



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



## Burleigh County Commission Meeting Agenda

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

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

January 17, 2024

**5:00 PM**

### **COUNTY WEED BOARD**

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

### **COUNTY COMMISSION**

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

9. County Engineer Hall:

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

10. Commissioner Schwab:

- a. State Property Tax credit.

11. Daniel Schwartz:

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

12. Sheriff Leben:

- a. Quarterly Report.

13. Chairman Bitner:

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

14. Comm. Munson:

- a. Fair Board discussion.

15. Other Business.

Adjourn.

The next regularly scheduled Commission meeting will be on February 5<sup>th</sup>, 2024.

*Mark Splonskowski*

Burleigh County Auditor/Treasurer/Tax

**COUNTY**

**WEED**

**BOARD**

October 6, 2023

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

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

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

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

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

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

There is only a road between the 2 properties.

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

Attached:

Map of each property

Invoice

Original ticket

Past bills of these properties

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

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

**Rod Backman**

A blue ink signature or scribble, possibly a stylized 'R' or a similar mark, located at the bottom right of the page.

BURLEIGH COUNTY, NORTH DAKOTA  
LOCATION MAP



OWNER: BACKMAN, RODNEY A

SITE ADDRESS:

**INVOICE**

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

*2023 Weed Spraying*

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

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

Bill To :

BACKMAN, ROD

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

Attn: Accounts Payable

Phone:

Fax:

Project: Auditor  
(701)222-6694

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

NOTES:

Sub-Total:	110.00
Freight:	0.00
Tax:	0.00
<b>Total Amount:</b>	<b>110.00</b>

**FILE COPY**

20 23

# SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 4703

Renter/  
Land Owner: Bob Buckman Address: 7

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

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

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

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

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

### CHARGES

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

Cross Lake  
(TOWNSHIP)

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

### EPA Regulation Number:

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

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

Land Owner/Renter: \_\_\_\_\_ Date: \_\_\_\_\_

(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

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

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



2023 Weed Spraying

**INVOICE**

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

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

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

Bill To :  
BACKMAN ROD

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

Attn: Accounts, Payable

Phone: Fax:

Project: Auditor  
(701)222-6694

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

NOTES:

Sub-Total:	110.00
Freight:	0.00
Tax:	0.00
<b>Total Amount:</b>	<b>110.00</b>

**FILE COPY**

20 23

# SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number

4702

Renter/

Land Owner: Rod Backman Address: \_\_\_\_\_

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

Land Description: NE 4-142-79

(¼ SEC./TWNSP./RANGE) or (ROW)

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

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

Total Acres/Miles Treated: 1

PPE#: \_\_\_\_\_ R.E.I.: \_\_\_\_\_

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

### CHARGES

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

Less County Cost Share 50 %

Total \$ 1102.51

Ecklund

(TOWNSHIP)

### EPA Regulation Number:

62719-655 Graslan L (Corteva)

62719-6 Tordon 22k (Corteva)

24D Amine

62719-519 Milestone (Corteva)

62719-755 Other High Noon

minimum charge \$110.00 LP dues  
Amount Due \$ 81.26

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

Land Owner/Renter: \_\_\_\_\_ Date: \_\_\_\_\_

(SIGNATURE OF LAND OWNER OR REPRESENTATIVE)

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

(or Representative)

(LICENSE NO.)

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

2022 Weed Spraying

**INVOICE**

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

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

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

Bill To :

BACKMAN, ROD

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

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor  
(701)222-6694

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

NOTES:

[Empty rectangular box for notes]

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

**FILE COPY**

20 22

# SPRAY TICKET AND INITIAL BILLING SHEET

## BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3955

3955

Renter/  
Land Owner: Rod Backman

Address: \_\_\_\_\_

Weeds Controlled: LS WW CT

Spray Equipment: #12 25 gpa  
(UNIT NUMBER AND GPA)

Herbicide: 1pt. Tordon, 1qt. 24-D / 7oz Milestar  
(RATE AND NAME) 1qt. 24-D

Land Description: 33-143-79; 4-142-79

(¼ SEC./TWNSP./RANGE) or (ROW)

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

Gallons Starting: _____	Gallons Added: _____	Gallons Ending: _____	Total Gallons Used: <u>65</u>
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Right of way as shown on map below

Total Acres/Miles Treated: 2.6

R.E.I.: \_\_\_\_\_

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

### CHARGES

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

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

Gross Lake, Etchewa  
(TOWNSHIP)

### EPA Regulation Number:

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

Amount Due \$

135.56

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

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

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

2021 Weed Spraying

**INVOICE**

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

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

Questions ? Please See Phone Number Below

Bill To :

BACKMAN, ROD

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

Attn: Accounts, Payable

Phone:

Fax:

Project: Auditor  
(701)222-6694

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

NOTES:

Sub-Total:	40.00
Freight:	0.00
Tax:	0.00
<b>Total Amount:</b>	<b>40.00</b>

**FILE COPY**

20 21

# SPRAY TICKET AND INITIAL BILLING SHEET

## BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3966

Renter/  
Land Owner: Red Berkman Address: \_\_\_\_\_

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

Weeds Controlled: L. Spurge A. Watermark

Start Time: 7:45 End Time: 8:15 Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ Total: \_\_\_\_\_

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

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Gallons Starting: \_\_\_\_\_ Gallons Added: \_\_\_\_\_ Gallons Ending: \_\_\_\_\_ Total Gallons Used: 25

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

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

### CHARGES

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

2.5 pk Gresslan @ 40 gal \$ 18.00

1/4 pt Colomat @ 20 " \$ 5.00

1 " Liberate @ 45 " \$ 20.00

\_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_

Less County Cost Share 50 % \$ 56.16

Gross Lake  
(TOWNSHIP)

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

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

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

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

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

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

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

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

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

2020 Weed Spraying

**INVOICE**

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

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

Questions ? Please See Phone Number Below

Bill To :

BACKMAN, ROD

Attn: Accounts, Payable

Phone: Fax:

Project: Auditor  
(701)222-6694

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

NOTES:

Sub-Total:	40.00
Freight:	0.00
Tax:	0.00
<b>Total Amount:</b>	<b>40.00</b>

**FILE COPY**

20 20

# SPRAY TICKET AND INITIAL BILLING SHEET BURLEIGH COUNTY WEED CONTROL PROGRAM

Ticket Number 3637

3637

Renter/

Land Owner: Red Bantman

Address: \_\_\_\_\_

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

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

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

Weeds Controlled: L. Spruce

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

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

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Time: \_\_\_\_\_ Location at time of Reading: \_\_\_\_\_ Temp: \_\_\_\_\_ Wind direction: \_\_\_\_\_ Wind speed: \_\_\_\_\_

Gallons Starting: \_\_\_\_\_ Gallons Added: \_\_\_\_\_ Gallons Ending: \_\_\_\_\_ Total Gallons Used: 10

Right of way as shown on map below

Acres/Miles Treated: .4 PPE#: \_\_\_\_\_

R.E.I.: \_\_\_\_\_

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

### CHARGES

Spraying: <u>1/2</u> hrs. @ \$ <u>80</u> /hr.	\$ <u>40.00</u>
<u>1 gal. Glyphosate</u> @ <u>36.00</u> /gal	\$ <u>36.00</u>
<u>1 gal. Libicide</u> @ <u>22.00</u> /gal	\$ <u>22.00</u>
<u>1/4 gal. Colomat</u> @ <u>46.00</u> /gal	\$ <u>11.50</u>
_____ @ _____	\$ _____
_____ @ _____	\$ _____
Less County Cost Share _____ %	\$ <u>47.50</u>

Grass Lake  
(TOWNSHIP)

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

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

62719-6 Tordon 22K (Dow)

228-145 Platoon 24D Amine (Timberland)

62719-519 Milestone (Dow)

Other: \_\_\_\_\_

Amount Due \$ 40.00

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

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

Date: \_\_\_\_\_

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

Date: \_\_\_\_\_

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

Date: 6-11-20

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

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



**COUNTY**

**COMMISSION**

**BURLEIGH COUNTY COMMISSION  
MEETING**

**JANUARY 3<sup>RD</sup>, 2024**

**5:00 PM**

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

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

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

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

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

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

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

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Woodcox to approve the December 18th, 2023 meeting minutes and bills. All members present voted, "AYE". Motion carried.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer

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Brian Bitner, Chairman

DRAFT

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

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

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

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

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

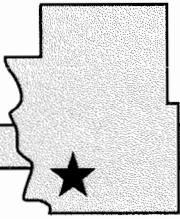
	Robert P Jr & Leighann						
24-044	Gregoire	2023	Lot 5, Block 2, Wachter's 7th	50% Homestead Credit	\$294,900	\$194,900	
24-045	Michael L Miller	2023	Lot 12, Block 4, Haycreek Meadows	50% Homestead Credit	\$308,800	\$208,800	
24-046	Robert L Wetsch	2023	Lot 3, Block 19, Casey's 4th	100% Homestead Credit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



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

# County of Burleigh

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



January 7, 2024

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

Burleigh County Commissioners:

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

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

If you have any questions, please contact me.

Thank you,

A handwritten signature in black ink that reads "Brandi Caya". The signature is written in a cursive style.

Brandi Caya  
Burleigh County Deputy Auditor/Treasurer

**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**

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

Permit Number <b>24-002</b>
--------------------------------

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

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

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

<b>SITE INFO</b>			
Site Name <b>Prairie Rose Elementary</b>		County <b>Burleigh</b>	
Site Address <b>2200 Oahe Bend</b>	City <b>Bismarck</b>	State <b>ND</b>	ZIP Code <b>58504</b>
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.)			
<b>Drawings (24) Feb 26 - March 8, 2024</b>			

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>

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

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

**Information required to be preprinted on a standard raffle ticket:**

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

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

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

**INSTRUCTIONS:**

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

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

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

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



# APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

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

Applying for (check one)

Local Permit  Restricted Event Permit\*

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

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

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

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

## ORGANIZATION INFO

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

## SITE INFO

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

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

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

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

## Intended Uses of Gaming Proceeds

**New projector screen in gym, headphones for classrooms, playground**

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

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

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

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

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

**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.

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

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

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

All Items required for this Permit have been meet.

