



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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May 6, 2024

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order.
2. Roll call of members
3. Approval of October 2, 2023, minutes, and March 18, 2024, minutes and bills.
4. Driscoll Park.
5. Kimball Bottoms.
6. Kniefel Boat ramp.
7. Other Business.
8. Adjourn.

COUNTY COMMISSION

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the April 15, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Second access permits.

6. County Engineer Hall:
 - a. **PUBLIC HEARING** on petition to vacate section line.
7. County Planning Director Flanagan:
 - a. Baker Subdivision final plat.
 - b. **PUBLIC HEARING** on amendment to the Burleigh County Zoning Ordinance.
8. County Sheriff Leben:
 - a. Retirement Release of Law enforcement K-9.
 - b. Burleigh East Renovation Project.
9. Finance Director Jacobs:
 - a. County Jail maintenance fund.
 - b. Burleigh/Morton County Detention Center bond update.
 - c. Budget Committee/hearings.
10. States Attorney Lawyer:
 - a. Request to convert an Attorney I position into an Investigator position.
11. Comm. Munson:
 - a. Request for funding for the Lewis and Clark Development group.
 - b. Missouri Valley Complex Committee request.
12. Chairman Bitner:
 - a. ETA Stormwater drainage.
 - b. Carbon Capture utilization and storage, Pipeline update.
13. Auditor/Treasurer Splonskowski:
 - a. Bids for the Missouri Valley Complex farmland.
14. Other Business.
15. Adjourn.

BURLEIGH COUNTY WEED BOARD.

1. Meeting called to order.
2. Roll call of members.
3. Approval of the January 17th, 2024, meeting minutes.
4. Discussion on weed officer position and contracted applicator services.
5. Other business.

6. Adjourn.

7. The next regularly scheduled Commission meeting will be on May 20th, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
OCTOBER 2ND, 2023**

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

Vice Chair Bitner called the Burleigh County Park Board meeting to order.

Roll call of members: Commissioners Behm, Woodcox, Munson, Schwab, Herman, and Vice Chair Bitner present. Chairman Bakken was absent.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the Aug. 21st, 2023 meeting minutes and bills. All members present voted "AYE". Motion carried.

Dave Mayer brought an update on the county docks. He stated that the Army Corps reduced the flows out of the Garrison and the docks have been adjusted out and down as far as they can go for the rest of the season. The courtesy dock (T-dock) out at Kniefel is going to be removed shortly as it is sitting on sand and unusable. Everything else is going well.

Meeting adjourned.

Mark Splonskowski, County Auditor/Treasurer

Steve Bakken, Chairman

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
MARCH 18, 2024**

5:00 P.M

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

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

Comm. Munson presented a request from ND Game and Fish to place a boat cleaning station at Kniefel Boat ramp. Motion by Comm. Munson 2nd by Comm. Bakken to allow Game and Fish to locate a CD3 waterless cleaning device at Kniefel Boat ramp. City Parks Director Dave Mayer stated that he would work with Game and Fish to determine the best placement for the system. All members present voted, "AYE." Motion carried.

Dave Mayer presented information to the board on the need for dredging at the Kimbal Bottoms boat ramp. They have 404 permit completed to submit to the Army Corps of Engineers so they can hopefully get it done in May. He will get quotes on the work and present them to the Board before having it done. Comm. Munson stated he wanted this discussed just to give the Board an update on the issue. No action was taken on this item.

Comm. Munson mentioned that on June 14th, there will be a time capsule unearthed at Driscoll Park.

Meeting adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

Addenda item for Park Board May 6th Meeting

Action Requested: Driscoll Sibley Park

In order to prepare for the June 14th Time Capsule opening, we should discuss the park and the possible items that could be addressed prior that date.

Action needed:

I request approval make the necessary repairs.

Driscoll Sibley Park





Possible sign replacement from Department of Interior?



Clean shelters and replace roofs



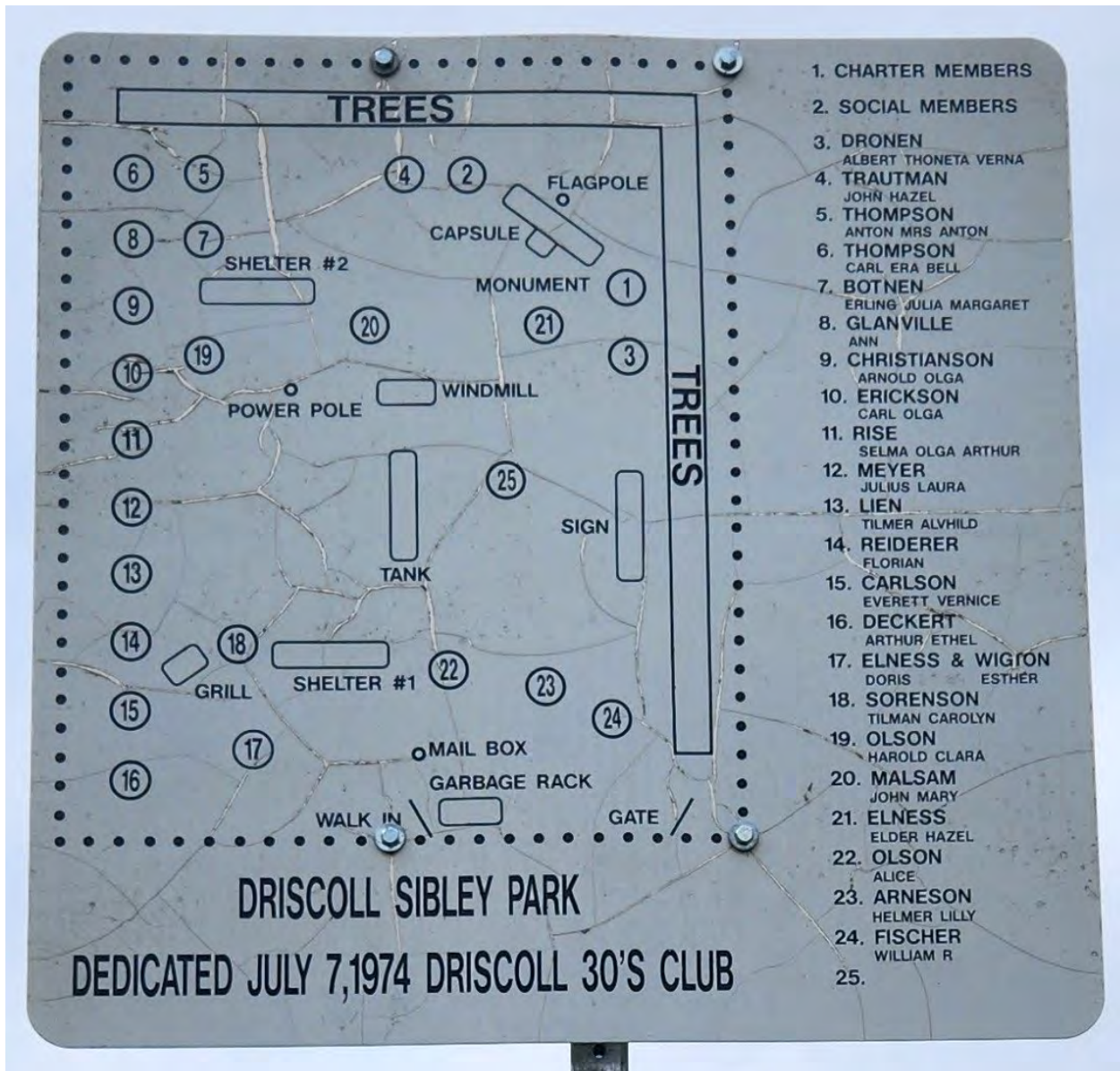
Replace flag ASAP. Check light at top.



Repair or replace (broken on the bottom)



Remove bush before there is pole interference.



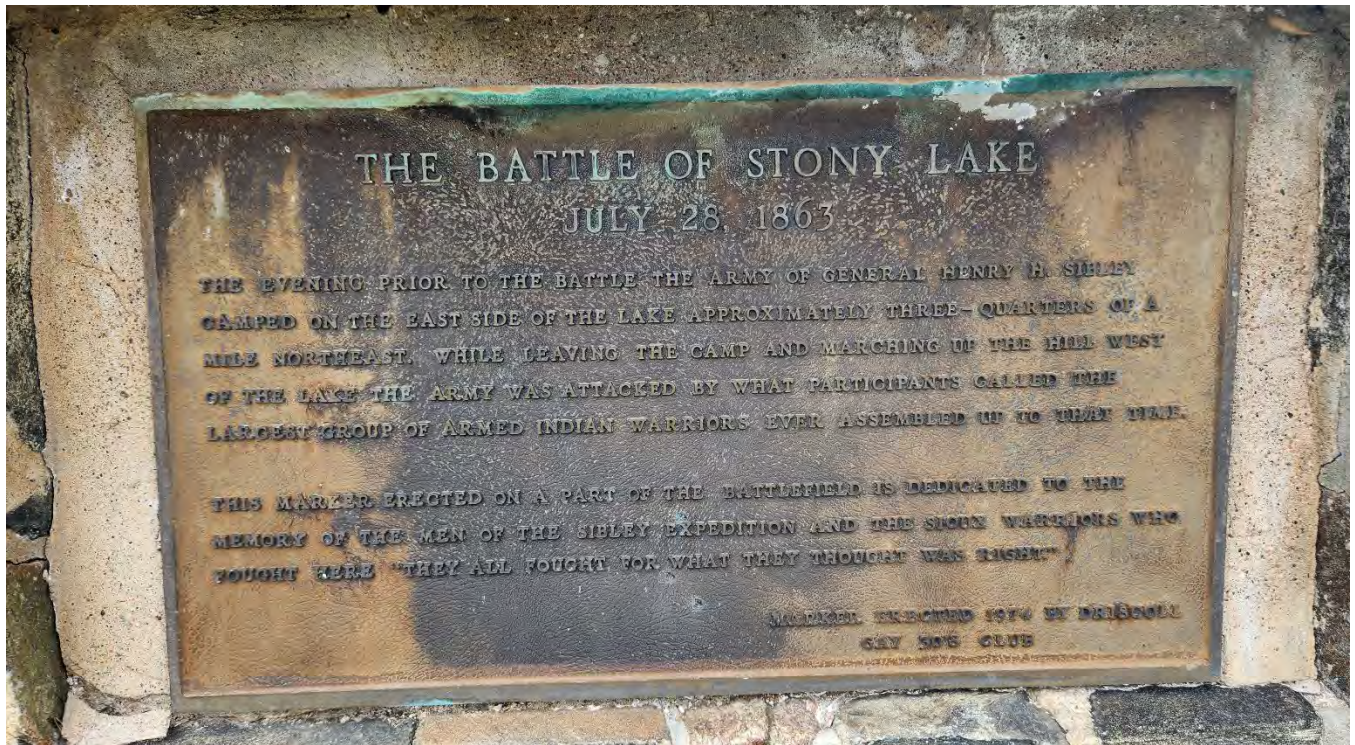
Preserve with overlay (if possible) or replace



Refresh



Remove windmill or repair.
Blades are laying all over the park and in the water trough.



Refresh if possible

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING**

APRIL 15TH, 2024

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

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

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

Chairman Bitner presented to the Commissioners that he had made a mistake concerning the abatements from last meeting's (April 1st, 2024) consent agenda. Bitner failed to see the two tax abatements that were filed under his name as well as his company's. Bitner stated that had he reviewed the consent agenda, he would've stated a potential conflict of interest to the Commission and proceed accordingly then. Bitner temporarily transferred chairmanship over to the Comm. Bakken to preside. Motion by Comm. Munson, 2nd by Comm. Woodcox to revisit last meeting's abatements. Bakken, Munson, Schwab, & Woodcox voted "AYE"; Bitner abstained. Motion carried. On discussing about a potential conflict of interest, Comm. Woodcox made a motion that due to the presence of a monetary value involved, Bitner should recuse himself from voting on re-approving last meeting's abatements. Bitner agreed to recuse himself, and Comm. Munson 2nd the motion. Bakken, Munson, Schwab, & Woodcox voted "AYE. Motion carried. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve last meeting's abatements – including Bitner's – with the abstention of Bitner from the vote. Bakken, Munson, Schwab, & Woodcox voted "AYE. Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the meeting agenda. Bakken, Munson, Schwab, & Woodcox voted "AYE" Chairman Bitner, Abstained. Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the April 1st, 2024 meeting minutes and bills with the correction. Bakken, Munson, Schwab, & Woodcox voted "AYE" Bitner Abstained . Motion carried.

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

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Jack Basaraba	2023	Lot 6, Block 3, North Hills 1st	Error in property description	\$408,400	\$369,900
Raymond R Erickson	2023	E 80' of Lots 14-16, Block 19, Fisher	90% Disabled Veteran	\$218,400	\$56,400
Jerry F Anderson & Karen F Syvertson	2022	Block 12, Northern Pacific, S 50' Lot 7 E 10' of N 25' of Lot 7 & E 10' of Lot 8	Error in property description	\$272,600	\$259,700

Jerry F Anderson & Karen F Syvertson	2023	Block 12, Northern Pacific, S 50' Lot 7 E 10' of N 25' of Lot 7 & E 10' of Lot 8	Error in property description	\$277,500	\$264,600
Patrick Grumley & Toni Mathias-Grumley	2022	Lot 6, Block 1, High Meadows 2nd	50% Disabled Veteran	\$420,600	\$330,600
Patrick Grumley & Toni Mathias-Grumley	2023	Lot 6, Block 1, High Meadows 2nd	50% Disabled Veteran	\$501,600	\$411,600
Burton & Sheri Ann Whitmire	2023	Lot 37, Block 22, Cliffords Subdivision	Error in property description	\$307,600	\$257,700
Allen Landeis	2023	Lot 1, Block 8, Skyline Estates	50% Homestead Credit	\$267,500	\$167,500
Marvin M Herauf	2022	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,112	\$0
Marvin M Herauf	2023	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,918	\$0
Marvin M Herauf	2024	1979 Atlantic 24 x 56, #4790143230	100% Homestead Credit	\$14,918	\$0
Lawrence & Judith Fleckenstein	2023	Lot 8, Block 30, Wachter's 3rd	100% Homestead Credit	\$131,900	\$0
Dan P & Carol J Baillie	2023	Block 50, Northern Pacific 2nd, W 50' of E 100' of Lots 5-6	50% Homestead Credit	\$172,500	\$86,250
Robert Shjeflo	2023	Lot 13, Block 3, Replat of Calkins	50% Homestead Credit	\$218,700	\$118,700
Irma M Bitner	2023	Lot 1 in SE1/4 less Aud Lot A 29-139-79	50% Homestead Credit	\$284,600	\$184,600
Michael & Della Feist	2023	Lot 7, Block 2, Crescent Ridge 2nd	50% Homestead Credit	\$287,700	\$187,700
Leila Rewald	2024	1996 Friendship 28 x 52, #MY961544AB	50% Homestead Credit	\$44,816	\$22,408
Muriel Dienert	2023	Lot 7, Block 3, Mees Country Home Estates	100% Homestead Credit	\$333,600	\$133,600
Sonja Welder	2023	Block 1, Gateway Commons, Auditors Lot A the Sheraton Condominium Unit 2F	100% Homestead Credit	\$148,500	\$0
Russel & Ardith Wahl	2023	Block 1, Gateway Commons, Auditors Lot C of Lot 20 Sheraton Condominiums III Unit 306	50% Homestead Credit	\$195,300	\$97,650

