



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



Burleigh County Commission Meeting Agenda

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

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February 5, 2024

5:00 PM

COUNTY COMMISSION

Invocation and Pledge of Allegiance presented by Chaplain.

1. Meeting called to order by the Chairman of the Board.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration and approval of the January 17, 2024, meeting minutes and bills.
5. Consent Agenda:
 - a. Abatements.
 - b. Applications for licenses, raffles, and special events permits.
 - c. Check Replacement.
 - d. Second access permit
6. County Engineer Hall:
 - a. **PUBLIC HEARING:** Petition to vacate section line.
 - b. Authorization to advertise for bids.
 - c. Petition to vacate section line.
 - d. Award of bids.
7. County Planning Director Flanagan:
 - a. Appeal of special use permit application.
 - b. FEMA Letter of final determination.
8. County Finance Director Jacobs:
 - a. Detention Center sales tax update.
9. Comm. Munson:
 - a. Home Rule Charter ballot language.
 - b. Request for Easement across Missouri Valley Complex for city sewer.
 - c. Missouri Valley Complex Committee.
10. Chairman Bitner:

a. Provident Building RFP award.

11. Election Coordinator Hart:

a. Election worker update.

12. Other Business

13. Adjourn.

The next regularly scheduled Commission meeting will be on February 21st, 2024.

Mark Splonskowski

Burleigh County Auditor/Treasurer/Tax

**BURLEIGH COUNTY COMMISSION
MEETING**

JANUARY 17TH, 2024

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

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

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

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

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the January 3rd, 2024 meeting minutes and bills. All members present voted, "AYE". Motion carried.

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

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Stephens Property Apartments LLC	2023	West 100' of Lot 1, Block 49, Northern Pacific 2nd	Error in property description	\$240,000	\$184,300
Stephens Property Apartments LLC	2023	Lots 31-32 less west 99', Block 63, McKenzie & Coffin's	Error in property description	\$158,600	\$127,600
Stephens Property Apartments LLC	2023	Lot 18, & S 15' of Lot 19, Flannery & Wetherby	Error in property description	\$256,200	\$174,600
Stephens Property Apartments LLC	2023	Lots 27-28, Block 22, Flannery & Wetherby	Error in property description	\$223,200	\$158,500
Stephens Property Apartments LLC	2023	Lots 16-18, Block 46, Flannery & Wetherby	Error in property description	\$202,300	\$179,000
CD Gemini Properties LLC	2023	Lot 1A less Lot 1C of Lot 1A of Lot 1 and Lots 10 & 11, Block 12, Wachter's subdivision & replat of part of block 10 Eastdale addn	Error in property description	\$1,962,600	\$1,859,900
Theresa A Simon	2023	Lot 24, Block 2, Sattler's Sunrise 4th	Error in property description	\$367,300	\$339,200
Brian Nelson	2023	Lots 7-8, Block 93, McKenzie & Coffin's	100% Disabled Veteran	\$200,100	\$20,100

Joshua & Alison Ternes	2023	Lots 20-21, Block 78, McKenzie & Coffin's	Error in property description	\$287,700	\$253,100
Shirley M Buchholz	2023	Lots 1-2 East Ridge Condominiums Unit 9, Block 3, Shannon Valley 4th	100% Homestead Credit	\$217,000	\$37,000
Park District of the City of Bismarck	2023	Country West V, Block 2, Lot 4 & lot 3 less that part taken for replat part Country West V and less tract 1722 & North 7' Vac	Exempt from taxation	\$300	\$0
Park District of the City of Bismarck	2023	Country West V, Block 2, Lot 5 & north 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 2 less that part taken for replat part Country West V & south 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 3 & south 7' VAC R/W Adj	Exempt from taxation	\$300	\$0
Park District of the City of Bismarck	2023	Country West V, Block 3, Lot 4 & south 7' VAC R/W Adj	Exempt from taxation	\$200	\$0
Park District of the City of Bismarck	2023	Tyler's Western Village, Block 3, pt L 22 beg at NW cor; SELY along N Line of LT 79.53'; SWLY 112.82' to WLY Line of LT; N	Exempt from taxation	\$500	\$0
Park District of the City of Bismarck	2023	Tyler's Western Village, Block 3, pt L 23 beg at SW cor; NLY along W line 98.69' to most WLY Cor of lot; SELY 155.35'; SWL	Exempt from taxation	\$1,000	\$0
Adam J Koch	2023	Lot 9, Block 34, Northern Pacific 2nd	50% Homestead Credit	\$178,000	\$89,000
Jolene Stewart	2023	Block 1, Replat North Hills 4th, Tract A & an undiv interest in L.31 Common Area Knoll Wood Condominium Central Association Unit 3	100% Homestead Credit	\$266,700	\$66,700
Wayne & Gladys Trottier	2023	Lot 7B, Block 4, K & L's 2nd Addition	100% Homestead Credit	\$352,400	\$152,400
Wallace & Diane Mertz	2023	Lot 1 less Parcel No.1-1 for ST R/W, Block 1, Mertz First Addition	50% Homestead Credit	\$596,200	\$496,200
Jenell Loftesnes	2023	Lot 17 less South 6', Block 3, Stein's 2nd	50% Homestead Credit	\$262,900	\$162,900
Lawrence & Alice Duchscherer	2023	Lots 3-4, Block 10, Flannery & Wetherby	100% Homestead Credit	\$216,400	\$116,400

Cynthia Jacquart	2023	Eastview, Block 2, 516A of Lot 22 less S50' of W22' of said L22	50% Homestead Credit	\$193,000	\$96,500
John W Kelsch	2023	East 75' of Lots 17-20, Block 23, Fisher	100% Homestead Credit	\$242,000	\$42,000
Elayne M Lindquist Revocable Trust	2023	Lot 13, Block 1, Heritage Park Addition 1st Replat	50% Homestead Credit	\$403,700	\$303,700
Eileen P Krumm	2023	Lot 23, Block 2, Eagle Crest	100% Homestead Credit	\$565,600	\$365,600
David J & Agnes Volk	2023	Pebble Creek 8th, Block 2, Lots 4,6,8,10, Blk 1, Pebble Creek 8th RPT & Lot 15 less WLY 148' of SLY 180', Blk 2, Pebble Creek 8th Arrow Head Ranch Unit 3 Bldg 3118	50% Homestead Credit	\$300,900	\$200,900
James G & Cynthia A Vollmer	2023	Lot 6, Block 2, Indian Hills	50% Homestead Credit	\$267,100	\$167,100
Jefferie Ehman	2023	Pebble Creek 8th, Block 2, Lots 4,6,8,10, Blk 1, Pebble Creek 8th RPT & Lot 15 less WLY 148' of SLY 180', Blk 2, Pebble Creek 8th Arrow Head Ranch Unit 4 Bldg 3112	50% Homestead Credit	\$300,900	\$200,900
Debra Mills	2023	Replat Tibesar's 1st Sub, Block 14, Lot 19 & E 22' of Lot 18	50% Homestead Credit	\$399,800	\$299,800
Kevin Brennan	2023	Lot 5, Block 3, Briardale II	50% Homestead Credit	\$298,300	\$198,300
Kenneth F & Alvinia Buchholz	2023	Lot 5, Block 20, Meadow Valley 4th	50% Homestead Credit	\$236,200	\$136,200
Daniel & Sharon Clausnitzer	2023	Eastview, Block 3, Lot 9 & N 12' of Lot 8	50% Homestead Credit	\$315,500	\$215,500
Jenette Leblang	2023	Lot 10, Block 2, Promontory Point	100% Homestead Credit	\$508,400	\$308,400
Jolene Stewart	2022	Block 1, Replat North Hills 4th, Tract A & an undiv interest in L.31 Common Area Knoll Wood Condominium Central Association Unit 3	20% Homestead Credit	\$242,400	\$217,400
Ralph & Naida Feland	2023	Lot 4, Block 1, Edgewood Village 5th	100% Homestead Credit	\$383,600	\$183,600
Kelly & Candice Bouche	2023	Pt S1/2SE1/4 beg @ Pt 72 rods W if SE cor then N 20 rods, W 16 rods, S 20 rods, E 16 rods to POB	100% Homestead Credit	\$76,500	\$0

Gary & Alvina Allmendinger	2023	Eastview, Block 3, S6' of Lot 5 & N14' of Lot 4, Eastview Townhouses Unit 13 Tract J	50% Homestead Credit	\$139,700	\$69,850
Jean Ellefson	2023	Tatley Meadows V, Block 2, Part of Lot 4 Pheasant Run Condominiums Unit 3068	50% Homestead Credit	\$164,600	\$82,300
Richard & Julene Wasness	2023	Lot 7, Block 1, Highland Acres	50% Homestead Credit	\$247,400	\$147,400
Richard Braun & Patricia Erling	2023	West 50' of Lots 1-2, Block 20, Northern Pacific	100% Homestead Credit	\$227,300	\$27,300
Dan Ensz	2023	Flannery & Wetherby, Block 41, Lot 15 less W 20' for alley	100% Homestead Credit	\$167,100	\$0
Redginald & Susan Finck	2023	Lot 7, Block 10, Riverview	50% Homestead Credit	\$256,900	\$156,900
Rhonda & Steven Haegele	2023	Lots 7-8, Block 11, Fisher	100% Homestead Credit	\$217,500	\$17,500
Sylvia J Brown	2023	Lots 11-12, Block 20, Fisher	50% Homestead Credit	\$253,700	\$153,700
Jerome & Barbara Frison	2023	Lot 7, Block 10, Meadow Valley 2nd	50% Homestead Credit	\$221,400	\$121,400
Gary W & Dorene E Gaasland	2023	Block 12, Lincoln, Beg 105' N of SE cor W 165' N 65' E 165' S 65' to beg	50% Homestead Credit	\$338,600	\$238,600
Carol A Hattel	2023	Lot 8, Block 3, Register's 2nd	50% Homestead Credit	\$210,900	\$110,900
Carmen Husebye	2023	Block 4, East Hills Addition Replat, Lot 8 Baumgartner's Sharloh Loop Condominiums Unit 7 Building 1401	50% Homestead Credit	\$181,100	\$90,550
Patricia Kennedy C/O Patricia Hanson	2023	Lot 41, Block 10, Highland Acres	50% Homestead Credit	\$277,400	\$177,400
Beverly Larson	2023	Block 3, North Hills 15th, Lot 3 626 Nelson Dr Condominium Association Unit 4	50% Homestead Credit	\$254,900	\$154,900
Robert P Jr & Leighann Gregoire	2023	Lot 5, Block 2, Wachter's 7th	50% Homestead Credit	\$294,900	\$194,900
Michael L Miller	2023	Lot 12, Block 4, Haycreek Meadows	50% Homestead Credit	\$308,800	\$208,800
Robert L Wetsch	2023	Lot 3, Block 19, Casey's 4th	100% Homestead Credit	\$187,800	\$0

Ronnie J & Kathy A Blegler	2023	SE1/4 - 295.16' x 295.16	50% Homestead Credit	\$217,900	\$117,900
Gary T Nagel	2023	S 50' of Lots 7-12, Block 17, McKenzie's	50% Homestead Credit	\$227,500	\$127,500
Viola Anderson	2023	Lot 19B of Lot 19 + Lot 20, Block 1, Huntington Cottages 1st Addition	50% Homestead Credit	\$367,500	\$267,500
Susan Beth Elliot	2023	Lot 11, Block 14, Nagel's 4th	100% Homestead Credit	\$300,200	\$233,533
Thomas & Cynthia Anderst	2023	Lot 9A, part of Lots 3-5, Block 4, Stein's 5th	50% Homestead Credit	\$226,300	\$126,300
Gregory & Deborah Hanson	2023	Lot 8, Block 15, Register's 2nd Addition	50% Homestead Credit	\$205,800	\$105,800
Dean A & Wanda L Meland	2023	Lot 6, Block 22, Wachter's 3rd	100% Homestead Credit	\$321,800	\$121,800
Jimmy & Denise Brorby	2023	Lot 10, Block 3, The Ranch 2nd	50% Homestead Credit	\$477,100	\$377,100
Jeff & Charlotte Kurtz	2023	Grande Prairie Estates Second, Twn-139, Rng-80, Blk-09	50% Homestead Credit	\$337,500	\$237,500
Alan Houn	2023	Lots 1-9, Block 1, Menoken Meadows	100% Homestead Credit	\$16,800	\$0
Sandra A Schell	2023	Lots 1-2 Original Townsite Condominiums Unit 2 & Garage Unit 2, Block 61, Original Plat	100% Homestead Credit	\$87,200	\$0
Margaret E Bahn	2023	RPT PT B3 Sleepy Hollow HT, Block 3, Lot 1, 1627 N 33rd St Condominiums Unit 2	100% Homestead Credit	\$261,100	\$61,100
Larry & Carol Crabbe	2023	RT L10 B1 North Hills 1st, Block 1, Lot 2 Century Park Condominiums Unit II	100% Homestead Credit	\$211,200	\$11,200
Larry & Neva Lang	2023	Lot 15, Block 27, Stein's 4th	50% Homestead Credit	\$317,200	\$217,200
Kenn Jay Pedersen	2023	Lot 14, Block 12, Stein's 3rd	100% Homestead Credit	\$311,100	\$111,100
Joseph G & Meredith L Gross	2023	Block 2, Fisher, E 70' of Lots 13-15 & W 40' of S 10' of Lot 8 & W 40' of Lots 9-12	100% Homestead Credit	\$264,600	\$64,600

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Stephens Property Apartments LLC (5), CD Gemini Properties LLC, Theresa A. Simon, Brian Nelson, Joshua & Alison Ternes, Shirley M. Buchholz, Park District of the City of Bismarck (7), Adam J. Koch, Jolene Stewart, Wayne & Gladys Trottier, Wallace & Diane Mertz, Jenell Loftesnes, Lawrence & Alice Duchscherer, Cynthia Jacquart, John W. Kelsch, Elayne M. Lindquist Revocable Trust, Eileen P. Krumm, David J. & Agnes Volk, James G. & Cynthia A. Vollmer, Jefferie Ehman, Debra Mills, Kevin Brennan, Kenneth F. & Alvinia Buchholz, Daniel & Sharon Clausnitzer, Jenette Leblang, Jolene Stewart, Ralph & Naida Feland, Kelly & Candice Bouche, Gary & Alvina Allmendinger, Jean Ellefson, Richard & Julene Wasness, Richard Braun & Patricia Erling, Dan Ensz, Redginald & Susan Finck, Rhonda & Steven Haegele, Sylvia J. Brown, Jerome & Barbara Frison, Gary W. & Dorene E. Gaasland, Carol A. Hattel, Carmen Husebye, Patricia Kennedy c/o Patricia Hanson, Beverly Larson, Robert P. Jr. & Leighann Gregoire, Michael L. Miller, Robert L. Wetsch, Ronnie J. & Kathy A. Blegler, Gary T. Nagel, Viola Anderson, Susan Beth Elliot, Thomas & Cynthia Anderst, Gregory & Deborah Hanson, Dean A. & Wanda L. Meland, Jimmy & Denise Brorby, Jeff & Charlotte Kurtz, Alan Houn, Sandra A. Schell, Margaret E. Bahn, Larry & Carol Crabbe, Larry & Neva Lang, Kenn Jay Pedersen, and Joseph G. & Meredith L. Gross abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried. Comm. Woodcox asked about a check from Advanced Business Methods in Fargo that hadn't been cashed for \$2400 and wondered if someone could contact this company. Auditor Splonskowski stated that we don't know the reason why they didn't cash it but to reconcile accounts the check had to be canceled.

There was then a discussion on the assignment of portfolios. Chairman Bitner stated that no changes were requested but wanted to add the Renaissance Zone portfolio. Comm. Munson stated that he had been appointed as a private citizen by the city as a member of the Renaissance Zone Board and requested to take this portfolio. Chairman Bitner felt it was more appropriate to have Comm. Bakken take that as it fell under Government Coordination & Community Involvement Intergovernmental Committee. Comm. Munson stated he was willing to take the Public Health portfolio from Comm. Bakken and Comm. Bakken agreed to give that over to him.

County Engineer Hall presented a public hearing on a petition to vacate a section line. Mr. Hall stated he did not have any conversation with the NDDOT however they do have a highway right next to it and made a decision a long time ago to get off that section line, so he assumed their position hadn't changed. Diana Koppinger and her brother Dan Baker who are the daughter and son of Dorothy Baker, the landowner. Diana is the 5th generation to reside there, and the section line runs through a small portion of Dorothy's property. They proposed to close the section line for estate preparation. The public benefit would be that it wouldn't have to be maintained. Mark Isaacs with Independent Land Surveying and Engineering then shared that they did some platting to help the Baker's with estate planning and stated that the benefit would be that there would be no need for maintenance with that roadway. He added that if the section line wasn't vacated there would have to be 150 feet of right of way dedicated to the county, but if it was vacated it would retain ownership and the individuals would pay taxes on it. Public hearing was then closed. Motion by Comm. Bakken, 2nd by Comm. Woodcox to vacate the section line. Comm. Munson asked if we could list the benefit in the motion, but per State's Attorney Lawyer it didn't need to be in the motion but should be discussed. Comm. Bakken stated that there was public benefit for tax reasons and the public access point would remain intact. Comm. Munson stated that to vacate it would save money. Comm. Bakken then reaffirmed his motion. All members present voted "AYE". Motion carried. Mr. Hall then presented a request to approve the 2024 Burleigh County Project Priority List. Comm. Bakken wondered if the springtime concerns with aggregate were applied to this list to which Mr. Hall stated that it was being applied to the

maintenance portion of the list. Motion by Comm. Bakken, 2nd by Comm. Munson to approve. All members present voted "AYE". Motion carried.

Comm. Schwab presented a discussion on the State Property Tax Credit. He wanted everyone to know that they can apply by going to the county website and there was a green bar at the very top of the page to apply. He wanted everyone to know it was available until Mar. 31st to do so. Chairman Bitner added that people can apply for the Homestead Tax credit as well if eligible plus if they ran into any problems with the process the County Tax Department could help. Comm. Munson noted that you don't automatically get the credit, but you must apply.

Emergency Management Director Mary Senger came forward to present a Memorandum of Understanding (MOU) between Burleigh County and the University of Mary which gave them the opportunity to apply for a grant. Burleigh County is just the pass-through and is not responsible for any monies, audits, or quarterly reports. Motion by Comm. Munson, 2nd by Comm. Bakken to approve. All members present voted "AYE". Motion carried.

Sheriff Leben told the commission that Auditor Splonskowski was recognized recently at the Sheriff Department's award ceremony for saving a young child's life in a near drowning incident and wanted to congratulate and thank him. Sheriff Leben then presented his quarterly report for January 2024. The average daily population was 241 and total bookings were 512 which is 17 per day on average. He shared a breakdown of inmate days and the total billed for the month was \$135,566 which is \$1,973,428 for the year. He noted that more staff was needed. 217 people participated in the Alternatives to Jail Program. He added they were in a continuous hiring process and they got a lot of applicants when a hiring bonus was offered but that unfortunately didn't translate into employees in the door. They are going through a lot of cost backgrounding applicants that never get hired. He gave a snapshot of one day in the facility during the Jan. 5th-8th period where they booked 47 and released 12. People with drug and alcohol withdrawals, severe mental health issues, and suicidal people are what they are mainly dealing with which goes on weekly. Comm. Woodcox shared that Sheriff Leben was on KFYR and shared a lot of this information with the public and wished to thank him for doing so and told him he was doing an excellent job.

Chairman Bitner then discussed the official appointment of Leigh Jacobs as the new Burleigh County Finance Director. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve his appointment. All members present voted "AYE". Motion carried. Chairman Bitner then discussed the Provident Building RFP for a fan coil piping replacement. He stated they are looking for mechanical contractors to address piping problems the Provident Building has had for quite some time. Election Coordinator Lisa Hart brought an election status update saying that the County needs approximately 200 poll workers per election and she currently has 93 that have expressed an interest at this point. She added that she is in the process of contacting former workers to see if they would be willing to serve again for the June 11th and/or Nov. 5th elections. She encouraged any former workers or new ones to contact her by calling 701-222-6697 or by emailing her at hartlisa@nd.gov or by clicking the Elections link on our county website and selecting "Be a Poll Worker". She stated that the whole Auditor/Treasurer/Tax Equalization Department helps as it gets closer to election time and they also hire a few temp workers to assist the office during that time period as well. She and Auditor/Treasurer Mark Splonskowski reached out to some high schools in the county to see if there would be an interest for 16-18 years olds working on election day. Comm. Munson asked if that age group can get Community Service hours for working in an election and Mrs. Hart said she will be checking into that.

Comm. Munson presented a request to establish a Fair Board as a management, complex operation, and development oversight committee responsible to the Burleigh County Commission for the Missouri Valley Complex. He stated that they were not trying to be an agricultural fair association. Comm. Bakken shared that right now they have several stakeholders at the Complex, and if there were to be a fair, they would be another stakeholder. Alan Heim came forward to share that this would be a committee to represent all the groups out there yet remain under the County Commission for approval to oversee projects, the development of the property, scheduling, etc. and take the burden off the commission. He added this would be a 9 or 11 person (including 2-4 citizens) committee. Steve Neu then shared the tasks of the Fair Board and stated that they would like to meet at least bimonthly or at the call of the Chairman in the Tom Baker Room and be recorded to be transparent. Comm. Schwab asked what resources this Fair Board was asking for and Mr. Neu suggested a staff member, and possibly money, etc. Comm. Munson stated that Comm. Schwab was reading off a list as if this was an Agricultural Fair Association and that was not their goal, and they were not a non-profit. There was disagreement between Comm. Munson and Chairman Bitner as to whether the Missouri Valley Complex had a budget or a fund to which Comm. Munson will bring the budget to the next meeting for Chairman Bitner to see. Comm. Munson asked State's Attorney Julie Lawyer if it should be called a Fair Board or a Committee. She stated that since it doesn't fall under Century Code for a County Fair Association, they can call it whatever fits their plan, but recommended it would be more descriptive to call it the Missouri Valley Complex Committee for how it is being operated. Comm. Bakken stated that this was about addressing the complex as a whole and helping to facilitate the stakeholders to start generating revenue for the county. He felt the savings account was good to use as leverage but would not recommend using it to fund a project out there. Motion by Comm. Schwab to table this decision as there were questions he still wanted answered. Comm. Woodcox stated that the fund is to promote the facility and if we are afraid of that then he didn't know why there was a fund. There was no 2nd. Motion failed. Comm. Bakken shared that there was an economic development piece that was missing with all of this and would like to see a calendar of events again. Chair Bitner felt it was important for Burleigh County to enhance that facility and work together as long as they aren't working together for one single purpose. Chair Bitner added that he thought this was a money grab for Comm. Munson's pet project and that concerns him. Motion by Comm. Munson, 2nd by Comm. Woodcox to create the Missouri Valley Complex Committee as the management, complex operation, and development oversight committee responsible to the Burleigh County Commission. Comm. Munson suggested citizens apply to be on the committee and send to the Auditor's Office and he preferred it to be volunteer and not compensated but let the committee decide and the commission will either approve or deny. Commissioners Woodcox, Munson, and Bakken voted "AYE". Commissioners Schwab and Chairman Bitner voted "NAY". Motion carried.

Comm. Schwab brought up timecards and stated that the county needs new software to manage how employee time is being reported. HR Director Pam Binder stated that each department has been doing their own time sheets in their own ways as there was no centralized time keeping system. There have been issues with this system and to be accurate for 343 employees there needs to be an upgrade. Comm. Bakken asked Ms. Binder if she could ask each department how much time they were spending on everyone's time sheets and bring it back to the commission. Chair Bitner stated that since the 2024 budget is already done, we would have to budget this for 2025, but once year end expenses are reconciled for 2023 we can see what is available. He agreed it was clear that the software was needed. Ms. Binder stated that one of her HR assistants is being assigned to look at software options and will begin that in February.

Meeting Adjourned.

Mark Splonskowski, Auditor/Treasurer

Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
23-296	John Cain	2021	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$432,900	\$122,300
23-297	John Cain	2022	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$453,600	\$126,500
23-298	John Cain	2023	Lot 1, Block 4, Copper Ridge Subdivision Apple Creek Twp	Uninhabitable property in serious disrepair	\$495,900	\$147,500
23-416	Kelly L Cargle	2023	Lot 12, Block 3, North Lincoln 2nd	80% Disabled Veteran	\$302,600	\$158,600
23-417	Kurt Holzer	2023	Lot 11, Block 6, Wheatland Hills addition to the city of Lincoln	100% Disabled Veteran	\$288,500	\$108,500
23-435	Joseph Rodgers	2023	Lot 9, Block 1, East Lincoln 5th	50% Homestead Credit	\$294,500	\$194,500
24-006	Michael P Baron Joseph & Shannon	2023	Lot 1810 of Lot 15, Block 2, Grandview Heights	Error in property description	\$293,600	\$270,300
24-024	Callaway Joseph & Shannon	2022	Lot 4, Block 3, Horizon Heights 1st	60% Disabled Veteran	\$363,200	\$255,200
24-025	Callaway	2023	Lot 4, Block 3, Horizon Heights 1st	60% Disabled Veteran	\$386,700	\$278,700
24-026	Wanda Lamontagne	2023	S ' of Lot 3 & All of Lot 4, Block 9, Southwood Terrace	100% Disabled Veteran	\$279,900	\$99,900
24-027	Pam Christianson	2023	Lot 5, Block 6, North Hills 1st	Error in property description	\$270,000	\$235,800
24-028	Rapkoch, Emily Vesta & Bakken, Joshua	2023	East 45' of Lot 14 & All of Lot 15, Block 6, Replat of Lounsberry's Outlots 17-19 & 26- 27	Error in property description	\$298,100	\$265,400
24-061	Lynette Namanny	2023	Lot 4A of Lot 4, Block 4, Replat Part North Hills 10th	100% Disabled Veteran	\$312,800	\$207,800
24-070	Gary D Hoffin	2023	Lot 2, Block 9, Crested Butte Amended	100% Homestead Credit	\$344,000	\$144,000

24-071	Lila Teunissen	2024	1995 Friendship 76' x 16', Serial #MY9513542V	100% Disabled Veteran	\$34,145	\$0
24-072	Shelley Selzler	2023	Lot 14, Block 23, S & W Seventh	100% Homestead Credit	\$193,200	\$0
24-073	Blanche Barnhart	2023	Lot 2, Block 24, Homan Acres 5th	100% Homestead Credit	\$237,400	\$37,400
24-074	Cheryl Kienzle	2023	Block 1, Cottonwood Lake 7th, Lots 11-13 Northern Sun Condominiums Unit 802	50% Homestead Credit	\$311,500	\$211,500
24-075	Roxanne Geurts	2023	Lot 4, Block 15, Highland Acres	50% Homestead Credit	\$233,600	\$133,600
24-076	Robert H & Dianne S Krogen	2023	Block 3, Cottonwood Lake 5th, Lot 2 875 San Angelo Dr Condo Assoc Unit 1 & Garage 1	100% Homestead Credit	\$208,700	\$8,700
24-077	John T & Anita M Mattson	2023	Lot 5, Block 1, Sonnet Heights Subdiv 4th Replat	50% Homestead Credit	\$416,700	\$316,700
24-078	Gerald D & Suzanne R Olson	2023	Lot 14, Block 7, Replat of Calkins	50% Homestead Credit	\$219,000	\$119,000
24-079	Carol Thompson	2023	Block 8, Rolling Hills 1st, the S 10' of Lot 1 & all of Lots 2,3,4 & the 100' of Lot 5 Hillside Condominiums Unit 2113	100% Homestead Credit	\$142,000	\$0
24-080	Virginia Ulrich	2023	Lot 21, Block 1, Kamrose Crossing Addition 2nd Replat	50% Homestead Credit	\$232,800	\$131,800
24-081	Sadie Schilling	2022	Lot 17, Block 2, Centennial Park 4th	100% Homestead Credit	\$255,600	\$224,350
24-082	Sadie Schilling	2023	Lot 17, Block 2, Centennial Park 4th	100% Homestead Credit	\$254,900	\$54,900
24-083	Alvin Jans	2022	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$23,542	\$0
24-084	Alvin Jans	2023	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$24,612	\$0
24-085	Alvin Jans	2024	1987 Magnolia 16 x 76, #28723608	100% Homestead Credit	\$24,612	\$0

24-086	Gladys Stamaris Gerald L & Susan M	2023	Lot 10 less S 42', Block 6, gateway Addition	100% Homestead Credit	\$219,700	\$19,700
24-087	Tschider	2023	S 60' of Lot 3, Block 2, Jennings 1st	50% Homestead Credit	\$290,800	\$190,800
24-088	Ronald R Hopfauf	2023	Lot 1, Block 3, Sattler's Sunrise	50% Homestead Credit	\$403,300	\$303,300
24-089	Michael J Neigum	2023	Lot 2, Block 19, Meadow Valley 4th	50% Homestead Credit	\$254,000	\$154,000
24-090	Randall J Schmidt Trent O & Louella M	2023	Lot 4, Block 2, Promontory Point V Lot 2 less Southwesterly 56', Block 1, North	50% Homestead Credit	\$385,600	\$285,600
24-091	Aronson	2023	Hills 14th	50% Homestead Credit	\$280,800	\$180,800
24-092	Karen J Anders	2023	Block 1, North Hills 6th, Lots 5-6 less W3.48' of said lots Centennial Condominium Unit 111 & Gar G-27 & G-14 & Parking S	50% Homestead Credit	\$212,600	\$112,600
24-093	NTD Properties Inc Richard E & Pearl A	2023	Lots 13-16, Block 18, Sturgis	Error in property description	\$381,700	\$325,900
24-098	Jorgenson	2023	Lot 2, Block 1, Sattler's Sunrise 8th	50% Homestead Credit	\$378,400	\$278,400
24-099	Kenneth Rebel	2023	Lot 3, Block 22, Wachter's 3rd Lots 1-2 East Ridge Condominiums Unit 5,	100% Homestead Credit	\$307,400	\$107,400
24-100	Donna M Remboldt	2023	Block 3, Shannon Valley 4th Young & Binford's, Block 2, E 53' of W 106'	100% Homestead Credit	\$217,000	\$17,000
24-101	Linda M Patzner	2023	of Lots 12-15	50% Homestead Credit	\$167,000	\$83,500
24-102	Diana Niess	2023	Lot 42, Block 2, Southbay 4th Addition Block 1, Edgewood Village 5th, Lot 5 and	100% Homestead Credit	\$254,000	\$54,000
24-103	Judith A Chamberlain	2023	Lot 18C of Lot 18 Lot 13, & W 7' of Lot 14, Block 4, Homan	100% Homestead Credit	\$475,800	\$275,800
24-104	Linda Heger	2023	Acres 1st	100% Homestead Credit	\$258,400	\$58,400

24-105	Barbara T Neameyer Charles E & Cynthia C Russell	2023	E 75' of Lots 13-16, Block 27, Fisher Block 8, Marian Park 1st, N 3' L 23 all L 24 Lot 35, Block 23, Southwood Terrace 2nd	50% Homestead Credit	\$295,800	\$195,800
24-107	Charles E Russell Raymond & Cathern	2023	Rep	50% Homestead Credit	\$258,700	\$158,700
24-108	Edenholm	2023	Lot 2, Block 1, Eagle Crest 6th add	50% Homestead Credit	\$436,200	\$336,200
24-109	Carol Lee Isaak	2023	Lot 15, Block 57, Original Plat	50% Homestead Credit	\$129,200	\$96,900
24-110	Carol J Sundquist	2023	Block 1, Cottonwood Lake 7th, Lots 11-13 Northern Sun Condominiums Unit 810	100% Homestead Credit	\$282,000	\$82,000
24-111	Linda F Reller	2023	Lot 9, Block 1, Country West XXIII	100% Homestead Credit	\$402,500	\$202,500
24-112	Earl R & Irene M Wentz Robert & Charlene	2023	Lots 29-30, Block 23, Fisher	100% Homestead Credit	\$193,000	\$0
24-113	Urlacher	2023	Lot 2, Block 7, Fort Lincoln Est #2	50% Homestead Credit	\$213,200	\$113,200
24-114	Sharon Litton	2023	Lot 48, Block 5, Falconer Estates	100% Homestead Credit	\$676,100	\$476,100
24-115	Wesley C Wessner	2023	Lot 22, Block 5, Eastside Heights	50% Homestead Credit	\$267,600	\$167,600
24-116	Armion & Ethel Schuler	2023	Lot 28 less Jensen Survey of lot 28, Block 4, North Hills 3rd	100% Homestead Credit	\$244,600	\$44,600
24-117	Randy Samuelson	2023	Block 40, Fisher, S 2' of lot 2 all Lots 3&4 & N 2' of Lot 5 less W 10'	100% Homestead Credit	\$222,100	\$22,100
24-118	Dennis C & Lorna H Olson	2023	Lot 16, Block 9, Meadow Valley 3rd	50% Homestead Credit	\$249,900	\$149,900
24-119	Bruce R & Lyla R Lovdal	2023	Lot 1, Block 1, Stein's 5th	50% Homestead Credit	\$347,200	\$274,200
24-120	Russel J Schlecht	2023	Lot 15, Block 3, Fort Lincoln Estates #1	50% Homestead Credit	\$272,000	\$172,000

24-127	Leo & Johanna Heier	2023	Lot 8, Block 1, Bremner Avenue Addition	50% Homestead Credit	\$300,800	\$200,800
24-128	James & Jane Morgan Robert & Shirley	2023	Lot 8, Block 8, Highland Acres	50% Homestead Credit	\$338,100	\$238,100
24-129	Schumacher	2023	2009 Friendship 27' x 48', #MY0931745AB Block 2, Pebble Creek Addition, Auditors Lot 1634 of Lot 2 Mapleton Place	50% Homestead Credit	\$74,974	\$37,487
24-130	Ronald & Carol Bodine	2023	Condominiums Unit 3	50% Homestead Credit	\$188,300	\$88,300
24-131	Holly Carlson	2023	Lot 10, Block 2, Fort Lincoln Est #1	100% Homestead Credit	\$97,400	\$0
24-132	Robin Brousseau	2024	1976 Fuqua 24' x 56', #767B	100% Homestead Credit	\$13,427	\$0
24-133	Luella V K Anderson	2023	Lot 2, Block 7, Replat of Calkins	100% Homestead Credit	\$186,400	\$0
24-134	Carma Branch	2023	Lot 9, Block 11, Highland Acres	100% Homestead Credit	\$263,200	\$63,200
24-135	Albert Meidinger WM & Betty	2023	Lot 11, Block 1, Keystone Block 3, Sasse, E 15' of Lot 7 & W 42.16' of	50% Homestead Credit	\$272,000	\$172,000
24-136	Sprynczynatyk	2023	Lot 8	100% Homestead Credit	\$231,100	\$31,100
24-137	Clara & Robert Sheldon	2023	Lot 13, Block 6, Fort Lincoln Estates #2	50% Homestead Credit	\$220,400	\$120,400
24-138	Bradley & Cindy Dagenais	2024	2002 Schult 16' x 76', #R300811	50% Homestead Credit	\$44,262	\$22,131
24-139	Alice M Wahl	2023	Lot 9, Block 11, Lincoln Replat of Blk 11	50% Homestead Credit	\$313,700	\$213,700
24-141	Leon & Darlene Thiel	2023	West 88.37' of Lots 1-3, Block 14, Coffins	50% Homestead Credit	\$153,300	\$76,650
24-142	Dave & Nancy Solem	2023	Lot 29, Block 3, Hay Creek Meadows	50% Homestead Credit	\$308,200	\$208,200
24-143	Jerome & Betty Volk	2023	Lot 16 less Tract A, Block 1, East View	50% Homestead Credit	\$339,100	\$239,100

24-148	Dean Berg Alleyn M & Bonnie L	2024	1975 Rollohome, 28' x 56', #AB302668 Lots 14-17, Block 4, Imperial Valley, Unit	100% Homestead Credit	\$14,212	\$7,106
24-149	Glasser	2023	3617 East Regent Condo	50% Homestead Credit	\$258,200	\$158,200
24-150	Duane & Sandra Ziegler	2023	Lot 11, Block 4, Southbay 5th Addition	50% Homestead Credit	\$337,200	\$227,200
24-151	Ramona Hendricks	2023	Lot 2, Block 5, Meadow Valley 2nd	100% Homestead Credit	\$224,900	\$24,900
24-152	Barry Holm	2023	Lot 8, Block 7, Sattler's Sunrise 5th Lot 7, Block 6, Boulder Ridge 7th Add 1st	50% Homestead Credit	\$307,900	\$207,900
24-153	Connie Mikkelsen	2023	Replat Lot 24, Block 1, Huntington Cottages 1st	50% Homestead Credit	\$427,400	\$327,400
24-154	Lee & Vicki Roath	2023	Addition	100% Homestead Credit	\$377,700	\$177,700
24-155	Cynthia D Stumpf	2023	Lot 6, Block 16, Register's 2nd Block 1, Sleepy Hollow Heights 3rd, Lot 8	100% Homestead Credit	\$158,800	\$0
24-158	Deborah J Igoe Anthony & Alvina	2023	Shannon Drive Condos	50% Homestead Credit	\$290,200	\$190,200
24-159	Splonskowski Randal & Catherine	2023	Lot 17, Block 10, Washington Heights 3rd	50% Homestead Credit	\$274,700	\$174,700
24-160	Robinson Randal & Catherine	2024	2010 Highland 16 x 80	True and full value exceeds market value	\$72,090	\$50,460
24-161	Robinson	2024	2010 Highland 16 x 80	50% Homestead Credit	\$50,460	\$50,460
24-162	Margaret Elkin	2023	Lot 3, Block 1, Register's 1st	50% Homestead Credit	\$173,900	\$86,950
24-163	Dennis L Bauer	2023	Lot 4, Block 7, Rep Louns OL 17-19, 26-27	50% Homestead Credit	\$184,400	\$92,200
24-164	Jose Richard James & Marlene	2023	Lot 8, Block 9, Meadow Valley 2nd	50% Homestead Credit	\$214,800	\$114,800
24-165	Lindquist	2023	Lot 39, Block 6, Wachter's 5th	50% Homestead Credit	\$247,200	\$147,200

24-166	Richard C & Carol J Oehlerking	2023	Block 11, Gateway Addition, Lot 3 less W 2', all Lot 4 & W 2' of Lot 5 Lambton Heights Condo Unit 3 garage 3 Building 908	50% Homestead Credit	\$80,000	\$40,000
24-167	George R Simek	2023	Lot 19, Block 2, Washington Heights	50% Homestead Credit	\$280,300	\$180,300
24-168	Larry R & Dorothy D Zabrocki	2023	Lot 12 & 1/2 VAC Alley Adj, Block 1, Park District	100% Homestead Credit	\$300,400	\$100,400
24-172	Leonard Benfiet	2023	Lot 13, Shamrock Acres	50% Homestead Credit	\$324,000	\$224,000
24-173	Michael Frykman	2023	Block 42, Northern Pacific 2nd, Lots 3-5 less S .38' Lot 5 less W 9' for alley 7th St Condominiums Unit 4	50% Homestead Credit	\$96,700	\$48,350
24-174	Robert & Jayme Holmberg	2023	Lot 10, Block 1, Horizon Heights 1st	100% Homestead Credit	\$357,400	\$157,400
24-175	Esther Fandrich	2023	2009 Highland 16 x 76, #HY12452	80% Homestead Credit	\$64,934	\$12,987
24-176	Esther Fandrich	2024	2009 Highland 16 x 76, #HY12452	100% Homestead Credit	\$64,934	\$0
24-177	Sandy Karna	2024	1974 Adrian 12' x 60', #4096A11	Mobile home went to dump Dec 2023	\$5,607	\$0
24-178	Delbert Unruh	2024	1972 Champion 14 x 56, #0329958038	100% Homestead Credit	\$6,309	\$0
24-179	John M Kinney	2023	Lot 2, Block 1, Vision Heights	50% Homestead Credit	\$240,800	\$140,800
24-181	Patricia L Smith	2023	Block 7, High Meadows, E 150' of Lot 7 B7 High meadows and Lot 1A of Lot 1 B4 Pinehurst 4th	50% Homestead Credit	\$344,100	\$244,100
24-182	Gregory A Lorenz	2023	E 50' of Lots 13-18, Block 7, Sturgis	100% Homestead Credit	\$238,900	\$38,900
24-183	Jacob Denning	2024	1999 Superior 16 x 70, #D5993353709	100% Homestead Credit	\$37,274	\$0

24-184	Marilyn Fibiger	2024	1975 Rollohome, 28' x 56', #AB302668	100% Homestead Credit	\$14,212	\$7,106
24-185	Sharon Symington	2024	2008 Four Seasons, 56 x 28	50% Homestead Credit	\$90,709	\$45,355
24-188	Charlotte K Hagel	2024	16 x 76 2008 Liberty Mobile Home	100% Homestead Credit	\$64,934	\$0
			Block 13, Replat Homan Acres, Lot E of Lot 1 Washington Court Condominiums			
24-189	Olive Fricke	2023	Building 2033 Unit 9 & Garage 2	100% Homestead Credit	\$114,400	\$0
24-191	David & Jolene Stuber	2023	Lot 2, Block 1, Glenwood Estates	50% Homestead Credit	\$330,900	\$230,900
	James Collins & Agnes		E 80' of Lots 1-2, Block 4, Mackin's			
24-192	Collins	2023	Subdivision	50% Homestead Credit	\$125,300	\$62,650
24-193	Linda M Feist	2023	Lot 2, less S 3', Block 24, Jennings's 5th	50% Homestead Credit	\$253,300	\$153,300
			Block 3, North Hills 15th, Lot 3 614 Nelson			
24-194	Jacob R Hagel	2023	Dr Condominium Association Unit 1	50% Homestead Credit	\$248,000	\$148,000
	Samuel L & Penny L		Lot 2, Block 23, Morn Hgt Rep B16,17, &			
24-195	Saylor	2023	B11	100% Homestead Credit	\$247,900	\$47,900
			Block 3, Eastview, N 30' of S 60' of Lot 8			
24-196	Patrice M Thomas	2023	East View Townhouses Unit 1 Tract V	50% Homestead Credit	\$144,500	\$72,250
			Block 1, Boulder Ridge Third Addition. Lot 5 and undivided interest common areas			
24-197	Susan Mizera	2023	Lot B1 & Lot 7 B3	50% Homestead Credit	\$350,600	\$250,600
			Block 8, Washington Heights 2nd, Lot 9			
24-198	Charles J Miska	2023	Washington St Condominiums Unit 1	100% Homestead Credit	\$139,700	\$0
			W 100' of Lots 31-32, Block 68, McKenzie			
24-199	Dennis Boknecht	2023	& Coffin's	50% Homestead Credit	\$148,900	\$74,450
			Lot 13, Block 11, Register's 2nd Addition to			
24-200	Edna B Gartner	2023	City of Bismarck	100% Homestead Credit	\$199,700	\$0
	Jeffrey E & Robin R					
24-202	Aamot	2023	Lot 19, Block 2, Jennings 1st	50% Homestead Credit	\$209,000	\$109,000

24-203	Marcella J Haman	2023	Block 2, Koch Addition, Lot 4 3801 Koch Dr Condo Assoc Unit 2 & Garage Unit 2	100% Homestead Credit	\$239,100	\$39,100
24-204	Leslie Landenberger & Ruby	2023	Lot 3B of Lot 3, Block 1, Gary Nelson Addition	50% Homestead Credit	\$335,500	\$235,500
24-205	Blaine R & Rebeka J Olsen	2023	Lot 3, Block 2, High Meadows 5th	50% Disabled Persons Credit	\$406,800	\$306,800
24-206	Barbara L Pfeifer	2023	Lot 10, Block 19, Jennings 4th	50% Homestead Credit	\$267,600	\$167,600
24-207	Armion & Ethel Schuler	2022	Lot 28 less Jensen Survey of lot 28, Block 4, North Hills 3rd	10% Homestead Credit	\$211,900	\$199,389
24-208	Mark E Sandoval	2023	Block 23, Southwood Terrace 2nd Rep, 55 less N 150' Meadow Brook Condominiums Unit XXXIII	50% Homestead Credit	\$231,900	\$131,900
24-209	Sherwin & Cathy Nelson	2023	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	\$359,700	\$259,700
24-210	Leo L & Luella H Nagel	2023	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	\$391,100	\$316,100
24-211	Owen & Alice Subart	2023	Lot 14, Block 19, Meadow Valley 4th	50% Homestead Credit	\$256,900	\$156,900
24-212	RJR Maintenance & Management	2024	154 Northwest Dr, 2000 Holly park Glenmoor 28 x 52	Property is uninhabitable	\$53,115	\$0
24-213	Robert Chapa	2024	1992 Schult 16 x 76, #M254185	100% Homestead Credit	\$27,968	\$0
24-214	Jamie K Dokken	2023	Block 3, Sonnet Hgts Subdiv 1st Rep, Lots 2- 3, Blk 3, Sonnet Heights Sub 1st Rplt & Lot 2, Blk 26, Sonnet Hgts Sub & W 35' VAC Ottawa St Adj Laguna Hills Unit 8 Bldg 1 (A)	50% Homestead Credit	\$188,800	\$94,400
24-215	Gregory L Feist Bradley & Desiree	2023	E 95' of Lots 13-14, Block 77, McKenzie & Coffin's	100% Homestead Credit	\$180,400	\$0
24-216	Hendrickson	2023	Lot 54, Block 14, Highland Acres	50% Homestead Credit	\$204,400	\$104,400

	James J & Rosella						
24-217	Splonskowski	2023	Lot 7, Block 1, East View	100% Homestead Credit	\$278,800	\$78,800	
24-218	Sheila Steckler	2023	Lot 10 less S WLY 20', Block 1, Rolling Hills 2nd	50% Homestead Credit	\$233,800	\$133,800	
24-219	Delores Shimek	2023	Lot 8, Block 2, Westwood on the River	50% Homestead Credit	\$293,100	\$193,100	
24-220	Dorothea & David Gray	2023	E 1/2 NE 1/4 SE 1/4 NE 1/4 aka southside of Lot 5 Link Estates	50% Homestead Credit	\$301,600	\$201,600	
24-221	Joan M Brown	2023	Lot 3, Block 4, South Wilton aka Kilians	50% Homestead Credit	\$194,800	\$94,800	
24-222	Barbara Zins	2023	S1/2 S1/2 NW 1/4 4-13-78	100% Homestead Credit	\$409,600	\$209,600	
24-223	Mark Costain	2023	Lot 20, Block 23, Wachter's 3rd	50% Homestead Credit	\$310,900	\$210,900	
24-224	Darlene Frieze	2023	Block 1, Pebble Creek 4th, L 12-14 less S 17' for St R/W Colorado Drive Condo VI Unit B	50% Homestead Credit	\$319,600	\$219,600	
24-225	Marie Gilchrist	2022	Block 1, Weston Village 1st, Lot 10 & undivided int in common area	100% Homestead Credit	\$206,000	\$81,000	
24-226	Marie Gilchrist	2023	Block 1, Weston Village 1st, Lot 10 & undivided int in common area	100% Homestead Credit	\$230,500	\$30,500	
24-227	Bennie E & Lundina F Haux	2023	Lots 21-22, Block 35, Flannery & Wetherby N 59.03' of Lots 3-4, Block 4, Sleepy Hollow	100% Homestead Credit	\$167,100	\$0	
24-228	Kristene E Jespersen	2023	Heights	50% Homestead Credit	\$278,600	\$178,600	
24-229	Douglas B Morris	2023	6 & W 10' Lot 7, Block 2, Vision Heights	50% Homestead Credit	\$241,200	\$141,200	
24-230	Bruce & Autumn Roth	2023	Lot 5, Block 1, Kilber 3rd	50% Homestead Credit	\$266,700	\$166,700	
24-231	Roy Schock	2023	Lot 8, Block 11, Meadow Valley 3rd	50% Homestead Credit	\$233,700	\$133,700	
24-232	Franklin J & Jean Marr Wolf	2022	Lots 25-26, Block 11, Flannery & Wetherby Addition	20% Homestead Credit	\$108,500	\$86,800	

24-233	Franklin J & Jean Marr Wolf	2023	Lots 25-26, Block 11, Flannery & Wetherby Addition	100% Homestead Credit	\$142,800	\$0
24-234	Thomas Hammerel	2023	Lot 2 less W 10' for alley, Block 37, Northern Pacific 2nd Addn	50% Homestead Credit	\$213,200	\$113,200
24-235	Sharee Y Nelson	2023	Lot 8, Block 3, High Meadows 2nd	50% Homestead Credit	\$389,600	\$289,600
24-236	Kim & Debbie Sabot	2023	Block 3, East Hills Addn Replat, Lots 2-3 East Hills Condos 1509 + 1519 Unit 2 Bldg 2	50% Homestead Credit	\$321,900	\$221,900
24-237	Jerry & June Fischer	2023	Block 1, North Hills 6th Addition, Lots 5-6 less W 3.48' Centennial Condo Unit 302	50% Homestead Credit	\$209,700	\$109,700
24-252	Bernadine Miller	2023	Lot 27, Block 4, Rusch Gabbert +Rusch	100% Homestead Credit	\$223,000	\$23,000
24-253	Barbara Myhre	2022	2001 Schult 16 x 76	100% Homestead Credit	\$41,530	\$0
24-254	Barbara Myhre	2023	2001 Schult 16 x 76	80% Homestead Credit	\$44,934	\$8,987
24-255	Barbara Myhre	2024	2001 Schult 16 x 76	100% Homestead Credit	\$44,934	\$0
24-256	Kenneth & Susan Peterson	2023	Lot 3, Block 2, S + W Eighth	50% Homestead Credit	\$221,700	\$36,900
24-257	Sanferd J & Corrine Mees	2023	Section 35, Gibbs Township, Auditors Lot 1 of E 1/2	50% Homestead Credit	\$332,500	\$232,500
24-258	Jerome & Helen Werlinger	2024	Lot 2, Block 5, North Ridge Estates First	100% Homestead Credit	\$635,100	\$435,100
24-259	Kathleen Henriksen	2023	Lot 8, Block 4, Imperial Valley	50% Homestead Credit	\$289,600	\$189,600
24-260	Deborah Masad	2024	2003 Schult 28 x 52, #R308950AB	50% Homestead Credit	\$62,244	`3122
24-261	Douglas & Debra Striefel	2024	2000 Friendship 16 x 76, #MY002150V	100% Homestead Credit	\$41,082	\$0

24-262 Wesley & Deborah Woehl 2024 2015 Schult 28 x 48, #RED65990MNAB 50% Homestead Credit \$83,866 \$41,933

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:

AQUA PURE INC
716 N HELEN AVE
SOIUX FALLS SD 57104

Check Date: 08/11/2023
Original Check #: 126816
Check Amount: \$2,038.44

AFFIDAVIT AND AGREEMENT

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

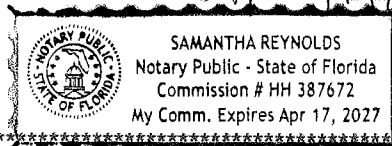
I hereby state under oath that the above described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

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

Subscribed and sworn to before me

[Signature]
Signature of Payee
Date 12/29/2023

[Signature]
Notary Public - County of Clark
My Commission Expires April 17, 2027



(Seal)

Application approved by the Burleigh County Commission on _____, 20__.

Duplicate warrant # _____ issued this _____ day of _____, 20__.

Burleigh County Auditor/Treasurer

Date



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Memo

Date: February 5, 2024
To: Mark Splonskowski
County Auditor
From: Marcus J. Hall P.E. *MJH*
County Engineer
RE: Second access permit for Mark Unterseher

Mark Unterseher from Briese Subdivision, Block 01, Lot 4 (4310 Fernwood Dr) has requested a second access permit to his lot. The first access approach is off of Fernwood Drive. He wishes to have a second approach off of Sandy River Drive in order to have better access to his lot. We have reviewed the location of the new proposed access off of Sandy River Drive and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Mark Unterseher on the February 5, 2024 County Board Consent Agenda.

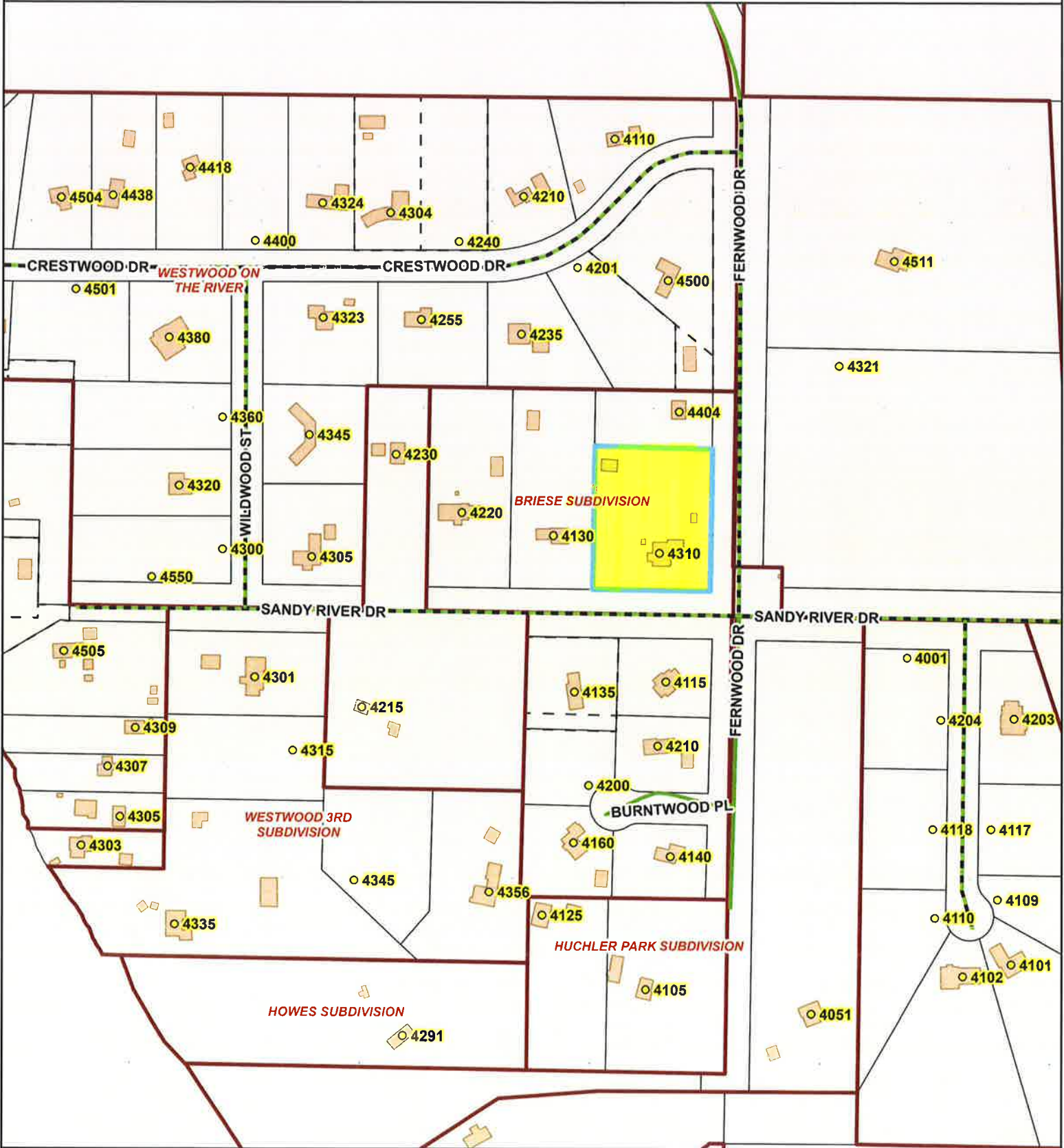
2nd Approach Permits Requirements

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

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

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/29/2024



PARCEL ID: 31-139-81-16-01-040 OWNER: UNTERSEHER, MARK & TAMARA ACRES: 2.41
SITE ADDRESS: 4310 FERNWOOD DR
MAIL ADDRESS: 4310 FERNWOOD DR, BISMARCK, ND 58503
LEGAL: BRIESE Block 01 LOT 4 517740

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
1/29/2024



PARCEL ID: 31-139-81-16-01-040 OWNER: UNTERSEHER, MARK & TAMARA ACRES: 2.41
SITE ADDRESS: 4310 FERNWOOD DR
MAIL ADDRESS: 4310 FERNWOOD DR, BISMARCK, ND 58503
LEGAL: BRIESE Block 01 LOT 4 517740

ITEM

6

PUBLIC HEARING



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 5, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

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

ACTION REQUESTED:

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

BACKGROUND:

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

RECOMMENDATION:

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

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/19/2024



PARCEL ID: 23-140-81-65-01-120

OWNER: HARTMANN, PAUL & HEISER, JERALYN

ACRES: 2.77

SITE ADDRESS: 9922 ISLAND RD

MAIL ADDRESS: 9922 ISLAND ROAD, BISMARCK, ND 58503-9226

LEGAL: RIVERSIDE BLOCK 11 LOTS 12-14 556750

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

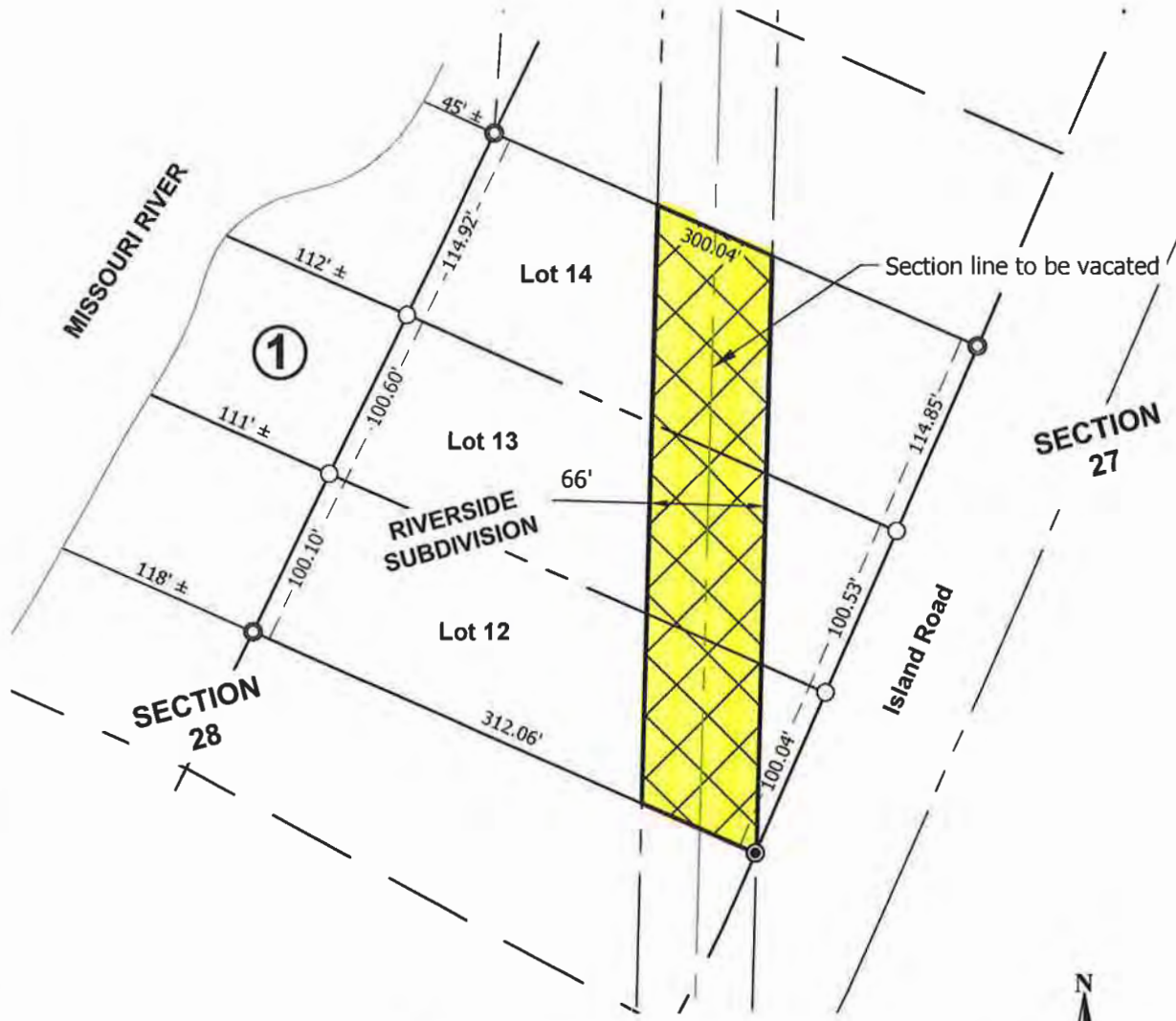
N
12/20/2023



PARCEL ID: 23-140-81-65-01-120 OWNER: HARTMANN, PAUL & HEISER, JERALYN ACRES: 2.77
SITE ADDRESS: 9922 ISLAND RD
MAIL ADDRESS: 9922 ISLAND ROAD, BISMARCK, ND 58503-9226
LEGAL: RIVERSIDE BLOCK 11 LOTS 12-14 556750

SECTION LINE VACATION EXHIBIT

LOCATED IN LOTS 12, 13 & 14, BLOCK 1 OF RIVERSIDE SUBDIVISION
 IN SECTIONS 27 & 28, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE 5TH P.M.,
 BURLEIGH COUNTY, NORTH DAKOTA

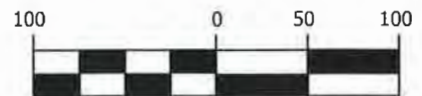


- FOUND MONUMENT
- ⊙ MONUMENT (TO BE SET)
- COMPUTED POINT

AREA OF REQUESTED SECTION LINE VACATION		
Section 27	11244.68 S.F.	0.26 Acres
Section 28	11245.33 S.F.	0.26 Acres
Total	22490.01 S.F.	0.52 Acres



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

Prepared By:
Bartlett & West

3456 E. Century Ave, Bismarck,
 North Dakota 58503 701-258-1110
 FAX 701-258-1111 www.bartwest.com



BURLEIGH COUNTY

UNIFIED DEVELOPMENT APPLICATION


Application submitted for (check all that apply):

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

PROPERTY INFORMATION:			
Name of plat: Riverside Subdivision			
Legal description of property (lot, block, addition): Lots 12, 13, 14 Block 1			
Street address of property: 9922 Island Road			
Existing Zoning: R1	Proposed zoning: R1		
Acreage: 2.22 acres	Number of lots: 3		
Description of development proposal, including reason(s) for the request: Requesting the vacation of a portion of the section line between Section 27 & 28, T.140N., R.81W. that lying within Lots 12-13 Block 1 in Riverside Subdivision			
APPLICANT/DEVELOPER:			
Name: Paul Hartmann		Mailing address: 9922 Island Road, Bismarck, ND 58503	
Daytime telephone number: 701-400-8100	FAX number:	E-mail address: phartmann@tssnd.com	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: Dayne Solem - Bartlett & West		Mailing address: 3456 E. Century Ave, Bismarck, ND 58503	
Daytime telephone number: 701-221-8414	FAX number:	E-mail address: dayne.solem@bartwest.com	

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

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



(Applicant's Signature)

8/17/23

(Date)

(Owner's Signature, if different)

(Date)

(Additional Owner's Signature, if applicable)

(Date)

VERIFICATION FOR ROADWAY VACATION REQUESTS:

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

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

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

Notary Public
Burleigh County, State of North Dakota
My Commission Expires: _____

Submission Deadlines:

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

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

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

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



3456 E Century Avenue
Bismarck, ND 58503
ph (701) 258-1110
www.bartlettwest.com

December 10, 2023

Casey Einrem
Burleigh County Highway Dept.
81000 43rd Avenue NE
Bismarck, ND 58503

Re: Section Line Vacation Request for Lots 12, 13, & 14, Block 1, Riverside Subdivision
(9922 Island Road).

Dear Casey:

We are requesting the vacation of a portion of the section line between Sections 27 & 28, Township 140 North, Range 81 West.

Currently the section line runs through Riverside Subdivision, which was recorded on June 7, 1985, as document number 360261, but wasn't vacated at that time. The portion we are requesting to vacate lies within Lots 12, 13, and 14 in Block 1 of Riverside Subdivision. The purpose of the request is to remove the encumbrance to allow for the creation of a one lot subdivision by combining the 3 lots to allow for a larger accessory building.

Enclosed is an exhibit showing the area to be vacated. Thank you for considering this request for the section line vacation referenced above. Please feel free to contact me if you need any additional information or have any questions.

Sincerely,

Dayne Solem
Bartlett & West
3456 E. Century Ave
Bismarck, ND 58503
701-221-8414
dayne.solem@bartwest.com

Enclosures: 1



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 5, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Authorization to advertise for bids

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

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for Special Assessment District #76 (Falconer Estates Subdivision).

BACKGROUND:

As part of the Special Assessment Procedure, the County Engineer has prepared detailed plans and specifications for SAD #76. The plans and specifications can be reviewed at the County Engineer's office. The Highway Department is asking the Board for authorization to advertise for bids on this project.

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolutions.

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the County Board approves the plans and specifications and authorize the County Auditor and the County Engineer to advertise for bids for Special Assessment District #76 (Falconer Estates Subdivision).



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 5, 2024
TO: Mark Splonskowski
County Auditor
FROM: Marcus J. Hall
County Engineer

RE: Petition to Vacate Section line – PUBLIC HEARING

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

ACTION REQUESTED:

Review petition to vacate section line and direct staff on how to proceed.

BACKGROUND:

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

RECOMMENDATION:

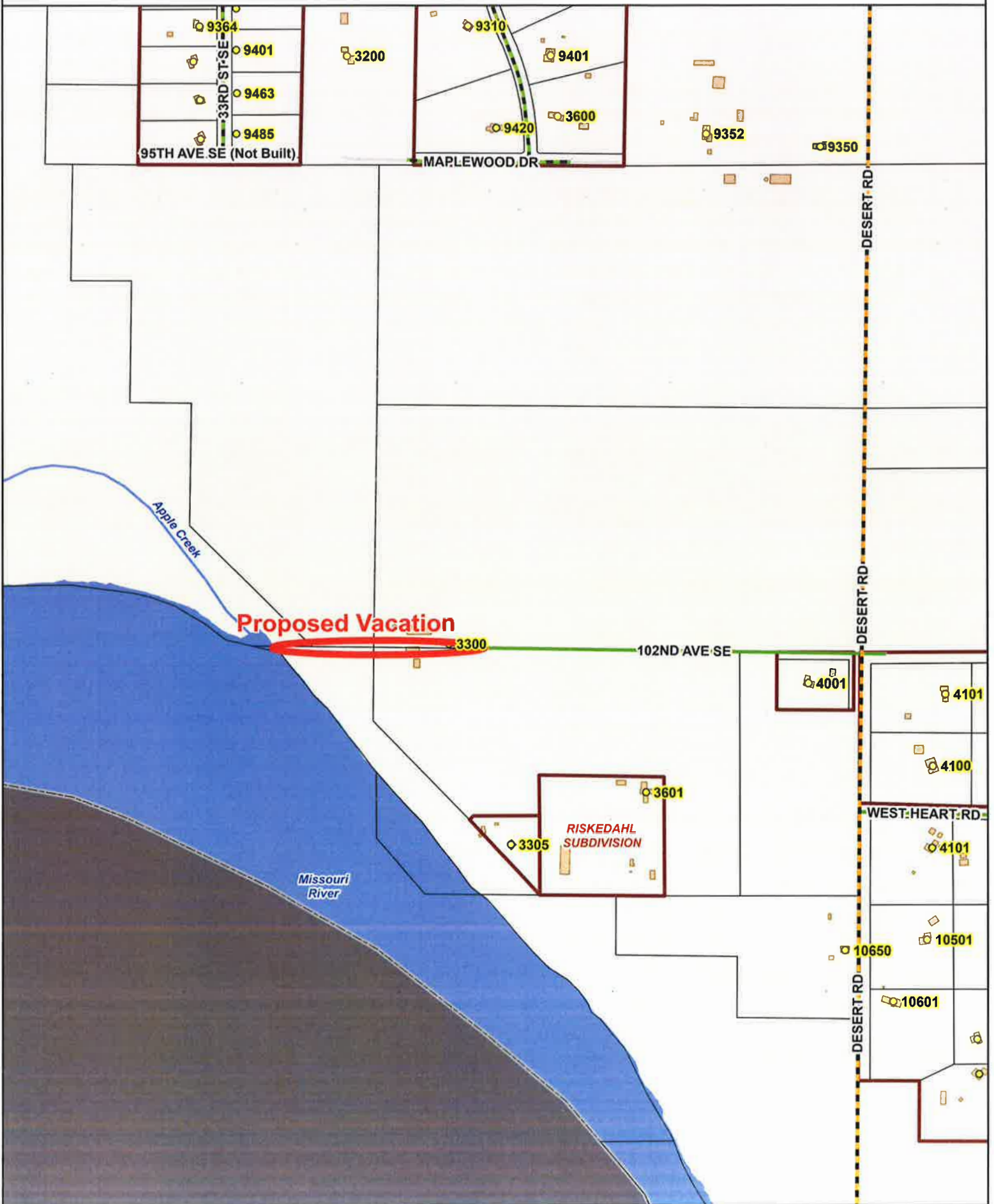
It is recommended that the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets March 4, 2024 at 5:00 p.m. as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

N
1/31/2024



**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

N
1/31/2024





BURLEIGH COUNTY UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

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

PROPERTY INFORMATION:			
Name of plat: <p style="text-align: center; font-size: 1.2em;">PEACEFUL VALLEY SUBDIVISION</p>			
Legal description of property (lot, block, addition): <p style="text-align: center;">PART OF SEC. 11 & PART OF SEC. 14 IN TOWNSHIP 137 NORTH, RANGE 80 WEST</p>			
Street address of property: <p style="text-align: center;">3300 102ND AVENUE SE, BISMARCK, ND 58504</p>			
Existing Zoning: <p style="text-align: center; font-size: 1.2em;">AG</p>	Proposed zoning: <p style="text-align: center; font-size: 1.2em;">AG</p>		
Acreage: <p style="text-align: center; font-size: 1.2em;">17.89</p>	Number of lots: <p style="text-align: center; font-size: 1.2em;">1</p>		
Description of development proposal, including reason(s) for the request: <p style="text-align: center; font-size: 1.2em;">VACATE SECTION LINE ON COMMON LINE OF 11 & 14</p>			
APPLICANT/DEVELOPER:			
Name: <p style="text-align: center; font-size: 1.2em;">DUANE SMALL</p>		Mailing address: <p style="text-align: center;">3300 102ND AVE SE, BISMARCK, ND 58504</p>	
Daytime telephone number: <p style="text-align: center; font-size: 1.2em;">701-391-5320</p>	FAX number:	E-mail address:	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: <p style="text-align: center; font-size: 1.2em;">MARK R. ISAACS / ILSE, INC.</p>		Mailing address: <p style="text-align: center;">4215 OLD RED TRAIL NW, MANDAN, ND 58554</p>	
Daytime telephone number: <p style="text-align: center; font-size: 1.2em;">701-595-2079</p>	FAX number:	E-mail address: <p style="text-align: center;">Mark@ilsurveynd.com</p>	

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

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

Duane Small
(Applicant's Signature)

1-31-24
(Date)

(Owner's Signature, if different)

(Date)

(Additional Owner's Signature, if applicable)

(Date)

VERIFICATION FOR ROADWAY VACATION REQUESTS:

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

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this 31ST day of January, 2024, before me, a notary public in and for said county and state, appeared Duane Small, known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

Mark R Isaacs
Notary Public
State of North Dakota
My Comm. Expires 6/30/2027

Mark R Isaacs
Notary Public
Burleigh County, State of North Dakota
My Commission Expires: 6/30/27

Submission Deadlines:

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

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

COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
Preliminary Plat	Required pre-application meeting	Date:	
	Fee determined by lot number: 1 – 2 lots \$200, 3 – 10 lots \$300, 11 – 20 lots \$400, 21 or more lots \$900.		
	Preliminary plat checklist, completed by applicant		
	8 ½ " x 11" reduction of plat		
	6 prints of plat including items listed in preliminary plat checklist		
	Digital Copy of plat per County Digital Plat Submittal Requirements		
	Road master plan & adjacent owner's consent (if required)		
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County: Documentation of subdivisions compliance with the zoning regulations of the township		
	Written request for amendment to Fringe Area Road Master Plan		
	Final Plat	Final plat fee \$250.00	
Stormwater Management Plan Review Fee \$200.00 (includes permit if approved)			
Final plat checklist, completed by applicant			
8 ½" X 11" reduction of plat			
6 prints of plat including items listed on the final plat checklist			
Digital Copy of plat per County Digital Plat Submittal Requirements			
Attorney's opinion of ownership, including all easement owners			
Development Application Review Fee	Fee Determined by number of lots: 1 – 2 lots = \$25, 3 to 10 lots = \$ 100, 11 – 20 lots \$200. 21+ lots \$600.		
	Site plan , drawn to scale (no larger than 1" x 17")		
	Completed Development Application and all exhibits		
Development Permit & Field Review	Fee determined by number of lots: 1 – 2 lots = \$200.00 3 – 10 lots = \$400.00 11 – 20 lots = \$1,500 21+ lots = \$2,500		
	Review and approval of Development Application		
Minor Plat/Lot Modification	(Only applies to 3 lots or less) Fee \$200.00		
	Sketch of Survey, showing how the lot(s) are to be modified		
	Digital Copy of modifications per County Digital Plat Submittal Requirements		
	Legal description of lot (s), both existing & proposed modification with square footage/acreage		
Plat Vacation	Fee \$300.00		
	Map of property to be vacated		
	Digital Copy of modifications per County Digital Plat Submittal Requirements		
	Legal description of property to be vacated		

Zoning Change	Fee \$500.00		
	Description of zoning change by legal description if multiple districts involved		
<i>For PLD Only</i>	<ul style="list-style-type: none"> ➤ Architectural/Engineered Drawings ➤ One print of site plan, at 1" = 100' scale ➤ 8 ½" x 11" reduction of site plan ➤ Written statement 		
Special Use	Fee \$300.00		
	Three prints of site plan at 1" = 20' or larger scale		
	8 ½" x 11" reduction of site plan		
	Photograph of building (for building movement only)		
	Adjacent property owner petition (required for moving of building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)		

EXISTING
AG
ZONING

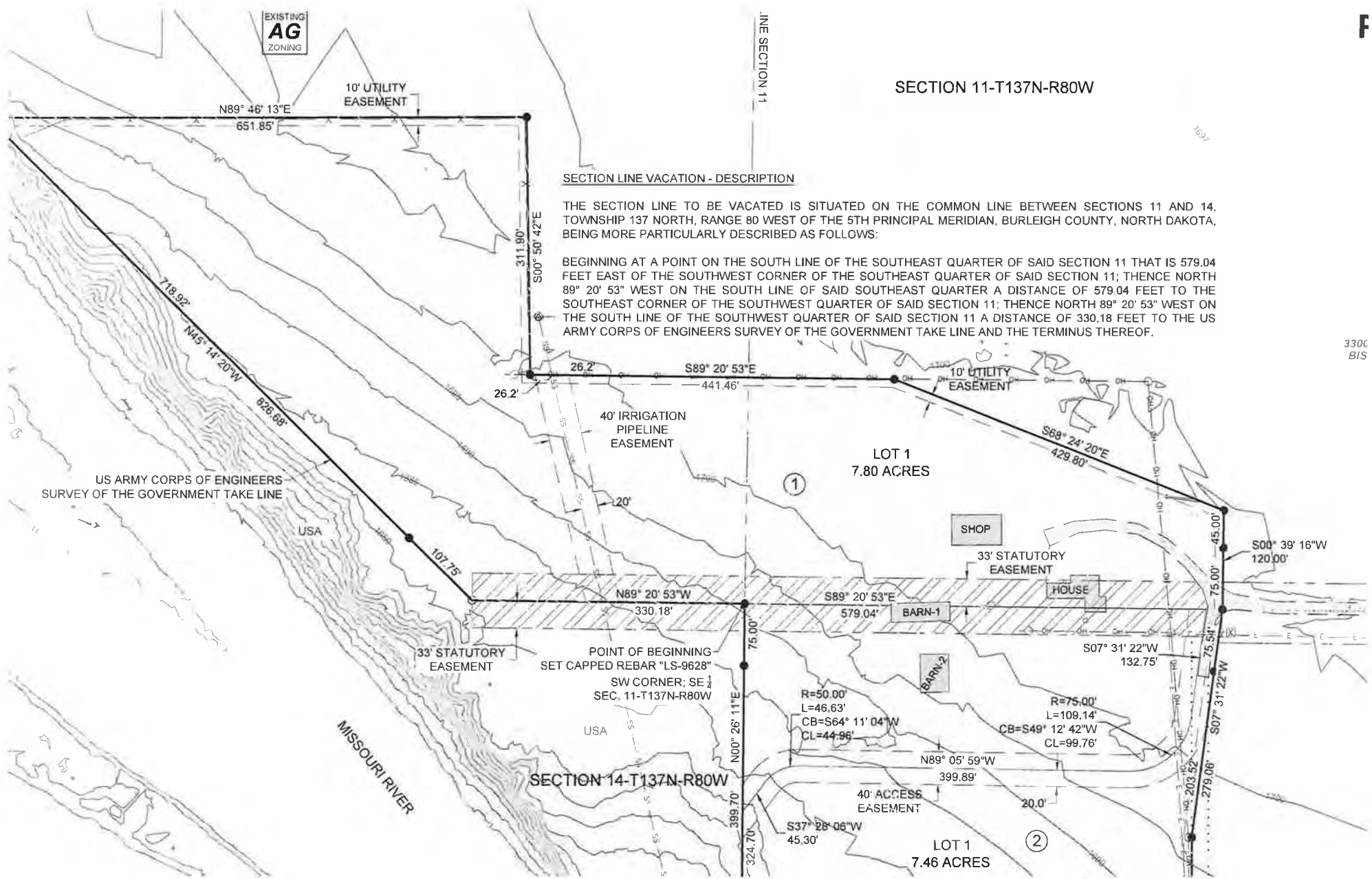
SECTION 11-T137N-R80W

SECTION LINE VACATION - DESCRIPTION

THE SECTION LINE TO BE VACATED IS SITUATED ON THE COMMON LINE BETWEEN SECTIONS 11 AND 14, TOWNSHIP 137 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 THAT IS 579.04 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11; THENCE NORTH 89° 20' 53" WEST ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 579.04 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 11; THENCE NORTH 89° 20' 53" WEST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.18 FEET TO THE US ARMY CORPS OF ENGINEERS SURVEY OF THE GOVERNMENT TAKE LINE AND THE TERMINUS THEREOF.

330C
BIS





BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 5, 2024

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Award of Bids

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

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the County Highway 10 roadway mill and overlay project.

BACKGROUND:

On January 3, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for the County Highway 10 roadway mill and overlay project. Bids were opened on January 30, 2024 and the following bids were received:

	<u>Bid</u>
Mayo Construction Company	\$1,167,516.77
Northern Improvement Company	\$1,454,943.40
Strata Corporation	\$1,478,687.76
Central Specialties Inc.	\$1,511,509.92

Engineers Estimate:	\$1,201,409.53
Budget Amount	\$1,200,000

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the County Highway 10 roadway mill and overlay project low bid from Mayo Construction Company for \$1,167,516.77 and authorize the proper County officials to enter into contracts with said bidder.

ITEM

7



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.
Re: Findings of Burleigh County Planning Commission
Date: 1-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Appeal Denial of Special Use Permit

On January 10, 2024, a public hearing was held for Dave Lehman to petition a change in the use of private property by applying for a Special Use Permit for Burnt Creek Farms. His intentions are to stage weddings, family and corporate events all relating to Farm tours and Agritourism. The property is located at 11501 NE 41st St., Bismarck.

The application was denied by a vote of 8-1, based on these findings of fact;

- 1) Dust
- 2) Traffic
- 3) Noise
- 4) Concerns for fire, vehicle safety
- 5) Overuse of land

ACTION REQUESTED:

Consider to deny, approve or table the appeal request for reconsideration by the Planning Commission.

Attachments:

- Ex. 1- 5.1.3 Site Map
- Ex. 2- 5.1.4 Brochure- BCF

Burnt Creek Property Boundary Map



Burnt Creek Facility Map





Burnt Creek Farm

11501 41st St NE Bismarck, ND

David Lehman, Owner

January 2024

Background

Burnt Creek Farm (BCF) Historical Site: North Dakota has an incredibly rich history as it pertains to agriculture, homesteading, etc. Unfortunately, with each passing year we are losing these historic barns, homes, and outbuildings. North Dakota has many pioneer village type facilities with historic community type buildings, collections of antiques, tractors, and ag equipment displayed. While these are important, tourists don't get an opportunity to see the equipment, tools, vehicles, etc. in a real farm setting. By staging the farm, it gives people a better feel for what the farm actually looked and felt like and provides a better appreciation for what farming was like in the early days of North Dakota. Burnt Creek Farm is one of very few fully intact restored historic farms in North Dakota.

The North Dakota State Historical Preservation Office has toured the farmstead numerous times and feels confident in its eligibility for the state and national registers of historic places. Due to innovation and progress in agriculture and larger equipment requiring larger facilities, very few farm sites from the early days of agriculture remain intact and preserved. There are 2 or 3 other farmsteads available to tour in the state, however, Burnt Creek Farm differs in that it is a well-preserved example of a 'modern' farmstead built during the mechanization era as farms transitioned from horse to tractor power. This includes the innovation in building construction, running water systems (windmill with gravity feed to areas of the farm), rechargeable 32V battery system powering the farm, and equipment. The farm will be staged as it would have been in the 1920's showing the transition from horse to tractor power. These were all major technological advances in agriculture and an incredibly important era in North Dakota which isn't a focus with other historic sites. Due to the farm's ties to the Non-Partisan League and its role in the inception of the state bank, mill, and elevator, this shift in North Dakota's ag economy will also be covered. Other elements of Burnt Creek Farm which are relatively unique and lend themselves to agritourism tours are the following:

- 1878 Tree claim with evidence that can be easily seen by tourists
- Intact 1920's-1950's farmstead
- Rare (possibly the only) instance of terracotta structural clay tile and brick use in the farmhouse and bunkhouse construction. The clay tile and brick came from the early days of North Dakota's Hebron Brick factory.
- One of the first 'modern' farms in ND with running water and electricity (less than 2% of farms had these amenities in the early 1920's.)
- Ties to the Non-Partisan League and Linda Slaughter both heavily involved in the development of the region, state, and upper Midwest.
- Unique architecture such as the trench/bunker silo
- Filming location of End of the Rope movie
- Only historic farm site located close to a major community. Located about a mile outside of Bismarck's extra-terrestrial area and easily accessible from the interstate and highway 83 allows visitors easy access to the facilities while still accessing amenities of a larger community. It also allows Burnt Creek Farm the opportunity to draw more people to promote North Dakota's proud ag history.

Services

1. Tours: Educating visitors about the history of agriculture in North Dakota is BCF's primary focus. Initial plans would be to offer tours by reservation. It is anticipated there would be demand from schools, commodity groups, organizations, etc. for the tours. While the tours are an important element to the goal of educating others about the history of agriculture in North Dakota, it is not anticipated to be a major source of traffic or revenue at BCF.

2. Events: Events would primarily be outdoor events. The historical integrity of the buildings will be restored and maintained and as such will not be insulated and no additional construction is planned that would alter the appearance/feel of the historic farmstead. This will limit their utility relative to events. Events are anticipated to include the following:

- Weddings: The season for weddings is anticipated to be May 15th to Oct 15th due to lack of climate-controlled facilities (there is a space for a tent). These events would be limited to 200 attendees. Security would be required for all weddings.
- Corporate events: It is anticipated there may be some interest in company picnics during the summer.
- Family events: It is anticipated there could be some demand for family get togethers, picnics, pictures, etc. at BCF.
- Agritourism: Farm tours as well as interest in the orchards, etc.

3. Lodging: There is currently a granary that has been converted to a lodge that may be used for traditional lodging or as a bridal suite for the bridal party to prepare for weddings. The lodge is not four seasons and will be winterized each year.

4. Facilities: There is currently an ADA restroom facility, a lodge (same building as the ADA restrooms), a park with a clearing for events, as well as the original buildings. These buildings have limited capacity and are not climate controlled. There are no plans to expand these buildings or renovate beyond the restoration back to their original state due to the historical significance of the structures. They will however be staged as they would have been in the 1920's for tours.

Traffic

When calculating traffic, I assumed 200 people per week (I feel like this figure is high) during the May-Oct season. Assuming 2.25 people/vehicle yields 80 trips/week. Taking 80 trips/week times 20 weeks comes out to 1600 trips per year (to and from BCF). There could be some winter traffic for special events, but it is not anticipated to be significant.

To put this into perspective, studies show a single-family home generates approximately 5 trips per day (to and from home) accounting for roughly 1825 trips per year (to and from the home). While the traffic would be more concentrated at specific times, the additional traffic generated from activities at BCF is anticipated to be less than that generated by a typical single-family home.

From a similar perspective, when the Morris Family owned the farm (1950-1997), they had a family of 6. National studies show that traffic generated is roughly 1 (two-way) trip/person, or 6 trips/day for a family of 6. This amounts to 2190 trips per year. In addition, the family farmed and had construction operations (hauling grain, livestock, coal, aggregate, soil, etc.), so the road also accommodated trucks and heavy equipment (which it doesn't currently see as a result of my occupation). As a result of being a farm operation, most of these trips were concentrated over the same general season as proposed by the events and tours at BCF.

Dust

Dust mitigation will be looked into, however the level of dust generated is not expected to be much greater than that generated by a typical single-family residence. In addition, dust control is currently in use for those homes on 110 Ave near highway 83.

Timeline

2020-ongoing: Farm restoration and development of grounds

2021: Filming of End of the Rope film

2023: Screening for End of the Rope Film

2024: Farm tours and events

Map of Proposed Event Space



Appendix



STATE HISTORICAL SOCIETY
OF NORTH DAKOTA

HISTORY FOR *everyone.*

August 31, 2023

To Whom I may Concern,

I have visited the Burnt Creek Farm located north of Bismarck, North Dakota and reviewed the information provided by Dave Lehman. I have made the preliminary determination that the property is eligible for listing in both the North Dakota State Historic Sites Registry and the National Register of Historic Places. The farm is a rare example of an improved tree claim and demonstrates the evolution of farm technology spanning the prosperous era just before the Great Depression through the recovery following World War II. Additionally, the architectural and engineering designs of the individual buildings and the building systems testify to the innovations of the time. This property is worthy of preservation and certainly contributes to our understanding of history.

If you have any questions, please feel free to contact me at lbmeidinger@nd.gov or 701-328-2089.

Sincerely,



Lorna Meidinger
Lead Historic Preservation Specialist

Appendix I: Historical Tidbits

The history of Burnt Creek Farm (BCF) dates back to the early years of Edwinton/Bismarck, Dakota Territory. In the 1870's GW Racek and his brother Chas owned the Racek Bro's harness shop on 4th street in Bismarck (known as Murderers Gulch or Bloody 4th having earned a reputation as one of the wildest cities in the nation resulting from the saloons, brothels, and a cultural clash of soldiers, native Americans, immigrant settlers, rich business men etc.). One of (if not the first) saddle and harness shop in Bismarck, G.W. did leatherwork for the calvary and settlers. They also started the Racek Bro's harness shop in Billings Montana, well known for quality territorial era saddles and leather goods. They also bought a parcel in Medora to capitalize on the gold trade as the Marquis De Mores and others had stage coach service directly to Deadwood and the Black Hills. It is unknown, however, if this business came to fruition.



1870's Photo of Racek Bro's Saddle & Harness Shop located on 4th Street in Bismarck, ND

ND Historical Society



G.W. homesteaded North of Bismarck (around where Stan Puklich is located). To acquire more 'free' land, he staked a tree claim where BCF is located. Per the 1878 Timber Culture Act, settlers were granted a quarter of land for planting 27,000 trees on 10 acres within that quarter and keeping 25% of them alive for 8 years. After planting the trees in the late 1870 or early 1880's, G.W. received title to the quarter in 1889, the year North Dakota was granted statehood. As seen in the picture to the left, ripples in the front yard (and back woods) still show evidence of the 1890 tree claim. Ripples in the land created while planting and watering the 27,000 trees with horse drawn implements are still very noticeable (see photo at left). Note all trees are on the crest of the ripples. GW (George)

Racek passed away not long after establishing the tree claim. The horse drawn breaking plow believed to have been used to plant the trees is currently on display in the ND Heritage center.



Upon G.W.'s passing in 1901, the land transferred to his son J.B Racek, a wealthy banker in Mandan. In 1922, J.B. had the farm built much as it exists today (see photo above). The farm included a brick prairie square (or American foursquare) house, barn, bunkhouse, garage, corn



crib/granary, chicken coop, outhouse, etc. It was extremely rare, being one of less than 2% of the farms at that time with running water and electricity. Running water came from a

windmill/cistern at the top of the hill (still present) which gravity flowed to the barn, house/cistern (a hand pump located in the

Modern Farm Home
A beautiful, modern country home is being constructed by J. B. Racek of Mandan on his farm a mile east of Arnold. The house contains eight rooms and bath. It has running water and electric lights. The bath room and pantry are being constructed of hollow tile and brick which is brought from the Hebron factory. A fine modern barn will also be constructed. The buildings are situated in the grove on the farm.

Aug 1922 Bismarck Tribune

NDSU ties

According to prior owners of BCF, the farm was designed by the North Dakota Agricultural College (NDAC now NDSU). These claims have yet to be substantiated due to lack of records retention, however, there is evidence that this is a very strong possibility based on the following:

- The roughcut cottonwood fences and buildings (aside from the brick house) are painted white and green similar to NDSU experiment stations.
- The well-designed farm was built by a banker and farmed by a tenant farmer. Being a banker, it is unlikely JB Racek would have had the background to design the farmstead. NDSU archives hold very similar designs for gates/fences, water systems, buildings, etc. dating back to the 1920's.
- Mr. Racek step children (Luthers) attended NDAC and held various leadership roles, so it's quite possible there was an established relationship. His stepson was president of AGR and student body president and his stepdaughter taught at NDAC.
- The land grant extension service in ND was in its infancy, and unfortunately many records have been lost.



J.B Racek's signature on the \$10 bank note from The First National Bank of Mandan. 1 of 11 still known to exist. Owned by Dave Lehman.

THE SPECTRUM
North Dakota State College
STATE COLLEGE, NORTH DAKOTA, FRIDAY, APRIL 4, 1928
NUMBER 41

Luther Next Commission President

Hundreds Throng Armory To Honor Prexy Sheppard
Made Permanent Head of School By State Board Monday
CONGRATULATED AT CONVOCATION
Representative Group Praises Selection of Most Able Leader

McGrath, May Have Places of Honor In Junior Prom Line
Tickets Will Go On Sale Monday for Formal Party

ERIC NORDSTROM WINS FREE THROW TROPHY
Over 600 Votes Polled During Student Election

Mandan Shorts
Mrs. William Sullivan and her mother, Mrs. A. W. Farr, will entertain members of St. Anne's court, Lady Foresters, at a dinner this evening at the Sullivan home.
Leonard A. Luther was named president of Alpha Gamma Rho fraternity at the North Dakota Agricultural college, Fargo, according to word received by his mother, Mrs. J. B. Racek.



In 1950, the farm was sold to Robert Morris. Under his ownership, BCF was featured in The Farmer magazine (a national/regional publication) on a couple of occasions due to its unique and progressive design. The Farmer magazine featuring the trench silo (left) due to its unique architecture and diverse range of utility. The roof on the 15'x65' building was removable so silage could be added. When it did not have silage, it was used for farrowing hogs and 4H 'barn' dances. The back was later converted to a shop. This silo's architecture was identified as one of the farms features qualifying for the state and national register.

The section of land the farm resides on is of importance for other reasons as well. Somewhat ironically, it was more so noteworthy due to the women involved rather than the men. At a time when women maybe weren't afforded the same opportunities as men, these women had a major impact in their respective spheres of influence.

1. Florence Borner: In the 1910's, ND farmers felt taken advantage of by 'Big Business' and created the Non-Partisan League (NPL). The NPL, a socialist movement, took control of the state government (and much of the upper Midwest). They felt that by creating the State Mill and Elevator and the Bank of North Dakota they could gain control over commodity prices. These are businesses are still in operation today. Florence Borner was a league poet and an integral part of the propaganda machine for the NPL. The Borners spent a lot of time at the BCF, so many discussions of the NPL and construction of the State Mill and Elevator, and BND likely occurred at the kitchen table at BCF. The Borner farm which bordered Burnt Creek Farm was later purchased by J.B. Racek and added to the farm's acreage.

THE PRAIRIES	THE DEAR OLD FARM
<p>The prairies seem so lonely like To some, but not to me; I think they are the only place Where I could happy be; Here in my little old sod shack I lead a peaceful life; And have no need to feel alarm At this world's care and strife.</p>	<p>I read a picce the other day That made me kind of warm, It told about the money made, Upon the dear old farm. It said the farmers all were rich, Excepting those who shirked, And 'lowed we'd all been millionaires If harder we had worked.</p>
<p>The people here live far apart, For miles and miles around, There's naught save lonely prairies, Or perhaps you hear the sound Of a coyote calling to his mate, Upon some distant hill, Or a hoot owl's screech as he flits past Then every-thing is still.</p>	<p>It spoke of softly lowing kine, And fields of new-mown hay, Of how the chickens always laid So many eggs a day. It mentioned fields of golden grain, Fruit hanging on the vine, And written down in words like that The "dear old farm" sounds fine.</p>
<p>I love the rolling prairies, Where the wind blows wild and free; None of your crowded city homes, Or big hotels for me; I want to live a lonely life, Upon the prairie sod; It seems to me that I am here, Much nearer to my God.</p>	<p>It said the farmer is a king, The monarch of the land, It told of lovely sylvan dells, Great trees on every hand. It said the farmer owed no one, Looked each man in the face, Called him the son of honest toil— A credit to his race.</p>
<p>Well, what that fellow didn't know Of farming was a lot; And when he said "he owes no one," It hit a tender spot. Here I've been working twenty years, From dawn till set of sun, And find that I have even less Than when I had begun.</p>	
<p><i>Excerpts from Borner's book Modern Poems for Modern People when she lived by BCF. Published in 1919, this book contained poems about farm life, the NPL, and the struagles of the era.</i></p>	

1. Linda (Warfel) and Dr. Ben Slaughter (Gov Burgum's great grandparents) established the 'Burleigh County Poor Farm' and post office bordering the farm. Ben was a post surgeon assigned to the region's earliest military posts, including Camp Greeley/Hancock and Fort Rice. Linda Warfel Slaughter was known for the following:

- Founded the first ND historical society, which merged with the State Historical Society of North Dakota.
- First woman to vote in a national convention for a presidential candidate.
- Started the first Sunday school in 1872
- Started the Bismarck Academy in 1873, the first Bismarck public school
- First teacher and superintendent of schools in Burleigh County.
- First postmistress of Bismarck
- Crafted a bill in 1881 creating a board of education.
- Involved in the temperance movement and close personal friend of Susan B. Anthony.
- Wrote the words to the state song.

<p style="text-align: center;">Two Evils.</p> <p>SLAUGHTER, N. D., July 31, 1890.—After a swing around the circle, taking in Conger, Croft and Cromwell, and noting the excellent crops—at least, excellent in appearance, I was impressed with at least two major evils, of which one at least could easily be remedied. I refer to the condition of farms owned by non-residents, some of which are being pre-empted by noxious weeds and wild mustard, that are disfiguring the face of the country. Handsome trees of vigorous growth waiting to be blackened and dissipated by the first prairie fire, for the want of a little care. Infinitely preferable the untouched virgin sward of indestructible native grasses.</p> <p>These land owners should be made to pay for this ruthless disfigurement of our fair domain. If in no other way, let the tax gatherer reach out for them until our incoming legislature can help us.</p> <p>Many tree claims that have been proved up on are permitted to go to weeds and grass, which will soon be their funeral pyre. There are some tree claim holders who richly deserve the blessing of the people in their respective communities—such as Asklund in Ecklund, Pollock in township 141, Racek in township 140 and a few others. These bright oases on the prairie make our hearts go out to them as substantial benefactors.</p> <p>The reckless waste and neglect of farm machinery makes the heart grow sick. At one place I counted a mower, hay rake, double sulky plow and a reaper and binder</p>	<p>and but for the tall weeds that sheltered them from the pitiless rain and burning sun, might have counted more. I learned that this man had quit farming. He is one who ought to have quit ere he began. Why our farmers do not pay more attention to tree culture around their homes passeth my understanding. They have teams and woods are near, wells with abundance of water at hand when the rains are too tardy in coming. I notice some few have wells a little distance from their houses, but it seems never to have occurred that a group of trees around it, to shade and add sylvan beauty, would furnish pleasure to the eye and enhance the value of their property. They should not let another fall pass by without this addition. If late, it is not too late.</p> <p style="text-align: right;">S.</p> <p><i>A columnist for the Bismarck Tribune, Linda Warfel-Slaughter criticized tree claims due to poor management but gave praise to G.W Racek for his good management practices.</i></p>
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For additional information regarding Burnt Creek Farm, please visit the Facebook page at: <https://www.facebook.com/burntcreekfarm>

Dear County Auditor/Treasurer,

I am writing to you regarding the appeal of the special use permit application proposed for the Burnt Creek Farm (11501 NE 41st St, Bismarck).

My fiance lives on the corner of 97th Ave NE and 26th St. It is already a busy corner with the traffic already out in this area. I am opposed to the use of the property for events such as weddings and frequent corporate events with large numbers of people.

The traffic influx would very much be a concern. Alcohol would be served at these events, and drinking and driving would take place. We have already experienced a car in the ditch on our corner. It was a scary ordeal, and we do not need to experience that again.

Our ditches are used by dirt bikes, 4 wheelers, and snowmobiles. The potential influx of traffic could result in accidents with these riders, and will decrease the safety and freedom of living "in the country."

The added traffic, noise, and safety concerns are why we oppose the appeal of the special use permit application as currently written. We urge you to deny, or at a minimum, significantly modify the permit.

Thank you for the opportunity to express our concerns.

Sincerely,

Alexandria Bauer
Brett Meyhoff
2600 97th Ave NE
Bismarck, ND

Burleigh County Commissioners:

I wanted to reach out and convey my support for the Burnt Creek Farm project. Like Burnt Creek Farm, I am located on section 24 of Burnt Creek Township. This section has a lot of historical significance for the region and the state. The place where I live was owned by Ben and Linda Warfel Slaughter. The Slaughters acquired the 80 acre parcel in 1886. It had a home, sod barn, and was the location of the Wales post office where Dr. Ben Slaughter was the post master. Also, on section 24 between my place and the Burnt Creek Farm was the home of Florence Borner who authored a book and was known for her role in the Non-Partisan League. I appreciate Dave Lehman's role in restoring the farm and sharing it with the public. Regardless of the type, any of these events are a chance to bring people out to a historic farmstead setting for a rare opportunity to gain an education on the local history and the history of agriculture in North Dakota. I think it's important that this stuff gets saved for future generations.

Mark Thompson

Additional information regarding:

Dr. Ben Slaughter: <https://www.newspapers.com/article/bismarck-weekly-tribune-autobiography-of/60096363/>

Linda Slaughter: https://en.wikipedia.org/wiki/Linda_Slaughter

We own the neighboring property to the south of burnt creek farm and support the Special Use Permit requested by Mr. Lehman.

Seth Sandness

Amber Sandness

Conner Schwindt

Burleigh County Commissioners

Dear Commissioner's, Bitner, Bakken, Munson, Schwab, Woodcox

Subj: Support of special event application Burnt Creek Farm 2/5/24

Gentlemen, our family is in support of the special use permit application to allow for agricultural tourism, corporate events, intimate wedding ceremonies, family reunions, in a beautiful peaceful outdoor setting under trees that are over 100 years old.

There are few, if any, places in Burleigh County much less in the entire state of North Dakota that can offer an experience like no other when it comes to the historic preservation of an agricultural way of life that is quickly disappearing.

We believe that Burleigh County has an opportunity to allow for the creation of what can become a cultural destination showcase for enabling schools to do field trips that offers young people the chance to see the way of life that was once the backbone of the agricultural heritage in the county.

Residents in retirement homes will love the opportunity to be reminded of the simpler life.

The farmstead (NDSU design), barns, corrals, granaries, orchards, gardens, meadows, and ponds are the perfect setting, and we urge your approval for the special purpose request, you will be glad you did, and future generations will thank you for your foresight.

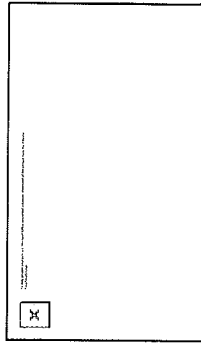
Lon, and Roberta Klusmann

And family.

Dear Burleigh County Planning Commission Members,

I am writing in support of the Special Use permit to allow agritourism and events at Burnt Creek Farm. I had the great privilege of showing the End of the Rope film at our theatre at Touchmark Retirement Community with the opportunity to bring a bus full of residents out to the Burnt Creek Farm to tour the space. David Lehman is very knowledgeable of the history of the land and extremely passionate about the space in which he resides. The land is rich with history and is easily accessible for my residents who are aged 75+. Not only would this space boost interest in outdoor enjoyment for all North Dakotans, it brings a wonderful history aspect to the community that truly deserves to be enjoyed by all! I believe it would be a disservice to the Bismarck Mandan Community members if this space wasn't available for events and agritourism. I hope you take this into consideration. Even more so, I hope you have the opportunity to visit Burnt Creek Farm some time very soon!

With gratitude,




Grace M. Renner

Touchmark on West Century
1000 West Century Avenue
Bismarck, ND 58503-0913



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: Status of the 2024 FIRM Mapping for Burleigh County.
Date: 1-29-2024
From: Mitch Flanagan, Burleigh County Planning Director. 

ITEM 1

Update to the new FEMA Risk Maps

In 2023, FEMA issued Letters of Final Determination to Burleigh County concerning the new Flood Insurance Rate Maps (FIRM). FEMA's notice of final flood hazard determination also included the Summary of Map Amendment- SOMA: this is a list of properties that contained LOMA's, LOMA-F's, LOMC from previous mapping. 5 of these properties had made appeals, however, they did not qualify as a formal appeal but were revalidated in the Summary of Map Action, revalidation will become official the day after the new maps become effective.

The maps will become effective as early as June 6, 2024. County staff is in the process of reviewing the current floodplain management ordinance with a stakeholder group that includes the City of Bismarck, to determine what modifications to the ordinance will be required.

It will be necessary for Burleigh County to adopt any amendments within Article 21 prior to June 6, 2024 to remain a part of the National Flood Insurance Program- NFIP.

Recommended Action:

Memo is informational only; no motion or action is needed at this time.

Attachments:

Ex.1: LFD 12062023
Ex.2: SOMA List



Federal Emergency Management Agency

Washington, D.C. 20472

December 6, 2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Steve Bakken
Chair, Burleigh County Commission
221 North 5th Street
Bismarck, North Dakota 58501

Community Name: Burleigh County,
(Unincorporated Areas)
North Dakota
Community No.: 380017
Map Panels Affected: See FIRM Index

Dear Chair Bakken:

This is to notify you of the final flood hazard determination for Burleigh County, North Dakota and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA did not receive any appeals of the proposed flood hazard determinations or submittals regarding the Revised Preliminary Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) during that time.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on June 6, 2024. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3(d) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already

have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(d);
2. Adopting all the standards of 44 CFR Part 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(d).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(d) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits

under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Tyler Spomer, CFM, NFIP State Coordinator for North Dakota by telephone at (701) 328-2452. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region 8 at (303) 235-4975 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,

Luis Rodriguez, P.E.
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

Enclosure:
Final SOMA

cc: Community Map Repository
Mitch Flanagan, Building Official, Burleigh County

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on June 6, 2024.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

FINAL SUMMARY OF MAPACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	94-08-197A	11/23/1994	MISSOURI FOREST SUBDIV, LOT 4-- 14738 SANOUNE LANE	3800170560A	38015C0560E
LOMA	97-08-369A	10/09/1997	BRIARDALE ADDITION, BLOCK 3, LOT 27-- 8816 BRIARDALE DR.	3800170960A	38015C0960E
LOMA	06-08-B159A	02/28/2006	SUNDOWN ACRES, LOT 10 -- 15252 SUNDOWN DRIVE	38015C0560C	38015C0560E
LOMA	07-08-0067A	11/07/2006	BURNT CREEK ESTATES SUBDIV, BLOCK 1, LOT 12 -- 6816 DEEREWOOD LANE	38015C0780C	38015C0780E
LOMA	07-08-0299A	02/27/2007	BURNT CREEK ESTATES SUBDIV, BLOCK 1, LOT 3 -- 6606 DEEREWOOD LANE (ND)	38015C0590C	38015C0590E
LOMA	07-08-0693A	07/03/2007	MISSOURI RIVER ESTATES, BLOCK 1, LOT 1 -- 9320 SIBLEY DRIVE	38015C0960C	38015C0960E
LOMA	07-08-0845A	08/29/2007	Lot 15, Block 1, Riverside Subdivision - 10020 Island Road	38015C0570C	38015C0570E
LOMR-FW	08-08-0462A	04/29/2008	SUNDOWN ACRES SUBDIV, LOT 5 -- 15050 SUNDOWN DRIVE	38015C0560C	38015C0560E
LOMR-F	08-08-0478A	05/06/2008	BURNT CREEK ESTATES, BLOCK 4, LOT 1 -- 4725 CROSS ROAD	38015C0590C	38015C0590E
LOMA	08-08-0593A	07/22/2008	VALCOR SUBDIV, BLOCK 1, LOT 3 -- 9222 ISLAND ROAD	38015C0570C	38015C0570E
LOMA	09-08-0422A	03/24/2009	BURNT CREEK ESTATES, BLOCK 4, LOT 6 -- 6215 FOX MEADOW PLACE	38015C0780C	38015C0780E
LOMA	09-08-0423A	03/24/2009	BURNT CREEK ESTATES, BLOCK 2, LOT 3 -- 6801 DEEREWOOD LANE	38015C0780C	38015C0780E
LOMR-F	09-08-0381A	04/02/2009	ISLAND PARK ESTATES, BLOCK 8, LOT 4 -- 6800 KINGSWOOD ROAD	38015C0570C	38015C0570E
LOMA	09-08-0428A	04/28/2009	WOODED ACRES SUBDIV, BLOCK 2, LOTS 1 & 4 -- 1517 & 1701 SCOUT STREET	38015C0790C	38015C0790E
LOMA	09-08-0430A	04/28/2009	OLIVE TREE SUBDIV, BLOCK 1, LOTS 13 & 14 -- 7120 OLIVE TREE PLACE	38015C0570C	38015C0570E
LOMR-F	09-08-0766A	10/27/2009	RIVERSIDE SECOND ADDITION, BLOCK 2, LOT 4 -- 9731 ISLAND ROAD	38015C0570C	38015C0570E

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	10-08-0078A	11/12/2009	PONDERSOA 4TH ADDITION, BLOCK 1, LOT 5 -- 6040 MAGNOLIA DRIVE	38015C0570C	38015C0570E
LOMR-F	10-08-0168A	12/28/2009	LOT 1 BLOCK 1, WESTWOOD ON-THE-RIVER -- 45000 FERNWOOD DRIVE	38015C0780C	38015C0780E
LOMR-F	10-08-0334X	01/28/2010	RIVERSIDE SECOND ADDITION, BLOCK 2, LOT 4 -- 9731 ISLAND ROAD	38015C0570C	38015C0570E
LOMA	10-08-0352A	03/04/2010	(70-RS) PAT'S ACRES, BLOCK 1, LOT 1 -- 4205 BURNT CREEK LOOP	38015C0780C	38015C0780E
LOMR-F	10-08-0370A	04/01/2010	(65-RS) LOT 4, BLOCK 1, VALCOR SUBDIVISION --- 9200 ISLAND ROAD	38015C0570C	38015C0570E
LOMR-F	10-08-0375A	04/01/2010	(65-RS) LOT 3, BLOCK 2, HIGH PLAINS COUNTRY ESTATES --- 3612 HIGH PLAINS ROAD	38015C0795C	38015C0795E
LOMA	10-08-0996A	11/02/2010	MISSOURI FOREST SUBDIV, BLOCK 1, PORTION OF LOT 8 -- 14721 SAND DUNE LANE	38015C0560C	38015C0560E
LOMR-F	11-08-0473A	04/19/2011	ISLAND PARK ESTATES, BLOCK 6, LOT 5 -- 6445 ISLAND PLACE	38015C0570C	38015C0570E
LOMR-F	12-08-0424A	05/15/2012	ASH LAND ESTATES, BLOCK 1, PORTION OF LOT 3 -- 9201 SIBLEY DRIVE	38015C0960C	38015C0960E
LOMR-F	14-08-1339A	10/02/2014	ISLAND PARK ESTATES, BLOCK 6, LOT 8 -- 6401 ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	15-08-0020A	11/20/2014	WOODLAND SHORES, BLOCK 1, LOT 4 -- 8040 BURNT CREEK ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	15-08-0672A	05/08/2015	ISLAND PARK ESTATES, BLOCK 9, LOT 16 -- 8500 BURNT CREEK ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	16-08-0364A	04/15/2016	BILLY THE KID SUBDIVISION, BLOCK 1, LOT 2A -- 10403 HIGHWAY 10	38015C0810D	38015C0810E
LOMR-F	16-08-0619A	04/27/2016	HOGUE ISLAND ESTATES, BLOCK 2, LOT 4 -- 8115 BURNT CREEK ISLAND ROAD	38015C0570D	38015C0570E
LOMR-F	19-08-0753A	08/06/2019	BRIARDALE II SUBDIVISION, BLOCK 5, LOT 3 -- 8003 BRIARDALE LOOP	38015C0960D	38015C0960E
LOMR-F	20-08-0557A	05/28/2020	MISTY WATERS, BLOCK 1, LOT 36 -- 6334 DREAM CIRCLE	38015C0780D	38015C0780E
LOMA	20-08-0652A	05/28/2020	Lot 17, Block 2, Burnt Creek Estates Subdivision - 6623 Fox Meadow Drive	38015C0590D	38015C0590E

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	21-08-0361A	02/25/2021	OLIVE TREE, BLOCK 1, LOT 1 -- 5414 OLIVE TREE DRIVE	38015C0570D	38015C0570E
LOMR-F	23-08-0070A	12/02/2022	OLIVE TREE SUBDIVISION, LOT 12 -- 7120 OLIVE TREE PLACE (ACCESSORY BLDG.)	38015C0570D	38015C0570E
LOMA	23-08-0524A	05/17/2023	PONDEROSA RIVERSIDE VILLAGE SECOND SUBDIVISION, BLOCK 15, LOT 26 -- 5540 PONDEROSA AVENUE	38015C0570D	38015C0570E
LOMA	09-08-0015A	07/19/2005	8700 SOUTH 12TH STREET -- PORTION OF SECTION 4, T137N, R80W	38015C0960C	38015C0960E
LOMA	10-08-0642A	07/19/2005	(70-RS) LOT 11, BLOCK 4, BURNT CREEK ESTATES -- 6244 FOX MEADOW PLACE	38015C0780C	38015C0780E

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR-F	94-08-125A	09/07/1994	VALCOR SUBDIV, BLOCK 1, LOT 10	4
LOMR-F	96-08-372A	10/09/1996	RIVERSIDE SUBDIV, BLOCK 1, PORTIONS OF LOTS 12-13-- 9922 ISLAND ROAD	4
LOMR-F	98-08-071A	01/13/1998	ISLAND PARK ESTATES, BLOCK 9, LOT 3 -- 6729 KINGSWOOD ROAD	4
LOMR-F	98-08-340A	06/30/1998	ISLAND PARK ESTATES, BLOCK 8, LOT 5-- 6728 KINGSWOOD ROAD	4
LOMR-F	98-08-473A	11/02/1998	RIVERSIDE SUBDIV, BLOCK 1, LOT 11 -- 9912 ISLAND RD	4
LOMA	99-08-136A	01/27/1999	SLEEPY HOLLOW SUBDIV, BLOCK 2, LOT 5 -- 6860 HORSESHOE BEND	4
LOMR-F	00-08-241A	08/16/2000	ISLAND PARK ESTATES, BLOCK 10, LOT 13 -- 8606 ISLAND ROAD	4
LOMR-F	00-08-208A	08/30/2000	ISLAND PARK ESTATES, BLOCK 10, LOT 4 -- 8812 ISLAND ROAD	4
LOMA	01-08-037A	11/09/2000	ISLAND PARK ESTATES, BLOCK 10, LOT 15 -- 8566 ISLAND ROAD	4
LOMR-F	01-08-134A	06/06/2001	ISLAND PARK ESTATES, BLOCK 8, LOT 10 -- 6620 KINGSWOOD ROAD	4
LOMR-F	01-08-284A	10/24/2001	ISLAND PARK ESTATES, BLOCK 8, LOT 9 -- 6634 KINGSWOOD ROAD	4
LOMR-F	02-08-270A	05/31/2002	WESTWOOD ON THE RIVER, BLOCK 2, LOT 10 -- 4541 CRESTWOOD DRIVE	4

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	03-08-0352A	05/02/2003	WESTWOOD ON THE RIVER 2ND SUBDIV, BLOCK 1, LOT 3 -- 4520 SANDY RIVER DRIVE	4
LOMA	04-08-0055A	11/25/2003	WESTWOOD ON THE RIVER, BLOCK 1, LOT 5 -- 4323 CRESTWOOD DRIVE	4
LOMA	04-08-0452A	05/26/2004	BURNT CREEK ESTATES, BLOCK 2, LOT 9 -- 6514 DEERWOOD LANE	4
LOMR-F	04-08-0627A	11/03/2004	SUNSHINE ACRES 1ST SUBDIV, BLOCK 2, LOT 3 -- 1016 SCOTSMAN DRIVE	4
LOMR-F	05-08-0003A	02/09/2005	ISLAND PARK ESTATES, BLOCK 10, LOT 14 -- 8606 ISLAND ROAD	4
LOMR-F	05-08-0351A	05/19/2005	PORTIONS SECTIONS 10 & 11, T139N, R81W, 5TH P.M.	1
LOMR-F	05-08-0705A	11/10/2005	ISLAND PARK ESTATES, BLOCK 10, LOT 14 -- 8606 ISLAND ROAD	4
LOMR-F	05-08-0702A	11/15/2005	SUNSHINE ACRES FIRST SUBDIVISION, BLOCK 1, LOT 5 -- 1017 SCOTSMAN DRIVE	4
LOMR-F	06-08-0149A	01/10/2006	SLEEPY HOLLOW SUBDIV, BLOCK 2, LOT 5 -- 6860 HORSESHOE BEND	4
LOMR-F	06-08-B108A	02/16/2006	COTTONWOOD LAKE 5TH ADDITION, BLOCK 3, LOT 23 & 24	1
LOMA	06-08-B352A	05/31/2006	BURNT CREEK ESTATES, BLOCK 4, LOT 2 -- 6437 DEERWOOD LANE	2
LOMA	06-08-B353A	05/31/2006	RIVERSIDE DIVISION, BLOCK 1, LOTS 5 & 6 -- 9750 ISLAND ROAD	4
LOMR-F	08-08-0322A	05/22/2008	BURNT CREEK ESTATES, BLOCK 2, LOT 7 -- 6609 DEERWOOD LANE	2
LOMA	10-08-0667A	07/20/2010	(70-R) LOT 11 BLOCK 2 BURNT CREEK ESTATES SUBDIVISION	3

FINAL SUMMARY OF MAP ACTIONS

Community: BURLEIGH COUNTY

Community No: 380017

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	11-08-0123A	03/10/2011	(70-RS) LOT 16, BLOCK 1, BURNT CREEK ESTATES – 6501 DEEREWOOD LANE	2

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

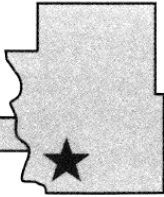
4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	06-08-0110A	01/03/2006	8606 & 8578 ISLAND ROAD	38015C0570C	38015C0570E
LOMR-F	07-08-0035A	11/16/2006	MISTY WATERS SUBDIV, PORTION OF SECTION 10, T39N, R81W, BLOCK 1, LOTS 40-46, BLOCK 2, LOTS 2-10	38015C0570C 38015C0590C 38015C0760C 38015C0780C	38015C0570E 38015C0590E 38015C0760E 38015C0780E

ITEM

8



Request for County Board Action

DATE: 2/5/2024

TO: Burleigh County Commission

FROM: Leigh Jacobs, Burleigh County Finance Director

ITEM: Detention Center Sale tax

HISTORY: The ½ cent sales tax for the payment of the bond issued by Bureigh County for the building of the Burleigh/Morton Detention Center is nearing its completion. Calculations are ongoing, but we would like further action from the Commission to clarify how to proceed.

REQUEST: We request the authorization to seek a meeting with Burleigh County and Morton County Commission or representative thereof, as well as Burleigh and Morton County finance teams and/or County Auditors, and legal counsel to determine what amount of Morton County's deposit at Bank of North Dakota is allocable to the sales tax bond vs renovation bond; and to discuss any other matters related to the sales tax bond payoff that may be relevant especially as it relates to notifying the Tax Commissioner to discontinue sales tax collections.

ITEM

9

Addenda item for February 5th, 2024 Meeting

Action Requested

Adjust Home Rule Charter language that was previously approved.

The current language in the approved December 12, 2013 Home Rule Charter reads:

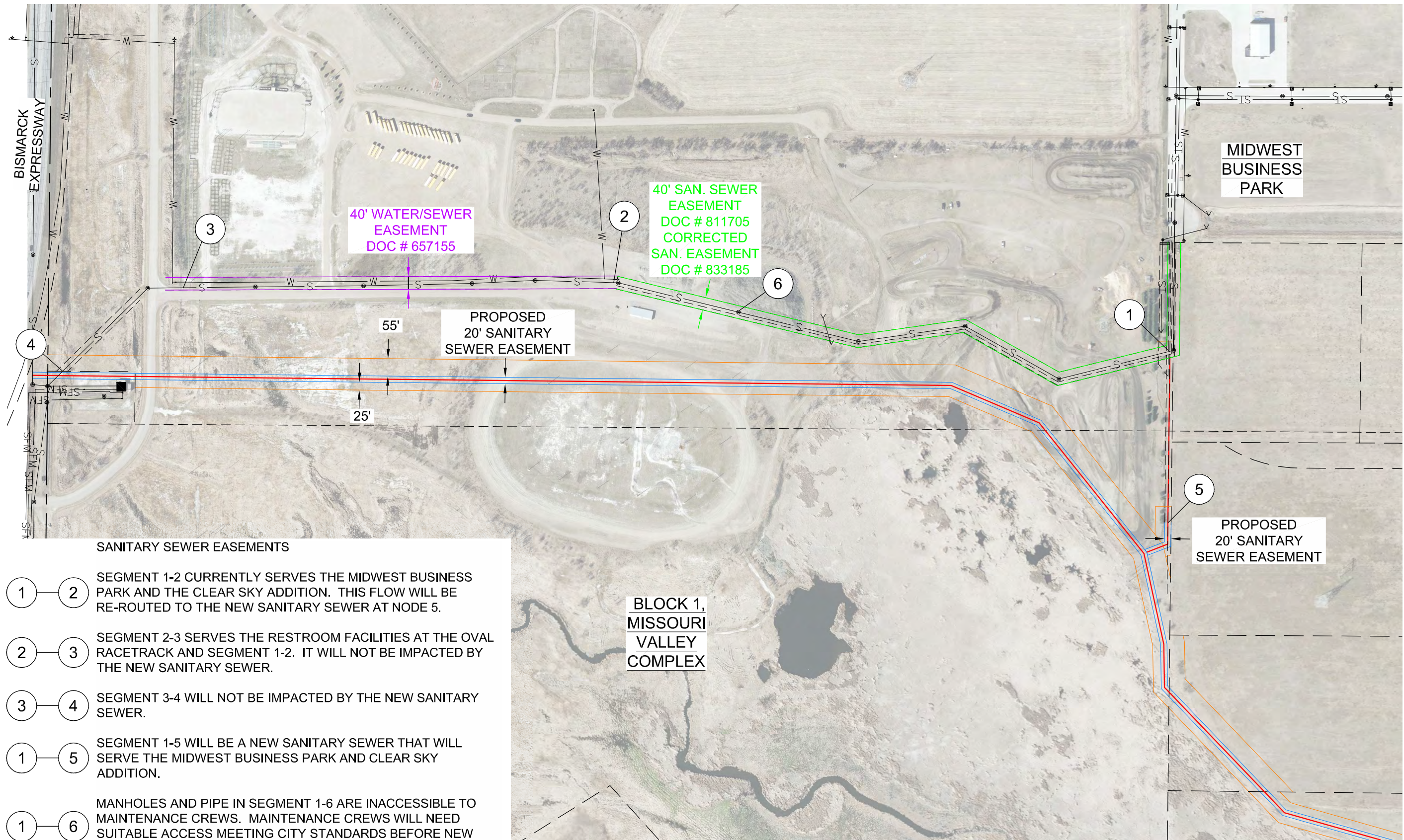
Termination Date: The sales tax shall expire when all necessary funds for the construction of the Detention Center and demolition and remodeling of the current Detention Center are collected. At such point, notice will be provided to the Office of the Tax Commissioner of the cease date. Such will be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

Based on current estimates, by our Finance Director, the current Jail sales collection can cease at the end of September or early November of 2024. We are required to give the state tax department 90 day notice of either cease or implementation of a sales tax.

If we give the state tax department the notice to cease at the end of the 3rd Quarter 2024 as well as implementation of the new tax (assuming that it passes during the June election) at the beginning of the fourth Quarter a couple of things will happen:

- 1) The ½ cent sales tax will continue to be collected through 2024 which will allow the county to collect enough taxes to pay off the Jail. Any remaining tax can be designated by the county to be spent at the commission's discretion. I would suggest that it be used as additional Property Tax reform dollars.
- 2) The 1 cent sales tax will start in January of 2025 (again assuming the measure passes in June).
 - a. We will at that time only be increasing the sales collection by ½ cent.
 - b. We will not applying 2 separate sales tax measures to the residents at the same time.

Action needed: I move that we adjust the language in the 2024 proposed Home Rule Charter to: Revenues raised and collected from ~~July 1~~ **January 1st** ~~of the preceding year~~ through ~~June 30~~ **December 31** of the current year, shall be used towards the budgetary needs of the public safety departments for the following year.



SANITARY SEWER EASEMENTS

- ① — ② SEGMENT 1-2 CURRENTLY SERVES THE MIDWEST BUSINESS PARK AND THE CLEAR SKY ADDITION. THIS FLOW WILL BE RE-ROUTED TO THE NEW SANITARY SEWER AT NODE 5.
- ② — ③ SEGMENT 2-3 SERVES THE RESTROOM FACILITIES AT THE OVAL RACETRACK AND SEGMENT 1-2. IT WILL NOT BE IMPACTED BY THE NEW SANITARY SEWER.
- ③ — ④ SEGMENT 3-4 WILL NOT BE IMPACTED BY THE NEW SANITARY SEWER.
- ① — ⑤ SEGMENT 1-5 WILL BE A NEW SANITARY SEWER THAT WILL SERVE THE MIDWEST BUSINESS PARK AND CLEAR SKY ADDITION.
- ① — ⑥ MANHOLES AND PIPE IN SEGMENT 1-6 ARE INACCESSIBLE TO MAINTENANCE CREWS. MAINTENANCE CREWS WILL NEED SUITABLE ACCESS MEETING CITY STANDARDS BEFORE NEW SANITARY SEWER TIE-INS CAN BE SERVED IN THIS SEGMENT.

**BLOCK 1,
MISSOURI
VALLEY
COMPLEX**



LEGEND

- NEW SANITARY SEWER
- TEMPORARY EASEMENT LINE (80' WIDE)
- PERMANENT EASEMENT LINE (20' WIDE)

**PRELIMINARY
NOT FOR
CONSTRUCTION**

**MISSOURI VALLEY COMPLEX
BISMARCK, ND**

**LS-07
EASEMENTS**

DATE: 01/30/2024

January 30, 2024

Brian Bitner
Burleigh County Commission Chair
221 N. 5th St.
Bismarck, ND 58501

**Re: Payment Agreement for Sanitary Sewer Easement and/or Temporary Construction Easement
Across Lands Described as Follows:**

PID# 1990-001-001
T138-R80W
Section 1: NW¼ and SW¼
Burleigh County, North Dakota

Dear Mr. Bitner,

In addition to the consideration provided for in the Sanitary Sewer Easement, by and between Burleigh County (“Grantor”) and City of Bismarck, a municipal corporation (“Grantee”), the undersigned parties agree to the following terms:

1. Prior to any earthwork or construction on Grantor’s property, Grantee shall remit a consideration payment totaling \$1.00 for the easement granted and utilized, as further described in the Sanitary Sewer Easement (“Payment”).
2. Payment as outlined above is full and complete consideration for the easement granted by the Sanitary Sewer Easement, including the permanent easement and all temporary easements and all associated damages as outlined in the Sanitary Sewer Easement.
3. In the event that the land to which this Sanitary Sewer Easement pertains is subject to a lease to any tenant for farming, ranching or any other purposes, Grantor shall be solely responsible for making settlement with any such tenant or lessee for any share of the compensation paid for the granting of this Sanitary Sewer Easement.
4. The property will not be subject to special assessments related to this sanitary sewer project.

Agreed to and accepted this ____ day of _____, 20____

Signature, Burleigh County Signee

Printed Name and Title, Burleigh County Signee

SANITARY SEWER EASEMENT

This indenture, made this _____ day of _____, 20___, between **Burleigh County**, whose post office address is 8100 43rd Ave NE, Bismarck, North Dakota, Grantor, and the **City of Bismarck**, a municipal corporation, whose post office address is P.O. Box 5503, Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to construct, operate, maintain, and repair public utility facilities including sanitary sewer under or upon the real property hereinafter described, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said utility. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.

2. This Easement is, except for right of access, limited to:

SANITARY SEWER EASEMENT 1 DESCRIPTION

A TRACT OF LAND BEING 10.00 FEET LEFT AND RIGHT OF A DESCRIBED CENTERLINE LOCATED IN LOTS 7, 12,13,14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 309.58 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 21.11 FEET; THENCE N00°51'04"W, A DISTANCE OF 135.51 FEET; THENCE N12°24'51"W, A DISTANCE 292.10 FEET; THENCE N38°43'31"W, A DISTANCE OF 526.82 FEET; THENCE N66°57'15"W, A DISTANCE OF 300.17 FEET; THENCE N89°21'47"W, A DISTANCE OF 2565.74 FEET TO THE EAST LINE OF LOT 6, BLOCK

1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE, WHICH IS ALSO THE POINT OF TERMINATION.

SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8 AND THE EAST LINE OF SAID LOT 6.

SAID DESCRIBED TRACT CONTAINS 76,829 SQ. FEET OR 1.76 ACRES, MORE OR LESS.

See Exhibit No. 1

3. Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from construction, operation, or maintenance.

4. Grantor agrees to not erect or permit any new structure or obstruction other than fences or driveways, change the ground elevation, or perform any act that interferes with Grantee's rights under this easement, except with the written consent of Grantee.

5. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution of this easement.

6. Grantor hereby reserves title to and any interest in any and all archeological and paleontological materials, whether located on or below the surface of said land.

Acceptance of Easement terms by the **Grantor**:

By: _____
Steve Bakken
Burleigh County Chair

State of North Dakota
County of _____

On this ____ day of _____, in the year _____ before me personally
appeared _____, known to me to be the Burleigh County Chair
that is described in and that executed the within instrument, and acknowledged to me
that he executed the same.

(Signature of Notarial Officer)
(Title of Office): _____
My commission expires: _____

Acceptance of dedicated lands by the **Grantee:**

By: _____
Michael T Schmitz
President, Board of City Commissioners

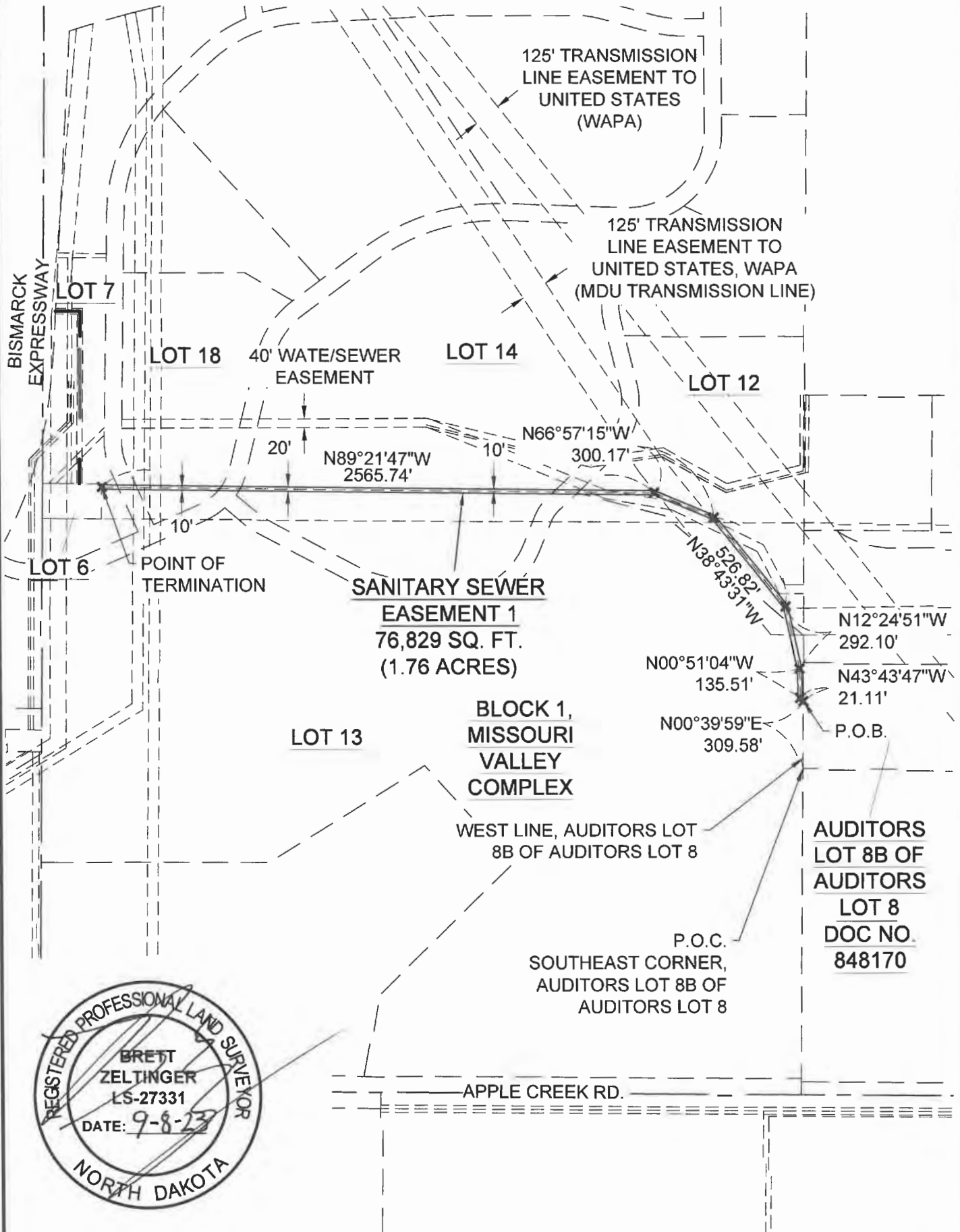
STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this _____ day of _____, 20____, before me personally appeared **Michael T Schmitz, President, Board of City Commissioners**, known to me to be the person who is described in, and who executed the within and foregoing instrument and acknowledged to me that they executed the same.

Notary Public

SANITARY SEWER EASEMENT 1 EXHIBIT

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4
AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:
SURVEY IS BASED ON NAD83(86), GEOID12B,
INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR
CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS OF
MEASUREMENT.

LEGEND

- EXISTING MONUMENT
- × CALCULATED EASEMENT CORNER



SCALE:
1" = 600'

SANITARY SEWER EASEMENT 1 EXHIBIT

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4
AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

SANITARY SEWER EASEMENT 1 DESCRIPTION

A TRACT OF LAND BEING 10.00 FEET LEFT AND RIGHT OF A DESCRIBED CENTERLINE LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 309.58 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 21.11 FEET; THENCE N00°51'04"W, A DISTANCE OF 135.51 FEET; THENCE N12°24'51"W, A DISTANCE 292.10 FEET; THENCE N38°43'31"W, A DISTANCE OF 526.82 FEET; THENCE N66°57'15"W, A DISTANCE OF 300.17 FEET; THENCE N89°21'47"W, A DISTANCE OF 2565.74 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE, WHICH IS ALSO THE POINT OF TERMINATION.

SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8 AND THE EAST LINE OF SAID LOT 6.

SAID DESCRIBED TRACT CONTAINS 76,829 SQ. FEET OR 1.76 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT

The undersigned, its successors and assigns, hereinafter called Grantor, in consideration of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto the City of Bismarck, North Dakota, a municipal corporation, its successors, agents and assigns, hereinafter called Grantee, an exclusive temporary construction easement to use the designated easement area to facilitate construction of a sewer facilities located in separate easements. Grantee shall have the right to ingress and egress across the real property of the Grantor for the purpose herein granted and may remove obstructions as necessary.

In exchange for this temporary construction easement, Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from the use of this easement.

The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 1A DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 259.55 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 70.60 FEET; THENCE N00°51'04"W, A DISTANCE OF 145.71 FEET; THENCE N12°24'51"W, A DISTANCE OF 280.38 FEET; THENCE N38°43'31"W, A DISTANCE OF 509.84 FEET; THENCE N66°57'15"W, A DISTANCE OF 284.43 FEET; THENCE

N89°21'47"W, A DISTANCE OF 2558.78 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LOT 6, N00°35'46"E, A DISTANCE OF 25.00 FEET; THENCE S89°21'47"E, A DISTANCE OF 2563.75 FEET; THENCE S66°57'15"E, A DISTANCE OF 295.67 FEET; THENCE S38°43'31"E, A DISTANCE OF 521.97 FEET; THENCE S12°24'51"E, A DISTANCE OF 288.75 FEET; THENCE S00°51'04"E, A DISTANCE OF 138.43 FEET; THENCE S43°43'47"E, A DISTANCE OF 35.25 FEET; THENCE S00°39'59"W, A DISTANCE OF 35.73 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 96,169 SQ. FEET OR 2.21 ACRES, MORE OR LESS.

See Exhibit # 1A

This easement is subject to other easements of record.

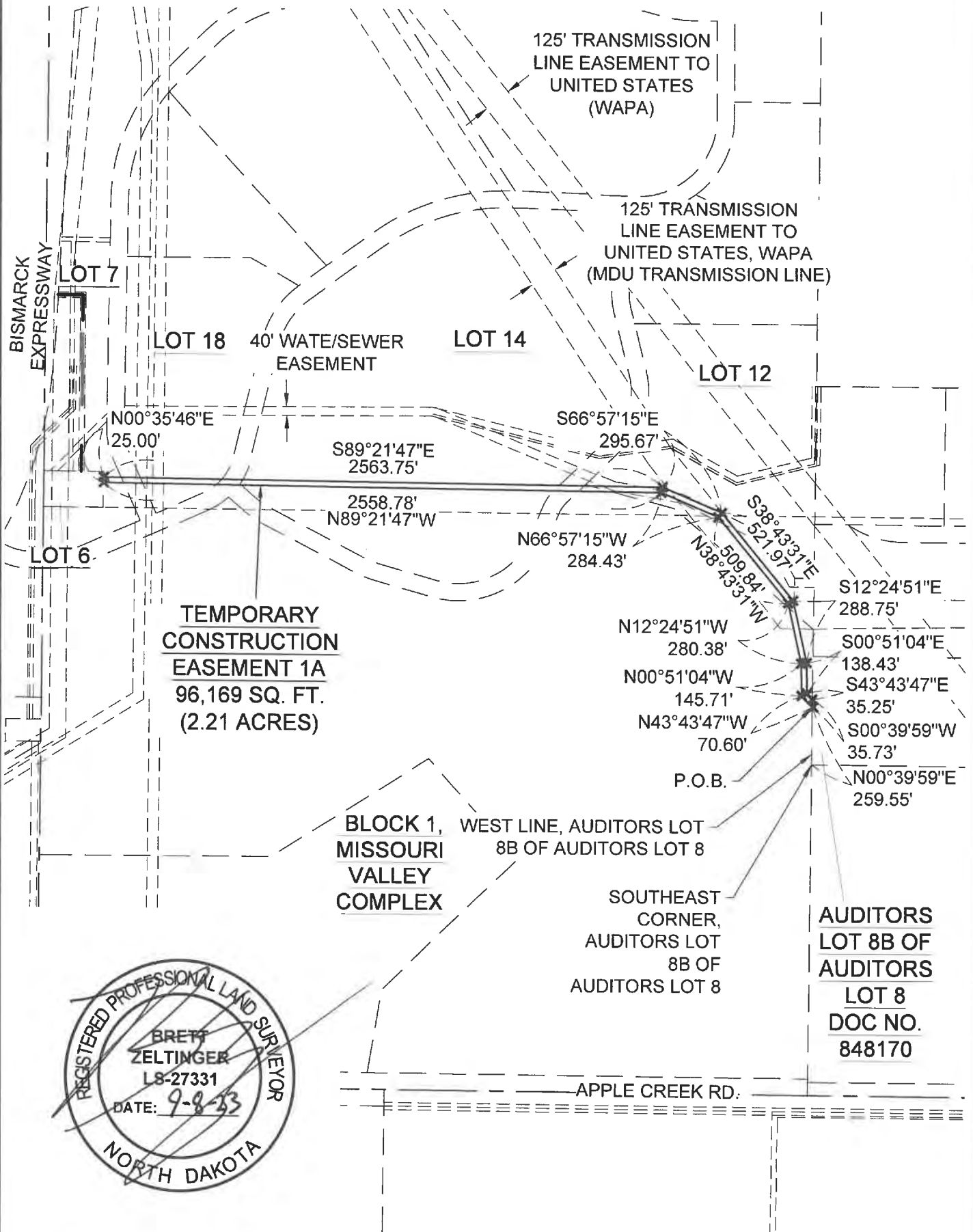
The term of this temporary construction easement shall terminate upon completion of the one (1) year warranty period from the date of the final acceptance of the sewer facilities by the City of Bismarck, or five (5) years from the date of conveyance, whichever comes first.

Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1A

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST
1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:
SURVEY IS BASED ON NAD83(86), GEOID12B,
INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR
CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS OF
MEASUREMENT.

- LEGEND**
- EXISTING MONUMENT
 - × CALCULATED EASEMENT CORNER



TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1A

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST
1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

TEMPORARY CONSTRUCTION EASEMENT 1A DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX,
NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE
FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO
848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF
SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 259.55 FEET TO THE POINT OF
BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 70.60 FEET; THENCE N00°51'04"W, A DISTANCE OF
145.71 FEET; THENCE N12°24'51"W, A DISTANCE OF 280.38 FEET; THENCE N38°43'31"W, A DISTANCE OF
509.84 FEET; THENCE N66°57'15"W, A DISTANCE OF 284.43 FEET; THENCE N89°21'47"W, A DISTANCE OF
2558.78 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO
657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE
OF SAID LOT 6, N00°35'46"E, A DISTANCE OF 25.00 FEET; THENCE S89°21'47"E, A DISTANCE OF 2563.75
FEET; THENCE S66°57'15"E, A DISTANCE OF 295.67 FEET; THENCE S38°43'31"E, A DISTANCE OF 521.97
FEET; THENCE S12°24'51"E, A DISTANCE OF 288.75 FEET; THENCE S00°51'04"E, A DISTANCE OF 138.43
FEET; THENCE S43°43'47"E, A DISTANCE OF 35.25 FEET; THENCE S00°39'59"W, A DISTANCE OF 35.73
FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 96,169 SQ. FEET OR 2.21 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT

The undersigned, its successors and assigns, hereinafter called Grantor, in consideration of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto the City of Bismarck, North Dakota, a municipal corporation, its successors, agents and assigns, hereinafter called Grantee, an exclusive temporary construction easement to use the designated easement area to facilitate construction of a sewer facilities located in separate easements. Grantee shall have the right to ingress and egress across the real property of the Grantor for the purpose herein granted and may remove obstructions as necessary.

In exchange for this temporary construction easement, Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from the use of this easement.

The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 1B DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 323.88 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 6.97 FEET; THENCE N00°51'04"W, A DISTANCE OF 132.60 FEET; THENCE N12°24'51"W, A DISTANCE OF 295.45 FEET; THENCE N38°43'31"W, A DISTANCE OF 531.67 FEET; THENCE N66°57'15"W, A DISTANCE OF 304.66 FEET; THENCE

N89°21'47"W, A DISTANCE OF 2567.73 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LOT 6, N00°35'46"E, A DISTANCE OF 4.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE NORTH LINE OF SAID LOT 6, N89°36'56"W, A DISTANCE OF 275.00 FEET; THENCE N00°35'45"E, A DISTANCE OF 51.32 FEET; THENCE S89°21'47"E, A DISTANCE OF 2853.66 FEET; THENCE S66°57'15"E, A DISTANCE OF 329.38 FEET; THENCE S38°43'31"E, A DISTANCE OF 558.36 FEET; S12°24'51"E, A DISTANCE OF 108.64 FEET TO THE EAST LINE OF LOT 13, BLOCK 1 OF SAID MISSOURI VALLEY COMPLEX; THENCE ALONG THE EAST LINE OF SAID LOT 13, S00°39'59"W, A DISTANCE OF 344.46 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 215,754 SQ. FEET OR 4.95 ACRES, MORE OR LESS.

See Exhibit # 1B

This easement is subject to other easements of record.

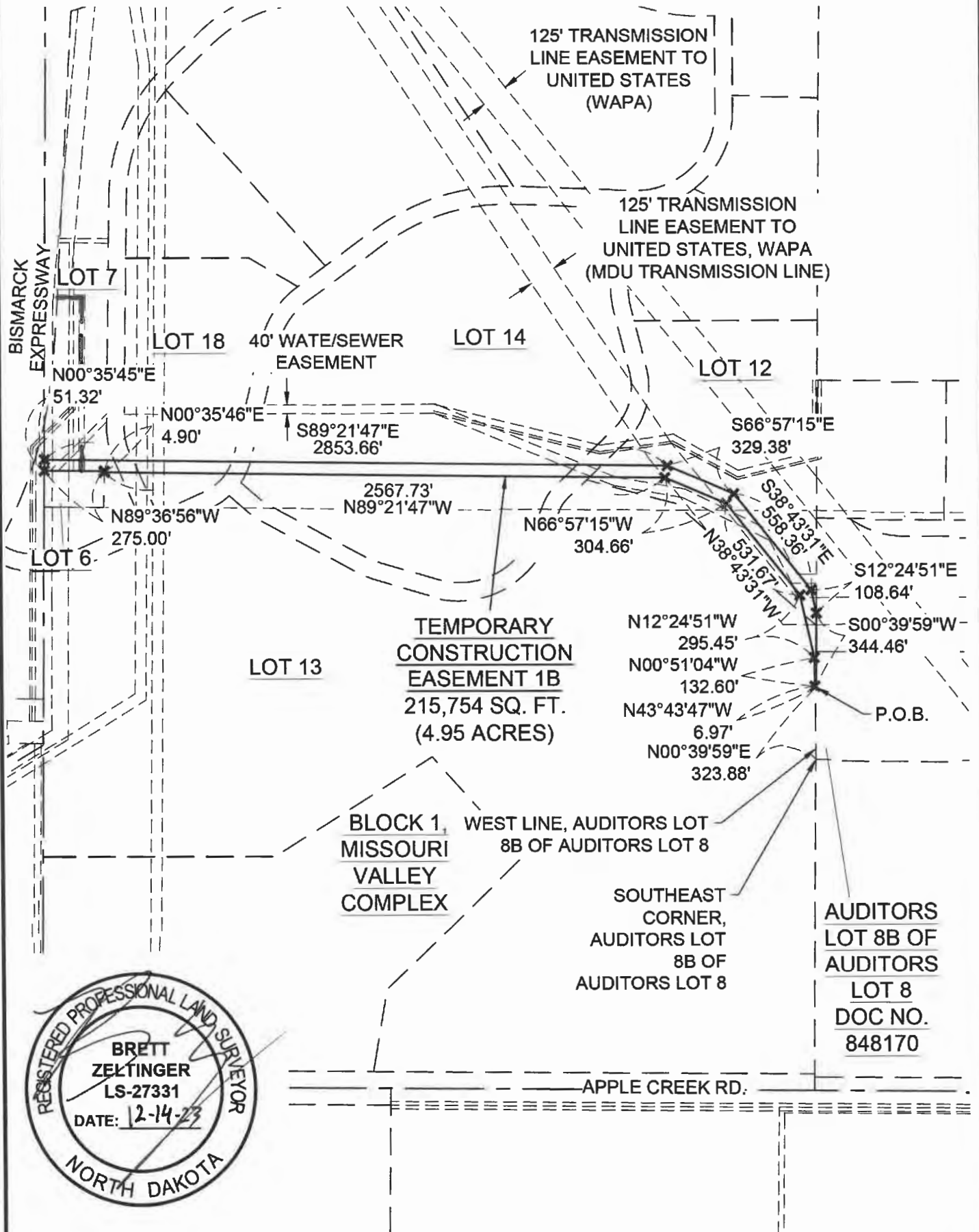
The term of this temporary construction easement shall terminate upon completion of the one (1) year warranty period from the date of the final acceptance of the sewer facilities by the City of Bismarck, or five (5) years from the date of conveyance, whichever comes first.

Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1B

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST
1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:
SURVEY IS BASED ON NAD83(86), GEOID12B,
INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR
CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS OF
MEASUREMENT.

- LEGEND**
- EXISTING MONUMENT
 - × CALCULATED EASEMENT CORNER



TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 1B

LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

TEMPORARY CONSTRUCTION EASEMENT 1B DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 7, 12, 13, 14, AND 18, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 8B OF AUDITORS LOT 8, DOCUMENT NO 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 8B OF AUDITORS LOT 8, N00°39'59"E, A DISTANCE OF 323.88 FEET TO THE POINT OF BEGINNING; THENCE N43°43'47"W, A DISTANCE OF 6.97 FEET; THENCE N00°51'04"W, A DISTANCE OF 132.60 FEET; THENCE N12°24'51"W, A DISTANCE OF 295.45 FEET; THENCE N38°43'31"W, A DISTANCE OF 531.67 FEET; THENCE N66°57'15"W, A DISTANCE OF 304.66 FEET; THENCE N89°21'47"W, A DISTANCE OF 2567.73 FEET TO THE EAST LINE OF LOT 6, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LOT 6, N00°35'46"E, A DISTANCE OF 4.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE NORTH LINE OF SAID LOT 6, N89°36'56"W, A DISTANCE OF 275.00 FEET; THENCE N00°35'45"E, A DISTANCE OF 51.32 FEET; THENCE S89°21'47"E, A DISTANCE OF 2853.66 FEET; THENCE S66°57'15"E, A DISTANCE OF 329.38 FEET; THENCE S38°43'31"E, A DISTANCE OF 558.36 FEET; S12°24'51"E, A DISTANCE OF 108.64 FEET TO THE EAST LINE OF LOT 13, BLOCK 1 OF SAID MISSOURI VALLEY COMPLEX; THENCE ALONG THE EAST LINE OF SAID LOT 13, S00°39'59"W, A DISTANCE OF 344.46 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 215,754 SQ. FEET OR 4.95 ACRES, MORE OR LESS.

SANITARY SEWER EASEMENT

This indenture, made this _____ day of _____, 20___, between **Burleigh County**, whose post office address is 8100 43rd Ave NE, Bismarck, North Dakota, Grantor, and the **City of Bismarck**, a municipal corporation, whose post office address is P.O. Box 5503, Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to construct, operate, maintain, and repair public utility facilities including sanitary sewer under or upon the real property hereinafter described, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said utility. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.

2. This Easement is, except for right of access, limited to:

SANITARY SEWER EASEMENT 2 DESCRIPTION

A TRACT OF LAND BEING 10.00 FEET LEFT AND RIGHT OF A DESCRIBED CENTERLINE LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE EAST LINE OF SAID LOT 12, N00°39'59"E, A DISTANCE OF 138.51 FEET; THENCE N89°20'01"W, A DISTANCE OF 75.25 FEET TO THE POINT OF BEGINNING; THENCE N68°54'01"E, A DISTANCE OF 70.26 FEET TO A POINT ON LINE 10.00 FEET WEST AND PARALLEL TO THE EAST LINE OF SAID LOT 12; THENCE ON SAID PARALLEL LINE, N00°39'59"E, A DISTANCE OF 68.10 FEET TO THE NORTH LINE OF A 40.00' WATER AND SEWER

EASEMENT AS SHOWN ON SAID MISSOURI VALLEY COMPLEX, WHICH IS ALSO THE POINT OF TERMINATION.

SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE NORTH LINE OF A 40.00' WATER AND SEWER EASEMENT AS SHOWN ON SAID MISSOURI VALLEY COMPLEX.

SAID DESCRIBED TRACT CONTAINS 2,791 SQ. FEET OR 0.06 ACRES, MORE OR LESS.

See Exhibit No. 2

3. Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from construction, operation, or maintenance.
4. Grantor agrees to not erect or permit any new structure or obstruction other than fences or driveways, change the ground elevation, or perform any act that interferes with Grantee's rights under this easement, except with the written consent of Grantee.
5. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution of this easement.
6. Grantor hereby reserves title to and any interest in any and all archeological and paleontological materials, whether located on or below the surface of said land.

Acceptance of Easement terms by the **Grantor**:

By: _____
Steve Bakken
Burleigh County Chair

State of North Dakota
County of _____

On this ____ day of _____, in the year _____ before me personally
appeared _____, known to me to be the Burleigh County Chair
that is described in and that executed the within instrument, and acknowledged to me
that he executed the same.

(Signature of Notarial Officer)
(Title of Office): _____
My commission expires: _____

Acceptance of dedicated lands by the **Grantee**:

By: _____
Michael T Schmitz
President, Board of City Commissioners

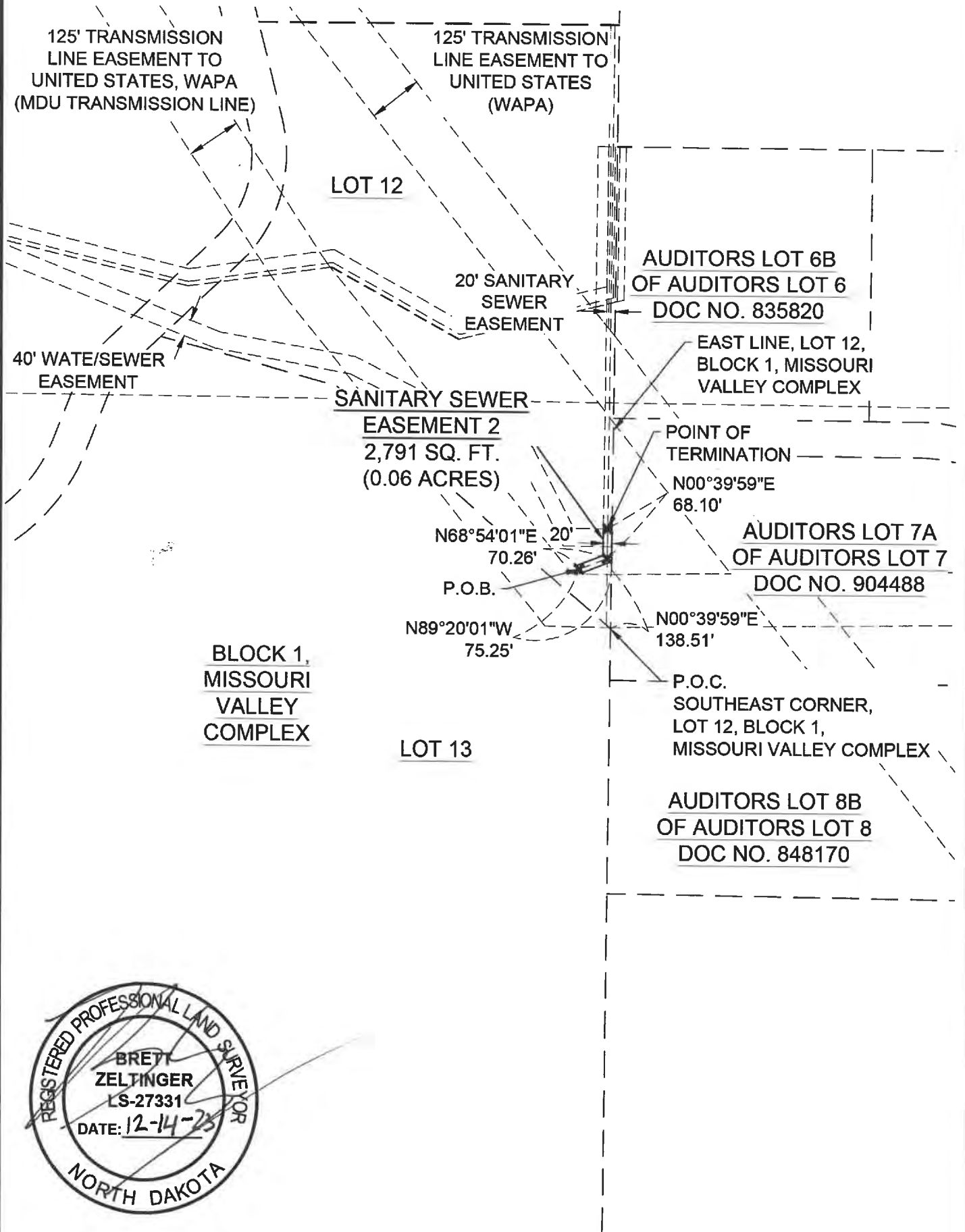
STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this _____ day of _____, 20___, before me personally appeared **Michael T Schmitz, President, Board of City Commissioners**, known to me to be the person who is described in, and who executed the within and foregoing instrument and acknowledged to me that they executed the same.

Notary Public

SANITARY SEWER EASEMENT 2 EXHIBIT

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:

SURVEY IS BASED ON NAD83(86), GEOID12B, INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.

LEGEND

- EXISTING MONUMENT
- ✕ CALCULATED EASEMENT CORNER



SANITARY SEWER EASEMENT 2 EXHIBIT

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

SANITARY SEWER EASEMENT 2 DESCRIPTION

A TRACT OF LAND BEING 10.00 FEET LEFT AND RIGHT OF A DESCRIBED CENTERLINE LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, DOCUMENT NO 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE EAST LINE OF SAID LOT 12, N00°39'59"E, A DISTANCE OF 138.51 FEET; THENCE N89°20'01"W, A DISTANCE OF 75.25 FEET TO THE POINT OF BEGINNING; THENCE N68°54'01"E, A DISTANCE OF 70.26 FEET TO A POINT ON LINE 10.00 FEET WEST AND PARALLEL TO THE EAST LINE OF SAID LOT 12; THENCE ON SAID PARALLEL LINE, N00°39'59"E, A DISTANCE OF 68.10 FEET TO THE NORTH LINE OF A 40.00' WATER AND SEWER EASEMENT AS SHOWN ON SAID MISSOURI VALLEY COMPLEX, WHICH IS ALSO THE POINT OF TERMINATION.

SAID SIDELINES ARE TO BE SHORTENED OR PROLONGED TO THE NORTH LINE OF A 40.00' WATER AND SEWER EASEMENT AS SHOWN ON SAID MISSOURI VALLEY COMPLEX.

SAID DESCRIBED TRACT CONTAINS 2,791 SQ. FEET OR 0.06 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT

The undersigned, its successors and assigns, hereinafter called Grantor, in consideration of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto the City of Bismarck, North Dakota, a municipal corporation, its successors, agents and assigns, hereinafter called Grantee, an exclusive temporary construction easement to use the designated easement area to facilitate construction of a sewer facilities located in separate easements. Grantee shall have the right to ingress and egress across the real property of the Grantor for the purpose herein granted and may remove obstructions as necessary.

In exchange for this temporary construction easement, Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from the use of this easement.

The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 2A DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 7A OF AUDITORS LOT 7, DOCUMENT NO 904488, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 7A OF AUDITORS LOT 7, N00°39'59"E, A DISTANCE OF 292.68 FEET; THENCE N89°20'01"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; THENCE S68°54'01"W, A DISTANCE OF 8.95 FEET; THENCE N38°43'31"W, A DISTANCE OF 34.17 FEET; THENCE N00°39'59"E, A DISTANCE OF 606.06 FEET; THENCE S89°20'01"E, A DISTANCE OF 50.00 FEET TO THE WEST

LINE OF AUDITOR'S LOT 6B OF AUDITORS LOT 6, DOCUMENT NO 835820, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ALONG THE WEST LINE OF SAID AUDITORS LOT 6B OF AUDITORS LOT 6, S00°39'59"W, A DISTANCE OF 47.40 FEET; THENCE S76°06'45"W, A DISTANCE OF 20.66 FEET; THENCE S00°39'59"W, A DISTANCE OF 576.55 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 19,674 SQ. FEET OR 0.45 ACRES, MORE OR LESS.

See Exhibit # 2A

This easement is subject to other easements of record.

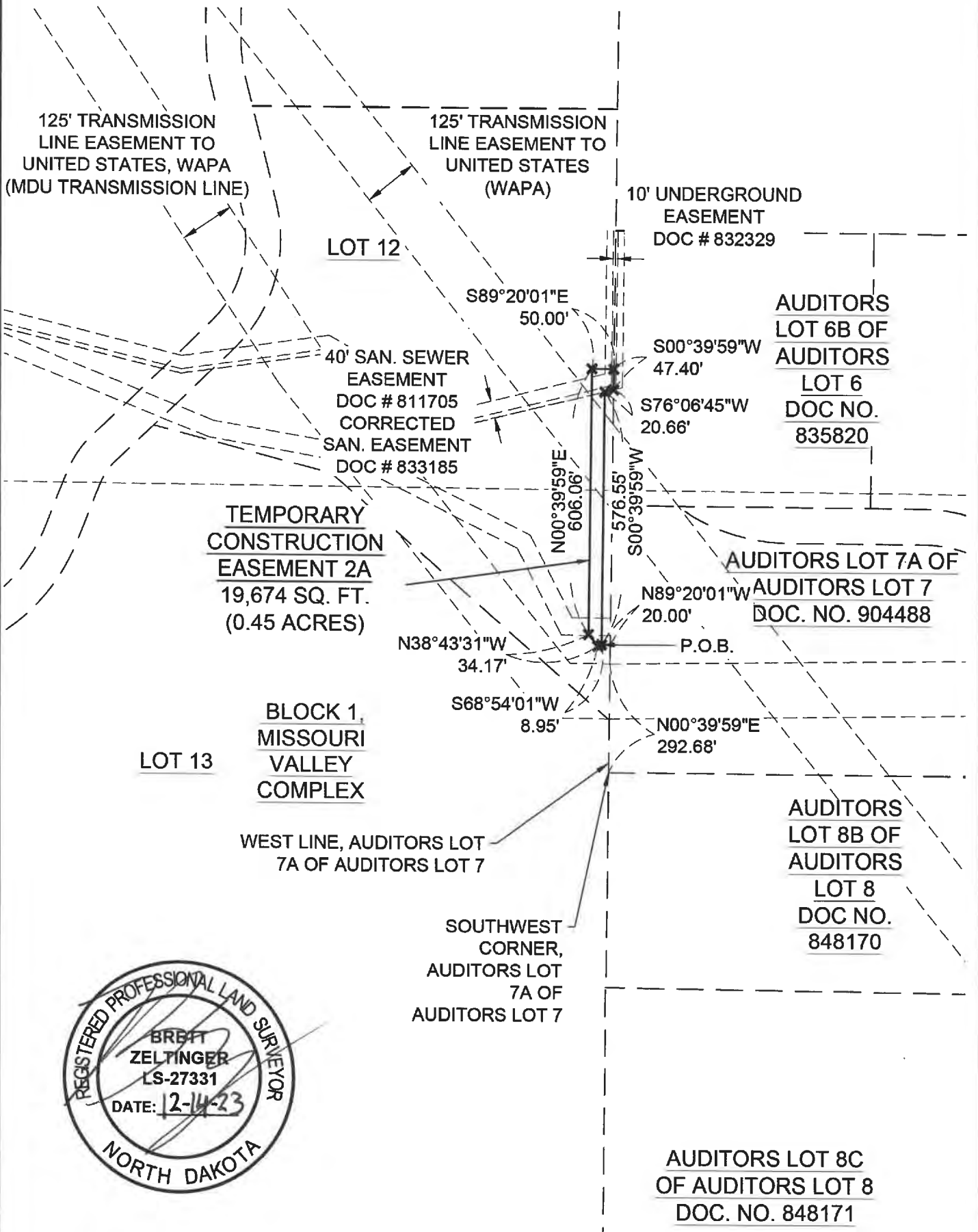
The term of this temporary construction easement shall terminate upon completion of the one (1) year warranty period from the date of the final acceptance of the sewer facilities by the City of Bismarck, or five (5) years from the date of conveyance, whichever comes first.

Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 2A

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:

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LEGEND

- EXISTING MONUMENT
- ✕ CALCULATED EASEMENT CORNER



SCALE:
1" = 300'

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 2A

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

TEMPORARY CONSTRUCTION EASEMENT 2A DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL
MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 7A OF AUDITORS LOT 7, DOCUMENT NO
904488, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF
SAID AUDITORS LOT 7A OF AUDITORS LOT 7, N00°39'59"E, A DISTANCE OF 292.68 FEET; THENCE
N89°20'01"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; THENCE S68°54'01"W, A
DISTANCE OF 8.95 FEET; THENCE N38°43'31"W, A DISTANCE OF 34.17 FEET; THENCE N00°39'59"E, A
DISTANCE OF 606.06 FEET; THENCE S89°20'01"E, A DISTANCE OF 50.00 FEET TO THE WEST LINE OF
AUDITOR'S LOT 6B OF AUDITORS LOT 6, DOCUMENT NO 835820, RECORDED AT THE BURLEIGH COUNTY
RECORDER'S OFFICE; THENCE ALONG THE WEST LINE OF SAID AUDITORS LOT 6B OF AUDITORS LOT 6,
S00°39'59"W, A DISTANCE OF 47.40 FEET; THENCE S76°06'45"W, A DISTANCE OF 20.66 FEET; THENCE
S00°39'59"W, A DISTANCE OF 576.55 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 19,674 SQ. FEET OR 0.45 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT

The undersigned, its successors and assigns, hereinafter called Grantor, in consideration of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto the City of Bismarck, North Dakota, a municipal corporation, its successors, agents and assigns, hereinafter called Grantee, an exclusive temporary construction easement to use the designated easement area to facilitate construction of a sewer facilities located in separate easements. Grantee shall have the right to ingress and egress across the real property of the Grantor for the purpose herein granted and may remove obstructions as necessary.

In exchange for this temporary construction easement, Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from the use of this easement.

The real property affected by the grant of this easement is described as follows:

PARCEL No. 1990-001-001

TEMPORARY CONSTRUCTION EASEMENT 2B DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AUDITORS LOT 7A OF AUDITORS LOT 7, DOCUMENT NO 904488, RECORDED AT THE BURLEIGH COUNTY RECORDER'S OFFICE; THENCE ON THE WEST LINE OF SAID AUDITORS LOT 7A OF AUDITORS LOT 7, N00°39'59"E, A DISTANCE OF 252.21 FEET TO THE POINT OF BEGINNING; THENCE S68°54'01"W, A DISTANCE OF 47.11 FEET; THENCE N12°24'51"W, A DISTANCE OF 25.29 FEET; THENCE N68°54'01"E, A DISTANCE OF 53.27 FEET TO THE WEST LINE OF SAID AUDITORS LOT 7A OF AUDITORS LOT 7; THENCE ON THE WEST LINE OF SAID AUDITORS

LOT 7A OF AUDITORS LOT 7, S00°39'59"W, A DISTANCE OF 29.92 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 1,255 SQ. FEET OR 0.03 ACRES, MORE OR LESS.

See Exhibit # 2B

This easement is subject to other easements of record.

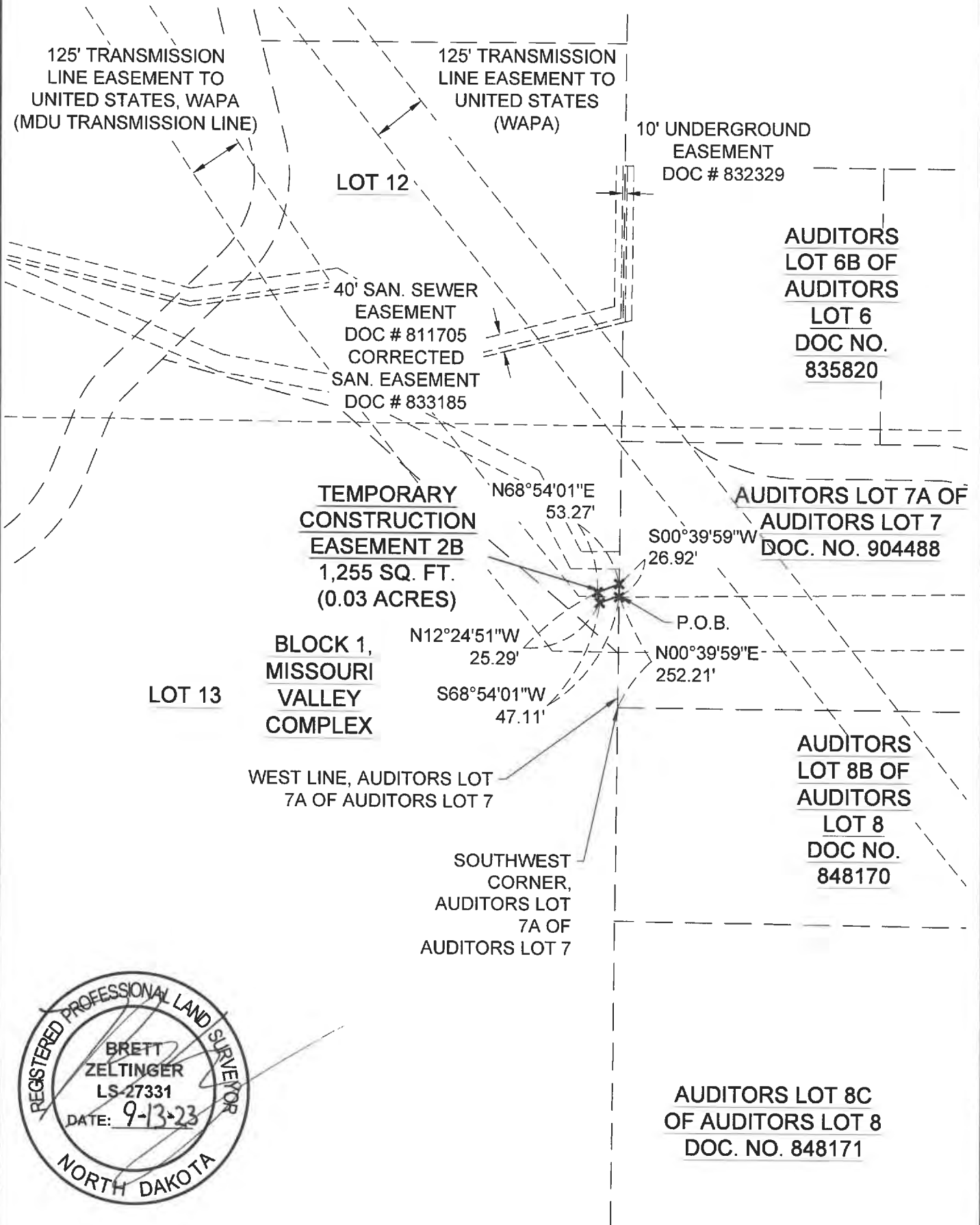
The term of this temporary construction easement shall terminate upon completion of the one (1) year warranty period from the date of the final acceptance of the sewer facilities by the City of Bismarck, or five (5) years from the date of conveyance, whichever comes first.

Dated this _____ day of _____, 20__.

By _____
Steve Bakken
Burleigh County Chair

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 2B

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NOTES:

SURVEY IS BASED ON NAD83(86), GEOID12B, INTERNATIONAL FEET.

PLAT IS SUBJECT TO ANY PRIOR EASEMENTS OR CONVEYANCES OF RECORD.

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.

LEGEND

- EXISTING MONUMENT
- × CALCULATED EASEMENT CORNER



SCALE:
1" = 300'



TEMPORARY CONSTRUCTION EASEMENT EXHIBIT 2B

LOT 12, BLOCK 1, MISSOURI VALLEY COMPLEX, NORTHWEST 1/4 AND
SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST,
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7, S00°39'59"W, A DISTANCE OF 29.92 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 1,255 SQ. FEET OR 0.03 ACRES, MORE OR LESS.

Missouri Valley Complex Committee

January 30, 2024

To: Commissioner Wayne Munson, Burleigh County Commission

From: Missouri Valley Complex Committee Development members:
Alan Heim, Julie Kuennen, Steve Neu

Re: Request for February 5, 2024, Commission Meeting.

Commissioners,

As the Missouri Valley Complex Committee continues development and discussions with the identified stake holders at the Missouri Valley Complex, we respectfully request the following items be placed on the February 5, 2024, Commission agenda. We further ask to appear before the Commission to present these items.

The items for presentation and discussion are as follows:

Item 1: To clarify and affirm that the committee is a non-compensated committee.

Item 2: To request that the membership of the Missouri Valley Complex Committee be established as follows:

The Committee establishment be an eleven (11) member committee.

With the following membership:

- Eight (8) members appointed by the stakeholder groups and three (3) residents of Burleigh County appointed by the Burleigh County Commission.

Stakeholder Membership:

- The eight stakeholders, identified as those organizations who are operating by lease, facility ownership, with current program/event interest and with present development interests appoint one member each to the committee as their representative.
- The eight-stakeholder members are not subject to application for review or individual approval by the County Commission.

Missouri Valley Complex Committee

- Reason: as stakeholder appointees they are representatives of their organization and following the practice of other agencies/organization appointed representatives to joint Boards, Committees and Commissions.
- The identified stakeholder groups of the Committee are as follows:

Buckstop Junction	Jr High/High School Rodeo
Motor Cross	Stock Car Club
Burleigh County Equestrian/Ag Center	Extension Service
4H Council	Park District

Burleigh County Resident Member At Large Membership

- Three (3) committee members be residents of Burleigh County and appointed by the Burleigh County Commission.
- The appointment process of the resident members is proposed to follow the current application practice of Burleigh County with a written application to serve submitted to the County Auditor and forwarded to the Commission for review and approval for appointment.

Two (2) Board Liaison (Non-Voting) Members

- The Burleigh County Commission liaison member would be the County Commissioner who holds the Missouri Valley Complex within their portfolio.
- The Bismarck Park Board Commissioner liaison member would be the Commissioner who holds the Missouri Valley Complex within their portfolio.

Administrative Support

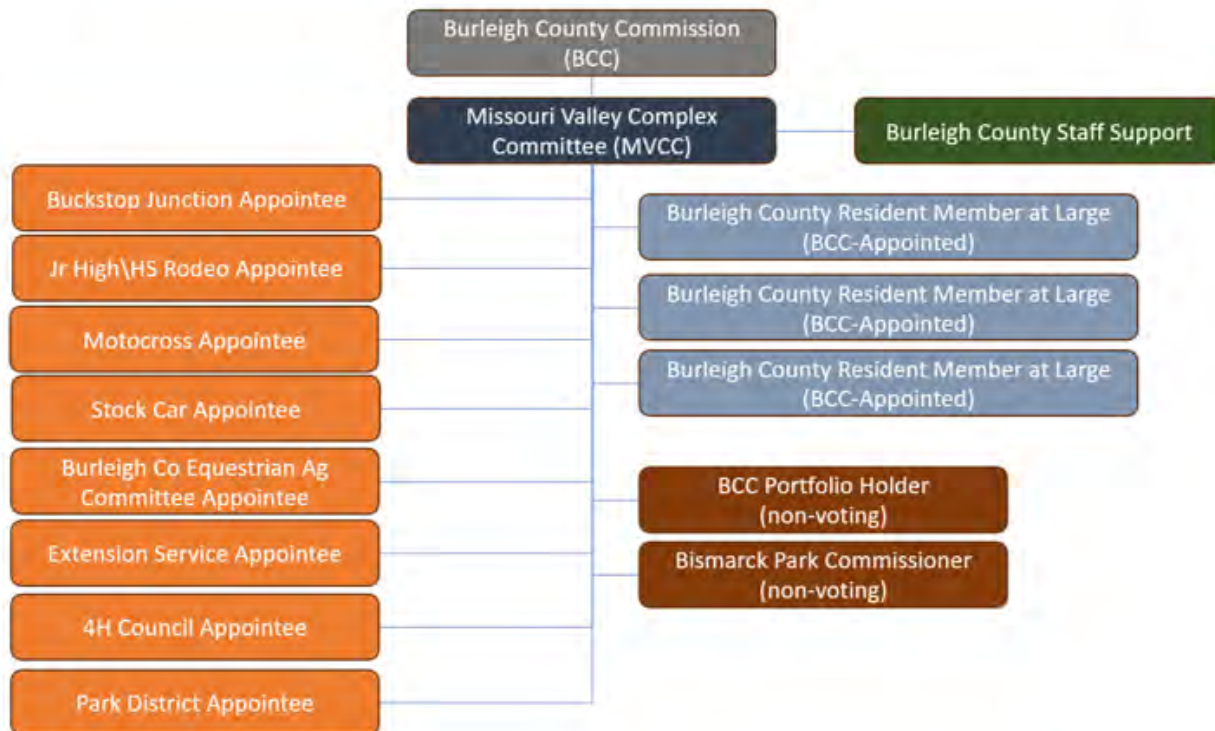
- The committee would engage as seen necessary Administrative Support from interested individuals and organizations to provide meeting scheduling and notices, minutes, coordination of research and development and liaison relations.
- The Administrative Support is not provided committee membership or voting privileges.

Missouri Valley Complex Committee

Item 3: Organization Chart

- A Draft Organization Chart is provided indicating the committee membership and lines of responsibilities, relationships, and term considerations.
- Stakeholder Appointees would be a 3 year term no term limit. Beginning with staggered terms of 4 two year terms and 4 three year terms.
- Burleigh County Resident Member at Large would be 2 year Terms with a 2 term limit. Beginning with staggered terms of 2 one year and 1 two year term.
- Partial terms do not count towards term limits.

Missouri Valley Complex Committee Structure (MVCC)



Missouri Valley Complex Committee

Item 4: Request for Commissioner Liaison Appointment.

- We respectfully request the formal appointment of Commissioner Wayne Munson as Burleigh County Commission Liaison to the Missouri Valley Complex Committee.

Item 5: Discuss relationship of Committee to Burleigh County Staff and Resources.

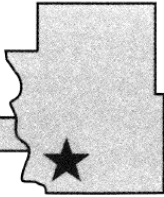
- It is of interest of the Committee to be provided permission to contact with county staff as an example County Auditor, County Engineer, Sheriff, and States Attorney when needs arise for such items as access to complex records and leases at the Complex, meeting scheduling, budget information for annual budget development, copies, insurance, contracts, planning, and history.
- To be provided the permission to seek outside financial resources to support the operation, development and improvements of the Complex including grants and private fundraising.
- To be provided permission to seek new events and community offerings.

On behalf of the Missouri Valley Complex Committee's development group, we thank you for your support in moving forward the development of the committee. With your support this evening to continue the committee framework development it is our intent to return at the February 21st meeting with the stake holder appointments. It is also our hope that you will have Burleigh County Residents wishing to be considered for your appointment. Along with the committee membership we will have prepared the overview of the current use and events being held at the Complex.

Thank you.

ITEM

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Request for County Board Action

DATE: 2/5/2024

TO: Burleigh County Commission

FROM: Mark Splonskowski

ITEM: Provident Building Remodel RFP

REQUEST: Authorize the proper County officials to contract an architect for the Provident Building remodel.

HISTORY: A Request for Proposal was published for "Architectural, General Contractor, or Construction Manager at Risk Services". Proposals were received, reviewed, and scored on January 30, 2024.

RECOMMENDATION: It is recommended the Burleigh County Board of Commissioners enter into an agreement with HTG (architect).

Provident RFP

Tuesday, January 30, 2024

	Points Available	HTG	J2	Roers	ICON (Disqualified) ¹
Outside of Envelope					
Provident RFP		X	X	X	X
ND Registration #		X	X	X	None
Contractor #					
Type					
Architect		X	X		
General Contractor					
Construction Manager at Risk				X	
Resume & Highlights of Major Work Performed		X	X	X	
Signed & Dated		X	X	X	
Factors					
*Proposed Contract	15	5	10	10	
Organization	5	5	5	5	
Capability	20	20	20	20	
Experience and Performance Record	25	24	25	20	
Understanding of Project	15	15	10	1	
Proposed Work Approach	10	10	5	5	
Personnel (qualifications, specialized experience, technical competence)	10	10	10	10	
TOTAL	100	89	85	71	

*Proposals shall identify the basis on which the fees for services shall be determined including consultation, planning, plan preparation, bidding, construction supervision, project completion, and any other incidental services or fees such as travel, engineering, support staff, or materials.

¹ Contractor did not provide a registration or contractor number on outside of envelope.

ITEM

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ITEM

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