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



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

Permit Number  
**24-001**

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

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

**ORGANIZATION INFO**

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

**SITE INFO**

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

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

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

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

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

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

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

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

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

**CITY OR COUNTY CONTACT PERSON**

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

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



**Information required to be preprinted on a standard raffle ticket:**

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

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

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

**INSTRUCTIONS:**

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

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

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

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



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

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

Games to be conducted  
 Bingo     Raffle     Raffle Board     Calendar Raffle     Sports Pool     Poker\*     Twenty-One\*     Paddlewheels\*

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

**ORGANIZATION INFO**

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

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

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

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

**SITE INFO**

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

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

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

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

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

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

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

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

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

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

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



# APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (4-2023)

Applying for (check one)

Local Permit       Restricted Event Permit\*

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

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

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

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

### ORGANIZATION INFO

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

### SITE INFO

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

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

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

Intended Uses of Gaming Proceeds

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

Yes     No

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

Yes     No

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

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

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

Yes     No

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

All Items required for this Permit have been meet.

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

BURLEIGH COUNTY CHECK REPLACEMENT  
(4-17)

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

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

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

NAME AND ADDRESS OF PAYEE:

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

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

AFFIDAVIT AND AGREEMENT

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

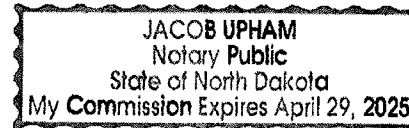
I hereby state under oath that the above described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

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

Subscribed and sworn to before me

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

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



(Seal)

\*\*\*\*\*  
Application approved by the Burleigh County Commission on \_\_\_\_\_, 20\_\_.

Duplicate warrant # \_\_\_\_\_ issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Burleigh County Auditor/Treasurer

\_\_\_\_\_  
Date



# BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

## Memo

Date: January 17, 2024

To: Mark Splonskowski  
County Auditor

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

RE: Second access permit for Brent Freese

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

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

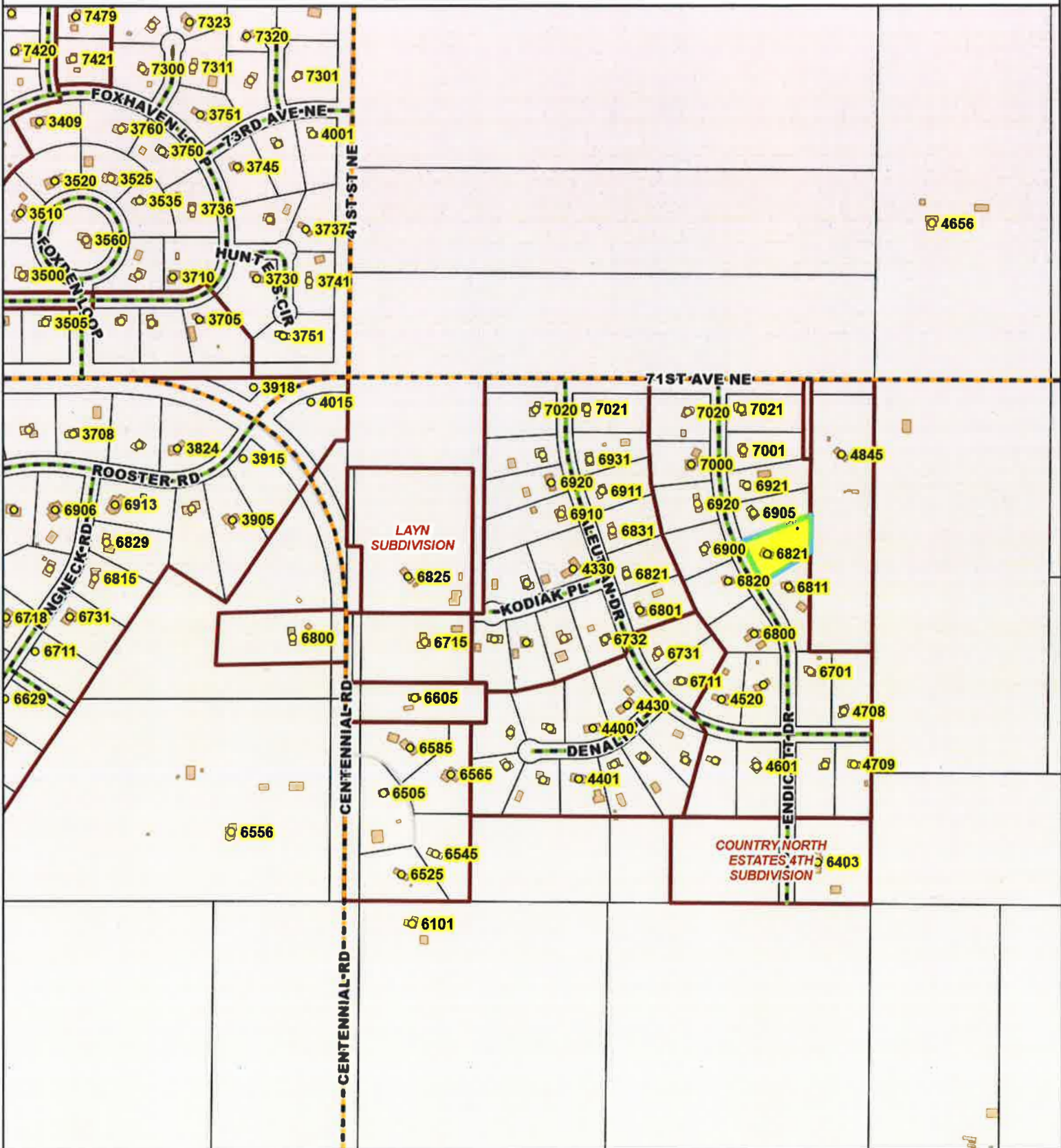
### 2<sup>nd</sup> Approach Permits Requirements