John & Diane Sperle	2023	Lot 27, Block 3, Eastside Heights	50% Homestead Credit	\$256,000	\$156,000
Kenneth & Ginny Schwartz	2023	Lot 13, Block 8, Casey's 2nd	50% Homestead Credit	\$310,800	\$210,800
Michael & Karen Lalonde	2023	Lot 13, Block 11, Meadow Valley 3rd	50% Homestead Credit	\$321,400	\$221,400
Charles & Suzanna Hitchcock	2023	Block 20, Park Hill (aud lots), beg 92.5' N & 10' E of SW cor of Aud Lot 20, th E 54.7' N 7.5' E 94.3' N 125' W 149' S 132.5' to pt of beg	100% Homestead Credit	\$275,300	\$75,300
Laure & Barbara Lea Goetz	2023	Lot 12. Block 1, Edgewood Village 2nd Add	50% Homestead Credit	\$351,000	\$251,000
Casper & Leona Glaser	2023	Lot 6, Block 1, Tatley Meadows VII	100% Homestead Credit	\$292,300	\$92,300
Barbara Blaine	2023	Block 2, Pebble Creek Addition, Auditors Lot 1634 of Lot 2 Mapleton Place Condominiums Unit 5	100% Homestead Credit	\$192,200	\$0
Andrew Haldorson	2023	Lot 22, Block 18, Homan Acres 4th	50% Homestead Credit	\$348,500	\$248,500
Robert Lussenden	2023	Lot 2, Block 4, West Heart Estates	50% Homestead Credit	\$423,800	\$323,800
Michael Christenson	2023	Block 5, Casey's 1st, Lot 2 + N 10' of vac alley adj the 1160 condo unit 3	100% Homestead Credit	\$142,600	\$0
Mary Ann Metcalf	2023	Block 3, Nagel's 5th, Auditor's Lot J in pt of Lots 3-4	50% Homestead Credit	\$259,500	\$159,500
Anne Reynolds	2023	Lot 4, Block 20, Washington Heights 5th	50% Homestead Credit	\$272,300	\$172,300
Richard & Bernice Schmidt	2023	Block 6, Haight & Little's, W 70' of Lots 1-3 and W 70' of N 20' of Lot 4	50% Disabled Persons Credit	\$263,600	\$163,600
Kathleen Diann Schulz	2023	Block 3, Southbay 2nd Addition, Lot 126 A & undivded interest in common areas	50% Homestead Credit	\$428,900	\$328,900
Carl & Malette Young	2024	1979 Rollohome 52 x 28, #33998	50% Homestead Credit	\$16,162	\$8,081
Derald J Horn Sr	2024	1982 Champion 48 x 24, 0520028664	50% Homestead Credit	\$14,462	\$7,231
Dennis Wolf	2023	Lot 5, Block 2, Shamrock Acres Second	50% Homestead Credit	\$235,300	\$135,300
Michael Henley	2023	Lot 6, Block 8, Fort Lincoln Est #2	50% Homestead Credit	\$187,000	\$87,000

Richard & Marlene Muse	2024	2006 Friendship 56 x 28, #MY062875AB	100% Homestead Credit	\$86,632	\$0
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Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Basaraba, Erickson, Syvertson (2), Mathias-Grumley (2), Whitmire, Landeis, Herauf (3), Fleckenstein, Baillie, Shjeflo, Bitner, Feist, Rewald, Dienert, Welder, Wahl, Sperle, Schwartz, Lalonde, Hitchcock, Goetz, Glaser, Blaine, Haldorson, Lussenden, Christenson, Metcalf, Reynolds, Schmidt, Schulz, Young, Horn, Wolf, Henley, Muse, Davidson, and Feist abatements plus the remainder of the consent agenda in its entirety. Bakken, Munson, Schwab, & Woodcox "AYE". Motion carried. Chairmanship was then transferred back to Bitner.

Lewis & Clark Development Group Executive Director Bret Ekstrom approached the Commission and explained that the Lewis & Clark Development Group plays a large role in the spurring of job creation, housing, and general economic development within Burleigh County. Ekstrom highlighted some of the projects the Lewis & Clark Development Group has done in Burleigh County, including several new workforce housing units and the homeless shelter. He emphasized that these couldn't have been done without financial support from Burleigh County. Ekstrom concluded by asking the Commission to reconsider and revise the County budget to allot funds to continue paying dues to the Lewis & Clark Development Group. Comm. Bakken disclosed to the Commission that since the last budget meeting when the Commission had voted on the Lewis & Clark Development Group, Bakken became an employee of UTTC of which they're a part of the Lewis & Clark Development Board, which also runs through his office. After some deliberation it was decided by the Commissioners that there was no conflict of interest for either Comm Bakken or the Commission. Motion by Comm. Munson, 2nd by Comm. Woodcox to affirm that any action taken regarding the Lewis & Clark Development Group does not create a conflict of interest for Comm. Bakken or the county. Bitner, Munson, Schwab, & Woodcox "AYE". Motion carried. Comm. Schwab asked Ekstrom why they Lewis & Clark Development Group listed grant and loan amounts together rather than separately. Ekstrom responded stating that economic development projects are classified as loans, and things like public facilities and housing are grant funds. No grants are given to businesses, only low interest loans. Comm. Woodcox inquired how much money county citizens pay and how is it split for projects in cities like Lincoln or Wing. Outside of interest and fees, Ekstrom explained that in terms of public funding the Lewis & Clark Development Group only gets funds from the counties and some grants from the federal government through the state. Ekstrom explained that the Lewis & Clark Development Group is there to "make the banks comfortable" by helping borrowers make down payments with collateral so that the banks end up funding the lion's share of the deal. Chairman Bitner stated that the Commission can decrease a budget but not increase it, so its just not possible (or legal) for the Commission to go back and adjust the budget top accommodate for the Lewis & Clark Development dues. Comm. Bakken suggested that the Commission perhaps next year, when determining the budget, could make whole for this past year. Motion by Comm. Bakken, 2nd by Comm. Munson to reestablish the portfolio and board presence. Bakken, Munson, & Woodcox voted "AYE"; Bitner & Schwab voted "NAY". Motion carried.

Sheriff Leben gave a report on the Detention Center, noting that there hadn't been any dramatic changes. Leben stated that the billing is up as of March 2024 at \$591,337; year 2023 was at \$402,434, year 2022 at \$313,765, and year 2021 at \$597,856. The Detention Center is still in a hiring process as retention of

employees has been pretty volatile; however, Leben stated that they've been getting a lot of applicants and were able to actually hire a nurse for the jail. Leben also stated that the process for budget prep has started, and to expect increased maintenance costs.

Comm. Munson presented to the Commission a sheet explaining what Bismarck Burleigh Public Health does, how they go about performing their duties, and how they're funded, as there has been questions and confusion in the past about Bismarck Burleigh Public Health as an organization. Munson revealed that Bismarck Burleigh Public Health is mostly funded by grants (\$3.8 million) and private billing (\$0.9 million), with only \$2.2 million coming from Burleigh County and city of Bismarck residents. Bismarck Burleigh Public Health is responsible for things like travel vaccines, water investigations, managing mosquitos, adult and child assessments, preventive health screening, public health education, and tobacco prevention just to name a few.

Auditor Splonskowski gave an update concerning the recently expired Missouri Valley Complex lease, stating that he received an offer from the former renter. Splonskowski asked the Commission on what the next steps should entail pertaining to the offer. A consensus was reached among the commissioners to open the land to public bids.

Meeting Adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-115	Wayne Martinenson	2022	SW1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.2	\$88,100	\$74,700
24-116	Wayne Martinenson	2023	SW1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.3	\$93,100	\$79,000
24-117	Wayne Martinenson	2022	SE1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.4	\$104,600	\$96,900
24-118	Wayne Martinenson	2023	SE1/4 Sec 16-140-79 Naughton Twnshp	Ag property true & full value exceeds ag value defined in NDCC 57-02-27.5	\$110,500	\$102,400
24-476	Ira Smith	2023	Lot 14, Block 24, Homan Acres 5th	80% Disabled Veteran	\$297,700	\$257,200
24-489	Laureen Fordyce Hollifield	2022	Block 5, Jennings 1st, N 57' of Lot 5 & S 7' of Lot 6	100% Disabled Veteran	\$252,800	\$162,800
24-490	Laureen Fordyce Hollifield	2023	Block 5, Jennings 1st, N 57' of Lot 5 & S 7' of Lot 6	100% Disabled Veteran	\$258,800	\$78,800
24-518	Russell & Jane Gilbertson	2022	Lot 19, Block 1, Calgary Court Addition	70% Disabled Veteran	\$305,100	\$179,100
24-519	Russell & Jane Gilbertson	2023	Lot 19, Block 1, Calgary Court Addition	70% Disabled Veteran	\$340,400	\$214,400
24-520	Tara Star Rittel	2023	Lots 15-16, Block 36, Governor Pierce	Error in property description	\$146,400	\$102,300
24-532	William McCoy	2023	Block 1, Tatley Meadows V, part of Lot 4 & all lot 5 Palace Virdes First Condo Unit 2865-A Garage 2865-A Building H	70% Disabled Veteran	\$167,200	\$33,440

24-544	John & Julie McConnell	2023	Block 6, Northern Pacific, commencing @ NW corner of Lot 3; E 82' S at right angles 39', W 82', N 39' to beginning	Error in property description	\$181,700	\$152,400
24-545	Sharee Nelson	2022	Lot 8, Block 3, High Meadows 2nd	Error in property description	\$362,500	\$321,300
24-546	Sharee Nelson	2023	Lot 8, Block 3, High Meadows 2nd	Error in property description	\$389,600	\$344,800
24-559	Corrine Lee	2023	N 50' of Lot 3, Block 3, Northern Pacific	Wheelchair exempt	\$141,000	\$41,000
24-560	Joshua Smith	2023	Lot 7, Block 4, Prairiewood Estates 2nd	50% Homestead Credit	\$173,200	\$73,200
24-561	Lillian Seifert	2023	Lot 17, Block 5, French's 1st	100% Homestead Credit	\$273,100	\$73,100
24-562	Vickie A Calheim	2024	1990 Schult 76 x 16	100% Homestead Credit	\$26,666	\$0
24-563	Eugene Clarence & Karen K Smith	2022	Lot 9, Block 1, Calgary Court Addition	20% Homestead Credit	\$293,800	\$268,800
24-564	James & Terral Frieboes	2023	Block 10, Replat Homan Acres, Lot 1 & N 13' of Lot 2 Turnpike Ave Condo Unit A	50% Homestead Credit	\$176,100	\$88,050
24-565	Donald & Marietta Nygaard	2023	1999 Liberty 28 x 64, #06L30250X4	50% Homestead Credit	\$65,372	\$32,686
24-566	Donald & Marietta Nygaard	2024	1999 Liberty 28 x 64, #06L30250X4	50% Homestead Credit	\$65,372	\$32,686
24-567	Donna Carufel	2023	Block 1, Vision Heights, E 54.43' of Lot 5 & W 5' of Lot 6	50% Homestead Credit	\$300,100	\$200,100
24-568	Janice Nesja	2023	Block 1, Pebble Creek 8th Add replat, Lot 2 3312 Arrow Head Ranch Condo Unit 4	50% Homestead Credit	\$316,700	\$216,700
24-569	Kathleen Gibbs	2023	Lot 2, Block 4, Nagel's 5th	100% Homestead Credit	\$276,400	\$176,400
24-570	Diane Linke	2023	Block 2, Airport Road, Lot 2 less E 180' & less W 30'	100% Homestead Credit	\$338,800	\$138,800

24-571	Trent & Shelly Sack Jerry & Nancy	2023	Block 53, Governor Pierce, Lot D, Tract 210 less tract 210A & tract 218B of Blocks 52- 53 26th St Shop Condo Assoc Unit 2	Error in property description	\$585,400	\$470,000
24-572	Christianson	2023	Lot 1, Block 6, Wachter's 11th	50% Homestead Credit	\$255,300	\$155,300
24-573	Leona Hartman	2022	Block 47, Governor Pierce, E 50' of W 100' of Lots 13-16	10% Homestead Credit	\$170,400	\$157,889
24-574	Darlene Danielson	2023	Lot 4, Block 5, Eastside Heights	100% Homestead Credit	\$261,800	\$136,800
24-575	Carl & Thelma Kvanvig	2023	Block 1, Meeks, Lot 1 less R/W parcels 8-1 & 8-2	50% Homestead Credit	\$351,500	\$251,500
24-576	Jerry Wutzke	2023	Lot 7, Block 2, Northwest Acres 2nd	50% Homestead Credit	\$344,300	\$244,300
24-578	Steve Thingelstad Eugene Clarence & Karen	2023	Lot 2, Block 4, Nagel's 5th	100% Homestead Credit	\$176,400	\$76,400
24-579	K Smith	2023	Lot 9, Block 1, Calgary Court Addition	100% Homestead Credit	\$330,500	\$130,500
24-580	Julie Schmidt	2023	Lot 14, Block 3, Valley View Terrace	100% Homestead Credit	\$126,900	\$26,900
24-581	Bobbie Hackman	2023	Block 12, Replat Homan Acres, Lots 26-27 Homan Acres Condo Unit 7	100% Disabled Persons Credit	\$103,700	\$0
24-582	Douglas Ellingson	2023	Lot 14, Block 3, Valley View Terrace	100% Homestead Credit	\$226,900	\$126,900
24-583	Sharon Smith	2023	Lot 24, Block 22, Homan Acres 5th	100% Homestead Credit	\$290,500	\$90,500
24-584	Dennis & Patricia Serafen	2023	Lot 1, Block 1, Fort Lincoln Est Number 1	50% Homestead Credit	\$199,000	\$99,000
24-585	Berdell M Wilson	2023	Block 41, Park Hill (Aud Lots), W 68.70' of S1/2 E 1/2 of Aud Lot 41 less S 18'	50% Homestead Credit	\$172,200	\$86,100
24-586	Donald Kasper	2023	Lot 15, Block 21, Southwood Terrace 2nd Replat	100% Homestead Credit	\$252,200	\$52,200

24-588	Larry A Holzer	2023	Block 16, Lincoln Replat B 16, Lot 14 less N 15'	100% Homestead Credit	\$192,700	\$0
24-589	Alan Kindt	2023	Block 13, Replat Homan Acres, Lot E of Lot 1 Washington Court Condo Building 2033 Unit 3 & Garage 4	100% Homestead Credit	\$111,300	\$0
24-590	Cynthia J Weekes	2023	Block 2, Keystone, N 70' Lot 2	50% Homestead Credit	\$246,800	\$146,800
24-591	Ronald Seiler	2023	Lot 8, Block 7, Rolling Hills 3rd	50% Homestead Credit	\$250,000	\$150,000
24-592	Linnea Reeves	2023	Block 21, Lounsberry Outlots, S 50' of N 200' of E 180' of W1/2 of Outlot 21 less E 33'	50% Homestead Credit	\$220,300	\$120,300
24-593	David Swenson	2023	1978 Schult 14 x 66	100% Homestead Credit	\$8,199	\$0
24-594	David Swenson	2024	1978 Schult 14 x 66	100% Homestead Credit	\$8,199	\$0



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

Permit Number
24-003

Permit Type (check one)
 Local Permit Restricted Event Permit*
 Games Authorized
 Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker* Twenty-One Paddlewheels*

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

ORGANIZATION INFO

Name of Organization or Group Church of St. Hildegard		Dates Authorized (Read Instruction 2) 09/08/2024	
Organization or Group Contact Person Msgr. Gene Lindemann	E-mail [REDACTED]	Telephone Number [REDACTED]	
Mailing Address 17200 Highway 10	City Menoken	State ND	ZIP Code 58558

SITE INFO

Site Name Church of St. Hildegard		County Burleigh	
Site Address 17200 Highway 10	City Menoken	State ND	ZIP Code 58558

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

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

Bingo & raffle drawing will both take place on September 8, 2024 at the Church of St. Hildegard

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

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



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (4-2023)

Applying for (check one)

Local Permit Restricted Event Permit*

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group Church of St. Hildegard		Dates of Activity (Does not include dates for the sales of tickets) 09/08/2024	
Organization or Group Contact Person Msgr. Gene Lindemann	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address 17200 Highway 10	City Menoken	State ND	ZIP Code 58558
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Church of St. Hildegard	County Burleigh
Site Physical Address 17200 Highway 10	City Menoken
	State ND
	ZIP Code 58558

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

Bingo & the raffle drawing will both take place on September 8, 2024 at the Church of St. Hildegard.

