

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**December 20, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.**

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**5:00 P.M. Invocation by Chaplain**  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the December 6, 2021, meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Stop payment on Lost check number 121285 and reissue payment.
- 5) NDSU Extension.
- 6) Burleigh County Weed Officer and Office.
- 7) Review abatement of property at 2718 Gateway Ave.
- 8) County Engineer Hall:
  - a) Burleigh County Proposed Project Priority List.
- 9) County Finance Director Grenz:
  - a) Courthouse Remodel – Seating - Change Order and construction update.
  - b) Approval of I.T. Contract for 2022.
- 10) Home Rule Charter.
- 11) Commissioner Matthews Zone Board.
- 12) State's Attorney Lawyer:
  - a) Executive session under N.D.C.C. § 44-04-19.1 for attorney consultation regarding the ongoing federal opioid litigation.
- 13) Other Business.
- 14) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

**ITEM**

**# 3**

**BURLEIGH COUNTY COMMISSION  
MEETING MINUTES  
December 6, 2021**

**5:00 P.M.**

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

Roll call of the members; Commissioners, Armstrong, Bitner, Peluso, and Madam Chairman Jones, present, Commissioner Matthews absent.

Motion by Comm. Bitner, 2<sup>nd</sup> by Comm. Armstrong to approve the November 15, 2021, meeting minutes and bills. All members present voted "AYE"; motion carried.

The following abatement was presented for the Board's consideration; a complete copy of which are on file and available for inspection in the Office of the County Auditor/Treasurer:

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Larry Berger & Kelli Were	2021	Lot 15, Block 1, City View Heights	Fire	\$283,600	\$155,700
Fred Johnson	2019	Auditors Lot B of SE1/4 29-139-77	T/F Value exceeds M/V	\$29,600	\$500
Fred Johnson	2020	Auditors Lot B of SE1/4 29-139-77	T/F Value exceeds M/V	\$1,600	\$500
Braxton & Alyssa Miller	2020	Lot 15, Block 6, Fort Lincoln Estates #2	70% Disabled Vet	\$184,400	\$79,400
Marvin & Shirley Gillig	2020	Lots 17-18, Block 8, Regan	20% Homestead	\$19,500	\$15,600
William & Kathleen Pulley	2021	2020 Schult 28' x 56' Ser# RED36894MNAB	100% Disabled Vet (7 months)	\$86,240	\$35,933
James & Janice Wiese	2020	SW1/4SE1/4SW1/4, 32-139-78	100% Homestead	\$177,100	\$52,100
James & Janice Wiese	2021	SW1/4SE1/4SW1/4, 32-139-78	100% Homestead	\$183,000	\$58,000
Jane Willow	2020	Lot M Cedar Village Townhomes, Lot 3, Block 1, North Hills 5th	40% Homestead	\$163,200	\$113,200
Laura & Mitchell Conley	2021	Unit 3 Building 1904 Williamsburg Condominium Assoc, S 4.25' of Lot 11 & all of Lots 12-14, Block 1, Haight & Littles	40% Homestead	\$160,800	\$110,800
Debbie Opp	2021	Lot 13, Block 7, Replat of Calkins	20% Homestead	\$195,400	\$170,400
Robert Casavant	2021	Lot C in the E1/2NE1/4, 16-138-79	100% Homestead	\$217,100	\$92,100
Jimmie Haluska	2021	Lot 2, Block 7, Wachter's 5th	40% Homestead	\$239,000	\$189,000



The following Calendar Raffle Permit was presented for the Board's consideration; a complete copy of which are on file and available for inspection in the Office of the County Auditor/Treasurer:

Prairie Rose Elementary, Parent Teacher Club for a Calendar Raffle to be held in February of 2022.

Motion by Comm. Peluso, 2<sup>nd</sup> by Comm. Armstrong to approve the Berger/Were, Johnson (2), Miller, Gillig, Pulley, Wiese (2), Willow, Conley, Opp, Casavant and Haluska abatements along with the remainder of the Consent Agenda. All members present voted "AYE"; motion carried.

County Election Manager White presented the 2022 Precincts and Polling locations. Motion by Comm. Peluso, 2<sup>nd</sup> by Comm. Bitner to accept the 2022 Precincts and Polling locations as presented by County Election Manager White. All members present voted "AYE"; motion carried.

CenCom Communications Director Mike Dannenfelzer asked for approval of a Burleigh County payment of 35% of \$37,752.00 to Central Square for the completion of converting Burleigh County Sheriff's Office records management data into the new public safety software solution. Motion by Comm. Peluso, 2<sup>nd</sup> by Comm. Armstrong to approve the expenditure of \$13,213.20 to complete the records management conversion to close the project with Central Square. All members present voted "AYE"; motion carried.

Madam Chairman Jones mentioned at the November 15, 2021 Burleigh County Commission Meeting the board appointed Rachel Bailey to the County Housing Authority board pending written clarification from the State's Attorney Office of her allowance to be a board member since she is a county employee, and State's Attorney Lawyer stated that she is fine doing both, however, Madam Chairman Jones stated that sometime after the meeting she realized Rachel would be more beneficial on a different board and made a recommendation to remove Rachel Bailey from the newly appointed board position on the County Housing Authority and appoint Steve Sathre to the County Housing Authority in place of Rachel Bailey. Motion by Comm. Peluso, 2<sup>nd</sup> by Comm. Armstrong to remove Rachel Bailey from the newly appointed board position on the County Housing Authority and appoint Steve Sathre to the County Housing Authority in place of Rachel Bailey. All members present voted "AYE"; motion carried.

County Engineer Hall handed out his 5-year construction budget for the Highway Department (years 2022-2026) to the Commissioners for their review for discussion in more detail at a future meeting. County Engineer Hall stated that the county will receive \$3 million for road and bridge projects from HB 1505 ARPA Funds.

County Chief Deputy Hulm made recommendation the proper County officials are hereby authorized to purchase a new drone for \$6,969.00 with Burleigh County Forfeiture funds. Motion by Comm. Bitner, 2<sup>nd</sup> by Comm. Armstrong to authorize the proper County officials to purchase a new drone for \$6,969.00 with Burleigh County Forfeiture funds. All members present voted "AYE"; motion carried.

County Chief Deputy Hulm mentioned the server that is being used in the Sheriff's department is old and ready for replacement and made recommendation the proper County officials are hereby authorized to purchase a new computer server for \$21,085.00 with Burleigh County Forfeiture funds. Motion by Comm. Peluso, 2<sup>nd</sup> by Comm. Armstrong to authorize the proper County officials to purchase a new computer server for \$21,085.00 with Burleigh County Forfeiture funds. All members present voted "AYE"; motion carried.

County Major Wangen gave an ARPA update stating both Burleigh and Morton County Commissioners voted unanimously in favor of allowing the use of the ARPA funds for 4 new hires for the Detention Center which they will begin looking to fill in January 2022.



County HR Director Binder made a recommendation to accept the 2022 Holiday Calendar as presented which was no change from 2021. Motion by Comm. Armstrong, 2<sup>nd</sup> by Comm. Bitner to accept the 2022 Holiday Calendar as presented which was no change from 2021. All members present voted "AYE"; motion carried.

County HR Director Binder gave an update on the Employee Open Enrollment and Retirement Meetings stating that they were held this past fall with a few more left and it has gone well.

Social Service Director Bailey acted on Commissioner Matthews behalf due to her absence and made a recommendation to appoint Trevor Vannett and Dick Dever to the Burleigh County Human Service Zone Board. Motion by Comm. Peluso, 2<sup>nd</sup> by Comm. Armstrong to appoint Trevor Vannett and Dick Dever to the Burleigh County Human Service Zone Board. All members present voted "AYE"; motion carried.

Leslie Percy, representing Evangel Church appeared before the Commission and explained the outreach program called City Reach, which is a group that helps in various ways. The program asked to deliver new furniture, toys and update the paint, including wall art, in the Burleigh County Human Service Zone visitation space. After discussion it was decided to review the material and continue the conversation at the January 3, 2022, Burleigh County Commission meeting.

State's Attorney Lawyer made a request to reclassify one of her staff from a Legal Assistant I to a Legal Assistant II effective January 1, 2022, since the person is doing work of an II. Motion by Comm. Bitner, 2<sup>nd</sup> by Comm. Armstrong to reclassify one of State's Attorney Lawyer's staff from a Legal Assistant I to a Legal Assistant II effective January 1, 2022, since the person is doing work of an II. All members present voted "AYE"; motion carried

State's Attorney Lawyer informed the commission that her office is looking to hire for a Paralegal position and asking for a variance in the starting salary from a step 5 to a step 9 since she has over 10 years' experience and her current position at a private firm pays about \$25,000.00 more than the salary at a step 9 but Lawyer is hoping the benefits will off set the difference and the position will be accepted by the potential new hire. Motion by Comm. Bitner, 2<sup>nd</sup> by Comm. Armstrong to grant the variance for a new Paralegal position in the State's Attorney's Office from a step 5 to a step 9. All members present voted "AYE"; motion carried.

Madam Chairman Jones shared a letter she received from the North Dakota Department of Environmental Quality (Department), Division of Waste Management, is proposing approval of a modification of the permit for DB Waste, LLC inert waste landfill located near Bismarck, ND. Discussion was held, no motions were made.

Motion by Comm. Armstrong, 2<sup>nd</sup> by Comm. Bitner to create a Home Rule Charter sub-committee to address the Ordinance Authority and other issues such as whether currently elected officials should be appointed. All members present voted "AYE"; motion carried

Meeting adjourned.

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Leo Vetter, Auditor/Treasurer

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Kathleen Jones, Madam Chairman

ITEM

# 4

[ ]  
**Application For Abatement Or Refund Of Taxes**  
 North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota  
 County of Burleigh  
 Name Whisper Rock Inc  
 Address 3420 Gallatin Dr Bismarck ND 58504  
 Assessment District \_\_\_\_\_  
 Property I.D. No. 23-190-81-95-01-300  
 Telephone No. \_\_\_\_\_

Legal description of the property involved in this application:  
Block 1 Lot 30 Whisper Ridge 2nd

Total true and full value of the property described above for the year 2021 is:

Land \$ 194,400  
 Improvements \$ -  
 Total \$ 194,400  
 (1)

Total true and full value of the property described above for the year 2021 should be:

Land \$ 3200  
 Improvements \$ -  
 Total \$ 3200  
 (2)

The difference of \$ 191,200 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) Non Buildable lot

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ yes/no Estimated value: \$ \_\_\_\_\_

2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 yes/no  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_

3. The property was independently appraised: \_\_\_\_\_ yes/no Purpose of appraisal: \_\_\_\_\_  
 \_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_

4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

Applicant asks that \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_ Date \_\_\_\_\_ Signature of Applicant Rick Kuts Date 12-14-21



(U)

## Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota  
 County of Burleigh  
 Name Whisper Rock Inc  
 Address 3420 Gallatin Dr Bismarck, ND 58504

Assessment District \_\_\_\_\_  
 Property I.D. No. 23-140-81-95-01-300  
 Telephone No. \_\_\_\_\_

Legal description of the property involved in this application:  
Block 1 Lot 30 Whisper Ridge 2nd

Total true and full value of the property described above for the year 2020 is:

Land \$ 194,400  
 Improvements \$ -  
 Total \$ 194,400  
 (1)

Total true and full value of the property described above for the year 2020 should be:

Land \$ 3200  
 Improvements \$ -  
 Total \$ 3,200  
 (2)

The difference of \$ 191,200 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(e))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) Non Buildable lot

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_  
 yes/no

2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 yes/no  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_

3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 yes/no  
 Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_

4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_

Date \_\_\_\_\_

Signature of Applicant Rick Kalk

Date 12-14-21

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:

TRI ENERGY COOPERATIVE  
PO BOX 2317  
BISMARCK, ND 58502

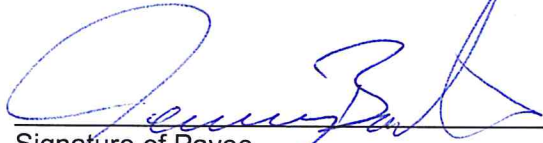
Check Date: 10/29/2021  
Original Check #: 121285  
Check Amount: \$130.03

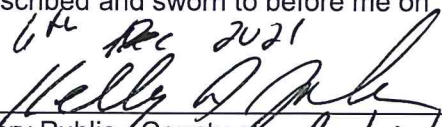
AFFIDAVIT AND AGREEMENT

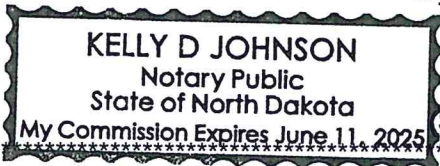
I execute this AFFIDAVIT AND AGREEMENT for the purpose of obtaining a duplicate payment from the County of Burleigh, North Dakota.

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

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

  
\_\_\_\_\_  
Signature of Payee

Subscribed and sworn to before me on  
6th Dec 2021  
  
\_\_\_\_\_  
Notary Public, County of Burleigh  
My Commission Expires \_\_\_\_\_



(Seal)

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

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

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

\_\_\_\_\_  
Date

**ITEM**

**# 6**



## **Contract for Burleigh County Weed Officer**

THIS CONTRACT (“Contract”) is made and entered into by and between the Burleigh County Weed Board (“Board”), the Burleigh County Commission (“Commission”), and Dylan Ripplinger (“Contractor”).

### **ARTICLE 1. TERM OF CONTRACT**

#### **1.01 Contract Dates:**

This Contract shall begin on March 1, 2022, and shall end on November 1, 2022.

#### **1.02 Renewal Option:**

Prior to the end of the Contract Term, the Contract may be amended and renewed for up to two additional years, to be effective from March 1 to November 1 of any given year. Renewal is conditional upon the Burleigh County Weed Board’s discretion.

### **ARTICLE 2. INDEPENDENT CONTRACTOR STATUS**

#### **2.01 Independent Contractor:**

It is the express intention of the parties that Contractor is an independent contractor and not an employee, agent, joint venture, or partner of County. Nothing in this Contract shall be interpreted or construed as creating or establishing the relationship of employer and employee between County and Contractor or any employee or agent of Contractor. Both parties acknowledge that Contractor is not an employee for state or federal tax purposes.

### **ARTICLE 3. SERVICES**

#### **3.01 Scope of Services:**

Contractor agrees to perform their services in accordance with the conditions and criteria specified herein, and according to N.D.C.C. § 4.1-47-13. These duties include but are not limited to:

1. Cooperate with the board and be responsible for the operation and enforcement of N.D.C.C. Ch. 4.1-47 within the county;
2. Become acquainted with the location of noxious weeds within the county;
3. Meet the pesticide certification requirements set forth in N.D.C.C. Ch. 4.1-33;
4. Encourage noxious weed control by all landowners and land occupants within the county;
5. Investigate all signed complaints received by the officer regarding noxious weeds;
6. Prepare reports as requested by the agriculture commissioner or designee; and
7. Attend meetings called by the agriculture commissioner or designee to further noxious weed control under this chapter.

**3.02 Method of Performing Services:**

Contractor will determine the method, details, and means of performing the above-described services including measures to protect the safety of the traveling public, subject to the Board's approval.

**ARTICLE 4. COMPENSATION**

**4.01 Type of Contract:**

This Contract is a fixed price Contract.