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

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

BURLEIGH COUNTY, NORTH DAKOTA  
LOCATION MAP

N  
1/5/2024

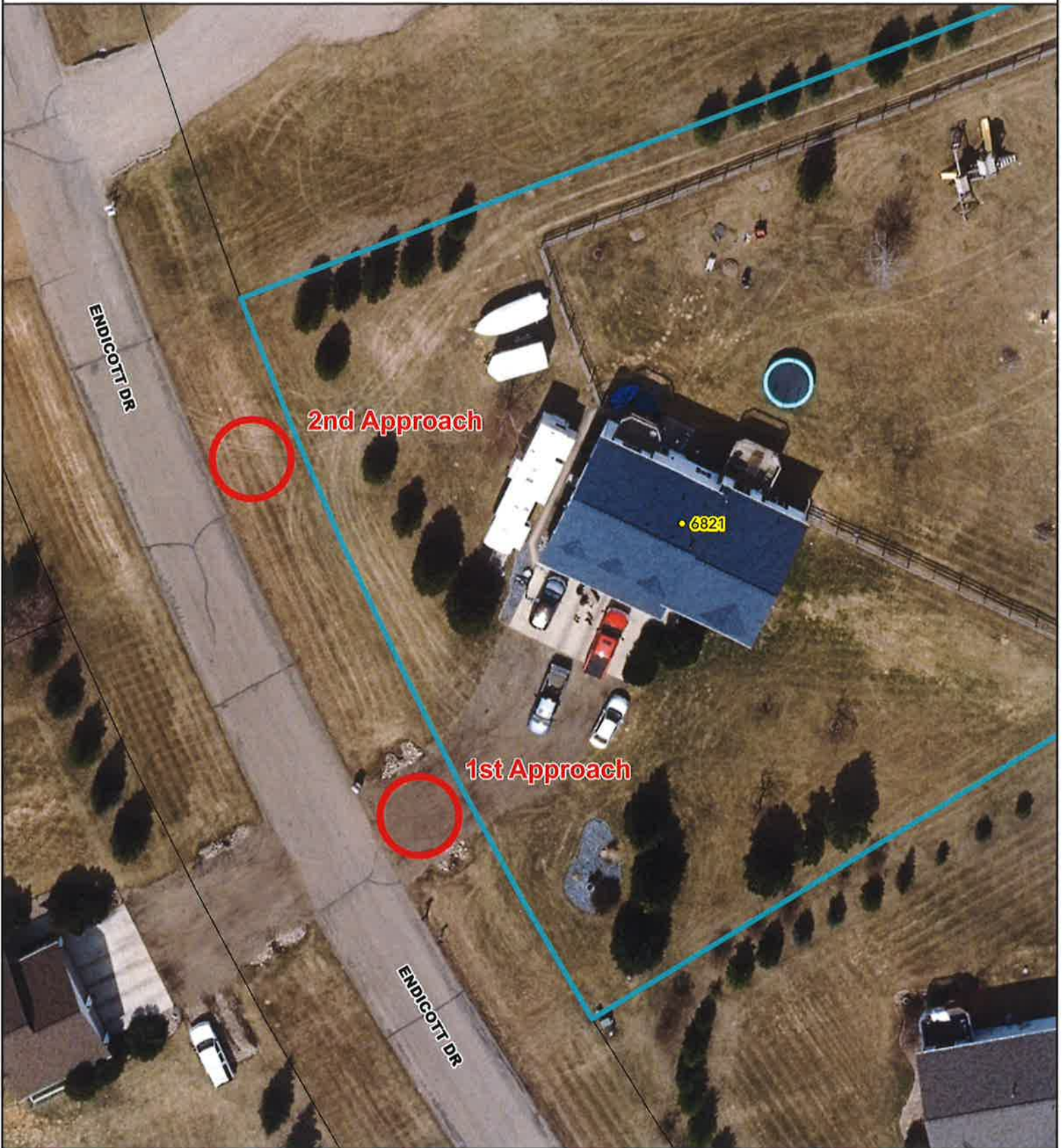


PARCEL ID: 31-139-80-09-02-050      OWNER: FREESE, BRENT & CARMEN      ACRES: 1.494  
SITE ADDRESS: 6821 ENDICOTT DR  
MAIL ADDRESS: 6821 ENDICOTT DR, BISMARCK, ND 58503-6892  
LEGAL: COUNTRY NORTH ESTATES 3RD Block 02 LOT 5

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

**BURLEIGH COUNTY, NORTH DAKOTA  
LOCATION MAP**

N  
1/8/2024



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



Mr. Marcus Hall

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

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

The included photos are as follows:

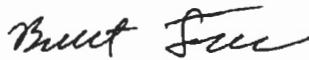
- 11.1, 11.2, and 11.3 – aerial photos of the property
- 12.1 and 12.2 – property descriptions from the Burleigh County website
- 13.1 – basic depiction of the proposed approach
- 14.1, 14.2, and 14.3 – Google Maps measurements showing the planned 30' approach width and offsets from the adjacent approaches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

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