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	See attached listing.	10,831.94
Total (limit \$40,000 per year)		\$

Intended Uses of Gaming Proceeds

Proceeds will be used for the needs of the church throughout the year.

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

Yes No

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

Yes No

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

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

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

Yes No

Name Msgr. Gene Lindemann	Title Pastor	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official <i>Msgr. Gene Lindemann</i>		Title PASTOR	Date 4/21/2024

**Church of St. Hildegard Altar Society
2024 Raffle Prize List**

Drawing to be held on Sunday, September 08, 2024, 4:00 pm
at the Church of St. Hildegard, 17200 Highway 10, Menoken, ND

Item	Donor	Value
\$500 cash	St. Hildegard Altar Society	\$500.00
\$500 cash	St. Hildegard Altar Society	\$500.00
\$250 Walmart gift card	St. Hildegard Altar Society	\$250.00
Ruger Gen II 223 Rem	The ChrEasters	\$579.99
Ruger Gen II 7M-08 Rem	The ChrEasters	\$579.99
Ruger Gen II 6MM ARC	The ChrEasters	\$579.99
Ruger Predator 6.5 Creedmore	The ChrEasters	\$499.99
Ruger Predator 22-250	The ChrEasters	\$499.99
Ruger American 270 Win	The ChrEasters	\$479.99
Ruger American 308 Win	The ChrEasters	\$479.99
Ruger American 243 Win	The ChrEasters	\$479.99
Benelli Nova 12GA	The ChrEasters	\$449.99
Ruger American 30-06 Spr	The ChrEasters	\$449.99
Ruger American 22 MAG	The ChrEasters	\$399.99
Ruger American 17 HMR	The ChrEasters	\$369.99
Ruger American 22 LR	The ChrEasters	\$369.99
Ruger Security 9 9MM HG	The ChrEasters	\$299.99
Ruger LCP 380 ACP HG	The ChrEasters	\$219.99
Ruger Wrangler 22 Revolver	The ChrEasters	\$219.99
\$200 Plant Perfect gift card	Josey & Megan Milbradt	\$200.00
\$150 cash	Bob Sjostrom & Wilma Dunford	\$150.00
2 Medora Musical tickets	TRMF	\$172.10
\$100 cash	Bud Anderson	\$100.00
\$100 cash	Dave & Linda Schmitz	\$100.00
\$100 cash	Dave & Linda Schmitz	\$100.00
\$100 cash	Gary & Coreen Richter	\$100.00
\$100 3Be Meats gift card	Ike & Georgene Willer	\$100.00
\$100 Black Leg Ranch Meats Grassfed Beef	Jerry & Renae Doan	\$100.00
\$100 cash	Jim & Kathy Heisler	\$100.00
\$100 Blarney Stone gift card	Jon & Renae Craven	\$100.00
Handmade lap quilt	Jon & Renae Craven	\$100.00
\$100 cash	Marlyn & Sue Richter	\$100.00
\$100 Scheels gift card	Marv & Arlene Abraham	\$100.00
\$100 cash	Mike & Corrine Heaton	\$100.00
\$100 Cenex gift card	Nathan & Valerie Kuntz	\$100.00
\$100 cash	Prairie Breeze RV Park	\$100.00
\$100 cash	Russ & Holly Schirado	\$100.00
\$100 cash	Russ & Holly Schirado	\$100.00
\$100 Target gift card	Stephen & Kelly Kepp	\$100.00
\$100 Ale Works gift card	Tom & Jessica Arnold	\$100.00
\$100 Schweitzer's Gourmet Meats gift card	Travis & Trina Schweitzer	\$100.00
\$100 cash	Wes & Carol Meidinger	\$100.00
Hand embroidered dish towel set	Linda Schmitz	\$50.00
Handmade rug	Margaret Feist	\$25.00
Handmade rug	Margaret Feist	\$25.00

Total Value = \$10,831.94

All Items required for this Permit have been meet.

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



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

Permit Number 24-004

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

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

ORGANIZATION INFO

Name of Organization or Group Menoken 4-H Picnic Park (Menoken Grove)			Dates Authorized (Read Instruction 2) 09/14/2024		
Organization or Group Contact Person Shirley Ryberg		E-mail [REDACTED]	Telephone Number [REDACTED]		
Mailing Address [REDACTED]		City Bismarck	State ND	ZIP Code 58503	

SITE INFO

Site Name Menoken 4-H Picnic Park (Menoken Grove)			County Burleigh		
Site Address 3402 171st St NE		City Menoken	State ND	ZIP Code 58558	
If the city or county is placing restrictions on the permit, please explain					
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle to be held 09/14/2024					

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

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



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

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group Menoken 4-H Picnic Park (Menoken Grove)		Dates of Activity (Does not include dates for the sales of tickets) September 14, 2024	
Organization or Group Contact Person Shirley Ryberg	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address [REDACTED]	City Bismarck	State ND	ZIP Code 58503
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Menoken 4-H Picnic Park (Menoken Grove)		County Burleigh	
Site Physical Address 3402 171st St NE	City Menoken	State ND	ZIP Code 58558
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle - September 14, 2024			

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

Game Type	Description of Prize	Exact Retail Value of Prize
	(SEE ATTACHED LIST)	
	Total (limit \$40,000 per year)	\$

Intended Uses of Gaming Proceeds

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

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

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

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

Name Shirley Ryberg	Title Treasurer	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official <i>Shirley Ryberg</i>		Title Treasurer	Date April 22, 2024

<u>AMOUNT</u>	<u>RAFFLE PRIZES</u>
\$300	GARY & BELINDA MAHER
\$100	SALTER FARMS
\$100	LAWN SERVICE
\$100	METAL FLAG - ABATE
\$100	SCHEELS GIFT CARD
\$100	CK AUTO - AUTO REPAIR
\$100	NITRO GREEN - CHEST COOLER
\$200	SHIRLEY RYBERG
\$200	RYBERG RANCH
\$100	BUTLER - COOLER
\$350	MENOKEN GROVE - RIFLE
\$50	TUMBLEWEED - GIFT CARD
\$50	TUMBLEWEED - GIFT CARD
\$100	DUTTON PORTABLE WELDING
\$200	3BE MEATS GIFT CARD - ABERLE FARMS
\$100	A PRAIRIE BREEZE RV PARK
\$200	RIVERDALE LODGE - 2 NIGHTS
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	DAKOTA COMMUNITY BANK
\$100	BOBCAT ITEMS
\$200	QUALITY ASPHALT - 22 RIFLE
\$100	PURE COUNTRY - GRIDDLE
\$100	SCHWEITZERS (BUTCHERING OR SAUSAGE)
\$100	PURE COUNTRY - HAT
\$350	AGNEW & BLOTSKY RANCHES - GUN
\$650	DVORAK MOTORS - CAR STARTER
\$100	SCHMITZ ANGUS RANCH
\$100	J & R SALVAGE
\$100	WOOD FAMILY
\$4,850	TOTAL OF RAFFLE PRIZES

All Items required for this Permit have been meet.

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



LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 17926 (2-2023)

Permit Number
24-005

Permit Type (check one)

Local Permit Restricted Event Permit*

Games Authorized

Raffle by a Political or Legislative District Party

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

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

ORGANIZATION INFO

Name of Organization or Group Dakota Woodturners		Dates Authorized (Read Instruction 2) August 9, 2024	
Organization or Group Contact Person Denise Johnson	E-mail [REDACTED]	Telephone Number [REDACTED]	
Mailing Address [REDACTED]	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Pat Schweitzer home	County Burleigh
Site Address [REDACTED]	City Bismarck
	State ND
	ZIP Code 58501

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

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

May 11, 2024 thru August 9, 2024

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

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

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

3. A licensed organization or organization that has a permit shall conduct games as follows:

a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:

(1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.

(2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

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

CITY OR COUNTY CONTACT PERSON

Name Mark Splonskowski	Title Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

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



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

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

Applying for (check one)

Local Permit Restricted Event Permit*

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

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

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

ORGANIZATION INFO

Name of Organization or Group Dakota Woodturners		Dates of Activity (Does not include dates for the sales of tickets) drawing date: August 9, 2024	
Organization or Group Contact Person Denise Johnson	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address	City	State	ZIP Code
Mailing Address (if different) [REDACTED]	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Pat Schweitzer home	County Burleigh
Site Physical Address [REDACTED]	City Bismarck
	State ND
	ZIP Code 58501

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

May 11, 2024 thru August 9, 2024

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

Game Type	Description of Prize	Exact Retail Value of Prize
raffle	see attached	2,740.00
Total (limit \$40,000 per year)		\$ 2,740.00

Intended Uses of Gaming Proceeds
teach turning and provide materials to students and bring in clinicians to demonstrate/teach club members

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

Yes No

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

Yes No

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

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

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

Yes No

Name Ronald Day	Title President	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization or Group's Top Official Ronald Day		Title	Date 4/26/2024

Information required to be preprinted on a standard raffle ticket:

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

PRIZE RESTRICTIONS:

A single cash prize cannot exceed \$8,000

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

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

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

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

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

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

Description	Value
Segmented Bowl 10" - 12"	200
Decorated/Painted Platter	100
Cottonwood Bowl	100
Shelf with mini turnings	100
Vase	100
Open Segmented Ornament	100
Fancy Lidded Box	90
Singapore Ball	90
Zentagled Turning	90
Rolling Pin	85
Salt and Pepper Grinder	80
Cowboy hat	75
Painted Bowl	75
Woodburned Platter	75
Painted Bowl	75
Large Bowl	75
Birch Bowl	70
Woodburned Platter	60
Bowl	60
Maple Bowl	60
Platter	60
Bowl	60
Pen	60
Board Bowl	50
Lidded Box	50
Maple Bowl	50
Rimmed Bowl	50
Pen	50
Cedar Post Vase	45
Walnut Candle Holder	45
Bowl	45
Pen	45
Russian Olive Bowl	40
Square Platter	40
Small Ornament Lantern	40
Bowl	40
Platter	35
Wood Bowl	35
Roller Ball Pen - Chrome	35
Christmas Ornament	30
Walnut Bowl	30
Seam Ripper	25
Pen	20
	<hr/>
	\$ 2,740.00

All Items required for this Permit have been meet.

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



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Memo

Date: May 6, 2024

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Chris Ohlhauser

Chris Ohlhauser from Copper Ridge Subdivision, Block 05, Lot 2 (5800 Kayley Drive) has requested a second access permit to his lot. The first access approach is off of Kayley Drive. He wishes to have a second approach off of Kayley Drive in order to have better access to the west side of his lot. We have reviewed the location of the new proposed access off of Kayley Drive and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Chris Ohlhauser on the May 6, 2024 County Board Consent Agenda.

2nd Approach Permits Requirements

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

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

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
4/26/2024



PARCEL ID: 39-138-79-27-05-020

OWNER: OHLHAUSER, CHRIS & CHRISTINE

ACRES: 1.492

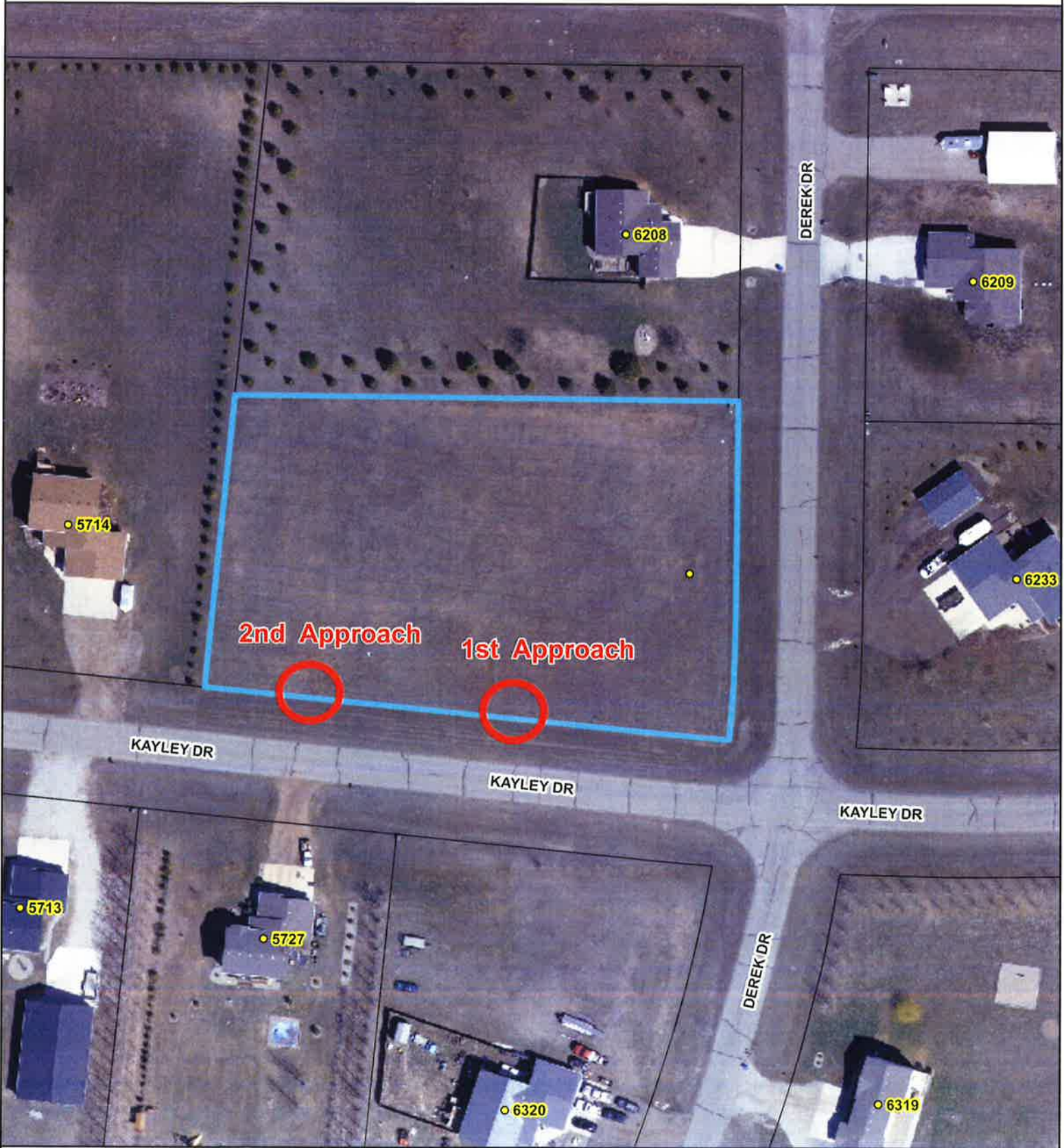
SITE ADDRESS: 5800 KAYLEY DR

MAIL ADDRESS: 1107 BOUYER PL, LINCOLN, ND 58504

LEGAL: COPPER RIDGE Block 05 LOT 2 678946

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
4/26/2024



PARCEL ID: 39-138-79-27-05-020 OWNER: OHLHAUSER, CHRIS & CHRISTINE ACRES: 1.492
SITE ADDRESS: 5800 KAYLEY DR
MAIL ADDRESS: 1107 BOUYER PL, LINCOLN, ND 58504
LEGAL: COPPER RIDGE Block 05 LOT 2 678946

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.