**4.02 Contract Payment:**

In consideration for the services to be performed by Contractor, County agrees to pay Contractor the sum of fifty-thousand dollars (\$50,000), payable in equal installments of \$6,250 over a period of eight (8) months and in accordance with the County's general payroll practices, less such deductions or amounts to be withheld as shall be required by applicable law and regulations, upon completion of the work to be performed. Contractor will bill the County Weed Board twice per month and payments shall be made twice per month.

**4.03 Special Projects:**

From time to time, there may be special projects outside the normal scope of services that need to be performed. All special projects shall be approved by the Board prior to any work done. Contractor shall provide the Board with a summary of work to be done and an estimate as to time needed to complete the project. In consideration for approved special projects completed by the Contractor, County agrees to pay Contractor an hourly rate of \$25 per hour.

**ARTICLE 5. OBLIGATIONS OF CONTRACTOR**

**5.01 Contractor Qualifications:**

Contractor warrants that Contractor has the necessary licenses, experience and technical skills to provide services under this Contract.

**5.02 Contract Management:**

Contractor shall report to the Weed Board or his or her designee who will review the activities and performance of the Contractor and administer this Contract.

**5.03 Tools and Instrumentalities:**

The Board will supply all tools, equipment, and supplies required to perform the services under this Agreement.

**5.04 Workers' Compensation:**

Contractor agrees to provide workers' compensation insurance for Contractor and agrees to hold harmless and indemnify the County for any and all claims arising out of any injury, disability, or death of any of Contractor.



## **ARTICLE 6 OBLIGATIONS OF BOARD**

### **6.01 Cooperation of Board:**

Board agrees to comply with all reasonable requests of Contractor to provide reasonable access to documents and information as permitted by law necessary to the performance of Contractor's duties under this Contract.

## **ARTICLE 7. TERMINATION**

### **7.01 Termination of Agreement:**

Notwithstanding any other provisions of this Agreement, either party hereto may terminate this Agreement at any time by giving 30 days' written notice to the other party.

### **7.02 Effect of Termination of Agreement:**

If this Agreement is terminated, all rights and benefits that have become vested hereunder prior to termination will remain in full force and effect, and the termination of the Agreement will not be construed as relieving any party from the performance of any accrued obligation incurred to the other under this Agreement.

## **ARTICLE 8. GENERAL PROVISIONS**

### **8.01 Entire Agreement of the Parties:**

This contract supersedes any and all contracts, either oral or written, between the Parties hereto with respect to the rendering of services by Contractor for County and contains all the covenants and contracts between the parties with respect to the enduring of such services in any manner whatsoever. Each Party to this Contract acknowledges that no representations, inducements, promises, or contract, orally or otherwise, have been made by any party, or anyone acting on behalf of any Party, which are not embodied herein, and that no other contract, statement, or promise not contained in this Contract shall be valid or binding. Any modification of this Contract will be effective only if it is in writing signed by the Party to be charged and approved by the County as provided herein or as otherwise required by law.

### **8.02 Governing Laws:**

This Agreement shall be governed by and construed in accordance with the laws of the State of North Dakota.

### **8.03 Partial Invalidity:**

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

### **8.04 Conformance to Applicable Laws:**

Contractor shall comply with the standard of care regarding all applicable federal, state and county laws, rules and ordinances.



**8.05 Assignment:**

Neither this Agreement nor any of the rights, interests or obligations hereunder shall be assigned by any of the parties hereto, whether by operation of law or otherwise, without the prior written consent of the other parties. Subject to the preceding, this Agreement will be binding upon, inure to the benefit of and be enforceable by the parties and their respective successors and assigns.

**IN WITNESS WHEREOF**, County and Contractor have executed this agreement on the dates set forth below, each signatory represents that he/she has the authority to execute this agreement and to bind the Party on whose behalf his/her execution is made.

**Burleigh County Commission**

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Name:  
Title:  
Date:

**Burleigh County Weed Board**

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Name:  
Title:  
Date:

**Contractor**

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Name: Dylan Ripplinger  
Date:

By your signature, you: (i) acknowledge that a complete copy of the Plan and an executed original of this Agreement have been made available to you, and (ii) agree to all of the terms and conditions set forth in the Plan and this Agreement.

**ITEM**

**# 7**



November 23, 2021

Honorable Board of County Commissioners  
County of Burleigh  
PO Box 5518  
Bismarck, ND 58506-5518

ATTN: Auditor/Treasurer/Leo Vetter

On October 26, 2021 the Board of City Commissioners met and, based on recommendations from the **City Assessing Division denied** the following tax abatement applications.

- Property owner: Pinnacle Development II  
Property address: 2718 Gateway Ave  
Property ID: 1060-001-200

Please see attached information. The Board of City Commissioners recommends concurrence of the Board of County Commissioners.

Sincerely,

Jason Tomanek  
Assistant City Administrator  
City of Bismarck

cc: Dmitriy Chernyak, Director of Finance







## Finance Department

**DATE:** 11/16/2021  
**FROM:** Dmitriy Chernyak, Finance Director  
**ITEM:** Application for abatement

**REQUEST:**

Please schedule the attached application for tax abatement on the agenda for City Commission consideration.

Application for abatement for 2019, 2020, and 2021  
Property Owner – Pinnacle Development II  
Property Address – 2718 Gateway Ave (1060-001-200)

Please place this item on the 11/23/2021 City Commission meeting agenda.

**BACKGROUND INFORMATION:**

The above application for tax abatement was presented by Bill Shalhoob, owner of Pinnacle Development II for the 2019, 2020, and 9 months of 2021 assessment year. Mr. Shalhoob sold this property on October 1, 2021 for \$740,000. Mr. Shalhoob requests to reduce the value from \$901,300 to \$650,000 for 2019, from \$1,036,500 to \$675,000 for 2020, and from \$999,000 to \$740,000 for 2021. Please see attached abatement forms and property record sheets.

Mr. Shalhoob was asked to provide supporting documentation and share his closing statement along with profit and loss statements from 2018, 2019, and 2020. In July of 2020 he also shared a brokers opinion of value on the property. He feels the recent sale of \$740,000 justifies a reduction in value.

Mr. Shalhoob notes the vacancy based on 12 units. The subject property was remodeled in 2003, removing interior walls on the main floor, reducing the total number of units from 12 to 10. There are currently 2 vacant units.



Assessing values property through mass appraisal which considers all three approaches to value: cost, income, and sales comparison. Limited income information for all comparable properties makes the income approach less reliable. The income for an individual property cannot be used solely as the basis of value.

Assessing has reviewed the Broker Opinion of value. In the income analysis, there was no income attributed to the basement offices. The 9,922 SF used in the analysis is the main and second floor square footage only. The analysis is missing 4,928 SF of office space in the basement. Using the Brokers Opinion of \$6.75 of net rent x 14,850 SF and a cap rate of 9% the value indicated is \$1,113,800. This would indicate our true and full value is in line with the income approach.

Attached is a comparable sales list. The sales listed show that the values of the property for 2019, 2020, and 2021 are comparable. The current sale of the subject property happened after the February 1 assessment date and was not able to be considered for the 2021 or prior valuation years.

#### **RECOMMENDED CITY COMMISSION ACTION:**

The Assessing Division recommends no change to our 2019 certified value

Land \$178,500  
Improvement \$722,800  
Total \$901,300

and no change to our 2020 certified value

Land \$178,500  
Improvement \$858,000  
Total \$1,036,500

and no change to our 2021 certified value

Land \$178,500  
Improvement \$820,500  
Total \$999,000

#### **STAFF CONTACT INFORMATION:**

Allison Jensen | City Assessor, 355-1630 or [ajensen@bismarcknd.gov](mailto:ajensen@bismarcknd.gov)



# Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District 01  
 County of BURLEIGH Property I.D. No. 1060-001-200  
 Name PINNACLE DEVELOPMENT II Telephone No. \_\_\_\_\_  
 Address 1505 INTERCHANGE AVE, BISMARCK, ND 58501-2080

Legal description of the property involved in this application:

GATEWAY COMMONS Block: 1 LOTS 22-23 LESS NORTH 50'

Total true and full value of the property described above for the year 2019 is:

Land \$ 178,500  
 Improvements \$ 722,800  
 Total \$ 901,300  
 (1)

Total true and full value of the property described above for the year 2019 should be:

Land \$ 178,500  
 Improvements \$ 471,500  
 Total \$ 650,000  
 (2)

The difference of \$ \_\_\_\_\_ true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) \_\_\_\_\_

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_  
 yes/no

2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 yes/no  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_

3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 yes/no  
 Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_

4. The applicant's estimate of market value of the property involved in this application is \$ 650,000

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

Applicant asks that Tax Value be reduced to \$650,000 - 7 of the 12 units in this property were rented - Listed with Real Estate firm but did not receive a single inquiry all year.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of Applicant Kevin Hunkeler Date 10-25-21



  
**Application For Abatement Or Refund Of Taxes**  
North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District 01  
County of BURLEIGH Property I.D. No. 1060-001-200  
Name PINNACLE DEVELOPMENT II Telephone No. \_\_\_\_\_  
Address 1505 INTERCHANGE AVE, BISMARCK, ND 58501-2080

Legal description of the property involved in this application:

GATEWAY COMMONS Block: 1 LOTS 22-23 LESS NORTH 50'

Total true and full value of the property described above for the year 2020 is:

Land \$ 178,500  
Improvements \$ 858,000  
Total \$ 1,036,500  
(1)

Total true and full value of the property described above for the year 2020 should be:

Land \$ 178,500  
Improvements \$ 496,500  
Total \$ 675,000  
(2)

The difference of \$ \_\_\_\_\_ true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) \_\_\_\_\_

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

- 1. Purchase price of property: \$ \_\_\_\_\_ Date of purchase: \_\_\_\_\_  
Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_  
yes/no
- 2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
yes/no  
Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
- 3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
yes/no  
\_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
Appraisal was made by whom? \_\_\_\_\_
- 4. The applicant's estimate of market value of the property involved in this application is \$ 675,000
- 5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

Applicant asks that Tax value be reduced to \$675,000 - 8 of  
the 12 units in this property were rental. Listed with  
Real Estate firm but did not receive a single inquiry all years.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_

Date \_\_\_\_\_

Wen Stollend \_\_\_\_\_ 10-25-21  
Signature of Applicant Date



# Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District 01  
 County of BURLEIGH Property I.D. No. 1060-001-200  
 Name PINNACLE DEVELOPMENT II Now Maga Properties LLC. Telephone No. \_\_\_\_\_  
 Address 1505 INTERCHANGE AVE, BISMARCK, ND 58501-2080

Legal description of the property involved in this application:

GATEWAY COMMONS Block: 1 LOTS 22-23 LESS NORTH 50'

Total true and full value of the property described above for the year 2021 is:

Land \$ 178,500  
 Improvements \$ 820,500  
 Total \$ 999,000  
 (1)

Total true and full value of the property described above for the year 2021 should be:

Land \$ 178,500  
 Improvements \$ 560,500  
 Total \$ 740,000  
 (2)

The difference of \$ \_\_\_\_\_ true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value see settlement sheet
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) \_\_\_\_\_

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ 744,000 Date of purchase: October 1, 2021  
 Terms: Cash X Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? NO Estimated value: \$ \_\_\_\_\_  
 yes/no

2. Has the property been offered for sale on the open market? Yes If yes, how long? One Year  
 yes/no  
 Asking price: \$ 795,000 Terms of sale: Cash

3. The property was independently appraised: Yes Purpose of appraisal: Determine loan value to  
Bank for financing Market value estimate: \$ 744,000  
 Appraisal was made by whom? Dakota Appraisal - Nick Boutros

4. The applicant's estimate of market value of the property involved in this application is \$ 740,000

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

Applicant asks that Tax value be reduced to 744,000 -10  
of the 12 units in the property were occupied

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of Applicant W. J. Stulhofer Date 10-25-21



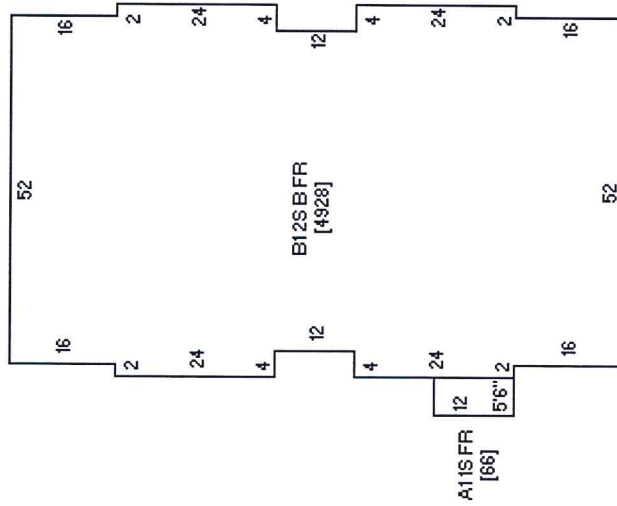




Additional Notes:

Series of horizontal lines for notes.

1060-001-200 2718 GATEWAY AVE







Permission to Inspect Date







PHOTO T 09/22/2006 2006

Sketch 1 of 1 imported by Photo/Doc Import

Wednesday, November 10, 2021 3:51 PM

<u>Subject Location</u>	<u>SF</u>	<u>Assessment Year</u>	<u>Value</u>	<u>Value/SF</u>	<u>Year Built</u>	<u>Photo</u>
2718 Gateway Ave 1060-001-200	9,922 + bsmt	2019 2020 2021	\$901,300 \$1,036,500 \$999,000	\$90.83 \$104.46 \$100.68	1986	
<u>Comparable Sales Information</u>						
<u>Location</u>	<u>SF</u>	<u>Date of Sale</u>	<u>Sale Price</u>	<u>Price/SF</u>	<u>Year Built</u>	<u>Photo</u>
2625 N 19th St 1250-001-001	8,584	2/25/2016	\$1,177,000	\$137	1993	
1355 Airport Rd 0768-002-035	6,617	5/23/2016	\$1,000,000	\$151	1993	
300 W Century Ave 0760-002-120	7,125 + bsmt	10/14/2016	\$1,650,000	\$232	1994	

<b>Comparable Sales Information</b>						
<u>Location</u>	<u>SF</u>	<u>Date of Sale</u>	<u>Sale Price</u>	<u>Price/SF</u>	<u>Year Built</u>	<u>Photo</u>
711 Riverwood Dr 0499-001-120	7,744	7/31/2017	\$1,150,000	\$149	2001	
1929 N Kavaney Dr 0460-007-055	2,970	10/24/2017	\$480,000	\$162	1973	
1615 Capitol Way 0324-006-001	12,492	3/29/2018	\$1,275,000	\$102	1997	
1431 Interstate 0800-002-050	3,772 + bsmt	4/2/2019	\$560,000	\$148	1981	



**Comparable Sales Information**

<u>Location</u>	<u>SF</u>	<u>Date of Sale</u>	<u>Sale Price</u>	<u>Price/SF</u>	<u>Year Built</u>	<u>Photo</u>
324 N 3rd St 0001-108-001	5,506 + bsmt	5/22/2019	\$1,600,000	\$291/sf	1950	
1700 Schafer St 0160-030-001	3840 + bsmt	6/6/2019	\$1,300,000	\$339	1971	
201 W Front Ave & 207 W Front Ave 0001-055-001 0001-055-015	8,638	3/27/2020	\$1,300,000	\$150	1978 1996	
2005 N Kavaney Dr 0460-012-060	8,628 + bsmt	4/15/2020	\$1,500,000	\$174	1978	
						