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

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

Thank you for your time on this matter.



Brent Freese



**ITEM**

**# 8**

## Burleigh County Commission - 2024 Portfolios

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

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

**ITEM**

**# 9**

# PUBLIC HEARING



# BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

## Request for County Board Action

**DATE:** January 17, 2024

**TO:** Mark Splonskowski  
County Auditor

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

**RE: Petition to Vacate Section line – PUBLIC HEARING**

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

### **ACTION REQUESTED:**

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

### **BACKGROUND:**

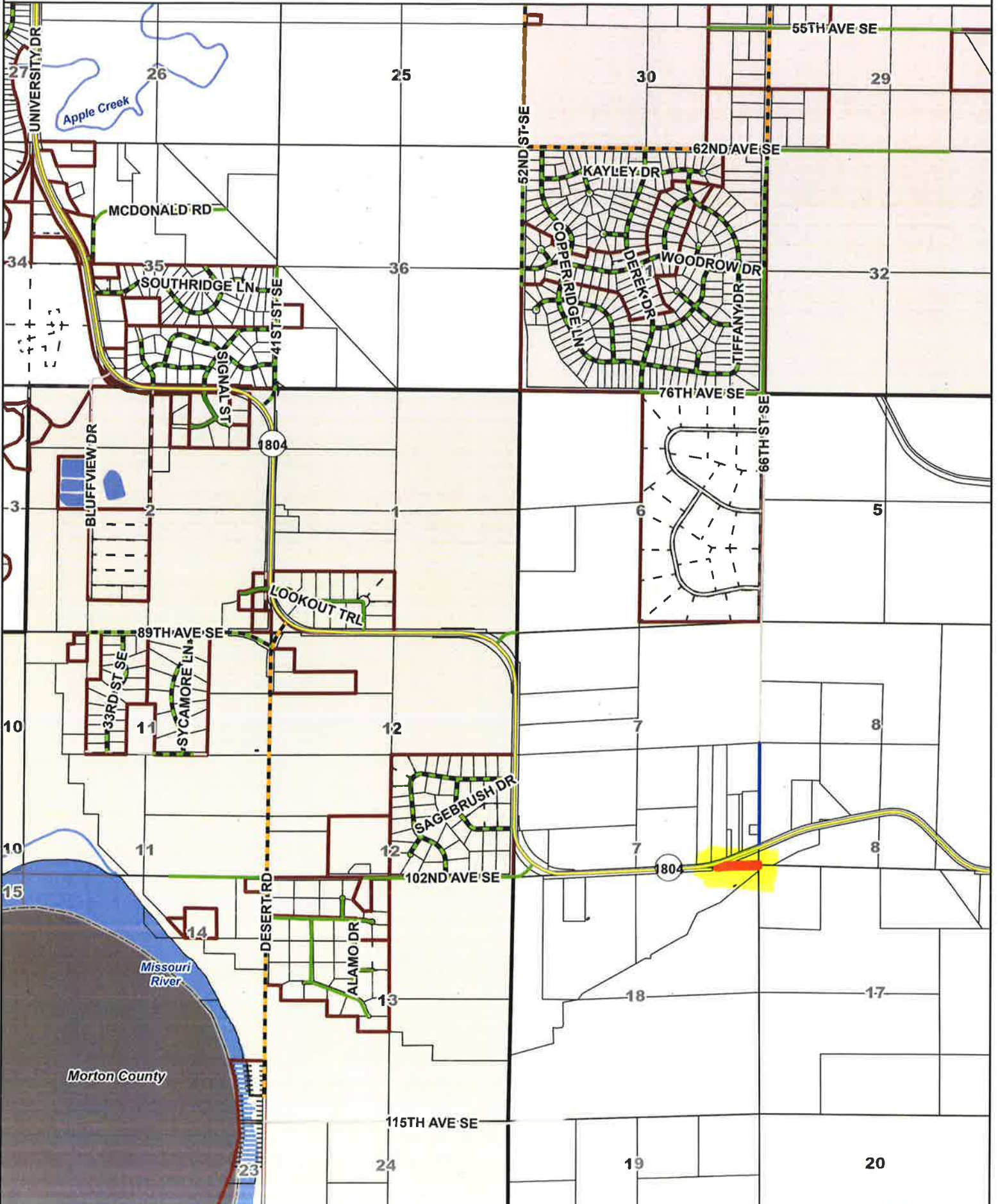
Under North Dakota Century Code (NDCC 24-07-03), the Board of County Commissioners may close a section line if the request meets certain criteria (if petitioned by a person having an interest in the adjoining land and after a public hearing). A property owner, as part of the Baker Subdivision, has filed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

### **RECOMMENDATION:**

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

# BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N  
1/9/2024



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

# BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N  
1/9/2024

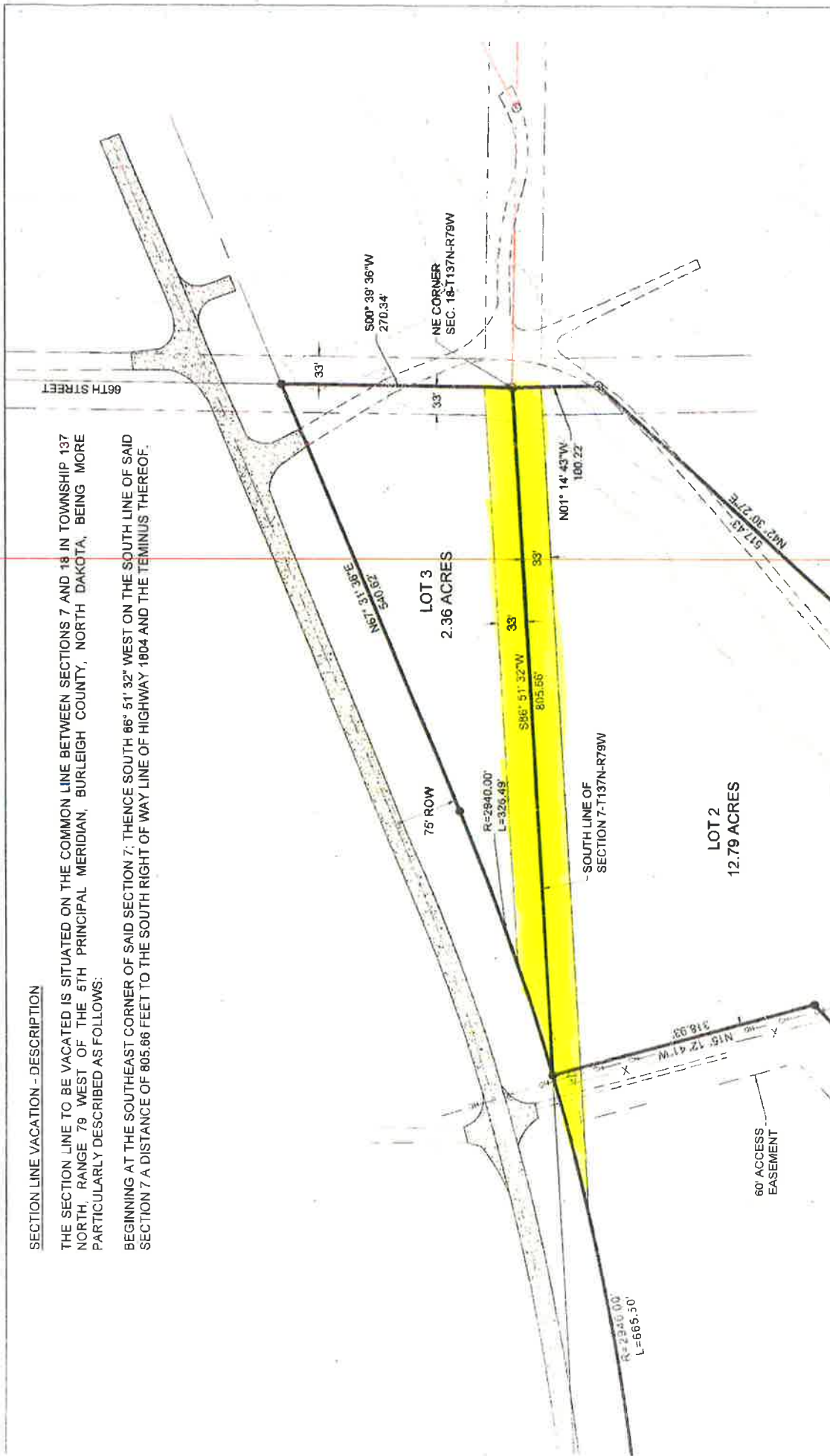




SECTION LINE VACATION - DESCRIPTION

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

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





## BURLEIGH COUNTY UNIFIED DEVELOPMENT APPLICATION

**Application submitted for (check all that apply):**

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

PROPERTY INFORMATION:		
Name of plat: <span style="font-size: 1.2em; margin-left: 40px;">BAKER SUBDIVISION</span>		
Legal description of property (lot, block, addition): <span style="font-size: 1.1em; margin-left: 40px;">PART OF THE SE 1/4 SECTION 7 &amp; PART OF THE NE 1/4 SECTION 18 ALL IN T137N, R19W</span>		
Street address of property: <span style="font-size: 1.1em; margin-left: 40px;">5951 SE HIGHWAY 1804, BISMARCK, ND 58503</span>		
Existing Zoning: <span style="font-size: 1.2em; margin-left: 40px;">AG</span>	Proposed zoning: <span style="font-size: 1.2em; margin-left: 40px;">AG</span>	
Acreage: <span style="font-size: 1.2em; margin-left: 40px;">66.89</span>	Number of lots: <span style="font-size: 1.2em; margin-left: 40px;">2</span>	
Description of development proposal, including reason(s) for the request: <span style="font-size: 1.1em; margin-left: 40px;">DIVIDE PROPERTY INTO 2 LOTS.</span>		
APPLICANT/DEVELOPER:		
Name: <span style="font-size: 1.1em; margin-left: 40px;">DOROTHY BAKER</span>	Mailing address: <span style="font-size: 1.1em; margin-left: 40px;">2200 KOCH DRIVE #337, BISMARCK, ND 58503</span>	
Daytime telephone number:	FAX number:	E-mail address:
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name: <span style="font-size: 1.1em; margin-left: 40px;">DANIEL L BAKER</span>	Mailing address: <span style="font-size: 1.1em; margin-left: 40px;">1508 CANYON RD SW MANAW, ND 58554</span>	
Daytime telephone number: <span style="font-size: 1.1em; margin-left: 40px;">701-220-6172</span>	FAX number:	E-mail address: <span style="font-size: 1.1em; margin-left: 40px;">daniel.l.baker@hotmail.com</span>
CONTACT PERSON/AGENT:		
Name/Firm: <span style="font-size: 1.1em; margin-left: 40px;">MARK R. ISAACS, ILSE, INC.</span>	Mailing address: <span style="font-size: 1.1em; margin-left: 40px;">4215 OLD PEO TRAIL NW, MANAW, ND 58554</span>	
Daytime telephone number: <span style="font-size: 1.1em; margin-left: 40px;">701-595-2079</span>	FAX number:	E-mail address: <span style="font-size: 1.1em; margin-left: 40px;">mark@ilsurveynd.com</span>

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

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

(Applicant's Signature)

*Dorothy Baker*  
(Owner's Signature, if different)

(Date)

*11-28-2023*  
(Date)

(Additional Owner's Signature, if applicable)

(Date)

**VERIFICATION FOR ROADWAY VACATION REQUESTS:**

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

STATE OF NORTH DAKOTA )  
  ) SS  
COUNTY OF BURLEIGH )

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

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

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

**Submission Deadlines:**

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

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

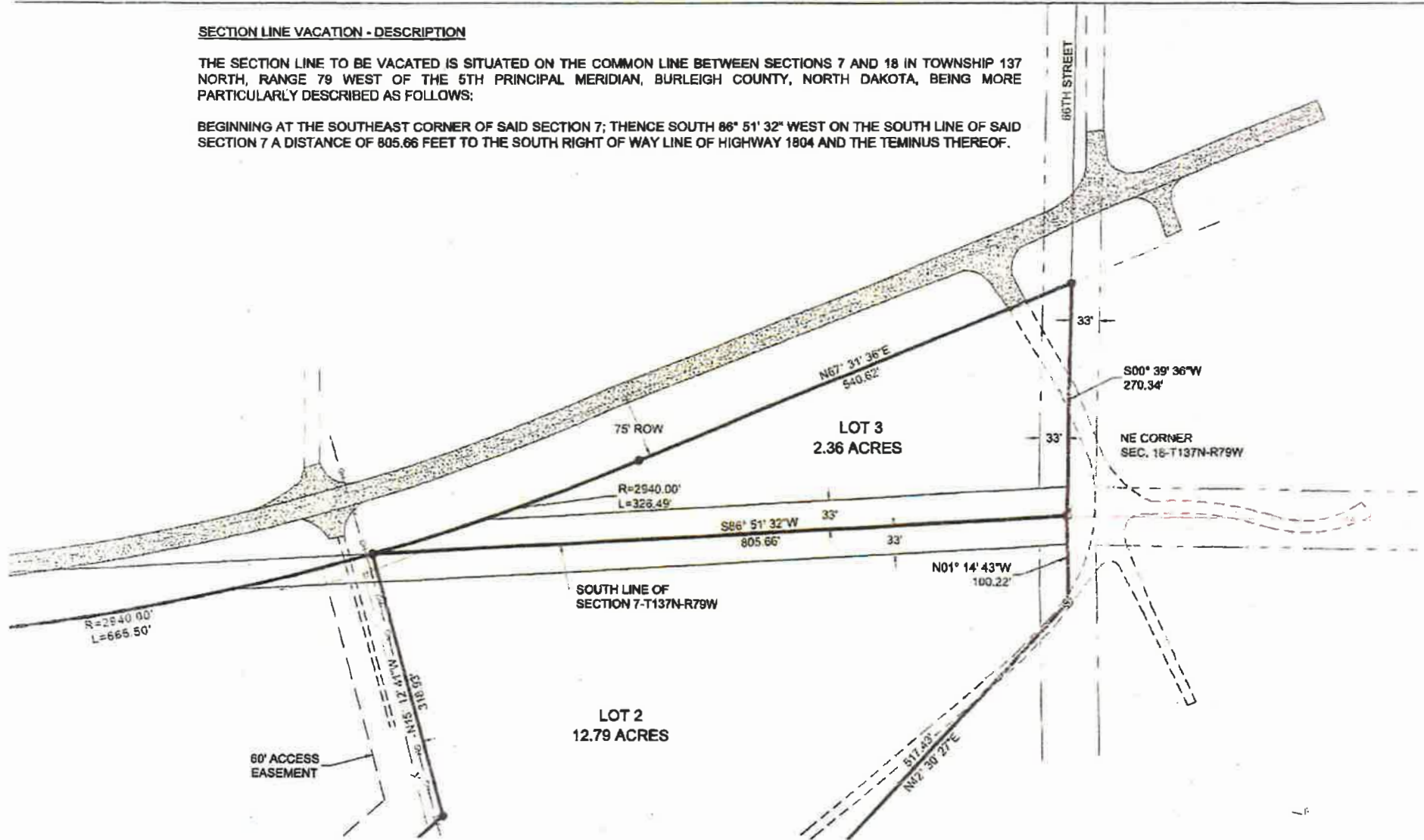
<b>COUNTY SUBMISSION CHECKLIST</b>			
Applying for:		Submitted	N/A
<input type="checkbox"/> Preliminary Plat	Required pre-application meeting	Date:	
	5 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee determined by lot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

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

**SECTION LINE VACATION - DESCRIPTION**

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

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





# BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

## Request for County Board Action

**DATE:** January 3, 2024

**TO:** Mark Splonskowski  
County Auditor

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

**RE: Burleigh County Proposed Project Priority List**

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

**ACTION REQUESTED:**

Approve the 2024 Burleigh County Project Priority List

**BACKGROUND:**

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

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

**RECOMMENDATION:**

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

**PROPOSED RESOLUTION:**

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



**ITEM**

**# 10**

**ITEM**

**# 11**

**MEMORANDUM OF UNDERSTANDING BETWEEN BURLEIGH COUNTY AND THE UNIVERSITY OF MARY**

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

Burleigh County

University of Mary

\_\_\_\_\_  
Burleigh County Commissioner

  
\_\_\_\_\_  
Executive Vice President, University of Mary

Date: \_\_\_\_\_

Date: 1-10-24

**ITEM**

**# 12**

## BURLEIGH - MORTON COUNTY COMMISSION

### DETENTION REPORT January 2024

1. December Housing Report:

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

2. Breakdown of Inmate Days:

a. Bismarck inmate days:

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

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

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

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

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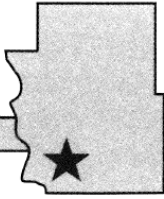
3. Total billed : \$135,566                      Year: \$1,973,428

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

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

**ITEM**

**# 13**



## **Request for County Board Action**

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

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

### **BACKGROUND:**

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

### **RECOMMENDATION:**

Receive update on the status of the 2024 election.

**ITEM**

**# 14**



**Request to the Burleigh County Commission:**

**Action requested by motion:**

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

**Discussion:**

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

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

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

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

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

**The "Fair Board" would be tasked with:**

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

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

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

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

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

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

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

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

To provide member review of project development.

1-8-24

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

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

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

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

**Note:**

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

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

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

**CHAPTER 11-39**  
**AGRICULTURE FAIR ASSOCIATIONS**

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

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

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

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

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

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

Shall the board of county commissioners continue the annual

Yes

funding in aid of a county fair? No

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

Shall the board of county commissioners resume the annual Yes

funding in aid of a county fair? No

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

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

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

**11-39-05. Disposition of property.**

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

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

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

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

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

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

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

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

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

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

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

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

**ITEM**

**# 15**