County Commissioners:

I would like the approval to add an additional approach at my lot in the Copper Ridge Subdivision. It is Lot 2 block 5 . The additional approach will be on the Kayley Drive and will provide access to my shop that is being built. There currently is not enough room to access the shop off of the main driveway with the way the lot is shaped as well as the placement of the house.

There is one other lot that has an additional approach in the Copper Ridge Subdivision and it is located immediately to the North East.

Please see the attached overhead of the lot as well as placement of the shop, house, first approach and additional approach.

Please call with any questions

Chris Ohlhauser

701-204-1009



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Memo

Date: May 6, 2024

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Marlin Schaaf

Marlin Schaaf from 22350NE 66th Street has requested a second access permit to his property. The first access approach is off of 66th Street. He wishes to have a second approach off of 66th Street in order to have better access to the south side of his property. We have reviewed the location of the new proposed access off of 66th Street NE and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Marlin Schaaf on the May 6, 2024 County Board Consent Agenda.

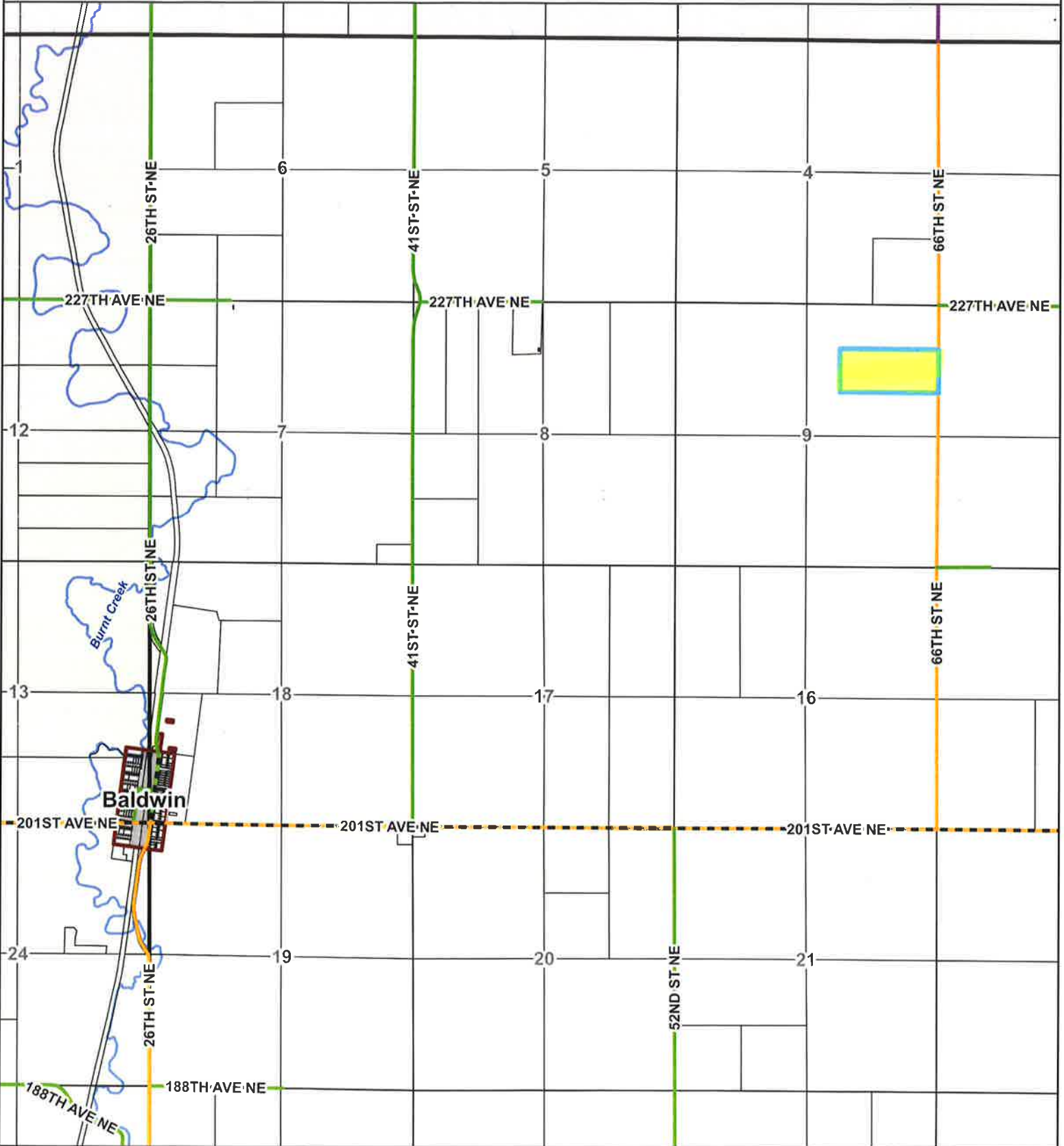
2nd Approach Permits Requirements

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

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

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
4/29/2024

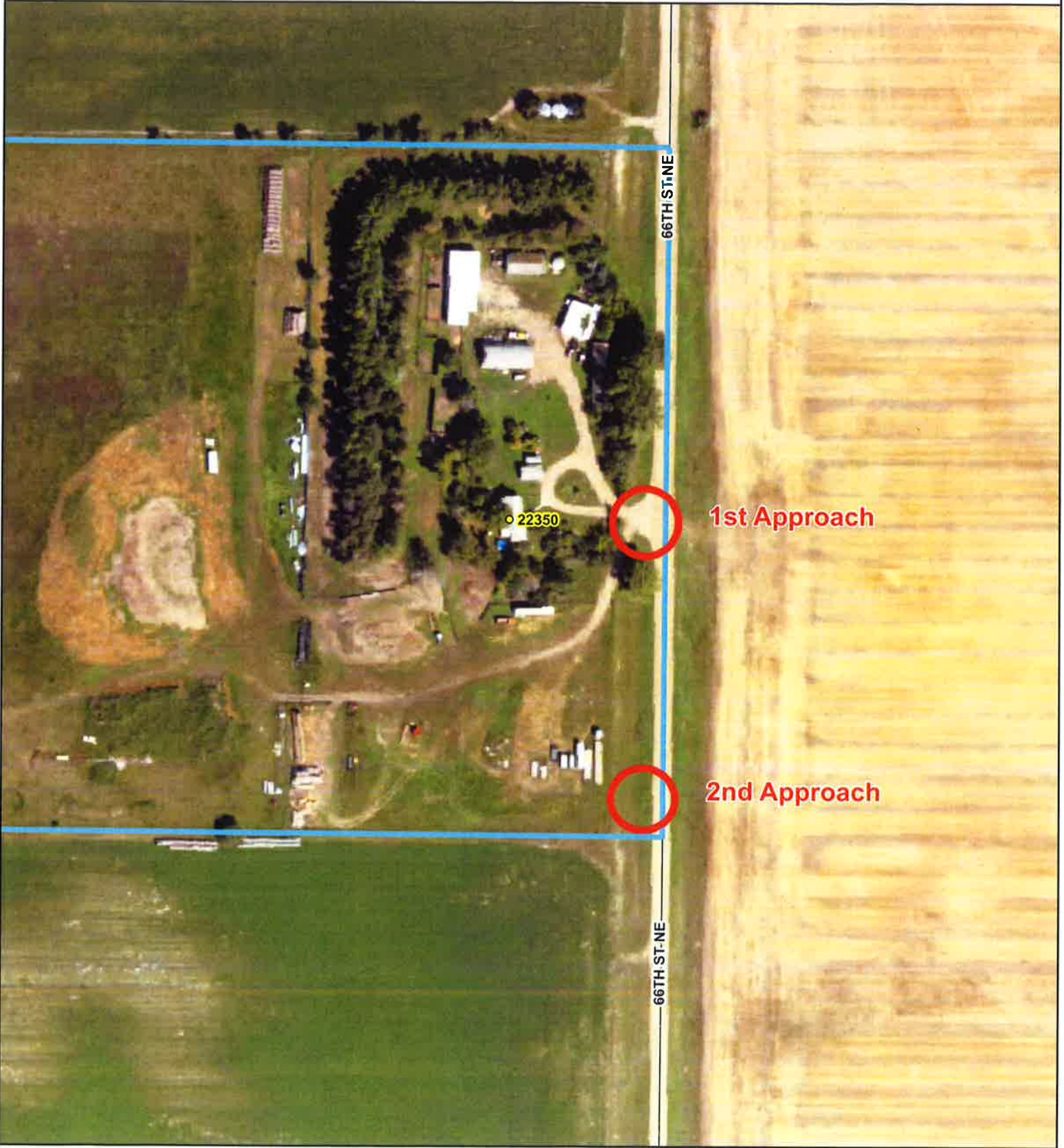


PARCEL ID: 52-141-79-00-09-210 OWNER: SCHAAF, MARLIN & CONNIE & LEONARD J & CHYRAL K ACRES: 40
SITE ADDRESS: 22350 NE 66TH ST
MAIL ADDRESS: %SCHAAF, MARLIN & CONNIE 400 WHITMAN AVE, WILTON, ND 58579
LEGAL: CROFTE TOWNSHIP Section 09 PT NE1/4 BEG AT NE COR S896.33' TO POB W2002.76', S870', E2002.76', N870' 09-141-79

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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
4/29/2024



PARCEL ID: 52-141-79-00-09-210 OWNER: SCHAAF, MARLIN & CONNIE & LEONARD J & CHYRAL K ACRES: 40
SITE ADDRESS: 22350 NE 66TH ST
MAIL ADDRESS: %SCHAAF, MARLIN & CONNIE 400 WHITMAN AVE, WILTON, ND 58579
LEGAL: CROFTE TOWNSHIP Section 09 PT NE1/4 BEG AT NE COR S896.33' TO POB W2002.76', S870', E2002.76', N870' 09-141-79

Hall, Marcus J.

From: Marlin Schaaf <marlinschaaf@yahoo.com>
Sent: Saturday, April 27, 2024 1:51 PM
To: Hall, Marcus J.
Subject: New Approach 22350 66th St NE Baldwin
Attachments: Approach Map.jpg

You don't often get email from marlinschaaf@yahoo.com. [Learn why this is important](#)

******* CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *******

Hello Marcus,

My name is Marlin Schaaf and we would like to add another approach to our land on 66th St east of Baldwin, I had talked to Casey and he told me to contact you and attach a picture from google maps that shows the property and where we would like to add the approach.

If you have any questions or need more information you can get ahold of me at (701)391-9442.

Thank You
Marlin Schaaf

ITEM

6

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: May 6, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

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

ACTION REQUESTED:

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

BACKGROUND:

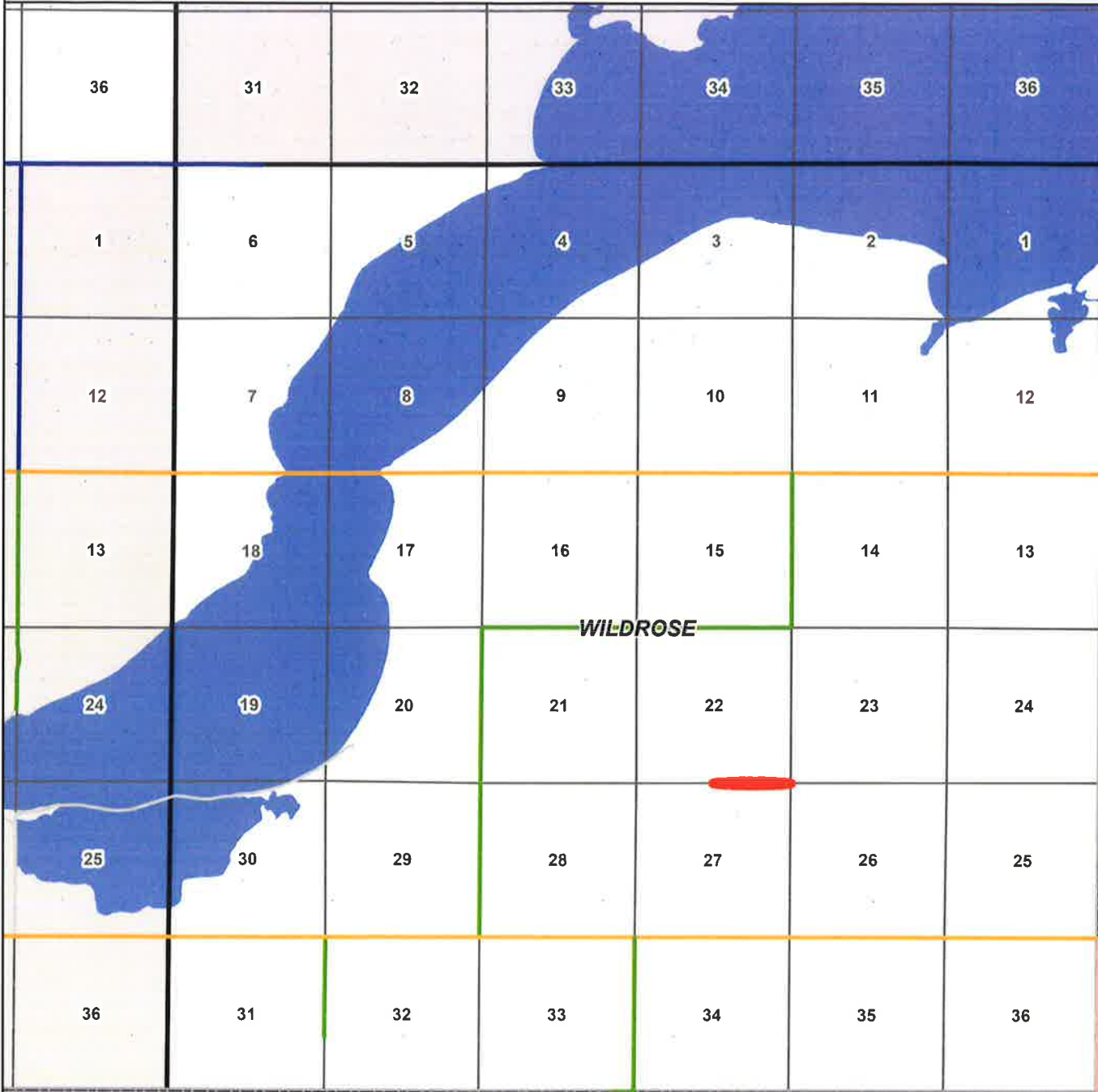
Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). Tony Fettig has filed a petition (see attached Application)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

RECOMMENDATION:

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

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

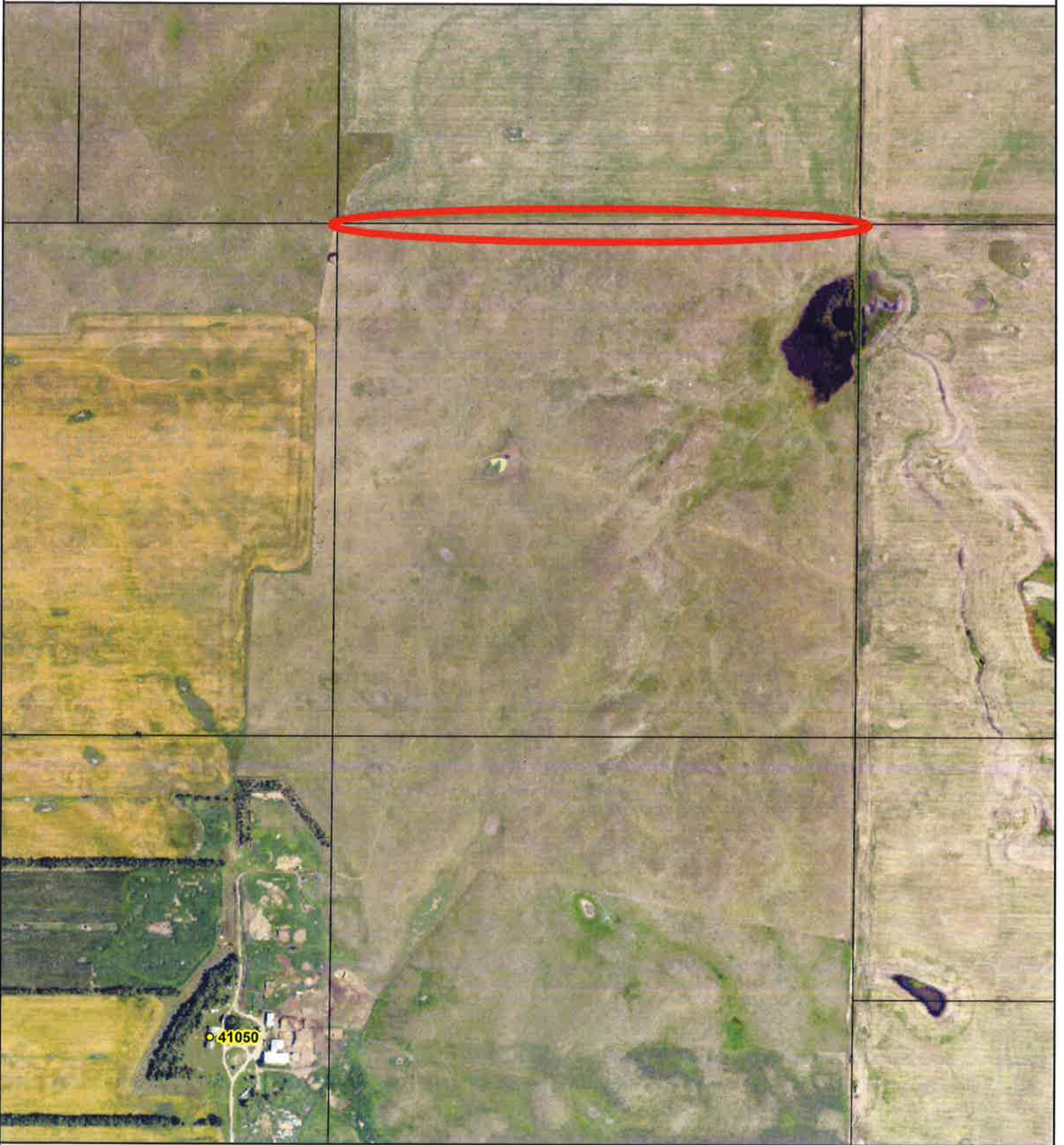
N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
3/25/2024



PARCEL ID: 32-139-79-16-05-100 OWNER: ANDERSON, DUSTY ACRES: 2.55
SITE ADDRESS: 7900 BELAIRE DR
MAIL ADDRESS: 7888 BELAIRE DR, BISMARCK, ND 58501
LEGAL: BROOKFIELD ESTATES Block 05 LOT 10 797510



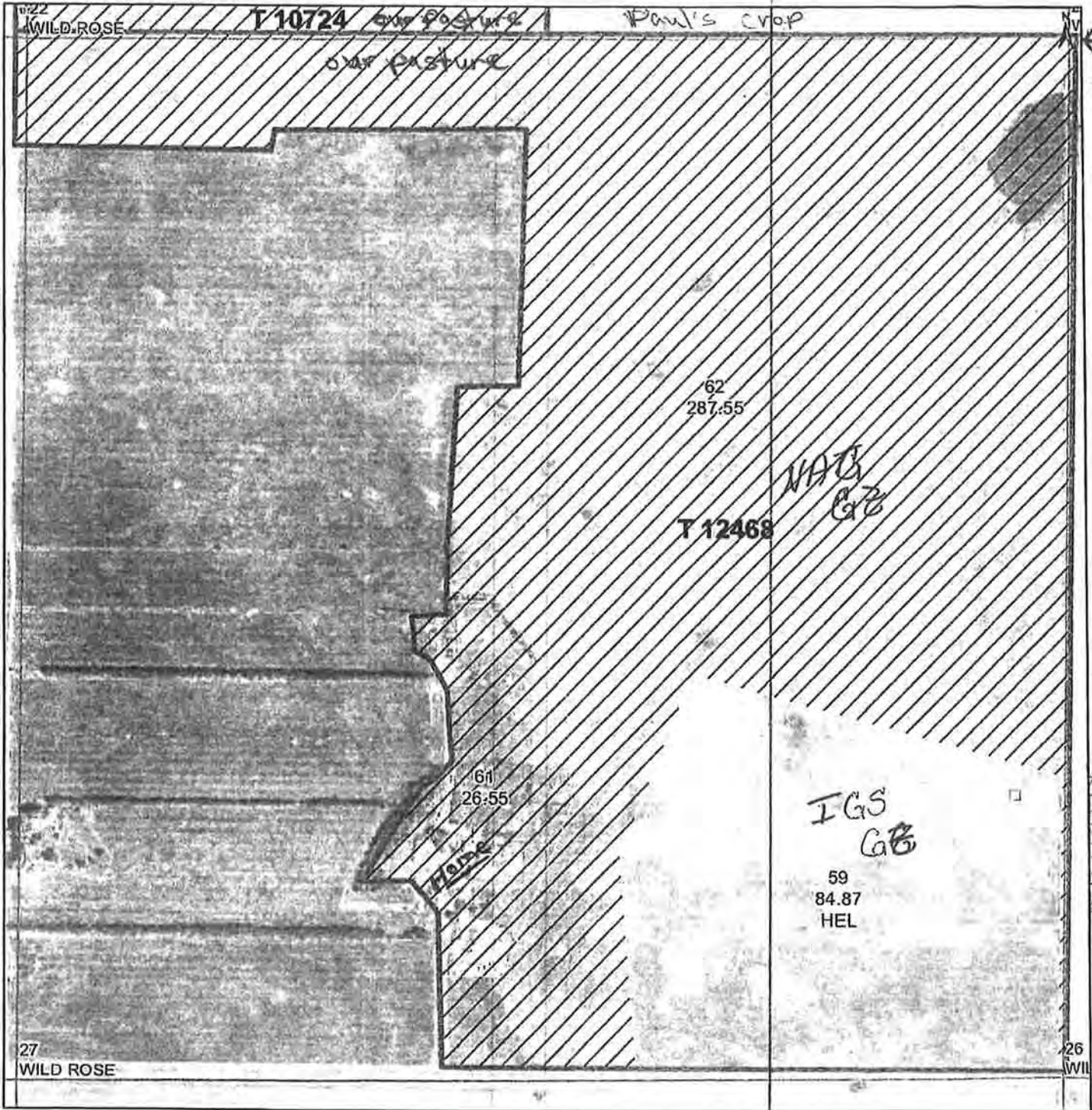
BURLEIGH COUNTY
UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

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

PROPERTY INFORMATION:			
Name of plat: Township 137 N Range 75 W			
Legal description of property (lot, block, addition): NE Section 27 (section line)			
Street address of property:			
Existing Zoning:		Proposed zoning:	
Acreage:		Number of lots:	
Description of development proposal, including reason(s) for the request: non passable and runs into pasture			
APPLICANT/DEVELOPER:			
Name: Tony Fettig		Mailing address: 41050 141 st Ave SE Braddock 58524	
Daytime telephone number: 701-321-1368	FAX number:	E-mail address: tadairy@yahoo.com	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	

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



Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary
- PLSS

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

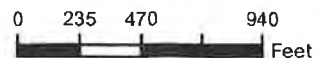
Unless Otherwise Noted:
 All crops are for grain
 All crops are non-irrigated
 Shares are 100% to Operator

2022 Program Year

Map Created February 02, 2022

S27 T137N R75W

Phy Cnty: Burleigh



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact

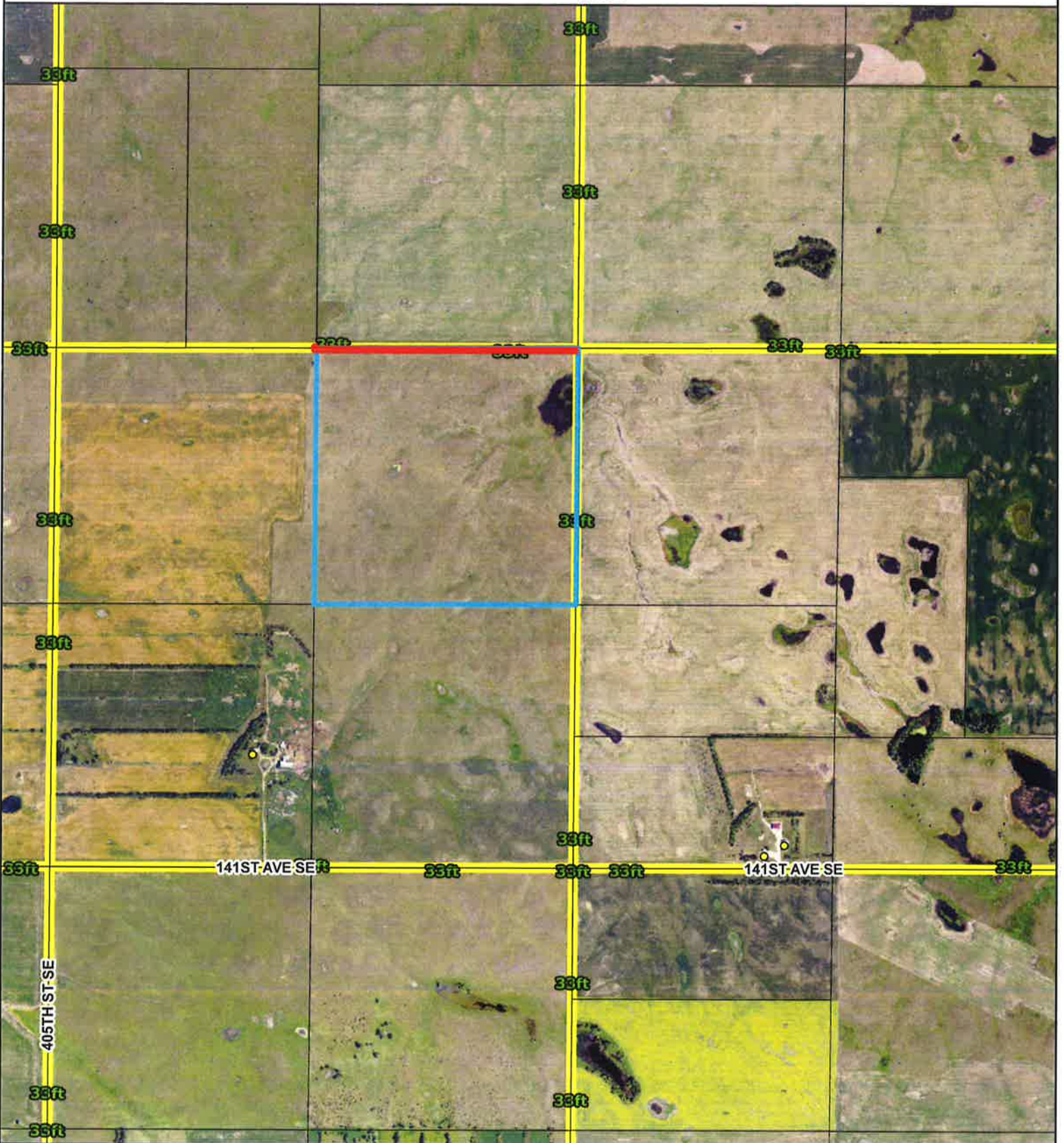
**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
3/18/2024



BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
3/22/2024



PARCEL ID: 54-137-75-00-27-200 OWNER: FISCHER, NICHOLE ETAL ACRES: 160
SITE ADDRESS:
MAIL ADDRESS: FETTIG, ANTHONY J & ARLEEN C LE 41050 141ST AVE SE, BRADDOCK, ND 58524-9303
LEGAL: WILD ROSE TOWNSHIP Section 27 NE1/4 27-137-75

ITEM

7



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: Recommendations from the April 10, 2024 Burleigh County Planning Commission Meeting
Date: 4-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Recommendation for the Baker Subdivision Final Plat

Legal Description: Part of the SE 1/4, Section 7 and Part of the NE 1/4, Section 18, All in T137N, Range 79W

Property Address: 5951 SE Hwy 1804

- Missouri Township

Burleigh County staff members and applicants first met in November 2023 to discuss Baker Subdivision. It is a 2 lot Subdivision, Lot 1 is a 54.04 ac. parcel, Lot 2 is 14.47 ac., that totals 69.19 acres. The Planning Commission recommended approval by a vote of 8-0.

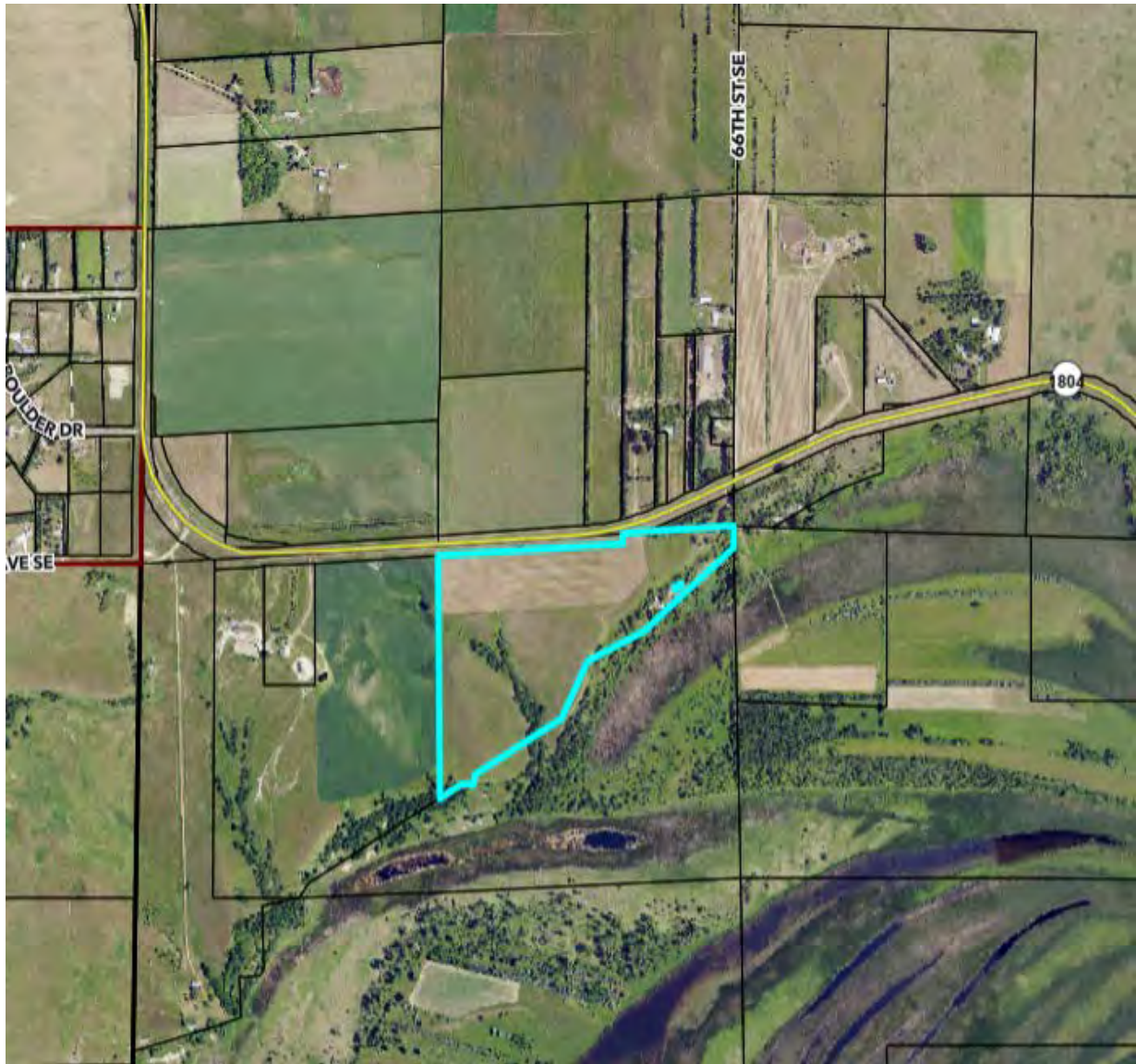
History of Application:

- SWMP Waiver was approved on: 3-21-2024
- Paving Waiver was approved on: 2-21-2024
- P/H to Vacate Section Line approved on: 1-7-2024
- The Final Plat contained 4 revisions to meet Art. 33 Subdivision Regulations.