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10/26/21  
Accrual Basis

**Pinnacle Development II**  
**Profit & Loss**  
January through December 2020

	<u>Jan - Dec 20</u>
Ordinary Income/Expense	
Income	
Rental Income	111,200.00
Total Income	<u>111,200.00</u>
Gross Profit	111,200.00
Expense	
754 Depreciation expense	716.00
Cleaning	15,000.00
Depreciation Expense	11,926.88
Electrical	412.56
General Building	3,502.88
HVAC	3,223.91
Insurance Expense	2,528.62
Interest Expense	762.65
Lease Costs	160.00
Management Fee	5,560.00
Miscellaneous Expense	120.00
Office Supplies	43.70
Professional Fees	1,485.00
Real Estate Taxes	12,059.32
Supplies	723.41
Tenant Improvements	438.24
Utilities	15,640.89
Yard Upkeep	4,944.00
Total Expense	<u>79,248.06</u>
Net Ordinary Income	<u>31,951.94</u>
Net Income	<u><u>31,951.94</u></u>

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10/26/21  
Accrual Basis

**Pinnacle Development II**  
**Profit & Loss**  
January through December 2019

	<u>Jan - Dec 19</u>
Ordinary Income/Expense	
Income	
Rental Income	109,120.00
Total Income	<u>109,120.00</u>
Gross Profit	109,120.00
Expense	
Gain(Loss) on Fixed Asset Sale	3,192.18
Cleaning	15,000.00
Depreciation Expense	14,921.00
Electrical	291.92
General Building	8,281.90
HVAC	4,875.44
Insurance Expense	2,504.63
Interest Expense	301.80
Lease Costs	338.91
Management Fee	5,448.00
Miscellaneous Expense	120.00
Office Supplies	122.00
Professional Fees	1,285.00
Real Estate Taxes	10,128.83
Supplies	1,278.88
Tenant Improvements	3,546.03
Utilities	15,524.22
Yard Upkeep	5,945.00
Total Expense	<u>93,105.74</u>
Net Ordinary Income	<u>16,014.26</u>
Net Income	<u><u>16,014.26</u></u>



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10/26/21  
Accrual Basis

**Pinnacle Development II**  
**Profit & Loss**  
January through December 2018

	<u>Jan - Dec 18</u>
Ordinary Income/Expense	
Income	
Rental Income	106,780.00
Total Income	<u>106,780.00</u>
Gross Profit	106,780.00
Expense	
Cleaning	15,000.00
Depreciation Expense	11,300.00
Electrical	651.01
General Building	4,270.86
HVAC	3,941.72
Insurance Expense	2,459.31
Interest Expense	507.95
Management Fee	5,334.00
Miscellaneous Expense	120.00
Professional Fees	997.00
Real Estate Taxes	9,143.18
Supplies	1,227.91
Utilities	16,603.14
Yard Upkeep	6,460.00
Total Expense	<u>78,016.08</u>
Net Ordinary Income	<u>28,763.92</u>
Net Income	<u><u>28,763.92</u></u>

## Guaranty & Title Company Commercial Services

10400 Viking Dr., Suite 510  
Eden Prairie, MN 55344  
Phone: (612)299-2627

### Seller's Final Settlement Statement

**Settlement Date:** 10/01/2021  
**Order Number:** B158562-CO  
**Escrow Officer:**  
**Buyer:** Maga Properties LLC  
 14 20th Ave SE  
 Minot, ND 58701  
**Seller:** Pinnacle Development II  
**Property:** 2718 Gateway Ave  
 Bismarck, ND 58503

	Seller	
	Debit	Credit
<b>Purchase Price</b>		
Purchase Price		740,000.00
<b>Prorations/Adjustments</b>		
Tax Proration		
01/01/21-10/01/21	9,052.75 ✓	
	9450.00	
	(397.25)	
<b>Commissions</b>		
Commission - Listing & Selling to The CRA Group	44,400.00 ✓	
<b>Title/Escrow Charges</b>		
Settlement Fee		
Wire Transfer		
Loan Policy Premium		
Owner's Policy Premium	1,545.00 ✓	
Search Fee		
Document Prep	100.00 ✓	
<b>Miscellaneous Charges</b>		
Repair Bill to Cooling & Heating Unlimited	2,872.00 ✓	
Specials payoff to City of Bismarck	7,995.92 ✓	
<b>Subtotals</b>	65,965.67	740,000.00
<b>Balance Due TO Seller</b>	674,034.33	
<b>Totals</b>	740,000.00	740,000.00

Pinnacle Development II

BY: \_\_\_\_\_

2718 Gateway Ave

Suite	Tenant	Monthly Rent	Sq FT	Price/SF	Move-in	Lease start	Lease Exp
101	Farmers Insurance	\$ 1,200.00	1,200	\$12.00	8/1/2008	2/1/2021	1/31/2022
102	<i>Vacant</i>		1,200				
103	TimeWise Medical	\$ 920.00	960	\$11.50	5/1/2021	5/1/2021	<i>mtm</i>
104	Peace of Mind / Blue Skies Counseling	\$ 1,150.00	1,060	\$13.02	4/1/2021	4/1/2021	3/31/2024
201-202	ND Rural Water Association	\$ 2,450.00	2,400	\$12.25	9/1/1999	11/1/2019	10/31/2022
203-204	ND Education Standards Board	\$ 2,240.00	1,920	\$14.00		7/1/2021	6/30/2023
301-304	NDSU Extension	\$ 2,300.00	2,160	\$12.78	7/1/2021	7/1/2021	6/30/2023
302	<i>Vacant</i>		960				
303	Tom Reim Agency	\$ 800.00	1,200	\$8.00	11/1/2019	11/1/2021	10/31/2022
		\$ 11,060.00	13,060				



## Broker Opinion of Value Sale Analysis

Value As-Is Of: July 17, 2020

Subject Property: 2718 Gateway Ave Bismarck, ND

County: Burleigh

City PID: 1060-001-200

Parcel Size: 27,849 sf

Gross Building Area: 9,922 sf

Year Built: 1986

Zoning: Residential Light Commercial

Subject Location: Central Bismarck

Parking: Onsite parking lot

Annual Taxes (2019): \$3,425.35

Current Rental Income: N/A

City Assessed Value 2019: \$1,036,500

Market Value AS-IS: \$745,000

\*\*Market Value Based on a Projected Cash Flow Model: \$600,000

Market Sales Comps: Sales related to the subject property



4928 - 2 \$/1000  
 4928  
 9856  
 66  
 9922  
 basement  
 4928

\*\* Market value based on a projected cash flow model is based on a 80% occupancy with an estimated market lease rate of \$6.75psf NNN with an estimated market operating cost of \$4.75psf at a 9% cap rate for an estimated value of \$600,000. This value is based on past market knowledge of investors looking to secure similar properties in the Bismarck-Mandan market. The building has been on the market for lease for multiple years and the current listing is \$11.50psf which is an estimate net rent of \$6.75psf. The property has limited full access based on staircase to floors with base lift system for handicap. The property was an apartment conversion, which by design has some challenges. The owner of the property has provided past data supporting a Net cash flow range of \$45,000 which is lower than the estimate for this BOV.

**Comments:** The sale value I place on this property is \$745,000. **This achievable sales pricing is based on a buyer wanting to utilize current building and have some additional rental income. The location, and its interior configuration is a class C office building. Sale comps used for the BOV is from data of most recent city sales data.** The subject property was not fully inspected and is considered to be in reasonable, good condition however during the site tour it appeared the general interior finishes are very basic and the space is a non-traditional configuration. The space is currently used for both office/professional services. The property is partially renter occupied with additional vacancy; this site was not evaluated at replacement cost. The subject property was evaluated on an open market and as a potential rental income as of July 2020. At the time of reporting, the Bismarck-Mandan commercial real estate market is a flat to declining. With a continued willingness for community growth in the local economy buyers are seeking opportunities when real estate is priced correctly.

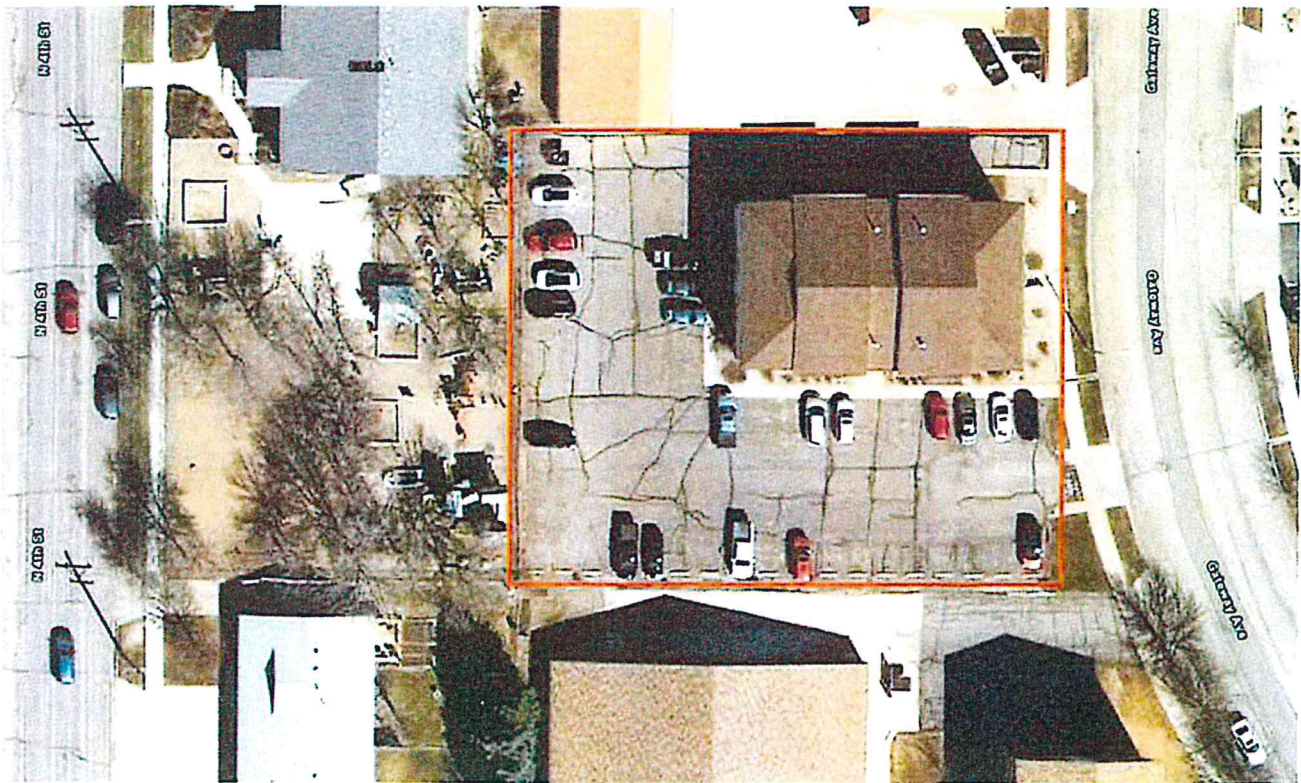
$6.75 \times 9922 = 1.09$

$145,000 / 9922 = \$75$

## SALE COMPARABLES

Location	SF	Sale Price	Price / SF	Build Date	Date of Sale	
1008 & 1010 E Central Ave	2100	\$200,029	\$95.25	1981	3/12/2020	condo
2000 Schafer St	46,008	\$3,600,000	\$78.34	1984 / 2002	4/13/2020	Dakota Collectibles
923 E Interstate Ave	21960	\$2,089,727	\$95.16	1973	6/28/2019	BEK
521 E Main Ave	31,104	\$1,715,000	\$55.14	1912	10/25/2019	Woolworth

Subject GIS Property Overview





Explain any functional/economic obsolescence: At the time of market reporting the market has moved toward a slow, flat market with slight demand in areas of predictable growth. Buildings in high-use areas with good accessibility have become and are attractive to Buyers if cash flow is historically good. Financing is still attractive for qualified Buyers in the market. Properties priced correctly to qualified Buyers are impacting the sale market, which indicates to me this property would have some functional or limited economic obstacles with the current building configuration.

Identify any positive or negative site/location influences: The subject property has a good North location. The property has a combination use for office and professional services. The general market area is positioned with respects to the subject site as a good to above average area. The negative impact to the property is limited floor space planning and multi-floor no full ADA newer elevator. It is my belief that the market continues to adjust to what appears to be a flatter economic period coming down on the back side of an oil peak in 2014.

Describe any anticipated release problems: Site release value will depend on the overall market conditions with similar improved buildings. Best and highest use in the market will dictate future values. It is in my opinion no resale problems are identified at the time of this opinion.

Identify any hazardous conditions or environmental concerns: N/A for this report- any hazardous conditions or environmental concerns should be addressed by an independent phase 1 environmental and soil study. Soil and building conditions are subject to Buyer discovery.

The broker's opinion of value may be impacted by factors: including economic, political, environmental and site conditions. Those factors/conditions include the following:

- Mortgage interest rates continue at historical low levels and likely will remain below 5.0%
- Unemployment rates remain below 3%
- Fuel prices remain below \$3.50 per gal
- The market sustains population growth
- Conditions affecting the property from deferred maintenance or environmental concerns
- Growth of market competition
- Pandemics

**This is an opinion of value, not an appraisal and when making a decision that relies upon this report, please be aware that the broker/agent are not using the guidelines contained in the uniform Standard of Professional Appraisals. Information in this report is the opinion of Kyle Holwagner CCIM SIOR and local market data**

**I hereby certify that I reviewed all documentation provided and achieved supporting data and opinions.**

**\*The property inspection report was not provided to the Broker and conditions were visually reviewed with an on-site tour.**

Broker Name (print):	Kyle Holwagner CCIM, SIOR	Broker/Partner
Signature:		
Firm Name:	The CRA Group	Phone: 701-400-5373
e-mail Address:	Kyle@TheCRAGroup.com	
Report date	7-28-	2020



2718 GATEWAY AVE, BISMARCK

Deed: PINNACLE DEVELOPMENT II

Map Area: COMMERCIAL-OFFICE 1

Checks/Tags:

Legal: GATEWAY COMMONS

Contract:

Route: 000-000-000

Lister/Date: BA, 09/21/2006

CID#:

Tax Dist: 01-01

Review/Date:

DBA: PINNACLE DEVELOPMENT II

Plat Page:

Entry Status: Inspected

MLS:

Subdiv:

1060-GATEWAY COMMONS

Block: 1

LOTS 22-23 LESS NORTH 50'

Land											
Land Basis	Front	Rear	Side 1	Side 2	R. Lot	SF	Acres				
Lump Sum						27,849.00	0.639				
FF Main	152.08	150.00	202.09	179.66	0.00						
Sub Total						28,829.76	0.662				
SqFt X Rate						27,849.00	0.639				
Subtotal						27,849.00	0.639				
Grand Total						84,527.76	1.940				
Utilities											
Lump Sum	None				City						
FF Main	None				None						
SqFt X Rate	None				UPDATED LAND						
Zoning											
Lump Sum								Residential Light Comm			
FF Main								Not Applicable			
SqFt X Rate								Not Applicable			
Building Permits											
Date	\$ Amount	NUTC	Recording	Date	Number	Tag	\$ Amount	Reason	Type	Appraised	Pr Yr: 2021
03/01/1995	\$0	D093	470928	5/26/2021	BMEC2021-d-N		\$3,065	Mechanical	Land	\$178,500	\$178,500
06/01/1994	\$0	D093	462461	4/24/2020	BMEC2020-d-N		\$2,262	Building	Dwlg	\$820,500	\$820,500
				1/28/2019	BMEC2019-d-N		\$3,269	Mechanical	Impr	\$999,000	\$999,000
				8/30/2018	BMEC2018-1-N		\$2,876	Mechanical	Total		

Precomputed Structure		Verticals		Plumbing			
Occ Code	501	Fig & Ftdn	Reinforced Concrete w/ Brnt	8"	11	B	Ex
Occ Descr:	Office - General	Exterior wall	EIFS - Wood Stud	20	1		
		Interior wall	Drywall or Equiv.	0	6		
		Pilasters					
		Wall facing					
		Windows	Incl. w / Base	2			
		Fronts/Doors	Incl. w / Base				
Year Built	1986						
EFF Age/Yr	35/ 1986						
Condition	NML						
Description	B 1 2S B FR						
Style	EIFS - Wood						
Stories	2						
Grade	4						
Base	4,928						
Basement	4,928						
1st Fir Inset Adj	0						
GBA	9922						
		Horizontalis					
Basement	Excavation, Floor, Lighting						
Roof	Asph. Shingle/Wood Dk						
Ceiling	Drywall	2					
Struct. Floor	R/Concrete	1	Wd Deck on Wood Truss	2			
Floor Cover	Carpet	2	Ceramic	2			
Partitions	Drywall	2					
Framing	Wood - Average	2					
HVAC	Combination FHA - AC	2					
Electrical	Office Buildings (General)	2					
Sprinkler							
		Adjustments					
Brnt Fir - office	4,928	AVG					

Bldg / Addn	Description	Units	Year
1 of 2			
P	O 501 -Office - General		
Pre	P 501 -Office - General	4,928	
	Basement Adjustment	4,928	
	Uppers Adjustment	4,928	
V	Fig & Fdtn		
	Reinforced Concrete w/ Bsmt - 8"		
V	Exterior Wall		
	EIFS - Wood Stud - 20	20	
V	Interior Wall		
	Drywall or Equiv. - 0		
V	Windows		
	Incl. w/ Base - 2	2	
V	Fronts/Doors		
	Incl. w/ Base		
H	Basement		
	Excavation, Floor, Lighting	4,928	
H	Roof		
	Asph. Shingle/ Wood Dk	4,928	
H	Ceiling		
	Drywall - 2	4,928	
H	Struct. Floor		
	RConcrete - 1	4,928	
	Wd Deck on Wood Truss - 2	2	
H	Floor Cover		
	Carpet - 2	4,928	
	Ceramic - 2	2	
H	Partitions		
	Drywall - 2	4,928	
H	Framing		
	Wood - Average - 2	4,928	
H	HVAC		
	Combination FHA - AC - 2	4,928	
H	Electrical		
	Office Buildings (General) - 2	4,928	
Pimh	Toilet Room - Base	11	
Pimh	Urinal - Wall - Base	1	
Pimh	Sink-Kitchen - Base	6	
Pimh	Sink-Service (Fiberglass) - Base	1	
Adj	Bsmt Fin - office - AVG	4,928	
Ex	A Misc. Extra	1	
	Quantity=1.00, Units=Square Feet, Height=0		1986



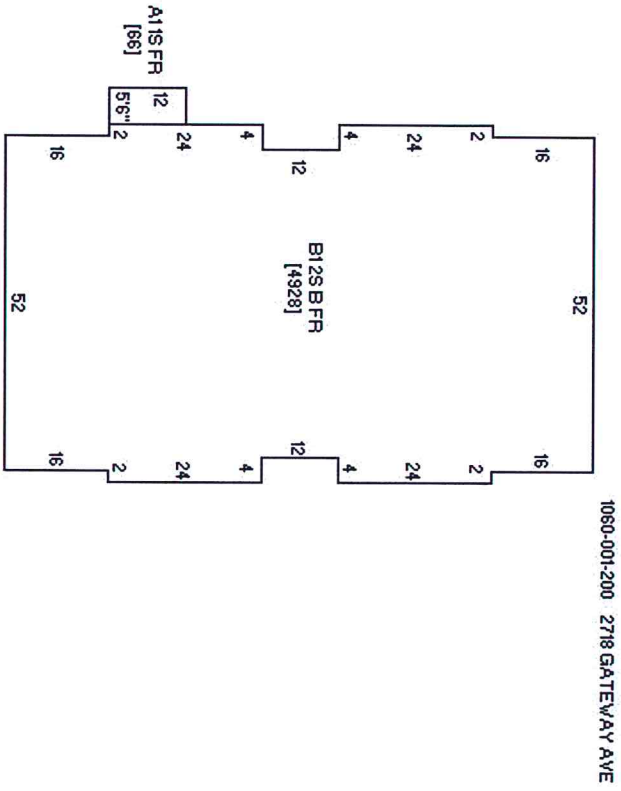
Precomputed Addition		Verticals		Plumbing		Adjustments	
Occ. Code	Office - General	Fig & Fdn	enforced Concrete w/o Brnt	8"	B	Ex	
501		Exterior wall	EIFS - Wood Stud	10			
		Interior wall	Drywall or Equiv.	0			
		Pilasters					
		Wall facing					
		Windows	Incl. w / Base	1			
		Fronts/Doors					
Year Built	1986						
EFF Age/Yr	35/ 1986						
Condition	NML						
Description		Basement					
	A1 1S FR	Roof	Asph. Shingle/ Wood Dk				
		Ceiling	Drywall	1			
		Struct. Floor	RConcrete	1			
		Floor Cover	Carpet	1			
		Partitions					
	EIFS - Wood	Framing	Wood - Average	1			
	1	HVAC	Combination FHA - AC	1			
	Grade	Electrical	Office Buildings (General)	1			
	4	Sprinkler					
	Base						
	66						
	Basement						
	0						
	1st Fir Inset Adj						
	0						
	GBA						
	9922						

Bldg / Addn	Description	Units	Year					
Adtn 1	O 501 - Office - General							
Pre	P 501 - Office - General	66						
V	Fig & Fdtn Reinforced Concrete w/o Bsmt - 8"							
V	Exterior Wall							
V	EIFS - Wood Stud - 10	10						
V	Interior Wall							
V	Drywall or Equiv. - 0							
V	Windows							
H	Incl. w/ Base - 1	1						
H	Roof							
H	Asph. Shingle/ Wood Dk	66						
H	Ceiling							
H	Drywall - 1	66						
H	Struct. Floor							
H	RConcrete - 1	66						
H	Floor Cover							
H	Carpet - 1	66						
H	Framing							
H	Wood - Average - 1	66						
H	HVAC							
H	Combination FHA - AC - 1	66						
H	Electrical							
H	Office Buildings (General) - 1	66						

Yr	Description	Units	Cond	Year							
1	1 - Paving - Asphalt 13,900 SF, Asphalt Parking, Avg Pricing		NML	1986							



Prior Year	Comment	Value Type	Location	Class	Land Value	Dwelling Value	Improvement Value	M & E Value	Total Value
2021		Appr	Urban	Comm	\$178,500	\$0	\$820,500	\$0	\$999,000
2020		BoFR	Urban	Comm	\$178,500	\$0	\$858,000	\$0	\$1,036,500
2019		BoFR	Urban	Comm	\$178,500	\$0	\$722,800	\$0	\$901,300
2018		BoFR	Urban	Comm	\$178,500	\$0	\$713,900	\$0	\$892,400
2017		BoFR	Urban	Comm	\$111,400	\$0	\$767,800	\$0	\$879,200



Sketch 1 of 1



Imported by Photo/Doc Import

**ITEM**

**# 8**





# 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:** December 6, 2021

**TO:** Leo Vetter  
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 2022 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 2022 projects, the Department is presenting the yearly construction program for the next 4 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 2022 list in the coming year. However, with the current manpower and Department budget for construction projects, we may not complete all of the 2022 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 2022.

In addition to the current construction program, the Highway Department would like to report that the State Legislative Assembly has approved HB 1505 which allocates State American Rescue Plan funds to various projects, including \$3,000,000 to Burleigh County Road and Bridge account. We propose to spend the additional funds on the following items:

- 1) Extend the Sliver Widening and overlay of 71<sup>st</sup> Ave from Stream Place to 80<sup>th</sup> Street (move from a 2023 project to a 2022 project). \$1,200,000
- 2) Add an additional \$500,000 to the chip seal program (including Apple Creek Road, 66<sup>th</sup> Street – south of Highway 10, 266<sup>th</sup> Ave NE, 201<sup>st</sup> Ave NE, McKenzie Haul Road).
- 3) New patching paver – current paver is over 20 years old and in need of major repairs. \$350,000
- 4) Place the remaining \$950,000 into the County Highway Department Saving Account to be used as matching funds on Federal funded projects or on other construction projects as the County Board sees fit.

**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 2022 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 and,

THEREFORE BE IT RESOLVED: That the Burleigh County Board adopts the proposed Highway Department's spending request for the State American Rescue Plan funds as listed in the attached Board Letter.

ITEM

# 9





# AIA Document G701™ – 2017

## Change Order

**PROJECT:** *(Name and address)*  
Burleigh County - 1st Floor Annex and  
West Wing Courthouse Remodel  
514 E. Thayer Avenue  
Bismarck, ND 58501

**CONTRACT INFORMATION:**  
Contract For: Furniture  
  
Date: Sept. 1, 2021

**CHANGE ORDER INFORMATION:**  
Change Order Number: F1  
  
Date: December 3, 2021

**OWNER:** *(Name and address)*  
Burleigh County  
221 N 5th Street  
Bismarck, ND 58506

**ARCHITECT:** *(Name and address)*  
Al Fitterer Architect PC  
200 3rd Avenue NW / PO Box 129  
Mandan, ND 58554

**CONTRACTOR:** *(Name and address)*  
InterOffice  
920 E. Front Ave. Suite B  
Bismarck, ND 58504

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Seven (7) - Everywhere Flip-Top Tables

The original Contract Sum was	\$	28,387.00
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	28,387.00
The Contract Sum will be increased by this Change Order in the amount of	\$	5,178.60
The new Contract Sum including this Change Order will be	\$	33,565.60

The Contract Time will be unchanged by Zero (0) days.  
The new date of Substantial Completion will be

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Al Fitterer Architect PC  
ARCHITECT *(Firm name)*

Al Fitterer  
SIGNATURE

AL FITTERER  
PRINTED NAME AND TITLE

12-7-2021  
DATE

InterOffice  
CONTRACTOR *(Firm name)*

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
DATE

Burleigh County  
OWNER *(Firm name)*

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
DATE

InterOffice - Fargo  
 1630 1st Ave N, Suite A  
 Fargo, ND 58102  
 Phone: (701) 232-3013  
 Fax: (701) 476-0911  
 http://www.interofficend.com

Interoffice - Bismarck  
 920 E. Front Ave. Suite B  
 Bismarck, ND 58504  
 Phone: (701) 751-2998  
 Fax: (701) 751-1519  
 http://www.interofficend.com



# CUSTOMER QUOTE

# 6719-31798

Expires: 12/10/2021

**Bill To**

Donna Wunderlich  
 South Central District Court  
 Bismarck, ND  
 514 E. Thayer Ave  
 Bismarck, ND 58501

**Install To**

South Central District Court  
 514 E. Thayer Ave, Burleigh County Courthouse  
 Bismarck, ND 58502

project #	salesperson	quote name	payment terms	print date
6719	Kyle Hellman	New Option	Net 15	12/2/2021

LINE #	QTY	UNIT	PART # / DESCRIPTION	PRICE EA	EXT PRICE
1	7.00	EA	DT5AS.2460LT / Everywhere Flip-Top Rect Table,Squared Edge,Lam Top/Thermo Edge,T-Leg 24D 60W	\$674.80	\$4,723.60
			<b>OPTIONS</b>		
			LBS Phantom Cocoa (Top Finish)		
			LBS Phantom Cocoa (Edge Finish)		
			G2 Graphite Satin (Leg Finish)		
			20 Casters (Casters/Glides)		
2	7.00	EA	Bismarck STATE OF ND Install - RT / Regular office hour delivery/installation charges at the State of ND rate	\$65.00	\$455.00



**Customer Sign-Off**

(Option Total)

subtotal	\$5,178.60
sales tax	\$0.00
<b>total</b>	<b>\$5,178.60</b>

Authorized Signature

Accepted Date

Print Name

COUNTY OF BISMARCK, NORTH DAKOTA  
And  
BURLEIGH COUNTY, NORTH DAKOTA  
INFORMATION TECHNOLOGY SERVICES AGREEMENT

ARTICLE 1  
RECITALS AND INTENT

1.1 This Agreement (“Agreement”) is made by and between the City of Bismarck (“City”) and Burleigh County (“County”), acting by and through their duly authorized representatives, and is effective on the date stated herein.

1.2 The County has requested information technology support (“IT”) for the County and desires to engage City to provide certain IT services in connection with the work assigned (“Services”).

ARTICLE 2  
CONTRACTUAL RELATIONSHIP

2.1 The County agrees to employ the City, and the City agrees to perform, as an independent contractor, certain professional services on an as-needed basis pursuant to County issued task or work orders in accordance with the project described therein, except for the County’s highway department, social services department, and weed officer.

2.2 This Agreement shall serve as the general agreement for IT services under the terms and amounts listed on attached Exhibit A.

2.3 The Services to be provided under this Agreement are intended to include services within the scope of City’s IT department education, training and experience. At times, solutions may require the services beyond the scope of what the City provides. If there is an additional charge for this type of assistance, written notice will be provided to the County with the approval of the County Auditor before those services are engaged for vendors outside the City.

2.4 City shall comply with all applicable laws, rules and regulations governing all Services and any projects authorized by this Agreement.

ARTICLE 3  
THE COUNTY’S RESPONSIBILITIES

3.1 The County shall provide to City all its criteria and requirements for any Project and all available information pertinent to the Project including previous reports. City may reasonably rely upon such information. County’s use of the hardware, software and network services under this agreement will follow all software agreements and user policies that City determines are necessary and communicated to County in order to comply with all agreements with third parties and for security measures for IT services. Any additional costs for software that requires a separate agreement with the County will be County’s responsibility. In order to prioritize and assign tasks as appropriate, all requests for IT services by County must be provided through SysAid. Large projects and upgrades should be provided to City in advance of each calendar year. If the upgrade or new software requires a large amount of staff time (i.e. 20 hours or more) or resources, County will be informed of that additional cost and time needed to complete those services.

The County is responsible for financing any hardware and software updates or upgrades that are required to maintain cybersecurity, network security, maintain warranty, and comply with IT policies and requirements. The City requires all hardware and software to be under warranty or under a software maintenance agreement. As a result, the City will not be able to troubleshoot any software or hardware that is out of warranty or does not comply with City policies and requirements.

All computer IT equipment must be approved by the City IT before purchase. This includes all software and hardware, including monitors, phones, tablets, laptops, or other hardware and software applications. If County purchases an unapproved device, the City may not be able to troubleshoot or maintain that software or hardware.



3.2 The County shall arrange for access to and make all provisions for City to enter upon public and private property as required for City to perform Services under this Agreement.

3.3 The County will examine City's studies, reports, sketches, drawings, specifications, proposals and other information submitted by City, consult with others as County deems appropriate, and render timely written approvals and decisions to the City. No new projects, major upgrades or hardware/software purchases will be supported by City unless those are approved by City Information Technology Department prior to purchase. If a purchase is done outside of this process, it or any hardware on which it runs will not be allowed to connect to the City's infrastructure nor hold the City responsible for supporting this with City staff, including network services. Purchases by County should be planned in advance and communicated to City to ensure proper resources are available. Exhibit A reflects the current server and use capacity. If more services or server space is needed for County, they will be required to pay for that additional need. If County's unauthorized purchase causes damage to the network or otherwise requires City to remedy any damage from a virus or unauthorized purchase, the County will pay the costs to return the system back to the same functionality prior to the unauthorized purchase. County is aware that the services under this Contract are for maintenance and support for existing IT needs. Any upgrades or new systems would need to be approved in advance by City with timeframes and personnel needs planned through the City's process and information technology governance council (ITGC), whose description and process is attached in Exhibit B. City usually makes those plans in advance of the beginning of each calendar year for the entire year.

3.4 The County shall give prompt written notice to City whenever County becomes aware of any development that affects the scope or timing of City's Services or of any defect or nonconformance in the Services of the City or work of the Contractor.

#### ARTICLE 4 PROFESSIONAL'S COMPENSATION

4.1 Invoices for Services performed under a task order may be submitted to County by City quarterly. Invoices will be due and payable within thirty (30) days after receipt.

4.2 No statement, term or provision in any invoice, bill or statement submitted to County by City will be construed to waive, amend or modify any term or provision of this Agreement.

#### ARTICLE 5 INDEMNIFICATION AND INSURANCE

5.1 The parties will indemnify, defend and hold harmless the other party, its directors, officers, agents and employees against claims, demands or causes of action; and all costs, losses, liabilities, expenses and judgments incurred in connection therewith, including attorneys' fees and court costs, brought by any other third party, based upon, in connection with, resulting from, arising out of, or occasioned by the acts, omissions or conduct of the party, its officers, agents, or employees in the execution or performance of this Agreement.

5.2 The parties shall each obtain and maintain, throughout the term of the Agreement, General Liability insurance with a limit of not less than \$1,000,000 general aggregate.

#### ARTICLE 6 DURATION, EXTENSION AND TERMINATION

6.1 This agreement shall be for a term of one (1) year and shall be eligible to renew for additional terms of one (1) year annually upon the written agreement of both parties. Time is of the essence in the performance of this Agreement.

6.2 This agreement may be terminated by either party for cause if either party fails substantially to perform through no fault of the other and does not commence correction of such non-performance within fifteen (15) business days of written notice and diligently complete the correction thereafter. Upon delivery of such notice, the City shall, unless the notice states otherwise, immediately discontinue all Services, proceed to cancel promptly all existing orders and contracts insofar as such orders or contracts are chargeable to the Services, and deliver to the County all instruments

of service produced under this Agreement. Upon termination, the County will owe the City for all compensation earned under this Agreement to date of termination, without termination expenses.

ARTICLE 7  
MISCELLANEOUS

7.1 This Agreement shall be effective upon its execution by the City and the County, and shall remain in full force until all obligations under this Agreement have been fulfilled, unless sooner terminated as provided herein.

7.2 This Agreement shall be construed and enforced for all purposes pursuant to the laws of the State of North Dakota. Venue shall be exclusively in the state courts of proper jurisdiction of Burleigh County, North Dakota.

7.3 This Agreement is non-assignable. Neither the City nor the County shall assign, sublet or transfer its interest in this Agreement without the prior written consent of the other.

7.4 This Agreement represents the entire agreement between the City and the County with respect to the subject matter hereof and supersedes and merges all prior negotiations, representations, discussions or agreements, either written or oral, with respect to the subject matter hereof.

7.5 This Agreement may be amended only by written instrument signed by duly authorized representatives of both the City and the County. The County's payment of invoices or statements shall not be deemed as the County's acceptance of any term or provision that amends or modifies this Agreement or the task order under which payment is made.

7.7 No consent or waiver, express or implied, by either party to this Agreement, to or of any breach of default by the other in the performance of any obligations under this Agreement shall be deemed or construed to be a consent or waiver to or of any other or future breach or default by such party. Failure on the part of any party to this Agreement to complain of any act or failure to act of the other party or to declare the other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder.

7.8 If a provision of this Agreement, or the application thereof to any person or circumstances, is rendered or declared illegal for any reason or shall be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby, but shall be enforced to the greatest extent permitted by applicable law. The parties agree to negotiate in good faith for a proper amendment to this Agreement in the event any provision hereof is declared illegal, invalid or unenforceable.

7.9 All notices required or permitted hereunder shall be in writing and shall be deemed delivered three (3) days after deposit with the United States Postal Service, certified mail, return receipt requested, addressed to the respective other party at the addresses shown below:

If to City:           Dmitriy Chernyak, Finance Director  
                          dchernyak@bismarcknd.gov  
                          PO Box 5503  
                          Bismarck, ND 58502-5503

If to County:        Leo Vetter, Auditor  
                          levetter@nd.gov  
                          PO Box 5518  
                          Bismarck, ND 58506-5518

7.10 The headings and captions used in this Agreement are for convenience only and shall not affect in any way the meaning or interpretations of the provisions set forth herein.

7.11 This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

IN WITNESS WHEREOF, this Agreement is hereby executed as of the last date set forth below.

COUNTY OF BURLEIGH, NORTH DAKOTA

By: \_\_\_\_\_ Date: \_\_\_\_\_  
County Chairperson

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
County Auditor

\_\_\_\_\_  
State's Attorney

CITY OF BISMARCK, NORTH DAKOTA

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Steve Bakken, President City Commission

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
City Attorney



City of Bismarck  
 Billing for IT Service to Burleigh County - Exhibit A  
 For Calendar Year 2022

**Note: ALL requests for services MUST be submitted through SysAid and/or ITGC**

	<b>2022</b>	<b>Comments</b>
<b>Annual Service Charges</b>		
IT Services - Minimum Charge	\$ 95,156	
Equipment Use Allocation	2,500	
<b>Total Annual Service Charges</b>	<u>97,655</u>	
<b>Continuous Annual Costs</b>		
Microsoft Licensing Costs (Microsoft SQL, Windows, Server, and RDS Licensing)	\$ 4,000	Varies based on licenses and applications
AS400 CPU Time (Continue)	475	
WAN Access Charge / Fiber Costs (Annual)	5,325	
Network Infrastructure Costs (Annual)	1,279	
<b>Total Continuous Annual Costs</b>	<u>9,800</u>	
<b>Total Costs to County (excluding on-call and variable license costs)</b>	<u>\$ 107,455</u>	
<b>Services Outside of Regular Work Schedule (8am - 5pm) / On-Call</b>		
Minimum 2-hour charge for on-call (after hours)	\$ 138	
Hourly overtime charge (after minimum 2-hour charge)	\$ 69	

Note: The City of Bismarck is no longer providing Microsoft Office licensing for Burleigh County based on Burleigh County decision.



# INFORMATION TECHNOLOGY GOVERNANCE COMMITTEE (ITGC) 2021 - 2022 Guidance

## **Purpose**

To support City Departments in accessing new technology and computer related products and services, with priority based on value to operations and the community, funding and staff time constraints. This guidance builds on the foundation of the 2004 ITGC Charter approved by the City Commission, and adapts to current processes and needs of the City.

## **Background**

Each Department within the City has their own expertise and unique roles and responsibilities to provide internal and external customer service. When new technology and computer related products and services are being considered, there is additional technical planning required to ensure the initial procurement and the continued upkeep of those systems can be supported and are the best use of available resources for the entire City operations.

The ITGC serves as the board guided by the ITGC charter approved by the City Commission in 2002 to review Department IT / GIS requests, provide IT / GIS resources to further develop preliminary proposals into active projects, gain understanding of the Department request's value to City operations and the community, and then make recommendations to the Budget Committee.

The IT / GIS Division within the Finance Department has technical expertise to assist ITGC in the review of new products and services and implementation of active projects. The IT / GIS Division has core responsibility for maintaining current software and hardware, City-wide updates, and support of emergency operations. These core responsibilities have priority over new projects. The IT / GIS Division will dedicate time to support and manage the new ITGC approved active projects. The IT / GIS Division is not able to undertake a Department's new projects requiring more than 32 hours of time without review and prioritization through ITGC.

## **Process**

New project requests are submitted by each Department director or designee at least two weeks prior to the ITGC meeting. The Department will complete the ITGC Request Form to the best of their ability to make an initial request, including estimated cost, project plan and timeline, staff time necessary, benefits to operations and community. Once the form is completed, it is submitted to the IT Manager and ITGC Chair via [L:\@ITGC](mailto:L:\@ITGC). Requested budget amounts must consider contingencies and potential changes in scope for each project.

There will be times when a Department has a need but does not have information or requires technical support from the IT / GIS Division to assist with the request. Departments are encouraged to still start the process with ITGC. Initial projects that are submitted and approved





by the ITGC without all the details will be placed in a Preliminary Project List and IT / GIS resources will be assigned to help the department to further investigate solutions and estimates.

Once all information is available to allow ITGC to decide to proceed, the project will be reviewed and, if accepted, will be placed in the Active Project List. Following any budget authority approval, if required, the project will be prioritized on the list and IT / GIS resources will be assigned to move the project to final completion. The list will be managed to allow completion of highest priority projects while maintaining core responsibilities. Certain approved projects may be placed in an "on hold" status until adequate staff resources become available. Hiring outside resources may also be considered.

ITGC meetings will occur quarterly, and special meetings can be called by the Chair. During the meeting, the Departments will present their projects within an allotted time.

#### **Preliminary List**

This list is created for those projects given an initial approval to proceed that are in the planning stages or require additional information before an in-depth review and vote by the ITGC. Projects on this list will be assigned an IT / GIS resource to assist the Department in review of demonstrations and gathering initial and recurring costs relating to the project, including server and storage costs. A subsequent ITGC meeting will be scheduled with updated information for the ITGC to make a final decision on the project.

#### **Active Projects List**

This list is created for those projects with ITGC recommendation to proceed. This list will include notation of priority for completion and time frame, or, if project is on hold, awaiting staff resources or budget approval. These projects are organized by priority by the ITGC. The order of projects may be reviewed by the ITGC periodically to address emergencies and unexpected circumstances. This list will contain project milestones and deadlines for completion and the IT / GIS Manager or designee will provide a quarterly status update on each project. Alternatives may be discussed regarding certain time-sensitive projects, such as hiring outside IT / GIS contractors if approved via budget appropriation by the Budget Committee and/or City Commission.

#### **Voting**

The decision-making process is based on the guidance provided in the 2004 ITGC Charter. However, ITGC may consider additional factors as part of the decision-making, as follows:

- City-wide necessity based on timing, expirations, cybersecurity, etc.
- Individual department necessity and value to the City
- Budgetary availability
- IT / GIS staff availability
- Efficiency across the City
- Reaction to emergencies, uncontrollable circumstances, or outside influences
- Staff availability from other departments, if necessary

The ITGC will decide from the information provided and presented by the requesting department. After the necessary information regarding the project is presented for ITGC to make a reasonable decision, ITGC will vote on the approval or denial of the project by a simple





majority vote contingent upon approval of a budget appropriation. Approved IT / GIS projects will be placed on the respective prioritized project list as noted above. Priorities of multiple projects across City Departments will

be reviewed and determined by the ITGC by a simple majority vote.

### **Project Progress and Updates**

The IT Manager or designee will provide quarterly updates to active projects. Departments will receive an update from the Committee Chair or designee regarding the decision made by the ITGC within 48 hours after the ITGC meeting.

On a quarterly basis, the ITGC will e-mail the Preliminary List and the Active Projects List to the City's Department Directors and stakeholders to provide an update on the ITGC projects.

### **2021 - 2022 ITGC Members**

Chair – Dmitry Chernyak, Finance Director

Member – Jason Tomanek, Assistant City Administrator

Member – Michelle Klose, Public Works Utilities Director

Member – Jannelle Combs, City Attorney

Member – Mike Dannenfelzer, CenCom Director

Member – Gabe Schell, City Engineer

Member – Tandra Kraft, IT / GIS Manager

ITEM

# 10

# Home Rule Charter Amendment Process

## [NDCC 11-09.1: Home Rule Counties](#)

### **11-09.1-06. Amendment or repeal.**

The home rule charter adopted by any county may be amended or repealed by a proposal by the governing body of the county or by petition of the number of electors provided in section 11-09.1-01, submitted to and ratified by the qualified electors of the county. A petition to amend or repeal a home rule charter must be submitted to the governing body of the county. Within thirty days of receipt of a valid petition or approval of a proposal to amend or repeal a home rule charter, the governing body of the county shall publish any proposed amendment or repeal of a home rule charter once in the official newspaper of the county. At least sixty days after publication, the proposed amendment or repeal must be submitted to a vote of the qualified electors of the county at the next primary or general election. The electors may accept or reject any amendment or a repeal by a majority vote of qualified electors voting on the question at the election.

Procedure:

- County Commission can propose an amended Home Rule Charter.
- Within 30 days of approving an amended Charter, the County will need to publish the proposed amendment(s) in The Bismarck Tribune.
- At least 60 days after publication, proposed amendment(s) must be submitted at the next primary or general election.
- County Commission prescribes the form of ballot for voter to signify for or against the amendment(s)
- If a majority of the qualified electors voting on the charter at the election vote in favor of the home rule charter, it is ratified and becomes the organic law of the county on the first day of January or July next following the election, and extends to all its county matters

## Current Home Rule Charter

<https://burleighco.com/board/homerule/>

Effective Date: October 1, 2014

Termination Date: The sales tax shall expire when all necessary funds for the construction of the Detention Center and demolition and remodeling of the current Detention Center are collected. At such point, notice will be provided to the Office of the Tax Commissioner of the cease date. Such will be provided at least ninety days prior to the start of a calendar quarter.

## Considerations

- Continue sales tax for Detention Center after construction is paid for operations and maintenance.
- Ability to enact ordinances.
- Eliminate Article III – Elections; already covered under [NDCC 11-11-02](#) (County Commission), [NDCC 11-10-02](#) (Sheriff and State's Attorney)



ITEM

# 11

**Vetter, Leo**

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**From:** Matthews, Becky  
**Sent:** Wednesday, December 15, 2021 10:18 AM  
**To:** Vetter, Leo; Bailey, Rachel E.  
**Subject:** Agenda item

I have 2 agenda items from the Burleigh County zone board:

1. On call pay policy for Zone Employees by the Department of Human Services.
2. Bonus pay for Zone Employees per the Department of Human Services

I am working on supporting documents now for the packet.

Rachel if you could please provide the on call pay policy for the board packet I would greatly appreciate it.  
Thank you

**Becky Matthews**

Burleigh County Commissioner  
701-220-5271  
bccmatthews@nd.gov

## Human Service Zone COVID Bonus:

The Human Service Zones will follow the statutory requirements and criteria below.

### Statutory Requirements

- The employee has held a position in any zone for at least one year before the bonus is paid. This may include an employee who transitioned from one zone to another zone with no break in employment. The employee must have successfully completed the required probationary period in the new zone.  
-**Example:** A child protection worker ends employment in zone #1 on 5/1/2021 and begins employment in zone #2 on 5/4/2021.
- The employee is a full-time or part-time regular non-probationary employee holding a regularly funded non-temporary position. (Basically, this means they must be in an FTE and off probation)
- The employee's overall annual performance evaluation satisfies the agency's performance bonus program criteria for receiving a bonus.
- The team member has not received a previous performance bonus during the fiscal year.
- No performance bonus may exceed \$1500.

### Criteria

\$1,500: 100% client facing with heavy community involvement

Continued face to face client contact as expected pre-COVID  
-eg-foster care workers continued face to face visits with kids  
-eg-Direct Care Associates providing care in client homes

\$1,250: Telecommute hybrid

Registration/Front Desk/Screeners

\$1,000: Less than 50% client facing, still significantly impacted in job role expectations

Telecommute-those who had already been telecommuting who played a role in standing up process or otherwise took on additional duties

Hub and spoke

Not client facing; however, took on additional duties

- Financial amounts for each tier will be determined by individual zone based on their budget
- Human Service Zones will provide documentation on the PCL to justify why each staff received or did not receive a bonus



## **Human Service Zone On-Call Procedure**

### Procedure:

The OCW is to be contacted by the NAME Dispatch by using the agency designated cell phone: \_\_\_\_\_. The OCW will be provided by Dispatch the name of the individual requesting contact (on-site officer), the phone number of the person requesting assistance, and be given general information regarding the situation. The OCW will then make contact with the requesting party and respond to the need as necessary. In situations in which Dispatch is unable to reach the OCW, a message will be left on the agency's cell phone voice mail, and then Dispatch will attempt to make phone contact with a supervisor on that supervisor's personal cell phone.

Please note that the OCW does not have the authority to place children under the county's custody. The OCW is to be available to answer any questions and to give supporting information as needed.

In the event that an officer removes a child(ren) and then places that child(ren) in protective custody, all care, custody and control will then immediately vest with our agency, and the OCW should then make proper placement arrangements for the child(ren).

When talking with on-site officers, collect the following information:

1. Inquire as to children's medical conditions, COVID, allergies, TB exposure, lice, medications, etc.
2. Inquire as to possible relatives. If options are provided, run CPS/Frame and ND Courts Search.
3. If immediately placing with relatives, collect names, addresses, any other identifying information, review agency's expectations, verbal safety plan, and brief home walk-through to assess for immediate safety.

The OCW shall report each on call situation to the Supervisor, and also follow up with an email to the assigned case worker, if applicable. A Supervisor will be available for consultation.

### On Call Hours:

Monday at 4:30 p.m. through Monday at 4:29 p.m.

During regular business hours (8:00 a.m. to 4:30 p.m.), the assigned cell phone must be kept with the OCW. If the OCW is in the office and a call comes in on an existing CPS or In-Home or Foster Care case, the worker that is assigned to that case shall be responsible to respond to that call. Workers in the Stanley office do not carry the phone on them at all times while in the office. LE, etc. call directly to the office to the worker needed.

The OCW rotation schedule begins each Monday at 4:30 p.m. and ends the following Monday at 4:29 p.m. It is the responsibility of the OCW's to arrange for the transfer of the agency's cell phone at the beginning and end of their respective on-call duties. It is imperative that the agency's cell phone remains charged. On the weeks of Holidays being on a Monday, the worker will keep the phone until Tuesday.

## **Human Service Zone On-Call Policy**

### **Policy:**

1. The On Call Worker (OCW) must be accessible, answer any phone calls and stay within cell phone coverage at all times during their on-call rotation.
2. If you are not available on your assigned week or day of your scheduled time, it is your responsibility to find someone to take responsibility for the period of time while you are not available. A Supervisor must be notified immediately by text/email/phone of the responsible party. In emergency situations contact a Supervisor for assistance.
3. OCW's will receive \$50 per day of on-call compensation. Hours worked on on-call duty may impact the regular work schedule. Please discuss with your supervisor any necessary schedule deviations.
4. If the OCW's presence is requested, the OCW must respond within a reasonable time. Response times to the location of need may vary due to the size of the Zone.
5. On Call is utilized by Social Workers, Family Service Specialists, and Supervisors only. Supervisors are eligible for the on-call compensation if they are the primary on-call worker.
6. If multiple workers are required to be on-call, they will both be eligible for on-call compensation and time worked outside of their regular schedule.
7. Reimbursement for travel will be paid from the OCW's home address. However, if the OCW is at a different location when they are requested to respond, reimbursement for travel will be paid from the place that they are physically located at the time of such request.
8. A holiday rotation will be utilized when creating schedules.
9. The Zone must provide a list of contact numbers to emergency personnel in the event that they are not able to reach the on-call worker.
10. All OCW's MUST familiarize themselves with and abide by all the terms of the Drug & Alcohol-Free Workplace Policy (HR Zone Policy Manual) adopted by the Zone. It is a violation of this Policy for an OCW to be consuming or using any prohibited substances (as defined within the Policy) while on-call.

ITEM

# 12



## Vetter, Leo

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**From:** Lawyer, Julie A.  
**Sent:** Tuesday, December 14, 2021 12:26 PM  
**To:** Vetter, Leo  
**Subject:** RE: Agenda Items

Leo:

Please add me to the agenda for an executive session under N.D.C.C. § 44-04-19.1 for attorney consultation regarding the ongoing federal opioid litigation.

For your convenience, here is the procedure for an executive session:

- 1) Motion made and passed to hold executive session
  - a. Must announce topics to be discussed
  - b. Must indicate legal authority for holding executive session
- 2) Executive session
  - a. Must be audio recorded
  - b. Limited only to the topics announced
  - c. Final decision handled in open meeting unless attorney guidance authorized by N.D.C.C. § 44-04-19.1
- 3) 3) Open Meeting Minutes
  - a. Legal authority for the executive session
  - b. Date and time executive session called to order
  - c. Names of members attending the Executive Session
  - d. Summary of the general topics discussed or considered (not releasing any confidential information)
  - e. Date and time executive session adjourned.

Julie

### CONFIDENTIALITY STATEMENT

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**From:** Vetter, Leo <levetter@nd.gov>  
**Sent:** Monday, December 13, 2021 6:58 AM  
**To:** Armstrong, Mark <bccarmstrong@nd.gov>; Bitner, Brian <bccbitner@nd.gov>; Kathleen Jones <kjathome@midco.net>; Matthews, Becky <bccmatthews@nd.gov>; Peluso, Jim <bccpeluso@nd.gov>; Binder, Pamela J. <pjbinder@nd.gov>; Christine Kujawa <ckujawa@bismarcklibrary.org>; Dannielle Smith (gaps@gapsinc.org) <gaps@gapsinc.org>; Dave Mayer <dmayer@bisparks.org>; Hall, Marcus J. <mahall@nd.gov>; Hanson, Melissa S. <MSHANSON@nd.gov>; Kevin Quinn <kquinn@burleighsd.com>; Kim Lee (klee@bismarcknd.gov) <klee@bismarcknd.gov>; Landis, Mark J. <mlandis@nd.gov>; Lawyer, Julie A. <JLAWYER@nd.gov>; Leben, Kelly J. <kleben@burleighsd.com>; Dannenfelzer, M <mdannenfelzer@bismarcknd.gov>; Flanagan, Mitch <mflanagan@nd.gov>; Bailey, Rachel E. <rebailey@nd.gov>; Renae Moch <rmoch@bismarcknd.gov>; reneek <reneek@burleighsenioradults.org>; Ripplinger, Dylan <driplinger@nd.gov>; Grenz, Robin A. <ragrenz@nd.gov>; Senger, Mary H. <msenger@nd.gov>; Vetter, Leo <levetter@nd.gov>; Vietmeier, Alan R. <avietmeier@nd.gov>;

## Burleigh County Board Appointments

<i>Bismarck Planning Commission – 5 year term</i>		
<b>Vernon Laning</b> (County Appointed)	(2012)	12/31/2022
<b>Paul Levchak</b> (County Appointed)	(2019)	12/31/2023
<b>Trent Wangan</b> (County Appointed)	(2020)	12/31/2024
<b>Brian Bitner</b> (County Appointed)		
<b>Brian Eiseman</b>		
<b>Kevin Martin</b>		
<b>Gabe Schell</b>		
<b>Steve Bakken</b>		
<b>Wendy VanDuyne</b>		
<b>Tom Atkinson</b>		
<b>Mike Schwartz</b>		
<i>County Planning Commission – 4 year term</i>		
<b>Dale Patrick</b>	(2019)	12/31/2021
<b>Neil Effertz</b>	(2010)	12/31/2021
<b>Brian Zuroff</b>	(2020)	12/31/2021
<b>Bea Streifel</b>	(2020)	12/31/2023
<b>Dennis Agnew</b>	(2020)	12/31/2023
<b>Steve Marquart</b>		
<b>Steve Bakken</b>		
<b>Brian Bitner</b>		
<b>Jim Peluso</b>		
<i>County Housing Authority – 5 year term</i>		
<b>Steven Sathre</b>	(2017)	12/31/2021
<b>Sister Kathleen Atkinson</b>	(2015)	12/31/2022
<b>Arlene Olson</b>	(2003)	12/31/2023
<b>Cynthia Chavez</b>	(2020)	12/31/2024
<b>Lois Sundquist</b>	(2020)	12/31/2025
<i>Lincoln City Planning Commission – 5 year term</i>		
<b>Elizabeth Flemming</b>	(2017)	12/31/2021
<i>County Park Board – 3 year term</i>		
<b>Julie Dethloff</b>	(2020)	12/31/2021
<b>Errol Behm</b>	(2019)	12/31/2021
<i>School District Reorganization – 3 year term</i>		
<b>Dawn Aberle</b>	(2016)	6/30/2022
<b>Linda MacDonald</b>	(2007)	6/30/2022
<b>Kim Birkeland</b>	(2011)	6/30/2024
<b>Brenda Blazer</b>	(2011)	6/30/2024
<b>Joyce Falkenstein</b>	(1995)	6/30/2024



## Burleigh County Board Appointments

### *Special Assessment Commission – 6 year term*

<b>Mike Heim</b>	(2005)	3/31/2023
<b>Lee Lunde</b>	(2007)	3/31/2025
<b>Jeff Eslinger</b>	(2015)	3/31/2027

### *Water Management Board – 3 year term*

<b>Rick Detwiller</b>	(2014)	12/31/2021
<b>Rodney Beck</b>	(2016)	12/31/2021
<b>Dennis Reep</b>	(2014)	12/31/2022
<b>James Landenberger</b>	(2017)	12/31/2022
<b>Cory Palm</b>	(2020)	12/31/2023

### *Weed Control Board – 4 year term*

<b>Monte Dralle</b>	(2006)	12/31/2021
<b>Cory Palm</b>	(2017)	12/31/2021
<b>Jim Heisler</b>	(2012)	12/31/2022
<b>David Nehring</b>	(2020)	12/31/2023
<b>Raymond Skoglund</b>	(2018)	12/31/2023

### *Officials Appointed to Serve at the Pleasure of the Board*

<b>Joshua Seil</b>	County Coroner	11/30/2022
<b>Mary Senger</b>	Emergency Manager/Disaster Preparedness Director	
<b>Marcus J Hall</b>	Engineer	
<b>Kelly Leben</b>	Jail Administrator	
<b>Pamela Binder</b>	Safety/Risk Management Director & Human Resource Director	
<b>Rachel Bailey</b>	Human Service Director	
<b>Al Vietmeier</b>	Tax Equalization Director/County Assessor	
<b>Mark Landis</b>	Veterans Service Officer	
<b>Tyler Kralicek</b>	County Agent	
<b>Mitch Flanagan</b>	Building Official/Director	



## Burleigh County Commission - 2020 Portfolio

Each Commissioner, being reportable to the Board, shall periodically submit his recommendation to the Board on policies and decisions relative to their portfolio assignments for final approval by the Board.

Brian Bitner	Becky Matthews	Kathleen Jones Chair	Mark Armstrong	Jim Peluso Vice-Chair
Building / Zoning / Planning	The Chamber / EDC	Water Management	States Attorney	Building / Zoning / Planning
Recorder	Public Health	County Parks Missouri Valley Complex County Extension	Gov't Coordination & Community Involvement: InterGov't Committee	Emergency Management & Combined Communication (9-1-1)
Supt. of Schools	Social Services	Highway Dept / Bismarck/Wandan Metro Planning Org	Veterans' Services	Law Enforcement
Dakota Prairie RC&D	Council on Aging / Senior Adults Program	County Library		
Finance	Human Resource	Weed Control		
Buildings, Grounds & Abandon Cemeteries		Housing Authority		
		Renaissance Zone		

BURLEIGH COUNTY COMMISSION  
 Department Assignments  
 2021

Department	Commissioner	Commissioner
Zoning/Planning	Bitner	Peluso
Missouri Valley Complex/County Parks	Jones	
Supt of Schools	Bitner	
Recorder	Bitner	
Govt Coordination/Community Development*	Armstrong	
Public Health	Matthews	
Water Management	Jones	
County Extension	Jones	
Law Enforcement	Peluso	Jones
Human Resources	Matthews	
Finance	Bitner	
Council on Aging	Mathews	
Emergency Mgmt & Combined Comm. (9-1-1)	Peluso	
Housing Authority	Board Chair	
County Library	Jones	
Highway Dept / BismarckMandan MPO	Jones	
Weed Control	Jones	
Veterans' Services	Armstrong	
States Attorney	Armstrong	
Social Services	Matthews	
Buildings/Grounds/Abandon Cemeteries	Bitner	
Bismarck Mandan Chamber of Commerce EDC	Matthews	
Renaissance Zone	Board Chair	

\* Burleigh Morton Man Bis (BMMB),

InTerGovernmental Committee (ITG)
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BURLEIGH COUNTY COMMISSION AND PARK BOARD  
 2021 MEETING SCHEDULE  
 TOM BAKER MEETING ROOM - CITY\COUNTY BUILDING

<u>DATE</u>	<u>AGENDA</u>
Jan. 4 20 (Weds)	Regular Meeting – Reorganize/Assign Portfolios 2 <sup>nd</sup> Meeting
Feb. 1 17 (Weds)	Regular Meeting 2 <sup>nd</sup> Meeting
Mar. 1 15	Regular Meeting 2 <sup>nd</sup> Meeting
Apr. 5 19	Regular Meeting 2 <sup>nd</sup> Meeting
May 3 17	Regular Meeting 2 <sup>nd</sup> Meeting
June 7 21	Regular Meeting/Equalization 2 <sup>nd</sup> Meeting
July 7 21 & 22	Regular Meeting 2 <sup>nd</sup> Meeting & Preliminary Budget Introduction (8:30AM)
Aug. 2 16	Regular Meeting 2 <sup>nd</sup> Meeting
Sept. 1 (Weds) 15 (Weds)	Regular Meeting 2 <sup>nd</sup> Meeting/Final Budget Hearing
Oct. 4 18	Regular Meeting Hearing to establish minimum sales prices for tax sale 2 <sup>nd</sup> Meeting
Nov. 1 15 16	Regular Meeting 2 <sup>nd</sup> Meeting Annual Tax Sale (10:00 A.M.)
Dec. 6 20	Regular Meeting 2 <sup>nd</sup> Meeting

11-11-05. Meetings of board - Time and place.

The board of county commissioners shall meet and hold regular meetings for the transaction of business at a time and place to be designated by the commission on a date certain established by resolution or ordinance of the commission. The county auditor shall have power to call special meetings when the interests of the county demand it. The chairman of the board, or a majority of the members thereof, may call special meetings that must be noticed in accordance with section 44-04-20.



# 2021

## Calendar

January

**01**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February

**02**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March

**03**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April

**04**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May

**05**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June

**06**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July

**07**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August

**08**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September

**09**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October

**10**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November

**11**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December

**12**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**December 6, 2021**

**TOM BAKER MEETING ROOM  
CITY/COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.**

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**5:00 P.M. *Invocation by Chaplain***  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the November 15, 2021, meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
- 5) County Election Manager White:
  - a) 2022 Precincts and Polling Locations.
- 6) CenCom Communications Director Mike Dannenfelzer.
- 7) Reconsider Housing Authority Board Selection at the 11-15-21 County Commission Meeting.
- 8) County Engineer Hall:
  - a) Burleigh County Proposed Priority List.
- 9) County Chief Deputy Hulm:
  - a) Purchase of new drone from Burleigh County Asset Forfeiture Fund.
  - b) Purchase of new computer server from Burleigh County Asset Forfeiture Fund.
  - c) Detention Center ARPA Funds update.
- 10) HR Director Binder:
  - a) 2022 Holidays.
  - b) Variance for Paralegal position.
  - c) Summary of 2022 Employee Open Enrollment and Retirement Meetings.
- 11) Commissioner Matthews:
  - a) Burleigh County Human Service Zone Board appointment.
  - b) Burleigh County Human Service Zone volunteer request to update visitation room.
- 12) County State's Attorney Lawyer:
  - a) Legal Assistant I to II reclassification.
  - b) Variance for new hire in State's Attorney's Office.

13) Other Business.

14) Adjourn

*Leo Vetter*

Burleigh County Auditor/Treasurer



Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**November 15, 2021  
TOM BAKER MEETING ROOM  
CITY/COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.**

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**5:00 P.M. *Invocation by Chaplain***  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the November 1, 2021, meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
- 5) Board Appointments:
  - County Planning Commission – three (3) five (5) year term.
  - County Housing Authority – one (1) five (5) year term.
  - Lincoln City Planning Commission – one (1) five (5) year term.
  - County Park Board – two (2) three (3) year term.
  - Water Management Board – two (2) three (3) year term.
  - Weed Control Board – two (2) four (4) year term.
- 6) Consideration of the 2022 County Commission Meeting schedule.
- 7) County Emergency Manager Senger:
  - a) Bis-Man Transit Mutual Aid Agreement.
  - b) Joint Powers Agreement for Provision on Emergency Management Services.
- 8) Discontinue Madam Chairman Jones' nd.gov email and county computer Wi-Fi function per her request.
- 9) County Engineer Hall:
  - a) Tree removal within right of way.
  - b) American Rescue Plan.
- 10) County Finance Director Grenz:
  - a) Mill levy update.
- 11) County Planning Director Flanagan:
  - a) ETA modification request.
  - b) Approval of Marlys Subdivision.
  - c) Approval of Rafter H Bar Subdivision.

12) County Human Service Zone Director Bailey update.

13) Other Business.

14) Adjourn.

*Leo Vetter*

Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**November 1, 2021**

**TOM BAKER MEETING ROOM  
CITY/COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.**

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**5:00 P.M. *Invocation by Chaplain***  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the October 18, 2021, meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
- 5) Weed Board Contract.

**PUBLIC HEARINGS – Vacating Roadway in Baldwin, ND.**

**PUBLIC HEARINGS – Vacate Future Street Dedication.**

- 6) County HR Director Binder:
  - a) Shop Maintenance Worker II to III Reclassification.
- 7) County Sheriff Leben:
  - a) Quarterly Jail Report.
- 8) County Engineer Hall:
  - a) Award of Bids.
  - b) American Rescue Plan.
- 9) County Finance Director Grenz:
  - a) Parking space rental agreement.
- 10) Other Business.
- 11) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer



Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY PARK BOARD**  
**BURLEIGH COUNTY COMMISSION**  
**MEETING AGENDA**  
**October 18, 2021**  
**TOM BAKER MEETING ROOM**  
**CITY\COUNTY OFFICE BUILDING**  
**221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and Facebook LIVE.**

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY PARK BOARD**

- 1) Meeting called to order by the Chairperson of the Board.
- 2) Roll Call of members.
- 3) Consideration and approval of the September 15, 2021, meeting minutes and approval of bills.
- 4) Commissioner Dethloff Resignation.
- 5) Bismarck Parks and Recreation Executive Director Randy Bina Retiring.
- 6) Other Business.
- 7) Adjourn.

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the October 4, 2021, meeting minutes and approval of bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
- 5) Introduction of Burleigh County Zone Director, Rachel Bailey.
- 6) Burleigh County Weed Board.

**Public Hearings:**

**SAD # 70 – Parts of Sabot’s 1<sup>st</sup>, Eden’s, and Oakland Subdivisions.**

- *Motion to confirm and certify special assessments (with amendments as needed).*

**SAD # 71 – Parts of Riverside 2<sup>nd</sup>, & Valcor Subdivisions.**

- *Motion to confirm and certify special assessments (with amendments as needed).*

**SAD # 72 – Part of Grande Prairie Estates 4<sup>th</sup> Subdivisions.**

- *Motion to confirm and certify special assessments (with amendments as needed).*

- 7) Resolution relating to the issuance of Bonds and the reimbursement of certain expenditures.
  
- 8) County Engineer Hall:
  - a) Challenges and Opportunities Plan.
  - b) Maintenance Certification.
  
- 9) Zone Board appointment.
  
- 10) OHV's Roaming the ditches.
  
- 11) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships  
**BURLEIGH COUNTY COMMISSION**  
**MEETING AGENDA**  
October 4, 2021  
TOM BAKER MEETING ROOM  
CITY/COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST

As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.

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**5:00 P.M. *Invocation by Chaplain***  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the September 15, 2021, meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
  - c) Cancel outstanding checks written before July 2020.
  - d) Appoint Jeff Eslinger to a 6-year term to the County Special Assessment Commission.
  - e) ND Department of Emergency Services.

**PUBLIC HEARINGS – Petition the Burleigh County Commission to close the section line on the property surrounding the Missouri River Correctional Center to which the DOCR has received quiet title.**

**PUBLIC HEARINGS – Special Assessment Districts (SAD)**

- Resolution of Necessity regarding SAD # 75 Towne and Country Estates and Morgan Country Estates Subdivision.

**PUBLIC HEARINGS – Concerning objections to the minimum sales prices as determined for the annual tax sale (November 16, 2021).**

- 5) Introduction of Burleigh County Zone Director, Rachel Bailey.
- 6) County Engineer Hall:
  - a) Authorization to advertise for bids.
  - b) Developer Agreement.
  - c) Annual Fee Schedule.
  - d) Maintenance Agreement between the County Highway Department and both organized and unorganized Townships.
  - e) 2<sup>nd</sup> Approach Permit.
- 7) Bismarck Tribune budget article by Gary Adkisson in the September 17, 2021, issue.
- 8) Appointment of North Dakota State Fair Delegates.

- 9) Court Facilities Improvement Advisory Committee.
- 10) Provident Building.
- 11) County Sheriff Leben:
  - a) Approve the 2021/2022 ND DOT Traffic Safety Grant.
- 12) Other Business.
- 13) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer



Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships  
**BURLEIGH COUNTY PARK BOARD**  
**BURLEIGH COUNTY COMMISSION**  
**MEETING AGENDA**  
**September 15, 2021**  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST

As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and Facebook LIVE.

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY PARK BOARD**

- 1) Meeting called to order by the Chairperson of the Board.
- 2) Roll Call of members.
- 3) Consideration and approval of the August 16, 2021, meeting minutes and approval of bills.
- 4) Other Business.
- 5) Adjourn.

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the September 1, 2021, meeting minutes and approval of bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
- 5) Auditor/Treasurer Leo Vetter:
  - a) Establishment of minimum sales prices for property acquired by the county through tax deed proceedings (nonpayment of real estate taxes).
- 6) County Planning Director Mitch Flanagan:
  - a) Appeal of Denial for Variance Request of Required Setbacks.
- 7) County Engineer Marcus Hall:
  - a) Review and Direct the County Highway Department on how to proceed with the Developer's request.
  - b) Direct the County Highway Department on how to proceed with Special Roads Funds.
  - c) American Rescue Plan.
  - d) American Rescue Plan Agreement.
  - e) Special Roads Fund.

- 8) NDACo Executive Director Terry Traynor:
  - a) Federal Infrastructure Bill.
- 9) Harlow's Purchasing Manager Lloyd Deringer requesting discussion of possible land purchase.
- 10) ATV's Roaming the Ditches.
- 11) Other Business.

## **6:00 P.M.**

### **Final Budget Public Hearing**

The Burleigh County Commission will conduct a PUBLIC HEARING for the purpose of discussion on the proposed budget as published & adoption of the FINAL BUDGET for the year ending December 31, 2022. Any taxpayer who may appear shall be heard in favor of or against any proposed expenditures or tax levies. When the hearing shall have been concluded, the board shall adopt such estimate as finally is determined. All taxes shall be levied in specific amounts and shall not exceed the amount specified in the published estimates.

- 12) Open **PUBLIC HEARING** regarding **Final 2022 Budget**
  - Motion to approve appropriate (maximum) levies for the Unorganized Townships.
  - Bismarck Mandan Chamber EDC President Brian Ritter.
  - NDACo Executive Director Terry Traynor.
  - Library Director Christine Kujawa.
  - Motion to Adopt 2022 Final Budget & appropriate 2021 mill levies.
- 13) Approval of contract with the Centre, Inc., for Community Service & Misdemeanor Probation services.
- 14) Joint Powers Agreement for Provision of Public Health Services.
- 15) Approval of Agreements for the Joint Exercise of Government Powers with the City of Bismarck relating to Police Youth Bureau Contract.
- 16) Approval of contract with the Mountain Plains Youth Services (Youthworks) for the provision of Attendant Care and Emergency Shelter Care Services.
- 17) Adjourn.

*Leo Vetter*

Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**September 1, 2021  
TOM BAKER MEETING ROOM  
CITY/COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.**

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**5:00 P.M. *Invocation by Chaplain***  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the August 16, 2021, meeting minutes, the August 17, 2021, workshop meeting minutes, and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
  - c) Stop payment on lost check numbers 116439, 116557 and 117222 and reissue payment.
  - d) Second access permit for Jennifer Vermaas and Stephanie Bosch.
- 5) Brent Ekstrom with Lewis & Clark Development Group.
- 6) Al Fitterer Architect PC:
  - a) Courthouse Remodel bid results.
- 7) Big Sky Railroad.
- 8) Challenges and Opportunities for Burleigh County.
- 9) Continue discussion in processing the American Rescue Plan.
- 10) County Engineer Marcus Hall:
  - a) Authorize the proper County officials to enter into an engineering consultant agreement to perform design engineering services for the construction of Culverts on our 28<sup>th</sup> Street NW project.
  - b) County Commissioners Workshop summary.
- 11) County HR Director Pam Binder:
  - a) Policy Review.
  - b) Covid vaccination incentive.
- 12) County State's Attorney Julie Lawyer:
  - a) Amended appointment of Mediator pursuant to NDCC § 40-51.2-07.1.
- 13) Commissioner Armstrong:
  - a) Continued Budget discussion.

14) Commissioner Matthews:  
a) Covid update.

15) Other Business.

16) Adjourn.

*Leo Vetter*

Burleigh County Auditor/Treasurer



Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY PARK BOARD**  
**BURLEIGH COUNTY COMMISSION**  
**MEETING AGENDA**  
**August 16, 2021**  
**TOM BAKER MEETING ROOM**  
**CITY\COUNTY OFFICE BUILDING**  
**221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and Facebook LIVE.**

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY PARK BOARD**

- 1) Meeting called to order by the Chairperson of the Board.
- 2) Roll Call of members.
- 3) Consideration and approval of the June 21, 2021 meeting minutes and approval of bills.
- 4) Water lines at the Missouri Valley Complex.
- 5) Campers.
- 6) Other Business.
- 7) Adjourn.

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the August 2, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
- 5) Centre Inc. Budget update.
- 6) Engineer Marcus Hall:
  - a) Authorize the proper County officials to enter into an engineering consultant agreement to perform design engineering services for the construction of Culverts on our 28<sup>th</sup> Street NW project.
  - b) Approve the next step in processing the American Rescue Plan.
  - c) Review and Direct the County Highway Department on how to proceed with the Developer's Request.
- 7) Planning Director Mitch Flanagan:
  - a) Recommended the Burleigh County Commission approve the of MH Subdivision Final Plat.

8) Commissioner Armstrong:  
a) Continued Budget discussion.

9) Other Business.  
a) Big Sky Rail.

10) Adjourn.

*Leo Vetter*

Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**August 2, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.**

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**5:00 P.M. *Invocation by Chaplain***  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the July 21, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) None.
- 5) Veterans Service Officer Mark Landis:
  - a) Discuss a military and veterans monument proposal.
- 6) Continued from June 21, 2021 meeting with; Taylor Kindseth, Black rhino Airsoft, LLC.
- 7) Engineer Marcus Hall:
  - a) Towne and Country Estates and Morgan Country Estates Subdivisions.
- 8) Sheriff Kelly Leben:
  - a) 2021 Justice Assistance Grant.
- 9) Commissioner Armstrong:
  - a) Continued Budget discussion.
- 10) Request for Public Hearing to close the section line on the property surrounding the Missouri River Correctional Center to which the DOCR has received quiet title.
- 11) Portfolio reports.
- 12) Other Business.
  - a) Public Service Commission.
  - b) Water lines at the Complex.
  - c) NDACO.
  - d) Section Lines.
  - e) Bismarck Police Training.
- 13) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**July 21, 2021**

**TOM BAKER MEETING ROOM  
CITY/COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and Facebook LIVE.**

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**8:30 A.M.** *Invocation by Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the July 7, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.

**PUBLIC HEARINGS – Issuance of MIDA Bonds by the Cities of Linton, Hazelton, Wilton, and Lincoln for a project in Burleigh County.**

**PUBLIC HEARINGS – Proposal that Burleigh County issue MIDA Bonds for the Light of Christ Catholic Schools project.**

- 5) Election Manager Erika White requesting approval and appointment of ad hoc election committee members.
- 6) Sheriff Kelly Leben requesting Authorization to Hire Temporary, Part-Time Certified Medical Assistants (CMA's).
- 7) *Budget Review* – Finance Director Robin Grenz, overview of submitted budgets. *Burleigh County Dept. Heads, Elected Officials and others are reminded that attendance at this hearing(s) is at your discretion.*
- 8) Motion to adopt preliminary budget and call for final budget hearing September 15, 2021.
- 9) Portfolio Reports.
- 10) Adjourn.

**Meeting will begin at 8:30 AM July 21, 2021 and will run until adjourned or 2:50 PM at the latest. If needed the Commission will recess and reconvene at 8:30 AM July 22, 2021**

*Leo Vetter*  
Burleigh County Auditor/Treasurer



Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**July 7, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and  
Facebook LIVE.**

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**5:00 P.M. Invocation by Chaplain**  
**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the June 21, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
  - c) Approve Joyce Falkenstein to a 3-year term to the County School Reorganization Committee.
- 5) Other Business.
- 6) County Landfill.
- 7) Scott Wegner, Arntson Stewart Wegner PC, regarding request for 2 public hearings for proposed MIDA Bond issuance for Light of Christ Catholic Schools Project.
- 8) Election Manger Erika White requesting approval and appointment of *ad hoc* Election Committee members.
- 9) Creation of new funds:
  - a) I. T.
  - b) Provident Renovation.
  - c) Abandoned Cemeteries.
- 10) I. T. Department discussion.
- 11) Engineer Hall:
  - a) Approve the next step in processing the American Rescue Plan.
  - b) Challenges and Opportunities Plan.
  - c) Authorization to enter into an engineering consultant agreement for the Design Engineering of Bridges on our 66<sup>th</sup> Street SE Railroad Overpass project.
- 12) Sheriff Leben:
  - a) Quarterly Jail Report.
- 13) HR Director Binder to review HR Policies.
- 14) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY PARK BOARD  
BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**June 21, 2021  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and Facebook LIVE.**

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**5:00 P.M. *Invocation by Chaplain***  
**COUNTY PARK BOARD**

- 1) Meeting called to order by the Chairperson of the Board.
- 2) Roll Call of members.
- 3) Consideration and approval of the May 17, 2021 meeting minutes and approval of bills.
- 4) Other Business.
- 5) Garrison Diversion.
- 6) Mitchell Lake.
- 7) Adjourn.

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the June 7, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
  - c) Second access permits.
  - d) Annexation Petition.
- 5) Other Business.
- 6) Hay Lease.
- 7) Ground Lease.
- 8) Extension Lease.
- 9) Engineer Hall
  - a) Authorization to seek various design services from several consultant engineering firms on the 28<sup>th</sup> Street NW Project.
- 10) Continued from May 17, 2021 meeting with; Taylor Kindseth, Black Rhino Airsoft, LLC.
- 11) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**June 7, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 & 602HD,  
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**3:00 P.M.**

**COUNTY BOARD OF EQUALIZATION**

The Board shall meet during the first ten (10) days on June to equalize and correct the assessment rolls. The Board of Equalization may change the valuation and assessments of any real property upon the rolls, by increasing or diminishing the assessed value of thereof. The Board shall be responsible and just to render uniform taxation.

- A. The Board shall sit as the Township Board of Equalization for the Unorganized Townships.
- B. The Board shall then review the assessments of the cities of Bismarck, Lincoln, Regan, South Wilton, and Wing.
- C. The Board shall then review the assessments of all Organized and Unorganized Townships.
- D. Other Business.
- E. Adjourn.

**5:00 P.M. *Invocation by Chaplain***

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member.
- 3) Consideration and approval of the May 17, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
  - c) Second access permit for Lance Richter.
- 5) Other Business.
- 6) Election Manger Erika White requesting approval and appointment of *ad hoc* Election Committee.
- 7) State's Attorney Julie Lawyer updated option on Vacating Roadway in Baldwin, ND.
- 8) Planning Director Mitch Flanagan:
  - a) Accept Smart Gov. proposal and increase 2022 budget \$18,580.00 to cover the annual fee.
- 9) HR Director Pam Binder to discuss Compensation Plan Structure.
- 10) Adjourn.

*Leo Vetter*

Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships  
**BURLEIGH COUNTY PARK BOARD**  
**BURLEIGH COUNTY COMMISSION**  
**MEETING AGENDA**  
**May 17, 2021**  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST

As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, or streaming on multiple platforms including FreeTV.org and Facebook LIVE.

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY PARK BOARD**

- 1) Meeting called to order by the Chairperson of the Board.
- 2) Roll Call of members.
- 3) Consideration and approval of the April 19, 2021 meeting minutes and approval of bills.
- 4) Other Business.
- 5) Weed spraying at the boat ramps.
- 6) Ground Lease.
- 7) Garrison Diversion.
- 8) Taylor Kindseth, Black Rhino Airsoft, LLC.
- 9) Bismarck Motocross Association:
  - a) Contract.
  - b) Proposed Building.
- 10) Adjourn.

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the May 3, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Applications for licenses, raffles, and special event permits.
- 5) Other Business.
- 6) HR Director Binder:
  - a) Health Insurance Committee update.
  - b) Compensation structure discussion.



**PUBLIC HEARING – Block 1, Lot 2, Briardale Subdivision Replat.**

- 7) Building/Zoning Director Flanagan:
  - a) Approval of a minor lot modification to an existing plat as recommended by the Burleigh County Planning Commission.
  - b) Approval of a final plat and zoning change of Roehrich Subdivision Plat as recommended by the Burleigh County Planning Commission.
  
- 8) County Engineer Hall:
  - a) Authorize the proper County officials to enter into a contract with the low bidder for Hay Creek Township, County Roadway Projects and SAD #73.
  - b) Authorize the proper County officials to enter into a contract with the low bidder for SAD #74.
  - c) Township Mileage Certification.
  
- 9) County Emergency Manager Senger:
  - a) Fireworks; Discussion in relation to burn restrictions.
  
- 10) Discussion of Credits available:
  - a) Veterans Service Officer Landis; Explain Disabled Veterans Credits.
  - b) Tax Equalization Director Al Veitmeier; Explain Homestead Credits.
  
- 11) Finance Director Grenz; American Rescue Plan.
  
- 12) Bismarck-Mandan Symphony Orchestra.
  
- 13) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**May 3, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

**As always, live meeting coverage is available on Government Access Channels 2 &  
602HD, Radio Access 102.5 FM, or streaming on multiple platforms including  
FreeTV.org and Facebook LIVE.**

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member
- 3) Consideration and approval of the April 19, 2021 meeting minutes and bills.
- 4) Consent Agenda:
  - a) Second access permits.
  - b) Applications for licenses, raffles, and special event permits.
- 5) Other Business:
  - a) Finance Director, Robin Grenz.
- 6) Tax Director Vietmeier:
  - a) Abatements.

**PUBLIC HEARINGS – Vacating Roadway in Baldwin, ND – continued.**

- 7) County Engineer Hall:
  - a) Accepting platted right of way as shown on the attached Plat at, The Ridge at Hawktree Second Replat Subdivision.
  - b) Accepting platted right of way as shown on the attached Plat at, Missouri Meadows Subdivision.
- 8) Sheriff Leben:
  - a) SORN Radio Project update.
  - b) Deputy George Piepkorn Remembrance Ceremony.
- 9) Downtown business Association, change and growth update.
- 10) Bismarck Mandan Chamber EDC President Brian Ritter.
- 11) Adjourn.

*Leo Vetter*

Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY PARK BOARD  
BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**April 19, 2021  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Chaplain*

- a. Second access permit for Jordan Tripp.
- 2) Meeting called to order by the chairperson of the board.
- 3) Roll call of members.
- 4) Consideration and approval of the March 1, 2021 meeting minutes and approval of bills.
- 5) County Parks:
  - a. Mitchell Lake
  - b. Driscoll Sibley Park
  - c. Steckel Park
  - d. Kniefel Boat Landing
  - e. Kimball Bottoms
  - f. McLean Bottoms
  - g. Swenson Park
- 6) Other Business.
- 7) Adjourn.

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the April 5, 2021 meeting minutes, approval of bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) South 40 Wedding Events LLC annual liquor license.
  - c) Flash's Place Gaming Site Authorization.
  - d) Second access permit for Jordan Tripp.
- 5) County Superintendent of Schools Heilman:
  - a) Approve Brenda Blazer and Kim Birkland each to 3-year terms to the County School Reorganization Committee.
- 6) Erika White, Burleigh County Election Manager, presenting election equipment and results reporting information.

- 7) Proposal received for Collections of Outstanding Judgements.
  - a) A.R. Audit Services, Inc and Schweigert Klemin & McBride PC Collections Division.
- 8) NDSU Extension, Kelsey Deckert.
- 9) HR Director, Pamala J. Binder.
  - a) Employee Reclassifications.
  - b) Variance for new hire in State's Attorney's Office.
  - c) Appointment of the Interim Deputy Recorder.
- 10) Building/Zoning Director Flanagan:
  - a) Zone Change
  - b) Abandoned Auto Fund (AAF)
- 11) County Sheriff Leben:
  - a) Detention Report April 2021.
  - b) Prisoner Transport from Burleigh County Asset Forfeiture Fund.

**PUBLIC HEARING – Vacating Roadway in Baldwin, ND**

- 12) County Engineer Hall:
  - a) Second access permit for Jason & Jolene Rieck.
  - b) Second access permit for Cody & Martin.
  - c) Second access permit for Greg Schettler.
- 13) Other Business.
- 14) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer



Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**April 5, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of member
- 3) Consideration for Approval:
  - a) Approval of the March 15, 2021 meeting minutes.
  - b) Approval of the Bills.
- 4) Consent Agenda:
  - a) Abatements.
  - b) Second access permit for Bismarck Rural Fire District.
  - c) 2021 license application.
  - d) Application for special event permits.
  - e) National Public Safety Telecommunications Week Resolution.
- 5) Other Business.
- 6) County Superintendent of Schools Heilman:
  - a) Approve Brenda Blazer and Kim Birkland each to 3-year terms to the County School Reorganization Committee.
- 7) Mike Manstrom, Bond Sale Resolutions (SAC #70, #71, #72).

**PUBLIC HEARINGS – Special Assessment Districts (SAD)**

- Resolution of Necessity regarding SAD #73 Country Creek 1<sup>st</sup>-5<sup>th</sup> Subdivision,
  - Resolution of Necessity regarding SAD #74 Olive Tree Subdivision.
- 8) County Engineer Hall:
    - a) Authorize the proper County officials to advertise for bids for Special Assessment District #73 (Country Creek Subdivisions 1<sup>st</sup> – 5<sup>th</sup>).
    - b) Authorize the proper County officials to advertise for bids for Special Assessment District #74 (Olive Tree Subdivision).
    - c) Authorize the proper County officials to execute various actions resulting from the 2020/2021 fund balance carryover.
    - d) Approve the selection of Bartlett & West to perform construction engineering services for the 43<sup>rd</sup> Avenue NE Project.
    - e) Approve the estimated amounts for the 43<sup>rd</sup> Avenue NE Project.
    - f) Developer Waiver Request.

- 9) Friends of the Rail Bridge discussion.
  - a) States' Attorney Julie Lawyer:
    - i. Bismarck Bridge Project Time Line.
    - ii. US Coast Guard Agreement.
  - b) NDIRF Letter, Brennan Quintus, Chief Executive Officer.
  - c) BNSF Railway:
    - i. Mike Herzog, Director Bridge Maintenance.
    - ii. Amy McBeth, Director Public Affairs.
  - d) Captains' Landing Township letter.
  - e) Friends of the Rail Bridge.

10) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY PARK BOARD  
BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**March 15, 2021  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the March 1, 2021 meeting minutes, approval of bills.
- 4) Consent Agenda:
  - a) Abatements.
- 5) Other Business.
- 6) Erica White, Burleigh County Election Manager, presenting voter ID and absentee ballot information.
- 7) County Engineer Hall:
  - a) Award of Bids for; painted pavement markings, Culverts, Hauling of Gravel, Crushing of Gravel, Dust Control.
  - b) Petition to Vacate Roadway.
- 8) Communications.
- 9) Mandy Peterson, Secretary of the Friends of the Rail Bridge.
- 10) Finance Director Grenz 2020 Budget Adjustments.
- 11) Court Facilities Improvement Committee.
  - a) Authorization to enter into an architectural services agreement for the Annex Ground Floor Remodel for a District Courtroom.
- 12) Burleigh County Senior Adults Program.
- 13) Burleigh County Emergency Management:
  - a) Affirm "Fire Emergency and Burn Ban Tied to Daily Fire Danger Rating" previously declared on March 10, 2021.
- 14) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**March 1, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Chaplain*

**COUNTY PARK BOARD**

- 1) Meeting called to order by the chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the November 16, 2020 meeting minutes and approval of bills.
- 4) Garrison Diversion Conservancy District.
- 5) Other Business.
- 6) Adjourn.

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Consideration and approval of the February 17, 2021 meeting minutes, approval of bills.
- 4) Brian Balerud with Schweigert Klemin & McBride/AR Audit Services relating to NDCC 29-26-22.2 and the collection of judgments.
- 5) County Sheriff Leben:
  - a) 2020/2021 North Dakota Department of Transportation Traffic Safety Grant-Equipment Addendum.
- 6) County Engineer Hall:
  - a) Olive Tree Subdivision.
- 7) Bismarck-Burleigh Public Health Update.
- 8) Consent Agenda:
  - a) Abatements.
  - b) Application for a local or Charity local permit. ND Bowhunters Assn. Foundation.
- 9) Other Business.
- 10) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**February 17, 2021  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Law Enforcement Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Approval of the February 1, 2021 meeting minutes, approval of bills.
- 4) Provident Life Building.
- 5) Burleigh County Water Resource District.
- 6) Vision Zero Regional Coordinator Theresa Liebsch.
- 7) County Engineer Hall:
  - a) Reconstruction of 43<sup>rd</sup> Avenue NE Project Agreement.
- 8) Consent Agenda:
  - a) Abatements.
  - b) Stop payment on lost check number 118949 and reissue payment.
- 9) Other Business.
- 10) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer



Lincoln, Ft. Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**February 1, 2021  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Law Enforcement Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board.
- 2) Roll call of members.
- 3) Approval of the January 20, 2021 meeting minutes, approval of bills.
- 4) Zuger Kirmis & Smith lease in Provident Life Building and remodel expenses.
- 5) Commissioner Armstrong requesting phone or Zoom access for future county commission meetings.
- 6) Building/Zoning Director Flanagan:
  - a) Mike and Billi Jo Wolf variance request.
- 7) County Engineer Hall:
  - a) Consultant Engineering Firm on the 43<sup>rd</sup> Avenue Project.
- 8) Court Facilities Improvement.
- 9) Consent Agenda:
  - a) Abatements.
  - b) Void gaming permit 20-001.
  - c) Gaming site authorization.
- 10) Other Business.
- 11) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**January 20, 2021  
TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Law Enforcement Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board
- 2) Roll call of members
- 3) Approval of the January 4, 2021 meeting minutes, approval of bills.
- 4) Bitner update on Provident Life
- 5) Recorder Kroshus Retirement
- 6) County Engineer Hall:
  - a) Authorization to enter into an engineering consultant agreement for the Construction Engineering of the Bridge 08-110-21.1 and 08-123-18.0.
- 7) Sheriff Leben:
  - a) Quarterly Jail Report.
- 8) County Contact list and the Inclement Weather & Emergency Closing for review and discussion.
- 9) 4-H extension Building
- 10) Burleigh County Emergency Management:
  - a) Health Emergency Declaration
- 11) 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)
- 12) Other Business
- 13) Adjourn.

*Leo Vetter*  
Burleigh County Auditor/Treasurer

Lincoln, Ft. Rice, Riverview, Burnt Creek, Canfield, Lyman and Phoenix  
Unorganized Townships

**BURLEIGH COUNTY COMMISSION  
MEETING AGENDA**

**January 4, 2021**

**TOM BAKER MEETING ROOM  
CITY\COUNTY OFFICE BUILDING  
221 N 5<sup>TH</sup> ST**

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**5:00 P.M.** *Invocation by Law Enforcement Chaplain*

**COUNTY COMMISSION**

- 1) Meeting called to order by chairperson of the board
- 2) Roll call of members
- 3) Approval of the December 21, 2020 meeting minutes, approval of bills.
- 4) County Engineer Hall:
  - a) Authorization to advertise for bids.
  - b) Burleigh County Proposed Project Priority List.
- 5) Update on Burleigh County Human Service Zone Board Meeting by Commissioner Matthews.
- 6) Courthouse update by Commissioner Bitner.
- 7) Commissioner Jones update on comprehensive plan and formation for a strategic county employee.
- 8) Consent Agenda
  - a) Special event.
  - b) Designation of public depositories.
- 9) Other Business:
  - a) Board Appointments:
    - Burleigh County Housing Authority - one (1) five (5) year term.
- 10) Assignment of portfolios.
- 11) board reorganization (election of chair & vice-chair).
- 12) Adjourn.

*Leo Vetter*

Burleigh County Auditor/Treasurer