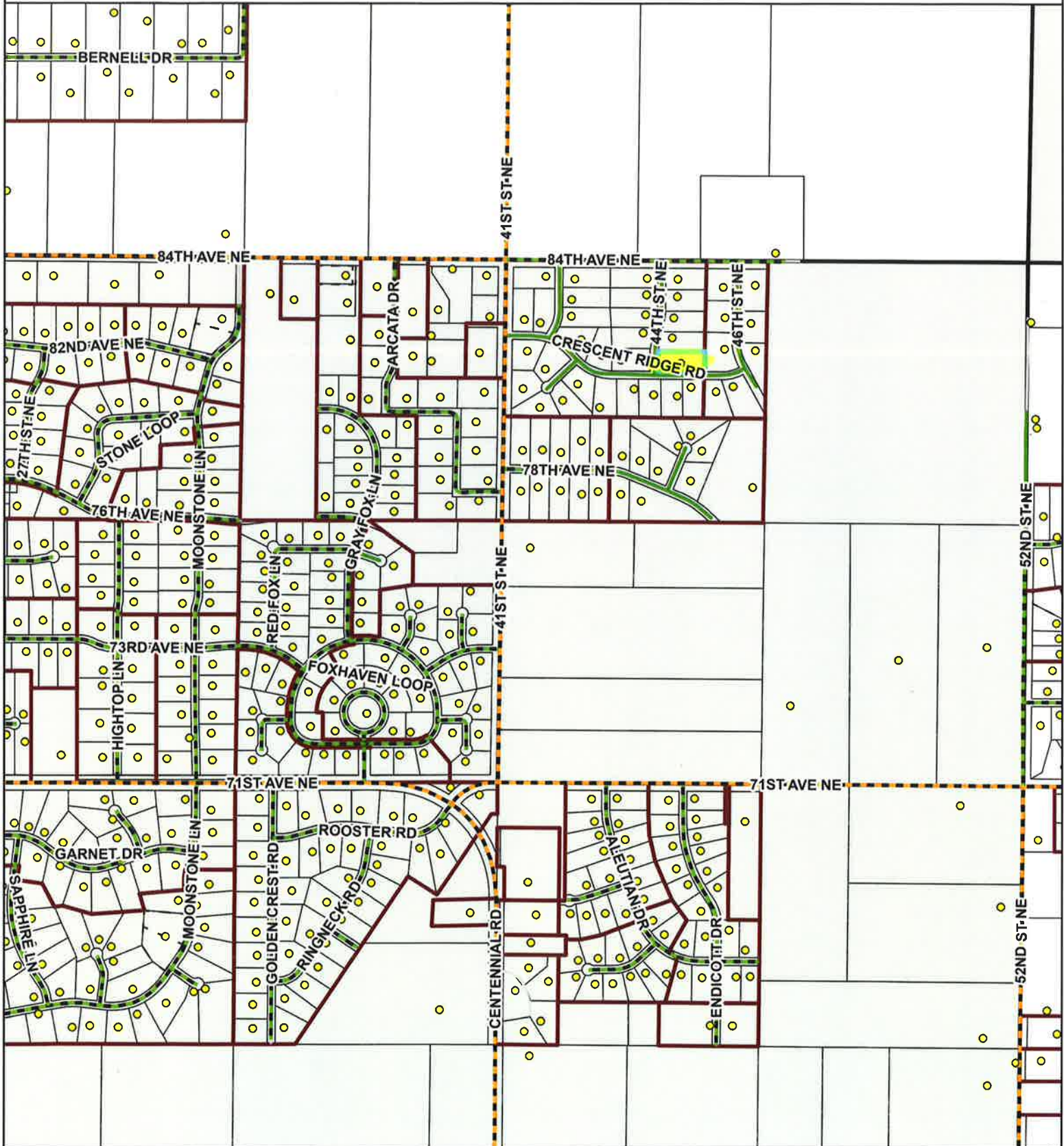
2nd Approach Permits Requirements

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

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

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
7/3/2024



PARCEL ID: 31-139-80-0B-03-050 OWNER: MORRIS, KELLY & MARCY ACRES: 2.17
SITE ADDRESS: 4420 CRESCENT RIDGE RD
MAIL ADDRESS: 4420 CRESCENT RIDGE RD, BISMARCK, ND 58503-6325
LEGAL: CRESCENT RIDGE SECOND Block 03 LOT 5 522334

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

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**



1st Approach

2nd Approach

PARCEL ID: 31-139-80-0B-03-050 OWNER: MORRIS, KELLY & MARCY ACRES: 2.17
SITE ADDRESS: 4420 CRESCENT RIDGE RD
MAIL ADDRESS: 4420 CRESCENT RIDGE RD, BISMARCK, ND 58503-6325
LEGAL: CRESCENT RIDGE SECOND Block 03 LOT 5 522334

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES
AT A SPECIAL EVENT AT DESIGNATED PREMISES
"SE"

Local Fee: \$25.00

- Applicant (must have county license) yes 23007
1. Name of Licensee Wendelya Krows
2. Name of Business FLASH'S PLACE LLC
3. Mailing Address 1401 Hwy 83 NE Steiling ND 58572
4. State Alcoholic Beverage License Number _____ 5. Local License Number(s) _____
6. Date(s) and Time of Special Event Friday July 19 Noon-1:00 AM July 20 Noon-1:00 AM
7. Describe Special Event Fully Wing Roled Beer Garden

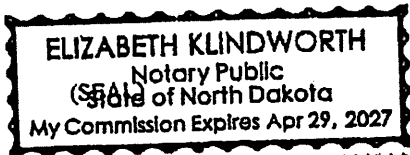
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 3 day of July, 2024

Wendelya Krows
(Licensee)

BY Wendelya Krows
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 3 day of July, 2024



Elizabeth Klindworth

Recommendation Approved _____ Denied _____ If denied, reason for denial: _____

July 18 7/18/24
(Burleigh County Sheriff) (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this _____ day of _____, 20____

(County Auditor)

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES
AT A SPECIAL EVENT AT DESIGNATED PREMISES
"SE"

Local Fee: \$25.00

Applicant (must have county license) yes 23007 PK

1. Name of Licensee Wendelyn Krous

2. Name of Business FLASH'S PLACE LLC

3. Mailing Address 1401 Hwy 83 NE Sterling ND 58572

4. State Alcoholic Beverage License Number _____ 5. Local License Number(s) _____

6. Date(s) and Time of Special Event Friday July 19 NOON-1:00 AM July 20 NOON-1:00 AM

7. Describe Special Event Fully Wing Roled Beer Garden

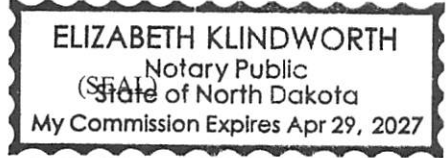
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 3 day of July, 2024

Wendelyn Krous
(Licensee)

BY Wendelyn Krous
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 3 day of July, 2024



Elizabeth Klindworth

Recommendation _____ Approved _____ Denied _____ If denied, reason for denial: _____

(Burleigh County Sheriff) (Date)

PERMIT

The above named licensee is hereby authorized to sell alcoholic beverages in accordance with law and ordinances at the premises and on the date(s) set forth in this application, subject to such rules and regulations as have been established.

Dated this _____ day of _____, 20_____

(County Auditor)

DESCRIPTION OF PREMISES

1. Are premises located within the County of Burleigh? Yes No

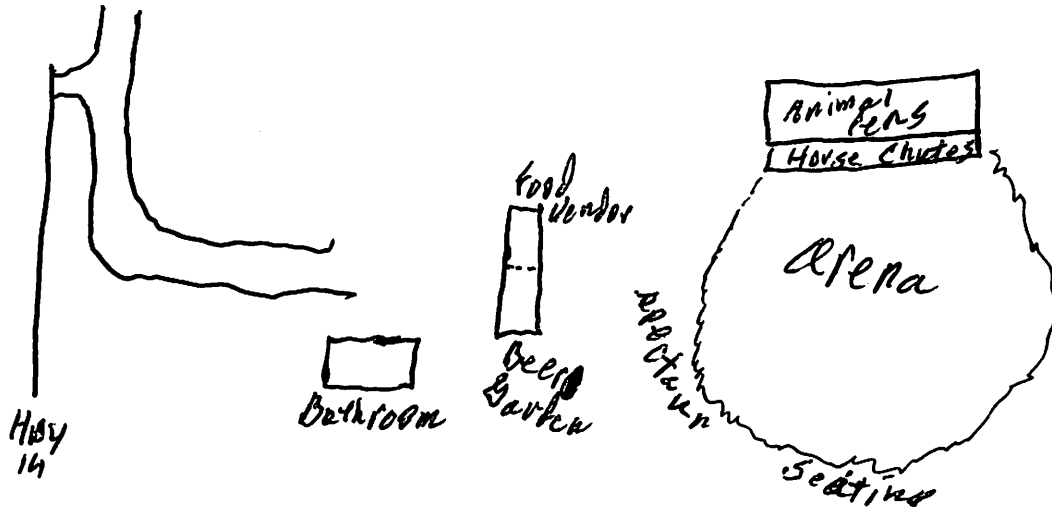
2. Address of premises:

45800 Hwy 14 Wing ND 58494
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: Wing Rodeo Grounds

4. Do premises meet local and state requirements regarding sanitation and safety? Yes No

5. Draw a clear and understandable floor plan of the premises. Show all exits, bars, dining areas (if any), beverage coolers and beverage storage areas. Indicate which are solid walls, half walls, dividers, and moveable partitions. If any area is enclosed by fences or the like, explain type and height.



6. What part of the building will be used for the alcoholic beverage business (sale of beverages and consumption of beverages sold)? All Less than all. If less than all, fully explain and clearly indicate on the floor plan (outline with a different color):

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Wing approve the
(Name of Township)

application for a Type 5 E Retail Liquor License for

FLASH'S PLACE
(Name of Establishment)

owned by Wendelyn Krous [REDACTED] Sterling ND
(Licensee) (Address)

Nolan Swenson
Chairman

Larry Bergquist
Member

James Oswald
Member

ATTEST

Ella Swenson
(Township Clerk)



LOCAL PERMIT OR RESTRICTED EVENT PERMIT

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

Permit Number
24-009

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

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

ORGANIZATION INFO	
Name of Organization or Group Anne Carlsen	Dates Authorized (Read Instruction 2) July 25, 2024
Organization or Group Contact Person Becky Aamodt	E-mail [REDACTED]
	Telephone Number [REDACTED]
Mailing Address [REDACTED]	City Bismarck
	State ND
	ZIP Code 58501

SITE INFO			
Site Name Black Leg Brewery LLC		County Burleigh	
Site Address [REDACTED]	City Sterling	State ND	ZIP Code 58572
If the city or county is placing restrictions on the permit, please explain			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)			
July 25th, 2024 - during our Suits and Boots Fundraising Event			

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON			
Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

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



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

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group Anne Carlsen		Dates of Activity (Does not include dates for the sales of tickets) July 25th, 2024	
Organization or Group Contact Person Becky Aamodt	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address [REDACTED]	City Bismarck,	State ND	ZIP Code 58501
Mailing Address (if different) [REDACTED]	City Bismarck,	State ND	ZIP Code 58501

SITE INFO

Site Name Black Leg Ranch	County		
Site Physical Address [REDACTED]	City Sterling,	State ND	ZIP Code 58572
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) July 25th, 2024- during our Suits and Boots Fundraising event			

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

Game Type	Description of Prize	Exact Retail Value of Prize
Head or Tails	\$500 Visa Gift Card	\$500
Total (limit \$40,000 per year)		\$

Intended Uses of Gaming Proceeds

All Proceeds will benefit Anne Carlsen

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

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

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

Is the organization or group a state political party or legislative district party? (if yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Not proceeds may be for political purposes.)
 Yes No

Name Rebecca Aamodt	Title Events and Special Projec	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official <i>Jim Collinger</i>		Title CEO	Date 06/26/2024



STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
www.attorneygeneral.nd.gov
(701) 328-2210

Drew H. Wrigley
ATTORNEY GENERAL

June 28, 2024

Becky Aamodt
Anne Carlsen

RE: Local Permit Paddle Raffle

Dear Ms. Aamodt;

You are requesting approval for Anne Carlsen to conduct a “heads” or “tails” paddle raffle on July 25, 2024, at the Suits and Boots event held at the Black Leg Ranch.

N.D.A.C. § 99-01.3-01-05(6) (Permits) states in part that:

For a raffle, an organization shall comply with sections 99-01.3-05-01 through 99-01.3-05-04 and subsections 1 through 3 of section 99-01.3-05-05.

N.D.A.C. § 99-01.3-05-01 (Raffles) states in part that:

A raffle is a game in which a prize is won by a player who **bought a raffle ticket** or square on a raffle board. A winning player is determined by drawing a ticket stub or number of a square on a raffle board from a receptacle or by an alternate fair method approved by the Attorney General. The conduct of a raffle is the drawing or **alternate fair method of selection approved by the Attorney General.** (Emphasis added.)

Section 99-01.3-05-02 outlines the requirement for a raffle ticket and the conduct of the game, section 99-01.3-05-03 outlines the prize restrictions and requirements, section 99-01.3-05-04 outlines the information required on a raffle ticket, and section 99-01.3-05-05 defines the conduct and requirements needed to conduct a double roll tickets raffle.

As we understand Anne Carlsen will be conducting a “heads” or “tails” paddle raffle as follows; participants may purchase a paddle with a “cowboy boot” symbol on one side and a “business suit” symbol on the other side. All players with a paddle will be standing. An emcee with Mobile Pro will electronically “flip” the coin and a “cowboy boot” or “business suit” image will be displayed on a screen to determine which symbol will remain standing. There will be, at a minimum, one

spotter for every 25 players. As the number of participants diminishes, a group of 10 or less will be brought to the stage to continue the event until a winning player is determined. The spotters, emcee, and participants will be notified and trained on the rules of the game before the event starts.

Since the proposed paddle raffle does not include a ticket, sections 99-01.3-05-02, 99-01.3-05-04, and 99-01.3-05-05 would need waiver consideration for the conduct.

For Anne Carlsen to conduct the above paddle raffle the Office of Attorney General will require Anne Carlsen to follow these rules under North Dakota Administrative Code Chapter 99-01.3-05;

Section 99-01.3-05-02 (Limitations and requirements - worded for paddles)

Subsection 1.

Each paddle is a separate and equal chance to win with all other paddles sold. A person may not be required to buy more than one paddle or pay for anything other than the paddle to enter the raffle.

Subsection 2.

The organization may not allow a paddle seller to retain any portion of the price of a paddle as compensation.

Subsections 3 through 9 do not apply.

Subsection 10.

The organization may not print any word or phrase on promotional material or advertising which implies or expresses that a purchase of the paddle is a charitable donation.

Section 99-01.3-05-03 (Prize restrictions and requirements)

The organization must comply with subsections 1, 2, and 3. Subsections 4 through 8 do not apply.

Section 99-01.3-05-04 (Information on a ticket) and 99-01.3-05-05 (Double roll tickets) do not apply.

Additional requirements:

- Every paddle must have the same distinctive contrasting symbol on each side.
- The organization may not conduct the “flip” of the coin unless all official spotters are present and at their post.
- A clear announcement of the rules of the game must be made prior to the conduct.

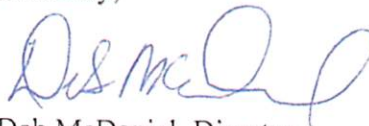
Based on several factors including the size of the venue, number of employees or volunteers designated as spotters, and a clear difference between the symbols on each side of the paddles, our

office considers this "heads" or "tails" paddle raffle to be an "alternative fair method" of selecting a raffle winner. Therefore, this office grants Anne Carlsen the required waivers to conduct this type of raffle if the required rules noted above are followed and the organization receives approval from Burleigh County.

If the organization wishes to conduct the "heads" or "tails" paddle raffle currently or in the future, in a manner other than as stated they must request, in writing, another determination from this office.

If I can be of further assistance in this matter, please write again or call me at 1-800-326-9240.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deb McDaniel". The signature is fluid and cursive, with the first name "Deb" and last name "McDaniel" clearly distinguishable.

Deb McDaniel, Director
Gaming Division

All Items required for this Permit have been meet.

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



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

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Matpac Wrestling Club

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Capital City Gun Club

Street <i>8401 NE Highway 83</i>	City <i>Bismarck</i>	ZIP Code <i>ND</i>	County <i>58504</i>
-------------------------------------	-------------------------	-----------------------	------------------------

Beginning Date(s) Authorized <i>July 20 2024</i>	Ending Date(s) Authorized <i>July 20 2024</i>	Number of Twenty-One tables, if zero, enter "0" <i>0</i>
---	--	---

Specific location where games of chance will be conducted and played at the site (required)
On Gun Club grounds excluding restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

- | | | |
|---|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input checked="" type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) <i>Jim Gebhardt</i>		Site Name <i>Capital City Gun Club</i>		Site Phone Number [REDACTED]	
Site Address <i>8401 NE Highway 83</i>		City <i>Bismarck</i>	State <i>ND</i>	Zip Code <i>58504</i>	County <i>Burleigh</i>
Organization <i>Matpac Wrestling Club</i>		Rental Period <i>July 20 2024 to July 20 2024</i>		Monthly Rent Amount	
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$	
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$	
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Total Monthly Rent				\$ <i>0</i>	
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>					

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Jim Gebhardt</i>	Title <i>Board member 7-1-24</i>	Date <i>7-1-24</i>
Signature of Lessee <i>Julia Stuber</i>	Title <i>President</i>	Date <i>7-1-24</i>

ITEM

8



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: July 15, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Accepting Platted Right of Way

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

ACTION REQUESTED:

Accept platted right of way shown on the attached Plat.

BACKGROUND:

Burleigh County is required to accept (on their own behalf or on the behalf of one of our Townships) Right of Way shown on Plats that are approved by the City of Bismarck, City of Lincoln or Burleigh County.

Central Outpost Subdivision has been approved by the City of Bismarck and we are requesting that the County Board accept the Right of Way that is shown on the attached plat.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the Right of Way shown on the Central Outpost Subdivision.

ITEM

11

Missouri Valley Complex Committee

July 10, 2024

To: Auditor Mark Splonskowski

CC. Commissioner Wayne Munson

From: Kay LaCoe, Chair, Missouri Valley Complex Committee
Steven M Neu, Secretary/Coordinator, Missouri Valley Complex Committee

Subject: Request for Consideration by the Burleigh County Commission, July 15, 2024,
Commission Agenda

Auditor Splonskowski,

Please find this memo as a request of the Missouri Valley Complex Committee (MVCC) to be placed on the July 15, Burleigh County Commission Agenda with the following request and recommendations for approval of the Burleigh County Commission, as approved by motion of the MVCC on June 25, 2024.

Item 1. At the request of the committee, an engineering services proposal was solicited and reviewed by Commissioner Munson on June 5, to develop an updated plat map of the Complex. This request was made to effectively begin the planning process for currently considered and future improvements and development at the Missouri Valley Complex. The request was initiated due to the current plat map of the Complex was last updated and approved in 2006 with a PUD zoning change and last amended in 2013. The committee also felt that the planning of the complex would need to be in line with current City Planning and Zoning changes since 2013 including building code, utilities, easements, flood plain adjustments and ownership or operational changes.

In addition to the plat update, the Committee approved and recommends that consideration is given to rezoning the Complex to P (Public) rather than PUD (Planned Unit Development), It is felt by the MVCC that P (Public) as a common zoning of property owned by a governmental or public entity affords greater flexibility in development and to jointly develop common facilities outside of existing lease lots with far less restrictions or requirements to amend a PUD.

Two attachments are provided as part of this planning discussion with improvement thoughts presented by the MVCC members to the committee that will be reviewed at the meeting.

Attachment 1 – “Draft” Big Picture look at Missouri Valley Complex
Attachment 2 – “ Draft” Equestrian and Ag Center Footprint

Missouri Valley Complex Committee

The request to the Burleigh County Commission is for:

the Burleigh County Commission to approve engaging the services of Swenson-Hagen (Phase 1 and 2), on behalf of the Missouri Valley Complex Committee, to update the plat of the Missouri Valley Complex with consideration in the plating process to rezone the from PUD to P (Public).

Attachment – 3 Swenson – Hagen Proposal

And:

The Burleigh County Commission approve funding in the amount of \$50,000 for the Phase 1 and 2 planning services from the Missouri Valley Complex Fund.



SWENSON, HAGEN & CO. P.C.

civil engineering . surveying . land planning . hydrology
landscape & site design . construction management

June 3, 2024

Wayne Munson
Burleigh County Commissioner
221 5th Street
Bismarck, ND 58501

Re: Missouri Valley Fairgrounds

Dear Mr. Munson:

Swenson, Hagen & Co. appreciates the opportunity to provide the following fee proposals. We can provide the necessary services to prepare the platting and civil Engineering Design for the proposed improvements to the proposed grading, utilities and streets if so desired. These are setup to allow you to enter into service agreements as you desire. The work phases are a series of steps, conceptual/pre-planning, platting/zoning/storm water and design/administration/inspection.

Phase I - Concepts:

Phase I will consist of the development of a concept for the Fairgrounds Complex from various interested users, groups, or stakeholders. Attendance of various meetings, review of existing masterplans work sessions to define the uses and needs of the user groups to layout a conceptual plan of the campus. It is anticipated that if Phase I is started soon then Phase I could potentially be completed sometime in September.

Phase I \$20,000

Phase II - Platting/Zoning/Storm Water Management Plan:

Phase II will consist of a series of meetings will various city and county staff to initiate the platting process. The “platting process” will require approximately 5-6 months to complete. If this phase was started in September, for example, the platting could be complete in February and would open up for design through the winter to be possibly ready for construction in the spring.

Input from Phase I will be used to provide guidance on the layout infrastructure and access to provide easements on the plat. A zoning request will be submitted in conjunction with the plat. All applications and zoning requests will be prepared. Swenson, Hagen & Co. will prepare a preliminary plat, final and attend all planning and zoning and commission meetings. All staff meetings will be attended by Swenson, Hagen & Co.

In January of 2017 the City of Bismarck implemented a new storm water management plan ordinance. The site plan requires a SM-04 submittal before the submittal of the site plan. The City of Bismarck also requires a certification report that once the storm water facilities are implemented that they have been installed correctly. A storm water master plan and erosion control plan will be prepared in accordance with City of Bismarck Specifications. This plan will evaluate site drainage and address the impacts on local storm water infrastructure, as well as provide the erosion control plan required for grading activities. City storm water management plan review fees are not included.

Phase II \$30,000

Phase III - Grading, Water, Sanitary Sewer Plans and Specifications

Phase III service would generally consist of infra-structure for the complex, two multi-use parking lots and RV park with water and sewer service. Design of the various plan sets could be produced and approved to provide an opportunity to start grading in the spring of 2025, followed by utilities and paving. This could mean construction of utilities in 2025 and paving completion in 2026.

Grading plans and specifications to develop roadway networks, trail networks, and limited specific pad development. The grading plan will reference the proposed earth work necessary to modify the existing site to accommodate the proposed elevations.

The water, sanitary sewer and storm sewer improvements for the complex will be designed. Plans and specifications will be developed for approvals of the Department of water quality department and the City of Bismarck. Storm sewer plans will be developed to provide culvert crossings and required storm sewer.

Paving plans and specifications will be required to provide a rural road section to provide connectivity throughout the complex. The plans will be approved by the City of Bismarck and Burleigh County.

Two multi-use parking lots and a RV park will be designed and submitted for review with the City of Bismarck. The RV park will be designed for water and sewer service.

The project services would include bidding documents and contracts. The project will require construction staking for the various projects.

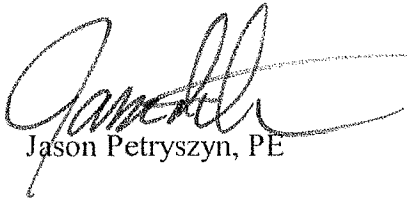
Swenson, Hagen & Co. will provide construction administration services and periodic site inspections, attend pre-construction meeting, facilitate weekly construction meetings, review shop drawings as directed by the owner and review pay requests.

Phase III \$130,000

City of Bismarck platting, zoning and site plan review fees are not included. Typical review fees for prelim. plat, final plat and zoning will be approx. \$3,000. Site plan and storm water review fees will be approx. \$2,000. UCC charges are not included. UCC fees will be required at the platting phase. Site electrical, mechanical or structural plans are not included. Geotechnical Reports are not included. Title work is required to be initiated by Burleigh County.

Thank you for the opportunity to provide this proposal. We look forward to working with you on this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Petryszyn', is written over a horizontal dotted line. The signature is fluid and cursive.

Jason Petryszyn, PE

JP