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

Attachments: Exhibit 1.1 Site Map Location
Exhibit 1.2 Baker Subdivision Final Plat

Exhibit 1.1 Site Map Location



PUBLIC HEARING



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Planning Commission.
Re: Public Hearing to Amend Burleigh County Zoning Ordinance
Date: 4-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Public Hearing to Amend Article 21 Floodplain Regulations

It has become necessary to amend the current Article 21 Floodplain Regulations to correct and position our ordinance in line with North Dakota Department of Water Resource Model D Ordinance and FEMA NFIP technical requirements.

The first Public Hearing for Article 21 draft ordinance was presented to the Planning Commissions on 4-10-2024

ACTION REQUESTED: CONSIDER TO APPROVE AMENDMENTS TO ARTICLE 21 FP DISTRICT REGULATIONS

Attachments: Exhibit 1.1 Article 21 FP Regulations draft ordinance.

ORDINANCE 24-003

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 33 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA RELATING TO ARTICLE 21 – FP – FLOODPLAIN DISTRICT REGULATIONS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Amendment

Article 21 of the Zoning Ordinance is hereby amended:

ARTICLE 21 - FP - FLOODPLAIN DISTRICT REGULATIONS

In any FP - floodplain district, the following regulations shall apply:

Section 1. Statement of Purpose.

It is the purpose of this article to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding, generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities located in special flood hazard areas such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges;
- f. To help maintain a stable tax base by providing for the use and development of special flood hazard areas so as to minimize future flood blight areas;

- g. To ensure that potential buyers are notified that property is located in a special flood hazard area;-
- h. To ensure that those who occupy the special flood hazard areas assume responsibility for their actions; and
- i. To provide an increased level of protection in anticipation of future increases in the base flood elevation (BFE).

Section 2. Methods of Reducing Flood Losses.

In order to accomplish its purposes, this article includes methods and provisions for:

- a. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, flood water elevations or flow velocities;
- b. Requiring that uses vulnerable to flooding, including attendant utilities and facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or convey flood waters;
- d. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Section 3. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

“Accessory Structure” for floodplain management purposes means structures that are on the same parcel of property as a principal structure, the use of which is incidental to the use of the principal structure. Accessory structures are a single-story structure that may only be used for parking or storage, represent a minimal investment by owners, and have low damage potential. Structures that include the following uses are not considered accessory structures for floodplain management purposes: habitable spaces, bathrooms, toilet rooms, laundry facilities, and

entertainment and recreational spaces including but not limited to workshops and game rooms.

"Agricultural Structure" for floodplain management purposes means structures that are used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this article or a request for a variance.

"Attendant utilities and equipment" means utilities, electrical, plumbing, heating, ventilation, and air conditioning equipment, as well as facilities and services associated with new construction.

"Base flood or 100-year flood" means the flood having a one per cent (1%) chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" means the height of the base flood or 100-year flood, usually in feet above mean sea level, as designated on a FEMA published digital flood insurance rate map (DFIRM) or as determined by the storm water management plan prepared for the area in which the property is located.

"Basement" means any area of a building having its floor subgrade (below ground level) on all sides.

"Best available data (BAD)" means water elevation information from any source used to estimate or determine the base flood elevation (i.e., high water mark).

"Community" means any political subdivision that has the authority to zone, or any Indian tribe or authorized tribal organization, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction

"Conveyance or hydraulic conveyance" means a geometric characteristic of a river or watercourse at a given location that determines the flow-carrying capacity at that location.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the special flood hazard area.

"Enclosure" means enclosed walled in areas below the lowest floor of an elevated building that are constructed of flood-resistant materials and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing the entry and exit of floodwaters.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or

subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

“Expansion to an existing Manufactured Home Park or Subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured home is to be affixed. (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.)

“Fill” means materials such as soil, gravel, or crushed stone that is placed in an area and increases the ground elevation, whether or not that was the intention.

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; and/or
- b. The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood insurance rate map” (FIRM) or digital flood insurance rate map (DFIRM)” means the official map issued by the Federal Emergency Management Agency (FEMA) where special flood hazards areas are designated as Zone A, AE, AO, AH, A1-A30 or A99.

“Flood insurance study” (FIS) means the official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles, the flood insurance rate map (FIRM), and the water surface elevation of the base flood.

“Floodplain or flood-prone area” means any land area susceptible to partial or complete inundation by water from any source.

“Floodplain Administrator” means the person designated by Burleigh County to administer the County’s floodplain regulations.

“Flood proofing (dry)” means protection provided a structure, together with attendant utilities and sanitary facilities, which is watertight to two (2) feet above the base flood elevation with walls that are substantially impermeable to the passage of water.

“Floodproofing (wet)” means the use of flood damage resistant materials and construction techniques to minimize flood damage to structures by intentionally allowing floodwater to enter and exit automatically (without human intervention) to minimize unequal pressure of water on walls (hydrostatic load or pressure). Wet floodproofing also requires structures to be anchored to resist flooding, have mechanical and utility equipment elevated or protected, and

have flood openings installed in walls.

“Floodway or regulatory floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

“Letter of map amendment (LOMA)” means an official amendment to the currently effective flood insurance rate map (FIRM) which establishes that a property is not located in a special flood hazard area. A letter of map amendment (LOMA) is issued by FEMA.

“Letter of map revision (LOMR)” means an official amendment to the currently effective flood insurance rate map (FIRM) which is issued by FEMA and changes flood zones, delineations and elevations. A letter of map revision based on fill (LOMR)(f) is a LOMR issued by FEMA based on the placement of fill.

“Lowest floor” means the lowest floor of a structure including the basement and/or crawl space.

“Manufactured home” means a structure transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a recreational vehicle, but does include a mobile home.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

“New construction” means structures for which the "start of construction" commenced on or after the effective date of this article.

“New Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

“Non-conversion agreement” means an agreement signed by applicants and property owners, affirming that the owners agree not to convert or modify in any manner that is inconsistent with approved permit (and variance conditions, when applicable).

“Non-residential” means any building or structure or portion thereof that is not classified as residential.

“Pre-FIRM Building” means a building for which construction or substantial improvement occurred on or before September 18, 1985, or the effective date of the initial Flood Insurance Rate Map (FIRM).

“Principal structure” for floodplain management purposes means a structure that is not an accessory structure. All principal structures must be constructed in accordance with the requirements applicable to residential construction or nonresidential construction as determined by the use of the structure.

“Post-FIRM Building” means a building for which construction or substantial improvement occurred after September 18, 1985 the effective date of the initial Flood Insurance Rate Map (FIRM) whichever is later.

“Reasonably safe from flooding” means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area, and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Recreational vehicle means a vehicle which is built on a single chassis; four hundred (400) square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal uses. Recreational vehicles include, but are not limited to, travel trailers, trailers on wheels, park model trailers and other similar vehicles.

“Recreational vehicle” means a vehicle which is:

- a. built on a single chassis
- b. 400 sf or less when measured at the largest horizontal projection
- c. designed to self-propelled or permanently towable by a light duty truck
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use; including, but not limited to:
- e. travel trailers, trailers on wheels park-model trailers and other similar vehicles.

Residential means:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Residential structures, including but not limited to one and two-family dwellings, multifamily dwellings, group dwellings, bed and breakfast facilities, hotels and motels; and
- c. Institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, nursing homes, group homes, congregate care facilities, hospitals, medical centers, jails and detention centers.

“Special flood hazard area (SFHA)” means an area of land that would be inundated by a flood having two tenths of one percent (0.2%) or greater chance of being equaled or exceeded in any given year (500-year flood).

“Start of construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms.

“Storage tank” means any closed vessel used to store gases or liquids.

“Storm water management plan” means a document prepared in accordance with the provisions of Article 33 (Subdivision Regulations) to evaluate surface water runoff and flood risks within a development, plat or watershed; to document special flood hazard areas; and to determine the systems required to convey or control flood flows within and through the area.

“Structure” means a walled and roofed building, including manufactured homes and gas or liquid above-ground storage tanks.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the building to its pre-damaged condition would equal or exceed fifty percent (50%) of the market value as assessed of the structure before the damage occurred.

“Substantial improvement” means any repair, reconstruction, or improvement of a structure, **that occurs within a consecutive two (2) year period.** The cost of which equals or exceeds fifty percent (50%) of the market value as assessed of the structure either:

- a. Before the improvement or repair is started; or
- b. If the structure has been damaged and is being restored, before the damage occurred.

For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- a. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- b. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this article that permits construction in a manner that would otherwise be prohibited by this article.

"Violation" means failure of a structure or other development to be fully compliant with the floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by the floodplain management ordinance is presumed to be in violation until such time as that documentation is provided.

Section 4. General Provisions.

- a. **Jurisdiction.** This article shall apply to all special flood hazard areas within the jurisdiction of Burleigh County, including all lands within Burleigh County's zoning jurisdiction pursuant to Article 5, but excluding the corporate limits of the City of Bismarck or any other incorporated city and the extra-territorial jurisdiction of those cities as provided for in Section 40-47-01.1 of the North Dakota Century Code.
- b. **Basis for establishing the special flood hazard areas.** The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report titled "The Flood Insurance Study for Burleigh County, North Dakota and Incorporated Areas", dated ~~August 4, 2014~~ **June 6, 2024** with an accompanying flood insurance rate map (FIRM), and as subsequently updated by any Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR) and/or Letter of Map Revision Based on Fill (LOMR(f)) issued by the Federal Emergency Management Agency (FEMA), is hereby adopted by reference and declared to be a part of this article. The Flood

Insurance Study (FIS) is on file in the office of the Floodplain Administrator. Special flood hazard areas may also be designated in a storm water management plan prepared for a development, plat or watershed.

- c. Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations, unless a valid building permit was in place prior to May 7, 2012, except as provided for in subsection 6(b)(5) (additions to existing structures).
- d. Greater restrictions. This article is not intended to repeal, remedy, or impair any existing easements, covenants or deed restrictions. However, where this article and another article of the County Zoning Ordinance, easement, covenant or deed restriction conflict or overlap, **whichever imposes the more stringent restrictions shall prevail.**
- e. Interpretation. In the interpretation and application of this article, all provisions shall be:
 - 1. Considered as minimum requirements;
 - 2. Liberally construed in favor of Burleigh County; and
 - 3. Deemed neither to limit nor repeal any other powers granted to Burleigh County under the North Dakota Century Code.
- f. Warning and disclaimer of liability. The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the special flood hazards areas or uses permitted within such areas will be free from flooding or flood damages. This **article section** shall not create liability on the part of Burleigh County, any officer or employee thereof, or the Federal Emergency Management Agency (FEMA) for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

~~g. Letter of Map Revision (LOMR) and Letter of Map Amendment (LOMA). Development on any parcel for which a LOMR or LOMA has been issued shall comply with all the requirements and recommendations as contained therein. Development on any parcel for which a LOMR or LOMA has been approved by FEMA, and for which a building permit was not issued prior to May 7, 2012, shall be subject to all provisions of this article.~~

g. Letter of Map Revision (LOMR) has been issued shall comply with all of the requirements and recommendations as contained therein. Development on any parcel for which a LOMR has been issued shall be constructed in accordance with the provisions of FEMA Technical Bulletin 10-01.

h. Non-conforming Status. Any structure constructed with the lowest floor elevated as required by the regulations in effect at the time of construction shall not be considered a non-conforming structure for the purposes of this section, provided the lowest floor of said structure is elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation.

Section 5. Administration.

- a. Establishment of a development permit. A development permit shall be obtained before construction or development begins within any special flood hazard area established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
1. ~~Elevation in relation to mean sea level;~~ Elevation in the same datum as the current FIRM or elevation in relation to mean sea level in NAVD 88 of the lowest floor (including basements and/or crawl spaces) of all structures:
 2. ~~Elevation in relation to mean sea level (NAVD88) to which any structure has been flood proofed;~~ Elevation in the same datum as the current FIRM or elevation in relation to mean sea level in NAVD88 to which any structure has been flood proofed:
 3. Certification by a registered professional engineer or architect that the flood proofing methods for any non-residential structure meet the flood proofing criteria in subsection 6(b)(2) of this article (nonresidential construction); and
 4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- b. Establishment of a non-structural development permit. A non-structural development permit shall be obtained before any land disturbing activity begins within any special flood hazard area established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Application for a non-structural development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to

scale showing the nature, location, dimensions, and elevations of the area in question; proposed elevations upon completion of the land disturbing activity; the type of fill being used, if fill is proposed; and a description of the extent to which any watercourse will be altered or relocated as a result of proposed land disturbing activity.

- c. Designation of the Floodplain Administrator. The Building Official is hereby appointed to administer and implement this article by granting or denying development permit and non-structural development permit applications in accordance with the applicable provisions.
- d. Duties and responsibilities of the Floodplain Administrator. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to:
 1. Permit application review.
 - a. Review all development permit applications and non-structural development permit applications to determine that the permit requirements of this article have been satisfied;
 - b. Review all development permit applications and non-structural development permit applications to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required; and
 - c. Review all development permit applications and non-structural development permit applications to determine if the proposed development or land disturbing activity is located in the floodway. If located in the floodway, assure that the encroachment provisions of this article are met.
 2. Use of other base flood data. When base flood elevation data has not been provided in accordance with subsection 4(b) of this article (basis for establishing the special flood hazard areas), the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available (known as best available data (BAD)) from a federal, state or other source, as criteria for requiring that new construction, substantial improvements or other development in the floodplain is administered in accordance with subsection 6(b) of this article (specific standards).
 3. Information to be obtained and maintained.
 - a. Obtain and record the actual elevation (in relation to elevation in the

~~mean sea level~~ same datum as the current FIRM mean sea level in NAVD88 of the lowest floor (including basement and/or crawl space) of all new or substantially improved structures, and whether or not the structure contains a basement and/or crawl space.

- b. For all new or substantially improved flood proofed structures:
 - 1. Obtain and record the actual elevation in relation elevation in the same datum as the current FIRM to mean sea level in NAVD88 to which the structure has been flood proofed; and
 - 2. Maintain the flood proofing certifications required in subsection 6(b) of this article (specific standards).
 - c. Maintain for public inspection all records pertaining to the provisions of this article.
4. Alteration of watercourses. The Floodplain Administration shall:
- a. Notify nearby communities, water resource districts, and the North Dakota State Engineer, as necessary, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
 - b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished; and
5. Interpretation of flood insurance rate map (FIRM) or digital flood insurance rate map (DFIRM) boundaries. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection 7 of this article (appeal and variance procedures). The Floodplain Administrator may require information be submitted by a registered land surveyor.

Section 6. Provisions for Flood Hazard Reduction.

A. General standards. In all special flood hazards areas, the following standards are required:

A. Anchoring.

1. All new construction and substantial improvements, including additions, shall be anchored to prevent flotation, collapse or lateral movement of the structure; and
 - a. All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
2. Construction materials and methods.
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
 - b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage; and
 - c. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Such facilities shall be located in areas that have been elevated on fill to at least two (2) feet above the base flood elevation for residential ~~structures~~ **construction** and manufactured homes.
3. Utilities.
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - b. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
 - c. All new and replacement on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
4. Subdivision proposals.
 - a. All subdivision proposals shall be consistent with the need to minimize flood damage;
 - b. All subdivision proposals shall have utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

- c. All subdivision proposals shall have adequate drainage provided to reduced exposure to flood damage;
- d. Base flood elevation data shall be provided for all subdivision proposals and other proposed developments. Elevation data must be provided in the same datum as the current FIRM, NAVD88 for areas with a flood insurance rate map (FIRM) or other base flood elevation data in that datum; and
- e. All roadways within and providing access to subdivisions shall be constructed in accordance with County engineering standards.

B. Specific standards.

In all special flood hazards areas where base flood elevation data have been provided as set forth in subsection 4(b) of this article (basis for establishing the special flood hazard areas) or subsection 5(d)(2) of this article (use of other base flood data), the following provisions are required:

1. Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement and/or crawl space, elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation.
2. Nonresidential construction. New construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement and/or crawl space, elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation or, together with attendant utility and sanitary facilities, shall:
 - a. Be flood proofed to at least two (2) feet above the base flood elevation, so that below this elevation the structure is watertight with walls substantially impermeable to the passage of water.
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the Floodplain Administrator as set forth in subsection 5(d)(3) of this article (information to be obtained and maintained).
3. Manufactured homes.

a. Manufactured homes shall be anchored in accordance with subsection 6(a)(1) of this article (anchoring).

b. All manufactured homes or those to be substantially improved shall be on a permanent foundation, have the lowest floor of the manufactured home elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation, and be securely anchored to an adequately anchored foundation system.

b. All manufactured homes or those to be substantially improved shall be on a permanent foundation, as referenced in FEMA P-85 / 2009, have the lowest floor bottom of the frame of the manufactured home elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation, and be securely anchored to an adequately anchored foundation system. However, within a Pre-FIRM manufactured home park, a newly placed manufactured home or those to be substantially improved shall be on a permanent foundation, have the bottom of the frame of the manufactured home elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation, and be securely anchored to an adequately anchored foundation system

4. Recreational Vehicles

a. All recreational vehicles located within a Special Flood Hazard Area to be placed on a site must be on the site for less than 180 consecutive days; AND be fully licensed and highway ready.

5. Enclosures.

New construction and substantial improvements may have enclosures with areas below the base flood elevation, that are less than 300 square feet and usable solely for building access and utility service connections serving the building, if constructed in accordance with the following requirements:

a. Must have structural and non-structural components constructed of flood damage resistant material. Flood damage resistant materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;

b. Must be provided with flood openings designed to equalize the hydrostatic pressure of flood forces on exterior walls by allowing the automatic entry and exit of floodwaters. Flood opening designs must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 1;

c. Must have mechanical, electrical, and utility equipment elevated at least two (2)

feet above the base flood elevation or specifically designed to prevent water from entering or accumulating with the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and,

d. Prior to the issuance of a building permit, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

4- 6. Attached garages, decks and landings providing primary access, and accessory buildings.

- a. Garages attached to any residential structure, non-residential structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it is attached.
- b. Decks and landings providing access to the primary entrance of a residential structure, non-residential structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it provides access.
- ~~c. Accessory buildings over one hundred twenty (120) square feet in area for residential structures, non-residential structures and manufactured homes shall be subject to the same construction requirements as non-residential construction.~~

7. Accessory Structures

a. Accessory structures defined within this section that are not greater than 600 square feet in area may be constructed with the lowest floor below the base flood elevation in accordance with the following wet floodproofing requirements:

i. Must be anchored to resist floatation, collapse and lateral movement.

ii. Must have structural and non-structural components constructed of flood damage resistant material to an elevation of at least two (2) feet about the base flood elevation. Flood damage materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;

iii. Must be provided with flood openings designed to equalize the hydrostatic pressure of flood forces on exterior walls by allowing the automatic entry and exit of flood waters. Flood opening designs must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 1;

iv. Must have mechanical, electrical and utility equipment elevated at least two (2) feet above the base flood elevation or specifically designed to

prevent water from entering or accumulating within the components Technical Bulletin P-348; and,

- v. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

b. Accessory structures defined within this section that are greater than 600 square feet in area may be constructed with the lowest floor one foot above the base flood elevation in accordance with the following requirements.

- i. Must have mechanical, electrical and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and
- ii. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

c. Accessory structures that are not enclosed and do not have more than one ridged wall may be constructed at grade in accordance with the following requirements.

- i. Must have structural and non-structural components constructed of flood damage resistant material to an elevation of at least two feet above the base flood elevation. Flood damage materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;
- ii. Must have mechanical, electrical and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and
- iii. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

5.8. Additions to existing structures.

- a. Any addition to any existing residential structure, non-residential structure, manufactured home, garage, deck, landing or accessory building that is not deemed

a substantial improvement may be constructed with the lowest floor at the same elevation as the existing structure, provided the lowest floor of the existing structure is elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation.

€.9. Floodways.

Floodways are designated areas located within the special flood hazard areas established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge; and
2. If the preceding subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of subsection 6 of this article (provisions for flood hazard reduction).

Section 7. Appeal and Variance Procedures.

- a. Board of Appeals. The Board of County Commissioners shall act as the Board of Appeals. The Board of Appeals shall hear and decide appeals and requests for variances from the requirements of this article.
- b. Appeals. An appeal may be filed by any person, firm or corporation aggrieved by any order, requirement, determination or final decision made by the Floodplain Administrator in the enforcement or administration of this article, in accordance with the provisions of Article 27 (Appeal Procedure).
- c. Variances. An application for a variance from the requirements of this article may be made by any person, firm or corporation with a legal interest in the property for which the variance is being sought, in accordance with the provisions of Article 28 (Variances).
 1. Required Findings. In considering applications for a variance, and in addition to the requirements of outlined in Article 28 (Variances), the Board of Appeals shall consider all technical evaluations, all relevant factors, and the standards specified in this article, including:
 - a. The danger to life and property due to flooding or erosion damage;

- b. The danger that materials may be swept onto other lands to the injury of others;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with the existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
 - l. Any other factor deemed relevant by the Board of Appeals.
2. Upon consideration of the factors in subsection(7)(c)(1) and the purposes of this article, the Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purpose of this article.
3. Conditions for variances.
- a. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection.

~~b. Variances shall not be issued within the identified floodplain if any significant increase in flood levels during the base flood discharge would result.~~
Variances may be issued by a community for new construction and substantial improvements to be erected on a lot of one-half acres or less in size constructed below the base flood level, in conformance with the procedures of paragraphs (a), (3), (4), (5), and (6) of this section.

~~c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~

~~c. Variances shall not be issued within the identified floodplain if any significant increase~~
any designated regulatory floodway, if any significant increase in flood levels during the base flood discharge would result.

d. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

d. Variances shall only be issued upon:

i. A showing of good and sufficient cause;

ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

iii. A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

e. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation lower than two (2) feet above the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

4. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) upon request.

5. Encroachment Analysis: When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements or development (including fill) shall be permitted within Zones A1 – 30 and AE on the community's FIRM, unless it is demonstrated that the cumulative

effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

Section 8. Penalties for Violations.

Penalties for violation of this article shall be in accordance with the provisions of Article 31 (Penalties for Violation).

Section 9. Repeal.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 10. Severability.

If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 11. Effective Date.

This ordinance shall take effect after final passage, adoption and publication as provided by law.

First Reading Passed: April 10, 2024

Passed and adopted this _____ day of _____, 2024

Brian Bitner Chairperson

Final passage and adoption:

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____
day of _____, 2024

Mark Splonskowski, Burleigh County Auditor/Treasurer

ITEM

8




BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: April 30, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Retirement and Release of Law Enforcement K-9

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

Action Requested:

Approve the agreement between Deputy Joe Citta and the Burleigh County Sheriff's Department to allow Deputy Joe Citta to take ownership of his law enforcement K-9 upon retirement of the dog.

Background:

The Burleigh County Sheriff's Department started a Law Enforcement K-9 Program in 2016. The K-9 currently utilized by Deputy Joe Citta is the second dog obtained in the program and was obtained through K-9 Working Dogs International. Deputy Joe Citta is the second handler for Profi and has been in service since 2017. Based on the age and physical condition of the dog, we have made the decision to retire the dog from service. Deputy Zach Bugbee is our new K-9 handler and will be attending K-9 handler school and will be paired with his new K-9 during that training.

Recommendation:

It is recommended that the County Commission approve the agreement between Deputy Joe Citta and the Burleigh County Sheriff's Department for transference of the law enforcement K-9.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to enter into an agreement with Deputy Joe Citta to take ownership of his Burleigh County Law Enforcement K-9.

COURTHOUSE

514 E. Thayer • PO Box 1416
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P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499
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BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: April 30, 2024

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Burleigh East Renovation Project

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

Action Requested:

Discuss a proposed renovation of the Burleigh County property at 2000 N 52nd St. and discuss potential funding sources to include American Rescue Plan funds, Local Assistance and Tribal Consistency Funds, and budgeted funds.

Background:

Burleigh County built and has owned the property at 2000 N 52nd St since 1989. Since inception until 2014, the property was occupied by the Burleigh County Highway Department. In 2014, the Sheriff's Department began occupancy of the property and moved our Patrol Section to that location from the Courthouse. Since 2014, we have employed a mechanic for our fleet who is housed in that property along with a deputy that assists with overseeing vehicles and equipment. In addition, our Patrol staff has become more diverse requiring facilities for both male and female employees. Since construction, no major renovations or remodeling have taken place.

Recommendation:


It is recommended that the County Commission authorize the Burleigh County Sheriff's Department to receive bids and authorize renovation based upon available funding.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to advertise and receive bids for renovation of the described property.

COURTHOUSE

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BURLEIGH MORTON DETENTION CENTER

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ITEM

9

County of Burleigh

Trial Balance by Fund

Fiscal Year: 2024-2024

From Date: 1/1/2024

To Date: 12/31/2024

2985 - COUNTY JAIL MAINT & CONST		<u>Opening Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
ASSET					
2985.11111.11110	CASH	\$1,852,151.21	\$0.00	(\$71,586.00)	\$1,780,565.21
2985.11111.12110	INVESTMENTS	\$1,082,744.05	\$33,595.89	(\$12,651.97)	\$1,103,687.97
2985.11111.13110	ACCOUNTS RECEIVABLE	\$0.00	\$4,826.85	\$0.00	\$4,826.85
2985.11111.13310	INTERGOVERNMENT RECEIVABL	\$4,826.85	\$0.00	(\$4,826.85)	\$0.00
ASSET TOTAL		\$2,939,722.11	\$38,422.74	(\$89,064.82)	\$2,889,080.03
LIABILITY					
2985.22222.21210	ACCOUNTS PAYABLE	\$0.00	\$71,586.00	(\$71,586.00)	\$0.00
LIABILITY TOTAL		\$0.00	\$71,586.00	(\$71,586.00)	\$0.00
FUND BALANCE					
2985.33333.29620	RESTRICTED FOR CAPITAL PROJECTS	(\$2,939,722.11)	\$0.00	\$0.00	(\$2,939,722.11)
FUND BALANCE TOTAL		(\$2,939,722.11)	\$0.00	\$0.00	(\$2,939,722.11)
REVENUE					
2985.00000.36110	INTEREST EARNINGS	\$0.00	\$12,651.97	(\$33,595.89)	(\$20,943.92)
REVENUE TOTAL		\$0.00	\$12,651.97	(\$33,595.89)	(\$20,943.92)
EXPENDITURE					
2985.42130.00441	BUILDING MAINTENANCE	\$0.00	\$71,586.00	\$0.00	\$71,586.00
EXPENDITURE TOTAL		\$0.00	\$71,586.00	\$0.00	\$71,586.00
Fund Totals:		\$0.00	\$194,246.71	(\$194,246.71)	\$0.00

JPA Ledger 01/01/2018 - 04/30/2024

Date	Description	Amount
1/1/2018	Annual Burleigh JPA Responsibility	255,000.00
1/1/2019	Annual Burleigh JPA Responsibility	255,000.00
1/1/2020	Annual Burleigh JPA Responsibility	255,000.00
1/1/2021	Annual Burleigh JPA Responsibility	255,000.00
1/1/2022	Annual Burleigh JPA Responsibility	255,000.00
12/19/2022	Progress billing for MAU equipment	(25,000.00)
12/19/2022	Morton Share - Progress billing for MAU equipment	3,750.00
1/1/2023	Annual Burleigh JPA Responsibility	255,000.00
1/17/2023	Invoice #24580	(55,000.00)
1/17/2023	Morton Share - Invoice #24580	8,250.00
8/4/2023	Wired new make up air unit	(7,161.00)
8/4/2023	Morton Share - Wired new make up air unit	1,074.15
8/25/2023	Invoice #25784	(18,918.00)
8/24/2023	Morton Share - Invoice #25784	2,837.70
11/30/2023	Mount,add new controller	(6,100.00)
9/8/2023	Morton Share - Mount,add new controller	915.00
1/1/2024	Annual Burleigh JPA Responsibility	255,000.00
4/30/2024	JPA Agreement Burleigh Fund Balance	1,689,647.85

Fund 2985 Fund Balance Allocation 04/30/2024

Description	Amount
4/30/2024 Cash Balance	1,780,565.21
4/30/2024 Investment Balance	1,103,687.97
4/30/2024 Intergovernment Receivable	4,826.85
4/30/2024 Fund Balance 04/30/2024	2,889,080.03
4/30/2024 Less: JPA Agreement Burleigh Fund Balance	(1,689,647.85)
4/30/2024 Fund 2985 Non-Allocated Fund Balance	1,199,432.18

	CURRENT BALANCE	TODAYS DEBITS	TODAYS CREDITS	PREVIOUS BALANCE	NET BAL CHANGE
1110013631 Escrow Fund	.00	.00	.00	.00	.00
1120013632 Cost of Issuance 44-17-524	.00	.00	.00	.00	.00
1120013633 Debt Service Fund 44-13-259	4,035,103.71	.00	.00	4,035,103.71	.00
1120013634 Reserve Fund 44-13-224	5,098,896.98	.00	.00	5,098,896.98	.00
1120013635 Burleigh Co Revenue 44-13-232	182.35	.00	.00	182.35	.00
1120013636 Morton Co Revenue 44-13-240	27.73	.00	.00	27.73	.00
1120013637 Burleigh Co Surplus 44-13-275	5,851,318.55	.00	.00	5,851,318.55	.00
1120013638 Morton Co Surplus 44-13-283	4,198,618.39	.00	.00	4,198,618.39	.00
1210013633 Debt Service Fund	.00	.00	.00	.00	.00
1210013634 Reserve Fund	.00	.00	.00	.00	.00
1210013637 Burleigh Co Surplus	21,900,000.00	.00	.00	21,900,000.00	.00
1210013638 Morton Co Surplus	.00	.00	.00	.00	.00
TOTAL ASSETS	41,084,147.71	.00	.00	41,084,147.71	.00
3100013622 Liability Fund Balance	41,084,147.71	.00	.00	41,084,147.71	.00
TOTAL LIABILITY/CAPITAL	41,084,147.71	.00	.00	41,084,147.71	.00
DIFFERENCE	.00	.00	.00	.00	.00

Amount needed to defease bond		\$ 42,339,603.23	<<---This number came from John at Colliers
less shared Reserve Fund		5,098,896.98	
less shared Debt Service Fund		4,035,103.71	
Amount to split between counties		<u>33,205,602.54</u>	
Burleigh	83.32%	27,666,908.04	
Morton	16.68%	\$ 5,538,694.50	

				BURLEIGH	MORTON				
		Balance 3/31/2024 (cash basis)		\$ 27,751,528.63	\$ 4,198,618.39				
		Defeasance amount, less debt service & reserve		27,666,908.04	5,538,694.50				
		Amount needed to defease as of 3/31/2024, net of debt service and reserve funds		<u>\$ (84,620.59)</u>	<u>\$ 1,340,076.11</u>				
								BURLEIGH	MORTON
								Amount needed to defease, Burleigh	Amount needed to defease, Morton
								(84,620.59)	1,340,076.11
Receipt Quarter	Collection Quarter	Sales Tax Receipts, Historical		Burleigh	Morton				
		Receipt Month	Collection Month						
Q2	Q1	4/19/2024	2/28/2024	488,370.25	103,451.54	ACTUAL	(572,990.84)	1,236,624.58	
Q2	Q1	5/19/2024	3/31/2024	688,155.85	132,196.41	ESTIMATE	(1,261,146.69)	1,104,428.17	
Q2	Q2	6/22/2024	4/30/2024	1,066,011.06	185,829.63	ESTIMATE	(2,327,157.75)	918,598.53	
Q3	Q2	7/24/2024	5/31/2024	987,741.14	175,329.29	ESTIMATE	(3,314,898.89)	743,269.24	
Q3	Q2	8/21/2024	6/30/2024	1,095,716.25	218,445.94	ESTIMATE	(4,410,615.14)	524,823.31	
Q3	Q3	9/22/2024	7/31/2024	1,021,130.79	200,682.44	ESTIMATE	(5,431,745.93)	324,140.86	
Q4	Q3	10/20/2024	8/31/2024	716,756.35	159,377.07	ESTIMATE	(6,148,502.28)	164,763.80	
Q4	Q3	11/22/2024	9/30/2024	1,366,765.51	235,014.56	ESTIMATE	(7,515,267.79)	(70,250.76)	
Q4	Q4	12/21/2024	10/31/2024	950,487.81	181,875.96	ESTIMATE	(8,465,755.60)	(252,126.72)	
Q1	Q4	1/21/2025	11/31/2024	700,759.27	127,606.44	ESTIMATE	(9,166,514.87)	(379,733.16)	
Q1	Q4	2/21/2025	12/31/2024	1,405,633.01	248,832.50	ESTIMATE	(10,572,147.88)	(628,565.67)	
Q1	Q1	3/21/2025	1/31/2025	922,938.59	158,318.59	ESTIMATE	(11,495,086.47)	(786,884.25)	
Q2	Q1	4/21/2025	2/28/2025	488,370.25	103,451.54	ESTIMATE	(11,983,456.72)	(890,335.79)	
Q2	Q1	5/21/2025	3/30/2025	688,155.85	132,196.41	ESTIMATE	(12,671,612.57)	(1,022,532.20)	

ITEM

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ITEM

11

Addenda item for May 6th Meeting

Action Requested: Reconsider Lewis & Clark Development Groups request for funding

Description: During our distribution of portfolios in November of 2022, it was suggested and voted on to drop the Lewis & Clark Development portfolio as we were no longer a participating member. From what we learned at our last meeting; we must participate according to the North Dakota Century Code. However we are not required to make an annual contribution. It has been suggested that we contribute .15 of a county mill which is approximately \$92,000. These funds are instrumental in providing funding for Grant Matches which are used in our community to assist local businesses and low income housing.

Action needed:

I request approval to fund the requested funding by the Lewis & Clark Development Group.

Addenda item for May 6th Meeting

Action Requested: Missouri Valley Complex Committee

The following request was made to Commissioner Schwab on Friday April 19th, 2024 with no response. I would like to make the request again.

When the committee was voted on and approved, the motion included the use of County Staff as needed. I reached out to Marcus to assist me in laying out a new road system and possible utility corridors within the Missouri Valley Complex and he told me that he was not allowed to assist in the Complex project.

This is not a request by the committee but a request by a Commissioner to lay out the Complex with new ideas as to where the road system could be so that we can make better use of the facility. This would assist in getting an area for a Carnival with a Midway, an area that could be used by United Tribes for their horse relay race, a new Barn for the Buckstop Junction area that could be used for 4H and Extension and yes it would set aside an area for the Equine and Ag Facility as well as a camping area. This would allow us a vision as to how we can grow the complete facility.

Action needed:

I am requesting that you reconsider your decision and allow me to work with Burleigh County Highway Department and Marcus?

ITEM

12

Stormwater and other related problems within the ETA

Over the years we have had numerous problems related to stormwater issues within the ETA. Most of these problems were a result of an inadequate City of Bismarck stormwater ordinance, lack of enforcement (by the City of Bismarck) of the stormwater ordinance during construction and the lack of enforcement post construction (related to the City of Bismarck's jurisdictional concerns). Since the City of Bismarck insisted on controlling development within the ETA the County had little or no authority to regulate development activities and to deal with potential stormwater problems before they became a problem.

In the last 7-10 years the number of stormwater problems within the ETA have been greatly reduced due to changes to the Stormwater ordinance, and the addition of new personnel within the City Engineering and Planning departments that have worked more closely with the County. In addition, the County Highway Department has been much more assertive in identifying, and requiring potential problem areas to be addressed before the developer and City leave/turn over the subdivision to the County to maintain.

In spite of these changes to the stormwater review process, the County has been stuck dealing with these historical problem areas. The following list details the problem areas:

<u>Subdivision:</u>	<u>Problem:</u>
<u>Apple Creek:</u>	
Copper Ridge	Drainage problems east of 6219 Copper Ridge Lane – required additional drainage work.
Copper Ridge	Erosion problems throughout the subdivision – required a lot of shoulder and ditch reconstruction.
Copper Ridge	Drainage problems at Copper Ridge Lane and Woodrow Dr – required us to acquire additional stormwater easement and add stormwater drainage structures in order to solve the problem.
Faimans Sunrise Addition	Drainage problems along Palimino Dr – required re-ditching and regrading of the roadway and ditch.
Leisure World Estates	Drainage along Northgate Drive has always been a problem and the construction of Leisure World just increased the problem. We are now required by the Burleigh Water Board to add additional culverts under Northgate Drive.
Apple Meadows 1 st	Drainage problems along Beacon Loop – required us to add stormwater drainage structures with in the subdivision to drain water out to the ditch along Highway 10.
Apple Meadows	Drainage problems with in the subdivision required us to re-ditch several areas.
WDH	Drainage problems with in the subdivision required us to do additional re-ditching.
Prairiewood Estates	The subdivision created drainage problems along 48 th Ave requiring the County and the residents to re-ditch and pump water during the year.
<u>Burnt Creek:</u>	
Prairiecrest 2 nd	Drainage problems at 914 Violet Lane – required additional drainage work.

Harvest Grove	Drainage problems along North Washington street – required us to replace culverts and perform major ditch repairs (which included a large ditch block) and rip-rap.
Harvest Grove	Drainage problems along the south and west sides of 8400 Northwood Drive – required us to re-ditch along 84 th Ave and Washington St.
Brentwood Estates	Drainage problems at 9030 Plainview Dr – required us to replace culverts and perform major ditch work through 9101 Wentworth Dr.
Hay Creek Pines	Major drainage problems along both Forest Drive and Oak Drive – resulted in the reconstruction of both roadways with the addition of a number of culverts and the re-ditching of much of the area.
Rustic Acres	Major drainage problems throughout the subdivision – required the reconstruction of both Shamrock Place and Clover Place.
Four K’s Estate	Additional runoff from the subdivision required the replacement and up sizing of culverts under 26 th Street – which should have been done as part of the subdivision construction.
Shamrock Acres	Poor drainage design throughout the subdivision (in particular along 26 th Street) has resulted in the County replacing several culverts and repairing the roadway numerous times.
Sunny Meadow Estates	Poor drainage throughout the subdivision has resulted in the County spending a lot of money on repairs to both Mirage Place and Desperado Place.

Fort Rice:

Twin Buttes	Poor drainage through the subdivision has resulted in flooding of several building structures – this has required the County to work with property owners on removing trees and re-ditching some of their property.
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Gibbs:

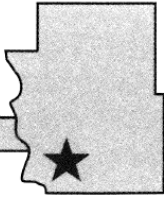
Country Creek	Numerous drainage problems along Runnel Road and Shoal Drive have caused the major problems in the area – this resulted in the re-drainage of water through the subdivision and the replacement of many culverts/approaches. The County now needs to snow blows the new drainage ditch each year to ensure spring runoff stays within the ditch.
Country Ridge	Because of the problems with in Country Creek, Country Ridge’s runoff needed to be delayed within the subdivision to allow Country Creek runoff to occur before more water was added to the system.
Country Creek	Drainage problems around 7331 and 7315 Runnel Road resulted in the county building several underground structures and stormwater drainage piping in order to deal with the problem.
Rock Creek	Drainage problems have will result in the County needing to replacing culverts and re-ditching this subdivision in the near future in order to meet the property owner’s needs.
East Meadows Estates	Drainage problems throughout the subdivision have resulted in the County installing subsurface drain tile along 80 th Street.
Brookfield Estates	Major drainage was allowed to go through the subdivision from the north. As a result of water problems within the subdivision, the residents built a berm (and drainage ditch) around the subdivision to divert the water – this has resulted in the County setting up an O&M agreement with the residents to clean, snow blow and maintain the new bypass ditch.
Rainbow Acres	Major water problems within the subdivision has caused the roadway to breakup – County and Township have had to spend extra money in this subdivision to improve the roadway and ditches.

TJ Ranch Estates	Drainage problems at 7245 Russell Road has resulted in the County changing culverts and improving the drainage in the area.
<u>Hay Creek:</u>	
Northridge Estates	We have had several drainage problems within the subdivision. So far, the County has had to have several meetings with residents to deal with the problems but have not had to make any changes to the existing structures.
State Street Office Park	Major drainage problems with in the subdivision required the County to re-ditch the main ditch within the subdivision and replace/reset several culverts.
Sunny-View Acres	Poor drainage within the subdivision has required the County to clear snow from ditches in order to enhance drainage in the spring. Some culverts have been replaced but every spring requires us to blow snow from the ditches.
Sunny-View Acres	Because the subdivision was not designed to deal with all the water from the area, the culverts on 84 th Ave have been replaced to reduce/delay the amount of water that enters the Sunny-View Acres Subdivision.
Crescent Ridge	Water problems along 78 th Ave have required the County to rebuild that roadway.
Grande Prairie Estates	Water coming from the east was not designed to go through this subdivision (between 4028 Rawhide Drive and 4041 Heartland Drive). The County needed to install drainage structures to divert the water to the north of the Grande Prairie Estates subdivision.
Green Acres	Major drainage problems along 57 th Ave NW, because of the Green Acres Subdivision, has required the County to re-ditch and place culverts along 57 th Ave.
Foxhaven 3 rd	The construction of Oakland Subdivision has caused drainage problems with in Foxhaven. County needed to replace culverts and do some re-ditching.
Breens	Drainage problems with in the subdivision required the County to replace some culverts and do some re-ditching.
Sabots	Drainage problems with in the subdivision required the County to replace some culverts and do some re-ditching.
<u>Lincoln:</u>	
Timberlane Place	Drainage leaving Timberlane Place was not accounted for when Whispering Bay was constructed. So the County was required to build drainage structures at 2882 Woodland Dr to ensure that residents to the east where not flooded during high Missouri River flows.
Fox Island	The subdivision design did not deal with high water tables that resulted in flooding in Timberlane Place and Fox Island subdivisions, so the County needed to constructed drainage structures adjacent to 3002 and 3005 Deer Lodge Drive.
Fox Island	Major flooding around the whole area required the County to construct the Tavis Road Pump Structure. Additional construction was required because a private developer was allowed to place flood control items on a public roadway.
Spiritwood Estates	Drainage problems within the subdivision required the County to do additional ditching and replace several culverts.
Metro Industrial Park	Poor drainage everywhere within the subdivision required the County to regrade the ditches and reset all of the culverts.

Apple Creek Industrial Park	Poor drainage everywhere within the subdivision required the County to regrade all of the ditches and roadways and reset many of the culverts throughout the subdivision.
Secluded Acres	The construction of Southbay resulted in drainage problems within Secluded Acre. This resulted in the County re-ditching several areas.
<u>Riverview:</u>	
Sundown Acres	Poor drainage between 14900 and 14844 Sand Dune Lane has required the County to reconstruct the drainage between the two properties.

ITEM

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Request for County Board Action

DATE: 5/6/2024

TO: Burleigh County Commission

FROM: Mark Splonskowski

ITEM: Bids for the Missouri Valley Complex farmland.

INFORMATION: The Burleigh County Commission authorized the advertisement for bids on the rental of the farmland located in the Missouri Valley Complex. This has been advertised and one bid was received from Clark Coleman. He offered \$50 an acre per year and suggested it being in a three-year contract.

REQUEST: Direct staff on how to proceed.

ITEM

14

COUNTY

WEED

BOARD

**BURLEIGH COUNTY WEED BOARD
MEETING**

JANUARY 17TH, 2024

Chairman Bakken called the meeting of the Burleigh County Weed Board to order.

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

There was a review of Rod Backman's Weed bill that had been outstanding for some time. Mr. Backman wondered how much he should pay. Comm. Bitner felt it was a single project and Chairman Bakken concurred. Comm. Munson wondered if there was a policy written down and a precedent set with the Weed Board on how people are billed. Comm. Schwab felt the new Weed Board would need to establish a policy as he didn't think there was one. Motion by Comm. Schwab, 2nd by Comm. Bitner to accept the cost sharing price of \$135.02. All members present voted "AYE". Motion carried. Chairman Bakken then discussed future meeting locations and recordings but thought it best to keep things status quo until a Weed Board was officially formed and a Weed Officer was hired. Comm. Schwab suggested having the meetings in the Tom Baker Room and have the Auditor's Office staff take the minutes. Comm. Bitner didn't want the Elections Coordinator burdened with taking minutes of the Weed Board and suggested her back up person do it. Chairman Bakken would like the Auditor to check on availability of the Tom Baker room for these meetings. Motion by Comm. Woodcox, 2nd by Comm. Munson to table the discussion until a Weed Officer is hired. All members present voted "AYE". Motion carried. Comm. Schwab stated that the chemicals are temporarily being stored at FertiLawn until spring but eventually a building is needed to store them per federal law. He also added that after attending the State Weed Board, a member of the ND Ag Department offered to sit in on Weed Board meetings to help them get started and answer questions.

Meeting Adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman