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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

January 6, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY WEED BOARD

1. Roll Call of members.
2. Approval of agenda
3. Consideration of November 18, 2024, Meeting minutes.
4. Burleigh County Weed Officer Johnson:
   a. Opening and reading of right of way bids.
5. Other Business
6. Adjourn.

COUNTY COMMISSION

1. Meeting called to order, board reorganization (election of chair & vice-chair) and assignment of portfolios.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 2nd, 2024 minutes, December 4, 2024 special meeting minutes December 23, 2024 special meeting minutes and December 16th, 2024, meeting minutes and bills.
5. Consent Agenda:
   a. Abatements.
   b. Waiving of delinquent taxes and specials related to annual tax sale.
6. County Planner Flanagan:
   a. Rath Subdivision.

7. County Engineer Hall:
    a. Authorization to advertise for bids.
8. Continuation of discussion regarding Auditor/Treasurer.
9. Chairman Bitner:
    a. Burleigh County Investment Discussion.
10. Other Business.
11. Adjourn.

The next regularly scheduled Commission meeting will be on January 21st, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY

WEED BOARD

BURLEIGH COUNTY WEED BOARD
MEETING MINUTES
NOVEMBER 18, 2024

5:00 PM

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

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

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

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the October 4th, 2024, meeting minutes. All members present voted, "AYE." Motion carried.

County Weed Officer Johnson came forward to discuss the chemical application bids for the 2025 season. Johnson explained that there were some details & parameters in previous contracts that he felt weren't specific enough and wished to clarify in future bids. Johnson also mentioned that he planned to remove details in future bids that no longer apply/aren't necessary moving forward. A consensus was reached among the board members to some language changes. No further action was taken.

Johnson also informed/updated the Board about having a generator for the distribution center, saying that after checked in with an electrical inspector, an outside generator with an extension cord and temporary heater is fine as long as the county uses its better judgement . A consensus was reached among the board members to allow Johnson to move forward with purchasing a generator from the TAG program. No further action was taken.

Meeting adjourned.

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Mark Splonskowski, Auditor/Treasurer Steve Bakken, Chairman

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COUNTY

COMMISSION

2024 Commissioners and Portfolios

Chair
Brian Bitner
221 N 5th St
Bismarck, ND 58501
701-226-3456 (cell)
Dec 7, 2020 - Dec 2, 2024
E-mail

Portfolios:

- Auditor/Treasurer
- Bismarck Planning & Zoning Commission (ex-officio member)
- Building/Planning/Zoning
- Buildings, Grounds & Abandoned Cemeteries
- Emergency Management
- Finance
- Human Resources

Vice Chair
Steve Bakken
221 N 5th St
Bismarck, ND 58501
701-781-0021 (cell)
September 13, 2023 - Dec 2, 2024
E-mail

Portfolios:

- Bismarck Renaissance Zone Authority
- Bismarck-Burleigh Joint Committee
- Central Dakota Communications Center (911)
- Council on Aging/Senior Adults Program
- Government Coordination & Community Involvement: Intergovernment Committee
- Human Service Zone (Social Services)

Commissioner
Wayne Munson
221 N 5th St

Bismarck, ND 58501
701-400-0010
December 5, 2022 - December 7, 2026
E-mail

Portfolios:

- Building/Planning/Zoning
- Burleigh/Morton Detention Center Board
- County Parks
- Government Coordination & Community Involvement: Bismarck Mandan Chamber EDC
- Home Rule Charter
- Lewis and Clark Regional Development Council
- Missouri Valley Complex
- Public Health
- Veterans Services

Commissioner
Steve Schwab
221 N 5th St
Bismarck, ND 58501
701-220-0741
December 5, 2022 - December 7, 2026
E-mail

Portfolios:

- Extension
- Highway Department
- Metropolitan Planning Organization
- Weed Board

Commissioner
Jerry Woodcox
221 N 5th St
Bismarck, ND 58501
701-202-0189
December 5, 2022 - December 7, 2026
E-mail

Portfolios:

- Burleigh/Morton Detention Center Board
- County Library
- Recorder
- Sheriff's Office
- State's Attorney
- Superintendent of Schools
- Water Resource Board

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 2ND, 2024

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

Administration of Oath of Office by Judge Feland for re-elected Commissioners Brian Bitner and Steve Bakken

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.

Several revisions were made to the agenda. Firstly, item 7A on the agenda regarding clarification on the First Quarter 2024 investment report by County Auditor/Treasurer Splonskowski was removed. Secondly, the discussion on the CO2 pipeline was moved up to be had after the approval of the consent agenda. Thirdly, an item regarding an investigation report was added to item 13 (formal grievance discussion by Comm. Munson). Lastly, an item regarding human services appointments by the request of Comm. Bakken was added under "other business". Motion by Comm. Munson, 2nd by Comm. Bakken to approve the meeting agenda as amended. All members present voted "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the November 18th, 2024 meeting minutes and bills, including an amendment to the November 18th minutes regarding a correction to the location of the 236th Street bridge. 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
Sprynczynatyk, Michael & Richard	2023	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	$129,200	$109,000
Sprynczynatyk, Michael & Richard	2024	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	$129,200	$109,000
Old Dominion Freight Line Inc	2022	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,130,000	$3,221,400
Old Dominion Freight Line Inc	2023	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,501,700	$3,511,300
Old Dominion Freight Line Inc	2024	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,740,900	$3,700,000
Douglas & Karen Sokolofsky	2024	Lot 12, Block 1, North Hills 13th	50% Homestead Credit	$445,500	$345,500
Ronald & Laurie Jensen	2023	Lots 1-2 less N 59'(or S 55.08' of Lots 1-2), Block 6, Riverview	50% Homestead Credit	$214,000	$114,000
Carma Branch and Leslie Edison	2024	Lot 9, Block 11, Highland Acres	100% Homestead Credit	$265,100	$65,100
Dana Clairmont c/o Dana Breiner	2023	Lot 4, Block 21, Morningside Heights	100% Disabled Persons Credit	$113,400	$13,400
Thomas & Twylla Rausch	2024	Block 85, McKenzie & Coffin's, W30' of S15' of Lot 7, W30' of Lots 8-12, E10' of alley adj on W; E15' of Lot 42 all lots 43-44 & W10' alley adj Lot 44	100% Homestead Credit	$358,100	$158,100
Susan Lemke	2023	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	$260,700	$60,700
Susan Lemke	2024	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	$272,200	$72,200
Dennis & Paula Duffield	2023	Lot 13, Block 3, Cottonwood Lake 4th & undivided interest in Lot 32, Block 1	50% Homestead Credit	$434,800	$334,800

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Michael & Richard Sprynczynatyk (2), Old Dominion Freight Line Inc (3), Douglas & Karen Sokolofsky, Ronald & Laurie Jensen, Carma Branch and Leslie Edison, Dana Clairmont c/o Dana Breiner, Thomas & Twylla Rausch, Susan Lemke (2), and Dennis & Paula Duffield abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

The Commission decided via consensus to hold a special meeting/executive session at 10am on Wednesday, December 4th to discuss potential litigation and appeal of Summit Carbon Solutions' CO2 permit. Chairman Bitner then once again opened the floor for public comment on the CO2 pipeline situation. Public comments about Summit and its pipeline were shared by Jeff Jennings, Curtis Jundt, Gary Anderson, and Kevin Schieve.

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County Finance Director Jacobs provided a follow up on the first quarter 2024 Investment report discussion from the last meeting regarding the BND National Bank CD maturation on March 28, 2024, which was not deposited in the Wells Fargo account until April 12, 2024. The delay was not due to BNC National Bank, the check was sent the day the CD matured. The County did not process the check for 7-10 days. Comm. Munson asked about the makeup of the investment committee and how often they meet. Director Jacobs stated membership includes the Finance Director, Deputy Finance Director, Auditor/ Treasurer, and the Deputy Auditor/Treasurer. The Committee met in February, May, and September of 2024. There are no set meeting requirements. Investment recommendations included budgeted interest revenue, timely investments, better following investment policy and suggestions on how to follow the policy with action items.

County Auditor/Treasurer Splonskowski asked for a clarification on the 2025 final budget, as Burleigh County doesn't collect any reserves for the Water Resource District. In order to buy them down, the county would need to use $66,038 in general fund dollars or force the Water Resource District to use their own reserves for that amount to do so. After some deliberation, a consensus was reached among the commissioners to collect the same dollar amount for the Water Resource District as last year but not give them any general funds. No further action was taken. Splonskowski then presented to the Commission an amended 2025 meeting calendar, which replaced the Wednesday, January 22nd, 2025 meeting with a Tuesday, January 21st, 2025 meeting due to a conflict in scheduling. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the amended 2025 meeting calendar. All members present voted "AYE". Motion carried.

County Engineer Hall presented a concurrence letter from the NDDOT about the Highway 10 mill project, which requested that Burleigh County concur with the estimated cost-sharing amount for the project; Hall then presented to the Commission a proposed resolution for approval. Motion by Comm. Schwab, 2nd by Comm. Munson to approve Hall's proposed resolution. All members present voted "AYE". Motion carried. Hall subsequently requested Commission approval for the Highway Department to look for consultant engineering firms willing to assist in the Highway 10 project. Motion by Comm. Munson, 2nd by Comm. Bakken to approve Hall's request for consultant engineering. All members present voted "AYE". Motion carried. Hall lastly asked for approval from the Commission to authorize the Highway Department to advertise for annual bids. Motion by Comm. Woodcox, 2nd by Comm. Schwab to authorize the advertisement of bids by the Highway Department. All members present voted "AYE". Motion carried.

Kim Ripple from Bismarck-Mandan MPO and MPO consultant Jason Carby from HDR presented to the Commission the Arrive 2050 Metropolitan Transportation Plan, which aims to improve the local transportation network through expansion or maintenance, and requested the Commission approve the Arrive 2050 Metropolitan Transportation Plan through a resolution of receipt. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Arrive 2050 Metropolitan Transportation Plan with an amendment to correctly identify the county chair. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a Wiese Subdivision plat in Gibbs township to the Commission and requested approval by the Commission. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the Wiese Subdivision plat. All members present voted "AYE". Motion carried. Flanagan then showed a conceptual letter of support by Burleigh County for the Big Sky North Coast passenger rail project for Commission review. Motion by Comm. Bakken, 2nd by Comm. Munson to send a letter of support for the project with an amendment to correct the Chairman's name. All members present voted "AYE". Motion carried.

County HR Director Binder asked for Commission approval of the same list of holidays from 2024 in the new 2025 Holiday Policy. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the 2025 Holiday Policy. All members present voted "AYE". Motion carried.

Chairman Bitner recused himself from the next item, relinquishing chairmanship over to Comm. Bakken. Sheriff Leben gave a brief update on the Burleigh East renovation project, stating that any remaining ARPA funds need to be committed prior to the year's end in order to be used in the project, and spent by the end of 2026. Motion by Comm. Schwab, 2nd by Comm. Munson to authorize remaining ARPA funds and Local Assistance & Tribal Consistency Funds to the Burleigh East renovation project. All members (excluding Bitner) present voted "AYE". Motion carried. Chairmanship was then returned to Comm. Bitner.

Comm. Munson presented to the Commission a formal grievance request by Auditor/Treasurer Splonskowski. Auditor/Treasurer Splonskowski did not have enough copies of the letter he attached with the grievance report form. A consensus among the commissioners was had to move this item to the next Commission meeting. No further action was taken.

State's Attorney Lawyer came up and presented the findings of an internal investigation within the Auditor/Treasurer's office. The investigation originally stemmed from a complaint made on October 5th, 2024, about text messages sent by Auditor/Treasurer Splonskowski being a potential policy violation of the federal Hatch Act. Allegations of a potential hostile workplace environment in the Auditor/Treasurer's office were also included in the investigation following Elections Coordinator Lisa Hart's resignation on October 15th, 2024, and subsequent phone call with County HR Director Binder on October 17th, 2024, but these were subsequently dismissed. In short, 66 text messages were sent by Auditor/Treasurer Splonskowski during work hours to various individuals, telling them "I am just letting you know form the perspective of being the County Auditor for the last year and ahalf please do not vote for Brian Bitner for County Commissioner. If you want more details as to why let me know. Also let your friends know too." When provided with an open records request from the State's Attorney's Office, some but not all the desired material were provided by the Auditor/Treasurer. Splonskowski indicated to Lawyer that he did not believe that his personal opinions sent on his personal phone met the criteria of an open record, and that he didn't believe that as an elected official that the Hatch Act applied to him. Lawyer determined that the Hatch Act does in fact apply to elected officials, and that she believed the Auditor/Treasurer did violate the Hatch Act, as he used his position to try and influence an election result via the text messages. Only the U.S Office of special Council can determine if there in fact was a violation, but if there was, it could cost the County two years' worth of the individual's salary which would be taken off the loan or grant if they remain employed by the County. Since the Auditor/Treasurer cannot be terminated from his position as he is an elected official and there is very little the Commission can effectively do in terms of discipline, Lawyer recommended that the Auditor/Treasurer attend Secretary of State elections training for Hatch Act compliance, as well as remedial training regarding open records/meetings. Chairman Bitner

recused himself from the discussion and again relinquished Chairmanship over to Comm. Bakken. As the commissioners talked about how to ensure/verify the Auditor/Treasurer completes the recommended training, the conversation evolved into an open discussion on how to potentially remove the current Auditor/Treasurer from office or eliminate the Auditor/Treasurer as an elected office altogether and convert the position into a Commission-appointed one. Ultimately, motion by Comm. Schwab, 2nd by Comm. Woodcox to table the item for next commission meeting. All members (excluding Bitner) present voted "AYE". Motion carried. Chairmanship was then returned to Comm. Bitner.

Comm. Bakken gave the floor to Burleigh County Human Service Zone Director Chelsea Flory, who informed the Commission that three positions on the human services board are expiring. Flory requested the Commission approve the reappointment of Senator Dick Devers and Trevor Vennett to the board and to open Leslie Pearcy's position up for applications, as she is not seeking reappointment. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the reappointment of Senator Dick Devers and Trevor Vennett, open Pearcy's position up for applications, and for Comm. Bakken to retain the portfolio of the human services board until portfolios change. Comm. Munson, Schwab, Bakken, and Bitner voted "AYE"; Comm. Woodcox abstained. Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION

SPECIAL MEETING

DECEMBER 4, 2024

10:00 AM

Meeting called to Order.

Chairman Bitner via telephone, Commissioners Bakken, Woodcox, Munson and Schwab.

Motion by Comm. Munson to enter into executive session, 2nd by Comm. Woodcox, all members present voted, "AYE." Motion Carried.

The Commission then entered executive session per **N.D.C.C. § 44-04-19.1(9)** regarding Carbon pipeline litigation 10:02 AM.

The Commission adjourned the executive session at 10:45 AM and reconvened into open session.

Motion by Comm. Munson 2nd by Comm. Woodcox to move forward with consensus reached in executive session. All members present voted, "AYE." Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
DECEMBER 23, 2024

11:00 AM

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

Roll call of members: Comm. Bakken, Schwab, and Chairman Bitner were present, with Comm. Woodcox and Munson also present via conference call.

County Finance Director Jacobs started the discussion surrounding the county's ARPA funds. Jacobs shared that the Finance Department and the State's Attorney's Office had discussed options for obligating the ARPA funds by the year's end. The Finance Department discovered that the creation of a memorandum of understanding (MOU) would be sufficient to cover the county per Treasury guidance, and subsequently forwarded this information to the State's Attorney. Jacobs also suggested that if the MOUs don't work, the county could rely on revenue replacement within the ARPA program.

State's Attorney Lawyer then came forward and presented copies of a draft of the MOU to the Commission. Lawyer mentioned that two small changes were made to the MOU draft. Firstly, adjustments were made to the budget numbers to ensure the figures would include all the funds needed for the project and are as follows: the budget of the Highway Department is listed as $1 million, the budget of the Sheriff's Department is listed as $652,561, and the budget of Emergency Management is listed as $6,214,739. Secondly, in each of the MOUs under the budget, the phrase *"…in addition to any funds previously obligated for this project."* was included. When Lawyer asked the Commission for any questions, changes, or modifications on the MOU, Chairman Bitner pointed out that a line in both the Sheriff's Department and Emergency Management's MOU read "for good and services" and said it should have just said "goods". Lawyer acknowledged the error and said she will make that change.

Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the MOU as presented. All members present voted "AYE". Motion carried.

State's Attorney Lawyer presented a discussion regarding a request for an audit of the Burleigh County finances. Lawyer explained that there were some issues noticed by the current Finance Department regarding Burleigh County's bookkeeping of finances – it was noticed that in a previous audit done by the State Auditor's office, money had been marked down as obligated, even though it wasn't contracted, therefore not fulfilling the requirements of obligation. The previous Finance Department had stated that they implemented the changes recommended by the State Auditor's office; however, the same error occurred during the next audit. Lawyer herself had suggested the county should have its books audited to ensure that things aren't being missed, misplaced, or mishandled, either by asking the State Auditor's office to do a typical audit or by hiring a CPA to conduct a forensic audit. Chairman Bitner mentioned that he contacted a number of local firms but had only heard back from one (Eide Bailly) so far and forwarded the information to State's Attorney Lawyer. North Dakota State Auditor Josh Gallion was present at the meeting and was asked by the Commission if he had any input on the situation. Gallion said that there is no missing money from Burleigh County that his office is aware of, but offered to help assist the county should the need arise moving forward on this issue.

Motion by Comm. Schwab, 2nd by Comm. Bakken to inquire from the firms contacted so far on how much a forensic audit of the county's accounts would cost, and to determine whether a competitive bidding process

would be needed. Comm. Bakken, Schwab, and Bitner voted “AYE”; Comm. Woodcox and Munson voted “NAY”. Motion carried.

Meeting adjourned.

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Mark Splonskowski, County Auditor/Treasurer	Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 16TH, 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.

Several changes were made to the agenda, mainly the order of items. After the consent agenda, item 10A (CO2 pipeline discussion continuation) was inserted. Item 6 (County States Attorney Lawyer) then became item 9, item 7 (John Fraase) became item 6, item 9 (Auditor/Treasurer Splonskowski) became item 7, and the words "CISA" were added to item 10B (standalone election computer discussion). Motion by Comm. Bakken, 2nd by Comm. Munson to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 16th, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried. Motion by Comm. Schwab, 2nd by Comm. Munson to approve the December 16th, 2024 meeting 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
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$248,500	$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$266,400	$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	$294,300	$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,484	$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	$277,300	$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	$357,000	$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	$168,600	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Chairman Bitner gave a brief update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase came up to the Commission and started his talk about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and arguing in favor of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski came up and presented to the Commission some clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18th, 2024. The points of clarifications are as follows:

- Firstly, Splonskowski stated that the benchmarks used in Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather

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than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.

- Secondly, Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over $100,000, and that as of August 2024, Burleigh County investments yielded $1.1 million beyond what was budgeted. Based on Director Jacobs' report & benchmark, the calculated loss in 2023 only amounted to 0.0088 percent (9/10^{ths} of 1%) and the loss of 2024's 1st quarter likewise only amounted to 0.0018 percent (1/5th of 1%).
- Thirdly, Splonskowski stated to the Commission that on more than one of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed with and supported the various investment decisions made by the Auditor/Treasurer's office. However, the November 18th report later given by Director Jacobs seems to run contrary to these decisions.
- Fourthly, the unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Fifthly, Splonskowski further stated that Director Jacobs's report did not take into the consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Splonskowski refuted a point that was seemingly made in Director Jacobs' report stating that the Auditor/Treasurer's office did not experience any turnover in the 2023 year, as not only did he enter the office of County Auditor/Treasurer on April 1st, 2023, but that multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Ultimately, Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski then presented to the Commission a recap on the November 5th, 2024 general election. Although Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office quickly took on more responsibilities to keep the process going. The Secretary of State's office assisted the Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election, which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

County Finance Director Jacobs came up the podium and briefly addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs clarified that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs then began an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by $751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by $77,800. According to Jacobs, Burleigh County underperformed in 2023 mainly due to a failure to invest, a failure to capitalize on rising rates, and poor investment choices. Jacobs then went on to give the county figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by $136,000, with Morton County underperforming by $26,000.
- In Q2 of 2024, Burleigh County underperformed by $168,000, with Morton County underperforming by $19,000.
- In Q3 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000. Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform only by $150,000, and Morton County would underperform only by $25,000.
- In Q4 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

According to Jacobs, Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other minor issues in 2023 under both Auditor Splonskowski and the previous County Auditor/Treasurer Leo Vetter. Jacobs then stood for questions from the Commission.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded $110,285 in federal VOCA grants through the state of North Dakota for the period of October 1st, 2024 through September 30th, 2025. Lawyer also stated that in a memo on December 9th, 2024, the state of North Dakota allocated an additional $50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1st, 2024 through June 30th, 2025. No further action was taken. Lawyer then continued last meeting's discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by

either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken, 3rd by Comm. Schwab to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to approach the podium and express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a brief report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at first entry' report from August 1st, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between $900,000 and $1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only $250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

_____ _____

Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-730	Vicki L Williams	2024	Lot 3A, Block 10, Sonnet Heights Subdivision	Error in property description	$271,700	$261,200
24-735	Sherri Woehl	2024	Block 30, Wachter's 3rd, Lots 17-20 Albert Square Condominiums Unit 1531	100% Disabled Veteran	$216,900	$36,900
24-739	Michaela Fuchs & Orlin Perdue III	2024	Lots 17-18, Block 2, McKenzie's	Significant water damage in basement	$332,100	$224,800
24-740	Century Baptist Church	2024	Lot 4, Block 2, Mayfair Managers	Property exempt from taxation - parcel fully exempt for 1 month of 2024	$842,700	$772,400
24-741	Jorge Santiago	2024	Lot 2, Block 2, Southbay 4th Addition	100% Disabled Veteran	$255,100	$210,100
24-742	Robert & Lorraine Faulhaber	2024	Lot 11, Block 1, Heritage Park Addition 1st Replat	100% Disabled Veteran	$396,800	$321,800
24-745	Ross Gerhardt	2023	Lot 13, Block 1, Promised Land	Error in property description	$242,400	$209,200
24-746	Ross Gerhardt	2024	Lot 13, Block 1, Promised Land	Error in property description	$248,500	$218,300
24-747	Kent Stroh & Trang Nguyen III	2023	Lot 1, Block 1, Elk Ridge Addition	Error in property description	$376,900	$346,600
24-757	Michael & Karen Lalonde	2024	Lot 13, Block 11, Meadow Valley 3rd	50% Homestead Credit	$334,800	$234,800
24-758	Porch & Fence Properties LLC	2024	Block 92, McKenzie & Coffin's, Lot 6 & 6A of Schultz's Subdivision in Lots 21-23 & S 20' of Lot 24	True and full value exceeds market value, error in property description	$137,100	$113,700
24-762	Curtis Smith & Marilyn Schroder	2024	Lot 11, Block 7, Imperial Valley	50% Homestead Credit	$338,800	$238,800
24-763	Douglas & Carol Alm	2024	Block 3, Cottonwood Lake 4th, Lot 8 & undivided interest in Lot 32 Block 1	50% Homestead Credit	$417,700	$317,700
24-768	Thomas & Cynthia Anderst	2024	Lot 9A being part of Lots 3-5, Block 4, Stein's 5th	50% Homestead Credit	$234,000	$134,000

24-774	Janet Frohlech	2024	Lot 6 Brandon Heights Condominiums Six Unit 205, Block 1, Brandon Heights	100% Homestead Credit	$228,800	$28,800
24-775	Keith Greig	2023	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$287,200	$187,200
24-776	Keith Greig	2024	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$308,000	$208,000
24-777	Charlette Middlestead	2024	N 152.11' of Aud Lot F of Lot 3, Block 1, Brandon Heights	100% Homestead Credit	$308,000	$108,000
24-778	Dean & Carolyn Miller	2024	Lots 17-20 Albert Square Condos Unit 1523, Block 30, Wachter's 3rd	50% Homestead Credit	$219,100	$119,100
24-779	Fred & Charlotte Miller	2024	Block 1, North Mills 6th, Lots 5-6 less W 3.48' of said lots Centennial Condo Unit 210 garage G-35 parking P-12	100% Homestead Credit	$192,500	$80,208
24-780	Caroline Monroe	2024	Block 4, East Hills Addn Replat, Lot 8 Baumgartner's Sharloh Loop Condo Unit 12 Garage unit A12 Building A	100% Homestead Credit	$183,400	$152,833
24-781	Debbie A Opp	2024	Lot 13, Block 7, Replat of Calkins	50% Homestead Credit	$221,600	$121,600
24-782	Leopold & Kathryn Richter	2024	Lots 1-2 less W10', Block 1, Sturgis	100% Homestead Credit	$203,200	$3,200
24-783	Richard & Barbara Scott	2024	Aud Lot 3B of Lot 3, Block 17, Sonnet Heights	50% Homestead Credit	$264,100	$164,100
24-784	Travis Pederson	2024	1996 Chief Bonnavilla 16 x 80, #NEB69A2490	Mobile home moved to Pierce County in 2023	$58,100	$0
24-785	Jaren Bender	2024	1973 Sharva-R 15 x 66, #3911	Mobile home moved to Emmons County in 2023	$24,000	$0
24-787	Dorothy Kastner	2024	Block 13, Replat Homan Acres, Lot H of Lot 1 Washington Court Condo Building 215 Unit 9 garage 9	100% Homestead Credit	$26,000	$0
24-788	Harley Wagner	2024	1971 Homecrest 67 x 14, #B080388	Mobile home damaged by fire	$7,204	$0

24-789	Paul & Shari Huettl	2024	Lot 2, Block 3, Country Creek 1st	Basement finish not completed gave 10% obs	$477,800	$436,500
24-790	Krystyna Gorzelska	2024	Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums unit 325 & garage G-9 & parking space P-22	100% Homestead Credit	$239,900	$39,900

LISTED OWNER	PROPERTY ADDRESS	PARCEL ID#	Delq. Taxes + Pen. & Int	Delq. Specials + Pen. & Int.	TOTAL DELQ. AMOUNT + $50 FEE(S)	Sold at Auction for	REMAINING TOTAL TO WAIVE
BURLEIGH COUNTY TAX SALE (2022)	622 BOEHM DR	0115-003-100	$69.12	$8,101.39	$8,320.51	$325.00	$7,995.51
BURLEIGH COUNTY TAX SALE (2023)	2627 E ROSSER AVE	0655-004-001	$533.09	$5,226.84	$5,859.93	$20.00	$5,839.93
BURLEIGH COUNTY TAX SALE (2022)	5117 NORMANDY ST	1516-002-001	$34.53	$17,487.96	$17,672.49	$1.00	$17,671.49
BURLEIGH COUNTY TAX SALE (2023)	124 NINA LN	2225-002-150	$808.83	$32,295.32	$33,204.15	$1.00	$33,203.15

ITEM

6

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Recommendations from the December 11, 2024 meeting of Burleigh County Planning Commission

Date: 12-26-2024

From: Mitch Flanagan, Burleigh County Planning Director. MF

ITEM 1 — Rath Final Subdivision

Legal Description: Part of the Northwest 1/4 – Section 4, Township 138N, Range 76W.

Property Address: 32051 NE 5th Ave. Sterling ND.

Beginning in September, Burleigh County staff was asked by ILS Surveying to begin review of a four (4) lot subdivision containing 149.44 acres with 4.37 acres dedicated to ROW. Project Size is a total of 153.81 acres. All parcels are zoned A-Agricultural:

Lot 1 – 10.00 acres
Lot 2 – 96.60 acres
Lot 3 – 13.03 acres
Lot 4 – 29.91 acres

Taft Township approved the zoning and recommended approval of the plat.

At the December 11th public hearing, the Planning Commission recommended approval of the final plat by a vote of 8-0.

ACTION REQUESTED — Based on supporting documents and findings of the Planning Commission, it is recommended to approve Rath Final Subdivision Plat.

Attachments: Ex. 1 Rath Subdivision Final Plat.
Ex. 2 Site Location.

RATH SUBDIVISION

PART OF THE NW 1/4 SECTION 4, T138N, R76W

BURLEIGH COUNTY, NORTH DAKOTA

SHEET 1 OF 2

170' ROW
160' ROW
60' TOWNSHIP ROAD EASEMENT
33' STATUTORY EASEMENT
5TH AVENUE NE
S89° 44' 27"E 100.00'
POINT OF BEGINNING
S89° 44' 27"E 2540.29'
NORTH LINE SECTION 4
FND YPC REBAR NE CORNER, NW 1/4 SEC. 4, T138N, R76W
33' STATUTORY EASEMENT
75.00'
DEDICATED RIGHT OF WAY 4.37 ACRES
S89° 44' 27"E 612.57'
S89° 44' 27"E 1927.63'
10' UTILITY EASEMENT
33' STATUTORY EASEMENT
FND AC REBAR NW CORNER SEC. 4, T138N, R76W
SET CAPPED REBAR ND STATE PLANE COORDINATE: N = 416176.28 E = 2021387.30
170' ROW
LOT 1 10.00 ACRES
706.00'
N00° 26' 44"W 706.05'
621.58' N89° 44' 27"W
LOT 2 96.60 ACRES
60' ACCESS & UTILITY EASEMENT
1195.97'
WEST LINE SECTION 4
100' ROW
100' ROW
HIGHWAY 83
N00° 17' 08"E 2641.57'
S00° 17' 08"W 2641.80'
1860.57'
10' UTILITY EASEMENT
S84° 21' 16"W 83.44'
S67° 00' 16"W 127.84'
R=275.00' L=93.80' CHBG=S76° 46' 33"W CHL=93.34'
S88° 16' 21"W 1398.48'
1220.99'
177.49'
25.01'
25.02'
S88° 16' 21"W 95.05'
R=535.00' L=170.48' CHBG=S57° 52' 34"W CHL=169.76'
S67° 00' 16"W 171.89'
136.90'
S67° 00' 16"W
LOT 3 13.03 ACRES
380.13'
S48° 44' 51"W 192.42'
R=475.00' L=151.36' CHBG=S57° 52' 34"W CHL=150.72'
S24° 31' 35"W 246.04'
N90° 00' 00"W 104.26'
60' ACCESS & UTILITY EASEMENT
383.60'
2635.63'
S00° 20' 58"W
UTILITY EASEMENT
S20° 56' 36"W 147.38'
S48° 44' 51"W 208.76'
333.97'
S48° 44' 51"W
S72° 42' 17"W 437.57'
52.47'
S40° 29' 59"W 54.32'
615.06'
90.16'
635.77'
S89° 32' 01"E 1393.46'
S20° 56' 36"W 30.56'
S40° 08' 13"W 129.41'
S40° 29' 59"W 242.96'
S50° 51' 58"W 194.47'
S00° 16' 13"E 1319.47'
LOT 4 29.81 ACRES
5.0'
10' UTILITY EASEMENT
S04° 43' 27"E 365.40'
N89° 18' 53"W 81.45'
5.0'
S14° 25' 36"W 480.63'
816.21'
931.03'
S41° 40' 54"W 81.71'
N45° 52' 17"W 222.41'
S32° 28' 53"W 213.14'
S25° 10' 04"E 354.82'
S66° 41' 10"W 309.55'
123.13'
284.85'
551.78'
831.52'
N89° 52' 30"W 2537.36'
869.20'
SET OPC REBAR W. 1/4 CORNER SEC. 4, T138N, R76W
S89° 52' 30"E 100.00'
SET CAPPED REBAR ND STATE PLANE COORDINATE: N=413609.75 E=2021374.51
SET OPC REBAR SE CORNER, NW 1/4 SEC. 4, T138N, R76W
100' ROW
100' ROW

NORTH
SCALE: 1" = 100'
0 50 100

DATE: NOVEMBER 18TH, 2024

VERTICAL DATUM - NAVD 1988.

BASED ON NORTH DAKOTA SOUTH ZONE-NAD83, INTERNATIONAL FEET.

MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "BSMK" CORS STATION AND ARE REPORTED IN GRID.

LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR - LS9628
- STORMWATER AND DRAINAGE EASEMENT
- NON- ACCESS LINE
- VACATED PARCEL LINE

ACREAGE TABLE

LOT 1	10.00 ACRES
LOT 2	96.60 ACRES
LOT 3	13.03 ACRES
LOT 4	29.81 ACRES
DEDICATED ROW	4.37 ACRES
TOTAL	153.81 ACRES

BENCHMARK - NORTHWEST CORNER OF LOT 1, BLOCK 1, A REBAR WITH ORANGE PLASTIC CAP SET FLUSH WITH THE GROUND. ELEVATION = 1797.22

PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

RATH SUBDIVISION
PART OF THE NW 1/4
SECTION 4, T138N, R76W
BURLEIGH, NORTH DAKOTA

Independent Land Surveying & Engineering

SHEET: 1 OF 2	JOB NUMBER: 24128	
SCALE: 1"= 100'	DWG REVISION DATES	
DRAWN BY: MRI	–	–
DWG DATE: 11/18/24	–	–
DWG NAME:24128 Rath Subdivision Final Plat.dgn		

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@ilsurveynd.com


COLLEGE AVE
PARK ST
FRANKLIN ST
MCKENZIE ST
83
5TH AVE NE
5TH AVE NE
5TH AVE NE

ITEM

7

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **January 6, 2025**

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 to purchase the RCB Culverts to replace Bridge #08-126-40.0

BACKGROUND:
At the December 16th County Board Meeting, the Board directed the Highway Department to move forward with the replacement of Bridge 08-126-40.0 (located on 236th Street SE, 4.2 miles south of County Highway 10). In order to speed up the replacement of this bridge, it was decided to purchase the RCB Culverts ahead of time and have them ready for the contractor once permits, right of way, and project bidding is complete. The Highway Department is seeking authority to move forward with the bidding of the replacement RCB Culverts.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise to purchase the RCB Culverts for the Bridge #08-126-40.0 replacement project.

BURLEIGH COUNTY COMMISSION AND PARK BOARD
2025 MEETING SCHEDULE

TOM BAKER MEETING ROOM, CITY/COUNTY BUILDING
221 N 5TH ST, BISMARCK, ND 58501

	DATE	AGENDA
WOODCOX	Jan. 6	Regular Meeting – Reorganize/Assign Portfolios
	21 **(Tues)**	2nd Meeting
BITNER	Feb. 3	Regular Meeting
	19 **(Wed)**	2nd Meeting
BAKKEN	Mar. 3	Regular Meeting
	17	2nd Meeting
MUNSON	Apr. 7	Regular Meeting
	21	2nd Meeting
SCHWAB	May 5	Regular Meeting
	19	2nd Meeting
WOODCOX	Jun. 2	Regular Meeting/Equalization
	16	2nd Meeting
BITNER	Jul. 7	Regular Meeting
	21 & 22	2nd Meeting & Preliminary Budget Introduction (8:30 AM)
BAKKEN	Aug. 4	Regular Meeting
	18	2nd Meeting
MUNSON	Sept. 3 **(Wed)**	Regular Meeting
	15	2nd Meeting/Final Budget Hearing
SCHWAB	Oct. 6	Regular Meeting Hearing to establish minimum sales prices for tax sale
	20	2nd Meeting
WOODCOX	Nov. 3	Regular Meeting
	17	2nd Meeting
	18	Annual Tax Sale (10:00 AM)
BITNER	Dec. 1	Regular Meeting
	15	2nd Meeting

NDCC 11-11-05. Meetings of board - Time and place.
The board of county commissioners shall meet and hold regular meetings for the transaction of business at a time and place to be designated by the commission on a date certain established by resolution or ordinance of the commission. The county auditor shall have power to call special meetings when the interests of the county demand it. The chairman of the board, or a majority of the members thereof, may call special meetings that must be noticed in accordance with section 44-04-20.

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

January 21, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY WEED BOARD

1. Roll Call of members.
2. Approval of agenda
3. Consideration of January 6, 2025, Meeting minutes.
4. Burleigh County Weed Officer Johnson:
   a. Review of right of way bids.
5. Other Business
6. Adjourn.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Consideration of Agenda.
4. Consideration of the December 2nd, 4th, 16th and 23rd meeting minutes and January 6, 2024, meeting minutes and bills.
5. Consent Agenda:
   a. Abatements.
   b. Special event permit.
   c. 2nd access permit requests.
6. County Engineer Hall:
   a. 2nd approach permits.
   b. Bryan Slough Authorization for bids.
   c. HWY 10 and 80th street project.

d. Micro surfacing project.

7. County Planner Flanagan:
    a. RRH Subdivision final subdivision and Zone change.
8. Sheriff Leben:
    a. Quarterly report.
9. Continuation of Auditor/Treasurer discussion.
10. Chairman Bitner:
    a. Burleigh County Investment Policy.
    b. Audit Discussion.
    c. Building & Grounds Discussion.
11. Other Business.
12. Adjourn.

The next regularly scheduled Commission meeting will be on February 3rd, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY WEED BOARD

BURLEIGH COUNTY WEED BOARD
MEETING MINUTES
JANUARY 6, 2025

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

Weed Board Member Schwab called the Burleigh County Weed Board meeting to order.

A roll call of members: Commissioners Munson, Woodcox, Bitner, Schwab, and Chairman Bakken (via telephone) were present.

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

Motion by Comm. Bakken, 2nd by Comm. Bitner to approve the November 18th, 2024, meeting minutes. All members present voted, "AYE." Motion carried.

Deputy Auditor Vietmeier opened and read three bids for right of way weed spraying to the Burleigh County Weed Board. All bids included the proper documentation. Weed officer Johnson requested that himself and the Burleigh County Weed Board review the bids that were submitted January 6th, 2025 and will award accepted contract at the January 21st, 2025 Burleigh County Weed Board Meeting.

Meeting adjourned.

_____ _____

Mark Splonskowski, Auditor/Treasurer Steve Bakken, Chairman

COUNTY COMMISSION

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 2ND, 2024

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

Administration of Oath of Office by Judge Feland for re-elected Commissioners Brian Bitner and Steve Bakken

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 with the following amendments:

- Item 14 to be moved to follow the consent agenda
- Item 7a was removed
- Item 13 added investigation report
- Added Human Services Board Appointments under Other Business

All members present voted "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the November 18th, 2024 meeting minutes and bills, with a correction to the location of the 236th Street bridge. 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
Sprynczynatyk, Michael & Richard	2023	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	$129,200	$109,000
Sprynczynatyk, Michael & Richard	2024	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	$129,200	$109,000
Old Dominion Freight Line Inc	2022	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,130,000	$3,221,400
Old Dominion Freight Line Inc	2023	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,501,700	$3,511,300
Old Dominion Freight Line Inc	2024	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,740,900	$3,700,000
Douglas & Karen Sokolofsky	2024	Lot 12, Block 1, North Hills 13th	50% Homestead Credit	$445,500	$345,500
Ronald & Laurie Jensen	2023	Lots 1-2 less N 59'(or S 55.08' of Lots 1-2), Block 6, Riverview	50% Homestead Credit	$214,000	$114,000
Carma Branch and Leslie Edison	2024	Lot 9, Block 11, Highland Acres	100% Homestead Credit	$265,100	$65,100
Dana Clairmont c/o Dana Breiner	2023	Lot 4, Block 21, Morningside Heights	100% Disabled Persons Credit	$113,400	$13,400
Thomas & Twylla Rausch	2024	Block 85, McKenzie & Coffin's, W30' of S15' of Lot 7, W30' of Lots 8-12, E10' of alley adj on W; E15' of Lot 42 all lots 43-44 & W10' alley adj Lot 44	100% Homestead Credit	$358,100	$158,100
Susan Lemke	2023	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	$260,700	$60,700
Susan Lemke	2024	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	$272,200	$72,200
Dennis & Paula Duffield	2023	Lot 13, Block 3, Cottonwood Lake 4th & undivided interest in Lot 32, Block 1	50% Homestead Credit	$434,800	$334,800

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Michael & Richard Sprynczynatyk (2), Old Dominion Freight Line Inc (3), Douglas & Karen Sokolofsky, Ronald & Laurie Jensen, Carma Branch and Leslie Edison, Dana Clairmont c/o Dana Breiner, Thomas & Twylla Rausch, Susan Lemke (2), and Dennis & Paula Duffield abatements and the remainder of the consent agenda ~~in its entirety~~. All members present voted "AYE". Motion carried.

The Commission decided via consensus to hold a special meeting/executive session at 10am on Wednesday, December 4th to discuss potential litigation and appeal of Summit Carbon Solutions' CO2 permit. Chairman Bitner opened the floor for public comment on the CO2 pipeline situation. Information about Summit and its pipeline was shared by Jeff Jennings, Curtis Jundt, Gary Anderson, and Kevin Schieve.

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County Finance Director Jacobs gave a continuation of the Q1 2024 Investment Report discussion from November 18th, 2024 meeting, Finance Director Jacobs stated that the check from BNC Bank was in the Auditor/Treasurers office possession and the lag in the deposit was not the fault of BNC National Bank. Comm Munson inquired about the makeup of the investment committee. Finance Director Jacobs gave the commission information as to the members, frequency of the meetings, and the committee's operating procedures.

Auditor/Treasurer Splonskowski asked for a clarification on the 2025 final budget for the Burleigh County Water Resource District. Since the county doesn't hold reserves for the district, they would need to use $66,038 in general fund dollars or require the Water Resource District to use their own reserves, a consensus was reached amongst the commissioners to collect the same dollar amount for the Water Resource District as last year and have the district use their own reserve funds. No further action was taken.

Splonskowski presented the Commission an amended 2025 meeting calendar, which replaced the Wednesday, January 22nd, 2025, meeting with a Tuesday, January 21st, 2025, meeting due to a conflict in scheduling. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the amended 2025 meeting calendar. All members present voted "AYE". Motion carried.

County Engineer Hall presented a concurrence letter from the NDDOT about the Highway 10 mill project, which requested that Burleigh County concur with the estimated cost-sharing amount for the project; Hall then presented to the Commission the following resolution for approval. Motion by Comm. Schwab, 2nd by Comm. Munson to approve Hall's proposed resolution. All members present voted "AYE". Motion carried. Next Engineer Hall requested Commission approval for the Highway Department to look for consultant engineering firms willing to assist in the Highway 10 project. Motion by Comm. Munson, 2nd by Comm. Bakken to approve Engineer Hall's request for consultant engineering. All members present voted "AYE". Motion carried. Engineer Hall asked for the Commission to authorize the Highway Department to advertise for annual bids. Motion by Comm. Woodcox, 2nd by Comm. Schwab to authorize the advertisement of bids by the Highway Department. All members present voted "AYE". Motion carried.

Kim Ripple from Bismarck-Mandan MPO and MPO consultant Jason Carby from HDR presented to the Commission the Arrive 2050 Metropolitan Transportation Plan, which aims to improve the local transportation network through expansion or maintenance, and requested the Commission approve the Arrive 2050 Metropolitan Transportation Plan through a resolution of receipt. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Arrive 2050 Metropolitan Transportation Plan with an amendment to correctly identify the county chair. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a Wiese Subdivision plat in Gibbs township to the Commission and requested approval by the Commission. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the Wiese Subdivision plat. All members present voted "AYE". Motion carried. Flanagan then showed a conceptual letter of support by Burleigh County for the Big Sky North Coast passenger rail project for Commission review. Motion by Comm. Bakken, 2nd by Comm. Munson to send a letter of support for the project with an amendment to correct the Chairman's name. All members present voted "AYE". Motion carried.

County HR Director Binder asked for Commission approval of the same list of holidays from 2024 in the new 2025 Holiday Policy. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the 2025 Holiday Policy. All members present voted "AYE". Motion carried.

Chairman Bitner recused himself and relinquished chairmanship over to Comm. Bakken. Sheriff Leben gave a brief update on the Burleigh East renovation project, stating that any remaining ARPA funds need to be committed prior to the year's end to be used in the project, and spent by the end of 2026. Motion by Comm. Schwab, 2nd by Comm. Munson to authorize remaining ARPA funds and Local Assistance & Tribal Consistency Funds to the Burleigh East renovation project. All members (excluding Bitner) present voted "AYE". Motion carried. Chairmanship was then returned to Comm. Bitner.

Comm. Munson removed item 13a due to lack of information being included in the packet. A consensus of the commission was to move this to the next meeting.

State's Attorney Lawyer presented findings of the internal investigation within the Auditor/Treasurer's Office. The investigation originated from a complaint regarding a text message that was sent by Auditor/Treasurer Splonskowski as a potential policy violation and/or a Hatch Act violation. Around the same time, former Elections Coordinator, Lisa Hart, resigned on October 15, 2024. After a discussion between Lisa Hart and Human Resource Director Binder, a request was made to also investigate a possible hostile work environment. Multiple text messages (66 total) were sent by the Auditor/Treasurer during work hours stating, "I am just letting you know from the perspective of being the County Auditor for a year and a half please do not vote for Brian Bitner for County Commissioner. If you want more details as to why let me know. Also let your friends know too. Thanks". Auditor/Treasurer Splonskowski did not fully comply with an open records request from the State's Attorney's Office regarding communication between himself and Chair Bitner and copies of the 66 messages. Due to identifying himself as the County Auditor, the text message became an open record. Lawyer stated that the Hatch Act applies to am elected Official if that County receives federal grants or loans. A person who qualifies under the Hatch Act is reported to the U.S. Office of Special Counsel for determination of a violation. If there is a violation, they can demand the person be terminated. An elected official cannot be terminated; however, if the person remains employed, there can be a monetary penalty of up to two years of the person's salary which would be taken off the grant or loan. There was also a Burleigh County Policy violation for engaging in political activity (campaigning or election engineering) while on duty. An employee who is the subject of an internal investigation does not cooperate is subject to immediate termination, however since the Auditor/ Treasurer is an elected Official, that was not an option. Failure to turnover an open record subjects the County to liability as well as personal liability for the person who withholds the records.

As an elected official there are limited options for the commission; however, recommendations can be made so that the behavior does not continue. State's Attorney Lawyer recommended Auditor/Treasurer Splonskowski:

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- Attend Secretary of State's election training where they discuss the Hatch Act and how to comply with the Hatch Act
- Remedial training regarding open meetings and open records

There was no evidence of a hostile work environment from the internal investigation.
Chairman Bitner recused himself and relinquished the Chair to Vice Chair Bakken.
The Commission discussed the following options if there are items that should not be happening and or neglect of duty within an elected official's office:

- A petition can be filed to the Governor's office for removal from office.
- Electors can do a recall.
- Converting position to an appointed office.

State's Attorney Lawyer will provide more detailed information at the next Commission Meeting.

Motion by Commissioner Schwab to table this item until the next meeting. Motion second by Commissioner Woodcox. All members (excluding Bitner) present voted "aye". Motion carried. Chairmanship was returned to Commissioner Bitner.

Comm. Bakken gave the floor to Burleigh County Human Service Zone Director Chelsea Flory, who informed the Commission that three positions on the human services board are expiring. Flory requested the Commission approve the reappointment of Senator Dick Devers and Trevor Vennett to the board and to open Leslie Pearcy's position up for applications, as she is not seeking reappointment. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the reappointment of Senator Dick Devers and Trevor Vennett, open Pearcy's position up for applications, and for Comm. Bakken to retain the portfolio of the human services board until portfolios change. Comm. Munson, Schwab, Bakken, and Bitner voted "AYE"; Comm. Woodcox abstained. Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION

SPECIAL MEETING

DECEMBER 4, 2024

10:00 AM

Meeting called to Order.

Chairman Bitner via telephone, Commissioners Bakken, Woodcox, Munson and Schwab.

Motion by Comm. Munson to enter into an executive session, 2nd by Comm. Woodcox, all members present voted, "AYE." Motion Carried.

The Commission then entered executive session per **N.D.C.C. § 44-04-19.1(9)** regarding Carbon pipeline litigation 10:02 AM.

The Commission adjourned the executive session at 10:45 AM and reconvened into open session.

Motion by Comm. Munson 2nd by Comm. Woodcox to move forward with consensus reached in executive session. All members present voted, "AYE." Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 16TH, 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.

The following changes were made to the agenda:

- Item 10a was moved to after the consent agenda
- Item 6 became item 9
- Item 7 became item 6
- The words CISA was added to item 10b

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

Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 16th, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the December 16th, 2024 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
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$248,500	$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$266,400	$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	$294,300	$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,484	$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	$277,300	$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	$357,000	$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	$168,600	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements and the remainder of the consent agenda. All members present voted "AYE". Motion carried.

Chairman Bitner gave a brief update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase inquired of the Commission about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and stated his favorability of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18th, 2024. The points of clarifications are as follows:

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- Auditor/Treasurer Splonskowski stated that he believes the benchmarks used in Finance Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.
- Auditor/Treasurer Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over $100,000, and that as of August 2024, Burleigh County investments yielded $1.1 million beyond what was budgeted. Based on Finance Director Jacobs' report & benchmark, the calculated loss in 2023 only amounted to 0.0088 percent (9/10^{ths} of 1%) and the loss of 2024's 1st quarter likewise only amounted to 0.0018 percent (1/5th of 1%).
- Auditor/Treasurer Splonskowski stated to the Commission that on more than one of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed with and supported the various investment decisions made by the Auditor/Treasurer's office.
- The unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Auditor/Treasurer Splonskowski further stated that Finance Director Jacobs's report did not take into the consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Splonskowski refuted a point that was seemingly made in Director Jacobs' report stating that the Auditor/Treasurer's office did not experience any turnover in the 2023 year, as not only did he enter the office of County Auditor/Treasurer on April 1st, 2023, but that multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Auditor/Treasurer Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski presented to the Commission a recap on the November 5th, 2024, general election. Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office took on more responsibilities to keep the process going. The Secretary of State's office assisted the Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election, which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

Finance Director Jacobs briefly addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Finance Director Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs clarified that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs gave an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by $751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by $77,800. According to Jacobs, Burleigh County underperformed in 2023 mainly due to failure to invest, failure to capitalize on rising rates, and poor investment choices. Jacobs gave the following figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by $136,000, with Morton County underperforming by $26,000.
- In Q2 of 2024, Burleigh County underperformed by $168,000, with Morton County underperforming by $19,000.
- In Q3 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform only by $150,000, and Morton County would underperform only by $25,000.

- In Q4 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

According to Jacobs, Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other minor issues in 2023 under both Auditor/Treasurer Splonskowski and the previous Auditor/Treasurer Leo Vetter. Jacobs stood for questions.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded $110,285 in federal VOCA grants through the state of North Dakota for the period of October 1st, 2024 through September 30th, 2025. Lawyer also stated that in a memo on December 9th, 2024, the state of North Dakota allocated an additional $50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1st, 2024, through June 30th, 2025. No further action was taken.

States Attorney Lawyer then continued the discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a brief report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at first entry' report from August 1st, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between $900,000 and $1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only $250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
DECEMBER 23, 2024

11:00 AM

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

Roll call of members: Comm. Bakken, Schwab, and Chairman Bitner were present, with Comm. Woodcox and Munson also present via conference call.

County Finance Director Jacobs started the discussion surrounding the county's ARPA funds. Jacobs shared that the Finance Department and the State's Attorney's Office had discussed options for obligating the ARPA funds by the year's end. The Finance Department discovered that the creation of a memorandum of understanding (MOU) would be sufficient to cover the county per Treasury guidance, and subsequently forwarded this information to the State's Attorney. Jacobs also suggested that if the MOUs don't work, the county could rely on revenue replacement within the ARPA program.

State's Attorney Lawyer presented copies of a draft MOU to the Commission. Lawyer mentioned that two small changes were made to the MOU draft. Firstly, adjustments were made to the budget numbers to ensure the figures would include all the funds needed for the project and are as follows: the budget of the Highway Department is listed as $1 million, the budget of the Sheriff's Department is listed as $652,561, and the budget of Emergency Management is listed as $6,214,739. Secondly, in each of the MOUs under the budget, the phrase *"…in addition to any funds previously obligated for this project."* was included. States Attorney Lawyer asked the Commission for any questions, changes, or modifications on the MOU, Chairman Bitner pointed out that a line in both the Sheriff's Department and Emergency Management's MOU read "for good and services" and said it should have said "goods and services". States Attorney Lawyer acknowledged the error and said it will be corrected.

Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the MOU with the correction of "good and services" to "goods and services". All members present voted "AYE". Motion carried.

State's Attorney Lawyer presented a discussion regarding a request for an audit of the Burleigh County finances. Lawyer explained that there were some issues noticed by the current Finance Department regarding Burleigh County's bookkeeping of finances – it was noticed that in a previous audit, money had been marked down as obligated, even though it was not contracted, therefore not fulfilling the requirements of obligation. The previous Finance Department stated they implemented the changes recommended by the State Auditor's office; however, the same error occurred during the next audit. States Attorney Lawyer suggested the county should have its books audited to ensure that things aren't being missed, misplaced, or mishandled, either by asking the State Auditor's office to do a typical audit or by hiring a CPA to conduct a forensic audit. Chairman Bitner mentioned that he contacted several local firms but had only heard back from one (Eide Bailly) so far and forwarded the information to State's Attorney Lawyer. North Dakota State Auditor Josh Gallion was present at the meeting and was asked by the Commission if he had any input on the situation. Gallion said that his office doesn't do forensic audits. Auditor Gallion said there is off book cash in reference to money held at the Bank of North Dakota, but no money appears to be missing from Burleigh County. Gallion offered to assist the county should the need arise moving forward on this issue.

Motion by Comm. Schwab, 2nd by Comm. Bakken to inquire from the firms contacted so far on how much a forensic audit of the county's accounts would cost, and to determine whether a competitive bidding process would be needed. Comm. Bakken, Schwab, and Bitner voted "AYE"; Comm. Woodcox and Munson voted "NAY". Motion carried.

Meeting adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION MEETING

JANUARY 6TH, 2024

5:09 PM

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

Deputy Auditor Vietmeier asked if there were any nominations for chairman. Commissioner Bakken nominated Commissioner Bitner as Chairman. Commissioner Woodcox nominated Commissioner Munson as Chairman. Commission discussion was held. Election for the chairman was held with Commissioner Bitner prevailing as Chairman.

Chairman Bitner called for nominations for Vice Chairman. Commissioner Schwab nominated Commissioner Bakken. Commissioner Woodcox nominated Commissioner Munson. Election was held with Commissioner Bakken prevailing as vice chairman.

Motion by Comm. Munson, 2nd by Comm. Schwab to add Comm. Bakken to the Auditor/Treasurer portfolio. All members present voted "AYE". Motion carried.

All other portfolios stay the same.

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

Motion by Comm. Munson 2nd by Comm. Schwab to approve the meeting agenda with Item 8 being moved to the January 21st, 2025, meeting due to the absence of the Auditor/Treasurer. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to table the minutes of the meetings held on December 2nd, 4th, 16th, and 23rd until the January 21st, 2025 meeting. 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
Vicki L Williams	2024	Lot 3A, Block 10, Sonnet Heights Subdivision	Error in property description	$271,700	$261,200
Sherri Woehl	2024	Block 30, Wachter's 3rd, Lots 17-20 Albert Square Condominiums Unit 1531	100% Disabled Veteran	$216,900	$36,900
Michaela Fuchs & Orlin Perdue III	2024	Lots 17-18, Block 2, McKenzie's	Significant water damage in basement	$332,100	$224,800
Century Baptist Church	2024	Lot 4, Block 2, Mayfair Managers	Property exempt from taxation - parcel fully exempt for 1 month of 2024	$842,700	$772,400
Jorge Santiago	2024	Lot 2, Block 2, Southbay 4th Addition	100% Disabled Veteran	$255,100	$210,100
Robert & Lorraine Faulhaber	2024	Lot 11, Block 1, Heritage Park Addition 1st Replat	100% Disabled Veteran	$396,800	$321,800
Ross Gerhardt	2023	Lot 13, Block 1, Promised Land	Error in property description	$242,400	$209,200
Ross Gerhardt	2024	Lot 13, Block 1, Promised Land	Error in property description	$248,500	$218,300
Kent Stroh & Trang Nguyen III	2023	Lot 1, Block 1, Elk Ridge Addition	Error in property description	$376,900	$346,600
Michael & Karen Lalonde	2024	Lot 13, Block 11, Meadow Valley 3rd	50% Homestead Credit	$334,800	$234,800
Porch & Fence Properties LLC	2024	Block 92, McKenzie & Coffin's, Lot 6 & 6A of Schultz's Subdivision in Lots 21-23 & S 20' of Lot 24	True and full value exceeds market value, error in property description	$137,100	$113,700
Curtis Smith & Marilyn Schroder	2024	Lot 11, Block 7, Imperial Valley	50% Homestead Credit	$338,800	$238,800
Douglas & Carol Alm	2024	Block 3, Cottonwood Lake 4th, Lot 8 & undivided interest in Lot 32 Block 1	50% Homestead Credit	$417,700	$317,700

DRAFT

Thomas & Cynthia Anderst	2024	Lot 9A being part of Lots 3-5, Block 4, Stein's 5th	50% Homestead Credit	$234,000	$134,000
Janet Frohlech	2024	Lot 6 Brandon Heights Condominiums Six Unit 205, Block 1, Brandon Heights	100% Homestead Credit	$228,800	$28,800
Keith Greig	2023	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$287,200	$187,200
Keith Greig	2024	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$308,000	$208,000
Charlette Middlestead	2024	N 152.11' of Aud Lot F of Lot 3, Block 1, Brandon Heights	100% Homestead Credit	$308,000	$108,000
Dean & Carolyn Miller	2024	Lots 17-20 Albert Square Condos Unit 1523, Block 30, Wachter's 3rd	50% Homestead Credit	$219,100	$119,100
Fred & Charlotte Miller	2024	Block 1, North Mills 6th, Lots 5-6 less W 3.48' of said lots Centennial Condo Unit 210 garage G-35 parking P-12	100% Homestead Credit	$192,500	$80,208
Caroline Monroe	2024	Block 4, East Hills Addn Replat, Lot 8 Baumgartner's Sharloh Loop Condo Unit 12 Garage unit A12 Building A	100% Homestead Credit	$183,400	$152,833
Debbie A Opp	2024	Lot 13, Block 7, Replat of Calkins	50% Homestead Credit	$221,600	$121,600
Leopold & Kathryn Richter	2024	Lots 1-2 less W10', Block 1, Sturgis	100% Homestead Credit	$203,200	$3,200
Richard & Barbara Scott	2024	Aud Lot 3B of Lot 3, Block 17, Sonnet Heights	50% Homestead Credit	$264,100	$164,100
Travis Pederson	2024	1996 Chief Bonnavilla 16 x 80, #NEB69A2490	Mobile home moved to Pierce County in 2023	$58,100	$0
Jaren Bender	2024	1973 Sharva-R 15 x 66, #3911	Mobile home moved to Emmons County in 2023	$24,000	$0
Dorothy Kastner	2024	Block 13, Replat Homan Acres, Lot H of Lot 1 Washington Court Condo Building 215 Unit 9 garage 9	100% Homestead Credit	$26,000	$0
Harley Wagner	2024	1971 Homecrest 67 x 14, #B080388	Mobile home damaged by fire	$7,204	$0
Paul & Shari Huettl	2024	Lot 2, Block 3, Country Creek 1st	Basement finish not completed gave 10% obs	$477,800	$436,500
Krystyna Gorzelska	2024	Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums unit 325 & garage G-9 & parking space P-22	100% Homestead Credit	$239,900	$39,900

Motion by Comm. , 2nd by Comm. to approve the Vicki L Williams, Sherri Woehl, Michaela Fuchs & Orlin Perdue III, Century Baptist Church, Jorge Santiago, Robert & Lorraine Faulhaber, Ross Gerhardt (2), Kent Stroh & Trang Nguyen III, Michael & Karen Lalonde, Porch & Fence Properties LLC, Curtis Smith & Marilyn Schroder, Douglas & Carol Alm, Thomas & Cynthia Anderst, Janet Frohlech, Keith Greig (2), Charlette Middlestead, Dean & Carolyn Miller, Fred & Charlotte Miller, Caroline Monroe, Debbie A Opp, Leopold & Kathryn Richter, Richard & Barbara Scott, Travis Pederson, Jaren Bender, Dorothy Kastner, Harley Wagner, Paul & Shari Huettl, and Krystyna Gorzelska abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the consent agenda as presented. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a Rath Subdivision plat to the Commission and requested approval by the Commission. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Rath Subdivision plat. All members present voted "AYE". Motion carried.

Assistant County Engineer Schriock presented the Commission with a resolution. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the resolution for authorization to advertise for bids for the purchase of reinforced box culverts to replace bridge located 4.2 miles south of Highway 10 on 236th Street SE. All members present voted "AYE". Motion carried.

DRAFT

Chairman Bitner led a discussion about the Burleigh County investments and to provide clarification as to where our investment monies come from. Finance Director Jacobs appeared to inform the commission on the funds that currently invested. Chairman Bitner requested that the Investment policy be added to the January 21st, 2025, meeting for review. Commissioner Schwab requested a spreadsheet of all our investments and discussed the benchmarking. Motion by Comm. Munson, 2nd by Comm. Woodcox to add Chairman Bitner and Commissioner Bakken to the Burleigh County Investment Committee. All members present voted "AYE". Motion carried.

Commissioner Woodcox asked Finance Director Jacobs if he had a ballpark figure on what had been collected in the one cent sales tax which is to be used as a direct replacement for property taxes. Finance Director Jacobs says that it should be approximately twenty-four million per year. Commissioner Bitner said that a portion of that money will be available for the 2025 Budget and the full amount of collections for the 2026 budget. Commissioner Woodcox inquired if that money is being properly invested. Finance Director Jacobs stated that what has been received has been invested. Chairman Bitner states that we will be looking at the details to make certain our reserves fall within the limits of the Century Code.

Motion by Comm. Woodcox 2nd by Comm. Munson to approve the bills from the December 16th meeting. All members present voted, "AYE". Motion carried.

Chairman Bitner informed the commission about the phone lines in the Provident Life Building that had been cut which affected the beacon and the elevator emergency phones.

Chairman Bitner said that the attorneys are suggesting that we join the other parties that are appealing the PSC decision. By consensus the commission agrees to join the other parties.

.Meeting Adjourned.

_____ _____

Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
25-001	Wesley & Ruth Wessner	2024	Lot 22, Block 5, Eastside Heights	50% Homestead Credit	$276,100	$176,100
25-002	Marcella Haman	2024	3801 Koch Dr Condo Assoc Unit 2 & Garage Unit 2, Lot 4, Block 2, Koch Addition	100% Homestead Credit	$246,700	$46,700
25-003	Linnae Brew	2023	Normandy Cottages Condo Assoc Unit 1, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$328,200	$228,200
25-004	Linnae Brew	2024	Normandy Cottages Condo Assoc Unit 1, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$334,500	$234,500
25-008	Anthony & Alvina Splonskowski	2024	Lot 17, Block 10, Washington Heights 3rd	50% Homestead Credit	$283,300	$183,300
25-009	Monte & Gayle Schneibel	2024	Lot C of Lot 4, Block 1, Missouri River Estates	50% Homestead Credit	$291,100	$191,100
25-010	Monty Snyder	2024	S1/2SE1/4	100% Homestead Credit	$163,400	$0
25-013	Roberta Froehlich	2024	Unit 6G of Lot 2, Block 1, Plaza Tower	50% Homestead Credit	$97,100	$48,550
25-014	Kim & Patricia Wiest	2024	Lot 10, Block 1, Haycreek Meadows	50% Homestead Credit	$293,100	$193,100
25-015	Fred & Mitzl Johnson	2023	Lot 6, Block 1, Watsons	50% Homestead Credit	$102,700	$51,350
25-016	Fred & Mitzl Johnson	2024	Lot 6, Block 1, Watsons	50% Homestead Credit	$92,900	$46,450
25-017	Rick & Jacqueline Bischof	2023	Lot 9, Block 1, Fox Island	Error in property description	$908,300	$883,800
25-018	Rick & Jacqueline Bischof	2024	Lot 9, Block 1, Fox Island	Error in property description	$984,000	$956,600
25-019	Norman & Cynthia Gabel	2023	Baltus Dr Condo Phase II Unit 3321, Aud Lot 1A of Lot 1, Block 2, East Hills Addn Replat	50% Homestead Credit	$329,700	$229,700

25-020	Norman & Cynthia Gabel	2024	Baltus Dr Condo Phase II Unit 3321, Aud Lot 1A of Lot 1, Block 2, East Hills Addn Replat	50% Homestead Credit	$348,800	$248,800
25-021	Edna Gartner	2024	Lot 13, Block 11, Register's 2nd	100% Homestead Credit	$210,500	$10,500
25-022	Delores Jahner	2024	2017 Oregon Dr Condo Assoc Unit 1, Aud Lot E being pt of Lot 5 & Aud Lot B of Lot 1, Block 1, Pebble Creek 5th	100% Homestead Credit	$202,600	$2,600
25-023	David Breding	2024	Lots 1-3, Block 8, Wilton - Macomber's 1st	100% Homestead Credit	$43,100	$0
25-024	Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt NW1/4	Exempt property	$1,900	$0
25-025	Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt W1/2 less tr for hosp add, Tylers 1sr, Tylers West Vlg less 9.82A-412 & 11.74A-414 & & 13.10A to cty W XVI	Exempt property	$5,500	$0
25-026	Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt N1/2	Exempt property	$4,900	$0
25-027	Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt N1/2	Exempt property	$5,900	$0
25-028	Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt N1/2	Exempt property	$500	$0
25-029	Park District of the City of Bismarck	2024	Section 19, Hay Creek Township, Lot 10A in SW1/4SE1/4 (irr plt #291979)	Exempt property	$13,700	$0
25-030	Park District of the City of Bismarck	2024	Section 19, Hay Creek Township, 26.42A of SE1/4SW1/4 & .90A of SW1/4SE1/4	Exempt property	$7,200	$0
25-031	Duane Wald	2024	Legacy Condos II Unit 5, Lot 1B & Lot 1C of Lot 1, Block 1, Hamilton's 1st Addn	100% Homestead Credit	$203,100	$3,100

25-032	Venture Holdings LLC	2024	Lot 3, Block 1, Northstar Comm Park 3rd, beg at NW cor of L3 th S 89°35'52"E al N line of L3 231.84' to E line of L3; th S 00°26'03"W al E line 217.31'; th N89°37'11"W 243.15' to W line of L3; th N03°24'48"E al W line 217.71' to POB	Duplicate assessment	$622,000	$0
25-033	Jon Martinson	2023	Normandy Cottages Condo Assoc Unit 2, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$353,000	$253,000
25-034	Jon Martinson	2024	Normandy Cottages Condo Assoc Unit 2, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$359,500	$259,500
25-035	Duane Zimmerman	2024	Lot 2, Block 12, Perry Pines	50% Homestead Credit	$177,500	$88,750
25-036	Brock & Ashley Johlfs	2024	Lot 4, Block 6, Spiritwood Estates	60% Disabled Veteran	$552,000	$444,000

25-001

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES
"SE"
Local Fee: $25.00

Applicant (must have county license) TnT Tavern, LLC.

1. Name of Licensee Travis Kocourek
2. Name of Business TnT Tavern
3. Mailing Address 31 Main St
4. State Alcoholic Beverage License Number AA-018316 5. Local License Number(s) 24-003
6. Date(s) and Time of Special Event* Feb 8, 2025 7pm-1am
7. Describe Special Event Fully Wedding reception
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 14th day of January, 2025

Tm Kocourek TnT Tavern
(Licensee)

BY Tm Kocourek
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 14th day of January, 2025

AMANDA ISAKSON
Notary Public
(SEAL) State of North Dakota
My Commission Expires December 8, 2025

Amanda Isakson

****

Recommendation X Approved ____ Denied ____ If denied, reason for denial: ____

Jully J L 1-14-25
(Burleigh County Sheriff) (Date)

****

PERMIT

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

Dated this _____ day of _____, 20_____

_____
(County Auditor)

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type SE Retail Liquor License for

TnT Tavern, LLC
(Name of Establishment)

owned by Travis Kocourek 31 Main St
(Licensee) (Address)

Pat Whitman
Chairman

Loren Lang
Member

Shawn Hayzok
Member

ATTEST

Ashley Bryce
(Township Clerk)

DESCRIPTION OF PREMISES

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

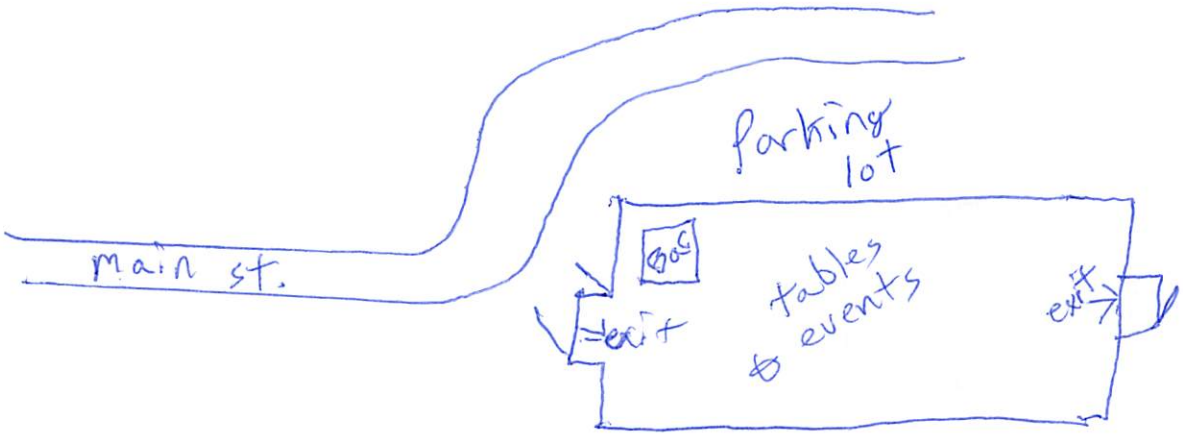
2. Address of premises:

Driscoll Community Building (south end of Main St) Driscoll 58532
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: Driscoll Community Building

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

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



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

_____

_____

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Memo

Date: January 21, 2025

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Stacey Funk

Stacey Funk from 13008 Acadia Drive has requested a second access permit to his property. The first access approach is off of Acadia Drive. He wishes to have a second approach off of Glacier Road in order to loop his driveway. We have reviewed the location of the new proposed access off of Glacier Road and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Stacey Funk on the January 21, 2025 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.)

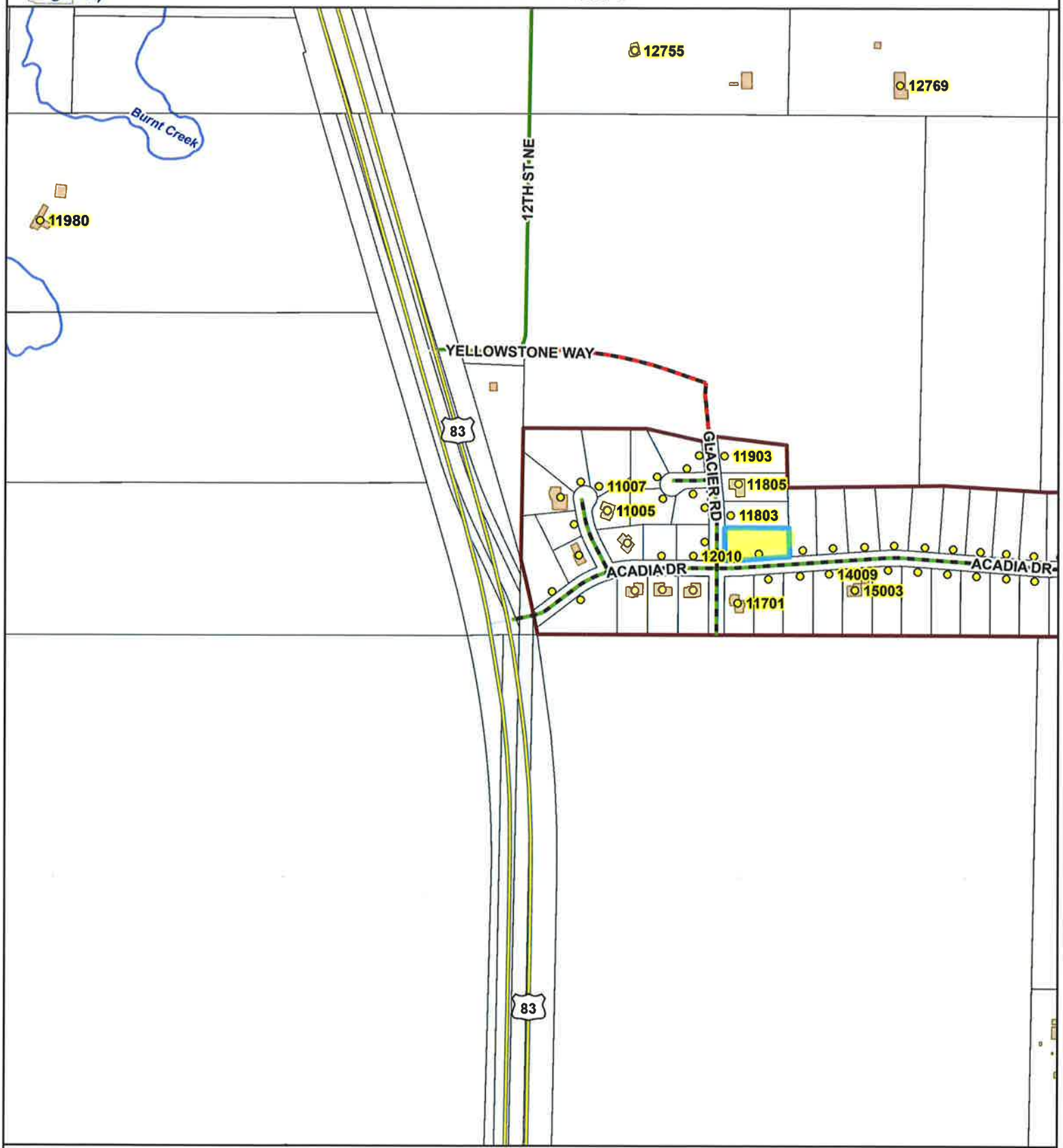
3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

Burleigh County

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

1/13/2025



PARCEL ID: 24-140-80-51-02-040 OWNER: FUNK, STACEY J LIVING TRUST ACRES: 1.17

SITE ADDRESS: 13008 ACADIA DR

MAIL ADDRESS: %FUNK, STACEY J & JAMES M - TRUSTEES 2519 PEACH TREE DR, BISMARCK, ND 58504

LEGAL: HERITAGE RESERVE BLOCK 2 LOT 4

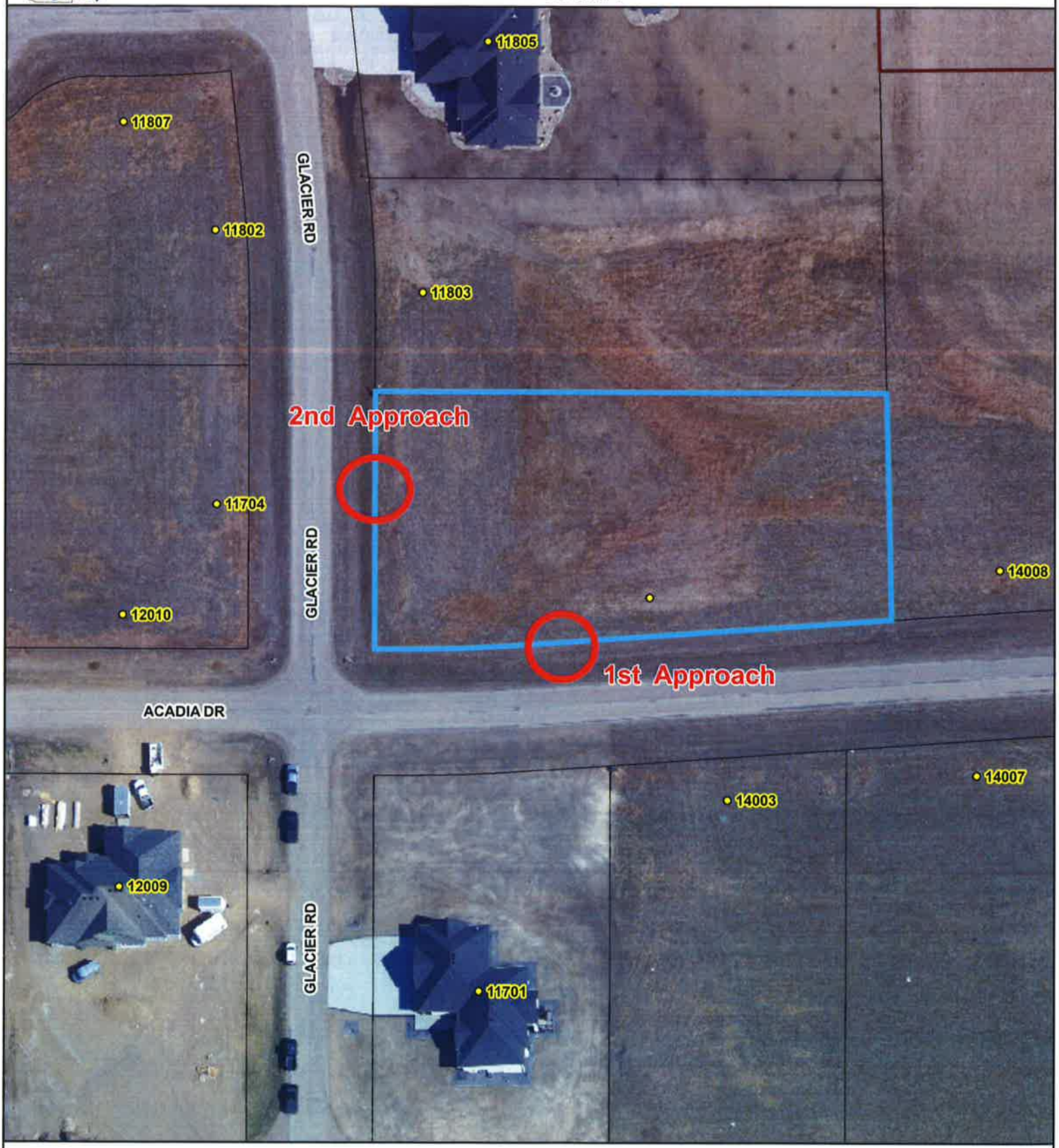
Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the dala delineated hereon.

Burleigh County

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

1/13/2025



PARCEL ID: 24-140-80-51-02-040 OWNER: FUNK, STACEY J LIVING TRUST ACRES: 1.17

SITE ADDRESS: 13008 ACADIA DR

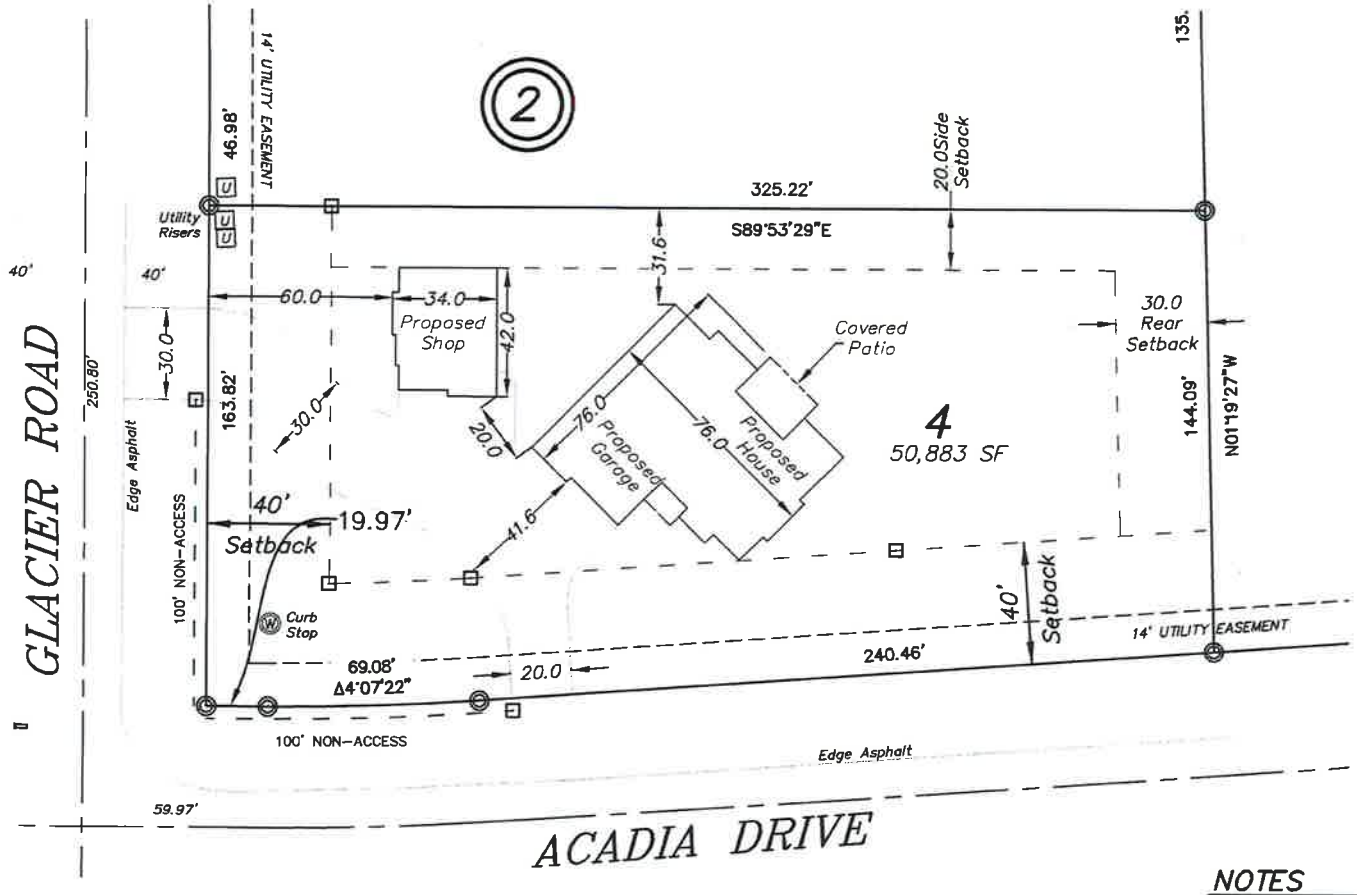
MAIL ADDRESS: %FUNK, STACEY J & JAMES M - TRUSTEES 2519 PEACH TREE DR, BISMARCK, ND 58504

LEGAL: HERITAGE RESERVE BLOCK 2 LOT 4

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

LOT SURVEY EXHIBIT

LOT 4 BLOCK 2
SUBDIVISION Heritage Reserve Subdivision
ADDRESS 13008 Acadia Drive
BUILDER K&L Homes



SCALE: 1"= 60'
DATE: 3/14/24
Revised: 12/10/24

Surveyor's Seal
REGISTERED PROFESSIONAL LAND SURVEYOR
TIM LANGERUD
PLS-5770
DATE: 12/10/2024
NORTH DAKOTA

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

- FOUND MONUMENT
- SET MONUMENT
- BUILDING SETBACK OR NON-ACCESS

NOTES

THE BUILDING SETBACK LINES SHOWN ARE TYPICAL, THERE MAY BE OTHER BUILDING RESTRICTIONS, COVENANTS OR INTERPRETATIONS THAT AFFECT THIS PROPERTY. THE BUILDER IS RESPONSIBLE FOR VERIFYING THE BUILDING DIMENSIONS AND VERIFYING THE BUILDING SETBACKS WITH THE APPROPRIATE APPROVING AUTHORITIES. DIMENSIONS ARE FROM PLAT. BUILDING AS SHOWN HAS BEEN FIELD SURVEYED.

FAXED OR EMAILED TO: BUILDER OR OWNER

DATED:

ML '24

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Memo

Date: January 21, 2025

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Connie Hilger

Connie Hilger from 12004 Acadia Drive has requested a second access permit to his property. The first access approach is off of Acadia Drive. He wishes to have a second approach off of Acadia Cir in order to have better access to the north side of his property. We have reviewed the location of the new proposed access off of Acadia Cir and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Connie Hilger on the January 21, 2025 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.)

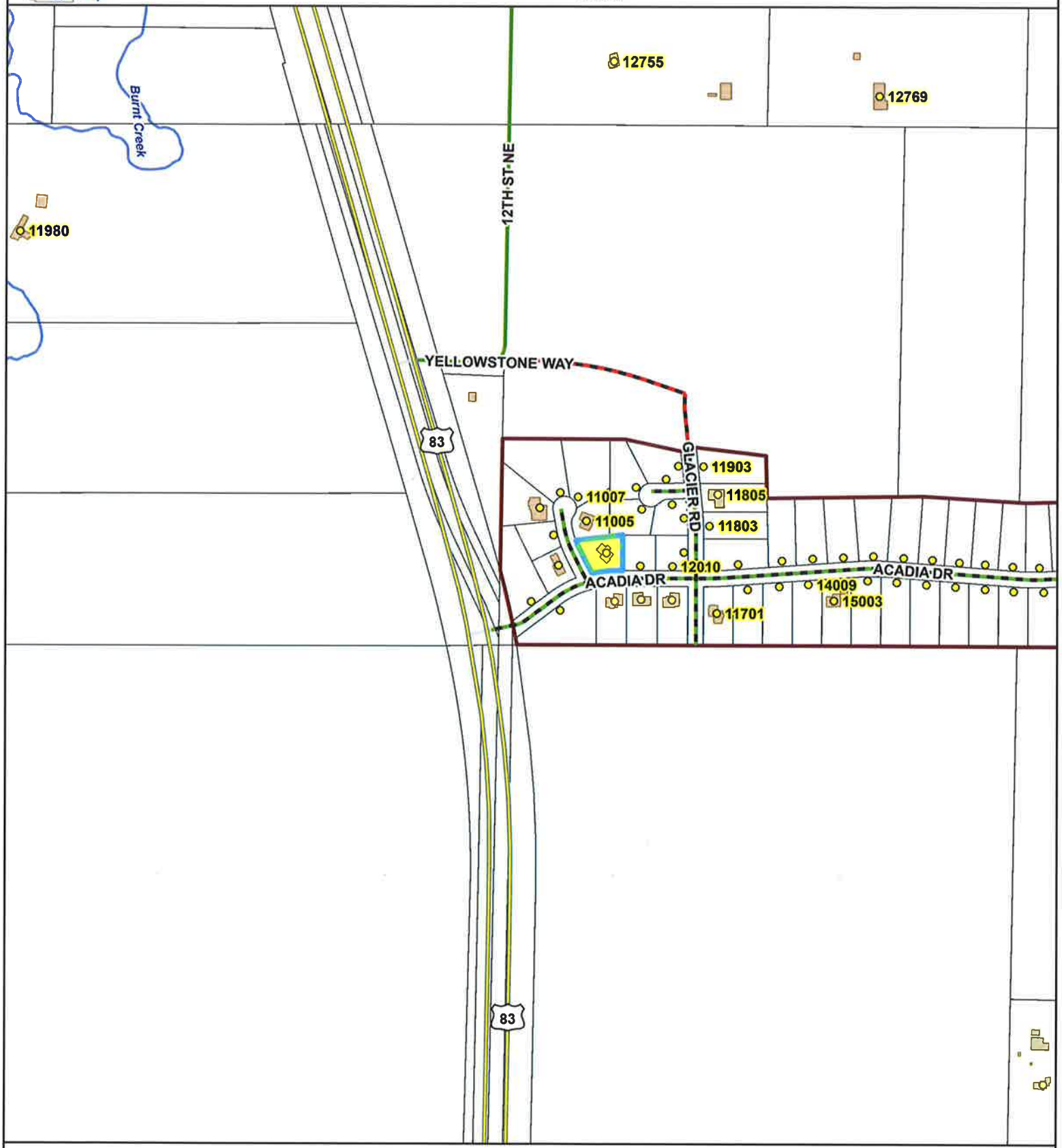
3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

1/13/2025



PARCEL ID: 24-140-80-51-01-080 OWNER: HILGER, CONNIE L LIVING TRUST ACRES: 0.8

SITE ADDRESS: 12004 ACADIA DR

MAIL ADDRESS: %ROBERT M HILGER & CONNIE L HILGER - TRUSTEES 12004 ACADIA DR, BISMARCK, ND 58503-5500

LEGAL: HERITAGE RESERVE BLOCK 1 LOT 8

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

Burleigh County

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

1/13/2025



PARCEL ID: 24-140-80-51-01-080 OWNER: HILGER, CONNIE L LIVING TRUST ACRES: 0.8

SITE ADDRESS: 12004 ACADIA DR

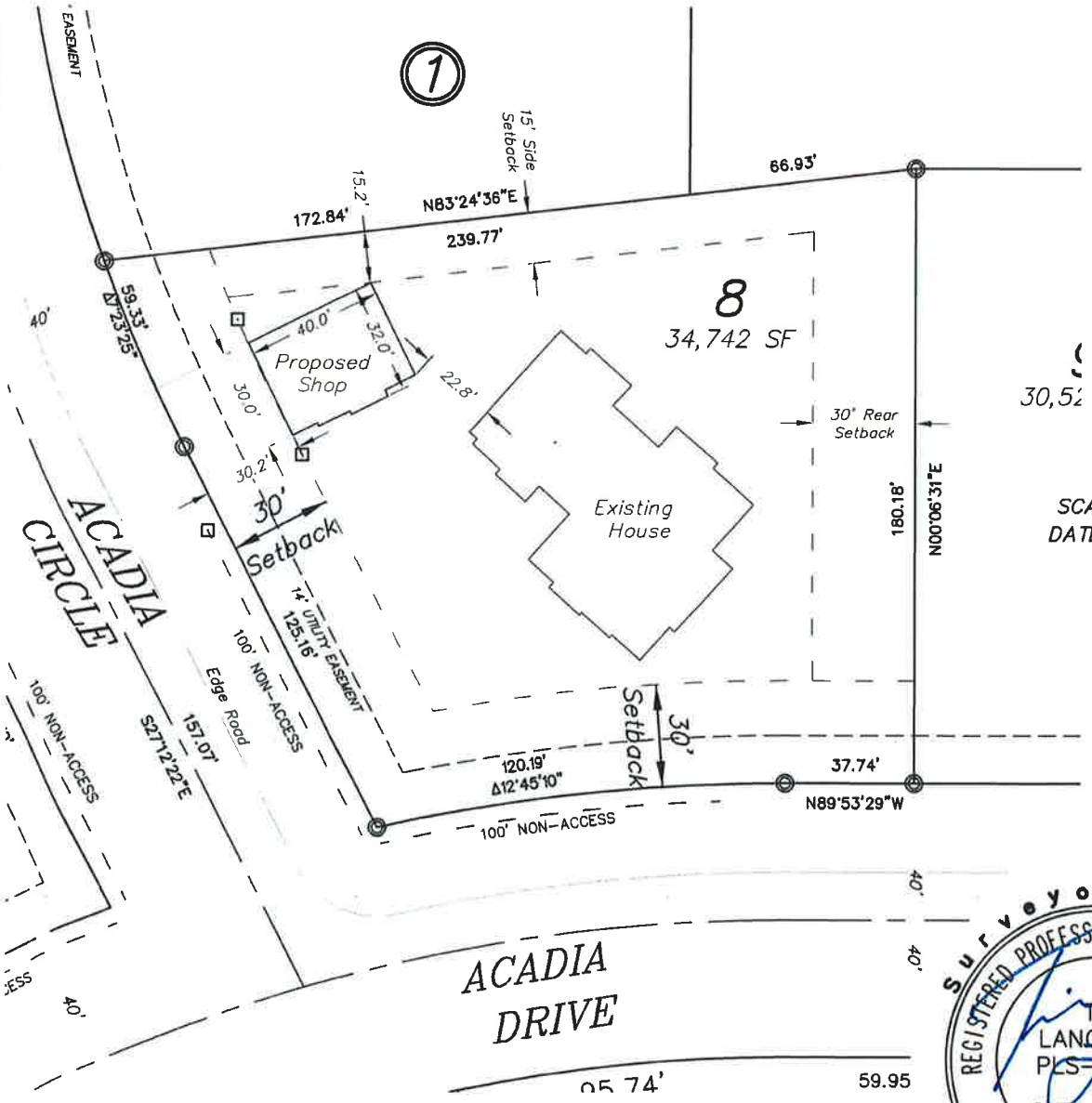
MAIL ADDRESS: %ROBERT M HILGER & CONNIE L HILGER - TRUSTEES 12004 ACADIA DR, BISMARCK, ND 58503-5500

LEGAL: HERITAGE RESERVE BLOCK 1 LOT 8

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

LOT SURVEY EXHIBIT

LOT 8 BLOCK 1
SUBDIVISION Heritage Reserve Subdivision
ADDRESS 12004 Acadia Drive
BUILDER K&L Homes



Lot Coverage
45251sf+1234sf
/34,742sf
=15.8%

- FOUND MONUMENT
- SET MONUMENT
- BUILDING SETBACK OR NON-ACCESS STAKE

Surveyor's Seal
REGISTERED PROFESSIONAL LAND SURVEYOR
TIM LANGERUD
PLS-5770
DATE: 12/10/2024
NORTH DAKOTA

NOTES

THE BUILDING SETBACK LINES SHOWN ARE TYPICAL, THERE MAY BE OTHER BUILDING RESTRICTIONS, COVENANTS OR INTERPRETATIONS THAT AFFECT THIS PROPERTY. THE BUILDER IS RESPONSIBLE FOR VERIFYING THE BUILDING DIMENSIONS AND VERIFYING THE BUILDING SETBACKS WITH THE APPROPRIATE APPROVING AUTHORITIES. DIMENSIONS ARE FROM PLAT. BUILDING AS SHOWN HAS BEEN FIELD SURVEYED.

FAXED OR EMAILED TO: BUILDER OR OWNER

DATED:

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

ML '24

ITEM

6

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **January 22, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **2nd Approach Permits**

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

ACTION REQUESTED:
Review and Direct the County Highway Department on how to proceed with Colton Jeppson request.

BACKGROUND:
Colton Jeppson has requested a second approach permit to a property described as Block 03, Lot 02, of Country Ridge First Subdivision (6635 Shoal Drive). Both the first and second approaches will enter the property from Shoal Drive. The second approach was rejected because it is too close to the first approach (around 80 feet).

Colton Jeppson has requested an appeal of the Highway Department's denial to the County Board.

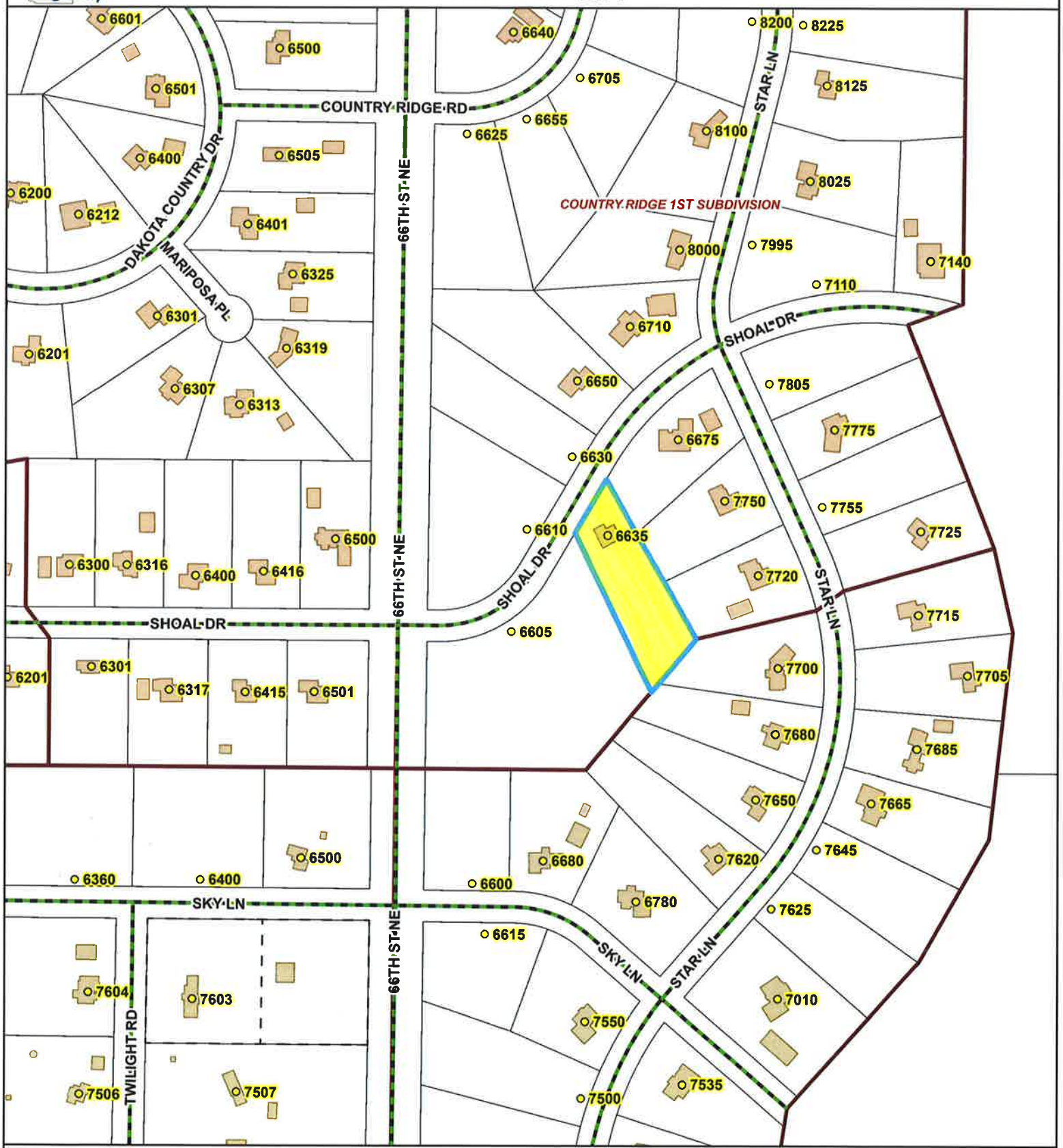
RECOMMENDATION:
It is recommended that the Burleigh County Board discuss the above item and direct the County Highway Department on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA

LOCATION MAP

N

1/2/2025



PARCEL ID: 32-139-79-42-03-020 OWNER: JEPPSON, COLTON M & MARY A ACRES: 1.54

SITE ADDRESS: 6635 SHOAL DR

MAIL ADDRESS: 6635 SHOAL DR, BISMARCK, ND 58503

LEGAL: COUNTRY RIDGE FIRST Block 03 LOT 2

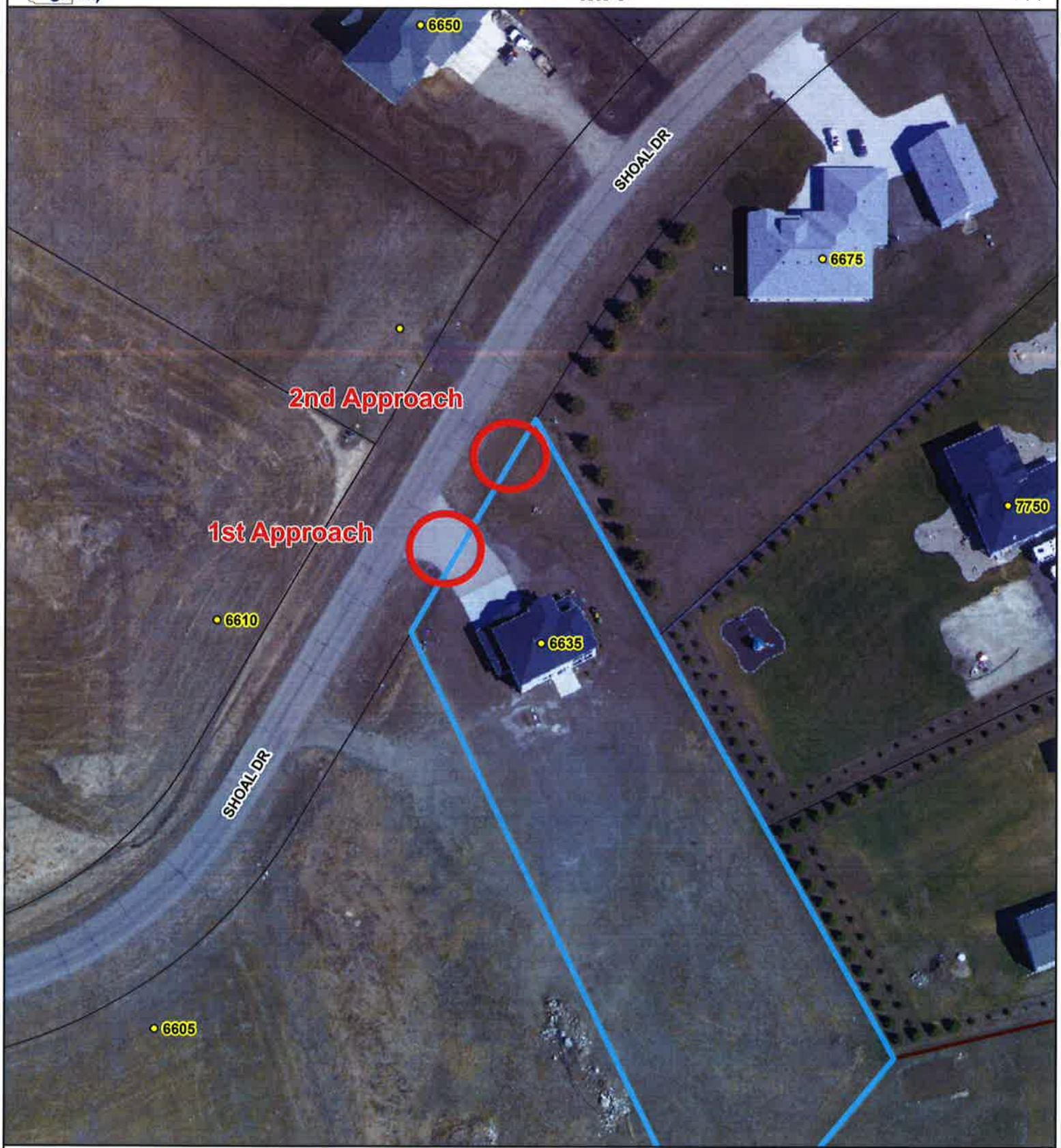
Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Burleigh County

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

1/2/2025



PARCEL ID: 32-139-79-42-03-020 OWNER: JEPPSON, COLTON M & MARY A ACRES: 1.54

SITE ADDRESS: 6635 SHOAL DR

MAIL ADDRESS: 6635 SHOAL DR, BISMARCK, ND 58503

LEGAL: COUNTRY RIDGE FIRST Block 03 LOT 2

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

Burleigh County – 2nd approach permit request

12/31/2024

Applicant name: Colton Jeppson

Contact phone: (775) 842-6996

Legal description of the property: Residential

6635 Shoal Dr

Bismarck, ND 58503

Request for 2nd approach permit at the above address. We wish to build a shop on the south/east section of our property in the 2025 season and would require a second approach to gain access to the shop. As shown in the hand drawing, access to the shop would not be feasible from the west side of the house due to the utilities box placement and the current leach field placement.

The second approach has been marked with white flags.

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: **January 21, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Authorization to advertise for bids.**

Please include the following item in the next Burleigh County Board agenda.

ACTION REQUESTED:
Authorize the proper County officials to advertise for bids for the Bryan Slough Force Main Project.

BACKGROUND:
During the 2025 Budget process, the County Board approved the Bryan Slough Force Main project to the 2025 budget. The Highway Department has been working on a plan for this project and is now ready to advertise for bids. We will be using 100% American Rescue Funds for the construction of this project.

RECOMMENDATION:
It is recommended the Board adopt the following proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for the Bryan Slough Force Main Project.

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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BISMARCK, ND 58503
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Request for County Board Action

DATE: **January 21, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Authorization to advertise for bids.**

Please include the following item in the next Burleigh County Board agenda.

ACTION REQUESTED:
Authorize the proper County officials to advertise for bids for the HWY 10 and 80th Street Intersection project.

BACKGROUND:
On November 18, 2024 the County Board added the HWY 10 and 80th Street Intersection project to the 2025 Burleigh County Project Priority List. The Highway Department has been working on a plan for this project and is now ready to advertise for bids. We will be using 100% Prairie Dog Funding for the construction of this project.

RECOMMENDATION:
It is recommended the Board adopt the following proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for the HWY 10 and 80th Street Intersection project.

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: **January 21, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Authorization to advertise for bids.**

Please include the following item in the next Burleigh County Board agenda.

ACTION REQUESTED:
Authorize the proper County officials to advertise for bids for a Microsurfacing project.

BACKGROUND:
During the 2025 Budget process, the County Board added a Microsurfacing project to the 2025 budget. The projects include 71st Ave NE from US83 to Centennial Road and Centennial Road from 71st Ave NE to Jericho Road. In addition, we will be doing 66th Street SE from County Highway 10 to Lincoln Road. The Highway Department has been working on a plan for this project and is now ready to advertise for bids. We will be using 100% Prairie Dog Funding for the construction of this project.

RECOMMENDATION:
It is recommended the Board adopt the following proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for the Microsurfacing of 71st Ave NE from US83 to Centennial Road. Centennial Road from 71st Ave NE to Jericho Road and 66th Street SE from County Highway 10 to Lincoln Road.

ITEM

7

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Recommendations from the January 8, 2025 meeting of Burleigh County Planning Commission

Date: 1-9-2025

From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1 — RRH Final Subdivision and Zone Change

Legal Description: Section 21, PT SW ¼ Lot 'A' Irregular Plat #291-884

Property Address: TBD.

Burleigh County was asked by CEI Engineering – Dallas TX and Moore Engineering- Bismarck, to review a one (1) lot subdivision containing 19.823 acres and a proposed zoning change from AG to C-Commercial District. The owner's intention is to build a Love's Travel Stop & Country Store on this site. The Planning Commission recommended approval of the final plat and zone change by a vote of 8-0.

ACTION REQUESTED — Based on supporting documents and findings of the Planning Commission, it is recommended to approve RRH Final Subdivision and Zone Change.

Attachments: Ex. 1. RRH Final Plat.
Ex. 2. Site Location.

PLAT OF
RRH SUBDIVISION
A PART OF THE SOUTHWEST 1/4 OF
SECTION 21, TOWNSHIP 139 NORTH, RANGE 76 WEST, BURLEIGH COUNTY, NORTH DAKOTA

PERIMETER METES & BOUNDS DESCRIPTION

Part of the Southwest Quarter of Section 21, Township 139 North, Range 76 West, of the 5th Principal Meridian, Burleigh County, North Dakota, described as follows:

Commencing at the southwest corner of said section 21, thence N 0 deg. 23 min. 48 sec. E along the west line of section 21 a distance of 408.81 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 101.94 feet to the point of beginning; thence N 0 deg. 23 min. 48 sec. E a distance of 909.83 feet; thence S 89 deg. 55 min. 39 sec. E a distance of 760.02 feet; thence S 0 deg. 21 min. 31 sec. W a distance of 1318.16 feet to the south line of said section 21; thence N 89 deg. 55 min. 13 sec. W along the south line of said section 21 a distance of 90.90 feet to the northerly NDDOT right of way line along interstate highway no. I–94; thence N 58 deg. 28 min. 46 sec. W along said NDDOT right of way line a distance of 782.64 feet to the point of beginning.

Said tract contains 19.87 acres, more or less.

DRAINAGE EASEMENT DESCRIPTION

Beginning at the northwest corner of Lot 1, Block 1 of RRH Subdivision, thence S 0 deg. 23 min. 48 sec. W along the west line of said Lot 1 a distance of 12.32 feet; thence S 75 deg. 52 min. 39 sec. E a distance of 225.15 feet; thence S 89 deg. 00 min. 25 sec. E a distance of 461.69 feet to the beginning of a tangent curve, concave to the right (southwesterly), having a radius of 30.00 feet; thence easterly along said curve 46.79 feet through a central angle of 89 deg. 21 min. 56 sec. to the end of the curve; thence S 0 deg. 21 min. 31 sec. W a distance of 1213.61 feet to the south line of said Lot 1; thence S 89 deg. 55 min. 13 sec. E along the south line of said Lot 1 a distance of 40.00 feet; thence N 0 deg. 21 min. 31 sec. E a distance of 1262.64 feet; thence N 89 deg. 00 min. 25 sec. W a distance of 528.84 feet; thence N 75 deg. 52 min. 39 sec. W a distance of 193.69 feet to the north line of said Lot 1; thence N 89 deg. 55 min. 39 sec. W along the north line of said Lot 1 a distance of 33.08 feet to the point of beginning.

Said easement contains 1.49 acres, more or less.

LAGOON EASEMENT DESCRIPTION

Commencing at the southwest corner of Lot 1, Block 1 of RRH Subdivision, thence N 55 deg. 27 min. 39 sec. E a distance of 77.47 feet to the point of beginning; thence N 28 deg. 53 min. 45 sec. W a distance of 24.04 feet; thence N 0 deg. 23 min. 48 sec. E a distance of 241.31 feet; thence N 45 deg. 23 min. 48 sec. E a distance of 38.11 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 223.10 feet; thence N 80 deg. 23 min. 20 sec. E a distance of 85.21 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 294.65 feet; thence S 0 deg. 18 min. 47 sec. W a distance of 560.56 feet; thence S 54 deg. 06 min. 21 sec. W a distance of 80.15 feet; thence N 72 deg. 06 min. 04 sec. W a distance of 253.76 feet; thence N 35 deg. 51 min. 08 sec. W a distance of 43.92 feet; thence N 00 deg. 23 min. 48 sec. E a distance of 73.54 feet; thence N 90 deg. 00 min. 00 sec. W a distance of 89.74 feet; thence N 58 deg. 11 min. 18 sec. W a distance of 228.90 feet to the point of beginning.

Said easement contain 6.81 acres, more or less.

AREA DATA:

Lot 1, Block 1 865,595 Sq. Ft. 19.87 Acres

RESTRICTED USE ON STORMWATER & DRAINAGE EASEMENT

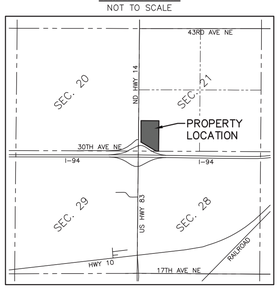
1. Stormwater & Drainage Easements are constructed to collect, store, convey, and/or treat stormwater runoff. They are constructed to prevent or limit flood damage and environmental impacts to properties both within and outside of the plat.
2. Property owners shall not place any type of fill material or make any alterations to the permanent vegetated cover on the Stormwater & Drainage Easement (no open till soil is allowed). They shall not plant any trees or shrubs within the easement with the intent to screen or provide a snow shelter belt. Individual trees and shrubs may be planted within the easement with the prior approval of the County Engineer. Property owners shall not construct any type of structure (including fences, garages, outbuildings, sheds, driveways, parking pads, landscaping, gardens, and septic fields) or other features that interfere with the intended use of the Stormwater & Drainage Easement.

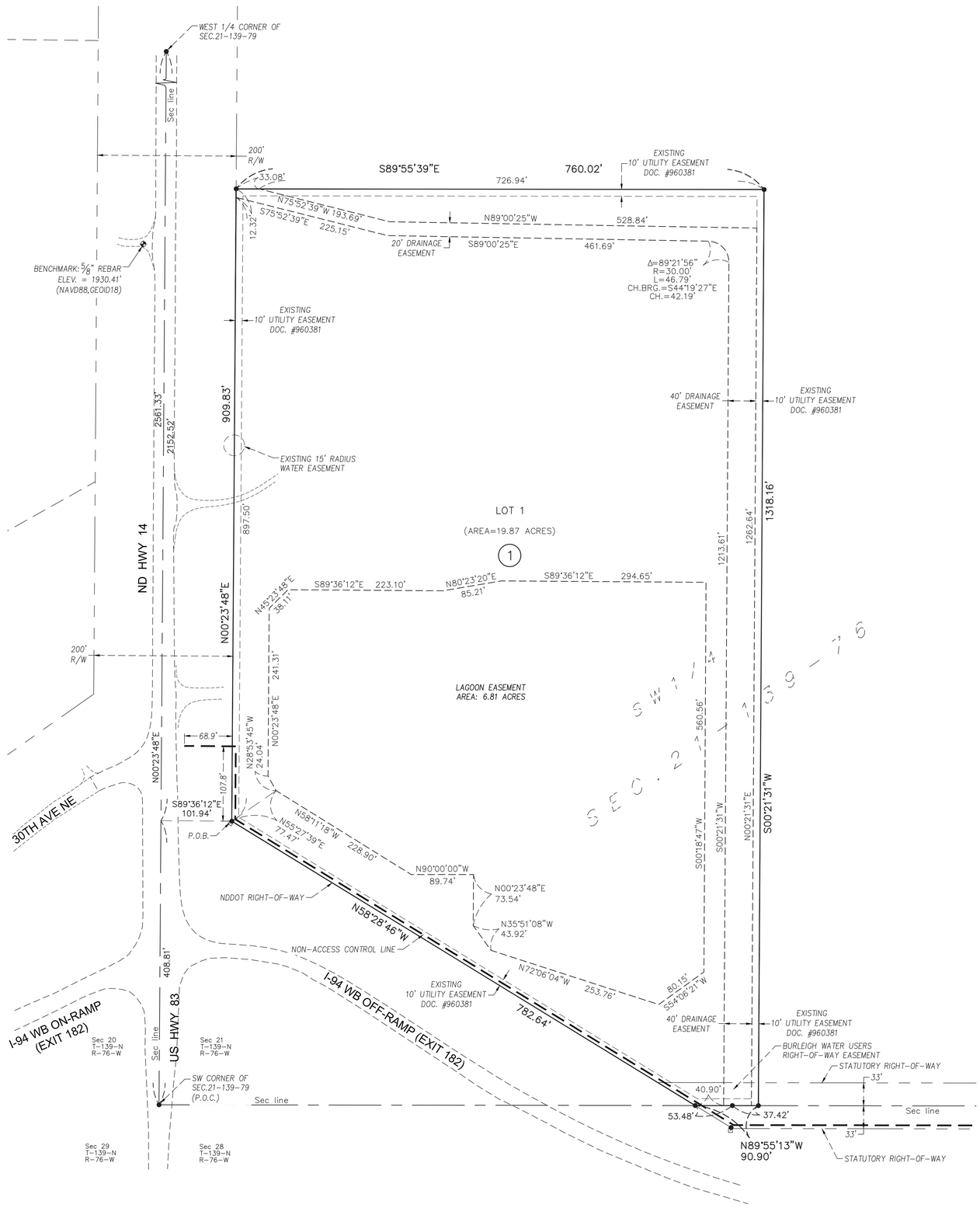
SITE BENCHMARK

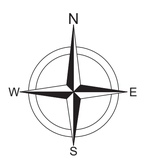
BURLEIGH COUNTY GROUND COORDIANTES
1/CF = 1.0001485221
NAD83 (2011); ND SOUTH ZONE
NAVD88/GEOID18
INTERNATIONAL FOOT
6/2/2022

POINT ID, NORTHING, EASTING, ELEVATION,CODE
1, 428171.156, 2021688.859, 1930.410, CP1

VICINITY MAP
NOT TO SCALE







0 80
Scale in Feet

BASIS OF BEARINGS:
GRID NORTH

LEGEND

- ● IRON MONUMENT FOUND
- ○ SET 5/8"x18" REBAR WITH ALUMINUM CAP LS–10871
- ⊡ RIGHT OF WAY POST
- — — — NON–ACCESS LINE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

HORIZONTAL DATUM: BURLEIGH COUNTY GROUND COORDINATES
ND COORDINATE SYSTEM OF 1983, NAD83(2011)
ND SOUTH ZONE, INTERNATIONAL FOOT DEFINITION
COMBINATION FACTOR: 0.9998515

moore engineering, inc.
Consulting Engineering • Land Surveying
4503 Coleman Street, Suite 105 • Bismarck, North Dakota
www.mooreengineeringinc.com

PROPERTY OWNER:
ROSEROCK HOLDINGS LLC
PO BOX 5256
OAK BROOK, IL 60522–5256

PARCEL #:
35–139–76–00–21–610

PRELIMINARY PLAT DATE: 10–23–2024

OWNERS DEDICATION

We, the undersigned, being the sole owners of the land platted hereon, do hereby voluntarily consent to the execution of said plat and do dedicate easements to run with the land for gas, electric, telephone, water or other public utilities or services on or under those certain strips of land designated hereon as "Utility Easement". We further dedicate drainage and lagoon easements as shown hereon.

Signature _____

Name Timothy J. Doty, II,
Roserock Holdings, LLC

State of _____)
County of _____)

On this ____ day of _____, 20____, before me, a Notary Public in and for said County and State, personally appeared _____, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same in the name of RRH Subdivision.

_____
Notary Public, _____ County, _____

APPROVAL OF BOARD OF COUNTY COMMISSION

The Board of County Commissioners of the County of Burleigh, North Dakota, has approved the subdivision of land as shown on this plat, has accepted the dedication of all streets shown thereon, and does hereby vacate any previous platting within the boundary of this plat.

This plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and ordinances of the County of Burleigh.

The foregoing action on the Board of County Commission of Burleigh County, North Dakota, was taken by resolution approved on the _____ day of _____, 20____,

_____ _____
Brian Bitner, Chairman Attest: Mark Splonskowski
County Auditor/Treasurer

APPROVAL OF THE COUNTY ENGINEER

I, Marcus J. Hall, P.E., County Engineer of the County of Burleigh, North Dakota, hereby approve this plat of RRH Subdivision, as shown on this plat.

Dated this _____ day of _____, 20____,

_____
Marcus J. Hall, P.E., County Engineer

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

The County Planning and Zoning Commission of the County of Burleigh, North Dakota, hereby approves the RRH Subdivision, as shown on this plat.

This plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and ordinances of the County of Burleigh and regulation adopted by said Planning and Zoning Commission.

The foregoing action on the County Planning and Zoning Commission of Burleigh County, North Dakota, was taken by resolution approved on the _____ day of _____, 20____,

_____ _____
Dennis Agnew, Chairman Attest: Mitch Flanagan, Secretary

SURVEYOR'S CERTIFICATE

Thomas D. Weigel, being duly sworn, deposes and says that he is the Registered Professional Land Surveyor who prepared and made the attached plat of "RRH SUBDIVISION", a part of the Southwest Quarter of Section 21, Township 139 North, Range 76 West of the Fifth Principal Meridian, Burleigh County, North Dakota; that said plat is a true and correct representation of said survey, that all distances are correctly shown on said plat; that monuments have been placed in the ground as indicated for the guidance of future surveys; all dimensional and geodetic details are correct.

PRELIMINARY

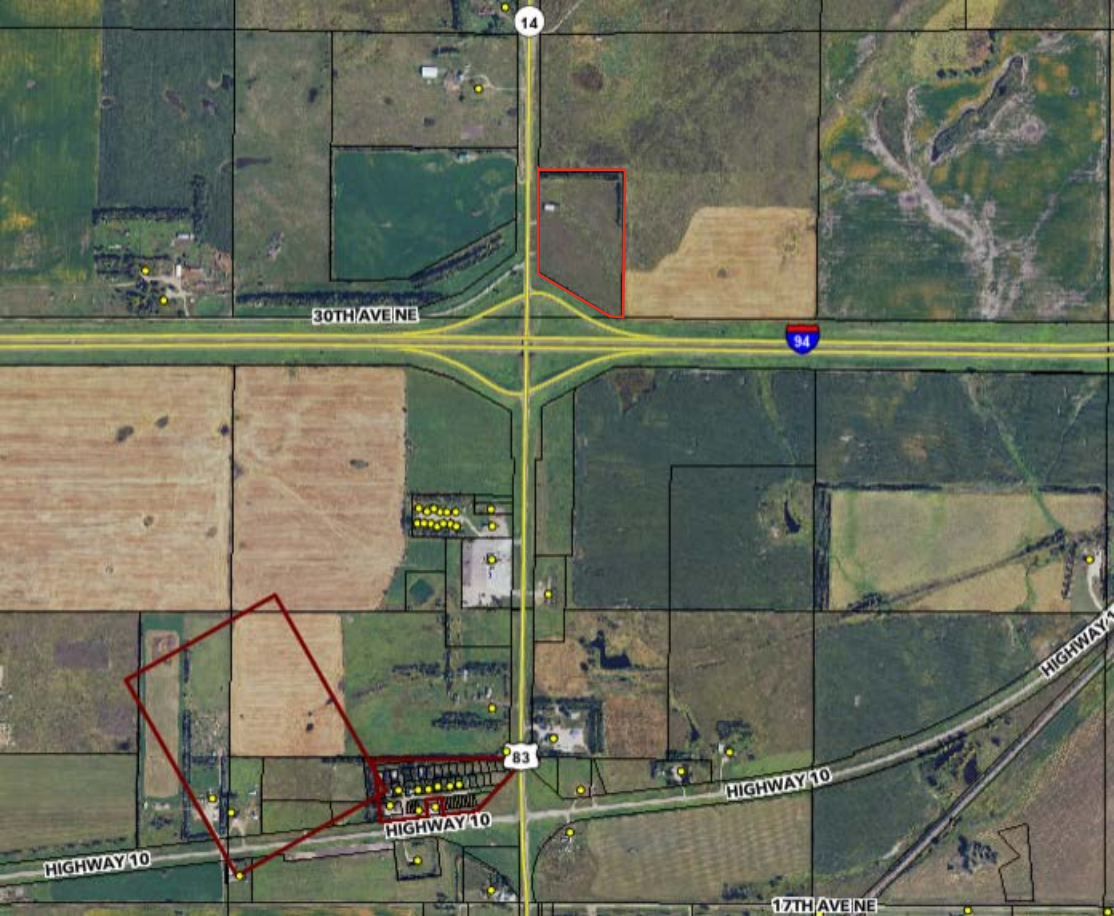
REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR
THOMAS D. WEIGEL
LS-10871
PE-28797
DATE
NORTH DAKOTA

_____
Thomas D. Weigel
Professional Land Surveyor
Reg. No. LS–10871

State of North Dakota)
county of Burleigh)

On this _____ day of _____, 20____, before me, a notary public in and for said county and state, personally appeared Thomas D. Weigel, registered land surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

_____
Notary Public, Burleigh County, North Dakota


14
30TH AVE NE
94
83
HIGHWAY 10
HIGHWAY 10
HIGHWAY 10
17TH AVE NE

ITEM

8

BURLEIGH - MORTON COUNTY COMMISSION

DETENTION REPORT January 2025

1. December Housing Report:

    a. Average Daily Population (ADP) 268

    b. Total Bookings: 618 or 20 per day average.

2. Breakdown of Inmate Days:

    a. Bismarck inmate days:

        290 nights 9 per night $21,563 billed

    b. Mandan inmate days:

        28 nights 1 per night $1,913 billed

    c. U.S. Marshall/Bureau of Prisons:

        1,014 nights 33 per night $116,610 billed

    d. Others (Counties/Cities):

        1,395 nights 45 per night $128,575 billed

    e. Burleigh/ Morton Average per night:

        6,055 nights 195 per night

3. Total billed : $268,530 Year: $2,591,063

4. Burleigh County alternatives to jail program (24/7Program): 309 Participants
    - 52 on the drug patch.
    - 152 on the ankle bracelet.
    - 51 on twice a day breath tests.
    - 44 people testing in other counties.
    - 10 Remote Breath Testing

ITEM

10

Burleigh County	**Burleigh County, North Dakota** **Job Description**	**Last Date Revised:** 07/10/2024 **Job Description Number:**

Employee:	_____	**Location:**	Bismarck
Job Title:	Facilities Director	**Department:**	Buildings & Grounds
Status:	Exempt	**Reports to:**	Commission
Salary Grade:	13	**DBM Rating:**	C52

Job Summary: Responsible for planning and coordinating operations, repairs, improvements, maintenance, and preventive maintenance of assigned Burleigh County buildings and grounds. Oversee, coordinate, and plan upgrades to Burleigh County buildings and grounds. Seek bids, enter contracts, and work with third party vendors.

Responsibilities:

30 % time	1. Responsible for supervision, managing, training and evaluation of maintenance personnel.
30 % time	2. Responsible for the scheduling and supervision of maintenance and repair of all assigned buildings and grounds.
25 % time	3. Responsible for project management and planning for current and future infrastructure needs.
10 % time	4. Responsible for preparing annual budget; monitor and approve expenditures of the Buildings & Grounds Department; maintain reports, inventory records, and ordering supplies.
5 % time	5. Responsible for performing maintenance on assigned County buildings, grounds, and equipment.

Essential Job Duties:

1. Directs, supervises, and evaluates department staff; ensures staff receive training related to specific job tasks and responsibilities.
2. Directs, schedules, and oversees external contractors.
3. Schedules and supervises maintenance workers engaged in building and grounds upkeep and repair; responsible for safety and security, electrical, plumbing, heating, air conditioning, and ventilation services in assigned buildings.
4. Develops and monitors department budget; orders equipment and supplies and monitors inventory; makes requests to Commission for capital outlay expenditures as needed.
5. Prepares specifications for projects, equipment, and contracted services; oversees site and building projects performed by outside contractors.
6. Develops and implements long and short-range goals, objectives, policies, procedures, and work standards for department.
7. Evaluates the need for and arranges staff safety training sessions.
8. Contributes to strategic planning by evaluating and projecting future facility needs and proposing options to achieve them.
9. Investigate air quality concerns in assigned buildings.
10. Maintain records and prepare reports regarding department activities, facilities conditions, and operation activities.
11. Responds to inquiries and complaints from building tenants regarding the maintenance of assigned buildings and grounds.
12. Coordinate and communicate repair and construction activities with appropriate department heads.
13. Performs other duties as required.

Accountabilities:

1. Knowledge of principles and practices of employee supervision, including selection, work planning, organization, performance review and evaluation.
2. Knowledge of principles and practices of accounting, budget development and administration.

Burleigh County	**Burleigh County, North Dakota** **Job Description**	**Last Date Revised:** 07/10/2024 **Job Description Number:**

3. Knowledge of practices and principles of buildings and grounds, journey level maintenance and facilities management.
4. Observe established safety practices and procedures when working with chemicals and equipment.
5. Create a positive and productive work atmosphere by communicating and maintaining a professional manner with employees and the public.

Job Qualifications, Experience and Education:

1. Must be high school graduate or GED certified, with a bachelor's degree in architecture, engineering, project management or related field.
2. Must have five (5) years of experience in a maintenance position working on HVAC, plumbing, electrical, maintenance of buildings and grounds and preventative maintenance of buildings, equipment, and vehicles.
3. Must have one (1) to three (3) years of supervisory experience in a maintenance setting.
   - A combination of education and work experience of ten (10) or more years in project management, HVAC, plumbing or electrical work with progressive supervisory responsibilities may be substituted for minimum qualifications.
4. Must have reasonable interpersonal communications skills and be able to interact with fellow employees, professional staff, and the public.
5. Must possess a valid class D North Dakota driver's license, and a clean driving record.
6. Applicants will be subject to a pre-employment physical, drug screen and criminal background check.

Working Conditions/Physical and Mental Demands:

1. Physical environment consists of indoor/outdoor exposure to various climates.
2. Will include physical motions of sitting, standing walking, lifting, carrying, pushing, crouching, twisting, grasping, climbing and other physical motions.
3. Occasionally required to respond to call-in or back-to-work procedures.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining Facilities Director related positions. The job description is not a contract. Burleigh County reserves the right to modify this job description at any time.

Employee Signature **Date**

Burleigh County	**Burleigh County, North Dakota** **Job Description**	**Last Date Revised:** 07/10/2024 **Job Description Number:**

Employee: _____

Job Title: Building Maintenance Tech II
Status: Nonexempt
Salary Grade: 6

Location: Bismarck
Department: Buildings & Grounds
Reports to: Maintenance Supervisor
DBM Rating: B22

Job Summary: Under supervision of the Buildings and Grounds Manager, is responsible for performing technical installation, repair, and maintenance of County owned buildings, property, and related facilities, including the repair, monitoring, and installation of specialized equipment or operating systems.

Responsibilities

50 % time	1. Responsible for performing maintenance on County Buildings and equipment.
40 % time	2. Responsible for maintenance on County grounds.
10 % time	3. Responsible for maintaining reports and assisting with project planning.

Essential Job Duties:

1. Must be able to perform all duties required for the position of Building Maintenance Technician I.
2. Provides building and equipment maintenance at a journey level in multiple disciplines including high voltage electrical, HVAC and refrigeration.
3. Ability to adjust and monitor computerized controls; and adjust and monitor security detention equipment.
4. Ability to read blueprints.
5. Working on garbage disposals, dishwashers, and trash compactors.
6. Assists in the project planning, cost estimating and project prioritization process.
7. Provides maintenance of sidewalks including the use of a power blower, sweepers, and snow removal equipment.
8. Repairs chiller systems, hot water boilers and steam boilers.
9. Performs chemical testing of boiler and cooling towers.
10. Responsible for checking and testing of generators and grease interceptors.
11. Responds to afterhours emergency calls regarding building security, malfunctioning equipment, or systems, and make or arrange for necessary repairs.
12. Responds to inquiries and complaints regarding the maintenance of assigned buildings and grounds.
13. Performs other duties as required or assigned.

Accountabilities:

1. Observe established safety practices and procedures and use protective safety gear when working with chemicals and equipment.
2. Create a positive and productive work atmosphere by communicating and maintaining a professional manner with employees and the public.
3. Prepares reports and inventory records of County equipment and supplies.

	**Burleigh County, North Dakota** **Job Description**	**Last Date Revised:** 07/10/2024 **Job Description Number:**

Job Qualifications, Experience and Education:

1. Must be 18 years of age or older and a high school graduate or GED certified.
2. Must have knowledge of materials, methods and techniques used in maintenance activities.
3. Must have reasonable interpersonal communication skills and be able to interact with fellow employees, professional staff, and the public.
4. Must have a minimum of two (2) years of experience in a comparable position.
5. Must possess a valid class D North Dakota driver's license, and a clean driving record.
6. Applicant will be subject to a criminal background check, physical and pre-employment drug screen.

Working Conditions/Physical and Mental Demands:

1. Physical environment consists of indoor/outdoor exposure to various climates.
2. Will include physical motions of sitting, standing, walking, lifting, carrying, pushing, pulling, crouching, twisting, grasping, climbing and other physical motions.
3. Interaction with Burleigh Morton Detention Center personnel and possibly inmates may occur.
4. This position will rotate between locations, including the Burleigh Morton County Detention Center.
5. Occasionally required to work early shifts, respond to call-back or emergency procedures.
6. This position will also participate in an on-call rotation.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Building Maintenance Technician II position. This job description is not a contract. Burleigh County reserved the right to modify this job description at any time.

Employee Signature **Date**

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

February 3, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 2nd, 4th, 16th, 23rd, 2024 special meeting minutes, January 6th, and 15th, 2025 meeting minutes, and January 21st, 2025, special meeting minutes and January 21, 2025, meeting minutes and bills.
5. Consent Agenda:
    a. Abatements.
    b. Utility permit.
    c. Resolution authorizing County Auditor/Treasurer to make payment upon demand for all invoices and claims for utility services, gas, fuel, and oil (per Bill Payment Policy).
    d. Resolution authorizing County Auditor/Treasurer to make payment upon demand for invoices for appointed County Coroner.
6. County Extension Agent Kelsey Deckert:
    a. Position refill request.
7. County Planner Flanagan:
    a. RRH Subdivision update.
8. County Engineer Hall:
    a. Authorization to Advertise for bids for bridge #08-126-40.0.
    b. Authorize County to enter into contract for bridge #08-126-40.0.
9. Consideration of resolution changing County Auditor/Treasurer from an elected to an appointed position.

10. County Finance Director Jacobs:
    a. Vendor Onboarding Policies & Provides.
11. States Attorney Lawyer:
    a. Victim Witness Program grant funds update.
12. Auditor/Treasurer Splonskowski:
    a. Request for calling of Public Hearing regarding SAD #76 Falconer Estates Subdivision.
13. Other Business.
14. Adjourn.

The next regularly scheduled Commission meeting will be on February 19th, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 2ND, 2024

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

Administration of Oath of Office by Judge Feland for re-elected Commissioners Brian Bitner and Steve Bakken

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 with the following amendments:

- Item 14 to be moved to follow the consent agenda
- Item 7a was removed
- Item 13 added investigation report
- Added Human Services Board Appointments under Other Business

All members present voted "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the November 18th, 2024 meeting minutes and bills, with a correction to the location of the 236th Street bridge. 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
Sprynczynatyk, Michael & Richard	2023	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	$129,200	$109,000
Sprynczynatyk, Michael & Richard	2024	S20' of E75' of Lot 11 & E75' of Lots 12-13	Error in property description	$129,200	$109,000
Old Dominion Freight Line Inc	2022	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,130,000	$3,221,400
Old Dominion Freight Line Inc	2023	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,501,700	$3,511,300
Old Dominion Freight Line Inc	2024	Lot 26, Block 1, Northern Plains Commerce Centre 2nd Addn	Error in property description	$4,740,900	$3,700,000
Douglas & Karen Sokolofsky	2024	Lot 12, Block 1, North Hills 13th	50% Homestead Credit	$445,500	$345,500
Ronald & Laurie Jensen	2023	Lots 1-2 less N 59'(or S 55.08' of Lots 1-2), Block 6, Riverview	50% Homestead Credit	$214,000	$114,000
Carma Branch and Leslie Edison	2024	Lot 9, Block 11, Highland Acres	100% Homestead Credit	$265,100	$65,100
Dana Clairmont c/o Dana Breiner	2023	Lot 4, Block 21, Morningside Heights	100% Disabled Persons Credit	$113,400	$13,400
Thomas & Twylla Rausch	2024	Block 85, McKenzie & Coffin's, W30' of S15' of Lot 7, W30' of Lots 8-12, E10' of alley adj on W; E15' of Lot 42 all lots 43-44 & W10' alley adj Lot 44	100% Homestead Credit	$358,100	$158,100
Susan Lemke	2023	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	$260,700	$60,700
Susan Lemke	2024	Lot 20, Block 2, Eastside Heights	100% Homestead Credit	$272,200	$72,200
Dennis & Paula Duffield	2023	Lot 13, Block 3, Cottonwood Lake 4th & undivided interest in Lot 32, Block 1	50% Homestead Credit	$434,800	$334,800

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Michael & Richard Sprynczynatyk (2), Old Dominion Freight Line Inc (3), Douglas & Karen Sokolofsky, Ronald & Laurie Jensen, Carma Branch and Leslie Edison, Dana Clairmont c/o Dana Breiner, Thomas & Twylla Rausch, Susan Lemke (2), and Dennis & Paula Duffield abatements and the remainder of the consent agenda ~~in its entirety~~. All members present voted "AYE". Motion carried.

The Commission decided via consensus to hold a special meeting/executive session at 10am on Wednesday, December 4th to discuss potential litigation and appeal of Summit Carbon Solutions' CO2 permit. Chairman Bitner opened the floor for public comment on the CO2 pipeline situation. Information about Summit and its pipeline was shared by Jeff Jennings, Curtis Jundt, Gary Anderson, and Kevin Schieve.

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County Finance Director Jacobs gave a continuation of the Q1 2024 Investment Report discussion from November 18th, 2024 meeting, Finance Director Jacobs stated that the check from BNC Bank was in the Auditor/Treasurers office possession and the lag in the deposit was not the fault of BNC National Bank. Comm Munson inquired about the makeup of the investment committee. Finance Director Jacobs gave the commission information as to the members, frequency of the meetings, and the committee's operating procedures.

Auditor/Treasurer Splonskowski asked for a clarification on the 2025 final budget for the Burleigh County Water Resource District. Since the county doesn't hold reserves for the district, they would need to use $66,038 in general fund dollars or require the Water Resource District to use their own reserves, a consensus was reached amongst the commissioners to collect the same dollar amount for the Water Resource District as last year and have the district use their own reserve funds. No further action was taken.

Splonskowski presented the Commission an amended 2025 meeting calendar, which replaced the Wednesday, January 22nd, 2025, meeting with a Tuesday, January 21st, 2025, meeting due to a conflict in scheduling. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the amended 2025 meeting calendar. All members present voted "AYE". Motion carried.

County Engineer Hall presented a concurrence letter from the NDDOT about the Highway 10 mill project, which requested that Burleigh County concur with the estimated cost-sharing amount for the project; Hall then presented to the Commission the following resolution for approval. Motion by Comm. Schwab, 2nd by Comm. Munson to approve Hall's proposed resolution. All members present voted "AYE". Motion carried. Next Engineer Hall requested Commission approval for the Highway Department to look for consultant engineering firms willing to assist in the Highway 10 project. Motion by Comm. Munson, 2nd by Comm. Bakken to approve Engineer Hall's request for consultant engineering. All members present voted "AYE". Motion carried. Engineer Hall asked for the Commission to authorize the Highway Department to advertise for annual bids. Motion by Comm. Woodcox, 2nd by Comm. Schwab to authorize the advertisement of bids by the Highway Department. All members present voted "AYE". Motion carried.

Kim Ripple from Bismarck-Mandan MPO and MPO consultant Jason Carby from HDR presented to the Commission the Arrive 2050 Metropolitan Transportation Plan, which aims to improve the local transportation network through expansion or maintenance, and requested the Commission approve the Arrive 2050 Metropolitan Transportation Plan through a resolution of receipt. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Arrive 2050 Metropolitan Transportation Plan with an amendment to correctly identify the county chair. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a Wiese Subdivision plat in Gibbs township to the Commission and requested approval by the Commission. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the Wiese Subdivision plat. All members present voted "AYE". Motion carried. Flanagan then showed a conceptual letter of support by Burleigh County for the Big Sky North Coast passenger rail project for Commission review. Motion by Comm. Bakken, 2nd by Comm. Munson to send a letter of support for the project with an amendment to correct the Chairman's name. All members present voted "AYE". Motion carried.

County HR Director Binder asked for Commission approval of the same list of holidays from 2024 in the new 2025 Holiday Policy. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the 2025 Holiday Policy. All members present voted "AYE". Motion carried.

Chairman Bitner recused himself and relinquished chairmanship over to Comm. Bakken. Sheriff Leben gave an update on the Burleigh East renovation project, stating that any remaining ARPA funds need to be committed prior to the year's end to be used in the project, and spent by the end of 2026. Motion by Comm. Schwab, 2nd by Comm. Munson to authorize remaining ARPA funds and Local Assistance & Tribal Consistency Funds to the Burleigh East renovation project. All members (excluding Bitner) present voted "AYE". Motion carried. Chairmanship was then returned to Comm. Bitner.

Comm. Munson removed item 13a due to lack of information being included in the packet. A consensus of the commission was to move this to the next meeting.

State's Attorney Lawyer presented findings of the internal investigation within the Auditor/Treasurer's Office. The investigation originated from a complaint regarding a text message that was sent by Auditor/Treasurer Splonskowski as a potential policy violation and/or a Hatch Act violation. Around the same time, former Elections Coordinator, Lisa Hart, resigned on October 15, 2024. After a discussion between Lisa Hart and Human Resource Director Binder, a request was made to also investigate a possible hostile work environment. Multiple text messages (66 total) were sent by the Auditor/Treasurer during work hours stating, "I am just letting you know from the perspective of being the County Auditor for a year and a half please do not vote for Brian Bitner for County Commissioner. If you want more details as to why let me know. Also let your friends know too. Thanks". Auditor/Treasurer Splonskowski did not fully comply with an open records request from the State's Attorney's Office regarding communication between himself and Chair Bitner and copies of the 66 messages. Due to identifying himself as the County Auditor, the text message became an open record. Lawyer stated that the Hatch Act applies to am elected Official if that County receives federal grants or loans. A person who qualifies under the Hatch Act is reported to the U.S. Office of Special Counsel for determination of a violation. If there is a violation, they can demand the person be terminated. An elected official cannot be terminated; however, if the person remains employed, there can be a monetary penalty of up to two years of the person's salary which would be taken off the grant or loan. There was also a Burleigh County Policy violation for engaging in political activity (campaigning or election engineering) while on duty. An employee who is the subject of an internal investigation does not cooperate is subject to immediate termination, however since the Auditor/ Treasurer is an elected Official, that was not an option. Failure to turnover an open record subjects the County to liability as well as personal liability for the person who withholds the records.

As an elected official there are limited options for the commission; however, recommendations can be made so that the behavior does not continue. State's Attorney Lawyer recommended Auditor/Treasurer Splonskowski:

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- Attend Secretary of State's election training where they discuss the Hatch Act and how to comply with the Hatch Act
- Remedial training regarding open meetings and open records

There was no evidence of a hostile work environment from the internal investigation.
Chairman Bitner recused himself and relinquished the Chair to Vice Chair Bakken.
The Commission discussed the following options if there are items that should not be happening and or neglect of duty within an elected official's office:

- A petition can be filed to the Governor's office for removal from office.
- Electors can do a recall.
- Converting position to an appointed office.

State's Attorney Lawyer will provide more detailed information at the next Commission Meeting.

Motion by Commissioner Schwab to table this item until the next meeting. Motion second by Commissioner Woodcox. All members (excluding Bitner) present voted "aye". Motion carried. Chairmanship was returned to Commissioner Bitner.

Comm. Bakken gave the floor to Burleigh County Human Service Zone Director Chelsea Flory, who informed the Commission that three positions on the human services board are expiring. Flory requested the Commission approve the reappointment of Senator Dick Devers and Trevor Vennett to the board and to open Leslie Pearcy's position up for applications, as she is not seeking reappointment. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the reappointment of Senator Dick Devers and Trevor Vennett, open Pearcy's position up for applications, and for Comm. Bakken to retain the portfolio of the human services board until portfolios change. Comm. Munson, Schwab, Bakken, and Bitner voted "AYE"; Comm. Woodcox abstained. Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION

SPECIAL MEETING

DECEMBER 4, 2024

10:00 AM

Meeting called to Order.

Chairman Bitner via telephone, Commissioners Bakken, Woodcox, Munson and Schwab.

Motion by Comm. Munson to enter into an executive session, 2nd by Comm. Woodcox, all members present voted, "AYE." Motion Carried.

The Commission then entered executive session per **N.D.C.C. § 44-04-19.1(9)** regarding Carbon pipeline litigation 10:02 AM.

The Commission adjourned the executive session at 10:45 AM and reconvened into open session.

Motion by Comm. Munson 2nd by Comm. Woodcox to move forward with consensus reached in executive session. All members present voted, "AYE." Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 16TH, 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.

The following changes were made to the agenda:

- Item 10a was moved to after the consent agenda
- Item 6 became item 9
- Item 7 became item 6
- The words CISA was added to item 10b

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

Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 16th, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the December 16th, 2024 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
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$248,500	$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$266,400	$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	$294,300	$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,484	$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	$277,300	$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	$357,000	$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	$168,600	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements and the remainder of the consent agenda. All members present voted "AYE". Motion carried.

Chairman Bitner gave an update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase inquired of the Commission about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and stated his favorability of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18th, 2024. The points of clarifications are as follows:

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- Auditor/Treasurer Splonskowski stated that he believes the benchmarks used in Finance Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.
- Auditor/Treasurer Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over $100,000, and that as of August 2024, Burleigh County investments yielded $1.1 million beyond what was budgeted. Based on Finance Director Jacobs' report & benchmark, the calculated loss in 2023 only amounted to 0.0088 percent (9/10^{ths} of 1%) and the loss of 2024's 1st quarter likewise only amounted to 0.0018 percent (1/5th of 1%).
- Auditor/Treasurer Splonskowski stated to the Commission that on more than one of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed with and supported the various investment decisions made by the Auditor/Treasurer's office.
- The unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Auditor/Treasurer Splonskowski further stated that Finance Director Jacobs's report did not take into the consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Splonskowski refuted a point that was seemingly made in Director Jacobs' report stating that the Auditor/Treasurer's office did not experience any turnover in the 2023 year, as not only did he enter the office of County Auditor/Treasurer on April 1st, 2023, but that multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Auditor/Treasurer Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski presented to the Commission a recap on the November 5th, 2024, general election. Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office took on more responsibilities to keep the process going. The Secretary of State's office assisted the Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election, which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

Finance Director Jacobs addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Finance Director Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs clarified that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs gave an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by $751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by $77,800. According to Jacobs, Burleigh County underperformed in 2023 mainly due to failure to invest, failure to capitalize on rising rates, and poor investment choices. Jacobs gave the following figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by $136,000, with Morton County underperforming by $26,000.
- In Q2 of 2024, Burleigh County underperformed by $168,000, with Morton County underperforming by $19,000.
- In Q3 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform only by $150,000, and Morton County would underperform only by $25,000.

- In Q4 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

According to Jacobs, Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other minor issues in 2023 under both Auditor/Treasurer Splonskowski and the previous Auditor/Treasurer Leo Vetter. Jacobs stood for questions.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded $110,285 in federal VOCA grants through the state of North Dakota for the period of October 1st, 2024 through September 30th, 2025. Lawyer also stated that in a memo on December 9th, 2024, the state of North Dakota allocated an additional $50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1st, 2024, through June 30th, 2025. No further action was taken.

States Attorney Lawyer then continued the discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at first entry' report from August 1st, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between $900,000 and $1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only $250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
DECEMBER 23, 2024

11:00 AM

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

Roll call of members: Comm. Bakken, Schwab, and Chairman Bitner were present, with Comm. Woodcox and Munson also present via conference call.

County Finance Director Jacobs started the discussion surrounding the county's ARPA funds. Jacobs shared that the Finance Department and the State's Attorney's Office had discussed options for obligating the ARPA funds by the year's end. The Finance Department discovered that the creation of a memorandum of understanding (MOU) would be sufficient to cover the county per Treasury guidance, and subsequently forwarded this information to the State's Attorney. Jacobs also suggested that if the MOUs don't work, the county could rely on revenue replacement within the ARPA program.

State's Attorney Lawyer presented copies of a draft MOU to the Commission. Lawyer mentioned that two small changes were made to the MOU draft. Firstly, adjustments were made to the budget numbers to ensure the figures would include all the funds needed for the project and are as follows: the budget of the Highway Department is listed as $1 million, the budget of the Sheriff's Department is listed as $652,561, and the budget of Emergency Management is listed as $6,214,739. Secondly, in each of the MOUs under the budget, the phrase *"…in addition to any funds previously obligated for this project."* was included. States Attorney Lawyer asked the Commission for any questions, changes, or modifications on the MOU, Chairman Bitner pointed out that a line in both the Sheriff's Department and Emergency Management's MOU read "for good and services" and said it should have said "goods and services". States Attorney Lawyer acknowledged the error and said it will be corrected.

Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the MOU with the correction of "good and services" to "goods and services". All members present voted "AYE". Motion carried.

State's Attorney Lawyer presented a discussion regarding a request for an audit of the Burleigh County finances. Lawyer explained that there were some issues noticed by the current Finance Department regarding Burleigh County's bookkeeping of finances – it was noticed that in a previous audit, money had been marked down as obligated, even though it was not contracted, therefore not fulfilling the requirements of obligation. The previous Finance Department stated they implemented the changes recommended by the State Auditor's office; however, the same error occurred during the next audit. States Attorney Lawyer suggested the county should have its books audited to ensure that things aren't being missed, misplaced, or mishandled, either by asking the State Auditor's office to do a typical audit or by hiring a CPA to conduct a forensic audit. Chairman Bitner mentioned that he contacted several local firms but had only heard back from one (Eide Bailly) so far and forwarded the information to State's Attorney Lawyer. North Dakota State Auditor Josh Gallion was present at the meeting and was asked by the Commission if he had any input on the situation. Gallion said that his office doesn't do forensic audits. Auditor Gallion said there is off book cash in reference to money held at the Bank of North Dakota, but no money appears to be missing from Burleigh County. Gallion offered to assist the county should the need arise moving forward on this issue.

Motion by Comm. Schwab, 2nd by Comm. Bakken to inquire from the firms contacted so far on how much a forensic audit of the county's accounts would cost, and to determine whether a competitive bidding process would be needed. Comm. Bakken, Schwab, and Bitner voted "AYE"; Comm. Woodcox and Munson voted "NAY". Motion carried.

Meeting adjourned.

Mark Splonskowski, County Auditor/Treasurer

Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION MEETING

JANUARY 6TH, 2024

5:09 PM

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

Deputy Auditor Vietmeier asked if there were any nominations for chairman. Commissioner Bakken nominated Commissioner Bitner as Chairman. Commissioner Woodcox nominated Commissioner Munson as Chairman. Commission discussion was held. Election for the chairman was held with Commissioner Bitner prevailing as Chairman.

Chairman Bitner called for nominations for Vice Chairman. Commissioner Schwab nominated Commissioner Bakken. Commissioner Woodcox nominated Commissioner Munson. Election was held with Commissioner Bakken prevailing as vice chairman.

Motion by Comm. Munson, 2nd by Comm. Schwab to add Comm. Bakken to the Auditor/Treasurer portfolio. All members present voted "AYE". Motion carried.

All other portfolios stay the same.

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

Motion by Comm. Munson 2nd by Comm. Schwab to approve the meeting agenda with Item 8 being moved to the January 21st, 2025, meeting due to the absence of the Auditor/Treasurer. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to table the minutes of the meetings held on December 2nd, 4th, 16th, and 23rd until the January 21st, 2025 meeting. 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
Vicki L Williams	2024	Lot 3A, Block 10, Sonnet Heights Subdivision	Error in property description	$271,700	$261,200
Sherri Woehl	2024	Block 30, Wachter's 3rd, Lots 17-20 Albert Square Condominiums Unit 1531	100% Disabled Veteran	$216,900	$36,900
Michaela Fuchs & Orlin Perdue III	2024	Lots 17-18, Block 2, McKenzie's	Significant water damage in basement	$332,100	$224,800
Century Baptist Church	2024	Lot 4, Block 2, Mayfair Managers	Property exempt from taxation - parcel fully exempt for 1 month of 2024	$842,700	$772,400
Jorge Santiago	2024	Lot 2, Block 2, Southbay 4th Addition	100% Disabled Veteran	$255,100	$210,100
Robert & Lorraine Faulhaber	2024	Lot 11, Block 1, Heritage Park Addition 1st Replat	100% Disabled Veteran	$396,800	$321,800
Ross Gerhardt	2023	Lot 13, Block 1, Promised Land	Error in property description	$242,400	$209,200
Ross Gerhardt	2024	Lot 13, Block 1, Promised Land	Error in property description	$248,500	$218,300
Kent Stroh & Trang Nguyen III	2023	Lot 1, Block 1, Elk Ridge Addition	Error in property description	$376,900	$346,600
Michael & Karen Lalonde	2024	Lot 13, Block 11, Meadow Valley 3rd	50% Homestead Credit	$334,800	$234,800
Porch & Fence Properties LLC	2024	Block 92, McKenzie & Coffin's, Lot 6 & 6A of Schultz's Subdivision in Lots 21-23 & S 20' of Lot 24	True and full value exceeds market value, error in property description	$137,100	$113,700
Curtis Smith & Marilyn Schroder	2024	Lot 11, Block 7, Imperial Valley	50% Homestead Credit	$338,800	$238,800
Douglas & Carol Alm	2024	Block 3, Cottonwood Lake 4th, Lot 8 & undivided interest in Lot 32 Block 1	50% Homestead Credit	$417,700	$317,700

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Thomas & Cynthia Anderst	2024	Lot 9A being part of Lots 3-5, Block 4, Stein's 5th	50% Homestead Credit	$234,000	$134,000
Janet Frohlech	2024	Lot 6 Brandon Heights Condominiums Six Unit 205, Block 1, Brandon Heights	100% Homestead Credit	$228,800	$28,800
Keith Greig	2023	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$287,200	$187,200
Keith Greig	2024	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$308,000	$208,000
Charlette Middlestead	2024	N 152.11' of Aud Lot F of Lot 3, Block 1, Brandon Heights	100% Homestead Credit	$308,000	$108,000
Dean & Carolyn Miller	2024	Lots 17-20 Albert Square Condos Unit 1523, Block 30, Wachter's 3rd	50% Homestead Credit	$219,100	$119,100
Fred & Charlotte Miller	2024	Block 1, North Mills 6th, Lots 5-6 less W 3.48' of said lots Centennial Condo Unit 210 garage G-35 parking P-12	100% Homestead Credit	$192,500	$80,208
Caroline Monroe	2024	Block 4, East Hills Addn Replat, Lot 8 Baumgartner's Sharloh Loop Condo Unit 12 Garage unit A12 Building A	100% Homestead Credit	$183,400	$152,833
Debbie A Opp	2024	Lot 13, Block 7, Replat of Calkins	50% Homestead Credit	$221,600	$121,600
Leopold & Kathryn Richter	2024	Lots 1-2 less W10', Block 1, Sturgis	100% Homestead Credit	$203,200	$3,200
Richard & Barbara Scott	2024	Aud Lot 3B of Lot 3, Block 17, Sonnet Heights	50% Homestead Credit	$264,100	$164,100
Travis Pederson	2024	1996 Chief Bonnavilla 16 x 80, #NEB69A2490	Mobile home moved to Pierce County in 2023	$58,100	$0
Jaren Bender	2024	1973 Sharva-R 15 x 66, #3911	Mobile home moved to Emmons County in 2023	$24,000	$0
Dorothy Kastner	2024	Block 13, Replat Homan Acres, Lot H of Lot 1 Washington Court Condo Building 215 Unit 9 garage 9	100% Homestead Credit	$26,000	$0
Harley Wagner	2024	1971 Homecrest 67 x 14, #B080388	Mobile home damaged by fire	$7,204	$0
Paul & Shari Huettl	2024	Lot 2, Block 3, Country Creek 1st	Basement finish not completed gave 10% obs	$477,800	$436,500
Krystyna Gorzelska	2024	Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums unit 325 & garage G-9 & parking space P-22	100% Homestead Credit	$239,900	$39,900

Motion by Comm. , 2nd by Comm. to approve the Vicki L Williams, Sherri Woehl, Michaela Fuchs & Orlin Perdue III, Century Baptist Church, Jorge Santiago, Robert & Lorraine Faulhaber, Ross Gerhardt (2), Kent Stroh & Trang Nguyen III, Michael & Karen Lalonde, Porch & Fence Properties LLC, Curtis Smith & Marilyn Schroder, Douglas & Carol Alm, Thomas & Cynthia Anderst, Janet Frohlech, Keith Greig (2), Charlette Middlestead, Dean & Carolyn Miller, Fred & Charlotte Miller, Caroline Monroe, Debbie A Opp, Leopold & Kathryn Richter, Richard & Barbara Scott, Travis Pederson, Jaren Bender, Dorothy Kastner, Harley Wagner, Paul & Shari Huettl, and Krystyna Gorzelska abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the consent agenda as presented. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a Rath Subdivision plat to the Commission and requested approval by the Commission. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Rath Subdivision plat. All members present voted "AYE". Motion carried.

Assistant County Engineer Schriock presented the Commission with a resolution. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the resolution for authorization to advertise for bids for the purchase of reinforced box culverts to replace bridge located 4.2 miles south of Highway 10 on 236th Street SE. All members present voted "AYE". Motion carried.

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Chairman Bitner led a discussion about the Burleigh County investments and to provide clarification as to where our investment monies come from. Finance Director Jacobs appeared to inform the commission on the funds that currently invested. Chairman Bitner requested that the Investment policy be added to the January 21st, 2025, meeting for review. Commissioner Schwab requested a spreadsheet of all our investments and discussed the benchmarking. Motion by Comm. Munson, 2nd by Comm. Woodcox to add Chairman Bitner and Commissioner Bakken to the Burleigh County Investment Committee. All members present voted "AYE". Motion carried.

Commissioner Woodcox asked Finance Director Jacobs if he had a ballpark figure on what had been collected in the one cent sales tax which is to be used as a direct replacement for property taxes. Finance Director Jacobs says that it should be approximately twenty-four million per year. Commissioner Bitner said that a portion of that money will be available for the 2025 Budget and the full amount of collections for the 2026 budget. Commissioner Woodcox inquired if that money is being properly invested. Finance Director Jacobs stated that what has been received has been invested. Chairman Bitner states that we will be looking at the details to make certain our reserves fall within the limits of the Century Code.

Motion by Comm. Woodcox 2nd by Comm. Munson to approve the bills from the December 16th meeting. All members present voted, "AYE". Motion carried.

Chairman Bitner informed the commission about the phone lines in the Provident Life Building that had been cut which affected the beacon and the elevator emergency phones.

Chairman Bitner said that the attorneys are suggesting that we join the other parties that are appealing the PSC decision. By consensus the commission agrees to join the other parties.

.Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
JANUARY 15TH, 2025

10:00 AM

Chairman Bitner called the Burleigh County Commission special meeting to order.

A roll call of members: Commissioners Munson, Bakken, Woodcox, and Chairman Bitner were present. Comm. Schwab was absent.

Human Resources Director Pam Binder gave a presentation regarding the job description for a Burleigh County Administrator position. Binder referenced other counties' job descriptions of their respective County Administrator positions in comparison to Burleigh County's job description drafts. Binder requested input and direction from the Commissioners regarding what they wanted to see contained within the final job description.

Human Resources Director Pam Binder gave a presentation on the current structure of the Burleigh County Building Maintenance Department. With the upcoming retirement of the current Building & Grounds Manager, possible structure changes were discussed. The Commissioners requested feedback from County Engineer Marcus Hall and Sheriff Kelly Leben on the need for Building & Grounds employees for their respective facilities.

Chairman Bitner requested that this topic be added to the next scheduled Commission meeting on January 21st, 2025, for further discussion.

Meeting adjourned.

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Mark Splonskowski, Auditor/Treasurer Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION MEETING

JANUARY 21ST, 2025

5:12 PM

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

Motion by Comm. Bakken, 2nd by Comm. Woodcox to table the December 23rd, 2024 meeting minutes until the next commission meeting on March 3rd, 2025. All members present voted, "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to table all the minutes of the meetings held on December 2nd, 4th, 16th, and 23rd, 2024 and January 6th, 2025, until the next commission meeting on February 3rd, 2025. All members present voted, "AYE". Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve all the bills of the meetings held on December 2nd, 4th, 16th, and 23rd, 2024 and January 6th, 2025. 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
Wesley & Ruth Wessner	2024	Lot 22, Block 5, Eastside Heights	50% Homestead Credit	$276,100	$176,100
Marcella Haman	2024	3801 Koch Dr Condo Assoc Unit 2 & Garage Unit 2, Lot 4, Block 2, Koch Addition	100% Homestead Credit	$246,700	$46,700
Linnae Brew	2023	Normandy Cottages Condo Assoc Unit 1, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$328,200	$228,200
Linnae Brew	2024	Normandy Cottages Condo Assoc Unit 1, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$334,500	$234,500
Anthony & Alvina Splonskowski	2024	Lot 17, Block 10, Washington Heights 3rd	50% Homestead Credit	$283,300	$183,300
Monte & Gayle Schneibel	2024	Lot C of Lot 4, Block 1, Missouri River Estates	50% Homestead Credit	$291,100	$191,100
Monty Snyder	2024	S1/2SE1/4	100% Homestead Credit	$163,400	$0
Roberta Froehlich	2024	Unit 6G of Lot 2, Block 1, Plaza Tower	50% Homestead Credit	$97,100	$48,550
Kim & Patricia Wiest	2024	Lot 10, Block 1, Haycreek Meadows	50% Homestead Credit	$293,100	$193,100
Fred & Mitzl Johnson	2023	Lot 6, Block 1, Watsons	50% Homestead Credit	$102,700	$51,350
Fred & Mitzl Johnson	2024	Lot 6, Block 1, Watsons	50% Homestead Credit	$92,900	$46,450
Rick & Jacqueline Bischof	2023	Lot 9, Block 1, Fox Island	Error in property description	$908,300	$883,800
Rick & Jacqueline Bischof	2024	Lot 9, Block 1, Fox Island	Error in property description	$984,000	$956,600
Norman & Cynthia Gabel	2023	Baltus Dr Condo Phase II Unit 3321, Aud Lot 1A of Lot 1, Block 2, East Hills Addn Replat	50% Homestead Credit	$329,700	$229,700
Norman & Cynthia Gabel	2024	Baltus Dr Condo Phase II Unit 3321, Aud Lot 1A of Lot 1, Block 2, East Hills Addn Replat	50% Homestead Credit	$348,800	$248,800
Edna Gartner	2024	Lot 13, Block 11, Register's 2nd	100% Homestead Credit	$210,500	$10,500
Delores Jahner	2024	2017 Oregon Dr Condo Assoc Unit 1, Aud Lot E being pt of Lot 5 & Aud Lot B of Lot 1, Block 1, Pebble Creek 5th	100% Homestead Credit	$202,600	$2,600

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David Breding	2024	Lots 1-3, Block 8, Wilton - Macomber's 1st	100% Homestead Credit	$43,100	$0
Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt NW1/4	Exempt property	$1,900	$0
Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt W1/2 less tr for hosp add, Tylers 1sr, Tylers West Vlg less 9.82A-412 & 11.74A-414 & & 13.10A to cty W XVI	Exempt property	$5,500	$0
Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt N1/2	Exempt property	$4,900	$0
Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt N1/2	Exempt property	$5,900	$0
Park District of the City of Bismarck	2024	Section 30, Hay Creek Township, pt N1/2	Exempt property	$500	$0
Park District of the City of Bismarck	2024	Section 19, Hay Creek Township, Lot 10A in SW1/4SE1/4 (irr plt #291979)	Exempt property	$13,700	$0
Park District of the City of Bismarck	2024	Section 19, Hay Creek Township, 26.42A of SE1/4SW1/4 & .90A of SW1/4SE1/4	Exempt property	$7,200	$0
Duane Wald	2024	Legacy Condos II Unit 5, Lot 1B & Lot 1C of Lot 1, Block 1, Hamilton's 1st Addn	100% Homestead Credit	$203,100	$3,100
Venture Holdings LLC	2024	Lot 3, Block 1, Northstar Comm Park 3rd, beg at NW cor of L3 th S 89°35'52"E al N line of L3 231.84' to E line of L3; th S 00°26'03"W al E line 217.31'; th N89°37'11"W 243.15' to W line of L3; th N03°24'48"E al W line 217.71' to POB	Duplicate assessment	$622,000	$0
Jon Martinson	2023	Normandy Cottages Condo Assoc Unit 2, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$353,000	$253,000
Jon Martinson	2024	Normandy Cottages Condo Assoc Unit 2, Lots 1-13, Block 1, Sonnet Heights Subdivision 8th Replat	50% Homestead Credit	$359,500	$259,500
Duane Zimmerman	2024	Lot 2, Block 12, Perry Pines	50% Homestead Credit	$177,500	$88,750
Brock & Ashley Johlfs	2024	Lot 4, Block 6, Spiritwood Estates	60% Disabled Veteran	$552,000	$444,000

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Wesley & Ruth Wessner, Marcella Haman, Linnae Brew (2), Anthony & Alvina Splonskowski, Monte & Gayle Schneibel, Monty Snyder, Roberta Froehlich, Kim & Patricia Wiest, Fred & Mitzl Johnson (2), Rick & Jacqueline Bischof (2), Norman & Cynthia Gabel (2), Edna Gartner, Delores Jahner, David Breding, Park District of the City of Bismarck (7), Duane Wald, Venture Holdings LLC, Jon Martinson (2), Duane Zimmerman, and Brock & Ashley Johlfs abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

County Engineer Hall presented some 2nd approach permits on Shoal Dr for the Commission to deliberate on whether to approve or deny. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the 2nd approach permits. Comm. Schwab, Bakken, Woodcox, and Munson voted "AYE"; Comm. Bitner voted "NAY". Motion carried.

County Engineer Hall presented a resolution to authorize the advertising of bids for a project at Bryan Slough. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the resolution. All members present voted "AYE". Motion carried.

County Engineer Hall presented another resolution to authorize the advertising of bids for a project at the intersection of HWY 10 and 80th Street. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the resolution. All members present voted "AYE". Motion carried.

County Engineer Hall presented another resolution to authorize the advertising of bids for some micro surfacing projects. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the resolution. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a RRH Subdivision plat and zone change to the Commission and requested approval per recommendation of the Planning Commission. A discussion was had regarding a proposed lagoon on the lot, which would cover almost half of said lot on the south side. Motion by Comm. Bakken, 2nd by Comm. Munson to table this item until the next commission meeting to collect additional information on this subject. All members present voted "AYE". Motion carried.

Sheriff Leben presented the quarterly jail report. The average daily population was 268, and that overall, booking numbers remain high. Leben pointed out that a noticeable reduction was seen in the income of individuals from the City of Bismarck due to a shift in city policy. The billing for 2024 ended at $2,591,063. Three hundred and nine (309) people participated in the

Alternatives to Jail Program, with those numbers continuing to rise. Leben also touched on the jail's Medication Assisted Treatment Program, explaining that the program helps administer medication like methadone to help inmates suffering from withdrawals. In 2023, 874 doses of methadone were administered; in 2024, that number increased to 2,432. In terms of staffing, Leben said that the while the Sheriff's Department is currently stable and fully staffed, the Detention Center lost five employees in a very short amount of time. Leben said that his department is in the middle of the hiring process for those five vacancies (plus four back-fill positions) and that 40 applicants had made it to interview phase; however, many ended up being no-shows. Leben lastly informed the Commission that a Governance Board meeting is coming up on February 7th, 2025, and asked for guidance from the Commission regarding the idea of contract prisoners, which is to be a topic at the upcoming meeting. A consensus was reached amongst the Commissioners in favor of pursuing other contracts and investigating the idea. No further action was taken.

State's Attorney Lawyer presented to the Board that she had received a letter from the Office of Special Counsel stating that there were no Hatch Act violations regarding Auditor/Treasure Splonskowski. Since the Office concerns itself only with partisan elections and that the election for county commissioner was non-partisan, they didn't look at it any further.

State's Attorney Lawyer then presented a draft resolution and plan to the Commission for review regarding the conversion of the elected office of County Auditor/Treasurer into a Commission appointed position. Lawyer specified that should the resolution meet all the necessary legal requirements and pass, it would become effective as of April 1st, 2027, as the conversion cannot take effect until the current term is done. Lawyer also gave some examples and insight into current appointed Auditor/Treasurer positions in other North Dakota counties. In response to a question from Comm. Munson, Lawyer suggested the Commission could hold public hearings to get the public's opinions on the topic as part of the commission meetings for a minimum of three months, similar to how Cass County had previously done. Lawyer also clarified to the Commission that any final resolution on this topic should be done prior to the year's end. Motion by Comm. Woodcox, 2nd by Comm. Bakken to table this item until the next commission meeting. Comm. Schwab, Bakken, and Woodcox voted "AYE"; Comm. Munson and Bitner voted "NAY". Motion carried.

Chairman Bitner mentioned to the Commission that he had contacted four firms – Eide Bailly, Brady Martz, Haga Kommer, and Widmer Roel – and asked them about their respective rates for a forensic audit. Haga Kommer and Widmer Roel both stated that they do not do forensic audits, while Eide Bailly and Brady Martz had provided Bitner proposals on moving forward. State's Attorney Lawyer returned to the podium and suggested that the Commission table any type of forensic evaluation of the county's books until the State Auditor has done its audit and found something that would warrant further investigation. At Comm. Woodcox's request, County Finance Director Jacobs came forward and assured the Commission that the county is properly investing its money right now. A consensus was reached amongst the Commissioners to table any type of forensic evaluation until the State Auditor has done its audit. No further action was taken.

With the upcoming retirement of the current Building & Grounds Director, Chairman Bitner stated that additional staff is needed at the maintenance level. Bitner recommended advertising for a Maintenance II position with underfill, as well as for a new Building & Grounds Director. Bitner also suggested that maintenance staff could be allocated under the closest director/supervisor in where they're working at until the county can get another Grounds Director hired. County HR Director Binder also gave her thoughts and insight on the issue. Motion by Comm. Bakken, 2nd by Comm. Schwab to move forward with hiring for and filling in all positions. All members present voted "AYE". Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-756	James & Pamela Vukelic	2024	Lots 11-16, Block 7, McKenzie's	Error in property description	$751,900	$633,700
24-759	Daniel Adolf Privratsky & Melodee Grenz	2024	Tract 1400 of Lot 7, Block 1, Southport Phase II	50% Disabled Veteran	$558,100	$468,100
24-760	Missouri Slope North Campus - SNF LLC	2024	Lot 1A of Lot 1, Block 1, Good Shepard North Addition	Property exempt from taxation	$1,851,100	$74,900
24-761	Aircraft Management Services Inc	2024	Block 1, City Leases, Possessory interest in parcel land located in S 1/2 ssection 10 A38-80 at municipal airport des in lease date 5/22/08 (bldgs 5 &22)	Lease for hangar expired & hanger was removed for 9 months of year	$590,000	$379,400
24-764	Lila Teunissen	2024	Lot 16, Block 5, Peet's 4th	100% Disabled Veteran	$401,300	$296,300
24-765	Roberta Spitzer (Beadell)	2024	Block 1, Replat Aud Lot 28 & W 1/2 Aud Lot 27, Lot 2 Park Place Condo Unit IV	70% Disabled Veteran	$142,800	$42,840
24-766	Daniel James Geiger	2024	Lot 4, Block 17, Meadow Valley 4th	80% Disabled Veteran	$352,300	$256,300
24-767	James & Dixie Lang	2024	Lot 5, Block 1, Clear Sky Addition	80% Disabled Veteran	$484,000	$340,000
24-769	Kimberly Graner	2024	Block 7, Northern Pacific, Pt Lots 8-9; beg 80.24' S NW cor Lot 9, E50' S69.05' WLY9.04' S26.57' SWLY15.79' W30.91' to W line Lot 8 N along said line 105.73' to pt beg	100% Disabled Veteran	$257,500	$77,500
24-770	Thomas & June Marshall	2024	Lot 10, Block 4, Heritage Park 2nd Addition	100% Disabled Veteran	$320,500	$230,500
24-771	Anthony & Rebecca Saxton	2023	Block 2, Park Hill (Aud Lots), beg 920.8' E & 248.9' N of SW cor of NE1/4 sec 5; th W 71.7' N 150' E 71.7' S 150' to beg	70% Disabled Veteran	$230,100	$104,100

24-772	Anthony & Rebecca Saxton	2024	Block 2, Park Hill (Aud Lots), beg 920.8' E & 248.9' N of SW cor of NE1/4 sec 5; th W 71.7' N 150' E 71.7' S 150' to beg	70% Disabled Veteran	$248,900	$122,900
24-773	Shirley Buchholz	2024	Block 3, Shannon Valley 4th, Lots 1-2 East Ridge Condo Unit 9	100% Disabled Veteran	$44,500	$0
25-005	Robert Scott & Carrie Newell	2024	Lot 5, Block 2, Wachter's 9th	100% Disabled Veteran	$437,500	$257,500
25-006	Gilbert Nelson	2023	Lot 1 & N10' of Lot 2, Block 1, Rue's Subdivision	Change mill rate from regular property tax to fire club, fully exempt for assessment year	$466,600	$466,600
25-007	Gilbert Nelson	2024	Lot 1 & N10' of Lot 2, Block 1, Rue's Subdivision	Change mill rate from regular property tax to fire club, fully exempt for assessment year	$478,600	$478,600
25-012	Fourth Street LLC	2024	Lot 12, Block 17, Homan Acres 2nd	Property improvement was destroyed or damaged	$399,000	$374,000
25-038	Gunda Busch	2023	Lot 13, Block 10, Replat Homan Acres	100% Homestead Credit	$250,800	$50,800
25-039	Gunda Busch	2024	Lot 13, Block 10, Replat Homan Acres	50% Homestead Credit	$262,700	$162,700
25-040	Reede & Mary Benning	2024	Lot 6, Block 4, Stein's 2nd	50% Homestead Credit	$286,200	$186,200
25-041	James & Nancy Skaret	2024	Star Condos Unit 3403 Bldg 1, Lot 1A of Lot 1, Block 5, Edgewood Village 2nd Add	50% Homestead Credit	$367,000	$267,000
25-042	Jesse Jordan	2024	Lot 4, Block 1, Prairie Pines 3rd	Equalization with surrounding properties	$718,100	$665,200

25-043	Bismarck State College	2024	Lot 1 less Lot 1A, Block 2, Schafer Heights	Portion of property was only taxable for part of the year	$3,045,900	$1,015,300
25-044	Anders Bleth	2024	Lot 10, Block 8, High Meadows 5th	Error in property description	$418,200	$380,400
25-045	James & Betty Mitzel	2024	Tract 1332 of tract B1 & tract D of part of Lot 1, Block 1, Southport Phase II	80% Disabled Veteran	$362,200	$218,200
25-046	Larry & Cheryl Tessmer	2024	Unit 104 Rolling Hills Condo II, Lot 2, Block 1, East Hills Addn Replat	50% Disabled Veteran	$325,400	$287,900
25-047	Faye Schiefelbein	2023	Lot 5, Block 8, Meadow Valley 2nd	50% Homestead Credit	$240,600	$140,600
25-048	Faye Schiefelbein	2024	Lot 5, Block 8, Meadow Valley 2nd	100% Homestead Credit	$254,100	$54,100
25-049	Brandi Schmidt	2023	Lot 2, Block 1, Haycreek Meadows 1st Replat	80% Disabled Veteran	$280,700	$136,700
25-050	Brandi Schmidt	2024	Lot 2, Block 1, Haycreek Meadows 1st Replat	80% Disabled Veteran	$260,100	$116,100
25-051	Nicole Neibauer	2024	E 50' of Lots 4-6, Block 51, Northern Pacific 2nd	Property value decrease due to renovation/repair	$258,700	$225,900
25-052	The Salvation Army	2024	Lots 6-7, Block 1, Airway Ave Addn	Property exempt from taxation	$169,500	$155,400
25-053	Clifford Romoser Jr	2025	1975 Detroiter 66 x 14, VIN #SGD040980	Mobile home was demolished	$7,096	$0
25-054	Chase Beard	2024	2005 Adrian 14 x 60, ser #GAHAG1756	Moved mobile home 4/26/2023	$25,361	$0
25-055	Chase Beard	2025	2005 Adrian 14 x 60, ser #GAHAG1756	Moved mobile home 4/26/2023	$32,760	$0
25-056	Jennie Masseth	2024	Lot 11, Block 11, Meadow Valley 3rd	100% Homestead Credit	$297,800	$97,800
25-057	John & Yvonne Doone	2023	W 75' of Lots 17-20, Block 18, Fisher	100% Homestead Credit	$304,800	$104,800
25-058	John & Yvonne Doone	2024	W 75' of Lots 17-20, Block 18, Fisher	100% Homestead Credit	$302,800	$102,800

25-059	James Frey	2024	Lot 34, Block 22, Homan Acres	50% Homestead Credit	$281,700	$181,700
25-060	Gary Hayes	2024	Lot 8, Block 5, Prairie Hills	50% Homestead Credit	$261,400	$161,400
25-061	Pam Christianson	2024	Lot 5, Block 6, North Hills 1st	100% Homestead Credit	$236,400	$36,400
25-062	Brian & Geraldine Mehlhoff	2024	Lot 10, Block 3, Sattler's Sunrise 2nd	100% Homestead Credit	$282,300	$82,300
25-065	Delbert Unruh	2025	1972 Champion 14 x 56, ser #0329958038	100% Homestead Credit	$6,309	$0
25-067	Judy Bradley	2025	2012 Redman 32 x 68, ser #A000579AB	50% Homestead Credit	$131,539	$65,770
25-068	Earl & Irene Wentz	2024	Lots 29-30, Block 23, Fisher	50% Homestead Credit	$184,200	$92,100
25-069	Larry & Neva Lang	2024	Lot 15, Block 27, Stein's 4th	50% Homestead Credit	$320,200	$220,200
25-070	Henry & Doretta Rasmusson	2023	Unit 102 Brandon Heights Condos, Aud Lot C of part of Lot 3, Block 1, Brandon Heights	100% Homestead Credit	$185,900	$0
25-071	Lillian Seifert	2024	Lot 17, Block 5, French's 1st	100% Homestead Credit	$273,500	$73,500
25-072	Rose Hindricksen	2023	Lot 8, Block 19, Wachter's 3rd	100% Homestead Credit	$52,300	$0
25-073	Rose Hindricksen	2024	Lot 8, Block 19, Wachter's 3rd	100% Homestead Credit	$58,300	$0
25-074	Kelvin & Carla Usselman	2024	Lot 3, Block 2, Prairiewood Estates	50% Homestead Credit	$333,800	$233,800
25-075	Kathleen Nelson	2024	2003 Friendship 80 x 16	100% Homestead Credit	$49,920	$0

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **February 3, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Utility Permit**

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

ACTION REQUESTED:
Approve the attached Utility permit.

BACKGROUND:
On March 20, 2023 the County Board approved the current version of our Utility Permit. Since then we have determined that the Permit needs some revisions in order to meet current construction practices. The Highway Department has worked with our Portfolio holder and the Chair of the County Board to make needed changes. We are now requesting the approval of a new permit and fee schedule.

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board approves the use of the attached permit and fee schedule when dealing with the installation or maintenance of utilities within County Right-of-Way.

PERMIT FOR INSTALLATION OR MAINTENANCE OF UTILITIES WITHIN COUNTY RIGHT-OF-WAY

(Last Revised 1/2025)

Company Name: _____

Address: _____

_____

Brief Project Description: _____

_____

(Please attach map and other detailed plans to provide a complete description of project)

The Applicant is hereby granted permission to install and maintain the described facilities within public road right-of-way, as shown on the plans and indicated on the attached map. The Applicant is responsible for obtaining any additional required permits and property easements.

INSTALLATION AND MAINTENANCE: Installation and maintenance of said facilities on highway right-of-way shall conform to the following provisions:

(1) Upon construction, maintenance, relocation or removal of said facilities, any right-of-way scars shall be removed and the disturbed areas restored to original condition, including the re-seeding thereof where necessary. Trenches dug within highway right-of-way shall be backfilled and compacted to a density equal to that of the adjacent undisturbed soil.

TERMS AND CONDITIONS: Installation and maintenance of said facilities on highway right-of-way shall be subject to the following terms and conditions.

(A) Installation, maintenance, relocation and removal of said facilities on highway right-of-way shall be done in a manner satisfactory to, and subject to supervision by, the County Engineer for the County Highway Department.

(B) The government sub-division shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the highway. Applicant shall hold the governmental sub-division harmless for injury to persons or damage to property resulting from the location of said facilities on highway right-of-way.

(C) Applicant shall repair or replace highway structures and any existing facilities located on, over or under highway right-of-way which may be damaged as a result of the installation and maintenance of said facilities on highway right-of-way.

(D) Applicant shall promptly, remove said facilities from highway right-of-way or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by the roadway administrator.

(E) All materials and procedures shall be in accordance with the current NDDOT Standard Specifications for Road & Bridge Construction, and all supplemental material.

(F) Push, bore or jack all road crossing.

(G) Parallel occupancy on public road right-of-ways shall have a "prohibition corridor" of thirty (30) feet on either side from the center line of the road; no new parallel cables/lines/pipes may be placed in this corridor.

(H) Crossing (non-pressurized and/or non-hazardous material) of public road right-of-way shall be at least three (3) feet under the ditch elevation.

(I) All pressurized and/or hazardous material pipelines that cross public roadways shall be placed within casings and placed a minimum of 8 feet below ditch bottom to top of pipe (or 10 feet below roadway to top of pipe – whichever is greater). Casing may be forgone if the pressurized pipeline is placed a minimum of 10 feet below ditch bottom to top of pipe (or 12 feet below roadway to top of pipe – whichever is greater). Minimum depth requirements shall extend to 75 feet each side of the roadway centerline.

(J) All pressurized and/or hazardous material pipelines that cross unimproved section lines shall be placed a minimum of 10 feet below the lowest point of the natural ground line to top of pipe. Minimum depth requirements shall extend to 75 feet each side of the roadway centerline. Open trenching shall be compacted to 97%, with an optimum moisture of +/- 3% for ASTM-698. Compaction tests shall be taken for every 100 horizontal feet and every 3 vertical feet.

Name of Applicant: _____ Signature: _____
(Please Print)

E-mail address: _____

Telephone: _____ Date: _____

Approved by the County Engineer:

_____
Burleigh County Engineer (Signature)

_____
Date

UTILITY PERMIT FEE SCHEDULE
EFFECTIVE: January 24, 2025

TYPE OF FACILITY	CROSSING	LONGITUDINAL
OVERHEAD	$ 100	$ 100/MILE
BURIED CABLE	$ 50	$ 100/MILE
PIPELINES:		
8 INCH AND SMALLER	$ 100 BORED	$ 100/MILE $ 750/MILE PLOWED $ 1,500/MILE OPEN TRENCH
10 – 16 INCH	$ 150 BORED	$ 200/MILE $ 1,500/MILE OPEN TRENCH
OVER 16 INCH	$ 1,000/inch of pipe (outside diameter) BORED & TRENCHED	$ 300/MILE $2,000/MILE OPEN TRENCH
BRIDGE ATTACHMENTS (If approved)	$ 500	$ 500
OTHER	$ 100 MIN	$ 100 MIN

ALL FEES WITH A UNIT PRICE PER MILE WILL BE ROUNDED UP TO THE NEXT WHOLE MILE.

Internal Use Only

Permit #: _____ **Permit Fee: $**_____

Paid: *Check $*_____ *Credit Card $*_____ *Cash $*_____

*Check #*_____

ITEM

8

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **February 3, 2025**

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 to Construct the RCB Culverts to replace Bridge #08-126-40.0

BACKGROUND:
At the December 16th County Board Meeting, the Board directed the Highway Department to move forward with the replacement of Bridge 08-126-40.0 (located on 236th Street SE, 4.2 miles south of County Highway 10). The Highway Department is seeking authority to move forward with the bidding of the replacement RCB Culverts.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for the construction of Bridge #08-126-40.0 replacement project.

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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Request for County Board Action

DATE: **February 3, 2025**

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 for the RCB Culverts to replace Bridge #08-126-40.0.

BACKGROUND:
On January 6, 2025, the County Board authorized the County Auditor and the County Engineer to advertise for bids for the RCB Culverts to replace Bridge #08-126-40.0. Bids were opened on January 28, 2025 and the following bids were received:

Rinker Materials	$264,192.00
Engineers Estimate:	$319,200.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the RCB Culverts to replace Bridge #08-126-40.0 low bid from Rinker Materials for $264,192.00 and authorize the proper County officials to enter into contracts with said bidder.

ITEM

9

Preliminary Resolution on Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to hold the position of Auditor / Treasurer;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law converting the elected office of county auditor / treasurer into an appointed office and pursuant to N.D.C.C. § 11-10.2-01(1)(c), the county may redesignate an elective county office as an appointive office; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be redesignated as an appointive office;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

Plan for Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

1. Office of Burleigh County Auditor / Treasurer is redesignated as an appointive office effective April 1, 2027, when the current term for Auditor Treasurer expires.

2. Director of Human Resources shall develop a job description to include all statutory job duties of county auditor and county treasurer along with job qualifications, including experience in finance or accounting, and appropriate pay grade for approval by the Burleigh County Commission no later than sixty (60) days after any final resolution adopting the plan.

3. The recruitment and retention for the office of Burleigh County Auditor / Treasurer shall be governed by the Burleigh County Personnel Policy Manual and Handbook.

Survey of Counties with elected vs. appointed Auditor / Treasurer

Appointed	**Elected**
Cass (Combined)	Adams (Combined)
Grand Forks (Combined)	Barnes
LaMoure (Combined)	Benson (Combined)
Nelson (Combined)	Billings (Combined)
Pierce (Combined)	Bottineau
Richland	Bowman
Stutsman	Burke
Towner (Combined)	Burleigh (Combined)
Walsh (Combined)	Cavalier
Ward (Combined)	Dickey
Wells	Divide (Combined)
	Dunn (Combined)
	Eddy
	Emmons (Combined)
	Foster (Combined)
	Golden Valley
	Grant (Combined)
	Griggs
	Hettinger (Combined)
	Kidder
	Logan
	McHenry (Combined)
	McIntosh
	McKenzie (Combined)
	McLean (Combined)
	Mercer
	Morton
	Mountrail
	Oliver
	Pembina (Combined)
	Ramsey
	Ransom
	Renville (Combined)
	Rolette
	Sargent
	Sheridan
	Sioux
	Slope
	Stark (Combined)
	Steele
	Traill
	Williams

Cass County (2018) – https://www.casscountynd.gov/our-county/finance-office

“The Cass County Finance Director is an appointed position. The County Finance Director is responsible for all duties assigned to the county auditor and county treasurer by North Dakota Statute.”

Last time auditor or treasurer were reported in election results was 2014. Public hearings were held by the Cass County Board of Commissioners to redesignate the office to appointed in 2017. https://www.grandforksherald.com/news/no-opposition-heard-for-proposal-to-appoint-cass-auditor-treasurer-recorder

Grand Forks County – https://www.ndaco.org/cod/browse-by-county/#/county/Grand%20Forks

title reported to NDACO is “Finance & Tax Director”

Current auditor appointed in 2003. https://www.youtube.com/watch?v=dCoJspMvTX8

LaMoure County (2017) – https://lamourecountynd.com/auditor

“The purpose of the LaMoure County Auditor is the Chief Financial Officer”

“[The current Auditor] was serving as Deputy Auditor and was appointed Auditor of LaMoure County on May 2, 2017.”

Nelson County (2022)

Last time auditor or treasurer were reported in election results was 2018.

Pierce County

Last time auditor or treasurer were reported in election results was prior to 2010.

Richland County

Last time auditor or treasurer were reported in election results was prior to 2010.

Stutsman County

Last time auditor or treasurer were reported in election results was prior to 2010.

Towner County (2014)

Last time auditor or treasurer were reported in election results was 2010.

Walsh County (2022)

Last time auditor or treasurer were reported in election results was 2018.

Ward County (2002) – https://www.co.ward.nd.us/123/Auditor-Treasurers-Office

“The Ward County Auditor's Office consolidated with the County Treasurer's Office in 1996, under authority of the "Tool Chest" legislation contained in the North Dakota Century Code.”

“The Ward County Auditor / Treasurer position had been elected for a number of years, but became an appointed position effective the first Monday in April, 2002.”

Wells County (2022)

Last time auditor or treasurer were reported in election results was 2020.

ITEM

11

NORTH Dakota | Corrections and Rehabilitation
Be Legendary.™

Date:1/29/2025

To: Sub-recipients of the FY 25 VOCA Grant

From: Charlie Hedden, Grants and Contracts Manager

Subject: Important Update on VOCA Funding and Continuity of Services

Dear Sub-recipients,

I hope this message finds you well during what I understand is a challenging time for your agency. We recognize the uncertainty and frustration that has arisen due to recent developments, particularly the Trump administration's announcement regarding the pause of federal funding for grants. Please know that we share your concerns and remain focused on ensuring continuity of services for victims of crime. I have been working closely with the OVC team and prioritizing communications from the Department of Justice.

In the coming weeks, we anticipate further clarity regarding federal funding. However, I want to reassure you that the state funds you have been awarded can still be accessed. You may request reimbursement for these funds through the COSMOS system. Each of you will receive an individual COSMOS communication detailing the remaining amount of state funds available for your requests.

Rest assured, all requests for reimbursement will be approved as long as you have state-awarded funds remaining. Once those funds have been expended, we will need to place any further requests on hold until we receive additional guidance from the Department of Justice. Once we receive updated guidance, we will either process your pending request(above the state awarded amount) or provide you with the latest update.

We appreciate your patience and dedication to serving victims during these uncertain times. Please feel free to reach out if you have any questions or need assistance navigating this process.

With warm regards,

Charlie Hedden
Grants and Contracts Manager
ND Department of Corrections and Rehabilitation
701-328-6872
chedden@nd.gov

NORTH Dakota
Be Legendary.™

Corrections and Rehabilitation

| 3100 Railroad Avenue | Bismarck, ND 58501 | 701.328.6390 | docr.nd.gov

ITEM

12

NOTICE OF PUBLIC HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts assessed and the amount each lot or tract of land is benefited by, and the amount assessed against each lot or tract for the cost of construction of the following special assessment districts:

Falconer Estates Subdivision SAD # 76

Paving of the following roads: Sully Drive from Oahe Bend Drive to Apple Creek Drive. Paving will include 4 inches of hot bituminous and a chip seal treatment:

Of the County of Burleigh, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said County of Burleigh and I certify that it is true and correct and filed in the office of the County Auditor/Treasurer of the said county and is now open for public inspection.

And notice is further given that at the regular meeting of the Board of County Commissioners to be held at 5:00 pm on the 19th day of February 2025, any person who appealed from the action of such Special Assessment Commission prior to such time, may appear before the Board of County Commissioners and present why the action of the Special Assessment Commission should not be confirmed and that the Board of County Commissioners will then hear and determine all such appeals, if any, and take final action thereon and upon the whole assessment list. Written statements will be considered if received by County Auditor/Treasurer prior to the hearing date.

By order of the Burleigh County Commission this 3RD day of February 2025.

_____

Mark Splonskowski
Burleigh County Auditor/Treasurer
Run 2/12 & 2/17/2025

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

February 19, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 16th and 23rd, 2024 special meeting minutes, January 6th, 2025, meeting minutes, and February 3rd, 2025, meeting minutes and bills.
5. Consent Agenda:
    a. Abatements.
6. **Public Hearing:** on SAD 76 Falconer Estates project.
    a. Motion to confirm and certify special assessments (with amendments as needed.)
7. Consideration of future public hearing dates, times, and locations for preliminary resolution and plan on redesignating elective office of Burleigh County Auditor/Treasurer to appointive office.
8. Bismarck Parks and Recreation Operations Director Dave Mayer:
    a. South Washington Trail project.
9. County Engineer Marcus Hall:
    a. Award bid for chip seal contracts.
    b. Award bid for gravel hauling.
    c. Authorize to advertise for Hwy 10 and 80th street intersection project.
    d. Award bid for striping.
    e. Award bid for Magnesium Chloride

f. Award bid for gravel crushing.

g. Award bid for Bryan Slough project.

h. Award bid for engineering services.

i. Award bid for micro surfacing project.

10. Burleigh County Sheriff Kelly Leben:

a. Retirement and release of Law Enforcement K-9

11. Other Business.

12. Adjourn.

The next regularly scheduled Commission meeting will be on March 3rd, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 16TH, 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.

The following changes were made to the agenda:

- Item 10A was moved to after the consent agenda
- Item 6 became item 9
- Item 7 became item 6
- Item 9 became item 7
- The words CISA Report was added to item 10B

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

Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 2nd, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the December 16th, 2024 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
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$248,500	$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$266,400	$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	$294,300	$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,484	$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	$277,300	$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	$357,000	$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	$168,600	$0

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Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements and the remainder of the consent agenda. All members present voted "AYE". Motion carried.

Chairman Bitner gave an update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase inquired of the Commission about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and stated his favorability of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18th, 2024. The points of clarifications are as follows:

- Auditor/Treasurer Splonskowski stated that he believes the benchmarks used in Finance Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.
- Auditor/Treasurer Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over $100,000, and that as of August 2024, Burleigh County investments yielded $1.1 million beyond what was budgeted. Based on Finance Director Jacobs' report & benchmark, the calculated loss in 2023 amounted to 0.0088 percent (9/10ths of 1%) and the loss of 2024's 1st quarter likewise amounted to 0.0018 percent (1/5th of 1%).
- Auditor/Treasurer Splonskowski stated to the Commission that on one or two of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed with and supported the various investment decisions made by the Auditor/Treasurer's office.
- The unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Auditor/Treasurer Splonskowski further stated that Finance Director Jacobs's report did not take into consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Splonskowski refuted a point that was made in Director Jacobs' report stating that the Auditor/Treasurer's office did not experience any turnover in the 2023 year, as not only did he enter the office of County Auditor/Treasurer on April 1st, 2023, but that multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Auditor/Treasurer Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski presented to the Commission a recap on the November 5th, 2024, general election. Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office took on more responsibilities to keep the process going. The Secretary of State's office assisted the

DRAFT

Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election, which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

Finance Director Jacobs addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Finance Director Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs clarified that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs gave an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by $751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by $77,800. According to Jacobs, Burleigh County underperformed in 2023 mainly due to failure to invest, failure to capitalize on rising rates, and poor investment choices. Jacobs gave the following figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by $136,000, with Morton County underperforming by $26,000.
- In Q2 of 2024, Burleigh County underperformed by $168,000, with Morton County underperforming by $19,000.
- In Q3 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform by $150,000, and Morton County would underperform by $25,000.

- In Q4 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

According to Jacobs, Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other minor issues in 2023 under both Auditor/Treasurer Splonskowski and the previous Auditor/Treasurer Leo Vetter. Jacobs stood for questions.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded $110,285 in federal VOCA grants through the state of North Dakota for the period of October 1st, 2024 through September 30th, 2025. Lawyer also stated that in a memo on December 9th, 2024, the state of North Dakota allocated an additional $50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1st, 2024, through June 30th, 2025. No further action was taken.

States Attorney Lawyer then continued the discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at

first entry' report from August 1st, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between $900,000 and $1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only $250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
DECEMBER 23, 2024

11:00 AM

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

Roll call of members: Comm. Bakken, Schwab, and Chairman Bitner were present, with Comm. Woodcox and Munson also present via conference call.

County Finance Director Jacobs started the discussion surrounding the county's ARPA funds. Jacobs shared that the Finance Department and the State's Attorney's Office had discussed options for obligating the ARPA funds by the year's end. The Finance Department discovered that the creation of a memorandum of understanding (MOU) would be sufficient to cover the county per Treasury guidance, and subsequently forwarded this information to the State's Attorney. Jacobs also suggested that if the MOUs don't work, the county could rely on revenue replacement within the ARPA program.

State's Attorney Lawyer presented copies of a draft MOU to the Commission. Lawyer mentioned that two small changes were made to the MOU draft. Firstly, adjustments were made to the budget numbers to ensure the figures would include all the funds needed for the project and are as follows: the budget of the Highway Department is listed as $1 million, the budget of the Sheriff's Department is listed as $652,561, and the budget of Emergency Management is listed as $6,214,739. Secondly, in each of the MOUs under the budget, the phrase *"…in addition to any funds previously obligated for this project."* was included. States Attorney Lawyer asked the Commission for any questions, changes, or modifications on the MOU, Chairman Bitner pointed out that a line in both the Sheriff's Department and Emergency Management's MOU read "for good and services" and said it should have said "goods and services". States Attorney Lawyer acknowledged the error and said it will be corrected.

Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the MOU with the correction of "good and services" to "goods and services". All members present voted "AYE". Motion carried.

State's Attorney Lawyer presented a discussion regarding a request for an audit of the Burleigh County finances. Lawyer explained that there were some issues noticed by the current Finance Department regarding Burleigh County's bookkeeping of finances – it was noticed that in a previous audit, money had been marked down as obligated, even though it was not contracted, therefore not fulfilling the requirements of obligation. The previous Finance Department stated they implemented the changes recommended by the State Auditor's office; however, the same error occurred during the next audit. States Attorney Lawyer suggested the county should have its books audited to ensure that things aren't being missed, misplaced, or mishandled, either by asking the State Auditor's office to do a typical audit or by hiring a CPA to conduct a forensic audit. Chairman Bitner mentioned that he contacted several local firms but had only heard back from one (Eide Bailly) so far and forwarded the information to State's Attorney Lawyer. North Dakota State Auditor Josh Gallion was present at the meeting and was asked by the Commission if he had any input on the situation. Gallion said that his office doesn't do forensic audits. Auditor Gallion said there is off book cash in reference to money held at the Bank of North Dakota, but no money appears to be missing from Burleigh County. Gallion offered to assist the county should the need arise moving forward on this issue.

Motion by Comm. Schwab, 2nd by Comm. Bakken to inquire from the firms contacted so far on how much a forensic audit of the county's accounts would cost, and to determine whether a competitive bidding process would be needed. Comm. Bakken, Schwab, and Bitner voted "AYE"; Comm. Woodcox and Munson voted "NAY". Motion carried.

Meeting adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION MEETING

JANUARY 6TH, 2024

5:09 PM

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

Deputy Auditor Vietmeier asked if there were any nominations for Chairman. Comm. Bakken nominated Comm. Bitner as Chairman. Comm. Woodcox nominated Comm. Munson as Chairman. Commission discussion was held. Election for the chairman was held with Comm. Bakken, Schwab, and Chair Bitner voting for Comm. Bitner and Comm. Woodcox and Comm. Munson voting for Comm. Munson. Comm. Bitner prevailed as Chairman.

Chair Bitner called for nominations for Vice Chairman. Comm. Schwab nominated Comm. Bakken. Comm. Woodcox nominated Comm. Munson. Election for the Vice Chairman was held with Comm. Schwab, Comm. Bakken, and Chair Bitner voting for Bakken and Comm. Woodcox and Comm. Munson voting for Munson. Commissioner Bakken prevailed as vice chairman.

Motion by Comm. Munson, 2nd by Comm. Schwab to add Comm. Bakken to the Auditor/Treasurer portfolio. All members present voted "AYE". Motion carried.

All other portfolios stay the same.

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

Motion by Comm. Munson 2nd by Comm. Schwab to approve the meeting agenda with Item 8 being moved to the January 21st, 2025, meeting due to the absence of the Auditor/Treasurer. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to table the minutes of the meetings held on December 2nd, 4th, 16th, and 23rd until the January 21st, 2025 meeting. 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
Vicki L Williams	2024	Lot 3A, Block 10, Sonnet Heights Subdivision	Error in property description	$271,700	$261,200
Sherri Woehl	2024	Block 30, Wachter's 3rd, Lots 17-20 Albert Square Condominiums Unit 1531	100% Disabled Veteran	$216,900	$36,900
Michaela Fuchs & Orlin Perdue III	2024	Lots 17-18, Block 2, McKenzie's	Significant water damage in basement	$332,100	$224,800
Century Baptist Church	2024	Lot 4, Block 2, Mayfair Managers	Property exempt from taxation - parcel fully exempt for 1 month of 2024	$842,700	$772,400
Jorge Santiago	2024	Lot 2, Block 2, Southbay 4th Addition	100% Disabled Veteran	$255,100	$210,100
Robert & Lorraine Faulhaber	2024	Lot 11, Block 1, Heritage Park Addition 1st Replat	100% Disabled Veteran	$396,800	$321,800
Ross Gerhardt	2023	Lot 13, Block 1, Promised Land	Error in property description	$242,400	$209,200
Ross Gerhardt	2024	Lot 13, Block 1, Promised Land	Error in property description	$248,500	$218,300
Kent Stroh & Trang Nguyen III	2023	Lot 1, Block 1, Elk Ridge Addition	Error in property description	$376,900	$346,600
Michael & Karen Lalonde	2024	Lot 13, Block 11, Meadow Valley 3rd	50% Homestead Credit	$334,800	$234,800
Porch & Fence Properties LLC	2024	Block 92, McKenzie & Coffin's, Lot 6 & 6A of Schultz's Subdivision in Lots 21-23 & S 20' of Lot 24	True and full value exceeds market value, error in property description	$137,100	$113,700
Curtis Smith & Marilyn Schroder	2024	Lot 11, Block 7, Imperial Valley	50% Homestead Credit	$338,800	$238,800
Douglas & Carol Alm	2024	Block 3, Cottonwood Lake 4th, Lot 8 & undivided interest in Lot 32 Block 1	50% Homestead Credit	$417,700	$317,700

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Thomas & Cynthia Anderst	2024	Lot 9A being part of Lots 3-5, Block 4, Stein's 5th	50% Homestead Credit	$234,000	$134,000
Janet Frohlech	2024	Lot 6 Brandon Heights Condominiums Six Unit 205, Block 1, Brandon Heights	100% Homestead Credit	$228,800	$28,800
Keith Greig	2023	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$287,200	$187,200
Keith Greig	2024	Lot 1, Block 2, Prairie Hills	50% Homestead Credit	$308,000	$208,000
Charlette Middlestead	2024	N 152.11' of Aud Lot F of Lot 3, Block 1, Brandon Heights	100% Homestead Credit	$308,000	$108,000
Dean & Carolyn Miller	2024	Lots 17-20 Albert Square Condos Unit 1523, Block 30, Wachter's 3rd	50% Homestead Credit	$219,100	$119,100
Fred & Charlotte Miller	2024	Block 1, North Mills 6th, Lots 5-6 less W 3.48' of said lots Centennial Condo Unit 210 garage G-35 parking P-12	100% Homestead Credit	$192,500	$80,208
Caroline Monroe	2024	Block 4, East Hills Addn Replat, Lot 8 Baumgartner's Sharloh Loop Condo Unit 12 Garage unit A12 Building A	100% Homestead Credit	$183,400	$152,833
Debbie A Opp	2024	Lot 13, Block 7, Replat of Calkins	50% Homestead Credit	$221,600	$121,600
Leopold & Kathryn Richter	2024	Lots 1-2 less W10', Block 1, Sturgis	100% Homestead Credit	$203,200	$3,200
Richard & Barbara Scott	2024	Aud Lot 3B of Lot 3, Block 17, Sonnet Heights	50% Homestead Credit	$264,100	$164,100
Travis Pederson	2024	1996 Chief Bonnavilla 16 x 80, #NEB69A2490	Mobile home moved to Pierce County in 2023	$58,100	$0
Jaren Bender	2024	1973 Sharva-R 15 x 66, #3911	Mobile home moved to Emmons County in 2023	$24,000	$0
Dorothy Kastner	2024	Block 13, Replat Homan Acres, Lot H of Lot 1 Washington Court Condo Building 215 Unit 9 garage 9	100% Homestead Credit	$26,000	$0
Harley Wagner	2024	1971 Homecrest 67 x 14, #B080388	Mobile home damaged by fire	$7,204	$0
Paul & Shari Huettl	2024	Lot 2, Block 3, Country Creek 1st	Basement finish not completed gave 10% obs	$477,800	$436,500
Krystyna Gorzelska	2024	Block 1, North Hills 6th, part Lots 7-8 Dakota Condominiums unit 325 & garage G-9 & parking space P-22	100% Homestead Credit	$239,900	$39,900

Motion by Comm. , 2nd by Comm. to approve the Vicki L Williams, Sherri Woehl, Michaela Fuchs & Orlin Perdue III, Century Baptist Church, Jorge Santiago, Robert & Lorraine Faulhaber, Ross Gerhardt (2), Kent Stroh & Trang Nguyen III, Michael & Karen Lalonde, Porch & Fence Properties LLC, Curtis Smith & Marilyn Schroder, Douglas & Carol Alm, Thomas & Cynthia Anderst, Janet Frohlech, Keith Greig (2), Charlette Middlestead, Dean & Carolyn Miller, Fred & Charlotte Miller, Caroline Monroe, Debbie A Opp, Leopold & Kathryn Richter, Richard & Barbara Scott, Travis Pederson, Jaren Bender, Dorothy Kastner, Harley Wagner, Paul & Shari Huettl, and Krystyna Gorzelska abatements plus the remainder of the consent agenda in its entirety. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the consent agenda as presented. All members present voted "AYE". Motion carried.

County Planner Flanagan presented a Rath Subdivision plat to the Commission and requested approval by the Commission. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Rath Subdivision plat. All members present voted "AYE". Motion carried.

Assistant County Engineer Schriock presented the Commission with a resolution. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the resolution for authorization to advertise for bids for the purchase of reinforced box culverts to replace bridge located 4.2 miles south of Highway 10 on 236th Street SE. All members present voted "AYE". Motion carried.

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Chairman Bitner led a discussion about the Burleigh County investments and to provide clarification as to where our investment monies come from. Finance Director Jacobs appeared to inform the commission on the funds that currently invested. Chairman Bitner requested that the Investment policy be added to the January 21st, 2025, meeting for review. Commissioner Schwab requested a spreadsheet of all our investments and discussed the benchmarking. Motion by Comm. Munson, 2nd by Comm. Woodcox to add Chairman Bitner and Commissioner Bakken to the Burleigh County Investment Committee. All members present voted "AYE". Motion carried.

Commissioner Woodcox asked Finance Director Jacobs if he had a ballpark figure on what had been collected in the one cent sales tax which is to be used as a direct replacement for property taxes. Finance Director Jacobs says that it should be approximately twenty-four million per year. Chair Bitner noted that a portion of the tax revenue will be available for the next budget cycle and then subsequent years after that the full amount will be available. Commissioner Woodcox inquired if that money is being properly invested. Finance Director Jacobs stated that what has been received has been invested. Chairman Bitner states that we will be looking at the details to make certain our reserves fall within the limits of the Century Code.

Motion by Comm. Woodcox 2nd by Comm. Munson to approve the bills from the December 16th meeting. All members present voted, "AYE". Motion carried.

Chairman Bitner informed the commission about the phone lines in the Provident Life Building that had been cut which affected the beacon and the elevator emergency phones.

Chairman Bitner said that the attorneys are suggesting that we join the other parties that are appealing the PSC decision. By consensus the commission agrees to join the other parties.

.Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
MEETING MINUTES
FEBRUARY 3RD, 2025

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

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

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

Comm. Schwab requested to remove item 5B from the agenda. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the meeting agenda with the removal of item 5B. All members present voted, 'AYE'. Motion carried.

Chair Bitner requested a motion to approve the bills with one bill going to the States Attorney's Office for an opinion. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the bills. All members present voted, 'AYE'. Motion carried.

Chair Bitner listed the following meeting minutes which still needed approval; December 2nd, 2024, December 16th, 2024, January 6th, 2025, and January 21st, 2025 meeting minutes as well as December 4th, 2024, December 23rd, 2024, and January 15th, 2025 special meeting minutes. Discussion of each set of minutes was had.

- Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the minutes from the December 2nd meeting with the removal of the word 'fully' from page two. All members present voted 'AYE'. Motion Carried.
- Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the minutes from the December 4th, 2024 special meeting. All members present voted 'AYE'. Motion carried.
- The consensus amongst the Commissioners was to make the following changes on the December 16th, 2024 meeting minutes. Remove the word 'only' from two locations, the word 'seemingly', and on bullet point three, remove the phrase 'on more than' and change it to 'one or two' all on page two. Remove the word 'only' from two locations on page three. Motion by Comm. Woodcox, 2nd by Comm. Bakken to table the minutes from December 16th, 2024 to review with the changes made. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Bakken, 2nd by Comm. Munson to table the minutes from the December 23rd, 2024 special meeting. All members present voted 'AYE'. Motion carried.
- The consensus amongst the Commissioners was to make the following changes on the January 6th, 2025 meeting minutes. The details of the vote for Chairman and Vice Chairman needed to be listed. On the last page of the minutes, clarify the verbiage of Chair Bitner's comment on the availability of tax proceeds. Motion by Comm. Munson, 2nd by Comm. Bakken to table the minutes from January 6th, 2025 to review with changes made. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Bakken, 2nd by Comm. Munson to approve the minutes from the January 15th, 2025 special meeting. All members present voted 'AYE'. Motion carried.

- Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the minutes from the January 21st, 2025 meeting with the following corrections. Change the date for the tabled December 23rd, 2024 special meeting minutes to February 3rd, 2025 instead of March 3rd, 2025. Change the word 'another' to 'a' from two locations in County Engineer Hall's presentation. Remove the word 'lastly' from Sheriff Leben's presentation. Remove the word 'then' from States Attorney Lawyer's presentation. 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
James & Pamela Vukelic	2024	Lots 11-16, Block 7, McKenzie's	Error in property description	$751,900	$633,700
Daniel Adolf Privratsky & Melodee Grenz	2024	Tract 1400 of Lot 7, Block 1, Southport Phase II	50% Disabled Veteran	$558,100	$468,100
Missouri Slope North Campus - SNF LLC	2024	Lot 1A of Lot 1, Block 1, Good Shepard North Addition	Property exempt from taxation	$1,851,100	$74,900
Aircraft Management Services Inc	2024	Block 1, City Leases, Possessory interest in parcel land located in S 1/2 ssection 10 A38-80 at municipal airport des in lease date 5/22/08 (bldgs 5 &22)	Lease for hangar expired & hanger was removed for 9 months of year	$590,000	$379,400
Lila Teunissen	2024	Lot 16, Block 5, Peet's 4th	100% Disabled Veteran	$401,300	$296,300
Roberta Spitzer (Beadell)	2024	Block 1, Replat Aud Lot 28 & W 1/2 Aud Lot 27, Lot 2 Park Place Condo Unit IV	70% Disabled Veteran	$142,800	$42,840
Daniel James Geiger	2024	Lot 4, Block 17, Meadow Valley 4th	80% Disabled Veteran	$352,300	$256,300
James & Dixie Lang	2024	Lot 5, Block 1, Clear Sky Addition	80% Disabled Veteran	$484,000	$340,000
Kimberly Graner	2024	Block 7, Northern Pacific, Pt Lots 8-9; beg 80.24' S NW cor Lot 9, E50' S69.05' WLY9.04' S26.57' SWLY15.79' W30.91' to W line Lot 8 N along said line 105.73' to pt beg	100% Disabled Veteran	$257,500	$77,500
Thomas & June Marshall	2024	Lot 10, Block 4, Heritage Park 2nd Addition	100% Disabled Veteran	$320,500	$230,500

Anthony & Rebecca Saxton	2023	Block 2, Park Hill (Aud Lots), beg 920.8' E & 248.9' N of SW cor of NE1/4 sec 5; th W 71.7' N 150' E 71.7' S 150' to beg	70% Disabled Veteran	$230,100	$104,100
Anthony & Rebecca Saxton	2024	Block 2, Park Hill (Aud Lots), beg 920.8' E & 248.9' N of SW cor of NE1/4 sec 5; th W 71.7' N 150' E 71.7' S 150' to beg	70% Disabled Veteran	$248,900	$122,900
Shirley Buchholz	2024	Block 3, Shannon Valley 4th, Lots 1-2 East Ridge Condo Unit 9	100% Disabled Veteran	$44,500	$0
Robert Scott & Carrie Newell	2024	Lot 5, Block 2, Wachter's 9th	100% Disabled Veteran	$437,500	$257,500
Gilbert Nelson	2023	Lot 1 & N10' of Lot 2, Block 1, Rue's Subdivision	Change mill rate from regular property tax to fire club, fully exempt for assessment year	$466,600	$466,600
Gilbert Nelson	2024	Lot 1 & N10' of Lot 2, Block 1, Rue's Subdivision	Change mill rate from regular property tax to fire club, fully exempt for assessment year	$478,600	$478,600
Fourth Street LLC	2024	Lot 12, Block 17, Homan Acres 2nd	Property improvement was destroyed or damaged	$399,000	$374,000
Gunda Busch	2023	Lot 13, Block 10, Replat Homan Acres	100% Homestead Credit	$250,800	$50,800
Gunda Busch	2024	Lot 13, Block 10, Replat Homan Acres	50% Homestead Credit	$262,700	$162,700
Reede & Mary Benning	2024	Lot 6, Block 4, Stein's 2nd	50% Homestead Credit	$286,200	$186,200
James & Nancy Skaret	2024	Star Condos Unit 3403 Bldg 1, Lot 1A of Lot 1, Block 5, Edgewood Village 2nd Add	50% Homestead Credit	$367,000	$267,000
Jesse Jordan	2024	Lot 4, Block 1, Prairie Pines 3rd	Equalization with surrounding properties	$718,100	$665,200
Bismarck State College	2024	Lot 1 less Lot 1A, Block 2, Schafer Heights	Portion of property was only	$3,045,900	$1,015,300

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			taxable for part of the year		
Anders Bleth	2024	Lot 10, Block 8, High Meadows 5th	Error in property description	$418,200	$380,400
James & Betty Mitzel	2024	Tract 1332 of tract B1 & tract D of part of Lot 1, Block 1, Southport Phase II	80% Disabled Veteran	$362,200	$218,200
Larry & Cheryl Tessmer	2024	Unit 104 Rolling Hills Condo II, Lot 2, Block 1, East Hills Addn Replat	50% Disabled Veteran	$325,400	$287,900
Faye Schiefelbein	2023	Lot 5, Block 8, Meadow Valley 2nd	50% Homestead Credit	$240,600	$140,600
Faye Schiefelbein	2024	Lot 5, Block 8, Meadow Valley 2nd	100% Homestead Credit	$254,100	$54,100
Brandi Schmidt	2023	Lot 2, Block 1, Haycreek Meadows 1st Replat	80% Disabled Veteran	$280,700	$136,700
Brandi Schmidt	2024	Lot 2, Block 1, Haycreek Meadows 1st Replat	80% Disabled Veteran	$260,100	$116,100
Nicole Neibauer	2024	E 50' of Lots 4-6, Block 51, Northern Pacific 2nd	Property value decrease due to renovation/repair	$258,700	$225,900
The Salvation Army	2024	Lots 6-7, Block 1, Airway Ave Addn	Property exempt from taxation	$169,500	$155,400
Clifford Romoser Jr	2025	1975 Detroiter 66 x 14, VIN #SGD040980	Mobile home was demolished	$7,096	$0
Chase Beard	2024	2005 Adrian 14 x 60, ser #GAHAG1756	Moved mobile home 4/26/2023	$25,361	$0
Chase Beard	2025	2005 Adrian 14 x 60, ser #GAHAG1756	Moved mobile home 4/26/2023	$32,760	$0
Jennie Masseth	2024	Lot 11, Block 11, Meadow Valley 3rd	100% Homestead Credit	$297,800	$97,800
John & Yvonne Doone	2023	W 75' of Lots 17-20, Block 18, Fisher	100% Homestead Credit	$304,800	$104,800
John & Yvonne Doone	2024	W 75' of Lots 17-20, Block 18, Fisher	100% Homestead Credit	$302,800	$102,800
James Frey	2024	Lot 34, Block 22, Homan Acres	50% Homestead Credit	$281,700	$181,700
Gary Hayes	2024	Lot 8, Block 5, Prairie Hills	50% Homestead Credit	$261,400	$161,400
Pam Christianson	2024	Lot 5, Block 6, North Hills 1st	100% Homestead Credit	$236,400	$36,400

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Brian & Geraldine Mehlhoff	2024	Lot 10, Block 3, Sattler's Sunrise 2nd	100% Homestead Credit	$282,300	$82,300
Delbert Unruh	2025	1972 Champion 14 x 56, ser #0329958038	100% Homestead Credit	$6,309	$0
Judy Bradley	2025	2012 Redman 32 x 68, ser #A000579AB	50% Homestead Credit	$131,539	$65,770
Earl & Irene Wentz	2024	Lots 29-30, Block 23, Fisher	50% Homestead Credit	$184,200	$92,100
Larry & Neva Lang	2024	Lot 15, Block 27, Stein's 4th	50% Homestead Credit	$320,200	$220,200
Henry & Doretta Rasmusson	2023	Unit 102 Brandon Heights Condos, Aud Lot C of part of Lot 3, Block 1, Brandon Heights	100% Homestead Credit	$185,900	$0
Lillian Seifert	2024	Lot 17, Block 5, French's 1st	100% Homestead Credit	$273,500	$73,500
Rose Hindricksen	2023	Lot 8, Block 19, Wachter's 3rd	100% Homestead Credit	$52,300	$0
Rose Hindricksen	2024	Lot 8, Block 19, Wachter's 3rd	100% Homestead Credit	$58,300	$0
Kelvin & Carla Usselman	2024	Lot 3, Block 2, Prairiewood Estates	50% Homestead Credit	$333,800	$233,800
Kathleen Nelson	2024	2003 Friendship 80 x 16	100% Homestead Credit	$49,920	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the James & Pamela Vukelic, Daniel Adolf Privratsky & Melodee Grenz, Missouri Slope North Campus - SNF LLC, Aircraft Management Services Inc, Lila Teunissen, Roberta Spitzer (Beadell), Daniel James Geiger, James & Dixie Lang, Kimberly Graner, Thomas & June Marshall, Anthony & Rebecca Saxton (2), Shirley Buchholz, Robert Scott & Carrie Newell, Gilbert Nelson (2), Fourth Street LLC, Gunda Busch (2), Reede & Mary Benning, James & Nancy Skaret, Jesse Jordan, Bismarck State College, Anders Bleth, James & Betty Mitzel, Larry & Cheryl Tessmer, Faye Schiefelbein (2), Brandi Schmidt (2), Nicole Neibauer, the Salvation Army, Clifford Romoser Jr, Chase Beard (2), Jennie Masseth, John & Yvonne Doone (2), James Frey, Gary Hayes, Pam Christianson, Brian & Geraldine Mehlhoff, Delbert Unruh, Judy Bradley, Earl & Irene Wentz, Larry & Neva Lang, Henry & Doretta Rasmusson, Lillian Seifert, Rose Hindricksen (2), Kelvin & Carla Usselman, and Kathleen Nelson abatements plus the remainder of the consent agenda in its entirety minus item 5B. All members present voted "AYE". Motion carried.

Central District Director for NDSU Extension Dena Kemmet and 4-H Youth Development Agent Annette Broyles spoke on Broyles' upcoming retirement and achievements accomplished in her three years of service. She requested a motion from the Commission to hire a new 4-H Youth Development Agent. Motion by Comm. Schwab, 2nd by Comm. Bakken to allow for the hiring of a new 4-H Youth Development Agent. All members present voted 'AYE'. Motion carried.

County Planner Mitch Flanagan presented an update on the RRH Subdivision. He stated that the gas station was not required to follow the MS4 stormwater guidelines, but the designers still utilized them. He said the manhole covers that are next to the pumps collect the runoff and hold all the contaminants in conjunction with sump pumps contained within. Flanagan stated the DEQ does not take vehicle and pedestrian safety into account directly but is still requiring a fence to be built around the lagoon. He requested a motion to approve the plat subject to the DEQ permit. Motion by Comm. Bakken, 2nd by Comm. Munson to approve subject to the DEQ permit. All members present voted 'AYE'. Motion carried.

County Engineer Marcus Hall presented a resolution to authorize the proper County officials to advertise for bids to construct the replacement Bridge #08-126-40.0. He stated that the plans are complete and permits for the project have been obtained. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the advertising for bids for the construction of Bridge #08-126-40.0. Comm. Woodcox asked if there was an 'Engineer's Estimate'; Hall responded that this estimate would be presented to the Commission once the bids are reviewed for approval. All members present voted 'AYE'. Motion carried.

County Engineer Marcus Hall presented a resolution to authorize the proper County officials to enter into a contract for the RCB culverts to replace Bridge #08-126-40.0 with Rinker Materials. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the bids for the RCB culverts for Bridge #08-126-40.0. All members present voted 'AYE'. Motion carried.

States Attorney Julie Lawyer presented a preliminary resolution changing the County Auditor/Treasurer from an elected position to appointed which was tabled from the January 21st, 2025 Commission meeting. Lawyer stated that the process upon approval of the resolution would include posting the resolution in the paper for two weeks within a thirty-day period and then call for public hearings at which public input would be heard. She recommended having several public hearings and to schedule them at various times and days from the normal Commission meetings to encourage more people to come. Lawyer then explained the history of the Home Rule Charter. She stated that the Home Rule Charter laws require a Home Rule Charter to contain a provision listing the status of elected officials and whether they will stay elected or become appointed. The original Home Rule Charter listed that those positions would remain elected. In 2020 a discussion was had to amend the Home Rule Charter to change the County Recorder and Auditor/Treasurer to appointed positions, but it went to the voters and was defeated. Lawyer stated that in 2022 the Home Rule Charter was amended to allow the County Commission to create ordinances and in 2024, was amended to increase the sales tax to one percent. She stated that instead of changing those positions to elected or appointed and having to change the Home Rule Charter again, the provision was added that the statute would apply so that no statutory authority would be taken away from the Commission to modify it instead of having to modify the Home Rule Charter again, which took place in the 2022 Home Rule Charter. She then listed the steps of changing the elected position to an appointed one. A preliminary resolution is considered by the Commission, if passed it goes to a public hearing or townhall meeting to get information out and receive input, then discussion of adopting the final resolution is had. If a final resolution is adopted, the effective date would be April 1st, 2027. Lawyer commented that if a final resolution is reached, the public can still file a petition if its going against their wishes, and it would then go to the ballot for a vote. Chair Bitner recommended that the public hearing be in conjunction with a normal Commission meeting. Comm. Bakken stated that the public

hearings should be also held outside of the normal Commission meetings to allow more people to attend. Lawyer stated that there should be a way for people to submit written comments as part of the public hearing. Chair Bitner added that he would get ahold of County Emergency Management Director Mary Senger regarding setting up the ability to take written comments. Comm. Schwab expressed the need to make sure that the people emailing be required to verify they are Burleigh County residents and Chair Bitner added this to his list to discuss with Senger. Motion by Comm. Bakken, 2nd by Comm. Schwab, to approve the preliminary resolution to gain input from the people and to add it to the website as well as communicate with Dakota Media Access to help get the word out. All members present voted 'AYE'. Motion carried.

County Finance Director Leigh Jacobs presented a suggested update to county policies and procedures regarding vendor onboarding. He stated that the County does have some policies and procedure that would be put together in a more comprehensive way. This would aid in the execution of 1099s at the end of the year. He asked if the Commission would be willing to review the current vendor lists to come up with an approved vendor list. Comm. Woodcox asked what the process would be to get a new vendor on the approved vendor list and Jacobs responded that it would be part of the development of the onboarding process. The consensus amongst the Commission was to assist Jacobs in reviewing the current vendor list.

States Attorney Julie Lawyer presented an update on the Victim Witness Program grant funds. She mentioned that on Monday, January 27th, 2025, the White House announced the freezing of all federal funding which included federal grants. On the 29th, the States Attorney's Office received a letter from the DOCR stating that all federal money would not be paid out until everything was settled. She received a notification an hour after requesting this item to be added to tonight's meeting agenda that the White House had issued another order rescinding the original order withhold funding. She said that there was a hearing today that extended the stay on that order. The County gets VOCA funding for the Victim/Witness program which was approximately $101,000 from the Federal government and the State provided approximately $59,000. She said the freeze does not effect the state funding and when the DOCR receives the funding they will distribute it to the County. Comm. Bakken inquired if this would change the operations of the States Attorney's Office and Lawyer responded that it would not because the County pays the bills and then is reimbursed from the State.

County Auditor/Treasurer Mark Splonskowski presented a request for a public hearing regarding Special Assessment District #76 Falconer Estates. He stated that all the work has been completed on the project and the Special Assessments Committee held a meeting and public hearing in which nobody presented any concerns or comments. Splonskowski requested that the Commission approve a public hearing. Comm. Bakken enquired if the County sent out letters regarding the special assessments and Splonskowski responded that it is required to be posted in the Bismarck Tribune once a week for two weeks. Comm. Bakken asked what the scope of the special assessment district was and Splonskowski responded that it is one street, Sully Drive, in Falconer Estates which encompasses about 12 properties. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the request for a public hearing. All members votes 'AYE'. Motion carried.

Chair Bitner stated that he had been contacted by a contractor interested in putting together a bid for a project on 80th and Highway 10 and mentioned that the gravel suppliers have been notifying the contactors that the weight limit on Highway 10 is 80,000 pounds. County Engineer Marcus Hall was brought forward for

discussion on this item. Chair Bitner and Hall stated that this could cost the County an additional $20,000 to $30,000 due to the lighter loads. Hall asked if the Commission would be willing to allow a 105,500 pound weight limit on that road for this project and requested an addendum for this project only, noting that he had gotten inquiries from other contractors on other projects. Comm. Schwab mentioned that Highway 10 was just repaired for approximately $180,000 and if the County changed the load limit, they would have to repair it again. Comm. Bakken stated that he didn't agree with benefiting the County and not the other contactors and projects even though it would benefit the County taxpayers. Comm. Munson commented that he was concerned that the $20,000 or $30,000 that would be spent now could keep the County from spending more to repair the road later and that he agreed with Comm. Bakken's statement. Motion by Comm. Schwab, 2nd by Comm. Munson to leave the load limit at 80,000 pounds. All members present voted 'AYE'. Motion carried.

Commissioner Bakken asked for more information from County Sheriff Kelly Leben regarding the illegal immigrants detained by the Burleigh County Sheriff's Department and how that effects the County. Leben stated that he addressed this same topic with an Associated Press reporter recently. Leben responded that we have been here before and it just looks different depending on the administration that is in the White House. Leben stated that Sheriff Deputies performed a routine traffic stop last Wednesday for a registration violation. The Deputies identified the occupants of the vehicle and that they were here illegally and a call to Border Patrol was made. Border Patrol then interviewed the subjects in the vehicle and advised the Deputies to take them into custody. The Sheriff's Department was not aware that one of the subjects was a Venezuelan gang member until it was brought up by Border Patrol last Friday. Leben stated he does not anticipate any raids in North Dakota, but the State will see similar situations that happened last week. He addressed Comm. Schwab's question regarding the cost of the detention of these subjects and he said once Border Patrol or Customs says to detain the subject, they are very quick in picking up the subject so the County incurs very little cost. Leben stated that he had been asked the question of would the Sheriff's Department be willing to go into contract with Immigration, Customs, and Enforcement and he said they would entertain that idea. He mentioned that he has been in contact with them and that it would be another entity looking for bed space. Comm. Bakken asked if there were any concerns of Deputies needing backup due to increased activity and Leben responded that there is always a concern, but that the Deputies and Detention Center Officers performed very well. Leben mentioned he recently had a meeting with Congresswoman Julie Fedorchak regarding this topic. He stated that there will be voluntary deportation when they see the pressure that is being put on them and some will leave. Leben said that he had heard of people confronting others about this and he hoped that people maintain respect and dignity. He said that we have an illegal immigrant problem but we need to remain respectful and dignified. Comm. Bakken asked how the interagency cooperation was with Border Patrol and Leben responded that the Sheriff's Department has always had a good relationship with the Federal Government.

Meeting Adjourned

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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
25-011	Austin Vilardi & Aubrey Tocci	2024	Lot 3, Block 3, Wheatland Hills 2nd	70% Disabled Veteran	$329,000	$276,500
25-063	William Teply	2024	Lot 15, Block 2, Eastside Heights	100% Disabled Veteran	$383,600	$203,600
25-064	Eugene & Carlotta Kostelecky	2024	Lot 28, Block 20, Homan Acres 6th	80% Disabled Veteran	$163,700	$145,700
25-066	Troy & Kayla Skelton	2024	Lot 3, Block 1, Replat Lots 14-23, Block 1, the Pointe	80% Disabled Veteran	$392,100	$356,100
25-076	Astrid Senger	2024	Lot 7, Block 1, North Hills 13th	100% Disabled Veteran	$413,700	$233,700
25-077	Timothy & Angela Wicks	2024	Lot 8, Block 2, Rplt Lot 10 Blk 1 North Hills 1st	100% Disabled Veteran	$339,800	$159,800
25-078	Lutene Roth	2023	Lot 16, Block 6, Tatley Meadows VI	100% Homestead Credit	$305,300	$105,300
25-079	Lutene Roth	2024	Lot 16, Block 6, Tatley Meadows VI	50% Homestead Credit	$308,100	$208,100
25-080	Ronald & Carol Bodine	2024	Unit 3 Mapleton Place Condos, Aud Lot 1634 of Lot 2, Block 2, Pebble Creek Addn	50% Homestead Credit	$193,700	$96,850
25-081	Stephen & Bridget Hillerud	2024	Unit 2 2305 Pointe Loop Condos, W 128' of Lot 1, Block 7, the Pointe	Error in property description	$329,700	$299,200
25-082	Curtis & Beverly Goehring	2024	Lot 31, Block 1, Apple Valley	100% Homestead Credit	$175,200	$0
25-083	Milton & Shirley Wagner	2023	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	$319,400	$119,400
25-084	Milton & Shirley Wagner	2024	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	$333,600	$113,600
25-085	Monte & Linda Tausend	2024	Lot 6, Block 3, Fort Lincoln Est #1	50% Homestead Credit	$222,800	$122,800

25-086	Paul & Julie Fornshell	2024	S240' of the E363' of Lot 1, Block 1, Steer	Farm residence exemption	$340,400	$40,000
25-087	Ramona Hendricks	2024	Lot 2, Block 5, Meadow Valley 2nd	100% Homestead Credit	$235,300	$35,300
25-088	Cheri Schulz	2023	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	$261,700	$161,700
25-089	Cheri Schulz	2024	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	$261,200	$227,867
25-090	Elizabeth Lynnell Strothman	2023	Lot 13, Block 3, Country West II	100% Homestead Credit	$365,400	$165,400
25-091	Elizabeth Lynnell Strothman	2024	Lot 13, Block 3, Country West II	100% Homestead Credit	$375,200	$175,200
25-092	Anthony & Diane Rothacker	2024	Lot 2, Block 1, Ridgefield	100% Disabled Veteran	$310,700	$130,700
25-093	Rita Schmidt	2024	Lot 1, Block 2, Parkview	100% Homestead Credit	$125,300	$0
25-094	Thomas & Agnes Salwei	2024	Lot 31, Block 2, Copper Ridge	50% Homestead Credit	$385,100	$285,100
25-097	Patricia Stoxen	2024	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	$265,300	$165,300
25-098	Larry & Adela Roller	2023	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	$207,300	$107,300
25-099	Larry & Adela Roller	2024	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	$213,300	$113,300
25-100	Dennis & Kay Berg	2024	Lot 22, Block 5, Cottonwood Parkview Addn	50% Homestead Credit	$308,600	$208,600
25-103	Alan & Kathy Chmielewski	2023	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	$270,700	$170,700
25-104	Alan & Kathy Chmielewski	2024	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	$288,900	$188,900

25-105	Sherwin & Cathy Nelson	2024	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	$351,900	$251,900
25-106	Vicki Schmidt	2024	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	$110,146	$55,073
25-107	Vicki Schmidt	2025	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	$105,196	$52,598
25-108	Linda Houston	2023	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$82,700	$0
25-109	Linda Houston	2024	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$82,800	$0
25-110	William Miller	2023	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	$557,700	$507,700
25-111	William Miller	2024	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	$559,100	$509,100
25-112	Patricia Stoxen	2023	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	$254,800	$154,800
25-113	Sheila Steckler	2024	Lot 10 less S WLY 20', Block 1, Rolling Hills 2nd	50% Homestead Credit	$243,100	$143,100
25-114	Dianne Moch	2024	Lot 7, Block 2, North Lincoln 2nd	50% Homestead Credit	$277,200	$177,200
25-117	Tony & Julie Gratz	2025	1972 Detroiter 64 x 14	Mobile home removed 10/17/2024	$6,881	$0
25-118	Bernice Fuchs	2024	Lots 9-10, Block 26, Sturgis	100% Homestead Credit	$209,600	$9,600
25-119	Gary Hayes	2023	Lot 8, Block 5, Prairie Hills	50% Homestead Credit	$236,000	$136,000
25-120	Dennis Boknecht	2024	W 100' Lots 31-32, Block 68, McKenzie & Coffin's	50% Homestead Credit	$147,900	$73,950
25-121	Celia Lindquist	2023	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	$105,800	$0

25-122	Celia Lindquist	2024	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	$105,700	$0

ITEM

6

PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts assessed and the amount each lot or tract of land is benefited by, and the amount assessed against each lot or tract for the cost of construction of the following special assessment districts:

Falconer Estates Subdivision SAD # 76

Paving of the following roads: Sully Drive from Oahe Bend Drive to Apple Creek Drive. Paving will include 4 inches of hot bituminous and a chip seal treatment:

Of the County of Burleigh, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said County of Burleigh and I certify that it is true and correct and filed in the office of the County Auditor/Treasurer of the said county and is now open for public inspection.

And notice is further given that at the regular meeting of the Board of County Commissioners to be held at 5:00 pm on the 19th day of February 2025, any person who appealed from the action of such Special Assessment Commission prior to such time, may appear before the Board of County Commissioners and present why the action of the Special Assessment Commission should not be confirmed and that the Board of County Commissioners will then hear and determine all such appeals, if any, and take final action thereon and upon the whole assessment list. Written statements will be considered if received by County Auditor/Treasurer prior to the hearing date.

By order of the Burleigh County Commission this 3RD day of February 2025.

_____

Mark Splonskowski
Burleigh County Auditor/Treasurer
Run 2/12 & 2/17/2025

BURLEIGH COUNTY
SPECIAL ASSESSMENT COMMISSION
MEETING\PUBLIC HEARING
AGENDA/NOTICE
January 22, 2025
5:15PM

City/County Building
First Floor Conference Room 221 N 5th Street Bismarck, ND.

Falconer Estates Subdivision S.A.D. #76

1) CALL TO ORDER – Jeff Eslinger, Chairman

2) Auditor Splonskowski to explain process. Purpose of hearing is not to discuss costs but how costs are assessed. Assessments for the most part are spread equally among the benefited properties and based upon the petitions. Each buildable lot is assessed and has an equal assessment.

Estimated costs:
S.A.D. #76 $ 1,051.94\yr – 12yrs plus interest @ 2.00%

3) OPEN PUBLIC HEARING for S.A.D. #76 – call for public testimony.

4) CLOSE PUBLIC HEARING - Motion to confirm special assessment list for Falconer Estates Subdivision S.A.D.#75 (as amended\corrected) and forward the same to the Burleigh County Board of Commissioners.

5) Adjourn.

BURLEIGH COUNTY
SPECIAL ASSESSMENT COMMISSION
MEETING MINUTES
January 22, 2025

5:15 PM

The Burleigh County Special Assessment Commission convened with all Commissioners Heim, Lunde, and Chairman Eslinger present.

The purpose of the meeting was to conduct public hearings regarding the assessment of cost\benefit to properties within the SAD #76 – Falconer Subdivision. Chairman Eslinger called the meeting to order with County Auditor/Treasurer Splonskowski briefly explaining the process.

Chairman Eslinger opened the Public Hearing for Special Assessment **District #76 – Falconer Estates Subdivision.**

No one present appeared and the following motion was made:

Motion by Comm. Heim, 2nd by Comm. Lunde to confirm the special assessment list for S.A.D. #76 Falconer Estates Subdivision as published and to forward the same onto the Board of County Commissioners. All members present voted "AYE." Motion carried.

Meeting adjourned

_____
Mark Splonskowski
Burleigh County Auditor/Treasurer

NOTICE OF PUBLIC HEARING
SPECIAL ASSESSMENTS
STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

The undersigned, Jeff Eslinger, Mike Heim and Lee Lunde constituting the Special Assessment Commission of Burleigh County, North Dakota, do hereby certify that the foregoing is a complete list of the particular lots and tracts of land in which, in the opinion of the Commission, are especially benefited by the construction of street paving and related work in Street Improvement District #76 of said County, setting for the amount each lot or tract of land is benefited by such improvement and the amount assessed against each and the same is a true and correct assessment of the property therein described according to the best judgment of the members of such Commission and that the several items of expense in such assessments are as follows to wit:

Construction Expense	$ 158,822.27
Engineering Expense	$ 6,349.08
Misc. (paid with Hwy GL)	$ 595.31
Misc. (paid with SAD GL)	$ 2,444.20
Administrative Expense	$ 5,765.65
Bond Cost	$ 2,750.00
TOTAL COST	**$ 176,726.51**

Notice of the Special Assessment for the cost of construction of street paving and related work in Street Improvement District #76 of Burleigh County North Dakota.

NOTICE IS HEREBY GIVEN that a Special Assessment for the cost of construction and related work in Street Improvement District #76 has been levied against the lots and tracts of land especially benefited by such improvement in the sums set opposite the respective descriptions of such lots and tracts of land, to wit: **Falconer Estates Subdivisions**, paving of the following roads: Sully Drive from Oahe Bend Drive to Apple Creek Drive. Paving will include 4 inches of hot bituminous and a chip seal treatment.

Property ID#	Legal Description Falconer Estates Subdivision	Amount
38-138-80-38-07-010	Blk 7 Lt 1,2	$ 12,623.36
38-138-80-38-07-030	Blk 7 Lt 3	$ 12,623.36
38-138-80-38-07-040	Blk 7 Lt 4	$ 12,623.36
38-138-80-38-07-050	Blk 7 Lt 5	$ 12,623.36
38-138-80-38-07-060	Blk 7 Lt 6	$ 12,623.36
38-138-80-38-07-070	Blk 7 Lt 7	$ 12,623.36
38-138-80-38-07-080	Blk 7 Lt 8	$ 12,623.36
38-138-80-38-07-090	Blk 7 Lt9	$ 12,623.36
38-138-80-38-07-100	Blk 7 Lt10	$ 12,623.36
38-138-80-38-06-080	Blk 6 Lt 8	$ 12,623.36
38-138-80-38-06-070	Blk 6 Lt7	$ 12,623.36
38-138-80-38-06-060	Blk 6 Lt 5b ,6	$ 12,623.36
38-138-80-38-06-050	Blk 6 Lt 5a of lot 5	$ 12,623.36
38-138-80-38-06-040	Blk 6 Lt 4	$ 12,623.36

NOTICE IS HEREBY GIVEN that on the 22nd day of January 2024, at 5:15 P.M. the Special Assessment Commission of Burleigh County, North Dakota, will meet in the First Floor Conference Room in the City/County Building, 221 N 5th Street, Bismarck, ND to hear any testimony both for

and against which may be made to any assessment shown in the foregoing list by any person interested therein or by his agent or attorney.

Jeff Eslinger	Mike Heim	Lee Lunde
Chairperson	Member	Member

Publish: 1/6 & 1/13, 2025

ITEM

7

Preliminary Resolution on Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to hold the position of Auditor / Treasurer;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law converting the elected office of county auditor / treasurer into an appointed office and pursuant to N.D.C.C. § 11-10.2-01(1)(c), the county may redesignate an elective county office as an appointive office; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be redesignated as an appointive office;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

Plan for Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

1. Office of Burleigh County Auditor / Treasurer is redesignated as an appointive office effective April 1, 2027, when the current term for Auditor Treasurer expires.

2. Director of Human Resources shall develop a job description to include all statutory job duties of county auditor and county treasurer along with job qualifications, including experience in finance or accounting, and appropriate pay grade for approval by the Burleigh County Commission no later than sixty (60) days after any final resolution adopting the plan.

3. The recruitment and retention for the office of Burleigh County Auditor / Treasurer shall be governed by the Burleigh County Personnel Policy Manual and Handbook.

ITEM

8

BISMARCK PARKS AND RECREATION DISTRICT
Est. 1927

Let's Play!

February 13, 2025

Brian Bitner, Chairman
Burleigh County Commission
221 North 5th St
Bismarck, ND 58501

RE: Bismarck South Washington Street Trail Extension – Meridian Drive to General Sibley Park Project

Dear Chairman Bitner:

In 2023, the Burleigh County Commission agreed to sponsor the Bismarck Park and Recreations District's request to submit for a NDDOT TA Grant to construct a trail segment from Meridian Drive to General Sibley Park. On February 7, 2025 bids were opened for this project through the ND Department of Transportation process.

Our consultants and staff recommend the Burleigh County Commission accept the lowest responsible bid from Central Specialties, Inc. in the amount of $503,833.50, contingent on the Bismarck Board of Park Commissioners' approval at the February 20, 2025 board meeting. If all parties accept the lowest responsible bid, a companion agreement will be developed for consideration. We respectfully request Burleigh County Commission accept the lowest responsible bid for $503,833.50.

Thank you,

Kevin Klipfel
Executive Director
Bismarck Parks and Recreation District

NORTH Dakota | Transportation
Be Legendary.™

February 10, 2025

Mark Splonskowski
Burleigh County Auditor
PO Box 5518
Bismarck, ND 58506

PROJECT: **TAC-1-981(138), PCN 23910 – S WASHINGTON ST, FROM MERIDAN DR S TO GENERAL SIBLEY PARK – BISMARCK**

Bids for the construction on the above noted project were taken at our bid opening on February 7, 2025. Copies of the Contract Detail Estimate and abstract of bids are enclosed.

The low bid for shared use path was submitted by Central Specialties Inc of Alexandria, MN in the amount of $503,833.50. According to the agreement with Burleigh County, the County's share of the project is estimated to be $96,081.05. Please see contract detail estimate for funding limits and breakdowns.

The Department will review the low bidder's proposal to assure that the Disadvantaged Business Enterprise Program requirements have been met. Upon review of the contractor's Disadvantaged Business Enterprise Program, the Department will advise you via email whether this project may be awarded. The County must award the contract before the Department will concur in the award, therefore, the County must notify the Department in writing as soon as possible after the award is made. Contracts cannot be executed prior to the date of the Department's concurrence.

Questions should be addressed to the Construction Services Division at 701-328-2566.

PHILLIP MURDOFF, P.E. - CONSTRUCTION SERVICES ENGINEER

80/pm/jmm
Enclosure

CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

North Dakota **FEDERAL AID** Bid Opening Date: **2/7/2025**

Project Number: **TAC-1-981(138)** PCN: **23910**

Job Number: **23910** English/Metric: **ENGLISH**

Contract with **CENTRAL SPECIALTIES INC ALEXANDRIA, MN** Signed Date:

County(s): **BURLEIGH**

Location: **S WASHINGTON ST, FROM MERIDAN DR S TO GENERAL SIBLEY PARK - BISMARCK**

PAGE 05

North Dakota **FEDERAL AID** Bid Opening Date: **2/7/2025**

Project Number: **TAC-1-981(138)** PCN: **23910**

Job Number: **23910** English/Metric: **ENGLISH**

Roadway: **URBAN**

LRS_ID L1700_015M FR 0.0000 TO 0.5711
LRS_ID L567_015M FR 0.4585 TO 0.7583

Type: **GRADING, CULVERTS, SHARED USE PATH, SIGNING, & PAVEMENT MARKING**

Participating: **Y**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	1.000	L SUM	$2,000.00	$2,000.00
201	0330	CLEARING & GRUBBING	1.000	L SUM	$50,000.00	$50,000.00
202	0132	REMOVAL OF BITUMINOUS SURFACING	72.000	SY	$70.00	$5,040.00
202	0169	REMOVAL OF END SECTION-ALL TYPES & SIZES	1.000	EA	$175.00	$175.00
203	0101	COMMON EXCAVATION-TYPE A	835.000	CY	$16.00	$13,360.00
203	0109	TOPSOIL	1,153.000	CY	$10.00	$11,530.00
203	0140	BORROW-EXCAVATION	528.000	CY	$30.00	$15,840.00
216	0100	WATER	1.000	M GAL	$50.00	$50.00
251	0300	SEEDING CLASS III	4.000	ACRE	$450.00	$1,800.00
253	0201	HYDRAULIC MULCH	4.000	ACRE	$1,750.00	$7,000.00
255	0103	ECB TYPE 3	294.000	SY	$3.50	$1,029.00
260	0100	SILT FENCE UNSUPPORTED	233.000	LF	$3.50	$815.50
260	0101	REMOVE SILT FENCE UNSUPPORTED	233.000	LF	$1.00	$233.00
261	0112	FIBER ROLLS 12IN	1,315.000	LF	$2.95	$3,879.25
261	0113	REMOVE FIBER ROLLS 12IN	1,315.000	LF	$0.25	$328.75
302	0120	AGGREGATE BASE COURSE CL 5	1,162.000	TON	$41.00	$47,642.00
430	0500	COMMERCIAL GRADE HOT MIX ASPHALT	1,080.000	TON	$185.00	$199,800.00
702	0100	MOBILIZATION	1.000	L SUM	$44,500.00	$44,500.00
704	0100	FLAGGING	200.000	MHR	$40.00	$8,000.00
704	1000	TRAFFIC CONTROL SIGNS	652.000	UNIT	$2.00	$1,304.00
704	1054	SIDEWALK BARRICADE	2.000	EA	$100.00	$200.00
704	1060	DELINEATOR DRUMS	24.000	EA	$25.00	$600.00
704	1067	TUBULAR MARKERS	20.000	EA	$15.00	$300.00
714	0615	PIPE CONC REINF 24IN CL III	28.000	LF	$165.00	$4,620.00
714	0905	PIPE CONC REINF 36IN CL III	12.000	LF	$250.00	$3,000.00
714	4110	PIPE CONDUIT 30IN	36.000	LF	$150.00	$5,400.00
714	4216	PIPE CONDUIT ARCH 22IN X 13IN	95.000	LF	$100.00	$9,500.00
714	5035	PIPE CORR STEEL .064IN 24IN	24.000	LF	$100.00	$2,400.00
714	5820	END SECT CORR STEEL .064IN 24IN	1.000	EA	$410.00	$410.00
714	9660	REMOVE & RELAY END SECTION-ALL TYPE & SIZES	3.000	EA	$450.00	$1,350.00
714	9925	FLAP GATE-RELAY ALL SIZES	1.000	EA	$250.00	$250.00
750	0115	SIDEWALK CONCRETE 4IN	96.000	SY	$207.00	$19,872.00
750	0140	SIDEWALK CONCRETE 6IN	50.000	SY	$244.00	$12,200.00
750	2115	DETECTABLE WARNING PANELS	160.000	SF	$88.00	$14,080.00
752	0922	FENCE REMOVE & RESET	1,290.000	LF	$4.50	$5,805.00
752	2110	RESET VEHICLE GATE	1.000	EA	$1,000.00	$1,000.00
752	2120	REMOVE VEHICLE GATE	1.000	EA	$500.00	$500.00
754	0110	FLAT SHEET FOR SIGNS-TYPE XI REFL SHEETING	32.000	SF	$25.00	$800.00
754	0112	FLAT SHEET FOR SIGNS-TYPE IV REFL SHEETING	24.000	SF	$25.00	$600.00
754	0206	STEEL GALV POSTS-TELESCOPING PERFORATED TUBE	174.000	LF	$10.00	$1,740.00
754	0592	RESET SIGN PANEL	4.000	EA	$50.00	$200.00
754	0593	RESET SIGN SUPPORT	1.000	EA	$50.00	$50.00
762	1307	PREFORMED PATTERNED PVMT MK 6IN LINE-GROOVED	149.000	LF	$20.00	$2,980.00

CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

North Dakota **FEDERAL AID** Bid Opening Date: **2/7/2025**

Project Number: **TAC-1-981(138)** PCN: **23910**

Job Number: **23910** English/Metric: **ENGLISH**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
762	**1325**	**PREFORMED PATTERNED PVMT MK 24IN LINE-GROOVED**	**33.000**	**LF**	**$50.00**	**$1,650.00**

Subtotal **$503,833.50**

Eng and Contg **$0.00**

Total **$503,833.50**

Length **0.8710 Miles**

		Construction
Estimated Cost		**$503,833.50**
TAC FEDERAL FUNDS	**80.93%**	**$407,752.45**
TAC BURLEIGH CO FUNDS	**19.07%**	**$96,081.05**

Summary for Project

Length	**0.8710 Miles**	**BURLEIGH**	**0.8710 Miles**

Estimated Total Construction Cost: **$503,833.50**

Estimated Total Eng and Contg: **$0.00**

	Construction	Total
Estimated Cost	**$503,833.50**	**$503,833.50**
TAC FEDERAL FUNDS	**$407,752.45**	**$407,752.45**
TAC BURLEIGH CO FUNDS	**$96,081.05**	**$96,081.05**

DOT TO MAKE CONTRACTOR PAYMENTS
NO CONSTRUCTION ENGINEERING REQUESTED
TA FEDERAL FUNDS ARE NOT LIMITED

ND DEPARTMENT OF TRANSPORTATION — ABSTRACT OF BIDS RECEIVED

SHEET NO 1 OF 2

PROJECT NO. TAC-1-981(138)

COUNTY & DATE BURLEIGH (015) FEB 07, 2025 09:30AM

LENGTH & TYPE 0.871

COMPLETION TIME S WASHINGTON ST; MERIDAN TO SIBLEY PARK 11/12/25 GRADING, CULVERTS, SHARED USE PATH, SI

NO. 23910

SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BIDDER: ENGINEERS ESTIMATE C.C. CHECK RANK 00 BID PRICE	AMOUNT	BIDDER: CENTRAL SPECIALTIES INC ALEXANDRIA, MN C.C. BOND RANK 01 BID PRICE	AMOUNT	BIDDER: NORTHERN IMPROVEMENT COMPANY FARGO, ND C.C. BOND RANK 02 BID PRICE	AMOUNT
103	CONTRACT BOND	L SUM	1.000	45000.00	45000.00	20000.00	20000.00	12537.00	12537.00
201	CLEARING & GRUBBING	L SUM	1.000	55000.000	55000.00	50000.000	50000.00	92491.600	92491.60
202	REMOVAL OF BITUMINOUS SURFACING	SY	72.000	15.000	1080.00	70.000	5040.00	17.800	1281.60
202	REMOVAL OF END SECTION-ALL TYPES & SIZES	EA	1.000	575.000	575.00	175.000	175.00	440.000	440.00
203	COMMON EXCAVATION-TYPE A	CY	835.000	11.150	9310.25	16.000	13360.00	25.300	21125.50
203	TOPSOIL	CY	1153.000	8.000	9224.00	10.000	11530.00	45.300	52230.90
203	BORROW-EXCAVATION	CY	528.000	12.400	6547.20	30.000	15840.00	54.100	28564.80
216	WATER	M GAL	1.000	100.000	100.00	50.000	50.00	52.500	52.50
251	SEEDING CLASS III	ACRE	4.000	1750.000	7000.00	450.000	1800.00	495.000	1980.00
253	HYDRAULIC MULCH	ACRE	4.000	2500.000	10000.00	1750.000	7000.00	1925.000	7700.00
255	ECB TYPE 3	SY	294.000	2.000	588.00	3.500	1029.00	3.900	1146.60
260	SILT FENCE UNSUPPORTED	LF	233.000	2.750	640.75	3.500	815.50	3.900	908.70
260	REMOVE SILT FENCE UNSUPPORTED	LF	233.000	.750	174.75	1.000	233.00	1.100	256.30
261	FIBER ROLLS 12IN	LF	1315.000	2.940	3866.10	2.950	3879.25	3.200	4208.00
261	REMOVE FIBER ROLLS 12IN	LF	1315.000	.750	986.25	.250	328.75	.300	394.50
302	AGGREGATE BASE COURSE CL 5	TON	1162.000	77.000	89474.00	41.000	47642.00	52.200	60656.40
430	COMMERCIAL GRADE HOT MIX ASPHALT	TON	1080.000	220.000	237600.00	185.000	199800.00	144.100	155628.00
702	MOBILIZATION	L SUM	1.000	45000.000	45000.00	44500.000	44500.00	41931.200	41931.20
704	FLAGGING	MHR	200.000	55.000	11000.00	40.000	8000.00	66.000	13200.00
704	TRAFFIC CONTROL SIGNS	UNIT	652.000	2.300	1499.60	2.000	1304.00	2.200	1434.40
704	SIDEWALK BARRICADE	EA	2.000	70.730	141.46	100.000	200.00	110.000	220.00
704	DELINEATOR DRUMS	EA	24.000	20.000	480.00	25.000	600.00	27.500	660.00
704	TUBULAR MARKERS	EA	20.000	5.600	112.00	15.000	300.00	16.500	330.00
714	PIPE CONC REINF 24IN CL III	LF	28.000	200.000	5600.00	165.000	4620.00	287.100	8038.80
714	PIPE CONC REINF 36IN CL III	LF	12.000	220.000	2640.00	250.000	3000.00	327.800	3933.60
714	PIPE CONDUIT 30IN	LF	36.000	180.000	6480.00	150.000	5400.00	237.600	8553.60
714	PIPE CONDUIT ARCH 22IN X 13IN	LF	95.000	110.000	10450.00	100.000	9500.00	183.700	17451.50
714	PIPE CORR STEEL .064IN 24IN	LF	24.000	120.000	2880.00	100.000	2400.00	162.800	3907.20
714	END SECT CORR STEEL .064IN 24IN	EA	1.000	775.000	775.00	410.000	410.00	734.800	734.80
714	REMOVE & RELAY END SECTION-ALL TYPE & SIZES	EA	3.000	500.000	1500.00	450.000	1350.00	880.000	2640.00
714	FLAP GATE-RELAY ALL SIZES	EA	1.000	1200.000	1200.00	250.000	250.00	880.000	880.00
750	SIDEWALK CONCRETE 4IN	SY	96.000	100.000	9600.00	207.000	19872.00	98.400	9446.40
750	SIDEWALK CONCRETE 6IN	SY	50.000	125.000	6250.00	244.000	12200.00	109.000	5450.00
750	DETECTABLE WARNING PANELS	SF	160.000	65.000	10400.00	88.000	14080.00	102.300	16368.00
752	FENCE REMOVE & RESET	LF	1290.000	15.000	19350.00	4.500	5805.00	5.000	6450.00
752	RESET VEHICLE GATE	EA	1.000	500.000	500.00	1000.000	1000.00	1100.000	1100.00
752	REMOVE VEHICLE GATE	EA	1.000	500.000	500.00	500.000	500.00	550.000	550.00
754	FLAT SHEET FOR SIGNS-TYPE XI REFL SHEETING	SF	32.000	30.000	960.00	25.000	800.00	27.500	880.00
754	FLAT SHEET FOR SIGNS-TYPE IV REFL SHEETING	SF	24.000	30.000	720.00	25.000	600.00	27.500	660.00
754	STEEL GALV POSTS-TELESCOPING PERFORATED TUBE	LF	174.000	25.000	4350.00	10.000	1740.00	11.000	1914.00
754	RESET SIGN PANEL	EA	4.000	100.000	400.00	50.000	200.00	55.000	220.00
754	RESET SIGN SUPPORT	EA	1.000	220.000	220.00	50.000	50.00	55.000	55.00
762	PREFORMED PATTERNED PVMT MK 6IN LINE-GROOVED	LF	149.000	15.000	2235.00	20.000	2980.00	22.000	3278.00
762	PREFORMED PATTERNED PVMT MK 24IN LINE-GROOVED	LF	33.000	35.000	1155.00	50.000	1650.00	55.000	1815.00
	TOTAL				542564.36		503833.50		582420.60

ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION
Deputy Director For Engineering:

AWARD TO: CENTRAL SPECIALTIES INC

WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.

32

DATE OF AWARD _____

DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering

ND DEPARTMENT OF TRANSPORTATION

SHEET NO 2 OF 2

ABSTRACT OF BIDS RECEIVED

PROJECT NO. TAC-1-981(138)

NO. 23910

COUNTY & DATE BURLEIGH (015) FEB 07, 2025 09:30AM

LENGTH & TYPE 0.871

COMPLETION TIME S WASHINGTON ST; MERIDAN TO SIBLEY PARK 11/12/25 GRADING, CULVERTS, SHARED USE PATH, SI

SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BIDDER ENGINEERS ESTIMATE C.C. CHECK RANK 00 BID PRICE	AMOUNT	BIDDER CENTRAL SPECIALTIES INC ALEXANDRIA, MN C.C. BOND RANK 01 BID PRICE	AMOUNT	BIDDER NORTHERN IMPROVEMENT COMPANY FARGO, ND C.C. BOND RANK 02 BID PRICE	AMOUNT
						NO LIMIT		NO LIMIT	

ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION
Deputy Director For Engineering:

33

AWARD TO: CENTRAL SPECIALTIES INC

DATE OF AWARD

WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.

DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering

ND DEPARTMENT OF TRANSPORTATION — ABSTRACT OF BIDS RECEIVED

SHEET NO 3 OF 2

PROJECT NO. TAC-1-981(138)

COUNTY & DATE BURLEIGH (015) FEB 07, 2025 09:30AM

LENGTH & TYPE 0.871

S WASHINGTON ST; MERIDAN TO SIBLEY PARK

COMPLETION TIME 11/12/25 GRADING, CULVERTS, SHARED USE PATH, SI

NO. 23910

BIDDER KNIFE RIVER CORPORATION - NORTH CENTRAL
SAUK RAPIDS, MN
C.C. BOND RANK 03

BIDDER STRATA CORPORATION
GRAND FORKS, ND
C.C. BOND RANK 04

BIDDER
C.C.

SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BID PRICE	AMOUNT	BID PRICE	AMOUNT	BID PRICE	AMOUNT
103	CONTRACT BOND	L SUM	1.000	2628.600	2628.60	7500.000	7500.00		
201	CLEARING & GRUBBING	L SUM	1.000	36116.810	36116.81	231000.000	231000.00		
202	REMOVAL OF BITUMINOUS SURFACING	SY	72.000	22.380	1611.36	25.000	1800.00		
202	REMOVAL OF END SECTION-ALL TYPES & SIZES	EA	1.000	2479.310	2479.31	1000.000	1000.00		
203	COMMON EXCAVATION-TYPE A	CY	835.000	31.300	26135.50	40.000	33400.00		
203	TOPSOIL	CY	1153.000	23.900	27556.70	50.000	57650.00		
203	BORROW-EXCAVATION	CY	528.000	80.540	42525.12	60.000	31680.00		
216	WATER	M GAL	1.000	1069.100	1069.10	100.000	100.00		
251	SEEDING CLASS III	ACRE	4.000	1750.000	7000.00	513.000	2052.00		
253	HYDRAULIC MULCH	ACRE	4.000	450.000	1800.00	1995.000	7980.00		
255	ECB TYPE 3	SY	294.000	3.500	1029.00	4.000	1176.00		
260	SILT FENCE UNSUPPORTED	LF	233.000	3.500	815.50	4.000	932.00		
260	REMOVE SILT FENCE UNSUPPORTED	LF	233.000	1.000	233.00	1.140	265.62		
261	FIBER ROLLS 12IN	LF	1315.000	2.950	3879.25	3.360	4418.40		
261	REMOVE FIBER ROLLS 12IN	LF	1315.000	.250	328.75	.290	381.35		
302	AGGREGATE BASE COURSE CL 5	TON	1162.000	61.510	71474.62	70.000	81340.00		
430	COMMERCIAL GRADE HOT MIX ASPHALT	TON	1080.000	144.100	155628.00	235.000	253800.00		
702	MOBILIZATION	L SUM	1.000	283000.000	283000.00	50695.000	50695.00		
704	FLAGGING	MHR	200.000	51.320	10264.00	100.000	20000.00		
704	TRAFFIC CONTROL SIGNS	UNIT	652.000	2.000	1304.00	2.280	1486.56		
704	SIDEWALK BARRICADE	EA	2.000	100.000	200.00	114.000	228.00		
704	DELINEATOR DRUMS	EA	24.000	25.000	600.00	28.500	684.00		
704	TUBULAR MARKERS	EA	20.000	15.000	300.00	17.100	342.00		
714	PIPE CONC REINF 24IN CL III	LF	28.000	383.670	10742.76	391.000	10948.00		
714	PIPE CONC REINF 36IN CL III	LF	12.000	861.460	10337.52	596.000	7152.00		
714	PIPE CONDUIT 30IN	LF	36.000	317.790	11440.44	391.000	14076.00		
714	PIPE CONDUIT ARCH 22IN X 13IN	LF	95.000	231.870	22027.65	374.000	35530.00		
714	PIPE CORR STEEL .064IN 24IN	LF	24.000	384.020	9216.48	340.000	8160.00		
714	END SECT CORR STEEL .064IN 24IN	EA	1.000	1068.420	1068.42	1767.000	1767.00		
714	REMOVE & RELAY END SECTION-ALL TYPE & SIZES	EA	3.000	664.520	1993.56	3990.000	11970.00		
714	FLAP GATE-RELAY ALL SIZES	EA	1.000	664.720	664.72	3990.000	3990.00		
750	SIDEWALK CONCRETE 4IN	SY	96.000	122.680	11777.28	185.000	17760.00		
750	SIDEWALK CONCRETE 6IN	SY	50.000	178.420	8921.00	225.000	11250.00		
750	DETECTABLE WARNING PANELS	SF	160.000	51.480	8236.80	65.000	10400.00		
752	FENCE REMOVE & RESET	LF	1290.000	4.500	5805.00	5.130	6617.70		
752	RESET VEHICLE GATE	EA	1.000	1000.000	1000.00	1140.000	1140.00		
752	REMOVE VEHICLE GATE	EA	1.000	500.000	500.00	570.000	570.00		
754	FLAT SHEET FOR SIGNS-TYPE XI REFL SHEETING	SF	32.000	25.000	800.00	28.500	912.00		
754	FLAT SHEET FOR SIGNS-TYPE IV REFL SHEETING	SF	24.000	25.000	600.00	28.500	684.00		
754	STEEL GALV POSTS-TELESCOPING PERFORATED TUBE	LF	174.000	10.000	1740.00	11.400	1983.60		
754	RESET SIGN PANEL	EA	4.000	50.000	200.00	57.000	228.00		
754	RESET SIGN SUPPORT	EA	1.000	50.000	50.00	57.000	57.00		
762	PREFORMED PATTERNED PVMT MK 6IN LINE-GROOVED	LF	149.000	20.000	2980.00	22.800	3397.20		
762	PREFORMED PATTERNED PVMT MK 24IN LINE-GROOVED	LF	33.000	50.000	1650.00	57.000	1881.00		
	TOTAL				789730.25		940384.43		

ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION
Deputy Director For Engineering:

AWARD TO: CENTRAL SPECIALTIES INC

WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.

34

DATE OF AWARD _____

DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering

ND DEPARTMENT OF TRANSPORTATION

SHEET NO 4 OF 2

ABSTRACT OF BIDS RECEIVED

PROJECT NO. TAC-1-981(138)

COUNTY & DATE BURLEIGH (015) FEB 07, 2025 09:30AM

LENGTH & TYPE 0.871

COMPLETION TIME S WASHINGTON ST; MERIDAN TO SIBLEY PARK 11/12/25 GRADING, CULVERTS, SHARED USE PATH, SI

NO. 23910

SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BIDDER KNIFE RIVER CORPORATION - NORTH CENTRAL SAUK RAPIDS, MN C.C. BOND RANK 03		BIDDER STRATA CORPORATION GRAND FORKS, ND C.C. BOND RANK 04		BIDDER C.C.	
				BID PRICE	AMOUNT	BID PRICE	AMOUNT	BID PRICE	AMOUNT
				NO LIMIT		NO LIMIT			

ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION
Deputy Director For Engineering:

AWARD TO: CENTRAL SPECIALTIES INC

WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.

35

DATE OF AWARD _____

DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering

ITEM

9

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 19, 2025**

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 low bidder for Hay Creek Township, Burnt Creek Township, Lincoln Township and County Roadway Chip Seal Projects.

BACKGROUND:
On December 2, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for Chip Seal Projects. Bids were opened on February 12, 2025 and the following bids were received:

Asphalt Preservation Company	$541,753.97 (County Project $189,057.80)
Asphalt Surface Technologies	$562,537.30 (County Project $203,000.80)
Engineers Estimate:	$671,569.55 (County Project $233,142.47)
Budget Amount (County only)	$200,000.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the Chip Seal Project low bid from Asphalt Preservation Company for $541,753.97 and authorize the proper County officials to enter into contracts with said bidder.

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 19, 2025**

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 low bidder for Township Gravel Hauling.

BACKGROUND:
On December 2, 2024 the County Board authorized the County Auditor and the County Engineer to advertise for bids for Township Gravel Hauling. Bids were opened on February 12, 2025 and the following bids were received:

Hauling of Gravel:

Wm. D. Scepaniak Inc.	$350,500.00
Circle C Enterprises	$428,250.00

Engineers Estimate:	$380,000.00
Budgeted Amount:	$352,000.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board accepts the following low bid from Wm. D. Scepaniak Inc. of $350,500.00 for Township Gravel Hauling and authorize the proper County officials to enter into a contract with said bidder.

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Request for County Board Action

DATE: **February 19, 2025**

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 low bidder for HWY 10 and 80th Street Intersection project.

BACKGROUND:
On January 21, 2025, the County Board authorized the County Auditor and the County Engineer to advertise for bids for the HWY 10 and 80th Street Intersection project. Bids were opened on February 12, 2025 and the following bids were received:

Knife River	$831,559.38
Strata	$843,697.01
Central Specialties	$893,751.17
Northern Improvement	$895,265.70

Engineers Estimate:	$746,471.35
Budgeted Amount:	$638,112.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the HWY 10 and 80th Street Intersection project from Knife River, Inc. for $831,559.38 and authorize the proper County officials to enter into contracts with said bidder.

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Request for County Board Action

DATE: **February 19, 2025**

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 low bidder for painted pavement markings.

BACKGROUND:
On December 2, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for bids for painted pavement markings. Bids were opened on February 12, 2025 and the following bids were received:

Traffic Safety Services, Inc.	$270,633.68
West River Striping	$279,995.36

Engineers Estimate:	$272,020.00
Budgeted Amount:	$275,000.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the painted pavement markings low bid from Traffic Safety Services, Inc. for $270,633.68 and authorize the proper County officials to enter into contracts with said bidder.

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Request for County Board Action

DATE: **February 19, 2025**

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 low bidder for Dust Control.

BACKGROUND:
On December 2, 2024, the County Board authorized the County Auditor and the County Engineer to advertise for supplying and applying Magnesium Chloride. Bids were opened on February 12, 2025 and the following bids were received:

Envirotech Services, LLC	$105,830.00

Engineers Estimate:	$83,050.00
Budgeted Amount:	$100,000.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the supplying and applying Magnesium Chloride low bid from Envirotech Services, LLC for $105,830.00 and authorize the proper County officials to enter into contracts with said bidder.

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Request for County Board Action

DATE: **February 19, 2025**

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 low bidder for Crushing of Gravel.

BACKGROUND:
On December 2, 2024 the County Board authorized the County Auditor and the County Engineer to advertise for bids for Crushing of Gravel. Bids were opened on February 12, 2025 and the following bids were received:

Crushing of Gravel:

Central Specialties Inc.	$288,000.00
Sundre Sand & Gravel	$305,500.00
Knife River Corporation	$330,645.00
Gravel Products	$444,000.00

Engineers Estimate:	$417,500.00
Budgeted Amount:	$757,116.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board accepts the following low bid from Central Specialties Inc. of $288,000.00 for Crushing of Gravel and authorize the proper County officials to enter into a contract with said bidder.

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HIGHWAY DEPARTMENT

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Request for County Board Action

Revised Board Letter

DATE: **February 19, 2025**

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 low bidder for the Bryan Slough project.

BACKGROUND:
On January 21, 2025, the County Board authorized the County Auditor and the County Engineer to advertise for bids for the Bryan Slough project. Bids were opened on February 14, 2025 and the following bids were received:

Markwed Excavation	$897,136.00
Cofell's Plumbing	$1,058,280.00

Engineers Estimate:	$1,097,012.00
Budgeted Amount:	$1,000,000.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the Bryan Slough project from Markwed Excavation for $897,136.00 and authorize the proper County officials to enter into contracts with said bidder.

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Request for County Board Action

Revised Board Letter

DATE: **February 19, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Approve the selection of an engineering consultant firm for the Construction Engineering of 4" Mill and 4" HMA Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14 Project.**

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

ACTION REQUESTED:
Approve the selection of Bartlett & West to perform construction engineering services for 4" Mill and 4" Hot Mix Asphalt Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14 Project SC-0836(068), PCN 24165.

BACKGROUND:
The project would include providing the construction engineering services for the 4" Mill and 4" Hot Mix Asphalt Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14 Project. The construction engineering services will be 80% federal funds.

At the December 2, 2024 County Board Meeting, the Board approved the Highway Department's request to seek construction engineering service proposals for the County Highway 10 Project. On February 3rd, we opened proposals for this project. Seven consulting firms submitted proposals, and after a thorough review of their proposals and

interviews conducted on February 13th, the selection committee ranked Bartlett & West as the most qualified firm to perform services for this project.

The negotiation of services and fees for this project will be done between the North Dakota Department of Transportation, Burleigh County Highway Department, and Bartlett & West. It is estimated that the total cost of design services for this project will be around $175,000.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board of Commissioners approves of the selection of Bartlett & West to perform construction engineering services for the County Highway 10 Project.

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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Request for County Board Action

(Agenda Place Holder – Revised Board Letter will be presented at Board Meeting)

DATE: **February 19, 2025**

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 low bidder for Microsurfacing project.

BACKGROUND:
On January 21, 2025, the County Board authorized the County Auditor and the County Engineer to advertise for bids for the Microsurfacing project. Bids were opened on February 14, 2025 and the following bids were received:

Astech	$1,123,099.38

Engineers Estimate:	$1,026,788.16
Budgeted Amount:	$562,500.00

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the Microsurfacing project low bid from Astech for $1,123,099.38 and authorize the proper County officials to enter into contracts with said bidder.

ITEM

10

BURLEIGH COUNTY
SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: **February 13, 2025**

To: **Mark Splonskowski**
Burleigh County Auditor

From: **Kelly Leben**
Burleigh County Sheriff

Re: **Retirement and Release of Law Enforcement K-9**

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

Action Requested:
Approve the agreement between Deputy Colin Weigel and the Burleigh County Sheriff's Department to allow Deputy Weigel to take ownership of his law enforcement K-9 upon retirement of the dog.

Background:
The Burleigh County Sheriff's Department started a Law Enforcement K-9 Program in 2016. The K-9 currently utilized by Deputy Colin Weigel is the third dog obtained in the program and was obtained through K-9 Working Dogs International. Based on the age and physical condition of Weigel's dog Turbo, we have made the decision to retire the dog from service. Deputy Andrew Woodard is our new K-9 handler and will be attending K-9 handler school and will be paired with his new K-9 during that training.

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

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

COURTHOUSE
514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899
www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER
4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

March 3, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 16th, 2024, meeting minutes, and February 19th, 2025, meeting minutes and bills.

5. Consent Agenda:
    a. Abatements.
    b. 2nd access permit.
    c. Special use permits.
    d. Updated MOU between Burleigh County and the University of Mary

6. **PUBLIC HEARING** regarding plan on redesignating elective office of Burleigh County Auditor/Treasurer to appointive office.

7. Bismarck Parks and recreation Operations Director David Mayer:
    a. South Washington Street Trail – Companion Agreement

8. County Engineer Hall:
    a. 2nd approach permits.
    b. Developer waiver request.
    c. Awarding of contract for replacement of bridge #08-126-40.0.
    d. Review of previous Bartlett & West contracts.
    e. Contract for County Road 10 roadway Improvements.

9. County Planning Director Flanagan:
    a. Amend Article 8 Section 28 Accessory Dwelling Units.

10. Commissioner Bakken:
    a. Carbon Dioxide Discussion.
11. County Sheriff Leben:
    a. Burleigh East Renovation Bid Proposal.
12. County Auditor/Treasurer Splonskowski:
    a. Consideration of financing resolution for SAD 76 Falconer Estates.
13. Other Business.
14. Adjourn.

The next regularly scheduled Commission meeting will be on March 17th, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 16TH, 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.

The following changes were made to the agenda:

- Item 10A was moved to after the consent agenda
- Item 6 became item 9
- Item 7 became item 6
- Item 9 became item 7
- The words CISA Report was added to item 10B

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

Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 2nd, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the December 16th, 2024 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
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$248,500	$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$266,400	$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	$294,300	$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,484	$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	$277,300	$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	$357,000	$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	$168,600	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements and the remainder of the consent agenda. All members present voted "AYE". Motion carried.

Chairman Bitner gave an update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase inquired of the Commission about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and stated his favorability of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18th, 2024. The points of clarifications are as follows:

- Auditor/Treasurer Splonskowski stated that he believes the benchmarks used in Finance Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.
- Auditor/Treasurer Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over $100,000, and that as of August 2024, Burleigh County investments yielded $1.1 million beyond what was budgeted. Based on Finance Director Jacobs' report & benchmark, the calculated loss in 2023 amounted to 0.0088 percent (9/10ths of 1%) and the loss of 2024's 1st quarter likewise amounted to 0.0018 percent (1/5th of 1%).
- Auditor/Treasurer Splonskowski stated to the Commission that on one or two of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed.
- The unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Auditor/Treasurer Splonskowski further stated that Finance Director Jacobs's report did not take into consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Auditor/Treasurer Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski presented to the Commission a recap on the November 5th, 2024, general election. Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office took on more responsibilities to keep the process going. The Secretary of State's office assisted the Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election,

which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

Finance Director Jacobs addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Finance Director Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs stated that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs gave an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by $751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by $77,800. Burleigh County underperformed in 2023 mainly due to failure to invest, failure to capitalize on rising rates, and poor investment choices. Jacobs gave the following figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by $136,000, with Morton County underperforming by $26,000.
- In Q2 of 2024, Burleigh County underperformed by $168,000, with Morton County underperforming by $19,000.
- In Q3 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform by $150,000, and Morton County would underperform by $25,000. Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other issues in 2023 under both Auditor/Treasurer Splonskowski and the previous Auditor/Treasurer Leo Vetter. Jacobs stood for questions.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded $110,285 in federal VOCA grants through the state of North Dakota for the period of October 1st, 2024 through September 30th, 2025. Lawyer also stated that in a memo on December 9th, 2024, the state of North Dakota allocated an additional $50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1st, 2024, through June 30th, 2025. No further action was taken.

States Attorney Lawyer then continued the discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at first entry' report from August 1st, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a

Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between $900,000 and $1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only $250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

_____ _____

Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
MEETING MINUTES
FEBRUARY 19th, 2025

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 Munson, Bakken, Schwab, and Chairman Bitner present. Commissioner Woodcox was absent.

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

Chair Bitner requested a motion to approve the bills. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the bills. All members present voted 'AYE'. Motion carried.

Chair Bitner listed the following meeting minutes which still needed approval; December 16th, 2024, January 6th, 2025, February 3rd, 2025 meeting minutes and the December 23rd, 2024 special meeting minutes. Discussion of each set of minutes was had.

- Chair Bitner listed additional changes that needed to be made to the December 16th, 2024 meeting minutes. On the bottom of the second page, remove the statement, 'In Q4 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000' as it was already stated in a paragraph with the correct date. On the second page, second bullet point remove, 'with and supported the various investment decisions made by the Auditor/Treasurer's office'. On the second page, fifth bullet point remove, 'Splonskowski refuted a point that was seemingly made in Director Jacobs' report stating that the Auditor/Treasurer's office did not experience any turnover in the 2023 year, as not only did he enter the office of County Auditor/Treasurer on April 1st, 2023'. In the middle of the second page, replace the word 'clarified' with 'stated' and remove, 'According to Jacobs' on the same page. Remove the word, 'minor' on the second to last paragraph on the second page. Motion by Comm. Schwab, 2nd by Comm. Munson to table the minutes from December 16th, 2024 to review with the changes made. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Bakken, 2nd by Comm. Munson to approve the December 23rd, 2024 special meeting minutes. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the January 6th, 2025 meeting minutes. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Munson, 2nd by Comm. Bakken to approve the February 3rd, 2025 meeting minutes. 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
Austin Vilardi & Aubrey Tocci	2024	Lot 3, Block 3, Wheatland Hills 2nd	70% Disabled Veteran	$329,000	$276,500
William Teply	2024	Lot 15, Block 2, Eastside Heights	100% Disabled Veteran	$383,600	$203,600
Eugene & Carlotta Kostelecky	2024	Lot 28, Block 20, Homan Acres 6th	80% Disabled Veteran	$163,700	$145,700
Troy & Kayla Skelton	2024	Lot 3, Block 1, Replat Lots 14-23, Block 1, the Pointe	80% Disabled Veteran	$392,100	$356,100
Astrid Senger	2024	Lot 7, Block 1, North Hills 13th	100% Disabled Veteran	$413,700	$233,700
Timothy & Angela Wicks	2024	Lot 8, Block 2, Rplt Lot 10 Blk 1 North Hills 1st	100% Disabled Veteran	$339,800	$159,800
Lutene Roth	2023	Lot 16, Block 6, Tatley Meadows VI	100% Homestead Credit	$305,300	$105,300
Lutene Roth	2024	Lot 16, Block 6, Tatley Meadows VI	50% Homestead Credit	$308,100	$208,100
Ronald & Carol Bodine	2024	Unit 3 Mapleton Place Condos, Aud Lot 1634 of Lot 2, Block 2, Pebble Creek Addn	50% Homestead Credit	$193,700	$96,850
Stephen & Bridget Hillerud	2024	Unit 2 2305 Pointe Loop Condos, W 128' of Lot 1, Block 7, the Pointe	Error in property description	$329,700	$299,200
Curtis & Beverly Goehring	2024	Lot 31, Block 1, Apple Valley	100% Homestead Credit	$175,200	$0
Milton & Shirley Wagner	2023	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	$319,400	$119,400
Milton & Shirley Wagner	2024	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	$333,600	$113,600
Monte & Linda Tausend	2024	Lot 6, Block 3, Fort Lincoln Est #1	50% Homestead Credit	$222,800	$122,800
Paul & Julie Fornshell	2024	S240' of the E363' of Lot 1, Block 1, Steer	Farm residence exemption	$340,400	$40,000
Ramona Hendricks	2024	Lot 2, Block 5, Meadow Valley 2nd	100% Homestead Credit	$235,300	$35,300

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Cheri Schulz	2023	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	$261,700	$161,700
Cheri Schulz	2024	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	$261,200	$227,867
Elizabeth Lynnell Strothman	2023	Lot 13, Block 3, Country West II	100% Homestead Credit	$365,400	$165,400
Elizabeth Lynnell Strothman	2024	Lot 13, Block 3, Country West II	100% Homestead Credit	$375,200	$175,200
Anthony & Diane Rothacker	2024	Lot 2, Block 1, Ridgefield	100% Disabled Veteran	$310,700	$130,700
Rita Schmidt	2024	Lot 1, Block 2, Parkview	100% Homestead Credit	$125,300	$0
Thomas & Agnes Salwei	2024	Lot 31, Block 2, Copper Ridge	50% Homestead Credit	$385,100	$285,100
Patricia Stoxen	2024	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	$265,300	$165,300
Larry & Adela Roller	2023	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	$207,300	$107,300
Larry & Adela Roller	2024	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	$213,300	$113,300
Dennis & Kay Berg	2024	Lot 22, Block 5, Cottonwood Parkview Addn	50% Homestead Credit	$308,600	$208,600
Alan & Kathy Chmielewski	2023	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	$270,700	$170,700
Alan & Kathy Chmielewski	2024	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	$288,900	$188,900
Sherwin & Cathy Nelson	2024	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	$351,900	$251,900
Vicki Schmidt	2024	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	$110,146	$55,073
Vicki Schmidt	2025	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	$105,196	$52,598
Linda Houston	2023	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$82,700	$0

Linda Houston	2024	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$82,800	$0
William Miller	2023	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	$557,700	$507,700
William Miller	2024	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	$559,100	$509,100
Patricia Stoxen	2023	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	$254,800	$154,800
Sheila Steckler	2024	Lot 10 less S WLY 20', Block 1, Rolling Hills 2nd	50% Homestead Credit	$243,100	$143,100
Dianne Moch	2024	Lot 7, Block 2, North Lincoln 2nd	50% Homestead Credit	$277,200	$177,200
Tony & Julie Gratz	2025	1972 Detroiter 64 x 14	Mobile home removed 10/17/2024	$6,881	$0
Bernice Fuchs	2024	Lots 9-10, Block 26, Sturgis	100% Homestead Credit	$209,600	$9,600
Gary Hayes	2023	Lot 8, Block 5, Prairie Hills	50% Homestead Credit	$236,000	$136,000
Dennis Boknecht	2024	W 100' Lots 31-32, Block 68, McKenzie & Coffin's	50% Homestead Credit	$147,900	$73,950
Celia Lindquist	2023	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	$105,800	$0
Celia Lindquist	2024	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	$105,700	$0

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Austin Vilardi & Aubrey Tocci, William Teply, Eugene & Carlotta Kostelecky, Troy & Kayla Skelton, Astrid Senger, Timothy & Angela Wicks, Lutene Roth, Ronald & Carol Bodine, Stephen & Bridget Hillerud, Curtis & Beverly Goehring, Milton & Shirley Wagner, Monte & Linda Tausend, Paul & Julie Fornshell, Ramona Hendricks, Cheri Schulz, Elizabeth Lynnell Strothman, Anthony & Diane Rothacker, Rita Schmidt, Thomas & Agnes Salwei, Patricia Stoxen, Larry & Adela Roller, Dennis & Kay Berg, Alan & Kathy Chmielewski, Sherwin & Cathy Nelson, Vicki Schmidt, Linda Houston, William Miller, Patricia Stoxen, Sheila Steckler, Dianne Moch, Tony & Julie Gratz, Bernice Fuchs, Gary Hayes, Dennis Boknecht, Celia Lindquist abatements and the consent agenda in its entirety. All members present voted 'AYE'. Motion carried.

Chair Bitner opened a public hearing for Special Assessment District 76 for Falconer Estates project. No members of the public presented any comments. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Special Assessment District 76. All members present voted 'AYE'. Motion carried.

Chair Bitner opened a discussion on future public hearing dates, times, and locations for comments on the preliminary resolution and plan on redesignating the elective office of Burleigh County Auditor/Treasurer to an appointive office. The Commission discussed the online feedback form that will be located on the Burleigh County website. Emergency Management Director Mary Senger stated that the preliminary resolution and plan that was approved would be viewable on the site. She said to submit a comment, the user would have to enter their name, address, city, and optional email address and telephone number. After setting the start and end date, the data will be collected on the website and a report would be generated after that end date. It was the consensus of the Commission to start the period for feedback on the website after the first public hearing. Discussion was had by the Commission on the dates, times, length of the hearings, and talking time limits as well as expressing the need to make sure everyone has a change to be heard. Comments from former County Commissioner Doug Schonert were heard requesting one of the public hearings be held in rural Burleigh County such as Wing, Wilton, or Sterling. Motion by Comm. Munson, 2nd by Comm. Bakken to hold the public hearings during the regularly scheduled meetings of March 3rd, 2025, March 17th, 2025, April 7th, 2025, and public hearings in Wilton and Sterling on the same Saturday with the date, time, and locations to be determined at the March 3rd, 2025 meeting. All members present voted 'AYE'. Motion carried.

Bismarck Parks and Recreation Operations Director Dave Mayer presented information regarding the South Washington Trail Project. He stated that this project will extend from Meridian Drive to General Sibley Park. This would be a project between Bismarck Parks & Recreation and Burleigh County and that the County would only be a pass-through to receive the grant money for the project. Bismarck Parks and Recreation will be paying all the local funds for the project. Mayer said that the County has to award the bid before the project can move forward. Motion by Comm. Bakken, 2nd by Comm. Munson to approve contingent upon the companion agreement and Bismarck Parks & Recreation approval. All members present voted 'AYE'. Motion carried.

County Engineer Marcus Hall presented a resolution to enter into a contract with the low bidder for Hay Creek Township, Burnt Creek Township, Lincoln Township and County roadway chip seal projects. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the bid with Asphalt Preservation Company. All members present voted 'AYE'. Motion carried.

Engineer Hall presented a resolution to enter into a contract with the low bidder for township gravel hauling. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the bid with WM. D. Scepaniak Inc. All members present voted 'AYE'. Motion carried.

Engineer Hall presented a resolution to enter into a contract with the low bidder for the Highway 10 and 80th Street Intersection project. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the bid with Knife River. All members present voted 'AYE'. Motion carried.

Engineer Hall presented a resolution to enter into a contract with the low bidder for

painted pavement markings. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the bid with Traffic Safety Services, Inc. All members present voted 'AYE'. Motion carried.

Engineer Hall presented a resolution to enter into a contract with the low bidder for dust control. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the bid with Envirotech Services. All members present voted 'AYE'. Motion carried.

Engineer Hall presented a resolution to enter into a contract with the low bidder for crushing of gravel. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the bid with Central Specialties Inc. All members present voted 'AYE'. Motion carried.

Engineer Hall presented a resolution to enter into a contract with the low bidder for the Bryan Slough project. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the bid with Markwed Excavation. All members present voted 'AYE'. Motion carried.

Engineer Hall requested approval of the selection of Bartlett & West to perform construction engineering services for 4" Mill and 4" Hot Mix Asphalt Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the selection of Bartlett & West. Comm. Bakken and Comm. Munson voted 'AYE'. Comm. Schwab voted 'NAY' and stated that he was voting no because of $16,000 that was paid to Bartlett & West for a feasibility study that was never received. Chair Bitner voted 'NAY'. Motion failed due to a tie vote. Chair Bitner noted for this to be added to the next meeting's agenda.

Engineer Hall presented a resolution to enter into a contract with the low bidder for Micro-Surfacing project. Hall mention that the project would be over budget and that they would only do half of the project; 66th Street from Highway 10 down to Lincoln. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the bid with Astech on 66th Street from Highway 10 to Lincoln. All members present voted 'AYE'. Motion carried.

Sheriff Kelly Leban made a request to the Commission to retire a Law Enforcement K-9 and release it to its handler. He said the K-9 has some medical issues that the Sheriff's Department has been trying to remedy, but also due to the K-9's age, the Sheriff's Department has decided to part ways. Leban said that unnamed doners who have come forward to fully fund the purchase of a new K-9. Motion by Comm. Schwab, 2nd by Comm. Bakken to release the K-9. All members present voted 'AYE'. Motion carried.

Comm. Munson presented a reminder about the Primary Residence Property Tax Credit which can be applied for up until March 31st, 2025. Munson also stated that he had received comments from residents of Burleigh County regarding the Auditor's situation and that he wanted the people to know that its not a Chair versus Auditor situation, but a Commission concern. He then mentioned that the Provident Building remodel is out for bids and there will be some walkthroughs happening soon. Munson stated that he wished the Commission had had a chance to review the plans more prior to them going out for bids.

Meeting Adjourned

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
25-037	Ryan Novak and Emilee Lachenmeier	2024	Lot 9, Block 2, Country Hills	Error in valuing detached building	$569,200	$444,700
25-095	Jesse & Renee Ann Hagen	2024	Lot 7, Block 8, Sattler's Sunrise 7th	80% Disabled Veteran	$346,500	$202,500
25-096	Drake & Debra McClelland	2024	Lot 2B, Block 2, North Hills 15th	90% Disabled Veteran	$224,700	$188,700
25-101	Steven & Violeta Heisler	2023	Lot 3, Block 21, Register's 3rd	80% Disabled Veteran	$272,500	$128,500
25-102	Steven & Violeta Heisler	2024	Lot 3, Block 21, Register's 3rd	80% Disabled Veteran	$283,600	$139,600
25-115	Resolution Realty Group LLC	2024	Lots 1-2, Block 62, McKenzie & Coffin's	Error in property description	$186,900	$91,800
25-116	Travis Huber	2024	Lot 7B of Lot 7, Block 1, Sonnet Heights Subdivision 5th Replat	Error in property description	$294,100	$224,500
25-123	Peggy Krebs	2023	Unit 1 of Bldg 2 Sleepy Hollow Heights 3rd Addn Condo V, Lots 6-7, Block 1, Sleepy Hollow Heights 3rd	50% Homestead Credit	$314,900	$214,900
25-124	Peggy Krebs	2024	Unit 1 of Bldg 2 Sleepy Hollow Heights 3rd Addn Condo V, Lots 6-7, Block 1, Sleepy Hollow Heights 3rd	50% Homestead Credit	$333,100	$233,100
25-125	Meadowlands Park	2025	2011 Champion Classic 16 x 76, ser#HZ12608	Mobile home removed in 2023	$752.06	$0
25-127	Robert & Judith Railsback	2024	Lot 5, Block 0, Shamrock Acres	50% Homestead Credit	$358,900	$258,900
25-128	Donna Miller	2024	1976 Titan 14 x 61, ser#1167673333	100% Homestead Credit	$7,595	$0
25-129	Donna Miller	2025	1976 Titan 14 x 61, ser#1167673333	100% Homestead Credit	$7,595	$0
25-130	Airport Village LLC	2023	1982 Schult 66 x 14, VIN #182839	Mobile home removed from park beg. of 2023	$128	$0

25-131	Airport Village LLC	2024	1982 Schult 66 x 14, VIN #182839	Mobile home removed from park beg. of 2023	$124	$0
25-132	Airport Village LLC	2025	1982 Schult 66 x 14, VIN #182839	Mobile home removed from park beg. of 2023	$112.99	$0
25-133	Oscar & Cincinnati Rueb	2024	Lots 25-26, Block 21, Fisher	100% Homestead Credit	$199,100	$0
25-134	John & Laura Kelsch	2024	E 75' of Lots 17-20, Block 23, Fisher	100% Homestead Credit	$242,500	$42,500
25-135	Pius & Helen Ternes	2024	Lot 17, Block 9, Washington Heights 3rd	50% Homestead Credit	$310,900	$210,900
25-136	Kathy & Mike Rudolph	2024	Lot 3426 of Lot 1 Boulder Ridge Townhomes, Block 1, North Hills 11th	50% Homestead Credit	$313,500	$213,500
25-137	Sara Bubel - Lois Krueger-	2023	Lot 1, Block 1, Shannon Valley 4th 1st rep	50% Homestead Credit	$274,200	$174,200
25-138	Sara Bubel - Lois Krueger-	2024	Lot 1, Block 1, Shannon Valley 4th 1st rep	50% Homestead Credit	$289,400	$189,400
25-139	Karen Wolfer	2024	Lot 46, Block 5, Falconer Estates	True and full value exceeds market value	$1,082,500	$926,200
25-140	Alton & Arlene Nitschke	2024	Beg @ point on S line in SE1/4 991.2' E of SW cor, then E418.4', N235.8', N38° for 223.1', then 60° for 339.4', then S257.5' to POB	Remainder of disabled veteran credit for 2024, credit was put on wrong property	$468,500	$379,200
25-141	Karen Boelter	2024	Lot 1, Block 86, Monson's Subdivision	100% Homestead Credit	$269,700	$69,700
25-142	Terry & Mary Whitmore	2023	Lot 11, Block 16, Northern Pacific	50% Homestead Credit	$278,700	$178,700
25-143	Terry & Mary Whitmore	2024	Lot 11, Block 16, Northern Pacific	50% Homestead Credit	$283,400	$183,400
25-144	Steve & Linda Reed	2023	Lots 1-3 E75', Block 28, McKenzie's	50% Homestead Credit	$298,500	$198,500

25-145	Steve & Linda Reed	2024	Lots 1-3 E75', Block 28, McKenzie's	50% Homestead Credit	$295,900	$195,900
25-146	Lavonne Braunberger	2023	Unit 9 Grandview Arms Condos, Lots 4-5 & Lot A of Lot 6, Block 1, Grandview Heights	50% Homestead Credit	$107,200	$53,600
25-147	Lavonne Braunberger	2024	Unit 9 Grandview Arms Condos, Lots 4-5 & Lot A of Lot 6, Block 1, Grandview Heights	50% Homestead Credit	$111,400	$55,700
25-149	Tim Reuer	2023	Lot F-1 of Tract F & Lot G-3 of Tract G of SW1/4	100% Homestead Credit	$306,500	$106,500
25-150	Tim Reuer	2024	Lot F-1 of Tract F & Lot G-3 of Tract G of SW1/4	100% Homestead Credit	$302,900	$102,900
25-151	Robert Christenson	2024	Lot 14, Block 19, Morningside Heights	100% Homestead Credit	$232,500	$32,500
25-152	Vern Huber	2025	1979 Artcraft 66 x 14, VIN# RV12348	100% Homestead Credit	$8,870	$0

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Memo

Date: March 3, 2025

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Carissa Riehl

Carissa Riehl from 9001 Sage Drive has requested a second access permit to her property. The first access approach is off of Sage Drive. She wishes to have a second approach off of 90th Ave NE in order to have better access to the east side of her property. We have reviewed the location of the new proposed access off of 90th Ave NE and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Carissa Riehl on the March 3, 2025 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

Burleigh County

N

2/21/2025



PARCEL ID: 24-140-80-48-05-010 **OWNER:** RIEHL, CARISSA **ACRES:** 1.54

SITE ADDRESS: 9001 SAGE DR

MAIL ADDRESS: 9001 SAGE DR, BISMARCK, ND 58503-6487

LEGAL: HARVEST GROVE FOURTH Block 05 LOT 1 773674

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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
2/21/2025



PARCEL ID: 24-140-80-48-05-010 OWNER: RIEHL, CARISSA ACRES: 1.54
SITE ADDRESS: 9001 SAGE DR
MAIL ADDRESS: 9001 SAGE DR, BISMARCK, ND 58503-6487
LEGAL: HARVEST GROVE FOURTH Block 05 LOT 1 773674

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

25-001

APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9338 (9-2023)

Applying for *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group		Dates of Activity *(Does not include dates for the sales of tickets)*	
Legacy High School Girls Soccer Booster Club		04/27/2025 - 05/31/2025	
Organization or Group Contact Person	E-mail	Telephone Number	
Jamie Ressler	jamieressler@gmail.com	701-226-6652	
Business Address	City	State	ZIP Code
3400 East Calgary Avenue	Bismarck	ND	58503
Mailing Address (if different)	City	State	ZIP Code
1820 E. Broadway Ave.	Bismarck	ND	58501

SITE INFO

Site Name			County
Legacy High School Girls Soccer Booster Club - President's Shop			Burleigh
Site Physical Address	City	State	ZIP Code
6420 Star Lane	Bismarck	ND	58503

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

04/27/2025 - 5:00 PM

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

Game Type	Description of Prize	Exact Retail Value of Prize
Calendar Raffle	35 Drawings: 25 - $20, 6 - $50, 2 - $100, and 2 - $200	1,400.00
	Total *(limit $40,000 per year)*	$ 1,400.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds

Support Legacy High School Girls Soccer team in the purchase of uniforms, apparel, equipment, food, and travel expenses

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

Printed Name of Organization Group's Permit Organizer	Telephone Number	E-mail Address	
Jamie Ressler	701-226-6652	jamieressler@gmail.com	
Signature of Organization Group's Permit Organizer	Title		Date
	Fundraising Chair		02/04/2025

PERMIT #2025-000

NAME: _____

ADDRESS: _____

PHONE: _____

SOLD BY: _____

$10 Per Ticket

April 27 - May 31

35 DRAWINGS
$1400 PAYOUT

$20 - 25 WINNERS
$50 - 6 WINNERS
$100 - 2 WINNERS
$200 - 2 WINNERS

Winners drawn April 27th, 2025, 5:00 PM at 6420 Star Ln, Bismarck, ND 58503

Need not be present to win.

CHECK THESE SITES FOR WINNERS!

lhssabersoccer.net/girls
facebook.com/lhssabersgirlssoccer
twitter.com/LHSsabers

LEGACY GIRLS SOCCER BOOSTERS

2025 CALENDAR RAFFLE

APRIL 2025

SUN	MON	TUES	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27 $200	28 $20	29 $50	30 $20			

MAY 2025

SUN	MON	TUES	WED	THU	FRI	SAT
				1 $20	2 $20	3 $100
4 $20	5 $20	6 $50	7 $20	8 $20	9 $20	10 $50
11 $20	12 $20	13 $50	14 $20	15 $20	16 $20	17 $20
18 $20	19 $20	20 $50	21 $20	22 $20	23 $100	24 $20
25 $20	26 $20	27 $50	28 $20	29 $20	30 $20	31 $200

This is not a charitable donation. All proceeds benefit Legacy Girls Soccer. Limited number of calendars sold.

PERMIT #2025-000

MEMORANDUM OF UNDERSTANDING BETWEEN BURLEIGH COUNTY AND THE UNIVERSITY OF MARY

1. The parties of this agreement are Burleigh County and the University of Mary.

2. The purpose of this memorandum is to set forth the terms by which Burleigh County would be willing to act as the "Applicant" on behalf of a private entity, the University of Mary, so they may complete and submit an application for funding under the FY 2024 Building Resilient Infrastructure and Communities (BRIC) Grant Program. Based on the Unified Hazard Mitigation Assistance (HMA) Guidance, private entities are not allowed to directly apply for federal funding through this program, and must have a local government act as the "Applicant" on their behalf.

3. This memorandum of understanding will authorize the University of Mary to apply for federal funding under the FY 2024 BRIC Grant Program with Burleigh County acting as the "Applicant" for their project in name only. The County will only be acting as a "Pass-Through" entity for the University of Mary to apply for this available grant funding. The University of Mary will be held liable for all costs associated with this project (federal and local), as well as all administrative tasks, project management, construction management, construction itself, environmental conditions, reimbursement requests, and project closeout. If there are any issues associated with this project that may cause a loss of federal funding, an increase in cost shares, or any legal ramifications, the County will not be held liable for these issues in any way.

4. This agreement may be modified upon the mutual consent of both parties, if needed.

5. The terms of this agreement will remain in effect until the project is either denied for funding under the FY 2024 BRIC grant cycle, the project is approved and completed by the University of Mary, or the project is deobligated for federal funding under the FY 2024 BRIC Grant Program.

6. This memorandum constitutes the entire agreement between the parties. There are no understandings, agreements, or representation, oral or written, not specified within this memorandum.

7. This contract is not effective until fully executed by both parties.

Burleigh County	University of Mary
_____	_____
Burleigh County Commissioner	Executive Vice President, University of Mary
Date:_____	Date:_____

ITEM

6

PUBLIC HEARING

Preliminary Resolution on Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to hold the position of Auditor / Treasurer;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law converting the elected office of county auditor / treasurer into an appointed office and pursuant to N.D.C.C. § 11-10.2-01(1)(c), the county may redesignate an elective county office as an appointive office; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be redesignated as an appointive office;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

Plan for Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

1. Office of Burleigh County Auditor / Treasurer is redesignated as an appointive office effective April 1, 2027, when the current term for Auditor Treasurer expires.

2. Director of Human Resources shall develop a job description to include all statutory job duties of county auditor and county treasurer along with job qualifications, including experience in finance or accounting, and appropriate pay grade for approval by the Burleigh County Commission no later than sixty (60) days after any final resolution adopting the plan.

3. The recruitment and retention for the office of Burleigh County Auditor / Treasurer shall be governed by the Burleigh County Personnel Policy Manual and Handbook.

ITEM

7

Agreement

Burleigh County, 221 North 5th St, Bismarck, ND 58501, hereinafter "**County**," and the Park District of the city of Bismarck, North Dakota, 400 East Front Avenue, Bismarck, North Dakota 58504-5641, hereinafter "**Parks**," agree as follows:

WHEREAS, **County** has contracted with the North Dakota Department of Transportation to receive funding participation to construct a shared use path designated as the Bismarck South Washington Street Trail Extension – Meridian Drive to Sibley Park, approximately .87 miles; and

WHEREAS, **Parks** will contract at its own expense for the design, inspection, and observation of the shared use path and when completed will maintain the shared use path; and

WHEREAS, **County** will enter into a Cost Participation, Construction, and Maintenance Agreement-Urban Federal Aid Project (TAC-1-981 (138), NDDOT Contract No 38241476), with the North Dakota Department of Transportation to receive funds not to exceed 80.93% of the total eligible project cost. The total cost of the project is $503,833.50, with the estimated local share being $96,081.05 for this purpose.

The **County** and **Parks** agree that **Parks** shall contract for the design, construction administration, inspection, and observation of the project and maintain the improvement resulting from this project subject to the following terms and conditions:

1. Compliance with NDDOT Program Requirements. **Parks** agrees to comply with all provisions and requirements of the Cost Participation, Construction, and Maintenance Agreement-Urban Federal Aid Project (TAC-1-981 (138), NDDOT Contract No 38241476), specifically including the Risk Management Appendix, between the **County** and the NDDOT and fulfill and assume all of the obligations and responsibilities of the **County** under that Agreement with regard to the funding made available by the Cost Participation, Construction, and Maintenance Agreement-Urban Federal Aid Project (TAC-1-981 (138), NDDOT Contract No 38241476), between the **County** and the NDDOT in the amount of an estimated local share of $96,081.05. A copy of that Agreement is attached and made a part of this Agreement as attached Exhibit A. This includes, but is not limited to Title VI Assurances, Risk Management requirements and that all of the terms of Exhibit A will be complied with by **Parks** that are identified as responsibilities of the **County** in the Agreement attached as Exhibit A. If **Parks** fails to follow the terms of the agreement, they will reimburse any funds or liabilities that the **County** will have to pay or perform due to **Parks'** failure to abide by the contract.

2. Funding. The local matching funds necessary for the project shall be the responsibility of the **Parks**. The NDDOT will make all project payments. The **County** will reimburse the NDDOT for any payments made by the NDDOT on behalf of this project not reimbursable by the federal funds. The **Parks** shall reimburse the **County** for all payments made by the **County** to the NDDOT. Payments to contractors will be made by the NDDOT as stated above only when the work contracted for has been performed and accepted by the **Parks** and the **County**.

3. **Parks** agrees to establish and maintain sufficient program and financial records to verify that NDDOT requirements, Federal Highway Administration requirements, and other federal requirements have been met. The **Parks** will make project files available for monitoring by the **County**, the NDDOT, and the Federal Highway Administration, or the Comptroller General. Records must be retained for a five-year period after project completion date.

4. **Parks** shall respond to and clear all material weaknesses resulting from any audit performed on this project. Material weaknesses identified in **Parks'** current audit must be reconciled prior to **Parks'** next audit. Plans to correct material weaknesses must be submitted to the **County's** Auditor's Office. Plans to address significant deficiencies identified by a **Parks** audit must also be submitted to the **County's** Auditor's Office.

5. Effective Date. This Agreement becomes effective immediately on signature indicated by the following execution of the parties.

Dated this _____ day of _____, 2025.

Attest:

BISMARCK PARKS AND RECREATION DISTRICT

By_____
Kevin Klipfel
Executive Director
Park District of the city of Bismarck ND

By_____
Mark Zimmerman
President
Board of Park Commissioners

Dated this _____ day of _____, 2023.

Attest:

BURLEIGH COUNTY

By_____
Mark Splonskowski
Burleigh County Auditor

By_____
Brian Bitner, Chairman
Burleigh County Commission

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EXHIBIT A

NDDOT Contract No. 38241476

North Dakota Department of Transportation
COST PARTICIPATION, CONSTRUCTION, AND MAINTENANCE AGREEMENT
LPA FEDERAL AID PROJECT

Federal Award Information – to be provided by NDDOT

Assistance Listing No: 20.205	Assistance Listing Title: Highway Planning & Construction
Award Name: Federal Aid Highway Program	Awarding Fed. Agency: Federal Highway Admin
NDDOT Program Mgr: Wenger, Pamela J.	Telephone: 701.328.4787

Notice to Subrecipients: Federal awards may have specific compliance requirements. If you are not aware of the specific requirements for your award, please contact your NDDOT Program Manager.

For NDDOT use only. **FHWA Authorization date:** 12/19/24 BB

Project No. TAC-1-981(138) PCN: 23910 LPA: BURLEIGH COUNTY
Location: S WASHINGTON TRAIL-MERIDAN TO SIBLEY
Type of Improvement: SHARED USE PATH Length: 0.871

This agreement is between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and the Local Public Agency (LPA) of Burleigh County, North Dakota, hereinafter referred to as the LPA, who agree that:

It is in the best interest of both parties to have the LPA construct and maintain this project according to the terms and conditions set forth in this agreement. NDDOT will assist the LPA with the preparation and distribution of the bid documents and include the project in a scheduled bid opening.

The LPA agrees to the terms and conditions required for this project by the Federal Highway Administration (FHWA).

NDDOT will procure federal funds for the construction of the project, pursuant to Title 23 of the United States Code.

Federal funds obligated for this project shall not exceed 80.93 percent of the total eligible project cost. The total cost of the project is $518,480.36, with the LPA's estimated share being $98,874.20.

Additional Funding Clause
N/A

The total eligible project costs include the cost of those items shown in the engineer's detailed estimate as approved for federal funds and any project changes approved by NDDOT for the use of federal funds.

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Federal funds may not be obligated by the LPA, prior to FHWA approval of the program documents for the project.

PART I

LPA Obligation:

1. To comply with the Disadvantaged Business Enterprise (DBE) requirements established by NDDOT for the project.

   The LPA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The LPA shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. NDDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the LPA of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et. Seq.).

   Include the following paragraph verbatim in any subcontracts they sign relative to this project:

   > The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the solicitation, award, and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as NDDOT deems appropriate.

2. To comply with requirements of 23 CFR Part 633, Required Contract Provisions, and 23 CFR Part 635, Construction and Maintenance.

3. To construct the project in conformity with the construction contract, changes to the plans shall meet the requirements of 23 CFR Part 625, Design Standards for Highways and the current edition of the NDDOT's *Local Government Manual*.

4. To construct the project in conformity with the approved environmental documents and provide for the implementation of any measures mitigating the environmental impact of the project.

5. To comply with the procedures outlined in the current edition of NDDOT's *Local Government Manual*.

6. To comply with the current edition of NDDOT's *Right of Way Acquisition Procedures for Local Public Agency Federal Aid Projects*.

7. The LPA will be responsible for any consideration, avoidance, and minimization of impacts upon real property related to this project, such as changes in the grades of streets, inconvenience to property or business, and any loss of light, air, view, access, egress, drainage, support, or nuisance,

8. To comply with the requirements of Appendices A and E of the Title VI Assurances, attached and incorporated by reference herein.

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PART II

Contracting and Construction:

1. On behalf of the LPA, NDDOT will:

    a. Prepare the bid package, solicit proposals, and include the project in a scheduled bid opening as provided in the North Dakota Century Code, Chapter 24-02.

    b. Evaluate the bids as to the sufficiency of Disadvantaged Business Enterprise (DBE) participation and the bidder's good faith efforts in satisfying the requirements of the current edition of the DBE special provision, and 49 CFR Part 26. NDDOT shall have exclusive authority in evaluating the adequacy of DBE participation.

    c. Tabulate the bids and send to the LPA.

    d. Concur in the award of the contract, after the LPA has executed the contract, for the sole purpose of enabling the LPA to procure federal aid for the construction of the project.

2. The LPA will:

    a. Review bids to determine the lowest responsible bidder.

    b. Execute the contract.

    c. Distribute copies of the executed contract and contract bond to NDDOT.

3. During the construction of the project, the LPA will:

    a. Provide engineering services, material testing, and inspection of the work as required by the contract documents and the current editions of NDDOT's *Sampling and Testing Manual* and the *Standard Specifications for Road and Bridge Construction.*

    b. Keep all project records and documentation as required in NDDOT's current editions of the *Construction Records Manual* and the *Construction Automated Records System.*

    c. Make all records available to NDDOT and FHWA for inspection upon request. The LPA will submit all documents and records to NDDOT for review before final payment is made. NDDOT will maintain the project records for three years from the final voucher date of FHWA and then return them to the LPA.

    d. Be responsible for any changes in plan, character of work, quantities, site conditions, or any claim for extra compensation. NDDOT will review all contract adjustments to determine if the adjustments are eligible for federal aid. Federal aid shall be limited to the amount stated on page one of this agreement.

PART III

Post Construction:

After the project is completed the LPA agrees to:

1. If the traffic corridor intersects a state highway, the LPA must justify to NDDOT that any new access allowed will have minimal impact to the state highway. The design will meet the requirements of 23 CFR Part 625, Design Standards for Highways.

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2. Prohibit the installation of traffic signals and pedestrian beacons on or in connection with the project, including those installed at the sole cost and expense of the LPA or by others, without NDDOT approval.

3. Maintain all traffic control devices on the project according to the current edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways*, as supplemented and amended.

4. Restrict the speed limit on the project at or below the maximum design speed. Any changes to the speed limit will be pursuant to North Dakota Century Code, Chapter 39-09.

5. Provide maintenance to the completed project at its own cost and expense.

6. Prohibit access and encroachments upon the right of way pursuant to 23 CFR Part 1.23, Rights of Way, and Part 710 Subpart D, Right of Way, Real Property Management.

PART IV

General:

1. NDDOT will make all contract payments on behalf of the LPA. Payment will be made upon receipt of the engineer's estimate. The LPA will reimburse NDDOT for payments made less the amount paid by FHWA. No costs will be incurred by NDDOT for the construction and maintenance of this project.

   If the LPA fails to reimburse NDDOT within 60 days after billing for funds advanced on behalf of the LPA, this document will constitute an assignment of funds now or hereafter coming into the hands of the state treasurer, which would otherwise be distributed to the LPA out of the highway tax distribution fund, NDCC 54-27-19. The state treasurer is hereby directed to pay NDDOT all such funds until the total equals the sum billed pursuant to this agreement.

2. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.

3. No official, employee, or other person performing services for the LPA who is authorized to negotiate or approve any contract or subcontract in connection with the project shall have any financial or other personal interest in any such contract or subcontract. No officer or employee of such person retained by the LPA shall have any financial or other personal interest in any real property acquired for the project unless such interest is openly disclosed upon public records of NDDOT and of the LPA, and such officer, employee, or person has not participated in such acquisition for and in behalf of the LPA.

4. The failure of the state to enforce any provisions of this contract shall not constitute a waiver by the state of that or any other provision.

5. Entities that receive federal funds through NDDOT may be required to obtain an audit in accordance with 2 C.F.R. Part 200, Subpart F. A copy of such audit shall be submitted to NDDOT. Entities that spend less than $750,000 of federal funds from all sources may be subject to reviews by NDDOT at its discretion. Additionally, all entities receiving federal funds through NDDOT shall certify whether a Single Audit has been completed as part of the annual Federal award process. These requirements are applicable to counties, cities, state agencies, Indian tribes, colleges, hospitals, and non-profit businesses.

6. All notices, certificates, or other communications shall be sufficiently given when delivered or mailed, postage prepaid, to the parties at the respective places of business as set forth below or at a place designated hereafter in writing by the parties.

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Local Government Engineer
ND Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

Mark Splonskowski
Burleigh County Auditor/Treasurer
221 N 5th St
Bismarck, ND 58501

7. The LPA is advised that its signature on this contract or agreement certifies that any person associated therewith is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three years; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction on any matter involving fraud or official misconduct within the past three years.

8. This agreement constitutes the entire agreement between the parties. No waiver consent, modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. The LPA, by the signature below of its authorized representative, hereby acknowledges that the LPA has read this agreement, understands it, and agrees to be bound by its terms and conditions.

Executed by the LPA of Burleigh County, North Dakota, the date last below signed.

APPROVED:

Julie Lawyer
LPA/STATES ATTORNEY (TYPE OR PRINT)

SIGNATURE

01/07/25
DATE

LPA of Burleigh County
*

Brian Bitner
NAME (TYPE OR PRINT)

Brian Bitner
SIGNATURE

* Chairman
TITLE

01/02/25
DATE

ATTEST:

Mark Splonskowski
AUDITOR (TYPE OR PRINT)

Mark Splonskowski
SIGNATURE

01/21/25
DATE

Executed by the North Dakota Department of Transportation the date last below signed.

APPROVED as to substance:

Derek Pfeifer
LOCAL GOVERNMENT ENGINEER (TYPE OR PRINT)

Derek Pfeifer BB
SIGNATURE

10/24/24
DATE

*Mayor, President or Chairperson of Commission

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

For the Chad Orn
DIRECTOR (TYPE OR PRINT)

SS
SIGNATURE

02/06/25
DATE

PW

CLA 19256 (Div. 38)
L.D. Approved 4-12-93; 10-22

ATTORNEY GENERAL
APPROVED as to Execution

Clint Morgenstern
02/03/25
Special Asst Attorney General

Docusign Envelope ID: E416FB39-83DF-47E3-9F37-C5D2DC7B91F6

Project TAC-1-981(138)
38241476

CERTIFICATION OF LOCAL MATCH

It is hereby certified that the LPA of Burleigh County will provide non-federal funds, whose source is identified below, as match for the amount the LPA is obligated to pay under the terms of the attached agreement with the North Dakota Department of Transportation. The certified amount does not duplicate any federal claims for reimbursement, nor are the funds used to match other federal funds, unless expressly allowed by federal regulation.

Non-Federal Match Funds provided by LPA. Please designate the source(s) of funds in the LPA budget that will be used to match the federal funds obligated for this project through the North Dakota Department of Transportation.

Source: general

Executed at Bismarck, North Dakota, the last date below signed.

ATTEST:

Mark Splonskowski
AUDITOR (TYPE OR PRINT)

Mark Splonskowski
SIGNATURE

01/21/25
DATE

APPROVED:

LPA of Burleigh

Brian Bitner
NAME (TYPE OR PRINT)

Brian Bitner
SIGNATURE

* Chairman
TITLE

01/02/25
DATE

*Mayor, President or Chairperson of Commission

CLA 19256 (Div. 38)
L.D. Approved 4-12-93; 1-23

Docusign Envelope ID: E416FB39-83DF-47E3-9F37-C5D2DC7B91F6

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

   a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.

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NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX E OF THE TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.,* 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.),* (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.),* as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.),* (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Docusign Envelope ID: E416FB39-83DF-47E3-9F37-C5D2DC7B91F6

Risk Management Appendix

Routine* Service Agreements with Sovereign Entities and Political Subdivisions of the State of North Dakota:
Parties: State – State of North Dakota, its agencies, officers and employees
Governmental Entity – The Governmental Entity executing the attached document, its agencies, officers and employees
Governments – State and Government Entity, as defined above

Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.

Each party shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in North Dakota, the following insurance coverages:

1) **Commercial general liability** and **automobile liability** insurance – minimum limits of liability required of the Governmental Entity are **$437,500 per person and $1,750,000 per occurrence**. The minimum limits of liability required of the State are **$437,500 per person and $1,750,000 per occurrence.**
2) **Workers compensation** insurance meeting all statutory limits.
3) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

Each party that hires subcontractors shall require any non-public subcontractors, prior to commencement of work set out under an agreement between that party and the non-public subcontractor, to:

Defend, indemnify, and hold harmless the Governments, its agencies, officers and employees, from and against claims based on the vicarious liability of the Governments or its agents, but not against claims based on the Government's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Subcontractor to the Governments under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the Governments is necessary. Subcontractor also agrees to defend, indemnify, and hold the Governments harmless for all costs, expenses and attorneys' fees incurred if the Governments prevail in an action against Subcontractor in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Subcontractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability; 2) automobile liability; and 3) workers compensation insurance all covering the Subcontractor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are $500,000 per person and $2,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers compensation. The Governments shall be endorsed on the commercial general liability policy and automobile liability policy as additional insureds. The Governments shall have all the benefits, rights and coverages of an additional insured under these policies that shall not be limited to the minimum limits of insurance required by this agreement or by the contractual indemnity obligations of the Contractor. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the Governments as well as provisions that the policy and/or endorsement may not be canceled or modified without thirty (30) days prior written notice to the undersigned representatives of the Governments, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08. Subcontractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Governments. Any insurance, self-insurance or self-retention maintained by the Governments shall be excess of the Contractor's insurance and the Subcontractor's insurance and shall not contribute with them. The insolvency or bankruptcy of the insured Subcontractor shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Subcontractor from meeting the retention limit under the policy. Any deductible amount or other obligations under the Subcontractor's policy(ies) shall be the sole responsibility of the Subcontractor. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The Governments will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Subcontractor in excess of the minimum requirements set forth above. The Government Entity that hired the Subcontractor shall be held responsible for ensuring compliance with the above requirements by all Subcontractors. The Governments reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

*See *North Dakota Risk Management Manual,* section 5.1 for discussion of "unique" and "routine" agreements.

RM Consulted 2007
Revised 6-24

NDDOT
North Dakota
Department of Transportation

Certificate Of Completion

Envelope Id: E416FB39-83DF-47E3-9F37-C5D2DC7B91F6
Status: Completed
Subject: Contract #38241476: Please DocuSign: Cost Participation, Construction & Maintenance Agreement
Contract Number: 38241476
PCN: 23910
Source Envelope:
Document Pages: 11
Signatures: 8
Certificate Pages: 5
Initials: 4
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-06:00) Central Time (US & Canada)

Envelope Originator:
Pam Wenger
608 E Boulevard Ave
Bismarck, ND 58505
pwenger@nd.gov
IP Address: 165.234.92.125

Record Tracking

Status: Original
10/22/2024 4:05:38 PM
Holder: Pam Wenger
pwenger@nd.gov
Location: DocuSign

Security Appliance Status: Connected
Pool: StateLocal

Storage Appliance Status: Connected
Pool: Carahsoft OBO North Dakota Department of Transportation CLOUD
Location: DocuSign

Signer Events	Signature	Timestamp
Brandon Beise bbeise@nd.gov Carahsoft OBO North Dakota Department of Transportation CLOUD Security Level: Email, Account Authentication (None), Authentication	BB Signature Adoption: Pre-selected Style Using IP Address: 165.234.253.12	Sent: 10/22/2024 4:18:28 PM Viewed: 10/24/2024 8:08:05 AM Signed: 10/24/2024 8:12:30 AM

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Vendor ID: TeleSign
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Performed: 10/24/2024 8:07:57 AM
Phone: +1 701-426-0979

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Derek Pfeifer ddpfeifer@nd.gov Local Government Engineer Security Level: Email, Account Authentication (None), Authentication	Derek Pfeifer Signature Adoption: Pre-selected Style Using IP Address: 165.234.253.12	Sent: 10/24/2024 8:12:31 AM Viewed: 10/24/2024 8:18:07 AM Signed: 10/24/2024 8:22:04 AM

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Phone: +1 701-471-5516

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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Shannon Sauer ssauer@nd.gov Security Level: Email, Account Authentication (None), Authentication	SS Signature Adoption: Pre-selected Style Using IP Address: 75.217.241.180 Signed using mobile	Sent: 10/24/2024 8:22:06 AM Viewed: 10/24/2024 9:13:25 AM Signed: 10/24/2024 9:13:38 AM
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Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Brian Bitner bccbitner@nd.gov Chairman Security Level: Email, Account Authentication (None)	Brian Bitner Signature Adoption: Pre-selected Style Using IP Address: 174.213.247.152	Sent: 12/17/2024 11:17:47 AM Viewed: 12/23/2024 5:54:05 PM Signed: 1/2/2025 2:54:35 PM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Julie Lawyer jlawyer@nd.gov Security Level: Email, Account Authentication (None)	 Signature Adoption: Uploaded Signature Image Using IP Address: 165.234.252.11	Sent: 1/2/2025 2:54:39 PM Viewed: 1/7/2025 4:34:17 PM Signed: 1/7/2025 4:36:01 PM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Mark Splonskowski msplonskowski@nd.gov Security Level: Email, Account Authentication (None)	Mark Splonskowski Signature Adoption: Pre-selected Style Using IP Address: 165.234.252.11	Sent: 1/7/2025 4:36:04 PM Viewed: 1/13/2025 8:45:46 AM Signed: 1/21/2025 3:57:58 PM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
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Clint Morgenstern cdmorgenstern@nd.gov SAAG Security Level: Email, Account Authentication (None), Authentication	 Signature Adoption: Pre-selected Style Using IP Address: 165.234.253.12	Sent: 2/3/2025 9:47:04 AM Viewed: 2/3/2025 10:05:38 AM Signed: 2/3/2025 10:19:37 AM
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Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Chad Orn corn@nd.gov Deputy Director for Planning Carahsoft OBO North Dakota Department of Transportation CLOUD Security Level: Email, Account Authentication (None), Authentication	 Signature Adoption: Uploaded Signature Image Using IP Address: 165.234.253.8	Sent: 2/3/2025 10:19:42 AM Viewed: 2/6/2025 10:06:37 AM Signed: 2/6/2025 10:07:46 AM
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Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Brandon Beise bbeise@nd.gov Carahsoft OBO North Dakota Department of Transportation CLOUD Security Level: Email, Account Authentication (None), Authentication	 Signature Adoption: Pre-selected Style Using IP Address: 165.234.253.12	Sent: 2/6/2025 10:07:49 AM Viewed: 2/10/2025 5:37:26 PM Signed: 2/10/2025 5:38:00 PM
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In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp
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Mark Splonskowski msplonskowski@nd.gov Security Level: Email, Account Authentication (None)	VIEWED Using IP Address: 165.234.252.11	Sent: 10/24/2024 9:13:40 AM Resent: 11/15/2024 10:13:15 AM Resent: 12/16/2024 4:49:26 PM Viewed: 12/17/2024 9:17:50 AM Completed: 12/17/2024 11:17:46 AM
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Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Legal Admin dotlegaladmin@nd.gov Security Level: Email, Account Authentication (None)	COPIED	Sent: 2/3/2025 9:47:03 AM Viewed: 2/3/2025 9:52:01 AM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Legal Admin dotlegaladmin@nd.gov Security Level: Email, Account Authentication (None)	COPIED	Sent: 2/3/2025 10:19:40 AM
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Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
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Envelope Updated	Security Checked	10/22/2024 4:18:27 PM
Envelope Updated	Security Checked	10/22/2024 4:18:27 PM

Envelope Summary Events	Status	Timestamps
Envelope Updated	Security Checked	10/22/2024 4:18:27 PM
Envelope Updated	Security Checked	10/22/2024 4:18:27 PM
Envelope Updated	Security Checked	12/17/2024 11:17:46 AM
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Certified Delivered	Security Checked	2/10/2025 5:37:26 PM
Signing Complete	Security Checked	2/10/2025 5:38:00 PM
Completed	Security Checked	2/10/2025 5:38:00 PM

Payment Events	Status	Timestamps

ITEM

8

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **March 3, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **2nd Approach Permits**

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

ACTION REQUESTED:
Review and Direct the County Highway Department on how to proceed with Matthew Stern's request.

BACKGROUND:
Matthew Stern has requested a second approach permit to a property described as Block 03, Lot 01, of Harvest Grove Third Subdivision (8521 Caraway Drive). Both the first and second approaches will enter the property from Caraway Drive. The second approach was rejected because it is too close to the first approach (less than 95 feet).

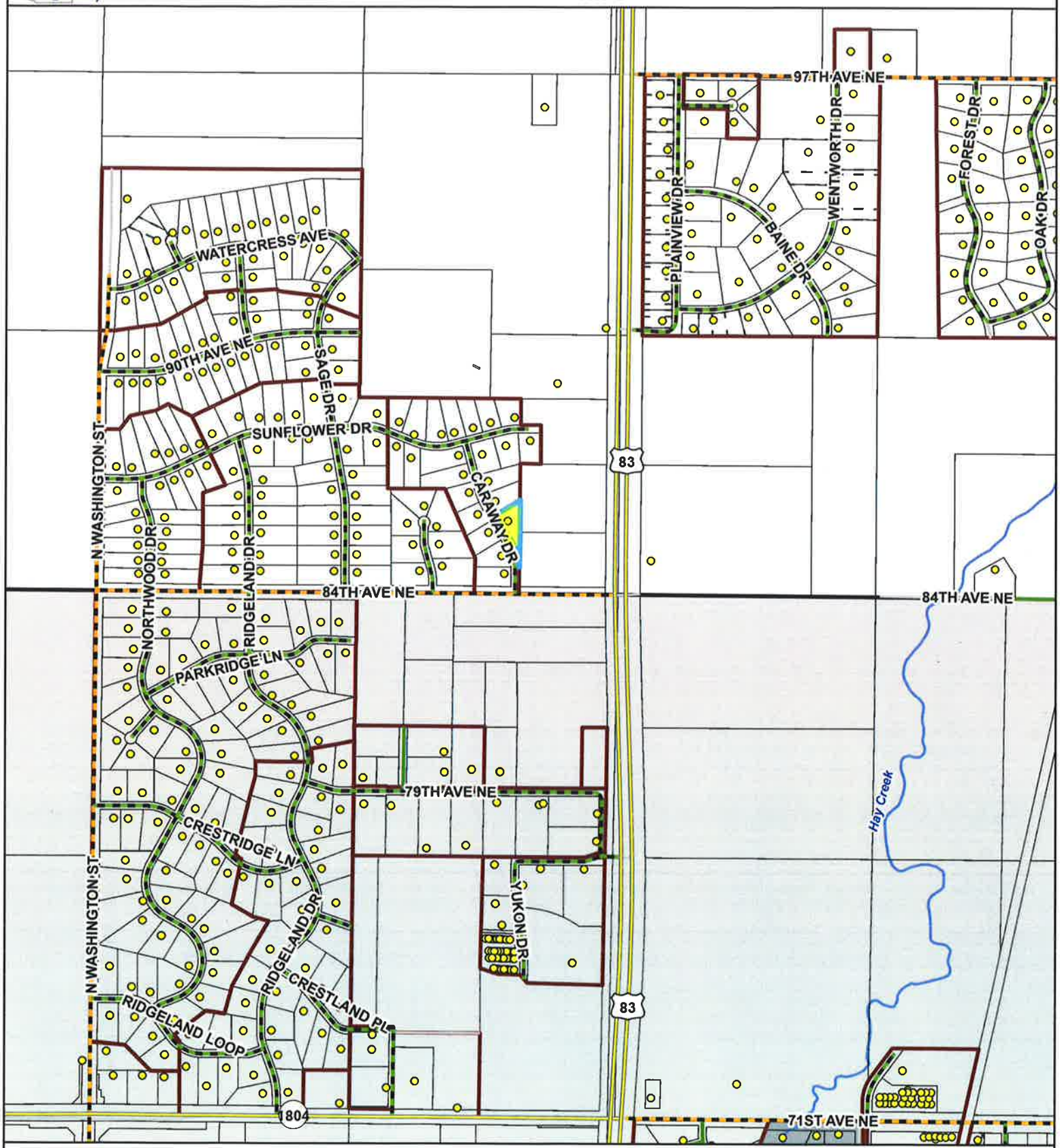
Matthew Stern has requested an appeal of the Highway Department's denial to the County Board.

RECOMMENDATION:
It is recommended that the Burleigh County Board discuss the above item and direct the County Highway Department on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

2/21/2025



PARCEL ID: 24-140-80-47-03-010 OWNER: STERN, MATTHEW M ACRES: 1.65

SITE ADDRESS: 8521 CARAWAY DR

MAIL ADDRESS: 8521 CARAWAY DR, BISMARCK, ND 58503-1802

LEGAL: HARVEST GROVE THIRD Block 03 LOT 1

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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

2/21/2025



PARCEL ID: 24-140-80-47-03-010 **OWNER:** STERN, MATTHEW M **ACRES:** 1.65

SITE ADDRESS: 8521 CARAWAY DR

MAIL ADDRESS: 8521 CARAWAY DR, BISMARCK, ND 58503-1802

LEGAL: HARVEST GROVE THIRD Block 03 LOT 1

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

BURLEIGH COUNTY
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: **March 3, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Developer Waiver Request**

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

ACTION REQUESTED:
Review and Direct the County Highway Department on how to proceed with the Developer's request.

BACKGROUND:
Under the current Pavement Policy, developers (owners of property that is being platted) are required to: "Proposed platted subdivisions will include the construction and paving of all internal roadways and adjacent section line roads, and the construction and paving of at least one roadway that connects into the existing paved highway system."

The Wolf's, in the NW ¼ of Section 29, Apple Creek Township (see attached map), is proposing a five (5) lot subdivision (Wolf Subdivision), and is requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to re-construct and pave 0.50 miles of County/Township roadway (48th Ave SE) along the north edge of the subdivision from 66th Street to the east edge of the subdivision. Currently, around 26 parcels/residents use this roadway.

Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer re-constructing and paving the required roadways at this time. It does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board of Commissioners do hereby recognize that the waiving of the Pavement Policy at this time is only to allow the proposed plat to be approved and does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future, and

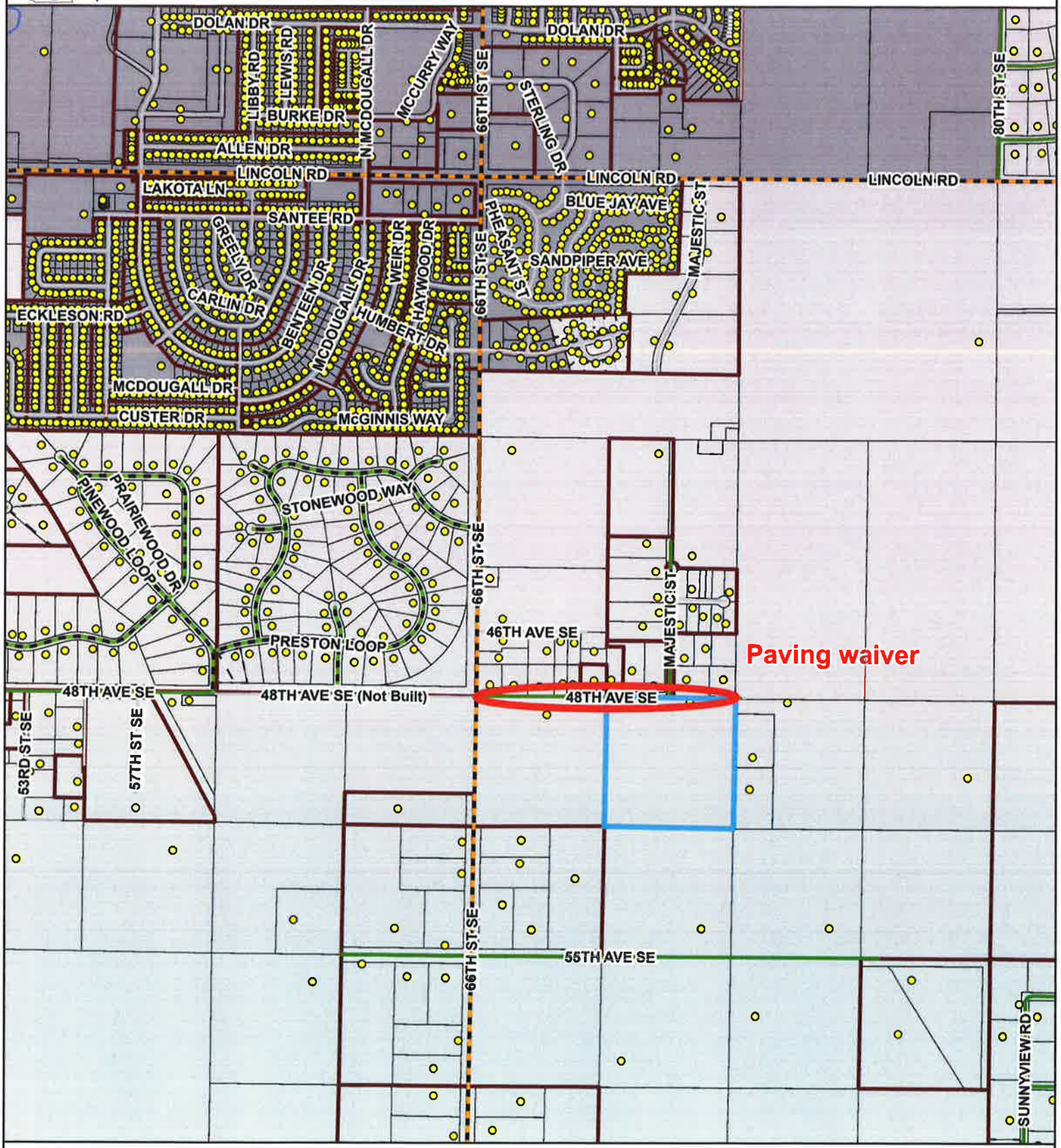
THEREFORE, BE IT FURTHER RESOLVED: That the County Board of Commissioners do hereby grant the Wolf's request to waive the construction and paving requirements "*adjacent section line roads*" listed in the Pavement Policy, in conjunction with the approval of their Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

2/19/2025



PARCEL ID: 39-138-79-00-29-403 OWNER: WOLF, GRADY & MARGO ACRES: 40

SITE ADDRESS: 7161 SE 48TH AVE

MAIL ADDRESS: 7040 55TH AVE SE, BISMARCK, ND 58504

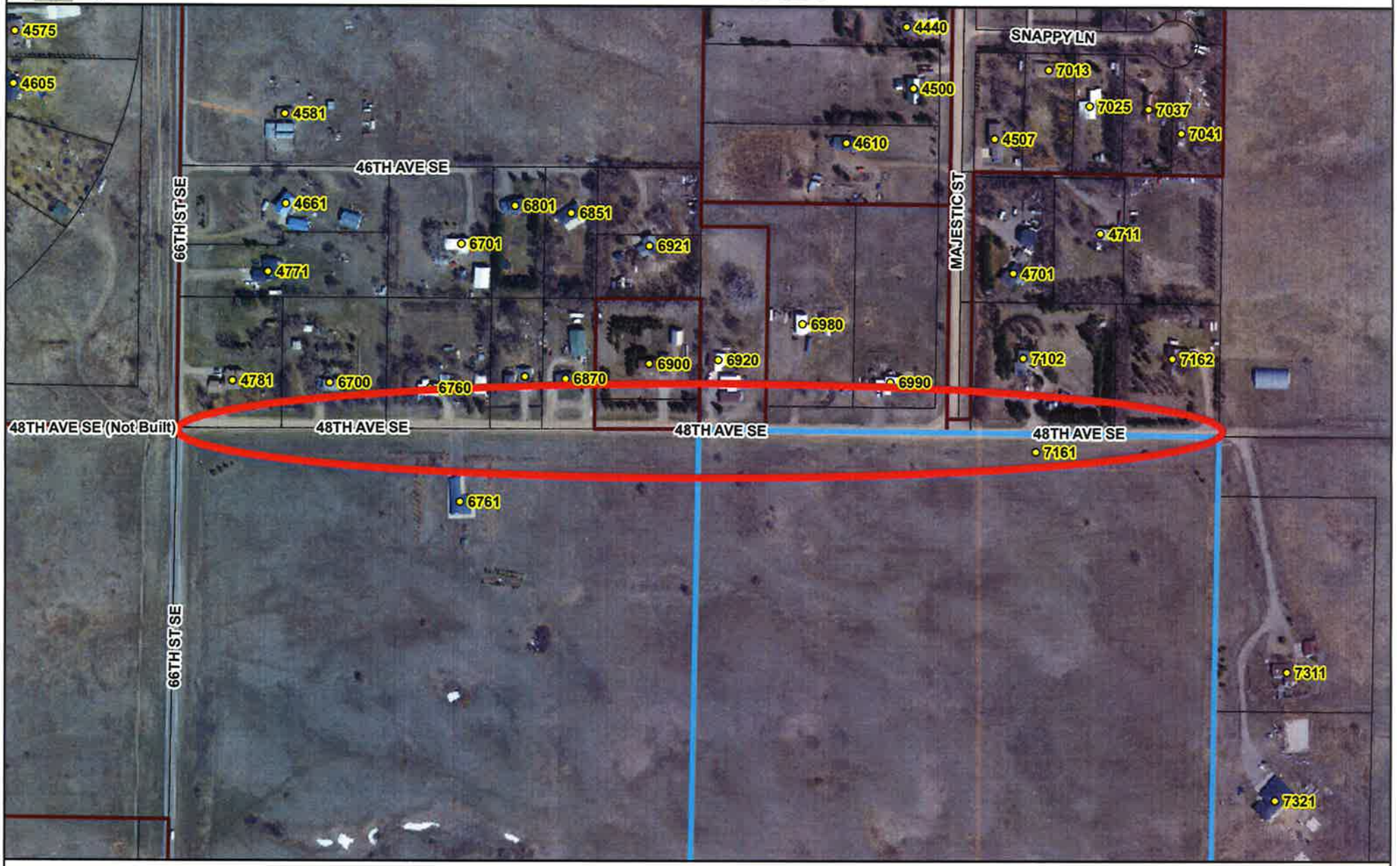
LEGAL: APPLE CREEK TOWNSHIP Section 29 NE1/4NW1/4 594255 29-138-79

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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

2/19/2025



PARCEL ID: 39-138-79-00-29-403 OWNER: WOLF, GRADY & MARGO ACRES: 40

SITE ADDRESS: 7161 SE 48TH AVE MAIL ADDRESS: 7040 55TH AVE SE, BISMARCK, ND 58504

LEGAL: APPLE CREEK TOWNSHIP Section 29 NE1/4NW1/4 594255 29-138-79

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



N

Lines
Property Boundary
PLSS Sections
PLSS Townships
County Roads

0 105 210 420 Feet

Owners: Grady and Margo Wc
Address 7040 55 Ave SE
Bismarck, ND 58504-052
701 595-2881

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

(Revised Board Letter will be presented at Board Meeting)

DATE: **March 3, 2025**

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 for the replacement of Bridge #08-126-40.0.

BACKGROUND:
On February 3, 2025, the County Board authorized the County Auditor and the County Engineer to advertise for bids for replacement of Bridge #08-126-40.0. Bids were opened on February 27, 2025 and the following bids were received:

MMI Improvement Company	$330,703.08
Central Specialties Inc.	$342,172.90

Engineers Estimate: $478,725.75

RECOMMENDATION:
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the low bid to replace Bridge #08-126-40.0 from MMI Improvement Company for $330,703.08 and authorize the proper County officials to enter into contracts with said bidder.

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 19, 2025**~~ **March 3, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Approve the selection of an engineering consultant firm for the Construction Engineering of 4" Mill and 4" HMA Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14 Project.**

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

ACTION REQUESTED:
Approve the selection of Bartlett & West to perform construction engineering services for 4" Mill and 4" Hot Mix Asphalt Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14 Project SC-0836(068), PCN 24165.

BACKGROUND:
The project would include providing the construction engineering services for the 4" Mill and 4" Hot Mix Asphalt Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14 Project. The construction engineering services will be 80% federal funds.

At the December 2, 2024 County Board Meeting, the Board approved the Highway Department's request to seek construction engineering service proposals for the County Highway 10 Project. On February 3rd, we opened proposals for this project. Seven consulting firms submitted proposals, and after a thorough review of their proposals and

interviews conducted on February 13th, the selection committee ranked Bartlett & West as the most qualified firm to perform services for this project.

The negotiation of services and fees for this project will be done between the North Dakota Department of Transportation, Burleigh County Highway Department, and Bartlett & West. It is estimated that the total cost of design services for this project will be around $175,000.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board of Commissioners approves of the selection of Bartlett & West to perform construction engineering services for the County Highway 10 Project.

ITEM

12

BURLEIGH COUNTY, NORTH DAKOTA

$176,727
FALCONER ESTATES IMPROVEMENT DISTRICT #76
DEFINITIVE IMPROVEMENT WARRANT, SERIES 2025
(INFRASTRUCTURE REVOLVING LOAN FUND)

FINANCING RESOLUTION

BE IT RESOLVED by the Board of County Commissioners (the "Commission") of Burleigh County, North Dakota (the "County"), as follows:

SECTION 1. IMPROVEMENT DISTRICT.

1.01. It is hereby found, determined and declared that the County has heretofore duly created the following improvement district within the County: Falconer Estates Improvement District #76 (the "Improvement District") and has ordered, received and approved plans and specifications, and estimates of the cost for the construction of the improvements in the Improvement District; that the Commission determined the necessity of constructing the improvements within the Improvement District; and, where applicable, by petition or after giving the owners of property liable to be specially assessed therefor the opportunity provided by law to protest against the construction of the improvements, it was determined that protests sufficient to divest the County and the Commission with reference to the making of the improvements had not been filed or petitions having been received; that contracts for construction of the improvements have been duly awarded and executed; that the contracts and contractors bonds have been and are hereby approved; that the County possesses and has power to exercise through this Commission full and exclusive jurisdiction over all utilities, streets and places wherein the improvements are located; that the total cost of the improvements in excess of any other funds on hand and appropriated for the payment of such cost, including reimbursing other funds of the County for any amounts temporarily advanced to meet immediate expenses of the improvements is now estimated to be not less than $176,727; that the total benefits to all lots, tracts and parcels of land liable to be specially assessed for benefits resulting from the improvements in the Improvement District will be equal to or in excess of the cost of the improvements to be assessed against the properties as herein provided; and that all acts, conditions, and things required by the Constitution and laws of the State of North Dakota to be done, to exist, to happen and to be performed preliminary to the issuance and sale of the improvement warrants to provide moneys to pay for the improvements have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

1.02. There is hereby created a special fund of the County for the Improvement District, designated as follows: Falconer Estates Improvement District #76 Fund (the "Fund"). The Fund shall be held and administered by the County Auditor/Treasurer separate and apart from all other funds of the County and shall be continued and maintained as herein directed until all warrants

issued thereon shall have been fully paid with interest. In the Fund there shall be maintained two separate accounts to be designated as the "Construction Account" and "Principal and Interest Account," respectively.

1.03. There shall be credited to the Construction Account in the Fund the proceeds of the sale of the Warrant issued against the Fund except the accrued interest and any other amounts required to be deposited into the Principal and Interest Account. All costs and expenses of making the improvements, including interest coming due during construction, costs of issuance and payment of temporary warrants, shall be paid from time to time as incurred and allowed from the Construction Account, upon construction account warrants signed by the Chairman and County Auditor/Treasurer, and moneys in the Construction Account shall be used for no other purpose, provided, that if upon completion of the improvements and approval thereof by the Engineer for the County, and payment of all claims and expenses in respect to the improvement, there shall remain any unexpended balance in the Construction Account, such balances shall be transferred to the Principal and Interest Account of the Fund and handled and accounted for in the same manner as other moneys in that account.

As Warrant proceeds are needed for Improvement District costs, the County shall submit requests in accordance with Section 1.06 of the Loan Agreement. Loan advances shall be recorded on the grid on the back of the Warrant. Monies in the Construction Account from such proceeds and earnings shall be used for payment of the cost of the Improvement District and costs of issuance of the Warrant to include reimbursement to the County for advances made for such costs or to refund amounts borrowed for the Improvement District, and for no other purpose.

1.04. There shall be credited to the Principal and Interest Account in the Fund the accrued interest on the Warrant drawn on the Fund from the date of the Warrant to the date of delivery thereof to the purchaser, any reoffering premium, special assessments, any utility revenues or tax revenues to be levied with respect to that improvement as herein agreed, and any balance remaining in the Construction Account after completion of the improvement. Moneys in the Principal and Interest Account shall be used only for payment of the principal of and interest on Warrant drawn against the Fund as such payments become due.

1.05. With respect to the Improvement District, the County covenants and agrees with all holders of the Warrant on the Fund of the Improvement District that it will perform, in accordance with law, all acts and things necessary for the final and valid levy of special assessments against properties within the Improvement District benefitted by the improvement, in an aggregate amount equal to the total cost of the improvements to the County, except any portion, (a) not exceeding one-fifth (1/5) of the cost of the improvements and not exceeding any applicable constitutional or statutory debt limit, as the County may determine to pay by the levy of ad valorem taxes upon all taxable property within its corporate limits. Prior to November 1 of each year the County shall determine the amount (b) paid from other revenues, if any, to be appropriated to the Principal and Interest Account to pay the principal and interest on the Warrant coming due in the following year, or (c) financed from other sources. The Commission shall direct the County Auditor/Treasurer to reduce, by a proportionate amount, the total amount of special assessments that would otherwise be placed on the tax lists of the County to the extent other revenues are appropriated to pay the

Warrant. In the event that the assessment should at any time be held invalid with respect to any lot or tract of land, due to any error, defect or irregularity in any action or proceeding taken or to be taken by the County or by the Commission or by any County officers or employees, whether in the making of the assessment or in the performance of any condition precedent thereto, the County and this Commission covenant and agree that they will forthwith do all such further acts and take all further proceedings as may be required by law to make such assessment a valid and binding lien upon such lot or tract. The County will continue to cause annual certification of balances of special assessments unpaid for the Improvement District to be certified for repayment over a period of years, subject to a reduction or extension of such period of time as may be deemed necessary by the County due to collection of assessments, with the first certification and for first collection in the years, as follows, and annually thereafter:

Improvement District	Repayment Period (Years)	Year Of First Levy	Year Of First Collection
Falconer Estates Improvement District #76	12	2025	2026

Installments of the special assessments from time to time remaining unpaid shall bear interest at the rate not exceeding one and one-half percentage points above the interest rate on the Warrant.

1.06. The total cost of the improvements for the Improvement District, including construction, engineering, administration, any land or easement acquisition required, and other fees and all other expenses incidental to the completion of the improvements are estimated to be not less than as follows:

Fund	Principal Amount
Falconer Estates Improvement District #76	$176,727

1.07. With respect to the Fund, the County hereby recognizes its obligation with respect to the Warrant drawn against the Fund, as set forth in Section 40-26-08, North Dakota Century Code ("N.D.C.C."), that whenever all special assessments, utility revenues and taxes, if any, theretofore collected for the improvements are insufficient to pay principal of or interest then due on the Warrant, this Commission shall thereupon levy a tax upon all taxable property in the County for the payment of such deficiency; provided, that if the Warrant has been exchanged for refunding improvement bonds pursuant to the provisions of Chapter 40-27, N.D.C.C., such deficiency tax may be made payable in the years and amounts required to pay the principal of and interest on the refunding improvement bonds as the same become due. Nothing herein contained shall be deemed to limit the power of the County and this Commission under the provisions of the Section 40-26-08, N.D.C.C., to levy a general tax in anticipation of a deficiency considered likely to occur in the Fund within one year, and it is hereby declared to be the policy of the County that the Commission will annually review the current requirements and resources of the Fund, at the time of the preparation of and hearing on the budget, in accordance with the provisions of Chapter 11-23, N.D.C.C., to the end that provision may be made in each annual budget for any deficiency in the Fund which is deemed likely to occur within one year. Such taxes levied in accordance with the

provisions of this paragraph in payment of a deficiency, or in anticipation of a deficiency, shall be paid upon collection into the Principal and Interest Account of the Fund and applied as provided in paragraph 1.04 hereof.

SECTION 2. AUTHORIZATION AND SALE OF WARRANT.

2.01. Pursuant to Section 11-11-55.1 and Chapters 40-22 through 40-27 of the N.D.C.C., the County hereby authorizes the issuance of its Definitive Improvement Warrant, Series 2025 in the principal amount of not to exceed ONE HUNDRED SEVENTY SIX THOUSAND SEVEN HUNDRED TWENTY SEVEN DOLLARS ($176,727) (the "Warrant") for the purpose of financing the construction of necessary infrastructure in the Improvement District.

2.02. The County has made timely application to the Bank of North Dakota ("BND") pursuant to the requirements of the Infrastructure Revolving Loan Fund to finance all or a portion of the cost of the Improvement District and BND has approved the District's application pursuant to the terms of a commitment letter dated December 17, 2024 (the "Commitment Letter"). The sale of the Warrant is hereby awarded to BND. The County shall comply with all terms and provisions of the Commitment Letter.

SECTION 3. WARRANT TERMS, EXECUTION, AND DELIVERY.

3.01. The Warrant shall be designated Definitive Improvement Warrant, Series 2025, dated March 17, 2025, and shall be issued in fully registered form. The Warrant shall be payable through annual installments of principal and annual installments of interest on the dates, and in the respective years and amounts set forth on the amortization schedule attached to the Warrant ("Mandatory Payment Dates"), as the same may be revised from time to time by BND. The Warrant shall bear interest on the outstanding principal amount of the Warrant from the date advanced until paid at a fixed rate of 2.00%.

The County may prepay the Warrant in whole or in part, without incurring any penalty, on any date at a price equal to 100% of the principal amount to be repaid, together with accrued interest thereon to the redemption date. Not less than thirty (30) calendar days prior to the date specified for such prepayment and redemption the County will cause notice to be mailed to the registered holder of the Certificate.

The principal amount of a partial prepayment may, in the sole option and discretion of the County, (i) be applied to a future principal payment of the Warrant in a manner determined by BND, or (ii) be applied to reduce each unpaid principal installment required with respect to the Warrant in the proportion that such installment bears to the total of all unpaid principal installments (i.e., the remaining principal payment schedule shall be re-amortized to provide proportionately reduced principal payments in each year).

The Warrant shall initially be issued as a single fully registered warrant registered in the name of BND or its assigns.

3.02. The Warrant shall be printed under the direction of the County Auditor/Treasurer and shall be executed on behalf of the County by the manual signatures of the Chairman and the County Auditor/Treasurer. When the Warrant has been prepared and executed, the County Auditor shall deliver the same to BND in accordance with the Loan Agreement. As proceeds are needed for Improvement District costs, the County shall submit requests in accordance with Section 1.06 of the Loan Agreement. Loan advances shall be recorded on the grid on the back of the Warrant.

3.03. Books for the registration and for the transfer of the Warrant as provided in this Resolution shall be kept by the County Auditor/Treasurer, who is hereby appointed the Registrar and Paying Agent of the County for the Warrant. Upon surrender for transfer of any Warrant at the principal office of the Registrar duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing, the County shall execute and the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Warrant for a like aggregate principal amount.

The Registrar shall not be required to (i) transfer or exchange the Warrant during the period of 15 days preceding any Mandatory Payment Date or, (ii) transfer or exchange a Warrant selected, called, or being called for redemption in whole or in part.

SECTION 4. FORM OF WARRANT.

4.01. The Warrant shall be printed in substantially the form on file with the County Auditor/Treasurer.

SECTION 5. SINKING FUND AND PLEDGE.

5.01. So long as the Warrant is outstanding and unpaid, the County Auditor/Treasurer shall maintain the Principal and Interest Account as a sinking fund, which may be a separate and special bookkeeping account on the official books and records of the County, to be used for no purpose other than the payment of the principal of and interest on the Warrant and such other obligations of the County as have been or may be directed to be paid from the Principal and Interest Account. The Principal and Interest Account shall be applied as to principal commencing May 1, 2026, and annually thereafter to and including May 1, 2037. Interest shall be payable on each May 1 commencing May 1, 2025.

5.02. Moneys on deposit in the Fund may be invested as permitted by the N.D.C.C., provided, however, such investments shall mature at such times and in such amounts as will permit payments on the Warrant when due.

SECTION 6. CERTIFICATIONS OF PROCEEDINGS; AMENDMENTS.

6.01. The County Auditor/Treasurer is authorized and directed to prepare and furnish to BND certified copies of all proceedings and records relating to the establishment and construction of the improvements and the operation and maintenance thereof, and the levy of special

assessments and taxes therefor and for the issuance of the improvement Warrant, which may be necessary or proper to show the validity and marketability of the Warrant, and all instruments and transcripts so furnished, constitute representations of the County as to the correctness of the facts as stated or recited therein. The County agrees to furnish additional certifications of its officers as are necessary to establish the validity of the Warrant, the absence of litigation materially affecting the issuance of the Warrant and any other certifications or information reasonably necessary to insure marketability and compliance with the conditions of underwriting.

6.02. The Loan Agreement, in substantially the form presented to the County at this meeting, is hereby accepted and authorized to be executed on behalf of the County by its Chairman and County Auditor/Treasurer or other Commission members in the absence of the Chairman and/or County Auditor/Treasurer (the "Authorized Officers"), with such modifications as may be approved by the Authorized Officers. The Authorized Officers are authorized and directed to execute the Loan Agreement and to deliver it to BND, which execution and delivery shall be conclusive evidence of the approval of any modifications with respect to the Loan Agreement.

6.03. The Authorized Officers, in consultation with the States Attorney, are hereby authorized to deliver certificates which cure ambiguities, defects or omissions herein, correct, amend or supplement any provision herein, all in furtherance of the financing contemplated by the Commitment Letter. Such authorization shall include adjustment of the amortization schedule and issuance of a revised warrant in the event assessments are not certified for collection as provided for in Section 1.05 herein, or the preliminary amortization schedule is adjusted with the consent of BND.

6.04. The Commission authorizes the Authorized Officers to execute documents relating to the issuance of the Warrant using electronic signatures. The electronic signatures of the Authorized Officers shall be as valid as an original signature of such official and shall be effective to bind such official to any document relating to the issuance of the Warrant. For purposes hereof, “electronic signature” means a manually signed original signature that is then transmitted by electronic means.

SECTION 7. COVENANTS OF COUNTY; DEFEASANCE.

7.01. If the balance in the Principal and Interest Account should at any time be insufficient to pay all principal and interest then due on the Warrant, such balance shall be used first to pay the interest due, and the remainder shall be applied in payment of the principal due on the Warrant in direct order of maturity years and pro rata as to Warrant installments maturing in the same year.

The County reserves the privilege of refunding any maturity of the Warrant, the payment of which moneys are not at the time available, by issuing new warrants, bonds or notes payable from the Principal and Interest Account, on a parity with those theretofore issued as to interest charges therein, but the maturity of any such new warrants, bonds or notes shall be subsequent to the maturities of the Warrant payable from the Principal and Interest Account which then remain outstanding.

7.02. When the Warrant has been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this Resolution shall cease. The County may discharge the Warrant due on any date by depositing with BND on or before that date a sum sufficient for the payment thereof in full; or if the Warrant should not be paid when due, the same may nevertheless be discharged by depositing with BND a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The County may also discharge the Warrant called for redemption on any date when it is prepayable according to its terms, by depositing with BND on or before said date the principal, premium, if any, and interest then coming due.

Dated: March 3, 2025.

BURLEIGH COUNTY, NORTH DAKOTA **Attest:**

_____ _____

Chairman, Board of County Commissioners County Auditor/Treasurer

The governing body of the County acted on the foregoing resolution at a properly noticed meeting held in Bismarck, North Dakota, on March 3, 2025, with the motion for adoption made by _____ and seconded by _____, and the roll call vote on the motion was as follows:

"Aye" _____

"Nay" _____

Absent _____

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

March 17, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 16th, 2024, meeting minutes and March 3rd, 2025, meeting minutes and bills.
5. Consent Agenda:
    a. Abatements.
6. **PUBLIC HEARING** regarding plan on redesignating elective office of Burleigh County Auditor/Treasurer to appointive office.
7. County Engineer Marcus Hall:
    a. Developer Waiver request.
8. County States Attorney Julie Lawyer:
    a. Salary variance request.
9. Discussion regarding Burleigh County Courthouse rental.
10. County Emergency Manager Mary Senger:
    a. Consideration of Burn Restrictions.
11. Other Business.
12. Adjourn.

The next regularly scheduled Commission meeting will be on April 7th, 2025.

Mark Splonskowski

Burleigh County Auditor/Treasurer

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 16TH, 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.

The following changes were made to the agenda:

- Item 10A was moved to after the consent agenda
- Item 6 became item 9
- Item 7 became item 6
- Item 9 became item 7
- The words CISA Report was added to item 10B

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

Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 2nd, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the December 16th, 2024 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
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$248,500	$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$266,400	$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	$294,300	$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,484	$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	$277,300	$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	$357,000	$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	$168,600	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements and the remainder of the consent agenda. All members present voted "AYE". Motion carried.

Chairman Bitner gave an update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase inquired of the Commission about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and stated his favorability of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18th, 2024. The points of clarifications are as follows:

- Auditor/Treasurer Splonskowski stated that he believes the benchmarks used in Finance Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.
- Auditor/Treasurer Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over $100,000, and that as of August 2024, Burleigh County investments yielded $1.1 million beyond what was budgeted. Based on Finance Director Jacobs' report & benchmark, the calculated loss in 2023 amounted to 0.0088 (9/10ths of 1%) and the loss of 2024's 1st quarter likewise amounted to 0.0018 (1/5th of 1%).
- Auditor/Treasurer Splonskowski stated to the Commission that on one or two of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed.
- The unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Auditor/Treasurer Splonskowski further stated that Finance Director Jacobs's report did not take into consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Auditor/Treasurer Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski presented to the Commission a recap on the November 5th, 2024, general election. Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office took on more responsibilities to keep the process going. The Secretary of State's office assisted the Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election,

which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

Finance Director Jacobs addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Finance Director Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs stated that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs gave an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by $751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by $77,800. Burleigh County underperformed in 2023 mainly due to failure to invest, failure to capitalize on rising rates, and poor investment choices. Jacobs gave the following figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by $136,000, with Morton County underperforming by $26,000.
- In Q2 of 2024, Burleigh County underperformed by $168,000, with Morton County underperforming by $19,000.
- In Q3 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform by $150,000, and Morton County would underperform by $25,000. Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other issues in 2023 under both Auditor/Treasurer Splonskowski and the previous Auditor/Treasurer Leo Vetter. Jacobs stood for questions.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded $110,285 in federal VOCA grants through the state of North Dakota for the period of October 1st, 2024 through September 30th, 2025. Lawyer also stated that in a memo on December 9th, 2024, the state of North Dakota allocated an additional $50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1st, 2024, through June 30th, 2025. No further action was taken.

States Attorney Lawyer then continued the discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at first entry' report from August 1st, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a

Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between $900,000 and $1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only $250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

_____ _____

Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
MEETING MINUTES
MARCH 3rd, 2025

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 Bakken, Munson, Schwab, Woodcox, and Chairman Bitner present.

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the meeting agenda with item 7 and 11 being moved to after the consent agenda. All members present voted 'AYE'. Motion carried.

Chair Bitner listed the following meeting minutes which still needed approval; December 16th, 2024, and February 19th, 2025 meeting minutes as well as the approval of the bills.

- Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the bills pending clarification of one of the signatures. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the February 19th, 2025 meeting minutes. All members present voted 'AYE'. Motion carried.
- Discussion of the December 16th, 2024 meeting minutes was had. Comm. Schwab stated that the minutes, under bullet point four on page two, was missing a reference to $3,700,000 that was moved off books at the Bank of North Dakota in the 2023 audit findings. Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 16th, 2024 meeting minutes to research Comm. Schwab's statement. All members present voted 'AYE'. Motion carried. Chair Bitner requested clarification on the second bullet point on the second page regarding the .0088 and .0018 percentage point loss calculations.

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
Austin Vilardi & Aubrey Tocci	2024	Lot 3, Block 3, Wheatland Hills 2nd	70% Disabled Veteran	$329,000	$276,500
William Teply	2024	Lot 15, Block 2, Eastside Heights	100% Disabled Veteran	$383,600	$203,600
Eugene & Carlotta Kostelecky	2024	Lot 28, Block 20, Homan Acres 6th	80% Disabled Veteran	$163,700	$145,700
Troy & Kayla Skelton	2024	Lot 3, Block 1, Replat Lots 14-23, Block 1, the Pointe	80% Disabled Veteran	$392,100	$356,100
Astrid Senger	2024	Lot 7, Block 1, North Hills 13th	100% Disabled Veteran	$413,700	$233,700

Timothy & Angela Wicks	2024	Lot 8, Block 2, Rplt Lot 10 Blk 1 North Hills 1st	100% Disabled Veteran	$339,800	$159,800
Lutene Roth	2023	Lot 16, Block 6, Tatley Meadows VI	100% Homestead Credit	$305,300	$105,300
Lutene Roth	2024	Lot 16, Block 6, Tatley Meadows VI	50% Homestead Credit	$308,100	$208,100
Ronald & Carol Bodine	2024	Unit 3 Mapleton Place Condos, Aud Lot 1634 of Lot 2, Block 2, Pebble Creek Addn	50% Homestead Credit	$193,700	$96,850
Stephen & Bridget Hillerud	2024	Unit 2 2305 Pointe Loop Condos, W 128' of Lot 1, Block 7, the Pointe	Error in property description	$329,700	$299,200
Curtis & Beverly Goehring	2024	Lot 31, Block 1, Apple Valley	100% Homestead Credit	$175,200	$0
Milton & Shirley Wagner	2023	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	$319,400	$119,400
Milton & Shirley Wagner	2024	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	$333,600	$113,600
Monte & Linda Tausend	2024	Lot 6, Block 3, Fort Lincoln Est #1	50% Homestead Credit	$222,800	$122,800
Paul & Julie Fornshell	2024	S240' of the E363' of Lot 1, Block 1, Steer	Farm residence exemption	$340,400	$40,000
Ramona Hendricks	2024	Lot 2, Block 5, Meadow Valley 2nd	100% Homestead Credit	$235,300	$35,300
Cheri Schulz	2023	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	$261,700	$161,700
Cheri Schulz	2024	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	$261,200	$227,867
Elizabeth Lynnell Strothman	2023	Lot 13, Block 3, Country West II	100% Homestead Credit	$365,400	$165,400
Elizabeth Lynnell Strothman	2024	Lot 13, Block 3, Country West II	100% Homestead Credit	$375,200	$175,200
Anthony & Diane Rothacker	2024	Lot 2, Block 1, Ridgefield	100% Disabled Veteran	$310,700	$130,700
Rita Schmidt	2024	Lot 1, Block 2, Parkview	100% Homestead Credit	$125,300	$0
Thomas & Agnes Salwei	2024	Lot 31, Block 2, Copper Ridge	50% Homestead Credit	$385,100	$285,100

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Patricia Stoxen	2024	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	$265,300	$165,300
Larry & Adela Roller	2023	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	$207,300	$107,300
Larry & Adela Roller	2024	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	$213,300	$113,300
Dennis & Kay Berg	2024	Lot 22, Block 5, Cottonwood Parkview Addn	50% Homestead Credit	$308,600	$208,600
Alan & Kathy Chmielewski	2023	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	$270,700	$170,700
Alan & Kathy Chmielewski	2024	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	$288,900	$188,900
Sherwin & Cathy Nelson	2024	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	$351,900	$251,900
Vicki Schmidt	2024	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	$110,146	$55,073
Vicki Schmidt	2025	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	$105,196	$52,598
Linda Houston	2023	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$82,700	$0
Linda Houston	2024	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$82,800	$0
William Miller	2023	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	$557,700	$507,700
William Miller	2024	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	$559,100	$509,100
Patricia Stoxen	2023	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	$254,800	$154,800
Sheila Steckler	2024	Lot 10 less S WLY 20', Block 1, Rolling Hills 2nd	50% Homestead Credit	$243,100	$143,100
Dianne Moch	2024	Lot 7, Block 2, North Lincoln 2nd	50% Homestead Credit	$277,200	$177,200
Tony & Julie Gratz	2025	1972 Detroiter 64 x 14	Mobile home removed 10/17/2024	$6,881	$0
Bernice Fuchs	2024	Lots 9-10, Block 26, Sturgis	100% Homestead Credit	$209,600	$9,600

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Gary Hayes	2023	Lot 8, Block 5, Prairie Hills	50% Homestead Credit	$236,000	$136,000
Dennis Boknecht	2024	W 100' Lots 31-32, Block 68, McKenzie & Coffin's	50% Homestead Credit	$147,900	$73,950
Celia Lindquist	2023	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	$105,800	$0
Celia Lindquist	2024	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	$105,700	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Austin Vilardi & Aubrey Tocci, William Teply, Eugene & Carlotta Kostelecky, Troy & Kayla Skelton, Astrid Senger, Timothy & Angela Wicks, Lutene Roth, Ronald & Carol Bodine, Stephen & Bridget Hillerud, Curtis & Beverly Goehring, Milton & Shirley Wagner, Monte & Linda Tausend, Paul & Julie Fornshell, Ramona Hendricks, Cheri Schulz, Elizabeth Lynnell Strothman, Anthony & Diane Rothacker, Rita Schmidt, Thomas & Agnes Salwei, Patricia Stoxen, Larry & Adela Roller, Dennis & Kay Berg, Alan & Kathy Chmielewski, Sherwin & Cathy Nelson, Vicki Schmidt, Linda Houston, William Miller, Patricia Stoxen, Sheila Steckler, Dianne Moch, Tony & Julie Gratz, Bernice Fuchs, Gary Hayes, Dennis Boknecht, and Celia Lindquist abatements and the consent agenda in its entirety. All members present voted 'AYE'. Motion carried.

Bismarck Parks & Recreation Operations Director David Mayer presented the companion agreement between Bismarck Parks & Recreation and Burleigh County regarding the South Washington Street Trail project. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the companion agreement. Chair Bitner, Comm. Bakken, Comm. Munson, and Comm. Schwab all voted 'AYE'. Comm. Woodcox voted 'NAY'. Motion carried.

County Sheriff Leben requested approval to go out for bids for the Burleigh East renovation project. Chair Bitner recused himself of the discussion and handed the discussion to Vice-Chair Bakken. Jeff Ubl of Ubl Design Group, the architect of the Burleigh East renovation project, was present to answer any questions from the Commission. Comm. Woodcox asked if there was an engineer's estimate on the project to which Ubl responded that they are currently working on it and they have different changeable options built in depending on the costs they come up with. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the request to go out for bids on the Burleigh East renovation project. Vice-Chair Bakken, Comm. Woodcox, Comm. Munson voted 'AYE'. Comm. Schwab voted 'NAY'. Chair Bitner abstained. Motion carried. Vice-Chair Bakken handed the meeting back to Chair Bitner.

Chair Bitner started the public hearing regarding the plan on redesignating the elective office of Burleigh County Auditor/Treasurer to appointive office and handed the meeting over to Vice-Chair Bakken.

- Vice-Chair Bakken read the responsibilities of the Auditor and Treasure from the North Dakota Century Code; NDCC 11-13 for the County Auditor and NDCC 11-14 for the County Treasurer.

- Vice-Chair Bakken gave the Commission an opportunity to speak if they had any concerns or opinions to share. Comm. Munson spoke on his concerns with County Auditor/Treasurer Splonskowski's performance as Chief Elections Officer, as the manager of the office of Auditor/Treasurer/Tax Equalization, as Chief Financial Officer, and as a coordinator with other agencies as the clerk for the County Commission. Comm. Schwab spoke on his concerns with the lawsuit Splonskowski pursued on absentee voting, a situation during the primary election regarding twin's votes, and Splonskowski's dislike of the size of the investment policy of the County. Comm. Woodcox stated that the Auditor/Treasurer would serve out his term and looking forward, the County deserves better.
- Vice-Chair Bakken opened the public hearing to the public for comment. John Fraase, Greg Heilman, Laurie Holverson, Kay Jarratt, Austin Lengenfelder, Kris Lengenfelder, Luke Lengenfelder, Matt Lengenfelder, Patrick Lengenfelder, Timm Mattson, Steve Nagel, Kip Rath, Coty Sicble , Ryan Subart, and Michael Walsh all spoke against the Auditor/Treasurer position becoming an appointed position. Curtis Jundt and Claus Lembke both spoke in favor of the Auditor/Treasurer position becoming an appointed position. John Berger, Dustin Gawrylow, and Marsha Lembke all spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position. Vice-Chair Bakken invited Auditor/Treasurer Splonskowski to speak. Splonskowski spoke regarding investments and reaching out to meet with banks, the changing dynamics of his office, and that himself and the Commission needing to work together and are here to serve the people of Burleigh County. Vice-Chair Bakken closed the public hearing.
- Vice-Chair Bakken noted that the next public hearings will be March 17th, 2025 and April 7th, 2025 during the regularly scheduled meetings and dates for Sterling & Wing are still to be determined. He brought up the possibility of adding a meeting in Bismarck on a Saturday. Vice-Chair Bakken invited Emergency Management Director Mary Senger to speak regarding the online forum for public input. Senger stated that the preliminary resolution and plan that was approved would be viewable on the site. She said to submit a comment, the user would have to enter their name, address, city, and optional email address & telephone number. Consensus amongst the Commission was to add the question of being for or against the preliminary resolution to the online forum. Senger stated that the online forum would be up either Tuesday or Wednesday. Vice-Chair Bakken read the preliminary resolution. Chair Bitner listed the counties that have changed their Auditor/Treasurer from an elected position to an appointed one and he presented the salary for the Auditor/Treasurer of $111,238.40 without benefits and $166,077.98 with benefits. Vice-Chair Bakken passed the meeting back to Chair Bitner.

County Engineer Marcus Hall presented an appeal for Matthew Stern's second approach permit which the Highway Department denied. Comm. Bakken asked if the second approach would be a problem in the future and Hall responded that as long as the road stays low traffic/speed it shouldn't be an issue. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the second approach permit. All members present voted 'AYE'. Motion carried.

Engineer Hall withdrew the presentation on the developer's pavement waiver request as the developer is not moving forward on plating the property at this time.

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Engineer Hall presented a resolution to authorize the proper County officials to enter into a contract for the replacement of Bridge #08-126-40.0. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the bid with MMI Improvement Company for the replacement of Bridge #08-126-40.0. Comm. Woodcox asked how this bridge was being paid for and Hall said it would be paid for out of the general fund. All members present voted 'AYE'. Motion carried.

Engineer Hall stated that a meeting was held between the County and Bartlett & West regarding the failed motion at the February 19th, 2025 meeting to approve their selection. Comm. Schwab presented a recap of the meeting and said that in 2018, there was a feasibility study that was to be completed by Bartlett & West for the Missouri Valley Complex which was never received due to a lack of available information. Comm. Schwab stated that the meeting resulted in a refund of $16,500 which was previously paid for the study. Chair Bitner handed the check to staff for receipting.

Engineer Hall requested approval of the selection of Bartlett & West to perform construction engineering services for 4" Mill and 4" Hot Mix Asphalt Overlay of County Highway 10 from 236th Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66th Street NE to ND Highway 14. He stated that these services will be paid eighty percent federal and twenty percent local. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the selection of Bartlett & West. All members present voted 'AYE. Motion carried.

County Planning Director Mitch Flanagan presented a petition to amend Article 8 Section 28 to allow accessory dwelling units in Burleigh County. He stated that the goal of this petition is to allow the accessory dwelling units to be built with the expectation that they will only be used for relatives. Flanagan stated that the City of Bismarck allows them and the home owner signs a non-conversion agreement which is what this amendment would require. Motion by Comm. Schwab, 2nd by Comm. Munson to approve the amendment. All members present voted 'AYE'. Motion carried.

Chair Bitner stated that Comm. Bakken has an opportunity to speak regarding carbon sequestration in Washington DC. Bakken asked if there was a representative of Summit Carbon Solutions with no response. He said that he was asked to speak at the event as an elected official and is seeking Commission approval to speak for the County. Bakken stated that there is no cost for the County for this trip. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve Comm. Bakken speaking on behalf of the County in Washington DC. Comm. Munson, Comm. Woodcox, Comm. Schwab, and Chair Bitner voted 'AYE'. Comm. Bakken abstained. Motion carried.

County Auditor/Treasurer Mark Splonskowski presented a consideration of the financing resolution for SAD 76 in Falconer's Estates. He said that financing was secured through the Bank of North Dakota with an interest rate of two percent. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution. All member present voted 'AYE'. Motion carried.

Chair Bitner inquired on other business and Comm. Bakken thanked the people who showed up to the public hearing, noticed the next scheduled meeting of March 17th, 2025 at 5:00pm, and mentioned adding a third public hearing in Bismarck in addition to Sterling and Wing. Bitner requested Emergency Management

Director Senger to look for a location to hold a Saturday public hearing in Bismarck. Comm. Schwab presented a reminder for the Primary Residence Property Tax Credit which can be applied for up until March 31st, 2025 via a link on the Burleigh.gov website. Comm. Woodcox requested that time be allocated at the next public hearing for the Commission to discuss the problems they have had regarding the Auditor/Treasurer over the last year and a half. Chair Bitner stated that would be part of the public hearing.

Meeting Adjourned

_____	_____
Mark Splonskowski,	Brian Bitner,
County Auditor/Treasurer	Chairman

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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
25-126	Jade Falcon	2024	Lot 13, Block 4, Pheasant Valley	80% Disabled Veteran	$642,000	$480,000
25-148	Jascon & Carla Rundquist	2024	Lot 9, Block 7, Sattler's Sunrise 7th	100% Disabled Veteran	$158,300	$140,300
25-153	Harvey & Barbara Jackson	2024	N 16' of Lot 28, all Lot 29, & S17' of Lot 30, Block 38, Fisher	50% Homestead Credit	$139,700	$69,850
25-154	Janice Nesja	2024	Unit 4 3312 Arrowhead Condos, Lot 22, Block 1, Pebble Crk 8th Replat	50% Homestead Credit	$311,800	$211,800
25-155	Gary & Paula Hofland	2023	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	100% Homestead Credit	$1,100	$0
25-156	Gary & Paula Hofland	2024	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	50% Homestead Credit	$3,400	$1,700
25-157	Curtis Mertz	2025	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	$28,103	$14,052
25-158	Greg & Tracey Runyon	2025	2002 Atlantic 27 x 56	50% Homestead Credit	$60,329	$30,164
25-159	Clifton Erickson	2024	S50' of N200' of W1/2 less W30' of Blk 17, Block 17, Lincoln	100% Homestead Credit	$220,400	$20,400
25-160	Charles & Sandra Ketterling	2023	Lot 2, Block 11, Lincoln Replat of B11	50% Homestead Credit	$223,800	$123,800
25-161	Charles & Sandra Ketterling	2024	Lot 2, Block 11, Lincoln Replat of B11	50% Homestead Credit	$237,500	$137,500
25-162	Michael Brown	2023	Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	$113,200	$0
25-163	Michael Brown	2024	Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	$119,200	$0
25-164	James & Cynthia Vollmer	2024	Lot 6, Block 2, Indian Hills	50% Homestead Credit	$284,200	$184,200

25-165	Todd & Gabrielle Sutton	2024	N10' of Lot 23, all Lot 24, & S10' of Lot 25, Block 67, McKenzie & Coffin's	90% Disabled Veteran	$238,100	$197,600
25-166	Nancy & Jorge PichardoQuezada	2024	Lot 1, Block 1, Southbay 4th Add 2nd Replat	70% Disabled Veteran	$230,200	$156,700
25-167	Duane & Juanita Martin	2025	2016 Fairmont 28 x 64, serial #MY16-128538ABK	50% Homestead Credit	$111,821	$55,910
25-168	Robert Christenson	2023	Lot 14, Block 19, Morningside Heights	100% Homestead Credit	$217,300	$17,300
25-169	Mary Wieben	2024	Lot 12, Block 17, Washington Heights 10th	50% Homestead Credit	$295,000	$195,000
25-170	Curtis Mertz	2023	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	$28,103	$14,051
25-171	Curtis Mertz	2024	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	$28,103	$14,051
25-172	Larry Ensz	2025	1995 Royalton 16 x 76, serial #9423361A	100% Homestead Credit	$34,145	$0
25-173	Ernest Erhardt	2024	Lot A of Lots 8-9, North Star Acres	50% Homestead Credit	$384,000	$284,000
25-174	Daryl & Twila Wanner	2025	1994 Schult 64 x 28, serial #R263514AB	50% Homestead Credit	$55,158	$27,579
25-175	Marty & Judy Grothe	2023	1990 Marshfield Executive 17 x 76, VIN #062339	100% Homestead Credit	$26,290	$0
25-176	Tim Heckelsmiller	2024	1981 Chicasaw 70 x 14, VIN #6544w	Mobile home removed from lot in 2024	$10,349	$0
25-177	Tracy & Cynthia Vanous	2023	Lots 1, 2, and 4, Block 1, Schultz	50% Homestead Credit	$352,300	$252,300
25-178	Amelia Schweitzer	2024	Unit 4 Calgary Condos, Lot 3, Block 1, North Hills 7th	100% Homestead Credit	$182,500	$0
25-179	Jeffery & Victoria Haas	2024	Unit 4 & garage 4 (bldg 872) San Angelo Dr Condo Assoc, Lots 3-5, Block 2, Cottonwood Lake 5th	50% Homestead Credit	$208,600	$108,600

25-183	Kenneth & Alvinia Buchholz	2024	Lot 5, Block 20, Meadow Valley 4th	50% Homestead Credit	$245,700	$145,700
25-184	Marlene Streeper	2024	Unit 3084 Pheasant Run Condo, part of Lot 4, Block 2, Tatley Meadows V	50% Homestead Credit	$185,000	$92,500
25-185	Carleton & Yvonne Logan	2023	Lot 11, Block 2, the Pointe	100% Homestead Credit	$350,700	$150,700
25-186	Carleton Logan	2024	Lot 11, Block 2, the Pointe	100% Homestead Credit	$367,100	$167,100
25-187	Roger Allen & Sandra Thomsen	2024	Lot 10-11 less 10' x 117.5' tract in Lot 11, Block 2, Baldwin Townsite	50% Homestead Credit	$74,100	$37,050

ITEM

6

PUBLIC HEARING

Preliminary Resolution on Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to hold the position of Auditor / Treasurer;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law converting the elected office of county auditor / treasurer into an appointed office and pursuant to N.D.C.C. § 11-10.2-01(1)(c), the county may redesignate an elective county office as an appointive office; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be redesignated as an appointive office;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

Plan for Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

1. Office of Burleigh County Auditor / Treasurer is redesignated as an appointive office effective April 1, 2027, when the current term for Auditor Treasurer expires.

2. Director of Human Resources shall develop a job description to include all statutory job duties of county auditor and county treasurer along with job qualifications, including experience in finance or accounting, and appropriate pay grade for approval by the Burleigh County Commission no later than sixty (60) days after any final resolution adopting the plan.

3. The recruitment and retention for the office of Burleigh County Auditor / Treasurer shall be governed by the Burleigh County Personnel Policy Manual and Handbook.

ITEM

7

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **March 17, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Developer Waiver Request**

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

ACTION REQUESTED:
Review and Direct the County Highway Department on how to proceed with the Developer's request.

BACKGROUND:
Under the current Pavement Policy, developers (owners of property that is being platted) are required to: "Proposed platted subdivisions will include the construction and paving of all internal roadways and adjacent section line roads, and the construction and paving of at least one roadway that connects into the existing paved highway system."

Ski Haven LLP, in the SW ¼ of Section 22, Lincoln Township (see attached map), is proposing a one (1) lot subdivision (? Subdivision), and is requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to re-construct and pave 0.50 miles of County/Township roadway along the north and east.

Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer re-constructing and paving the required roadways at this time. It does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board of Commissioners do hereby recognize that the waiving of the Pavement Policy at this time is only to allow the proposed plat to be approved and does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future, and

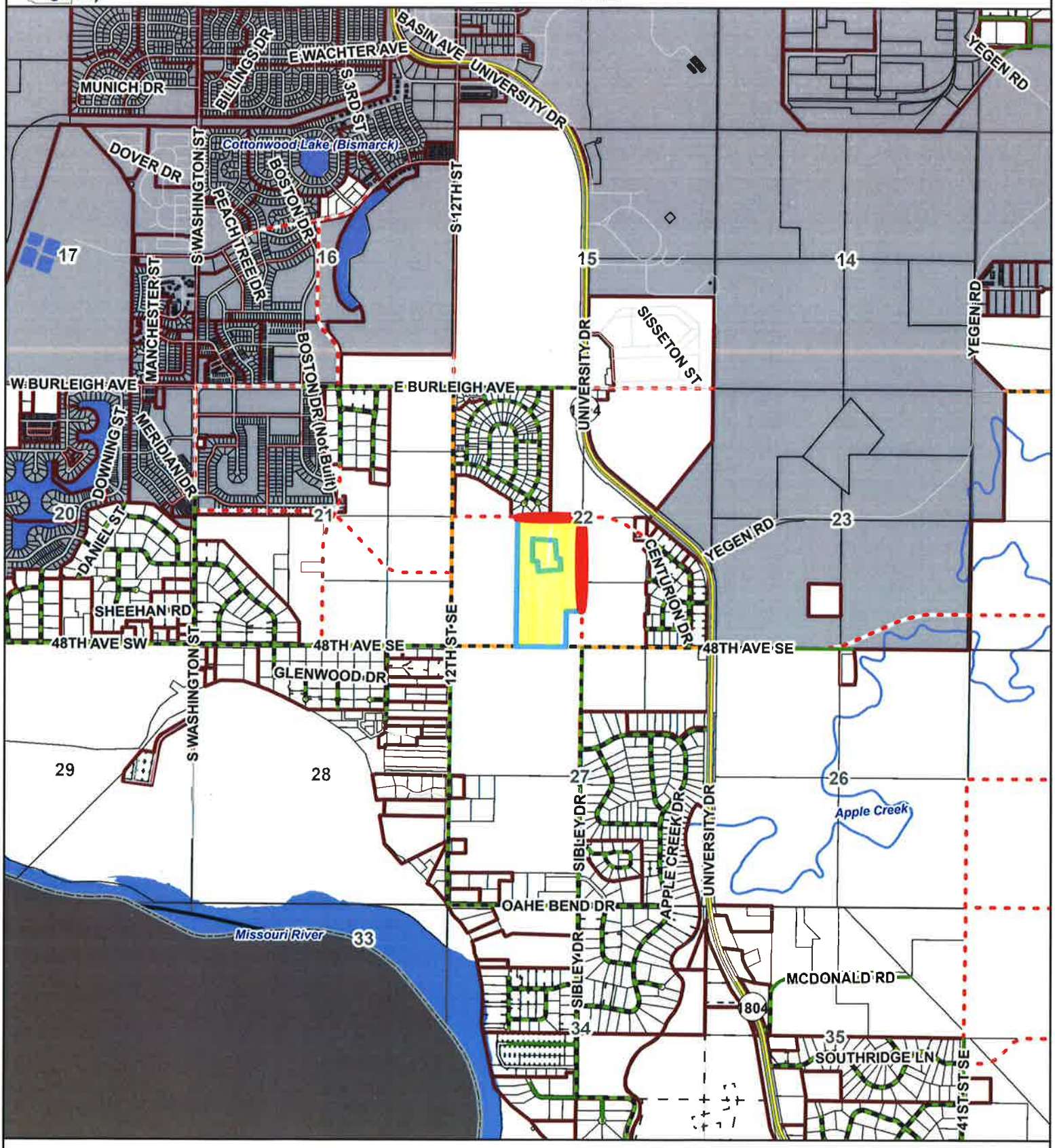
THEREFORE, BE IT FURTHER RESOLVED: That the County Board of Commissioners do hereby grant Sky Haven LLP request to waive the construction and paving requirements *"construction and paving of at least one roadway that connects into the existing paved highway system"* listed in the Pavement Policy, in conjunction with the approval of their Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

2/27/2025



PARCEL ID: 38-138-80-00-22-615 OWNER: SKI HAVEN LLP ACRES: 67.7

SITE ADDRESS:

MAIL ADDRESS: PO BOX 1272, BISMARCK, ND 58502-1272

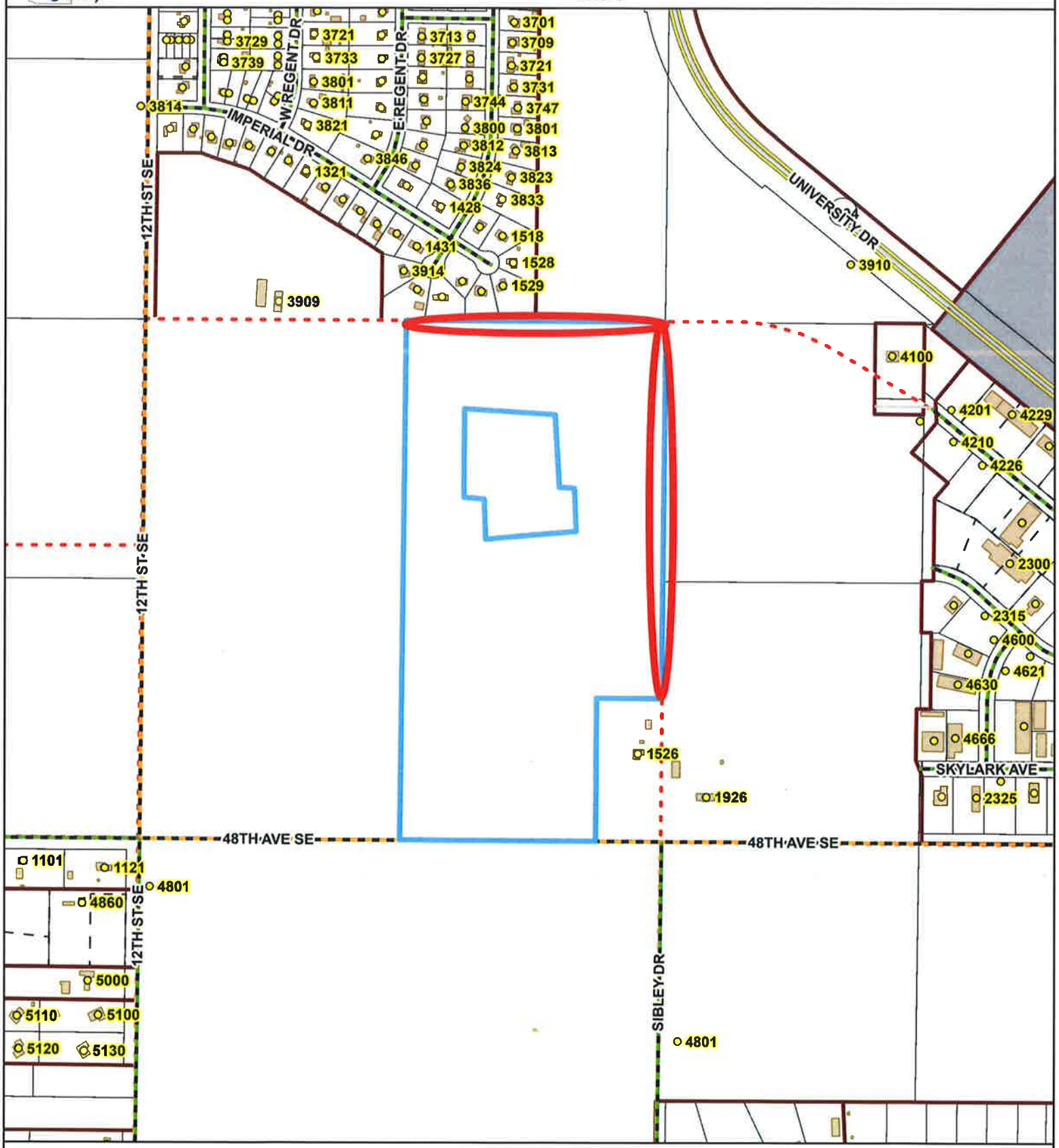
LEGAL: LINCOLN TOWNSHIP Section 22 E1/2SW1/4 LESS TRACT B, LESS 66.01' NORTH OF, ADJACENT TO AND PARALLEL WITH ENTIRE NORTH LINE OF TRACT B & LESS LAGOON 22-138-80

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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

2/27/2025



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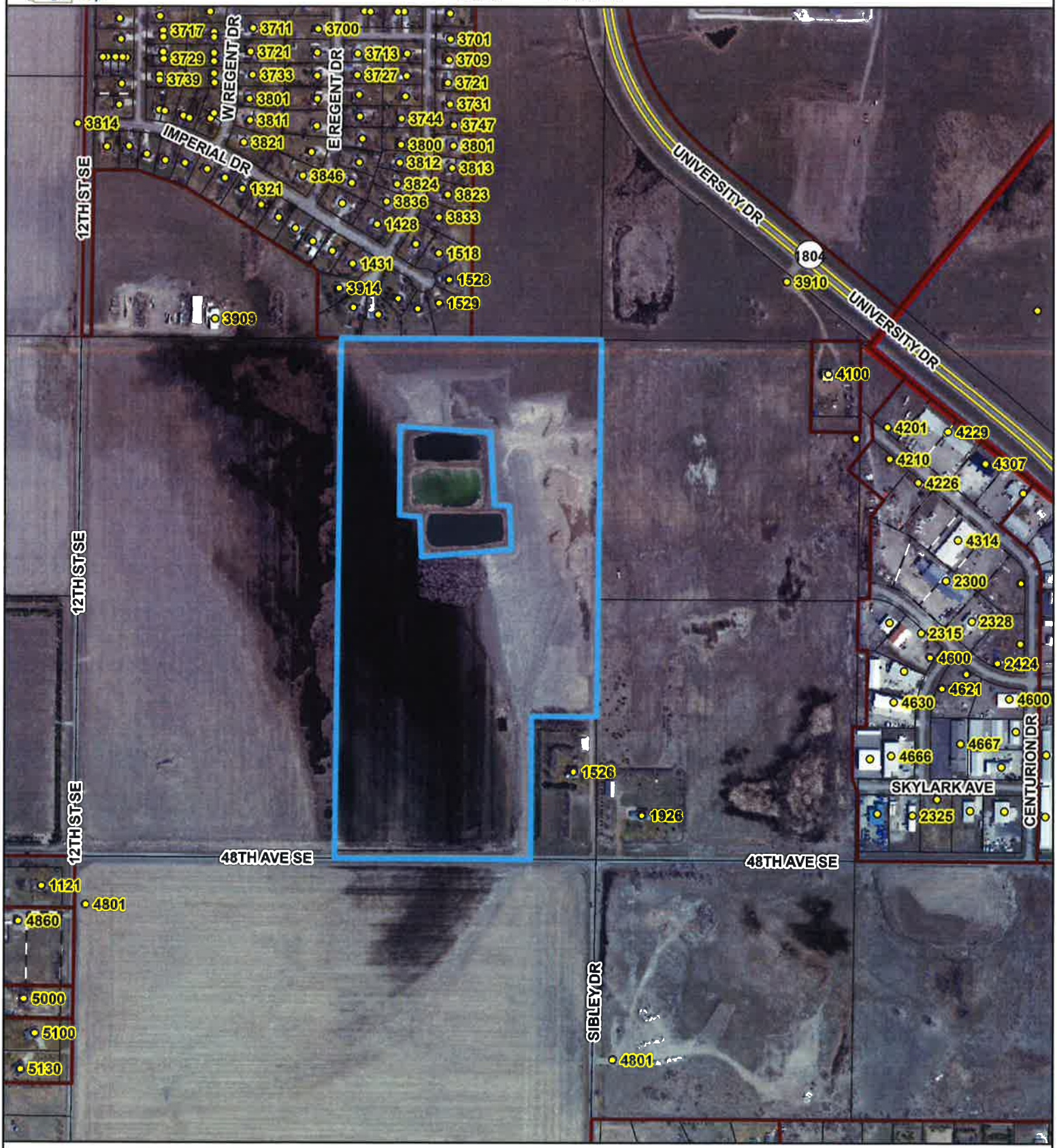
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BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

2/26/2025



PARCEL ID: 38-138-80-00-22-615 OWNER: SKI HAVEN LLP ACRES: 67.7

SITE ADDRESS:

MAIL ADDRESS: PO BOX 1272, BISMARCK, ND 58502-1272

LEGAL: LINCOLN TOWNSHIP Section 22 E1/2SW1/4 LESS TRACT B, LESS 66.01' NORTH OF, ADJACENT TO AND PARALLEL WITH ENTIRE NORTH LINE OF TRACT B & LESS LAGOON 22-138-80

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BURLEIGH AVE
19TH
S. 11TH STREET
EXISTING DRIVEWAY
SIBLEY DR.
30TH AVE SE
N
0
300
600
LOWRY
ENGINEERING
5306 51ST AVENUE SOUTH, SUITE A
FARGO, NORTH DAKOTA 58104
LIC. #01054

ITEM

8

BURLEIGH COUNTY STATE'S ATTORNEY

STATE'S ATTORNEY
JULIE LAWYER

TO: Burleigh County Commission

FROM: Julie Lawyer, State's Attorney

DATE: March 11, 2025

RE: Request for Salary Variance - Investigator

I am requesting a salary variance for a new hire for the State's Attorney Investigator position. The request is for a grade 7, step 9 salary of $69,160 per year.

The successful candidate comes to us with a Bachelor's Degree in Criminal Justice and nearly thirty years of law enforcement experience with twenty-four years as an investigator for various law enforcement agencies. His investigative experience is currently focused on internet crimes against children, but he has experience investigating all manner of crimes. In his current role, he has assisted Burleigh County law enforcement agencies and this office in some highly significant cases in the last 10 years to include:

Nikki Entzel / Earl Howard – Homicide, Arson, Tampering with Evidence
Dawson Rouse – Gross Sexual Imposition, Luring Minors by Computer, Promoting Obscenity to Minors, Using Minors in Sexual Performance (34 counts)
John Vetter – Possession of Child Sexual Abuse Materials (Vetter was an elementary school teacher in Lincoln)
Michael Rivera – Promoting Sexual Performance of a Minor, Creation of Sexually Expressive Images (21 counts) (Rivera was a Deputy US Marshal in Bismarck)

The variance requested represents a significant pay decrease for this candidate – over 50% decrease in his current salary.

The State's Attorney Investigator position is set at Grade 7 for salary, the same as Sheriff's Deputy. However, the minimum education / experience requirement for Investigator is a 4-year degree AND 5 years' investigations experience OR 9 years' investigative experience. The minimum education / experience requirements for Deputy is an Associate's Degree OR 3 years' law enforcement experience OR 4 years' military experience. This limits the candidates who are willing to apply for our position; by the time they have amassed the experience we require, they are earning more than what we can pay.

Given that this candidate has nearly 19 years of additional experience than the minimum qualifications we require, I believe a variance in the starting salary is justified.

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

April 7, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD.

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the October 21, 2024, meeting minutes.
5. Bismarck Parks and Recreation Operations Director Mayer:
    a. Request authorization to obtain quotes for the Dredging of Boat ramps - Kimball Bottoms and Kniefel.
    b. Discussion of ramp rebuild.

COUNTY COMMISSION.

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 16th, 2024, March 22nd, March 29th and April 2nd meetings minutes, and March 17th, 2025, meeting minutes and bills.

5. Consent Agenda:
    a. Abatements.
    b. Primary Residence Credit Abatements.
    c. Gaming site authorization.
    d. 2nd access permit.
    e. Accepting platted right of ways.
    f. RRH Subdivision.
    g. Love's Wastewater letter of approval.
    h. ROW for Paradise Pointe Subdivision

6. Telecommunications Week Proclamation.

7. **PUBLIC HEARING** regarding plan on redesignating elective office of Burleigh County Auditor/Treasurer to appointive office.

8. States Attorney Lawyer:
    a. Information regarding redesignation of Auditor/Treasurer to appointed office.
9. Chairman Bitner:
    a. Appointment of Robert Hook as Facilities Director.
    b. HTG architecture and engineering fees.

10. County Sheriff Leben:
    a. North Dakota Department of Transportation traffic safety grant.
    b. Burleigh East Bid Acceptance.

11. Missouri Valley Complex:
    a. Update by Chair LaCoe
    b. Zoning to Public update.
    c. Plat update – Timing.
    d. Request the county to request bids for Delineation of the Missouri Valley Complex
    e. Ag and Equestrian update and request.
    f. Missouri Valley Complex contracts review.

12. County Engineer Hall:
    a. Petition to vacate section line.
13. County Planning Director Flanagan:
    a. Sterling Township service agreement.
    b. Summit Point 2nd Subdivision.
    c. Solar energy systems facilities.
    d. Changes to platted non-access lines.

14. County Finance Director Jacobs:
    a. Historical Practices for Election Worker Informational Tax Returns
    b. Fiscal Year 2024 Results

15. Discussion regarding Bismarck-Burleigh Public Health.

16. County Auditor/Treasurer Splonskowski:

a. Investment status update.

17. Other Business.

18. Adjourn.

The next regularly scheduled Commission meeting will be on April 21st, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY PARK BOARD

BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
OCTOBER 21, 2024

5:00 PM
Chairman Bitner called the Burleigh County Park Board meeting to order.

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

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the July 15th, 2024 minutes and bills. All members present voted, "AYE." Motion carried.

A parks update was given by Dave from Bismarck Parks and Rec stating that the boat ramps at MacLean Bottoms and Kniefel have been pulled, while the ramps at Kimball Bottoms and Steckel remain; a couple fish cleaning stations have been shut down in anticipation of colder weather. Dave also stated that some scouting for the dredging of the boat ramps next year also took place, and he recommended that (with the Board's permission) the county begin filling out the 404 permit in preparation for said dredging next year. A consensus was reached among the commissioners to have the paperwork for the 404 permit started. No further action was taken.

Comm. Munson informed the Board that the DAV completed their six-year agreement with maintaining Driscoll Sibley Park, and their hope is that the county will find someone else to take care of the park moving forward.

Meeting adjourned.

_____ _____

Mark Splonskowski, Auditor/Treasurer Brian Bitner, Chairman

COUNTY

COMMISSION

BURLEIGH COUNTY COMMISSION MEETING

DECEMBER 16TH, 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.

The following changes were made to the agenda:

- Item 10A was moved to after the consent agenda
- Item 6 became item 9
- Item 7 became item 6
- Item 9 became item 7
- The words CISA Report was added to item 10B

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

Motion by Comm. Bakken, 2nd by Comm. Munson to table the December 2nd, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried.

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the December 16th, 2024 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
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$248,500	$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	$266,400	$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	$294,300	$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,484	$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	$7,983	$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	$277,300	$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	$357,000	$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	$168,600	$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements and the remainder of the consent agenda. All members present voted "AYE". Motion carried.

Chairman Bitner gave an update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase inquired of the Commission about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and stated his favorability of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18th, 2024. The points of clarifications are as follows:

- Auditor/Treasurer Splonskowski stated that he believes the benchmarks used in Finance Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.
- Auditor/Treasurer Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over $100,000, and that as of August 2024, Burleigh County investments yielded $1.1 million beyond what was budgeted. Based on Finance Director Jacobs' report & benchmark, the calculated loss in 2023 amounted to 0.0088 (9/10ths of 1%) and the loss of 2024's 1st quarter likewise amounted to 0.0018 (1/5th of 1%).
- Auditor/Treasurer Splonskowski stated to the Commission that on one or two of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed.
- The unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Auditor/Treasurer Splonskowski further stated that Finance Director Jacobs's report did not take into consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Auditor/Treasurer Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski presented to the Commission a recap on the November 5th, 2024, general election. Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office took on more responsibilities to keep the process going. The Secretary of State's office assisted the Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election,

which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

Finance Director Jacobs addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Finance Director Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs stated that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs gave an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by $751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by $77,800. Burleigh County underperformed in 2023 mainly due to failure to invest, failure to capitalize on rising rates, and poor investment choices. Jacobs gave the following figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by $136,000, with Morton County underperforming by $26,000.
- In Q2 of 2024, Burleigh County underperformed by $168,000, with Morton County underperforming by $19,000.
- In Q3 of 2024, Burleigh County underperformed by $226,900, with Morton County underperforming by $38,000.

Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform by $150,000, and Morton County would underperform by $25,000. Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other issues in 2023 under both Auditor/Treasurer Splonskowski and the previous Auditor/Treasurer Leo Vetter. Jacobs stood for questions.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded $110,285 in federal VOCA grants through the state of North Dakota for the period of October 1st, 2024 through September 30th, 2025. Lawyer also stated that in a memo on December 9th, 2024, the state of North Dakota allocated an additional $50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1st, 2024, through June 30th, 2025. No further action was taken.

States Attorney Lawyer then continued the discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at first entry' report from August 1st, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a

Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between $900,000 and $1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only $250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

_____ _____

Mark Splonskowski, County Auditor/Treasurer Brian Bitner, Chairman

DRAFT

BURLEIGH COUNTY COMMISSION
PUBLIC HEARING - STERLING
MARCH 22nd, 2025

2:00 PM *Pledge of Allegiance*

Chairman Bitner called public hearing to order.

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

Chair Bitner started the public hearing regarding the plan on redesignating the elective office of Burleigh County Auditor/Treasurer to appointive office and handed the meeting over to Vice-Chair Bakken.

- Chair Bitner discussed information regarding the re-designation of the Auditor/Treasurer position to an appointed position and the committee he created to analyze that information.
- Vice-Chair Bakken opened the public hearing to the public for comment. Travis Schweitzer, Sam Schweitzer, Bo Rath, Jack McLean, Patrick Lengenfelder, Pamela Thompson, Kris Lengenfelder, Lucas Lang, Wendy O'Neill, Patricia Schonert, Rebecca Lengenfelder, and Kip Rath all spoke against the Auditor/Treasurer position becoming an appointed position. Melinda Berg spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position. County Auditor/Treasurer Mark Splonskowski spoke against the Auditor/Treasurer position becoming an appointed position and had further discussion with the Commission.

Meeting Adjourned

_____
Mark Splonskowski,
County Auditor/Treasurer

_____
Brian Bitner,
Chairman

DRAFT

BURLEIGH COUNTY COMMISSION
PUBLIC HEARING - WILTON
MARCH 22nd, 2025

10:00 AM *Pledge of Allegiance*

Chairman Bitner called public hearing to order.

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

Chair Bitner started the public hearing regarding the plan on redesignating the elective office of Burleigh County Auditor/Treasurer to appointive office and handed the meeting over to Vice-Chair Bakken.

- Chair Bitner listed the upcoming public hearings of later today, March 22nd, at 2:00pm in Sterling and on March 29th at 10:30am in Bismarck. He made note of the online form for comments located at Burleigh.gov.
- Vice-Chair Bakken opened the public hearing to the public for comment. Mary Ann Welder, David Bernhardt, and Dustin Gawrylow all spoke against the Auditor/Treasurer position becoming an appointed position. James Meyer and Karl Rakow spoke in favor of the Auditor/Treasurer position becoming an appointed position. David Jans and Debbie Jans all spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position.
- Comm. Bakken stated a reminder about the upcoming public hearings later today, March 22nd at 2:00pm at the Sterling School, March 29th at 10:30am in the Tom Baker Meeting Room, and on April 7th at 5:00pm at the regularly scheduled Commission meeting.

Meeting Adjourned

_____
Mark Splonskowski,
County Auditor/Treasurer

_____
Brian Bitner,
Chairman

DRAFT

BURLEIGH COUNTY COMMISSION
PUBLIC HEARING - BISMARCK
MARCH 29th, 2025

10:30 AM *Invocation by Vice-Chair Bakken and Pledge of Allegiance*

Vice-Chairman Bakken called public hearing to order.

Roll call of the members: Commissioners Schwab, Woodcox, Munson, and Vice-Chairman Bakken present. Chairman Bitner was absent.

Vice-Chair Bakken started the public hearing regarding the plan on redesignating the elective office of Burleigh County Auditor/Treasurer to appointive office.

- Vice-Chair Bakken listed the upcoming public hearing of the next regularly scheduled Commission meeting on April 7th at 5:00pm in the Tom Baker Room.
- Vice-Chair Bakken opened the public hearing to the public for comment. Doug Schonert and Robert Disney all spoke against the Auditor/Treasurer position becoming an appointed position. Roger Lawyer spoke in favor of the Auditor/Treasurer position becoming an appointed position. Gaylynn Becker spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position. County Auditor/Treasurer Mark Splonskowski spoke against the Auditor/Treasurer position becoming an appointed position and had a discussion with the Commission in regards.
- Vice-Chair Bakken reminded the people that public comment can still be submitted at Burleigh.gov.

Meeting Adjourned

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Mark Splonskowski,
County Auditor/Treasurer

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Brian Bitner,
Chairman

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BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
PROVIDENT BUILDING REMODEL
APRIL 2nd, 2025

10:00 AM

Chairman Bitner called the Burleigh County Commission special meeting to order.

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

Alicia Fadley and Dan Schaff from HTG Architects presented information about the bids that were received for the Provident Building Renovation. The three bids that were received for general contractor were Roers, Capital City Construction, and Northwest Contracting. One bid was received for the electrical contract from Magnum Electric and no bids were received for the mechanical contract. Discussion was had on the bids received and how to proceed going forward. Human Services Zone Director Chelsea Flory and Emergency Management Director Mary Senger gave input.

Chair Bitner had requested information from HTG on what the cost to build a new building would be. Schaff broke down the costs and stated that a new building would cost between $40,000,000 and $52,000,000 not including the land acquisition. Comm. Munson mentioned that the cost to remodel the Provident Building would be $13,000,000 to $15,000,000 and brought up the option of buying a different building. Chair Bitner and Comm. Bakken stated that they had looked into buying a different building and that there wasn't any buildings available that matched the size needed by the county. Discussion was had.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the re-bidding of the electrical contract, mechanical contract, the asbestos abatement, and the repair to the roof of the Provident Building. All members present voted 'AYE'. Motion carried.

Comm. Woodcox started a discussion about the funding for the Provident Building Renovation. Auditor/Treasurer Splonskowski stated that the County received $7,000,000 in ARPA funds for the project. Comm. Woodcox mentioned that with the renovation having a cost of $15,000,000 less the $7,000,000 that leaves the County with $8,000,000 to fund. Finance Director Leigh Jacobs presented options for funding the remainder of the project which included current monies available and borrowing. Discussion was had.

Dan Schaff stated that a longer construction period then originally planned for will result in additional costs for HTG which will have to be billed to the County. Chair Bitner requested that this item be added to the April 7th, 2025 Commission Meeting for discussion.

Meeting adjourned.

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Mark Splonskowski, Auditor/Treasurer Brian Bitner, Chairman

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BURLEIGH COUNTY COMMISSION
MEETING MINUTES
MARCH 17th, 2025

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 Bakken, Schwab, Woodcox, and Chairman Bitner present. Commissioner Munson was absent.

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the meeting agenda with discussion on Comm. Bakken's trip to Washington DC being added to other business. All members present voted 'AYE'. Motion carried.

Chair Bitner listed the following meeting minutes which still needed approval; December 16th, 2024, and March 3rd, 2025 meeting minutes as well as the approval of the bills.

- Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the bills. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve the March 3rd, 2025 meeting minutes. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Bakken, 2nd by Comm. Woodcox to table the December 16th, 2025 meeting minutes. 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
Jade Falcon	2024	Lot 13, Block 4, Pheasant Valley	80% Disabled Veteran	$642,000	$480,000
Jascon & Carla Rundquist	2024	Lot 9, Block 7, Sattler's Sunrise 7th	100% Disabled Veteran	$158,300	$140,300
Harvey & Barbara Jackson	2024	N 16' of Lot 28, all Lot 29, & S17' of Lot 30, Block 38, Fisher	50% Homestead Credit	$139,700	$69,850
Janice Nesja	2024	Unit 4 3312 Arrowhead Condos, Lot 22, Block 1, Pebble Crk 8th Replat	50% Homestead Credit	$311,800	$211,800
Gary & Paula Hofland	2023	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	100% Homestead Credit	$1,100	$0

Gary & Paula Hofland	2024	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	50% Homestead Credit	$3,400	$1,700
Curtis Mertz	2025	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	$28,103	$14,052
Greg & Tracey Runyon	2025	2002 Atlantic 27 x 56	50% Homestead Credit	$60,329	$30,164
Clifton Erickson	2024	S50' of N200' of W1/2 less W30' of Blk 17, Block 17, Lincoln	100% Homestead Credit	$220,400	$20,400
Charles & Sandra Ketterling	2023	Lot 2, Block 11, Lincoln Replat of B11	50% Homestead Credit	$223,800	$123,800
Charles & Sandra Ketterling	2024	Lot 2, Block 11, Lincoln Replat of B11	50% Homestead Credit	$237,500	$137,500
Michael Brown	2023	Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	$113,200	$0
Michael Brown	2024	Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	$119,200	$0
James & Cynthia Vollmer	2024	Lot 6, Block 2, Indian Hills	50% Homestead Credit	$284,200	$184,200
Todd & Gabrielle Sutton	2024	N10' of Lot 23, all Lot 24, & S10' of Lot 25, Block 67, McKenzie & Coffin's	90% Disabled Veteran	$238,100	$197,600
Nancy & Jorge PichardoQuezada	2024	Lot 1, Block 1, Southbay 4th Add 2nd Replat	70% Disabled Veteran	$230,200	$156,700
Duane & Juanita Martin	2025	2016 Fairmont 28 x 64, serial #MY16-128538ABK	50% Homestead Credit	$111,821	$55,910
Robert Christenson	2023	Lot 14, Block 19, Morningside Heights	100% Homestead Credit	$217,300	$17,300
Mary Wieben	2024	Lot 12, Block 17, Washington Heights 10th	50% Homestead Credit	$295,000	$195,000

Curtis Mertz	2023	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	$28,103	$14,051
Curtis Mertz	2024	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	$28,103	$14,051
Larry Ensz	2025	1995 Royalton 16 x 76, serial #9423361A	100% Homestead Credit	$34,145	$0
Ernest Erhardt	2024	Lot A of Lots 8-9, North Star Acres	50% Homestead Credit	$384,000	$284,000
Daryl & Twila Wanner	2025	1994 Schult 64 x 28, serial #R263514AB	50% Homestead Credit	$55,158	$27,579
Marty & Judy Grothe	2023	1990 Marshfield Executive 17 x 76, VIN #062339	100% Homestead Credit	$26,290	$0
Tim Heckelsmiller	2024	1981 Chicasaw 70 x 14, VIN #6544w	Mobile home removed from lot in 2024	$10,349	$0
Tracy & Cynthia Vanous	2023	Lots 1, 2, and 4, Block 1, Schultz	50% Homestead Credit	$352,300	$252,300
Amelia Schweitzer	2024	Unit 4 Calgary Condos, Lot 3, Block 1, North Hills 7th	100% Homestead Credit	$182,500	$0
Jeffery & Victoria Haas	2024	Unit 4 & garage 4 (bldg 872) San Angelo Dr Condo Assoc, Lots 3-5, Block 2, Cottonwood Lake 5th	50% Homestead Credit	$208,600	$108,600
Kenneth & Alvinia Buchholz	2024	Lot 5, Block 20, Meadow Valley 4th	50% Homestead Credit	$245,700	$145,700
Marlene Streeper	2024	Unit 3084 Pheasant Run Condo, part of Lot 4, Block 2, Tatley Meadows V	50% Homestead Credit	$185,000	$92,500
Carleton & Yvonne Logan	2023	Lot 11, Block 2, the Pointe	100% Homestead Credit	$350,700	$150,700
Carleton Logan	2024	Lot 11, Block 2, the Pointe	100% Homestead Credit	$367,100	$167,100
Roger Allen & Sandra Thomsen	2024	Lot 10-11 less 10' x 117.5' tract in Lot 11, Block 2, Baldwin Townsite	50% Homestead Credit	$74,100	$37,050

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the Jade Falcon, Jascon & Carla Rundquist, Harvey & Barbara Jackson, Janice Nesja, Gary & Paula Hofland, Curtis Mertz, Greg & Tracey Runyon, Clifton Erickson, Charles & Sandra Ketterling, Michael Brown, James & Cynthia Vollmer, Todd & Gabrielle Sutton, Nancy & Jorge PichardoQuezada, Duane & Juanita Martin, Robert Christenson, Mary Wieben, Curtis Mertz, Larry Ensz, Ernest Erhardt, Daryl & Twila Wanner, Marty & Judy Grothe, Tim Heckelsmiller, Tracy & Cynthia Vanous, Amelia Schweitzer, Jeffery & Victoria Haas, Kenneth & Alvinia Buchholz, Marlene Streeper, Carleton & Yvonne Logan, Carleton Logan, Roger Allen & Sandra Thomsen abatements and the consent agenda in its entirety. All members present voted 'AYE'. Motion carried.

Chair Bitner started the public hearing regarding the plan on redesignating the elective office of Burleigh County Auditor/Treasurer to appointive office and handed the meeting over to Vice-Chair Bakken.

- Vice-Chair Bakken listed information on the upcoming public hearings. March 22nd at 10:00am in Wilton and at 2:00pm in Sterling. March 29th at 10:30am in Bismarck and April 7th, 2025 at the regularly scheduled 5:00pm commission meeting. Comm. Bakken also made note of the online form for comments located at Burleigh.gov.
- Vice-Chair Bakken opened the public hearing to the public for comment. Mike Connelly, Kyle Engelhardt, Jonathan Hooker, Travis Jensen, Ryan Marquart, Tim Mattson, Francis Schweitzer, Trina Schweitzer all spoke against the Auditor/Treasurer position becoming an appointed position. Joe Gross and Michelle Jundt spoke in favor of the Auditor/Treasurer position becoming an appointed position. Vice-Chair Bakken passed the meeting back to Chair Bitner.
- Chair Bitner responded to a news article regarding a cut to the Senior Citizen's budget. He spoke on a comment that he heard about the Finance Department being forbid to assist the Auditor/Treasurer in the County budgeting process and that it never happened. On request, Finance Director Leigh Jacobs spoke on this comment and referenced three different occasions the Finance Department met with the Auditor/Treasurer to work on the budget. He also referenced a meeting that occurred in 2024. There was discussion regarding the delay in posting the budget on the county website. Chair Bitner then listed the audit adjustments from the 2023 audit performed by the State Auditor's Office.

County Engineer Marcus Hall presented a resolution to waive the pavement policy, at this time, for the proposed plat for Ski Haven LLP. Motion by Comm. Bakken, 2nd by Woodcox to approve the resolution to waive the pavement policy, at this time, for Ski Haven LLP. All members present voted 'AYE'. Motion carried.

County States Attorney Julie Lawyer presented a request for a salary variance for an investigator position. Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the salary variance. All members present voted 'AYE'. Motion carried.

The Commission had a discussion regarding the rental agreement between Burleigh County and the City of Bismarck for the City/County Building and the Courthouse. Comm. Bakken noted that the City of Bismarck was inquiring about the rental agreements and any changes that might take place that would affect those. Chair Bitner stated that the County has to wait until the Provident Building remodel finish date is established to make a decision on the City/County Building and that no changes are needed at the Courthouse.

County Emergency Management Director Mary Senger presented a request for a County burn ban. Mary stated that she has heard back from all but one Fire Chief and they are all for instituting these restrictions. Chair Bitner made note of a local fire and commended the staff that responded and extinguished it. Comm. Bakken, 2nd by Comm. Woodcox to institute the burn ban. All members voted 'AYE'. Motion carried.

In other business, Comm. Bakken discussed his trip to Washington DC for a carbon sequestration conference. Comm. Schwab spoke about the Summit Carbon Pipeline and reminded people of the Primary Residence Property Tax Credit which can be applied for until March 31st, 2025. Comm. Schwab brought up an issue regarding Election Workers and the delay in receiving their tax forms. He asked Auditor/Treasurer Splonskowski to come up and answer some questions. Splonskowski, Human Resources Director Pam Binder, and the Commission had a discussion regarding the Election Worker tax forms. Chair Bitner requested a copy of the meeting recordings and emails, mentioned by Binder, be sent to him and the State's Attorney. Comm. Bakken noted the upcoming public hearing dates and a reminder of the online form to submit comments.

Meeting Adjourned

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Mark Splonskowski, Brian Bitner,
County Auditor/Treasurer Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
24-695	Ida & Benjamin Erickson	2023	Lot 3, Block 2, East Valley Estates	100% Disabled Veteran	$403,400	$331,400
24-696	James & Marie Mills	2024	Auditor's Lot 8 in SW1/4, Section 17, Apple Creek Township	Error in property description	$193,600	$167,600
25-180	New Fortune Real Estate LLC	2023	Lot 8, Block 12, Riverview	Error in property description	$347,900	$280,200
25-181	New Fortune Real Estate LLC	2024	Lot 8, Block 12, Riverview	Error in property description	$345,700	$280,200
25-182	Tyler Maher	2024	Lot 3, Block 6, Boulder Ridge 2nd Addn, plus undiv. Interest in common areas	90% Disabled Veteran	$406,800	$285,300
25-188	Richard & Marilyn Strom	2023	Lot 8, Block 7, Wheatland Hills	50% Homestead Credit	$253,600	$153,600
25-189	Richard & Marilyn Strom	2024	Lot 8, Block 7, Wheatland Hills	50% Homestead Credit	$270,700	$170,700
25-190	Cecil & Darcie Uglow	2023	Lot 10, Block 3, Replat of Calkins	50% Homestead Credit	$168,900	$84,450
25-191	Cecil & Darcie Uglow	2024	Lot 10, Block 3, Replat of Calkins	50% Homestead Credit	$168,300	$84,150
25-192	Kevin Murschel	2023	S20' of Lot 1 Unit C, Block 2, Arman	50% Homestead Credit	$167,400	$83,700
25-193	Kevin Murschel	2024	S20' of Lot 1 Unit C, Block 2, Arman	100% Homestead Credit	$175,600	$0
25-194	Donavon Hatzenbuhler	2024	Unit 114 Pinecrest Condo, Lots 9-12 & W10.2' of Lot 13, Block 14, Wachter's 2nd	50% Disabled Veteran	$105,300	$52,650
25-195	Tanner & Ashley Russell	2024	Lot 2, Block 9, Washington Heights 2nd	50% Disabled Veteran	$350,700	$260,700
25-196	Wayne & Sharon Keeler	2025	2011 28 x 56, ser #220AB	50% Homestead Credit	$90,709	$45,355
25-197	Darlene Kelley	2023	Lot 10, Block 3, Jennings 1st	100% Homestead Credit	$223,400	$23,400

25-198	Darlene Kelley	2024	Lot 10, Block 3, Jennings 1st	100% Homestead Credit	$229,600	$29,600
25-199	Roberta Nelson	2023	Lot 3, Block 7, Wachter's 6th	50% Homestead Credit	$274,000	$174,000
25-200	Eric Juno	2024	1971 Townhouse Rollohome 66 x 14	Mobile home removed from lot in 2024	$7,288	$0
25-201	Eric Juno	2025	1971 Townhouse Rollohome 66 x 14	Mobile home removed from lot in 2024	$7,288	$0
25-202	Timothy Keller	2024	1972 Schult 58 x 14, VIN #I109723	Mobile home removed from lot in 2024	$6,428	$0
25-203	Timothy Keller	2025	1972 Schult 58 x 14, VIN #I109723	Mobile home removed from lot in 2024	$6,428	$0
25-204	Virgil Kuntz	2024	1970 Star 64 x 14	Mobile home removed from lot in 2024	$7,169	$0
25-205	Virgil Kuntz	2025	1970 Star 64 x 14	Mobile home removed from lot in 2024	$7,169	$0
25-206	Marriah Potter	2023	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	$7,288	$0
25-207	Marriah Potter	2024	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	$7,288	$0
25-208	Marriah Potter	2025	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	$7,288	$0
25-209	Derle Marchus	2024	1977 Rollohome 66 x 14, VIN 31802	Mobile home removed from lot	$8,285	$0

25-210	Derle Marchus	2025	1977 Rollohome 66 x 14, VIN 31802	Mobile home removed from lot	$8,285	$0
25-211	Claudine Pochant	2025	1998 Schult 16 x 76, serial #R280513	50% Homestead Credit	$36,675	$18,337
25-212	Marvin Herauf	2025	1979 Atlantic 56 x 24, serial #479014-3230	100% Homestead Credit	$14,918	$0
25-213	Marlys Geinert	2024	Lot A of Lot 6 & Lot A of Lot 7 less that part taken for R/W, Block 0, Pollock's Addn	Error in property description	$264,400	$185,100
25-214	Dale & Ellen Schafer	2024	Lot 4, Block 1, Promontory Point IV 2nd Replat	100% Disabled Veteran	$572,700	$392,700
25-215	Larry Holzer	2024	Lot 14 less N15', Block 16, Lincoln Replat B 16	100% Homestead Credit	$205,300	$5,300
25-216	Katherine Hager	2023	Lot 10, Block 11, Replat pt Marian Park 2nd	50% Homestead Credit	$208,300	$108,300
25-217	Katherine Hager	2024	Lot 10, Block 11, Replat pt Marian Park 2nd	50% Homestead Credit	$232,500	$132,500
25-218	Vaughn Chesrown	2024	Lot 2 except E2' & E4' of Lot 1, Block 6, North Hills 1st	50% Homestead Credit	$224,900	$124,900
25-219	Jerome Rodgers	2024	Lot 2, Block 1, Gateway 3rd	100% Homestead Credit	$440,400	$240,400
25-220	Marcy Krueger	2024	Lot 15, Block 1, Welle	100% Homestead Credit	$370,500	$170,500
25-224	Rosella Ohlhauser	2024	1979 Medallion 68 x 16, serial #5193N	100% Homestead Credit	$10,805	$0
25-225	Rosella Ohlhauser	2025	1979 Medallion 68 x 16, serial #5193N	100% Homestead Credit	$10,805	$0
25-226	Donald DuFrame	2024	Lot 4, Block 4, Fort Lincoln Est #1	100% Homestead Credit	$259,200	$59,200
25-227	Donald DuFrame	2025	Lot 4, Block 4, Fort Lincoln Est #1	100% Homestead Credit	$237,300	$37,300
25-228	Marcia Barnes	2023	Lot 9, Block 18, S & W Third	50% Homestead Credit	$174,800	$74,800

25-229	Laurie Jean Newman	2025	1999 Schult 28 x 64, serial #R288353AB	50% Homestead Credit	$65,372	$32,686
25-230	Bernice Fuchs	2023	Lots 9-10, Block 26, Sturgis	100% Homestead Credit	$207,600	$7,600
25-231	Gerald & Susan Tschider	2024	S60' of Lot 3, Block 2, Jennings 1st	50% Homestead Credit	$297,400	$197,400
25-232	Margaret Elkin	2024	Lot 3, Block 1, Register's 1st	50% Homestead Credit	$176,500	$88,250
25-233	Rodney & Marlene Hanson	2024	Unit 1433 Washington Circle Condos, Aud Lots 1-2 of Lots A-F of Lots 23-26, Block 30, Wachter's 3rd	100% Homestead Credit	$219,000	$19,000
25-234	Alvina Mehlhoff	2024	Lot 14, Block 1, Weston Village 1st &b undivided int in common area	50% Homestead Credit	$245,000	$145,000
25-235	Marilyn Campbell	2024	Unit 3E the Sheraton Condo, Aud Lot A, Gateway Commons	100% Homestead Credit	$134,100	$0
25-236	Ronald Dockter	2025	2009 Friendship 64 x 28, serial #MY0931412AB	Combined parcels - moved mobile home w/ parcel CW-142-76-00-09-120	$103,667	$0
25-237	Lorraine Ferderer	2023	Lot 3, Block 2, Cottonwood Lake 6th Add Replat	50% Homestead Credit	$328,300	$228,300
25-238	Lorraine Ferderer	2024	Lot 3, Block 2, Cottonwood Lake 6th Add Replat	50% Homestead Credit	$315,600	$215,600
25-239	Carleen Hennenfent	2023	Unit XXV Meadow Brook Condos, Lot 55 less N150', Block 23, Southwood Terrace 2nd Replat	100% Homestead Credit	$234,600	$34,600
25-240	Carleen Hennenfent	2024	Unit XXV Meadow Brook Condos, Lot 55 less N150', Block 23, Southwood Terrace 2nd Replat	100% Homestead Credit	$246,400	$46,400
25-241	James Fetter	2023	Lots 9-10 less W20' for alley, Block 41, Flannery & Wetherby	50% Homestead Credit	$321,500	$221,500
25-242	James Fetter	2024	Lots 9-10 less W20' for alley, Block 41, Flannery & Wetherby	50% Homestead Credit	$339,800	$239,800

25-243	Patricia Stadig	2025	1986 Riveroaks 16 x 76, serial #981	100% Homestead Credit	$22,934	$0
25-244	Janice Jensen	2024	Lot 9, Block 23, S & W 6th Addn	100% Homestead Credit	$215,000	$15,000
25-245	Joan Orvik	2025	1987 Bellavista 76 x 16, serial #78 A15685	100% Homestead Credit	$24,612	$0
25-246	Judy Braley	2023	2012 Redman 32 x 68, ser #A000579AB	100% Homestead Credit	$131,539	$0
25-247	Judy Braley	2024	2012 Redman 32 x 68, ser #A000579AB	50% Homestead Credit	$131,539	$65,769
25-249	Margaret Kiefer	2023	Unit 3214 Hay Creek Meadows Condos, Lots 6-9, Block 4, Hay Creek Meadows	50% Homestead Credit	$196,100	$98,050
25-250	Margaret Kiefer	2024	Unit 3214 Hay Creek Meadows Condos, Lots 6-9, Block 4, Hay Creek Meadows	50% Homestead Credit	$203,000	$103,000
25-251	Richard Lorenz	2023	E100' of Lots 11-12, Block 46, Governor Pierce	50% Homestead Credit	$234,900	$134,900
25-252	Richard Lorenz	2024	E100' of Lots 11-12, Block 46, Governor Pierce	50% Homestead Credit	$240,000	$140,000
25-253	James & Jane Morgan	2024	Lot 8, Block 8, Highland Acres	100% Homestead Credit	$340,100	$140,100
25-254	Leora & Dirk Bauer	2024	Lot 14, Block 2, Meadow Valley	50% Homestead Credit	$291,100	$191,100
25-255	Bob & Patty Gefre	2023	Unit 3335 Rolling Hills Condos I, Lot 1, Block 1, East Hills Addn Replat	50% Homestead Credit	$314,800	$214,800
25-256	Beverly Prom	2025	1992 Schult 28 x 56, serial #R255399AB	50% Homestead Credit	$39,984	$19,992
25-257	Brenda Medeiros	2024	Lot 12, Block 2, Edgewood Village 1st & undiv int in common areas Lots 1, 10, 14, 23, 34, 39, & 50	100% Homestead Credit	$390,700	$190,700

25-258	Andy Schmit	2024	Lot 8 less SELY 2', said 2' being measured adj & parallel to lot line common to Lots 7-8 & SELY 2'Lot 9 said 2' meas adj & parallel to Lots 8-9, Block 1, the Pointe	50% Homestead Credit	$369,600	$269,600
25-259	Marlyn Pegors	2024	SW1/4 28-139-76	100% Homestead Credit	$35,400	$0
25-260	Bonnie & Bruce Trom	2024	Lot 5, Block 4, Fort Lincoln Est #1	50% Homestead Credit	$331,000	$231,000
25-261	Bonnie & Bruce Trom	2025	Lot 5, Block 4, Fort Lincoln Est #1	50% Homestead Credit	$293,400	$193,400
25-262	Linda Masseth	2023	Unit 12 & garage 8, Washington Court Condos Bldg 2036, Lot C, Block 13, Replat Homan Acres	100% Homestead Credit	$113,700	$0
25-263	Linda Masseth	2024	Unit 12 & garage 8, Washington Court Condos Bldg 2036, Lot C, Block 13, Replat Homan Acres	100% Homestead Credit	$119,700	$0
25-264	Barb Schantz	2023	Unit 120, Riverside Park Condos, pt of NW1/4NW1/4 sec 5 & pt of gov lot 1 sec 6 138-80, Block 5, City Lands 138-80	100% Homestead Credit	$234,700	$34,700
25-265	Barb Schantz	2024	Unit 120, Riverside Park Condos, pt of NW1/4NW1/4 sec 5 & pt of gov lot 1 sec 6 138-80, Block 5, City Lands 138-80	100% Homestead Credit	$217,400	$17,400
25-266	Scott & Corey Detling - Garry & Betty Detling-	2023	Lot 15, Block 2, Vision Heights	50% Homestead Credit	$92,200	$46,100
25-267	Scott & Corey Detling - Garry & Betty Detling-	2024	Lot 15, Block 2, Vision Heights	50% Homestead Credit	$102,700	$51,350
25-268	Veronica Schneider	2024	Unit 17 & parking space 8 & storage area 14 & undivided int in common area, Lots 3-6, Block 1, Replat of Calkins	100% Homestead Credit	$104,300	$0

25-269	Betty Peterson	2023	Lot 16, Block 2, Northridge	100% Homestead Credit	$172,000	$0
25-270	John Weisz	2024	Lot 9, Block 9, Marian Park 1st	100% Homestead Credit	$251,400	$51,400
25-271	Leora & Dirk Bauer	2023	Lot 14, Block 2, Meadow Valley	50% Homestead Credit	$274,600	$174,600
25-272	Tim & Patty Thorsness	2024	Lot 7 less 683 sq ft in tract beg @ NW cor Lot 7 NELY along N L line 160.38 to NE cor 58.67'	50% Homestead Credit	$235,200	$135,200
25-273	Connie Heer	2024	Lot 2B of Lot 2, Block 2, Kilber North Addition	50% Homestead Credit	$309,200	$209,200
25-274	Brian Burkett	2024	Lot 7, Block 21, Meadow Valley 4th	50% Homestead Credit	$270,700	$170,700
25-275	Cynthia Sanford	2023	W 40' of Lot 19, Block 4, Gateway Addn	50% Homestead Credit	$301,200	$201,200
25-276	Beverly Herner	2024	Unit 201 Capital Arms Condos, Lot 9, Block 7, Casey's 2nd	50% Homestead Credit	$161,800	$80,900
25-277	Semsudin (Sam) Basic	2025	1977 Holly Park 14 x 66, serial #M604297	100% Homestead Credit	$7,983	$0
25-278	Gary & Margo Dietz	2024	Lot 12, Block 1, Briardale	100% Disabled Veteran	$334,800	$154,800
25-279	Sandy Svihla	2025	1974 Rollohome 70 x 14, serial #J1276	100% Homestead Credit	$7,814	$0
25-280	Brenda McLellan	2024	Lot 4, Block 2, Apple Meadows 2nd	50% Homestead Credit	$347,400	$247,400
25-281	Kim & Debbie Sabot	2024	Unit 2 East Hills Condo 1509+1519, Lots 2-3, Block 3, East Hills Addn Replat	50% Homestead Credit	$326,300	$226,300
25-282	Deborah Frank	2024	Unit 13, South Aires Condo, S76' of Lot 2, all Lot 3 & N34' of Lot 4, Block 17, Wachter's 2nd	100% Homestead Credit	$102,700	$0
25-283	Rosemary Ridley	2023	Lot 3, Block 2, Wachter's 5th	100% Homestead Credit	$238,400	$38,400

25-284	Rosemary Ridley	2024	Lot 3, Block 2, Wachter's 5th	100% Homestead Credit	$243,200	$43,200
25-288	Brenda Hausauer	2023	Lot 2, Block 6, Marian Park 2nd	50% Homestead Credit	$248,700	$148,700
25-289	Brenda Hausauer	2024	Lot 2, Block 6, Marian Park 2nd	50% Homestead Credit	$267,000	$167,000
25-290	Lynette Lewis	2025	1970 Blairhouse 66 x 14, serial #5505Z	100% Homestead Credit	$7,096	$0
25-292	Charlie Deichert	2024	Lot 14, Block 2, Sattler's Sunrise 1st	50% Homestead Credit	$282,600	$182,600
25-293	Cynthia Kellogg	2024	Unit 3 Owens Ave Condos, S170' of Lot 12 less Lot 12A, Block 18, Replat Tibesar's 1st Subdivision	50% Homestead Credit	$185,800	$92,900
25-294	Ronda Fox	2024	Unit A Bldg 3212 Arrow Head Ranch, Lots 4,6,8,10, Block 1, Pebble Creek 8th Rpt & Lot 15 less WLY 148' of SLY 180', Block 2, Pebble Creek 8th	100% Homestead Credit	$306,900	$106,900
25-295	Lavata Becker	2024	Lot 16, Block 4, Cottonwood Parkview Addn	100% Homestead Credit	$484,900	$351,567
25-296	Steven Rustand	2023	N57.5' of Lot 6, Block 10, Riverview	100% Homestead Credit	$192,100	$0
25-297	Steven Rustand	2024	N57.5' of Lot 6, Block 10, Riverview	50% Homestead Credit	$194,500	$97,250
25-298	Eileen Bavendick	2023	Lot 2, Block 19, Jenning's 4th	100% Homestead Credit	$279,400	$79,400
25-299	Eileen Bavendick	2024	Lot 2, Block 19, Jenning's 4th	100% Homestead Credit	$279,900	$79,900
25-300	Dennis & Joan Peltz	2023	Lot 18, Block 4, Heritage Park Addn	50% Homestead Credit	$485,100	$385,100
25-301	Dennis & Joan Peltz	2024	Lot 18, Block 4, Heritage Park Addn	50% Homestead Credit	$514,600	$414,600
25-302	Barb Knutson	2023	NE1/4 29-139-77	100% Homestead Credit	$128,100	$0

25-303	Barb Knutson	2024	NE1/4 29-139-77	50% Homestead Credit	$138,600	$69,300
25-304	Fabian John Kramer	2023	Lot 5, Block 00, B + R Estates	100% Homestead Credit	$238,900	$138,900
25-305	Fabian John Kramer	2024	Lot 5, Block 00, B + R Estates	100% Homestead Credit	$248,400	$148,400
25-306	Jean Kessler	2023	Unit 209 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	100% Homestead Credit	$87,000	$0
25-307	Jean Kessler	2024	Unit 209 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	100% Homestead Credit	$96,000	$0

STATE OF NORTH DAKOTA

County of Burleigh

221 N 5th St Bismarck ND 58501

Burleigh County Commissioners,

As you are aware the North Dakota Legislature created the Primary Residence Credit (PRC) program in the 2023 legislative session. This PRC was to be applied for between the dates of January 1st and March 31st of 2024 to be included on the 2024 property tax statement. For real estate this is not an issue; we are given the information to provide to our programming team and credits are placed on their tax bills.

Where the issue arises is with the PRC on manufactured homes not valued on real estate. Since those properties pay their taxes forward, they had already received their statements for 2024 tax year before the PRC application window was closed. Therefore, we will need to do refund checks for those that applied. There are 849 applicants that the Auditor/Treasurers office will need to refund them their portion of the PRC.

Currently there is legislation in the works to correct this issue moving forward beginning in 2026. I am hopeful that this will eliminate the need to write hundreds of checks in the future years and the abatements are used to correct minor issues that arise.

My request of you is approval of the abatements as presented in the consent agenda. Allowing the Auditor/Treasurer staff to begin the refund process.

Thank you,

Allan Vietmeier
Burleigh County Director of Tax Equalization

25-001

GAMING SITE AUTHORIZATION

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

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

Full, Legal Name of Gaming Organization
Driscoll Bettermentt Club

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

Name of Location
TNT Tavern

Street	City	ZIP Code	County
31 Main St	Driscoll	58532	Burleigh

Beginning Date(s) Authorized	Ending Date(s) Authorized	Number of Twenty-One tables, if zero, enter "0"
07-01-2025	06-30-2026	0

Specific location where games of chance will be conducted and played at the site (**required**)
bar area - excluding restrooms

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ **ELECTRONIC** Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☑ Raffles	☐ Seal Board	☐ Poker
☐ **ELECTRONIC** 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☑ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ **ELECTRONIC** Pull Tab Device		

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

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

APPROVALS

Attorney General	Date

Signature of City/County Official	Date

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

RENTAL AGREEMENT

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

License Number (Office Use Only)

Site Owner (Lessor)		Site Name		Site Phone Number
Travis Kocourek		TNT Tavern		[redacted]
Site Address	**City**	**State**	**Zip Code**	**County**
31 Main St	Driscoll	ND	58532	Burleigh
Organization	**Rental Period**			**Monthly Rent Amount**
Driscoll Betterment Club	07-01-2025 to 06-30-2026			

1. Is Bingo going to be conducted at the site?	☑ No	☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the **primary** game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.	☐ No	☐ Yes	$
2. Is Twenty-One conducted at this site? Number of Tables with wagers **up to** $5 ____ X Rent per Table $ ____	☑ No	☐ Yes	$
Number of Tables with wagers **over** $5 ____ X Rent per Table $ ____			$
3. Is Paddlewheels conducted at this site? Number of Tables ____ X Rent per Table $ ____	☑ No	☐ Yes	$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☑ Standard Dispensing Device	☐ No	☑ Yes	$ 150.00
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices ____	☑ No	☐ Yes	$
Total Monthly Rent			$ 150.00

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

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

Signature of Lessor	Title	Date
Travis Kocourek	Bar Owner	3/22/25
Signature of Lessee	Title	Date
Ellen Lynn	Gaming Manager	3/22/25

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Memo

Date: April 7, 2025

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Isaiah Moch

Isaiah Moch from 3429 NE 66th Street has requested a second access permit to his property. The first access approach is off of 66th Street NE. He wishes to have a second approach off of 66th Street NE in order to have better access to the north side of his property. We have reviewed the location of the new proposed access off of 66th Street NE and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Isaiah Moch on the April 7, 2025 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.)

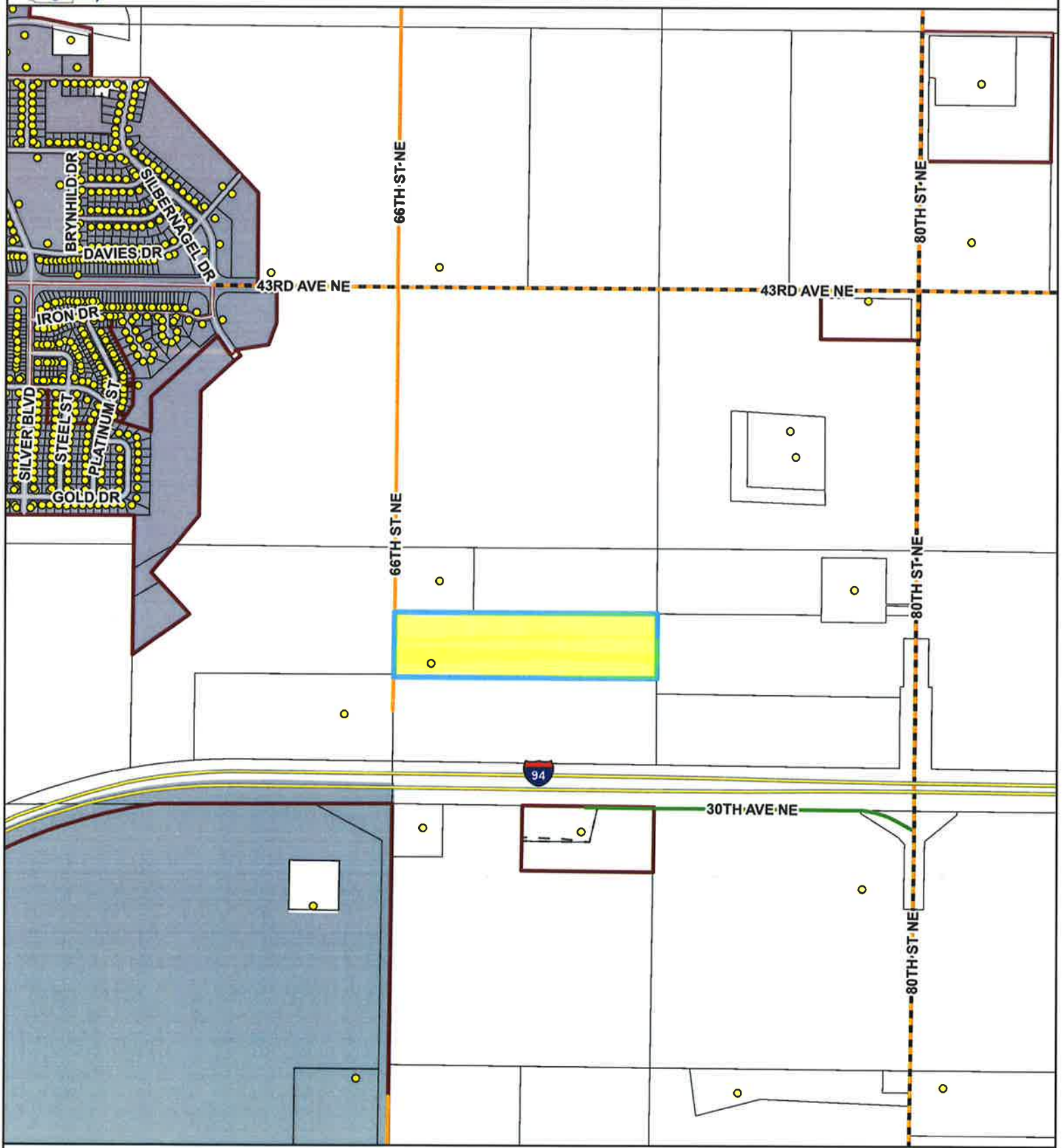
3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

3/26/2025



PARCEL ID: 32-139-79-00-20-602 **OWNER:** MOCH, ISAIAH W **ACRES:** 40

SITE ADDRESS: 3429 NE 66TH ST

MAIL ADDRESS: 3429 66TH ST NE, BISMARCK, ND 58503

LEGAL: GIBBS TOWNSHIP Section 20 S1/2N1/2SW1/4 20-139-79

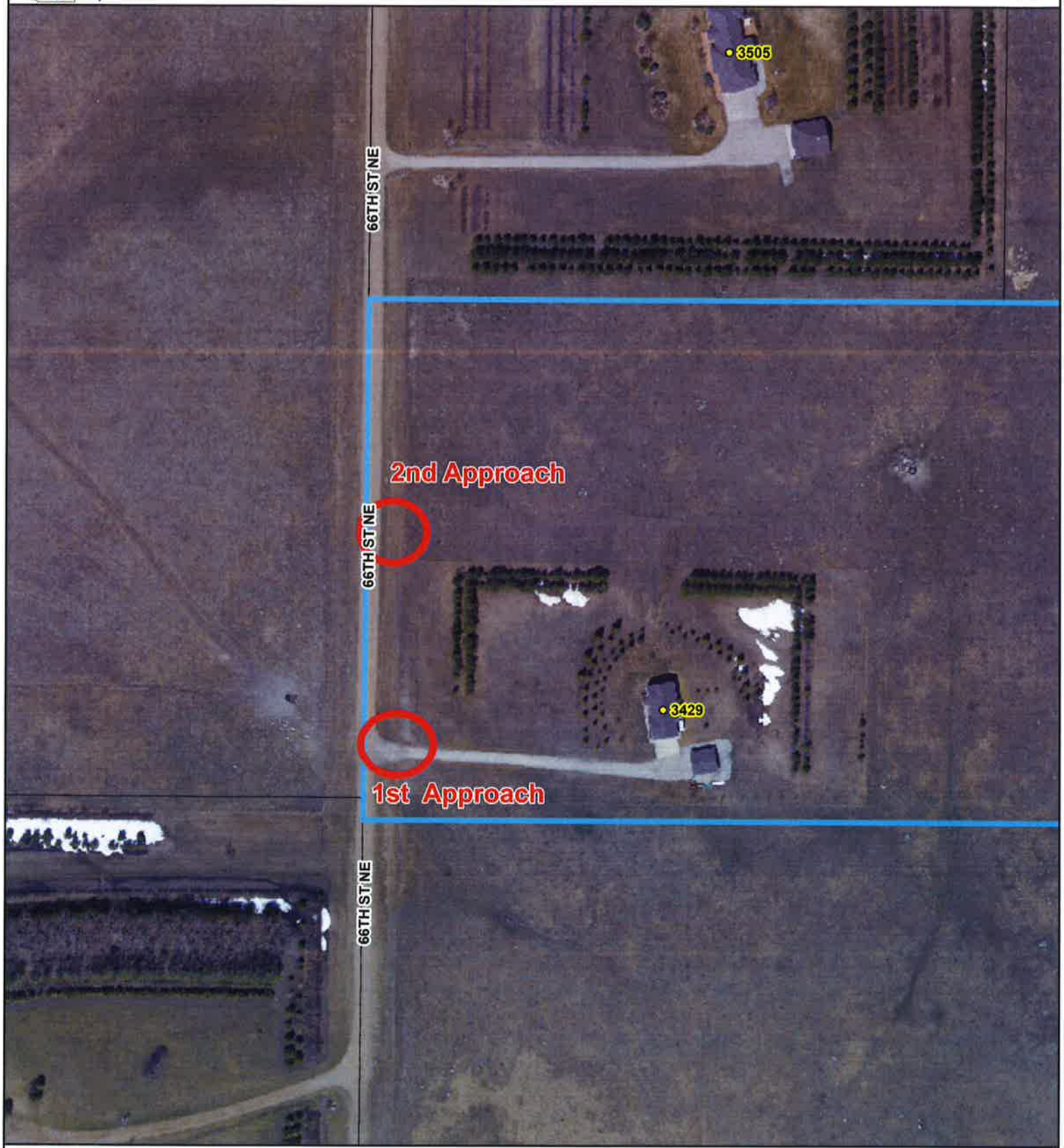
Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Burleigh County

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

3/26/2025



PARCEL ID: 32-139-79-00-20-602 **OWNER:** MOCH, ISAIAH W **ACRES:** 40

SITE ADDRESS: 3429 NE 66TH ST

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LEGAL: GIBBS TOWNSHIP Section 20 S1/2N1/2SW1/4 20-139-79

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

BURLEIGH COUNTY
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: **April 7, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Accepting Platted Right of Way**

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

ACTION REQUESTED:
Accept platted right of way shown on the attached Plat.

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

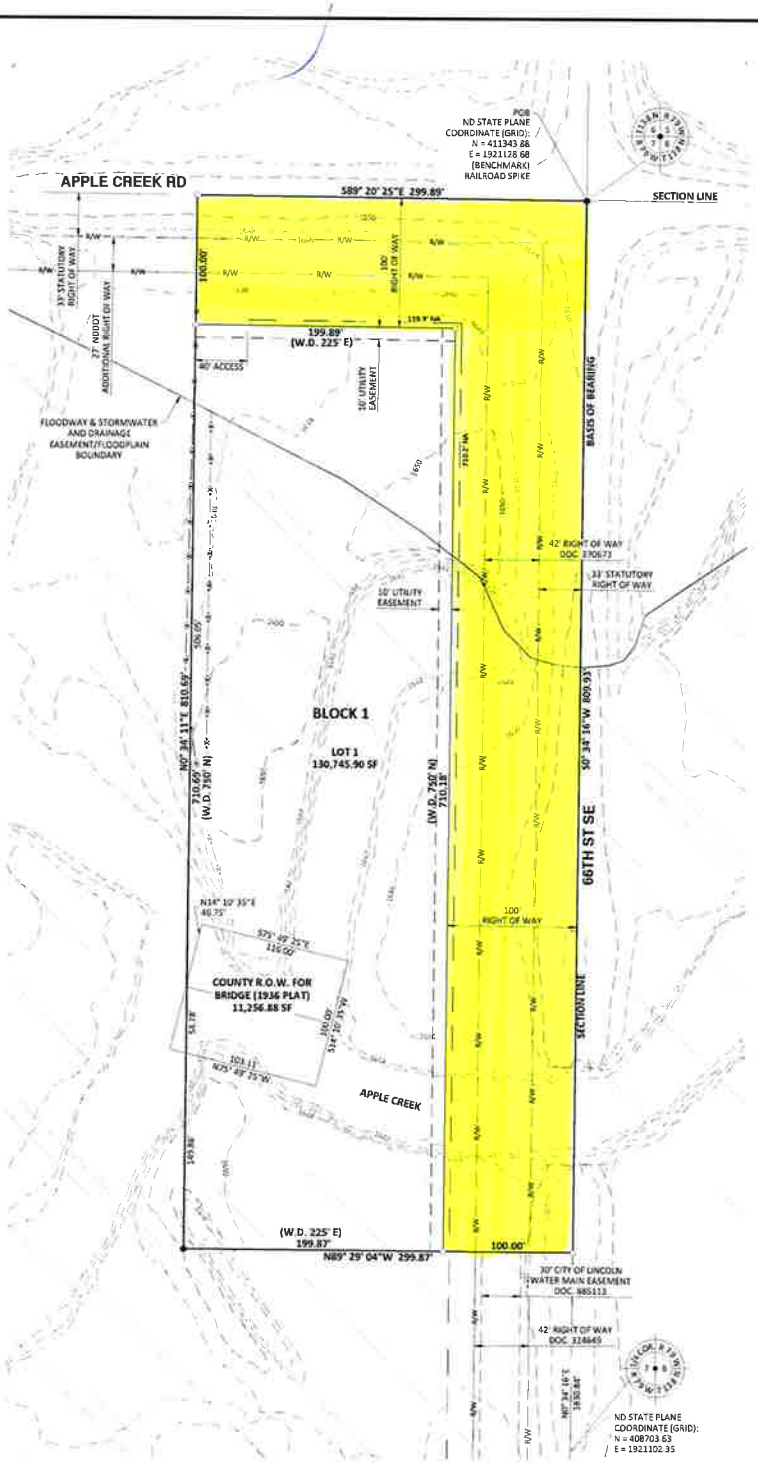
Cieslak Subdivision has been approved by the City of Bismarck and we are requesting that the County Board accept the Right of Way that is shown on the attached plat.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the Right of Way shown on the Cieslak Subdivision Plat.

CIESLAK SUBDIVISION

PART OF THE NORTHEAST 1/4
OF THE NORTHEAST 1/4
SECTION 7, T. 138 N., R. 79 W., 5th P.M.
CITY OF BISMARCK
BURLEIGH COUNTY, NORTH DAKOTA



N

0 40 80 160
Scale Feet

JANUARY 7, 2025

LEGEND

IRON MONUMENT FOUND	●
IRON MONUMENT SET	○
PLAT BOUNDARY	
LOT LINE	
NA (NON-ACCESS)	
UTILITY EASEMENT	
CORPORATE BOUNDARY	
EXISTING UTILITY EASEMENT	
RIGHT-OF-WAY LINE	R/W
POINT OF COMMENCEMENT	P.O.C.
POINT OF BEGINNING	P.O.B.
FLOODWAY & STORMWATER AND DRAINAGE EASEMENT	
FLOODPLAIN - 100YR	

AREA DATA

LOT ACREAGE:	3.00± ACRES
RIGHT OF WAY ACREAGE:	2.38± ACRES
TOTAL ACREAGE:	5.38± ACRES

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET
WITH MEASURED GROUND DISTANCE
COORDINATE CONVERSION FACTOR TO GRID: 0.99988515

VERTICAL BENCHMARK:
ELEV. 1660.26' RAILROAD SPIKE (NAVD 88)
NE CORNER OF SECTION 7, T138N, R79W

DATE OF SURVEY
AUGUST 13, 2024

FLOOD VERTICAL DATUM:
NAVD 88

FEMA FIRM MAP:
MAP NUMBER: 38015C0815E
DATE: JUNE 6, 2024

TOPOGRAPHIC CONTOURS:
2023 LIDAR

RURAL WATER SERVICE AGREEMENT
THE WATER SERVICE AGREEMENT BETWEEN THE CITY OF BISMARCK AND SOUTH CENTRAL REGIONAL WATER DISTRICT WILL ALLOW THE PROVISION OF WATER SERVICE TO THIS PLAT FOR A PERIOD OF 5 YEARS AND SUBSEQUENT TO THAT TIME, THE CITY OF BISMARCK MAY, UPON A YEAR NOTICE, REQUIRE SOUTH CENTRAL REGIONAL WATER DISTRICT TO DISCONTINUE WATER SERVICE IF CITY WATER IS AVAILABLE

STORM WATER AND DRAINAGE EASEMENT
STORM WATER AND DRAINAGE EASEMENTS ARE CONSTRUCTED TO COLLECT, STORE, CONVEY, AND/OR TREAT STORM WATER RUNOFF. THEY ARE CONSTRUCTED TO PREVENT FLOOD DAMAGE AND ADVERSE ENVIRONMENTAL IMPACTS TO PROPERTIES BOTH WITHIN AND OUTSIDE THE PLAT. PROPERTY OWNERS SHALL NOT PLACE ANY TYPE OF FILL MATERIAL OR MAKE ANY ALTERATIONS TO THE PERMANENT VEGETATIVE COVER WITHIN THE EASEMENT (I.E., NO OPEN TILLED SOIL AREAS WILL BE ALLOWED). THEY SHALL NOT PLANT ANY TREES OR SHRUBS WITHIN THE EASEMENT WITH THE INTENT TO SCREEN OR PROVIDE A SNOW SHELTER BELT. INDIVIDUAL TREES AND SHRUBS MAY BE PLANTED WITHIN THE EASEMENT WITH PRIOR APPROVAL OF THE COUNTY ENGINEER. PROPERTY OWNERS SHALL NOT CONSTRUCT ANY TYPE OF STRUCTURE (E.G., INCLUDING: HOUSES, GARAGES, OUTBUILDINGS, SHEDS, DRIVEWAYS, PARKING PADS, FENCES, LANDSCAPING GARDENS AND SEPTIC TANKS, ETC.) OR ANY OTHER FEATURE THAT INTERFERES WITH THE INTENDED USE OF THE STORM WATER AND DRAINAGE EASEMENTS.

DESCRIPTION:

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 138 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 7, SAID MONUMENT BEING A FOUND RAILROAD SPIKE; THENCE SOUTH 0°34'16" WEST, ON AND ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 7, A DISTANCE OF 809.93 FEET; THENCE NORTH 89°29'04" WEST, A DISTANCE OF 299.87 FEET TO A FOUND 1/2" REBAR; THENCE NORTH 0°34'31" EAST, A DISTANCE OF 810.69 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 7; THENCE SOUTH 89°20'25" EAST, ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 7, A DISTANCE OF 299.89 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5.38 ACRES MORE OR LESS AND IS SUBJECT TO ANY PREVIOUSLY ACQUIRED EASEMENTS OR RIGHT OF WAYS.

OWNER'S CERTIFICATE AND DEDICATION

I, MARY A. CIESLAK, BEING THE OWNER OF THE LANDS PLATTED HEREON, HAVE CAUSED THE LAND TO BE PLATTED AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THE THIS PLAT TITLED CIESLAK SUBDIVISION AND DEDICATE ALL RIGHTS OF WAY TO BURLEIGH COUNTY AS SHOWN ON THIS PLAT FOR PUBLIC USE, AND CONSENT TO ANY ACCESS CONTROL TO THE PROPERTY AS SHOWN, AND AFFIRM THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

I ALSO DEDICATE TO BURLEIGH COUNTY ALL EASEMENTS AS SHOWN ON THIS PLAT AS "UTILITY EASEMENT" TO RUN WITH THE LAND FOR GAS, ELECTRIC, COMMUNICATION AND/OR OTHER PUBLIC UTILITIES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON.

MARY A. CIESLAK
801 LINCOLN AVE
BISMARCK, ND 58504

STATE OF _____)
) ss
COUNTY OF _____)

ON THIS ___ DAY OF _____, 2025, BEFORE ME PERSONALLY APPEARED MARY A. CIESLAK, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE AND SHE ACKNOWLEDGE TO ME THAT SHE EXECUTED THE SAME

_____ NOTARY PUBLIC
_____ COUNTY

APPROVAL OF CITY PLANNING AND ZONING COMMISSION:

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA ON THE _____ DAY OF _____, 2025, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND ORDINANCES OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIR ATTEST: BEN EHRETH - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS APPROVED THE GROUNDS AS SHOWN ON THIS PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION OF ALL RIGHTS OF WAY AND PUBLIC EASEMENTS SHOWN THEREON AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE FOREGOING ACTION OF THE BOARD OF COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS APPROVED THE ___ DAY OF _____, 2025

MICHAEL T. SCHMITZ - PRESIDENT ATTEST: JASON TOMANEK - CITY ADMINISTRATOR

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION OF ALL RIGHTS OF WAY AS SHOWN ON THIS PLAT. THE FORGOING ACTION OF THE BOARD OF COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS APPROVED THE ___ DAY OF _____, 2025.

BRIAN BITNER - CHAIR ATTEST: MARK SPLONSKOWSKI - COUNTY AUDITOR/TREASURER

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER TO THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAT.

GABRIEL J. SCHELL, CITY ENGINEER

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, TODD MARSCHALL, HEREBY CERTIFY I AM A LICENSED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

TODD MARSCHALL
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 4431

HOUSTON ENGINEERING, INC
3712 LOCKPORT STREET
BISMARCK, NORTH DAKOTA, 58501

HOUSTON ENGINEERING, INC

Sheet 1 of 1
Project No. 12605-0001

036

PLAT OF
RRH SUBDIVISION
A PART OF THE SOUTHWEST 1/4 OF
SECTION 21, TOWNSHIP 139 NORTH, RANGE 76 WEST, BURLEIGH COUNTY, NORTH DAKOTA

PERIMETER METES & BOUNDS DESCRIPTION

Part of the Southwest Quarter of Section 21, Township 139 North, Range 76 West, of the 5th Principal Meridian, Burleigh County, North Dakota, described as follows:

Commencing at the southwest corner of said section 21, thence N 0 deg. 23 min. 48 sec. E along the west line of section 21 a distance of 408.81 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 101.94 feet to the point of beginning; thence N 0 deg. 23 min. 48 sec. E a distance of 909.83 feet; thence S 89 deg. 55 min. 39 sec. E a distance of 760.02 feet; thence S 0 deg. 21 min. 31 sec. W a distance of 1318.16 feet to the south line of said section 21; thence N 89 deg. 55 min. 13 sec. W along the south line of said section 21 a distance of 90.90 feet to the northerly NDDOT right of way line along interstate highway no. I–94; thence N 58 deg. 28 min. 46 sec. W along said NDDOT right of way line a distance of 782.64 feet to the point of beginning.

Said tract contains 19.87 acres, more or less.

DRAINAGE EASEMENT DESCRIPTION

Beginning at the northwest corner of Lot 1, Block 1 of RRH Subdivision, thence S 0 deg. 23 min. 48 sec. W along the west line of said Lot 1 a distance of 12.32 feet; thence S 75 deg. 52 min. 39 sec. E a distance of 225.15 feet; thence S 89 deg. 00 min. 25 sec. E a distance of 461.69 feet to the beginning of a tangent curve, concave to the right (southwesterly), having a radius of 30.00 feet; thence easterly along said curve 46.79 feet through a central angle of 89 deg. 21 min. 56 sec. to the end of the curve; thence S 0 deg. 21 min. 31 sec. W a distance of 1213.61 feet to the south line of said Lot 1; thence S 89 deg. 55 min. 13 sec. E along the south line of said Lot 1 a distance of 40.00 feet; thence N 0 deg. 21 min. 31 sec. E a distance of 1262.64 feet; thence N 89 deg. 00 min. 25 sec. W a distance of 528.84 feet; thence N 75 deg. 52 min. 39 sec. W a distance of 193.69 feet to the north line of said Lot 1; thence N 89 deg. 55 min. 39 sec. W along the north line of said Lot 1 a distance of 33.08 feet to the point of beginning.

Said easement contains 1.49 acres, more or less.

LAGOON EASEMENT DESCRIPTION

Commencing at the southwest corner of Lot 1, Block 1 of RRH Subdivision, thence N 55 deg. 27 min. 39 sec. E a distance of 77.47 feet to the point of beginning; thence N 28 deg. 53 min. 45 sec. W a distance of 24.04 feet; thence N 0 deg. 23 min. 48 sec. E a distance of 241.31 feet; thence N 45 deg. 23 min. 48 sec. E a distance of 38.11 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 223.10 feet; thence N 80 deg. 23 min. 20 sec. E a distance of 85.21 feet; thence S 89 deg. 36 min. 12 sec. E a distance of 294.65 feet; thence S 0 deg. 18 min. 47 sec. W a distance of 560.56 feet; thence S 54 deg. 06 min. 21 sec. W a distance of 80.15 feet; thence N 72 deg. 06 min. 04 sec. W a distance of 253.76 feet; thence N 35 deg. 51 min. 08 sec. W a distance of 43.92 feet; thence N 00 deg. 23 min. 48 sec. E a distance of 73.54 feet; thence N 90 deg. 00 min. 00 sec. W a distance of 89.74 feet; thence N 58 deg. 11 min. 18 sec. W a distance of 228.90 feet to the point of beginning.

Said easement contain 6.81 acres, more or less.

AREA DATA:

Lot 1, Block 1 865,595 Sq. Ft. 19.87 Acres

RESTRICTED USE ON STORMWATER & DRAINAGE EASEMENT

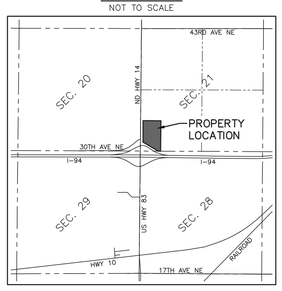
1. Stormwater & Drainage Easements are constructed to collect, store, convey, and/or treat stormwater runoff. They are constructed to prevent or limit flood damage and environmental impacts to properties both within and outside of the plat.
2. Property owners shall not place any type of fill material or make any alterations to the permanent vegetated cover on the Stormwater & Drainage Easement (no open till soil is allowed). They shall not plant any trees or shrubs within the easement with the intent to screen or provide a snow shelter belt. Individual trees and shrubs may be planted within the easement with the prior approval of the County Engineer. Property owners shall not construct any type of structure (including fences, garages, outbuildings, sheds, driveways, parking pads, landscaping, gardens, and septic fields) or other features that interfere with the intended use of the Stormwater & Drainage Easement.

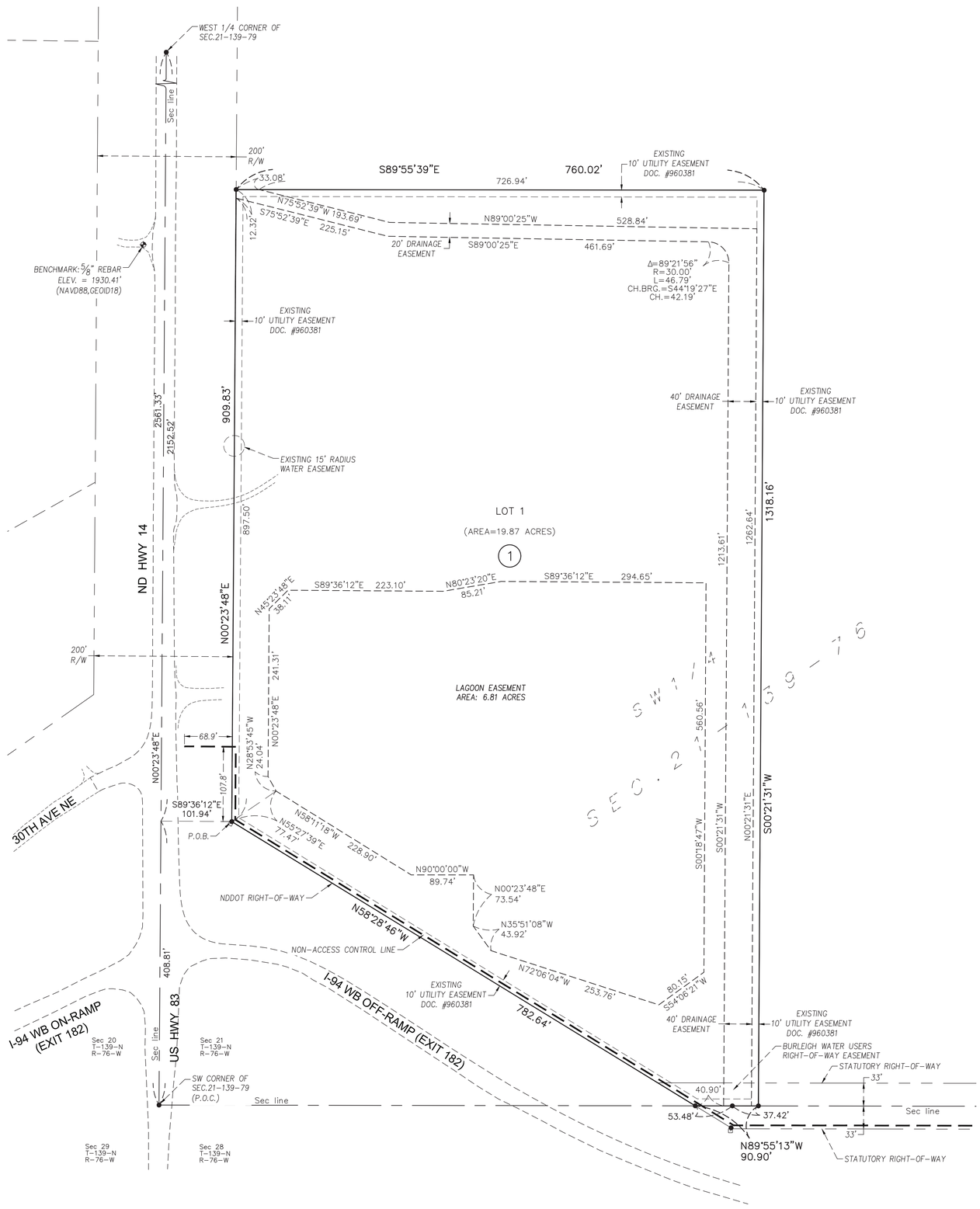
SITE BENCHMARK

BURLEIGH COUNTY GROUND COORDIANTES
1/CF = 1.0001485221
NAD83 (2011); ND SOUTH ZONE
NAVD88/GEOID18
INTERNATIONAL FOOT
6/2/2022

POINT ID, NORTHING, EASTING, ELEVATION,CODE
1, 428171.156, 2021688.859, 1930.410, CP1

VICINITY MAP
NOT TO SCALE





N
W E
S

0 80
Scale in Feet

LEGEND

- ● IRON MONUMENT FOUND
- ○ SET 5/8"x18" REBAR WITH ALUMINUM CAP LS–10871
- ⊡ RIGHT OF WAY POST
- — — — NON–ACCESS LINE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

BASIS OF BEARINGS:
GRID NORTH

HORIZONTAL DATUM: BURLEIGH COUNTY GROUND COORDINATES
ND COORDINATE SYSTEM OF 1983, NAD83(2011)
ND SOUTH ZONE, INTERNATIONAL FOOT DEFINITION
COMBINATION FACTOR: 0.9998515

moore engineering, inc.
Consulting Engineering • Land Surveying
4503 Coleman Street, Suite 105 • Bismarck, North Dakota
www.mooreengineeringinc.com

PROPERTY OWNER:
ROSEROCK HOLDINGS LLC
PO BOX 5256
OAK BROOK, IL 60522–5256

PARCEL #:
35–139–76–00–21–610

PRELIMINARY PLAT DATE: 10–23–2024

OWNERS DEDICATION

We, the undersigned, being the sole owners of the land platted hereon, do hereby voluntarily consent to the execution of said plat and do dedicate easements to run with the land for gas, electric, telephone, water or other public utilities or services on or under those certain strips of land designated hereon as "Utility Easement". We further dedicate drainage and lagoon easements as shown hereon.

Signature _____

Name Timothy J. Doty, II,
Roserock Holdings, LLC

State of _____)
County of _____)

On this ____ day of _____, 20____, before me, a Notary Public in and for said County and State, personally appeared _____, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same in the name of RRH Subdivision.

_____
Notary Public, _____ County, _____

APPROVAL OF BOARD OF COUNTY COMMISSION

The Board of County Commissioners of the County of Burleigh, North Dakota, has approved the subdivision of land as shown on this plat, has accepted the dedication of all streets shown thereon, and does hereby vacate any previous platting within the boundary of this plat.

This plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and ordinances of the County of Burleigh.

The foregoing action on the Board of County Commission of Burleigh County, North Dakota, was taken by resolution approved on the _____ day of _____, 20____,

_____ _____
Brian Bitner, Chairman Attest: Mark Splonskowski
County Auditor/Treasurer

APPROVAL OF THE COUNTY ENGINEER

I, Marcus J. Hall, P.E., County Engineer of the County of Burleigh, North Dakota, hereby approve this plat of RRH Subdivision, as shown on this plat.

Dated this _____ day of _____, 20____,

_____
Marcus J. Hall, P.E., County Engineer

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

The County Planning and Zoning Commission of the County of Burleigh, North Dakota, hereby approves the RRH Subdivision, as shown on this plat.

This plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and ordinances of the County of Burleigh and regulation adopted by said Planning and Zoning Commission.

The foregoing action on the County Planning and Zoning Commission of Burleigh County, North Dakota, was taken by resolution approved on the _____ day of _____, 20____,

_____ _____
Dennis Agnew, Chairman Attest: Mitch Flanagan, Secretary

SURVEYOR'S CERTIFICATE

Thomas D. Weigel, being duly sworn, deposes and says that he is the Registered Professional Land Surveyor who prepared and made the attached plat of "RRH SUBDIVISION", a part of the Southwest Quarter of Section 21, Township 139 North, Range 76 West of the Fifth Principal Meridian, Burleigh County, North Dakota; that said plat is a true and correct representation of said survey; that all distances are correctly shown on said plat; that monuments have been placed in the ground as indicated for the guidance of future surveys; all dimensional and geodetic details are correct.

PRELIMINARY

THOMAS D. WEIGEL LS-10871 PE-28797 DATE
REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR NORTH DAKOTA

_____
Thomas D. Weigel
Professional Land Surveyor
Reg. No. LS–10871

State of North Dakota)
county of Burleigh)

On this _____ day of _____, 20____, before me, a notary public in and for said county and state, personally appeared Thomas D. Weigel, registered land surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

_____
Notary Public, Burleigh County, North Dakota

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Information for RRH Final Subdivision and Zone Change

Date: 3-24-2025

From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1 — Approval of RRH Final Subdivision

At the February 3, 2025 County Commission meeting the zone change and RRH Subdivision Final Plat were approved contingent on the approval of the ND DEQ Wastewater System Permit. We are in receipt of the letter of approval for that system as of March 19, 2025.

ACTION REQUESTED

Upon receiving approval for the NDDEQ Permit and findings of the Planning Commission, it is recommended to approve RRH Final Subdivision and Zone Change.

Attachments: Ex.1 RRH Subdivision Final Plat
Ex.2 Love's Wastewater System DEQ Letter of Approval

NORTH Dakota | Environmental Quality
Be Legendary.™

March 11, 2025

Amelia Jordan, PE
Apex Companies, LLC
6666 S. Sheridan Road, Ste 250
Tulsa, OK 74133

RE: Plans and Specifications Approval
Love's Travel Stops & Country Stores, Inc. #224
Wastewater, Water, and RV Systems
Sterling, ND

Dear Ms. Jordan:

The plans and specifications for the above-referenced project have been reviewed by this department and are hereby approved contingent on the below provisos. Approval is based on a design wastewater flow of 7,500 gallons per day.

A variance from the Ten States Standards requirements for a water storage tank overflow has been approved for this specific project only and shall not be construed as approval for any future projects.

- The project's wastewater treatment system will require a Class 1A certified operator. This operator can be employed directly by the facility or through a contract. Please contact Hamid Ihsan at 701-328-5413.
- The project will need permits to operate from Food and Lodging. Contact Department of Health and Human Services Food and Lodging Unit at 701-328-1291 or email foodandlodging@nd.gov for specifics.

Should you have any questions, please contact Ryan Allery at 701-328-5294 or rjallery@nd.gov.

Sincerely,

David J. Bruschwein, P.E.
Director
Division of Municipal Facilities

DJB:ra:pc
cc: Bismarck Environmental Health Division
Mitch Flanagan, Burleigh Co. Building/Planning/Zoning Dept.
Julie Wagendorf, Division of Food and Lodging
Hamid Ihsan, NDDEQ

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: **April 7, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Accepting Platted Right of Way**

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

ACTION REQUESTED:
Accept platted right of way shown on the attached Plat.

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

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

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the Right of Way shown on the Paradise Pointe Subdivision Plat.

PARADISE POINTE SUBDIVISION

PART OF THE NE 1/4
OF SECTION 24 TOWNSHIP 138 NORTH, RANGE 80 WEST

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

ALL THAT PART OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 138 NORTH, RANGE 80 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE NORTH 89 DEGREES 50 MINUTES 27 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 574.47 FEET; THENCE NORTH 00 DEGREES 37 MINUTES 27 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1167.52 FEET TO THE SOUTHWESTERLY LINE OF WARRANTY DEED DOCUMENT #514146; THENCE SOUTH 39 DEGREES 28 MINUTES 18 SECONDS EAST, ON SAID SOUTHWESTERLY LINE, A DISTANCE OF 891.91 FEET TO THE EAST LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 00 DEGREES 37 MINUTES 27 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 500.58 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 11.13 ACRES, MORE OR LESS

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____. THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE _____ DAY OF _____, 202_, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ – CHAIRMAN

ATTEST
BEN EHRETH – SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE APPROVED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE APPROVED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF _____, 202_.

MICHAEL T. SCHMITZ, PRESIDENT

ATTEST
JASON TOMANEK – CITY ADMINISTRATOR

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE PLAT.

THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 20__.

_____ – CHAIR

ATTEST: MARK SPLONSKOWSKI
BURLEIGH COUNTY AUDITOR/TREASURER

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "PARADISE POINTE SUBDIVISION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE PLAT.

GABRIEL J. SCHELL
CITY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT AMIE BURTNESS, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "PARADISE POINT SUBDIVISION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DOES DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO BURLEIGH COUNTY.

THEY ALSO DEDICATES EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

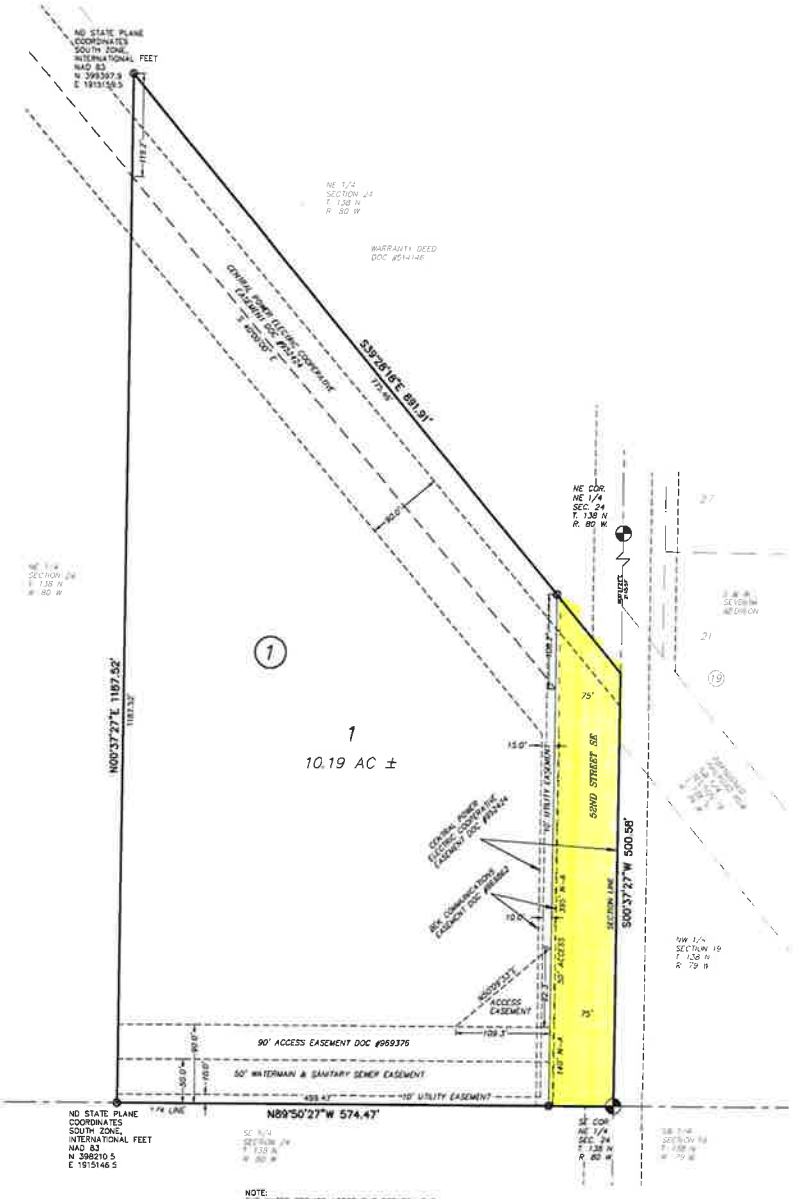
THEY FURTHERMORE GRANT ACCESS, WATERMAIN, AND SANITARY SEWER EASEMENTS TO BURLEIGH COUNTY, SAID EASEMENT IS TO CONSTRUCT, OPERATE, MAINTAIN, AND REPAIR WATERMAIN AND SANITARY SEWER FACILITIES UNDER OR UPON THE REAL PROPERTY HEREINAFTER DESCRIBED. THEY ALSO DEDICATE SAID ACCESS EASEMENT TO AND FOR THE USE OF ANY GOVERNMENTAL SUBDIVISION, ITS OFFICERS AND EMPLOYEES FOR UTILITIES AND ANY OTHER GOVERNMENTAL USE OF USES IT DEEMS NECESSARY OR ADVISABLE, PROVIDED THE CITY SHALL NOT BE RESPONSIBLE IN ANY WAY TO FURNISH ANY CITY SERVICES IF SUCH ACCESS EASEMENTS ARE NOT PROPERLY MAINTAINED OR ARE OBSTRUCTED BY THE OWNERS OF PROPERTY IN THE SUBDIVISION.

STATE OF NORTH DAKOTA)
)
COUNTY OF BURLEIGH)

AMIE BURTNESS
6475 EDGERLY LANE
LINCOLN, ND 58504

ON THIS ____ DAY OF _____, 202_, BEFORE ME PERSONALLY APPEARED AMIE BURTNESS KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND SHE ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____



SCALE: 1"=60'

JANUARY 10, 2025

○ MONUMENT TO BE SET
● MONUMENT IN PLACE

AREA DATA		
LOT 1	443,936 S.F.	10.19 ACRES
TRACTS	40,907 S.F.	0.94 ACRES
TOTAL	484,843 S.F.	11.13 ACRES

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET

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

VERTICAL BENCHMARK:
SE CORNER NE 1/4
SECTION 24
T. 139 N.
R. 80 W.
ELEV. (NAVD 88) 1588.2

NOTE:
THE WATER SERVICE AGREEMENT BETWEEN THE CITY OF BISMARCK AND SOUTH CENTRAL REGIONAL WATER DISTRICT WILL ALLOW THE PROVISION OF WATER SERVICE TO PARADISE POINTE SUBDIVISION FOR A PERIOD OF _____ YEAR., AND SUBSEQUENT TO THAT TIME, THE CITY MAY, UPON A ONE YEAR NOTICE, REQUIRE SOUTH CENTRAL REGIONAL WATER DISTRICT TO DISCONTINUE WATER SERVICE IF CITY WATER SERVICE IS AVAILABLE.

SWENSON, HAGEN & COMPANY P.C.

041

ITEM

6

National Public Safety Telecommunications Week

April 13 – 19, 2025

Whereas, emergencies can occur at any time that require law enforcement, fire, or emergency medical services; and

Whereas, when an emergency occurs, the prompt response of law enforcement officers, firefighters, and emergency medical personnel is critical to the protection of life and preservation of property; and

Whereas, the safety of our law enforcement officers, firefighters, and emergency medical personnel is dependent upon the quality and accuracy of information obtained from citizens who call the Central Dakota Communications Center; and

Whereas, Public Safety Communications Specialists are the first, first responders, delivering essential pre-arrival instructions, and providing the most critical link that our citizens have with emergency services; and

Whereas, Public Safety Communications Specialists are the single vital link for our law enforcement officers, firefighters, and emergency medical personnel by monitoring their activities by radio, providing them information and insuring their safety; and

Whereas, Public Safety Communications Specialists of the Central Dakota Communications Center have contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients; and

Whereas, each Communications Specialist has exhibited compassion, understanding and professionalism during the performance of their duties in the past year;

Whereas, the Central Dakota Communications Center Board of Directors has declared April 13th – 19th, 2025 as National Public Safety Telecommunications to honor the men and women of the Central Dakota Communications Center who dedicate themselves to helping keep our communities and our citizens safe;

Therefore, Be it Resolved that the Board of Commissioners for Burleigh County joins the Central Dakota Communications Center Board of Directors and declares April 13th – 19th, 2025 as National Public Safety Telecommunications Week in Burleigh County.

Signed this _____ day of April, 2025.

_____

Chair
Burleigh County Commission
Burleigh County, ND

ITEM

7

PUBLIC HEARING

Preliminary Resolution on Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to hold the position of Auditor / Treasurer;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law converting the elected office of county auditor / treasurer into an appointed office and pursuant to N.D.C.C. § 11-10.2-01(1)(c), the county may redesignate an elective county office as an appointive office; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be redesignated as an appointive office;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

Plan for Redesignating Elective Office of
Burleigh County Auditor / Treasurer to Appointive Office

1. Office of Burleigh County Auditor / Treasurer is redesignated as an appointive office effective April 1, 2027, when the current term for Auditor Treasurer expires.

2. Director of Human Resources shall develop a job description to include all statutory job duties of county auditor and county treasurer along with job qualifications, including experience in finance or accounting, and appropriate pay grade for approval by the Burleigh County Commission no later than sixty (60) days after any final resolution adopting the plan.

3. The recruitment and retention for the office of Burleigh County Auditor / Treasurer shall be governed by the Burleigh County Personnel Policy Manual and Handbook.

ITEM

10

BURLEIGH COUNTY
SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: **March 31, 2025**

To: **Mark Splonskowski**
Burleigh County Auditor

From: **Kelly Leben**
Burleigh County Sheriff

Re: **2024/2025 North Dakota Department Of Transportation Traffic Safety Grant**

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

Action Requested:
Approve the Amendment to the 2024/2025 ND DOT Traffic Safety Grant. The grant is available for review in the Burleigh County Auditor's Office.

Background:
The ND DOT Traffic Safety Grant is an annual grant awarded to Burleigh County. The grant award is used to fund additional traffic safety enforcement and equipment in high risk areas such as Impaired Driving, Distracted Driving, Occupant Protection, and Speed Enforcement.

Recommendation:
It is recommended that the County Commission approve the grant agreement amendment.

Proposed Resolution:
THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the ND DOT Traffic Safety Grant Amendment between Burleigh County and the State of North Dakota.

COURTHOUSE
514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899
www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER
4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

BURLEIGH COUNTY
SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: **April 2, 2025**

To: **Mark Splonskowski**
Burleigh County Auditor

From: **Kelly Leben**
Burleigh County Sheriff

Re: **Burleigh East Renovation Project Bid Award**

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

Action Requested:
Review and award bids for the Burleigh East Renovation Project based on received bids for General Construction, Mechanical Construction, and Electrical Construction.

Background:
Burleigh County Sheriff's Department in conjunction with Ubl Design, advertised and received bids for the Burleigh East Renovation Project. A presentation will be made on bids received and one bid that was received outside of identified bid procedures. A recommendation will be made on bid acceptance.

Recommendation:
It is recommended that the County Commission award renovation bids for the Burleigh East Remodel Project based on discussion and recommendations.

Proposed Resolution:
THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to contract for the renovation of Burleigh East based on received bids and recommendations.

COURTHOUSE
514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899
www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER
4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

TABULATION OF BIDS

PROJECT: Burleigh County Sheriff's Department - Patrol Section Renovation
20001 52nd Street NE
Bismarck, ND 58506

BIDS RECEIVED BY: Jeff Ubl, Principal Architect
Ubl Design Group, P.C.

Architect's estimate: $700,000

BID TIME & DATE: Bids Received at 11:00 AM Central Time
Bid Opening at 11:00 AM Central Time
April 1, 2025

BID LOCATION: Tom Baker Conference Room/ City County Building
221 North 5th Street
Bismarck, ND 58504

GENERAL CONSTRUCTION BIDS

	CONTRACTOR NAME City, State	ADDENDA				ENVELOPE #1		BASE BID	ALTERNATE G1	ALTERNATE M1	ALTERNATE E1	
		Addendum #1 March 14, 2025	Addendum #2 March 21, 2025	Addendum #3 March 25, 2025	Addendum #4 March 24, 2025	Bid Bond (5%)	ND Contractor's License #					
1	Capital City Construction Bismarck, ND											
2	**Dakota West Contracting** Bismarck, ND	X	X	X	X	X	X	$182,400.00	$158,200.00			$340,600.00
3	Missouri River Contracting Bismarck, ND											
4	**Paramount Builders** Bismarck, ND	X	X	X	X	X	X	$269,446.00	$207,512.00			$476,958.00
5	**Roers Construction** Bismarck, ND	X	X	X	X	X	X	$276,600.00	$155,600.00			$432,200.00
6	Tobias Marmon Construction Bismarck, ND											

MECHANICAL CONSTRUCTION BIDS

	CONTRACTOR NAME City, State	ADDENDA				ENVELOPE #1		BASE BID	ALTERNATE G1	ALTERNATE M1	ALTERNATE E1	
		Addendum #1 March 14, 2025	Addendum #2 March 21, 2025	Addendum #3 March 25, 2025	Addendum #4 March 24, 2025	Bid Bond (5%)	ND Contractor's License #					
1	**Advanced Mechanical** Bismarck, ND	X	X	X	X	X	X	$106,580.00		$33,035.00		$139,615.00
2	Central Mechancial Mandan, ND											
3	Cooling & Heating Unlimited Bismarck, ND											
4	**HA Thompson & Sons** Bismarck, ND	X	X	X	X	X	X	$96,800.00		$44,800.00		$141,600.00
5	**Northern Plains** Bismarck, ND	X	X	X	X	X	X	$88,650.00		$42,100.00		$130,750.00
6	**City Air Mechancial** Bismarck, ND	X	X	X	X	X	X	$117,408.00		$52,379.00		$169,787.00

ELECTRICAL CONSTRUCTION BIDS

	CONTRACTOR NAME City, State	ADDENDA				ENVELOPE #1		BASE BID	ALTERNATE G1	ALTERNATE M1	ALTERNATE E1	
		Addendum #1 March 14, 2025	Addendum #2 March 21, 2025	Addendum #3 March 25, 2025	Addendum #4 March 24, 2025	Bid Bond (5%)	ND Contractor's License #					
1	**RK Electric LLC** Bismarck, ND	X	X	X	X	X	X	$167,475.00			$110,145.00	$277,620.00
2	Skeels Electric Bismarck, ND											
3	**Bergstrom Electric, Inc.** Grand Forks, ND	X	X	X	X	X	X	$113,800.00			$64,200.00	$178,000.00

ITEM

11

April 2, 2025

To: Mr. Wayne Munson, Commissioner
Burleigh County
Missouri Valley Complex Liaison

From: Kay LaCoe. Chair
Missouri Valley Complex Committee

Subject: Request for Burleigh County Commission Action

Commissioner Munson,

On behalf of the Missouri Valley Complex Committee, I am writing to you to place on the April 7th Commission meeting agenda this memo with attachments and recommendations for consideration by the Commission.

The items requesting action by the Commission as approved by the Committee are as follows:

1-To receive an update and report from Swenson Hagen Engineering on the progress of Rezoning the Missouri Valley Complex.

2 -To receive an update and report from Swenson Hagen Engineering on the progress and schedule of plat development of the Missouri Valley Complex including defining of activity and use within the Complex. (attachment 1 - Map)

****The Missouri Valley Complex Committee additionally asks the Commission to approve the following items relating to the plat development:**

**** The Committee asks the Commission to approve public development of all roads, water service, sewer, parking lots and utilities.**

****The Committee asks the Commission to Call for Proposals to conduct a Wetlands Delineation Survey of the Complex north of the Hay Creek Channel to include identification of wetland recommendations within proposed project areas, mitigation plans for identified impacted wetland and to provide up to a 5-year oversite of any wetland mitigation. (attachment 2 RFP) (attachment 3 map)**

****The Committee asks the Commission to fund the Mitigation Delineation from the Missouri Valley Complex Fund.**

The Missouri Valley Complex Committee has reviewed and approved to move forward to the County Commission, for approval, the following request from the Equestrian and Ag Complex Committee as follows:

****The Missouri Valley Complex Committee requests on behalf of the Equestrian and Ag Committee approval to proceed with the project plan development of the proposed Burleigh County Equestrian and Ag Center on the site identified on the preliminary plat as a Burleigh County project.**

Please reference the enclosed preliminary site plan renderings for the proposed project. Representatives of the Equestrian and Ag Committee will be attending to provide a detailed overview of the proposed project. (attachments 4,5)

1. Consideration of Missouri Valley Complex Ag and Hay Leases 2025.

The Missouri Valley Complex Committee reviewed the proposed 2025 Ag Land and Hay Leases and propose the following recommendations.

**** Ag Land Lease:**

The Missouri Valley Complex Committee recommends that Burleigh County does not lease the ag land in 2025 due to the possible need for access to the site for project development and wetlands survey.

In lieu of a lease, the Missouri Valley Complex Committee recommends that the ag land area is overseeded to a grass cover crop that may provide for a contract for hay in the fall of 2025.

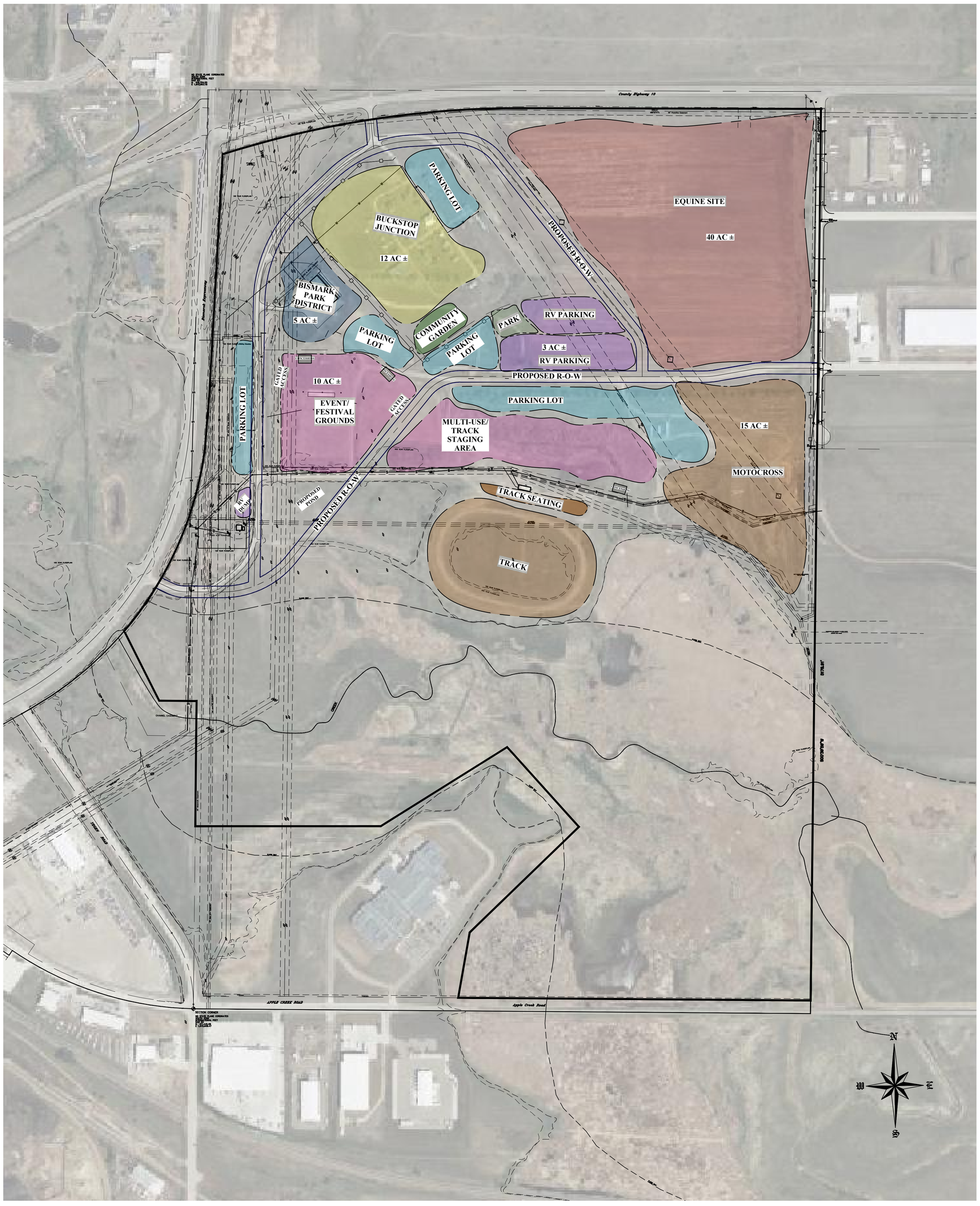
**** Hay Land Lease:**

The Missouri Valley Complex Committee supports the leasing of the hay land at the Complex.

On behalf of the Missouri Valley Complex Committee, I and other committee members will be in attendance to assist in any way with presenting the request.

Thank you for your support and presenting our recommendations for consideration and action to the full Burleigh County Commission at the upcoming April 7th meeting.

MISSOURI VALLEY COMPLEX
PRELIMINARY CONCEPT



Bismarck
COMMUNITY
DEVELOPMENT

March 28, 2025

Mark Splonskowski
Burleigh County
221 N 5th Street
Bismarck, ND 58501

Dear Mr. Splonskowski:

Please be advised that the Bismarck Planning & Zoning Commission on Wednesday, March 26, 2025, recommended approval of your request for a zoning map amendment from the PUD – Planned Unit Development zoning district to the P – Public zoning district for Lots 1 and 3-19, Block 1, Missouri Valley Complex.

Your proposal will next be considered by the Board of City Commissioners on Tuesday, April 8, 2025, at 5:15 p.m. in the Tom Baker Meeting Room, City-County Office Building, 221, North 5th Street, Bismarck, North Dakota.

The City of Bismarck is providing applicants and their consulting engineers with the option of participating in the meeting without having to appear in person. If you wish to appear at the meeting remotely, please contact the City's Administration Department at bismarckadmin@bismarcknd.gov.

Additional information on this request can be found by going to our on-line Land Records Management System, eTRAKiT, at https://trackitapi.bismarcknd.gov/etrakit/ and searching for project number ZC2024-018.

If you have any questions or need any additional information, please contact me, the planner in our office assigned to this project, at 701-355-1850 or Ijohnson@bismarcknd.gov.

Sincerely,

Isak Johnson
Planner

IJ/ssf

dc: Landon Niemiller – Swenson Hagen & Co.

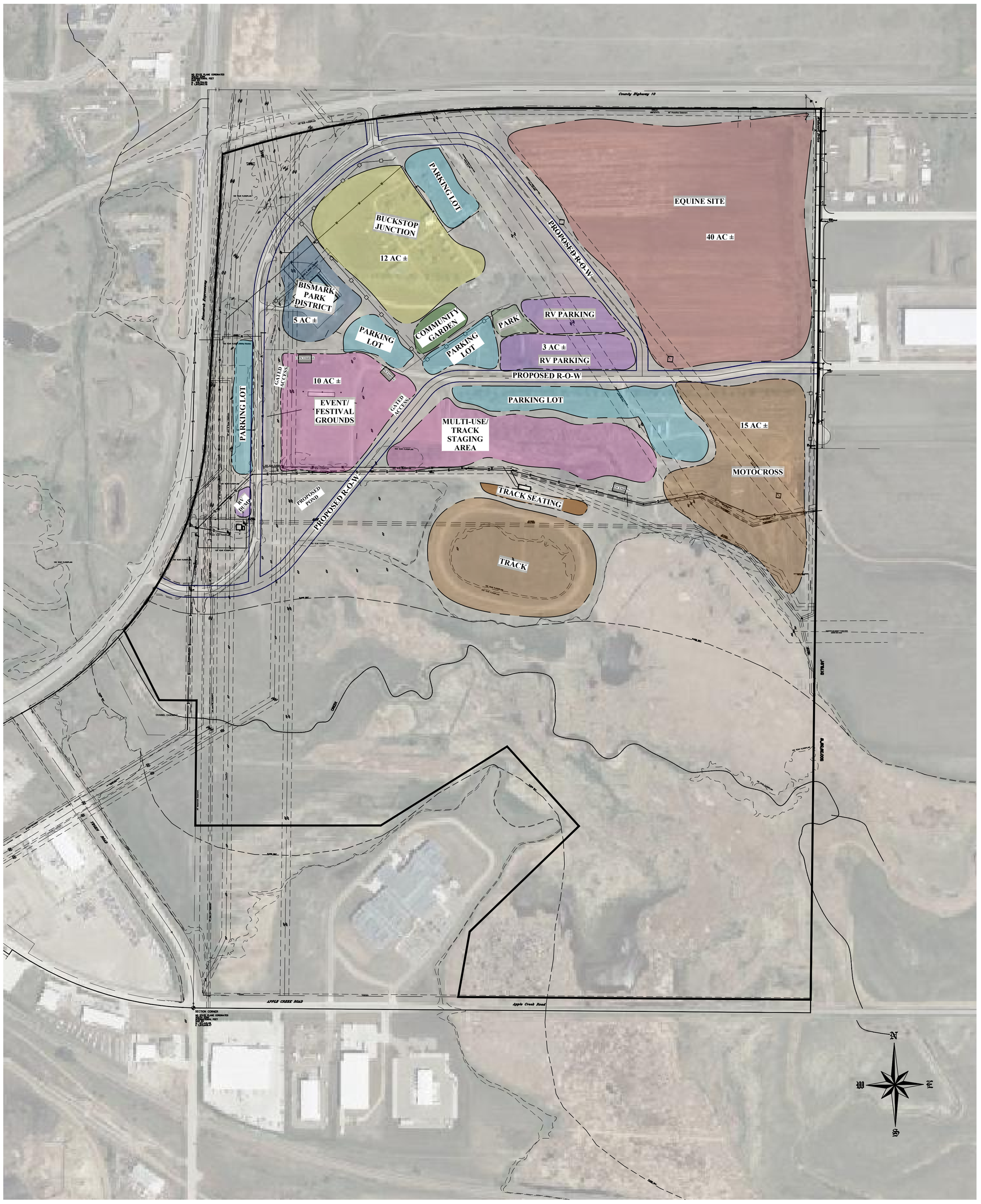


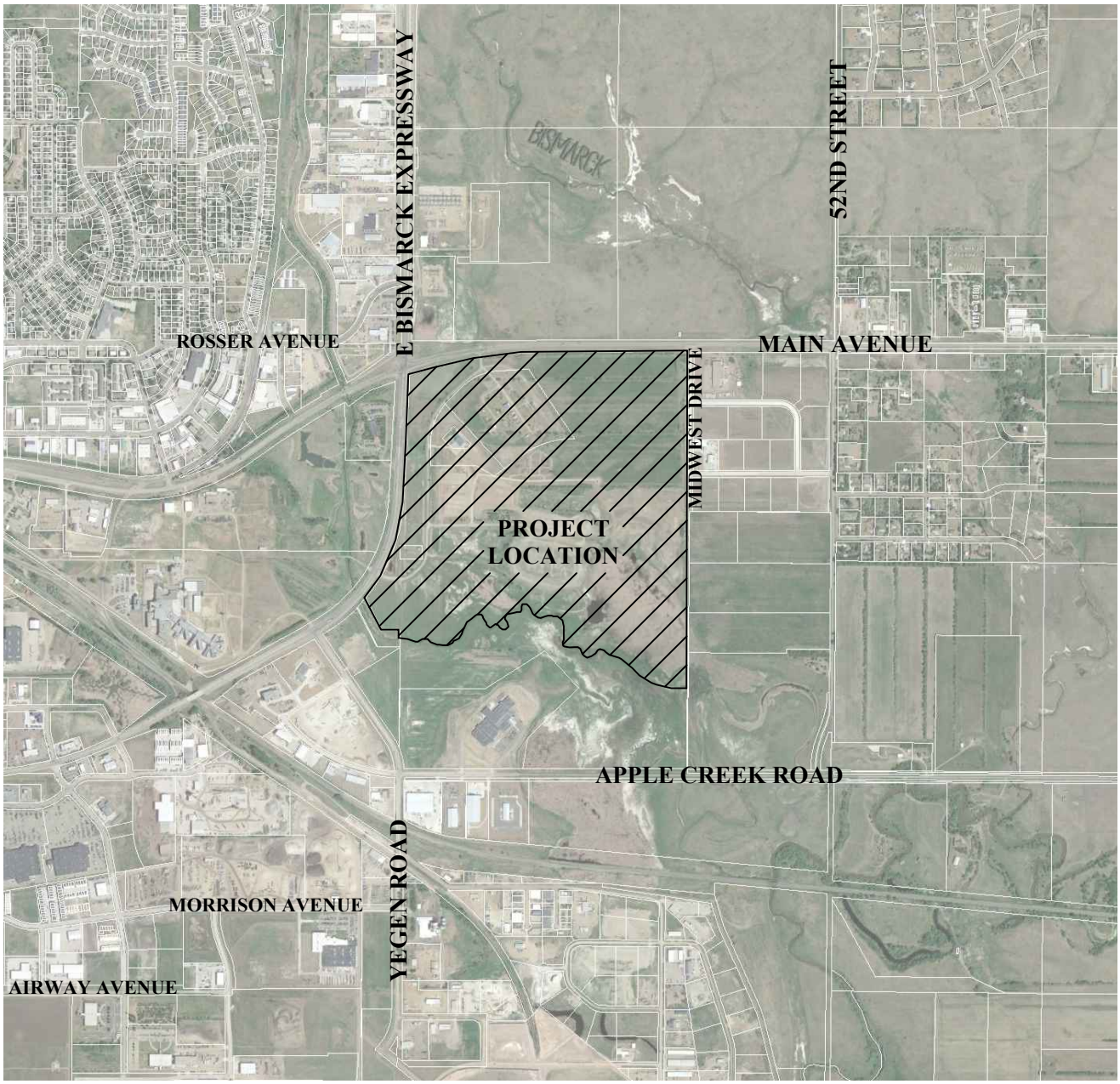
BURLEIGH COUNTY EQUESTRIAN & AG CENTER



BURLEIGH COUNTY EQUESTRIAN & AG CENTER

MISSOURI VALLEY COMPLEX
PRELIMINARY CONCEPT





N

NOT TO SCALE

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
3002 Airway Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

PROJECT AREA MAP
MISSOURI VALLEY COMPLEX
BISMARCK, ND

P:\Burleigh County, ND\Bismarck\Missouri Valley Complex 2nd Replat\Plat\Missouri Valley Complex 2nd Replat SWMP.dwg, 4/3/2025 8:07:28 AM, calew

Missouri Valley Complex

Request for Proposal

To Perform

Environmental Consulting Services

4/2/2025

For Burleigh County

&

Missouri Valley Complex Committee

Proposals Must be delivered to:
Burleigh County Auditor
221 North 5th Street
BY
12:00 PM Central Time 4/29/2025

PURPOSE

Burleigh County is soliciting proposals from qualified consultants to assist the "County" with wetland delineation services, submittal of a possible mitigation plan/permit to the Corps of Engineers and possible post construction monitoring as required by an approved permit. After the delineation and report are completed; the Consultant will meet with the County to discuss its findings and possible next steps. If the County decides that wetland impacts are unavoidable, the Consultant my be asked to enter into a sub-contract for additional services.

LOCATION

The project area is located south and east of the intersection of Main Avenue and Bismarck Expressway (See Project Area Map), on lands owned by Burleigh County. The area is commonly known as the Missouri Valley Complex.

CONSULTANT OBLIGATIONS

Consultant must analyze and respond to all sections of this RFP providing sufficient information to allow the County to evaluate the Proposal. Consultant, by submitting its Proposal, agrees that any costs incurred by the Consultant in responding to this RFP, are to be borne by the Consultant and may not be billed to County. Consultant's proposal must match the order in which the RFP was submitted or clearly state where the information resides. If County has any confusion or difficulty in retrieving the required information from the Consultant's proposal, it may result in disqualification of such proposal.

SUBCONTRACTING

No portion of the work shall be subcontracted without prior written consent of the County. In the event that Consultant desires to subcontract some part of the work specified in the contract, Consultant shall furnish the County the names, qualifications and experience of the proposed subcontractor(s). The consultant shall, however, remain fully liable and responsible for the work to be done by subcontractor(s) and shall assure compliance with all the requirements of the contract.

DISPOSITION OF PROPOSALS

All material submitted in response to this RFP will become the property of the County and may be returned only at the option of the County and at the expense of the Consultant. Successful and unsuccessful bidders will be notified in writing or via email. The County shall not be obligated to detail any of the results of the evaluation.

CONTRACTUAL COMMITMENT OF PROPOSAL

The contents of submitted Proposals will be considered obligations of the successful Consultant. No information should be submitted that is not intended to be incorporated into the Proposal and any contract that may result from such Proposal. If there is any inconsistency between the terms herein and any of the other contract documents, the terms in the other contract documents shall prevail.

PROJECT GOALS AND OBJECTIVES

The County's goal for this project is physically flagging and locating via GPS, the wetland boundaries surveyed and consultant will be responsible for identifying and mapping all **wetland** areas within the project area in compliance with federal, state, and local regulations. The **delineation** process will establish precise **wetland** boundaries and provide the necessary documentation to support future land development and permitting requirements. Consultant is responsible for the completion of a wetland delineation report in accordance with the 1987 Wetland Delineation Manual, Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region. Additionally, the consultant will be required to submit a Formal Determination request through the appropriate regulatory agencies.

SCHEDULE

Work will be conducted as soon as the growing season starts in 2025.

EVALUATION AND SELECTION PROCESS

Firms interested in performing the work must submit one electronic proposal in PDF format. The electronic copy must be submitted prior to the date and time listed on the cover of this RFP to be considered. Late proposals will not be considered.

Proposals shall be submitted to:

County Auditor
City / County Building
221 North 5th Street
Bismarck, ND 58501

- Each proposal shall contain a cover letter signed by an authorized officer who can sign contracts for the firm. The pages of the cover letter will not be counted as a part of the pages. Also include the individuals email address below each signature on the cover letter.

- Qualifications of your firm and staff proposed to perform the work described in this request for proposal. This should include resumes of staff and any recommendation / commendation letters received from past projects.

- Each proposal shall include a cost proposal for the requested work. Any additional work requested will be executed with a sub-contract.

- Past Performance – Past performance on similar contracts must be demonstrated in terms of deliverables that were completed, cost control and compliance measures that the firm uses, whether projects were completed on time and within cost. Past performance should be described with a list of comparable projects. Listed projects should include, a project description, owner, and contact information, cost of project, and types of deliverables.

- Project Management and Team Organization – Applicant should describe staff who will be involved and to what level, the project lead and organization. Additional information should include quality assurance and cost control measures, and prior experience of the project team as a unit.

- Related Experience shall include experience in submittals of mitigation plans and post-construction monitoring of mitigation projects.

- The proposal pages shall be numbered and must be limited to 6 pages in length. Proposals that exceed the page length requirement will not be considered.

Each proposal will be evaluated by a selection committee consisting of County staff members and/or representatives. The County reserves the right to limit the interviews to a minimum of three firms whose proposals most clearly meet the RFP requirements. Firms not selected to be interviewed will be notified in writing.

Selection will be based on the following weighted criteria:

Weight	
10%	i. Past performance
10%	ii. Ability of professional personnel
10%	iii. Willingness to meet time and budget requirements
20%	iv. Cost Proposal
10%	v. Recent, current, and projected workloads of the persons and/or firms
10%	vi. Related experience on similar projects
30%	viii. Project understanding, issues, and approach

Weights for each criterion are assigned independently. Maximum total weight is 100 points.

RIGHT OF REJECTION

The County reserves the right to reject any or all proposals.

ITEM

12

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: **April 7, 2025**

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, Wachter Development, Inc, 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.

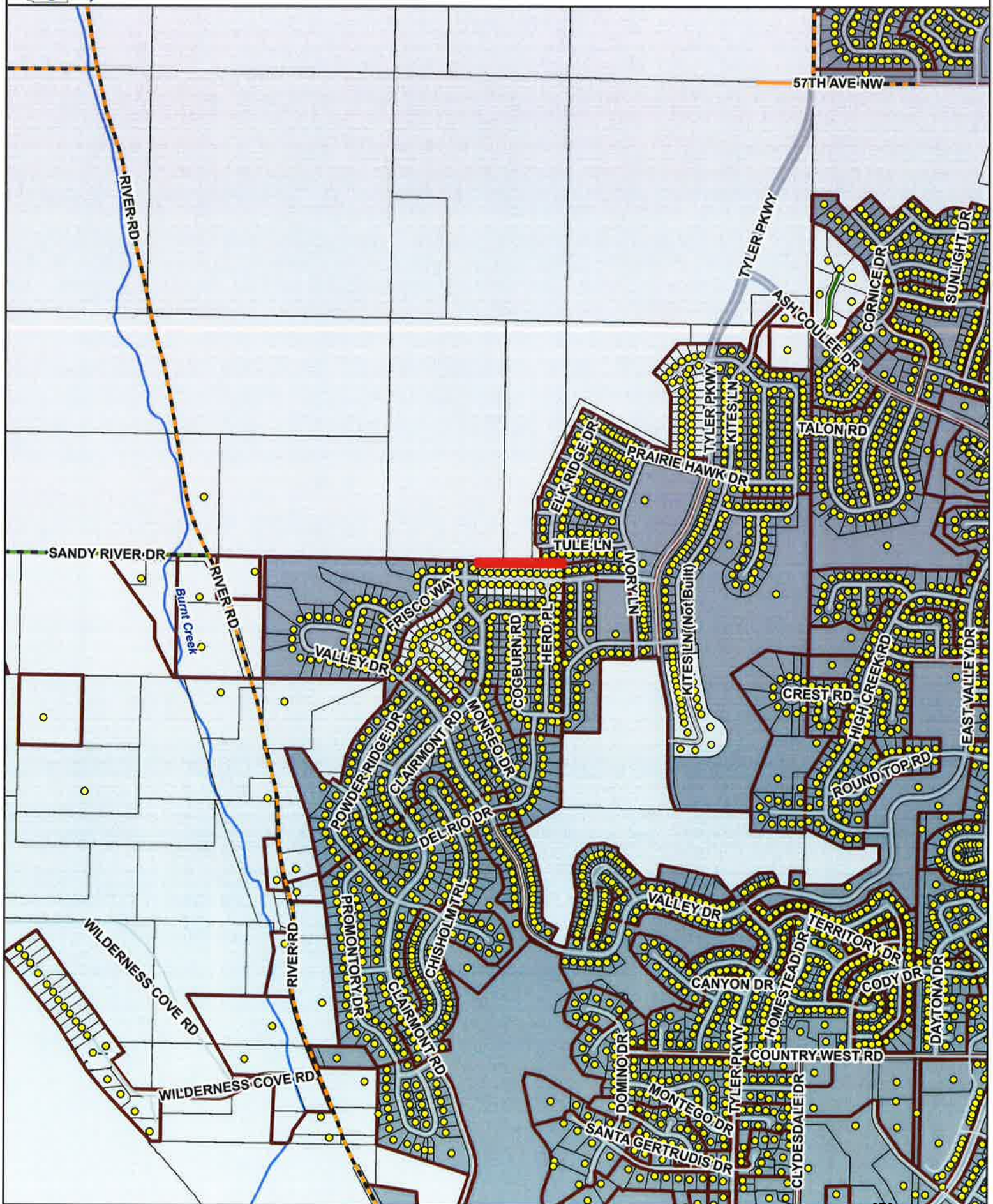
PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That Burleigh County hereby accepts the petition to vacate said section line, and sets May 5, 2025 at 5:00 p.m. as the time and date for a Public Hearing to review discontinuing this section line and ascertain any damages that are caused by this action.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

3/25/2025



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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

3/25/2025



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

RECEIVED
DEC 21 2025
BY:

BURLEIGH COUNTY

UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

☐ Preliminary Plat	☐ Final Plat	☐ Minor Plat Modification	☐ Plat Vacation
☒ Road Vacation	☐ Zoning Change	☐ Development Permit	☐ Special Use Permit

PROPERTY INFORMATION:		
Name of plat: Promontory Point Sixth Addition		
Legal description of property (lot, block, addition): Lots 2-12 Block 4 Promontory Point Sixth Addition		
Street address of property: 2508, 2502, 2416, 2410, 2404, 2318, 2312, 2306, 220, 2214, 2208 Frisco Way		
Existing Zoning:	Proposed zoning:	
Acreage:	Number of lots: 11	
Description of development proposal, including reason(s) for the request: Vacate the section line & statutory ROW from Lots 2-12 Block 4 Promontory Point Sixth Addition. Future roadway masterplans no longer use this area as the route. Property is not within the annexed limits of Bismarck.		

APPLICANT/DEVELOPER:		
Name: Wachter Development, Inc.	Mailing address: PO Box 520, Bismarck, ND 58502	
Daytime telephone number: 701 223 2200	FAX number:	E-mail address: cw@investcore.com

PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name:	Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:

CONTACT PERSON/AGENT:		
Name/Firm: Swenson Hagen & Co	Mailing address: 3002 Airway Ave, Bismarck, ND 58504	
Daytime telephone number: 701 223 2600	FAX number:	E-mail address: lniemiller@swensonhagen.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) — 3/20/2025 (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 20th day of March, 2025 before me, a notary public in and for said county and state, appeared Derek Wachter, 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.

LISA MACDONALD
Notary Public
State of North Dakota
My Commission Expires July 31, 2026

Lisa Macdonald
Notary Public
Burleigh County, State of North Dakota
My Commission Expires: July 31, 2026

Submission Deadlines:

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

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

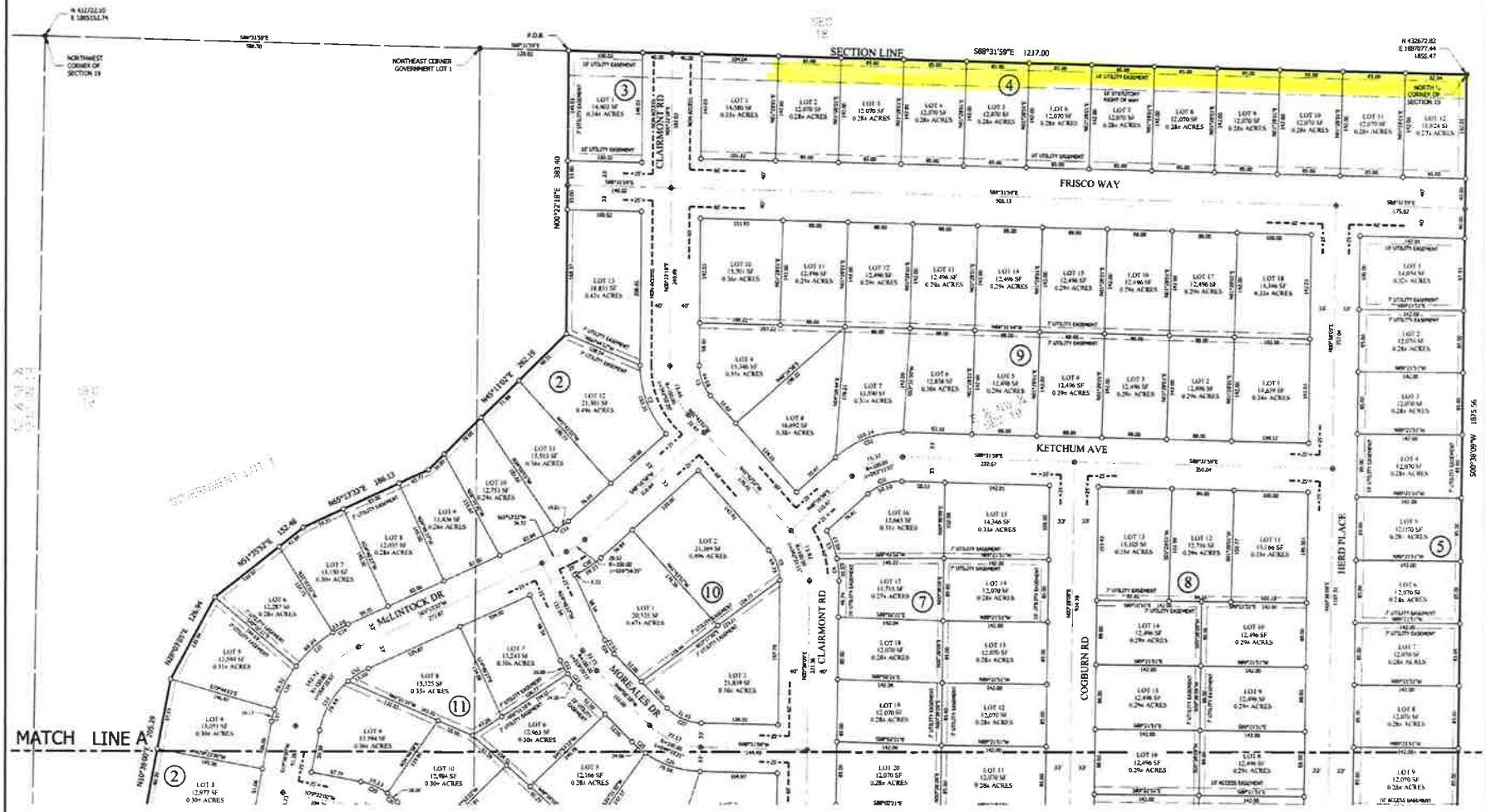
COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
☐ **Preliminary Plat**	Required pre-application meeting Date:		
	5 prints of plat, including all items listed in preliminary plat checklist		
	Preliminary plat checklist, completed by applicant		
	Fee determined by lot number: 1 – 2 lots $200.00 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)		
☐ **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		
☐ **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		
☐ **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		
☐ **Plat Vacation**	Map of property to be vacated		
	Fee of $300.00		
	Legal description of property to be vacated		
X **Road Vacation**	Map of property to be vacated	X	
	Fee of $250.00	X	
	Legal description of property to be vacated	X	
	Letters of consent from utilities (street/alley vacation & easement release)		X
☐ **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)		
☐ **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)		
	Adjacent property owner petition (required for accessory building prior to residence)		
☐ Minor Plat/Lot Modification	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		

866884

PROMONTORY POINT VI ADDITION

Part of the East Half of the Northwest Quarter and Part of Government Lot 1 of Section 19,
Township 139 North, Range 80 West of the Fifth Principal Meridian,
City of Bismarck, Burleigh County, North Dakota



PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C1	042°05'20"	60.00	44.08
C2	041°52'16"	140.00	102.31
C3	016°26'30"	140.00	40.17
C4	012°16'40"	140.00	30.00
C5	042°21'11"	60.00	44.35
C10	016°56'35"	133.00	39.33
C11	016°56'35"	67.00	19.81
C12	016°09'37"	117.00	33.00

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C13	038°25'56"	117.00	78.48
C14	007°17'24"	183.00	23.28
C15	021°18'08"	183.00	68.04
C16	020°45'47"	183.00	66.32
C17	005°14'15"	183.00	16.73
C22	008°59'46"	133.00	20.88
C23	010°20'25"	133.00	24.00
C24	019°20'11"	67.00	22.61

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C25	010°21'52"	133.00	24.06
C26	034°03'29"	133.00	79.06
C27	044°25'21"	67.00	51.95
C31	043°11'03"	67.00	50.50
C32	043°11'03"	133.00	100.24

LEGEND:
- FOUND MONUMENT
- REBAR W/ CAP LS-8444
- ROADWAY POINT
- PLAT BOUNDARY
- NON ACCESS LINE
- UTILITY EASEMENT
- SECTION LINE

SEH
PHONE: 701.354.7121
4719 SHELBURNE ST, SUITE 6
BISMARCK, ND 58503-5677
www.sehinc.com

DATE: 10/27/17

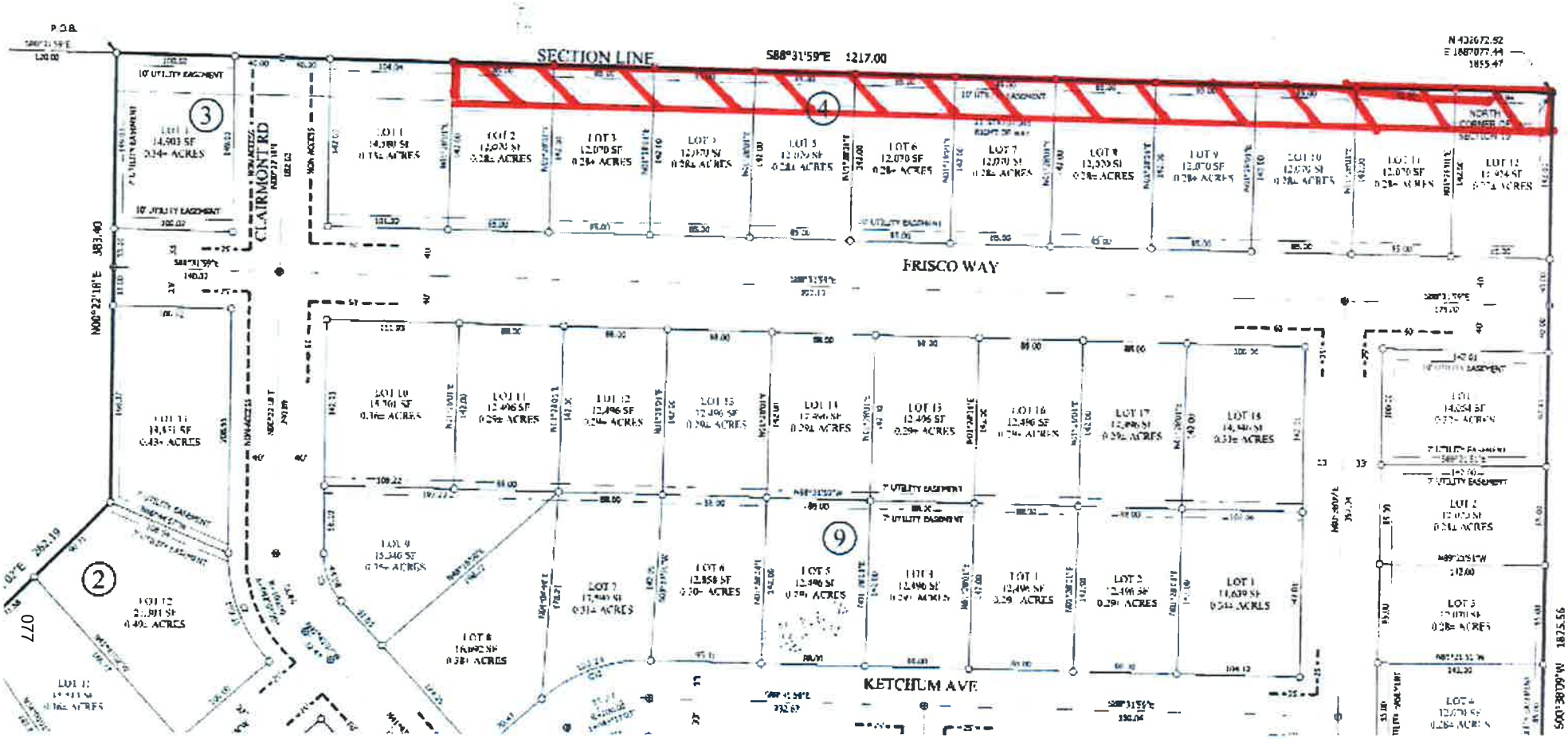
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ɔMONTORY POINT VI ADDITION

of the Northwest Quarter and Part of Government Lot 1 of Section 19,

) 139 North, Range 80 West of the Fifth Principal Meridian,

City of Bismarck, Burleigh County, North Dakota



ITEM

13

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Sterling Township Service Agreement

Date: 3-24-2025

From: Mitch Flanagan, Burleigh County Planning Director. MF

ITEM 1

Authorization of a Service Agreement with Sterling Township

Sterling Township has requested that Burleigh County provide services for issuing permits and conducting necessary building inspections for the project known as Love's Gas Station and Travel Center, based on the conditions as provided in the Sterling Township Service Agreement.

ACTION REQUESTED

Recommend approval of service agreement.

Attachments: Ex.1 Sterling Township Service Agreement 2025

Burleigh County and
Sterling Township Service Agreement

This is a service Agreement between the Burleigh County Building/Planning/Zoning Department (Burleigh County) and Sterling Township wherein Burleigh County will provide permit issuance, building plan review and building inspection services to Sterling Township for Loves Gas Station and Travel Center at Address TBD, Sterling, North Dakota.

In consideration of the conditions contained herein, Burleigh County and Sterling Township agree as follows:

1. Services Provided: Burleigh County will issue all construction related permits for Sterling Township. Burleigh County Building Official shall act as the building official for Sterling Township. Burleigh County Code Enforcement Inspectors will provide foundation inspections, framing inspections, mechanical inspections, plumbing inspections, final inspections and, when appropriate, issue certificates of occupancy in Sterling Township pursuant to the State Building Codes. Burleigh County will integrate the Sterling Township inspections into its daily inspection schedule. Burleigh County will also provide plan review services.

2. Hours: The hours of inspection services will be normal Burleigh County working hours, generally 8AM-5PM Monday through Friday, excepting holidays.

3. Employment Status:_ The inspectors performing the services under this Agreement are employees of Burleigh County and not employees of Sterling Township. Burleigh County agrees to pay the inspectors performing services under this Agreement. Sterling Township shall not be responsible for, and Burleigh County agrees to indemnify and hold Sterling Township harmless from, liability for all costs of the inspectors related to the work of the inspectors for Sterling Township, including and limited to State and Federal income tax, social security taxes, worker's compensation benefits, unemployment compensation premiums, wages, mileage, and or fringe benefits.

4. Supervision: Burleigh County agrees it will supervise its inspectors and provide clerical and technical support as is necessary to fulfill the requirements of this Agreement.

5. Reliance on Information: Burleigh County inspectors are not responsible for relying or acting upon any incorrect information provided by a permit holder or for actions resulting from information not provided by a permit holder.

6. Payment Terms: Sterling Township agrees Burleigh County will collect and retain all fees related to inspection services rendered during the term of this Agreement. Such fees shall be according to Burleigh County's fee schedule which may be amended by the Burleigh County Commission from time to time.

7. Representations as to Adequate Insurance Coverage: Each party to this Agreement represents and warrants to the other it has and shall maintain in effect liability insurance coverage in an amount of not less than $1,000,000, workforce safety, and other appropriate

forms of insurance coverage sufficient to generally protect the respective parties and their employees in carrying out the objectives of this Agreement.

8. Liability: Each party to this Agreement agrees to be responsible for its own negligent acts and the negligent acts of its respective officers, officials, employees, and or agents.

9. Term of Agreement: The term of this Agreement shall be for the duration of the Loves Gas Station and Travel Center Project, beginning on the date of approval and ending when the Project is fully completed, unless terminated pursuant to Paragraph 10.

10. Termination: This Agreement may be terminated by either party upon at least a thirty (30)-day written notice.

11. Modification or Alteration: This Agreement contains the entire agreement of the parties with respect to the subject matter of the Agreement. This Agreement supersedes any prior agreement, understandings, or negotiations, whether written or oral. This Agreement can only be amended through a written document formally executed by all parties.

Burleigh County

Dated this ____ day of _____, ~~2024~~ 2025

Attest:

_____
Brian Bittner, Chairman
Burleigh County Commission

Sterling Township

Dated this 18 day of March, ~~2024~~ 2025

Attest:

_____
Lucus Lang, Chairman
Sterling Township

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Recommendations from March 12, 2025 Burleigh County Planning Commission Meeting

Date: 3-24-2025

From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1	Approval of Summit Pt. 2nd Subdivision

Legal Description: Lots 3 and 4, Block 2, Summit Point First Subdivision within the NW ¼ of Section 35, Township 140 North, Range 81 West

Property Address: Lots 3 & 4, Block 2 Summit Point Subdivision Riverview Township

Burleigh County staff met with owners John & Sarah Wonnenberg of Lots 3 & 4, Block 2 of the Summit Point 1st Subdivision, they intend to combine the 2 lots into 1 lot to build a house. The plat was reviewed under Article 33 Section 12 Short Plat process. This area is zoned PUD- Single Family Residential.

- A public hearing for the Final Plat was held on 3-12-2025.
- The Plat contained 2 revisions to meet Art. 33 section 12.

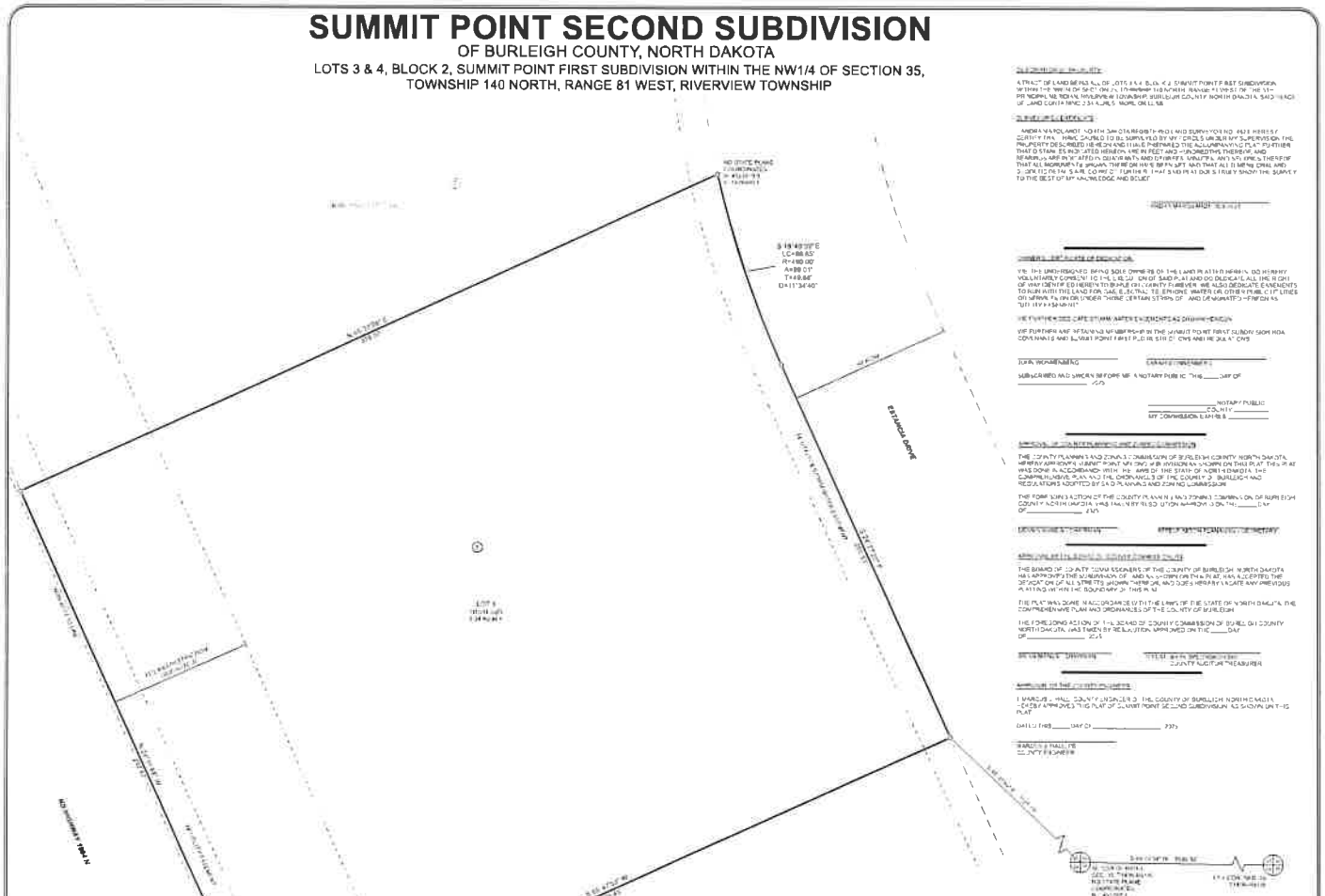
ACTION REQUESTED	Based on supporting documents and findings of the Planning Commission, it is recommended to approve Summit Pt 2nd Subdivision Final Plat.

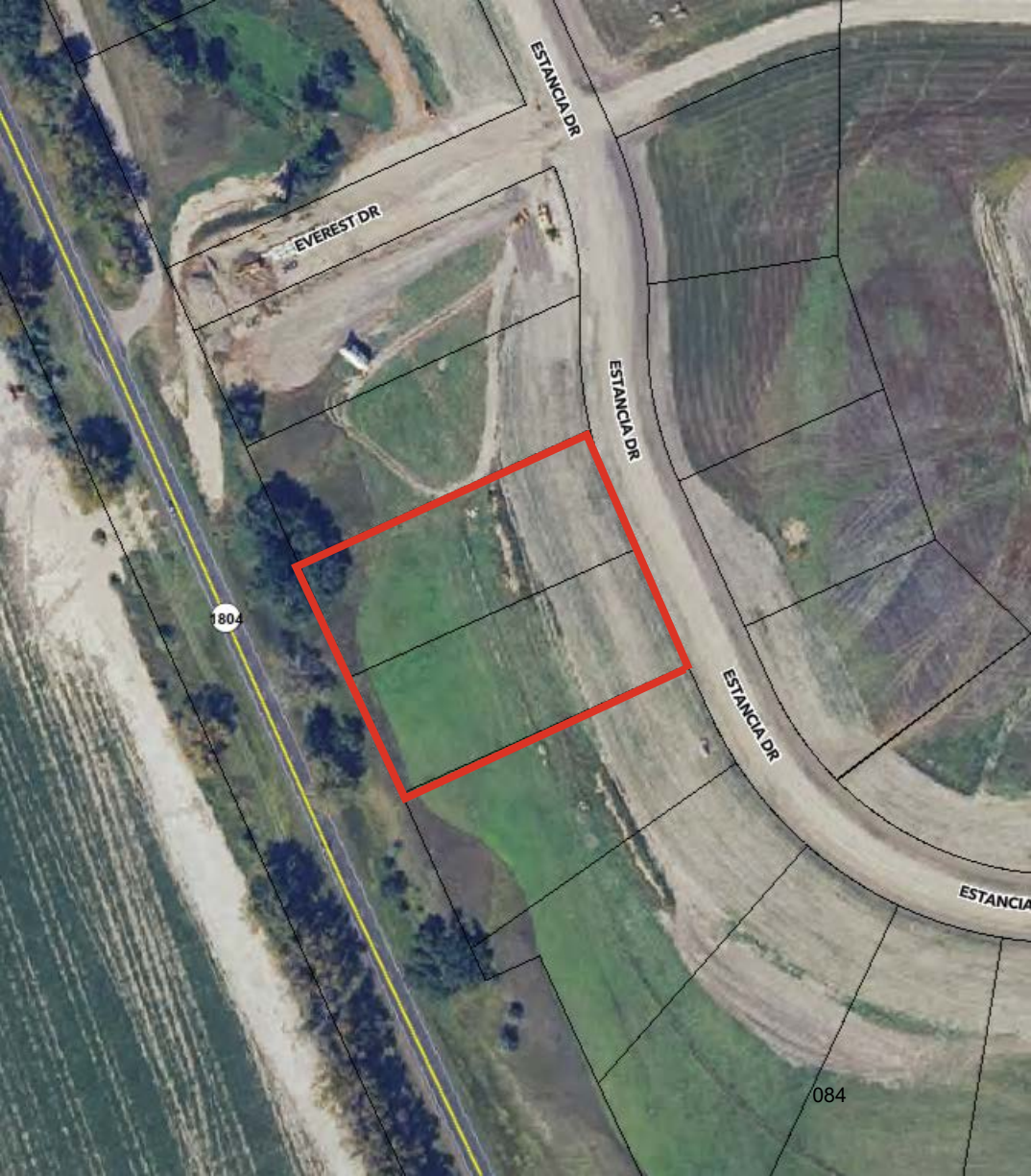
Attachments: Ex.1 Summit Pt. 2nd Subdivision Final Plat
Ex.2 Site Location

SUMMIT POINT SECOND SUBDIVISION

OF BURLEIGH COUNTY, NORTH DAKOTA

LOTS 3 & 4, BLOCK 2, SUMMIT POINT FIRST SUBDIVISION WITHIN THE NW1/4 OF SECTION 35, TOWNSHIP 140 NORTH, RANGE 81 WEST, RIVERVIEW TOWNSHIP


ESTANCIA DRIVE
LOT 3
LOT 4
S 19°48'39"E
LC=88.63'
R=490.00'
A=89.01'
T=44.66'
D=11°34'40"
N 0°11'21" W
399.97'
S 0°11'21" E
399.97'
S 89°47'39" W
399.97'
N 89°47'39" E
399.97'
N 0°11'21" W
399.97'
S 0°11'21" E
399.97'
S 89°47'39" W
399.97'
N 89°47'39" E
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N 89°47'39" E
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N 0°11'21" W
399.97'
S 0°11'21


ESTANCIA DR
EVEREST DR
ESTANCIA DR
ESTANCIA DR
ESTANCIA
1804
084

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Amend Article 8 Solar Energy System Facilities

Date: 3-24-2025

From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1 | Art.8 Section 29 Solar Energy Systems

It has become necessary to consider amending the current Article 8 to include Solar Energy Systems under a Special Use Permit. Section 29 will allow for the development of onsite renewable energy systems such as an Accessory use in any District and Solar Farms within an Ag. District. Article 8 draft ordinance was presented to the Planning Commission on July 10th and September 11th.
Public hearings for the ordinance were held on 11-13-2024 and 3-12-2025

ACTION REQUESTED — Consider motion to approve Article 8 Section 29 ordinance.

Attachments: Ex. l- Article 8 Section 29 Solar Energy Systems.

ORDINANCE 25-005 ZO

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 8 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA TO INCLUDE SECTION 29 SOLAR ENERGY SYSTEMS

Section 1. **Amendment** Article 8 of the Zoning Ordinance is hereby amended and re-enacted as follows:

SECTION 29 Solar Energy System Facilities

A solar energy system may be permitted in an Agricultural District upon approval as a special use, provided the criteria and submittal requirements are met.

Burleigh County finds that it is in the public interest to encourage the use and development of renewable energy systems (including solar energy systems) that have a positive impact on energy conservation with limited adverse impact on nearby properties. Burleigh County supports the use of solar collection systems and the development of solar energy farms. Consistent with the Burleigh County Comprehensive Plan, it is the intent of the County with this Section to create standards for the reasonable capture and use, by households, businesses and property owners, of their solar energy resource and encourage the development and use of solar energy.

1. DEFINITIONS

The following words, terms and phrases, when used in this Article and Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:

1. *Agrivoltaics*- The dual use of land for combining agriculture with solar energy production, typically, with raised co-located solar arrays above agricultural activity.

2. *Building-Integrated Solar System-* An active solar system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building integrated systems include, but are not limited to, photovoltaic or thermal solar systems that are contained within roofing materials, windows, skylights and awnings.

3. *Community Solar Energy System-* A solar-electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system.

4. *Ground Mounted Panels-* Freestanding solar panels mounted to the ground by use of stabilizers or similar apparatus.

5. *kWac* – Kilowatt, Alternating Current

6. *Lot* – The word "lot" when used alone shall mean, unless the context of the Article clearly indicates otherwise, a "zoning lot" as defined in Article 3 – Definitions.

7. *mWac* – Megawatt, Alternating Current

8. *Off-Grid Solar Energy System* – An active solar energy system that converts solar energy directly into electricity. Unlike on-grid solar power systems, off-grid systems do not connect to the national utility grid.

9. *Photovoltaic System-* An active solar energy system that converts solar energy directly into electricity.

10. Photo Panel System A system that incorporates discrete photovoltaic panels that convert solar radiation into electricity, including rack support systems.

11. *Roof or Building Mounted SES-* Solar Energy System (panels) that are mounted to the roof or building using brackets, stands or other apparatus.

12. *Roof Pitch-* The final exterior slope of a building roof calculated by the rise over the run, typically, but not exclusively, expressed in twelfths such as 3/12, 9/12, 12/12.

13. *Solar Access-* A view of the sun, from any point on the collector surface that is not obscured by any vegetation, building, or object located on parcels of land other than the parcel upon which the solar collector is located, between the hours of 9:00 AM and 3:00 PM Standard time on any day of the year.

14. *Solar Collector-* A device, structure or a part of a device or structure that the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical or electrical energy.

15. *Solar Energy-* Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

16. *Solar Energy System (SES)-* A system that converts solar radiation to usable energy, including photovoltaic panel systems and solar thermal systems. An active solar energy system that collects or stores solar energy and transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, thermal or chemical means.

17. *Solar Farm-* A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or other conversion technology, for the primary purpose of wholesale sales of generated electricity. A solar farm is the primary land use for the parcel on which it is located.

18. *Solar Thermal System-* A system that converts solar radiation to thermal energy for use in heating and cooling.

2. APPLICABILITY

These regulations are for all solar energy systems and solar energy farms on properties and structures under the jurisdiction of the Burleigh County Zoning Ordinance except that Burleigh County requires the owner or operator of solar farms that would generate electricity greater than than 50 megawatts of power to have approval for such a system from the North Dakota Public Service Commission.

Types of Solar Energy Systems.

1. Rooftop solar energy systems:

   Accessory to the primary land use, designed to supply energy for the primary use:
   a. These systems are permitted accessory uses in all districts in which buildings are permitted. The owner or contractor shall receive a building and a mechanical permit before installing a rooftop solar energy system.
   b. Size Classification for the following rooftop Solar Photo Voltaic systems:
      i. Residential – 1 to 20 kWac – accessory use, connected to existing load, rooftop or ground mount.

ii. Small Commercial – 20 to 50 kWac – accessory use, connected to existing load, rooftop or ground mount.
iii. Large Commercial – 50 kWac to 100 MWac – accessory use, connected to existing load, rooftop or ground mount.

c. Exemption:
i. A Rooftop mounted solar panel in Residential Districts for a single family dwelling primary structure is exempt from this section

2. Ground-mount solar energy systems:

Accessory to the primary land use, designed to supply energy for the primary use.

a. Ground-mount systems are permitted accessory uses in all districts in which buildings are permitted.
b. Ground-mount systems require a Burleigh County building permit and are subject to the accessory use standards for the district in which it is located, including setback. The height of a ground-mounted shall not exceed 10 feet and shall not cover or encompass more than 10 percent of the total property area or lot size.
c. Size Classification for the following found mounted Solar Photo Voltaic Systems:
i. Residential – 1 to 20 kWac – accessory use, connected to existing load, rooftop or ground mount.
ii. Small Commercial – 20 to 50 kWac – accessory use, connected to existing load, rooftop or ground mount.
iii. Large Commercial – 50 kWac to 100 MWac – accessory use, connected to existing load, rooftop or ground mount.

3. **Community solar energy systems:**

Roof or ground-mount solar energy systems, may be either accessory or primary use, designed to supply energy for off-site uses on the distribution grid, but not for export to the wholesale market or connection to the electric transmission grid. These systems shall be subject to the following conditions:

a. Rooftop community solar energy systems are permitted in AG districts in which buildings are permitted.
b. Ground-mount community solar energy systems are an accessory use in all districts.

c. All structures must meet the setback, height and coverage limitations for the district in which the system is located.
d. Size Classification of Community Solar – 100 kWac to 1MWac – primary or special use, not connected to a load, typically ground mount.
e. Ground-mount systems must meet all required standards for structures in the district in which the system is located.
f. Site Plan Required: The owner or operator shall submit to the County a detailed site plan for both existing and proposed conditions. These plans shall show the location of all areas where solar arrays would be placed, the existing and proposed structures, property lines, access points, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high-water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the County.
g. Power and communication lines. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. The Building Official or their designee may grant exemptions to this requirement in instances where shallow bedrock, water courses or other elements of the natural landscape interfere with the ability to bury lines.

4. **Solar farms:**

Ground-mount solar energy arrays that are the primary use on the lot or of a property, designed for providing energy to off-site uses or export to the wholesale market. These types of systems are permitted and regulated by the North Dakota Public Service Commission and ND State Electrical Board.

a. Solar farms are allowed under a special use permit in Agricultural (AG) zoning.
b. Shall be on properties of at least 10 acres in size.
c. Size Classification of Solar Farms Photo Voltaic Systems – 10 MWac to 500 MWac – primary or special use, not connected to a load, ground mount.
d. Stormwater management and erosion and sediment control, if required, shall meet the design restrictions of the County.

e. Foundations. If required, the manufacturer's engineer or a ND registered design professional shall certify that the foundation and design of the solar panels meets the accepted professional standards, given local soil and climate conditions.

f. Other standards and codes. All solar farms shall meet all applicable local, state and federal regulatory standards, including the State of North Dakota Building Code and the National Electric Code.

g. Power and communication lines. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. The Building Official or their designee may grant exemptions to this requirement in instances where shallow bedrock, water courses or other elements of the natural landscape interfere with the ability to bury lines as reviewed by the manufacturer's engineer or a ND registered design professional.

h. Site Plan Required. The owner or operator of the solar farm must submit to the County a digital copy of site plan (pdf format, full size) at 1" = 20' or larger scale, if integral to request for both existing and proposed conditions. These plans shall show the location of all areas where solar arrays would be placed, proposed location and distances from the existing and proposed structures, property lines, access points to the site, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high-water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the county including:

    i. Date the site plan was prepared,
    ii. North point indication
    iii. Section, township and range numbers
    vi. Topographic contours with a minimum contour interval of ten (10) feet, with indication of datum used,
    v. Location map inset showing the township(s) in which the project is located and the boundary of the proposed project.
    iv. Location of all existing public roads, dimensions and location of any utility easements and rights-of-way within <u>five hundred (500) feet</u> of proposed solar farm.

i. The County allows the installation of small operations, security, and equipment buildings on the site of solar farms as permitted accessory uses to the solar farm

j. The owner or operator shall contain all unenclosed electrical conductors located above ground within structures that control access or they must be protected from entry by a six-foot tall fence.

5. **Accessory Solar Energy Systems:**

a. Solar Access: an applicant may obtain solar easements from the adjoining property owners to preserve direct access to sunlight, as authorized by Section 47-05-01.2 of the North Dakota Century Code. A permit granted by Burleigh County to install a solar energy system does not guarantee solar access.

b. Accessory Use: Solar energy systems are permitted as an accessory use, subject to all requirements of Article 8 and the building code requirements of Article 22 Section 1.

i. An accessory solar energy system must be located on the same lot or parcel of land as the primary use it is intended to serve.

ii. An accessory solar energy system is intended to produce energy primarily for on-site consumption but excess electrical power may be transferred to a power supply grid pursuant to utility company interconnection agreements.

6. **Size Classification of Solar Photo Voltaic Systems:**

a. Residential – 1 to 20 kWac – accessory use, connected to existing load, rooftop or ground mount.

b. Small commercial – 2o to 50 kWac – accessory use, connected to existing load, rooftop or ground mount.

c. Large Commercial – 50 kWac to 100 MWac – accessory use, connected to existing load, rooftop or ground mount.

d. Community Solar – 100 kWac to 1MWac – primary or special use,not connected to a load, typically ground mount.

e. Solar Farm – 10MWac to 500 MWac – primary or special use, not connected to a load, ground mount.

7. **Decommissioning Plan:**

The County requires the owner or operator to submit a decommissioning plan for ground-mounted systems to ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The owner or operator shall decommission the solar panels in the event they are not

in use for twelve (12) consecutive months. The plan shall include provisions for the removal of all structures that are above ground and foundations, the restoration of soil and vegetation and a soundly-based plan ensuring financial resources will be available to fully decommission the site. The disposal of structures and/or foundations shall meet all County requirements and the requirements of the County Solid Waste Ordinance. The County also may require the owner or operator to post a bond, letter of credit or establish and escrow account to ensure property decommissioning.

8. **Prohibitions:**

The County prohibits community solar farms located within:

a. All Floodplain Districts and Designated SFHA Areas.

9. **Additional standards:**

In addition to the requirements listed above, all solar energy systems shall meet the following standards.

a. The owners or operators of electric solar energy systems that are connected in parallel with the service provider to the electric distribution or transmission system, either directly or through the existing service of the primary use on the site, shall obtain an interconnection agreement with the electric utility in whose service territory the system is located. Off-grid systems are exempt from this requirement.
b. Electric solar system components that are connected to a building electric system must have an Underwriters Laboratory (UL) listing.
c. All solar energy systems shall meet the standards of the North Dakota State Electrical Board, North Dakota State Building Code, National Electric Safety Code and National Electric Code.
d. Solar farms shall control al Noxious Weeds according to NDCC Chapter 4.1-47.
e. All electrical lines serving a freestanding accessory solar energy system shall be buried.
f. Installation of all rooftop solar systems shall meet the standards of the North Dakota Building Code.
g. All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector that affects adjacent or nearby properties. Steps to minimize glare nuisance may include selective placement of the

system, screening on the north side of the solar array, reducing use of the reflector system or other remedies that limit glare.

h. Roof-mounted solar systems shall not exceed the maximum allowed height in any zoning district.

i. All exterior electrical and plumbing lines, batteries, and other appurtenant features serving a building-mounted accessory solar energy system shall be either screened or painted/coated to match the color of adjacent roofing or siding materials. This provision does not apply to a solar collector.

j. The non-collecting side of a solar collector and other appurtenant features of any freestanding accessory solar energy system shall be screened from view of said public right-of-way with landscape buffer and/or fencing.

k. Commercial rooftop systems shall be placed on the roof to limit visibility from the public right-of-way or to blend into the roof design, provided that minimizing visibility still allows the property owner to reasonably capture solar energy.

l. Setbacks. All equipment and structures shall meet the setback and coverage limitations for the zoning district in which the system is located. No free-standing accessory solar energy system may extend into or over a legally recorded easement.

m. Additional conditions or specific allowances to this ordinance may be considered in the review and approval of the Special Use Permit.

10. **Fees:**

The special use permit fee will be based on .001 x total project cost. An application fee of $1,000.00 shall be payable at the time of application for a special use permit, with the remained of the special use permit fee remitted by the applicant prior to commencement of construction. Or:

a. $300.00 whichever is greater.

Section 2. **Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. **Severability.** If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. **Effective Date**. This ordinance shall take effect after final passage, adoption and publication as provided by law.

Final passage and adoption: _____

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of _____day of _____, 2025

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____ day of _____, 2025

_____

Mark Splonskowski, Burleigh County Auditor/Treasurer

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Administrative Change to Platted Non-Access Lines.

Date: 3-24-2025

From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1	Changing Non-Access Lines

Non-access lines are selectively drawn on a plat to limit access to high speed, high traffic volume roadways and at intersections to lower traffic accidents. County Staff reviews the non-access line locations and makes recommendations to the County Commission for their approval. Once non-access lines are recorded on a plat, it currently requires the owner to replat the allowed access to a new location. Staff's intentions are to be able to make an administrative change to a non-access line on the plat, while not compromising important safety concerns.

Minor changes to a Non-Access Line can be completed in a less complicated method by use of a Resolution and Affidavit which would proceed as follows:

1. $250.00 Non-access line modification fee.
2. Applications reviewed by Burleigh County Planning and Zoning, the Burleigh County Highway Department, and additional Staff as needed.
3. After the petition is presented at a public hearing to the Planning Commission, the resolution and affidavit documents are submitted to the Board of Burleigh County Commissioners for approval.
4. Auditor stamps and signs the Affidavit
5. All documents will be recorded by County Staff and filed with the original subdivision.

Using this method/policy would shorten the time and reduce costs for application, surveying and recording. Recent properties affected by platted Non-Access Lines:

1. Braunagel Subdivision: 1072 NE 171st St.
2. Twin Buttes Subdivision: 4800 102nd Ave SE.
3. Riverside 3rd Subdivision: 9922 Island Road.
4. Heritage Reserve Subdivision: 12009 Acadia Drive.

ACTION REQUESTED	Consider recommendations to allow administrative changes to a platted non-access line.

Attachments: Ex.1 Sample Resolution.
Ex.2 Sample Affidavit.

RESOLUTION 25-01

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF BURLEIGH, NORTH DAKOTA
MODIFICATION OF NON-ACCESS LINE

WHEREAS, the owners of property described as_____ _____, adjoining and contiguous to a platted non-access control lines, have heretofore joined in petition requesting that parts of said non-access control lines be modified, verified by oath of at least one petitioner and accompanied by a plat of said non-access control lines to be modified having set forth the facts and reason for said modification; and

WHEREAS. said platted non-access control lines were shown on the plat of _____ which was recorded on _____ (document #_____) and

WHEREAS, The County Engineer has determined that the parts of the non-access control lines to be modified does not adversely affect traffic movements or public safety.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners for Burleigh County, North Dakota that the petition heretofore described to modify the non-access control line described as:

Legal Description of Non-Access Line

Is in all things allowed and granted

BE IT FURTHER RESOLVED that the petition heretofore described to modify the _____ of the non-access control line described as:

Legal Description of Non-Access Line Modification

Is in all things allowed and granted.

BE IT FURTHER RESOLVED the County Auditor is hereby authorized to file this resolution for record in the office of the County Recorder. Burleigh County, North Dakota.

Adopted this _____day of _____, 20__.

CERTIFICATE

l, _____, do hereby certify that I am the duly elected, qualified, and acting County Auditor of the County of Burleigh, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted by the Board of County Commissioners at its regular meeting of _____ _____ 20___.

IN WITNESS WHEREOF, have hereunto set my hand and the seal of the County of Burleigh, North Dakota, this _____day of _____, 20__

_____
Mark Splonskowski
County Auditor. Burleigh County, North Dakota

AFFIDAVIT OF NON-ACCESS LINE MODIFICATION

AFD 25-001

The Burleigh County Commission at a regular scheduled meeting on_____, 2025, duly modified the following non-access line as described below:

Witness my hand and seal this _____ day of _____, 2025

_____

Mark Splonskowski,
Burleigh County Auditor

MODIFICATION OF NON-ACCESS LINE

The Non-Access Line vacation is situated on _____

, Burleigh County North Dakota being more particularly described as follows:

Legal description of non-access line:

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

April 21, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration April 7, 2025, meeting minutes and bills.

5. Consent Agenda:
    a. Abatements.
    b. 2nd access permit.
    c. Special use Permits.

6. Sheriff Leben:
    a. Quarterly Report.
7. County Human Resources Director Binder:
    a. HRIS/Payroll/Timekeeping software.
8. County Planning Director Flanagan:
    a. Schatz special use permit request.
    b. Amend Article 8 section 30 Data Centers.
    c. BESS moratorium.

9. Comm. Munson:
    a. Fireworks discussion.
    b. Public Health Discussion.
    c. Ag and Equestrian Center.

10. Chairman Bitner:
    a. Continuation of investment Discussion.
    b. Continuation of Auditor/Treasurer Discussion.

11. Other Business.

12. Adjourn.

The next regularly scheduled Commission meeting will be on May 5th, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
APRIL 7th, 2025

5:00 PM

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

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the agenda with moving item eight to item seven, item sixteen to item eight, item fourteen to item nine, and moving item fifteen to the next meeting. All members present voted 'AYE'. ***Motion carried***.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the amended December 16th, 2024 meeting minutes and the March 17th, 2025, March 22nd, 2025, March 29th, 2025, and April 2nd, 2025 meeting minutes as well as the approval of the bills. Comm. Schwab, Bakken, Munson, and Chair Bitner voted 'AYE'. Comm. Woodcox voted 'NAY'. ***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
Ida & Benjamin Erickson	2023	Lot 3, Block 2, East Valley Estates	100% Disabled Veteran	$403,400	$331,400
James & Marie Mills	2024	Auditor's Lot 8 in SW1/4, Section 17, Apple Creek Township	Error in property description	$193,600	$167,600
New Fortune Real Estate LLC	2023	Lot 8, Block 12, Riverview	Error in property description	$347,900	$280,200
New Fortune Real Estate LLC	2024	Lot 8, Block 12, Riverview	Error in property description	$345,700	$280,200
Tyler Maher	2024	Lot 3, Block 6, Boulder Ridge 2nd Addn, plus undiv. Interest in common areas	90% Disabled Veteran	$406,800	$285,300
Richard & Marilyn Strom	2023	Lot 8, Block 7, Wheatland Hills	50% Homestead Credit	$253,600	$153,600
Richard & Marilyn Strom	2024	Lot 8, Block 7, Wheatland Hills	50% Homestead Credit	$270,700	$170,700
Cecil & Darcie Uglow	2023	Lot 10, Block 3, Replat of Calkins	50% Homestead Credit	$168,900	$84,450

Cecil & Darcie Uglow	2024	Lot 10, Block 3, Replat of Calkins	50% Homestead Credit	$168,300	$84,150
Kevin Murschel	2023	S20' of Lot 1 Unit C, Block 2, Arman	50% Homestead Credit	$167,400	$83,700
Kevin Murschel	2024	S20' of Lot 1 Unit C, Block 2, Arman	100% Homestead Credit	$175,600	$0
Donavon Hatzenbuhler	2024	Unit 114 Pinecrest Condo, Lots 9-12 & W10.2' of Lot 13, Block 14, Wachter's 2nd	50% Disabled Veteran	$105,300	$52,650
Tanner & Ashley Russell	2024	Lot 2, Block 9, Washington Heights 2nd	50% Disabled Veteran	$350,700	$260,700
Wayne & Sharon Keeler	2025	2011 28 x 56, ser #220AB	50% Homestead Credit	$90,709	$45,355
Darlene Kelley	2023	Lot 10, Block 3, Jennings 1st	100% Homestead Credit	$223,400	$23,400
Darlene Kelley	2024	Lot 10, Block 3, Jennings 1st	100% Homestead Credit	$229,600	$29,600
Roberta Nelson	2023	Lot 3, Block 7, Wachter's 6th	50% Homestead Credit	$274,000	$174,000
Eric Juno	2024	1971 Townhouse Rollohome 66 x 14	Mobile home removed from lot in 2024	$7,288	$0
Eric Juno	2025	1971 Townhouse Rollohome 66 x 14	Mobile home removed from lot in 2024	$7,288	$0
Timothy Keller	2024	1972 Schult 58 x 14, VIN #I109723	Mobile home removed from lot in 2024	$6,428	$0
Timothy Keller	2025	1972 Schult 58 x 14, VIN #I109723	Mobile home removed from lot in 2024	$6,428	$0
Virgil Kuntz	2024	1970 Star 64 x 14	Mobile home removed from lot in 2024	$7,169	$0
Virgil Kuntz	2025	1970 Star 64 x 14	Mobile home removed from lot in 2024	$7,169	$0
Marriah Potter	2023	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	$7,288	$0

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Marriah Potter	2024	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	$7,288	$0
Marriah Potter	2025	1970 Kenwood 66 x 14, VIN #R321	Mobile home removed from lot in 2023	$7,288	$0
Derle Marchus	2024	1977 Rollohome 66 x 14, VIN 31802	Mobile home removed from lot	$8,285	$0
Derle Marchus	2025	1977 Rollohome 66 x 14, VIN 31802	Mobile home removed from lot	$8,285	$0
Claudine Pochant	2025	1998 Schult 16 x 76, serial #R280513	50% Homestead Credit	$36,675	$18,337
Marvin Herauf	2025	1979 Atlantic 56 x 24, serial #479014-3230	100% Homestead Credit	$14,918	$0
Marlys Geinert	2024	Lot A of Lot 6 & Lot A of Lot 7 less that part taken for R/W, Block 0, Pollock's Addn	Error in property description	$264,400	$185,100
Dale & Ellen Schafer	2024	Lot 4, Block 1, Promontory Point IV 2nd Replat	100% Disabled Veteran	$572,700	$392,700
Larry Holzer	2024	Lot 14 less N15', Block 16, Lincoln Replat B 16	100% Homestead Credit	$205,300	$5,300
Katherine Hager	2023	Lot 10, Block 11, Replat pt Marian Park 2nd	50% Homestead Credit	$208,300	$108,300
Katherine Hager	2024	Lot 10, Block 11, Replat pt Marian Park 2nd	50% Homestead Credit	$232,500	$132,500
Vaughn Chesrown	2024	Lot 2 except E2' & E4' of Lot 1, Block 6, North Hills 1st	50% Homestead Credit	$224,900	$124,900
Jerome Rodgers	2024	Lot 2, Block 1, Gateway 3rd	100% Homestead Credit	$440,400	$240,400
Marcy Krueger	2024	Lot 15, Block 1, Welle	100% Homestead Credit	$370,500	$170,500
Rosella Ohlhauser	2024	1979 Medallion 68 x 16, serial #5193N	100% Homestead Credit	$10,805	$0
Rosella Ohlhauser	2025	1979 Medallion 68 x 16, serial #5193N	100% Homestead Credit	$10,805	$0
Donald DuFrame	2024	Lot 4, Block 4, Fort Lincoln Est #1	100% Homestead Credit	$259,200	$59,200

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Donald DuFrame	2025	Lot 4, Block 4, Fort Lincoln Est #1	100% Homestead Credit	$237,300	$37,300
Marcia Barnes	2023	Lot 9, Block 18, S & W Third	50% Homestead Credit	$174,800	$74,800
Laurie Jean Newman	2025	1999 Schult 28 x 64, serial #R288353AB	50% Homestead Credit	$65,372	$32,686
Bernice Fuchs	2023	Lots 9-10, Block 26, Sturgis	100% Homestead Credit	$207,600	$7,600
Gerald & Susan Tschider	2024	S60' of Lot 3, Block 2, Jennings 1st	50% Homestead Credit	$297,400	$197,400
Margaret Elkin	2024	Lot 3, Block 1, Register's 1st	50% Homestead Credit	$176,500	$88,250
Rodney & Marlene Hanson	2024	Unit 1433 Washington Circle Condos, Aud Lots 1-2 of Lots A-F of Lots 23-26, Block 30, Wachter's 3rd	100% Homestead Credit	$219,000	$19,000
Alvina Mehlhoff	2024	Lot 14, Block 1, Weston Village 1st &b undivided int in common area	50% Homestead Credit	$245,000	$145,000
Marilyn Campbell	2024	Unit 3E the Sheraton Condo, Aud Lot A, Gateway Commons	100% Homestead Credit	$134,100	$0
Ronald Dockter	2025	2009 Friendship 64 x 28, serial #MY0931412AB	Combined parcels - moved mobile home w/ parcel CW-142-76-00-09-120	$103,667	$0
Lorraine Ferderer	2023	Lot 3, Block 2, Cottonwood Lake 6th Add Replat	50% Homestead Credit	$328,300	$228,300
Lorraine Ferderer	2024	Lot 3, Block 2, Cottonwood Lake 6th Add Replat	50% Homestead Credit	$315,600	$215,600
Carleen Hennenfent	2023	Unit XXV Meadow Brook Condos, Lot 55 less N150', Block 23, Southwood Terrace 2nd Replat	100% Homestead Credit	$234,600	$34,600
Carleen Hennenfent	2024	Unit XXV Meadow Brook Condos, Lot 55 less N150', Block 23, Southwood Terrace 2nd Replat	100% Homestead Credit	$246,400	$46,400
James Fetter	2023	Lots 9-10 less W20' for alley, Block 41, Flannery & Wetherby	50% Homestead Credit	$321,500	$221,500
James Fetter	2024	Lots 9-10 less W20' for alley, Block 41, Flannery & Wetherby	50% Homestead Credit	$339,800	$239,800
Patricia Stadig	2025	1986 Riveroaks 16 x 76, serial #981	100% Homestead Credit	$22,934	$0

Janice Jensen	2024	Lot 9, Block 23, S & W 6th Addn	100% Homestead Credit	$215,000	$15,000
Joan Orvik	2025	1987 Bellavista 76 x 16, serial #78 A15685	100% Homestead Credit	$24,612	$0
Judy Braley	2023	2012 Redman 32 x 68, ser #A000579AB	100% Homestead Credit	$131,539	$0
Judy Braley	2024	2012 Redman 32 x 68, ser #A000579AB	50% Homestead Credit	$131,539	$65,769
Margaret Kiefer	2023	Unit 3214 Hay Creek Meadows Condos, Lots 6-9, Block 4, Hay Creek Meadows	50% Homestead Credit	$196,100	$98,050
Margaret Kiefer	2024	Unit 3214 Hay Creek Meadows Condos, Lots 6-9, Block 4, Hay Creek Meadows	50% Homestead Credit	$203,000	$103,000
Richard Lorenz	2023	E100' of Lots 11-12, Block 46, Governor Pierce	50% Homestead Credit	$234,900	$134,900
Richard Lorenz	2024	E100' of Lots 11-12, Block 46, Governor Pierce	50% Homestead Credit	$240,000	$140,000
James & Jane Morgan	2024	Lot 8, Block 8, Highland Acres	100% Homestead Credit	$340,100	$140,100
Leora & Dirk Bauer	2024	Lot 14, Block 2, Meadow Valley	50% Homestead Credit	$291,100	$191,100
Bob & Patty Gefre	2023	Unit 3335 Rolling Hills Condos I, Lot 1, Block 1, East Hills Addn Replat	50% Homestead Credit	$314,800	$214,800
Beverly Prom	2025	1992 Schult 28 x 56, serial #R255399AB	50% Homestead Credit	$39,984	$19,992
Brenda Medeiros	2024	Lot 12, Block 2, Edgewood Village 1st & undiv int in common areas Lots 1, 10, 14, 23, 34, 39, & 50	100% Homestead Credit	$390,700	$190,700
Andy Schmit	2024	Lot 8 less SELY 2', said 2' being measured adj & parallel to lot line common to Lots 7-8 & SELY 2'Lot 9 said 2' meas adj & parallel to Lots 8-9, Block 1, the Pointe	50% Homestead Credit	$369,600	$269,600
Marlyn Pegors	2024	SW1/4 28-139-76	100% Homestead Credit	$35,400	$0
Bonnie & Bruce Trom	2024	Lot 5, Block 4, Fort Lincoln Est #1	50% Homestead Credit	$331,000	$231,000

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Bonnie & Bruce Trom	2025	Lot 5, Block 4, Fort Lincoln Est #1	50% Homestead Credit	$293,400	$193,400
Linda Masseth	2023	Unit 12 & garage 8, Washington Court Condos Bldg 2036, Lot C, Block 13, Replat Homan Acres	100% Homestead Credit	$113,700	$0
Linda Masseth	2024	Unit 12 & garage 8, Washington Court Condos Bldg 2036, Lot C, Block 13, Replat Homan Acres	100% Homestead Credit	$119,700	$0
Barb Schantz	2023	Unit 120, Riverside Park Condos, pt of NW1/4NW1/4 sec 5 & pt of gov lot 1 sec 6 138-80, Block 5, City Lands 138-80	100% Homestead Credit	$234,700	$34,700
Barb Schantz	2024	Unit 120, Riverside Park Condos, pt of NW1/4NW1/4 sec 5 & pt of gov lot 1 sec 6 138-80, Block 5, City Lands 138-80	100% Homestead Credit	$217,400	$17,400
Scott & Corey Detling -Garry & Betty Detling-	2023	Lot 15, Block 2, Vision Heights	50% Homestead Credit	$92,200	$46,100
Scott & Corey Detling -Garry & Betty Detling-	2024	Lot 15, Block 2, Vision Heights	50% Homestead Credit	$102,700	$51,350
Veronica Schneider	2024	Unit 17 & parking space 8 & storage area 14 & undivided int in common area, Lots 3-6, Block 1, Replat of Calkins	100% Homestead Credit	$104,300	$0
Betty Peterson	2023	Lot 16, Block 2, Northridge	100% Homestead Credit	$172,000	$0
John Weisz	2024	Lot 9, Block 9, Marian Park 1st	100% Homestead Credit	$251,400	$51,400
Leora & Dirk Bauer	2023	Lot 14, Block 2, Meadow Valley	50% Homestead Credit	$274,600	$174,600
Tim & Patty Thorsness	2024	Lot 7 less 683 sq ft in tract beg @ NW cor Lot 7 NELY along N L line 160.38 to NE cor 58.67'	50% Homestead Credit	$235,200	$135,200
Connie Heer	2024	Lot 2B of Lot 2, Block 2, Kilber North Addition	50% Homestead Credit	$309,200	$209,200
Brian Burkett	2024	Lot 7, Block 21, Meadow Valley 4th	50% Homestead Credit	$270,700	$170,700
Cynthia Sanford	2023	W 40' of Lot 19, Block 4, Gateway Addn	50% Homestead Credit	$301,200	$201,200

Beverly Herner	2024	Unit 201 Capital Arms Condos, Lot 9, Block 7, Casey's 2nd	50% Homestead Credit	$161,800	$80,900
Semsudin (Sam) Basic	2025	1977 Holly Park 14 x 66, serial #M604297	100% Homestead Credit	$7,983	$0
Gary & Margo Dietz	2024	Lot 12, Block 1, Briardale	100% Disabled Veteran	$334,800	$154,800
Sandy Svihla	2025	1974 Rollohome 70 x 14, serial #J1276	100% Homestead Credit	$7,814	$0
Brenda McLellan	2024	Lot 4, Block 2, Apple Meadows 2nd	50% Homestead Credit	$347,400	$247,400
Kim & Debbie Sabot	2024	Unit 2 East Hills Condo 1509+1519, Lots 2-3, Block 3, East Hills Addn Replat	50% Homestead Credit	$326,300	$226,300
Deborah Frank	2024	Unit 13, South Aires Condo, S76' of Lot 2, all Lot 3 & N34' of Lot 4, Block 17, Wachter's 2nd	100% Homestead Credit	$102,700	$0
Rosemary Ridley	2023	Lot 3, Block 2, Wachter's 5th	100% Homestead Credit	$238,400	$38,400
Rosemary Ridley	2024	Lot 3, Block 2, Wachter's 5th	100% Homestead Credit	$243,200	$43,200
Brenda Hausauer	2023	Lot 2, Block 6, Marian Park 2nd	50% Homestead Credit	$248,700	$148,700
Brenda Hausauer	2024	Lot 2, Block 6, Marian Park 2nd	50% Homestead Credit	$267,000	$167,000
Lynette Lewis	2025	1970 Blairhouse 66 x 14, serial #5505Z	100% Homestead Credit	$7,096	$0
Charlie Deichert	2024	Lot 14, Block 2, Sattler's Sunrise 1st	50% Homestead Credit	$282,600	$182,600
Cynthia Kellogg	2024	Unit 3 Owens Ave Condos, S170' of Lot 12 less Lot 12A, Block 18, Replat Tibesar's 1st Subdivision	50% Homestead Credit	$185,800	$92,900
Ronda Fox	2024	Unit A Bldg 3212 Arrow Head Ranch, Lots 4,6,8,10, Block 1, Pebble Creek 8th Rpt & Lot 15 less WLY 148' of SLY 180', Block 2, Pebble Creek 8th	100% Homestead Credit	$306,900	$106,900
Lavata Becker	2024	Lot 16, Block 4, Cottonwood Parkview Addn	100% Homestead Credit	$484,900	$351,567

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Steven Rustand	2023	N57.5' of Lot 6, Block 10, Riverview	100% Homestead Credit	$192,100	$0
Steven Rustand	2024	N57.5' of Lot 6, Block 10, Riverview	50% Homestead Credit	$194,500	$97,250
Eileen Bavendick	2023	Lot 2, Block 19, Jenning's 4th	100% Homestead Credit	$279,400	$79,400
Eileen Bavendick	2024	Lot 2, Block 19, Jenning's 4th	100% Homestead Credit	$279,900	$79,900
Dennis & Joan Peltz	2023	Lot 18, Block 4, Heritage Park Addn	50% Homestead Credit	$485,100	$385,100
Dennis & Joan Peltz	2024	Lot 18, Block 4, Heritage Park Addn	50% Homestead Credit	$514,600	$414,600
Barb Knutson	2023	NE1/4 29-139-77	100% Homestead Credit	$128,100	$0
Barb Knutson	2024	NE1/4 29-139-77	50% Homestead Credit	$138,600	$69,300
Fabian John Kramer	2023	Lot 5, Block 00, B + R Estates	100% Homestead Credit	$238,900	$138,900
Fabian John Kramer	2024	Lot 5, Block 00, B + R Estates	100% Homestead Credit	$248,400	$148,400
Jean Kessler	2023	Unit 209 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	100% Homestead Credit	$87,000	$0
Jean Kessler	2024	Unit 209 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	100% Homestead Credit	$96,000	$0

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Ida & Benjamin Erickson, James & Marie Mills, New Fortune Real Estate LLC, Tyler Maher, Richard & Marilyn Strom, Cecil & Darcie Uglow, Kevin Murschel, Donavon Hatzenbuhler, Tanner & Ashley Russell, Wayne & Sharon Keeler, Darlene Kelley, Roberta Nelson, Eric Juno, Timothy Keller, Virgil Kuntz, Marriah Potter, Derle Marchus, Claudine Pochant, Marvin Herauf, Marlys Geinert, Dale & Ellen Schafer, Larry Holzer, Katherine Hager, Vaughn Chesrown, Jerome Rodgers, Marcy Krueger, Rosella Ohlhauser, Donald DuFrame, Marcia Barnes, Laurie Jean Newman, Bernice Fuchs, Gerald & Susan Tschider, Margaret Elkin, Rodney & Marlene Hanson, Alvina Mehlhoff, Marilyn Campbell, Ronald Dockter, Lorraine Ferderer, Carleen Hennenfent, James Fetter, Patricia Stadig, Janice Jensen, Joan Orvik, Judy Braley, Margaret Kiefer, Richard Lorenz, James & Jane Morgan, Leora & Dirk Bauer, Bob & Patty Gefre, Beverly Prom, Brenda Medeiros, Andy Schmit, Marlyn Pegors, Bonnie & Bruce Trom, Linda Masseth, Barb Schantz, Scott & Corey Detling, Garry & Betty Detling, Veronica Schneider, Betty Peterson, John Weisz, Leora & Dirk Bauer, Tim & Patty Thorsness, Connie Heer, Brian

Burkett, Cynthia Sanford, Beverly Herner, Semsudin (Sam) Basic, Gary & Margo Dietz, Sandy Svihla, Brenda McLellan, Kim & Debbie Sabot, Deborah Frank, Rosemary Ridley, Brenda Hausauer, Lynette Lewis, Charlie Deichert, Cynthia Kellogg, Ronda Fox, Lavata Becker, Steven Rustand, Eileen Bavendick, Dennis & Joan Peltz, Barb Knutson, Fabian John Kramer, Jean Kessler abatements and the consent agenda in its entirety. All members present voted 'AYE'. ***Motion carried***.

Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the National Public Safety Telecommunications Week Proclamation for April 13th through the 19th. All members present voted 'AYE'. ***Motion carried***.

County States Attorney Julie Lawyer presented information regarding the redesignation of the Auditor/Treasurer position to an appointed position. Lawyer stated that the ability to redesignate the Auditor/Treasurer position comes from state law and that the change to the Home Rule Charter was to add a provision allowing the commission to convert the office to an appointed position as allowed by state law. This change to the Home Rule Charter also added a provision allowing the commission to follow state law concerning the organization and structure of elected county offices. Lawyer provided information on N.D.C.C. § 11-09.1-05(6) regarding the powers of the commission under the Home Rule Charter. She stated that the redesignation of offices would go to a vote of the people if contested. Lawyer listed the job duties of the Auditor/Treasurer and showed a list of counties with an appointed auditor and their corresponding budget amounts. She presented example resumes with education and work experience and asked which one the commission wanted to be in charge of the county's finances. Lawyer stated that the resumes were from existing appointed auditors from Fargo and Grand Forks as well as those that had ran for county auditor for Burleigh County in the last two elections. She presented different options including redesignating the Auditor/Treasurer to appointed by resolution and separating the Auditor/Treasurer into two offices, either elected or appointed by resolution. Lawyer said that the current preliminary resolution can be modified, however, if drastically modified, more public hearings should be had. She said that a special election could be called for a specific resolution.

County Auditor/Treasurer Mark Splonskowski presented information on county investments and answered questions from the Commission. Splonskowski specified that the varying interest rates were dependent upon the type of investment, the amount, and the duration. He said when investing, at least three different banks are contacted for quotes on their interest rates to determine where to invest. Splonskowski described the process of taking cash deposits to the bank in response to a question from Comm. Schwab. Discussion was had and recommendations were made to start using an armored currier service to take the deposits to the bank.

County Deputy Finance Director Taylor Schmidt presented information regarding the payment of election workers and the distribution of their annual tax forms. Schmidt explained per the IRS, election workers are employees who pay taxes on their income, but don't have to have taxes withheld and don't pay FICA taxes unless they are over $2,300 (2024). Election workers are only issued a W-2 if their income is $600 or more. Schmidt listed the number of election workers, the number that were onboarded, and the number that received W-2s for the last four election cycles. Chair Bitner stated that if there are any election workers who received the late W-2s and who incurred extra costs with their taxes associated with this, to contact the

Auditor/Treasurer's Office for reimbursement. Discussion was had regarding the possible penalties and fines that could be assessed to the County due to the delay in W-2s.

County Finance Director Leigh Jacobs presented a review of fiscal year 2024. He discussed the general fund and road & bridge fund's revenues and expenditures. Jacobs said that there was an increase to the general fund's reserves which was due to inaccurate budget forecasting and utilizing incorrect reserve balances during the budgeting process. He offered information regarding the negative year end fund balances and the corrections that were made to fix those balances. He said that these negative fund balances could be attributed to the breakdown of the Treasure's function.

Chair Bitner started the public hearing regarding the plan on redesignating the elective office of Burleigh County Auditor/Treasurer to appointive office and handed the meeting over to Vice-Chair Bakken.

- Vice-Chair Bakken stated that this was the final public hearing and online comments can still be submitted at Burleigh.gov through April 15th, 2025.
- Vice-Chair Bakken opened the public hearing to the public for comment. Deann Zaun, Desiree Hilborn, Clint Feland, Marlan Haakenson, Lanny Kenner, Marvin Lepp, Charles Tuttle, Collin Engelhardt, Doug Schonert, Travis Jensen, and Pat Schonert all spoke against the Auditor/Treasurer position becoming an appointed position. Kelly Cermak, Karl Rakow, and Curtis Jundt spoke in favor of the Auditor/Treasurer position becoming an appointed position. Vice-Chair Bakken passed the meeting back to Chair Bitner.

Commission Recessed & Reconvened

Chairman Bitner requested the new Facilities Director Robert Hook to introduce himself and give some background information. Hook stated that he spent thirty years in law enforcement and three terms as Sheriff before working in facilities management. He said that he would be overseeing the Provident Building, Courthouse, Detention Center, Burleigh East, and working with the highway department on their facility. Motion by Comm. Bakken, 2nd by Comm. Munson to approve Robert Hook's appointment as Facilities Director. All members present voted 'AYE'. ***Motion carried***.

Dan Schaff of HTG Architects presented information regarding the additional costs that will be incurred due to longer construction times for the Provident Building renovations. Schaff stated that the original contract was $558,000 which is about 4.6% to 5.5% of the original building estimate and the new contract amount being 5.4% to 6.5% of the original building estimate. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the additional fees. All members voted 'AYE'. ***Motion carried***.

Chairman Bitner discussed the committee that has been tasked with sorting through the information regarding the redesignation of the Auditor/Treasurer position to an appointed position. He stated that he can't yet give a time frame as to when the committee will be done with the review.

County Sheriff Kelly Leban presented the North Dakota Department of Transportation traffic safety grant. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the acceptance of $8,000 from the safety grant. All members present voted 'AYE'. ***Motion carried***.

Sheriff Leban presented bids for the renovation of the Sheriff's Departments Burleigh East building. He said on April 1st, 2025 the bids were opened and for the general construction, mechanical, and electrical. Leban stated there were three bids with Dakota West Contracting being the lowest bidder for general construction. He said that a bid from Central Mechanical was not opened as it was returned to the wrong location per the instructions for the submission of bids. States Attorney Julie Lawyer stated the century code relating to bid openings and recommended the bid not be accepted due to it being dropped off at the wrong location. Motion by Comm. Munson, 2nd by Comm. Bakken to reject the bid that was dropped off at the wrong location. Commissioners Munson, Woodcox, and Bakken voted 'AYE'. Commissioners Bitner and Schwab voted 'NAY'. ***Motion carried***. Leban said that due to adverse situations that had taken place when working with Dakota West Contracting in the past, that the next lowest bid, Roers Construction, should be accepted instead. He stated that since Roers Construction bid was more then the Dakota West bid, the project could be done in phases to push back some of the costs. Motion by Woodcox, 2nd by Bakken to reject the low bid of Dakota West and accept the next lowest bid of Roers Construction for general construction, accept the lowest bid of Northern Plains Plumbing & Heating for mechanical, and accept the lowest bid from Bergstrom Electric for electrical. All members present voted 'AYE'. ***Motion carried***.

Missouri Valley Complex Chairwoman Kay LaCoe provided a presentation regarding the Missouri Valley Complex. Jason Petryszyn from Swenson, Hagen, & Co discussed information regarding wetland delineation, re-zoning, and the plat development schedule for the Missouri Valley Complex and discussion was had. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Missouri Valley Complex Committee to go out for bids for the delineation of the Missouri Valley Complex. Commissioners Bakken, Woodcox, and Munson voted 'AYE'. Commissioner Schwab and Chairman Bitner voted 'NAY'. ***Motion carried***.

LaCoe introduced a representative from the Ag & Equestrian Complex Committee who gave a presentation on a proposed Burleigh County Equestrian & Ag Center. Bismarck Mandan Chamber EDC President Brenda Nagel spoke in favor of the project. Discussion was had. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the request of the Missouri Valley Complex Committee on behalf of the Equestrian & Ag Committee to proceed with the project plan development of the proposed Burleigh County Equestrian & Ag Center on the site identified in the preliminary plat as a Burleigh County project. Commissioners Bakken, Woodcox, and Munson voted 'AYE'. Commissioner Schwab and Chairman Bitner voted 'NAY'. ***Motion carried***.

LaCoe presented a recommendation regarding the hay and ag leases located at the Missouri Valley Complex. She stated that the Missouri Valley Complex Committee does not recommend leasing the ag land in 2025 due to site access needs for project work and wetland surveying, and instead to plant a grass cover crop with the possibility of a contract for hay in the fall of 2025. The Committee recommends leasing the hay land for 2025. Motion by Comm. Munson, 2nd by Comm. Bakken to have advertise the hay land for lease for 2025. All members present voted 'AYE'. ***Motion carried***. Motion by Comm. Munson, 2nd by Comm. Bakken to advertise the ag land for lease for 2025 with the expectations the lease holder will seed with a cover crop at

the end of the 2025 season. Commissioners Bakken, Schwab, Munson, and Chairman Bitner voted 'AYE'. Commissioner Woodcox voted 'NAY'. ***Motion carried***.

County Engineer Marcus Hall presented a resolution to vacate a section line for Wachter Development, Inc. Motion by Comm. Bakken, 2nd by Comm. Munson to accept the petition and set May 5th, 2025 @ 5:00pm as the time and date for the public hearing. All members present voted 'AYE'. ***Motion carried***.

County Planning Director Mitch Flanagan presented a request from Sterling Township to provide services for issuing permits and conducting building inspections for the project known as Love's Gas Station and Travel Center. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the service agreement. All members present voted 'AYE'. ***Motion carried***.

Plannning Director Flanagan presented a request for approval of the Summit Point 2nd subdivision final plat. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Summit Point 2nd subdivision final plat. All members present voted 'AYE'. ***Motion carried***.

Planning Director Flanagan presented a request to approve Article 8 Section 29 regarding solar energy systems. Discussion was had regarding the inclusion of solar farms in the ordinance. Flanagan stated that the County currently does not have any ordinances about solar energy systems on the books and that having an ordinance in place gives the County the ability to control the requests. Comm. Bakken said he could approve this ordinance if future discussion was had on placing a moratorium on solar farms in the County. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the ordinance. All members present voted 'AYE'. ***Motion carried***.

Planning Director Flanagan presented a recommendation to allow administrative changes to a platted non-access line. Motion by Comm. Bakken, 2nd by Comm. Munson to allow administrative changes to a platted non-access line. All members present voted 'AYE'. ***Motion carried***.

In other business, Chairman Bitner brought up the Primary Residence Property Tax Credit and the affects it has on the County and apportionment.

Meeting Adjourned

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Mark Splonskowski, Brian Bitner,
County Auditor/Treasurer 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
25-221	Talon Bitz	2024	Lot 18, Block 7, Casey's 2nd	Error in property description	$282,800	$264,300
25-222	Delano & Lorene Balkowitsch	2023	Lot 8, Block 1, Elk Ridge Addn	Error in property description	$665,300	$585,300
25-223	Delano & Lorene Balkowitsch	2024	Lot 8, Block 1, Elk Ridge Addn	Error in property description	$698,100	$618,100
25-248	William & Laurie Mulnix	2024	Unit 623 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	90% Disabled Veteran	$19,240	$9,620
25-285	Wanda Lamontagne	2024	S2' of Lot 3 & all Lot 4, Block 9, Southwood Terrace	100% Disabled Veteran	$295,700	$115,700
25-286	Patricia Trottier	2023	Tract 3281 of Lot 5, Block 3, Haycreek Meadows	100% Disabled Veteran	$251,600	$71,600
25-287	Patricia Trottier	2024	Tract 3281 of Lot 5, Block 3, Haycreek Meadows	100% Disabled Veteran	$258,700	$78,700
25-291	Gary Quinlen	2024	Lot 2, Block 2, Promised Land	90% Disabled Veteran	$254,800	$173,800
25-310	John Jacobson	2024	W1/2 of S1/2 of E 1 acre of Aud lot 7 less S33', Block 7, Park Hill (Aud Lots)	100% Homestead Credit	$193,800	$64,600
25-311	Derald Horn Sr	2025	1982 Champion 48 x 24, serial # 0520028664	50% Homestead Credit	$14,462	$7,231
25-312	Thomas & Doris Weiss	2025	2002 Schult 60 x 27, serial # R308263AB	50% Homestead Credit	$67,018	$33,509
25-313	Deborah Frank	2023	Unit 13, South Aires Condo, S76' of Lot 2, all Lot 3 & N34' of Lot 4, Block 17, Wachter's 2nd	50% Homestead Credit	$97,200	$48,600
25-314	Darwin & Laura Lee	2023	Lot 1, Block 9, Riverview	50% Homestead Credit	$190,800	$95,400
25-315	Darwin & Laura Lee	2024	Lot 1, Block 9, Riverview	50% Homestead Credit	$195,500	$97,750
25-316	Michael & Mary Sahli	2023	Lot 35, Block 5, Eastside Heights	50% Homestead Credit	$295,200	$195,200

25-317	Michael & Mary Sahli	2024	Lot 35, Block 5, Eastside Heights	100% Homestead Credit	$303,400	$103,400
25-318	Randy & Lori Smith	2025	1992 Guerdon Americana 26 x 60, serial #41926814A	50% Disabled Veteran	$39,780	$19,890
25-319	Timothy & Regina Davidson	2025	2017 Friendship Showcase 28 x 56, serial #FMT410MN17-50733A1B	50% Homestead Credit	$99,882	$49,941
25-320	Sharon Litton	2024	Lotb 48, Block 5, Falconer Estates	100% Homestead Credit	$723,700	$523,700
25-321	Darlene Osborn	2023	SE1/4 35-142-78	100% Homestead Credit	$93,600	$0
25-322	Darlene Osborn	2024	SE1/4 35-142-78	100% Homestead Credit	$93,600	$0
25-323	Cynthia Landenberger	2024	Part Lot 1 S200' of N300' of Wly 200', Block 1, Johnson's 2nd	50% Homestead Credit	$271,200	$171,200
25-324	Jeffery & Victoria Haas	2023	Unit 4 & garage 4 (bldg 872) San Angelo Dr Condo Assoc, Lots 3-5, Block 2, Cottonwood Lake 5th	50% Homestead Credit	$196,000	$98,000
25-325	Betty Eggers	2023	Lot 3, Block 9, Gateway Addition	50% Homestead Credit	$280,100	$180,100
25-326	Betty Eggers	2024	Lot 3, Block 9, Gateway Addition	50% Homestead Credit	$296,100	$196,100
25-327	Rodney Poppinga	2023	Lot 3, Block 1, Lemieux	100% Homestead Credit	$261,100	$61,100
25-328	Rodney Poppinga	2024	Lot 3, Block 1, Lemieux	100% Homestead Credit	$276,400	$76,400
25-329	Dale & Judith Naben	2023	Lot 18, Block 1, Southland Addn	50% Homestead Credit	$510,000	$410,000
25-330	Dale & Judith Naben	2024	Lot 18, Block 1, Southland Addn	50% Homestead Credit	$536,200	$436,200
25-331	James Schneider; Robert & Michelle Schneider	2024	Lot 9 & N18' of Lot 10, Block 83, William's Survey	100% Homestead Credit	$120,600	$80,400

25-332	Hermenegilda Berg	2024	Unit 5 & garage G-5 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$89,800	$0
25-333	Michael John Nagel	2024	Lot 2, Block 4, Marian Park 2nd	100% Homestead Credit	$225,700	$25,700
25-334	Pat Tidball	2024	1973 Western 14 x 68, serial # 73470118W	100% Homestead Credit	$7,311	$0
25-335	Margaret Wald	2024	Lot 16, Block 5, East View	100% Homestead Credit	$210,500	$10,500
25-336	Harlin & Marilyn Miller	2024	Beg on W line 295'S & 125'E of NW cor, E75' N95' W75' to beg, Block 6, Lincoln	100% Homestead Credit	$229,800	$29,800

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Memo

Date: April 21, 2025

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Brandon Fraser

Brandon Fraser from 6805 Crested Butte Road (Crested Butte Amended Block 04, Lot 3) has requested a second access permit to his property. Both the first and second access approaches are off of Crested Butte Road. He wishes to have a second approach off of Crested Butte Road in order to have better access his property. We have reviewed the location of the new proposed access off of Crested Butte Road and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Brandon Fraser on the April 21, 2025 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.)

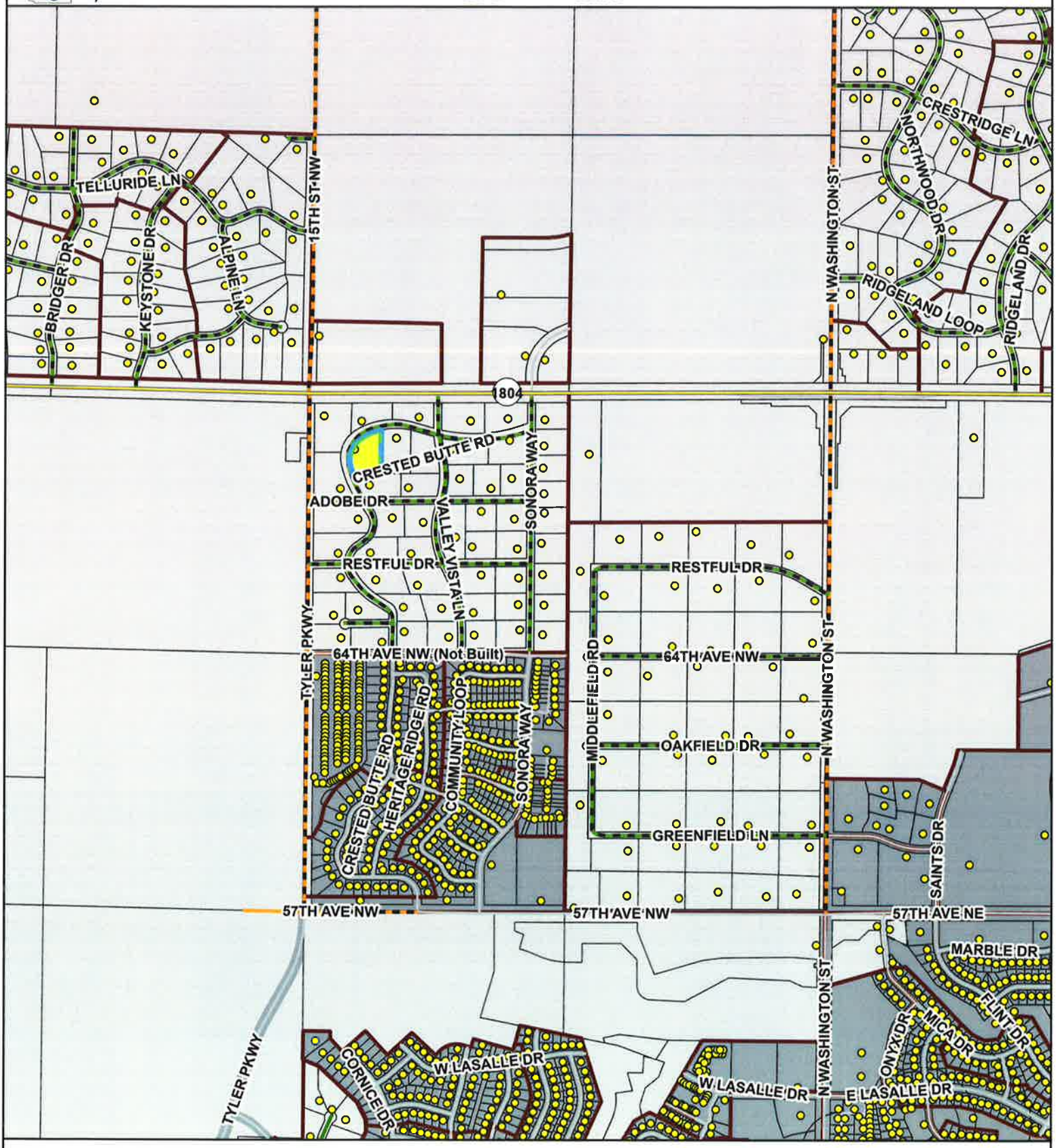
3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

4/11/2025



PARCEL ID: 31-139-80-29-04-030 OWNER: FRASER, BRITT & BRANDON ACRES: 2.852

SITE ADDRESS: 6805 CRESTED BUTTE RD

MAIL ADDRESS: 4009 IVORY LN, BISMARCK, ND 58503

LEGAL: CRESTED BUTTE AMENDED Block 04 L3 432875 & 506283

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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

4/11/2025



PARCEL ID: 31-139-80-29-04-030 OWNER: FRASER, BRITT & BRANDON ACRES: 2.852

SITE ADDRESS: 6805 CRESTED BUTTE RD

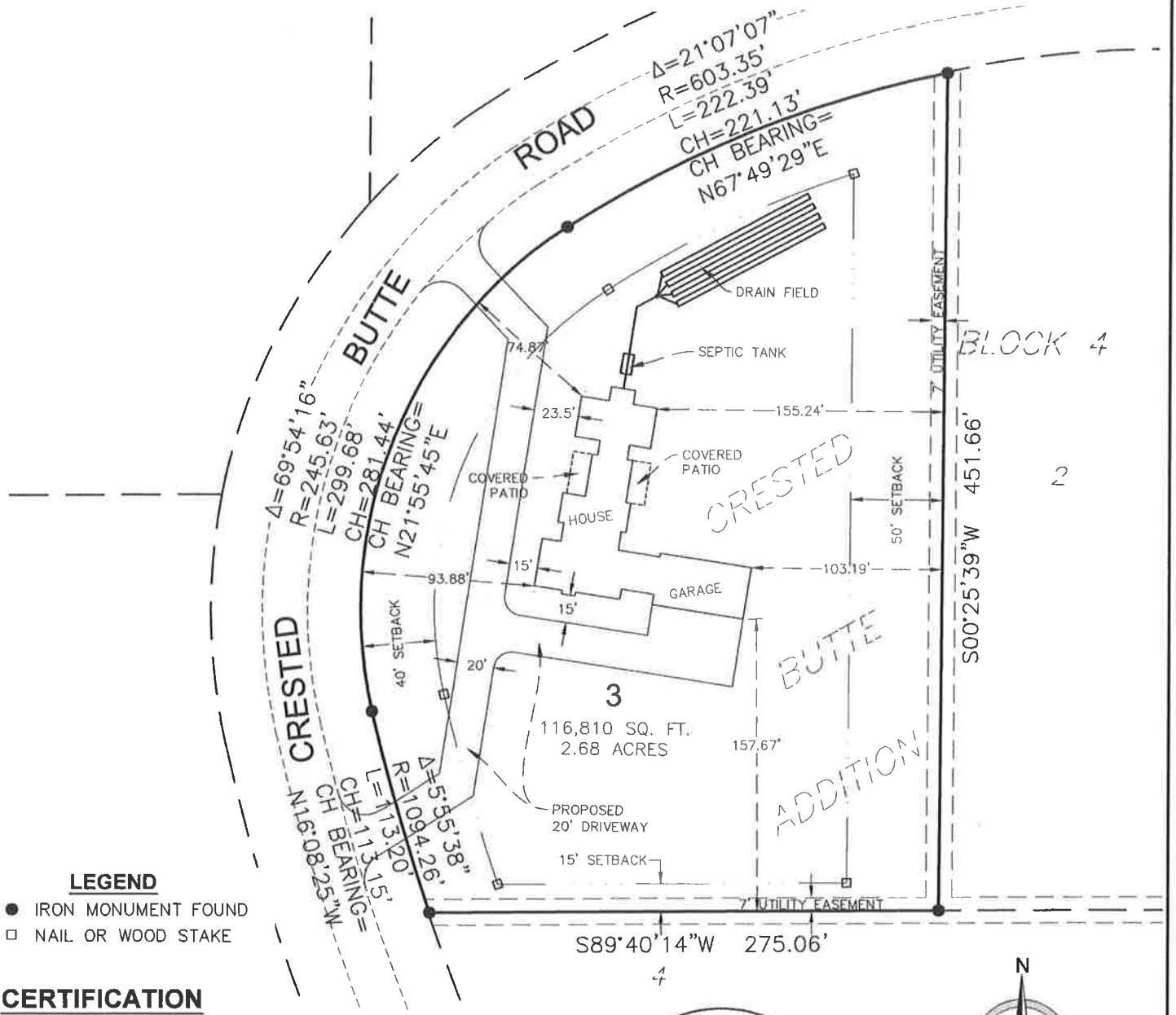
MAIL ADDRESS: 4009 IVORY LN, BISMARCK, ND 58503

LEGAL: CRESTED BUTTE AMENDED Block 04 L3 432875 & 506283

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

LOT SURVEY EXHIBIT

LOT 3, BLOCK 4, CRESTED BUTTE ADDITION,
BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

- ● IRON MONUMENT FOUND
- □ NAIL OR WOOD STAKE

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

4-3-2025

JAMES ALBER, R.L.S.
N.D. LICENSE NO. LS-4730

REGISTERED LAND SURVEYOR
JAMES ALBER
LS-4730
DATE 4-3-2025
NORTH DAKOTA

N
W E
S
0 80
Scale in Feet

BASIS OF BEARINGS:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NAD83(1986), SOUTH ZONE.

BURLEIGH BUILDERS
6805 CRESTED BUTTE ROAD
BISMARCK, NORTH DAKOTA

PROJECT No.	30140
DATE:	3.4.25
REVISED:	3.31.25
DRAFTER:	JA
REVIEWER:	TW

moore engineering, inc.

25-002

GAMING SITE AUTHORIZATION

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

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

Full, Legal Name of Gaming Organization
James K McAleer AMVETS POST 20

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

Name of Location
Flash's Place

Street	City	ZIP Code	County
1401 Highway 83 NE	Sterling	58572	Burleigh

Beginning Date(s) Authorized	Ending Date(s) Authorized	Number of Twenty-One tables, if zero, enter "0"
7-1-2025	6-30-2026	0

Specific location where games of chance will be conducted and played at the site **(required)**
pull tabs will be conducted in the bar area excluding bathrooms

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

[X] Bingo	[ ] Club Special	[X] Sports Pools
[ ] **ELECTRONIC** Quick Shot Bingo	[ ] Tip Board	[ ] Twenty-One
[ ] Raffles	[ ] Seal Board	[ ] Poker
[ ] **ELECTRONIC** 50/50 Raffle	[ ] Punchboard	[ ] Calcuttas
[ ] Pull Tab Jar	[ ] Prize Board	[ ] Paddlewheel with Tickets
[X] Pull Tab Dispensing Device	[X] Prize Board Dispensing Device	[ ] Paddlewheel Table
[X] **ELECTRONIC** Pull Tab Device		

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

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

APPROVALS

Attorney General	Date
Signature of City/County Official	**Date**
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

RENTAL AGREEMENT

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

License Number (Office Use Only)

Site Owner (Lessor)	Site Name	Site Phone Number
Wendelyn Krous	Flash's Place	701-387-5817

Site Address	City	State	Zip Code	County
1401 Highway 83 NE	Sterling	ND	58572	Burleigh

Organization	Rental Period	Monthly Rent Amount
James K McAleer AMVETS Post 20	7-1-2025 to 6-20-2026	

			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?	☐ No	☒ Yes	
1a. If "Yes" to number 1 above, is Bingo the **primary** game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.	☒ No	☐ Yes	$
2. Is Twenty-One conducted at this site?	☒ No	☐ Yes	$
Number of Tables with wagers up to $5 _____ X Rent per Table $ _____			
Number of Tables with wagers over $5 _____ X Rent per Table $ _____			$
3. Is Paddlewheels conducted at this site?	☒ No	☐ Yes	$
Number of Tables _____ X Rent per Table $ _____			
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?	☐ No	☒ Yes	$ 400.00
Please Check: ☐ Jar Bar ☒ Standard Dispensing Device			
5. Are Electronic Pull-Tabs conducted at this site?	☐ No	☒ Yes	$ 1100.00
If "Yes" please indicate the number of devices 8			
Total Monthly Rent			$ 1500.00
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐			

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

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

Signature of Lessor	Title	Date
Wendelyn Krous	owner	3-24-2025
Signature of Lessee	Title	Date
BC Bartlett	Commander	3-31-2023

25-003

GAMING SITE AUTHORIZATION

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

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

Full, Legal Name of Gaming Organization
Dakota Junior Golf Association

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

Name of Location			
Apple Creek Country Club			
Street **8921 E Highway 10**	City **Bismarck**	ZIP Code **58501**	County **Burleigh**
Beginning Date(s) Authorized **7/1/2025**	Ending Date(s) Authorized **6/30/2026**	Number of Twenty-One tables, if zero, enter "0" **2**	

Specific location where games of chance will be conducted and played at the site **(required)**
South side of site. Excluding restrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ **ELECTRONIC** Quick Shot Bingo	☐ Tip Board	☒ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ **ELECTRONIC** 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☒ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☒ **ELECTRONIC** Pull Tab Device		

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

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

RENTAL AGREEMENT

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

License Number (Office Use Only)

Site Owner (Lessor)		Site Name		Site Phone Number
Apple Creek Country Club		Applecreekcountryclub		(701) 258-5234
Site Address	**City**	**State**	**Zip Code**	**County**
8921 East Highway 10	Bismarck	ND	58504	Burleigh
Organization	**Rental Period**			**Monthly Rent Amount**
Dakota Junior Golf Association	7/1/2025 to 6/30/2026			

			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?	☒ No	☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the **primary** game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.	☐ No	☐ Yes	$
2. Is Twenty-One conducted at this site? Number of Tables with wagers **up to** $5 ____ X Rent per Table $ ____.	☐ No	☒ Yes	$
Number of Tables with wagers **over** $5 **2** X Rent per Table $ **0**			$ **0.00**
3. Is Paddlewheels conducted at this site? Number of Tables ____ X Rent per Table $ ____	☒ No	☐ Yes	$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☐ Standard Dispensing Device	☒ No	☐ Yes	$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices **5**	☐ No	☒ Yes	$ **875.00**
Total Monthly Rent			$
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐			

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

Signature of Lessor	Title GM	Date 4-3-25
Signature of Lessee	Title President	Date 4-4-25

GAMING SITE AUTHORIZATION

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

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

Full, Legal Name of Gaming Organization
Dakota Junior Golf Association

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

Name of Location			
Hawktree, Inc.			
Street	City	ZIP Code	County
3400 Burnt Boat Drive	**Bismarck**	**58503**	**Burleigh**
Beginning Date(s) Authorized	Ending Date(s) Authorized		Number of Twenty-One tables, if zero, enter "0"
7/1/2025	**6/30/2026**		**2**

Specific location where games of chance will be conducted and played at the site (**required**)
East side of site. Excluding restrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ **ELECTRONIC** Quick Shot Bingo	☐ Tip Board	☒ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ **ELECTRONIC** 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☒ **ELECTRONIC** Pull Tab Device		

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

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

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3. Organizations - Send the **original**, **signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

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

RENTAL AGREEMENT

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

License Number (Office Use Only)

Site Owner (Lessor)		Site Name		Site Phone Number
Hawktree Inc.		**Hawktree**		**(701) 751-7070**
Site Address	**City**	**State**	**Zip Code**	**County**
3400 Burnt Boat Drive	**Bismarck**	**ND**	**58503**	**Burleigh**
Organization	**Rental Period**			**Monthly Rent Amount**
Dakota Junior Golf Association	**7/1/2025**	to	**6/30/2026**	

1. Is Bingo going to be conducted at the site?	☒ No	☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the **primary** game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.	☐ No	☐ Yes	$
2. Is Twenty-One conducted at this site?	☐ No	☒ Yes	$
Number of Tables with wagers **up to** $5 ____ X Rent per Table $ ____			$
Number of Tables with wagers **over** $5 **2** X Rent per Table $ **0**			$ **0.00**
3. Is Paddlewheels conducted at this site?	☒ No	☐ Yes	$
Number of Tables ____ X Rent per Table $ ____			
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?	☒ No	☐ Yes	$
Please Check: ☐ Jar Bar ☐ Standard Dispensing Device			
5. Are Electronic Pull-Tabs conducted at this site?	☐ No	☒ Yes	$ **300.00**
If "Yes" please indicate the number of devices **3**			
Total Monthly Rent			$ 300.00

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

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

Signature of Lessor	Title	Date
Mark Stern	Food and Beverage Manager	4-11-25
Signature of Lessee	Title	Date
	President	4/4/25

LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (11-2023)

Permit Number

Permit Type *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

Games Authorized ☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group		Dates Authorized *(Read Instruction 2)*	
Dakota Woodturners		**August 8, 2025**	
Organization or Group Contact Person	E-mail	Telephone Number	
Peggy Rudick	**nosunone36@gmail.com**	**701-361-4009**	
Mailing Address	City	State	ZIP Code
3009 Baltimore Drive	**Bismarck**	**ND**	**58504**

SITE INFO

Site Name		County	
Pat Schweitzer Home		**Burleigh**	
Site Address	City	State	ZIP Code
410 Greenfield	**Bismarck**	**ND**	**58501**

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

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

Selling raffle tickets from May 10, 2025 through August 7, 2025. Drawing Date is August 8, 2025.

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official	Title of City or County Official	Telephone Number	E-mail Address
Signature of City or County Official		Date	Issuing Governing Body ☐ City ☐ County

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

Information required to be preprinted on a standard raffle ticket:

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

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

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

INSTRUCTIONS:

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

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

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

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

APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

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

Applying for *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group		Dates of Activity *(Does not include dates for the sales of tickets)*	
Dakota Woodturners		**Drawing date-August 8, 2025**	
Organization or Group Contact Person	E-mail	Telephone Number	
Peggy Rudick	**nosunone36@gmail.com**	**701-361-4009**	
Business Address	City	State	ZIP Code
Mailing Address (if different)	City	State	ZIP Code
c/o 3009 Baltimore Drive	**Bismarck**	**ND**	**58504**

SITE INFO

Site Name		County	
Pat Schweitzer home		**Burleigh**	
Site Physical Address	City	State	ZIP Code
410 Greenfield	**Bismarck**	**ND**	**58501**

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

May 10, 2025 through Aug 7, 2025

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	**See Attached**	$ 3265.00
	Total *(limit $40,000 per year)*	$ 3265.00

Intended Uses of Gaming Proceeds
See Attached

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

Name	Title	Telephone Number	E-mail Address
Ron Day	**President**	**701-319-8607**	**daygoose@bis.midco-net**
Signature of Organization or Group's Top Official	Title	Date	
Ron Day	**President**	4/12/2025	

	Dakota Woodturners Raffle 2025	
1	Segmented Bowl	200
2	Roller Ball Pen	125
3	Box	100
4	Pepper Mill - Spectra ply	100
5	Platter - 13"	95
6	Bowl with Painted Rim	90
7	Singapore Ball	90
8	Zentangle Sphere	90
9	Rolling Pin & Holder	85
10	Segmented Bowl	75
11	Bowl	75
12	Lidded Box	75
13	Lidded Box	75
14	Lidded Box	75
15	Textured Bowl	75
16	Woodburned Platter	75
17	Pair of vases	75
18	Textured Sphere	75
19	Large Bowl	75
20	Hollow form	75
21	Bowl	70
22	Platter	70
23	Decorative Rimmed Bowl	70
24	Bowling Pin Vase	60
25	Bowling Pin Vase	60
26	7" Live Edge Bowl	60
27	Elm Vase	60
28	Elm Bowl	60
29	Segmented Bowl	60
30	Pen Turned on Rose Engine Lathe	60
31	Acrylic Pen	50
32	Vase	50
33	Acorn Box	50
34	Wooden Bowl	50
35	Rimmed Bowl	50
36	Medium Bowl	50
37	5" Lidded Box	45
38	Inside out ornament and stand	45
39	Cedar Bowl 6"	40
40	6" Bowl	40
41	Misc. Items	40
42	2 Jars with Candy	40
43	Flower with Spiral Stem	40
44	Toy - Garden Tops	40
45	Russian Olive Bowl	35
46	Pizza Cutter	35
47	Lidded Box	35
48	Purse Hanger	30
49	Seam Ripper	25
50	Bottle Stopper	25
51	Pizza Cutter	20
	Total	3265

Sawdust and Shavings
Dakota Woodturners Newsletter

Mandan, ND
February, 2025

Issue 316

AAW Chapter #115

Prez Sez
February 2025

As we begin the month of February, it's time to start preparing for our DWT Spring 2025 Symposium. Over the next few weeks, we will be reaching out for volunteers to contribute to the tasks leading up to the symposium. The responsibilities are all very manageable, and by working together, we can ensure another incredibly successful event. At the February meeting, we will be getting a count of participants for the "hands-on" symposium. For those enjoying warmer climates, remember that our online symposium registration form will be available on our DWT website. Please register promptly to secure your spot. Additionally, if you are willing to mentor during the symposium, please contact a Board member. Your participation and support are greatly appreciated!
As a reminder, during the week of February 10th, we are thrilled to kick off the spring semester of mentoring students at the Bismarck Career Academy. We had an overwhelmingly positive response to the mentor sign-up. There is still plenty of room for more volunteers. The sessions start at 9:25 am (please be there 9:00am) on Monday, February 10th. Your involvement will make a significant impact, and we are excited to see the positive influence our mentors will have on the students.

During the January meeting, we discussed a few donation opportunities for turned items. The Mandan Band Boosters are seeking contributions for their Band Blast event in April, and we also need items for our DWT summer raffle. Additional details on these events can be found in the January meeting minutes later in the newsletter. We will also cover these topics again at the February meeting. I know it is still winter and according to the Groundhog Day results we still have six more weeks of winter (I hope that is all we have), so now is a great time to turn a donation item or two. Keep the chips and ribbons flying and do it safely.

Ron Day

KEY DATES COMING UP:
February DWT meeting: Sat 02/08/25
Holiday Party Sat 02/08/25
Career Academy Mentoring: 2/10-2/13



Band Boosters Holding 2024 Winnings from DWT


Ron's Spoon Demo 1/11/25

DWT Meeting Minutes

01/11/2025

Recorded by Todd Richardson

Meeting called to order at 8:57
Introduction of Guests – Bruce Wilson has recently moved to Bismarck. He primarily does a flat woodworking and is looking for more connections in the craft. Welcome Bruce.
Stan moved to accept the December minutes as published in the January newsletter. Kleber seconded. Motion carried.
Treasurer's Report – Steve Wolff gave a comprehensive 2024 financial review and 2025 budget forecast. The primary concerns he presented was improving summer raffle sales and transferring some funds into an interest earning account or into CDs. Steve answered questions and agreed to look into options to present to the e-board. Becky Warren moved to accept the report and recommendations, John Warren seconded the motion. Motion carried.

Old Business
Spring Symposium dates have been set for April 25-27. There is a summer demonstrator opportunity as Emma Cook will be potentially available after the AAW Symposium. Details and dates to follow. AAW Symposium is in St. Paul. All are invited to attend.

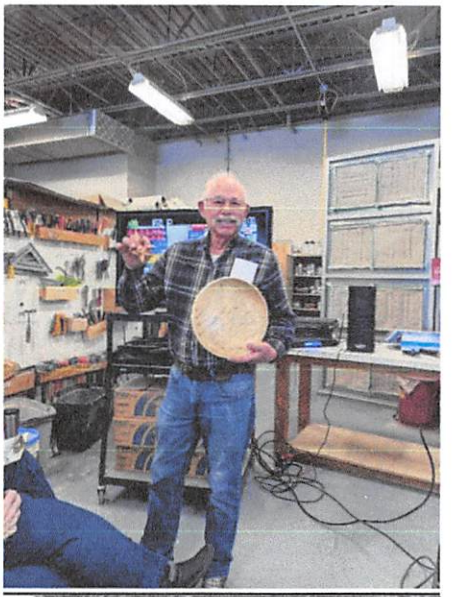
New Business
Winter Holiday Party to take place on February 8th at the Mandan Eagles. 5:00 Happy Hour and 6:00 dinner. Summer Raffle was discussed. George Scholl made a motion to hold a raffle with the drawing date of Friday August 8th . Denise seconded the motion. Motion carried. Volunteers assembled to assist. Dave Malarkey will be collecting items. Peggy Rudick will be handling ticketing and permitting. Denise Johnson will be available as a resource.
Educational Incentive Awards Applications are due today. Two members have applied so far.
Mandan HS Band Blast opportunity to donate pieces. Band Booster representatives will be at the February meeting to discuss the April event.
Bismarck Career Academy mentoring will be in February and March. Ideally we will have 1:1 mentorship, but 1:2 is okay as well. If you have the time available, any help teaching the kids is appreciated.

While the legislature is in session, we have the opportunity to present our club and demo in the capital. The current date is slated for March 27, but it is subject to available scheduling. Wayne Peterson made a motion to sanction the event. Stan Zalumskis seconded. Motion Carried.
The Career and Technology Teachers Expo will be the first week of August. We will have additional opportunities to display and demo. Potentially hands on classes as well.
Mark Kielpinski was looking for volunteers to turn some of the pen kits donated by Sagsveen. They included various bushings.
Tops for tots – We currently have one of two jugs full. Ron extended a shop invite to any interested in open turning. He's there and available most days.
The mystery drawing was parts for a pizza cutter, won by Jerry Duppong. I might show up at his house to judge both his skills at making pizza cutters and his skills at making pizzas.

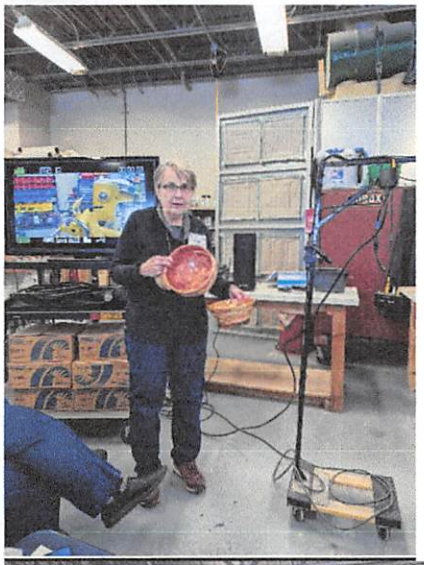
Show and Share:
Dave Malarkey made another gnome, this one scuba diving. He also brought in an interesting wooden chain and bookmark. Additionally, he had a black walnut vase with a glass liner.
Peggy Rudick brought in segmented bowls, cedar and honey locust as well as a completed star.
George Scholl brought in a boxelder burl hollow bauble ornament with faint watercolor accents and a pillbox. Jon Schuck brought in a completed star.
Wayne Petersen made a platter full of first communion goblets from apricot.
Doug Alm brought in a vase made of black walnut and CA glue. T'was teardrop shaped.
Mark Kielpinski brought in bowls of boxelder and ash. He discussed form, grain patterns, and sizing.
James Rudick had something pretty cool, but my notes have failed me as to what it actually means. There is a vase, an egg box, and a goblet listed... but it also says "Multi-Axis and CNC". That sounds great, but the context is lost to the ages. Hopefully there are some clues in the attached pictures (editor's note: somehow we missed Jim's picture also...this was not a conspiracy Jim). Otherwise perhaps you should ask Jim. Bill Baer showed a quarter sawn platter, a black walnut bowl with maple accent, and the completed star project.
Greg Pollert made a bowl of Russian olive. He spoke of the unique grain changes and how that altered his turning to adapt.
Jim Porter brought in a big wide spalted cottonwood bowl, a Florida mahogany live edge bowl, and stars.
Pat Schweitzer brought in a pedestal made from mahogany and maple wood. He's sending it off to the world-famous Kielpinski Zentangle and Embelishment workshop. I expect we'll see it again.
Meeting Adjourned at 10:24

Spoon turning demonstration to follow.

January 11 Mtg Show and Share:





















DWT E-Board Meeting Minutes
1/28/2025
Recorded by Todd Richardson

Meeting at 12:00 noon at Sickies Garage in Bismarck. Present were Ron Day, Kleber Hadsell, Steve Wolff, George Scholl, Wayne Petersen, and Todd Richardson.

Steve presented his research on CD options, savings accounts, checking, money market accounts, and interest rates. After discussion it was recommended to use FCCU in three different ways. A checking account holding our short term needs, a savings account holding liquid funds for our larger events and operations, and CDs. The CDs would be using staggered start dates so in the event the funds are needed, there is always a CD nearing its maturity date (Also known as a CD Ladder).
A motion was made to change banks to FCCU, adopt the three-account system, and add the VP to the account. Second by Kleber. Motion carried.
Steve discussed the use of petty cash for small dollar amounts and gave the example of a small postage reimbursement.

Ron presented the nominees and recommendations from the educational committee. George made a motion to approve the recommendations. Steve seconded. Motion carried.

The Spring Symposium rate was discussed. It was agreed to keep it at $135 for Active members. Kleber made a motion to keep the rate. Steve Wolff seconded. Motion carried. All votes were unanimous.

Meeting ended at 1:00 pm.

Member Vetted Videos:

If you have a video (YouTube, Vimeo, etc…) that you have watched and believe that other DWT turners could benefit from watching it, send us the link. This could be a video related to something that we are working on or interested in, a demonstration of a project (making a bowl, pens, hollow form, etc…) or a related skill (applying finish, sanding, lathe maintenance, etc…). Please include a quick description of what the video is about.

Here are some of the local businesses and organizations that support DWT via discounts, donations, places to meet etc.

ACME TOOLS

NORTH Dakota | Council on the Arts
Be Legendary

FLATBED firewood

Dakota Woodturners

The proceeds of the Dakota Woodturners Raffle are used for educational opportunities and support for community outreach programs.

DAKOTA WOODTURNERS CHAPTER OF THE AMERICAN ASSOCIATION OF WOODTURNERS, INC. CORPORATION A NONPROFIT CORPORATION BY-LAWS

Article I - The Dakota Woodturners, a 501 C-3 non-profit organization, is a chapter of the American Association of Woodturners, Inc. (AAW). The chapter's taxpayer identification number: 20-0754460

The chapter was organized by Duncan R. Warren.

The administrative office of the Dakota Woodturners chapter is in Bismarck-Mandan, ND.

The chapter mailing address is:

Dakota Woodturners
PO Box 243
Bismarck, ND 58502- 0243

E-mail address: info@dakotawoodturners.com

All interested parties are welcome to become active members of the Dakota Woodturners.

Article II - The mission of the Dakota Woodturners is to:

1. Provide a meeting place for woodturners.
2. Share ideas and techniques regarding this discipline.
3. Provide for training and growth in woodturning.
4. Educate the public about the art of woodturning including public demonstrations and showings.
5. Encourage all members to become full members of AAW.
6. Support the general purposes of the AAW.

Article III - Officers

1. Election of officers - The Dakota Woodturners shall elect members to the office of President, Vice-President, Secretary, Treasurer, and two (2) members-at-large. Elections will be held annually at the December meeting. Elections shall be held on a staggered basis for President, Vice President, and one at-large member on odd numbered years; and Secretary, Treasurer, and one at-large member on even numbered years. The term of each office shall be two years.
2. Notice of election of officers will be announced at the two meetings

preceding any election.

3. The sitting president shall appoint a nominating committee of at least three members at the September meeting each year. The nominating committee will submit a list of suggested nominees to the general membership at the November meeting. Candidates may also be nominated from the floor of that, or the December meeting, by the membership.
4. The election shall be by secret ballot by a majority of a quorum of the members at the December meeting, unless a motion to elect is unanimously approved by the members at the meeting. The votes shall be counted by three members not associated with the nominating process, appointed by the president. The election results will be announced at the close of the December meeting.
5. Newly elected officers will take office at the January meeting. Assistant officers or additional positions may be elected by the membership or appointed by the President as needed. There is no limitation on the number of terms a member can serve in a particular position.
6. Removal - Any officer elected or appointed, may be removed from office when it is deemed in the best interest of the chapter. This shall be accomplished by a majority vote 50% of the total chapter membership.
7. Vacancies - A term vacancy in any office shall be completed by a member selected by the Executive Board.

Article IV - Duties of the elected officers

A. President - The President shall be the principal executive officer of the chapter, with duties including, but not limited to:
   1. Presiding over all business meeting of the chapter
   2. Supervision and control of all business affairs of the chapter
   3. Making decisions as necessary to ensure smooth operation of the chapter for the benefit of the membership
B. Vice-president - In the absence of the President, or in the event of the President's inability to carry out the duties of the office or refusal to act, the Vice-president shall perform the duties of the President, and when so acting, shall have all the power and authority of the office, and shall also be subject to all the restrictions upon the President. The Vice-president shall serve as chair of the chapter's program committee. The Vice-President shall also perform such duties as from time to time may be assigned by the President.
C. Secretary - The Secretary shall record the significant meeting activities of the Dakota Woodturners chapter, and keep these records in a permanent file. The Secretary must also see that all notices are duly given in accordance with the provisions of the By-Laws or as required. The secretary may request an assistant as needed, and that assistant shall be appointed by the President.
D. Treasurer - The Treasurer shall ensure that all dues and other fees are collected and properly recorded, and that any chapter bills are paid in a

timely manner. An annual fiscal report shall be provided, in writing, to the members of the chapter during the second meeting following the end of the fiscal year. The outgoing Treasurer shall be assisted by the incoming Treasurer in compiling the annual fiscal report. The Treasurer shall serve as chair of the finance committee, which has the responsibility to develop an annual budget for the ensuing chapter year. The members of the finance committee shall be appointed by the President.

The fiscal year shall be defined as January through December.

E. The Members-at-large are to perform auxiliary duties as needed and agreed upon by the Executive Board, or assigned by the President.

Article V - Executive Board of the Dakota Woodturners chapter

The Executive Board of the Dakota Woodturners chapter shall be made up of the chapter president, vice-president, secretary, treasurer, immediate past president, and two members-at-large.The Executive Board is the administrative body of the chapter. The Executive Board shall meet at the call of, and at a place determined by, the President.

Such meetings are open to any member of the chapter; however, only the members of the Board have voting privileges. The newsletter editor, the librarian, and the chapter website master are encouraged to attend Board Meetings.

Executive board members absent three consecutive board meetings without a valid reason may be considered inactive and replaced in accordance with Article III, Section 6.

The duties of the Executive Board are as follows:

1. Authorize the Treasurer to pay all bills for materials, workshops, etc. that are included in the annual budget. Expenses greater than $100 not included in the budget must be submitted to the membership for their approval.
2. Prepare applications for and administer all grant funds according to the intended purpose.
3. Act as the core committee responsible for planning monthly meetings, special events, symposiums, guest demonstrations, public showings, etc.

Article VI - Membership Dues

Calendar year membership dues, based on the recommendation of the Executive Board, will be determined by membership discussion and vote by

the November meeting. Annual dues are to be paid by the January meeting.

The Dakota Woodturners Executive Board, at its discretion, may confer HONORARY LIFETIME MEMBERSHIP to persons who, in its judgment, have made extraordinary contributions to the Dakota Woodturners. Such honorary lifetime members shall receive an award and be exempt from future chapter dues. Members may make recommendations for award consideration by the Executive Board.

Article VII - Meetings

The Dakota Woodturners chapter will meet each month at a time and location arranged by the Executive Board, and approved by the membership. Minutes of the previous meeting and announcement of the upcoming meeting and program will be published in the chapter newsletter, which will be distributed, by approved methods, seven to ten days prior to the meeting.

Meeting format shall follow Robert's Rules of Order.

Article VIII - Quorum Defined

A quorum of members required to vote on chapter business is defined as 25% of the total membership. This number may be increased, on a case-by-case basis by the members then present comprising a quorum as defined. After such vote, the definition of a quorum will revert to that above.

Exception:

If an urgent business matter requiring chapter vote develops and must be resolved between monthly meetings, the President can resort to and act on the results of a telephone or e-mail poll of at least 25% of the qualified voting members. This procedure must be reported at the next meeting and included in that month's minutes.

Article IX - Public Demonstrations of Woodturning

The President or, in his absence, one or more elected members of the Executive Board shall ensure that every public demonstration undertaken in the name of the Dakota Woodturners is sanctioned and recorded by membership vote. All chapter members demonstrating in the name of the chapter at public, chapter sanctioned events must be current in local dues.

Demonstrations, while part of the normal activities, are to be conducted solely at the discretion of chapter officers and all safety and instruction is to be under their explicit direction and control.

The national office strongly recommends placing a sign or notice on or around any lathe used for demonstration that safety eye protection is mandatory, and

a full-face shield must be worn when needed. Use of a dust mask and hearing protection are recommended. The lathe is a potentially dangerous machine to be used at demonstrations only with chapter approved supervision.

Article X - Relationship to the national organization

All elected officers and board members of the Dakota Woodturners chapter of the AAW shall be members in good standing of the American Association of Woodturners, Inc..

While it is understood that the parent organization will provide advice and counsel, as requested, the Dakota Woodturners are advised that the nature and extent of their activities are left to their discretion.

Article XI - Indebtedness

If the Dakota Woodturners chapter needs to incur any debt for, or in the name of, the AAW, it must have written authorization of expenditure specifications from AAW'S national office.

Article XII - American Association of Woodturners Disclaimers - Fiscal and Legal:

The American Association of Woodturners, Inc., specifically disassociates itself from any debts, obligations or encumbrances of the local chapter. The corporate board of directors of AAW is not responsible for the debts, nor shares in the profits of the local chapters. The AAW does not shoulder any legal liability for accidents that occur during events of any kind by a local chapter. The Dakota Woodturners chapter specifically disassociates itself from any debts, obligations or encumbrances of the American Association of Woodturners. The Dakota Woodturners is not responsible for the debts nor shares in the profits of the American Association of Woodturners. The Dakota Woodturners does not shoulder any legal liability for accidents that occur during events of any kind sponsored or not sponsored by the National Organization.

Article XIII - Amendments

These By-Laws may be altered, amended, or replaced and new By-Laws may be adopted by a majority of the qualified members of the chapter casting ballots. Amendments must be proposed with a minimum of one meetings notice before a vote can be cast. Copies of all modifications to these By-Laws must be filed with the national office of AAW.

Article XIV -Acceptance

These By-Laws have been drawn up, agreed upon, and adopted by the Dakota Woodturners chapter.

The original version Dakota Woodturners By-Laws was accepted by the chapter on January 10, 1998. The officers signing the By-Laws at that time were:

Duncan R. Warren - President - 10-Jan-1998
Leonard J. Ressler - Vice-president - 16-Jan-1998
Art Tokash - Secretary - 17-Jan-1998
Pat Schweitzer - Treasurer - 17-Jan-1998

The current update of the Dakota Woodturner By-Laws are accepted by vote of the membership on 11-14-15

The accepting vote is affirmed by signatures of the current officers below.

President - _____ Date 11/14/15

Vice-president - _____ Date 11/14/15

Secretary _____ Date 11/14/15

Treasurer - _____ Date 11/14/15

ITEM

6

I. ADP- 268
   a. 2024 Billing- $2,591,063
      i. 2023-$1,973,428
      ii. 2022-$1,460,385
      iii. 2021-$1,825,524 = COVID Housing
   b. Bookings remain high compared to current ADP.

II. Alternatives to Jail
   a. Currently 309 Participants
   b. Numbers continue to be stable, but trending up.

III. Staffing
   a. Continuously remain in hiring process for DO's.
      i. Current process:
         1. Approximately 40 applicants for interview.
         2. Looking at filling all positions including some backfill.
         3. Interviews this week.
      ii. Staffing appeared stable leading up to holiday season.
   c. Current employee recruitment is very positive factor.

IV. Current Issues for BMDC Governance Board
   a. 2026 Budget
   b. Housing Rates
   c. Maintenance Vacancies

ITEM

7

BURLEIGH COUNTY
HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

To: Chairman Brian Bitner
Commissioner Steve Bakken
Commissioner Wayne Munson
Commissioner Steve Schwab
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP
HR Director

Date: April 15, 2025

Re: Human Resource's Agenda items for April 21, 2025, Commission Meeting

Subject 1: 2024 Burleigh County Human Resources Report (Turnover Analysis)

BACKGROUND:

Please see attached report. This is informational and no action is needed.

Subject 2: Payroll/HRIS/Timekeeping/Benefits Administration Software

BACKGROUND:

A summary of our current payroll system, Infinite Visions School ERP Pro:

The payroll software is a feature of the Infinite Visions General Ledger system that Burleigh County uses. Although the payroll software can integrate with the general ledger system, Burleigh County does not have it setup that way. The payroll file gets uploaded into the general ledger system. The Human Resource module is a separate module with an extra cost annually.

If we stay on the current Infinite Visions School ERP Pro server-based product, the following items will be a concern in the near future:

- Infinite Visions is planning on moving exclusively to the online (cloud based) platform in the future, there will be a time in the near future when Infinite Visions will no longer provide updates or client support for the Infinite Visions School ERP Pro server-based software. This will force Burleigh County to move to the online platform. In order to transition to the online platform, all of Burleigh County would have to transition. That includes the Auditor/Treasurer/Tax,

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Equalization department along with any other departments that uses Infinite Visions software currently.

- The online Infinite Visions School ERP Pro software has built separate modules and they have ongoing charges for each module:
  - Payroll
  - Human Resources
  - Timekeeping
  - Benefits Administration
- The School ERP Pro software was designed for school districts, so it restricts the processes that we use for employee and payroll processing records. School districts operate differently than counties. School districts are setup on an employee contract basis and that is how School ERP Pro is setup. We have to manipulate the software in order for it to fit the county employee and payroll processes where county employees are not setup on a contract basis.
- I requested a quote for the cost of the online platform for all of the modules including the general ledger system and any other Infinite Visions products that Burleigh County currently uses. I requested the quote in August, 2024, and I still do not have any costs. We have gone through three different sales representatives in that time. I do not even know who our current sales representative is at this point. What the sales representative promised that Infinite Visions School ERP Pro could do in the RFP was just an empty promise. We found out that some of these features are still being tested and other features are only available in the online platform.
- I have reported for over a year that the current School ERP Pro payroll software is having issues with rounding on some reports that are needed for NDPERS. This rounding inaccuracy causes the HR department to manually manipulate the CSV files that are created automatically by the system prior to uploading those files to NDPERS. This has the potential to cause incorrect data to be transmitted and issues with employee retirement contributions or employee pay amounts.
- Infinite Visions help desk representatives have told us that we needed to be on the most current version of Infinite Visions. We updated the software to the newest server-based version (I believe we were thirty-one 31 updates behind). Each update costs Burleigh County extra. That cost is not included in the maintenance support agreement that is charged to Burleigh County annually. This annual maintenance agreement costs Burleigh County around $100,000.00 each year.
- After applying the updates and having the latest version of School ERP Pro, we are still having the same problems as before. To date these issues have not been resolved.
- The HR department did purchase the Human Resource module and attended training on the Human Resource module. We found out rather quickly that what the sales representative promised as available features in the Human Resource module, were only available if we transitioned to the online platform. This was not helpful in any way to the HR department.
- In August, 2024, I had a conversation with the HR Department portfolio holder – Brian Bitner regarding the disappointment that we were experiencing with Infinite Visions and the empty promises that were given to the HR Department during the RFP process. I asked if we could visit the next two Payroll/HRIS/Timekeeping vendors on the list from the RFP process. I was given

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
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LINDSAY BROWER

permission to work with these two vendors and research if they truly could meet the needs for Burleigh County in the Human Resources Department.

- We have been negotiating with both ADP and Paylocity as the quotes of the two vendors were really close in price and in features. We received a final negotiated price from Paylocity that is the most competitive. I included the latest price quote proposal with my Memo.
- The cost for the implementation for the Paylocity Payroll/HRIS/Timekeeping/Benefits Administration software is $12,811.00 This is a one-time setup fee. This is the negotiated price for setup. (For comparison, the setup implementation cost for just the Human Resource Module for Infinite Visions was $10,000.00).
- The monthly costs for the Paylocity product is $6,685.87 for 450 employees. The cost is charged on a Per Employee Per Month (PEPM) fee basis. If we have more employees that price will go up accordingly and if we have less employees, the price will go down accordingly. The total estimated annual investment is approximately $83,430.44 ($3,085.79 per pay period).

I feel that it is important to remind the Commissioners of why we performed the RFP for a new Payroll/ HRIS/Timekeeping software vendor.

- We currently do not have a universal timekeeping system and employees are completing paper timecards and we have timecard reviewers in every department that on every payroll, review the department timecards and then either enter each employee's hours in the time entry screen within Infinite Visions or the reviewer sends an Excel spreadsheet called a Payroll Transmittal Sheet that has the summary of pay type totals by employee in each department, for the specific pay period. Megan Martin HR Assistant II – Payroll and Benefits Specialist, has to manually enter these hours into the Infinite Visions time entry screen for each employee on every Payroll Transmittal Sheet that she receives from the different departments.
- In late 2023 the HR department did some internal research and found that for each pay period (26 per year) Burleigh County spends approximately $2,500.00 ($65,000.00 annually) in employee hourly wages just for our current process of reviewing the timecards. This is direct salary costs. This does not include the hours that it takes Megan to actually process the payroll.
- Even with the payroll review process in place, there have been several occasions where an employee was either underpaid or overpaid due to clerical time entry errors. If you remember one of these incidences was a $20,000.00 overpayment made to one employee. This was on one of our biggest departments that has overtime costs on a regular basis.
- Every payroll file would still upload to the general ledger system from a mapped connection from Paylocity to Infinite Visions.
- The HR Department has to manually calculate required reports such as Turnover, Overtime, Equal Employment Opportunity (EEO-4) and WSI Payroll Compensation reports. These reports takes hours to compile due to the manual entry that is needed to create the report. The

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
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Turnover Report takes approximately eleven (11) hours to complete due to the manual data gathering and manual calculations that are needed to complete the report. The Overtime report takes approximately twenty (20) hours to create as this has to be done by individually looking up every employee and manually recording their overtime hours and overtime pay, that has incurred in that year. This is done on an annual basis due to the difficulty in compiling the report. Unfortunately, it can only be used for historical purposes, and it is not a real-time tool for department heads.

- We have to manually complete forms for employee direct deposit, W-4 Tax withholding, I-9 forms and policy signatures for each new employee.
- We currently contract with Eide Bailey to process our annual 1095 ACA forms that are required by law. This costs approximately $5,000.00 annually. Infinite Visions School ERP Pro cannot provide the HTML upload that is needed to be in compliance with the IRS and Social Security Administration for this process. The requirement is that employers with 100 employees or more must file these forms electronically.

Paylocity has reporting and analytics within their HRIS system and these reports are standard in the software and can be created on demand. The timekeeping system will automatically flag any potential errors in time entry that an employee has made. The Paylocity payroll system will be more versatile for the Burleigh County payroll and is not restricted to school district features, such as employee contracts, for payroll. Paylocity includes a Benefits Administration module so the HR department can accurately track open enrollment for employees. This helps us stay in compliance with the Employee Benefits Security Act (EBSA) and some required sections of the Employee Retirement Income Security Act (ERISA). These are two federal laws that guide the compliance of employee benefits plans.

Paylocity also has a time scheduling feature within the Timekeeping software that allows departments to schedule their employees on shifts. This would be beneficial for departments such as Sheriff, Burleigh-Morton Detention Center (BMDC), and Highway Maintenance.

Paylocity has local clients such as Choice Bank, JLG, Rock 30 Games, ND SHRM, and 1st International Bank & Trust (Bob Hook, our new Facilities Director, has used the Paylocity system and when we asked him for his review, he was very favorable toward the Paylocity system).

RECOMMENDATION:

I recommend that the Burleigh County Commission approve moving forward with the Paylocity proposal for our Payroll/HRIS/Timekeeping/Benefits Administration software. I have the setup fee for this product in my 2025 budget and the monthly costs can be estimated and placed in the 2026 Budget.

BURLEIGH COUNTY
HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

The attached Paylocity proposal includes information about their software product and the costs associated with the software. It also includes two choices for an implementation timeline.

We have negotiated two free months of administration fees and the setup implementation fee was negotiated down from $15,000.00 to $12,811.00. Paylocity will also convert three years of payroll and employee data from the Infinite Visions system so we do not have to review two systems in order to complete employee forms. This is beneficial for reporting as all required compliance data will be included in one system.

If the Commission approves the adoption of Paylocity as the new Payroll, HRIS/Timekeeping/Benefits Administration software vendor, I recommend choosing the October Start Plan option. This option would be beneficial for Burleigh County as Paylocity would then complete the 2025 W-2 and 2025 1095 forms for all employees paid through payroll in 2025. This would be an estimated cost savings of $5,000.00 as we would no longer need to contract with Eide Baily to process our ACA 1095 forms and upload our HTML file.

I am requesting a motion from the Commission to accept Paylocity as the new Payroll/HRIS/Timekeeping/Benefits Administration software vendor for Burleigh County and to accept the Paylocity proposal and implementation guideline for an October, 2025 start date.

316 N. 5TH ST, #106, PO BOX 5518, BISMARCK, ND 58506-5518 * TELEPHONE 701-222-6669 * FAX 701-221-3395

Burleigh County

+

paylocity
Forward Together.

Our people are the Paylocity story.

Yesterday, today, and tomorrow are all about our people and building a culture that inspires them at work and everywhere.

Our tech magnifies your superpowers.

We're always working to expand our product suite to help you tackle your "have to dos" so you can get to your "want to dos."



Created by: **Will Hess** HCM Account Executive whess@paylocity.com 701.712.1959

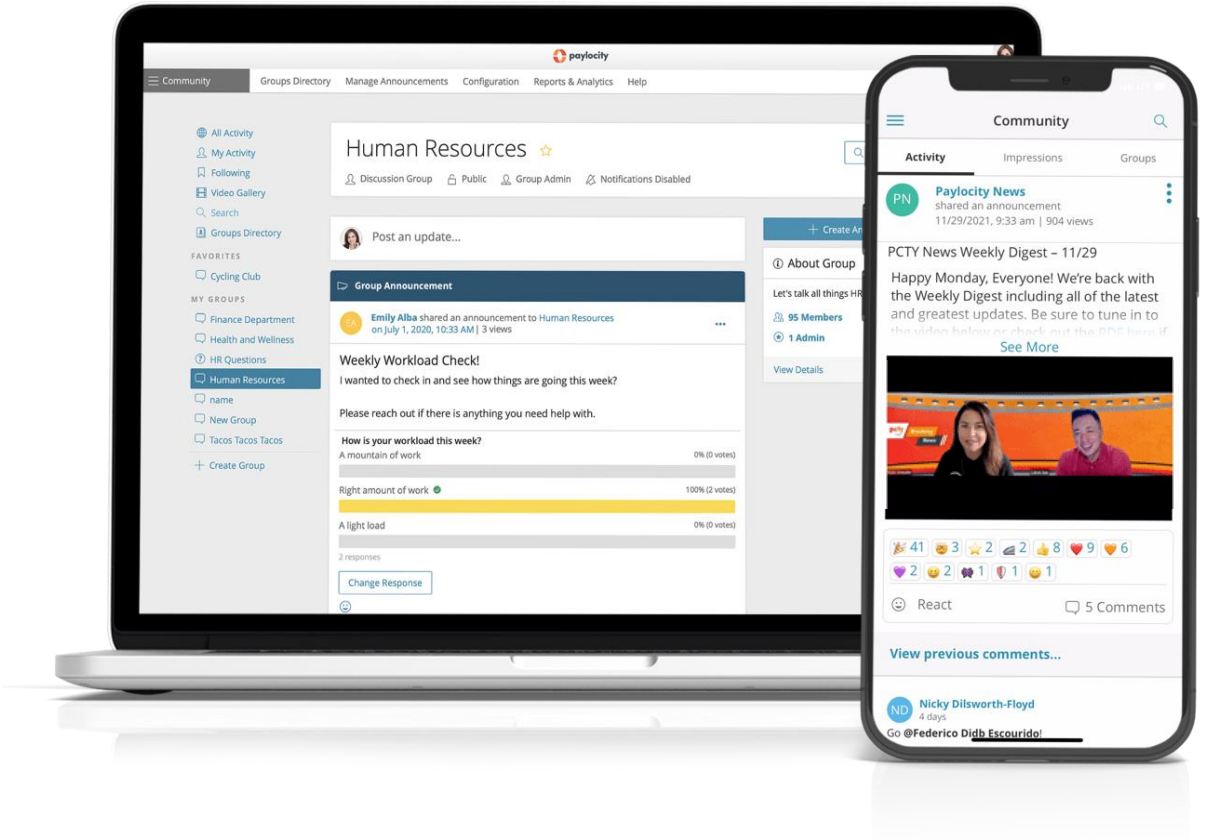
BURLEIGH · COUNTY · ORGANIZED JANUARY, 1873

Glossary

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- Goals & Expectations
- Our ND Clients
- Paylocity Platform
- Service/ Implementation
- Updated Pricing
- Implementation Options





Goals & Expectations

- **Unify Payroll & HR:** Streamline payroll, HR, compliance, and reporting in one centralized platform.
- **Automate Onboarding & Recruiting:** Create a seamless hiring-to-onboarding flow to eliminate manual data entry.
- **Empower Employees:** Enable digital onboarding, time tracking, and PTO requests for a smoother experience.
- **Enhance Benefits Admin:** Simplify open enrollment, explore BCBS of ND integration, and reduce admin lift.
- **Reporting & Compliance:** Support ACA, EEOC, WSI, and pension reporting with custom dashboards.
- **Optimize Time & Labor Management:** Offer better scheduling, labor insights, and real-time visibility.
- **Centralize Communication:** Use one hub for recognition, announcements, OE info, and employee connection.
- **Future-Ready Growth Tools:** Choose a future-ready platform that adapts to new initiatives without requiring system changes.



Our Recent North Dakota Clients & Community

paylocity
Forward Together.

J | L | G
LAWYERS

Family wellness

ELEVATE
rock school

ASN Constructors

ROCK30 GAMES

CHOICE BANK

Northdale Oil Inc.

KALIX
Privacy, Dignity & Purpose for all People.

Peterson Farms Seed

BANKNORTH

NDSHRM
Annual State Conference

hfi
healthy food ingredients

FIRST INTERNATIONAL BANK & TRUST
live first

First Care
HEALTH CENTER

THE GREAT NORTH POLE

The most complete platform for HR

Single Platform
The foundation of our platform is a single employee system of record that we've built from the ground up to power the complete employee lifecycle.

Flexible Architecture
We offer seamless connections to HR, IT, and Finance applications, enabling you to manage all your HR processes in one place.



Employee Experience
We deliver experience employees want, which drives engagement and more adoption of self-service processes.

Insights & Recommendations
Tailored to your company and employees, our advanced AI delivers prescriptive recommendation to tell you how to interpret your data and where to focus next to achieve your goals

Investment Summary

April 11, 2025 | **Quote # Q-260626** | Version # 9 | Quote valid for 30 days

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Client Company
Burleigh County
PO Box 5518
Bismarck, ND 58506
(701) 222-6718

Client Contact

Total Employee Count
450

Monthly Fee
$6,685.87

One-Time Fees
$12,810.17

Total Annual Investment
$83,430.44

Discounts & Promotions



- ✓ 30% Off Annual – County Office Discount
- ✓ Additional 25% Off Annual – *NEW* April Promo
- ✓ 51% Off Setup – w/ Added

*Total Annual Investment includes estimated annual fees
*Annualized fees do not include usage based fees
*Monthly fees based on # of Active Employees as defined in the Service Agreement
**Plus sales tax if applicable

See following pages for line item breakdown of services

DRAFT

Annual Fees	Base	Qty	Rate	Annual
W2 / 1099	$50.00	450	$7.00	$3,200.00
			Annual Total	$3,200.00

Usage-Based Fees	Base	Rate
Electronic Garnishments		$1.85
Direct Agency Pay		$2.95
Tax Registration		$200.00
Delivery Next Day (UPS)		$20.00
Split Pack		$6.00

Included Services…

Monthly Fees	Base	Qty	Rate	Monthly
HCM Bundle	$88.87	450	$14.66	$6,685.87
Payroll				
• Payroll Processing	-	-	-	Included
• Expense Management	-	-	-	Included
• Unlimited Payroll Runs	-	-	-	Included
• Prorated & Retro Pay	-	-	-	Included
• New Hire Reporting	-	-	-	Included
• Direct Deposit	-	-	-	Included
• On Demand Payment	-	-	-	Included
• Check Printing Service	-	-	-	Included
• Tax Filing & Payments	-	-	-	Included
• General Ledger	-	-	-	Included
Time & Labor				
• Time & Attendance	-	-	-	Included
• Scheduling +	-	-	-	Included
• Time Collection	-	-	-	Included
Benefits				
• Benefits Administration	-	-	-	Included
• Carrier Benefits EDI/API	-	4	-	Included
Human Resources				
• Human Resources Management	-	-	-	Included
• Workflows Process Automation	-	-	-	Included
• Centralized Document Library	-	-	-	Included
• State Compliance Form Library	-	-	-	Included
• Fillable Employee Forms	-	-	-	Included
• Unlimited Custom Fields	-	-	-	Included
• Time Off Management	-	-	-	Included
• Employee Self-Service	-	-	-	Included
• Position Management	-	-	-	Included
• Org Chart & Directory	-	-	-	Included
• Skills & Certifications Management	-	-	-	Included
• Employment Verification	-	-	-	Included
Talent				
• Onboarding	-	-	-	Included
• Compensation Management	-	-	-	Included
• Headcount Planning	-	-	-	Included

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Modules:
- ✓ **Payroll**
- ✓ **Time and Labor**
- ✓ **Employee Experience**
- ✓ **Reporting & Insights**
- ✓ **Onboarding**
- ✓ **Employee E- Document Storage**
- ✓ **Ben Admin**
- ✓ **Compensation Mgmt**
- ✓ **Headcount Planning**

Top Features:
- GL integration – Unlimited Runs
- Mobile, Digitized Punching
- Recognition + Company Messages
- Dashboards + Pension Reports
- Approvals, Workflows, Centralized
- Unlimited
- EDI Feeds to Carriers like BCBS
- Total Rewards Statements
- Reduce Yearly Calculations

Employee Experience				
• AI Assist	-	-	-	Included
• Community	-	-	-	Included
• Recognition	-	-	-	Included
• Mobile App	-	-	-	Included
Insights & Reporting				
• Data Insights	-	-	-	Included
• Dynamic Reporting	-	-	-	Included
• Modern Workforce Index	-	-	-	Included
Integrations				
• BreezyHR Integration	-	-	-	Included
Customer Service				
• Dedicated Account Management	-	-	-	Included
• On Demand Training (PEAK)	-	-	-	Included
• Unlimited Product Training	-	-	-	Included
			Monthly Total	$6,685.87

DRAFT

October Start Plan

2025 Budget Estimate: $19,497

(Setup Dollars + October)

Initial Target Dates	Activity/Deliverable
April 21st	Commissioner Meeting Approval
April 22nd	**Agreement to partner with Paylocity**
April 23rd	Collect Initial Documents & Approve Agreement
June	Paylocity Implementation Team Assigned and Implementation Project Kick-Off
July & August	Testing & Training
September	Employees start clocking in to Paylocity
October 3rd	**First Check Date with Paylocity** + Go Live w/ Time, PTO, Onboarding & Ben Admin
October 15th	Open Enrollment – process same as previous years
November	Go live GL & Integrations
December	Holidays & Prepare for 2026

Month FREE

Month FREE

January Start Plan

2025 Budget Estimate: $12,811

(Setup Dollars)

Initial Target Dates	Activity/Deliverable
April 21st	Commissioner Meeting Approval
April 22nd	**Agreement to partner with Paylocity**
April 23rd	Collect Initial Documents & Approve Agreement
August	Paylocity Implementation Team Assigned
September	Implementation Project Kick-Off
October	Open Enrollment – process same as previous years
Oct/Nov	Testing & Training
December	Employees start clocking in to Paylocity
January 2nd	**First Check Date with Paylocity** + Go Live w/ Time, PTO, Onboarding & Ben Admin
February	Go live GL & Integrations + support Open Enrollment

Month FREE

Next Steps...



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Collect initial Documents. For example:

1. Fed 941
2. Recent Payroll Register Report
3. SUI Proof
4. Voided Check

Electronically Sign Agreement

Getting Ready for Implementation Kickoff

ITEM

8

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: 4-14-2025

From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1 | Special Use Permit for a Office Space

On April 9, 2025 a public hearing was held for Jason & Jenney Schatz for the placement of a manufactured home to be used as office space on their property. This is an infrequent occurrence which qualifies for the special use request.

The proposed manufactured home is 620 sq./ft., will not meet the minimum 900 sq./ft. required as a single-family dwelling. The use will be restricted as office space only as allowed by the Special Use Permit.

The application for the Special Use Permit was recommended for approval by a vote of 6-1.

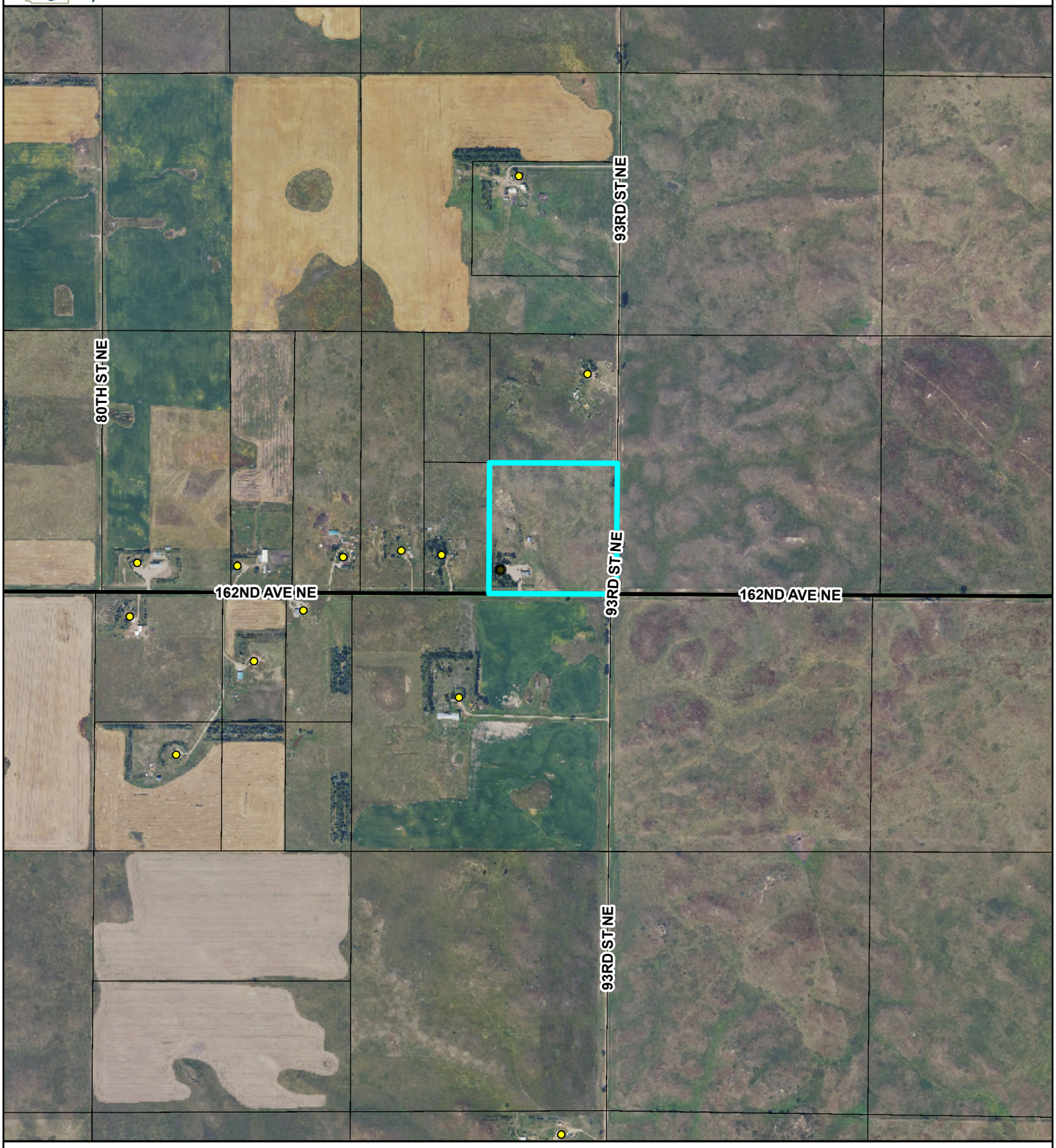
ACTION REQUESTED:
Consider to approve the Special Use Permit for a Manufactured Home used as Office Space.

Attachments:
Ex. 1- Site Location Map
Ex. 2- SUP_Schatz

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

4/14/2025



PARCEL ID: 52-141-79-00-35-810 **OWNER:** SCHATZ, JASON & JENNEY **ACRES:** 39.86

SITE ADDRESS: 9100 NE 162ND AVE

MAIL ADDRESS: 9100 162ND AVE NE, BALDWIN, ND 58521

LEGAL: CROFTE TOWNSHIP Section 35 SE1/4SE1/4 621428 35-141-79

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

BURLEIGH COUNTY

STATE OF NORTH DAKOTA

Building and Planning Department
221 N. 6th St.
Bismarck, North Dakota 58506
Phone: 701-221-3727

PERMIT NO. 25- 001

BURLEIGH COUNTY SPECIAL USE PERMIT to allow the placement of a Manufactured Home used as office space in Section 35 SE1/4SE1/4 621428 35-141-79 in Crofte Township Range 79 Burleigh County, North Dakota.

The Burleigh County Board of Commissioners has granted a Special Use Permit to allow a Manufactured Home in Section 35 SE1/4SE1/4 621428 35-141-79 in Crofte Township Range 79 Burleigh County, North Dakota.

This Special Use Permit is subject to the following conditions:

Manufactured Home to be used as office space only.

Approved by the Burleigh County Board of County Commissioners on: _____

Attest:

Mitch Flanagan, Burleigh County Planning Director

* Special Use Permits are non-transferrable. If ownership of the property is changed, the Special Use Permit # 25-001 is void.

DRAFT

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Amend Burleigh County Zoning Ordinances

Date: 4-15-2025

From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 2	Amend Article 8 Section 30 Data Centers

It has become necessary to consider amending the current Article 8 to allow Data Centers within I-Districts under a special use permit. A Data Center is a facility that contains large amounts of computer systems. IT infrastructure, used for the remote storage, processing, or transmission of digital data associated with those computer systems, networks, servers.

Article 8 draft ordinance for Data Centers was presented to the Planning Commission on July 10th and September 11th. Public hearings were held on November 13th, February 12th and April 9, 2025. The planning commission recommended approval by a 6-1 vote.

ACTION REQUESTED:
Consider motion to approve Article 8 Section 30 Data Center Final Ordinance.

Attachments:
Ex.1 Article 8 Data Center Final Ordinance

ORDINANCE 25-0--------

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 8 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA RELATING TO SECTION 30 DATA CENTERS

Section 1. **Amendment** Article 8 of the Zoning Ordinance is hereby amended and re-enacted as follows:

SECTION 30 Data Center AI Conversion Facilities

This section is adopted to allow data centers/AI conversion facilities within Burleigh County and to minimize the potential off-site impacts of development and reduce long-term exposure that may impact the public safety, health and the general welfare of Burleigh County residents.

DEFINITIONS

The following words, terms and phrases, when used in this Article and Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:

1. *Blockchain*- a digital record of all the transactions involving cryptocurrency. Copies of the blockchain are stored and maintained by computers around the world.
2. *Cryptocurrency*- a type of decentralized digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds.
3. *Cryptocurrency Data Center*: Leased or owned boundaries of floor space devoted to the operating data processing equipment for Commercial Cryptocurrency Mining; excluded spaces for commercial offices, storage, shipping and receiving warehousing, or any other space that is not electronic processing.
4. *Cryptocurrency Server Farm-* Three or more interconnected computers held together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.
   Data center- a facility containing large amounts of computer systems, servers, networking equipment, and storage infrastructure primarily for the purpose of remote storage, processing, or distribution of large amounts of data. A typical data center may include functions such as cryptocurrency mining, cloud AI functions, hyperscale cloud functions, but are not limited to such examples. Any equipment requiring a High-Density Load Service, for a server farm or data center, will constitute a commercial cryptocurrency mining application.
5. *Data Center/ AI Conversion Facility*- a data center that is converted and used to support artificial intelligence.
6. *Digital asset Mining*- means using computer hardware and software specifically designed or used for the purpose of validating data and securing a blockchain network.

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7. *Digital Asset Mining*- Business- means an individual or company operating a digital asset mining facility that cumulatively draws more than one megawatt of power in the County.
8. *High Density Load Service*- The provision of electrical service where the requested load density has, for any monthly billing period, either an average power demand in excess of 300 kilowatts OR an average power density in excess of 250 kilowatt-hours per year per data center square foot, equivalent to 35.064 square feet per kilowatt, at 100% load factor.
9. *Owner-* Any person, agent, operator, entity, firm or corporation having any legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding an interest or title to the property; or otherwise having possession or control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
10. *Sensitive Properties*- Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from noise or contaminant discharges generated by a nearby facility.

I. APPLICABILITY

These regulations are for Data Center Facilities on properties and structures under the jurisdiction of the Burleigh County Zoning Ordinance and are applicable to Data Centers requiring consistent electric loads of 50MW or greater. The installation or construction of a data center, or any modification to a lawfully existing data center beyond routine maintenance, requires a Special Use Permit and also requires a Burleigh County Building Permit obtained from the Burleigh County Building, Planning and Zoning Department. Data centers may only be permitted in an Industrial (I) District with a Special Use Permit.

a. A landscape buffer of 50' shall be required as measured form the interior of all property lines.

1. Application Requirements

The application for the installation or construction of a data center, or for modifications to a lawfully existing data center beyond routine maintenance, shall follow the application procedures for Special Use Permits Article 8 and any other procedures as may be required by this Ordinance for data centers, such as zoning map amendments, platting, or variances. In addition, applications shall include the following:

a. Applicant name(s) and contact information. The applicant must also identify on the application, the owner/owners of record for the property. ~~the occupant or lessee of the property, and the operator of the data center.~~

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b. A description of the proposed project, including a description of how the project meets market demand, the facility's processing capacity, and the facility's anticipated water and electricity needs.
c. A study prepared by an acoustical engineer that describes the anticipated noise level of the facility and any proposed mitigation efforts such as sound walls, baffles, ventilation silencers, etc.
d. A preliminary site plan: a digital copy of site plan (pdf format, full size) at 1" = 20' or larger scale, if integral to request, for both existing and proposed conditions showing the location and dimensions of all existing and proposed structures, screening, fencing, a photometric plan that shows all exterior lighting, including any security lighting, electrical connections, property lines, and roadway access, including:

    i. Date the site plan was prepared,
    ii. North point indication,
    iii. Section, township and range numbers,
    iv. A location map inset showing the township(s) in which the project is located and the boundary of the proposed project,
    v. Location of all existing public roads, dimensions and location of any utility easements and rights-of-way within five hundred (500) feet of proposed Data Center.

e. A map of the project area showing all single-family and multi-family dwellings, schools, churches, synagogues, and other similar religious institution or structures, and public parks located within one (1) mile of the exterior boundaries of the property where the data center will be located.
f. Installation or construction of a data center, or any modifications to a lawfully existing data center beyond routine maintenance, also requires a building permit obtained from Burleigh County Building Department.
g. Data centers may only be permitted in an I- Industrial District with a Special Use Permit.
h. Fees:
   The special use permit fee will be based on .001 x Total Project Cost up to 1,000,000,000.00 An application fee of $1,000 shall be payable at the time of application for a special use permit, with the remainder of the special use permit fee remitted by the applicant prior to issuance of building permits and commencement of construction. Or:
    i. $300.00 whichever is greater
i. Copies of signed permits or other documentation that indicates compliance with all applicable State and Federal laws, statutes, rules, regulatory standards, including but not limited to the North Dakota State Electrical Board.
j. Copy of the signed electrical power purchase agreement.
k. Financial security for the following:

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i. Financial security for maintenance of the data center, as fully constructed and operational or, if the project only involves modifications to a lawfully existing data center beyond routine maintenance as permitted by this Ordinance, financial security for maintenance of the lawfully existing data center as modified. The financial security shall be in the amount of 125% of the estimated cost to maintain the data center, as fully constructed and operational, or as modified, as determined by the applicant's ND State registered engineer, with such estimated costs subject to review and approval by the Burleigh County Building Department and

ii. Financial security for reclamation and restoration of any data center and the property on which the data center is located or, if the project only involves modifications to a lawfully existing data center beyond routine maintenance as permitted by this Ordinance, financial security for reclamation and restoration of the property on which the data center as modified is located. Reclamation and restoration shall include, but is not limited to, the removal and disposal of all above-ground structures, underground structures, and utilities to depth of four feet, and the removal and disposal of all other facilities, structures, equipment, and materials on or under the property. The financial security shall be in the amount of 125% of the estimated cost to reclaim and restore property on which the data center, or the data center as modified, is located as determined by the applicant's ND State registered engineer, with such estimated costs subject to review and approval of the Burleigh County Building Department. Any financial security provided by the applicant which is required by this Chapter shall be subject to review and approval by the County and be in the form of one or more of the following:

iii. An irrevocable letter of credit issued by an FDIC insured financial institution authorized to do business in the State of North Dakota to be effective beginning on the date that installation and/or construction of, or the approved modifications to, the data center start and provides for annual automatic renewals continuing to the date when full reclamation and restoration is complete as approved by the County;

iv. A surety bond which is effective beginning on the date that installation and/or construction of, or the approved modifications to, the data center start and provides for annual automatic renewals continuing to the date when full reclamation and restoration is complete as approved by the County; and/or;

i. Cash in escrow to be held in trust by Burleigh County effective beginning on the date that installation and/or construction of, or the approved modifications to, the data center start and continuing to the date when full reclamation and restoration is complete as approved by the County. The financial security required above shall be provided to Burleigh County prior to commencement of any work to install and/or construct the data center, or to modify a lawfully existing data center beyond

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routine maintenance, but no later than the date determined by the Board of County Commissioners in approving the data center or in approving the modifications to a lawfully existing data center beyond routine maintenance.

l. Other relevant studies, reports, certifications, or approvals as may be required by the County to ensure compliance with this Chapter and this Ordinance.

II. Prohibitions:

The County prohibits data center facilities located within:

a. All Floodplain Districts and Designated SFHA Areas.

III. Design Standards

1. Data Centers or Cryptocurrency Data Centers shall be set back at least one (1) mile to all sensitive properties, such as: single-family and multi-family dwellings, schools, churches, synagogues, and other similar religious institution or structures, and public parks as measured from the nearest property line of any of these sensitive properties to the data center's exterior property lines.
2. Height. All buildings, structures, and appurtenances on the property where the data center will be located shall meet the height requirements of the Industrial I District in this Ordinance.
3. Electrical wiring. All electrical wiring shall comply with the standards of the North Dakota State Electrical Board, and any of its rules and regulations.
4. Generator testing is limited to between 11:00 a.m. and 5:00 p.m.
5. Generator use is limited to backup/emergency use only.
6. Building Permit. At the time of SUP approval, a building permit for all proposed structures will be required. Permit information shall include: Applicant name(s) and contact. The applicant must also identify on the application contact information for the owner/owners of record for the property. ~~the occupant or lessee of the property, and the operator of the data center.~~
7. The facility will be required to obtain an NDDEQ permit if they discharge water to surface waters.
8. Written verification is submitted from the utility provider that sufficient capacity will be available to meet anticipated needs for electrical power.
9. Security fencing. A secured chain link or solid wood or masonry fence at least six (6) feet in height shall be constructed and maintained around the entire perimeter of the facility to prevent unauthorized entry onto the property or into the facility. Any fencing shall comply with the Development Standards in this Ordinance.
10. Buffering and screening. Landscaped buffers shall be required around the entire perimeter of the property where the data center is located in accordance with the requirements of this Ordinance.

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11. Sound. The operators shall not cause, allow, or permit the operation of any source of sound which creates at an occupied residential building or a defined sensitive property, as may exist at the time of the issuance of a certificate of occupancy, a sound level that exceeds a daytime continuous sound level of 50 dBA or a nighttime continuous sound level of 45 dBA, for any 15-minute measurement interval unless otherwise permitted.

    a. The operators shall not cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third (⅓) octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB (Flat)) values as follows:
        i. 5 db for center frequencies of 500 Hertz and above,
        ii. 8 db for center frequencies between and including 160 and 400 Hertz,
        iii. 15 db for center frequencies less than or equal to 125 Hertz
        iv. A pure tone shall be deemed present at measurement.

12. Noises. Sound:-The applicant shall provide written verification and documents prepared by a registered design professional in the form of a noise study as measured from the exterior property line of the subject parcel to the exterior property line of any defined sensitive properties as certified by a licensed acoustical engineer, including manufacturer specifications, anticipated noise level of the facility will not exceed the maximum auditory decibel level as stated in Section 11 of this article, and any data from comparable facilities or combination thereof.
13. A Data Center operation shall provide a 24-hour emergency contact signage visible at the access entrance. Signs shall include company name if applicable, owner/representative name, telephone number, and corresponding local power company.
14. All outdoor light fixtures shall be installed in a manner intended to limit the amount of off-site impacts. Light fixtures located near adjacent properties may require special shielding devices to prevent light trespass.
15. Accessory structures and appurtenances. All accessory structures or appurtenances, including those constructed for noise mitigation, shall be designed in a manner that is complementary with the primary building(s) and shall be finished in a non-obtrusive color.
16. Roads. All adjacent exterior access roads serving a data center shall conform to the Development Standards in this Ordinance and Article 33. Exterior road construction or improvements shall be subject to approval by the Burleigh County Highway Engineer or their designee. A road maintenance agreement with any government entity having jurisdiction over the adjacent exterior access roads shall be required during installation or construction of the data center, or during modification of a lawfully existing data center beyond routine maintenance. All interior roads serving the data center shall be subject to review by the Burleigh County Fire Department to ensure safe and adequate access for emergency response vehicles.
17. Storm Drainage, Erosion Control, Grading, Drainage and Stormwater Management Permit for the data center shall comply with the requirements in Article 33 of this Ordinance.

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18. Additional conditions or specific allowances to this ordinance may be considered in the review and approval of the Special Use Permit.
19. Development Agreement. The owner of record of the property, or the owner's representative of the data center and of the property on which the data center will be located, as determined appropriate by Burleigh County, must sign a development agreement which shall include provisions related to, but are not limited to, the posting and use of financial security, exterior and interior road construction or improvement, road maintenance, improvements related to storm drainage, stormwater management plan, erosion control, grading, and drainage, reclamation and restoration, and/or any other condition imposed by this Chapter, this Ordinance, or the Board of County Commissioners in approving installation of construction of the data center or modifications to a lawfully existing data center beyond routine maintenance.

IV. Decommissioning Plan:

1. It is the responsibility of the original applicant, or if different, the owner of record of the property, to notify Burleigh County in writing, at least six (6) months in advance, of the intent to abandon or cease operations of the data center. Any data center that is not operated for a continuous period of six (6) months shall automatically be considered abandoned, and Burleigh County may require the original applicant, or if different, the record owner of the property, the occupant or lessee of the property, and the operator of the data center to reclaim and restore the property within ninety (90) days after written notice to reclaim and restore the property from Burleigh County. Any such reclamation and restoration shall include, but is not limited to, removal and disposal of all above-ground structures, underground structures, and utilities to depth of four feet, and removal and disposal of all other facilities, structures, equipment, and materials on or under the property. If the property is not fully reclaimed and restored as required by this Article within ninety (90) days after written notice from Burleigh County, the County may reclaim and restore the property, or cause the property to be reclaimed and restored, including, but not limited to, removal and disposal of all above-ground structures, underground structures, and utilities to depth of four feet, and removal and disposal of all other facilities, structures, equipment, and materials on or under the property and recover costs directly from the original applicant, or if different, the record owner of the property, the occupant or lessee of the property, and/or the operator of the data center. Burleigh County may also, in its discretion, recover such costs, by access to and use of the financial security provided and on file for the data center, or by lien or special assessment, or any other remedy, authorized by law or the Development Agreement entered into under this Article. Nothing in this Article is intended to impose a mandatory obligation on Burleigh County to reclaim and restore the property.
2. After a decommissioning process has been completed, the I District Industrial Zoning of the property shall automatically be transferred back to the pre-existing zoning, prior to the issuance of the special use permit.

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V. Amend Article 18, I-Industrial Zoning District, the following regulations shall apply:

1. Special Uses Permitted. The following Special Uses are allowed as per Article 8 Section 30 thereof:
    a. Data Center Facilities
    b. Any change of use within an existing permitted Data Center, i.e.: AI Conversion Center, shall require a new special use permit review and approval.

Section 2. **Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. **Severability.** If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. **Effective Date.** This ordinance shall take effect after final passage, adoption and publication as provided by law.

First Reading Passed: _____

Passed and adopted this _____ day of _____, 2025

_____
Brian Bitner, Chairperson

Final passage and adoption:

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of _____day of _____, 2025

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____ day of _____, 2025

_____
Mark Splonskowski, Burleigh County Auditor/Treasurer

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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Consider Moratorium

Date: 4-15-2025

From: Mitch Flanagan, Burleigh County Planning Director. MF

ITEM 2 | BESS Moratorium

Burleigh County has taken notice of the potential to be identified as a preferred location for the development of battery energy storage systems (BESS) and finds it necessary to develop a zoning ordinance amendment to establish a framework for the evaluation and siting of BESS facilities.

In order to provide for an ordinance amendment, a consideration to place a moratorium as a pause on all new development, land use, and construction applications for BESS facilities is applicable.

The State of North Dakota grants Counties the authority to adopt a moratorium under Chapter 11 Sections: 11-09.1, 11-28 and 11-33 which set forth the law relating to a County's authority to regulate construction.

Planning Commission recommended the resolution approval by a 7-0 vote.

ACTION REQUESTED:
Consider motion to recommend a Resolution of a BESS Moratorium.

Attachments:
Ex.1 BESS Moratorium Resolution

BURLEIGH COUNTY COMMISSION

RESOLUTION 00-2025-02

A RESOLUTION OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, TO IMPOSE A MORATORIUM ON THE DEVELOPMENT OF BATTERY ENERGY STORAGE SYSTEMS UNTIL A ZONING STANDARD IS DEVELOPED.

WHEREAS, the Board of Commissioners of Burleigh County, ND has taken notice of the potential for Burleigh County to be identified as a preferred location for the development of battery energy storage system (BESS) in the future

WHEREAS, the Board of Commissioners of Burleigh County, ND finds it necessary to develop a zoning ordinance amendment to establish a framework for the evaluation and siting of BESS facilities, in order to protect the health, safety and general welfare of the citizens of Burleigh County

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Burleigh County, ND that a moratorium on the development of all utility scale battery energy storage systems (BESS) is adopted, for the period of time necessary to develop and adopt adequate, applicable zoning code amendments, and that this resolution shall take effect upon recording and publication.

BY ORDER OF THE Board of Burleigh County Commissioners this _____th day of_____, 2025.

_____

Brian Bitner, Burleigh County Chairperson

ATTEST:

_____

Mark Splonskowski, Burleigh County Auditor/Treasurer

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Addenda item for April 21, 2025 Meeting

Action Requested: Fireworks

Description:

Have an open discussion regarding the current fire danger and the burn ban. It may, as we get closer to the 4th of July celebration, that we also place a ban on the use of fireworks.
Request from the Sherrif and/or the States Attorney, the penalties associated with the use of fireworks if they are banned or if the commission places a moratorium on the use of fireworks

Action needed: None at this time

Addenda item for April 21, 2025 Meeting

Action Requested: Public Health

Description:

During the 2025 Budget session, I presented to the commission a list of Core Functions that are required by the ND Century Code – Chapter 23-35. In the attached document it also lists the other functions that are offered by the Public Health unit and it also lists how each function is paid for IE: grants, billable services and those that are covered by the budget that is shared between the City of Bismarck and Burleigh County.

Currently the County contributes 25% of the total budget to the operation of the Public Health unit that is required by the Century Code to be a function of the County.
I equate this to be a minor partner of a business. We have ownership but no say in what happens as we are on a 25% partner.

Last year I advocated for our contribution to be increased.
I requested that for several reasons.

1) With increased ownership (once past 51%), we would have a controlling interest in the operation and the ability to influence the operations of the public health unit.
2) My goal was to increase the amount of the contribution by 10 or 15% each year so that it would not be a large draw on the budget at one time
3) Our current level of contribution for 2025 was $582,201 of the total budget of $2,328,804. In my opinion there is no way that Burleigh County can effectively run a Public Health unit according to the Century Code with a budget of $582,201. By increasing our budget slowly over the next few years, we could build up to a point where we have a controlling interest in the current Public Health unit or we could open our own unit without it being a large increase on the budget in one year.
4) I would not try to create our own Public Health Unit until a County Manager is put on staff.

Action needed: None at this time.

ND CENTURY CODE CHAPTER 23-35: PUBLIC HEALTH UNITS

Green denotes BBPH receives grant funds to support the service. May not cover the entire cost.
Blue denotes billable service via health insurance reimbursement, fees, employer pay, private pay. May not cover entire cost.
Brown denotes a non-billable service provided for public health and safety of the community.
ND Century Code: 23-35-08 - Services may not be withheld due to inability to pay.

23-35-02. Public Health Units – Core functions

1. All land in the state must be in a public health unit.
2. At a minimum, a public health unit shall provide the following core functions:

A. Communicable Disease control which must include:	Comments:
A1. Conducting of disease surveillance for the purpose of preventing and controlling communicable disease, with assistance from the department. • Tuberculosis (TB) screening and management of positive cases. • Treatment of latent TB (so it doesn't become active) through administration of medication and monitoring of side effects. • Direct observation therapy provided to active TB cases in the community. • Provide wrap around services for active TB cases in the community including food, lodging and basic needs to maintain isolation requirements of individuals. • Confidential STD/HIV/Hepatitis C testing, counseling, and treatment to all residents. • Surveillance and monitoring for new and ongoing emergency public health threats. • Review of student immunization records for Burleigh County Schools to ensure students are compliant with state law.	**Receive grant funding to support these services.** **Non-billable service.** Done for Burleigh County Schools only, Bismarck schools have their own nurses providing this service.
A2. Assurance of the availability of community-based programs to provide communicable disease prevention and control services. • **BBPH protects the community from communicable disease through administration of vaccines**. All vaccines offered to all populations both in clinic and at offsite locations in the community (Vaccines for Children, Vaccines for Adults, Privately Purchased Vaccines) and maintain compliance with storage and handling, documentation requirements, and submission of data to the state health department including tracking of temperatures, documentation of lot numbers, and maintenance of storage equipment. The Vaccines for Children (VFC) program is a federally funded program that provides vaccines to children 0 through 18 years of age who are either Medicaid eligible, American Indian or Alaskan Native, uninsured or underinsured (a child whose health insurance benefit plan does not cover vaccines or a particular vaccine).	**Billable service.**

• Travel vaccination administration. **We are the only travel vaccine provider in the state outside of Fargo**. Vaccines are required to travel to international locations, local clinics do not provide this service. • All recommended vaccines offered to all school staff and students in Bismarck and Burleigh County Schools in accordance with state law. • Infection control specialist/RN provides bloodborne pathogen training for BBPH staff and by request to departments and/or community organizations. • N-95 Mask Fit Testing provided to regional health care agencies and first responders to ensure protection from communicable disease. • Personal protective equipment (PPE) donning and doffing training for healthcare agencies and first responders to prevent exposure to communicable disease.	**Billable service.** **Billable service** Required by state law to attend school. Offered in schools and at BBPH office. **Receive grant funding to support these services.**
A3. Recognition, identification, and response to a communicable disease event, in collaboration with the department of health and human services. • Investigate recreational water outbreaks in Burleigh County. • Manage the vector/mosquito control program for the City of Bismarck which includes placing light traps, tracking mosquito counts, fogging, and treating stagnant water to prevent vector borne illness. (West Nile, Zika). • Maintain records of the mosquito control pesticide applications and report to the state agriculture department. • Public health works with local health care facilities and community stakeholders to develop plans, conduct community exercises, and will respond to a communicable disease emergency such as the COVID-19 pandemic, H1N1 influenza pandemic, etc. For example, efforts during COVID-19 response included: established a Department Operations Center (DOC), engaged City departments to establish an EOC (Emergency Operations Center) to coordinate community response to the COVID pandemic. Duties included public education, contact tracing, COVID-19 testing by appointment, mass COVID-19 testing clinics, COVID-19 vaccinations by appointment, mass COVID vaccination clinics, COVID-19 homeless shelter operations and wrap around service coordination for food, lodging, medication, and basic needs supplies for COVID positive cases to maintain compliance with isolation.	**Non-billable service.** Environmental Health Specialists provide these services. **Receive grant funding to support these services.**

B. Chronic disease and injury prevention, which must include conducting programs to reduce the burden of chronic disease and injury through policy, system, and environmental change approach; prevention screening; and education. • Adult and Child Health Assessments at BBPH office scheduled with an RN. • Health Tracks child health screening program which includes developmental screening, physical assessment, hearing and vision screening, orthodontic screening, and immunizations. • Preventive health screenings for diabetes and heart disease prevention scheduled with an RN or Licensed Registered Dietician which includes blood glucose testing, cholesterol testing, and blood pressure checks. • Blood pressure screening clinics in the community by request and blood pressure checks by appointment at BBPH office. • Child passenger safety seat program at Bismarck-Burleigh Public Health. Includes education, inspection, and installation of car safety seats by a Certified Car Seat Technician. • Worksite wellness program development assistance from a Licensed Registered Dietician and RN's.	**Billable services.**
• Public education by Registered Nurses or Licensed Registered Dietician on health prevention topics.	**Non-billable service.**
• Support and create livable communities that enable healthy living and prevent chronic disease. • Address gaps in the community to ensure access to healthy food, physical activities for chronic disease prevention.	**Receive limited/intermittent grant funding offset by general fund.**
• Tobacco prevention education and tobacco cessation services for the community. • Tobacco Prevention presentations and education to schools and colleges. • Host annual Break Free Youth Action Summit for youth tobacco prevention education. • Tobacco policy enforcement and compliance efforts. Assist public and private schools and colleges with comprehensive tobacco free policies. • Partner with law enforcement to conduct tobacco compliance checks. • Substance abuse prevention education in community including schools & service organizations. • Organize public events with student committees to provide education to peers and parents about substance abuse prevention.	**Receive grant funding to support these services.**

• Host parent education events on warning signs and resources for substance abuse. • Tobacco Prevention/Substance Abuse Prevention/Behavioral Health Coalition management including (Bismarck Tobacco Free Coalition, Break Free Youth Board, DFC Advisory Committee/Student Committee, Burleigh-Morton Behavioral Health Coalition). • CPR/AED training courses offered by request. • Narcan training offered for community organizations and individuals. • Provide Opioid Education kits and Narcan Overdose kits to training participants. • Host prescription drug take back events to educate the public on proper disposal for unused medications and offer Deterra bags for at home medication disposal. • Provide Narcan supplies for emergency first responders.	**Receive grant funding to support these services.**
• Employee health and wellness program and services for City and County employees and area law enforcement agencies. Ensure compliance with ND Century Code for law enforcement health screenings.	**Receive limited grant funding for wellness.** **Billable services.** **Cost savings for us to provide this service to law enforcement versus private clinic or another medical provider.**
C. Environmental public health which must include:	
C1. Prevention of environmental hazards by the provision of information and education to facility operators and managers and to community members. • Public Health Nuisance Complaints – A public health nuisance complaint is a condition which threatens the health of the public. Types of public health nuisance complaints investigated include junk storage, rodent harborage but do not include sewage/drainage or storm drainage types of complaints. • Air Quality – BBPH would act primarily in an advisory capacity and provide an onsite assessment if requested. • Investigate rental housing complaints, minimal habitability standards.	**Non-billable service.** Environmental Health Specialists provide these services.
• Food establishment and food service licensing and inspections • Tanning facility inspections • Lodging facility inspections • Public/Semi-Public Swimming Pool Inspections - BBPH would inspect public/semi-public swimming pools and license as applicable. • Special pet licensing	**Licensing & permit fees support these services.** Environmental Health Specialists provide these services.

C2. Assurance of the availability of environmental health services to prevent and respond to community and residential environmental hazards. • Emergency planning and medication distribution for catastrophic and/or disaster situations utilizing Point of Dispensing (POD) plans. • Environmental health staff investigate bed bug and cockroach complaints; provide education on prevention and infestation removal. • Environmental Health Specialists and RNs are called upon for home inspections of vulnerable adults, hoarding situations, and child protective services visits. • RN's perform head lice checks and provide education and training for head lice screenings/head checks and proper protocols for head lice infestation.	**Receive grant funding to support these services.** **Non-billable service.** **Nonbillable for Burleigh County Schools it's part of the Burleigh County contract. Billable service for appointments at BBPH.**
D. Maternal, child, and family health, which must include:	
D1. Assessment and monitoring of maternal and child health status to identify and address problems. • Vision/hearing screenings offered to school-aged children Burleigh County Schools. • Vision/hearing screenings scheduled at BBPH is a billable service.	**Nonbillable for Burleigh County Schools it's part of the Burleigh County contract.** **Billable service for appointments at BBPH.**
D2. Implementation of programs to promote the health of women, children and youth and their families through policy, system and environmental change approaches; prevention screenings; and education. • Community and work site support to establish breastfeeding spaces for nursing mothers and provide support for policy development. • Nutrition and physical activity education and support for children and families. • Beyond Birth Education Program. RN's provide phone calls and home visits within 1-2 weeks of infant's birth as requested by the infant's mother. Visits are to assess both the baby and mother, assist with health concerns, and promote breastfeeding and. Height and weight checks are done on infants.	**Receive limited/intermittent grant funding offset by general fund.** **Phone calls/education non-billable. Visit is billable service for Medicaid clients if a comprehensive assessment is done.**

• Hands-on breastfeeding education and support services provided by Certified Lactation Counselors and International Board-Certified Lactation Consultants to mothers.	**Receive limited/intermittent grant funding offset by general fund. Non-billable service.**
• Nurse Family Partnership Program – Trained RN's regularly visit first-time moms, starting early in the pregnancy and continuing until the child's second birthday. During these visits, RN's Improve pregnancy outcomes by partnering with moms to engage in good preventive health practices, including thorough prenatal care from their healthcare providers, improving their diets and reducing any use of habit-forming substances; visits also improve child health and development by assisting families to provide responsible and competent care; and improve the economic self-sufficiency of the family by supporting parents to develop a vision for their own future, plan additional pregnancies, continue their education and find work.	**Receive grant funding to support these services.**
E. Access to clinical care, which must include:	
E1. Collaboration with health care system partners to foster access to clinical care.	
E2. Facilitation of linkages and referrals to appropriate clinical care, services and resources.	
• Women's Way breast and cervical cancer screening assistance available for individuals meeting age, income, and insurance guidelines. • Breast and cervical cancer coordination for diagnostic testing and treatment. • Case management and patient navigation services for Burleigh County residents who meet program eligibility guidelines. • Nurse Family Partnership Program	**Receive grant funding to support these services.**
• Home health maintenance nursing services. • Injections provided by RNs for mental health treatment and other medical conditions as ordered by physician. • Medication management services by an RN which includes setting up medication planners, coordination with medical providers, monitor for medication compliance with medications. • Medical foot care services for diabetics and individuals with peripheral vascular disease, elderly, and individuals with disabilities.	**Billable services.**
• Social worker meets with health maintenance clients in their homes to discuss their needs and make referrals to services and resources within the community.	**Receive grant funding to support these services.**

The 10 Essential Public Health Services are not listed specifically in ND Century Code but serve as the national framework for carrying out the mission of public health in the communities we serve.

Other BBPH Roles/Responsibilities that Align with the 10 Essential Public Health Services:

- Community Health Needs Assessment completed every 3 years in collaboration with local hospitals to identify community health concerns and needs which informs the Community Health Improvement Plan and the department's Strategic Plan.
- BBPH fills gaps in health needs in the community identified through the community health needs assessment process.
- Participation and engagement with community service providers serving the vulnerable populations in the community including homelessness, housing, and case management.
- A physician health officer is required and appointed to serve the City and the County. The Health Officer serves as the medical director and issues standing orders with oversight for clinical services. This is done through a contract for service.

The 10 Essential Public Health Services

The 10 Essential Public Health Services provide a framework for public health to protect and promote the health of *all people in all communities*. Essential Public Health Services actively promote policies, systems, and overall community conditions that enable optimal health for all and seek to remove systemic and structural barriers that have resulted in health inequities.

1. Assess and monitor population health status, factors that influence health, and community needs and assets.
2. Investigate, diagnose, and address health problems and hazards affecting the population.
3. Communicate effectively to inform and educate people about health, factors that influence it, and how to improve it.
4. Strengthen, support, and mobilize communities and partnerships to improve health.
5. Create, champion, and implement policies, plans, and laws that impact health.
6. Utilize legal and regulatory actions designed to improve and protect the public's health.
7. Assure an effective system that enables equitable access to the individual services and care needed to be healthy.
8. Build and support a diverse and skilled public health workforce.
9. Improve and innovate public health functions through ongoing evaluation, research, and continuous quality improvement.
10. Build and maintain a strong organizational infrastructure for public health.

The City of Bismarck Services & Resources to Public Health

(Provided but not reflected in the department operations budget).

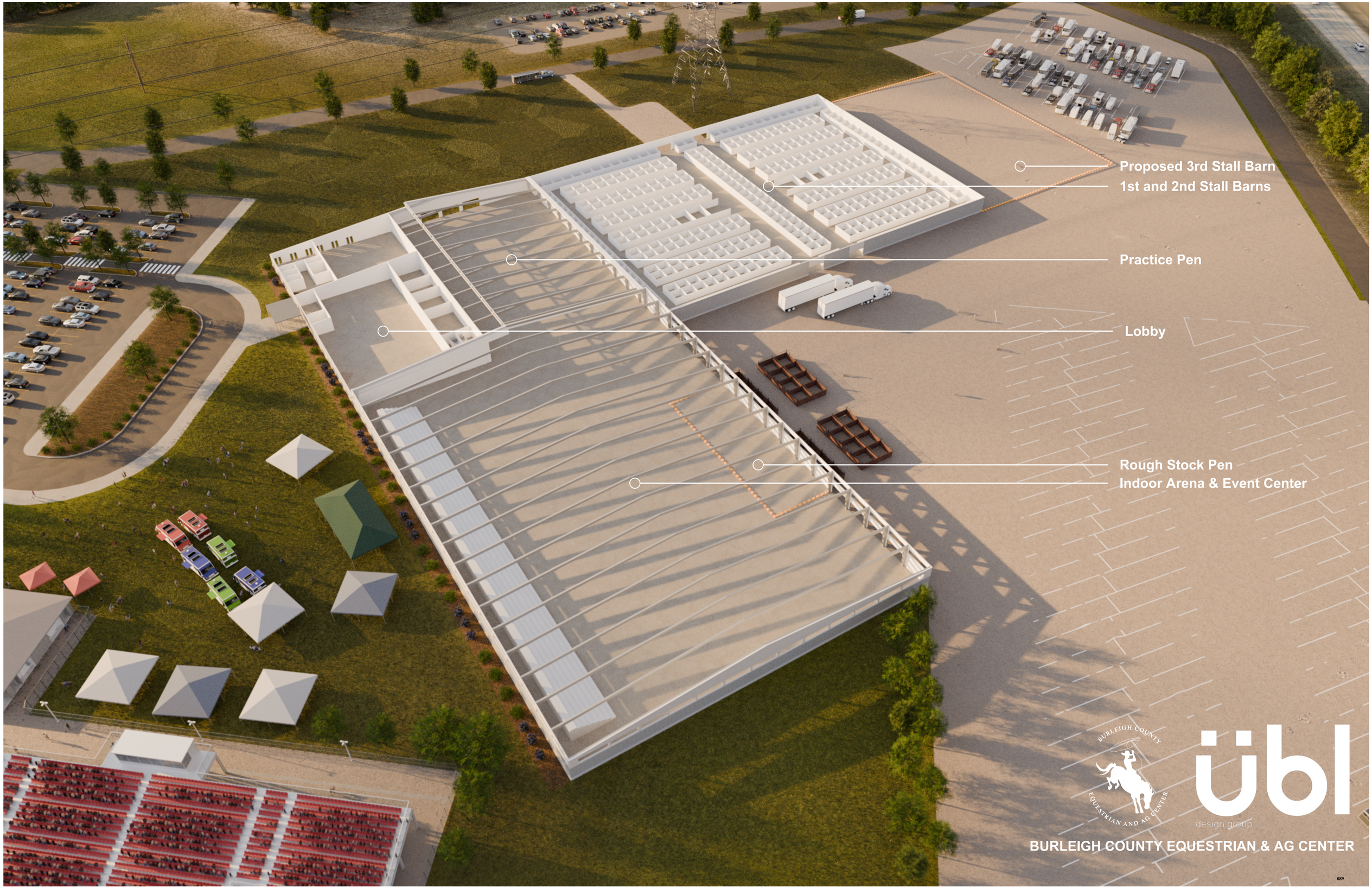
- City-owned building for department operations and services provided to the community.
- City of Bismarck Code of Ordinances (Title 8) is enforced by Environmental Health Staff in their licensing and regulation process for facilities including food, lodging, tanning, pools, body art, and special pet licenses.
- City Attorney's office provides legal support and services to the Public Health Department to ensure compliance with local, state, and federal regulations and works with Environmental Health for infractions and notice and orders.
- City Human Resources support for payroll, employee evaluations, and performance management.
- IT Support – Ensures access to internet, phones, and computer equipment to perform our jobs.
    - Manages an equipment inventory maintenance schedule for department computers/IT equipment which is standardized throughout all City departments.
    - Troubleshooting and assistance with computer issues through help desk staff.
    - New World, Dimensions, TRAKiT are City software systems used for finances/financial reporting, AP/AR, payroll and licensing/permits for department functions.
- Finance Department Support
    - Guidance for procurement compliance.
    - Grant compliance guidance.
    - Annual audit (many grants require completion of financial audit.
    - Ability to accept and process credit card payments for services and fees.
    - BBPH bills health insurance providers and establishes contracts with third-party payers and the Finance Department supports us with financial documentation requirements.
    - Ability to accept Electronic Funds Transfer (EFT) payments. This is a requirement from CMS (Centers for Medicare & Medicaid Services) to get reimbursements for services entities must be able to accept EFT payments, they will not send checks.
- City Building Maintenance and Cleaning Services provided for public health facility.
    - Includes snow removal, lawn care, facility repairs, utilities such as water/gas/garbage/electricity, daily cleaning, and disinfection services, etc.
- Vehicles used by department are City-owned vehicles covered under City liability insurance.
- City Public Works Fleet Services Division prepares vehicle maintenance schedules and manages a vehicle replacement plan for public health vehicular and mosquito control equipment inventory.

Addenda item for April 21, 2025 Meeting

Action Requested: Ag and Equestrian Center

Description:
It has been requested by Commissioner Schwab several times that the committee provide dimensions for the proposed building.
The proposed dimensions are as follows
Main Arena 25’ tall side walls. Total Sq Ft 76,425 – approximately 240 x 320
Warm Up Arena = 18’ side wall. Total sq ft 27,628 – approximately 160 x 170
Lobby/Common Area -14’ side wall – Total Sq Ft 10,700 – approximately 80 x 134’
Stall barns – 20’ side wall. Each 200 stall unit - Total Sq Ft 39214 – approximately 160 x 245’

Action needed: None at this time.



BURLEIGH COUNTY EQUESTRIAN AND AG CENTER

design group

BURLEIGH COUNTY EQUESTRIAN & AG CENTER

ITEM

10

Addenda item for April 21, 2025 Meeting

Action Requested: Discuss options on splitting the Auditor Treasurer

Description:

Budget costs – how do we use the current budget and split between two individuals. Will we have quality individuals who either run for the elected position or apply for the appointed position?

Resolution – do we request the States attorney to write a resolution that will keep the Auditor as an elected position and the Treasurer an appointed position?

Discuss the current employee assignments to see which would be assigned to which department.

Action needed: This more for a discussion and I am not looking for a specific action tonight.

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

May 5, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY WEED BOARD

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the January 21, 2025 Weed Board minutes.

5. County Weed Officer Johnson:

    a. Update.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration April 21, 2025, meeting minutes and bills.

5. Consent Agenda:
    a. Abatements.
    b. Special use permits.
    c. Special event liquor permit.
    d. Accepting Platted Right of Way.
    e. 2nd Access Permit.

6. Chairman Bitner:

    a. Burleigh County Parking lot transfer.
    b. Primary Residence Credit.
    c. Consideration of submitting a petition to the Governor to remove Auditor/Treasurer Splonskowski.

7. Discussion on preliminary resolution for the redesignation of Auditor/Treasurer.

8. PUBLIC HEARING: Petition to vacate section line.
9. Consideration of Sanford Bond.
10. County Planning Director Flanagan:
    a. Amend Article 8 section 30 Data Centers.
11. County Finance Director Jacobs:
    a. BMDC Sales Tax Bond Escrow Agreement.
12. County HR Director Binder:
    a. 2024 Turnover Report.
    b. 2026 Employee increase projections.
    c. Leave sharing policy.
13. Consideration of Missouri Valley Complex bids and RFP submittals.
14. Other business.
15. Adjourn.

The next regularly scheduled Commission meeting will be on May 19th, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY

WEED BOARD

BURLEIGH COUNTY WEED BOARD
MEETING MINUTES
JANUARY 21, 2025

5:00 PM *Moment of silence in honor of former Burleigh County Sheriff Bob Harvey, prayer and Pledge of Allegiance*

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

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

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the agenda with an amendment to correct a misnaming of a business who had bid from FertiLawn to Green Head Spring LLC and the addition of the business names who submitted bids. All present voted "AYE". Motion carried.

Motion by Comm. Munson, 2nd by Comm. Schwab to approve the January 6th, 2025, meeting minutes with the aforementioned amendment. All members present voted, "AYE." Motion carried.

Weed Officer Johnson made a recommendation to the Board to accept and award the right of way bid to Green Head Spring LLC for the County's 2025 contract. Motion by Comm. Schwab, 2nd by Comm. Bitner to accept the bid from Green Head Spring LLC. All members present voted "AYE". Motion carried.

Meeting adjourned.

_____ _____

Mark Splonskowski, Auditor/Treasurer Steve Bakken, Chairman

COUNTY

COMMISSION

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
APRIL 21st, 2025

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 Bakken, Munson, Schwab, Woodcox, and Chairman Bitner present.

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the April 7th, 2025 meeting minutes as well as the approval of the bills. Comm. Schwab, Bakken, Munson, Woodcox, and Chair Bitner 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
Talon Bitz	2024	Lot 18, Block 7, Casey's 2nd	Error in property description	$282,800	$264,300
Delano & Lorene Balkowitsch	2023	Lot 8, Block 1, Elk Ridge Addn	Error in property description	$665,300	$585,300
Delano & Lorene Balkowitsch	2024	Lot 8, Block 1, Elk Ridge Addn	Error in property description	$698,100	$618,100
William & Laurie Mulnix	2024	Unit 623 Ave C Townhouses, N1/3 of Lot 7 & all Lot 8, Block 10, Northern Pacific	90% Disabled Veteran	$19,240	$9,620
Wanda Lamontagne	2024	S2' of Lot 3 & all Lot 4, Block 9, Southwood Terrace	100% Disabled Veteran	$295,700	$115,700
Patricia Trottier	2023	Tract 3281 of Lot 5, Block 3, Haycreek Meadows	100% Disabled Veteran	$251,600	$71,600
Patricia Trottier	2024	Tract 3281 of Lot 5, Block 3, Haycreek Meadows	100% Disabled Veteran	$258,700	$78,700
Gary Quinlen	2024	Lot 2, Block 2, Promised Land	90% Disabled Veteran	$254,800	$173,800
John Jacobson	2024	W1/2 of S1/2 of E 1 acre of Aud lot 7 less S33', Block 7, Park Hill (Aud Lots)	100% Homestead Credit	$193,800	$64,600

Derald Horn Sr	2025	1982 Champion 48 x 24, serial # 0520028664	50% Homestead Credit	$14,462	$7,231
Thomas & Doris Weiss	2025	2002 Schult 60 x 27, serial # R308263AB	50% Homestead Credit	$67,018	$33,509
Deborah Frank	2023	Unit 13, South Aires Condo, S76' of Lot 2, all Lot 3 & N34' of Lot 4, Block 17, Wachter's 2nd	50% Homestead Credit	$97,200	$48,600
Darwin & Laura Lee	2023	Lot 1, Block 9, Riverview	50% Homestead Credit	$190,800	$95,400
Darwin & Laura Lee	2024	Lot 1, Block 9, Riverview	50% Homestead Credit	$195,500	$97,750
Michael & Mary Sahli	2023	Lot 35, Block 5, Eastside Heights	50% Homestead Credit	$295,200	$195,200
Michael & Mary Sahli	2024	Lot 35, Block 5, Eastside Heights	100% Homestead Credit	$303,400	$103,400
Randy & Lori Smith	2025	1992 Guerdon Americana 26 x 60, serial #41926814A	50% Disabled Veteran	$39,780	$19,890
Timothy & Regina Davidson	2025	2017 Friendship Showcase 28 x 56, serial #FMT410MN17-50733A1B	50% Homestead Credit	$99,882	$49,941
Sharon Litton	2024	Lotb 48, Block 5, Falconer Estates	100% Homestead Credit	$723,700	$523,700
Darlene Osborn	2023	SE1/4 35-142-78	100% Homestead Credit	$93,600	$0
Darlene Osborn	2024	SE1/4 35-142-78	100% Homestead Credit	$93,600	$0
Cynthia Landenberger	2024	Part Lot 1 S200' of N300' of Wly 200', Block 1, Johnson's 2nd	50% Homestead Credit	$271,200	$171,200
Jeffery & Victoria Haas	2023	Unit 4 & garage 4 (bldg 872) San Angelo Dr Condo Assoc, Lots 3-5, Block 2, Cottonwood Lake 5th	50% Homestead Credit	$196,000	$98,000
Betty Eggers	2023	Lot 3, Block 9, Gateway Addition	50% Homestead Credit	$280,100	$180,100
Betty Eggers	2024	Lot 3, Block 9, Gateway Addition	50% Homestead Credit	$296,100	$196,100
Rodney Poppinga	2023	Lot 3, Block 1, Lemieux	100% Homestead Credit	$261,100	$61,100
Rodney Poppinga	2024	Lot 3, Block 1, Lemieux	100% Homestead Credit	$276,400	$76,400
Dale & Judith Naben	2023	Lot 18, Block 1, Southland Addn	50% Homestead Credit	$510,000	$410,000

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Dale & Judith Naben	2024	Lot 18, Block 1, Southland Addn	50% Homestead Credit	$536,200	$436,200
James Schneider; Robert & Michelle Schneider	2024	Lot 9 & N18' of Lot 10, Block 83, William's Survey	100% Homestead Credit	$120,600	$80,400
Hermenegilda Berg	2024	Unit 5 & garage G-5 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	$89,800	$0
Michael John Nagel	2024	Lot 2, Block 4, Marian Park 2nd	100% Homestead Credit	$225,700	$25,700
Pat Tidball	2024	1973 Western 14 x 68, serial # 73470118W	100% Homestead Credit	$7,311	$0
Margaret Wald	2024	Lot 16, Block 5, East View	100% Homestead Credit	$210,500	$10,500
Harlin & Marilyn Miller	2024	Beg on W line 295'S & 125'E of NW cor, E75' N95' W75' to beg, Block 6, Lincoln	100% Homestead Credit	$229,800	$29,800

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Talon Bitz, Delano & Lorene Balkowitsch, William & Laurie Mulnix, Wanda Lamontagne, Patricia Trottier, Gary Quinlen, John Jacobson, Derald Horn Sr, Thomas & Doris Weiss, Deborah Frank, Darwin & Laura Lee, Michael & Mary Sahli, Randy & Lori Smith, Timothy & Regina Davidson, Sharon Litton, Darlene Osborn, Cynthia Landenberger, Jeffery & Victoria Haas, Betty Eggers, Rodney Poppinga, Dale & Judith Naben, James Schneider; Robert & Michelle Schneider, Hermenegilda Berg, Michael John Nagel, Pat Tidball, Margaret Wald, Harlin & Marilyn Miller abatements and the consent agenda in its entirety. All members present voted 'AYE'. *Motion carried*.

County Sheriff Kelly Leban presented the quarterly report on the Burleigh Morton Detention Center (BMDC). Leban discussed the population numbers for the detention center and said that the current daily population is 290. He stated in the first quarter of 2025, the BMDC has had billings of $876,236 and comparatively the first quarter of 2024 was $591,337 and the first quarter of 2023 was $558,860. In 2024, the BMDC billings ended at $2,591,063 and in 2023 approximately $1,900,00. Leben said that the BMDC should have approximately $3,500,000 in billings by the end of 2025. He discussed involvement with the legislature on the bill affecting the 24/7 Program and how the fees are paid being either by the participant or waived by the courts putting the costs on the County taxpayers. Leben then stated that the BMDC is on a continuous hiring cycle and that five to eight positions constantly turn over. He mentioned that there is the potential for additional bed space contracts that would require extra staff, but then that would not be hired until the contracts guaranteeing the income were signed.

County Human Resources Director Pam Binder presented information on the need and selection of a new human resources information system (HRIS), payroll, and timekeeping software. Binder discussed Infinite Visions, the current HRIS and payroll software, and how it is not meeting the needs of the County even though an update was done this year to enhance its abilities. A request for proposal was done last year for

new software and Infinite Visions, Paylocity, and ADP were the bidders. Negotiations took place with Paylocity and ADP who came in close together in price and Paylocity presented the better ending quote. Binder stated that Paylocity has all the components that are needed to benefit the County. Discussion was had. Motion by Comm. Schwab, 2nd by Comm. Munson to accept Paylocity as the new payroll, HRIS, timekeeping, and benefits administration software vendor for Burleigh County and the accept the Paylocity proposal and implementation guideline for an October 2025 start date. All members voted 'AYE'. *Motion carried*.

County Planning Director Mitch Flanagan presented a consideration to approve a special use permit for a manufactured home to be used as office space. He stated that the manufactured home is not big enough to be legally allowed for a residence and must be used as office space only. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the special use permit for Jason & Jenny Schatz for the placement of a manufactured home to by used as office space and the installation of a septic system as discussed. All members voted 'AYE'. *Motion carried.*

Planning Director Flanagan presented a consideration to approve Article 8 Section 30 to allow data centers within I-Districts. This ordinance is regarding data centers using more than 50 megawatts. Discussion was had. States Attorney Julie Lawyer made some recommendations to amend the ordinance. Motion by Comm. Munson, 2nd by Comm. Bakken to table this item until the next meeting to give Lawyer time to review. All members present voted 'AYE'. *Motion carried.*

Planning Director Flanagan presented a need to develop a zoning ordinance amendment to establish a framework for the evaluation and siting of battery energy storage system (BESS) facilities and the recommendation of a resolution of a BESS moratorium. This moratorium would allow the time to develop the zoning ordinance amendment. Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve a moratorium on BESS facilities for up to a year. All members voted 'AYE'. *Motion carried*.

Commissioner Munson noted that a discussion on a fireworks ban for the County might be needed if the current burn restrictions continues or escalates into a burn ban. States Attorney Lawyer stated the penalties for violating a burn ban is a Class B misdemeanor with a fine up to $1,500 and/or up to thirty days in jail. She also stated that if there is a fire resulting from a burn ban violation there could be different charges and higher penalties.

Commissioner Munson presented information on the Bismarck-Burleigh Public Health Department and recommendations he has regarding it. He stated that public health is the responsibility of the County and not the City of Bismarck even though the County only pays twenty-five percent of the public health budget. Munson would like the contribution of the County increased to over fifty percent by increasing it slowly each year as to not put a huge draw on the County budget; to gain a controlling interest and more influence on the operations of the public health unit. He provided documentation on the required functions of public health per the North Dakota Century Code and other functions that are offered and how they are paid for.

Commissioner Munson presented an update to the commission on the proposed sizes of the buildings to be included in the Ag & Equestrian Center.

Chairman Bitner continued the discussion on County investments and stated that there was an investment transaction that had some complications due to a unexpected fee in the account. County Finance Director Leigh Jacobs came forward and provided an explanation of what happened and how it was corrected. Chair Bitner then asked States Attorney Julie Lawyer about the ability of transferring job duties from the Auditor's Office to the Finance Department. Lawyer stated that the process to transfer job duties would be the same as the resolution to change the Auditor/Treasurer to an appointed position. He stated that this be a part of further discussion.

Chairman Bitner continued the discussion regarding the Auditor/Treasurer and noted that the Commission can alter the position through modifying the preliminary resolution. He said that the board should make a motion to direct the States Attorney to start the process in removing the Auditor/Treasurer from office and then make modifications to the preliminary resolution to remove the investment decisions from the Auditor. Chair Bitner stated those investment decisions should be temporarily placed on the Finance Department until a qualified Treasurer is appointed. He said once these changes are made then the salary of the elected Auditor should be adjusted to reflect the changes in duties. Chair Bitner said that the documentation he had on the Auditor/Treasurer along with a rollup of the public hearing, rollup of the online forum, the NDCC Auditor and Treasurer duties, and more were analyzed by the committee and they agreed with the options presented at the April 7th, 2025 commission meeting being to redesignate the Auditor/Treasurer to appointed by resolution or separating the positions of Auditor and Treasurer into two or more elected or appointed positions by resolution. States Attorney Julie Lawyer discussed the findings and opinions of the committee. She also stated that the committee had discussed putting all the documents on the County website for the public to view. Chair Bitner recommended the Commission move forward with petitioning the Governor's Office for removal of the current Auditor/Treasurer and Comm. Woodcox agreed. Motion by Comm. Woodcox, 2nd by Comm. Munson to proceed with the process of removal of the current Auditor/Treasurer. Lawyer presented the process of petitioning the Governor for the removal of the Auditor/Treasurer from office. Revised motion by Comm. Woodcox, 2nd by Comm. Munson to table the discussion on petitioning the Governor for the removal of the Auditor/Treasurer. Commissioners Woodcox, Schwab, Bakken, and Munson voted 'AYE'. Chairman Bitner voted 'NAY'. *Motion carried*. Motion by Comm. Woodcox, 2nd by Comm. Munson to proceed with having States Attorney Lawyer draft up the resolution to split the positions of Auditor and Treasurer. All members present voted 'AYE'. *Motion carried*.

In other business, Comm. Schwab stated that there has been excessive garbage in the ditches. States Attorney Julie Lawyer listed the penalties of littering as $200 for up to a square foot of refuse and if the dumped items are over a square foot then it's a Class B misdemeanor. She also stated that the penalties can't be heightened because they can't exceed what the state has set. Comm. Schwab said that he had drafted a letter to find out why Ducks Unlimited can tell the County if they can build a road. Chair Bitner mentioned other points that should be included in the letter regarding wetland mitigation. County Engineer Marcus Hall came up and spoke on the topic and said once the draft letter is complete it will be brought to the Chairman to sign. Discussion was had. The consensus amongst the commission was to update the letter Comm. Schwab drafted with the amendments that Chair Bitner recommended and sending the letter to the State Senators and Representative. Comm. Schwab stated that the Highway Department was instructed by Apple Creek Township to put up road restriction signs in Lincoln whom he says is targeting a specific

company. States Attorney Lawyer stated that there is no effective law for Apple Creek Township to require that signs be put up. Engineer Hall spoke on the topic. Discussion was had. Chair Bitner stated that more discussion would be had once the States Attorney is able to do more research on the topic.

Meeting Adjourned

_____ _____

Mark Splonskowski, Brian Bitner,
County Auditor/Treasurer Chairman

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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
25-308	Robert Berger	2024	Lot 14, Block 14, Casey's 3rd	Error in property description	$234,300	$220,300
25-309	Sarah Nicole Hsu	2024	Lots 11-12 & E85' of Lot 13, Block 24, Fisher	90% Disabled Veteran	$123,700	$87,700
25-340	Judith Idol	2024	Lot 9, Block 1, Southland Addn	100% Homestead Credit	$364,100	$164,100
25-341	Michael & Bonnie Aide	2023	Lot 10, Block 1, South Meadows Addn 1st Replat	50% Homestead Credit	$291,400	$191,400
25-342	Michael & Bonnie Aide	2024	Lot 10, Block 1, South Meadows Addn 1st Replat	50% Homestead Credit	$304,500	$204,500
25-343	Wayne & Mary Jane Jensen	2023	2006 Champion 56 X 32, vin # 0506D7209193AB	100% Homestead Credit	$99,008	$0
25-344	Frances Moch	2025	1993 Schult 16 x 76, serial # M261473	100% Homestead Credit	$29,087	$0
25-345	David Vanderkinter	2025	1963 Marshfield 64 x 12	100% Disabled Veteran	$6,128	$0
25-346	Curtis & Nannette Johnson	2023	Lots 1-2, Block 10, McKenzie's	50% Homestead Credit	$210,600	$110,600
25-347	Curtis & Nannette Johnson	2024	Lots 1-2, Block 10, McKenzie's	50% Homestead Credit	$221,600	$121,600
25-348	Cynthia Russell	2024	N3' of Lot 23 & all Lot 24, Block 8, Marian Park 1st	100% Homestead Credit	$232,100	$132,100
25-349	Charles Russell	2024	Lot 35, Block 23, Southwood Terrace 2nd Rep	100% Homestead Credit	$269,800	$169,800
25-350	Connie Heer	2024	Lot 2B of Lot 2, Block 2, Kilber North Addition	50% Homestead Credit	$209,200	$109,200

25-003

LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (11-2023)

Permit Number

Permit Type *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

Games Authorized ☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group		Dates Authorized *(Read Instruction 2)*	
Church of St. Hildegard		**09/07/2025**	
Organization or Group Contact Person	E-mail	Telephone Number	
Msgr. Gene Lindemann	[redacted]	[redacted]	
Mailing Address	City	State	ZIP Code
17200 Highway 10	**Menoken**	**ND**	**58558**

SITE INFO

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

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

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

Bingo & the Raffle drawing will both take place on Sunday, September 7, 2025 at the Church of St. Hildegard.

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official	Title of City or County Official	Telephone Number	E-mail Address
Mark Splonskowski	Burleigh County Auditor/Treasurer	701-222-6718	
Signature of City or County Official		Date	Issuing Governing Body ☐ City ☐ County

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

APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

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

Applying for *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group		Dates of Activity *(Does not include dates for the sales of tickets)*	
Church of St. Hildegard		**09/07/2025**	
Organization or Group Contact Person	E-mail	Telephone Number	
Msgr. Gene Lindemann	[redacted]	[redacted]	
Business Address	City	State	ZIP Code
17200 Highway 10	**Menoken**	**ND**	**58558**
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

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

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

Bingo & the raffle drawing will both take place on Sunday, September 7, 2025 at the Church of St. Hildegard.

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	**See attached listing**	**12,115.62**
	Total *(limit $40,000 per year)*	$ **0.00**

Intended Uses of Gaming Proceeds

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

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

Name	Title	Telephone Number	E-mail Address
Msgr. Gene Lindemann	**Pastor**	[redacted]	[redacted]
Signature of Organization or Group's Top Official		Title	Date
Msgr Gene Lindemann		PASTOR	4/28/2025

Church of St. Hildegard

All items required for this permit have been met. These items are on file and can be seen upon request.

25-004

LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (11-2023)

Permit Number

Permit Type *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

Games Authorized ☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group	Dates Authorized *(Read Instruction 2)*		
Century High School Football Boosters	**June 9, 2025**		
Organization or Group Contact Person	E-mail	Telephone Number	
Nolan Canright	[redacted]	[redacted]	
Mailing Address	City	State	ZIP Code
[redacted].	**Bismarck**	**ND**	**58503**

SITE INFO

Site Name		County	
Hawktree Golf Course		**Burleigh**	
Site Address	City	State	ZIP Code
3400 Burnt Creek Loop	**Bismarck**	**ND**	**58503**

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

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

June 9, 2025- ticket sales and raffle

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official	Title of City or County Official	Telephone Number	E-mail Address
Mark Splonskowski	Burleigh County Auditor/treasurer	701-222-6718	msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body ☐ City ☐ County

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

APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

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

Applying for *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group		Dates of Activity *(Does not include dates for the sales of tickets)*	
Century HIgh School Football Boosters		**June 9th 2025**	
Organization or Group Contact Person	E-mail	Telephone Number	
Nolan Canright	[redacted]	[redacted]	
Business Address	City	State	ZIP Code
[redacted]	**Bismarck**	**ND**	**58503**
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name			County
Hawktree Golf Course			**Burleigh**
Site Physical Address	City	State	ZIP Code
3400 Burnt Creek Loop	**Bismarck**	**ND**	**58503**

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

50/50 ticket sales and drawing will all take place on 6-9-25 at Hawktree Golf Course during the CHS football golf tournament

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

Game Type	Description of Prize	Exact Retail Value of Prize
50/50 raffle	**Winning ticket will take half of the total 50/50 pot**	**estimated winner will**
	$1 per ticket	**take home 300-600**
	Total *(limit $40,000 per year)*	$

Intended Uses of Gaming Proceeds

Funding will go to football boosters to use towards food, camps, travel, clothing or equipment for team

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ No ☒ Yes - Total Retail Value: **$1,951** (This amount is part of the total prize limit for $40,000 per fiscal year)

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

☐ Yes ☒ No

Name	Title	Telephone Number	E-mail Address
Nolan Canright	**Vice President**	[redacted]	[redacted]
Signature of Organization or Group's Top Official	Title	Date	
[signature]	CHS Football Booster Vice President	4-28-25	

Century High School Football Boosters

All items required for this permit have been met. These items are on file and can be seen upon request..

SE-
25-002

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES
"SE"
Local Fee: $25.00

Applicant (must have county license) Travis Kovacnik (Tat Tavern, LLC)

1. Name of Licensee Travis Kovacnik
2. Name of Business Tat Tavern, LLC
3. Mailing Address [redacted]
4. State Alcoholic Beverage License Number [illegible] 5. Local License Number(s) [illegible]
6. Date(s) and Time of Special Event June 1, 2025
7. Describe Special Event Fully 50th Annual Block of ND State Ball
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 11 day of April, 20 25

Tat Tavern, LLC
(Licensee)

BY Travis Kovacnik
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 11 day of April, 20 25

(SEAL) LACEY HETLETVED
Notary Public
State of North Dakota
My Commission Expires September 28, 2026

Lacey Hetletved

****

Recommendation X Approved ____ Denied ____ If denied, reason for denial: ____

Jolly 4/29/25
(Burleigh County Sheriff) (Date)

****

PERMIT

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

Dated this ____ day of ____, 20____

(County Auditor)

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type special event Retail Liquor License for

TnT Tavern, LLC
(Name of Establishment)

owned by Travis Kucourek (Licensee) 31 Main St (Address) Driscoll, ND

Scott Salter
Chairman

Sam Hamer
Member

Member

ATTEST

Belinda Mehl
(Township Clerk)

DESCRIPTION OF PREMISES

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

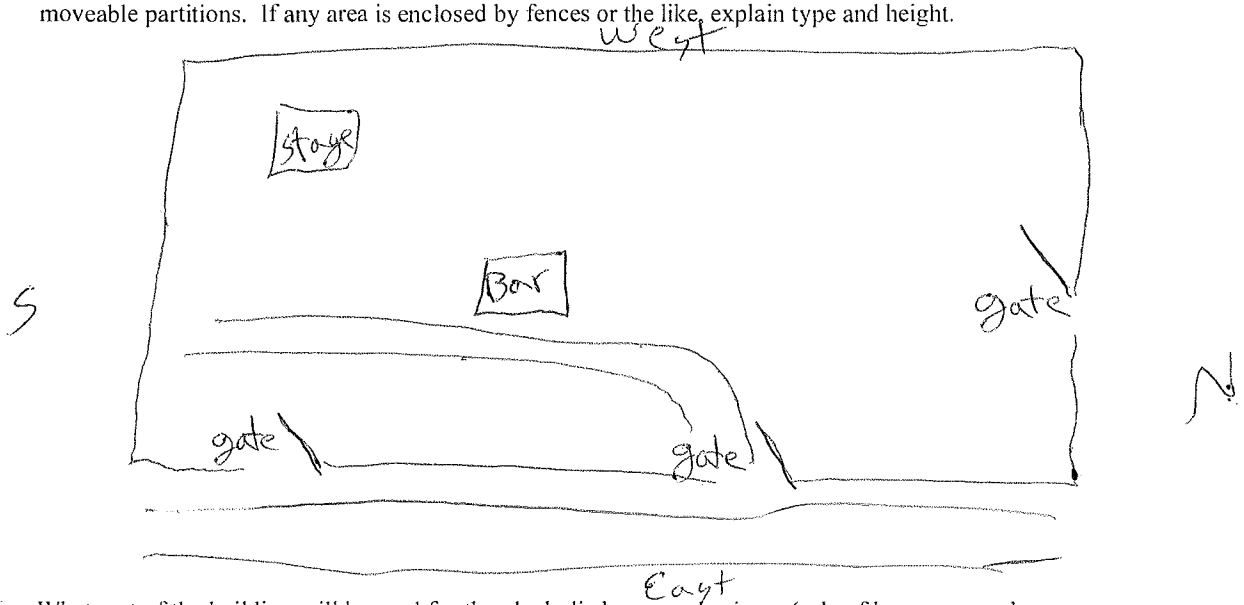
2. Address of premises:

Menoken Grove
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: outside

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

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



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

_____

_____

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **May 5, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Accepting Platted Right of Way**

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

ACTION REQUESTED:
Accept platted right of way shown on the attached Plat.

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

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

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the Right of Way shown on the Municipal Seventh Subdivision Plat.

MUNICIPAL SEVENTH SUBDIVISION

TO THE CITY OF BISMARCK

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A TRACT OF LAND BEING LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 12; SAID POINT BEING A 1 1/2" ALUMINUM CAP AND ON FILE AT THE BURLEIGH COUNTY RECORDER AS DOCUMENT #0915; THENCE S00°51'27"W, ON THE EAST LINE OF SAID SECTION 12, A DISTANCE OF 400.00 FEET, TO A POINT BEING A #5 REBAR WITH ORANGE PLASTIC CAP STAMPED LS-27331; THENCE N89°32'47"W A DISTANCE OF 250.00 FEET, TO A POINT BEING A #5 REBAR WITH ORANGE PLASTIC CAP STAMPED LS-27331; THENCE N00°51'27"E A DISTANCE OF 400.00 TO THE NORTH LINE OF SAID SECTION 12, TO A POINT BEING A #5 REBAR WITH ORANGE PLASTIC CAP STAMPED LS-27331; THENCE S89°32'47"E ALONG SAID NORTH LINE A DISTANCE OF 250.00 FEET, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 100,000 SQUARE FEET OR 2.30 ACRES, MORE OR LESS AND MAY BE SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCE AND SURVEYS.

CERTIFICATE OF SURVEYOR

I, BRETT ZELTINGER, HEREBY CERTIFY I AM A LICENSED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA; THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE; THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT; THAT ALL REQUIRED MONUMENTS HAVE BEEN SET; AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT. THIS SURVEY DOES NOT REPRESENT A COMPLETE TITLE SEARCH.

BRETT ZELTINGER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 27331

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA, ON THE ____ DAY OF _____, 20__, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND ORDINANCES OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIR

ATTEST: BEN EHRETH - SECRETARY

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "MUNICIPAL SEVENTH SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE PLAT.

GABRIEL J. SCHELL
CITY ENGINEER

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION OF ALL RIGHTS OF WAY AS SHOWN ON THIS PLAT. THE FOREGOING ACTION OF THE BOARD OF COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS APPROVED THE ___ DAY OF _____ 20__

BRIAN BITNER - CHAIR

ATTEST: MARK SPLONSKOWSKI - COUNTY AUDITOR/TREASURER

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS APPROVED THE GROUNDS AS SHOWN ON THIS PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION OF ALL RIGHTS OF WAY AND PUBLIC EASEMENTS SHOWN THEREON AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS APPROVED THE ___ DAY OF _____ 20__.

MICHAEL T. SCHMITZ - PRESIDENT

ATTEST: JASON TOMANEK - CITY ADMINISTRATOR

OWNER'S CERTIFICATE AND DEDICATION

WE, CITY OF BISMARCK, BEING THE OWNERS OF THE LAND PLATTED HEREIN, HAVE CAUSED THE LAND TO BE PLATTED AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THIS PLAT TITLED MUNICIPAL SEVENTH SUBDIVISION, AND DEDICATE ALL RIGHTS OF WAY TO BURLEIGH COUNTY AS SHOWN ON THIS PLAT FOR PUBLIC USE, AND CONSENT TO ANY ACCESS CONTROL TO THE PROPERTY AS SHOWN, AND AFFIRM THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

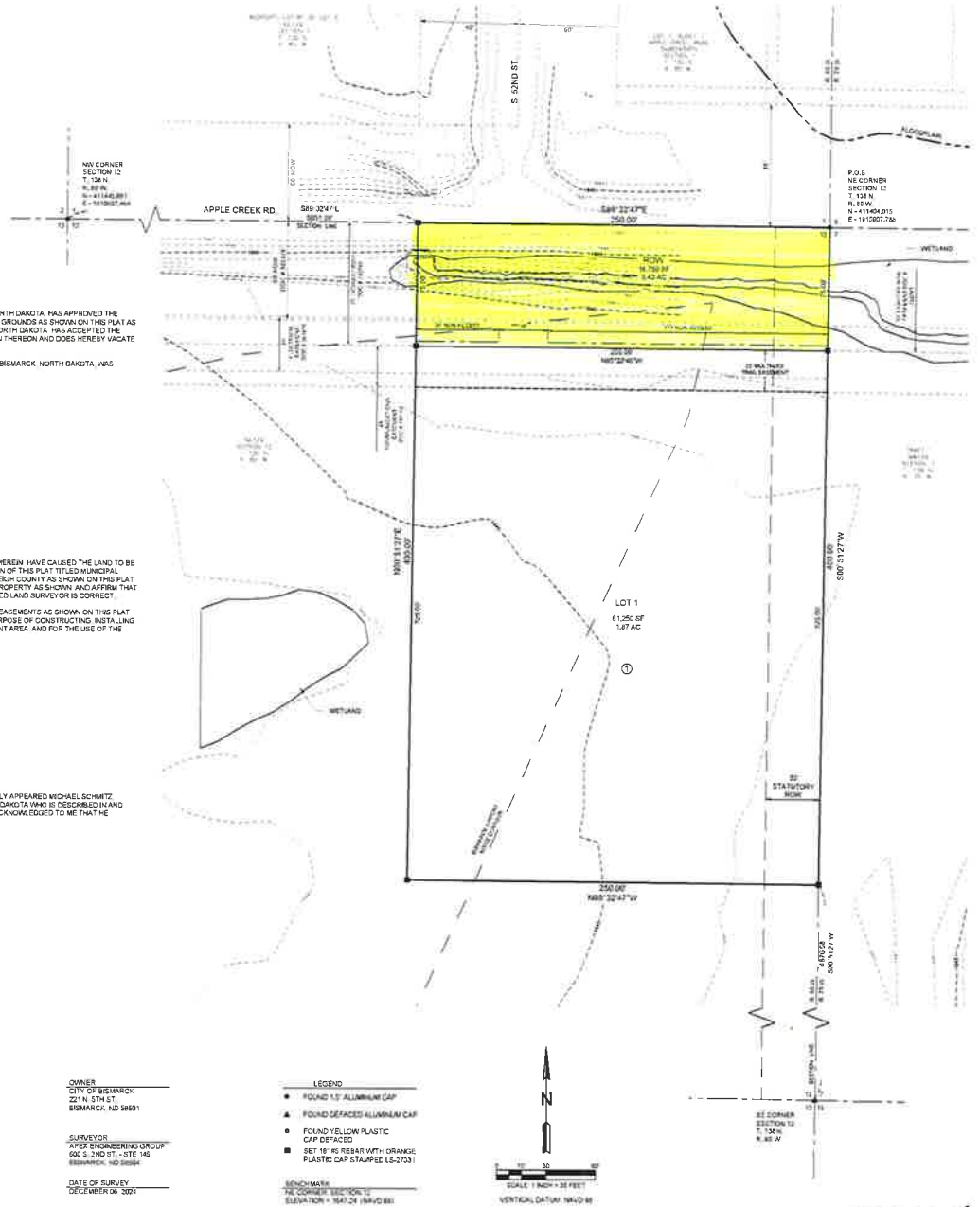
WE ALSO DEDICATE TO THE BISMARCK PARKS AND RECREATION ALL EASEMENTS AS SHOWN ON THIS PLAT AS MULTI-USE TRAIL EASEMENT TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, MAINTAINING, AND REPAIRING A MULTI-USE TRAIL OVER THE EASEMENT AREA AND FOR THE USE OF THE PUBLIC.

MICHAEL SCHMITZ
MAYOR CITY OF BISMARCK
221 N. 5TH ST.
BISMARCK, ND 58501

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

ON THIS ___ DAY OF _____ 20___, BEFORE ME PERSONALLY APPEARED MICHAEL SCHMITZ, KNOWN TO ME TO BE THE MAYOR OF THE CITY OF BISMARCK, NORTH DAKOTA WHO IS DESCRIBED IN AND WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC



NOTES

ENTIRE PLAT IS LOCATED WITHIN THE SPECIAL HAZARD FLOOD AREA (SFHA).

ALL DISTANCES SHOWN ARE GROUND DISTANCES.

BASIS OF BEARING AND COORDINATES ARE NAD83(2011), NORTH DAKOTA SOUTH, GEOID 18, INTERNATIONAL FEET. GRID TO GROUND SCALE FACTOR OF 1.0001488221.

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.

BENCHMARK
NE CORNER, SECTION 12
ELEVATION = 1647.24 (NAVD 88)

FLOOD PLAIN INFORMATION
FEMA FLOOD INSURANCE RATE MAP
COMMUNITY PANEL NUMBER 38015C0795E
EFFECTIVE ON 6/6/2024
FLOOD WAY ELEVATION = 1647.8 (NAVD 88)

OWNER
CITY OF BISMARCK
221 N. 5TH ST.
BISMARCK, ND 58501

SURVEYOR
APEX ENGINEERING GROUP
600 S. 2ND ST. - STE 146
BISMARCK, ND 58504

DATE OF SURVEY
DECEMBER 06, 2024

LEGEND
- FOUND 1.5" ALUMINUM CAP
- FOUND DEFACED ALUMINUM CAP
- FOUND YELLOW PLASTIC CAP DEFACED
- SET 16" #5 REBAR WITH ORANGE PLASTIC CAP STAMPED LS-27331

BENCHMARK
NE CORNER, SECTION 12
ELEVATION = 1647.24 (NAVD 88)

Apex Engineering Group

K:\Projects\2022\22.116.01\TT SID - Nile Creek LE & TWROW\Final Plat\22.116.01TT Final Plat.dwg

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Memo

Date: May 5, 2025

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for Lance Allard

Lance Allard from 8215 NE 44th St (Crested Ridge Second, Block 03, Lot 3) has requested a second access permit to his property. Both the first and second access approaches are off of 44th Street NE. He wishes to have a second approach off of 44th Street NE in order to have better access his property. We have reviewed the location of the new proposed access off of 44th Street NE and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for Lance Allard on the May 5, 2025 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.)

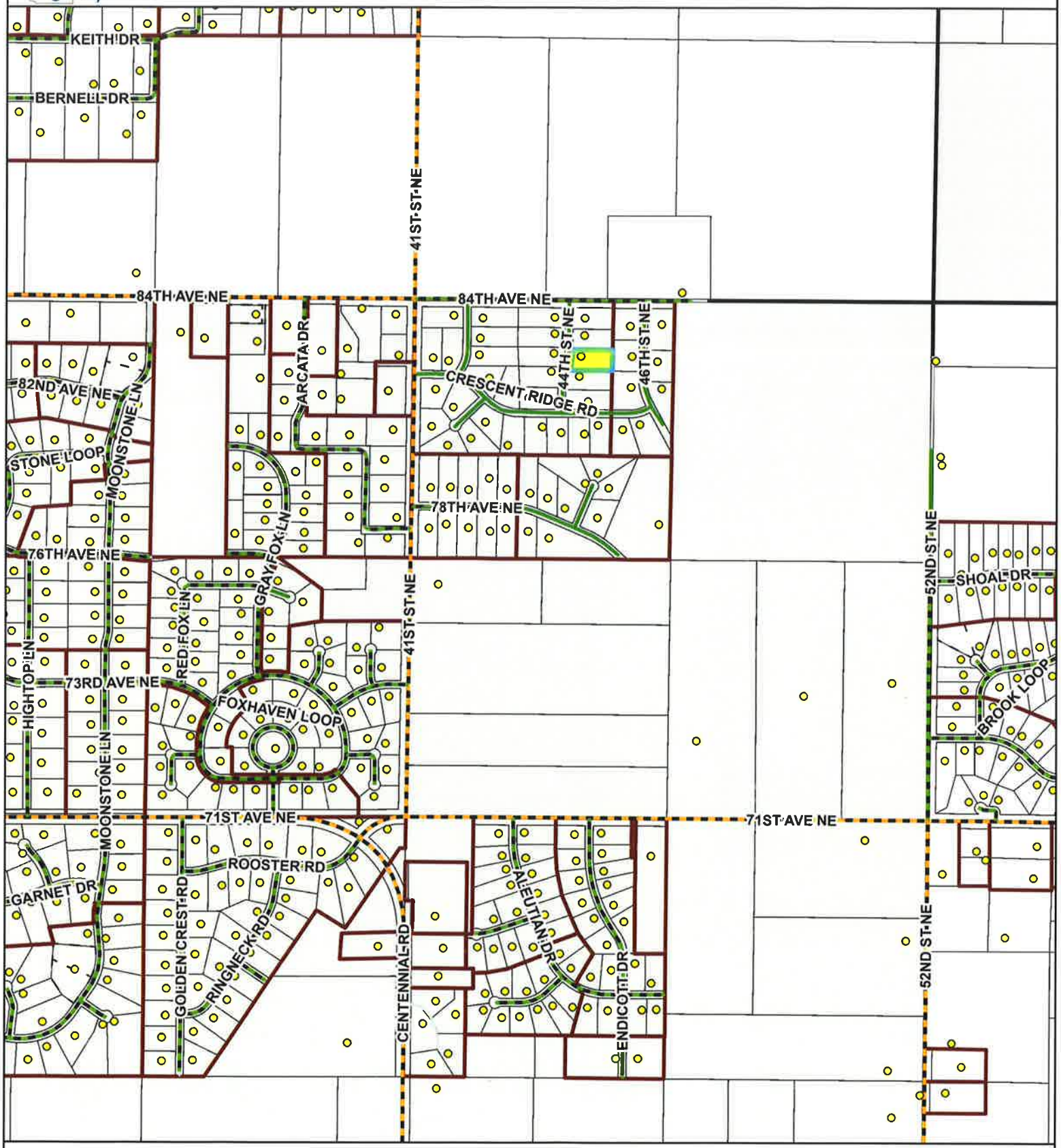
3) The second approach meets standards set out in the existing Burleigh County Zoning Ordinance.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

4/28/2025



PARCEL ID: 31-139-80-0B-03-030 OWNER: ALLARD, LANCE J ACRES: 2

SITE ADDRESS: 8215 NE 44TH ST

MAIL ADDRESS: 8215 44TH ST NE, BISMARCK, ND 58503-6336

LEGAL: CRESCENT RIDGE SECOND Block 03 LOT 3 679322

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

Burleigh County

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N

4/28/2025



PARCEL ID: 31-139-80-0B-03-030 OWNER: ALLARD, LANCE J ACRES: 2

SITE ADDRESS: 8215 NE 44TH ST

MAIL ADDRESS: 8215 44TH ST NE, BISMARCK, ND 58503-6336

LEGAL: CRESCENT RIDGE SECOND Block 03 LOT 3 679322

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

ITEM

6

Trial Balance by Fund

Fiscal Year: 2020-2020

From Date: 1/1/2020 To Date: 12/31/2020

2994 - BURLEIGH CO PARKING FUND		Opening Balance	Debits	Credits	Ending Balance
ASSET					
2994.11111.11110	CASH	$61,036.45	$3,660.00	($80.91)	$64,615.54
2994.11111.13110	ACCOUNTS RECEIVABLE	$90.00	$0.00	($90.00)	$0.00
ASSET TOTAL		$61,126.45	$3,660.00	($170.91)	$64,615.54
LIABILITY					
2994.22222.21210	ACCOUNTS PAYABLE	$0.00	$80.91	($80.91)	$0.00
LIABILITY TOTAL		$0.00	$80.91	($80.91)	$0.00
FUND BALANCE					
2994.33333.29665	UNRESERVED SPECIAL FUND BALANCE	($61,126.45)	$0.00	$0.00	($61,126.45)
FUND BALANCE TOTAL		($61,126.45)	$0.00	$0.00	($61,126.45)
REVENUE					
2994.00000.36930	TENANT RENT	$0.00	$90.00	($3,660.00)	($3,570.00)
REVENUE TOTAL		$0.00	$90.00	($3,660.00)	($3,570.00)
EXPENDITURE					
2994.49180.00989	PARKING FEES	$0.00	$80.91	$0.00	$80.91
EXPENDITURE TOTAL		$0.00	$80.91	$0.00	$80.91
Fund Totals:		$0.00	$3,911.82	($3,911.82)	$0.00

Trial Balance by Fund

Fiscal Year: 2021-2021

From Date: 1/1/2021 To Date: 12/31/2021

2994 - BURLEIGH CO PARKING FUND		Opening Balance	Debits	Credits	Ending Balance
ASSET					
2994.11111.11110	CASH	$64,615.54	$4,590.00	($83.77)	$69,121.77
ASSET TOTAL		$64,615.54	$4,590.00	($83.77)	$69,121.77
LIABILITY					
2994.22222.21210	ACCOUNTS PAYABLE	$0.00	$83.77	($83.77)	$0.00
LIABILITY TOTAL		$0.00	$83.77	($83.77)	$0.00
FUND BALANCE					
2994.33333.29665	UNRESERVED SPECIAL FUND BALANCE	($64,615.54)	$0.00	$0.00	($64,615.54)
FUND BALANCE TOTAL		($64,615.54)	$0.00	$0.00	($64,615.54)
REVENUE					
2994.00000.36930	TENANT RENT	$0.00	$0.00	($4,590.00)	($4,590.00)
REVENUE TOTAL		$0.00	$0.00	($4,590.00)	($4,590.00)
EXPENDITURE					
2994.49180.00989	PARKING FEES	$0.00	$83.77	$0.00	$83.77
EXPENDITURE TOTAL		$0.00	$83.77	$0.00	$83.77
Fund Totals:		$0.00	$4,757.54	($4,757.54)	$0.00

Trial Balance by Fund

Fiscal Year: 2022-2022

From Date: 1/1/2022 To Date: 12/31/2022

2994 - BURLEIGH CO PARKING FUND		Opening Balance	Debits	Credits	Ending Balance
ASSET					
2994.11111.11110	CASH	$69,121.77	$180.00	($173.84)	$69,127.93
ASSET TOTAL		$69,121.77	$180.00	($173.84)	$69,127.93
LIABILITY					
2994.22222.21210	ACCOUNTS PAYABLE	$0.00	$173.84	($173.84)	$0.00
LIABILITY TOTAL		$0.00	$173.84	($173.84)	$0.00
FUND BALANCE					
2994.33333.29665	UNRESERVED SPECIAL FUND BALANCE	($69,121.77)	$0.00	$0.00	($69,121.77)
FUND BALANCE TOTAL		($69,121.77)	$0.00	$0.00	($69,121.77)
REVENUE					
2994.00000.36930	TENANT RENT	$0.00	$0.00	($180.00)	($180.00)
REVENUE TOTAL		$0.00	$0.00	($180.00)	($180.00)
EXPENDITURE					
2994.49180.00989	PARKING FEES	$0.00	$173.84	$0.00	$173.84
EXPENDITURE TOTAL		$0.00	$173.84	$0.00	$173.84
Fund Totals:		$0.00	$527.68	($527.68)	$0.00

Trial Balance by Fund

Fiscal Year: 2023-2023

From Date: 1/1/2023 To Date: 12/31/2023

2994 - BURLEIGH CO PARKING FUND		Opening Balance	Debits	Credits	Ending Balance
ASSET					
2994.11111.11110	CASH	$69,127.93	$0.00	($7,325.97)	$61,801.96
ASSET TOTAL		$69,127.93	$0.00	($7,325.97)	$61,801.96
LIABILITY					
2994.22222.21210	ACCOUNTS PAYABLE	$0.00	$0.00	($61,354.39)	($61,354.39)
LIABILITY TOTAL		$0.00	$0.00	($61,354.39)	($61,354.39)
FUND BALANCE					
2994.33333.29665	UNRESERVED SPECIAL FUND BALANCE	($69,127.93)	$0.00	$0.00	($69,127.93)
FUND BALANCE TOTAL		($69,127.93)	$0.00	$0.00	($69,127.93)
EXPENDITURE					
2994.49180.00989	PARKING FEES	$0.00	$68,680.36	$0.00	$68,680.36
EXPENDITURE TOTAL		$0.00	$68,680.36	$0.00	$68,680.36
Fund Totals:		$0.00	$68,680.36	($68,680.36)	$0.00

Trial Balance by Fund

Fiscal Year: 2024-2024

From Date: 1/1/2024 To Date: 12/31/2024

2994 - BURLEIGH CO PARKING FUND		Opening Balance	Debits	Credits	Ending Balance
ASSET					
2994.11111.11110	CASH	$61,801.96	$21,772.23	($83,574.19)	$0.00
2994.11111.13110	ACCOUNTS RECEIVABLE	$0.00	$1,080.00	$0.00	$1,080.00
ASSET TOTAL		$61,801.96	$22,852.23	($83,574.19)	$1,080.00
LIABILITY					
2994.22222.21210	ACCOUNTS PAYABLE	($61,354.39)	$144,928.58	($83,574.19)	$0.00
2994.22222.24110	DUE TO	$0.00	$0.00	($21,772.23)	($21,772.23)
LIABILITY TOTAL		($61,354.39)	$144,928.58	($105,346.42)	($21,772.23)
FUND BALANCE					
2994.33333.29665	UNRESERVED SPECIAL FUND BALANCE	($447.57)	$0.00	$0.00	($447.57)
FUND BALANCE TOTAL		($447.57)	$0.00	$0.00	($447.57)
REVENUE					
2994.00000.36930	TENANT RENT	$0.00	$0.00	($1,080.00)	($1,080.00)
REVENUE TOTAL		$0.00	$0.00	($1,080.00)	($1,080.00)
EXPENDITURE					
2994.49180.00989	PARKING FEES	$0.00	$83,574.19	($61,354.39)	$22,219.80
EXPENDITURE TOTAL		$0.00	$83,574.19	($61,354.39)	$22,219.80
Fund Totals:		$0.00	$251,355.00	($251,355.00)	$0.00

Trial Balance by Fund

Fiscal Year: 2025-2025

From Date: 1/1/2025 To Date: 12/31/2025

2994 - BURLEIGH CO PARKING FUND		Opening Balance	Debits	Credits	Ending Balance
ASSET					
2994.11111.11110	CASH	$0.00	$1,440.00	($21,772.23)	($20,332.23)
2994.11111.13110	ACCOUNTS RECEIVABLE	$1,080.00	$0.00	($1,080.00)	$0.00
ASSET TOTAL		$1,080.00	$1,440.00	($22,852.23)	($20,332.23)
LIABILITY					
2994.22222.24110	DUE TO	($21,772.23)	$21,772.23	$0.00	$0.00
LIABILITY TOTAL		($21,772.23)	$21,772.23	$0.00	$0.00
FUND BALANCE					
2994.33333.29665	UNRESERVED SPECIAL FUND BALANCE	$20,692.23	$0.00	$0.00	$20,692.23
FUND BALANCE TOTAL		$20,692.23	$0.00	$0.00	$20,692.23
REVENUE					
2994.00000.36930	TENANT RENT	$0.00	$1,080.00	($1,440.00)	($360.00)
REVENUE TOTAL		$0.00	$1,080.00	($1,440.00)	($360.00)
Fund Totals:		$0.00	$24,292.23	($24,292.23)	$0.00

2023 Burleigh County Real Estate Tax Statement

☐ *Check here to request receipt*
(No receipt will be sent unless requested)

2024

0001-122-001

Parcel Number: 0001-122-001
Statement Number: 3933

Total tax due	3,998.55
Less 5% discount	30.67
Amount due by February 15, 2024	**3,967.88**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	3,691.87
Payment 2: Pay by October 15, 2024	306.68

MAKE CHECK PAYABLE TO:

Burleigh County Treasurer
PO Box 5518
Bismarck, ND 58506-5518

BURLEIGH CO
PO BOX 5518
BISMARCK ND 58506-5518

MP # AB

Detach and return with payment

ENTERED 02/23/24 TL

2023 Burleigh County Real Estate Tax Statement

Statement No: 3933

Multi Parcel #: AB

Parcel Number
0001-122-001

Jurisdiction
010101

Owner
BURLEIGH CO

Physical Location
412 N 5TH ST
BISMARCK, ND

Legal Description
Addition Name: ORIGINAL PLAT
BLK:122
ORIGINAL PLAT Block: 122 1-5 LESS W10', B.122, O.P. AND L.1-3 LESS W10', B.24, N.P. 1ST

2023 TAX BREAKDOWN	
Net consolidated tax	613.36
Plus: Special Assessments	3,385.19
Total tax due	3,998.55
Less: 5% discount, if paid by February 15, 2024	30.67
Amount due by February 15, 2024	**3,967.88**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	3,691.87
Payment 2: Pay by October 15, 2024	306.68

Legislative tax relief (3-year comparison)	**2021**	**2022**	**2023**
Legislative tax relief	311.29	310.21	327.90

Tax distribution (3-year comparison):	**2021**	**2022**	**2023**
True and Full Value	45,000	45,000	47,200
Taxable Value	2,250	2,250	2,360
Less: Homestead credit	0	0	0
Disabled Veterans credit	0	0	0
Net Taxable Value	2,250	2,250	2,360
Total mill levy	254.140	254.150	259.900
Taxes By District (in dollars):			
City	174.94	175.20	183.86
County	77.39	77.10	97.16
Park	76.05	76.10	77.00
School (after State Reduction)	241.18	241.18	252.98
State	2.25	2.26	2.36
Consolidated tax	**571.81**	**571.84**	**613.36**
Net effective tax rate	**1.27%**	**1.27%**	**1.30%**

Special Assessments	
Principal	3,385.19
Interest	0.00
Installment payment due	3,385.19
Remaining balance due current	20,311.14

To pay the city specials remaining balance, make your payment directly to the City of Bismarck, PO Box 5503, Bismarck, ND 58506
Phone: 701.355.1600

See Important Information On Back
Please keep this portion for your records.
No receipt will be sent unless requested.

FOR ASSISTANCE CONTACT:

Office: Burleigh County Treasurer
221 N 5th Street
Bismarck, ND 58501

Phone: 701.222.6694

Website: www.burleigh.gov

Date: 2/22/24
GL No: 2994.49180.00989
Dept Head:
Auditor/Treas: TS

+172.65
2.16-2.29 20,193.79 5%
after 3.1 20565.03 5%

2023

2023 Burleigh County Real Estate Tax Statement

☐ *Check here to request receipt*
(No receipt will be sent unless requested)

0001-102-001

Parcel Number: 0001-102-001
Statement Number: 3875

Total tax due	6,200.90
Less 5% discount	0.00
Amount due by February 15, 2024	**6,200.90**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	6,200.90
Payment 2: Pay by October 15, 2024	0.00

COUNTY OF BURLEIGH
BOX 5518
BISMARCK ND 58506-5518

MAKE CHECK PAYABLE TO:

Burleigh County Treasurer
PO Box 5518
Bismarck, ND 58506-5518

ENTERED 02/23/24 RC

MP #

Detach and return with payment

2023 Burleigh County Real Estate Tax Statement

Statement No: 3875

Parcel Number
0001-102-001

Jurisdiction
010101

Owner
COUNTY OF BURLEIGH

Physical Location
514 E THAYER AVE
BISMARCK, ND

Legal Description
Addition Name: ORIGINAL PLAT
BLK:102
ORIGINAL PLAT Block: 102 LOTS 1-24 & WEST 6' VACATED 6TH ST ADJ TO NORTH 160' OF BLOCK 102

Legislative tax relief

(3-year comparison)	**2021**	**2022**	**2023**
Legislative tax relief	0.00	0.00	0.00

Tax distribution (3-year comparison):	**2021**	**2022**	**2023**
True and Full Value			
Taxable Value	0	0	0
Less: Homestead credit	0	0	0
Disabled Veterans credit	0	0	0
Net Taxable Value	0	0	0
Total mill levy	254.140	254.150	259.900
Taxes By District (in dollars):			
Consolidated tax	**0.00**	**0.00**	**0.00**
Net effective tax rate	**0.00%**	**0.00%**	**0.00%**

2023 TAX BREAKDOWN	
Net consolidated tax	0.00
Plus: Special Assessments	6,200.90
Total tax due	6,200.90
Less: 5% discount, if paid by February 15, 2024	0.00
Amount due by February 15, 2024	**6,200.90**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	6,200.90
Payment 2: Pay by October 15, 2024	0.00

Special Assessments

Principal	6,200.90
Interest	0.00
Installment payment due	6,200.90
Remaining balance due current	55,808.17

To pay the city specials remaining balance, make your payment directly to the City of Bismarck, PO Box 5503, Bismarck, ND 58506
Phone: 701.355.1600

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FOR ASSISTANCE CONTACT:

Office: Burleigh County Treasurer
221 N 5th Street
Bismarck, ND 58501

Phone: 701.222.6694

Website: www.burleigh.gov

Date: 2/22/24
GL No: 2994.49180.00989
Dept Head:
Auditor/Treas

+474.36
2.16-2.29 $6,282.54 5%
after 3.1 5% 505.77 5%

2023 Burleigh County Real Estate Tax Statement

2023

☐ *Check here to request receipt*
(No receipt will be sent unless requested)

1570-001-080

Parcel Number: 1570-001-080
Statement Number: 28513

Total tax due	838.18
Less 5% discount	0.00
Amount due by February 15, 2024	**838.18**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	838.18
Payment 2: Pay by October 15, 2024	0.00

MAKE CHECK PAYABLE TO:

Burleigh County Treasurer
PO Box 5518
Bismarck, ND 58506-5518

BURLEIGH COUNTY
PO BOX 5518
BISMARCK ND 58506-5518

ENTERED 02/23/24 TC

MP #

Detach and return with payment

2023 Burleigh County Real Estate Tax Statement

Statement No: 28513

Parcel Number
1570-001-080

Jurisdiction
010101

Owner
BURLEIGH COUNTY

Physical Location
2000 NE 52ND ST
BISMARCK, ND

Legal Description
Addition Name: MUNICIPAL 1ST
BLK:1
MUNICIPAL 1ST Block: 1 LOT 3A OF LOT 3 & LOT 4A OF LOT 4

2023 TAX BREAKDOWN	
Net consolidated tax	0.00
Plus: Special Assessments	838.18
Total tax due	838.18
Less: 5% discount, if paid by February 15, 2024	0.00
Amount due by February 15, 2024	**838.18**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	838.18
Payment 2: Pay by October 15, 2024	0.00

Legislative tax relief (3-year comparison)	**2021**	**2022**	**2023**
Legislative tax relief	0.00	0.00	0.00

Tax distribution (3-year comparison):	**2021**	**2022**	**2023**
True and Full Value			
Taxable Value	0	0	0
Less: Homestead credit	0	0	0
Disabled Veterans credit	0	0	0
Net Taxable Value	0	0	0
Total mill levy	254.140	254.150	259.900
Taxes By District (in dollars):			
Consolidated tax	**0.00**	**0.00**	**0.00**
Net effective tax rate	**0.00%**	**0.00%**	**0.00%**

Special Assessments

Principal	838.18
Interest	0.00
Installment payment due	838.18
Remaining balance due current	5,029.10

To pay the city specials remaining balance, make your payment directly to the City of Bismarck, PO Box 5503, Bismarck, ND 58506
Phone: 701.355.1600

See Important Information On Back
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FOR ASSISTANCE CONTACT:

Office: Burleigh County Treasurer
221 N 5th Street
Bismarck, ND 58501

Phone: 701.222.6694

Website: www.burleigh.gov

Date: 2/22/24
GL No: 2094.49180.00989
Dept Head:
Auditor/Treas:

+42.75
2.162.29 5671.85 5%
-Ster 2.1 5091.97 5%

2023 Burleigh County Real Estate Tax Statement

2024

☐ *Check here to request receipt*
(No receipt will be sent unless requested)

1570-001-090

Parcel Number: 1570-001-090
Statement Number: 28514

Total tax due	286.89
Less 5% discount	0.00
Amount due by February 15, 2024	**286.89**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	286.89
Payment 2: Pay by October 15, 2024	0.00

MAKE CHECK PAYABLE TO:

Burleigh County Treasurer
PO Box 5518
Bismarck, ND 58506-5518

BURLEIGH COUNTY
PO BOX 5518
BISMARCK ND 58505-5518

MP #

Detach and return with payment

ENTERED 02/29/24 TL

2023 Burleigh County Real Estate Tax Statement

Statement No: 28514

Parcel Number
1570-001-090

Jurisdiction
010101

Owner
BURLEIGH COUNTY

Physical Location
2020 NE 52ND ST
BISMARCK, ND

Legal Description
Addition Name: MUNICIPAL 1ST
BLK:1
MUNICIPAL 1ST Block: 1 LOT 3B OF LOT 3 & LOT 4B2 OF LOT 4B OF LOT 4

Legislative tax relief (3-year comparison)	**2021**	**2022**	**2023**
Legislative tax relief	0.00	0.00	0.00

Tax distribution (3-year comparison):	**2021**	**2022**	**2023**
True and Full Value			
Taxable Value	0	0	0
Less: Homestead credit	0	0	0
Disabled Veterans credit	0	0	0
Net Taxable Value	0	0	0
Total mill levy	254.140	254.150	259.900
Taxes By District (in dollars):			
Consolidated tax	**0.00**	**0.00**	**0.00**
Net effective tax rate	**0.00%**	**0.00%**	**0.00%**

2023 TAX BREAKDOWN	
Net consolidated tax	0.00
Plus: Special Assessments	286.89
Total tax due	286.89
Less: 5% discount, if paid by February 15, 2024	0.00
Amount due by February 15, 2024	**286.89**
Or pay in two installments (with no discount):	
Payment 1: Pay by March 1, 2024	286.89
Payment 2: Pay by October 15, 2024	0.00

Special Assessments	
Principal	286.89
Interest	0.00
Installment payment due	286.89
Remaining balance due current	1,721.38

To pay the city specials remaining balance, make your payment directly to the City of Bismarck, PO Box 5503, Bismarck, ND 58506
Phone: 701.355.1600

See Important Information On Back
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FOR ASSISTANCE CONTACT:

Office: Burleigh County Treasurer
221 N 5th Street
Bismarck, ND 58501

Phone: 701.222.6694

Website: www.burleigh.gov

Date: 2/22/24
GL No: 2994.49180.00989

Dept Head:

Auditor/Treas

+14.63

2.16-2.29 137601 5%

after 3.1 174290 5%

STATE OF NORTH DAKOTA
County of Burleigh
221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

Request for County Board Action

DATE: **February 21st, 2024**

TO: **Burleigh County Commission**

FROM: **Mark Splonskowski**
County Auditor/Treasurer

RE: **Funds Transfer Request**

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

REQUEST:
Consider approval of transfer of funds from obsolete fund to pay off City Specials.

BACKGROUND INFORMATION:
Burleigh County has received several specials on some of our properties totaling $83,574.19, there was also $7,325.97 worth of specials installments on the Courthouse, and Sheriffs Dept. buildings that had to be paid before the 15th. Our office fronted the money from our accounts to get past the deadline for the installments. There is a fund associated with the 4th street parking lot, which was sold in 2023 for which $70,000 is dedicated to every year. There has been little to no activity in the account for a few years, and none since the sale of the property.

RECOMMENDED ACTION:
Transfer all the 2024 budgeted money and any necessary 2023 available funds from the account to the special assessments account to pay off the balance of specials and refund the Auditors office budget for the paid installments. Then eliminate the account associated with the 4th street parking lot.

Appropriation for Emergency Fund	1,419,000	
Less: Resources	(1,419,000)	
Balance to be levied		- 0 -
Appropriation for Veterans Service	384,354	
Plus: Delinquent Taxes & Interim Fund	113,914	
Less: Resources	(141,753)	
Balance to be levied (.68 Mill)		356,515
Appropriation for Provident Life Bldg.	1,028,939	
Less: Resources	(1,028,939)	
Balance to be levied		- 0 -
Appropriation for Missouri Valley Complex	563,450	
Less: Resources	(563,450)	
Balance to be levied		- 0 -
Appropriation for County Agent	451,561	
Plus: Delinquent Taxes & Interim Fund	128,413	
Less: Resources	(269,516)	
Balance to be levied (.59 Mill)		310,458
Appropriation for Weed Board	436,226	
Plus: Delinquent Taxes & Interim Fund	126,925	
Less: Resources	(205,799)	
Balance to be levied (2.75 Mills)		357,352
Appropriation for Water Resource District	982,200	
Plus: Delinquent Taxes	44,557	
Less: Resources	(135,617)	
Balance to be levied (1.70 Mills)		891,140
Appropriation for County Park	2,000	
Plus: Interim Fund	525,695	
Less: Resources	(527,695)	
Balance to be levied		- 0 -
Appropriation for County Jail Maintenance and Construction	1,000,000	
Less: Resources	(1,000,000)	
Balance to be levied		- 0 -
Appropriation for K-9 Patrol Program	13,000	
Less: Resources	(13,000)	
Balance to be levied		- 0 -
Appropriation for Parking	65,000	
Less: Resources	(65,000)	
Balance to be levied		- 0 -
Appropriation for Abandoned Cemeteries	8,000	
Less: Resources	(8,000)	
Balance to be levied		- 0 -
Appropriation for Central Dakota Communication Center	500,000	
Less: Resources	(500,000)	
Balance to be levied		- 0 -

Appropriation for Victim/Witness Assistance	409,593	
Less: Resources	(409,593)	
Balance to be levied		- 0 -
Appropriation for Emergency Fund	1,428,000	
Less: Resources	(1,428,000)	
Balance to be levied		- 0 -
Appropriation for Veterans Service	381,891	
Plus: Delinquent Taxes & Interim Fund	113,451	
Less: Resources	(135,780)	
Balance to be levied (.66 Mill)		359,562
Appropriation for Provident Life Bldg.	425,619	
Less: Resources	(425,619)	
Balance to be levied		- 0 -
Appropriation for Missouri Valley Complex	630,000	
Less: Resources	(630,000)	
Balance to be levied		- 0 -
Appropriation for County Agent	506,052	
Plus: Delinquent Taxes & Interim Fund	152,829	
Less: Resources	(132,560)	
Balance to be levied (.97 Mill)		526,321
Appropriation for Weed Board	415,812	
Plus: Delinquent Taxes & Interim Fund	115,625	
Less: Resources	(298,000)	
Balance to be levied (1.75 Mills)		233,437
Appropriation for Water Resource District	846,675	
Plus: Delinquent Taxes	40,838	
Less: Resources	(70,763)	
Balance to be levied (1.5 Mills)		816,750
Appropriation for County Park	3,000	
Plus: Interim Fund	529,700	
Less: Resources	(532,700)	
Balance to be levied		- 0 -
Appropriation for County Jail Maintenance and Construction	355,000	
Less: Resources	(355,000)	
Balance to be levied		- 0 -
Appropriation for K-9 Patrol Program	13,000	
Less: Resources	(13,000)	
Balance to be levied		- 0 -
Appropriation for Parking	65,000	
Less: Resources	(65,000)	
Balance to be levied		- 0 -
Appropriation for Abandoned Cemeteries	10,000	
Less: Resources	(10,000)	
Balance to be levied		- 0 –

Balance to be levied		-
Appropriation for Veteran Services	419,797	
Plus: Delinquent Taxes and Interim Fund	125,695	
Less: Resources	(130,586)	
Balance to be levied (.74 Mills)		414,906
Appropriation for Provident Building	437,439	
Less: Resources	(437,439)	
Balance to be levied		-
Appropriation for Missouri Valley Complex	642,946	
Less: Resources	(642,946)	
Balance to be levied		-
Appropriation for County Agent	418,257	
Plus: Delinquent Taxes and Interim Fund	119,720	
Less: Resources	(234,855)	
Balance to be levied (.54 Mills)		303,122
Appropriation for Weed Board	358,365	
Plus: Delinquent Taxes and Interim Fund	94,741	
Less: Resources	(350,115)	
Balance to be levied (.73 Mills)		102,991
Appropriation for Water Resource District	887,950	
Plus: Delinquent Taxes	42,221	
Less: Resources	(85,752)	
Balance to be levied (1.5 Mills)		844,419
Appropriation for County Parks	1,800	
Plus: Interim Funds	526,246	
Less: Resources	(528,046)	
Balance to be levied		-
Appropriation for BMDC Maintenance & Construction	300,000	
Less: Resources	(300,000)	
Balance to be levied		-
Appropriation for K-9 Patrol Program	13,000	
Less: Resources	(13,000)	
Balance to be levied		-
Appropriation for Parking	65,000	
Less: Resources	(65,000)	
Balance to be levied		-
Appropriation for CenCom	550,000	
Less: Resources	(550,000)	
Balance to be levied		-
Appropriation for Preservation Fund	101,069	
Less: Resources	(101,069)	
Balance to be levied		-

Appropriation for Veteran Services	458,683	
Plus: Delinquent Taxes and Reserve Fund	122,844	
Less: Resources	(101,806)	
Balance to be levied (.78 Mills)		479,721
Appropriation for Provident Building	535,617	
Less: Resources	(535,617)	
Balance to be levied		-
Appropriation for Missouri Valley Complex	91,000	
Less: Resources	(91,000)	
Balance to be levied		-
Appropriation for County Agent	392,756	
Plus: Delinquent Taxes and Reserve Fund	153,515	
Less: Resources	(209,203)	
Balance to be levied (.55 Mills)		337,068
Appropriation for Weed Board	387,050	
Plus: Delinquent Taxes and Reserve Fund	79,156	
Less: Resources	(309,055)	
Balance to be levied (1.04 Mills)		157,151
Appropriation for Water Resource District	917,509	
Plus: Delinquent Taxes	-	
Less: Resources		
Balance to be levied (1.5 Mills)		917,509
Appropriation for County Parks	2,700	
Plus: Reserve Funds	522,331	
Less: Resources	(525,031)	
Balance to be levied		-
Appropriation for BMDC Maintenance & Construction	300,000	
Less: Resources	(300,000)	
Balance to be levied		-
Appropriation for K-9 Patrol Program	13,000	
Less: Resources	(13,000)	
Balance to be levied		-
Appropriation for Parking	70,000	
Less: Resources	(70,000)	
Balance to be levied		-
Appropriation for CenCom	425,791	
Less: Resources	(425,791)	
Balance to be levied		-
Appropriation for Preservation Fund	101,010	
Less: Resources	(101,010)	
Balance to be levied		-
Appropriation for Sheriff's Drug Asset Forfeiture	40,000	
Less: Resources	(40,000)	
Balance to be levied		-

Appropriation for Emergency Fund	1,468,000	
Less: Resources	(1,468,000)	
Balance to be levied		-
Appropriation for Veteran Services	490,704	
Plus: Delinquent Taxes and Reserve Fund	145,910	
Less: Resources	(171,928)	
Balance to be levied (.70 Mills)		464,686
Appropriation for Provident Building	545,071	
Less: Resources	(545,071)	
Balance to be levied		-
Appropriation for Missouri Valley Complex	78,100	
Less: Resources	(78,100)	
Balance to be levied		-
Appropriation for County Agent	431,610	
Plus: Delinquent Taxes and Reserve Fund	120,984	
Less: Resources	(290,974)	
Balance to be levied (.39 Mills)		261,620
Appropriation for Weed Board	402,174	
Plus: Delinquent Taxes and Reserve Fund	111,430	
Less: Resources	(295,891)	
Balance to be levied (1.32 Mills)		217,713
Appropriation for Water Resource District	1,010,800	
Plus: Delinquent Taxes	49,026	
Less: Resources	(79,300)	
Balance to be levied (1.47 Mills)		980,526
Appropriation for County Parks	8,190	
Plus: Reserve Funds	531,803	
Less: Resources	(539,993)	
Balance to be levied		-
Appropriation for BMDC Maintenance & Construction	300,000	
Less: Resources	(300,000)	
Balance to be levied		-
Appropriation for K-9 Patrol Program	18,000	
Less: Resources	(18,000)	
Balance to be levied		-
Appropriation for Parking	70,000	
Less: Resources	(70,000)	
Balance to be levied		-
Appropriation for McKenzie Haul Road	442,626	
Less: Resources	(442,626)	
Balance to be levied		-
Appropriation for CenCom	420,401	
Less: Resources	(420,401)	
Balance to be levied		-

Splonskowski, Mark D.

From: Coward, Linda <[redacted]
Sent: Tuesday, November 12, 2024 12:14 PM
Subject: RE: Primary Residence Credit Mobile Home whitepaper

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If you're asking if you can use the Taxwise Test Environment to run a test of the whitepaper's process, yes.

On a Primary Residence Credit related note, there have been some questions about [redacted] – the PRC export. The Tax-Wise quarterly update (version 2024.4.0.0) included changes to the export to meet the state's latest requirements.

Linda Coward
Product Owner

From: Kari Hatzenbuhler <Kari.Hatzenbuhler@mortonnd.org>
Sent: Tuesday, November 12, 2024 11:22 AM
To: Coward, Linda <Linda.Coward@tylertech.com>; bserickson@nd.gov; kripplinger@nd.gov; rrthompson@nd.gov; mdlamb@nd.gov; stswanson@nd.gov; skidd@bowmancountynd.gov; jfreier@bowmancountynd.gov; mischumacher@bowmancountynd.gov; avietmeier@nd.gov; brcaya@ND.gov; msplonskowski@nd.gov; evelyn.halvorson@gfcounty.org; debbie.nelson@gfcounty.org; Lori.morgan@gfcounty.org; cebert@nd.gov; jerschmidt@nd.gov; tkirschmann@nd.gov; Knutson, Beth A. <baknutson@nd.gov>; Foss, Lori A. <lfoss@nd.gov>; Dawn Rhone <Dawn.Rhone@mortonnd.org>; Kim Pittman <kim.pittman@mortonnd.org>; mortoncountytax <mortoncountytax@mortonnd.org>; Cyagow@nd.gov; lhayen@nd.gov; tbopp@nd.gov; siouxtax@nd.gov; aEagle@nd.gov; vironeyes@nd.gov; cgermann@nd.gov; jolorge@nd.gov; lbuzalsky@nd.gov; krichard@starkcountynd.gov; Nwandler@starkcountynd.gov; pwinhold@starkcountynd.gov; Sevigny, Ed <esevigny@nd.gov>; kquibell@nd.gov; O'Toole, Sherry <sotoole@nd.gov>; Marisa.haman@co.ward.nd.us; misty.hester@wardnd.com; noreen.barton@co.ward.nd.us; darcya@co.williams.nd.us; LindseyH@co.williams.nd.us; pattio@co.williams.nd.us; tperleberg@stutsmancounty.gov; jsmaage@stutsmancounty.gov; jalonge@stutsmancounty.gov; treasurer@stutsmancounty.gov; mreimer@nd.gov; lMasterson@nd.gov; sleas@nd.gov
Subject: RE: Primary Residence Credit Mobile Home whitepaper
Importance: High

Is the information for Whitepaper in the Taxwise Test Environment?

From: Coward, Linda <[redacted]
Sent: Monday, November 11, 2024 4:41 PM
To: bserickson@nd.gov; kripplinger@nd.gov; rrthompson@nd.gov; mdlamb@nd.gov; stswanson@nd.gov; skidd@bowmancountynd.gov; jfreier@bowmancountynd.gov; mischumacher@bowmancountynd.gov; avietmeier@nd.gov; brcaya@ND.gov; msplonskowski@nd.gov; evelyn.halvorson@gfcounty.org; debbie.nelson@gfcounty.org; Lori.morgan@gfcounty.org; cebert@nd.gov; jerschmidt@nd.gov; tkirschmann@nd.gov; Knutson, Beth A. <baknutson@nd.gov>; Foss, Lori A. <lfoss@nd.gov>; Dawn Rhone <Dawn.Rhone@mortonnd.org>; Kari Hatzenbuhler <Kari.Hatzenbuhler@mortonnd.org>; Kim Pittman <kim.pittman@mortonnd.org>; mortoncountytax <mortoncountytax@mortonnd.org>; Cyagow@nd.gov; lhayen@nd.gov; tbopp@nd.gov; siouxtax@nd.gov;

aEagle@nd.gov; vironeyes@nd.gov; cgermann@nd.gov; jolorge@nd.gov; lbuzalsky@nd.gov; krichard@starkcountynd.gov; Nwandler@starkcountynd.gov; pwinhold@starkcountynd.gov; Sevigny, Ed <esevigny@nd.gov>; kquibell@nd.gov; O'Toole, Sherry <sotoole@nd.gov>; Marisa.haman@co.ward.nd.us; misty.hester@wardnd.com; noreen.barton@co.ward.nd.us; darcya@co.williams.nd.us; LindseyH@co.williams.nd.us; pattio@co.williams.nd.us; tperleberg@stutsmancounty.gov; jsmaage@stutsmancounty.gov; jalonge@stutsmancounty.gov; treasurer@stutsmancounty.gov; mreimer@nd.gov; lMasterson@nd.gov; sleas@nd.gov
Subject: Primary Residence Credit Mobile Home whitepaper

The Primary Residence Credit Mobile Home whitepaper is attached. It is also on Tyler Community.

Please contact Tax-Wise Support for questions or assistance.

Linda Coward
Product Owner
Tyler Technologies, Inc.
www.tylertech.com

Splonskowski, Mark D.

From: Linda Svihovec <Linda.Svihovec@ndaco.org>
Sent: Monday, November 25, 2024 1:33 PM
To: NDACO Auditors; NDACO Treasures
Subject: PRC Credit on Property Tax Statement
Attachments: PRC Property Tax Statement.pdf

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FYI – I have had a few messages this morning on how the PRC credit is to be applied. The Tax Commissioner prescribes the format of the tax statement. The email below was sent to all auditors and treasurers October 21. Please review the attached format for how the PRC credit should be applied and calculated on the tax statement.

Linda Svihovec
ND Association of Counties
Cell: [redacted]
NDACo
NORTH DAKOTA ASSOCIATION OF COUNTIES

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Monday, October 21, 2024 10:53 AM
To: Auditors <Auditors@ndaco.org>; Treasurers <tr@ndaco.org>; [redacted]
Subject: Property Tax Statement

Good morning, everyone.

At this point in time, we will keep the format of the statement that included the statutory showing of the primary residence credit (copy attached). It has become apparent through numerous discussions with various stakeholders that there are a variety of reasons, including space and potential cost, that the physical version is not adequate to hold all of the information that needs to be shared with property owners. We will continue to explore options to increase transparency and education, including digital solutions. We will also keep everyone apprised as the discussions continue. We are confident that the end product will provide greater benefit to the taxpayer.

As always, we welcome your thoughts and suggestions as the conversations continue.

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Thursday, December 19, 2024 11:49 AM
To: NDACO Treasures; NDACO Auditors; NDACO Tax Directors
Cc: Heinle, Paul; Hummel, Jessi L.; Ohlhauser, Sarah F.; Pfaff, Ross T.; Williams, Vicki
Subject: RE: Answers to a few recent questions

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Hi everyone,

Thank you for all of the responses and I do understand your concerns. We were asked for "guidance", which is what was given. Guidance is not a mandate, nor is it legal advice, it is just guidance given from our office. Please feel free to consult with your state's attorney if you feel that you need further advice.

"Do we include the 1 mill for the Medical School Levy in our reimbursement request, or will that be withheld and the tax department will pay it to the State Medical School?"

This credit was off of the consolidated tax, therefore there will be no mill in the reimbursement request. This is treated differently than the HPC and DVC as those credits come off of the taxable value, and then have the mill applied. Hopefully, that makes sense, if not, please let me know.

I hope you all have a wonderful Christmas and New Year's!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

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From: Meier, Sara E. <sarmeier@nd.gov>
Sent: Friday, December 13, 2024 10:19 AM
To: Marisa Haman <Marisa.Haman@co.ward.nd.us>; Myers, Shelli L. <slmyers@nd.gov>; NDACO Treasures <tr@ndaco.org>; NDACO Auditors <auditors@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>
Cc: Heinle, Paul <pheinle@nd.gov>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Williams, Vicki <vwilliams@nd.gov>
Subject: RE: Answers to a few recent questions

Good morning,

I agree with Marisa. We cannot refund more tax than was paid. If the person paid the discounted amount, that is the maximum amount of refund they will receive. If the person paid penalty, the amount of penalty associated with the PRC is refunded.

The reimbursement from the State is the amount of consolidated tax up to the maximum amount ($500). That is how the Homestead and Disabled Veteran Credits have always been reimbursed and the PRC should not be any different.

That brings me to another question: Do we include the 1 mill for the Medical School Levy in our reimbursement request, or will that be withheld and the tax department will pay it to the State Medical School?

Sara Meier

From: Marisa Haman <Marisa.Haman@co.ward.nd.us>
Sent: Thursday, December 5, 2024 1:14 PM
To: Myers, Shelli L. <slmyers@nd.gov>; NDACO Treasures <tr@ndaco.org>; NDACO Auditors <auditors@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>
Cc: Heinle, Paul <pheinle@nd.gov>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Williams, Vicki <vwilliams@nd.gov>
Subject: RE: Answers to a few recent questions

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I'm confused, in the scenario below if the taxpayer paid with the discount they didn't pay $250, they paid $237.50. We are refunding only the $237.50 to the taxpayer correct not $250.00 right?

Marisa Haman
Auditor/Treasurer
p:701.857.6417
f:701.857.6424
marisa.haman@wardnd.com



Did you know?!?!

Ward County is on Facebook and posts updates on jobs, taxes, elections,etc.?! To follow us there, visit: https://www.facebook.com/wardcounty1

Election information (including ID requirements and how to apply for an absentee ballot) can be found at: https://vip.sos.nd.gov/

To pay your taxes online: https://itax.tylertech.com/wardnd

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Thursday, December 5, 2024 12:55 PM
To: NDACO Treasures <tr@ndaco.org>; NDACO Auditors <auditors@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>
Cc: Heinle, Paul <pheinle@nd.gov>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Williams, Vicki <vwilliams@nd.gov>
Subject: RE: Answers to a few recent questions

EXTERNAL email received. DO NOT open suspicious emails.

Hello again.

A question just came in that I will address to everyone.

Can you clarify about MH's a bit more for me? If MH taxes are less than $500, will they only get a refund of what they paid prior to the discount?

Ex. My MH taxes were $250 prior to the discount. Will I get a refund of $250(taxes I paid)from the county or $500?

We are getting ready to help with abatements for the 2024 MH taxes that are paid already and have been approved of the PRC credit. We want to clarify the amount to refund/abate. Tax amount(without discount) or ($500- assuming the state will reimburse the County in June 2025).

If the tax paid was less than $500 the refund to the mobile homeowner would be what they paid (in the example above it would be $250, not $500). If the tax paid was more than $500, they would only get $500.

Thanks for the follow-up questions!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Myers, Shelli L.
Sent: Thursday, December 5, 2024 11:16 AM
To: NDACO Treasures <tr@ndaco.org>; NDACO Auditors <auditors@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>
Cc: Heinle, Paul <pheinle@nd.gov>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Williams, Vicki <vwilliams@nd.gov>
Subject: Answers to a few recent questions

Good morning, everyone,

I hope this email finds you all well and warm. I've received several similar questions which I will share the answers to below.

Question 1:
Should the PRC be applied before or after the discount? If it is before, the refund will be less than the credit given. (regarding mobile home refund)

Answer 1:
While this was programmed correctly, the credit should be applied to the consolidated tax prior to the discount (because you cannot receive a discount on a credit), the refund for mobile homes, however, should be issued at $500. Make sure to adjust your certification that is due by January 1st.

Question 2:
Are transfers allowed to happen after tax bills go out?

Answer 2:
There is no provision in statute to limit the transfer period, so please transfer the credit. The November 1st deadline was for our office to be able to get you the information in time for your tax statements. If a property owner contacts our office, I've instructed the team to direct them to the county office for the transfer.

Question 3:
Are we receiving PRC inserts? ETA?

Answer 3:
The inserts are coming, unfortunately, the printer did not send them out when they said they were going to. I did get confirmation yesterday that they are sending them out on Monday. I am sorry for the inconvenience this caused!

If you have any further questions, please let me know.

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Dawn Rhone <Dawn.Rhone@mortonnd.org>
Sent: Wednesday, December 18, 2024 9:42 AM
To: NDACO Auditors
Subject: Fw: PRC transfers

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Has anyone received any guidance from the state on how to handle these situations? I have sent multiple emails to Shelly and received no response!

From: Dawn Rhone
Sent: Tuesday, December 10, 2024 2:30 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Cc: 'auditors@ndaco.org' <auditors@ndaco.org>
Subject: PRC transfers
Importance: High

Hi Shelli
I had another property owner contact me today requesting a transfer of the PRC from a property in another county. Today it is a property owner that moved to Morton from Stark. I spoke with Karen in Stark and we are not sure how to proceed with this since she has already sent tax statements out, so is she supposed to send a corrected statement to the new owner of that property without the PRC. And then what about her upload of the credits to the state since she has already done that and it included this parcel which I am now going to include in my PRC upload. We have already sent statements also, so I am to send a corrected statement with the PRC? I have not uploaded my PRC file, but I can go in and manually add this credit to the file before I upload.
When does this end, can a taxpayer call in February and request a transfer yet? There has to be a deadline for these transfers!

Splonskowski, Mark D.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Friday, December 20, 2024 3:33 PM
To: NDACO Auditors; NDACO Tax Directors
Subject: PRC and Mobile Home Merriment

Follow Up Flag: Follow up
Flag Status: Completed

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Hello!

The Abstract of Tax List (SPC) data creates the Statistical Report that is published each year by our office. The PRC has prompted questions from some of you that has raised questions on our end as well. Keeping the integrity of the Statistical Report is the goal. That being said, some counties are applying the PRC credit to the Mobile Homes prior to generating the Abstract of Tax List, while others are applying the credit after generating the Abstract of Tax List.

I'm sharing a link to a spreadsheet for us to be able to gather information regarding this topic. The spreadsheet will automatically update on our end, so you don't need to save and send it back.

Please fill it out as soon as possible so that we can figure out what we need to do on our end to make sure our data is accurate.

PRC & Mobile Home Data Spreadsheet link:
[redacted]

Thank you so much!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

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Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Monday, February 3, 2025 8:49 AM
To: Splonskowski, Mark D.
Subject: RE: PRC Disbursement Timeframe

Good morning,

Yes, we have your certification.

Have a great day,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Friday, January 31, 2025 1:04 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: RE: PRC Disbursement Timeframe

Hey Shelly, do we have all our information submitted? Just want to make sure.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Friday, January 31, 2025 12:18 PM
To: NDACO Auditors <auditors@ndaco.org>; NDACO Treasures <tr@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>
Cc: Heinle, Paul <pheinle@nd.gov>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Williams, Vicki <vwilliams@nd.gov>
Subject: PRC Disbursement Timeframe
Importance: High

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

Good afternoon,

We have 11 counties that have not submitted the PRC certifications as of today. We plan to disburse funds on March 1st. To receive a payment on that date, please submit your PRC Certification by February 15th.

For any abatements received after that date or for those who do not submit their certification by February 15th, a second round of funds will be issued by June 1st. To qualify for the June payment, please ensure your certification is uploaded by May 1st.

Please keep in mind that because the PRC spans two different biennium's, funding to counties for reimbursing 2024 credits issued expires on June 30, 2025. With that in mind, it would be advantageous to have your certification in by the first of May.

I have attached a short form for PRC abatements for your convenience and the convenience of the taxpayer if you chose to use it. If you'd rather not, it is not mandatory.

Have a great weekend, everyone!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Krivoruchka, Nicole
Sent: Tuesday, February 4, 2025 9:48 AM
To: Faller, Krista; Mindt, Julie; Magnuson, Debbie; Erickson, Bonnie S.; Kessel, Marcia; Deschamp, Emily R.; Monson, Ann M.; Schumacher, Mindy; Kidd, Sydnee; Vandegraft, Amie; Burns, Sheila A.; Splonskowski, Mark D.; Heinle, Sarah; Madrigga, Brandy; Hildebrand, Alicia; Gellner, Lisa M.; Stremick, Cynthia M.; -Grp-LOC Dickey County Auditor; -Grp-LOC Dickey Co Treasurers Office; Jastrzebski, Gayle M.; sally.whittingham@dunncountynd.org; Schumacher, Becki; Anderson, Kathy; Ohlhauser, Marlys A.; Roundy, Ellen; Sperry, Tamra L.; Loftsgard, Candie; Nelson, Debbie; Meier, Sara E.; Larson, Samantha M.; Eli, Madison; Schmidt, Jeri G.; Schoenhard, Jean; Murray, Vickie M.; Hamlin, Jan J.; Worrel, Cindy; Kristiansen, Jody; Carpenter, Darlene K.; Ketterling, Gina L.; Blumhardt, Lanette C.; Johnsrud, Erica; Knutson, Beth A.; Reed, Carmen A.; Grannis, Dawn; Rhone, Dawn R.; Hatzenbuhler, Kari L.; Pappa, Stephanie; jessican@co.mountrail.nd.us; Parks, Nathan; Schmidt, Jaden; Huber, Laura M; Gapp, Melissa; Migler, Karen; Christopherson, Kandy K.; Diseth, Lisa D.; Gentzkow, Nicole; Erickson, Kathie; Pollman, LeAnn M.; sfossum@co.richland.nd.us; serickson@co.richland.nd.us; Wuori, Kimberly; Jeanotte, Jodie L.; Bopp, Tia; Yagow, Cindy; Murray, Shirley; Fox, Lynnette R.; Eagle, Angela; IronEyes, Vernetta K.; Buzalsky, Lorrie; Germann, Colleen; Richard, Karen; Flaten, Jana; Kjorven, Sady; Alonge, Jessica; McGilvrey, Maureen; Reimer, Mindy; Haugen, Glenda M.; Swanson, Carla; Ambuehl, Tiffany; Quibell, Kristi; marisa.haman@wardnd.com; Stutlien, Dan; Muscha, Laura; Innis, Beth M.; treasurer@co.williams.nd.us; Ogurchak, Patti
Cc: Quintus, Makenzie H.; Schmidt, Gail; -Info-State Treasurer
Subject: Primary Residence Credit Authorization for Direct Deposit
Attachments: SFN 14772_Primary Residence Tax Credit(1).pdf

Good morning county officials,

As you are all most likely aware, our office will be making the first distributions for the Primary Residence Credit per N.D.C.C. 57-02-08.10. This distribution will be made to counties as certified by the tax commissioner based on the aggregate dollar amount of credits allowed under section 2 of the act in each county for the preceding year.

In order to assure we make these distributions to the proper accounts and that all local pledging requirements are made, please complete a Direct Deposit Authorization to indicate the account they'd like the funds to be deposited. If you do not provide an updated authorization form, we will deposit the funds into the most current account we have on file. I've attached a copy of the form to this email, with the appropriate distribution already checked, and it is also available online here. When completing the form, we ask that you complete the top and bottom sections and then check the box for **"Primary Residence Credit (N.D.C.C. 57-02-08.10)"** in the middle section. **Please note, we will accept this form completed and signed electronically.**

The completed forms need to be returned to our office no later than **February 28, 2025.** You can submit to our office via email (treasurer@nd.gov), fax (701-328-3002), or mail (600 E. Boulevard Ave., Dept #120, Bismarck, ND 58505).

Please let me know if you have any questions or need anything else.

Thank you for all you do!

Nicole Krivoruchka
Director of Finance | Office of State Treasurer
Phone: 701-328-2646
nkrivoruchka@nd.gov
www.treasurer.nd.gov



Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Monday, February 10, 2025 12:44 PM
To: Splonskowski, Mark D.
Subject: PRC Corrections/Additions

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Mark,

Here are some additions for the PRC. We have advised that they fill out an abatement form and submit it, but I wanted to let you know that they were approved on our end. If you want to add them to your certification now and resubmit prior to 2/15, we can get them on the March payment. If not, they can be added and submitted on the June payment.

First and Last Name	Phone #	Physical Address	City, State, Zip Code
[redacted]			

Thanks,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Friday, February 21, 2025 12:02 PM
To: NDACO Auditors; NDACO Tax Directors; NDACO Treasures
Cc: Williams, Vicki; Ohlhauser, Sarah F.; Pfaff, Ross T.; Heinle, Paul; Hummel, Jessi L.; Hasenyager, Amber; Braun, Keston
Subject: Trusts and the Primary Residence Credit

Importance: High

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

Happy Friday, everyone,

I wanted to provide a plan for the passage and signing of SB 2201. This legislation makes all trusts eligible for the primary residence credit, including retroactively for 2024. When a trust applies for the 2025 tax year through the normal application process, they will need to answer two questions: whether their property is held in a trust, and if it was held in a trust the previous year. Answering these two questions provides an application for each year.

According to the language in the bill (outlined below), a qualifying trust for the 2024 taxable year can file for an abatement to claim the refund.

At the conclusion of the application period, you will receive a report listing the names, addresses, and parcel numbers of qualifying trust properties for 2024 with one abatement form filled out by the Office of State Tax Commissioner requesting a refund on behalf of the taxpayers for each parcel number on the list. This will help mitigate any issues of a trust holder not understanding how to file and will save time, cost, and effort for your offices.

We'd also like to follow the same process for mobile home to ease the burden of the abatement issues that will be happening in the 2026 tax year. To accomplish this task, please supply a list of your mobile home parcel numbers to us at propertytax@nd.gov.
If you have any questions or thoughts, please let me know.

SECTION 2. RETROACTIVE EFFECTIVE DATE - APPLICATION - EXPIRATION DATE.
This Act is retroactively effective and applies for the first two taxable years beginning after December 31, 2023, and after that date is ineffective. A taxpayer who, regardless of the application requirements and deadlines under section 57-02-08.9, qualifies for a credit under this Act against taxes levied on a primary residence owned through a beneficial interest in **a qualifying trust in taxable year 2024, may file an abatement claim no later than May 1, 2025, to receive a refund of taxes paid equal to the amount of the credit allowed** under this Act. Supplemental certifications by the county auditor and the tax commissioner and supplemental payments by the state treasurer shall be made and distributed according to the procedures provided under section 57-02-08.10 and may be made after the dates prescribed in section 57-02-08.10.

Armstrong Signs First Bill of 2025 Legislative Session, Expanding Eligibility for Primary Residence Tax Credit | North Dakota Office of State Tax Commissioner

As always, if you have any questions, comments, or concerns, please feel free to reach out.

Have a great weekend,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Wednesday, March 12, 2025 2:50 PM
To: Splonskowski, Mark D.
Subject: RE: PRC Audit

Perfect. Thank you.

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, March 12, 2025 2:41 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: RE: PRC Audit

Brandi was handling a lot of those at the time so Im not 100% sure, however, I have reviewed their information and we show that they have lived at those location for several years so I guess I cant see a reason why they would be denied the PRC.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Wednesday, March 12, 2025 1:43 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: PRC Audit

Thanks for the information. One more question, do you show why the last two parcels were granted the PRC at the local level?

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, March 12, 2025 10:39 AM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: RE: PRC Audit

Good morning, Shelli.
I have verified the first two properties have receive the PRC. And I have verified that the owners of the two last properties have owned these properties for several years and that their mailing address is the same as the property address. Do you need any further verification?

Mark Splonskowski
Burleigh County Auditor/Treasurer

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Wednesday, March 12, 2025 10:27 AM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: FW: PRC Audit
Importance: High

Hi Mark,

Could I please get response on the four parcels below? I will then be able to finalize the audit.

Thanks,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Myers, Shelli L.
Sent: Monday, March 10, 2025 9:31 AM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: PRC Audit

Thanks, Mark!

Can you please verify the following?

These four we do not need statements for, but we do need verification:

[redacted] – Need verification that the PRC was applied
[redacted] – Need verification that the PRC was applied
[redacted] – Approved at the local level, not on the state level. Please explain.
[redacted] – Approved at the local level, not on the state level. Please explain.

Thank you,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Monday, March 10, 2025 8:10 AM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: RE: PRC Audit

Here you go! Let me know if there's anything else you need.
Have a great day!

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Saturday, March 8, 2025 6:00 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: PRC Audit
Importance: High

Hi Mark,

As part of the audit of the Primary Residence Credit, we are selecting some parcels from every county to review. We need the requested tax statements by Tuesday, March 11th, so that your county's funds can be released.

Please provide the 2024 tax statements for the below parcels:

[redacted]

These four we do not need statements for, but we do need verification:

[redacted] – Need verification that the PRC was applied
[redacted] – Need verification that the PRC was applied
[redacted] – Approved at the local level, not on the state level. Please explain.
[redacted] – Approved at the local level, not on the state level. Please explain.

Thank you,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Friday, March 21, 2025 10:41 AM
To: NDACO Treasures; NDACO Tax Directors; NDACO Auditors
Cc: Williams, Vicki; Ohlhauser, Sarah F.; Pfaff, Ross T.; Heinle, Paul
Subject: Abatement After the PRC
Attachments: Abatement after PRC applied.xlsx

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

Good morning!

I've had questions on how to apply abatements after the Primary Residence Credit has been applied. Since there is no mechanism to receive money back from the PRC, the adjustments will need to be calculated in the HPC or DVC. We put together this handy dandy spreadsheet to help make the process easier.

Please let me know if you have any questions.

Have a great weekend,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~*Nancy Leigh Demoss*

Splonskowski, Mark D.

From: Jacobs, Leigh
Sent: Friday, March 28, 2025 9:08 AM
To: Ripplinger, Ronda
Cc: Schmidt, Taylor; Splonskowski, Mark D.
Subject: RE: Primary Residence - State Treasurer

Have we done the setup in TaxWise?

[redacted]

Looks like we have some procedures out there in the above directory.

I would suggest that you create a new account in Visions to track these funds. Something like the following would more or less follow the numerical order in our ledger:

account #: 33640

name: PRIMARY RESIDENCE CREDIT

My assumption (this may not be correct) is that the primary residence credit is apportioned along the same or similar lines to the taxes, since it is a credit to tax. I don't know a lot about taxwise, but I believe there is a template for tax collections. On the Visions side, any fund that receives primary residence apportioning would need the new account added.

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

From: Ripplinger, Ronda <roripplinger@nd.gov>
Sent: Friday, March 28, 2025 8:52 AM
To: Jacobs, Leigh <ljacobs@nd.gov>; Schmidt, Taylor <schmidt.taylor@nd.gov>; Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: Primary Residence - State Treasurer

Good Morning

Looks like we got some Primary Residence monies today.

What GL code should I be putting this in too?

3/28/2025 [redacted]

Credit Amount:
Bank Ref:

COMPANY NAME: STATE TREASURER
ENTRY DESC: PRIME RES
RECIPIENT ID:
RECIPIENT NAME:BURLEIGH COUNTY TREASU
[redacted]
ENTRY CLASS CODE: CCD
DISCRETIONARY DATA:
[redacted]

State Treas

Ronda D. Ripplinger

Deputy Auditor/Treasurer

Burleigh County Auditor/Treasurer Office

221 N. 5th Street, PO Box 5518

Bismarck, ND 58501

Office: (701) 222-6694

Direct: (701) 712-2877

Fax: (701) 222-7528

Splonskowski, Mark D.

From: Grannis, Dawn <dgrannis@nd.gov>
Sent: Thursday, April 3, 2025 8:49 AM
To: Hatzenbuhler, Kari L.; NDACO Treasures
Subject: RE: PRC Mobile Home Refunds

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I am just issuing the refunds, and only what they paid.

Have a Great Day! ☺

Dawn Grannis
Mercer County Treasurer
701 745 3323
dgrannis@nd.gov

We are providing this information under the open record laws and do not guarantee its sufficiency. This office takes no responsibility for accuracy, errors, or omissions of documents.

From: Kari Hatzenbuhler <Kari.Hatzenbuhler@mortonnd.org>
Sent: Thursday, April 3, 2025 8:25 AM
To: NDACO Treasures <tr@ndaco.org>
Subject: PRC Mobile Home Refunds
Importance: High

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

Good Morning!

Question for you all. How are you handling the Mobile Home refunds for PRC? Are you backing all the payments off, creating new bills then reposting with PRC to get refund? OR, Are you just refunding each parcel that was paid and making notes in your system to reflect what they had paid and now are due a refund?

Thanks
Kari

KARI HATZENBUHLER
TREASURER
210 2nd Ave NW, Mandan, ND 58554
kari.hatzenbuhler@mortonnd.org
701.667.3310
www.mortonnd.org

Splonskowski, Mark D.

From: Worrel, Cindy
Sent: Tuesday, April 8, 2025 1:37 PM
To: Splonskowski, Mark D.
Subject: RE: MH PRC credit
Attachments: Mobile Home PRC Tax Parcel List.xlsx

Here is our spread sheet

From: Splonskowski, Mark D.
Sent: Tuesday, April 8, 2025 1:18 PM
To: NDACO Auditors ; NDACO Treasures
Cc: Myers, Shelli L.
Subject: MH PRC credit

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

If a person paid their taxes and got the 5% discount are you refunding them the amount they paid with the 5% discount? If the amount they paid was less than $500, what are you doing with the balance?

Thanks.

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Germann, Colleen
Sent: Tuesday, April 8, 2025 1:52 PM
To: Splonskowski, Mark D.
Subject: RE: MH PRC credit

We submitted the discount to the state with the amounts and were refunded the 5% amount so we are paying back what the state gave us which is the 5% amount.

From: Splonskowski, Mark D.
Sent: Tuesday, April 8, 2025 12:18 PM
To: NDACO Auditors ; NDACO Treasures
Cc: Myers, Shelli L.
Subject: MH PRC credit

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

If a person paid their taxes and got the 5% discount are you refunding them the amount they paid with the 5% discount? If the amount they paid was less than $500, what are you doing with the balance?

Thanks.

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Wednesday, April 9, 2025 2:52 PM
To: NDACO Treasures; NDACO Tax Directors; NDACO Auditors
Cc: Heinle, Paul; Ohlhauser, Sarah F.; Pfaff, Ross T.; Williams, Vicki; Hasenyager, Amber
Subject: FW: Abatement After the PRC

Importance: High

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

Good afternoon, everyone,

I've got an update to the email below. I've been working with the Treasurer's office to see how the state can receive overpayments for modified parcels due to other credits being applied for, etc. for the Primary Residence Credit. If you have an overpayment, you can send a check to the State Treasurer's office noting an overpayment for the Primary Residence Credit due to (insert issue, HPC abatement, etc.).

If you have any questions, feel free to reach out.

Thank you,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Myers, Shelli L.
Sent: Friday, March 21, 2025 10:41 AM
To: NDACO Treasures <tr@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>; NDACO Auditors <auditors@ndaco.org>
Cc: Williams, Vicki <vwilliams@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Heinle, Paul <pheinle@nd.gov>
Subject: Abatement After the PRC

Good morning!

I've had questions on how to apply abatements after the Primary Residence Credit has been applied. Since there is no mechanism to receive money back from the PRC, the adjustments will need to be calculated in the HPC or DVC. We put together this handy dandy spreadsheet to help make the process easier.

Please let me know if you have any questions.

Have a great weekend,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER

600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Sent: Monday, April 14, 2025 1:02 PM
To: Splonskowski, Mark D.
Subject: RE: Mobile Home PRC

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

Mark,

If the PRC takes up all of the taxes, then the penalty and interest will be waived. For mobile homes that still have taxes owing, we are applying penalty and interest. We are treating them the same as when HC & VC are applied. Does that make sense?

Thank you,

CASS COUNTY GOVERNMENT

Alicia M. Hildebrand
Treasury Manager
Cass County Finance Office
211 9th Street South
Fargo ND 58108-2806
hildebranda@casscountynd.gov
Fax: 701-241-5728
D: 701-241-5606

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Monday, April 14, 2025 12:55 PM
To: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Subject: Mobile Home PRC

CAUTION: EXTERNAL EMAIL

Good afternoon,
How are you handling the Primary Residence Credit funds for Mobile homes whose taxes have not yet been paid? Are you waiving the penalty and interest, or no?
Thanks, and have a great day!

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Sally Whittingham <sally.whittingham@dunncountynd.gov>
Sent: Tuesday, April 15, 2025 9:31 AM
To: Jeanotte, Jodie L.; NDACO Treasures
Subject: RE: Posting PRC

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

We have to post to 2024, we aren't allowed to use on back taxes

Sally Whittingham
Dunn County Auditor
701-573-9900
Courthouse Hours
M-Th 7:00 – 4:30 Friday 8:00 - 12:00
Email address now ends in .GOV

From: Jeanotte, Jodie L. <jljeanotte@nd.gov>
Sent: Tuesday, April 15, 2025 8:08 AM
To: NDACO Treasures <tr@ndaco.org>
Subject: Posting PRC

Good Morning,
If there are taxpayers with prior years due are we posting the $500 or (whatever amount certified) to those years first or just the 2024 taxes?

Jodie Jeanotte
Rolette County Treasurer
PO Box 939
Rolla ND 58367
701-477-3207
jljeanotte@nd.gov

Splonskowski, Mark D.

From: Linda Svihovec <Linda.Svihovec@ndaco.org>
Sent: Tuesday, April 15, 2025 9:31 AM
To: Jeanotte, Jodie L.; NDACO Treasures
Subject: RE: Posting PRC

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

Jodie,
The PRC is a **credit** on the 2024 property taxes so must be applied to the 2024 tax.

Linda Svihovec
ND Association of Counties
Cell: 701-570-0082

From: Jeanotte, Jodie L. <jljeanotte@nd.gov>
Sent: Tuesday, April 15, 2025 9:08 AM
To: Treasurers <tr@ndaco.org>
Subject: Posting PRC

Good Morning,
If there are taxpayers with prior years due are we posting the $500 or (whatever amount certified) to those years first or just the 2024 taxes?

Jodie Jeanotte
Rolette County Treasurer
PO Box 939
Rolla ND 58367
701-477-3207
jljeanotte@nd.gov

Splonskowski, Mark D.

From: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Sent: Tuesday, April 15, 2025 2:16 PM
To: Splonskowski, Mark D.
Subject: RE: Mobile Home PRC

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

Roughly 230 and 188 refunds.

Thank you,

CASS COUNTY GOVERNMENT

Alicia M. Hildebrand
Treasury Manager
Cass County Finance Office
211 9th Street South
Fargo ND 58108-2806
hildebranda@casscountynd.gov
Fax: 701-241-5728
D: 701-241-5606

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Tuesday, April 15, 2025 2:14 PM
To: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Subject: RE: Mobile Home PRC

CAUTION: EXTERNAL EMAIL

Ok thanks. How many did you have to process?

From: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Sent: Tuesday, April 15, 2025 1:23 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: Mobile Home PRC

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

Mark,

Yes, we've generated corrected statements.

Thank you,

Alicia M. Hildebrand
Treasury Manager
Cass County Finance Office
211 9th Street South
Fargo ND 58108-2806
hildebranda@casscountynd.gov
Fax: 701-241-5728
D: 701-241-5606

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Tuesday, April 15, 2025 11:05 AM
To: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Subject: RE: Mobile Home PRC

CAUTION: EXTERNAL EMAIL

Ok thanks that makes sense. Are you creating a new tax statement for each parcel that receives the credit too?

From: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Sent: Monday, April 14, 2025 1:02 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: Mobile Home PRC

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

Mark,

If the PRC takes up all of the taxes, then the penalty and interest will be waived. For mobile homes that still have taxes owing, we are applying penalty and interest. We are treating them the same as when HC & VC are applied. Does that make sense?

Thank you,

Alicia M. Hildebrand
Treasury Manager
Cass County Finance Office
211 9th Street South
Fargo ND 58108-2806
hildebranda@casscountynd.gov
Fax: 701-241-5728
D: 701-241-5606

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Monday, April 14, 2025 12:55 PM
To: Hildebrand, Alicia <HildebrandA@casscountynd.gov>
Subject: Mobile Home PRC

CAUTION: EXTERNAL EMAIL

Good afternoon,
How are you handling the Primary Residence Credit funds for Mobile homes whose taxes have not yet been paid?
Are you waiving the penalty and interest, or no?
Thanks, and have a great day!

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Wednesday, April 16, 2025 4:46 PM
To: Splonskowski, Mark D.
Subject: RE: PRC

Hi Mark,

That is correct, the refund will be without the discount, even if they paid with the discount. If a mobile home's consolidated tax was $350 and they paid on Feb. 2 to receive the discount of $17.50, the total they paid was $332.50. The certified discount from the county would be the $350, therefore, the amount you would refund to the mobile home owner would be $350, not the $332.50.

This is confusing and you aren't the only one asking the question.

Please let me know if you have further questions!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 16, 2025 3:50 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: PRC

Good afternoon Shelli,
I hate to be a broken record, but I just wanted to verify this before moving forward. If a person paid their mobile home taxes and received the 5% discount but the total taxes due were below the $500 we still pay them what they originally owed, NOT the amount paid with the 5% discount. Example, if a person owes $500 in taxes but receives the 5% discount and actually paid $425, we still refund them the $500 they originally owed, NOT $475. Is that Correct?

Thaks and have a great evening.

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Jeanotte, Jodie L.
Sent: Monday, April 21, 2025 11:44 AM
To: Splonskowski, Mark D.
Subject: Question

Follow Up Flag: Follow up
Flag Status: Completed

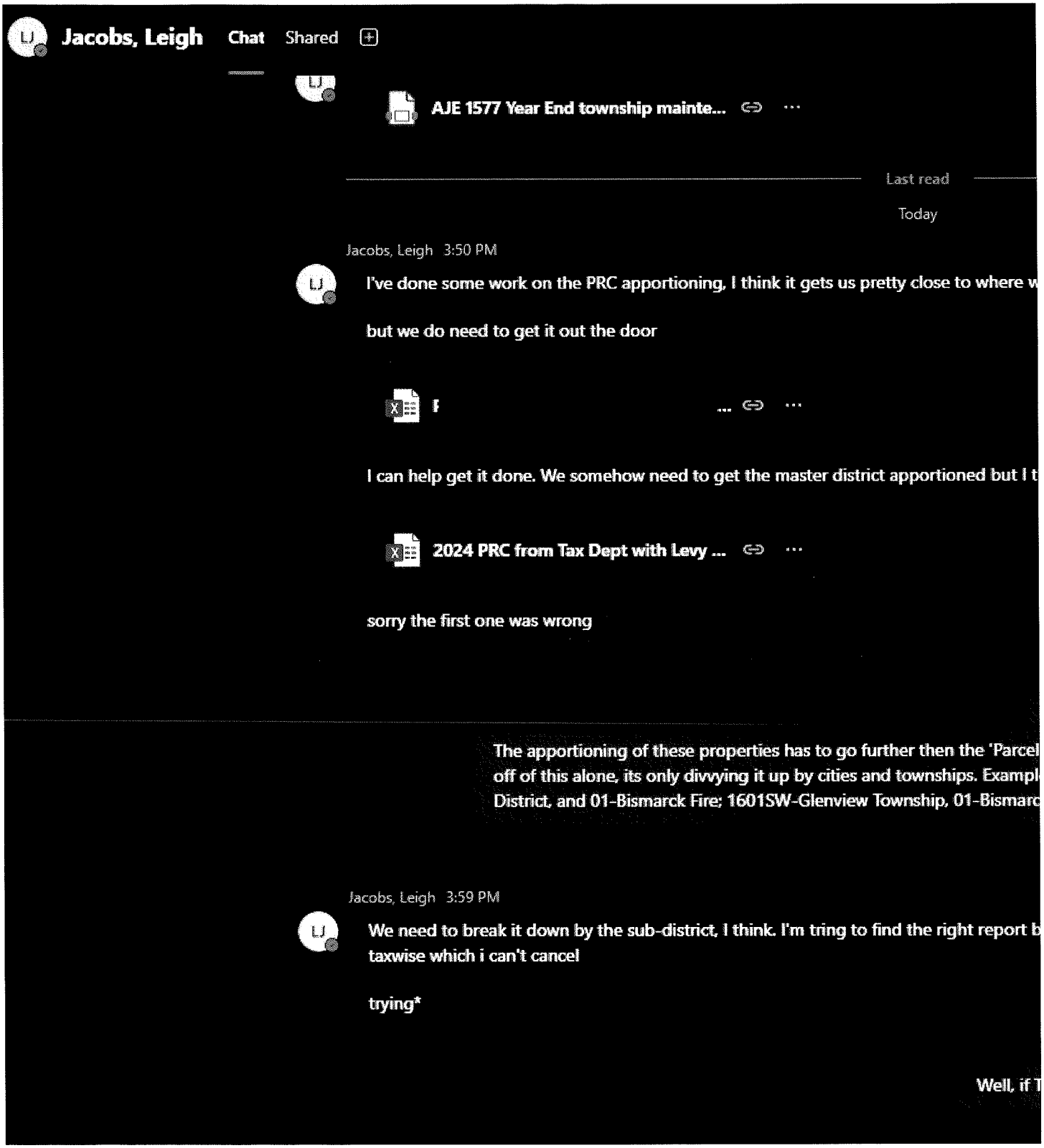
Good Morning Mark,
I am just wondering what other treasurer's are doing with the refunds for Primary Residence Credit when it comes to escrow company's. Are you sending to the taxpayers or the banks?
I feel like we were told this once before but, I cannot recall.
Thank you!

Jodie Jeanotte
Rolette County Treasurer
PO Box 939
Rolla ND 58367
701-477-3207
jljeanotte@nd.gov

Splonskowski, Mark D.

From: Larson, Thomas
Sent: Wednesday, April 23, 2025 4:02 PM
To: Splonskowski, Mark D.
Subject: Conversation with Leigh

Just an FYI.



Thomas Larson
Executive Assistant / Elections Coordinator
BURLEIGH COUNTY AUDITOR/TREASURER OFFICE
221 N. 5th Street, PO Box 5518 | Bismarck, ND 58501
Office: (701)222-6694 | Direct: (701)712-6210
Fax: (701) 222-7528 | LarsonThomas@ND.gov

Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Wednesday, April 23, 2025 4:37 PM
To: Splonskowski, Mark D.
Subject: RE: PRC

Hi Mark,

N.D.C.C. § 57-02-08.10(5) says "Within fourteen days of receiving the payment from the state treasurer, but no later than June thirtieth of each year after 2024, the county treasurer shall apportion and distribute the payment to the county and to the taxing districts of the county on the same basis as property taxes for the preceding year were apportioned and distributed."

Have a good evening,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 23, 2025 4:11 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: RE: PRC

Good afternoon, Is there a timeline in which the PRC funds have to be sent out and apportioned?
Thanks.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Wednesday, April 16, 2025 4:46 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: PRC

Hi Mark,

That is correct, the refund will be without the discount, even if they paid with the discount. If a mobile home's consolidated tax was $350 and they paid on Feb. 2 to receive the discount of $17.50, the total they paid was $332.50. The certified discount from the county would be the $350, therefore, the amount you would refund to the mobile home owner would be $350, not the $332.50.

This is confusing and you aren't the only one asking the question.

Please let me know if you have further questions!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 16, 2025 3:50 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: PRC

Good afternoon Shelli,
I hate to be a broken record, but I just wanted to verify this before moving forward. If a person paid their mobile home taxes and received the 5% discount but the total taxes due were below the $500 we still pay them what they originally owed, NOT the amount paid with the 5% discount. Example, if a person owes $500 in taxes but receives the 5% discount and actually paid $425, we still refund them the $500 they originally owed, NOT $475. Is that Correct?

Thaks and have a great evening.

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Worrel, Cindy
Sent: Wednesday, April 23, 2025 4:17 PM
To: Splonskowski, Mark D.
Subject: FW: Posting PRC

Mark here was some discussion regarding MH. Hope this helps

From: Linda Svihovec <Linda.Svihovec@ndaco.org>
Sent: Tuesday, April 15, 2025 9:31 AM
To: Jeanotte, Jodie L. <jljeanotte@nd.gov>; NDACO Treasures <tr@ndaco.org>
Subject: RE: Posting PRC

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

Jodie,
The PRC is a **credit** on the 2024 property taxes so must be applied to the 2024 tax.

Linda Svihovec
ND Association of Counties
Cell: [redacted]

From: Jeanotte, Jodie L. <jljeanotte@nd.gov>
Sent: Tuesday, April 15, 2025 9:08 AM
To: Treasurers <tr@ndaco.org>
Subject: Posting PRC

Good Morning,
If there are taxpayers with prior years due are we posting the $500 or (whatever amount certified) to those years first or just the 2024 taxes?

Jodie Jeanotte
Rolette County Treasurer
PO Box 939
Rolla ND 58367
701-477-3207
jljeanotte@nd.gov

Splonskowski, Mark D.

From: Grannis, Dawn
Sent: Thursday, April 24, 2025 8:14 AM
To: Splonskowski, Mark D.
Subject: RE: PRC

Mark,

In Mercer County mobile homes never (with the exception of once that I can remember) get out past the current year. Our sheriff makes sure they are collected. And I just did my PRC apportionment like I would do the homestead or disabled vet credit.

Have a Great Day! 😊

Dawn Grannis
Mercer County Treasurer
701 745 3323
dgrannis@nd.gov

We are providing this information under the open record laws and do not guarantee its sufficiency. This office takes no responsibility for accuracy, errors, or omissions of documents.

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 23, 2025 4:13 PM
To: NDACO Auditors <auditors@ndaco.org>; NDACO Treasures <tr@ndaco.org>
Subject: PRC

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

Good afternoon, how are you handling mobile home refunds if they have 2024 and 2023 taxes owing? Also, how are you handling the apportioning of the real estate portion of the PRC funds? Thanks

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Ripplinger, Ronda
Sent: Thursday, April 24, 2025 8:15 AM
To: Jacobs, Leigh; Splonskowski, Mark D.
Subject: Re: Taxwise PRC Report
Attachments: Primary Residence Credit.pdf

So this is the report I ran this morning and like on Leigh's report we are showing we received more than what was run and that is because the Mobile homes are not included in this report which are on this report so it appears we received $253,652.40 for the paid and we received $18,524.99 for the unpaid.

I am going to run an apportioning report now and see if it works the way we need it too.

Ronda D. Ripplinger
Deputy Auditor/Treasurer
Burleigh County Auditor/Treasurer Office
221 N. 5th Street, PO Box 5518
Bismarck, ND 58501
Office: (701) 222-6694
Direct: (701) 712-2877
Fax: (701) 222-7528

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Wednesday, April 23, 2025 4:52 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>
Subject: Taxwise PRC Report

Mark & Ronda, here is the PRC report from TaxWise. It does give us the parcel number but doesn't apportion it for us. We need to calculate that

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

Splonskowski, Mark D.

From: Sally Whittingham <sally.whittingham@dunncountynd.gov>
Sent: Thursday, April 24, 2025 8:04 AM
To: Splonskowski, Mark D.
Subject: RE: PRC

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

Hi Mark,

Our software company programmed so that when we entered our PRC it did the apportioning for us. As far as the refunds the state said we had to apply to 2025 and couldn't use it on past due. Hope that helps a little.

Thanks

Sally Whittingham
Dunn County Auditor
701-573-9900
Courthouse Hours
M-Th 7:00 – 4:30 Friday 8:00 - 12:00
Email address now ends in .GOV

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 23, 2025 3:13 PM
To: NDACO Auditors <auditors@ndaco.org>; NDACO Treasures <tr@ndaco.org>
Subject: PRC

Good afternoon, how are you handling mobile home refunds if they have 2024 and 2023 taxes owing? Also, how are you handling the apportioning of the real estate portion of the PRC funds? Thanks

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Grannis, Dawn
Sent: Thursday, April 24, 2025 8:14 AM
To: Splonskowski, Mark D.
Subject: RE: PRC

Mark,

In Mercer County mobile homes never (with the exception of once that I can remember) get out past the current year. Our sheriff makes sure they are collected. And I just did my PRC apportionment like I would do the homestead or disabled vet credit.

Have a Great Day! ☺

Dawn Grannis
Mercer County Treasurer
701 745 3323
dgrannis@nd.gov

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From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 23, 2025 4:13 PM
To: NDACO Auditors <auditors@ndaco.org>; NDACO Treasures <tr@ndaco.org>
Subject: PRC

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Good afternoon, how are you handling mobile home refunds if they have 2024 and 2023 taxes owing? Also, how are you handling the apportioning of the real estate portion of the PRC funds? Thanks

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Grannis, Dawn
Sent: Thursday, April 24, 2025 8:18 AM
To: Splonskowski, Mark D.
Subject: RE: PRC

I did mine the first few days in April.

Have a Great Day! ☺

Dawn Grannis
Mercer County Treasurer
701 745 3323
dgrannis@ng.gov

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From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Thursday, April 24, 2025 8:15 AM
To: Grannis, Dawn <dgrannis@nd.gov>
Subject: RE: PRC

Ok great thanks! When did you get your PRC apportioned?

From: Grannis, Dawn <dgrannis@nd.gov>
Sent: Thursday, April 24, 2025 8:14 AM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: PRC

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Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Thursday, April 24, 2025 9:06 AM
To: Splonskowski, Mark D.
Subject: RE: PRC

I read this as having received payment on March 29th you would have 14 days from then, and then receiving payment in June, you have 14 days from whenever you get that payment, but no later than June 30. That is just how I read it, I'm not a lawyer so I would talk to your states attorney to have them interpret it for you.

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Thursday, April 24, 2025 8:12 AM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: RE: PRC

Ok so we have until June 30th to get the funds apportioned?

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Wednesday, April 23, 2025 4:37 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: PRC

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State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

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Subject: RE: PRC

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Thanks.

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Sent: Wednesday, April 16, 2025 4:46 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
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From: Splonskowski, Mark D. <msplonskowski@nd.gov>
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Thaks and have a great evening.

Mark Splonskowski
Burleigh County Auditor/Treasurer

Splonskowski, Mark D.

From: Schmidt, Taylor
Sent: Thursday, April 24, 2025 10:22 AM
To: Jacobs, Leigh; Ripplinger, Ronda; Splonskowski, Mark D.
Subject: RE: Taxwise PRC Report

I think the $500 that can't be reconciled is parcel 2[redacted] This parcel has a PRC of $500 on the Taxwise list but was not on the Tax Department list.

Taylor Schmidt
Deputy Finance Director
Burleigh County

(701) 712-8354
schmidt.taylor@nd.gov
316 N 5th St Ste 104
Bismarck, ND 58501
www.burleigh.gov

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Thursday, April 24, 2025 10:14 AM
To: Ripplinger, Ronda <roripplinger@nd.gov>; Splonskowski, Mark D. <msplonskowski@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>
Subject: RE: Taxwise PRC Report

There is a difference between the Tax Department's certified amounts and the amounts from the TaxWise report

Taxwise Shows $10,429,001 to apportion for RE; but the ND Tax Department certified $10,438,136

This is a difference of $9,135.29

There are at least 12 people($6000) in the ND Tax Department report who are not on the TaxWise apportioning report.

Also, TaxWise does not calculate a refund. I.e., if the Tax Department gave someone $500 but they only owe $200, TaxWise will only apply $200. So this difference amounts to $3,635.29. That leaves $500 that I can't exactly reconcile

So, we'll need to do some additional work to fix the reconciliation

From: Ripplinger, Ronda <roripplinger@nd.gov>
Sent: Thursday, April 24, 2025 8:15 AM
To: Jacobs, Leigh <ljacobs@nd.gov>; Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: Re: Taxwise PRC Report

So this is the report I ran this morning and like on Leigh's report we are showing we received more than what was run and that is because the Mobile homes are not included in this report which are on this report so it appears we received $253,652.40 for the paid and we received $18,524.99 for the unpaid.

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Ronda D. Ripplinger

Deputy Auditor/Treasurer

Burleigh County Auditor/Treasurer Office

221 N. 5th Street, PO Box 5518

Bismarck, ND 58501

Office: (701) 222-6694

Direct: (701) 712-2877

Fax: (701) 222-7528

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Wednesday, April 23, 2025 4:52 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>
Subject: Taxwise PRC Report

Mark & Ronda, here is the PRC report from TaxWise. It does give us the parcel number but doesn't apportion it for us. We need to calculate that

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

Splonskowski, Mark D.

From: Jacobs, Leigh
Sent: Thursday, April 24, 2025 2:40 PM
To: Ripplinger, Ronda; Schmidt, Taylor
Cc: Splonskowski, Mark D.
Subject: RE: Attached Image

That makes sense to me

From: Ripplinger, Ronda <roripplinger@nd.gov>
Sent: Thursday, April 24, 2025 2:05 PM
To: Schmidt, Taylor <schmidt.taylor@nd.gov>; Jacobs, Leigh <ljacobs@nd.gov>
Cc: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: Fw: Attached Image

These are the receipts I have I entered the payment then I reversed it after I ran the report to apportion the residential of $10,429,000.68 we have a remaining amount of $285,910.53 I think what I will do with that is put it back on the GL as and ACH to the 1[redacted] account just so our Cash is correct and when we get to the point of moving for Mobile Homes I can void it again and apply it accurately.

Let me know thoughts or concerns.

Thank you!

Ronda D. Ripplinger

Deputy Auditor/Treasurer

Burleigh County Auditor/Treasurer Office

221 N. 5th Street, PO Box 5518

Bismarck, ND 58501

Office: (701) 222-6694

Direct: (701) 712-2877

Fax: (701) 222-7528

From: c08cad001@nd.gov <c08cad001@nd.gov>
Sent: Thursday, April 24, 2025 1:59 PM

To: Ripplinger, Ronda <roripplinger@nd.gov>
Subject: Attached Image

Splonskowski, Mark D.

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Friday, April 25, 2025 11:37 AM
To: NDACO Tax Directors; NDACO Auditors; NDACO Treasures
Cc: Hasenyager, Amber; Heinle, Paul; Ohlhauser, Sarah F.; Pfaff, Ross T.; Williams, Vicki
Subject: PRC Final Distribution Timeline

Importance: High

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

Hi everyone,

I've had quite a few questions about the deadline for the final PRC distribution certification. Senate Bill 2201 allowed for any trust to apply for the 2024 credit until May 1st. You can expect from us to send your county's list to you May 2nd. At that point you will need to add the credits and report back to us with a final 2024 distribution certification by May 15th. We will then have to audit those and get them to the state treasurer by May 31st. It's kind of a tight turnaround this year, next year we won't have this particular issue, so it should be easier.

Thanks for your work and patience in our first year of PRC implementation!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Lawyer, Julie A.
Sent: Friday, April 25, 2025 1:51 PM
To: Jacobs, Leigh; Splonskowski, Mark D.
Cc: Ripplinger, Ronda; Schmidt, Taylor; Bitner, Brian
Subject: RE: Interest earned on late Primary Residence Credit Payments

Leigh:

Thanks for sending this out. Just confirming that yes, since the statute gives us up to 14 days to distribute the funds, any interest earned on the funds after the 14th day should also go to the entity receiving those funds.

Julie

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From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Friday, April 25, 2025 1:37 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Cc: Ripplinger, Ronda <roripplinger@nd.gov>; Schmidt, Taylor <schmidt.taylor@nd.gov>; Bitner, Brian <bccbitner@nd.gov>; Lawyer, Julie A. <JLAWYER@nd.gov>
Subject: Interest earned on late Primary Residence Credit Payments

Good afternoon Mark,

I spoke with Chair Bitner this week about the lateness in distributing the Primary Residence Credits. One concern was with interest the County earned on the approximately $9M of cash we were holding for other entities. Chair Bitner brought the concern to State's Attorney Lawyer who confirmed that the County is legally allowed to apportion the interest earned on those funds during the period when the funds were considered late to distribute. By my count, April 11th was the last day of the fourteen-day window the County had to distribute those funds. Fortunately, we know the daily interest rate earned on those funds and can calculate precisely how much interest each entity is entitled to.

I understand that your office was apportioning those funds yesterday, and I believe the transfers were submitted to Wells Fargo. We'll have to check on the bank statements to see on what date the funds left our account. Once we know this, I've asked Taylor to calculate the interest owed to each of the various entities, and then we can help prepare the necessary journal entries to apportion the cash. I think we can have all this information together by early next week.

Thanks and please let me know if you have any questions.

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

Splonskowski, Mark D.

From: Jeanotte, Jodie L.
Sent: Monday, April 28, 2025 3:12 PM
To: Splonskowski, Mark D.
Subject: prc refunds

Good afternoon Mark, have you gotten a reply on your question for the PRC refunds? I'm just wondering if we should email back to the taxpayers or the Mortgage company.

Jodie Jeanotte
Rolette County Treasurer
PO Box 939
Rolla ND 58367
701-477-3207
jljeanotte@nd.gov

Splonskowski, Mark D.

From: Jacobs, Leigh
Sent: Tuesday, April 29, 2025 4:03 PM
To: Ripplinger, Ronda
Cc: Splonskowski, Mark D.
Subject: RE: Reports
Attachments: PRC Entry 4.21.2025.pdf

Ronda, it looks like the apportioning entry made on the 21st does not agree with the PRC report from TaxWise.

It appears we used the distribution % to calculate the distribution amount rather than the amount listed as the "Dist Amount" on the report.

I think the City is expecting the cash they receive to agree with the supporting reports. This appears to be the source of Megan's confusion

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

From: Megan Vote <mvote@bismarcknd.gov>
Sent: Tuesday, April 29, 2025 3:30 PM
To: Larson, Thomas <larsonthomas@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>; Jacobs, Leigh <ljacobs@nd.gov>
Cc: Katie A. Petrou <kpetrou@bismarcknd.gov>; Eric Lund <elund@bismarcknd.gov>
Subject: RE: Reports

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

Good afternoon,

After entering the information into our worksheet from the template that was sent, along with comparing them to the numbers that were sent from Thomas, the totals do not match what is attached below. We are wondering if there is a rounding error somewhere that it is showing that the numbers are off by $0.77? The amount that we are off by is $2,210,363.07.

	From Thomas	From the Template
Bismarck Building Construction	21,603.67	21,603.22
Bismarck General Fund	1,901,403.93	1,901,403.67
Bismarck Library	172,235.99	172,236.11
Bismarck Special Deficiency	28,706.87	28,706.48
Bismarck Public Transportation	86,412.61	86,412.82
	2,210,363.07	2,210,362.30

Difference of the two: $0.77

Thanks,

Megan Vote
Accounting Technician

City of Bismarck
Fiscal Services
221 North Fifth Street
PO Box 5503
Bismarck ND 58506-5503

Office: 701-355-1609
Email: mvote@bismarcknd.gov
Website: bismarcknd.gov

Facebook: facebook.com/bismarcknd.gov | X: x.com/BismarckNDGov | Instagram: Instagram.com/bismarckndgov | Threads: threads.net/@bismarckndgov | LinkedIn: Linkedin.com/company/CityofBismarck | YouTube: youtube.com/bismarckndgov

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From: Larson, Thomas <larsonthomas@nd.gov>
Sent: Tuesday, April 29, 2025 8:33 AM
To: Megan Vote <mvote@bismarcknd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>; Jacobs, Leigh <ljacobs@nd.gov>
Cc: Katie A. Petrou <kpetrou@bismarcknd.gov>; Eric Lund <elund@bismarcknd.gov>
Subject: RE: Reports

CAUTION: ***External Email - Use caution clicking links or opening attachments***

Megan,

I went through the receipting of the Primary Residence Credit and got the totals that were specific to that credit.

City Of Bismarck - PRC	
Fund	*Amount*
Bismarck Building Construction	$ 21,603.67
Bismarck General Fund	1,901,403.93
Bismarck Library	172,235.99
Bismarck Special Deficiency	28,706.87
Bismarck Public Transportation	86,412.61
	$ 2,210,363.07

I believe this is what you are missing.

Thomas.

Thomas Larson

Executive Assistant / Elections Coordinator

BURLEIGH COUNTY AUDITOR/TREASURER OFFICE

221 N. 5th Street, PO Box 5518 | Bismarck, ND 58501

Office: (701)222-6694 | Direct: (701)712-6210

Fax: (701) 222-7528 | LarsonThomas@ND.gov

From: Megan Vote <mvote@bismarckndgov>
Sent: Tuesday, April 29, 2025 8:30 AM
To: Ripplinger, Ronda <roripplinger@nd.gov>; Jacobs, Leigh <ljacobs@nd.gov>; Larson, Thomas <larsonthomas@nd.gov>
Cc: Katie A. Petrou <kpetrou@bismarckndgov>; Eric Lund <elund@bismarckndgov>
Subject: RE: Reports

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

Good morning,

I have attached a copy of the difference that we are showing from what we received in the ACH remittance information and the Payment Distribution Recap by Fund tax reports. We are showing a difference of $2,210,363.07. The special assessment was correct this time along with the fire protection. Please let me know if you need anything else from us.

ach remittance info	burleigh county tax reports	difference	
23,862.02	2,258.35	21,603.67	BLDG CONSTRUCTION PAYABLE
555.40	555.40	-	FIRE PROTECTION PAYABLE
2,098,566.64	197,162.71	1,901,403.93	GENERAL FUND PAYABLE
190,086.82	17,850.83	172,235.99	LIBRARY FUND PAYABLE
95,352.71	8,940.10	86,412.61	PUBLIC TRANSPORT PAYABLE
31,687.31	2,980.44	28,706.87	SPECIAL DEFICIENCY PAYABLE
244,986.68	244,986.68	-	SPECIAL ASSESSMENT PAYABLE
2,685,097.58	474,734.51	2,210,363.07	

Thanks,

Megan Vote
Accounting Technician

City of Bismarck
Fiscal Services
221 North Fifth Street
PO Box 5503
Bismarck ND 58506-5503

Office: 701-355-1609
Email: mvote@bismarcknd.gov
Website: bismarcknd.gov

Facebook: facebook.com/bismarcknd.gov | X: x.com/BismarckNDGov | Instagram: Instagram.com/bismarckndgov | Threads: threads.net/@bismarckndgov | LinkedIn: Linkedin.com/company/CityofBismarck | YouTube: youtube.com/bismarckndgov

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From: Ripplinger, Ronda <roripplinger@nd.gov>
Sent: Tuesday, April 29, 2025 7:39 AM
To: Jacobs, Leigh <ljacobs@nd.gov>; Larson, Thomas <larsonthomas@nd.gov>; Megan Vote <mvote@bismarcknd.gov>
Subject: Reports

CAUTION: ***External Email - Use caution clicking links or opening attachments***

Good morning to you all,

I am trying to figure out what other reports Megan and her team need to reconcile, Thomas says this is all he sends them and I have already sent them the excel and the report for Bismarck Specials however they need another report and I am not sure who sends it or where it comes from.

Leigh do you send anything to Megan and her team at end of month that they would need to reconcile apportioning?

Eric tells me it is Apportionment for tax credit report.

I have not gotten to see what it is exactly that they are looking for as far as a report I thought about that when I was walking out yesterday at 5, Megan maybe you can send me a copy of what you all got last month and that might help me locate the actual report.

Eric did send me this:

County of Burleigh

Fiscal Year: 2025-2025

ACH Direct Deposit

Invoice	Inv. Date	Vendor	Total	Detail Line Description
04212025	4/21/2025	EFT CITY OF BISMARCK	$23,862.02	Bldg Construction Payable
04212025	4/21/2025	EFT CITY OF BISMARCK	$555.40	Fire Protection Payable
04212025	4/21/2025	EFT CITY OF BISMARCK	$2,098,566.64	General Fund Payable
04212025	4/21/2025	EFT CITY OF BISMARCK	$190,086.82	Library Fund Payable
04212025	4/21/2025	EFT CITY OF BISMARCK	$95,352.71	Public Transport Payable
04212025	4/21/2025	EFT CITY OF BISMARCK	$31,687.31	Spec Deficiency Payable
04212025	4/21/2025	EFT CITY OF BISMARCK	$244,986.68	Special Assessment Payable
Subtotal for Vendor:		EFT CITY OF BISMARCK	$2,685,097.58	

however this is what Thomas sends them and a cover sheet that has a copy of the EFT it looks like a copy of the check. Thomas sends them that and they have it as you can see.

I think and correct me if I am wrong Megan but you are looking for the breakdown like I send you for the Bismarck Specials which is the $244,986.68 which I have sent that and the Fire Protection sheet. As far as my end of month reports I have sent them the same ones I send at end of month. So I am not sure where the others come from, do any of you know?

Ronda D. Ripplinger

Deputy Auditor/Treasurer

Burleigh County Auditor/Treasurer Office

221 N. 5th Street, PO Box 5518

Bismarck, ND 58501

Office: (701) 222-6694

Direct: (701) 712-2877

Fax: (701) 222-7528

Splonskowski, Mark D.

From: Splonskowski, Mark D.
Sent: Tuesday, April 29, 2025 8:50 AM
To: Jeanotte, Jodie L.
Subject: RE: prc refunds

Good morning Jodie,

Can you let me know which question you are referring to?

Thanks!

Mark Splonskowski
Burleigh County Auditor/Treasurer

From: Jeanotte, Jodie L. <jljeanotte@nd.gov>
Sent: Monday, April 28, 2025 3:12 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: prc refunds

Good afternoon Mark, have you gotten a reply on your question for the PRC refunds? I'm just wondering if we should email back to the taxpayers or the Mortgage company.

Jodie Jeanotte
Rolette County Treasurer
PO Box 939
Rolla ND 58367
701-477-3207
jljeanotte@nd.gov

Splonskowski, Mark D.

From: Eagle, Angela <aeagle@nd.gov>
Sent: Thursday, March 13, 2025 11:46 AM
To: NDACO Auditors
Subject: PRC

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

How are you handling the abatements for PRC? Resident paid tax is 339.05 with discount they paid 322.10. so what amount is reported to the state for reimb? They 339.05 or the 322.10?

ANGELA EAGLE
Sioux County Auditor
County Superintendent of School
9-1-1 Coordinator
303 2nd Ave / PO Box L
Fort Yates, ND 58538
701-854-3481 Opt. #1
SIOUX COUNTY
NORTH DAKOTA

Splonskowski, Mark D.

From: Caya, Brandi M.
Sent: Wednesday, February 21, 2024 8:38 AM
To: Buchwitz, Erin P.; Caya, Brandi M.; Fiechtner, Mark; Hart, Lisa; Knudson, Tessa M.; Larson, Thomas; Potoniec, Matthew; Ripplinger, Ronda; Schilling, Colette K.; Splonskowski, Mark D.; Vietmeier, Alan R.
Subject: FW: Primary Residence Credit Update

FYI;

Brandi Caya
Deputy Auditor/Treasurer
Burleigh County
(701) 222-6719

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Wednesday, February 21, 2024 8:17 AM
To: NDACO Treasures <tr@ndaco.org>; NDACO Auditors <auditors@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>; [redacted]
Cc: Svihovec, Linda M. <Linda.Svihovec@ndaco.org>; Preskey, Donnell <donnell.preskey@ndaco.org>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Waind, David W. <davwaind@nd.gov>; Williams, Vicki <vwilliams@nd.gov>; Zent, Breanna M. <bzent@nd.gov>
Subject: Primary Residence Credit Update

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Good morning, Everyone.

I hope this email finds you all well and enjoying a nice sunny day!

I want to update you about the Primary Residence Credit. As we've discussed, a transfer option has been made available for a home sale so the buyers/sellers can transfer their Primary Residence Credits to their new residences. This transfer option is only for those who completed an application before March 31, this is not a new application. We've advised that the transfer option would be available until May 31, but a revision to extend the transfer period has been made until November 1. This will mean that there will be one more exchange of data November 2nd between the state and the counties. If you have any questions about this, please feel free to reach out.

Thank you for all you do!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599

Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

NDTax
NORTH DAKOTA

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: [redacted]
Sent: Friday, June 7, 2024 12:38 PM
Subject: Primary Residence Credit file and Tax-Wise

Some people who received this message don't often get email from linda.coward@tylertech.com. Learn why this is important

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

Tax-Wise Development is busy working on a solution for updating Tax-Wise with the PRC (Primary Residence Credit) file information. We have been working with the state this week to better understand these additional needs that ND 2023 HB1158 requires. We've also included some clients with the greatest number of Mobile Homes in the development discussions.

We will be releasing the solution, once it has been completed, tested and Support has been trained. Additionally, a Teams meeting will be held to show you the solution and answer questions you may have.

The state verified that there is nothing in the legislation that requires you to update Tax-Wise right away with the data in the PRC file. Please be patient while we are working to get the solution completed. We ask that you be on the lookout for follow-up emails in the coming weeks, so you don't miss the opportunity to take part in the Teams meeting.

Sincerely,

Linda Coward
Product Owner
Tyler Technologies, Inc.

[redacted]
www.tylertech.com

Splonskowski, Mark D.

From: Coward, Linda <[redacted]>
Sent: Thursday, August 15, 2024 8:23 AM
To: Erickson, Bonnie S.; Thompson, Randy R.; Kessel, Marcia; Swanson, Stacey; jfreier@bowmancountynd.gov; Schumacher, Mindy; Vietmeier, Alan R.; Splonskowski, Mark D.; Nelson, Debbie; Ebert, Cathy; Schmidt, Jeri G.; Rhone, Dawn R.; mortoncountytax@mortonnd.org; Hayen, LaJuana; Bopp, Tia; Sioux County Tax; Eagle, Angela; Lorge, Joan; Buzalsky, Lorrie; Richard, Karen; Wandler, Natalie; Perleberg, Tyler W.; Alonge, Jessica; Reimer, Mindy; Leas, Sheri; Sevigny, Ed; Quibell, Kristi; Marisa.haman@co.ward.nd.us; noreen.barton@co.ward.nd.us; Darcy Anderson
Cc: Caya, Brandi M.; misty.hester@wardnd.com; Masterson, Lindsey
Subject: North Dakota PRC Import documentation
Attachments: ND HB1158 Primary Residence Credit Setup and Import.pdf

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

The North Dakota Primary Residence Credit Import documentation is attached. Follow these instructions prior to creating the Estimated Property Tax statements.

NOTE: **The state recently revised the format of the Estimated Property Tax statements.** The updated version is expected to be released in this week's patch, by Friday.

Linda Coward
Product Owner
Tyler Technologies, Inc.

P[redacted]
www.tylertech.com

Splonskowski, Mark D.

From: Coward, Linda <[redacted]
Sent: Thursday, August 15, 2024 10:14 AM
To: Erickson, Bonnie S.; Thompson, Randy R.; Kessel, Marcia; Swanson, Stacey; jfreier@bowmancountynd.gov; Schumacher, Mindy; Vietmeier, Alan R.; Splonskowski, Mark D.; Nelson, Debbie; Ebert, Cathy; Schmidt, Jeri G.; Rhone, Dawn R.; mortoncountytax@mortonnd.org; Hayen, LaJuana; Bopp, Tia; Sioux County Tax; Eagle, Angela; Lorge, Joan; Buzalsky, Lorrie; Richard, Karen; Wandler, Natalie; Perleberg, Tyler W.; Alonge, Jessica; Reimer, Mindy; Leas, Sheri; Sevigny, Ed; Quibell, Kristi; Marisa.haman@co.ward.nd.us; noreen.barton@co.ward.nd.us; Darcy Anderson
Cc: Caya, Brandi M.; misty.hester@wardnd.com; Masterson, Lindsey
Subject: RE: North Dakota PRC Import documentation

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

It has come to my attention that the North Dakota PRC Import documentation may be a little confusing about what year the import needs to be applied to.

You will use this process for tax year 2024 and forward, depending on what the legislature pursues.

My apologies for any confusion the screenshot may have caused.

If you have further questions about the document and process, please contact Tax-Wise Support for assistance.

Sincerely,

Linda Coward
Product Owner
[redacted]

From: Coward, Linda
Sent: Thursday, August 15, 2024 8:23 AM
To: bserickson@nd.gov; rrthompson@nd.gov; mdlamb@nd.gov; stswanson@nd.gov; jfreier@bowmancountynd.gov; mischumacher@bowmancountynd.gov; avietmeier@nd.gov; msplonskowski@nd.gov; debbie.nelson@gfcounty.org; cebert@nd.gov; jerschmidt@nd.gov; Dawn.Rhone@mortonnd.org; mortoncountytax@mortonnd.org; lhayen@nd.gov; tbopp@nd.gov; siouxtax@nd.gov; aEagle@nd.gov; jolorge@nd.gov; lbuzalsky@nd.gov; krichard@starkcountynd.gov; Nwandler@starkcountynd.gov; tperleberg@stutsmancounty.gov; jalonge@stutsmancounty.gov; mreimer@nd.gov; sleas@nd.gov; esevigny@nd.gov; kquibell@nd.gov; Marisa.haman@co.ward.nd.us; noreen.barton@co.ward.nd.us; darcya@co.williams.nd.us
Cc: brcaya@ND.gov; misty.hester@wardnd.com; lMasterson@nd.gov
Subject: North Dakota PRC Import documentation

The North Dakota Primary Residence Credit Import documentation is attached. Follow these instructions prior to creating the Estimated Property Tax statements.

NOTE: **The state recently revised the format of the Estimated Property Tax statements.** The updated version is expected to be released in this week's patch, by Friday.

Linda Coward
Product Owner
Tyler Technologies, Inc.

[redacted]
www.tylertech.com

Splonskowski, Mark D.

From: Coward, Linda [redacted]
Sent: Monday, August 19, 2024 1:23 PM
To: Erickson, Bonnie S.; Thompson, Randy R.; Kessel, Marcia; Swanson, Stacey; jfreier@bowmancountynd.gov; Schumacher, Mindy; Vietmeier, Alan R.; Splonskowski, Mark D.; Nelson, Debbie; Ebert, Cathy; Schmidt, Jeri G.; Rhone, Dawn R.; mortoncountytax@mortonnd.org; Hayen, LaJuana; Bopp, Tia; Sioux County Tax; Eagle, Angela; Lorge, Joan; Buzalsky, Lorrie; Richard, Karen; Wandler, Natalie; Perleberg, Tyler W.; Alonge, Jessica; Reimer, Mindy; Leas, Sheri; Sevigny, Ed; Quibell, Kristi; Marisa.haman@co.ward.nd.us; noreen.barton@co.ward.nd.us; Darcy Anderson
Cc: Caya, Brandi M.; misty.hester@wardnd.com; Masterson, Lindsey
Subject: Updated North Dakota PRC Set-up and Import documentation
Attachments: ND HB 1158 Primary Residence Credit Set-up and Import.pdf

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The North Dakota HB 1158 Primary Residence Credit Set-up and Import documentation screen shots have been updated to prevent any confusion about the tax year the legislation pertains to.

If you have any questions about the document and process, please contact Tax-Wise Support for assistance.

Thank you,

Linda Coward
Product Owner
Tyler Technologies, Inc.

[redacted]
www.tylertech.com

Splonskowski, Mark D.

From: Caya, Brandi M.
Sent: Wednesday, August 21, 2024 8:46 AM
To: Splonskowski, Mark D.
Subject: FW: Primary Residence Credit Mailing Info

Importance: High

Mark,

I have completed this survey.

Thanks

Brandi Caya
Deputy Auditor/Treasurer
Burleigh County
(701) 222-6719

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Tuesday, August 20, 2024 3:37 PM
To: NDACO Auditors <auditors@ndaco.org>; NDACO Treasures <tr@ndaco.org>
Subject: Primary Residence Credit Mailing Info
Importance: High

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

Good afternoon,

The North Dakota Office of State Tax Commissioner is conducting a brief survey to gather valuable feedback and insight regarding the Primary Residence Credit mailing. This short survey will help us to supply the proper number of inserts for the tax statements. Please complete the survey by ***Thursday, August 29***, by clicking the link below:

https://www.surveymonkey.com/r/NDTAXGMYDP9Q

If you answered "no" to any of the questions, please respond with "n/a" to any subsequent questions that don't apply to you.

Your feedback is greatly appreciated. Thank you for your time!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

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Splonskowski, Mark D.

From: Jacobs, Leigh
Sent: Tuesday, April 29, 2025 10:49 AM
To: Splonskowski, Mark D.; Ripplinger, Ronda
Cc: Schmidt, Taylor
Subject: Emailing: Exceptions to PRC Report - Must send to ND Tax Dept along with check
Attachments: Exceptions to PRC Report - Must send to ND Tax Dept along with check.xlsx

Good morning,

I've attached a list of exceptions to the PRC payment we received from the Tax Department.

Long story short, the Tax Department overpaid us on the PRC and we will have to reimburse them and provide a reconciliation (attached).

I think they wanted this by May 15th but I may have misunderstood

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Tuesday, April 29, 2025 2:19 PM
To: Splonskowski, Mark D.
Subject: Penalty and Interest and the PRC

Hi Mark,

I got your call and have been in meetings, so I thought I'd shoot you an email. Your question was what to do with the penalty and interest on the mobile home parcels, correct? The counties that I've talked to have all written it off. The final decision is up to you and the commission board to see how you want to handle it.

Have a good afternoon,

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Splonskowski, Mark D.
Sent: Wednesday, April 23, 2025 4:20 PM
To: Worrel, Cindy
Subject: RE: Posting PRC

I did see that, however in out Tyler system Im not sure how to apply it to 2024 and not 2023 first. Thanks.

From: Worrel, Cindy <cworrel@nd.gov>
Sent: Wednesday, April 23, 2025 4:17 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: FW: Posting PRC

Mark here was some discussion regarding MH. Hope this helps

From: Linda Svihovec <Linda.Svihovec@ndaco.org>
Sent: Tuesday, April 15, 2025 9:31 AM
To: Jeanotte, Jodie L. <jljeanotte@nd.gov>; NDACO Treasures <tr@ndaco.org>
Subject: RE: Posting PRC

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Jodie,
The PRC is a **credit** on the 2024 property taxes so must be applied to the 2024 tax.

Linda Svihovec
ND Association of Counties
[redacted]

From: Jeanotte, Jodie L. <jljeanotte@nd.gov>
Sent: Tuesday, April 15, 2025 9:08 AM
To: Treasurers <tr@ndaco.org>
Subject: Posting PRC

Good Morning,
If there are taxpayers with prior years due are we posting the $500 or (whatever amount certified) to those years first or just the 2024 taxes?

Jodie Jeanotte
Rolette County Treasurer
PO Box 939
Rolla ND 58367
701-477-3207
jljeanotte@nd.gov

Splonskowski, Mark D.

From: Splonskowski, Mark D.
Sent: Wednesday, April 16, 2025 4:47 PM
To: Myers, Shelli L.
Subject: RE: PRC

Great, thank you very much for the verification. Have a great evening!

Mark Splonskowski
Burleigh County Auditor/Treasurer

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Wednesday, April 16, 2025 4:46 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: PRC

Hi Mark,

That is correct, the refund will be without the discount, even if they paid with the discount. If a mobile home's consolidated tax was $350 and they paid on Feb. 2 to receive the discount of $17.50, the total they paid was $332.50. The certified discount from the county would be the $350, therefore, the amount you would refund to the mobile home owner would be $350, not the $332.50.

This is confusing and you aren't the only one asking the question.

Please let me know if you have further questions!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 16, 2025 3:50 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: PRC

Good afternoon Shelli,
I hate to be a broken record, but I just wanted to verify this before moving forward. If a person paid their mobile home taxes and received the 5% discount but the total taxes due were below the $500 we still pay them what they originally owed, NOT the amount paid with the 5% discount. Example, if a person owes $500 in taxes but receives the 5% discount and actually paid $425, we still refund them the $500 they originally owed, NOT $475. Is that Correct?

Thaks and have a great evening.

Splonskowski, Mark D.

From: Splonskowski, Mark D.
Sent: Tuesday, April 8, 2025 1:55 PM
To: Germann, Colleen
Subject: RE: MH PRC credit

Ok, thank you.

From: Germann, Colleen <cgermann@nd.gov>
Sent: Tuesday, April 8, 2025 1:52 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: RE: MH PRC credit

We submitted the discount to the state with the amounts and were refunded the 5% amount so we are paying back what the state gave us which is the 5% amount.

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Tuesday, April 8, 2025 12:18 PM
To: NDACO Auditors <auditors@ndaco.org>; NDACO Treasures <tr@ndaco.org>
Cc: Myers, Shelli L. <slmyers@nd.gov>
Subject: MH PRC credit

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If a person paid their taxes and got the 5% discount are you refunding them the amount they paid with the 5% discount? If the amount they paid was less than $500, what are you doing with the balance?

Thanks.

Mark Splonskowski
Burleigh County Auditor/Treasurer

STATE OF NORTH DAKOTA COUNTY OF BURLEIGH

IN THE MATTER OF THE REMOVAL FROM OFFICE OF
MARK SPLONSKOWSKI, BURLEIGH COUNTY AUDITOR / TREASURER

State of North Dakota, Petitioner, vs. Mark Splonskowski, Burleigh County Auditor / Treasurer, Respondent.	)	PETITION FOR REMOVAL

¶ 1. COMES NOW the Petitioner, State of North Dakota, by and through Julie Lawyer, Burleigh County State's Attorney, on behalf of the Board of Burleigh County Commissioners, and for this petition pursuant to Chapter 44-11, North Dakota Century Code (N.D.C.C.), alleges and states as follows:

¶ 2. That the Respondent, Mark Splonskowski, is a resident of Burleigh County, North Dakota.

¶ 3. That the Respondent is the current Auditor / Treasurer of Burleigh County, having been elected to this position in 2022.

¶ 4. That the Respondent is guilty of misconduct, malfeasance, neglect of duty in office, and gross incompetency which are grounds to remove him from the office of Auditor / Treasurer of Burleigh County by:

¶ 5. In July 2023, Burleigh County Auditor / Treasurer Mark Splonskowski filed a lawsuit against Erika White in her capacity as State Election Director of North Dakota. Splonskowski did not have consent or approval of the Board of Burleigh County Commissioners pursuant to N.D.C.C. § 11-11-14(1) to file said lawsuit. Splonskowski claimed he filed the lawsuit on a personal basis and not in his official capacity despite the only standing he had to file the lawsuit was due to his elected position and performance of statutory duties as the

Burleigh County Auditor and the allegations of harm made in the lawsuit were in his capacity as the Burleigh County Auditor. *Splonskowski v. White*, 1:23-cv-00123, in United States District Court for the District of North Dakota.

¶ 6. From April 2023 through April 2025, the Board of Burleigh County Commissioners have approved abatements and settlement of taxes for specific properties, thereby requiring the Burleigh County Auditor / Treasurer to issue refunds of overpaid taxes to the property owner. Refunds have been withheld for up to six weeks after they have been approved.

¶ 7. In 2024, Splonskowski, as the Burleigh County Auditor was responsible for proper administration of election procedures for the first time. In October 2024, it was discovered by the State Election Director that election equipment provided by the North Dakota Secretary of State to Burleigh County had been compromised. A media device (flash drive or thumb drive) had been introduced to a stand-alone computer that, pursuant to security processes set forth in N.D.C.C. Title 16.1, was not allowed. A replacement stand-alone computer was provided to Burleigh County but the security breach caused concern for the Secretary of State to the extent that he requested inspection of all the election equipment to ensure compliance with all security processes required by law and requested specific reporting to ensure training of election workers and post-election security processes were followed. The North Dakota Secretary of State conducted over thirty election training sessions in 2024. Splonskowski attended or partially attended nine of the thirty training sessions.

¶ 8. Splonskowski has not ensured proper handling of incoming monies into the Auditor / Treasurer's office in that a payment by the City of Bismarck for approximately $91,000 was lost or misplaced within the Auditor / Treasurer's office after it was hand-delivered to the office.

¶ 9. Splonskowski, who is responsible for investment of Burleigh County funds has delayed investing incoming funds and/or has not properly invested Burleigh County funds resulting in a loss of investment revenue to Burleigh County and to other governmental entities.

¶ 10. Splonskowski has engaged in improper accounting practices which result in negative balances on Burleigh County accounts and improper allocation of interest earnings in accounts. Some of the accounts at issue are governed by a Joint Powers Agreement and Burleigh County is at risk of violating the Joint Powers Agreement due to improper accounting practices.

¶ 11. From January 31, 2025 through March 2025, Splonskowski failed to provide election workers with proper tax forms to enable them to file their 2024 income tax returns. Temporary workers were employed by the Burleigh County Auditor to assist in fulfilling his duties as the county's election coordinator. Those temporary workers who were required to receive 2024 W-2 Wage and Tax Statements from Burleigh County were mailed a 2025 W-2 Wage and Tax Statement on or about March 6, 2025. On or about March 31, 2025, a 2024 W-2 Wage and Tax Statement was mailed to each of the qualifying temporary election workers. W-2 forms were required to be filed with the U.S. Internal Revenue Service and sent to the worker no later than January 31, 2025. Due to these errors, Burleigh County could face penalties from the federal government of up to approximately $42,000.

¶ 12. On or about March 28, 2025, the Burleigh County Auditor received approximately $10,700,000 from the North Dakota Treasurer for primary residence credits. Pursuant to N.D.C.C. § 57-02-08.10, the county auditor "shall apportion and distribute the payment to the county and the taxing districts of the county" within fourteen day of receiving the funds. As of April 25, 2025, the funds had not been distributed.

¶ 13. WHEREFORE, due to Splonskowski's misconduct, malfeasance, neglect of duty in office, and gross incompetency, pursuant to Chapter 44-11, N.D.C.C., the undersigned respectfully requests the following relief:

¶ 14. That the Attorney General conduct an investigation and make a recommendation to the Governor to conduct removal proceedings [and suspend Splonskowski during the pendency of proceedings];

¶ 15. [That upon finding it to be in the best interests of the State, that the Governor by written order, suspend Splonskowski from the performance of his duties during the pendency of the proceedings];

¶ 16. [That upon suspension, The Governor immediately notify the Burleigh County Board of Commissioners that within five days after receipt of the notice of suspension, the Commission shall appoint a competent person to fill the office of Auditor / Treasurer and perform those duties during the pendency of proceedings];

¶ 17. That the Governor appoint a special commissioner to preside over a hearing on removal proceedings, prepare a report of the proceedings, including a summary of testimony, findings as to whether any allegations were proven by a preponderance of the evidence, exhibits and evidence received, and a recommendation whether Splonskowski should be removed from office;

¶ 18. That upon completion of said hearing, that the Governor remove the Respondent, Mark Splonskowski, from the office of Burleigh County Auditor / Treasurer and direct the person appointed to the office during the suspension shall continue until the expiration of the term for which Splonskowski was elected.

¶ 19. I have read section 44-11-03, N.D.C.C., and the statements made in this petition are true and correct to the best of my knowledge.

ITEM

7

Preliminary Resolution on Separating the Elective Office of Burleigh County Auditor / Treasurer to Elective Office of Auditor and Appointive Office of Treasurer, Office of County Manager or Administrator, and Office of Tax Equalization

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office and also consolidated the office of Tax Equalization with the office of County Auditor effective May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to be the chief financial officer of the County;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law separating an elective county office into two or more elective or appointive offices and North Dakota Century Code § 11-09.1-05(6) allows the Board of County Commissioners to eliminate or combine county offices pursuant to N.D.C.C. ch. 11-10.2.

Whereas pursuant to N.D.C.C. § 11-10.2-01(1)(b), the Board of County Commissioners may separate an elective county office into two or more elective or appointive offices; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be separated into offices of Auditor, Treasurer, and County Manager or Administrator;

Resolved, that effective April 1, 2027, the office of Treasurer and County Manager or Administrator shall be appointed offices with minimum qualifications as recommended by Human Resources Director and approved by the County Commission;

Resolved, that effective April 1, 2027, the office of Tax Equalization shall have separate staff from the Auditor, Treasurer, and County Manager or Administrator's offices;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

DRAFT

ITEM

8

PUBLIC HEARING

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **May 5, 2025**

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). Wachter Development, Inc. 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.

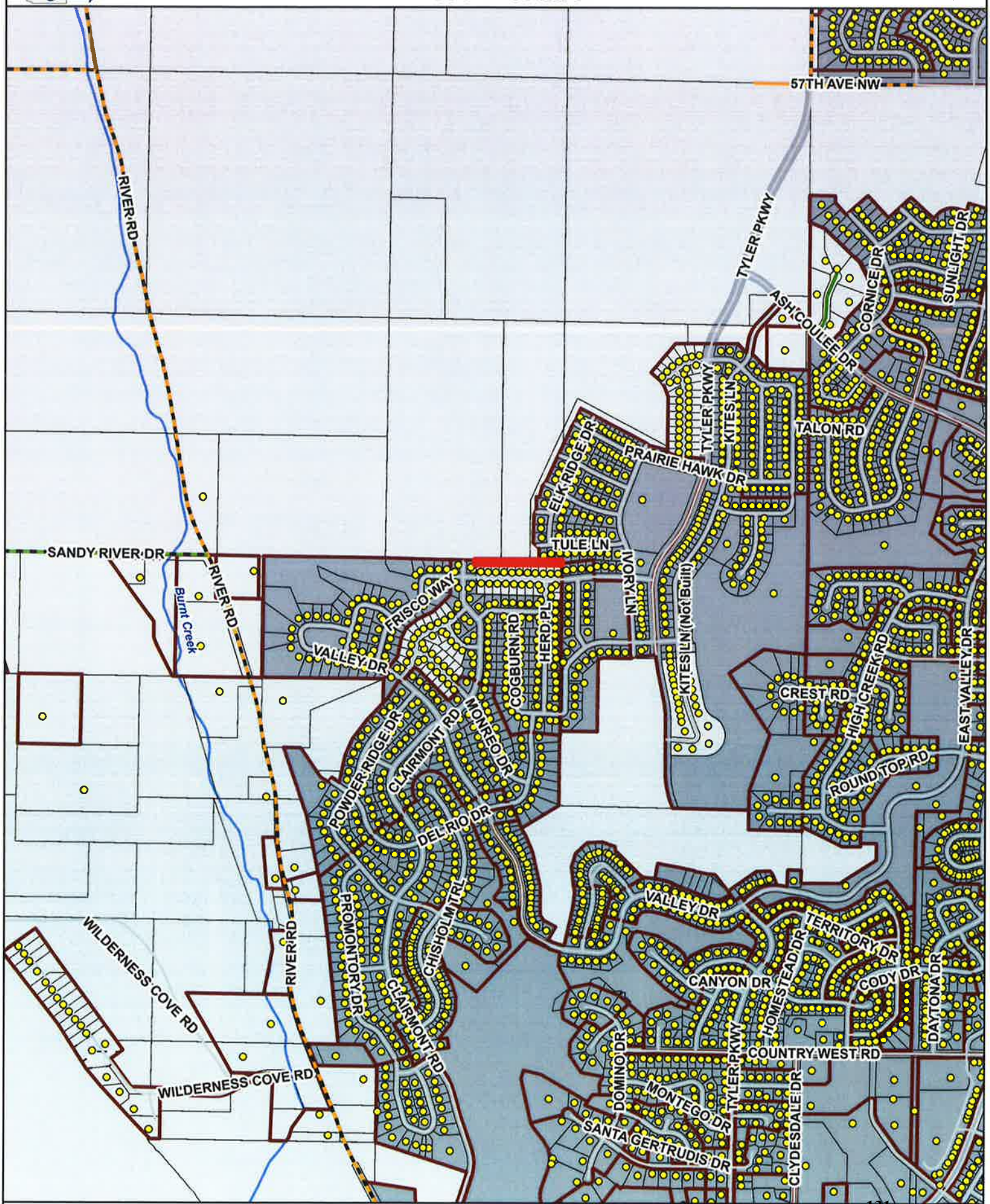
RECOMMENDATION:
It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

3/25/2025



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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

3/25/2025

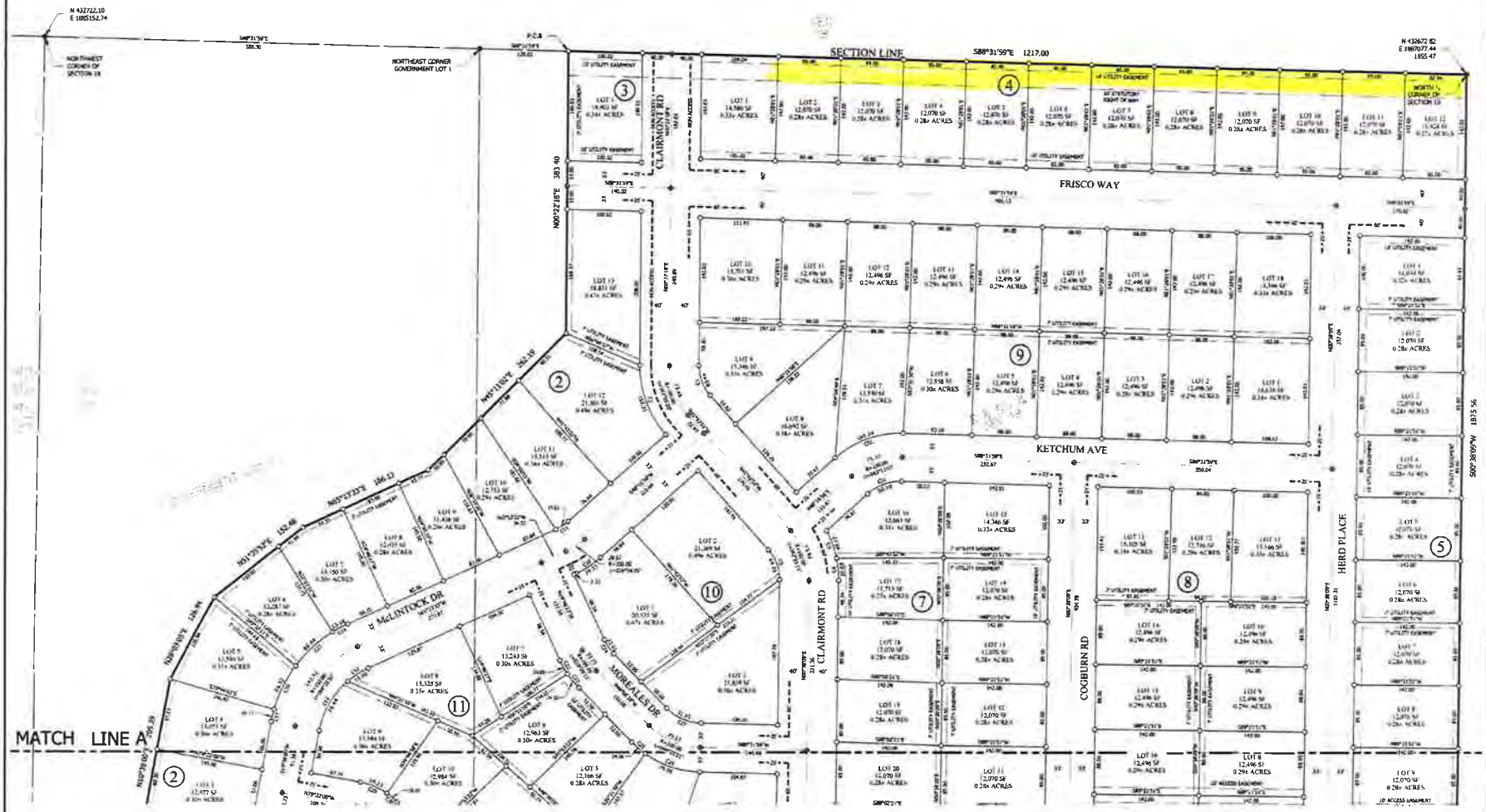


Map created from Burleigh County's web mapping application. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

866884

PROMONTORY POINT VI ADDITION

Part of the East Half of the Northwest Quarter and Part of Government Lot 1 of Section 19,
Township 139 North, Range 80 West of the Fifth Principal Meridian,
City of Bismarck, Burleigh County, North Dakota



PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C1	042°05'20"	60.00	44.08
C2	041°52'16"	140.00	102.31
C3	016°26'30"	140.00	40.17
C4	012°16'40"	140.00	30.00
C5	042°21'11"	60.00	44.35
C10	016°56'35"	133.00	39.33
C11	016°56'35"	67.00	19.81
C12	016°09'37"	117.00	33.00

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C13	038°25'56"	117.00	78.48
C14	007°17'24"	183.00	23.28
C15	021°18'08"	183.00	68.04
C16	020°45'47"	183.00	66.32
C17	005°14'15"	183.00	16.73
C22	008°59'46"	133.00	20.88
C23	010°20'25"	133.00	24.00
C24	019°20'11"	67.00	22.61

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C25	010°21'52"	133.00	24.06
C26	034°03'29"	133.00	79.06
C27	044°25'21"	67.00	51.95
C31	043°11'03"	67.00	50.50
C32	043°11'03"	133.00	100.24

LEGEND:
- FOUND MONUMENT
- REBAR W/ CAP LS-8464
- ROADWAY POINT
- PLAT BOUNDARY
- NON ACCESS LINE
- UTILITY EASEMENT
- SECTION LINE

N

SEH
PHONE: 701.354.7123
4719 SHELBURNE ST, SUITE 6
BISMARCK, ND 58503-5677
www.sehinc.com

DATE: 10/27/17

RECEIVED
DEC 21 2025
BY:

BURLEIGH COUNTY

UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

☐ Preliminary Plat	☐ Final Plat	☐ Minor Plat Modification	☐ Plat Vacation
☒ Road Vacation	☐ Zoning Change	☐ Development Permit	☐ Special Use Permit

PROPERTY INFORMATION:		
Name of plat: Promontory Point Sixth Addition		
Legal description of property (lot, block, addition): Lots 2-12 Block 4 Promontory Point Sixth Addition		
Street address of property: 2508, 2502, 2416, 2410, 2404, 2318, 2312, 2306, 220, 2214, 2208 Frisco Way		
Existing Zoning:	Proposed zoning:	
Acreage:	Number of lots: 11	
Description of development proposal, including reason(s) for the request: Vacate the section line & statutory ROW from Lots 2-12 Block 4 Promontory Point Sixth Addition. Future roadway masterplans no longer use this area as the route. Property is not within the annexed limits of Bismarck.		

APPLICANT/DEVELOPER:		
Name: Wachter Development, Inc.	Mailing address: PO Box 520, Bismarck, ND 58502	
Daytime telephone number: 701 223 2200	FAX number:	E-mail address: cw@investcore.com

PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):		
Name:	Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:

CONTACT PERSON/AGENT:		
Name/Firm: Swenson Hagen & Co	Mailing address: 3002 Airway Ave, Bismarck, ND 58504	
Daytime telephone number: 701 223 2600	FAX number:	E-mail address: lniemiller@swensonhagen.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) 3/20/2025 (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 20th day of March, 2025 before me, a notary public in and for said county and state, appeared Derek Wachter 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.

LISA MACDONALD
Notary Public
State of North Dakota
My Commission Expires July 31, 2026

Lisa MacDonald
Notary Public
Burleigh County, State of North Dakota
My Commission Expires: July 31, 2026

Submission Deadlines:

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

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

COUNTY SUBMISSION CHECKLIST			
Applying for:		Submitted	N/A
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)		
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		
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		
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		
Plat Vacation	Map of property to be vacated		
	Fee of $300.00		
	Legal description of property to be vacated		
X Road Vacation	Map of property to be vacated	X	
	Fee of $250.00	X	
	Legal description of property to be vacated	X	
	Letters of consent from utilities (street/alley vacation & easement release)		X
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)		
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)		
	Adjacent property owner petition (required for accessory building prior to residence)		
☐ Minor Plat/Lot Modification	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		

ITEM

9

EXTRACT OF MINUTES OF A MEETING OF THE COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA

Pursuant to due call and notice thereof, a regular meeting of the County Commissioners of Burleigh County, North Dakota (collectively, the "*Commission*" and each a "*Commission Member*") was duly called and held at Tom Baker Meeting Room, City and County Office Building, at 221 North Fifth Street, Bismarck, North Dakota, on Monday, the 5th day of May, at 5:00 p.m. The following Commission Members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING ON HOST APPROVAL ON THE ISSUANCE OF REVENUE BONDS, SERIES 2025 (SANFORD) ON BEHALF OF SANFORD BY THE SOUTH DAKOTA HEALTH AND EDUCATIONAL FACILITIES AUTHORITY AND AUTHORIZING THE PUBLICATION OF A NOTICE OF THE PUBLIC HEARING

BE IT RESOLVED by the Board of the County Commissioners (the "*Commission*") of Burleigh County, North Dakota (the "*County*"), as follows:

1. The Borrowers and the Financing Purposes. Sanford, a North Dakota nonprofit corporation and an organization described in Section 501(c)(3) of the hereinafter defined Code ("*Sanford*"), and/or certain tax-exempt affiliates thereof (collectively, with Sanford, the "*Borrowers*"), are proposing that the South Dakota Health and Educational Facilities Authority (the "*Authority*") issue the hereinafter defined Series 2025 Bonds for the benefit of the Borrowers. As a part of this financing, a portion of the proceeds of the Series 2025 Bonds will be used in the County, together with certain other moneys, in a principal amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) to (i) finance, refinance, or reimburse the Borrowers for the costs of (a) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to gastroenterology and endoscopy services, in an amount not to exceed $20,000,000 (interim financing) and not to exceed $20,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), at each of the following addresses: 300 N 7th Street, Bismarck, North Dakota; 715 E Broadway Avenue,

Bismarck, North Dakota; and 700 E Main Avenue, Bismarck, North Dakota; (b) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities to expand capacity, in an amount not to exceed $50,000,000 (interim financing) and not to exceed $50,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at each of the following addresses: 209, 222, 225 and 300 N 7th Street, Bismarck, North Dakota, and 3451 N 14th Street, Bismarck, North Dakota; (c) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to pediatric services in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at 801 W Interstate Avenue, Bismarck, North Dakota; (d) acquiring, remodeling, furnishing, or equipping clinical space at 701 E Rosser Avenue, Units 3 and 4, Bismarck, North Dakota in an amount not to exceed $8,000,000 (interim financing) and not to exceed $8,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); (e) constructing, furnishing, and equipping an approximately 19,800 square foot healthcare clinic to be located at 565 S 7th Street, Bismarck, North Dakota in an amount not to exceed $15,000,000 (interim financing) and not to exceed $15,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); and (f) constructing and remodeling a loading dock located at 300 N 7th Street, Bismarck, North Dakota in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), (ii) pay a portion of the interest on the Series 2025 Bonds, if deemed necessary or advisable by the Authority or the Borrowers, (iii) provide working capital, if deemed necessary or advisable by the Authority or the Borrowers, (iv) fund a debt service reserve fund, if deemed necessary or advisable by the Authority or the Borrowers, and (v) pay certain expenses incurred in connection with the issuance of the Series 2025 Bonds (collectively, the "*Financing Purposes*").

2. The Series 2025 Bonds. It is proposed that the Financing Purposes will be financed through the issuance of one or more series of the Authority's Revenue Bonds, Series 2025 (Sanford), in the aggregate principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the "*Series 2025 Bonds*"). Under Section 147(f) of the Internal Revenue Code of 1986, as amended (the "*Code*") and associated U.S. Treasury Regulations promulgated thereunder, the Authority may issue tax-exempt revenue bonds to finance and refinance projects located in other jurisdictions, as long as the "host jurisdiction" for each project provides consent after a public hearing.

3. Public Hearing; Host Approval. Since the Financing Purposes are located in the County, it is necessary for this Commission to hold a public hearing to consider "host approval" of the proposal, pursuant to Section 147(f) of the Code. The public hearing is proposed to be held by this Commission at its regular meeting on May 19, 2025. A form of the Notice of Public Hearing (as defined below) for the Financing Purposes is on file with the County and attached hereto as Exhibit A. The general nature of the Financing Purposes and an estimate of the aggregate principal amount of the Series 2025 Bonds will be described in the Notice of Public Hearing.

4. Notice of Public Hearing. The County is authorized and directed to cause notice of the public hearing (the "*Notice of Public Hearing"*) to be published in the official newspaper of the County or a newspaper of general circulation available in the County not less than seven days prior to the date fixed for the public hearing and the County authorizes and hereby approves the publication of such notice.

This Resolution is hereby adopted by the County Commissioners of Burleigh County, North Dakota on this 5th day of May, 2025.

_____
Chair

Attest: _____
Burleigh County Auditor/Treasurer

The motion for the adoption of the foregoing resolution was duly seconded by Member _____, and after full discussion thereof and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF NORTH DAKOTA)

COUNTY OF BURLEIGH)

CITY OF BISMARCK)

I, the undersigned, being the duly qualified and acting Finance Director of Burleigh County, North Dakota, certify that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the County Commissioners of Burleigh County, North Dakota, duly called and held on the date therein indicated, insofar as such minutes relate to a resolution calling for a public hearing on host approval related to the issuance of Revenue Bonds, Series 2025 (Sanford), on behalf of Sanford by the South Dakota Health and Educational Facilities Authority.

WITNESS my hand this _____ day of May, 2025.

_____

Burleigh County Auditor/Treasurer

EXHIBIT A

NOTICE OF PUBLIC HEARING

Public Notice is hereby given that a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "*Code*"), will be held by the County Commissioners (the "*County Commissioners*") of Burleigh County, North Dakota (the *"County"*) on May 19, 2025 at 5:00 p.m. local time, or as soon thereafter as the matter can be heard, in the Tom Baker Meeting Room, City and County Office Building, at 221 North Fifth Street, Bismarck, North Dakota, on a proposal that the South Dakota Health and Educational Facilities Authority (the *"Authority"*) issue tax-exempt revenue bonds in an aggregate principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the *"Series 2025 Bonds"*) for Sanford, a North Dakota nonprofit corporation and an organization described in Section 501(c)(3) of the Code (*"Sanford"*), and/or any tax-exempt affiliate thereof that is a related party to Sanford (collectively with Sanford, the *"Borrowers"*). The Series 2025 Bonds will be issued in one or more series pursuant to Sections 1-16A-1 through 1-16A-92 of the South Dakota Codified Laws, as part of a plan of finance to provide the Borrowers with moneys to finance and refinance projects located in various states. Public approval by the necessary governmental entities will be obtained following public notices and public hearings regarding the Series 2025 Bonds and the projects to be financed and refinanced in locations other than the County. The Series 2025 Bonds will be issued as qualified 501(c)(3) bonds pursuant to Section 145 of the Code.

In the County, proceeds of the Series 2025 Bonds in an amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), will be used, together with certain other moneys, to (i) finance, refinance, or reimburse the Borrowers for the costs of (a) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to gastroenterology and endoscopy services, in an amount not to exceed $20,000,000 (interim financing) and not to exceed $20,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), at each of the following addresses: 300 N 7th Street, Bismarck, North Dakota; 715 E Broadway Avenue, Bismarck, North Dakota; and 700 E Main Avenue, Bismarck, North Dakota, (b) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities to expand capacity, in an amount not to exceed $50,000,000 (interim financing) and not to exceed $50,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at each of the following addresses: 209, 222, 225 and 300 N 7th Street, Bismarck, North Dakota; and 3451 N 14th Street, Bismarck, North Dakota, (c) remodeling, furnishing, or equipping certain of the Borrowers' healthcare relating to pediatric services in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at 801 W Interstate Avenue, Bismarck, North Dakota, (d) acquiring, remodeling, furnishing, or equipping clinical space at 701 E Rosser Avenue, Units 3 and 4, Bismarck, North Dakota in an amount not to exceed $8,000,000 (interim financing) and not to exceed $8,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), (e) constructing, furnishing, and equipping an approximately 19,800 square foot healthcare clinic

to be located at 565 S 7th Street, Bismarck, North Dakota in an amount not to exceed $15,000,000 (interim financing) and not to exceed $15,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) and (f) constructing and remodeling a loading dock located at 300 N 7th Street, Bismarck, North Dakota in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), (ii) pay a portion of the interest on the Series 2025 Bonds, if deemed necessary or advisable by the Authority or the Borrowers, (iii) provide working capital, if deemed necessary or advisable by the Authority or the Borrowers, (iv) fund a debt service reserve fund, if deemed necessary or advisable by the Authority or the Borrowers, and (v) pay certain expenses incurred in connection with the issuance of the Series 2025 Bonds (collectively, the "*Financing Purposes*").

All of the facilities to be financed and/or refinanced with the proceeds of the Series 2025 Bonds in the County are or will be owned, operated or managed by the Borrowers at 300 N 7th Street, Bismarck, North Dakota (not more than $75,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 715 E Broadway Avenue, Bismarck, North Dakota (not more than $20,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 700 E Main Avenue, Bismarck, North Dakota (not more than $20,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 222 N 7th Street, Bismarck, North Dakota (not more than $50,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 3451 N 14th Street, Bismarck, North Dakota (not more than $50,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 209 N 7th Street, Bismarck, North Dakota (not more than $50,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 225 N 7th Street, Bismarck, North Dakota (not more than $50,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 801 W Interstate Avenue, Bismarck, North Dakota (not more than $5,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), 701 E Rosser Avenue, Units 3 and 4, Bismarck, North Dakota (not more than $8,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location), and 565 S 7th Street, Bismarck, North Dakota (not more than $15,000,000 of the proceeds will be used to finance, refinance or reimburse assets located at this location).

The Series 2025 Bonds shall not be deemed to constitute a debt or liability of the County, the State of North Dakota, the State of South Dakota, or of any political subdivision thereof other than the Authority or a pledge of the faith and credit of the County, the State of North Dakota, the State of South Dakota, or of any such political subdivision other than the Authority, and neither the County, the State of North Dakota, the State of South Dakota, nor any political subdivision thereof will be liable on the Series 2025 Bonds nor will the Series 2025 Bonds be payable out of any funds other than those pledged and assigned under a loan agreement between the Authority and Sanford and the First Amended and Restated Master Trust Indenture among the Borrowers and the master trustee named therein, as amended, supplemented or restated.

The County will not issue the Series 2025 Bonds, nor will the County nor the State of North Dakota have any liability with respect to the Series 2025 Bonds or the sale or offering thereof.

Interested persons wishing to express their views on the issuance of the Series 2025 Bonds or on the nature and location of the facilities to be financed or refinanced by the Series 2025 Bonds in the County proposed to be financed or refinanced may attend the public hearing or, prior to the time of the hearing, submit written comments.

The public hearing is required by Section 147(f) of the Code. Written comments may be submitted to the Burleigh County Auditor/Treasurer of the County at PO Box 5518, Bismarck, North Dakota 58506, until May 15, 2025. Immediately following the public hearing, the County Commission will meet to consider approval of the issuance of the Series 2025 Bonds

Additional information concerning the above matter may be obtained from the Burleigh County Auditor/Treasurer.

NOTICE DATED: May 12, 2025.

BY ORDER OF THE BURLEIGH COUNTY COMMISSIONERS

ITEM

10

BURLEIGH COUNTY STATE'S ATTORNEY

JULIE LAWYER
STATE'S ATTORNEY

MEMORANDUM

TO: BURLEIGH COUNTY COMMISSION

FROM: JULIE LAWYER, STATE'S ATTORNEY

SUBJECT: ZONING ORDINANCE ON DATA CENTERS

DATE: APRIL 30, 2025

CC: MARK SPLONSKOWSKI, AUDITOR

The Commission has before it a proposed zoning ordinance regarding data centers.

The Commission has the authority to establish and collect reasonable fees for zoning permits. N.D.C.C. § 11-33-18(3). This ordinance proposes a fee of $300 to $1,000 to apply for a special use permit with a fee for the permit ranging from $300 to $1,000,000,000 (one billion dollars) depending upon total costs of the project. The $300 fee would apply to a project with a total cost of $300,000 or less. Any project with a total cost in excess of $300,000 up to $1,000,000,000,000 (one trillion dollars), the special use permit fee would be .1% of the total cost of the project.

In looking through the zoning ordinances, most special use permit applications require a $300 application fee. The exceptions are wind turbine facilities and hazardous liquid pipelines. Wind turbine facilities are assessed a special use permit fee of .1% of the value of each wind turbine in the facility. Hazardous liquid pipelines are assessed a special use permit application fee of $1,406 per mile of pipeline. The Commission will have to consider whether a fee of $300 to $1,000,000,000 is "reasonable".

Some suggested formatting changes have been made to I(1)(k) to make the financial security section easier to read.

COURTHOUSE • 514 EAST THAYER AVENUE • BISMARCK, NORTH DAKOTA 58501 • TELEPHONE 701-222-6672 • RESTITUTION LINE: 701-222-7529 • FAX: 701-221-6897

ORDINANCE 25-0--------

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 8 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA RELATING TO SECTION 30 DATA CENTERS

Section 1. **Amendment** Article 8 of the Zoning Ordinance is hereby amended and re-enacted as follows:

SECTION 30 Data Center AI Conversion Facilities

This section is adopted to allow data centers/AI conversion facilities within Burleigh County and to minimize the potential off-site impacts of development and reduce long-term exposure that may impact the public safety, health and the general welfare of Burleigh County residents.

DEFINITIONS

The following words, terms and phrases, when used in this Article and Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:

1. *Blockchain*- a digital record of all the transactions involving cryptocurrency. Copies of the blockchain are stored and maintained by computers around the world.
2. *Cryptocurrency*- a type of decentralized digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds.
3. *Cryptocurrency Data Center*: Leased or owned boundaries of floor space devoted to the operating data processing equipment for Commercial Cryptocurrency Mining; excluded spaces for commercial offices, storage, shipping and receiving warehousing, or any other space that is not electronic processing.
4. *Cryptocurrency Server Farm-* Three or more interconnected computers held together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.
5. *Data center-* a facility containing large amounts of computer systems, servers, networking equipment, and storage infrastructure primarily for the purpose of remote storage, processing, or distribution of large amounts of data. A typical data center may include functions such as cryptocurrency mining, cloud AI functions, hyperscale cloud functions, but are not limited to such examples. Any equipment requiring a High-Density Load Service, for a server farm or data center, will constitute a commercial cryptocurrency mining application.
6. *Data Center/ AI Conversion Facility*- a data center that is converted and used to support artificial intelligence.
7. *Digital asset Mining*- means using computer hardware and software specifically designed or used for the purpose of validating data and securing a blockchain network.

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8. *Digital Asset Mining*- Business- means an individual or company operating a digital asset mining facility that cumulatively draws more than one megawatt of power in the County.
9. *High Density Load Service*- The provision of electrical service where the requested load density has, for any monthly billing period, either an average power demand in excess of 300 kilowatts OR an average power density in excess of 250 kilowatt-hours per year per data center square foot, equivalent to 35.064 square feet per kilowatt, at 100% load factor.
10. *Owner-* Any person, agent, operator, entity, firm or corporation having any legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding an interest or title to the property; or otherwise having possession or control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
11. *Sensitive Properties*- Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from noise or contaminant discharges generated by a nearby facility.

I. APPLICABILITY

These regulations are for Data Center Facilities on properties and structures under the jurisdiction of the Burleigh County Zoning Ordinance and are applicable to Data Centers requiring consistent electric loads of 50MW or greater. The installation or construction of a data center, or any modification to a lawfully existing data center beyond routine maintenance, requires a Special Use Permit and also requires a Burleigh County Building Permit obtained from the Burleigh County Building, Planning and Zoning Department. Data centers may only be permitted in an Industrial (I) District with a Special Use Permit.

a. A landscape buffer of 50' shall be required as measured form the interior of all property lines.

1. Application Requirements

The application for the installation or construction of a data center, or for modifications to a lawfully existing data center beyond routine maintenance, shall follow the application procedures for Special Use Permits Article 8 and any other procedures as may be required by this Ordinance for data centers, such as zoning map amendments, platting, or variances. In addition, applications shall include the following:

a. Applicant name(s) and contact information. The applicant must also identify on the application, the owner/owners of record for the property. ~~the occupant or lessee of the property, and the operator of the data center.~~

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b. A description of the proposed project, including a description of how the project meets market demand, the facility's processing capacity, and the facility's anticipated water and electricity needs.
c. A study prepared by an acoustical engineer that describes the anticipated noise level of the facility and any proposed mitigation efforts such as sound walls, baffles, ventilation silencers, etc.
d. A preliminary site plan: a digital copy of site plan (pdf format, full size) at 1" = 20' or larger scale, if integral to request, for both existing and proposed conditions showing the location and dimensions of all existing and proposed structures, screening, fencing, a photometric plan that shows all exterior lighting, including any security lighting, electrical connections, property lines, and roadway access, including:

    i. Date the site plan was prepared,
    ii. North point indication,
    iii. Section, township and range numbers,
    iv. A location map inset showing the township(s) in which the project is located and the boundary of the proposed project,
    v. Location of all existing public roads, dimensions and location of any utility easements and rights-of-way within five hundred (500) feet of proposed Data Center.

e. A map of the project area showing all single-family and multi-family dwellings, schools, churches, synagogues, and other similar religious institution or structures, and public parks located within one (1) mile of the exterior boundaries of the property where the data center will be located.
f. Installation or construction of a data center, or any modifications to a lawfully existing data center beyond routine maintenance, also requires a building permit obtained from Burleigh County Building Department.
g. Data centers may only be permitted in an I- Industrial District with a Special Use Permit.
h. Fees:
   The special use permit fee will be based on .001 x Total Project Cost up to 1,000,000,000.00 An application fee of $1,000 shall be payable at the time of application for a special use permit, with the remainder of the special use permit fee remitted by the applicant prior to issuance of building permits and commencement of construction. Or:
    i. $300.00 whichever is greater
i. Copies of signed permits or other documentation that indicates compliance with all applicable State and Federal laws, statutes, rules, regulatory standards, including but not limited to the North Dakota State Electrical Board.
j. Copy of the signed electrical power purchase agreement.

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k. Financial security for the following:
    i. Financial security for maintenance of the data center, as fully constructed and operational or, if the project only involves modifications to a lawfully existing data center beyond routine maintenance as permitted by this Ordinance, financial security for maintenance of the lawfully existing data center as modified. The financial security shall be in the amount of 125% of the estimated cost to maintain the data center, as fully constructed and operational, or as modified, as determined by the applicant's ND State registered engineer, with such estimated costs subject to review and approval by the Burleigh County Building Department; and
    ii. Financial security for reclamation and restoration of any data center and the property on which the data center is located or, if the project only involves modifications to a lawfully existing data center beyond routine maintenance as permitted by this Ordinance, financial security for reclamation and restoration of the property on which the data center as modified is located. Reclamation and restoration shall include, but is not limited to, the removal and disposal of all above-ground structures, underground structures, and utilities to depth of four feet, and the removal and disposal of all other facilities, structures, equipment, and materials on or under the property. The financial security shall be in the amount of 125% of the estimated cost to reclaim and restore property on which the data center, or the data center as modified, is located as determined by the applicant's ND State registered engineer, with such estimated costs subject to review and approval of the Burleigh County Building Department.
    ~~ii.~~iii. Any financial security provided by the applicant which is required by this Chapter shall be subject to review and approval by the County and be in the form of one or more of the following:
        a. An irrevocable letter of credit issued by an FDIC insured financial institution authorized to do business in the State of North Dakota to be effective beginning on the date that installation and/or construction of, or the approved modifications to, the data center start and provides for annual automatic renewals continuing to the date when full reclamation and restoration is complete as approved by the County;
        b. A surety bond which is effective beginning on the date that installation and/or construction of, or the approved modifications to, the data center start and provides for annual automatic renewals continuing to the date when full reclamation and restoration is complete as approved by the County; ~~and/~~or~~;~~
        c. Cash in escrow to be held in trust by Burleigh County effective beginning on the date that installation and/or construction of, or the approved modifications to, the data center start and

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continuing to the date when full reclamation and restoration is complete as approved by the County.

~~iii.~~iv. ~~-~~The financial security required above shall be provided to Burleigh County prior to commencement of any work to install and/or construct the data center, or to modify a lawfully existing data center beyond routine maintenance, but no later than the date determined by the Board of County Commissioners in approving the data center or in approving the modifications to a lawfully existing data center beyond routine maintenance.

l. Other relevant studies, reports, certifications, or approvals as may be required by the County to ensure compliance with this Chapter and this Ordinance.

II. Prohibitions:

The County prohibits data center facilities located within:

a. All Floodplain Districts and Designated SFHA Areas.

III. Design Standards

1. Data Centers or Cryptocurrency Data Centers shall be set back at least one (1) mile to all sensitive properties, such as: single-family and multi-family dwellings, schools, churches, synagogues, and other similar religious institution or structures, and public parks as measured from the nearest property line of any of these sensitive properties to the data center's exterior property lines.
2. Height. All buildings, structures, and appurtenances on the property where the data center will be located shall meet the height requirements of the Industrial I District in this Ordinance.
3. Electrical wiring. All electrical wiring shall comply with the standards of the North Dakota State Electrical Board, and any of its rules and regulations.
4. Generator testing is limited to between 11:00 a.m. and 5:00 p.m.
5. Generator use is limited to backup/emergency use only.
6. Building Permit. At the time of SUP approval, a building permit for all proposed structures will be required. Permit information shall include: Applicant name(s) and contact. The applicant must also identify on the application contact information for the owner/owners of record for the property. ~~the occupant or lessee of the property, and the operator of the data center.~~
7. The facility will be required to obtain an NDDEQ permit if they discharge water to surface waters.
8. Written verification is submitted from the utility provider that sufficient capacity will be available to meet anticipated needs for electrical power.
9. Security fencing. A secured chain link or solid wood or masonry fence at least six (6) feet in height shall be constructed and maintained around the entire perimeter of the facility

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to prevent unauthorized entry onto the property or into the facility. Any fencing shall comply with the Development Standards in this Ordinance.

10. Buffering and screening. Landscaped buffers shall be required around the entire perimeter of the property where the data center is located in accordance with the requirements of this Ordinance.
11. Sound. The operators shall not cause, allow, or permit the operation of any source of sound which creates at an occupied residential building or a defined sensitive property, as may exist at the time of the issuance of a certificate of occupancy, a sound level that exceeds a daytime continuous sound level of 50 dBA or a nighttime continuous sound level of 45 dBA, for any 15-minute measurement interval unless otherwise permitted.

    a. The operators shall not cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third (⅓) octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB (Flat)) values as follows:
        i. 5 db for center frequencies of 500 Hertz and above,
        ii. 8 db for center frequencies between and including 160 and 400 Hertz,
        iii. 15 db for center frequencies less than or equal to 125 Hertz
        iv. A pure tone shall be deemed present at measurement.
12. Noises. Sound:-The applicant shall provide written verification and documents prepared by a registered design professional in the form of a noise study as measured from the exterior property line of the subject parcel to the exterior property line of any defined sensitive properties as certified by a licensed acoustical engineer, including manufacturer specifications, anticipated noise level of the facility will not exceed the maximum auditory decibel level as stated in Section 11 of this article, and any data from comparable facilities or combination thereof.
13. A Data Center operation shall provide a 24-hour emergency contact signage visible at the access entrance. Signs shall include company name if applicable, owner/representative name, telephone number, and corresponding local power company.
14. All outdoor light fixtures shall be installed in a manner intended to limit the amount of off-site impacts. Light fixtures located near adjacent properties may require special shielding devices to prevent light trespass.
15. Accessory structures and appurtenances. All accessory structures or appurtenances, including those constructed for noise mitigation, shall be designed in a manner that is complementary with the primary building(s) and shall be finished in a non-obtrusive color.
16. Roads. All adjacent exterior access roads serving a data center shall conform to the Development Standards in this Ordinance and Article 33. Exterior road construction or improvements shall be subject to approval by the Burleigh County Highway Engineer or their designee. A road maintenance agreement with any government entity having jurisdiction over the adjacent exterior access roads shall be required during installation or construction of the data center, or during modification of a lawfully existing data

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center beyond routine maintenance. All interior roads serving the data center shall be subject to review by the Burleigh County Fire Department to ensure safe and adequate access for emergency response vehicles.

17. Storm Drainage, Erosion Control, Grading, Drainage and Stormwater Management Permit for the data center shall comply with the requirements in Article 33 of this Ordinance.
18. Additional conditions or specific allowances to this ordinance may be considered in the review and approval of the Special Use Permit.
19. Development Agreement. The owner of record of the property, or the owner's representative of the data center and of the property on which the data center will be located, as determined appropriate by Burleigh County, must sign a development agreement which shall include provisions related to, but are not limited to, the posting and use of financial security, exterior and interior road construction or improvement, road maintenance, improvements related to storm drainage, stormwater management plan, erosion control, grading, and drainage, reclamation and restoration, and/or any other condition imposed by this Chapter, this Ordinance, or the Board of County Commissioners in approving installation of construction of the data center or modifications to a lawfully existing data center beyond routine maintenance.

IV. Decommissioning Plan:

1. It is the responsibility of the original applicant, or if different, the owner of record of the property, to notify Burleigh County in writing, at least six (6) months in advance, of the intent to abandon or cease operations of the data center. Any data center that is not operated for a continuous period of six (6) months shall automatically be considered abandoned, and Burleigh County may require the original applicant, or if different, the record owner of the property, the occupant or lessee of the property, and the operator of the data center to reclaim and restore the property within ninety (90) days after written notice to reclaim and restore the property from Burleigh County. Any such reclamation and restoration shall include, but is not limited to, removal and disposal of all above-ground structures, underground structures, and utilities to depth of four feet, and removal and disposal of all other facilities, structures, equipment, and materials on or under the property. If the property is not fully reclaimed and restored as required by this Article within ninety (90) days after written notice from Burleigh County, the County may reclaim and restore the property, or cause the property to be reclaimed and restored, including, but not limited to, removal and disposal of all above-ground structures, underground structures, and utilities to depth of four feet, and removal and disposal of all other facilities, structures, equipment, and materials on or under the property and recover costs directly from the original applicant, or if different, the record owner of the property, the occupant or lessee of the property, and/or the operator of the data center. Burleigh County may also, in its discretion, recover such costs, by access to and use of the financial security provided and on file for the data center, or by lien or special assessment, or any other remedy, authorized by law or the

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Development Agreement entered into under this Article. Nothing in this Article is intended to impose a mandatory obligation on Burleigh County to reclaim and restore the property.

2. After a decommissioning process has been completed, the I District Industrial Zoning of the property shall automatically be transferred back to the pre-existing zoning, prior to the issuance of the special use permit.

V. Amend Article 18, I-Industrial Zoning District, the following regulations shall apply:

1. Special Uses Permitted. The following Special Uses are allowed as per Article 8 Section 30 thereof:
    a. Data Center Facilities
    b. Any change of use within an existing permitted Data Center, i.e.: AI Conversion Center, shall require a new special use permit review and approval.

Section 2. **Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. **Severability.** If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. **Effective Date.** This ordinance shall take effect after final passage, adoption and publication as provided by law.

First Reading Passed: _____

Passed and adopted this _____ day of _____, 2025

_____
Brian Bitner, Chairperson

Final passage and adoption:

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of _____day of _____, 2025

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IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____ day of _____, 2025

_____
Mark Splonskowski, Burleigh County Auditor/Treasurer

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ITEM

11

ESCROW AGREEMENT

between

BURLEIGH COUNTY, NORTH DAOKTA,
MORTON COUNTY, NORTH DAKOTA

and

BANK OF NORTH DAKOTA
as Escrow Agent

Dated as of May 1, 2025

Multi-County Sales Tax Revenue Refunding Bonds
Taxable Series 2020

ESCROW AGREEMENT

THIS ESCROW AGREEMENT, dated as of May 1, 2025, is made and executed by and between **BURLEIGH COUNTY, NORTH DAKOTA** ("Burleigh County"), **MORTON COUNTY, NORTH DAKOTA** ("Morton County" and together with Burleigh County, the "Counties"), and **BANK OF NORTH DAKOTA**, Bismarck, North Dakota (the "Escrow Agent").

The parties hereto recite and, in consideration of the mutual covenants and payments referred to and contained herein, covenant and agree as follows:

1. Burleigh County has issued its Multi-County Sales Tax Revenue Refunding Bonds, Taxable Series 2020, dated November 2, 2020 ("Series 2020 Bonds"), in the original principal amount of $53,120,000, of which $40,505,000 is currently outstanding: $4,175,000 matures on November 1, 2025, $4,225,000 matures on November 1, 2026, $4,290,000 matures on November 1, 2027, $4,365,000 matures on November 1, 2028, $4,455,000 matures on November 1, 2029, $4,550,000 matures on November 1, 2030, $4,655,000 matures on November 1, 2031, and $9,790,000 matures on November 1, 2032 (together, the "Defeased Bonds"). The Series 2020 Bonds are subject to prepayment and redemption on November 1, 2025, at a price equal to 100% of par plus interest accrued to the redemption date.

2. Funds provided by the Counties have been deposited with the Escrow Agent and used to establish a cash deposit and to acquire certain United States Treasury Notes, Strips and Resolution Funding Corporation Strips (collectively, the "Escrowed Securities") as further described in the Escrow Verification Report set forth as Exhibit A hereto, to be placed in escrow (the "Escrow Account"), to provide funds sufficient to pay scheduled principal of and interest on the Defeased Bonds to November 1, 2032. Moneys in the Escrow Account shall be used by the Escrow Agent, without further direction, to pay scheduled principal and interest as the same become due on the Defeased Bonds. The Escrow Agent hereby agrees to hold the cash balance and the Escrowed Securities solely in escrow for the benefit of the holders of the Defeased Bonds and shall invest such cash and handle such Escrowed Securities only in accordance with the provisions of this Escrow Agreement.

3. The Escrow Agent acknowledges receipt of the cash and Escrowed Securities and agrees that it will hold such cash and Escrowed Securities in the Escrow Account in the name of Burleigh County and will collect and receive on behalf of Burleigh County, all payments of principal and interest on such Escrowed Securities and will remit from said Escrow Account to the Paying Agent for the Defeased Bonds the funds required for the payment of principal and interest due on the Defeased Bonds.

4. Set forth as Exhibit A hereto is a copy of the report prepared by Robert Thomas CPA, LLC showing (a) the payments of the principal of premium, if any, and interest on the Escrowed Securities and the initial cash deposit, and (b) the scheduled principal and interest due

on the Defeased Bonds to the final maturity date. The report indicates that if the interest on the Escrowed Securities and the principal thereof are paid as interest and principal become due, the proceeds from the collection of such interest and principal, together with the beginning cash balance, will be sufficient to permit the prompt payment of scheduled principal of and interest on the Defeased Bonds to the final maturity date in accordance with the debt service schedule set forth as Exhibit B hereto. The Escrow Agent makes no representation as to the sufficiency of the Escrowed Securities to accomplish the payment of the Defeased Bonds and, except as otherwise provided herein, the Escrow Agent shall incur no liability in respect thereof.

5. The Escrow Agent acknowledges the receipt of cash deposit and Escrowed Securities from the Counties to be used only for the purposes set forth in paragraph 2 above. The Escrow Agent shall hold the beginning cash deposit uninvested and the Escrowed Securities in the Escrow Account and will collect and receive on behalf of the Counties all payments of principal and interest on the Escrowed Securities and, without the requirement of any action being taken by the Counties, will remit from the Escrow Account to the Paying Agent for the Holders of the Defeased Bonds, the amounts listed in Exhibit B for the payment of principal of and interest on the Defeased Bonds to the final maturity date. After payment of the principal and interest of all remaining outstanding Defeased Bonds, the Escrow Agent shall pay any remaining funds in the Escrow Account to the Counties as follows: Burleigh County 83.19% and Morton County 16.81%.

6. The Escrow Agent shall reinvest any cash or redeem and reinvest the proceeds of the Escrowed Securities held in the Escrow Account only in Escrowed Securities unless and until Burleigh County requests in writing that a different reinvestment be made. Together with any such request for reinvestment of the proceeds from the Escrowed Securities held in the Escrow Account, Burleigh County shall provide to the Escrow Agent: (a) an opinion by an independent certified public accountant that after such reinvestment the principal amount of the substituted securities, together with the earnings thereon and other available moneys, will be sufficient to pay, as the same become due, all scheduled principal and interest on the Defeased Bonds to the final maturity date, and (b) an unqualified opinion of nationally recognized bond counsel to the effect that such reinvestment complies with the Constitution and laws of the State of North Dakota and the provisions of all relevant documents relating to the issuance of the Series 2020 Bonds.

7. As full consideration for all services to be performed by the Escrow Agent under this Escrow Agreement, Burleigh County shall pay the Escrow Agent the amount of $4,500. The Escrow Agent expressly waives any lien upon or claim against any money and investments in the Escrow Account. Burleigh County shall have the right to require the Escrow Agent to invest any uninvested funds from time to time in the Escrow Account in accordance with the provisions outlined in paragraph 6 above.

8. It is recognized that title to the Escrowed Securities and money held in the Escrow Account from time to time shall always be subject to the prior charge and lien thereon of this Escrow Agreement and the use thereof required to be made by the provisions of this Escrow Agreement. The Escrow Agent shall hold all such money and securities in a special escrow fund and Account separate and wholly segregated from all other funds and securities of the Escrow

Agent and shall never commingle such money or securities with other money or securities. It is understood and agreed that the responsibility of the Escrow Agent under this Escrow Agreement is limited to the safekeeping and segregation of the funds and securities held in such Escrow Account, the collection of and accounting for the principal and interest payable with respect thereto and the payment of principal of and interest on the Defeased Bonds to the final maturity date in accordance with the provisions of this Escrow Agreement.

9. This Escrow Agreement is made for the benefit of the holders of the Defeased Bonds and is not revocable, and the securities and other moneys held in the Escrow Account and all income therefrom have been irrevocably appropriated for the payment of the Defeased Bonds in accordance with this Escrow Agreement.

10. This Escrow Agreement shall be binding upon and shall inure to the benefit of the Counties and the Escrow Agent and their respective successors and assigns. In addition, this Escrow Agreement shall constitute a third-party beneficiary contract for the benefit of the holders of the Defeased Bonds. Said third party beneficiaries shall be entitled to enforce performance and observance by the Counties and the Escrow Agent of the respective agreements and covenants herein contained as fully and completely as if such third-party beneficiaries were parties hereto. Any bank into which the Escrow Agent may be merged or with which it may be consolidated or any bank resulting from any merger or consolidation to which it shall be a party or any bank to which it may sell or transfer all or substantially all of its corporate trust business shall, unless Burleigh County disapproves in writing, be the successor escrow agent without the execution of any document or the performance of any further act. In the event Burleigh County disapproves of the successor escrow agent resulting from any of the events described above, Burleigh County shall immediately appoint any state or national bank which is a member of the Federal Deposit Insurance Corporation and which has trust powers to be the successor escrow agent, whereupon such successor escrow agent shall immediately succeed to the respective agreements and covenants hereunder.

11. The Escrow Agent shall immediately notify the Counties whenever, for any reason, the Escrowed Securities, interest thereon, as the same accrues, and any cash balance in the Escrow Account will be insufficient to pay the principal of the Defeased Bonds on the Redemption Date. Burleigh County hereby agrees to promptly pay or cause to be paid any such deficiency from any legally available funds. Unless otherwise provided by the respective parties, all notices or other communications shall be addressed as follows:

Burleigh County: Burleigh County
221 North 5th Street
PO Box 5518
Bismarck, ND 58502-5518
Attn: County Auditor/Treasurer

Morton County:	Morton County 210 2nd Avenue NW Mandan, ND 58554-3124 Attn: County Auditor
Escrow Agent:	Bank of North Dakota 1200 Memorial Highway Bismarck, ND 58504 Attn: Trust Department

12. The Counties shall have the right, at any time, to examine all the records of the Escrow Agent regarding the status of the funds or accounts created pursuant to this Escrow Agreement and the details of all income, investments, reinvestments, redemptions and withdrawals therefrom with respect to the funds or accounts created pursuant to this Escrow Agreement.

13. The Escrow Agent will, as soon as possible, cause notice of defeasance of the Defeased Bonds, in substantially the form attached hereto as Exhibit C, to be mailed to the Bank of North Dakota, the bank at which principal and interest on such Defeased Bonds are then payable. The notice mailed to such bank shall be accompanied by directions that such bank shall post, as soon as possible, a copy of such notice of defeasance with the Municipal Securities Rulemaking Board (EMMA®). The Escrow Agent is not acting hereunder as a dissemination agent for the Counties and shall not have any liability to any party in connection with any failure to timely post on the EMMA® system any notice of defeasance. The sole remedy available shall be an action by the holders of the Defeased Bonds in mandamus for specific performance or similar remedy to compel performance.

14. If any one or more of the covenants or agreements provided in this Escrow Agreement on the part of the Counties or the Escrow Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, such covenant or agreement shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Escrow Agreement.

15. This Escrow Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument. This Escrow Agreement shall be governed by the laws of the State of North Dakota.

16. Time shall be of the essence in the performance of obligations from time to time imposed upon the Escrow Agent by this Escrow Agreement.

17. This Escrow Agreement shall terminate when the Defeased Bonds have been paid and discharged in accordance with the provisions hereof. If any Defeased Bonds are not presented for payment when due and payable, the nonpayment thereof shall not prevent the termination of

this Escrow Agreement; provided funds for the payment of any nonpresented Defeased Bonds shall upon termination of this Escrow Agreement be held or disbursed by the Paying Agent in accordance with the Indenture of Trust and the Second Supplemental Indenture of Trust authorizing the Series 2020 Bonds or at the direction of the Counties. Any money or Escrowed Securities held in the Escrow Account at termination and not required for the payment of the principal of any of the Defeased Bonds shall be paid or transferred to the Counties without further direction as follows: Burleigh County 83.19% and Morton County 16.81%.

18. Funds remaining on deposit with the Trustee in the Construction Fund shall be released to Burleigh County for the payment of Cost of Construction. Funds remaining on deposit with the Trustee in the Reserve Fund shall be distributed to Burleigh County.

(Remainder of this page intentionally left blank.)

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their duly authorized officers as of the date first written above.

BURLEIGH COUNTY, NORTH DAKOTA Attest:

_____ _____
Chairman, Board of County Commissioners County Auditor/Treasurer

MORTON COUNTY, NORTH DAKOTA Attest:

_____ _____
Chairman, Board of County Commissioners County Auditor

BANK OF NORTH DAKOTA
Bismarck, North Dakota, as Escrow Agent

By_____

Title_____

[Signature Page Escrow Agreement Series 2020]

EXHIBIT A

VERIFICATION REPORT

EXHIBIT B

DEBT SERVICE SCHEDULE

EXHIBIT C

$53,120,000
BURLEIGH COUNTY, NORTH DAKOTA
MULTI-COUNTY SALES TAX REVENUE REFUNDING BONDS
TAXABLE SERIES 2020
Dated: November 24, 2015

CUSIP NUMBER: 581535AAG5, 581535AAH3, 581535AAJ9, 581535AAK6, 581535AAL4

NOTICE IS HEREBY GIVEN that there is now on deposit with the Bank of North Dakota, Bismarck, North Dakota, as Escrow Agent, under an Escrow Agreement between Burleigh County, North Dakota, Morton County, North Dakota and the Escrow Agent, dated as of May 1, 2025, direct obligations of the United States of America, or obligations unconditionally guaranteed by the United States of America, the maturing principal of and interest on which, together with cash held in escrow, will be sufficient to pay the principal of and interest on the above-captioned Bonds (the "Bonds"), as listed below.

Cusip Number	Principal Amount	Rate	Maturity
121382 BB0	$4,175,000	1.300%	11/01/25
121382 BC8	$4,225,000	1.500%	11/01/26
121382 BD6	$4,290,000	1.700%	11/01/27
121382 BE4	$4,365,000	2.050%	11/01/28
121382 BF1	$4,455,000	2.200%	11/01/29
121382 BG9	$4,550,000	2.300%	11/01/30
121382 BH7	$2,425,000	2.350%	11/01/31
121382 BK0	$2,230,000	2.500%	11/01/31
121382 BJ3	$9,790,000	2.575%	11/01/32

Dated May __, 2025.

AMENDMENT TO
JOINT POWERS AGREEMENT

THIS AMENDMENT TO JOINT POWERS AGREEMENT is made as of May 1, 2025, by and between **BURLEIGH COUNTY, NORTH DAKOTA**, a North Dakota political subdivision, whose post office address is 221 North 5th Street, PO Box 5518, Bismarck, ND 58502-5518 ("Burleigh County"), and **MORTON COUNTY, NORTH DAKOTA**, a North Dakota political subdivision, whose post office address is 210 2nd Avenue NW, Mandan, ND 58554 ("Morton County", and together with Burleigh County, the "Counties").

For and in consideration of the mutual covenants and agreements hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged by the parties, the parties agree as follows:

RECITALS

A. Pursuant to Chapter 54-40.3 of the North Dakota Century Code, the Counties entered into a joint powers agreement dated April 1, 2015 (the "Joint Powers Agreement"), relating to the construction of a joint detention center (the "Detention Center"), the renovation of the former Burleigh County detention space, the renovation of the former Morton County detention space and the issuance of sales tax revenue bonds for such purposes. The electors of the respective Counties approved home rule charters and a one half of one percent sales tax to finance the projects described in this paragraph.

B. Burleigh County issued $60,000,000 Multi-County Sales Tax Revenue Bonds, Series 2015A and $30,000,000 Multi-County Sales Tax Revenue Bonds, Series 2015B, dated November 24, 2015 (together, the "Series 2015AB Bonds"), to construct the Detention Center. Burleigh County refunded the Series 2015AB Bonds with the issuance of $53,120,000 Multi-County Sales Tax Revenue Refunding Bonds, Taxable Series 2020, dated November 2, 2020 (the "Bonds"). The Bonds are currently outstanding in the principal amount of $40,505,000 and are subject to redemption and prepayment on November 1, 2025. Burleigh County issued $8,395,000 Sales Tax Revenue Bonds, Series 2018, dated October 30, 2018 (the "Series 2018 Bonds"), to renovate the former Burleigh County detention space. The Series 2018 Bonds have been paid in full.

C. Morton County issued $2,515,000 Sales Tax Revenue Bonds, Series 2019A, dated July 24, 2019 (the "Series 2019A Bonds") and $500,000 Sales Tax Revenue Bonds, Series 2020, dated March 25, 2020 (the "Series 2020 Bonds"), to renovate the former Morton County detention space. The Series 2019A Bonds have been paid in full. The Series 2020 Bonds are outstanding in the approximate principal amount of $500,000 with a final maturity date of November 1, 2025.

D. Ninety percent (90%) of the Burleigh County sales tax and ninety percent (90%) of the Morton County sales tax are pledged to the Bonds. Ten percent (10%) of the Burleigh County sales tax and ten percent (10%) of the Morton County sales tax are pledged to the separate renovation projects.

E. The Counties by this agreement intend to amend the Joint Powers Agreement to provide for (i) the respective contributions by each County for the defeasance and prepayment of the Bonds, (ii) the ownership percentage of the Detention Center, (iii) the renovation projects, and (iv) the end of the respective sales taxes dedicated to the payment of the Bonds.

NOW, THEREFORE, the parties agree as follows:

1. The Counties shall deposit sufficient funds with the Bank of North Dakota, as Escrow Agent, pursuant to the terms of an Escrow Agreement, to defease and prepay the Bonds. The required deposit and the required sources of funding to be deposited with the Escrow Agent are set forth in the Escrow Agreement.

2. Ownership of the Detention Center is based on the actual amounts of principal and interest paid on all Detention Center bonds by Burleigh County and by Morton County. For purposes of this calculation, there shall be included the Preliminary Expenditures (as defined in the Joint Powers Agreement) and all fees and costs for professional services related to the defeasance and prepayment of the Bonds. The ownerships percentage is fixed as Burleigh County 83.07% and Morton County 16.93% as detailed in Exhibit A hereto.

3. Upon the defeasance of the Bonds 100% of the Morton County sales tax will be pledged to the Series 2020 Bonds and will continue to be levied and collected until such time as the Series 2020 Bonds are paid in full.

4. This Amendment to Joint Powers Agreement shall be binding and enforceable upon approval by the Board of County Commissioners of Burleigh County and by the Board of County Commissioners of Morton County.

(*remainder of page intentionally left blank*)

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Joint Powers Agreement to be executed by their respective duly authorized officers as of the day and year above written.

BURLEIGH COUNTY, NORTH DAKOTA **ATTEST:**

_____ _____

Chairman, Board of County Commissioners County Auditor/Treasurer

MORTON COUNTY, NORTH DAKOTA **ATTEST:**

_____ _____

Chairman, Board of County Commissioners County Auditor

[Signature Page to Amendment to Joint Powers Agreement]

BURLEIGH COUNTY, NORTH DAKOTA

RESOLUTION PROVIDING FOR BOND REDEMPTION AND AUTHORIZING END OF DETENTION CENTER SALES TAX

BE IT RESOLVED by the Board of County Commissioners of Burleigh County, North Dakota (the "County"), as follows:

RECITALS:

A. The County issued $60,000,000 Multi-County Sales Tax Revenue Bonds, Series 2015A and $30,000,000 Multi-County Sales Tax Revenue Bonds, Series 2015B, dated November 24, 2015 (together, the "Series 2015AB Bonds"), to construct a joint detention center with Morton County located at 4000 Apple Creek Road, Bismarck, North Dakota. The County refunded the Series 2015AB Bonds with the issuance of $53,120,000 Multi-County Sales Tax Revenue Refunding Bonds, Taxable Series 2020, dated November 2, 2020 (the "Bonds"). The Bonds are currently outstanding in the principal amount of $40,505,000 and are subject to redemption and prepayment on and after November 1, 2025.

B. The County issued $8,395,000 Sales Tax Revenue Bonds, Series 2018, dated October 30, 2018 (the "Series 2018 Bonds"), to renovate the former County detention center located at 514 East Thayer Avenue, Bismarck, North Dakota. The Series 2018 Bonds have been paid in full.

C. Pursuant to voter approval on June 10, 2014 and the County's Home Rule Charter and ordinances, the County levies a one-half of one percent (0.5%) sales and use tax which is pledged to the payment of the Bonds.

D. The County and Morton County entered into a Joint Powers Agreement dated April 1, 2015 (the "JPA") regarding each County's sales tax, the joint detention center project and the separate renovation projects.

E. Documents authorizing the Bonds provide that the County shall continue to levy and collect the sales tax until the Bonds have been paid in full. A deposit in escrow of sufficient funds to pay the remaining principal and interest on the Bonds will constitute the Bonds being paid in full.

NOW, THEREFORE, the Board of County Commissioners hereby resolves as follows:

1. The County, having sufficient cash and investments available, now desires to defease the Bonds.

2. The County shall deposit such sums, together with amounts provided by Morton County and amounts currently on deposit with the Bank of North Dakota, as determined necessary

pursuant to the terms and conditions of the Escrow Agreement between the County, Morton County and the Bank of North Dakota, which is hereby appointed the Escrow Agent of the County for the Bonds.

3. The JPA shall be amended to address, (i) the responsibility of the respective Counties for the required escrow deposits to defease the Bonds, (ii) ownership of the detention center, (iii) the renovation projects, and (iv) the end of the sales tax dedicated to the detention center.

4. The forms of the Escrow Agreement and Amendment to Joint Powers Agreement attached hereto, are approved in substantially final form. The Chairman and the County Auditor/Treasurer are authorized and directed to execute and deliver the agreements in the name of the County with such changes therein as shall be approved by such officers.

5. The County Auditor/Treasurer is authorized and directed to take such additional action and prepare such other documents necessary for the defeasance of the Bonds, including deliver of certificates which cure ambiguities, defects or omissions herein, correct, amend or supplement any provision herein, all in furtherance of the defeasance contemplated herein. The authority to approve, execute and deliver, on behalf of the County, future amendments to the documents entered into by the County in connection with the Bonds is hereby delegated to the County Auditor/Treasurer. The County Auditor/Treasurer is further authorized to agree on the final debt service allocation percentages between the respective counties.

Dated: _____, 2025.

BURLEIGH COUNTY, NORTH DAKOTA **Attest:**

_____ _____
Chairman, Board of County Commissioners County Auditor/Treasurer

The governing body of the County acted on the foregoing resolution at a properly noticed meeting held in Bismarck, North Dakota, on _____, 2025 with the motion for adoption made by _____ and seconded by _____, and the roll call vote on the motion was as follows:

"Aye" _____

"Nay" _____

Absent _____

ITEM

12

BURLEIGH COUNTY
HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

To: Chairman Brian Bitner
Commissioner Steve Bakken
Commissioner Wayne Munson
Commissioner Steve Schwab
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP
HR Director

Date: May 5, 2025

Re: Human Resource's Agenda items for May 5, 2025, Commission Meeting

Subject 1: 2024 Burleigh County Human Resources Report (Turnover Analysis)

BACKGROUND:

Please see attached report. This is informational and no action is needed.

Subject 2: 2026 Employee Salary Increase Projections

BACKGROUND:

Every year as part of the starting point for the next year's Budget process, the Department Heads discuss what to recommend to the Burleigh County Commission for employee salary increases. The information below was taken from the Meeting Minutes of the Department Heads meeting held on Wednesday, April 30, 2025:

2026 Budget Discussion (Meeting Minutes)
HR Director Pam Binder opened the conversation with asking the Department Heads for their input on the 2026 employee salary increases. The Department Heads discussed some options for annual increases. County Engineer Marcus Hall proposed an increase of one(1) Pay Step and a 2% Cola. Sheriff Kelly Leben agreed, and the Department Heads had a discussion regarding the 2026 annual employee increase options. The Department Heads agreed on proposing a recommendation of one (1) Pay Step and a 2% Cola. With other scenarios including just one(1) Pay Step, one (1) Pay Step and 1% Cola as alternative scenarios.

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

RECOMMENDATION:

At this point, you do not need to formally approve an employee salary increase scenario. We are just looking for agreement from the Burleigh County Commission on where we start with 2026 employee salary increases in the 2026 Budget. Historically we have provided three different scenarios for comparison. As our Pay Grade and Pay Step Structure is not one that has exact percentage increases from Pay Step to Pay Step, we need to estimate what just a Pay Step will cost and then we usually add a Cost-of-Living Adjustment (Cola) percentage or a choice of two different Cola percentages in the budget estimates.

Subject 3: Burleigh County Leave Sharing Policy - Revisions

BACKGROUND:

The Leave Sharing Policy has been an active policy within Burleigh County since it was originally approved on July 7, 2004. This policy needs to be revised to clarify eligibility for Leave Sharing. There are also revisions that incorporate the Family Medical Leave Act (FMLA) into the Leave Sharing Policy. These revisions are highlighted on the attached policy. I have also summarized the revisions below:

- The qualifications for eligibility for the Leave Sharing Policy were clarified. Employees must not be in their probationary period, etc.
- The Leave Sharing Policy was revised to reflect the Family Medical Leave Act (FMLA) provisions.

RECOMMENDATION:

I recommend that the Burleigh County Commission approve the revised Leave Sharing Policy.

BURLEIGH COUNTY
HUMAN RESOURCES DEPARTMENT

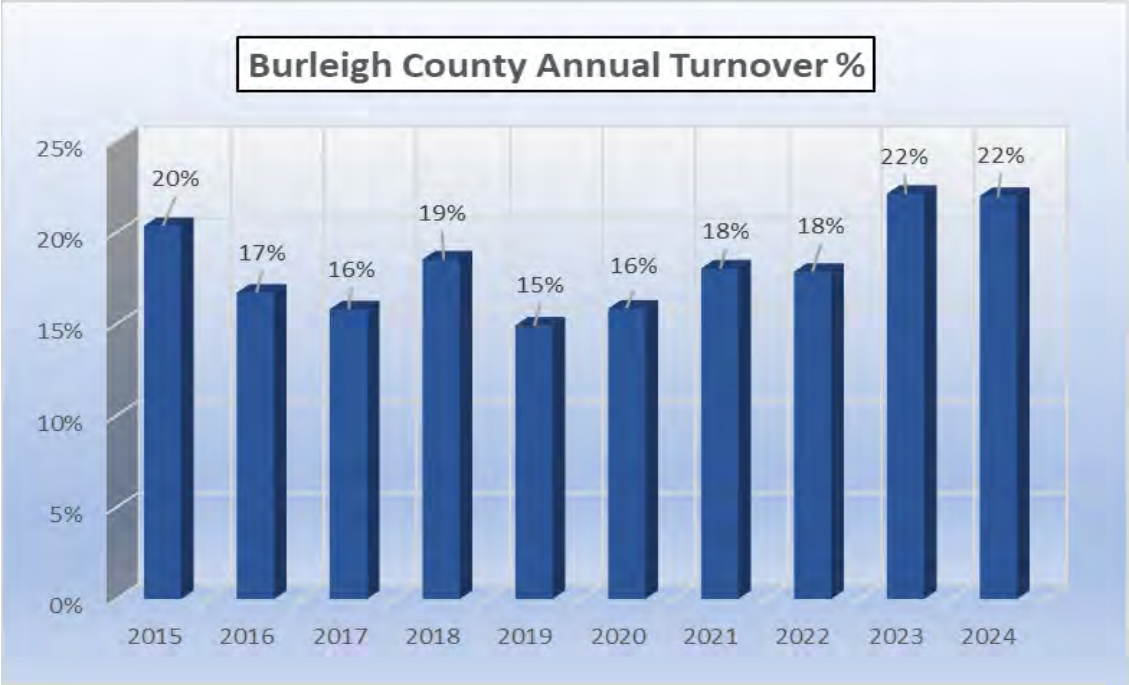
PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

2024 Burleigh County Human Resources Report (Turnover Analysis)

The turnover report for 2024 has been manually calculated and the summary is listed below:

The chart below provides a year-over-year review of the annual turnover percentage for Burleigh County. This chart represents all departments including the Human Service Zone.



In the year-over-year turnover analysis, we can see that Burleigh County's turnover percentage shows a level pattern with 2023. With years 2015, 2018, 2023 and 2024 being the higher turnover percentage years for Burleigh County. This confirms a cyclical pattern overall.

The range for the ten (10) year tracking period is from 15% in 2019 as the lowest turnover percentage to 22% in 2023 and 2024, which to date, has been the highest turnover percentage. The turnover percentages in the other years are within a couple of percentage points from each other. This leads us to believe that the turnover rate for the most part has been in line with employment trends across the state of North Dakota. The unemployment

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

percentage for Region 7 that includes Burleigh County, North Dakota was 2.8% as of March, 2025. Break this down and you have 1,472 unemployed individuals and 3,847 job openings in Region 7 for the month of March, 2025. This information comes from Job Service ND.

The turnover percentage of 22% in 2024 continues to reflect the demand for job openings being greater than the supply of available unemployed workers.

Below is a breakdown of the departments that experienced turnover in 2021, 2022, 2023, and 2024:

Department	2021	%	Total Ees
Detention Center	22	37.29%	
Emergency Management	1	1.69%	
Extension	4	6.78%	
Highway	1	1.69%	
Weed Board	1	1.69%	
Recorders	1	1.69%	
Sheriff	6	10.17%	
Human Service Zone	17	28.81%	
States Attorney	6	10.17%	
Countywide Total	59	18.04%	327

Department	2023	%	Tatal Ees
Auditor/Treasurer/Tax	5	6.67%	
Detention Center	22	29.33%	
Emergency Management	1	1.33%	
Finance	1	1.33%	
Highway	11	14.67%	
Weed Board	1	1.33%	
Sheriff	10	13.33%	
Human Service Zone	13	17.33%	
States Attorney	11	14.67%	
Countywide Total	75	22.12%	339

Department	2022	%	Total Ees
Auditor/Treasurer/Tax	3	5.00%	
Detention Center	16	26.67%	
Emergency Management	1	1.67%	
Extension	2	3.33%	
Finance	1	1.67%	
Highway	3	5.00%	
Weed Board	1	1.67%	
Recorders	1	1.67%	
Sheriff	5	8.33%	
Human Service Zone	21	35.00%	
States Attorney	6	10.00%	
Countywide Total	60	17.86%	336

Department	2024	%	Total Ees
Auditor/Treasurer/Tax	4	4.94%	
Detention Center	28	34.57%	
Emergency Management	1	1.23%	
Finance	1	1.23%	
Highway	4	4.94%	
Weed Board	2	2.47%	
Sheriff	10	12.35%	
Human Service Zone	18	22.22%	
States Attorney	13	16.05%	
Countywide Total	81	22.38%	362

When we review the turnover analysis by department, we can see several reasons for the turnover percentages, and they are not all the same for each department. It is important to note that not all turnover is necessarily bad turnover:

- Auditor/Treasurer – At the end of 2024, the Auditor/Treasurer Department had a very new staff. The most tenured employee in the Auditor/Treasurer office had less than two years of experience with Burleigh County. The lack of history and general understanding of department policies and procedures has contributed to the inefficiencies within the department.
- Tax Equalization – The Tax Equalization Division has had little turnover and the tenure of the employees in this division has been extremely helpful to the Auditor/Treasurer department as a whole. Unfortunately, the employees in this department are becoming stressed as it is hard to complete normal job duties when you are covering the job duties of another employee.
- The Burleigh-Morton Detention Center has been a challenge as well for staffing. As this is a 24/7 facility, the detention officers who are working shiftwork can get burned out and the turnover has caused the remaining detention officers to work overtime, as well as some of the sheriff deputies who have picked up overtime shifts at the Detention Center over the timeframe shown above. We continue to receive applications for these open positions. However, we are also continuing to disqualify many more applicants prior to hire. This is a continuation of what we were experiencing in 2023. This adds work to the Administrative Seargent and Human Resources department. Additional costs for pre-hire required testing also continues to add to the recruitment costs for the department.
- Sheriff – The Sheriff's department had turnover due to retirement and other turnover for various reasons. We continue to see tenured employees leave their law enforcement career for a new career field. We continue to work on the salary levels for the Deputy Sheriff positions, as well as salary levels for Sergeants and Corporals. The HR department is gradually revising the job descriptions and then the revised job descriptions are reviewed through our in-house ranking system. It is going well, however, this process does take a substantial amount of time to complete.
- States Attorney – The turnover rate is higher due to larger caseloads. The State's Attorney department has been a challenge for the recruitment and retention of employees. The majority of these positions are the Attorneys themselves. The marketplace is so competitive for Attorneys that we need to constantly perform research into whether we are competitive in our salary structure for these positions. We continue to work with States Attorney Julie Lawyer to advertise for the Attorney positions and we will continue to work on creating a retention plan to help her fill her open positions and retain her current Attorneys.
- The Highway department had some turnover mainly due to retirement and other reasons. The salary level(which includes benefits) for the Highway Maintenance Worker positions seems to be coming into line with the market. The one concern with the Highway Maintenance Worker positions is that we have on average an older age

demographic in this area. The 50-59 age band has the most employees within it. This could lead to turnover in the near future. This turnover needs to be strategically planned in order to ensure a smooth transition.

- The Human Service Zone has experienced turnover in the last four years. There is a pattern of cultural issues within the Human Service Zone. It is important to note the Human Service Zone employees have been transitioned to their own policies and procedures and have been under the State of North Dakota's Merit Pay Policy for the four years shown above. The Human Service Zone has experienced turnover due to systems design and some turnover was based on the change in leadership structure in the Human Service Zone itself. Some of the turnover within the Human Service Zone is due to culture changes and more perceptive leadership. It is important to note that the Burleigh County Human Service Zone employees are still considered to be Burleigh County employees even though they have their own policies and merit pay structure.

Retention is a key factor in controlling costs for Burleigh County. Turnover costs money not just in employee salaries. There are also training costs to consider and other employee's morale when working excessive overtime shifts that need to go into the equation. Employees that are trainers for new employees are in danger of being burned out due to not getting a break from training new employees. Retention of our good employees is needed to operate Burleigh County efficiently. Addendum A shows our 2024 CEG – WSI Premium Billing allocation. This is an example of the hidden costs of turnover.

The positions that were the most challenging to recruit and fill in 2024 due to industry availability and highly competitive salaries were the following:

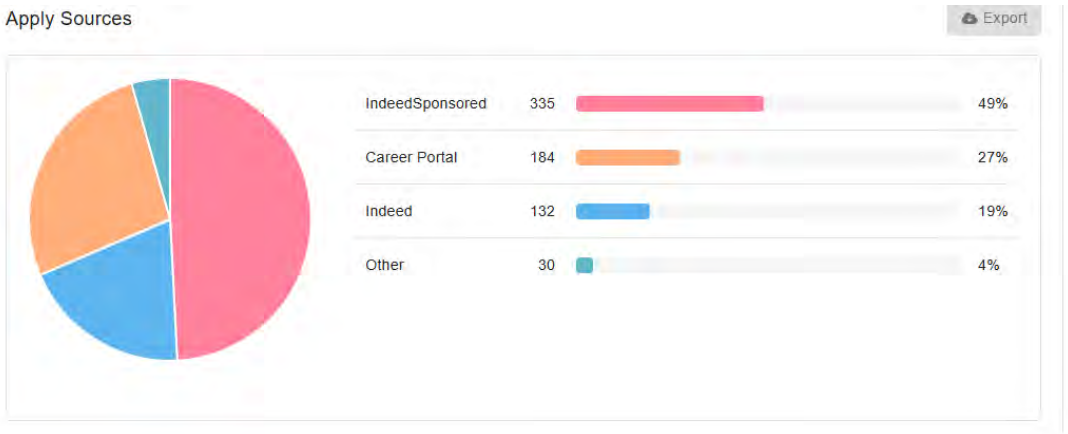
- States Attorney (I, II, and Senior)
- Jail Nurse (LPN or RN)

The positions that we struggled to get qualified candidates to fill in 2024 were the following:

- Administrative Assistant II
- Sheriff Deputy
- Highway Maintenance Worker II
- Detention Officer

According to Breezy HR, the Applicant Tracking System that we use at Burleigh County, the Human Resources Department processed six hundred eighty-one (681) applications for our open positions in 2024. Sixty-six (66) Candidates were hired in 2024. We had 19,596

position views in 2024, and we disqualified two hundred sixty (260) Candidates for various reasons in 2024. The main reason was failing the background inquiry. The pie chart below provides a list of our recruiting sources and the number an percentage of applicants from each source.



Currently, we have twenty (20) open positions for 2025. This number does not include any temporary or seasonal vacancies that we are recruiting to fill for the 2025 summer season.

We have had trouble recruiting for our Administrative Assistant positions throughout Burleigh County. Historically, this was never a problem. We have had to open the recruitment process several different times in order to get a qualified candidate for the position. We have had to disqualify a good number of candidates for these positions. Mostly due to background inquiry results.

We are working with the various department heads to find creative programs that will give us the edge when recruiting these challenging positions. Such programs are employee referral bonus, tuition reimbursement, CDL training, career pathing, and flexible shift scheduling where possible.

Demographics For Burleigh County

A demographics breakdown both by age and by gender were done for Burleigh County (Countywide). Below is the breakdown information:

BURLEIGH COUNTY
HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Overall County Age Breakdown		
Age Category	**Number**	**Percentages**
Employees Under 26	50	14%
Employees 26-29	41	11%
Employees 30-39	79	22%
Employees 40-49	85	23%
Employees 50-59	74	20%
Employees 60 -65	23	6%
Employees 65 Plus	10	3%
Total	362	100%

Overall County Gender Breakdown		
Age Category	**Number**	**Percentage**
Female	157	43%
Male	205	57%
Total	362	100%

The age category where we have the most employees in the county is the 40–49-year age band at 23%. Where the 30-39- and 50-59-year age bands were at 22% and 20% respectively. This shows a good range of ages, and it also shows that Burleigh County has an appropriate spread of ages in its employee base. The 60+ ages represent possible retirements in the very near future so planning for succession is extremely important.

The female to male demographic percentages were a bit of a surprise as some of our departments within the County are traditionally male or female dominated occupations. This shows a good balance of male to female employees overall within Burleigh County. Drilling down into the individual departments we can see some variances in the female to male percentages within the departments. Some departments that are heavily female or heavily male are the Human Service Zone, Veteran Services, Human Resources, Recorder and Highway. This is the norm within the overall industry for these areas.

ND ASSOCIATION OF COUNTIES
1661 CAPITOL WAY
PO BOX 877
BISMARCK ND 58501

Invoice	26333
Date	12/1/2024
Page	1

Bill To:

BURLEIGH COUNTY AUDITOR
PO BOX 5518
BISMARCK ND 58506-5518

Ship To:

BURLEIGH COUNTY AUDITOR
PO BOX 5518
BISMARCK ND 58506-5518

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
	0008			Net 30	12/1/2024	26,550

Ordered	Shipped	B/O	Item Number	Description	Discount	Unit Price	Ext. Price
1	1	0	WC EST PRM	2025 EST WORKERS COMP PREMIUM	$0.00	$248,559.39	$248,559.39

If you have any questions, please call Cassie at (701) 425-0812.

Subtotal	$248,559.39
Misc	$0.00
Tax	$0.00
Freight	$0.00
Trade Discount	$0.00
Total	$248,559.39

NORTH DAKOTA ASSOCIATION OF COUNTIES
WORKERS COMPENSATION COUNTY EMPLOYERS GROUP
P.O. BOX 877, BISMARCK, ND 58502-0877

PHONE: (701)328-7300 IN STATE WATTS: (800)932-8730 FAX: (701)328-7308

ESTIMATED PREMIUM BILLING STATEMENT

BURLEIGH COUNTY
C/O CO AUDITOR
PO BOX 5518
BISMARCK, ND 58502-5518

Location Code: 8
STATEMENT DATE 11/22/2024
POLICY PERIOD EXPIRATION DATE 12/31/2025

PREPAID FOR PERIOD 01/01/2025 TO 12/31/2025
BASED ON THE FIRST $43800.00 OF EACH EMPLOYEES WAGES

RATE CLASS	RATE DESCRIPTION	TAXABLE PAYROLL	PREMIUM RATE PER $100.00	PREMIUM AMOUNT
3630Z	AUTO REPAIR - BODY SHOPS - MECH.	$433,250.97	2.28	$9,878.12
5603Z	CONSULTING ENGINEERS	$306,600.00	0.26	$797.16
6042Z	STREET AND ROAD CONSTRUCTION	$1,080,350.70	2.76	$29,817.68
7720Z	LAW ENFORCEMENT	$5,574,219.83	3.01	$167,784.02
8747Z	PROFESSIONAL/BUSINESS REPS	$3,457,374.85	0.23	$7,951.96
8805Z	CLERICAL OFFICE EMPLOYEES	$520,487.67	0.14	$728.68
9007Z	BUILDING CUSTODIANS & JANITORIAL SVC.	$226,815.63	1.93	$4,377.54
ESTIMATED GROSS PREMIUM:				$221,335.16
EXPERIENCE RATE:		12.3%		$27,224.23
ESTIMATED PREMIUM FOR PERIOD:		01/01/2025 TO 12/31/2025		$248,559.39
DISCOUNT APPLIED:				$
NDACo MEMBER EMPLOYER GROUP ADJUSTMENT:				$0.00
SAFETY ADJUSTMENT:				$0.00
OTHER ADJUSTMENT:				$0.00
TOTAL PREMIUM DUE:				**$248,559.39**

	**Leave Sharing Policy**	**BCHR - 05** **Board Approved:**

Purpose:

The purpose of this policy is to define employees' rights to the use of Leave Sharing (also known as Donated Leave) and the rules for Leave Sharing. Leave Sharing is used to help accommodate an employee who may have an extended absence due to an extraordinary or severe illness, injury, impairment, or physical or mental condition of themselves, spouse, child, or parent, that has caused or is likely to cause the employee to take leave without pay or terminate employment. Leave sharing can not be used for a normal pregnancy and delivery.

Objective:

Burleigh County's (County) intent with the Leave Sharing policy is to allow employees to receive or donate accrued Annual Leave or Sick Leave to an employee in need, ensuring that the receiving employee will have access to paid leave when needed.

Annual Leave Sharing:

A county employee may donate annual leave to another county employee who is suffering or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to take leave without pay or terminate employment.

Eligibility

A county employee is eligible to receive shared leave pursuant to the following conditions:

1) The department head determines that the employee meets the criteria described in this section.
2) The employee is a regular employee with a minimum of 1 year (12 months) of continuous service with the county. It does not include employees in probationary status or employees on temporary or other limited term appointments.
3) The employee has abided by county policies regarding the use of annual leave.
4) The employee's use of shared leave, including both annual and sick leave, does not exceed 12 weeks (480 hours) over a twelve-month period.
5) Annual leave can be donated for any purpose qualifying under the Leave Sharing Policy.

Reasons for Leave

A county employee may donate annual leave to another county employee only pursuant to the following conditions:

a) The receiving employee has exhausted, or will exhaust, all annual leave, and sick leave due to an extraordinary or severe illness, injury, impairment, or physical or mental

condition, that involves the employee, a relative of the employee, or a household member of the employee.

b) The condition has caused, or is likely to cause, the receiving employee to go on leave without pay or terminate employment.
c) The donating employee donates leave in full-hour increments and must retain a leave balance of at least forty (40) hours.

Sick Leave Sharing:

A county employee may donate sick leave to another county employee who is suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to take leave without pay or terminate employment.

Eligibility

A county employee is eligible to receive donated leave pursuant to the following conditions:

1) The department head determines that the employee meets the criteria described in this section.
2) The employee is a regular employee with a minimum of 1 year (12 months) of continuous service with the county. It does not include employees in probationary status or employees on temporary or other limited term appointments.
3) The employee has abided by county policies regarding the use of sick leave.
4) The employee's use of shared leave, including both annual and sick leave, does not exceed 12 weeks (480 hours) over a twelve-month period.
5) Sick leave may only be donated for an employee's personal use of Sick leave and not to care for a qualifying member as such under Family Sick Leave.

Reasons for Leave

A county employee may donate sick leave to another county employee only pursuant to the following conditions:

a) The receiving employee has exhausted, or will exhaust, all annual leave, and sick leave due to an extraordinary or severe illness, injury, impairment, or physical or mental condition, that involves the employee.
b) The condition has caused, or is likely to cause, the receiving employee to go on leave without pay or terminate employment.
c) The donating employee donates leave in full-hour increments and must retain a leave balance of at least forty (40) hours.

Designation of Leave Sharing

The department head shall require the employee to submit to the Human Resource Department, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

Use of Leave Sharing

1. Donated annual and sick leave is transferable between employees in different departments within Burleigh County.

DRAFT

2. One hour of donated leave must be regarded as one hour of donated leave for the recipient.
3. Any donated leave may only be used by the recipient for the purposes specified in this section and is not payable in cash.
4. All forms of paid leave available for use by the recipient must be used prior to using shared leave.
5. Any donated leave not used by the recipient will not be deducted from the donor.
6. All donated leave must be given voluntarily. NO county employee may be coerced, threatened, intimidated, or financially induced into donating annual leave for purposes of the leave sharing program.

Definitions

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term, or permanent periods of incapacity.

Spouse means a husband or wife as defined or recognized in the state of North Dakota. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States if the marriage could have been entered into in North Dakota.

Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents "in law."

Qualifying exigency includes short-notice deployment, military events and activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the County and employee agree, including agreement on timing and duration of the leave.

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ITEM

13

STATE OF NORTH DAKOTA
County of Burleigh
221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

Request for County Board Action

DATE: **5/5/2025**

TO: **Burleigh County Commission**

FROM: **Auditor/Treasurer Splonskowski**

ITEM: **Missouri Valley Complex bids and RFP**

REQUEST: Consider proposals for wetland delineation and bid received for cropland.

Company	Proposed amount
Meadowlark Environmental	NTE $13,000
BioTech Consulting INC.	$ 7,500.00
Moore Engineering inc.	$ 7,000.00
KLJ Engineering LLC	$ 13,500.00

4-25-2025 LAND RENT PROPOSAL

I would like to submit a rental bid for the land the county has put out for bids just east of buck stop junction. The Missouri Valley Complex farmland which is about 50 acres.

We are DJ Coleman Inc., and we have been the previous renters of the land for the past 6 years.

According to the notice for bids advertisement the county is requiring the land to be planted to a grass cover crop at the end of the season. I contacted the NRCS office and visited Daryl Oswald about what they would recommend. I have included their recommendations in my bid.

This will need to be a completely different seeding process in the fall of the year. If the county requires a grass type cover for haying it can't be planted with a spring planted cash crop.

The seed recommended would come to about $46.74 per acre and custom seeding rates are about $35 per acre. So, as you can see there will be an expense of about $81.74 per acre to seed this land in the fall.

With this added expense of seeding another crop in the fall along with all the inputs required to plant a spring cash crop this doesn't leave much room for profit.

I am willing to pay the county $20 per acre land rent along with the planting of a fall seeded cover grass mixture which will be around $81.74 per acre.

I will use the recommended grass seed mixture, and I will seed this crop in the fall.

If you have any questions, please contact me at [redacted]

PH: [redacted].

Sincerely

DJ Coleman Inc.

Clark Coleman



US Department of Agriculture
Natural Resources Conservation Service
North Dakota

HERBACEOUS PLANTING WORKBOOK

ND-CPA-9
October 2003
Revised - April 2018

Yellow indicates required entry, blue optional entry.

Section	Township	Range

Name: Clark Coleman Acres: 50 Tract / Field: Date: 04/22/25

Address: Planned Use: Hayland

County: Burleigh MLRA 53B Design By: D. Oswald

Program: CO-01 Technical Assistance Ecological Site: Forage Suitability Group: loam

NRCS Practice: Contract Number: CIN :

Planned Establishment Activities

Companion Crop, If used: Crop Rate #/Ac.

Planned Seeding Date: August 10 to September 15

Seeding Method:

No-Till Method - Seed into weed-free, standing stubble, without further seedbed preparation. Use of a non-selective herbicide application may be needed to control weeds (refer to NDSU-EXT Service for information). Excess residue (straw, chaff or forage) should be adequately spread over the field or removed to ensure good seed-soil contact at a depth of 1/4 to 3/4 inch during the seeding operation. All seed must meet the requirements of the North Dakota State Seed Laws and Regulations and must be officially tested for purity and germination to enable pure live seed (PLS) calculations to determine proper seeding rates. Germination tests for all species must be no more than twelve months old prior to seeding.

Planned Pest Management Activities

Clip or use approved herbicides to control undesireable plants, clipping shoud be delayed until after July 15 to prevent damage to nesting birds. Clipping height should be adjusted to a minimum of 12 inches to minimize damage to permanent seedlings. Clipping should be completed prior to weed seed formation.

Notes

Help to insert an image on the area above.

For additional planting design information, refer to NRCS Field Office Technical Guide (FOTG), Section 4, for practice specifications and the ND Herbaceous Vegetation Establishment Guide, found in the FOTG, Section I, Reference Subjects.

	(1) Species	(2) Percent Increase of Planned Seeding Rate (101 to 150%)	(2a) A / B List	(2b) Bloom Period	(3) Seeding Rate PLS Lbs / Acre	(4) Percent in Seed Mix	(5) Planned PLS Lbs / Acre Columns (3) X (4)	(6) Acres to be Seeded	(7) Planned Total PLS Lbs Columns (5) X (6)	(8) Percent Purity or Pure Seed	(9) Percent Germination + % Hard	(10) Total Lbs. Bulk Seed Planted	(11) Total PLS Lbs Seeded (8) X (9) X (10)
1	Bromegrass, Meadow		NR	NR	13.50	30.00%	4.05	50.0	202.5				
2	Wheatgrass, Intermediate		NR	NR	8.50	20.00%	1.70	50.0	85.0				
3	Alfalfa		A	Early, Mid	5.50	20.00%	1.10	50.0	55.0				
4	Cicer Milkvetch		A	Mid-season	8.00	10.00%	0.80	50.0	40.0				
5	Wheatgrass, Green		NR	NR	10.00	20.00%	2.00	50.0	100.0				
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													
						100.00%	Total Planned PLS Pounds =		482.5	Total Seeded PLS Pounds =			

CERTIFICATION: Seed Tags Available? Total PLS seeded (col. 11) will be within +/- 10% of planned PLS (col. 7)

- ☐ Was the planting completed in the required seeding window? Enter planting date:
- ☐ Is the germ test date for all species within 12 months of when it was planted (not including the month of the test)?
- ☐ Are the seeded species approved named varieties? If not, document where the seeded species were grown / produced.
- ☐ Does the seeded mix match what was planned? If not, are species suitable to the site and meet specifciations?

Notes/Remarks:

Title of Certifying Official - NRCS **Date**

Chesak Seed House
2320 E Thayer Ave
Bismarck, ND 58501
701-223-0391

Estimate

Date	Estimate #
4/23/2025	12505

Name / Address
CLARK COLEMAN

ALL COMMODITY PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

Project

Item	Description	Qty	Rate	Total
MEADOW BROME	Perennial cool season introduced grass which prefers well-drained soils with little to no salinity, and at least 14 inches of rain per year. Less productive and drought tolerant than wheatgrasses, growing from 1 to 4 feet in height. Produces excellent feed quality due to its many basal leaves. Not invasive like Smooth Brome.Recommended seeding rate of 13.5 to 16.5 pounds per acre. 1/4 to 1/2 inch seeding depth.	203	3.00	609.00
INTERMEDIATE WHEATGRASS	Perennial cool season introduced grass, that is high-yielding, palatable, drought and cold tolerant. Establishes more quickly than most other grasses, does best when it receives at least 12 inches of rain. When mixed with alfalfa, helps prevent lodging. Withstands some flooding and reaches up to 3 to 4 feet in height. Prefers well-drained loamy and clayish soils, will tolerate slightly acidic soils. Best when harvested by June 20th. Recommended seeding rate of 8.5 to 10 pounds per acre. 1/2 inch seeding depth.	85	3.04	258.40
ALFALFA COMMON	Common, non-certified alfalfa, comparable to Vernal. Performs as well as named varieties in NDSU field trials. Less expensive than other alfalfa varieties. Meets all NRCS requirements. Should be harvested when it reaches 10% bloom. Recommended seeding rate 8 to 10 pounds per acre. 3/8 inch seeding depth.	55	3.14	172.70

	Subtotal
A 3% TRANSACTION FEE FOR CREDIT CARD PAYMENTS OVER $1,000.00 ABSOLUTELY NO RETURNS.	**Sales Tax (8.0%)**
	Total

Chesak Seed House
2320 E Thayer Ave
Bismarck, ND 58501
701-223-0391

Estimate

Date	Estimate #
4/23/2025	12505

Name / Address
CLARK COLEMAN

ALL COMMODITY PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

Project

Item	Description	Qty	Rate	Total
CICER MILKVETCH	Perennial, long-lived, non-bloat legume. Readily eaten by all classes of livestock as hay or pasture. Contains no harmful alkaloids, nor accumulates toxic amounts of selenium. While extremely hardy and cold-tolerant, with good feed value, is slightly less productive and palatable than alfalfa. Very high protein levels of 15% to 30% due to a higher leaf-to-stem ratio than other legumes. Regrowth is stimulated by grazing activity. Can take up to 2 years to fully establish and begins growth 14-28 days later than alfalfa. Prefers at least 15 inches of rain per year and does well in high water tables. Dry down takes 3 days longer than alfalfa on average, so benefits from pairing with Meadow Brome. It is sod-forming, so the stand will thicken with maturity. Recommended seeding rate of 8 to 10 pounds per acre. 3/8 inch seeding depth.	40	8.80	352.00
GREEN WHEATGRASS	Perennial cool season hybrid cross between Bluebunch Wheatgrass and Quackgrass. Rhizomatous, sod forming, and highly saline tolerant (Max Ph 8-9.5; EC 15-25). Produces good feed, although not as productive as most grasses, performing best with at least 13 inches of rain per year. Recommended seeding rate of 10 to 14 pounds per acre. 1/4 to 1/2 inch seeding depth. 50 ACRES	100	9.45	945.00

	Subtotal	$2,337.10
A 3% TRANSACTION FEE FOR CREDIT CARD PAYMENTS OVER $1,000.00 ABSOLUTELY NO RETURNS.	**Sales Tax (8.0%)**	$0.00
	Total	$2,337.10

LAND LEASE

1. **Parties:** The parties to this agreement are (DJ Coleman Inc., [redacted]) herein after known as LESSEE, and Burleigh County, North Dakota (221 N 5th St, Bismarck, ND 58501 - phone 701-222-6718) herein after known as County,

2. **Purpose:** This agreement shall define responsibilities of each party regarding a 50 acre more or less acre tract of land at the Missouri Valley Complex. That tract of land is one contiguous piece of land contained within MISSOURI VALLEY COMPLEX BLOCK 1 LOT 2, LOTS 4-5, LOTS 7-15 & LOTS 18-19, Burleigh County, North Dakota. The tract does not have its own metes and bounds legal description but is illustrated on the attached and hereby incorporated Exhibit A.

3. **Existing Agreements:** This agreement shall replace all oral agreements, leases and memorandums of agreements and contracts between LESSEE and Burleigh County related to the land described in paragraph 2 at the Missouri Valley Complex.

4. **Use:** Lessee will use the land for farming as outlined in paragraph 7.

5. **Term of Lease:** The term of this lease will be May 13th, 2024 - December 31st, 2024.

6. **Rent:** The rent for the land is established at $50.00 an acre multiplied by 50 acres equates to a total of $2,500 annually. The rent is payable no later than May 31st of each year that the lease is in effect. Payment will be payable to Burleigh County, Attn: Burleigh County Auditor/Treasurer, PO Box 5518, Bismarck, ND 58506. Burleigh County shall be entitled to collection costs, attorney's fees, and reasonable interest for late payment. If no payment is received by the County Auditor/Treasurer by June 1st of the leasing year, the lease is immediately terminated/cancelled and Burleigh County can immediately re-enter the property and take possession.

7. **Lessee Responsibilities:** Lessee agrees to farm the acres in a good and husband-like manner, according to the usual course of husbandry. In connection therewith Lessee agrees, as to the farm acres, to keep under control, to the best of the Lessee ability, all noxious weeds. Lessee shall furnish all seed, machinery, labor, equipment, and anything else connected with the farming of said land during the term of this lease, at the entire expense, cost, and liability of Lessee, and free of all expense, cost and liabilities of County, and shall at all times keep the real property free and clear of any liens of any' third parties that might attempt to make a claim through Lessee. Lessee agrees that he/she will maintain the land during the tenancy in at least as good a condition and repair as it was at the beginning of this lease, and will keep in good repair all open ditches; any grass waterways, if any; will not commit waste or damage to the real estate or hay land and will use due care to prevent others from doing so; will not construct any drainage activities or obstruct any natural draining paths without the written consent of County; will permit County or its agents to enter the haying land at any reasonable time for repairs, improvements, and inspection and such other purposes as County may desire provided that County shall not unreasonably interfere with the operations of Lessee or damage crops of Lessee; and will

farm the real estate and rotate crops in such a manner as to reasonably preserve the value of the property and reasonably limit the spread or growth of noxious weeds.

8. **Equipment:** All equipment that is utilized by Lessee shall be removed from the Missouri Valley Complex property no later than November 15th of each year.

9. **Insurance:** Lessee will carry general liability insurance for use of the land. A copy of the insurance certificate shall be supplied to the County by May 13th of each year that the lease is in effect.

10. **Indemnification and Hold Harmless:** Lessee agrees to fully indemnify and hold harmless the County from all claims, actions, causes of actions, lawsuits, etc., which may arise as a result of Lessee's management and operation of the property at the designated location. This indemnification and hold harmless agreement includes, but is not limited to, an agreement to indemnify and hold the County harmless for all costs, expenses, damages, economic and non- economic losses as defined under North Dakota law, including attorney's fees, and any other consequences which may arise as a result of Lessee's management and operation of property at the designated location. It is expressly understood that Lessee shall be responsible for full indemnification of the County and will hold the County harmless from any and all such claims.

11. **Liability Claims:** The County shall be held free from all liabilities and claims for damages and/or suits for, or by reason of, any injury or injuries to any person or persons, or property, of any kind whatsoever (whether the person or property of Lessee, their agents or employees, or third persons), from any cause or causes whatsoever, while in or upon said premises, or any part thereof, during the term of this lease, or on account of any occupancy or use of said premises, or any activity carried on, by Lessee in connection therewith; Lessee hereby covenants and agrees to indemnify and save harmless the County from all liabilities, charges, expenses (including attorney's fees) and costs on account of or by reason of any such injuries, liabilities, claims, suits or losses, howsoever occurring, or damages growing out of the same.

12. **Farm Payments:** If farm payments are allocated for the property, they will be paid to Lessee.

13. **Termination of Agreement.** The County or Lessee may unilaterally terminate this agreement upon 30 days' written notice to the other party. In the case that the agreement is terminated, it is understood that the termination of the agreement shall be effective on December 31st of that same year. Each party shall submit final billing statements and checks within 30 days of termination date. Either party may terminate this agreement for cause due to breach of the agreement. Such termination shall be preceded by a fourteen (14) day written notice to the breaching party. If the breaching party fails to remedy the breach within fourteen (14) days of receipt of notice, the non-breaching party shall have the right to terminate the agreement at the end of the fourteen (14) days.

15. **Subletting:** This lease is not transferrable and in no way may the Lessee sublet, assign, or encumber their interest in the lease without prior written approval and consent of the County.

16. **Default:** If Lessee fails to pay the rent or any other charge required to be paid by Lessee, or if Lessee breaches any of the terms of this lease, then as to every default or breach, including non-payment of rent, County may give Lessee fourteen (14) days written notice thereof. If such default has not been cured within such period, then County may terminate this lease and the County will have the right to reenter and take possession of the land, but Lessee will remain liable as hereinafter provided. If the land becomes vacant or abandoned (not hayed and becomes overgrown), this lease shall expire and terminate and County may re-enter and may take possession of the land in the manner provided by law but Lessee will remain liable as hereinafter provided. Notwithstanding anything stated herein, Lessee agrees that whether possession is taken, or this lease is cancelled by County, the entire unpaid balance of rent shall accelerate and immediately become due and payable and Lessee will be responsible for all costs, including attorneys' fees incurred by County in enforcing this and any other provision of this lease. Lessee agrees to pay County's reasonable attorneys' fees and expenses incurred in and about enforcing any of the terms of this lease, in collecting past due rent, and in and about recovering possession from Lessee, should the services of an attorney be retained by County in so doing.

17. **Successors:** All rights of the parties herein shall inure to the benefit of its successors, and assigns; and all obligations and benefits shall bind its successors, heirs, personal representatives and assigns.

DJ Coleman Inc. -LESSEE

5-20-24
Date

Brian Bitner, Chairman

Burleigh County Commission

6/3/24
Date

Exhibit A


2609
E MAIN AVE
E MAIN AVE
E MAIN AVE
MIDWEST DR
MIDWEST DR
MIDWEST DR

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

May 19, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration April 7, 2025, meeting minutes.

5. Comm. Munson:
    a. Boat ramp dredging.
    b. Kimball Bottoms Feasibility study.
    c. Steckel Boat ramp improvements.
    d. Kniefel boat ramp.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration May 5, 2025, meeting minutes and bills.
5. Consent Agenda:
    a. Abatements.
    b. Special use permits.
    c. Liquor License renewals.

6. PUBLIC HEARING: Consideration of Sanford bond.
7. Address to the Commission regarding the petition to the ND Governor for the removal of the Burleigh County Auditor.
8. Chairman Bitner:
    a. Consideration of submitting a petition to the Governor to remove Auditor/Treasurer Splonskowski.
    b. Discussion on transfer of duties from Auditor/Treasurer

9. Discussion on preliminary resolution for the redesignation of Auditor/Treasurer.
10. Burleigh County Extension agent Kelsey Deckert:
    a. NDSU-Burleigh County Extension.
11. County Sheriff Leben:
    a. DOT traffic safety grant.
12. County Engineer Hall:
    a. Developer waiver request.
    b. Township Mileage Certification.
13. County Facilities Director Hook.
    a. Bids for the boiler replacement and heating upgrade.
14. County HR Director Binder:
    a. Health Insurance Review.
15. Finance Director Jacobs.
    a. Primary Residence Credit updates.
    b. Investment and bank documentation.
16. Auditor/Treasurer Splonskowski:
    a. Missouri Valley Complex purchase inquiry.
    b. Budget committee discussion.
    c. Parking lot transfer update.
17. Other business.
18. Adjourn.

The next regularly scheduled Commission meeting will be on June 2, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY PARK BOARD

ITEM

4

BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
APRIL 7th, 2025

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

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

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

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the October 21st, 2024 meeting minutes. All members present voted 'AYE'. Motion carried.

Bismarck Parks & Recreation Director Dave Mayer stated that the 404 permits had been obtained for both the Kimball Bottoms and Kneifel boat ramps and that he was here to request authorization to obtain bids for dredging. Discussion of possible locations to dispose of the dredging waste was had. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the request to obtain bids for the dredging of the Kimble Bottoms and Kneifel boat ramps. All members present voted 'AYE'. Motion carried.

Director Mayer started a discussion about the old Kimball Bottoms boat ramp and a possible rebuild of that ramp. The Army Corp of Engineers had asked Mayer what was going to be done with the ramp. Mayer is looking into the possible designs of a new ramp and will report back to the Commission at a later date.

Meeting adjourned.

_____ _____

Mark Splonskowski, Auditor/Treasurer Brian Bitner, Chairman

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ITEM

5

Addenda item for May 19th, 2025 Park Board Meeting

Description: Dave Mayer will lead us through the bid for the dredging of Kniefel and Kimball Boat Ramps

Dredging is required again at both boat ramps. Permits we applied for much earlier this year so we would be ready to meet the needs of the residents.

Misty Waters has requested approval to utilize our contractor for their dredging project as well, this will help reduce both of our costs at the Kneifel Boat Ramp

Action: Approve the low bid for each ramp.
2nd Motion: approve Misty Waters to utilize the same contractor for their project.

NATIONAL GOLD MEDAL WINNER
BISMARCK PARKS AND RECREATION DISTRICT
Est. 1927

Let's Play!

May 13, 2025

Burleigh County Commission
221 N 5th St
Bismarck, ND 58501

RE: Approval to Accept Dredging Quotes

Bismarck Parks and Recreation District (BPRD) is requesting authorization to proceed with the sediment dredging at Kimball Bottoms and Kniefel Boat Landing. BPRD did solicit vendors for sealed priced quotes. Midwest Dragline was the only vendor that submitted a price quote. The price quote for Kimball Bottoms is $6,000.00 for 250 cubic yards; Kniefel Boat Ramp is $9,750.00 for 500 cubic yards.

If approved Midwest Dragline would have the work completed by June 30, 2025, following the guidelines set forth by USACE.

Regards,

David Mayer
Operations Director
400 E. Front Ave.
Bismarck, ND 58504
701-222-6464 (phone)
dmayer@bisparks.org

Addenda item for May 19th, 2025 Park Board Meeting

Description: Dave Mayer will lead us through the proposal for Kimball Boat Ramp Feasibility Study

The Corp of Engineers has been requesting for the past few years that we need to design a solution for removing a portion of the old ramp to reduce the amount of dredging that is required each year.

Action: Approve the proposal from Houston Engineering.

HOUSTON engineering, inc.

Bismarck Office | P | 701.323.0200
3712 Lockport Street | Bismarck, ND 58503

April 6, 2025

Burleigh County Park Board (BCPB)
Commissioner Wayne Munson
221 N 5th St
Bismarck, ND 58501

Subject: Kimball Bottoms Boat Ramp Feasibility Study, Bismarck, North Dakota

Thank you for requesting this proposal for the Kimball Bottoms Boat Ramp Feasibility Study located in Burleigh County, North Dakota. We prepared this proposal based on our knowledge and understanding of the ramp's location on the Missouri River system, with a focus on preserving and enhancing its public recreational values. We included the following tasks and projected the associated fees to provide a completed feasibility study.

Task #1 – Engineering Services Agreement (ESA) **No Charge**

- Includes development of an Engineering Services Agreement (ESA) with BCPB . Attached to this letter are our standard rates and general terms and conditions that are part of the ESA.
- *Deliverable is the completed and signed ESA*

Task #2 – Feasibility Study **$34,800.00**

- A study will be conducted regarding the feasibility of reducing sedimentation risks at the existing ramp along with restoration and protection of the eroded parking lot. Sections of the feasibility study would include the following:
  - Missouri River Hydraulics
    - Modeling and Velocity Vector Calculations
    - Evaluate existing ramp and stabilization measures to reduce sediment risk
    - Bankline Conditions and Stabilization Measures (Ex. Armoring or Jetty)
  - Conceptual Site Plan / Parking Layouts
    - Environmental / Tree Impacts
    - Site Amenity Alternatives
    - Bank Stabilization needs to prevent the loss of the parking area and ramp
    - Existing parking lot restoration alternatives to optimize use
    - Opinions of Probable Construction Cost
    - Preferred Alternative Recommendation
  - Permitting Requirements – Regulatory Consultations
    - Platting / Zoning / USACE / FEMA / NDDWR / County / Local / etc.
    - Consultation regarding the existing land and material losses into the river

- Funding Opportunities
- Public Hearing / Three Stakeholder Meetings

- *Deliverable is a feasibility study report prepared by Houston Engineering documenting the items listed above.*

Total Budgeted costs for Tasks 1 through Task 2: $34,800.00

Project Schedule:

Activity	Completion Date		
	Month	Day	Year
Award Feasibility Study	June	2	2025
BCPB Coordination Meeting	June	9	2025
50% Feasibility Review	July	18	2025
Feasibility Report	August	18	2025

The total lump sum fee for the study is $34,800, which is not to be exceeded without prior written approval, unless additional tasks are directly requested by the client. The fee is based on having conceptual alternatives and options reviewed and selected at the 50% project completion point. If changes are requested by the BCPB or other partners, after that time, we will consider additional services needs and complete them on a time and materials basis.

This scope of work is not all-inclusive, and it does not include design drawings, geotechnical, permitting, plating, or any other item specifically identified in the above tasks.

AGREEMENT

Houston's receipt of this accepted proposal constitutes a contract between us and Burleigh County Park Board into which the enclosed *Houston Engineering, Inc. General Terms and Conditions dated September 30, 2024* and our 2025 Fee Schedule are hereby incorporated by reference.

This proposal is valid until June 2, 2025. We appreciate this opportunity and look forward to working with you on this project. If you agree, please sign below, and return via email to Houston Engineering, Inc.

Sincerely,
HOUSTON ENGINEERING, INC.



Michael Gunsch, P.E, CFM
Senior Project Engineer
mgunsch@houstoneng.com

Accepted by:

_____

Title: _____

Date: _____

General Terms and Conditions

1. STANDARD OF CARE

Houston shall perform its Services in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances in the region where the Project is located.

2. PAYMENT TERMS

Invoices will be submitted periodically (customarily on a monthly basis) and are due and payable upon receipt. Client agrees to pay a service charge on all accounts 30 days or more past due at a rate equal to one percent (1%) each month but in no event shall such service charge exceed the maximum amount allowed by law. Acceptance of any payment from Client without accrued service charges shall not be deemed to be a waiver of such service charges by Houston. In the event Client is past due with respect to any invoice Houston may, after giving seven (7) days written notice to Client, suspend all services without liability until Client has paid in full all amounts owing Houston on account of services rendered and expenses incurred, including service charges on past due invoices. Payment of invoices is not subject to discount or offset by Client.

3. CHANGES OR DELAYS

If the Project requires conceptual or process development services, such services often are not fully definable in the initial planning. If, as the Project progresses, facts develop that in Houston's judgment dictate a change in the Services to be performed, Houston shall inform Client of such changes and the parties shall negotiate, in good faith, with respect to any change in scope and adjustment to the time of performance and compensation and modify the Agreement accordingly. Houston may also proceed with additional services specifically requested in writing by the Client, including electronic communications, without a written modification to the Agreement. Client shall compensate Houston for the additional services in an amount equal to the cumulative hours worked multiplied by the billing rates specified in the Agreement, or based on Houston's standard billing rates if billing rates are not specified in the Agreement; plus reimbursement of expenses incurred in connection with providing the additional services. In the event the parties are unable to reach an agreement, either party may terminate this Agreement without liability by giving fourteen (14) days written notice to the other party. In the event of termination, the final invoice will include all Services and expenses associated with the Project up to the effective date of termination and will also include equitable adjustment to reimburse Houston for any termination settlement costs incurred relating to commitments that had become firm before termination plus a 10 percent markup on those settlement costs.

4. PAYMENT

Where the method of payment under the Agreement is based upon cost reimbursement (e.g., hourly rate, time and materials, direct personnel expense, per diem, etc.), the following shall apply: (a) the minimum time segment for charging work is one-quarter hour; (b) labor (hours worked) and expenses will be charged at rates commensurate with the attached fee schedule or, if none is attached, with Houston's current fee schedule (at the time of the work); (c) when applicable, rental charges will be applied to cover the cost of pilot-scale facilities or equipment, apparatus, instrumentation, or other technical machinery. When such charges are applicable, Client will be advised at the start of an assignment, task, or phase; and (d) invoices based upon cost reimbursement will be submitted showing labor (hours worked) and total expense. If requested by Client, Houston shall provide supporting documentation at Client's cost, including labor and copying costs.

5. TERMINATION

Either party may terminate this Agreement, in whole or in part, by giving thirty (30) days written notice to the other party if the other party fails to fulfill its obligations under this Agreement through no fault of the terminating party. In such event, and subject to the limitations set forth in this Agreement, the non-defaulting party may pursue its rights and remedies as contemplated by this Agreement and as allowed by law.

6. BETTERMENT

If any item or component of the Services or an amended Task Order is required due to omission from the original documents or Task Order provided to Houston, Houston's liability shall be limited to the reasonable costs of correction of the omission, less the cost to Client if the omitted item or component had been initially included in the original documents or Services documents. All costs of errors, omissions or other changes that result in betterment shall be borne by Client and shall not be a basis of a claim against Houston. In no event will Houston be responsible for that portion of any cost or expense that provides betterment or upgrades or enhances the value of the Services.

7. LIMITATION OF LIABILITY

In no event shall Houston be liable for punitive, special, incidental, indirect, consequential, or lost profit damages of any kind or nature, regardless of the form of action to which such damages are sought. Houston's maximum cumulative liability with respect to all claims and liabilities under this Agreement, whether or not insured, shall not exceed the greater of $50,000 or the total compensation received by Houston under this Agreement, whether such claim is based on negligence, breach of contract, or any other theory. The disclaimers and limitations of liability set forth in this Agreement shall apply regardless of any other contrary provision set forth and regardless of the form of action, whether in contract, tort or otherwise. Each provision of this Agreement which provides for a limitation of liability, disclaimer of warranty or condition or exclusion of damages is severable and independent of any other provision and is to be enforced as such. Client hereby releases Houston from any and all liability over and above the limitations set forth in this paragraph.

8. INSURANCE

Houston shall obtain and maintain during the term of this Agreement, at its own expense, workers' compensation insurance and commercial general liability insurance in amounts determined by Houston and will, upon request, furnish insurance certificates to Client. The existence of any such insurance shall not increase Houston's liability as limited by paragraph 6 above.

9. HAZARDOUS SUBSTANCES

Client shall furnish or cause to be furnished to Houston all documents and information known by Client that relate to the identity, location, quantity, nature, or characteristics of any asbestos, pollutant, or hazardous substance, however defined ("Hazardous Substances") at, on or under the Project site. Houston is not, and has no responsibility as a handler, generator, operator, treater, storer, transporter, or disposer of Hazardous Substances found or identified at the Project. Client agrees to bring no claim for fault, negligence, breach of contract, indemnity, or other action against Houston, its principals, employees, agents, and consultants, if such claim in any way would relate to Hazardous Substances in connection with the Project. If Hazardous Substances are identified or located at the Project site, Houston may suspend all Services without liability until remediation of the Hazardous Substances is complete. Houston reserves the right to adjust the attached Fee Schedule or any rate schedule of

Houston's subconsultants for specialized fees or services related to remediation of Hazardous Substances as agreed in writing between Houston and Client. Client further agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless Houston, its principals, employees, agents, and consultants and subconsultants from and against all fees, costs, claims, damages, losses, and expenses, direct or indirect, or consequential damages, including but not limited to fees and charges for third-party remediation specialists, experts, attorneys, and court and arbitration costs, arising out of or resulting from the performance of Houston's Services hereunder, or claims brought against Houston by third parties arising from Houston's Services or the services of others and/or work in any way associated with Hazardous Substance activities. This indemnification shall survive termination of this Agreement.

10. INDEMNIFICATION

Client shall indemnify, defend, and hold harmless Houston, together with its officers, directors, shareholder, agents, consultants and employees from and against any and all claims, costs, losses and damages, including attorneys' fees and other costs of litigation or dispute resolution arising directly or indirectly from Client's breach of this Agreement or Client's fault, negligent acts or omissions or intentional misconduct in connection with this Agreement or the Project. Subject to the limitations set forth in this Agreement, Houston shall indemnify and hold harmless Client, together with its officers, directors, and employees from and against any and all, costs, losses and damages, including reasonable attorneys' fees and other costs of litigation or dispute resolution to the extent caused by Houston's fault, negligent acts or omissions in connection with this Agreement or the Project. The indemnification obligations set forth in this paragraph shall survive termination of this Agreement.

11. WARRANTY

Except as specifically set forth in this Agreement, Houston has not made and does not make any warranties or representations whatsoever, express or implied, as to Services performed or products provided including, without limitation, any warranty or representation as to: (a) the merchantability or fitness or suitability of the Services or products for a particular use or purpose whether or not disclosed to Houston; and (b) delivery of the Services and products free of the rightful claim of any person by way of infringement (including, but not limited to, patent or copyright infringement) or the like. Houston does not warrant and will not be liable for any design, material or construction criteria furnished or specified by Client and incorporated into the Services provided hereunder.

12. CONTRACTOR MEANS AND METHODS

Houston has no control over, supervision of, or responsibility for construction of the Project or at the Project site. Client is solely responsible for retaining a qualified contractor or contractors licensed in the jurisdiction of the project (separately or collectively, the "Contractor") to implement the construction of the Project ("Work"). Contractor shall coordinate, control, supervise, and direct all portions of the Work and shall be solely responsible for, and have control over, construction means, methods, techniques, sequences, procedures, safety, and security. Houston shall not be responsible for and shall bear no liability for Contractor's failure to perform the Work in accordance with the requirements of the Project and any documents or contracts related to the Project. To the fullest extent permitted by law, Contractor shall indemnify and hold harmless Client, Houston, and Houston's subconsultants, officers, directors, shareholder, agents, consultants, and employees from and against claims, damages, losses, and expenses, including but not limited to attorneys' fees and costs, arising out of or resulting from performance of the Work. Contractor shall provide insurance and name Client, Houston, and Houston's subconsultants as additional insureds on Contractor's commercial general liability insurance policies on a primary and non-contributory basis. The amount of coverage available to the additional insureds shall be the amount of coverage required in the Client-Contractor agreement.

13. PROJECT SITE

Client shall furnish such reports, data, studies, plans, specifications, documents, and other information regarding surface and subsurface site conditions required by Houston for proper performance of its Services. Houston shall be entitled to rely upon Client provided documents and information in performing the Services required under this Agreement. Houston assumes no responsibility or liability for the accuracy or completeness of any such documents or information. Houston will not direct, supervise, or control the Work, means or methods of Contractor or its/their subcontractors in connection with the Project. Houston's Services will not include a review or evaluation of the Contractor's or subcontractor's safety measures. The presence of Houston, its employees, agents, or subcontractors on a site shall not imply that Houston controls the operations of others, nor shall it be construed to be an acceptance by Houston of any responsibility for jobsite safety.

14. CONFIDENTIALITY

Houston shall maintain as confidential and not disclose to others without Client's prior consent all information obtained from Client that was not otherwise previously known to Houston or in the public domain and is expressly designated by Client in writing to be "CONFIDENTIAL." The provisions of this paragraph shall not apply to information in whatever form that (a) is published or comes into the public domain through no fault of Houston, (b) is furnished by or obtained from a third party who is under no obligation to keep the information confidential, or (c) is required to be disclosed by law on order of a court, administrative agency, or other authority with proper jurisdiction. Client agrees that Houston may use and publish Client's name and a general description of Houston's services with respect to the Project in describing Houston's experience and qualifications to other clients or potential clients.

15. RE-USE OF DOCUMENTS

All documents, including drawings and specifications, prepared or furnished by Houston (and Houston's affiliates, agents, subsidiaries, independent professional associates, consultants, and subcontractors) pursuant to this Agreement are instruments of service in respect of the Project, and Houston shall retain ownership thereof, whether or not the Project is completed. Client may make and retain copies for information and reference in connection with the Project; however, such documents are not intended or represented to be suitable for re-use by Client or others on extensions of the Project or on any other project. Any re-use without written verification or adaptation by Houston for the specific purpose intended will be at Client's sole risk and without liability to Houston or Houston's affiliates, agents, subsidiaries, independent professional associates, consultants, and subcontractors with respect to any and all costs, expenses, fees, losses, claims, demands, liabilities, suits, actions, and damages whatsoever arising out of or resulting therefrom. Any such verification or adaptation will entitle Houston to further compensation at rates to be agreed upon by Client and Houston. Client shall indemnify, defend, and hold harmless Houston, together with its officers, directors, shareholder, agents, consultants and employees from and against any and all claims, costs, losses, and damages, including attorneys' fees and other costs of litigation or dispute resolution arising directly or indirectly from Client's re-use of all information, documents, drawings, specifications prepared as part of the Project.

16. REMEDIES

Subject to the limitations set forth in this Agreement, in the event any party is in default of this Agreement, the non-defaulting party shall be entitled to pursue all rights and remedies available to it under this Agreement or as allowed by law.

17. PROPRIETARY DATA

The technical and pricing information in connection with the Services provided by Houston is confidential and proprietary and is not to be disclosed or otherwise made available to third parties by Client without the express written consent of Houston.

18. GOVERNING LAW

The validity, construction and performance of this Agreement and all disputes between the parties arising out of or related to this Agreement shall be governed by the laws, without regard to the law as to choice or conflict of law, of the State of North Dakota. Client consents to jurisdiction as to all issues concerning or relating to this Agreement or the Project with the federal or state district courts designated for Cass County, North Dakota.

19. DATA PRACTICES ACT REQUESTS

Houston considers certain information developed during the execution of services as "not public" and "protected" from public disclosure under the various local, state, and federal data practices laws. Client shall reimburse Houston for any and all costs and expenses, including attorneys' fees associated with any requests for release of information under any such laws.

20. FORCE MAJEURE

Houston shall not be liable for any loss, damage or delay resulting out of its failure to perform hereunder due to, without limitation, causes beyond its reasonable control including, without limitation, acts of God, acts of nature or the Client, acts of civil or military authority, terrorists threats or attacks, fires, strikes, floods, epidemics, pandemics, quarantine restrictions, war, riots, delays in transportation, transportation embargos, extraordinary weather conditions or other natural catastrophe or any other cause beyond the reasonable control of Houston, if such could have not been overcome by the exercise of reasonable efforts by Houston (each, an "Event of Force Majeure). Any delay due to an Event of a Force Majeure shall not be deemed to be a breach of or failure to perform this Agreement or any part hereof; provided, however, Houston shall provide reasonable notice to the Client of any Event of Force Majeure which notice shall provide the particulars of the cause of the event of Force Majeure in writing. In the event of any such delay, Houston's performance date(s) will be extended for that length of time as may be reasonably necessary to compensate for the delay.

21. WAIVER OF JURY

In the interest of expediting any disputes that might arise between Houston and Client, Client hereby waives its rights to a trial by jury of any dispute or claim concerning this Agreement, the Services, the Project and any other documents or agreements contemplated by or executed in connection with this Agreement.

22. BUSINESS ENTITY

Client acknowledges that Houston is a business corporation and agrees that any claim made by Client arising out of any act or omission of any shareholder, director, officer, or employee of Houston in the execution or performance of this Agreement shall be made solely against Houston and not against any individual or group of individuals in any capacity.

23. NOTICES

Any and all notices, demands or other communications required or desired to be given under this Agreement shall be in writing and shall be validly given or made if personally served; sent by commercial carrier service; deposited in the United States Mail, certified or registered, postage prepaid, return receipt requested; or sent by electronic mail with read receipt requested. If such notice or demand is served personally, notice shall be deemed constructively made at the time of such personal service. If such notice, demand or other communication is given by mail, electronic mail, or commercial carrier service, such notice shall be conclusively deemed given three (3) days after deposit thereof in the United States Mail or with a commercial carrier service or by transmission by electronic mail. Notices, demands, or other communications required or desired hereunder shall be addressed to the individuals indicated in this Agreement at the U.S. mail or electronic addresses indicated in this Agreement. Any party may change its address or authorized recipient for purposes of this paragraph by written notice given in the manner provided above.

24. MISCELLANEOUS

This Agreement shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice-to-proceed, or like document regarding the Services. If any provision of this Agreement is determined to be invalid or unenforceable in whole or part by a court of competent jurisdiction, the remaining provisions hereof shall remain in full force and effect and be binding upon the parties hereto. The parties agree to reform this Agreement to replace any such invalid or unenforceable provision with a valid and enforceable provision that as closely as possible expresses the intention of the stricken provision. This Agreement, including but not limited to the indemnification provisions, shall survive the completion of the Services under this Agreement and the termination of this Agreement. This Agreement gives no rights or benefits to anyone other than Houston and Client and has no third-party beneficiaries except as may be specifically set forth in this Agreement. This Agreement constitutes the entire agreement between the parties and shall not in any way be modified, varied, or amended unless in writing signed by the parties. Prior negotiations, writings, quotes, and understandings relating to the subject matter of this Agreement are merged herein and are superseded and canceled by this Agreement. Headings used in this Agreement are for the convenience of reference only and shall not affect the construction of this Agreement. This Agreement and the rights and duties hereunder may not be assigned by Client, in whole or in part, without Houston's prior written approval. No failure or delay on the part of Houston in exercising the right, power or remedy under this Agreement shall operate as a waiver thereof; nor shall any single or partial exercise of any rights, power or remedy preclude any other or further exercise thereof or the exercise of any other right, power or remedy hereunder. The remedies provided in this Agreement are cumulative and not exclusive of any remedies provided by law.

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2025 FEE SCHEDULE

LABOR RATES

The following is a schedule of hourly rates and charges for services offered by Houston Engineering, Inc. These rates are subject to a modest increase on January 1st of each year (typically no more than 5%).

Category	2025 Rates
Engineering Assistant 1	$104
Engineering Assistant 2	123
Engineer 1	149
Engineer 2	156
Engineer 3	164
Engineer 4	172
Engineer 5	183
Engineer 6	194
Engineer 7	206
Engineer 8	216
Engineer 9	227
Engineer 10	237
Engineer 11	248
Engineer 12	260
Engineer 13	269
Scientist Assistant	$107
Scientist 1	145
Scientist 2	156
Scientist 3	172
Scientist 4	185
Scientist 5	197
Scientist 6	230
Scientist 7	260
Hydrogeologist 1	$156
Hydrogeologist 2	173
Hydrogeologist 3	197
Hydrogeologist 4	244
Hydrogeologist 5	260
Senior Consultant 1	$219
Senior Consultant 2	272
Senior Consultant 3	285
Senior Consultant 4	296
Senior Consultant 5	307

Category	2025 Rates
Technician Assistant	$107
Technician 1	123
Technician 2	131
Technician 3	140
Technician 4	149
Technician 5	156
Technician 6	164
Technician 7	173
Technician 8	182
Technician 9	190
Technician 10	200
Technician 11	208
GIS Assistant	$76
GIS Analyst 1	116
GIS Analyst 2	128
GIS Analyst 3	140
GIS Analyst 4	153
GIS Analyst 5	164
GIS Analyst 6	176
Project Manager 1 – Technology	179
Project Manager 2 – Technology	198
Project Manager 3 – Technology	230
Software Engineer 1	$135
Software Engineer 2	152
Software Engineer 3	163
Software Engineer 4	175
Software Engineer 5	188
Software Engineer 6	200
Software Engineer 7	212
Software Engineer 8	230
Computer Technician	$189

Category	2025 Rates
Project Assistant 1	$87
Project Assistant 2	101
Project Assistant 3	107
Project Assistant 4	112
Project Assistant 5	120
Project Assistant 6	125
Planner 1	$172
Planner 2	188
Planner 3	205
Planner 4	237
Planner 5	249
Land Surveyor 1	$156
Land Surveyor 2	179
Land Surveyor 3	198
Land Surveyor 4	211
Land Surveyor 5	237
Land Surveyor 6	260
CAD Technician 1	$109
CAD Technician 2	114
CAD Technician 3	123
CAD Technician 4	131
CAD Technician 5	140
CAD Technician 6	149
Drone Pilot	$165
Drone Visual Observer	67
Landscape Architect 1	$142
Landscape Architect 2	154
Landscape Architect 3	165
Landscape Architect 4	178
Landscape Architect 5	189

SURVEY CREWS & REIMBURSABLE EXPENSES

Category	2025 Rates
Survey Crews: 1-Person Crew (plus equipment) 2-Person Crew (plus equipment) 3-Person Crew (plus equipment) 4-Person Crew (plus equipment)	 $190/hour $231/hour $286/hour $320/hour
Meals	Actual Cost
Hotel	Actual Cost
Mileage – Vehicles: 2-Wheel Drive 4-Wheel Drive	 IRS Standard Mileage Rate IRS Standard Mileage Rate + $.20/Mile
GPS Equipment	$25/hour/unit
Robotic Total Station	$40/hour

Category	2025 Rates
ATV/Snowmobile/ Boat	$15/hour
ATV w/Tracks	$30/hour
Hydrone RCV	$50/hour
Small UAS (Drone)	$25/hour
Large UAS (Drone)	$50/hour
Deliveries/Postage/Printing	Actual Cost
Surveying Materials: Lath, Hubs, Pipe, etc.	Actual Cost
Special Equipment and Other Materials Required	Actual Cost
Subconsultants	Actual Cost + 10%

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If the Project requires conceptual or process development services, such services often are not fully definable in the initial planning. If, as the Project progresses, facts develop that in Houston's judgment dictate a change in the Services to be performed, Houston shall inform Client of such changes and the parties shall negotiate, in good faith, with respect to any change in scope and adjustment to the time of performance and compensation and modify the Agreement accordingly. Houston may also proceed with additional services specifically requested in writing by the Client, including electronic communications, without a written modification to the Agreement. Client shall compensate Houston for the additional services in an amount equal to the cumulative hours worked multiplied by the billing rates specified in the Agreement, or based on Houston's standard billing rates if billing rates are not specified in the Agreement; plus reimbursement of expenses incurred in connection with providing the additional services. In the event the parties are unable to reach an agreement, either party may terminate this Agreement without liability by giving fourteen (14) days written notice to the other party. In the event of termination, the final invoice will include all Services and expenses associated with the Project up to the effective date of termination and will also include equitable adjustment to reimburse Houston for any termination settlement costs incurred relating to commitments that had become firm before termination plus a 10 percent markup on those settlement costs.

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Where the method of payment under the Agreement is based upon cost reimbursement (e.g., hourly rate, time and materials, direct personnel expense, per diem, etc.), the following shall apply: (a) the minimum time segment for charging work is one-quarter hour; (b) labor (hours worked) and expenses will be charged at rates commensurate with the attached fee schedule or, if none is attached, with Houston's current fee schedule (at the time of the work); (c) when applicable, rental charges will be applied to cover the cost of pilot-scale facilities or equipment, apparatus, instrumentation, or other technical machinery. When such charges are applicable, Client will be advised at the start of an assignment, task, or phase; and (d) invoices based upon cost reimbursement will be submitted showing labor (hours worked) and total expense. If requested by Client, Houston shall provide supporting documentation at Client's cost, including labor and copying costs.

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Either party may terminate this Agreement, in whole or in part, by giving thirty (30) days written notice to the other party if the other party fails to fulfill its obligations under this Agreement through no fault of the terminating party. In such event, and subject to the limitations set forth in this Agreement, the non-defaulting party may pursue its rights and remedies as contemplated by this Agreement and as allowed by law.

6. BETTERMENT

If any item or component of the Services or an amended Task Order is required due to omission from the original documents or Task Order provided to Houston, Houston's liability shall be limited to the reasonable costs of correction of the omission, less the cost to Client if the omitted item or component had been initially included in the original documents or Services documents. All costs of errors, omissions or other changes that result in betterment shall be borne by Client and shall not be a basis of a claim against Houston. In no event will Houston be responsible for that portion of any cost or expense that provides betterment or upgrades or enhances the value of the Services.

7. LIMITATION OF LIABILITY

In no event shall Houston be liable for punitive, special, incidental, indirect, consequential, or lost profit damages of any kind or nature, regardless of the form of action to which such damages are sought. Houston's maximum cumulative liability with respect to all claims and liabilities under this Agreement, whether or not insured, shall not exceed the greater of $50,000 or the total compensation received by Houston under this Agreement, whether such claim is based on negligence, breach of contract, or any other theory. The disclaimers and limitations of liability set forth in this Agreement shall apply regardless of any other contrary provision set forth and regardless of the form of action, whether in contract, tort or otherwise. Each provision of this Agreement which provides for a limitation of liability, disclaimer of warranty or condition or exclusion of damages is severable and independent of any other provision and is to be enforced as such. Client hereby releases Houston from any and all liability over and above the limitations set forth in this paragraph.

8. INSURANCE

Houston shall obtain and maintain during the term of this Agreement, at its own expense, workers' compensation insurance and commercial general liability insurance in amounts determined by Houston and will, upon request, furnish insurance certificates to Client. The existence of any such insurance shall not increase Houston's liability as limited by paragraph 6 above.

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Client shall furnish or cause to be furnished to Houston all documents and information known by Client that relate to the identity, location, quantity, nature, or characteristics of any asbestos, pollutant, or hazardous substance, however defined ("Hazardous Substances") at, on or under the Project site. Houston is not, and has no responsibility as a handler, generator, operator, treater, storer, transporter, or disposer of Hazardous Substances found or identified at the Project. Client agrees to bring no claim for fault, negligence, breach of contract, indemnity, or other action against Houston, its principals, employees, agents, and consultants, if such claim in any way would relate to Hazardous Substances in connection with the Project. If Hazardous Substances are identified or located at the Project site, Houston may suspend all Services without liability until remediation of the Hazardous Substances is complete. Houston reserves the right to adjust the attached Fee Schedule or any rate schedule of

Houston's subconsultants for specialized fees or services related to remediation of Hazardous Substances as agreed in writing between Houston and Client. Client further agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless Houston, its principals, employees, agents, and consultants and subconsultants from and against all fees, costs, claims, damages, losses, and expenses, direct or indirect, or consequential damages, including but not limited to fees and charges for third-party remediation specialists, experts, attorneys, and court and arbitration costs, arising out of or resulting from the performance of Houston's Services hereunder, or claims brought against Houston by third parties arising from Houston's Services or the services of others and/or work in any way associated with Hazardous Substance activities. This indemnification shall survive termination of this Agreement.

10. INDEMNIFICATION

Client shall indemnify, defend, and hold harmless Houston, together with its officers, directors, shareholder, agents, consultants and employees from and against any and all claims, costs, losses and damages, including attorneys' fees and other costs of litigation or dispute resolution arising directly or indirectly from Client's breach of this Agreement or Client's fault, negligent acts or omissions or intentional misconduct in connection with this Agreement or the Project. Subject to the limitations set forth in this Agreement, Houston shall indemnify and hold harmless Client, together with its officers, directors, and employees from and against any and all, costs, losses and damages, including reasonable attorneys' fees and other costs of litigation or dispute resolution to the extent caused by Houston's fault, negligent acts or omissions in connection with this Agreement or the Project. The indemnification obligations set forth in this paragraph shall survive termination of this Agreement.

11. WARRANTY

Except as specifically set forth in this Agreement, Houston has not made and does not make any warranties or representations whatsoever, express or implied, as to Services performed or products provided including, without limitation, any warranty or representation as to: (a) the merchantability or fitness or suitability of the Services or products for a particular use or purpose whether or not disclosed to Houston; and (b) delivery of the Services and products free of the rightful claim of any person by way of infringement (including, but not limited to, patent or copyright infringement) or the like. Houston does not warrant and will not be liable for any design, material or construction criteria furnished or specified by Client and incorporated into the Services provided hereunder.

12. CONTRACTOR MEANS AND METHODS

Houston has no control over, supervision of, or responsibility for construction of the Project or at the Project site. Client is solely responsible for retaining a qualified contractor or contractors licensed in the jurisdiction of the project (separately or collectively, the "Contractor") to implement the construction of the Project ("Work"). Contractor shall coordinate, control, supervise, and direct all portions of the Work and shall be solely responsible for, and have control over, construction means, methods, techniques, sequences, procedures, safety, and security. Houston shall not be responsible for and shall bear no liability for Contractor's failure to perform the Work in accordance with the requirements of the Project and any documents or contracts related to the Project. To the fullest extent permitted by law, Contractor shall indemnify and hold harmless Client, Houston, and Houston's subconsultants, officers, directors, shareholder, agents, consultants, and employees from and against claims, damages, losses, and expenses, including but not limited to attorneys' fees and costs, arising out of or resulting from performance of the Work. Contractor shall provide insurance and name Client, Houston, and Houston's subconsultants as additional insureds on Contractor's commercial general liability insurance policies on a primary and non-contributory basis. The amount of coverage available to the additional insureds shall be the amount of coverage required in the Client-Contractor agreement.

13. PROJECT SITE

Client shall furnish such reports, data, studies, plans, specifications, documents, and other information regarding surface and subsurface site conditions required by Houston for proper performance of its Services. Houston shall be entitled to rely upon Client provided documents and information in performing the Services required under this Agreement. Houston assumes no responsibility or liability for the accuracy or completeness of any such documents or information. Houston will not direct, supervise, or control the Work, means or methods of Contractor or its/their subcontractors in connection with the Project. Houston's Services will not include a review or evaluation of the Contractor's or subcontractor's safety measures. The presence of Houston, its employees, agents, or subcontractors on a site shall not imply that Houston controls the operations of others, nor shall it be construed to be an acceptance by Houston of any responsibility for jobsite safety.

14. CONFIDENTIALITY

Houston shall maintain as confidential and not disclose to others without Client's prior consent all information obtained from Client that was not otherwise previously known to Houston or in the public domain and is expressly designated by Client in writing to be "CONFIDENTIAL." The provisions of this paragraph shall not apply to information in whatever form that (a) is published or comes into the public domain through no fault of Houston, (b) is furnished by or obtained from a third party who is under no obligation to keep the information confidential, or (c) is required to be disclosed by law on order of a court, administrative agency, or other authority with proper jurisdiction. Client agrees that Houston may use and publish Client's name and a general description of Houston's services with respect to the Project in describing Houston's experience and qualifications to other clients or potential clients.

15. RE-USE OF DOCUMENTS

All documents, including drawings and specifications, prepared or furnished by Houston (and Houston's affiliates, agents, subsidiaries, independent professional associates, consultants, and subcontractors) pursuant to this Agreement are instruments of service in respect of the Project, and Houston shall retain ownership thereof, whether or not the Project is completed. Client may make and retain copies for information and reference in connection with the Project; however, such documents are not intended or represented to be suitable for re-use by Client or others on extensions of the Project or on any other project. Any re-use without written verification or adaptation by Houston for the specific purpose intended will be at Client's sole risk and without liability to Houston or Houston's affiliates, agents, subsidiaries, independent professional associates, consultants, and subcontractors with respect to any and all costs, expenses, fees, losses, claims, demands, liabilities, suits, actions, and damages whatsoever arising out of or resulting therefrom. Any such verification or adaptation will entitle Houston to further compensation at rates to be agreed upon by Client and Houston. Client shall indemnify, defend, and hold harmless Houston, together with its officers, directors, shareholder, agents, consultants and employees from and against any and all claims, costs, losses, and damages, including attorneys' fees and other costs of litigation or dispute resolution arising directly or indirectly from Client's re-use of all information, documents, drawings, specifications prepared as part of the Project.

16. REMEDIES

Subject to the limitations set forth in this Agreement, in the event any party is in default of this Agreement, the non-defaulting party shall be entitled to pursue all rights and remedies available to it under this Agreement or as allowed by law.

17. PROPRIETARY DATA

The technical and pricing information in connection with the Services provided by Houston is confidential and proprietary and is not to be disclosed or otherwise made available to third parties by Client without the express written consent of Houston.

18. GOVERNING LAW

The validity, construction and performance of this Agreement and all disputes between the parties arising out of or related to this Agreement shall be governed by the laws, without regard to the law as to choice or conflict of law, of the State of North Dakota. Client consents to jurisdiction as to all issues concerning or relating to this Agreement or the Project with the federal or state district courts designated for Cass County, North Dakota.

19. DATA PRACTICES ACT REQUESTS

Houston considers certain information developed during the execution of services as "not public" and "protected" from public disclosure under the various local, state, and federal data practices laws. Client shall reimburse Houston for any and all costs and expenses, including attorneys' fees associated with any requests for release of information under any such laws.

20. FORCE MAJEURE

Houston shall not be liable for any loss, damage or delay resulting out of its failure to perform hereunder due to, without limitation, causes beyond its reasonable control including, without limitation, acts of God, acts of nature or the Client, acts of civil or military authority, terrorists threats or attacks, fires, strikes, floods, epidemics, pandemics, quarantine restrictions, war, riots, delays in transportation, transportation embargos, extraordinary weather conditions or other natural catastrophe or any other cause beyond the reasonable control of Houston, if such could have not been overcome by the exercise of reasonable efforts by Houston (each, an "Event of Force Majeure). Any delay due to an Event of a Force Majeure shall not be deemed to be a breach of or failure to perform this Agreement or any part hereof; provided, however, Houston shall provide reasonable notice to the Client of any Event of Force Majeure which notice shall provide the particulars of the cause of the event of Force Majeure in writing. In the event of any such delay, Houston's performance date(s) will be extended for that length of time as may be reasonably necessary to compensate for the delay.

21. WAIVER OF JURY

In the interest of expediting any disputes that might arise between Houston and Client, Client hereby waives its rights to a trial by jury of any dispute or claim concerning this Agreement, the Services, the Project and any other documents or agreements contemplated by or executed in connection with this Agreement.

22. BUSINESS ENTITY

Client acknowledges that Houston is a business corporation and agrees that any claim made by Client arising out of any act or omission of any shareholder, director, officer, or employee of Houston in the execution or performance of this Agreement shall be made solely against Houston and not against any individual or group of individuals in any capacity.

23. NOTICES

Any and all notices, demands or other communications required or desired to be given under this Agreement shall be in writing and shall be validly given or made if personally served; sent by commercial carrier service; deposited in the United States Mail, certified or registered, postage prepaid, return receipt requested; or sent by electronic mail with read receipt requested. If such notice or demand is served personally, notice shall be deemed constructively made at the time of such personal service. If such notice, demand or other communication is given by mail, electronic mail, or commercial carrier service, such notice shall be conclusively deemed given three (3) days after deposit thereof in the United States Mail or with a commercial carrier service or by transmission by electronic mail. Notices, demands, or other communications required or desired hereunder shall be addressed to the individuals indicated in this Agreement at the U.S. mail or electronic addresses indicated in this Agreement. Any party may change its address or authorized recipient for purposes of this paragraph by written notice given in the manner provided above.

24. MISCELLANEOUS

This Agreement shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice-to-proceed, or like document regarding the Services. If any provision of this Agreement is determined to be invalid or unenforceable in whole or part by a court of competent jurisdiction, the remaining provisions hereof shall remain in full force and effect and be binding upon the parties hereto. The parties agree to reform this Agreement to replace any such invalid or unenforceable provision with a valid and enforceable provision that as closely as possible expresses the intention of the stricken provision. This Agreement, including but not limited to the indemnification provisions, shall survive the completion of the Services under this Agreement and the termination of this Agreement. This Agreement gives no rights or benefits to anyone other than Houston and Client and has no third-party beneficiaries except as may be specifically set forth in this Agreement. This Agreement constitutes the entire agreement between the parties and shall not in any way be modified, varied, or amended unless in writing signed by the parties. Prior negotiations, writings, quotes, and understandings relating to the subject matter of this Agreement are merged herein and are superseded and canceled by this Agreement. Headings used in this Agreement are for the convenience of reference only and shall not affect the construction of this Agreement. This Agreement and the rights and duties hereunder may not be assigned by Client, in whole or in part, without Houston's prior written approval. No failure or delay on the part of Houston in exercising the right, power or remedy under this Agreement shall operate as a waiver thereof; nor shall any single or partial exercise of any rights, power or remedy preclude any other or further exercise thereof or the exercise of any other right, power or remedy hereunder. The remedies provided in this Agreement are cumulative and not exclusive of any remedies provided by law.

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Addenda item for May 19th, 2025 Park Board Meeting

Description: Dave Mayer will lead us through the ADA improvements planned for Steckel Boat Landing in 2025

In the 2025 budget we requested funds to continue improving our facilities by bringing them up to current ADA standards.
Improvements to include a new Vault Toilet, Concrete sidewalks that will be placed between the parking lot, the picnic, and the Toilet facility. We are also proposing to add some tree plantings.

Action: This is for information at this time. I have authorized the request for bids and that those bids be brought back to the commission at the next meeting for approval


ACCESSIBLE PARKING
CROSSWALK
BOAT LAUNCH
EXISTING SHELTER
6' CONCRETE WALKWAY 318 LF
ADA VAULT TOILET
EVERGREEN TREES
STECKEL BOAT LANDING

Addenda item for May 19th, 2025 Park Board Meeting

Description: Dave Mayer will lead us through the proposal for Kneifel Boat Ramp Consultant Study

As the plans are in place to replace the Boat Ramp at Keelboat Park, it is my intention to add a ramp to the Kneifel Boat Ramp area. This new ramp will be placed in the area of the current campground area. The campground will be closed and that area will be used for a parking lot. It is also proposed that this ramp area will include a handicapped accessible apparatus that will allow wheelchair bound individuals to be loaded into watercraft.

Action: We can approve this proposal tonight or we can add it to the 2026 Budget.

HOUSTON engineering, inc.

Bismarck Office | P | 701.323.0200
3712 Lockport Street | Bismarck, ND 58503

April 6, 2025

Burleigh County Park Board (BCPB)
Commissioner Wayne Munson
221 N 5th St
Bismarck, ND 58501

Subject: Kniefel Boat Ramp Addition Feasibility Study, Bismarck, North Dakota

Thank you for requesting this proposal for the Kniefel Boat Ramp Addition Feasibility Study located in Northwest Bismarck, North Dakota near the Misty Waters Marina. We prepared this proposal based on our knowledge and understanding of the location on the Missouri River, the desire to expand river access and to increase the public recreational values of this site. We included the following tasks and projected the associated fees to provide a completed feasibility study.

Task #1 – Engineering Services Agreement (ESA) **No Charge**

- Includes development of an Engineering Services Agreement (ESA) with BCPB . Attached to this letter are our standard rates and general terms and conditions that are part of the ESA.
- *Deliverable is the completed and signed ESA*

Task #2 – Feasibility Study **$49,200.00**

- A study will be conducted regarding the feasibility of constructing a secondary two-lane boat ramp and parking lot south of the existing Kniefel Boat Landing, south and west of the Misty Waters Marina. This includes utilizing the existing campground property to enhance river access, and accounting for the master planned corridor for a Missouri River bridge north of this location. Sections of the feasibility study would include the following:
    - Missouri River Hydraulics
        - Modeling and River Velocity Vector Calculations
        - Evaluate existing ramp construction and continuing sedimentation issues
        - Placement and orientation of a new boat ramp
        - Bankline Conditions and Stabilization Measures (Ex. Armoring or Jetty)
    - Three Conceptual Site Plan / Parking Layouts
        - Environmental / Tree Impacts
        - Site Amenity Alternatives
        - Opinions of Probable Construction Cost
        - Preferred Alternative Recommendations
    - Northern Bridge Corridor Conflicts

- Permitting Requirements – Regulatory Consultations
  - Platting / Zoning / USACE / FEMA / NDDWR / County / Local / etc.
- Ownership and Acquisition Inquiries
- Funding Opportunities
- Public Hearing / Three Stakeholder Meetings

- *Deliverable is a feasibility study report prepared by Houston Engineering documenting the items listed above.*

Total Budgeted costs for Tasks 1 through Task 2: $49,200.00

Project Schedule:

Activity	Completion Date		
	Month	Day	Year
Award Feasibility Study	June	2	2025
BCPB Coordination Meeting	June	9	2025
50% Feasibility Review	July	18	2025
Feasibility Report	August	18	2025

The total lump sum fee for the study is $49,200, which is not to be exceeded without prior written approval, unless additional tasks are directly requested by the client. The fee is based on having conceptual alternatives and options reviewed and selected at the 50% project completion point. If changes are requested by the BCPB or other partners, after that time, we will consider additional services needs and complete them on a time and materials basis.

This scope of work is not all-inclusive, and it does not include design drawings, geotechnical, permitting, plating, or any other item specifically identified in the above tasks.

AGREEMENT

Houston's receipt of this accepted proposal constitutes a contract between us and Burleigh County Park Board into which the enclosed *Houston Engineering, Inc. General Terms and Conditions dated September 30, 2024* and our 2025 Fee Schedule are hereby incorporated by reference.

This proposal is valid until June 2, 2025. We appreciate this opportunity and look forward to working with you on this project. If you agree, please sign below, and return via email to Houston Engineering, Inc.

Sincerely,
HOUSTON ENGINEERING, INC.

Michael Gunsch, P.E, CFM
Senior Project Manager
mgunsch@houstoneng.com

Accepted by:

_____

Title: _____

Date: _____

General Terms and Conditions

1. STANDARD OF CARE

Houston shall perform its Services in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances in the region where the Project is located.

2. PAYMENT TERMS

Invoices will be submitted periodically (customarily on a monthly basis) and are due and payable upon receipt. Client agrees to pay a service charge on all accounts 30 days or more past due at a rate equal to one percent (1%) each month but in no event shall such service charge exceed the maximum amount allowed by law. Acceptance of any payment from Client without accrued service charges shall not be deemed to be a waiver of such service charges by Houston. In the event Client is past due with respect to any invoice Houston may, after giving seven (7) days written notice to Client, suspend all services without liability until Client has paid in full all amounts owing Houston on account of services rendered and expenses incurred, including service charges on past due invoices. Payment of invoices is not subject to discount or offset by Client.

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Houston's subconsultants for specialized fees or services related to remediation of Hazardous Substances as agreed in writing between Houston and Client. Client further agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless Houston, its principals, employees, agents, and consultants and subconsultants from and against all fees, costs, claims, damages, losses, and expenses, direct or indirect, or consequential damages, including but not limited to fees and charges for third-party remediation specialists, experts, attorneys, and court and arbitration costs, arising out of or resulting from the performance of Houston's Services hereunder, or claims brought against Houston by third parties arising from Houston's Services or the services of others and/or work in any way associated with Hazardous Substance activities. This indemnification shall survive termination of this Agreement.

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Except as specifically set forth in this Agreement, Houston has not made and does not make any warranties or representations whatsoever, express or implied, as to Services performed or products provided including, without limitation, any warranty or representation as to: (a) the merchantability or fitness or suitability of the Services or products for a particular use or purpose whether or not disclosed to Houston; and (b) delivery of the Services and products free of the rightful claim of any person by way of infringement (including, but not limited to, patent or copyright infringement) or the like. Houston does not warrant and will not be liable for any design, material or construction criteria furnished or specified by Client and incorporated into the Services provided hereunder.

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Client shall furnish such reports, data, studies, plans, specifications, documents, and other information regarding surface and subsurface site conditions required by Houston for proper performance of its Services. Houston shall be entitled to rely upon Client provided documents and information in performing the Services required under this Agreement. Houston assumes no responsibility or liability for the accuracy or completeness of any such documents or information. Houston will not direct, supervise, or control the Work, means or methods of Contractor or its/their subcontractors in connection with the Project. Houston's Services will not include a review or evaluation of the Contractor's or subcontractor's safety measures. The presence of Houston, its employees, agents, or subcontractors on a site shall not imply that Houston controls the operations of others, nor shall it be construed to be an acceptance by Houston of any responsibility for jobsite safety.

14. CONFIDENTIALITY

Houston shall maintain as confidential and not disclose to others without Client's prior consent all information obtained from Client that was not otherwise previously known to Houston or in the public domain and is expressly designated by Client in writing to be "CONFIDENTIAL." The provisions of this paragraph shall not apply to information in whatever form that (a) is published or comes into the public domain through no fault of Houston, (b) is furnished by or obtained from a third party who is under no obligation to keep the information confidential, or (c) is required to be disclosed by law on order of a court, administrative agency, or other authority with proper jurisdiction. Client agrees that Houston may use and publish Client's name and a general description of Houston's services with respect to the Project in describing Houston's experience and qualifications to other clients or potential clients.

15. RE-USE OF DOCUMENTS

All documents, including drawings and specifications, prepared or furnished by Houston (and Houston's affiliates, agents, subsidiaries, independent professional associates, consultants, and subcontractors) pursuant to this Agreement are instruments of service in respect of the Project, and Houston shall retain ownership thereof, whether or not the Project is completed. Client may make and retain copies for information and reference in connection with the Project; however, such documents are not intended or represented to be suitable for re-use by Client or others on extensions of the Project or on any other project. Any re-use without written verification or adaptation by Houston for the specific purpose intended will be at Client's sole risk and without liability to Houston or Houston's affiliates, agents, subsidiaries, independent professional associates, consultants, and subcontractors with respect to any and all costs, expenses, fees, losses, claims, demands, liabilities, suits, actions, and damages whatsoever arising out of or resulting therefrom. Any such verification or adaptation will entitle Houston to further compensation at rates to be agreed upon by Client and Houston. Client shall indemnify, defend, and hold harmless Houston, together with its officers, directors, shareholder, agents, consultants and employees from and against any and all claims, costs, losses, and damages, including attorneys' fees and other costs of litigation or dispute resolution arising directly or indirectly from Client's re-use of all information, documents, drawings, specifications prepared as part of the Project.

16. REMEDIES

Subject to the limitations set forth in this Agreement, in the event any party is in default of this Agreement, the non-defaulting party shall be entitled to pursue all rights and remedies available to it under this Agreement or as allowed by law.

17. PROPRIETARY DATA

The technical and pricing information in connection with the Services provided by Houston is confidential and proprietary and is not to be disclosed or otherwise made available to third parties by Client without the express written consent of Houston.

18. GOVERNING LAW

The validity, construction and performance of this Agreement and all disputes between the parties arising out of or related to this Agreement shall be governed by the laws, without regard to the law as to choice or conflict of law, of the State of North Dakota. Client consents to jurisdiction as to all issues concerning or relating to this Agreement or the Project with the federal or state district courts designated for Cass County, North Dakota.

19. DATA PRACTICES ACT REQUESTS

Houston considers certain information developed during the execution of services as "not public" and "protected" from public disclosure under the various local, state, and federal data practices laws. Client shall reimburse Houston for any and all costs and expenses, including attorneys' fees associated with any requests for release of information under any such laws.

20. FORCE MAJEURE

Houston shall not be liable for any loss, damage or delay resulting out of its failure to perform hereunder due to, without limitation, causes beyond its reasonable control including, without limitation, acts of God, acts of nature or the Client, acts of civil or military authority, terrorists threats or attacks, fires, strikes, floods, epidemics, pandemics, quarantine restrictions, war, riots, delays in transportation, transportation embargos, extraordinary weather conditions or other natural catastrophe or any other cause beyond the reasonable control of Houston, if such could have not been overcome by the exercise of reasonable efforts by Houston (each, an "Event of Force Majeure). Any delay due to an Event of a Force Majeure shall not be deemed to be a breach of or failure to perform this Agreement or any part hereof; provided, however, Houston shall provide reasonable notice to the Client of any Event of Force Majeure which notice shall provide the particulars of the cause of the event of Force Majeure in writing. In the event of any such delay, Houston's performance date(s) will be extended for that length of time as may be reasonably necessary to compensate for the delay.

21. WAIVER OF JURY

In the interest of expediting any disputes that might arise between Houston and Client, Client hereby waives its rights to a trial by jury of any dispute or claim concerning this Agreement, the Services, the Project and any other documents or agreements contemplated by or executed in connection with this Agreement.

22. BUSINESS ENTITY

Client acknowledges that Houston is a business corporation and agrees that any claim made by Client arising out of any act or omission of any shareholder, director, officer, or employee of Houston in the execution or performance of this Agreement shall be made solely against Houston and not against any individual or group of individuals in any capacity.

23. NOTICES

Any and all notices, demands or other communications required or desired to be given under this Agreement shall be in writing and shall be validly given or made if personally served; sent by commercial carrier service; deposited in the United States Mail, certified or registered, postage prepaid, return receipt requested; or sent by electronic mail with read receipt requested. If such notice or demand is served personally, notice shall be deemed constructively made at the time of such personal service. If such notice, demand or other communication is given by mail, electronic mail, or commercial carrier service, such notice shall be conclusively deemed given three (3) days after deposit thereof in the United States Mail or with a commercial carrier service or by transmission by electronic mail. Notices, demands, or other communications required or desired hereunder shall be addressed to the individuals indicated in this Agreement at the U.S. mail or electronic addresses indicated in this Agreement. Any party may change its address or authorized recipient for purposes of this paragraph by written notice given in the manner provided above.

24. MISCELLANEOUS

This Agreement shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice-to-proceed, or like document regarding the Services. If any provision of this Agreement is determined to be invalid or unenforceable in whole or part by a court of competent jurisdiction, the remaining provisions hereof shall remain in full force and effect and be binding upon the parties hereto. The parties agree to reform this Agreement to replace any such invalid or unenforceable provision with a valid and enforceable provision that as closely as possible expresses the intention of the stricken provision. This Agreement, including but not limited to the indemnification provisions, shall survive the completion of the Services under this Agreement and the termination of this Agreement. This Agreement gives no rights or benefits to anyone other than Houston and Client and has no third-party beneficiaries except as may be specifically set forth in this Agreement. This Agreement constitutes the entire agreement between the parties and shall not in any way be modified, varied, or amended unless in writing signed by the parties. Prior negotiations, writings, quotes, and understandings relating to the subject matter of this Agreement are merged herein and are superseded and canceled by this Agreement. Headings used in this Agreement are for the convenience of reference only and shall not affect the construction of this Agreement. This Agreement and the rights and duties hereunder may not be assigned by Client, in whole or in part, without Houston's prior written approval. No failure or delay on the part of Houston in exercising the right, power or remedy under this Agreement shall operate as a waiver thereof; nor shall any single or partial exercise of any rights, power or remedy preclude any other or further exercise thereof or the exercise of any other right, power or remedy hereunder. The remedies provided in this Agreement are cumulative and not exclusive of any remedies provided by law.

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2025 FEE SCHEDULE

HOUSTON engineering, inc.

LABOR RATES

The following is a schedule of hourly rates and charges for services offered by Houston Engineering, Inc. These rates are subject to a modest increase on January 1st of each year (typically no more than 5%).

Category	2025 Rates
Engineering Assistant 1	$104
Engineering Assistant 2	123
Engineer 1	149
Engineer 2	156
Engineer 3	164
Engineer 4	172
Engineer 5	183
Engineer 6	194
Engineer 7	206
Engineer 8	216
Engineer 9	227
Engineer 10	237
Engineer 11	248
Engineer 12	260
Engineer 13	269
Scientist Assistant	$107
Scientist 1	145
Scientist 2	156
Scientist 3	172
Scientist 4	185
Scientist 5	197
Scientist 6	230
Scientist 7	260
Hydrogeologist 1	$156
Hydrogeologist 2	173
Hydrogeologist 3	197
Hydrogeologist 4	244
Hydrogeologist 5	260
Senior Consultant 1	$219
Senior Consultant 2	272
Senior Consultant 3	285
Senior Consultant 4	296
Senior Consultant 5	307

Category	2025 Rates
Technician Assistant	$107
Technician 1	123
Technician 2	131
Technician 3	140
Technician 4	149
Technician 5	156
Technician 6	164
Technician 7	173
Technician 8	182
Technician 9	190
Technician 10	200
Technician 11	208
GIS Assistant	$76
GIS Analyst 1	116
GIS Analyst 2	128
GIS Analyst 3	140
GIS Analyst 4	153
GIS Analyst 5	164
GIS Analyst 6	176
Project Manager 1 – Technology	179
Project Manager 2 – Technology	198
Project Manager 3 – Technology	230
Software Engineer 1	$135
Software Engineer 2	152
Software Engineer 3	163
Software Engineer 4	175
Software Engineer 5	188
Software Engineer 6	200
Software Engineer 7	212
Software Engineer 8	230
Computer Technician	$189

Category	2025 Rates
Project Assistant 1	$87
Project Assistant 2	101
Project Assistant 3	107
Project Assistant 4	112
Project Assistant 5	120
Project Assistant 6	125
Planner 1	$172
Planner 2	188
Planner 3	205
Planner 4	237
Planner 5	249
Land Surveyor 1	$156
Land Surveyor 2	179
Land Surveyor 3	198
Land Surveyor 4	211
Land Surveyor 5	237
Land Surveyor 6	260
CAD Technician 1	$109
CAD Technician 2	114
CAD Technician 3	123
CAD Technician 4	131
CAD Technician 5	140
CAD Technician 6	149
Drone Pilot	$165
Drone Visual Observer	67
Landscape Architect 1	$142
Landscape Architect 2	154
Landscape Architect 3	165
Landscape Architect 4	178
Landscape Architect 5	189

SURVEY CREWS & REIMBURSABLE EXPENSES

Category	2025 Rates
Survey Crews:	
1-Person Crew (plus equipment)	$190/hour
2-Person Crew (plus equipment)	$231/hour
3-Person Crew (plus equipment)	$286/hour
4-Person Crew (plus equipment)	$320/hour
Meals	Actual Cost
Hotel	Actual Cost
Mileage – Vehicles:	
2-Wheel Drive	IRS Standard Mileage Rate
4-Wheel Drive	IRS Standard Mileage Rate + $.20/Mile
GPS Equipment	$25/hour/unit
Robotic Total Station	$40/hour

Category	2025 Rates
ATV/Snowmobile/ Boat	$15/hour
ATV w/Tracks	$30/hour
Hydrone RCV	$50/hour
Small UAS (Drone)	$25/hour
Large UAS (Drone)	$50/hour
Deliveries/Postage/Printing	Actual Cost
Surveying Materials: Lath, Hubs, Pipe, etc.	Actual Cost
Special Equipment and Other Materials Required	Actual Cost
Subconsultants	Actual Cost + 10%


MISTY WATERS DR
5716
5708
MISTY WATERS DR
5712
031




Ranger Trail

COUNTY

COMMISSION

ITEM

4

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
May 5th, 2025

5:07 PM

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

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

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

Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the April 21st, 2025 meeting minutes as well as the approval of the 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
Robert Berger	2024	Lot 14, Block 14, Casey's 3rd	Error in property description	$234,300	$220,300
Sarah Nicole Hsu	2024	Lots 11-12 & E85' of Lot 13, Block 24, Fisher	90% Disabled Veteran	$123,700	$87,700
Judith Idol	2024	Lot 9, Block 1, Southland Addn	100% Homestead Credit	$364,100	$164,100
Michael & Bonnie Aide	2023	Lot 10, Block 1, South Meadows Addn 1st Replat	50% Homestead Credit	$291,400	$191,400
Michael & Bonnie Aide	2024	Lot 10, Block 1, South Meadows Addn 1st Replat	50% Homestead Credit	$304,500	$204,500
Wayne & Mary Jane Jensen	2023	2006 Champion 56 X 32, vin # 0506D7209193AB	100% Homestead Credit	$99,008	$0
Frances Moch	2025	1993 Schult 16 x 76, serial # M261473	100% Homestead Credit	$29,087	$0
David Vanderkinter	2025	1963 Marshfield 64 x 12	100% Disabled Veteran	$6,128	$0
Curtis & Nannette Johnson	2023	Lots 1-2, Block 10, McKenzie's	50% Homestead Credit	$210,600	$110,600

Curtis & Nannette Johnson	2024	Lots 1-2, Block 10, McKenzie's	50% Homestead Credit	$221,600	$121,600
Cynthia Russell	2024	N3' of Lot 23 & all Lot 24, Block 8, Marian Park 1st	100% Homestead Credit	$232,100	$132,100
Charles Russell	2024	Lot 35, Block 23, Southwood Terrace 2nd Rep	100% Homestead Credit	$269,800	$169,800
Connie Heer	2024	Lot 2B of Lot 2, Block 2, Kilber North Addition	50% Homestead Credit	$209,200	$109,200

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Robert Berger, Sarah Nicole Hsu, Judith Idol, Michael & Bonnie Aide, Wayne & Mary Jane Jensen, Frances Moch, David Vanderkinter, Curtis & Nannette Johnson, Cynthia Russell, and Connie Heer abatements and the consent agenda in its entirety. All members present voted 'AYE'. ***Motion carried***.

Chairman Bitner started a discussion regarding a parking lot that the County had sold and the account associated with it. Deputy Finance Director Taylor Schmidt stated that the County had received property tax statements with specials balances, unrelated to the parking lot, totaling approximately $91,000. He said the County paid the specials out of the unused parking lot fund (leaving a negative balance) and that the specials should have been paid from the specials account directly and the funds should have been transferred from the parking lot fund. Schmidt said that the account was to be closed per a motion of the Commission from February 2024 and that it can't be done until the negative balance is fixed. Auditor/Treasurer Mark Splonskowski added that the specials should have been paid from the specials account with the transfer of monies from the parking lot fund. Chair Bitner requested this item be placed on the agenda for the next meeting and for recommendations to be made to fix the negative cash balance in the parking lot fund.

Chairman Bitner said that the County had a situation with the Primary Residence Credit (PRC) where the County received payment from the State on March 28th, 2025, and the County apportioned the funds in late April. State law states that the funds had to be apportioned to the other taxing entities within fourteen days. Chair Bitner said the interest that the County earned on the PRC funds needs to be disbursed to the other taxing entities for the time the apportionment was delayed. Auditor/Treasurer Splonskowski stated that the apportionment for the PRC has been done and the refund checks for mobile homes have been sent out. He said that he would be working with the Finance Department on getting the interest earnings sent out to the other taxing entities. Splonskowski advised the other taxing entities that they would be receiving a second round of apportioning for the remainder of April on the normal schedule. He said that he was not aware of the deadline and that the PRC has been a moving target due to poor communication from the State.

Chairman Bitner started a discussion on submitting a petition to the Governor to remove Auditor/Treasurer Mark Splonskowski. He requested any input on or additions to the States Attorney's rough draft of the petition. States Attorney Julie Lawyer said she drafted the petition to show an example of what a petition would look like and reminded the Commission that it was a very rough draft. She gave a walk-through of the process of submitting the petition through the point the decision is made by the Governor. Chair Bitner requested that

the Commission work with the States Attorney on the draft petition and requested this item be put on the agenda for the next meeting. He said the Finance Department would be putting together numbers relevant to the petition and those are to be given to the States Attorney to aid in the preparation of the petition. Chair Bitner stated that there were at least three occasions where the Auditor's Office has not followed State law, including the lawsuit filed against the State regarding elections, the delay in the apportionment of the PRC, and the delay in sending tax documents to election workers which was not consistent with Federal law. Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the petition as submitted. Motion by Comm. Munson, 2nd by Comm. Woodcox to amend the motion to give the States Attorney's Office two weeks, till the next meeting, to create the final draft petition for Commission approval. Commissioners Woodcox, Schwab, Munson, and Chair Bitner voted 'AYE'. Commissioner Bakken voted 'NAY'. ***Motion carried.*** The original motion, as amended, made by Comm. Woodcox, 2nd by Comm. Munson to give the States Attorney's Office two weeks, till the next meeting, to create the final draft petition for Commission approval. Commissioners Woodcox, Schwab, Munson, and Chair Bitner voted 'AYE'. Commissioner Bakken voted 'NAY'. ***Motion carried.***

Chairman Bitner started a discussion on the preliminary resolution for the redesignation of the Auditor/Treasurer position. States Attorney Julie Lawyer stated that the draft resolution presented was a very rough draft and provided a basic outline regarding the reorganization of the office with the Treasurer being appointed and specifically being tasked with the financial responsibilities. She said that an appointed Treasurer would go through the normal hiring process through Human Resources. Lawyer stated that the resolution would have the same effective date as the original and would include the re-organization of the office. Since the responsibilities of the overall office are not changing and no officers are being removed the plan can take effect before the end of the current term. She said that with this resolution, the term of a sitting officer and the correlating salary cannot be changed before the end of the term. Lawyer mentioned that she had additionally included the separation of the Tax Equalization Office in the resolution. She said that an analysis of the re-organization would be done as part of the plan. Discussion was had. Chair Bitner requested this item be placed on the agenda for the next meeting

County Engineer Marcus Hall presented a petition to vacate a section line and requested a public hearing be held. The petition was filed by Wachter Development, Inc and is in the Promontory Point VI Addition. Discussion was had. Chair Bitner opened the public hearing. A representative of Swenson, Hagen, & Co. provided some additional information on vacating the section line. Chair Bitner closed the public hearing. Motion by Comm. Bakken, 2nd by Comm. Munson to vacate the section line with roads in place for the public benefit. All members present voted 'AYE'. ***Motion carried.***

Ronni Martin with law firm Chapman and Cutler LLP, representing Sanford as bond council, joined the meeting via Zoom and presented information regarding Sanford's plan to issue tax exempt bonds through the South Dakota Health & Educational Facilities Authority. She said a portion of these bonds would be used in facilities throughout the County with a list of those facilities having been provided. Martin stated that upon the adoption of the resolution, a public notice would be published, and a request of a public hearing would be made of the Commission. She said there is no liability to the County for these bonds and that for Sanford to use the proceeds of tax exempt bonds they need the public hearing for the jurisdiction to approve of the

financing. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution requesting for a public hearing at the next scheduled meeting. All members present voted 'AYE'. ***Motion carried.***

County Planning Director Mitch Flanagan presented an ordinance to amend and re-enact Article 8 of the 1972 Amended Zoning Ordinance of Burleigh County, North Dakota relating to Section 30 Data Centers. He presented information relating to the special use permit fees for the building of a data centers. Discussion was had. Motion by Comm. Munson, 2nd by Comm. Bakken to make the maximum amount of a special use permit for data centers to be $250,000 along with changes to the language based off of the suggestion of the States Attorney. Commissioners Woodcox, Munson, Bakken, and Chairman Bitner voted 'AYE'. Commissioner Schwab voted 'NAY'. ***Motion carried.*** Discussion was had regarding the decommissioning plan contained within the ordinance. Motion by Comm. Munson, 2nd by Comm. Bakken to change the monies allocated for the decommissioning plan to seventy-five percent of construction cost with the ability to evaluate it through the special permit process. Commissioners Woodcox, Munson, and Bakken voted 'AYE'. Commissioner Schwab and Chairman Bitner voted 'NAY'. ***Motion carried.*** Motion by Comm. Munson, 2nd by Comm Bakken to approve the ordinance, with the changes made, to amend and re-enact Article 8 of the 1972 Amended Zoning Ordinance of Burleigh County, North Dakota relating to Section 30 Data Centers. Commissioners Woodcox, Munson, Bakken, and Chairman Bitner voted 'AYE'. Commissioner Schwab voted 'NAY'. ***Motion carried.***

County Finance Director Leigh Jacobs presented information on the Burleigh-Morton Detention Center sales tax bond escrow agreement. In the agenda packet, Jacobs stated that there was an amendment to the joint powers agreement with Morton County which fixes the ownership percentages determined by payments. He said the final ownership shares of the building were Burleigh County with 83.07% and Morton County with 16.93% with different ratios for operations, land, and maintenance. Jacobs presented the escrow agreement and said the County had enough money to pay off the bonds so we will deposit those into the escrow account and the County's Trust Officer will make the future escrow payments. He listed items that were in the escrow agreement; the $95,000 construction fund will be released to Burleigh County and any extra in the escrow fund will be returned at the same ratio. Jacobs requested the approval of the resolution. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution providing for the bond redemption and authorizing end of Detention Center sales tax. All members voted 'AYE' ***Motion carried.***

County Human Resources Director Pam Binder presented the 2024 Burleigh County Human Resources Report with turnover analysis. She noted that the turnover rate for the County showed cyclical patterns over the last ten years and that the ten year low was 2019 at 15% and the high was 22% in 2023 and 2024. Binder gave more information on the turnover of the County and discussed the presentation included in the agenda packet.

Human Resources Director Binder stated the department heads had met and come up with three options for the 2026 employee increase projections for the Commissions review. The recommendation was one step & two percent cost-of-living adjustment (COLA) with other options being one step & one percent COLA and two percent COLA. Discussion was had and a consensus of the Commission was to proceed with the one step and two percent COLA (approximately four and a half percent) for budgeting purposes.

Human Resources Director Binder presented an updated Leave Sharing Policy for the Commissions review. She said that the policy needed to clarify that employees must not be in their probationary period to participate in leave sharing and that the policy needed to be revised to reflect the Family Medical leave Act provisions. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the updated County Leave Sharing Policy. All members present voted 'AYE'. ***Motion carried.***

County Auditor/Treasurer Mark Splonskowski presented the bids received for the delineation of the wetlands at the Missouri Valley Complex (MVC). The County received four bids with the lowest bid being Moore Engineering. Motion by Comm. Munson, 2nd by Comm. Bakken to accept the bid from Moore Engineering of $7,000 for the delineation of the wetlands at the MVC. Commissioners Bakken, Munson, Woodcox, and Schwab voted 'AYE'. Chairman Bitner voted 'NAY'. ***Motion carried.*** Comm. Munson asked the Commission if the cost should come out of the MVC operating or reserve fund with the operating fund being chosen. Motion by Comm. Munson, 2nd by Comm. Bakken to amend the aforementioned motion to use the operating fund for the expense. Commissioners Bakken, Munson, Woodcox, and Schwab voted 'AYE'. Chairman Bitner voted 'NAY'. ***Motion carried.*** Splonskowski presented one bid for the farmland at the MVC from DJ Coleman. Motion by Comm. Bakken, 2nd by Comm. Munson to accept the bid from DJ Coleman for the farmland at the MVC. All members present voted 'AYE'. ***Motion carried.*** Splonskowski stated that no bids for the hay land at the MVC were submitted, however, the gentleman who previously hayed the land had not been able to get a bid in and contacted Splonskowski saying that he would like to continue haying it. Motion by Comm. Munson, 2nd by Comm. Bakken to renew his contract for the next three years. All members present voted 'AYE'. ***Motion carried.***

In other business:

- Comm. Bakken requested an update on the Summit Carbon Solutions Pipeline. States Attorney Julie Lawyer stated that there was a motion to dismiss filed by Summit Carbon Solutions and the County is just waiting for the Judge's order.
- Comm. Bakken noted that the County is ready to start taking applications for the citizen weed board. Comm. Schwab said that Weed Officer Johnson was not ready for this and that he is not sure a citizen weed board is needed.
- Comm. Woodcox inquired about where the County was in the budget process. Auditor/Treasurer Splonskowski stated that the budget worksheets had been sent out to the department heads and that the Commission needs to decide if the County is going to have a Budget Committee this year and if so, should he go ahead and start scheduling those meetings. The consensus amongst the Commissioners was to continue with the Budget Committee.

Meeting Adjourned.

_____ _____

Mark Splonskowski, Brian Bitner,
County Auditor/Treasurer Chairman

ITEM

5

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
25-337	Adela Perez Diaz	2024	N5' of Lot 29, all Lot 30, S10' of Lot 31, Block 93, McKenzie & Coffin's	Error in property description	$168,600	$74,100
25-338	John & Sharon Fox	2023	Lot 7, Block 1, High Meadows 7th	Error in property description	$441,600	$404,000
25-339	John & Sharon Fox	2024	Lot 7, Block 1, High Meadows 7th	Error in property description	$469,400	$431,800
25-351	Michael & Rita Bartholomew	2023	Com @ pt 50' W of SE cor of Lot 3 W50' along S line of Lot 3 N70' E15' N80' to N line Lot 3 E35' along N line Lot 3 S150 to beg, Block 6, Northern Pacific	50% Homestead Credit	$225,200	$125,200
25-352	Michael & Rita Bartholomew	2024	Com @ pt 50' W of SE cor of Lot 3 W50' along S line of Lot 3 N70' E15' N80' to N line Lot 3 E35' along N line Lot 3 S150 to beg, Block 6, Northern Pacific	50% Homestead Credit	$231,500	$131,500
25-353	Verdeen Backstrom	2023	Lot 5A, Block 1, Boulder Ridge 1st Addn & undiv int in following common areas: Aud Lot B of L13, L15, Aud Lot B of L17, B1; L8 B2; L7 B3; L11 B9 & L12-13 B10	100% Homestead Credit	$297,300	$97,300
25-354	Verdeen Backstrom	2024	Lot 5A, Block 1, Boulder Ridge 1st Addn & undiv int in following common areas: Aud Lot B of L13, L15, Aud Lot B of L17, B1; L8 B2; L7 B3; L11 B9 & L12-13 B10	100% Homestead Credit	$291,300	$91,300
25-355	Jefferie Ehman	2024	Unit 4, Bldg 3112 Arrow Head Ranch, Block 2, Pebble Creek 8th, Lots 4,6,8,10, Block 1,Pebble Creek 8th Rplt & Lot 15 less Wly 148' of Sly 180', Block 2, Pebble Creek 8th	50% Homestead Credit	$300,000	$200,000

25-356	Eve Ann Benson	2023	Lot 5, Block 21, Wachter's 10th	50% Homestead Credit	$338,400	$288,400
25-357	Milt & Julie Bradford	2025	1999 Bellavista 66 x 26, serial # 670CC-99	50% Homestead Credit	$62,600	$31,300
25-358	Gaylynn Becker	2023	Lot 11, Block 12, Sattler's Sunrise 5th	50% Homestead Credit	$456,700	$406,700
25-359	Neal & Judith Jacobson	2024	Lot 13, Block 4, Wachter's 7th	50% Homestead Credit	$137,300	$68,650
25-360	Caleb Toman	2023	Lots 10-11 less the S4' of W40.08' of Lot 11, Block 77, William's Survey	Error in property description	$171,100	$141,400
25-361	Caleb Toman	2024	Lots 10-11 less the S4' of W40.08' of Lot 11, Block 77, William's Survey	Error in property description	$172,700	$140,600
25-362	Vernon & Darlene Bender	2023	Lot 23, Block 8, Peet's 4th	50% Homestead Credit	$326,700	$226,700
25-363	Ted Allen	2023	Lots 14-15 less E10' for alley, Block 3, Coffin's	100% Homestead Credit	$146,000	$0
25-364	Ted Allen	2024	Lots 14-15 less E10' for alley, Block 3, Coffin's	100% Homestead Credit	$152,200	$0
25-366	Keys Please	2023	Lot 37 Wilton Mobile Home Park, 1973 Marshfield 14 x 66	MH in unlivable condition, currently being repaired	$7,456	$3,728
25-367	Keys Please	2024	Lot 37 Wilton Mobile Home Park, 1973 Marshfield 14 x 66	MH in unlivable condition, currently being repaired	$7,456	$3,728
25-368	Franklin & Marjorie Mick	2023	Lot 12 pt of Lot 1 beg Wly cor Lot 1 Sely 52' SSEly 45.3' to Sly cor Lot 1 Nwly 94.28' to beg, Block 6, Peet's 3rd	50% Homestead Credit	$299,500	$199,500
25-369	Franklin & Marjorie Mick	2024	Lot 12 pt of Lot 1 beg Wly cor Lot 1 Sely 52' SSEly 45.3' to Sly cor Lot 1 Nwly 94.28' to beg, Block 6, Peet's 3rd	50% Homestead Credit	$313,900	$213,900
25-370	Francine Aune	2023	Lot 44, Block 1, Edgewood Village 2nd Addn	50% Homestead Credit	$368,500	$268,500

25-371	Francine Aune	2024	Lot 44, Block 1, Edgewood Village 2nd Addn	50% Homestead Credit	$386,100	$286,100
25-372	Eric & Corrine Atwood	2024	W50' of Lots 13-16 & W50' of S10' of Lot 17, Block 17, Coffin's	100% Homestead Credit	$190,900	$95,450
25-373	Marlys Baumann	2023	Lots 2-3, Block 3, Sonnet Heights Sub 1st Rpt & Lot 2, Block 26, Sonnet Heights Sub & W35' Vac Ottawa St Adj Unit 6 Bldg 2(B) Laguna Hills, Block 3, Sonnet Heights Sub 1st Rpt	50% Homestead Credit	$187,200	$0
25-374	Walter & Lea Baumgartner	2024	Lot 22 & Lot 21A, Block 1, Kilber 2nd Addn	50% Homestead Credit	$311,200	$211,200
25-375	John & Helen Bennett	2023	Tract M being W1/2 Lot 8, Block 28, Stein's 4th	50% Homestead Credit	$224,700	$124,700
25-376	Bob & Patty Gefre	2024	Unit 3335 Rolling Hills Condos I, Lot 1, Block 1, East Hills Addn Replat	50% Homestead Credit	$341,600	$241,600
25-377	Shaun Riveland	2024	Lot 1, Block 1, Ripplinger	80% Disabled Veteran	$549,300	$405,300
25-378	Douglas & Carol Alm	2023	Lot 8, Block 3, Cottonwood Lake 4th & undivided interest in Lot 32, Block 1	50% Homestead Credit	$412,200	$312,200
25-379	Marlene Grate	2023	Unit 8 & garage unit 1, Gateway Plaza Condos Bldg 2715, Tract 2715A, Block 2, Gateway Commons	50% Homestead Credit	$127,700	$63,850
25-380	Marlene Grate	2024	Unit 8 & garage unit 1, Gateway Plaza Condos Bldg 2715, Tract 2715A, Block 2, Gateway Commons	50% Homestead Credit	$129,400	$64,700
25-381	Bernadette Heidrich	2024	Unit 5 & garage 8, Washington Court Condos Bldg 215, Lot H of Lot 1, Block 13, Replat Homan Acres	50% Homestead Credit	$120,800	$60,400
25-382	Frank Benson & Janice Vigil	2023	Lot 1, Block 17, Replat Tibesar's 1st Sub	100% Homestead Credit	$245,300	$45,300

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Tri-Energy Conex-Sterling Classification of License B1

Primary Contact Sarah Tschider Phone 701-202-7424

Address 31346 27th Ave NE Date of Birth/Incorporation 1.1.1989
Sterling, ND 58572

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application March 2017

Check one of the following to indicate who is applying for the license:

_____ 1. A physical resident and citizen of the State of North Dakota; or

__X__ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____

   Residence _____

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
We are a cooperative. I have attached a list of our Board of Directors.			

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

Date and type of any prior or present liquor business:
We currently sell off-sale at six of our convenience stores located in Bismarck, Mandan, Lincoln, and Sterling.

Exact legal description of proposed enterprise:
C-corp cooperative

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:
1. Kirkwood Bank & Trust 701-355-5242
- All of our banking is done here
2. Pepsico 701-663-8431
- Beverage vendor
3. Henry's Foods 701-258-3698
- Primary wholesale vendor

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Signature of Applicant

Subscribed and sworn to before me this 3 day of April, 2025

MELISSA BERGER
Notary Public
State of North Dakota
My Commission Expires Aug 11, 2025

Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

County Auditor

Board of Directors

Dan Belohlavek

1755 Co Rd 81

Mandan, ND 58554

Elwood Barth

2599 Co Rd 135

Solen, ND 58570

George Ferderer

3695 27th Ave

Mandan, ND 58554

James Schmidt

16501 76th Ave SE

Menoken, ND 58558

Kevin Schmidt

5105 Hwy 1806

Mandan, ND 58554

Jeff Perkins

9500 Plainview Dt

Bismarck, ND 58503

Patrick Richter

8200 145th St SE

Menoken, ND 58558

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type B1 Retail Liquor License for

Tri-Energy Cenex-Sterling (Name of Establishment)

owned by Tri-Energy Cooperative (Licensee) PO Box 2317 Bismarck, ND 58502 (Address)

Chairman

Member

Member

ATTEST

(Township Clerk)

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: Donna A
Batch Number: 20250203-000588

(continued from page 1)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
502089	02/03/2025	2024	31-139-80-00-04-820	36419	206.86	0.00	0.00	0.00	206.86
FARMERS UNION OIL OF BISMARCK/MANDAN PO BOX 2317 BISMARCK ND 58502-2317				TAX YEAR 2024 PAID IN FULL DISTRICT: 3101BI SCT: 04 TWN: 139 RNG: 80 HAY CREEK TOWNSHIP Section 04 AUDITOR'S LOT C OF E1/2SE1/4 IRR PLAT 778424; 778955 04-139-80					
502090	02/03/2025	2024	35-139-76-00-29-230	40824	3,752.39	0.00	0.00	0.00	3,752.39
FARMERS UNION OIL COMPANY OF BISMARCK/MANDAN PO BOX 2317 BISMARCK ND 58502-2317				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST SCT: 29 TWN: 139 RNG: 76 STERLING TOWNSHIP Section 29 LOT D OF NE1/4 IRR PLAT 433840; 752455 29-139-76					
502094	02/03/2025	2024	CL-138-79-60-01-010	48047	10,572.68	0.00	0.00	0.00	10,572.68
WESTERN PARTNERS LLP 120 W SWEET AVE BISMARCK ND 58504-5566				TAX YEAR 2024 PAID IN FULL LOCATION: 5200 LINCOLN RD DISTRICT: CL01BI TWN: 138 RNG: 79 BLK: 01 SOUTH 40 EAST Block 01 LOT 1 715384					
				TOTAL:	**$116,194.40**	**$0.00**	**$7,463.96**	**$0.00**	**$123,658.36**

Payment Type	Doc#	Description	Amount
CHECK	171328	TRI-ENERGY COOPERATIVE PO BOX 2317 BISMARCK ND 58502-2317	123,658.36
		TOTAL AMOUNT PAID:	**123,658.36**

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
0000-001-300				Paid In Full
0105-023-001				Paid In Full
0777-002-000				Paid In Full
0819-001-001				Paid In Full
1160-001-100				Paid In Full
31-139-80-00-04-820				Paid In Full
35-139-76-00-29-230				Paid In Full
CL-138-79-60-01-010				Paid In Full
	TOTAL:			**0.00**

Tyler Tax-Wise County Taxation Software

Burleigh County

Shopping Cart: 0 items [$0.00]

New Search | Detail | Payoff | Help

Parcel #: 35-139-76-00-29-230

Status: Paid

Type: RE

Owner: FARMERS UNION OIL COMPANY OF

History:

Tax Year	Statement #	Bill Date	Bill Amount	Date Paid	** Paid Amount	Notes
2024	40824	12/09/2024	$3,949.88	2/3/2025 2/3/2025	$1,974.94 $1,777.45	
2023	40265	12/01/2023	$3,934.27	1/22/2024 1/22/2024	$1,967.14 $1,770.42	
2022	39745	12/09/2022	$3,195.82	1/31/2023 1/31/2023	$1,597.91 $1,438.12	
2021	39439	11/29/2021	$3,147.21	2/4/2022 2/4/2022	$1,573.61 $1,416.24	
2020	38942	12/07/2020	$3,177.46	2/16/2021 2/16/2021	$1,588.73 $1,429.86	
2019	38968	12/02/2019	$3,296.57	2/18/2020 2/18/2020	$1,648.29 $1,483.45	

**** Paid Amount may include penalty, interest, & discounts**

Note: The accuracy of this data is not guaranteed.
Web data was last updated 04/03/2025 08:00 AM.

Send Payments To:

Burleigh County Treasurer
PO Box 5518
Bismarck, ND 58506-5518

tyler technologies

SE - 25-003

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

"SE"

Local Fee: $25.00

Applicant (must have county license) TnT Tavern, LLC

1. Name of Licensee Travis Kocourek
2. Name of Business TnT Tavern, LLC
3. Mailing Address 212 John St Driscoll, ND 58532
4. State Alcoholic Beverage License Number AA-018316 5. Local License Number(s) 24-003
6. Date(s) and Time of Special Event July 4th 2025 7pm-1am
7. Describe Special Event Fully Street dance in front of bar
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 11 day of April, 20 25

TnT Tavern, LLC
(Licensee)

BY [signature]
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 11 day of April, 20 25

LACEY HETLETVED
Notary Public
State of North Dakota
My Commission Expires September 28, 2026

(SEAL) [signature]

****

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

(Burleigh County Sheriff) (Date)

****

PERMIT

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

Dated this _____ day of _____, 20_____

(County Auditor)

DESCRIPTION OF PREMISES

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

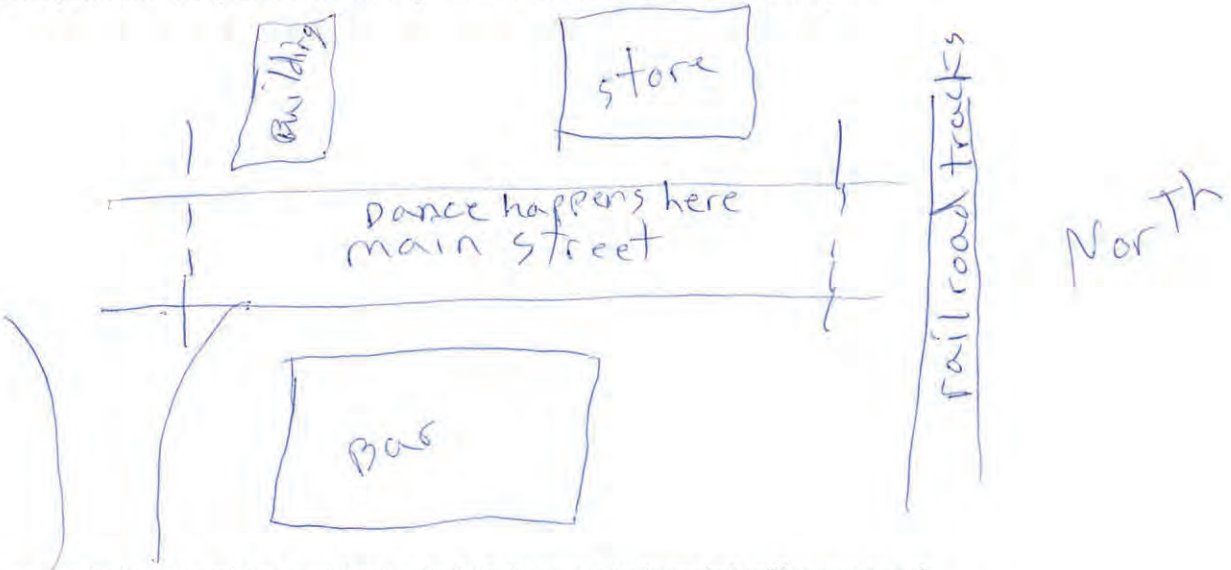
2. Address of premises:

31 Main St (Street Address) Driscoll, ND (City) 58532 (Zip Code)

3. Name of building where event will be held: TnT Tavern, LLC

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

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



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

_____

_____

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type SE Retail Liquor License for

TnT Tavern, LLC (Name of Establishment)

owned by Travis Kocourek (Licensee) 31 Main St (Address) Driscoll, ND

Scott Whitman
Chairman

Shawn Harpole
Member

Loren Lang
Member

ATTEST

Ashley Ryan
(Township Clerk)

25-005

GAMING SITE AUTHORIZATION

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

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

Full, Legal Name of Gaming Organization
Bismarck Cancer Center Foundation

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

Name of Location
Capital City Sporting Clays

Street	City	ZIP Code	County
12945 71st Ave NE	**Bismarck**	**58501**	**Burleigh**

Beginning Date(s) Authorized	Ending Date(s) Authorized	Number of Twenty-One tables, if zero, enter "0"
9/21/2025	**9/21/2025**	

Specific location where games of chance will be conducted and played at the site **(required)**
Under the awning of the Building

If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known
9/21/2025

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ **ELECTRONIC** Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☒ Raffles	☐ Seal Board	☐ Poker
☐ **ELECTRONIC** 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ **ELECTRONIC** Pull Tab Device		

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

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

APPROVALS

Attorney General	Date

Signature of City/County Official	Date

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

25-005

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

License Number (Office Use Only)

Site Owner (Lessor)		Site Name		Site Phone Number
Capital City Sporting Clays		Capital City Sporting Clays		
Site Address	**City**	**State**	**Zip Code**	**County**
12945 71st Ave NE	Bismarck	ND	58501	Burleigh
Organization	**Rental Period**			**Monthly Rent Amount**
Bismarck Cancer Center Foundation	September 21, 2025 to September 21, 2025			

1. Is Bingo going to be conducted at the site?	☐ No	☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.	☐ No	☐ Yes	$
2. Is Twenty-One conducted at this site?	☐ No	☐ Yes	
Number of Tables with wagers up to $5 _____ X Rent per Table $ _____			$
Number of Tables with wagers over $5 _____ X Rent per Table $ _____			$
3. Is Paddlewheels conducted at this site?	☐ No	☐ Yes	
Number of Tables _____ X Rent per Table $ _____			$
4. Is Pull Tabs involving either a jar bar or standard dispensing device conducted at this site?	☐ No	☐ Yes	$
Please Check: ☐ Jar Bar ☐ Standard Dispensing Device			
5. Are Electronic Pull-Tabs conducted at this site?	☐ No	☐ Yes	$
If "Yes" please indicate the number of devices _____			
Total Monthly Rent			$

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☒

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

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

Signature of Lessor	Title	Date
Mark Sandvick	owner	4/22/2025
Signature of Lesse	**Title**	**Date**

LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (11-2023)

Permit Number
25-005

Permit Type *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

Games Authorized ☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group	Dates Authorized *(Read Instruction 2)*	
Menoken 4-H Picnic Park (Menoken Grove)	**09/13/2025**	
Organization or Group Contact Person	E-mail	Telephone Number
[redacted]	[redacted]	[redacted]
Mailing Address	City	State / ZIP Code
[redacted]	[redacted]	**ND** / **58503**

SITE INFO

Site Name		County	
Menoken 4-H Picnic Park (Menoken Grove)		**Burleogh**	
Site Address	City	State	ZIP Code
3402 171st St NE	**Menoken**	**ND**	**58558**

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

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

Selling Raffle tickets from 5/20/2025- 9/13/2025.

Raffle drawing on 9/13/2025.

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official	Title of City or County Official	Telephone Number	E-mail Address
Mark Splonskowski	Burleigh County Auditor/Treasurer	701-222-6718	msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body ☐ City ☐ County

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

APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

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

Applying for *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group	Dates of Activity *(Does not include dates for the sales of tickets)*		
Menoken 4-H Picnic Park (Menoken Grove)	**September 13, 2025**		
Organization or Group Contact Person	E-mail	Telephone Number	
Shirley Ryberg	[redacted]		
Business Address	City	State	ZIP Code
[redacted]	**Bismarck**	**ND**	[redacted]
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name		County	
Menoken 4-H Picnic Park (Menoken Grove)		**Burleigh**	
Site Physical Address	City	State	ZIP Code
3402 171st Street NE	**Menoken**	**ND**	**58558**

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

Raffle - 09/13/2025

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

Game Type	Description of Prize	Exact Retail Value of Prize
	See Attached List	
	Total *(limit $40,000 per year)*	$

Intended Uses of Gaming Proceeds

Basic upkeep & maintenance of the grove - Replace broken picnic tables

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

Name	Title	Telephone Number	E-mail Address
Shirley Ryberg	**Treasurer**	**701-391-0166**	**ryberg@bektel.com**
Signature of Organization or Group's Top Official	Title	Date	
Shirley Ryberg	**Treasurer**	5-1-2025	

MENOKEN GROVE RAFFLE PRIZES - 2025

PRIZE	DONATED BY
$300 Cash	Gary & Belinda Maher
$100 Cash	Salter Farm
$350 Gun	Schmitz Angus Ranch
$100 Cash	J & R Salvage
$100 Lawn Service	Tim Mattson
$100 Abate of ND	Metal Flag
$100 Gift Card	Scheels
$100 Auto Repair	CK Auto
$100 Chest Cooler	Nitro Green
$200 Cash	Shirley Ryberg
$200 Cash	Ryberg Ranch
$200 Butler Products	Butler Machinery
$25 Gift Card	Tumbleweed
$25 Gift Card	Tumbleweed
$100 Cash	Dutton Portable Welding
$200 Gift Card for 3B Meats	Aberle Farms
$200 2 Night Stay	Riverdale High Lodge
$100	A Prairie Breeze RV Park
$100 Gift Card	Dakota Community Bank
$100 Gift Card	Dakota Community Bank
$100 Gift Card	Dakota Community Bank
$100 Gift Card	Dakota Community Bank
$100 Gift Card	Dakota Community Bank
$200 .22 Rifle	Quality Asphalt
$100 Blackstone Griddle	Pure Country Inc.
$100 Butchering or Sausage	Schweitzer's Gourmet Meats
$100 Atwood Cowboy Hat	Pure Country Inc.
$350 Gun	Agnew & Blotsky Ranches
$350 Rifle	Menoken Grove
$225 Wash, Vacuum, Vinyl	Dvorak Motors
$225 Wash, Vacuum, Vinyl	Dvorak Motors
$100 Cash	Lowell Malard Ranch
$500 Cash	Bitz Livestock
Cooler, Beef Bucks & Caps	Mobridge Livestock

All Items required for this Permit have been met.

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

25-005

APPLICATION FOR LIQUOR LICENSE

Name of Applicant InT Tavern, LLC Classification of License D

Primary Contact Travis Kocourek Phone 701-204-3096

Address 31 Main St Date of Birth/Incorporation 10-1-2015

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 10-1-2015

Check one of the following to indicate who is applying for the license:

X 1. A physical resident and citizen of the State of North Dakota; or

_____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Travis Kocourek

   Residence 212 John St

   Post Office Address 212 John St Driscoll, ND 58532

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
Travis Kocourek	212 John St	Driscoll, ND 58532

Date and type of any prior or present liquor business:

10-1-2015 to present

Exact legal description of proposed enterprise: Driscoll 1st Addition Block 7 Lots 1-3

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. FCCU - banking
2. Stifel - Investments
3. LPL Financial - Investments

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Tim Kaib
Signature of Applicant

Subscribed and sworn to before me this 29th day of April, 2025

AMANDA ISAKSON
Notary Public
State of North Dakota
My Commission Expires December 8, 2025

Amanda Isakson
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type D Retail Liquor License for

TnT Tavern, LLC
(Name of Establishment)

owned by Travis Kocourek 31 Main St
(Licensee) (Address) Driscoll, ND

Scott Whitman
Chairman

Shawn Harpole
Member

Loren Lang
Member

ATTEST

Ashley Rye
(Township Clerk)

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** DUPLICATE *****

Clerk:
Batch Number: 20250218-000946

Today's Date: 05/13/2025

Received from: KOCOUREK, TRAVIS
212 JOHN ST
DRISCOLL, ND 58532-9732

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
516297	02/18/2025	2024	36-139-75-34-02-060	41258	7.08	0.00	0.00	0.00	7.08
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 02 DRISCOLL 2ND Block 02 LOTS 1-6					
516298	02/18/2025	2024	36-139-75-34-02-090	41259	7.08	0.00	0.00	0.00	7.08
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532-9732				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 02 DRISCOLL 2ND Block 02 LOTS 7-9 753834					
516299	02/18/2025	2024	36-139-75-34-05-030	41266	7.08	0.00	0.00	0.00	7.08
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532-9732				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 05 DRISCOLL 2ND Block 05 LOTS 1-3 753834					
516300	02/18/2025	2024	36-139-75-34-05-050	41267	7.08	0.00	0.00	0.00	7.08
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532-9732				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 05 DRISCOLL 2ND Block 05 LOTS 4-5 753834					
516301	02/18/2025	2024	36-139-75-34-05-060	41268	7.08	0.00	0.00	0.00	7.08
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532-9732				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 05 DRISCOLL 2ND Block 05 LOT 6 753834					

PAID

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** DUPLICATE *****

Clerk:
Batch Number: 20250218-000946

(continued from page 1)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
516302	02/18/2025	2024	36-139-75-34-05-090	41269	468.52	0.00	0.00	0.00	468.52

KOCOUREK, TRAVIS
212 JOHN ST
DRISCOLL, ND 58532-9732

TAX YEAR 2024 PAID IN FULL

DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 05
DRISCOLL 2ND Block 05 LOTS 7-9 721726

PAID

TOTAL:	$503.92	$0.00	$0.00	$0.00	$503.92

Payment Type	Doc#	Description	Amount
CHECK	2178	KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL, ND 58532-9732	503.92
		TOTAL AMOUNT PAID:	503.92

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
36-139-75-34-02-060				Paid In Full
36-139-75-34-02-090				Paid In Full
36-139-75-34-05-030				Paid In Full
36-139-75-34-05-050				Paid In Full
36-139-75-34-05-060				Paid In Full
36-139-75-34-05-090				Paid In Full
	TOTAL:			0.00

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk:
Batch Number: 20250218-000949

Today's Date: 02/18/2025

Received from: KOCOUREK, TRAVIS
212 JOHN ST
DRISCOLL, ND 58532-9732

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
516304	02/18/2025	2024	36-139-75-33-07-020	41229	7.08	0.00	0.00	0.00	7.08
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 07 DRISCOLL 1ST Block 07 LOT 1 AND N15' OF LOT 2 PAID					
516305	02/18/2025	2024	36-139-75-33-07-030	41230	589.89	0.00	0.00	0.00	589.89
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532-9732				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 07 DRISCOLL 1ST Block 07 S10' OF LOT 2 AND ALL LOT 3 PAID					
516306	02/18/2025	2024	36-139-75-33-07-050	41231	7.08	0.00	0.00	0.00	7.08
KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL ND 58532-9732				TAX YEAR 2024 PAID IN FULL DISTRICT: 3635ST TWN: 139 RNG: 75 BLK: 07 DRISCOLL 1ST Block 07 LOTS 4 & 5 PAID					
				TOTAL:	$604.05	$0.00	$0.00	$0.00	$604.05

Payment Type	Doc#	Description	Amount
CHECK	2801	KOCOUREK, TRAVIS 212 JOHN ST DRISCOLL, ND 58532-9732	604.05
		TOTAL AMOUNT PAID:	604.05

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
36-139-75-33-07-020				Paid In Full
36-139-75-33-07-030				Paid In Full
36-139-75-33-07-050				Paid In Full
	TOTAL:			0.00

Tyler Tax-Wise County Treasurer Software

25-0016

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Crossroads Bar Operators Classification of License D

Primary Contact Ryan Deichert Phone 701-391-9489

Address 1205 Northstar Drive, Bismarck, ND Date of Birth/Incorporation 08-16-2024

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application August 16-2024

Check one of the following to indicate who is applying for the license:

_____ 1. A physical resident and citizen of the State of North Dakota; or

X 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____

   Residence _____

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Ryan Deichert	5750 E Main Ave, Bismarck, ND 58501		50%
Corey Schick	3005 Hillside Rd, Mandan, ND 58554		25%
Lloyd Deringer	5315 Fairhill Rd, Bismarck, ND 58503		25%

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
Same as above			

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
Same as above		

Date and type of any prior or present liquor business:
Owners are also affiliated w/
Jimmy V's - Bismarck
Pier Bar & Grill - Bismarck
Central Station - Mandan
Big Stick Cigar Lounge - Mandan
Aviators Bar - Mandan

Exact legal description of proposed enterprise:
N 1/2 of Lots 1 & 2, Block 5, Northstar Commercial Park Third Addition

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Reed Hendrickson - Starion Bank - Commercial Banker 701-250-1447
2. Chris Fraser - Bravera Bank - Commercial Banker - 701-221-4706
3. ~~Jason McCauley~~ - US Foods - 701-320-4235
Erick Ahman

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Ryan S Heidt
Signature of Applicant

Subscribed and sworn to before me this 6th day of May, 2025

KATIE ECKROTH
Notary Public
State of North Dakota
My Commission Expires June 3, 2027

Katie Eckroth
Notary Public
Morton County

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type D Retail Liquor License for

Crossroads Bar & Grill
(Name of Establishment)

1205 Northstar Drive, Bismarck, ND 58503
(Address of Establishment)

owned by Crossroads Bar Operators, LLC
(Licensee) (Address)

Mary L. Rennich
Chairman

Larry Hailey
Member

Member

ATTEST

(Township Clerk)

5-7-2025
(Date)

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: Donna A
Batch Number: 20250219-000292

Today's Date: 02/19/2025

Received from: MEYER, DAVID A & BRENDA K
3285 67TH ST
FLASHER ND 58535

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
516863	02/19/2025	2024	31-139-80-0Y-02-020	36910	13,001.01	0.00	0.00	0.00	13,001.01
MEYER DAVID A & BRENDA K 3285 67TH ST FLASHER ND 58535				LOCATION: 7428 YUKON DR DISTRICT: 3101BI TWN: 139 RNG: 80 LOT: 2 BLK: 02 STATE STREET OFFICE PARK Block 02 LOT 2					TAX YEAR 2024 PAID IN FULL
516862	02/19/2025	2024	31-139-80-68-05-010	37782	3,107.97	0.00	0.00	0.00	3,107.97
MEYER, DAVID A & BRENDA K 3285 67TH ST FLASHER ND 58535				LOCATION: 1205 NORTHSTAR DR DISTRICT: 3101BI TWN: 139 RNG: 80 BLK: 05 NORTHSTAR COMM PARK 3RD Block 05 LOTS 1 & 2 567730-31					TAX YEAR 2024 PAID IN FULL
				TOTAL:	**$16,108.98**	**$0.00**	**$0.00**	**$0.00**	**$16,108.98**

PAID

PAID

Crossroads Bar

Payment Type	Doc#	Description	Amount
CHECK	30819	MEYER, DAVID A & BRENDA K 3285 67TH ST FLASHER ND 58535	16,108.98
		TOTAL AMOUNT PAID:	**16,108.98**

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
31-139-80-0Y-02-020				Paid In Full
31-139-80-68-05-010				Paid In Full
	TOTAL:			**0.00**

Tyler Tax-Wise County Taxation Software

Tax Year: 2024 Parcel#:

Main Selection | Parcel# Information | Ownership | Legal Description | Valuation | Spec Dist | Attachments | User Defined Fields | Billing/Payment History

- (•) Main
- ( ) Codes
- ( ) Addresses
- ( ) Legal Information
- ( ) Date Stamps
- ( ) Bookmarks Only

Asmt Status:
Tax Type:
Levy District:
District:

Name: DEICHERT, R
Mult Parcel#:
Bank Code:
Owner ID#:

Statement#: 0

Tax Year	Parcel#	Bank Code	Mult Parcel#	Tax Type	Assessment Status	Billing Status	Levy Dist	Sub	Legal Name
2024	0758-002-005			RE	Active	Paid	010101		DEICHERT, RYAN L
2024	0758-002-025			RE	Active	Paid	010101		DEICHERT, RYAN L
2024	32-139-79-29-00-010			RE	Active	Paid	3201BI		DEICHERT, RYAN
2024	32-139-79-29-00-020			RE	Active	Paid	3201BI		DEICHERT, RYAN
2024	32-139-79-29-00-030			RE	Active	Paid	3201BI		DEICHERT, RYAN
2024	32-139-79-29-00-040	268		RE	Active	Paid	3201BI		DEICHERT, RYAN

LEGAL# 1:

MASTER LEVY [
010101 CITY OF

DISTRICTS:

CITY: 01 City of E
CITY PARK: 01 E
COUNTY: 08 Bur
SCHOOL: 01 Bisr
SOIL CONSERV/
STATE: ND State
WATER RESOU

PROPERTY ADD

1424 W CENTUF
BISMARCK, ND
SUBDIV: 0758 PI
BLOCK: 2 LOT:

FREE FORM LEC

PINEHURST 2NI

25-006

GAMING SITE AUTHORIZATION

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

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

Full, Legal Name of Gaming Organization
Hazelton Lions Club, Inc

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

Name of Location			
Moffit Bar			
Street	City	ZIP Code	County
102 Main St. N	**Moffit**	**58560**	**Burleigh**
Beginning Date(s) Authorized	Ending Date(s) Authorized		Number of Twenty-One tables, if zero, enter "0"
07/01/25	**06/30/26**		0

Specific location where games of chance will be conducted and played at the site (required)
Placement of Machines: North wall at east end; Play area of Game: Entire bar area except bathrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ **ELECTRONIC** Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ **ELECTRONIC** 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☒ **ELECTRONIC** Pull Tab Device		

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

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above
Mark Splonskowski, Burleigh County Auditor

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

RENTAL AGREEMENT

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

License Number (Office Use Only)

Site Owner (Lessor)		Site Name		Site Phone Number
Nicholson's Enterprises LLC		Moffit Bar		701-387-9415
Site Address	**City**	**State**	**Zip Code**	**County**
102 Main Street N	Moffit	ND	58560	Burleigh
Organization	**Rental Period**			**Monthly Rent Amount**
Hazelton Lions Club, INC.	07/01/2025 to	June 30, 2026		

1. Is Bingo going to be conducted at the site?	☒ No	☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.	☒ No	☐ Yes	$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to $5 _____ X Rent per Table $ _____	☒ No	☐ Yes	$
Number of Tables with wagers over $5 _____ X Rent per Table $ _____			$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table $ _____	☒ No	☐ Yes	$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☐ Standard Dispensing Device	☒ No	☐ Yes	$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 4	☐ No	☒ Yes	$ 400
Total Monthly Rent			$ 400

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

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

Signature of Lessor	Title	Date
Darrell Nicholson	Owner of Moffit Bar(lessor)	4-30-25
Signature of Lessee	**Title**	**Date**
Thomas Shea	Lions Club President(Lessee)	4/5/25

072

LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (11-2023)

Permit Number
25-006

Permit Type *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

Games Authorized

☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group	Dates Authorized *(Read Instruction 2)*	
UND Alumni Association & Foundation	**July 8, 2025**	
Organization or Group Contact Person	E-mail	Telephone Number
[redacted]	[redacted]	[redacted]
Mailing Address	City	State / ZIP Code
[redacted]	**Grand Forks**	**ND** / **58202**

SITE INFO

Site Name		County	
Hawktree Golf Club		**Burleigh**	
Site Address	City	State	ZIP Code
3400 Burnt Creek Loop	**Bismarck**	**ND**	**58503**

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

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

July 8, 2025-- Raffle Board

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official	Title of City or County Official	Telephone Number	E-mail Address
Mark Splonskowski	Burleigh County Auditor/Treasurer	701-222-6718	msplonskowski@nd.gov
Signature of City or County Official		Date	Issuing Governing Body ☐ City ☐ County

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

APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9338 (9-2023)

Applying for *(check one)*

☒ Local Permit ☐ Restricted Event Permit*

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

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

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

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

ORGANIZATION INFO

Name of Organization or Group		Dates of Activity *(Does not include dates for the sales of tickets)*	
UND Alumni Association & Foundation		**July 8, 2025**	
Organization or Group Contact Person	E-mail	Telephone Number	
Ellie Johnson	[redacted]	[redacted]	
Business Address	City	State	ZIP Code
[redacted]	[redacted]	**ND**	[redacted]
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name		County	
Hawktree Golf Club		**Burleigh**	
Site Physical Address	City	State	ZIP Code
3400 Burnt Creek Loop	**Bismarck**	**ND**	**58503**

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

Raffle Board occuring on July 8 2025

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle Board	**50/50 Drawing - Cash**	**500**
	Total *(limit $40,000 per year)*	$ 500.-

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds

To benefit Athletic Scholarships at the University of North Dakota

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

Printed Name of Organization Group's Permit Organizer	Telephone Number	E-mail Address	
Kristie Hunt	**701-777-6679**	**Kristieh@undalumni.net**	
Signature of Organization Group's Permit Organizer	Title	Date	
[signature]	**Controller**	5/8/25	

All Items required for this Permit have been met.

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

25-007

APPLICATION FOR LIQUOR LICENSE

Name of Applicant FLASH'S PLACE LLC Classification of License D

Primary Contact Wendelyn Krous Phone 701-226-4188

Address 1401 Hwy 83 NE Sterling ND Date of Birth/Incorporation 6-2012

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 6-2012

Check one of the following to indicate who is applying for the license:

X 1. A physical resident and citizen of the State of North Dakota; or

X 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Wendelyn Krous

   Residence 1501 Hwy 83 NE Sterling ND 58572

   Post Office Address Same

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Wendelyn Krous	1501 Hwy 83 NE	1501 Hwy 83 NE Sterling ND	100%

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise:

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Bravera Bank Bismarck ND Business Banks
2. Johnson Bros Fargo ND Liquor Vendor
3. McQuades Bismarck ND Beer Vendor

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Wendelyn Krous
Signature of Applicant

Subscribed and sworn to before me this 14th day of May, 2025

KIMBERLY M CHRISTIAN
Notary Public
State of North Dakota
My Commission Expires Nov 1, 2028

Kimberly M Christian
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type D Retail Liquor License for

FLASH'S PLACE LLC
(Name of Establishment)

1401 Highway 83 NE Sterling ND 58572
(Address of Establishment)

owned by Wendelyn Krous 1501 Hwy 83 NE Sterling ND 58572
(Licensee) (Address)

Chairman

Member

Member

ATTEST

Lisa Wilson 4-8-25
(Township Clerk) (Date)

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: Donna A
Batch Number: 20250212-000459

Today's Date: 02/12/2025

Received from: KROUS, WENDLYN
1501 HWY 83 NE
STERLING ND 58572

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
508696	02/12/2025	2024	35-139-76-00-29-601	40830	609.88	0.00	0.00	0.00	609.88
KROUS, WENDLYN 1501 HIGHWAY 83 NE STERLING ND 58572-9705				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST SCT: 29 TWN: 139 RNG: 76 STERLING TOWNSHIP Section 29 AUDITOR'S LOT C OF THE SW1/4 662387 663397 29-139-76					
508694	02/12/2025	2024	35-139-76-00-33-400	49012	273.92	0.00	0.00	0.00	273.92
KROUS, WENDLYN 1501 HWY 83 NE STERLING ND 58572				TAX YEAR 2024 PAID IN FULL LOCATION: 1505 NE HWY 83 DISTRICT: 3535ST SCT: 33 TWN: 139 RNG: 76 STERLING TOWNSHIP Section 33 PT NW1/4 N OF NPRR LESS 2.31-DOT; .992A-430; .229A-441; .59A-450; LESS 10AC TO -410 651003 33-139-76				
508692	02/12/2025	2024	35-139-76-00-33-430	40877	77.08	0.00	0.00	0.00	77.08
KROUS, WENDLYN 1501 HWY 83 NE STERLING ND 58572				TAX YEAR 2024 PAID IN FULL LOCATION: 1501 NE HWY 83 DISTRICT: 3535ST SCT: 33 TWN: 139 RNG: 76 STERLING TOWNSHIP Section 33 PT NW1/4 BEG 75' E & 1211.8' S OF NW COR TH E320' S135' W320' N135' TO PT OF BEG 768780 33-139-76				
508693	02/12/2025	2024	35-139-76-00-33-450	40878	6.94	0.00	0.00	0.00	6.94
KROUS, WENDLYN 1501 HWY 83 NE STERLING ND 58572-9705				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST SCT: 33 TWN: 139 RNG: 76 STERLING TOWNSHIP Section 33 PT NW1/4 BEG 1764.2' S & 75' E OF NW COR E160' S160' W160' N160' TO POB 779266 33-139-76				
508695	02/12/2025	2024	35-139-76-82-33-410	40960	975.95	0.00	0.00	0.00	975.95
KROUS, WENDLYN 1501 HWY 83 NE STERLING ND 58572-9705				TAX YEAR 2024 PAID IN FULL LOCATION: 1401 NE HWY 83 DISTRICT: 3535ST TWN: 139 RNG: 76 BLK: 33 STERLING LANDS Block 33 LOT A OF NW1/4 IRR PLAT 753118; 755469				
				TOTAL:	**$1,943.77**	**$0.00**	**$0.00**	**$0.00**	**$1,943.77**

PAID
PARTIAL
PAID
PAID
PAID

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: Donna A
Batch Number: 20250212-000459

(continued from page 1)

Payment Type	Doc#	Description	Amount
CHECK	1362	KROUS, WENDLYN 1501 HWY 83 NE STERLING ND 58572	1,943.77
		TOTAL AMOUNT PAID:	**1,943.77**

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
35-139-76-00-29-601				Paid In Full
35-139-76-00-33-400				Paid In Full
35-139-76-00-33-430				Paid In Full
35-139-76-00-33-450				Paid In Full
35-139-76-82-33-410				Paid In Full
	TOTAL:			**0.00**

ITEM

6

PUBLIC HEARING

EXTRACT OF MINUTES OF MEETING OF THE
COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA

Pursuant to due call and notice thereof, a regular meeting of the County Commissioners (collectively, the "*Commissioners*" and each a "*Commission Member*") of Burleigh County, North Dakota (the "*County*") was duly held at Tom Baker Meeting Room, City and County Office Building, at 221 North Fifth Street, Bismarck, North Dakota, on May 19, 2025, at approximately 5:00 P.M.

The following Commission Members were present: _____

_____

_____

and the following were absent:

* * * *

The Chair of the Commissioners (the "*Chair*") announced that this was the time and place for a public hearing on a proposal for the issuance of tax-exempt revenue bonds in one or more series in an aggregate principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the *"Series 2025 Bonds"*) by the South Dakota Health and Educational Facilities Authority (the "*Authority*") on behalf of Sanford, a North Dakota nonprofit corporation ("*Sanford*"), and/or certain tax-exempt affiliates thereof (collectively with Sanford, the "*Borrowers*"). In the County, a portion of the proceeds of the Series 2025 Bonds will be used, together with certain other moneys, in a principal amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) to (i) finance, refinance, or reimburse the Borrowers for the costs of (a) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to gastroenterology and endoscopy services, in an

amount not to exceed $20,000,000 (interim financing) and not to exceed $20,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), at each of the following addresses: 300 N 7th Street, Bismarck, North Dakota; 715 E Broadway Avenue, Bismarck, North Dakota; and 700 E Main Avenue, Bismarck, North Dakota; (b) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities to expand capacity, in an amount not to exceed $50,000,000 (interim financing) and not to exceed $50,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at each of the following addresses: 209, 222, 225 and 300 N 7th Street, Bismarck, North Dakota; and 3451 N 14th Street, Bismarck, North Dakota; (c) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to pediatric services in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at 801 W Interstate Avenue, Bismarck, North Dakota; (d) acquiring, remodeling, furnishing, or equipping clinical space at 701 E Rosser Avenue, Units 3 and 4, Bismarck, North Dakota in an amount not to exceed $8,000,000 (interim financing) and not to exceed $8,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); (e) constructing, furnishing, and equipping an approximately 19,800 square foot healthcare clinic to be located at 565 S 7th Street, Bismarck, North Dakota in an amount not to exceed $15,000,000 (interim financing) and not to exceed $15,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); and (f) constructing and remodeling a loading dock located at 300 N 7th Street, Bismarck, North Dakota in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), (ii) pay a portion of the interest on the Series 2025 Bonds, if deemed necessary or advisable by the Authority or the Borrowers, (iii) provide

working capital, if deemed necessary or advisable by the Authority or the Borrowers, (iv) fund a debt service reserve fund, if deemed necessary or advisable by the Authority or the Borrowers, and (v) pay certain expenses incurred in connection with the issuance of the Series 2025 Bonds. Therefore, the Chair explained the purpose of the public hearing was to satisfy Section 147(f) of the Internal Revenue Code of 1986, as amended. The following persons appeared: _____ _____ .

After all persons present had an opportunity to express their views, the hearing was closed.

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS BY THE SOUTH DAKOTA HEALTH AND EDUCATIONAL FACILITIES AUTHORITY FOR THE BENEFIT OF SANFORD AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

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

WHEREAS, Sanford, a North Dakota nonprofit corporation (*"Sanford"*) and/or any tax-exempt affiliate thereof that is a related party to Sanford (collectively with Sanford, the *"Borrowers"*), has requested that the South Dakota Health and Educational Facilities Authority (*"Authority"*) issue one or more series of tax-exempt revenue bonds under Sections 1-16A-1 through 1-16A-92 of the South Dakota Codified Laws, in a principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the *"Series 2025 Bonds"*); and

WHEREAS, the Borrowers intend to use the proceeds from the sale of the proposed Series 2025 Bonds to finance and/or refinance projects located in various states; and

WHEREAS, on May 12, 2025, notice of a public hearing (the "*Notice*") by the Board of County Commissioners (collectively, the "*Commissioners*" and each, a "*Commission Member*") of Burleigh County, North Dakota (the *"County"*) was published in the *Bismarck Tribune*, said hearing concerning the proposed plan of finance and the issuance of Series 2025 Bonds; and

WHEREAS, a portion of the proceeds of the Series 2025 Bonds in an amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the "*Local Portion*") will be used in the County, together with certain other moneys, to (i) finance, refinance or reimburse the Borrowers for the costs of (a) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to gastroenterology and endoscopy services, in an amount not to exceed $20,000,000 (interim financing) and not to exceed $20,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), at each of the following addresses: 300 N 7th Street, Bismarck, North Dakota; 715 E Broadway Avenue, Bismarck, North Dakota; and 700 E Main Avenue, Bismarck, North Dakota; (b) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities, to expand capacity, in an amount not to exceed $50,000,000 (interim financing) and not to exceed $50,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at each of the following addresses: 209, 222, 225 and 300 N 7th Street, Bismarck, North Dakota; and 3451 N 14th Street, Bismarck, North Dakota; (c) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to pediatric services in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at 801 W Interstate Avenue, Bismarck, North Dakota; (d) acquiring, remodeling, furnishing, or equipping clinical space at

701 E Rosser Avenue, Units 3 and 4, Bismarck, North Dakota in an amount not to exceed $8,000,000 (interim financing) and not to exceed $8,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); (e) constructing, furnishing, and equipping an approximately 19,800 square foot healthcare clinic to be located at 565 S 7th Street, Bismarck, North Dakota in an amount not to exceed $15,000,000 (interim financing) and not to exceed $15,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); and (f) constructing and remodeling a loading dock located at 300 N 7th Street, Bismarck, North Dakota in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), (ii) pay a portion of the interest on the Series 2025 Bonds, if deemed necessary or advisable by the Authority or the Borrowers, (iii) provide working capital, if deemed necessary or advisable by the Authority or the Borrowers, (iv) fund a debt service reserve fund, if deemed necessary or advisable by the Authority or the Borrowers, and (v) pay certain expenses incurred in connection with the issuance of the Series 2025 Bonds (collectively, the "*Financing Purposes*"); and

WHEREAS, the aggregate principal amount of the Series 2025 Bonds will not exceed $1,000,000,000 (interim financing) and will not exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), with an amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) constituting the Local Portion; and

WHEREAS, Sanford requests that the County consent to the proposed issuance of the Series 2025 Bonds by the Authority; and

WHEREAS, the public hearing was held by the Commissioners of the County on May 19, 2025 (the "*Public Hearing*") in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "*Code*), conducted in a manner that provided a reasonable opportunity for persons to express their views on the plan of finance and proposed issuance of such portion of the Series 2025 Bonds that will be used to finance the Financing Purposes; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated in and made a part of this Resolution by this reference.

Section 2. The Notice of the Public Hearing was published no fewer than seven calendar days before the Public Hearing. After the Public Hearing the undersigned hereby approves the proposed plan of finance and consents to the issuance of the Series 2025 Bonds by the Authority for the Financing Purposes stated in the Notice. The issuance of the Series 2025 Bonds by the Authority in a principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), with an amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount

includes a portion used to refinance the interim financing) constituting the Local Portion, are hereby approved, for purposes of Section 147(f) of the Code.

Section 3. This approval does not impose any liability on the County or in any way involve the County in the issuance of the Series 2025 Bonds or in connection with the purposes of the Series 2025 Bonds described above but is solely an accommodation by the County to satisfy the requirements of Section 147(f) of the Code.

Section 4. The Chair of the Board and the Auditor/Treasurer (collectively, the *"Authorized Officers"*) are hereby authorized and directed to do all such acts and things and to execute or accept all such documents as may be necessary to carry out and comply with the provisions of these resolutions, and all of the acts and doings of the Authorized Officers of the County which are in conformity with the intent and purposes of these resolutions and within the parameters set forth herein, whether heretofore or hereafter taken or done, shall be and are hereby authorized, ratified, confirmed and approved.

Adopted by the Board of County Commissioners of Burleigh County, North Dakota, this 19th day of May, 2025.

_____
Chair

ATTEST:

_____
Auditor/Treasurer

ITEM

11

BURLEIGH COUNTY
SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: **May 12, 2025**

To: **Mark Splonskowski**
Burleigh County Auditor

From: **Kelly Leben**
Burleigh County Sheriff

Re: **2024/2025 North Dakota Department Of Transportation Traffic Safety Grant**

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

Action Requested:
Approve the Amendment to the 2024/2025 ND DOT Traffic Safety Grant. The amendment to the grant is for an additional $2,000 in Impaired Driving Enforcement overtime.

Background:
The ND DOT Traffic Safety Grant is an annual grant awarded to Burleigh County. The grant award is used to fund additional traffic safety enforcement and equipment in high risk areas such as Impaired Driving, Distracted Driving, Occupant Protection, and Speed Enforcement.

Recommendation:
It is recommended that the County Commission approve the grant agreement amendment.

Proposed Resolution:
THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the ND DOT Traffic Safety Grant Amendment between Burleigh County and the State of North Dakota.

COURTHOUSE
514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899
www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER
4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

ITEM

12

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **May 19, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Developer Waiver Request**

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

ACTION REQUESTED:
Review and Direct the County Highway Department on how to proceed with the Developer's request.

BACKGROUND:
Under the current Pavement Policy, developers (owners of property that is being platted) are required to: "Proposed platted subdivisions will include the construction and paving of all internal roadways and adjacent section line roads, and the construction and paving of at least one roadway that connects into the existing paved highway system."

Evaristo and Villegas Cruz, in the NW ¼ of Section 30, Apple Creek Township (see attached map), is proposing a two (2) lot subdivision (Cruz Subdivision), and is requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to re-construct and pave 0.75 miles of County/Township roadway along the north and east.

Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer re-constructing and paving the required roadways at this time. It does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future.

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

PROPOSED RESOLUTION:
THEREFORE, BE IT RESOLVED: That the County Board of Commissioners do hereby recognize that the waiving of the Pavement Policy at this time is only to allow the proposed plat to be approved and does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future, and

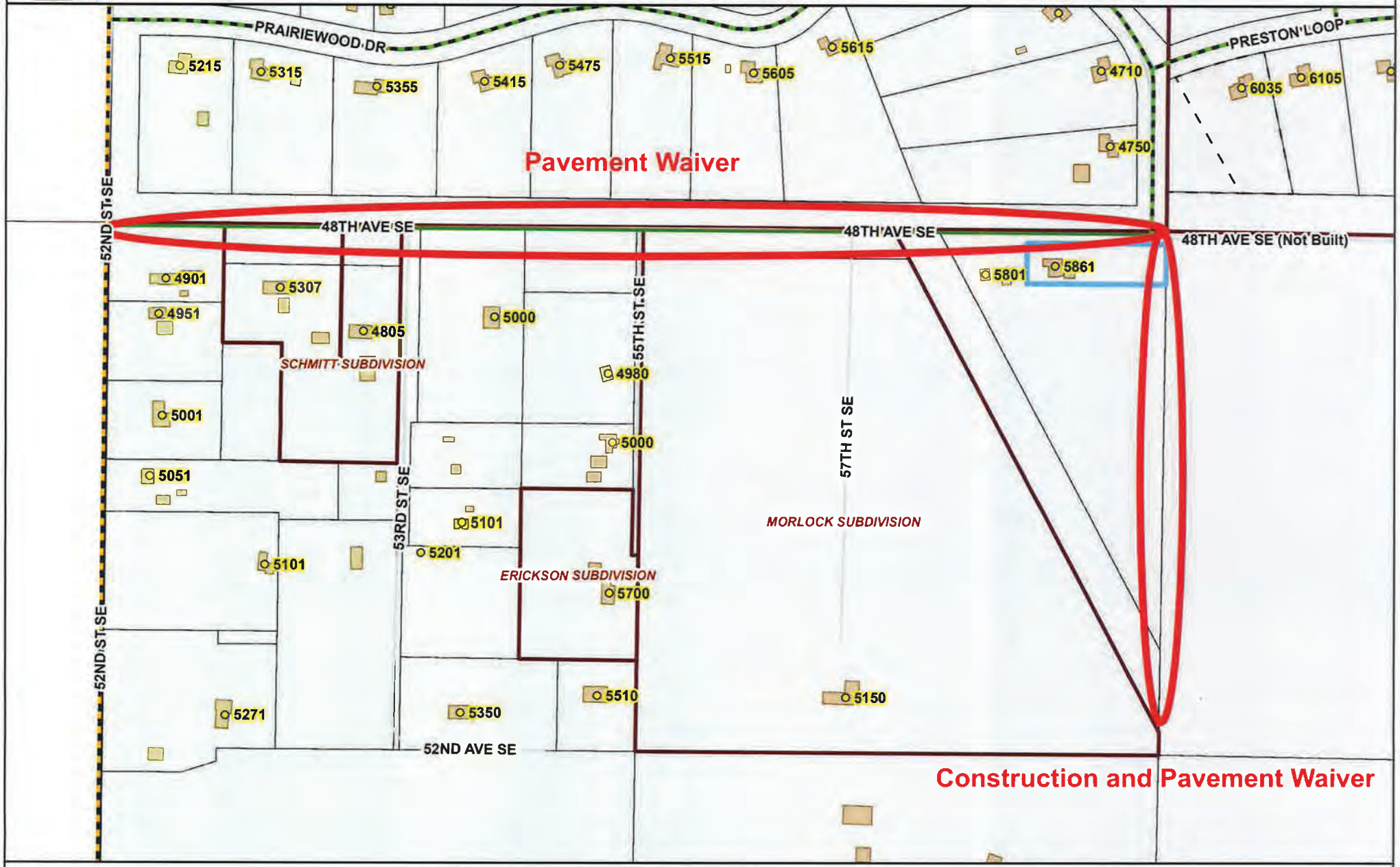
THEREFORE, BE IT FURTHER RESOLVED: That the County Board of Commissioners do hereby grant Evaristo and Villegas Cruz request to waive the construction and paving requirements *"construction and paving of at least one roadway that connects into the existing paved highway system"* listed in the Pavement Policy, in conjunction with the approval of the Cruz Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

Burleigh County

N

5/13/2025



PARCEL ID: 39-138-79-00-30-406 OWNER: CRUZ, EVARISTO L & VILLEGAS, DAMARES TOR ACRES: 0.82

SITE ADDRESS: 5861 SE 48TH AVE MAIL ADDRESS:5861 48TH AVE SE, BISMARCK, ND 58504-9221

LEGAL: APPLE CREEK TOWNSHIP Section 30 PT OF NW1/4;BEG @ PT 33'S OF NE COR TH S102';W350';N102';E350' TO PT OF BEG 30-138-79

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

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: **May 19, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: Township Mileage Certification

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

ACTION REQUESTED:
Approve the Biennial/Amended Township Road Mileage

BACKGROUND:
Every year the County Board of Commissioners are required by the State of North Dakota to certify the number of township road miles in each township. The Highway Department has reviewed the County/Township roadway system and has prepared the required forms for the County Commissioner Chair's signature. The total roadway mileage is as follows:

County Roadways:	587 miles
Organized Township Roadways:	743 miles
Un-Organized Township Roadways:	157 miles
Total:	1,487 miles

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

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That Burleigh County certifies the township road mileage breakdown and authorizes the Board Chairman to sign the required state forms.

COUNTY TOWNSHIP ROAD MILEAGE CERTIFICATIONS

OFFICE OF STATE TREASURER

SFN 58292 (12-2024)

Type of Certification (See Instructions)
☐ Biennial (Effective July 1, 20 _____) ☒ Amendment (Effective: 05/13/2025)

Name of County	Name of County Official Preparing Form	Telephone Number	Date
Burleigh	Nichole Howe	(701) 204-7748	05/13/2025

ORGANIZED Townships

	A Organized Township Name	B Congressional Township and Range Number (List Only One Per Line)	C Road Miles In Each Congressional Township (Rounded to the Nearest Hundredth of a Mile)	D If the Congressional Township (Column B) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties	F If the Township & Range Number in Column (B) is Repeated on this Form Place an "X" in this Column
1.	Apple Creek	138-79	50.58			
2.	Boyd	138-78	25.42			
3.	Christiania	140-76	16.47			
4.	Clear Lake	140-75	22.16			
5.	Crofte	141-79	17.37			
6.	Cromwell	141-78	15.33			
7.	Driscoll	139-75	19.51			
8.	Ecklund	142-79	37.34			
9.		142-80	11.22			X
10.	Estherville	143-78	22.72			
11.	Frances	140-78	12.42			
12.	Ghylin	142-78	16.28			
13.	Gibbs	139-79	35.68			
14.	Glenview	141-80	17.30			
15.		141-81	0.18	X	Oliver	X
16.	Grass Lake	143-79	26.46			
17.	Harriet	142-75	11.82			
18.	Hay Creek	139-80	42.08	X	Morton	
19.		139-81	15.27	X	Morton	
20.	Hazel Grove	144-75	23.18			
21.	Lein	141-75	12.11			
22.	Logan	138-77	17.15			
23.	Long Lake	137-76	14.08			
24.	McKenzie	139-77	17.58			
25.	Menoken	139-78	24.75			
26.	Missouri	137-79	14.01	X	Morton	
27.	Morton	137-77	18.38			
28.	Naughton	140-79	15.73			

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ORGANIZED Townships (continued)

	A Organized Township Name	B Congressional Township and Range Number (List Only One Per Line)	C Road Miles In Each Congressional Township (Rounded to the Nearest Hundredth of a Mile)	D If the Congressional Township (Column B) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties	F If the Township & Range Number in Column (B) is Repeated on this Form Place an "X" in this Column
29.	Painted Woods	141-81	0.23	X	Oliver	X
30.		142-80	14.47			X
31.		142-81	7.40	X	Oliver	
32.	Richmond	143-76	9.31			
33.	Rock Hill	142-77	14.17			
34.	Schrunk	144-77	4.91			
35.	Sibley Butte	140-77	10.08			
36.	Steiber	144-78	7.35			
37.	Sterling	139-76	18.17			
38.	Taft	138-76	12.61			
39.	Telfer	137-78	26.03			
40.	Thelma	138-75	7.32			
41.	Trygg	141-77	12.31			
42.	Wild Rose	137-75	8.05			
43.	Wilson	144-79	13.57			
44.	Wing	142-76	4.66			
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46.						
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59.						
		Organized Township Total	**743.22**			

UNORGANIZED Townships

	A Congressional Township and Range Number	B Road Miles Maintained in Township (Rounded to the Nearest Hundredth of a Mile)	C If the Number in Column (A) is Also Listed in the ORGANIZED section of this form place an "X" in This column	D If the Congressional Township (Column A) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties
1.	Fort Rice 137-80	9.28		X	Morton
2.	Lincoln 138-80	40.27		X	Morton
3.	Burnt Creek 140-80	39.47			
4.	Riverview 140-81	24.41		X	Morton
5.	Lyman 141-76	11.60			
6.	Phoenix 143-75	11.34			
7.	Canfield 143-77	9.86			
8.	Florence Lake 144-76	10.52			
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33.					

UNORGANIZED Townships (continued)

	A Congressional Township and Range Number	B Road Miles Maintained in Township (Rounded to the Nearest Hundredth of a Mile)	C If the Number in Column (A) is Also Listed in the ORGANIZED section of this form place an "X" in This column	D If the Congressional Township (Column A) is in more than one county, place an "X" in this column	E If Column D is marked List the Other County or Counties
34.					
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61					
62.					

Unorganized Township Total	**156.75**
Organized Township Total	**743.22**
Countywide Total	**899.97**

I certify this schedule is a true account of township road mileage for our county. The mileage is based on the township road definitions as contained in the North Dakota Administrative Code, Article 84-03. The Office of State Treasurer will accept an electronic signature and printed name on the form.

Signature of County Commissioner Chair	Printed Name of County Commissioner Chair Brian Bitner	Date

INSTRUCTIONS FOR COMPLETING SCHEDULE

1. Types of Certification: Mark the proper one for the report being sent. (Biennial or Amendment)
   a. Biennial: Biennial certification is only sent by the County Commission to the Office of State Treasurer by July 1 of each even numbered year.
   b. Amendment: Whenever there is a mileage change in a township between biennial certifications, an amendment certified by the County Commission must be sent to the Office of State Treasurer. The amended mileage should be computed by increasing or decreasing mile increments listed on the most recent township mileage certification (Biennial or Amended) filed with the Office of State Treasurer. Amended changes will be effective the first day of the next quarter after received by the State Treasurer's Office.

2. Reporting Requirements:
   a. Mileage must be listed to the **nearest hundredth of a mile** for both organized and unorganized townships. If an organized township consists of more than one township and range number, mileage must be listed individually for each township and range number.
   b. Each organized township and its mileage must be listed individually. The name as well as the township and range numbers must be put on the form.
   c. List the township and range numbers for each of the un-organized townships individually in the Unorganized Township section above.
   d. Countywide total line is the sum of both the organized and unorganized township total lines.
   e. County commission chairman must sign form sent to the Office of State Treasurer. The Office of State Treasurer will accept an electronic signature and printed name on the form.

ITEM

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Prairie Engineering, P.C.
Professional Consulting Engineers

619 Riverwood Drive Suite 205
Bismarck, North Dakota 58504
Phone: (701) 258-3493

May 12, 2025

Mr. Bob Hook
Burleigh County Facilities Director

RE: Burleigh County Courthouse
Boiler Replacement and Heating Upgrade
Bismarck, North Dakota
Commission No. 24557

Dear Mr. Hook:

The bid results of the Boiler Replacement and Heating Upgrade project have been reviewed.

A total of two (2) bids were opened and the bid amounts are shown on the attached Bid Tab. The project bid consisted of a Base Bid price.

Total project cost is $720,000 submitted by Corval Constructors, Inc. We recommend awarding the contract to Corval Constructors, Inc. When directed, our office is prepared to draw up the Owner/Contractor Agreements for your review.

Please call if any questions should arise.

Sincerely,

Prairie Engineering, P.C.

Steve Butterfield

Enc.: Bid Tab

cc: File

BOD. 5/13/2025
Bob Hook

Bid Tabulation

Burleigh County Courthouse
Boiler Replacement and Heating Upgrade
Bismarck, North Dakota
Project Number: 24557
Bid Opening: Friday, May 9th, 2025

Prairie Engineering, P.C.
619 Riverwood Drive, Suite 205
Bismarck, North Dakota 58501
(701) 258-3493
www.prairieengineeringpc.com

Mechanical Contractors	Bid Bond	License	Acknowledge Addendum	Base Bid
Burnn Boiler and Mechanical	N/A	N/A	N/A	N/A
C&C Plumbing & Heating	N/A	N/A	N/A	N/A
Cofell's Plumbing Heating, Inc.	N/A	N/A	N/A	N/A
Corval Constructors, Inc.	Yes	Yes	Yes	$720,000.00
Peterson Sheet Metal, Inc.	Yes	Yes	Yes	$864,000.00

Prairie Engineering, P.C.
Professional Consulting Engineers

ITEM

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BURLEIGH COUNTY
HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

To: Chairman Brian Bitner
Commissioner Steve Bakken
Commissioner Wayne Munson
Commissioner Steve Schwab
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP
HR Director/Risk Manager

Date: May 15, 2025

Re: Human Resource's Agenda item for May 19, 2025 Commission Meeting

Subject: Burleigh County Health Insurance Plan Summary & Recommendation

BACKGROUND:
Burleigh County established a self-funded health insurance plan effective for January 1, 2019. The Burleigh County Health Insurance Plan (The Plan) has been in place since that time. Blue Cross Blue Shield North Dakota (BCBSND) was contracted as the Third-Party Claims Administrator for The Plan.

The Health Insurance Committee was formed to help administer The Plan and to make recommendations to the Burleigh County Commission for the ongoing administration of The Plan. The Health Insurance Committee consists of the following members:

- Brian Bitner – Commission Chairman
- Mark Splonskowski – Auditor/Treasurer
- Ronda Ripplinger – Deputy Auditor/Treasurer
- Leigh Jacobson –Finance Director
- Taylor Schmidt – Deputy Finance Director
- Marcus Hall – County Engineer
- Pam Binder – HR Director
- Megan Martin – HR Assistant II
- Chelsea Flory – BCHSZ Director
- Melissa Hanson - Recorder

BURLEIGH COUNTY
HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

When The Plan was implemented, the Burleigh County Commission approved a $3.2 million dollar appropriation (loan) for The Plan. This was done as a safeguard in case the claims for the first few years were more than the contributions into The Plan. There has been three $500,000.00 payments made from the Health Insurance appropriation (loan) back into the General Fund. These transfers were made in 2022, 2023, and 2024. The current balance of that appropriation (loan) is currently at $1.7 million dollars.

I have enclosed the Burleigh County Health Insurance Plan (The Plan) Report. This report gives us a year-over-year analysis of how The Plan has operated since its implementation on January 1, 2019. This report reflects all of the costs associated with operating The Plan. Theoretically, what is left is either the net balance (which builds the reserves for The Plan), or the net loss (which reduces the reserve levels for The Plan, and this is where the safeguard funds would be used).

The Plan has managed to fund itself through contributions, health Insurance rebates, and fund reserves since implementation six(6) years ago. The more the reserve fund increases, the healthier The Plan becomes. That means that thus far, we have not had to access the Health Insurance appropriation (loan) funds.

In addition to the cost of the health insurance plan's claims, there are other expenses that are included into The Plan's cost.

The Burleigh County Health Insurance Plan (The Plan) purchases a reinsurance product called Stop-Loss Insurance. The current Stop-Loss product is purchased through BCBSND. The premiums for the Stop-Loss contract have gone up substantially over the years due to our high dollar claim's ratio. However, for the 2023 Plan Year we did increase the threshold level for the Stop Loss coverage to reimburse The Plan for high dollar claims from $50,000.00 to $60,000.00. This has had a positive effect on our Stop-Loss premiums. As the reserve for The Plan builds, we can keep raising the threshold for the Stop-Loss coverage. This will lower the Stop-Loss premiums. The table below shows the year-over-year difference in the Stop-Loss Premiums paid and the Stop-Loss credits received:

Burleigh County Actual	2019	2020	2021	2022	2023	2024
Stop Loss Premiums	$804,031.00	$1,055,284.00	$1,400,979.00	$1,778,812.00	$1,907,566.00	$2,244,856.00
Stop Loss Credits	$926,416.00	$1,186,961.00	$1,951,838.00	$2,003,334.00	$1,094,851.00	$1,445,671.00
Totals	$(122,385.00)	$(131,677.00)	$(550,859.00)	$(224,522.00)	$812,715.00	$799,185.00

316 N. 5TH ST, #106, PO BOX 5518, BISMARCK, ND 58506-5518 * TELEPHONE 701-222-6669 * FAX 701-221-3395

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

The Plan also pays a Third-Party Administrative fee to BCBSND. This is the fee charged for processing claims and other operating duties of The Plan. The table below shows a year-by-year overview of the Administrative Fees:

	2019	2020	2021	2022	2023	2024
Administrative Fee (pmpm)	$50.00	$50.00	$52.94	$55.06	$57.26	$59.84
Expected Administrative Fee	$175,200.00	$175,200.00	$181,690.00	$204,162.00	$206,136.00	$214,706.00

The goal of any self-funded health insurance plan is to have a reserve built up for the years when claims costs may be higher than contributions and other reimbursements that are deposited into The Plan. The only way to build up those reserves is to increase the contributions that come into The Plan or to modify the Plan design. Our current plan design gives Burleigh County a competitive edge on other entities for recruitment.

RECOMMENDATION:

On behalf of The Health Insurance Committee, I would like to recommend that the Burleigh County Commission increase the Heath Insurance Premiums for 2026 to the monthly premium amounts listed; highlighted in yellow; in the below table:

Premiums	**2025 Employee**	**2025 Employer**	**2025 Total Monthly**	**2026 Employee**	**2026 Employer**	**2026 Total Monthly**
Single	$64.80	$1,231.20	$1,296.00	$69.98	$1,329.69	$1,399.68
Family	$123.50	$,2,346.50	$2,470.00	$133.38	$2,534.22	$2,667.60

Burleigh County pays 95% of the premium and the employee pays 5% of the premium for the Burleigh County Health Insurance Plan. This is approximately an 8% increase.

The Health Insurance Committee would also like to recommend a Health Insurance appropriation (loan) payment for 2026 of $700,000.00. That leaves a remaining balance for the Health Insurance Plan appropriation (loan) of $1 million dollars.

The Health Insurance Committee would like to recommend that the remaining $1 million dollars be transferred into The Plan reserves to help build them up. The rationale behind this recommendation is that the original $3.2 million was appropriated to the Health Insurance Fund.

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

It was not setup as a loan (The Health Insurance Committee has been treating it like a loan). This was done to provide a safeguard for an overage of claims costs in The Plan. This $1 million dollars would be considered as part of The Plan reserves and would earn interest through investment along with the fund reserve balance that is currently in The Plan. This would provide clarification for recordkeeping as the interest on the $1.7 million dollar balance gets allocated into the General Fund. The interest on the current Health Insurance fund reserves stays within the fund. By transferring the $1 million dollars into he Health Insurance Plan Fund, the interest would stay within The Plan. This lowers the amount of adjusting entries that are needed to allocate the interest earned to the appropriate accounts. This would still serve its intended purpose of being that safeguard.

MOTION:

If there is agreement with the above recommendation, the motion would be for the Commission to approve an 8% Health Insurance premium increase for the 2026 plan year. Also, approve the transfer of $700,000.00 from the Health Insurance appropriation (loan) account back into the General Fund and transfer the remaining balance of $1 million dollars into the Health Insurance Plan directly to add to The Plan reserves for clarification of recordkeeping for interest earned on The Plan reserves.

	01/01/2019 - 12/31/2019	01/01/2020 - 12/31/2020	01/01/2021 - 12/31/2021	01/01/2022 - 12/31/2022	01/01/2023 - 12/01/2023	01/01/2024 - 12/31/2024
Section 1: Source Document is the BCBSND Financial Report						
Total Average Subscribers	289	292	305	302	302	316
Total Average Members	819	830	858	838	833	864
Health Payments	$ 3,498,895.34	$ 3,675,060.66	$ 4,453,494.41	$ 4,458,212.00	$ 4,096,405.00	$ 4,731,347.00
Rx Payments	$ 797,373.25	$ 1,096,655.89	$ 1,489,106.17	$ 1,344,965.00	$ 1,461,690.00	$ 1,756,356.00
Blue Alliance Care Management	$ 1,249.07	$ 25,428.19	$ 28,159.10	$ 23,448.00	$ 2,292.00	$ -
Blue Alliance Shared Savings	$ 19,744.20	$ 102,833.84	$ 55,079.65	$ 74,830.00	$ -	$ -
Total Group Paid	$ 4,317,261.86	$ 4,899,978.58	$ 6,025,839.33	$ 5,901,455.00	$ 5,560,387.00	$ 6,487,703.00
Stop Loss Credits	$ (926,416.15)	$ (1,364,824.44)	$ (1,951,838.47)	$ (2,003,334.00)	$ (1,097,530.00)	$ (1,445,671.00)
Adjusted Group Liabilitiy	$ 3,390,845.71	$ 3,535,154.14	$ 4,074,000.86	$ 3,898,121.00	$ 4,462,857.00	$ 5,042,032.00
Rx Pharmacy Rebates	$ (83,440.53)	$ (281,065.91)	$ (376,460.34)	$ (304,781.49)	$ (341,271.41)	$ (181,329.07)
Healthy Blue Rewards	$ (20,851.75)	$ -	$ -	$ -	$ -	$ -
Adjusted Group Liabilitiy-Rx Rebates	$ 3,286,553.43	$ 3,254,088.23	$ 3,697,540.52	$ 3,593,339.51	$ 4,121,585.59	$ 4,860,702.93
Percentage Change		-1%	14%	-3%	15%	18%
Section 2: Source Document is the Weekly BCBSND Health Insurance Plan Claims Invoices and Tax Statements.						
Stop Loss Premium Totals	$ 875,931.54	$ 1,055,283.93	$ 1,400,979.40	$ 1,778,812.00	$ 1,907,566.00	$ 2,244,856.00
BCBS ND Administrative Fees	$ 173,500.00	$ 175,450.00	$ 193,813.34	$ 199,813.00	$ 207,854.00	$ 226,614.00
Blue Card Administrative Fees	$ 1,042.00	$ 1,679.00	$ 1,735.00	$ 1,638.00	$ 1,576.00	$ 2,233.00
PQORI Fees	$ -	$ 2,077.72	$ 2,210.46	$ 2,393.82	$ 2,514.00	$ 2,689.00
Total Plan Premiums and Fees	$ 1,050,473.54	$ 1,234,490.65	$ 1,598,738.20	$ 1,982,656.82	$ 2,119,510.00	$ 2,476,392.00
Percentage Change		18%	30%	24%	7%	17%
TOTAL PLAN COSTS	$ 4,337,026.97	$ 4,488,578.88	$ 5,296,278.72	$ 5,575,996.33	$ 6,241,095.59	$ 7,337,094.93
		3%	18%	5%	12%	18%
Section 3: Source Document is the Infinite Visions Payroll Deductions Register Report						
Health Insurance Contributions:						
Employer	$ 4,678,033.00	$ 4,720,055.00	$ 4,857,917.50	$ 5,069,254.00	$ 5,892,475.50	$ 7,066,078.85
Employee	$ 246,822.50	$ 238,482.50	$ 255,646.00	$ 266,492.00	$ 307,908.00	$ 357,369.15
COBRA	$ 22,334.19	$ 27,008.00	$ 28,883.00	$ -	$ 7,604.40	$ 6,706.00
Total Premiums Collected	$ 4,947,189.69	$ 4,985,545.50	$ 5,142,446.50	$ 5,335,746.00	$ 6,207,987.90	$ 7,430,154.00
		1%	3%	4%	16%	20%
PROFIT/(LOSS)	$ 610,162.72	$ 496,966.62	$ (153,832.22)	$ (240,250.33)	$ (33,107.69)	$ 93,059.07
On-Going Reserves		**$ 1,107,129.34**	**$ 953,297.12**	**$ 713,046.79**	**$ 679,939.10**	**$ 772,998.17**
Loan Payable to BCC*	**$ 3,200,000.00**	**$ 3,200,000.00**	**$ 2,700,000.00**	**$ 2,200,000.00**	**$ 1,700,000.00**	**$ 1,700,000.00**

**** The loan balance of $1.7 million is listed seperately and is not included in the on-going reserves balance.***

As of 02/28/2025

ITEM

15

Exceptions to PRC Report - Real Estate				
Parcel	Amount Received from ND Tax Department	PRC Allocated by County	Difference Over/(Under)	Difference Due to:
0015-010-077	500.00	-	500.00	No tax burden due to homestead credit
0060-021-050	500.00	-	500.00	No tax burden due to homestead credit
0100-021-060	500.00	-	500.00	No tax burden due to homestead credit
0330-001-028	500.00	-	500.00	No tax burden due to homestead credit
0390-002-001	500.00	-	500.00	No tax burden due to homestead credit
0604-014-044	500.00	-	500.00	No tax burden due to homestead credit
0605-019-035	500.00	-	500.00	No tax burden due to homestead credit & veteran credit
0786-001-008	500.00	-	500.00	No tax burden due to homestead credit
0799-001-064	500.00	-	500.00	No tax burden due to homestead credit
0990-002-003	500.00	-	500.00	No tax burden due to homestead credit
32-139-79-12-01-310	500.00	-	500.00	No tax burden due to homestead credit
SW-142-80-04-08-030	500.00	-	500.00	No tax burden due to homestead credit
0010-001-001	500.00	37.07	462.93	Minimal tax burden due to homestead credit
0010-026-020	500.00	111.19	388.81	Minimal tax burden due to homestead credit
0100-023-045	500.00	492.37	7.63	Minimal tax burden due to homestead credit
0115-005-012	500.00	201.53	298.47	Minimal tax burden due to homestead credit
0130-001-005	500.00	496.23	3.77	Minimal tax burden due to veterans credit
0215-017-050	500.00	236.27	263.73	Minimal tax burden due to homestead credit
0230-016-050	500.00	61.51	438.49	Minimal tax burden due to homestead credit
0365-003-050	500.00	342.83	157.17	Minimal tax burden due to homestead credit
0410-019-065	500.00	376.55	123.45	Minimal tax burden due to homestead credit
0430-022-015	338.20	500.00	(161.80)	Minimal tax burden due to homestead credit
0445-011-060	500.00	121.74	378.26	Minimal tax burden due to homestead credit
0605-030-091	500.00	427.51	72.49	Minimal tax burden due to veterans credit
0605-030-112	500.00	220.06	279.94	Minimal tax burden due to homestead credit
0785-006-020	500.00	421.84	78.16	Minimal tax burden due to homestead credit
1205-001-285	500.00	333.56	166.44	Minimal tax burden due to homestead credit
34-139-77-00-29-200	500.00	481.58	18.42	Minimal tax burden due to homestead credit
34-139-77-92-01-060	500.00	309.50	190.50	Minimal tax burden due to homestead credit
52-141-79-01-02-110	500.00	356.99	143.01	Minimal tax burden due to homestead credit
CL-138-79-31-23-090	500.00	174.58	325.42	Minimal tax burden due to homestead credit
2175-001-165	-	500.00	(500.00)	No credit received from Tax Dept

Exceptions to PRC Report - Mobile Homes				
Parcel	Amount Received from ND Tax Department	PRC Allocated by County	Difference Over/(Under)	Difference Due to:
01-010-00-00-00-103	97.20	92.34	4.86	County paid 95% of PRC due to early pmt discount
01-010-00-00-00-463	79.27	75.31	3.96	County paid 95% of PRC due to early pmt discount
01-010-00-00-00-950	70.43	66.91	3.52	County paid 95% of PRC due to early pmt discount
01-010-00-00-00-988	107.08	101.73	5.35	County paid 95% of PRC due to early pmt discount
01-010-00-00-01-226	111.24	105.68	5.56	County paid 95% of PRC due to early pmt discount
01-010-00-00-01-550	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-010-00-00-01-727	84.73	80.49	4.24	County paid 95% of PRC due to early pmt discount
01-010-00-00-01-982	88.11	83.7	4.41	County paid 95% of PRC due to early pmt discount
01-010-00-00-02-145	164.00	155.8	8.20	County paid 95% of PRC due to early pmt discount
01-010-00-00-02-469	140.61	133.58	7.03	County paid 95% of PRC due to early pmt discount
01-010-00-00-03-313	272.12	258.51	13.61	County paid 95% of PRC due to early pmt discount
01-010-00-00-03-333	263.80	250.61	13.19	County paid 95% of PRC due to early pmt discount
01-010-00-00-03-435	383.35	364.18	19.17	County paid 95% of PRC due to early pmt discount
01-010-00-00-03-996	113.32	107.65	5.67	County paid 95% of PRC due to early pmt discount
01-010-00-00-04-610	303.56	288.38	15.18	County paid 95% of PRC due to early pmt discount
01-010-00-00-04-983	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-015-00-00-03-576	60.30	57.28	3.02	County paid 95% of PRC due to early pmt discount
01-020-00-00-00-093	94.86	90.12	4.74	County paid 95% of PRC due to early pmt discount
01-020-00-00-03-146	236.25	224.44	11.81	County paid 95% of PRC due to early pmt discount
01-025-00-00-02-427	156.98	149.13	7.85	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-027	275.49	261.72	13.77	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-067	247.17	234.81	12.36	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-121	296.55	281.72	14.83	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-174	301.75	286.66	15.09	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-185	194.67	184.94	9.73	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-214	205.84	195.55	10.29	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-311	410.90	390.35	20.55	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-352	103.70	98.51	5.19	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-429	248.47	236.05	12.42	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-492	441.05	419	22.05	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-706	91.49	86.92	4.57	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-712	441.05	419	22.05	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-759	101.62	96.54	5.08	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-960	125.53	119.25	6.28	County paid 95% of PRC due to early pmt discount
01-025-00-00-03-991	467.56	444.18	23.38	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-068	332.93	316.28	16.65	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-080	467.56	444.18	23.38	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-087	327.21	310.85	16.36	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-104	467.56	444.18	23.38	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-107	280.95	266.9	14.05	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-138	500.00	476.04	23.96	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-152	467.56	444.18	23.38	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-184	327.21	310.85	16.36	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-189	327.21	310.85	16.36	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-211	467.56	444.18	23.38	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-236	340.21	323.2	17.01	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-237	140.35	133.33	7.02	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-245	416.88	396.04	20.84	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-255	486.27	461.96	24.31	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-324	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-348	347.49	330.12	17.37	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-360	483.93	459.73	24.20	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-373	327.21	310.85	16.36	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-435	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-454	407.53	387.15	20.38	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-479	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-481	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-503	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-506	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-514	414.54	393.81	20.73	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-527	424.42	403.2	21.22	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-537	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-553	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-566	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-595	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-598	483.93	459.73	24.20	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-604	459.76	436.77	22.99	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-619	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-620	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-623	407.01	386.66	20.35	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-637	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-641	340.21	323.2	17.01	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-648	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount

01-025-00-00-04-659	483.93	459.73	24.20	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-670	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-722	404.41	384.19	20.22	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-737	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-740	500.00	498.01	1.99	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-756	483.93	459.73	24.20	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-767	436.90	415.05	21.85	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-770	500.00	498.01	1.99	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-774	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-790	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-810	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-814	214.42	203.7	10.72	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-822	420.26	399.25	21.01	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-824	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-838	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-846	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-863	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-874	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-876	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-877	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-889	476.92	453.07	23.85	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-905	435.34	413.57	21.77	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-915	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-917	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-929	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-940	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-975	500.00	496.53	3.47	County paid 95% of PRC due to early pmt discount
01-025-00-00-04-992	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-000	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-001	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-082	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-093	436.90	415.05	21.85	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-111	500.00	491.83	8.17	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-136	500.00	491.83	8.17	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-187	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-196	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-217	258.86	245.92	12.94	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-266	467.04	443.69	23.35	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-345	295.51	280.73	14.78	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-380	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-448	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-656	500.00	485.17	14.83	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-844	457.95	435.05	22.90	County paid 95% of PRC due to early pmt discount
01-025-00-00-05-987	490.43	465.91	24.52	County paid 95% of PRC due to early pmt discount
01-035-00-00-00-065	141.39	134.32	7.07	County paid 95% of PRC due to early pmt discount
01-035-00-00-00-098	95.90	91.1	4.80	County paid 95% of PRC due to early pmt discount
01-035-00-00-00-303	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-035-00-00-00-330	119.55	113.57	5.98	County paid 95% of PRC due to early pmt discount
01-035-00-00-00-538	156.98	149.13	7.85	County paid 95% of PRC due to early pmt discount
01-035-00-00-00-797	96.42	91.6	4.82	County paid 95% of PRC due to early pmt discount
01-035-00-00-00-824	97.20	92.34	4.86	County paid 95% of PRC due to early pmt discount
01-035-00-00-01-058	170.23	161.72	8.51	County paid 95% of PRC due to early pmt discount
01-035-00-00-01-593	122.93	116.78	6.15	County paid 95% of PRC due to early pmt discount
01-035-00-00-01-682	94.35	89.63	4.72	County paid 95% of PRC due to early pmt discount
01-035-00-00-01-694	107.08	101.73	5.35	County paid 95% of PRC due to early pmt discount
01-035-00-00-01-800	91.49	86.92	4.57	County paid 95% of PRC due to early pmt discount
01-035-00-00-01-850	97.20	92.34	4.86	County paid 95% of PRC due to early pmt discount
01-035-00-00-01-939	85.25	80.99	4.26	County paid 95% of PRC due to early pmt discount
01-035-00-00-02-060	96.68	91.85	4.83	County paid 95% of PRC due to early pmt discount
01-035-00-00-02-111	95.38	90.61	4.77	County paid 95% of PRC due to early pmt discount
01-035-00-00-02-225	93.30	88.63	4.67	County paid 95% of PRC due to early pmt discount
01-035-00-00-02-530	116.18	110.37	5.81	County paid 95% of PRC due to early pmt discount
01-035-00-00-02-654	115.92	110.12	5.80	County paid 95% of PRC due to early pmt discount
01-035-00-00-02-682	135.15	128.39	6.76	County paid 95% of PRC due to early pmt discount
01-035-00-00-02-900	192.59	182.96	9.63	County paid 95% of PRC due to early pmt discount
01-035-00-00-03-176	187.39	178.02	9.37	County paid 95% of PRC due to early pmt discount
01-035-00-00-03-297	151.52	143.94	7.58	County paid 95% of PRC due to early pmt discount
01-035-00-00-03-328	243.79	231.6	12.19	County paid 95% of PRC due to early pmt discount
01-035-00-00-03-857	118.51	112.58	5.93	County paid 95% of PRC due to early pmt discount
01-035-00-00-03-901	153.34	145.67	7.67	County paid 95% of PRC due to early pmt discount
01-035-00-00-03-926	327.21	310.85	16.36	County paid 95% of PRC due to early pmt discount
01-035-00-00-04-464	333.19	316.53	16.66	County paid 95% of PRC due to early pmt discount
01-035-00-00-04-849	357.10	339.24	17.86	County paid 95% of PRC due to early pmt discount
01-035-00-00-04-961	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-035-00-00-05-017	482.38	458.26	24.12	County paid 95% of PRC due to early pmt discount

01-035-00-00-05-076	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-035-00-00-05-405	372.70	354.06	18.64	County paid 95% of PRC due to early pmt discount
01-035-00-00-05-582	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-035-00-00-07-029	294.99	280.24	14.75	County paid 95% of PRC due to early pmt discount
01-055-00-00-02-301	107.86	102.47	5.39	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-013	148.67	141.24	7.43	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-175	91.49	86.92	4.57	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-200	106.30	100.98	5.32	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-395	81.87	77.78	4.09	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-408	75.37	71.6	3.77	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-478	150.22	142.71	7.51	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-492	135.93	129.13	6.80	County paid 95% of PRC due to early pmt discount
01-055-00-00-04-950	138.27	131.36	6.91	County paid 95% of PRC due to early pmt discount
01-060-00-00-02-993	155.94	148.14	7.80	County paid 95% of PRC due to early pmt discount
01-070-00-00-00-667	129.69	123.21	6.48	County paid 95% of PRC due to early pmt discount
01-070-00-00-03-565	97.98	93.08	4.90	County paid 95% of PRC due to early pmt discount
01-070-00-00-04-182	62.90	59.75	3.15	County paid 95% of PRC due to early pmt discount
01-070-00-00-04-402	264.32	251.1	13.22	County paid 95% of PRC due to early pmt discount
01-080-00-00-00-097	83.95	79.75	4.20	County paid 95% of PRC due to early pmt discount
01-080-00-00-00-099	84.21	80	4.21	County paid 95% of PRC due to early pmt discount
01-080-00-00-00-680	43.14	42.72	0.42	County paid 95% of PRC due to early pmt discount
01-080-00-00-01-134	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-080-00-00-01-307	90.45	85.93	4.52	County paid 95% of PRC due to early pmt discount
01-080-00-00-01-693	85.77	81.48	4.29	County paid 95% of PRC due to early pmt discount
01-080-00-00-02-365	128.91	122.46	6.45	County paid 95% of PRC due to early pmt discount
01-080-00-00-02-595	131.51	124.93	6.58	County paid 95% of PRC due to early pmt discount
01-080-00-00-02-766	117.74	111.85	5.89	County paid 95% of PRC due to early pmt discount
01-080-00-00-02-933	117.22	111.36	5.86	County paid 95% of PRC due to early pmt discount
01-080-00-00-02-986	200.38	190.36	10.02	County paid 95% of PRC due to early pmt discount
01-080-00-00-03-095	255.49	242.72	12.77	County paid 95% of PRC due to early pmt discount
01-080-00-00-03-194	184.01	174.81	9.20	County paid 95% of PRC due to early pmt discount
01-080-00-00-03-203	283.55	269.37	14.18	County paid 95% of PRC due to early pmt discount
01-080-00-00-03-305	273.94	260.24	13.70	County paid 95% of PRC due to early pmt discount
01-080-00-00-03-349	110.72	105.18	5.54	County paid 95% of PRC due to early pmt discount
01-080-00-00-03-701	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-080-00-00-03-904	206.36	196.04	10.32	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-024	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-101	303.82	288.63	15.19	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-108	248.46	236.04	12.42	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-127	145.28	138.02	7.26	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-135	107.34	101.97	5.37	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-146	132.03	125.43	6.60	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-349	443.39	421.22	22.17	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-354	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-356	500.00	489.12	10.88	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-374	394.01	374.31	19.70	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-375	434.29	412.58	21.71	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-386	500.00	476.04	23.96	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-445	495.63	470.85	24.78	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-509	408.31	387.89	20.42	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-522	411.95	391.35	20.60	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-649	346.71	329.37	17.34	County paid 95% of PRC due to early pmt discount
01-080-00-00-04-879	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-080-00-00-05-037	316.04	300.24	15.80	County paid 95% of PRC due to early pmt discount
01-080-00-00-05-081	435.60	413.82	21.78	County paid 95% of PRC due to early pmt discount
01-080-00-00-05-283	479.26	455.3	23.96	County paid 95% of PRC due to early pmt discount
01-080-00-00-05-451	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-080-00-00-05-683	420.26	399.25	21.01	County paid 95% of PRC due to early pmt discount
01-080-00-00-05-809	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-090-00-00-00-832	63.42	60.25	3.17	County paid 95% of PRC due to early pmt discount
01-090-00-00-02-631	49.64	47.16	2.48	County paid 95% of PRC due to early pmt discount
01-090-00-00-05-423	103.70	98.51	5.19	County paid 95% of PRC due to early pmt discount
01-095-00-00-00-078	77.97	74.07	3.90	County paid 95% of PRC due to early pmt discount
01-095-00-00-00-739	142.95	135.8	7.15	County paid 95% of PRC due to early pmt discount
01-095-00-00-00-828	149.44	141.97	7.47	County paid 95% of PRC due to early pmt discount
01-095-00-00-00-873	90.45	85.93	4.52	County paid 95% of PRC due to early pmt discount
01-095-00-00-00-933	80.57	76.54	4.03	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-247	82.65	78.52	4.13	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-497	141.91	134.81	7.10	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-596	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-663	170.23	161.72	8.51	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-748	139.57	132.59	6.98	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-813	93.30	88.63	4.67	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-835	142.17	135.06	7.11	County paid 95% of PRC due to early pmt discount
01-095-00-00-01-836	85.51	81.23	4.28	County paid 95% of PRC due to early pmt discount

01-095-00-00-02-399	171.28	162.72	8.56	County paid 95% of PRC due to early pmt discount
01-095-00-00-02-406	141.91	134.81	7.10	County paid 95% of PRC due to early pmt discount
01-095-00-00-02-527	203.50	193.32	10.18	County paid 95% of PRC due to early pmt discount
01-095-00-00-02-695	85.25	80.99	4.26	County paid 95% of PRC due to early pmt discount
01-095-00-00-02-712	86.55	82.22	4.33	County paid 95% of PRC due to early pmt discount
01-095-00-00-02-717	121.11	115.05	6.06	County paid 95% of PRC due to early pmt discount
01-095-00-00-02-981	90.45	85.93	4.52	County paid 95% of PRC due to early pmt discount
01-095-00-00-03-204	246.13	233.82	12.31	County paid 95% of PRC due to early pmt discount
01-095-00-00-03-910	96.42	91.6	4.82	County paid 95% of PRC due to early pmt discount
01-095-00-00-03-917	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-095-00-00-03-945	93.30	88.63	4.67	County paid 95% of PRC due to early pmt discount
01-095-00-00-04-074	81.87	77.78	4.09	County paid 95% of PRC due to early pmt discount
01-095-00-00-04-095	327.21	310.85	16.36	County paid 95% of PRC due to early pmt discount
01-095-00-00-04-141	118.51	112.58	5.93	County paid 95% of PRC due to early pmt discount
01-095-00-00-04-635	103.70	98.51	5.19	County paid 95% of PRC due to early pmt discount
01-095-00-00-04-768	88.11	83.7	4.41	County paid 95% of PRC due to early pmt discount
01-095-00-00-04-901	93.30	88.63	4.67	County paid 95% of PRC due to early pmt discount
01-095-00-00-05-353	82.91	78.76	4.15	County paid 95% of PRC due to early pmt discount
01-095-00-00-05-561	315.26	299.5	15.76	County paid 95% of PRC due to early pmt discount
01-095-00-00-05-650	353.73	336.04	17.69	County paid 95% of PRC due to early pmt discount
01-095-00-00-05-882	345.67	328.39	17.28	County paid 95% of PRC due to early pmt discount
01-095-00-00-05-956	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-095-00-00-06-024	498.23	473.32	24.91	County paid 95% of PRC due to early pmt discount
01-095-00-00-07-071	321.76	305.67	16.09	County paid 95% of PRC due to early pmt discount
01-100-00-00-00-526	62.64	59.51	3.13	County paid 95% of PRC due to early pmt discount
01-100-00-00-01-064	73.29	69.63	3.66	County paid 95% of PRC due to early pmt discount
01-100-00-00-01-351	109.68	104.2	5.48	County paid 95% of PRC due to early pmt discount
01-100-00-00-02-701	99.80	94.81	4.99	County paid 95% of PRC due to early pmt discount
01-100-00-00-04-161	434.29	412.58	21.71	County paid 95% of PRC due to early pmt discount
01-100-00-00-04-294	500.00	495.04	4.96	County paid 95% of PRC due to early pmt discount
01-105-00-00-00-056	67.84	64.45	3.39	County paid 95% of PRC due to early pmt discount
01-105-00-00-00-599	168.16	159.75	8.41	County paid 95% of PRC due to early pmt discount
01-105-00-00-00-709	99.28	94.32	4.96	County paid 95% of PRC due to early pmt discount
01-105-00-00-00-744	113.57	107.89	5.68	County paid 95% of PRC due to early pmt discount
01-105-00-00-00-994	119.55	113.57	5.98	County paid 95% of PRC due to early pmt discount
01-105-00-00-01-000	104.74	99.5	5.24	County paid 95% of PRC due to early pmt discount
01-105-00-00-01-071	134.63	127.9	6.73	County paid 95% of PRC due to early pmt discount
01-105-00-00-01-126	156.98	149.13	7.85	County paid 95% of PRC due to early pmt discount
01-105-00-00-01-264	156.98	149.13	7.85	County paid 95% of PRC due to early pmt discount
01-105-00-00-01-556	93.30	88.63	4.67	County paid 95% of PRC due to early pmt discount
01-105-00-00-01-730	100.84	95.8	5.04	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-218	107.86	102.47	5.39	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-274	103.70	98.51	5.19	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-375	174.39	165.67	8.72	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-415	105.78	100.49	5.29	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-422	203.50	193.32	10.18	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-423	161.92	153.82	8.10	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-538	155.68	147.9	7.78	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-560	229.75	218.26	11.49	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-671	152.31	144.69	7.62	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-718	119.55	113.57	5.98	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-759	84.47	80.25	4.22	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-813	154.64	146.91	7.73	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-827	118.78	112.84	5.94	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-835	191.81	182.22	9.59	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-867	125.79	119.5	6.29	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-885	191.29	181.73	9.56	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-927	196.23	186.42	9.81	County paid 95% of PRC due to early pmt discount
01-105-00-00-02-960	245.09	232.84	12.25	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-010	196.49	186.67	9.82	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-395	85.25	80.99	4.26	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-547	352.68	335.05	17.63	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-598	441.05	419	22.05	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-656	97.46	92.59	4.87	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-782	114.10	108.39	5.71	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-916	287.97	273.57	14.40	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-969	140.61	133.58	7.03	County paid 95% of PRC due to early pmt discount
01-105-00-00-03-993	235.73	223.94	11.79	County paid 95% of PRC due to early pmt discount
01-105-00-00-04-063	327.21	310.85	16.36	County paid 95% of PRC due to early pmt discount
01-105-00-00-04-091	287.97	273.57	14.40	County paid 95% of PRC due to early pmt discount
01-105-00-00-04-392	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-105-00-00-04-733	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-105-00-00-04-858	428.84	407.4	21.44	County paid 95% of PRC due to early pmt discount
01-105-00-00-05-095	500.00	496.53	3.47	County paid 95% of PRC due to early pmt discount
01-105-00-00-05-129	463.14	439.98	23.16	County paid 95% of PRC due to early pmt discount

01-105-00-00-05-135	407.01	386.66	20.35	County paid 95% of PRC due to early pmt discount
01-105-00-00-05-162	492.77	468.13	24.64	County paid 95% of PRC due to early pmt discount
01-105-00-00-05-457	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-125-00-00-04-644	407.01	386.66	20.35	County paid 95% of PRC due to early pmt discount
01-125-00-00-04-672	406.22	385.91	20.31	County paid 95% of PRC due to early pmt discount
01-125-00-00-04-994	500.00	493.81	6.19	County paid 95% of PRC due to early pmt discount
01-125-00-00-05-045	473.28	449.62	23.66	County paid 95% of PRC due to early pmt discount
01-125-00-00-05-068	399.47	379.5	19.97	County paid 95% of PRC due to early pmt discount
01-125-00-00-05-206	470.94	447.39	23.55	County paid 95% of PRC due to early pmt discount
01-125-00-00-05-594	438.45	416.53	21.92	County paid 95% of PRC due to early pmt discount
01-125-00-00-05-724	477.96	454.06	23.90	County paid 95% of PRC due to early pmt discount
01-130-00-00-05-917	157.50	149.62	7.88	County paid 95% of PRC due to early pmt discount
05-120-00-00-05-120	269.79	256.3	13.49	County paid 95% of PRC due to early pmt discount
10-120-00-00-05-310	332.21	315.6	16.61	County paid 95% of PRC due to early pmt discount
10-120-00-00-09-252	271.47	257.9	13.57	County paid 95% of PRC due to early pmt discount
25-120-00-00-06-076	184.45	175.23	9.22	County paid 95% of PRC due to early pmt discount
26-120-00-00-05-557	230.75	219.21	11.54	County paid 95% of PRC due to early pmt discount
32-065-00-00-00-949	47.39	45.02	2.37	County paid 95% of PRC due to early pmt discount
32-065-00-00-04-444	316.67	300.84	15.83	County paid 95% of PRC due to early pmt discount
32-065-00-00-05-526	494.55	469.82	24.73	County paid 95% of PRC due to early pmt discount
32-065-00-00-05-563	494.55	469.82	24.73	County paid 95% of PRC due to early pmt discount
35-110-00-00-05-832	117.84	111.95	5.89	County paid 95% of PRC due to early pmt discount
CL-005-00-00-01-545	95.02	90.27	4.75	County paid 95% of PRC due to early pmt discount
CL-005-00-00-02-058	85.90	81.6	4.30	County paid 95% of PRC due to early pmt discount
CL-005-00-00-03-555	94.01	89.31	4.70	County paid 95% of PRC due to early pmt discount
CL-005-00-00-04-676	122.64	116.51	6.13	County paid 95% of PRC due to early pmt discount
CL-005-00-00-04-680	255.17	242.41	12.76	County paid 95% of PRC due to early pmt discount
CL-005-00-00-04-842	146.47	139.15	7.32	County paid 95% of PRC due to early pmt discount
CL-005-00-00-04-852	500.00	481.46	18.54	County paid 95% of PRC due to early pmt discount
CL-005-00-00-04-949	211.08	200.53	10.55	County paid 95% of PRC due to early pmt discount
CL-005-00-00-05-189	500.00	496.38	3.62	County paid 95% of PRC due to early pmt discount
CL-005-00-00-05-390	469.55	446.07	23.48	County paid 95% of PRC due to early pmt discount
CL-005-00-00-05-571	299.77	284.78	14.99	County paid 95% of PRC due to early pmt discount
CL-005-00-00-05-599	299.77	284.78	14.99	County paid 95% of PRC due to early pmt discount
CL-005-00-00-05-663	62.08	58.98	3.10	County paid 95% of PRC due to early pmt discount
01-080-00-00-09-258	395.05	0	395.05	Failed to remit PRC to this parcel

Ward County is on Facebook and posts updates on jobs, taxes, elections,etc.?! To follow us there, visit: https://www.facebook.com/wardcounty1

Election information (including ID requirements and how to apply for an absentee ballot) can be found at: https://vip.sos.nd.gov/

To pay your taxes online: https://itax.tylertech.com/wardnd

From: Myers, Shelli L. <slmyers@nd.gov>
Sent: Thursday, December 5, 2024 12:55 PM
To: NDACO Treasures <tr@ndaco.org>; NDACO Auditors <auditors@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>
Cc: Heinle, Paul <pheinle@nd.gov>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Williams, Vicki <vwilliams@nd.gov>
Subject: RE: Answers to a few recent questions

EXTERNAL email received. DO NOT open suspicious emails.

Hello again.

A question just came in that I will address to everyone.

Can you clarify about MH's a bit more for me? If MH taxes are less than $500, will they only get a refund of what they paid prior to the discount?

Ex. My MH taxes were $250 prior to the discount. Will I get a refund of $250(taxes I paid)from the county or $500?

We are getting ready to help with abatements for the 2024 MH taxes that are paid already and have been approved of the PRC credit. We want to clarify the amount to refund/abate. Tax amount(without discount) or ($500- assuming the state will reimburse the County in June 2025).

If the tax paid was less than $500 the refund to the mobile homeowner would be what they paid (in the example above it would be $250, not $500). If the tax paid was more than $500, they would only get $500.

Thanks for the follow-up questions!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Myers, Shelli L.
Sent: Thursday, December 5, 2024 11:16 AM
To: NDACO Treasures <tr@ndaco.org>; NDACO Auditors <auditors@ndaco.org>; NDACO Tax Directors <tax@ndaco.org>
Cc: Heinle, Paul <pheinle@nd.gov>; Hummel, Jessi L. <jhummel@nd.gov>; Ohlhauser, Sarah F. <sfohlhauser@nd.gov>; Pfaff, Ross T. <rtpfaff@nd.gov>; Williams, Vicki <vwilliams@nd.gov>
Subject: Answers to a few recent questions

Good morning, everyone,

I hope this email finds you all well and warm. I've received several similar questions which I will share the answers to below.

Question 1:
Should the PRC be applied before or after the discount? If it is before, the refund will be less than the credit given. (regarding mobile home refund)

Answer 1:
While this was programmed correctly, the credit should be applied to the consolidated tax prior to the discount (because you cannot receive a discount on a credit), the refund for mobile homes, however, should be issued at $500. Make sure to adjust your certification that is due by January 1st.

Question 2:
Are transfers allowed to happen after tax bills go out?

Answer 2:
There is no provision in statute to limit the transfer period, so please transfer the credit. The November 1st deadline was for our office to be able to get you the information in time for your tax statements. If a property owner contacts our office, I've instructed the team to direct them to the county office for the transfer.

Question 3:
Are we receiving PRC inserts? ETA?

Answer 3:
The inserts are coming, unfortunately, the printer did not send them out when they said they were going to. I did get confirmation yesterday that they are sending them out on Monday. I am sorry for the inconvenience this caused!

If you have any further questions, please let me know.

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
NORTH DAKOTA OFFICE OF STATE TAX COMMISSIONER
600 E Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599
Phone: 701-328-3127 | Fax: 701-328-3048 | www.tax.nd.gov

"When gratitude becomes your default setting, life changes." ~Nancy Leigh Demoss

Splonskowski, Mark D.

From: Myers, Shelli L.
Sent: Wednesday, April 16, 2025 4:46 PM
To: Splonskowski, Mark D.
Subject: RE: PRC

Hi Mark,

That is correct, the refund will be without the discount, even if they paid with the discount. If a mobile home's consolidated tax was $350 and they paid on Feb. 2 to receive the discount of $17.50, the total they paid was $332.50. The certified discount from the county would be the $350, therefore, the amount you would refund to the mobile home owner would be $350, not the $332.50.

This is confusing and you aren't the only one asking the question.

Please let me know if you have further questions!

Shelli Myers
State Supervisor of Assessments & Property Tax Division Director
Phone: 701-328-3127 | Fax: 701-328-3048

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 16, 2025 3:50 PM
To: Myers, Shelli L. <slmyers@nd.gov>
Subject: PRC

Good afternoon Shelli,
I hate to be a broken record, but I just wanted to verify this before moving forward. If a person paid their mobile home taxes and received the 5% discount but the total taxes due were below the $500 we still pay them what they originally owed, NOT the amount paid with the 5% discount. Example, if a person owes $500 in taxes but receives the 5% discount and actually paid $425, we still refund them the $500 they originally owed, NOT $475. Is that Correct?

Thaks and have a great evening.

Mark Splonskowski
Burleigh County Auditor/Treasurer

From:	Splonskowski, Mark D.
To:	Jacobs, Leigh; Ripplinger, Ronda
Cc:	Schmidt, Taylor
Subject:	RE: Bravera Investments - For Audit
Date:	Wednesday, April 16, 2025 2:38:37 PM
Attachments:	1990_001.pdf

Here are the last two receipts for these funds.

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Wednesday, April 16, 2025 1:30 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>
Subject: RE: Bravera Investments - For Audit

I already saw that document and responded that it does not have adequate detail.

Brandi did not keep that documentation when she purchased the CD that matured 12/13/2024, thus I do not know what certificate number it is, which means I don't know if the CD that was renewed in February is the same as the CD that matured on 12/13/2024

At this point, we do not have documentation to support our investment balance at year end for our audit, which is currently underway.

At a minimum we need the original certificate of deposit receipt for the CD that matured 12/13/2024. That should give us the CD # which should agree to the addendum.

CD. Maybe it's in the safe somewhere, but Bravera definitely has it on hand

---

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 16, 2025 1:18 PM
To: Jacobs, Leigh <ljacobs@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>
Subject: RE: Bravera Investments - For Audit

Here is the CD Addendum related to this CD.

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Wednesday, April 16, 2025 12:18 PM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>
Subject: RE: Bravera Investments - For Audit

This does not appear to have the CD for $680,000 which matured 12/13/2024

We need some documentation showing the CD that matured 12/13/2024, and did we renew it or not, and what were the terms.

We also didn't keep any record of the original purchase of that CD, so I don't even know what Certificate number it is.

So, no I don't think that gives us what we need

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 16, 2025 11:24 AM
To: Jacobs, Leigh <ljacobs@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>
Subject: RE: Bravera Investments - For Audit

Just got this from Bravera, is this what you need?

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Wednesday, April 16, 2025 10:02 AM
To: Splonskowski, Mark D. <msplonskowski@nd.gov>; Ripplinger, Ronda <roripplinger@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>
Subject: RE: Bravera Investments - For Audit

This does not tell me if we renewed the CD for $680,000 that matured on 12/15/2024

Can they provide us with the statements for when we purchased the CDs and when they matured or renewed?

This information is too cryptic to be useful for our audit.

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501

701-712-8353

From: Splonskowski, Mark D. <msplonskowski@nd.gov>
Sent: Wednesday, April 16, 2025 9:34 AM
To: Ripplinger, Ronda <roripplinger@nd.gov>; Jacobs, Leigh <ljacobs@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>
Subject: RE: Bravera Investments - For Audit

Here is the requested information, please let me know if there is anything further you need.

Mark Splonskowski
Burleigh County Auditor/Treasurer

From: Ripplinger, Ronda <roripplinger@nd.gov>
Sent: Tuesday, April 15, 2025 4:52 PM
To: Jacobs, Leigh <ljacobs@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>; Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: Re: Bravera Investments - For Audit

Mark is on it!

Ronda D. Ripplinger

Deputy Auditor/Treasurer

Burleigh County Auditor/Treasurer Office

221 N. 5th Street, PO Box 5518

Bismarck, ND 58501

Office: (701) 222-6694

Direct: (701) 712-2877

Fax: (701) 222-7528

From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Tuesday, April 15, 2025 4:50 PM
To: Ripplinger, Ronda <roripplinger@nd.gov>
Cc: Schmidt, Taylor <schmidt.taylor@nd.gov>; Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: Bravera Investments - For Audit

Ronda,

Would you please email Bravera and ask them to provide all of our CD activity from December 1 2024 through March 31 2025?

We had a CD mature December 15th in the amount of $680,000 (plus interest I'm sure), and we cannot locate any records as to whether it was cashed out or reinvested

thanks

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

Certificate of Deposit Receipt

This receipt is issued to:

Burleigh County Auditor
PO Box 5518
Bismarck, ND 58506

Account Number: 130004512
IRA Number: _____

Amount $ 680,000.00
Date Opened 12/15/2020
Term 5 Month(s)
Maturity Date 12/15/2024
Interest Rate 5.010000 %
Annual Percentage Yield 5.08%

Bravera Bank
Bismarck Downtown
320 N 4th St
Bismarck, ND 58501

The account evidenced by this receipt is subject to and further explained in the terms and conditions contained in the account agreement and account disclosures. The account is Not Negotiable and Not Transferable. Only the items checked apply.

☒ **Fixed Interest Rate** ☐ **Variable Interest Rate**
☒ **Additions Permitted**
☒ **Automatically Renewable** ☐ **Single Maturity** (not automatically renewable) ☐ **Callable** ☐ **Notice Account**

Interest will be:
- ☐ mailed to the owner(s).
- ☒ added to principal (compounded).
- ☐ paid to _____ account No. _____.
- ☒ paid every 5 Month(s)

_____.

Certificate of Deposit Receipt

This receipt is issued to:

Burleigh County Auditor
PO Box 5518
Bismarck,ND 58506

Account Number: 130004512
IRA Number: _____

Amount $ 680,000.00
Date Opened 12/15/2020
Term 12 Month(s)
Maturity Date 07/15/2024
Interest Rate 5.060000 %
Annual Percentage Yield 5.06%

Bravera Bank
Burnt Boat Drive Bismarck
1615 Burnt Boat Dr
Bismarck,ND 58503

The account evidenced by this receipt is subject to and further explained in the terms and conditions contained in the account agreement and account disclosures. The account is Not Negotiable and Not Transferable. Only the items checked apply.

☒ **Fixed Interest Rate** ☐ **Variable Interest Rate**
☒ **Additions Permitted**
☒ **Automatically Renewable** ☐ **Single Maturity** (not automatically renewable) ☐ **Callable** ☐ **Notice Account**

Interest will be:
- ☐ mailed to the owner(s).
- ☒ added to principal (compounded).
- ☐ paid to _____ account No. _____
- ☒ paid every 12 Month(s)

BRAVERA

CD ADDENDUM

Name: Burleigh County Auditor Certificate Number: 130004512

Update Term
Current Term: 5 (Months) New Term: 5 (Months) New Maturity Date:

Interest Rate
Current Rate: 0.30 (%) New Rate: 4.25 (%)

Annual Percentage Yield (APY)
Current Annual Percentage Yield: _____ (%) New Annual Percentage Yield: _____ (%)

Partial Withdrawal
Partial Withdrawal Amount: Renewing Balance:

Credit Interest

Back to CD

Ownership Change:

Name: _____ CIF: _____ Ownership _____ Add ____ Delete____

Name: _____ CIF: _____ Ownership _____ Add ____ Delete____

Name: _____ CIF: _____ Ownership _____ Add ____ Delete____

Name: _____ CIF: _____ Ownership _____ Add ____ Delete____

Name: _____ CIF: _____ Ownership _____ Add ____ Delete____

Other Request: _____

_____

Signature: _____ Date: 2-24-2025

Completed By: LBoelter Date: 02/21/2025

Input By: Date:

Verified By: _____ *Date:* _____

Burleigh County Auditor's Office
Investment Checklist

Investment Type:	
Investment Duration:	
Financial Institution:	
Amount:	
Investment/Deposit Number: (if applicable)	
Were three bids received?	
Are all bids attached?	
Is this investment appropriately diversified by type and maturity?	
Is a copy of the current investment mix by type and maturity attached?	
Is a copy of the adjusting journal entry attached?	

Approved by: (County Auditor or designee to initial or sign)	*Burleigh County Auditor*	*Date*
Bank transfer ordered by: (Deputy Auditor/Treasurer or designee to Sign)	*Burleigh Deputy Auditor/Treasurer*	*Date*
Secondary Authorization of Bank Transfer: (per policy, staff or Auditor)		*Date*
Investment checklist, reconciliation prepared by: (Staff to initial or sign)		*Date*
Adjusting journal entries reconciled, approved, posted: (Staff to initial or sign)		*Date*

Burleigh County Commission
Special Meeting Agenda

1st Floor Conference Room, City/County Office Building, 221 N 5th St, Bismarck

May 21, 2025

5:00 PM

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Consideration of submitting a petition to the Governor to remove Auditor/Treasurer Splonskowski.
4. Discussion on preliminary resolution for the redesignation of Auditor/Treasurer.
5. Adjourn.

Mark Splonskowski
Burleigh County Auditor/Treasurer

CHAPTER 44-11
REMOVAL BY GOVERNOR

44-11-01. What officers removable by governor - Grounds.

The governor may remove from office any county commissioner, sheriff, coroner, county auditor, recorder, state's attorney, county treasurer, superintendent of schools, surveyor, public administrator, city auditor, city commissioner, mayor, township officer, rural fire protection district board member, school board member, or any custodian of public moneys, except the state treasurer, whenever it appears to the governor by a preponderance of the evidence after a hearing as provided in this chapter, that the officer has been guilty of misconduct, malfeasance, crime in office, neglect of duty in office, or of habitual substance abuse or gross incompetency.

44-11-02. Charges - How made - By whom prosecuted.

1. The petition against any official authorized to be removed by the governor must be entitled in the name of this state and must be filed with the attorney general.
2. The charges against any official, other than a school board member, may be made upon the petition of fifty qualified electors of the county in which the person charged is an officer, or upon the petition of ten percent of the qualified electors voting at the preceding general election for the office of governor in that political subdivision or district in which the person charged is an officer, whichever is least, or by the state's attorney of such county.
3. The charges against a school board member must be made upon a petition containing the signatures of qualified electors of the school district equal in number to twenty percent of the number of persons enumerated in the school census for that district for the most recent year such census was taken, unless such census is greater than four thousand in which case only fifteen percent of the number of persons enumerated in the school census are required. However, not fewer than twenty-five signatures are required unless the district has fewer than twenty-five qualified electors, in which case the petition must be signed by not less than twenty-five percent of the qualified electors of the district. In those districts with fewer than twenty-five qualified electors, the number of qualified electors in the district must be determined by the county superintendent for such county in which such school is located.
4. When the petition is filed, the attorney general shall conduct an investigation within thirty days. Upon completion of the investigation, the attorney general shall make a recommendation to the governor whether a removal proceeding should be conducted by a special commissioner, and if so, whether the accused officer should be suspended during the pendency of the proceeding.
5. Upon receipt of the recommendation of the attorney general, the governor shall determine whether to proceed with the appointment of a special commissioner. If the governor decides not to appoint a special commissioner, the governor shall notify the individuals who filed the petition and summarize the reasons for the decision. If the governor decides to appoint a special commissioner, the governor shall request that a prosecutor draft and serve the official complaint against the officer.
    a. When the officer sought to be removed is other than the state's attorney, the state's attorney for the county involved or in which the political subdivision or office is located, upon request of the governor, shall appear and prosecute. Upon approval of the governor, the state's attorney may contract with a state's attorney from another county or other competent attorney, or request the attorney general to prosecute the proceedings.
    b. When proceedings are brought to remove the state's attorney, the attorney general shall appear on behalf of the state and prosecute such proceedings. Upon approval of the governor, the attorney general may contract with a state's attorney or other competent attorney.

44-11-03. Petition and complaint - Requisites.

The petition and thereafter the complaint must state the charges against the accused, and, unless filed by the state's attorney or attorney general, must be verified and may be amended as in ordinary actions. If such amendment of the complaint or charges includes any new or additional charge, then the accused must be allowed a reasonable time to prepare a defense.

44-11-04. Suspension of officer - Notice to governing body.

If the governor judges that the best interests of the state require it to be done, the governor by written order to be delivered to such officer, may suspend the accused officer from the performance of duty during the pendency of the removal proceedings. If the governor suspends the accused, the governor immediately shall notify the board or persons authorized to fill a vacancy in that office, and that board or those persons, within five days after receipt of such notice, shall appoint a competent person to fill the office and perform the duties of the officer during the suspension.

44-11-04.1. Appointment of special commissioner - Filing of complaint.

The governor shall appoint as a special commissioner a retired or former judge, or other competent person learned in the law to preside over the removal proceedings. The prosecutor shall file with the special commissioner a complaint containing the allegations against the officer, which may consist of the charges alleged in the petition or any charge justified by the investigation conducted by the attorney general. The prosecutor shall also file proof that the complaint was served on the officer.

44-11-05. Notice of charges - Taking testimony.

Repealed by S.L. 2013, ch. 342, § 12.

44-11-06. Hearing - Report to governor .

Within thirty days of the appointment of the special commissioner, a hearing shall be held in open court on the allegations of the complaint. The proceedings shall be recorded by a court reporter or court recorder. The accused is entitled to be present and be heard in person or through the accused's attorney. The commissioner has the same powers as are conferred upon district judges to take testimony and may rule on, admit, or exclude testimony accordingly. Within ten days of the conclusion of the hearing, the commissioner shall forward to the governor a report of the proceedings, including a summary of testimony, findings as to whether any allegations were proven by a preponderance of the evidence, exhibits and evidence received, and a recommendation whether the accused should be removed from office. The governor may request a transcript be prepared if review of testimony is necessary for a final determination on removal.

44-11-07. Removal from office upon hearing - Filling vacancy.

If after reviewing the report and recommendation, the governor determines that removal is in the best interests of the state, the governor shall make an order in writing removing the accused from office, and shall cause a copy of the order to be delivered to the accused and one copy to be delivered to the board or persons having the authority to fill a vacancy in that office. Thereupon that board or person, within five days thereafter, shall appoint a competent person to fill the office and perform the duties thereof, unless the accused, prior to the final hearing, had been suspended as provided by this chapter, and an interim appointment made. In such case the person appointed to the office during the suspension shall continue until the expiration of the term for which the accused was elected or appointed. If the governor decides that removal is not in the best interests of the state, the governor shall notify the individuals who filed the petition and summarize the reasons for the decision.

44-11-08. Appeal - Notice and bond filed with clerk of district court.

When the accused person so removed is aggrieved by the removal, the accused person is entitled to appeal from the decision of removal made by the governor to the district court in any

other district of the state upon filing a notice in the office of the clerk of the district court, setting forth the grounds of appeal, together with a bond in the sum of two hundred fifty dollars, which must be for the payment of costs of such appeal in the event the action of the governor is affirmed. Such bond must be approved as to form by the state's attorney of the county and as to its sufficiency by the clerk of the district court. Such notice and bond must be filed within fifteen days after the date of the order by the governor.

44-11-09. Appeal - Notification of governor - Proceedings.

The clerk of the district court shall notify the governor of the filing of an appeal by registered or certified mail. The governor, within ten days after the receipt of such notice, shall mail to the clerk of said court the testimony in such removal proceedings, together with a copy of any order made by the governor in such proceedings. Said appeal must be heard by the judge of said court upon the record in such proceedings, without a jury, at the next regular term of court or prior to said term, in the discretion of the judge of said court. After such hearing by the district judge, the district judge shall make an order affirming the order of the governor or an order reinstating the defendant officer if the decision is clearly erroneous.

44-11-10. Fees of special commissioner - Stenographer - Witnesses.

The fees of the special commissioner provided for by this chapter must be two hundred dollars per day, and in addition thereto, the special commissioner shall receive mileage from the commissioner's residence to the place of trial the same as is allowed by law to sheriffs. The special commissioner may employ a stenographer and pay the expenses of the stenographer. Such expenses must be itemized by the commissioner and filed with the commissioner's report and findings and audited and allowed by the governor. Witnesses giving testimony before such commissioner, the number to be limited by the commissioner, must be allowed the same fees as witnesses in district court. In proceedings to remove a county officer, such fees must be paid by the county upon allowance by the board of county commissioners in the same manner as other claims against the county, and if a municipal or township officer, then by the city council, board of city commissioners, or board of township supervisors, in the same manner as other claims against the municipality are paid.

44-11-11. Oath of commissioner - Contents - Filing.

When a special commissioner has been appointed as provided in this chapter, the commissioner forthwith shall take an oath and shall file the same with the governor that:

1. The commissioner, impartially and to the best of the commissioner's knowledge and ability, without fear, favor, or prejudice, will hear and cause to be taken all the testimony and evidence offered and received at the hearing for and in behalf of the prosecution and accused, together with all papers and other exhibits offered by either party, and carefully will preserve the same.
2. The commissioner will cause all of the oral testimony offered and received at the hearing to be available to be transcribed at the request of the governor, and as speedily as may be after the hearing will prepare a report of the proceedings, summary of testimony, findings of fact, and complete record of all evidence and testimony, including all exhibits offered and received at said hearing by either party, and will cause the same to be filed with the governor.

44-11-12. Powers of commissioner - Subpoenas - Service - Fees.

After taking and filing the oath of office, the commissioner has authority to issue subpoenas for persons and subpoenas duces tecum and to administer oaths to witnesses the same as is conferred upon district judges. The subpoenas may be directed to any sheriff, or chief of police, who immediately shall serve the subpoenas. The officer is entitled to such fees as are allowed to sheriffs for serving subpoenas in district court. The fees must be paid in the same manner as is provided in this chapter for witness fees and commissioner's fees. The commissioner may punish for contempt in the same manner as the district court.

44-11-13. Costs on dismissal of charges - Bond.
Repealed by S.L. 2013, ch. 342, § 12.

44-11-14. Collection of costs.
Repealed by S.L. 2013, ch. 342, § 12.

STATE OF NORTH DAKOTA COUNTY OF BURLEIGH

IN THE MATTER OF THE REMOVAL FROM OFFICE OF
MARK SPLONSKOWSKI, BURLEIGH COUNTY AUDITOR / TREASURER

State of North Dakota, Petitioner, vs. Mark Splonskowski, Burleigh County Auditor / Treasurer, Respondent.	**PETITION FOR REMOVAL**

¶ 1. COMES NOW the Petitioner, State of North Dakota, by and through Julie Lawyer, Burleigh County State's Attorney, on behalf of the Board of Burleigh County Commissioners, and for this petition pursuant to Chapter 44-11, North Dakota Century Code (N.D.C.C.), alleges and states as follows:

¶ 2. That the Respondent, Mark Splonskowski, is a resident of Burleigh County, North Dakota.

¶ 3. That the Respondent is the current Auditor / Treasurer of Burleigh County, having been elected to this position in 2022.

¶ 4. That the Respondent is guilty of misconduct, malfeasance, neglect of duty in office, and gross incompetency which are grounds to remove him from the office of Auditor / Treasurer of Burleigh County by:

¶ 5. In July 2023, Burleigh County Auditor / Treasurer Mark Splonskowski filed a lawsuit against Erika White in her capacity as State Election Director of North Dakota. Splonskowski did not have consent or approval of the Board of Burleigh County Commissioners pursuant to N.D.C.C. § 11-11-14(1) to file said lawsuit. Splonskowski claimed he filed the lawsuit on a personal basis and not in his official capacity despite the only standing he had to file the lawsuit was due to his elected position and performance of statutory duties as the

Burleigh County Auditor and the allegations of harm made in the lawsuit were in his capacity as the Burleigh County Auditor. *Splonskowski v. White*, 1:23-cv-00123, in United States District Court for the District of North Dakota.

¶ 6. From April 2023 through April 2025, the Board of Burleigh County Commissioners have approved abatements and settlement of taxes for specific properties, thereby requiring the Burleigh County Auditor / Treasurer to issue refunds of overpaid taxes to the property owner. Refunds have been withheld for up to six weeks after they have been approved.

¶ 7. In 2024, Splonskowski, as the Burleigh County Auditor was responsible for proper administration of election procedures for the first time. In October 2024, it was discovered by the State Election Director that election equipment provided by the North Dakota Secretary of State to Burleigh County had been compromised. A media device (flash drive or thumb drive) had been introduced to a stand-alone computer that, pursuant to security processes set forth in N.D.C.C. Title 16.1, was not allowed. A replacement stand-alone computer was provided to Burleigh County but the security breach caused concern for the Secretary of State to the extent that he requested inspection of all the election equipment to ensure compliance with all security processes required by law and requested specific reporting to ensure training of election workers and post-election security processes were followed. The North Dakota Secretary of State conducted over thirty election training sessions in 2024. Splonskowski attended or partially attended nine of the thirty training sessions.

¶ 8. Splonskowski has not ensured proper handling of incoming monies into the Auditor / Treasurer's office in that a payment by the City of Bismarck for approximately $91,000 was lost or misplaced within the Auditor / Treasurer's office after it was hand-delivered to the office.

¶ 9. Splonskowski, who is responsible for investment of Burleigh County funds has delayed investing incoming funds and/or has not properly invested Burleigh County funds resulting in a loss of investment revenue to Burleigh County and to other governmental entities.

¶ 10. Splonskowski has engaged in improper accounting practices which result in negative balances on Burleigh County accounts and improper allocation of interest earnings in accounts. Some of the accounts at issue are governed by a Joint Powers Agreement and Burleigh County is at risk of violating the Joint Powers Agreement due to improper accounting practices.

¶ 11. In October 2024, Splonskowski engaged in harassment and/or retaliation against the Burleigh County Human Resources Director (HR Director). The Burleigh County Elections Coordinator abruptly resigned on October 15, 2024. The HR Director contacted the former Elections Coordinator for an exit interview. The HR Director prepared a confidential memorandum regarding that conversation which was shared with the media. Splonskowski accused the HR Director of releasing the confidential memorandum to the media and requested an investigation despite the fact he has received confirmation from the member of the media who received the confidential memorandum that the HR Director did not release the memorandum.

¶ 12. In November 2024, Splonskowski continued to engage in harassment and/or retaliation against the Burleigh County HR Director. Splonskowski notified the Burleigh County Human Resources Team that he wished to hire a new employee following the abrupt resignation of the Elections Coordinator on October 15, 2024. Pursuant to Burleigh County policy, the HR Director, in conjunction with Splonskowski, determined the composition of the interview panel. Splonskowski disagreed with composition of the interview panel. Splonskowski, as the elected auditor and department head, made the final determination as to the hiring of the new Burleigh County Elections Coordinator. Splonskowski filed a grievance against the HR Director with the Director's subordinate employee based on the composition of the interview panel.

Splonskowski was notified the subject matter of his grievance was not an event for which he could file a grievance. Splonskowski then filed his grievance with a Burleigh County Commissioner and the matter was placed on the agenda for the December 2, 2024 meeting of Burleigh County Commissioners. Splonskowski did not provide a copy of the grievance to the Commissioners prior to the meeting and Splonskowski offered to read his grievance into the record at the meeting. The Commissioners voted to table the matter until they all received a copy of the grievance for review. Thereafter Splonskowski sent an email rescinding his grievance.

¶ 13. From January 31, 2025 through March 2025, Splonskowski failed to provide election workers with proper tax forms to enable them to file their 2024 income tax returns. Temporary workers were employed by the Burleigh County Auditor to assist in fulfilling his duties as the county's election coordinator. Those temporary workers who were required to receive 2024 W-2 Wage and Tax Statements from Burleigh County were mailed a 2025 W-2 Wage and Tax Statement on or about March 6, 2025. On or about March 31, 2025, a 2024 W-2 Wage and Tax Statement was mailed to each of the qualifying temporary election workers. W-2 forms were required to be filed with the U.S. Internal Revenue Service and sent to the worker no later than January 31, 2025. Due to these errors, Burleigh County could face penalties from the federal government of up to approximately $42,000.

¶ 14. On at least two occasions, the County Finance Director has had to remind Splonskowski of his deadlines and obligations to ensure Burleigh County receives matching funds through state programs. On or before February 1, 2025, county auditors are required to submit an annual report on Senior Citizens Mill Levy/Match. In order to complete the report, county Senior Centers/Senior Service Centers submit their annual reports to the auditor's office by January 15, 2025 for the county auditor to compile the information into a single report to the State in order to qualify for matching grants funds from the state. The annual reports of the

individual centers were submitted and compiled into one final annual report for the auditor's signature and sent to Splonskowski on January 13, 2025. No response or filing was completed by Splonskowski by January 28, 2025 and the Burleigh County Finance Director, upon finding the completed report had been sent to Splonskowski for review and filing on January 13, 2025 but had not yet been filed, had to remind Splonskowski about his duties to ensure the report was filed in a timely manner so Burleigh County could qualify for matching state funds. The same occurred with the North Dakota Department of Agriculture's Landowner Assistance Program for the removal of noxious weeds.

¶ 15. On or about March 28, 2025, the Burleigh County Auditor's Office received approximately $10,700,000 from the North Dakota Treasurer for primary residence credits. Pursuant to N.D.C.C. § 57-02-08.10, the county auditor "shall apportion and distribute the payment to the county and the taxing districts of the county" within fourteen day of receiving the funds. As of April 25, 2025, Splonskowski had not distributed the funds as required by law.

¶ 16. WHEREFORE, due to Splonskowski's misconduct, malfeasance, neglect of duty in office, and gross incompetency, pursuant to Chapter 44-11, N.D.C.C., the undersigned respectfully requests the following relief:

¶ 17. That the Attorney General conduct an investigation and make a recommendation to the Governor to conduct removal proceedings [and suspend Splonskowski during the pendency of proceedings];

¶ 18. [That upon finding it to be in the best interests of the State, that the Governor by written order, suspend Splonskowski from the performance of his duties during the pendency of the proceedings];

¶ 19. [That upon suspension, The Governor immediately notify the Burleigh County Board of Commissioners that within five days after receipt of the notice of suspension, the

Commission shall appoint a competent person to fill the office of Auditor / Treasurer and perform those duties during the pendency of proceedings];

¶ 20. That the Governor appoint a special commissioner to preside over a hearing on removal proceedings, prepare a report of the proceedings, including a summary of testimony, findings as to whether any allegations were proven by a preponderance of the evidence, exhibits and evidence received, and a recommendation whether Splonskowski should be removed from office;

¶ 21. That upon completion of said hearing, that the Governor remove the Respondent, Mark Splonskowski, from the office of Burleigh County Auditor / Treasurer and direct the person appointed to the office during the suspension shall continue until the expiration of the term for which Splonskowski was elected.

¶ 22. I have read section 44-11-03, N.D.C.C., and the statements made in this petition are true and correct to the best of my knowledge.

Dated this _____ day of May, 2025.

Julie Lawyer, BAR ID 05693
Burleigh County State's Attorney
514 E Thayer Ave
Bismarck, ND 58501
Phone: (701) 222-6672
E-service: bc08@nd.gov

PRELIMINARY RESOLUTION on Separating the Elective Office of Burleigh County Auditor / Treasurer to Elective Office of Auditor and Appointive Office of Treasurer, Office of County Administrator, and Office of Tax Equalization

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office and also consolidated the office of Tax Equalization with the office of County Auditor effective May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to be the chief financial officer of the County;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law separating an elective county office into two or more elective or appointive offices and North Dakota Century Code § 11-09.1-05(6) allows the Board of County Commissioners to eliminate or combine county offices pursuant to N.D.C.C. ch. 11-10.2.

Whereas pursuant to N.D.C.C. § 11-10.2-01(1)(b), the Board of County Commissioners may separate an elective county office into two or more elective or appointive offices; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be separated into offices of Auditor and Treasurer, and the County Commission, may, if deemed necessary and appropriate, add the office of County Administrator at any time thereafter;

Resolved, that effective April 1, 2027, the positions of Treasurer and County Administrator, if authorized, shall be hired positions with minimum qualifications as recommended by Human Resources Director and approved by the County Commission;

Resolved, that effective April 1, 2027, the office of Tax Equalization shall have separate staff from the Auditor, Treasurer, and County Administrator offices;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

DRAFT

PLAN to Separate the Elective Office of Burleigh County Auditor / Treasurer to Elective Office of Auditor and Appointive Offices of Treasurer, Office of County Manager or Administrator, and Office of Tax Equalization

The combined offices of Burleigh County Auditor / Treasurer and Office of Tax Equalization will be separated effective April 1, 2027. The purpose of the separation is to retain an elected auditor and to ensure that a treasurer is hired who has the necessary qualifications to collect, disburse, and invest the county's funds. The separation will promote checks and balances and will involve the following changes:

1. The Office of County Auditor will be separated from the Office of County Treasurer. The non-financial statutory duties of the County Auditor shall be retained by the Auditor.

2. The Office of Treasurer shall be assigned all statutory duties of the Treasurer and all remaining financial duties of the Auditor, including primary management for all banking and cash management operations, investments, collecting, receipting, and disbursing county funds.

3. The Office of County Administrator may be created and filled by the County Commission if and when deemed necessary by the County Commission.

4. The Office of County Tax Equalization shall be separated from that of the County Auditor and County Treasurer.

The County Auditor will be directly responsible for the management of the County Auditor's office and the County Commission will continue to provide the necessary staff, office space, and equipment necessary to perform the functions required of the County Auditor's office.

The County Treasurer will be directly responsible for the management of the County Treasurer's office and the County Commission will provide the necessary staff, office space, and equipment necessary to perform the functions required of the County Auditor's office.

The County Administrator will be directly responsible for coordinating or overseeing day-to-day activities of the county pursuant to the direction of the County Commission and the County Commission will provide the necessary staff, office space, and equipment necessary to perform the functions required of the County Administrator's office.

Additional staff of a Treasurer and a County Administrator, as deemed necessary, may be added. As current staff are assigned the current job duties related to the duties of the county auditor and treasurer, staffing for the offices will remain the same, however, staff may be reassigned to office of auditor, treasurer, or tax equalization to ensure all job duties of each office are accomplished with maximum efficiency.

The staff needed for daily operations for each department is:

Office of the County Auditor – County Auditor, Executive Assistant/Elections Coordinator, Administrative Assistant

Office of the County Treasurer – County Treasurer, Deputy Treasurer, Accountant I or II, Accounting Technician, Administrative Assistant

Office of Tax Equalization – Tax Equalization Director, Senior Appraiser, Appraiser I or II (2)

DRAFT

Office of County Administrator – County Administrator

Additional staff needed for elections management every two years is as needed. As the offices of Auditor / Treasurer and Tax Equalization would be separated, those staff in the Treasurer and Tax Equalization offices would no longer be required to assist in elections duties. Therefore, other staff in other departments can assist as available, but there would be an increase in the number of temporary election workers needed every two years.

DRAFT

States Attorney Lawyer,

The Burleigh County Auditor/Treasurer office currently consists of 7 members. Myself, my Deputy Auditor/Treasurer, Executive assistant/Elections Coordinator, Accountant I, Accounting technician, Admin assistant-accounts receivable and Admin assistant-real estate.

It is difficult to give you an estimate for the needs of the office since the duties have not been more clearly defined. However, I will do my best to give you an estimate based on the comments I have heard.

If the office were to be split, depending upon the duties associated with each division. The Treasurers office would require an admin assistant, accounts receivable, accounts payable and at least an Accountant I and II along with the Treasurer.

The Auditor's office would require at a minimum the Auditor and three supporting staff. An Executive assistant/elections coordinator, an administrative assistant, and an accountant. If the Treasurer's office and Tax Equalization office were no longer to be part of the election process, we would also have to substantially increase the salary and election worker budget for election years. My estimation would be a 400% increase to the election's salary budget and a 30-50% increase to the election worker budget line items.

I have included the job descriptions for each of the member so the office for their duties.

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description Number: 01-41410-016

Employee: _____
Job Title: Auditor/Treasurer/Tax

Job Status: Elected
Salary Grade: 16

Location: Bismarck
Department: Auditor/Treasurer/Tax Equalization
Reports to: Electorate
DBM Rating: D63

Job Summary: As a duly elected official, is responsible for duties as Auditor and Treasurer outlined in North Dakota Century Code, Chapter 11-13 and 11-14, and oversee duties of the Tax Equalization division outlined in N.D.C.C., Chapter 11-10, and provide complete, concise, accurate, and timely information and comprehensive services to the citizens of Burleigh County as requested, and to provide information and support services to elected officials and staff so they may perform their identified duties and responsibilities.

Responsibilities:

_40_ % time	1. Responsible for the management of the offices of Auditor, Treasurer and Tax Equalization.
_30_ % time	2. Act as Chief Financial Officer, in cooperation with the County Finance Director, responsible for providing accurate financial information and comprehensive services to Elected Officials, County staff, and the public.
_10_ % time	3. Responsible for serving as Chief Election officer for the County, managing all aspects of an election, to make out and deliver notices of general and special elections.
_10_ % time	4. Responsible for managing meetings and coordinating with other agencies, act as clerk of the Board of County Commissioners and keep an accurate record of official proceedings of the Board.
_10_ % time	5. Preserve and keep all documents, books, records, maps, and other papers necessary to transact County Business.

Essential Job Duties:

1. Perform all responsibilities of Auditor and Treasurer outlined in North Dakota Century Code Chapters 11-13 and 11-14 and oversee certain responsibilities of the Tax Equalization office in accordance with North Dakota Century code, Chapter 11-10.
2. Act as clerk of the Board of County Commissioners and keep an accurate record of the official proceedings of the board.
3. Act as Chief Financial Officer for the County and in cooperation with the Finance Director, and Deputy Finance Director, keep complete and detailed records of all financial transactions, and prepare the annual financial statement of the County.
4. File and preserve all accounts, documents, books, records, maps, vouchers, and other papers pertaining to the settlement of all accounts to which the County is a party, and such copies under the hand and seal of the Auditor shall be admitted as evidence in all courts in the state.
5. As Chief Election Officer for the County, perform all acts required of the auditor relative to the making out and delivering of notices of general and special elections, making abstracts of and canvassing votes cast at election, issues certificates of election and forward the abstracts of and canvassing votes cast as election, issue certificates of election and forward the abstract of votes cast to the Secretary of State.
6. Prepare operating budget for combined department, and annual budget for the county, including calculation of tax mill levies, and prepare assessment list/abstract and tax abstract.

7. Manage the combined offices of Auditor/Treasurer/Tax and hire, train, supervise, and evaluate the performance of Deputy Auditor/Treasurer, Executive Assistant – Elections Coordinator, and Deputy Auditor/Tax Equalization Director. And in conjunction with the Finance Director, the Deputy Finance Director.
8. Act as advisor for other County governing boards such as County Planning Commission, County Board of Health, Water Management Board, Weed Control Board, Park Board, Special Assessment Commission, etc., and keep the community informed of the direction of the County by communicating with the media, community officials, and the general public.
9. Act as the custodian for the unorganized township records.
10. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Must be duly elected by the citizens of Burleigh County. Bachelor's or Master's Degree in Public Administration, Business Administration or Accounting would be beneficial.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment. Will include physical motions of finger dexterity for frequent use of PC keyboard and monitor, sitting and standing motions.
2. Often works in high-stress situations. Often works irregular schedules. Must be able to work through stressful times with high customer counts.

Clarification Clause:

This is an elected position and as such, is subject to election rules. This position is subject to the North Dakota Century Code, Chapter 11-13 and 11-14 rules and regulations. This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in performing the duties related to the Auditor/Treasurer/Tax position. The job description is not a contract. The County reserves the right to change the job description as long as it follows N.D.C.C. 11-13 and 11-14.

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 12/18/2024 Job Description # 02-41410-533

Employee: _____
Job Title: Deputy Auditor/Treasurer
Job Status: Exempt
Salary Grade: 12

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Auditor/Treasurer
DBM Rating: C44/C51

Job Summary: Under the supervision of the Auditor/Treasurer/Tax, is responsible for supervision of clerical staff, tax collection function, accounting functions, preparing, balancing, and making daily bank deposits, and reconciling periodic statements of the County's bank accounts.

Responsibilities:

_60_ % time	Supervise, schedule, train, and evaluate staff in the Auditor/Treasurer area of the department, and prepare and mail tax statements, entry of tax collections, and issuance of receipts.
_25_ % time	Manage and perform fund investment activities and monitors cash flow requirements of county including preparation of required reports and apportioning various funds to proper districts and custodial accounts.
_15_ % time	Maintain periodic financial reports related to general ledger, accounting for special funds, tax collections, and investment of funds, assist with the budget and mill levy processes.

Essential Job Duties:

1. Oversee the collection and recording of all county revenues; prepare and balance daily receipts and deposits of funds, prepare listing of all checks and cash, and reconciliation checking account(s) and periodic statements of bank accounts.
2. Prepare needed data for annual audit, internal report requests, maintain pledged securities.
3. Serve as an active member of the Burleigh County Investment Committee.
4. Assist in the annual budget preparation including calculation of tax levies, preparing assessment list/abstract, special assessment districts.
5. Assist in review of warrants and orders for payments issued by the county to determine whether they are legal obligations of the County, have been properly budgeted, and do not represent over payment to any payee or from any fund.
6. Assist County Auditor/Treasurer in the official record keeping process including taking minutes of County Commission and other meetings.
7. Serve as contact (liaison) for Banks, all Auditor/Treasurer software systems, online (web-based) programs.
8. Responsible for research, troubleshooting, and problem-solving processes for the technical programs and the overall Auditor/Treasurer's department.
9. Create property tax statements, courtesy notices (two time a year), estimate statements, taxation notices, in lieu of taxes, public utilities (electrical and transmission) distribution lines – verifying, reporting, and billing.
10. Process year-end entries, perform rollover and annual closing processes for connection groups.
11. Supervise, train, process timekeeping, monitor workload, evaluate performance, and provide assistance to staff in the department.
12. Assist with elections as directly by the Auditor/Treasurer.
13. Provide backup for telephone calls and assist the public.

14. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Bachelor's degree in finance, accounting, or business administration and three (3) years of experience in accounting including banking and investing funds and/or an equivalent combination of education and experience.
2. Preference will be given to applicants with two (2) or more years of supervisory experience.
3. Knowledge of state and local laws governing the assessment and collection of real estate taxes.
4. Knowledge of legal property descriptions and common property instruments such as warranty and quit claim deeds, death certificates, and plats.
5. Must possess excellent written and communication skills with the ability to prepare clear, concise, and accurate reports, and maintain effective working relationships with the public and other employees.
6. Ability to perform day-to-day accounting operations, technical computer skills, sufficient in the implementation of an integrated financial management system, and problem solving and analytical skills, sufficient to identify problem areas.
7. Must have valid North Dakota drivers license with clean driving record.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Deputy Auditor/Treasurer position. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

_____ _____

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 05-41410-502

Employee: _____
Job Title: Executive Assistant – Elections Coordinator

Job Status: Exempt
Salary Grade: 9

Location: Bismarck
Department: Auditor/Treasurer/Tax Equalization
Reports to: Auditor/Treasurer/Tax
DBM Rating: C41

Job Summary: Under the supervision of the Auditor/Treasurer, is responsible for the high-level administrative duties for the Auditor/Treasurer and the Burleigh County Commission. Assist the Auditor/Treasurer in all aspects of the election process. Perform other projects required by the Auditor/Treasurer/Tax Equalization department.

Responsibilities:

_50_ % time	1. Assist the Auditor/Treasurer with complex administrative tasks for administration of elections and real property taxation.
_30_ % time	2. Assist the Auditor/Treasurer/Tax Equalization Department with high-level administrative duties and project coordination for both the office and the Burleigh County Commission.
_20_ % time	3. Provide administrative support for Burleigh County Commission and various county auxiliary boards including preparation and dissemination of agendas, minutes, and correspondence, calendar, and meeting schedules.

Essential Job Duties:

1. Under the guidance of the Auditor/Treasurer; research develop and provide recommendations and resolutions for the election administration process and other processes for the Auditor/Treasurer/Tax Equalization Department and the Burleigh County Commission.
2. Responsible for the development and coordination of Requests for Proposal (RFP) and coordinating bulk mailings with the USPS according to federal regulations and guidelines and with mailing house operations in data transfer for tax statements and elections.
3. Responsible for coordinating the Auditor/Treasurer/Tax Equalization Department internal calendar of duties and projects to be completed by the department.
4. Coordinate maintenance and repair/replacement of office equipment (copy machine, communication devices). Coordinate with IT on repair/replacement of computer equipment and new user setup (authorities, email, passwords) for the Auditor/Treasurer/Tax Department.
5. Provide confidential administrative support for the Auditor/Treasurer and Burleigh County Commission by preparing and coordinating various meetings, meeting arrangements, materials, agendas, and minutes.
6. Serve as one of the contact people for all website content and updates to the website for the department and the county commission.
7. In coordination with the Auditor/Treasurer; administer the election process and all policies and procedures that fall under the election process.
8. Assist the Auditor/Treasurer with the development of an annual election budget and monitor the election administration to the media, public, and other government agencies.
9. Assist the Auditor/Treasurer with any outreach and education regarding voting, voting processes, and election administration to the media, public, and other government agencies.
10. In coordination with the Auditor/Treasurer review all appropriate correspondence issued by the Secretary of State's office and act as required.

11. In coordination with the Auditor/Treasurer, develop the test programs and test procedures to verify the logic and accuracy of each ballot style used prior to each election.
12. In coordination with the Auditor/Treasurer; is responsible for the recruitment and training of election workers.
13. Provide backup as needed for telephone calls, assist members of the public, collect tax payments, issue receipts, and perform other general clerical duties.
14. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Associate degree required with coursework in office support, business, or education and five (5) years of experience in high-level administrative support duties that include participation in the development, or modification, of major projects or procedures; or an equivalent combination of education and experience such as a Bachelor degree and three (3) years of.
2. Requires knowledge of administrative processes, procedures, or methods, and work experience with considerable knowledge, skill, and ability in duties similar in type and complexity to those performed at this level.
3. Ability to handle multiple duties and priorities under limited supervision along with the ability to direct and motivate other employees.
4. Proficiency in the MS Office Suite of products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
5. Requires a high degree of written and/or verbal communication skills dealing with employees, clients, or the general public.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting and standing.
2. Mental demands require the ability to analyze circumstances and interpret guidelines to select appropriate procedures, which provide analysis, recommendation, or advice used by others in making decisions.
3. Frequent use of PC Keyboard and monitor. Will include physical motions of finger dexterity for use of keyboard, and other office equipment.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Executive Assistant related positions. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 04-41410-019

Employee: _____
Job Title: Accountant I
Job Status: Exempt

Salary Grade: 9

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Deputy Auditor/Treasurer & Deputy Finance Director
DBM Rating: C41

Job Summary: Under the supervision of the Deputy Auditor\Treasurer performs professional level accounting duties, financial analysis, and reporting activities in support of the county's integrated financial system in accordance with federal and state guidelines, rules, policies, and procedures. Assists in compiling and preparing complex fund statements and financial statements in compliance with Generally Accepted Accounting Principles (GAAP). Assists in the implementation and maintenance of new financial applications as well as training and assisting users in order to obtain a variety of financial information.

Responsibilities:

_80_% time	Perform routine and specialized accounting and financial activities in support of the countywide financial management system including functions of accounts receivable, accounts payable, cash receipts, capital assets, inventory management, investments, and long-term debt.
_10_% time	Assist in general administrative functions including budgeting, expenditure analysis, purchasing, and related areas.
_10_% time	Assist in the preparation of the comprehensive annual financial audit; close year-end financial statements, compile information and prepare statistical and note sections of the report. Assist in the review and update of all supporting processes, policies, and procedures needed to ensure compliance with Generally Accepted Accounting Principles (GAAP), conformance with applicable laws and policies, and an effective internal control system.

Essential Job Duties:

1. Maintain and assist in developing financial reports to accurately reflect the financial status of the county.
2. Perform reconciliations within the accounting system. Provide accounting interpretation and analyses to support the financial decisions of the county.
3. Responsible for the recording of deeds and the escrow accounting process.
4. Prepare monthly apportioning to allocate correct amount of collected funds to various taxing districts.
5. Responsible for general ledger reconciliations, corrections, and any needed journal entries.
6. Responsible for assisting with the scanning and transferring of paper invoices and documents to digital format for online storage.
7. Work with the Deputy Auditor/Treasurer to train and coordinate the work of clerical and technical employees, engaged in accounting activities.
8. Answer questions from other departments regarding coding, past records, reports, and payment of bills.
9. Advise county employees on proper accounting procedures as established by the County.
10. Recommend process improvements to current accounting procedures as established by the County.
11. Allocate and verify the recording of revenue and expenditures to the correct funds according to county policies, and procedures. Check invoices and billing statements for coding and validity
12. Assist in the preparation, processing, and verification of the year-end fixed assets and inventory.
13. Responsible for filing unclaimed property, preparing annual school financial reports, and processing abatements.

14. Receipt, count, and balance money, and prepare deposits.
15. Perform the annual 1099 tax reporting process.
16. Provide backup as needed for telephone calls, assist members of the public, collect tax payments, assist with elections, and other general clerical duties.
17. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Bachelor's degree in Accounting or Business Administration and minimum of two (2) years of experience in computer-based accounting functions with an emphasis in fund accounting and financial software applications.
2. Knowledge of fund and cost accounting practices and procedures.
3. Knowledge of automated financial systems and software applications.
4. Knowledge of application of accounting principles to the financial statements with the ability to analyze financial information and other related documents.
5. Knowledge of the Generally Accepted Accounting Principles (GAAP), and Government Accounting Standards Board statements and interpretations (GASB)
6. Ability to perform day-to-day accounting operations, technical computer skills sufficient in the implementation of an integrated financial management system, and problem solving and analytical skills sufficient to identify problem areas.
7. Ability to communicate verbally and in writing to establish and maintain effective working relationships with employees, other agencies, and the public.
8. Ability to apply knowledge in developing and implementing countywide policy and procedures.
9. Ability to analyze and explain the impacts of authoritative standards and work with staff within the department and other departments to establish guidelines and implement policies, procedures, and processes to assure compliance.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, conferencing online meeting tools, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Accountant position. The job description is not a contract. The County reserves the right to modify this or any other job description at any time.

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 06-41410-014

Employee: _____
Job Title: Accounting Technician
Job Status: Non-Exempt
Salary Grade: 5

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Deputy Auditor/Treasurer
DBM Rating: B22

Job Summary: Under the supervision of the Deputy Auditor/Treasurer, performs accounting duties in the administration and maintenance of accounts payables and credit card processing procedures.

Responsibilities:

_40_% time	Responsible for administering and maintaining all functions of the county's accounts payable processing system.
_30_% time	Compile and maintain information to substantiate transactions, balance, and reconcile accounts relating to the county's credit card system.
_20_% time	Responsible for processing the general ledger posting function for the Burleigh County biweekly employee payroll.
_10_% time	Assist the public and coworkers, assist with elections, and maintain accurate records.

Essential Job Duties:

1. Responsible for administering and maintaining all functions of the county's accounts payable processing system.
2. Conduct internal audits of all invoices, and credit card charges to provide credit card controls for all departments to assure accuracy for the payment process.
3. Process applications, requests, and claims for individuals seeking information or help regarding the county's credit card system, transfer information from the credit card system to the county's accounting system.
4. Monitor authorized credit card usage in all departments to assure activities are performed in accordance with credit card usage policies, and procedures.
5. Apportion invoices as needed; print and distribute checks for payment; and assist with gathering data for budget development.
6. Responsible for scanning and transferring paper invoices and documents to digital format for online storage.
7. Receive and refer telephone calls, assist members of the public, verify deeds, collect tax payments, assist with elections, complete and process various applications and documents, and other general clerical duties.
8. Collect money, issue receipts, balance and reconcile accounts, maintain, and disburse funds.
9. Proficient in the use of the MS Office Suite of products, specifically, Excel, Word, and Outlook to complete the daily tasks associated with this position.
10. File, retrieve, interpret information, and prepare reports from records. Distribute reports to appropriate people.
11. Post payroll entries to include ACH transfers and other general ledger entries relating to employee deductions and employee benefit payments.
12. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Associates degree with coursework in accounting, finance, or business, and four (4) years of accounting, bookkeeping, or budgeting experience; or an equivalent combination of education and experience.
2. Preference will be given to applicants with prior experience in accounts payable.

3. Proficiency in the MS Office Suite or products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
4. Requires knowledge of administrative processes, procedures, or methods, and work experience with considerable knowledge, skill, and attention to detail.
5. Requires a high degree of written and verbal communication skills and great customer service skills.
6. Ability to handle multiple duties and priorities under limited supervision.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, typewriter, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Accounting Technician position. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

_____ _____

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 08-41410-530

Employee: _____
Job Title: Administrative Assistant II – Accounts Receivable
Job Status: Non-Exempt
Salary Grade: 4

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Deputy Auditor/Treasurer
DBM Rating: B21

Job Summary: Under the supervision of the Deputy Auditor/Treasurer, perform general clerical and bookkeeping duties. Assist the public, answer telephones, collect and tabulate data, prepare original correspondence and reports, balance books, and maintain files.

Responsibilities:

_40_ % time	Perform receptionist and general clerical duties including answering telephones, filing, and word processing, assists the public, assists with elections, and maintain accurate records.
_40_ % time	Compile and maintain information to substantiate transactions, balance, and reconcile accounts, search records at appropriate time.
_20_ % time	Responsible for interpreting information and preparing reports from records, and properly disposing of records at appropriate time.

Essential Job Duties:

1. Receive and refer telephone calls, assist members of the public, receive payments, complete and process various applications and documents, assist with elections, and other general clerical duties.
2. Responsible for assisting with the scanning and transferring of paper invoices and documents to digital format for online storage.
3. Collect money, issues receipts, balance and reconcile accounts, maintain, and disburse funds.
4. Maintain accurate records with respect to real estate and chattel properties, tax assessments and collections, and accounts receivable.
5. Complete and process applications, requests, and permits for Burleigh County.
6. Maintain stock of office supplies, equipment, and forms by ordering and receiving goods, issue goods to staff, and perform physical inventory.
7. Proficient in the use of the MS Office Suite of products, specifically, Excel, Word, and Outlook to complete the daily tasks associated with this position.
8. Assist in the development, implementation, and maintenance of office procedures for the unit.
9. File, retrieve, interpret information, and prepare reports from records. Distribute reports to appropriate people.
10. Research issues with documents, applications, and permits to provide follow-up as needed to retrieve missing information.
11. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Associate degree with major coursework in legal, business, or applied Science, and two (2) years of work experience in high-level administrative and/or a combination of education and experience. Work experience must reflect an ability to conduct research, provide analysis, and interpretation of information, and prepare formal reports.
2. Preference will be given to applicants with experience involving a combination of banking, bookkeeping, or accounts receivable duties.

3. Requires knowledge of administrative processes, procedures, or methods, and attention to detail. Must have considerable knowledge, skill, and ability in duties similar in type and complexity to those performed at this position level.
4. Requires a high degree of written and verbal communication skills, dealing with the general public and other employees.
5. Proficiency in the MS Office Suite or products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
6. Ability to handle multiple duties and priorities under limited supervision.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Administrative Assistant type positions. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

_____ _____

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 07-41410-033

Employee: _____
Job Title: Administrative Assistant – Real Estate

Job Status: Non-Exempt
Salary Grade: 4

Location: Bismarck
Department: Auditor/Treasurer/Tax Equalization
Reports to: Deputy Auditor/Treasurer
DBM Rating: B21

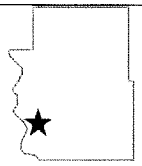
Job Summary: Under the supervision of the Deputy Auditor/Treasurer, perform general clerical and bookkeeping duties. Assist the public, answer telephones, collect and tabulate data, prepare original correspondence and reports, balance accounts, and maintain files. Perform duties for deed transfers and the three-year delinquent tax process. Assist with property taxes and elections

Responsibilities:

_40_% time	1. Perform receptionist and general clerical duties including answering telephones, filing, and word processing, assist the public, assist with elections, and maintain accurate records.
_40_% time	2. Prepare formal reports, letters, and other documentation on matters concerning elections, real estate assessments, real estate taxation and general government administration.
_20_% time	3. Assist the Auditor/Treasurer/Tax and Executive Assistant – Elections Coordinator with administrative support for the Burleigh County Commission and various county auxiliary boards including preparation and dissemination of agendas, minutes, and correspondence, calendars, and meeting schedules.

Essential Job Duties:

1. Receive and refer telephone calls, assist members of the public, receive payments, complete and process various applications and documents, assist with elections, and other general clerical duties.
2. Transfer information from source documents such as deeds, plats, billings, invoices, reports, and statements to permanent records such as assessment rolls, and annual reports.
3. Perform deed transfers and abatement recording. Reconciles abatements.
4. Maintain accurate records, with respect to real estate and chattel properties, tax assessments and vouchers for payment as part of the abatement process.
5. Responsible for the coordination of the three-year delinquent tax process.
6. Serve as one of the contact people for all website content and updates to the website for the department and the county commission.
7. Provide monthly expenses to the media as directed by the Auditor/Treasurer Tax.
8. Process legal publications as directed by the Auditor/Treasurer/Tax.
9. Process the multiple parcel maintenance and redaction of property records.
10. Compile township packets annually.
11. Assist the Auditor/Treasurer/Tax and Executive Assistant – Elections Coordinator in providing confidential administrative support for the Burleigh County Commission by preparing and coordinating various meetings, meeting arrangements, materials, agendas, and minutes.
12. Perform other duties as required or assigned.

	**Burleigh County, North Dakota** **Job Description**	**Last Date Revised:** 04/17/2023 **Job Description #** 07-41410-033

Job Qualifications, Experience and Education

1. Associate degree with major coursework in legal, business, or applied science, and two (2) years of work experience in high-level administrative and/or a combination of education and experience. Work experience must reflect an ability to conduct research, provide analysis and interpretation of information, and prepare formal reports.
2. Requires knowledge of administrative processes, procedures, or methods, and attention to detail. Must have considerable knowledge, skill, and ability in duties similar in type and complexity to those performed at this position level.
3. Requires a high degree of written and/or verbal communication skills dealing with general public and other employees.
4. Proficiency in the MS Office Suite of products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
5. Ability to handle multiple duties and priorities under limited supervision.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting and standing.
2. Mental demands require the ability to analyze circumstances and interpret guidelines to select appropriate procedures, which provide analysis, recommendation, or advice used by others in making decisions.
3. Frequent use of PC Keyboard and monitor. Will include physical motions of finger dexterity for use of keyboard, and other office equipment.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Administrative Assistant type positions. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

Employee Signature **Date**

From: Jacobs, Leigh
To: Lawyer, Julie A.
Cc: Binder, Pamela J.; Bitner, Brian
Subject: RE: Preliminary Resolution - Auditor / Treasurer Reorganization
Date: Tuesday, May 13, 2025 2:27:09 PM

Julie,

1. current positions you have in your office
    a. We have a Finance Director and a Deputy Finance Director
2. their job duties
    a. Deputy Finance Director
        i. 20 hours a week of Auditor's Office duties
        1. These 20 hours were not fully utilized under previous Deputy Auditor, but have increased since we hired a new Deputy Auditor
            a. Duties include investment journal entries
            b. Bank reconciliations
            c. Reconciliations of cash and accounts receivable
            d. Vision Zero grant
            e. Quarterly billings including BMDC, CenComm, Courthouse utilities
        ii. Seasonal duties including 1099 processing, unclaimed property
        iii. BMDC Sales Tax bond defeasance activities (this will be going away in the coming days/weeks)
        iv. Research policies/procedures
        v. Reconciling general ledger
        vi. Research items for Commission meetings

    b. Finance Director
        i. Certain duties for Auditor's Office
        1. Fixed assets
        2. Financial statement audit liaison
        3. Year-end adjusting entries
        4. Investment reconciliation, procedures, tracking sheets
        5. ARPA grant administration
        6. Other grants
        7. Review of work performed by Deputy Auditor
        8. Reconciliation of cash, receivables, other
        ii. General Ledger reconciliation
        iii. Investment benchmarking and reporting
        iv. Substantial time is devoted to reviewing the work of the Auditor/Treasurer's Office
        v. Reporting to the Commission
        vi. Evaluating procedures, looking for process improvement

3. what projected staffing you will need for your offices to perform the reassigned duties

In this case, the Auditor/Treasurer Splonskowski contributes at least a negative one, if not negative two FTEs. Not only does he not provide the kind of work product or output one would expect at his level, but he creates additional problems on an ongoing basis due to his incompetence. I've estimated a cost of at least $5M to Burleigh County directly because of Auditor/Treasurer Splonskowski's incompetence. As a result, the Finance Director position was re-purposed as an internal auditor. Therefore, a significant amount of our time is spent reviewing the Auditor/Treasurer's work and reporting back to the Commission. Due to the scope of the incompetence, there's a lot to review. If Auditor/Treasurer Splonskowski's job duties are substantially reassigned, his ability to create problems is greatly reduced and therefore, there is less of a need for this internal audit function.

So, by largely removing Auditor/Treasurer Splonskowski from the picture, we gain at least 1 or 2 FTE's by eliminating his negative influence. We also gain probably at least ½ to 1 FTE in the Finance Department due to the reduced need for oversight.

Additionally, the Auditor/Treasurer's Office has failed to improve its procedures over the years. Because we are in a separate building, the scope of this problem is not known, but I would estimate the Auditor/Treasurer's Office loses at least 1 FTE of time per year due to ineffective procedures, lack of technical ability/training, etc. So, with new leadership, there's the opportunity to gain man-hours by improving processes.

I don't think we need to add FTEs to the Finance Department, and I think we have enough FTEs authorized within the Auditor/Treasurer's Office and Finance Department combined to perform the statutory duties, with the understanding that we are currently short an Accountant I position. **However, neither the Auditor/Treasurer nor Deputy Auditor/Treasurer's job duties have been done for over 4 years. We have a backlog of work that needs to be done at that level.** It may be that an additional staff member is needed to catch up from these years of negligence. Not to mention the lack of written documentation of many policies & procedures for the decades prior to that.

I am a little skeptical about adding an appointed Treasurer without a County Administrator. It seems to me that accounting departments need to be vertically integrated. Concerns about dual controls can be addressed through segregation of duties and policies/procedures, especially if financial duties are removed from the elected Auditor.

So to summarize, under the reorganization we gain back the negative 2 FTE's caused by Auditor/Treasurer Splonskowski; another ½ to 1 FTE from Finance Department's internal audit function; a potential for 1 FTE from improving procedures; with the possible need to use 1 FTE to clean up years of neglect. So conservatively, a net gain of 2.5 FTEs.

Leigh Jacobs, CPA
Finance Director
Burleigh County

From:	Vietmeier, Alan R.
To:	Lawyer, Julie A.
Cc:	Binder, Pamela J.; Bitner, Brian
Subject:	RE: Preliminary Resolution - Auditor / Treasurer Reorganization
Date:	Wednesday, May 7, 2025 9:45:52 AM
Attachments:	Deputy Auditor-Tax Director Job Description-4.17.23.pdf Senior Tax Appraiser Job Description-04.17.23.pdf Tax Appraiser II Job Description 04.17.23.pdf Tax Appraiser I Job Description 04.17.23.pdf

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Good morning,

Here is the structure for the Tax Equalization office:

4 Staff Members, 1 in each category.

Tax Equalization Director – Oversee the operations of the office. Provide expert knowledge to public and county officials when needed. Supervise the Tax Equalization staff.

> **Senior Appraiser** - Manages the property records in Tax Wise and Vanguard. Provide guidance to title companies, banks, engineers, surveyors, and appraisers. Provides leadership to appraiser 1 and 2. Assists the director with required filings and conducting of meetings. Other duties as assigned by the Director.
>
> > **Appraiser 2** – perform individual assessments on basic and complex properties. Study the market conditions. Provide customer service. Value the Mobile Homes and track their data. Compile sales data for equalization use.
> >
> > **Appraiser 1** – perform individual assessments on basic properties. Study the market conditions. Provide customer service. Administer the Homestead and Vet Credits.

The office also provides expert knowledge relating to assessments, taxation, property descriptions, etc. to the public when the questions arise. All staff members are well versed in providing that information and utilize the chain of command when the answer is not able to be provided by them.

I have attached all the job descriptions for the office. These are the current job responsibilities that we are working off currently. We also do a lot of additional work due to lack of experience in the other portion of the department.

As the appraiser 1 meets the requirements in the appraiser 2 position they will be moved to an appraiser 2.

Current Staffing Levels of the Tax Equalization will not require any changes at this time.

Hopefully, this helps you compile the necessary information you need.

CHAPTER 11-09.1
HOME RULE COUNTIES

11-09.1-01. Methods of proposing home rule charter.

The board of county commissioners may on its own motion cause a home rule charter to be drafted and submitted for adoption to the electors of the county in the manner provided in this chapter. A home rule proposal may be initiated in a petition filed with the board of county commissioners and signed by qualified electors of the county not fewer in number than two percent of the population of the county.

11-09.1-02. Charter commission - Membership - Preparation and submission of charter - Compensation and expenses - Publication.

Within sixty days after proceedings have been initiated for a home rule charter, the board of county commissioners shall appoint a charter commission, comprised of at least five members, to draft the charter, unless a petition proposing a charter pursuant to section 11-09.1-01 prescribes the composition of the commission or the manner by which the composition of the commission is to be determined. The board shall designate one of the charter commission members as chairman of the charter commission. The board shall set the compensation and expenses of charter commission members. Actual expenses incurred by charter commission members may be reimbursed at the official reimbursement rates of the appointing authority. The board, from its general funds, may furnish the charter commission with office space, clerical help, supplies, and legal and other assistance. The charter commission shall hold at least one public hearing on the proposed charter and may use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the proposed charter. The commission shall prepare and submit the charter to the board of county commissioners within one year after appointment, unless the board allows additional time for submission of the charter. The charter must contain a list of county offices to be elected and any elected offices that will be eliminated or combined if the charter is adopted. The board of county commissioners shall publish the proposed charter once in the official newspaper of the county.

11-09.1-03. Submission of charter to electors.

At least sixty days, but no more than two years, after submission of the charter to the board of county commissioners, the proposed charter must be submitted to a vote of the qualified electors of the county at a primary or general election. If the proposed charter has been submitted to a vote of the qualified electors of the county, the board of county commissioners may call a special election to resubmit the proposed charter to a vote of the qualified electors of the county, and the special election must take place at least sixty days after the call for the special election. The board may amend the proposed charter prior to its resubmission to the electors.

11-09.1-04. Ratification by majority vote - Supersession of existing charter and conflicting state laws - Filing of copies of new charter.

If a majority of the qualified electors voting on the charter at the election vote in favor of the home rule charter, it is ratified and becomes the organic law of the county on the first day of January or July next following the election, and extends to all its county matters. The charter and the ordinances made pursuant to the charter in county matters must be liberally construed to supersede within the territorial limits and jurisdiction of the county any conflicting state law except for any state law as it applies to cities or any power of a city to govern its own affairs, without the consent of the governing body of the city. The charter may not authorize the enactment of ordinances to diminish the authority of a board of supervisors of a township or to change the structure of township government in any organized civil township, without the consent of the board of supervisors of the township. No ordinance of a home rule county shall supersede sections 49-22-16 and 49-22.1-13. One copy of the charter as ratified and approved must be filed with the secretary of state; one with the recorder for the county, unless the board

of county commissioners designates a different official; and one with the auditor of the county to remain as a part of its permanent records. Courts shall take judicial notice of the charter.

11-09.1-04.1. Multicounty home rule.

1. Two or more counties may draft and submit for adoption a multicounty home rule charter to the electors of each county pursuant to this section. The other provisions of this chapter apply to a multicounty home rule charter, except as otherwise provided by this section.
2. The process for drafting and submitting a multicounty home rule charter may be initiated by:
   a. Separate motions by the boards of county commissioners of the participating counties;
   b. The execution of a joint powers agreement between participating counties; or
   c. A petition filed with each board of county commissioners of two or more counties and signed by ten percent or more of the total number of qualified electors of each county voting for governor at the most recent gubernatorial election.
3. Within sixty days after proceedings are initiated for a multicounty home rule charter, the boards of county commissioners shall enter into a joint powers agreement specifying the procedure for framing the charter, which may include the establishment of a single cooperative charter commission with membership representing each county. As an alternative, the boards of county commissioners in each affected county may establish a separate charter commission pursuant to section 11-09.1-02 to frame the charter in cooperative study with the charter commission of any other affected county. The charter commissions must submit a single joint report and proposed charter.
4. A charter commission, during its deliberation, may hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion on the subject of the proposed multicounty home rule charter, and may report periodically to the affected governing bodies on their progress. In preparing the charter, the charter commission may:
   a. Include any, or all, of the available powers enumerated in section 11-09.1-05, subject to the limitations of that section;
   b. Provide for adjustment of existing bonded indebtedness and other obligations in a manner that will provide for a fair and equitable burden of taxation for debt service;
   c. Provide for the transfer or other disposition of property and other rights, claims, assets, and franchises of the counties;
   d. Provide for the reorganization, abolition, or adjustment of boundaries of any existing boards, commissions, agencies, and special districts of the county government;
   e. Include provisions for transition in implementing the charter, including elements that consider the reasonable expectations of current officeholders such as delayed effective dates for implementation at the end of a current term or a future term, upon the occurrence of a vacancy, or on a date certain;
   f. Include provision for the limited application or temporary implementation of the charter, including provisions that permit implementation on an experimental or pilot basis such as the expiration of the charter on a date certain in the future, required reapproval of the charter by the electors at a future date, or a phased-in implementation of various components of the charter; and
   g. Include other provisions that the charter commission elects to include and which are consistent with state law.
5. The proposed charter or accurate summary of the charter must be published in the official newspaper of each affected county, at least once during two different weeks within the thirty-day period immediately preceding the date of election.
6. If a majority of the qualified electors voting in each county on the charter votes in favor of the multicounty home rule charter, it is ratified and becomes the organic law of the

multicounty area on the first day of January following the election or other effective date specified in the charter.

7. The amendment or repeal of a multicounty home rule charter may proceed pursuant to the amendment and repeal provisions of section 11-09.1-06 on a multicounty basis. A majority vote of the qualified electors voting in each county in the election is required to adopt any amendment of a multicounty charter. A majority vote of the qualified electors of only one or more participating counties is required to repeal a multicounty charter.

11-09.1-05. Powers.

After the filing with the secretary of state of a charter approved in reasonable conformity with this chapter, the county and its citizens may, if included in the charter and implemented through ordinances:

1. Acquire, hold, operate, and dispose of property within or without the county limits, and, subject to chapter 32-15, exercise the right of eminent domain for those purposes.
2. Control its finances and fiscal affairs; appropriate money for its purposes, and make payments of its debts and expenses; contract debts, borrow money, issue bonds, warrants, and other evidences of indebtedness; establish charges for any county or other services to the extent authorized by state law; and establish debt limitations.
3. Levy and collect property taxes and special assessments for benefits conferred, for its public and proprietary functions, activities, operations, undertakings, and improvements, and establish mill levy limitations. Notwithstanding any authority granted under this chapter, all property must be assessed in a uniform manner as prescribed by the state board of equalization and the state supervisor of assessments and all taxable property must be taxed by the county at the same rate unless otherwise provided by law. A charter or ordinance or act of a governing body of a home rule county may not supersede any state law that determines what property or acts are subject to, or exempt from, ad valorem taxes. A charter or ordinance or act of the governing body of a home rule county may not supersede section 11-11-55.1 relating to the sixty percent petition requirement for improvements and of section 40-22-18 relating to the barring proceeding for improvement projects.
4. Levy and collect an infrastructure fee. The fee must replace a general special assessment on all property for payment of infrastructure maintenance costs through a utility bill issued by the county. The money collected under this subsection may not be used for any purpose other than infrastructure maintenance costs. If a home rule county levies an infrastructure fee, the home rule county also may levy and collect green field special assessments. As used in this subsection:
   a. "General special assessments" means special assessments levied for the purpose of maintaining existing roads and infrastructure and special assessments levied for the construction or repair of arterial roads and infrastructure that provide a benefit to the entire community.
   b. "Green field special assessments" means special assessments levied for infrastructure costs associated with the development of agricultural or undeveloped property.
5. Levy and collect sales and use taxes, farm machinery gross receipts taxes, alcoholic beverage gross receipts taxes, a county lodging tax, and a county restaurant tax. Sales and use taxes and gross receipts taxes levied under this chapter:
   a. Must conform in all respects with regard to the taxable or exempt status of items under chapters 57-39.2, 57-39.5, 57-39.6, and 57-40.2 and may not be imposed at multiple rates with the exception of sales of manufactured homes or mobile homes.
   b. May not be newly imposed or changed except to be effective on the first day of a calendar quarterly period after a minimum of ninety days' notice to the tax commissioner or, for purchases from printed catalogs, on the first day of a calendar quarter after a minimum of one hundred twenty days' notice to the seller.

c. May not be limited to apply to less than the full value of the transaction or item as determined for state sales and use tax, except for farm machinery gross receipts tax purposes.
d. Must be subject to collection by the tax commissioner under an agreement under section 57-01-02.1, with the exception of a county lodging or county restaurant tax, and must be administered by the tax commissioner in accordance with the relevant provisions of chapter 57-39.2, including reporting and paying requirements, correction of errors, payment of refunds, and application of penalty and interest.

After December 31, 2005, any portion of a charter or any portion of an ordinance or act of a governing body of a home rule county passed pursuant to a charter which does not conform to the requirements of this subsection is invalid to the extent that it does not conform. The invalidity of a portion of a charter or ordinance or act of a governing body of a home rule county because it does not conform to this subsection does not affect the validity of any other portion of the charter or ordinance or act of a governing body of a home rule county or the eligibility for a refund under section 57-01-02.1. Any taxes imposed under this chapter on farm machinery, farm irrigation equipment, and farm machinery repair parts used exclusively for agricultural purposes, or on alcoholic beverages, which were in effect on December 31, 2005, become gross receipts taxes after December 31, 2005. Ordinances enacted after August 1, 2017, may not allow for the collection and levy of any tax not otherwise specified under this section.

6. Provide for county elected and appointed officers and employees, their selection, powers, duties, qualifications, and compensation, and the terms of county appointed officers and employees. However, after adoption of a home rule charter, a county elected office may not be eliminated or combined with another office except upon approval of a majority of the electors of the county voting upon the question at a primary or general election or pursuant to the county officer combination, separation, or redesignation procedures of chapter 11-10.2. A home rule charter may not diminish the term of office for which a current county officer was elected, redesignate that elected office during that term as appointed, or reduce the salary of the office for that term. This subsection does not authorize a county to redesignate the elected offices of sheriff and state's attorney as appointed, except as provided in section 11-10-02.3.
7. Provide for all matters pertaining to county elections, except as to qualifications of electors.
8. Provide for the adoption, amendment, repeal, initiative, referral, enforcement, and civil and criminal penalties for violation of ordinances, resolutions, and regulations to carry out its governmental and proprietary powers and to provide for public health, safety, morals, and welfare. This subsection does not confer any authority to regulate any industry or activity regulated by state law or by rules adopted by a state agency. This subsection is subject to the provisions of section 62.1-01-03.
9. Lay out or vacate public grounds, and provide through its governing body for the construction, use, operation, designation, and regulation of a county road system.
10. Provide for zoning, planning, and subdivision of public or private property within the county limits but outside the zoning authority of any city or organized township. This subsection is subject to the provisions of section 62.1-01-03.
11. Exercise in the conduct of its affairs all powers usually exercised by a corporation.
12. Contract with and receive grants from any other governmental entity or agency, with respect to any local, state, or federal program, project, or works.

The people of all counties coming within this chapter have the full right of self-government in all matters within the powers enumerated in this chapter. The statutes of this state, so far as applicable, continue to apply to counties, except as superseded by the charters of the counties or by ordinances passed pursuant to the charters.

11-09.1-05.1. Sales tax revenue transfer to school districts prohibited.

Notwithstanding the provisions of chapters 54-40 and 54-40.3 or any other provision of law, revenue from sales, use, or other excise taxes levied under this chapter may not be transferred

to or for the primary benefit of a school district except for payment of bonded indebtedness incurred before April 19, 2007, or for capital construction and associated costs approved by the electors of the county before April 19, 2007.

11-09.1-06. Amendment or repeal.

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

11-09.1-07. Commission - Terms of office - Vacancies.

The board of county commissioners shall determine the term of office of the members of the charter commission at the time the members are appointed. The board of county commissioners shall fill any vacancy on the charter commission.

11-09.1-08. Restriction on proposals to amend or repeal.

Repealed by S.L. 1993, ch. 401, § 53.

11-09.1-09. Manner of calling and holding elections.

The elections provided for in this chapter are subject to the laws applicable to other elections of the county. All qualified electors of the county are eligible to vote at the election. The charter commission, for proposals to adopt a home rule charter, or the governing body of the county, for proposals to amend or repeal a home rule charter, shall prescribe the form of ballot so that the voter may signify whether the voter is for or against the proposed home rule charter or the amendment or repeal.

11-09.1-10. Effect of amendment or repeal on salary or term of office.

On the first day of January following repeal of a home rule charter, the county reverts to the form of government of the county immediately preceding adoption of the home rule charter. If positions to which officials were elected under the home rule charter are substantially the same as positions under the form of government to which the county reverts upon repeal, the elected officials shall continue to exercise the authority of their positions for the salary prescribed by the home rule charter until expiration of their terms of office as prescribed by the home rule charter. No amendment of a home rule charter may shorten the term for which any official was elected or reduce the salary of the official's office for that term.

11-09.1-11. General powers preserved.

All powers granted counties by general law are powers of home rule counties.

11-09.1-12. Vested property - Rights of action - Actions saved.

The adoption of any charter or amendment does not destroy any property, action, right of action, claim, or demand of any nature vested in the county. All rights of action, claims, or demands are preserved to the county and to any persons asserting any claims against the county as completely as though the charter or amendment had not been adopted. The adoption of any charter or amendment affects neither the right of the county to collect special assessments previously levied under any law or charter for the purpose of public improvements, nor impairs the obligation of any existing contract to which the county is a party.

11-09.1-13. Enforcement of criminal penalties.

A county that has adopted a home rule charter may impose a penalty for a violation of an ordinance through a citation, a criminal complaint, or an information through the district court in the county where the offense occurred. The penalty for a violation of an ordinance may be an infraction or a class B misdemeanor.

11-09.1-14. Payment of expenses for indigent defense services.

The home rule county must pay for an attorney and those expenses necessary for the adequate defense of an indigent person prosecuted for violation of a home rule county ordinance.

CHAPTER 11-10.2
COUNTY OFFICER COMBINATION, SEPARATION, AND REDESIGNATION

11-10.2-01. County officer combination, separation, and redesignation options.

1. A county may, without requiring local citizens to permit county home rule powers:
   a. Combine any elective county office with one or more functionally related elective or appointive county offices;
   b. Separate an elective county office into two or more elective or appointive offices; or
   c. Redesignate an elective county office as an appointive office or an appointive office as an elective office.
2. A combination or separation of any elected or appointed county office may include the reassignment of any statutory function of that office or service provided by that office, but may not diminish the general responsibility of county government to perform any function or provide any service that is required by law to be performed or provided by county government.
3. This option is available in addition to, or in lieu of, other county structural options authorized under this title, unless a specific mandate for combining or separating particular county offices is otherwise provided by law. The office of sheriff is excluded from the application of this chapter.

11-10.2-02. Methods of accomplishing office combination, separation, or redesignation of elective or appointive status.

The combination or separation of elective county offices, or redesignation of a county office as elective or appointive, may be accomplished:

1. By resolution of the board of county commissioners, subject to the right of referendum in the county electors. The board of county commissioners may by a majority vote adopt a preliminary resolution incorporating a proposed plan for combining or separating county offices, or redesignating a county office as elective or appointive. The board shall cause the complete text of the proposed plan to be published in the official newspaper of the county, at least once during two different weeks within the thirty-day period immediately following the adoption of the preliminary resolution. The board of county commissioners shall hold public hearings and community forums or use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose, conclusions, and recommendations of the plan. Within two years after the adoption of the preliminary resolution, the board of county commissioners may by final resolution approve the plan or amend the plan and approve it for implementation according to its terms. The final resolution may be referred to the qualified electors of the county by a petition protesting the plan. The petition must be signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election, and filed with the county auditor, or functional equivalent of that office, before four p.m. on the thirtieth day after the final resolution is adopted. Within ten days after the filing of the petition, the county auditor shall examine the petition and ascertain from the voter list whether the petition contains the signatures of a sufficient number of qualified electors. Any insufficiencies may be cured by the filing of an amended petition within ten days after the county auditor declares the insufficiency. The final resolution is suspended upon a determination by the county auditor that the petition was timely filed and contains the signatures of a sufficient number of qualified electors. The board of county commissioners shall reconsider the referred resolution, and if it does not repeal the resolution in its entirety, shall submit the resolution to a vote of the qualified electors of the county at the next regular election. The county auditor shall cause the complete text of the resolution to be published in the official newspaper of the county, not less than two weeks nor more than thirty days, before the date of the election. If a majority of the qualified electors voting on the question

approves the resolution, the plan incorporated in the resolution is effective and becomes operative according to its terms as if it had not been suspended.

2. By initiative of county electors. A petition signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election may be submitted to the board of county commissioners, calling upon the board to submit to the electors the question of adopting a plan described in, or annexed to, the petition. The county auditor, or the functional equivalent of that officer, shall examine the petition and ascertain from the voter list whether or not the petition contains the signatures of a sufficient number of qualified electors. Any insufficiencies may be cured by the filing of an amended petition within thirty days after the county auditor declares the insufficiency. When a plan for the combination or separation of county offices or redesignation of county offices as elective or appointive is proposed pursuant to this subsection, the board of county commissioners shall submit the proposed plan to a vote of the qualified electors of the county at a primary or general election not less than sixty days nor more than two years, as specified in the petition, after determining that the petition is sufficient. The question on the ballot at the election must be framed in a manner that fairly and accurately describes the substance of the proposed plan. The board shall cause the complete text of the proposed plan to be published in the official newspaper of the county, at least once during two different weeks within the thirty-day period immediately preceding the date of the election. The board of county commissioners may, prior to the election, hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose, conclusions, and recommendations of the plan. If a majority of the qualified electors voting on the question approves of its adoption, the plan is effective according to its terms.

11-10.2-03. Analysis required - Contents of plan - Limitations.

1. A proposed plan for combining or separating county elective offices, or redesignating a county office as elective or appointive, must be based on an analysis of each affected office, which may include an analysis of:
   a. The existing office organization, functions, and procedures established for providing governmental services;
   b. The proposed office organization, functions, and procedures; and
   c. How the proposal may improve the effectiveness and efficiency of county government and its responsiveness and accountability to local citizens.
2. The analysis may be performed as part of a study process initiated pursuant to chapter 40-01.1.
3. A proposed plan for combining or separating county elective offices, or redesignating a county office as elective or appointive, may include provision for:
   a. The selection, powers, duties, functions, qualifications and training, terms, and compensation of the affected county offices, notwithstanding any other law;
   b. Selection, transfer, reassignment, or termination of personnel associated with each affected office;
   c. The election or appointment of a county manager, notwithstanding the provisions of chapter 11-09;
   d. Transition in implementation of the plan, including elements that consider the reasonable expectations of current officeholders such as delayed effective dates for implementation at the end of a current term or a future term, upon the occurrence of a vacancy, or on a date certain;
   e. The limited application or temporary implementation of the plan, including provisions that permit implementation on an experimental or pilot basis such as the expiration of the plan on a date certain in the future, required reapproval of the plan by the electors at a future date, or a phased-in implementation of different components of the plan; and

f. Any other provision deemed necessary for combining or separating the offices or redesignating an office as elective or appointive.

4. A plan may not propose to diminish the term of office for which a current county officer was elected, redesignate that elected office during that term as appointed, or reduce the salary of the office for that term. The plan may not diminish the general responsibility of county government to perform any function or provide any service that is required by law to be performed or provided by county government.
5. A proposed plan may not diminish the future term of office, or redesignate an elected office as appointed, with respect to any person who, on August 1, 1993, holds an elected county office and continues to hold that specific office for future terms on an uninterrupted basis. This subsection does not apply after January 1, 2002, or if the person holding the affected office consents in writing to the proposed plan and files that written document prior to the scheduled implementation of the plan with the district court for the county.

11-10.2-04. Plan implementation - Revision or abandonment of plan.

One copy of the plan as approved must be filed with the district court for the county and one with the county auditor or functional equivalent to remain as a part of the county's permanent records. The board of county commissioners may take any action necessary to bring about an orderly transition in implementation of the plan, including any transfer of powers, records, documents, property, or funds which is consistent with the approved plan and necessary to place it into full effect. A plan, or part of a plan, adopted under this chapter may be revised or abandoned through the same procedure set forth in this chapter for adopting a plan.

11-10.2-05. Combination or separation of appointive offices.

A plan for combining or separating appointive county offices may be proposed and adopted by resolution of the board of county commissioners.

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

June 2, 2025

3:30 PM

COUNTY BOARD OF EQUALIZATION

The Board shall meet during the first ten (10) days in June to equalize and correct the assessment rolls. The Board of Equalization may change the valuation and assessments of any real property upon the rolls, by increasing or diminishing the assessed value of thereof. The Board shall be responsible and just to render uniform taxation. *(Pg.4-135)*

a. The Board shall sit as the Township Board of Equalization for the Unorganized Townships.
b. The Board shall then review the assessments of the cities of Bismarck, Lincoln, Regan, South Wilton, and Wing.
c. The Board shall then review the assessments of all Organized and Unorganized Townships.
d. Other Business.
e. Adjourn.

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of May 15th *(Pg.138)* and 21st *(Pg.139)* special meeting minutes and May 19th, 2025 *(Pg.140-146)*, meeting minutes and bills.

5. Consent Agenda:

    a. Abatements. *(Pg.148-149)*
    b. Special use permits. *(Pg.150-160)*
    c. Liquor License renewals. *(Pg.161-191)*

6. Commissioner Woodcox:

    a. Reconsideration of the Sanford Bond. *(Pg.193-199)*

7. Finance Director Jacobs:
    a. Funding options for Provident Building Renovation *(Pg.201-204)*
    b. BND Infrastructure Revolving Loan Fund *(Pg.205-207)*
    c. Reimbursement Resolution *(Pg.208-209)*

8. Commissioner Munson:
    a. Discuss and come to a vote on how the Provident Building remodel will be funded. *(Pg.211)*
    b. Discuss the process for approving change orders. *(Pg.212)*

9. Chairman Bitner:
    a. Determine public hearing dates for resolution and plan for separating elective office of Burleigh County Auditor/Treasurer to elective office of Auditor and appointive office of Treasurer. *(Pg.214-215)*
    b. Update on petition to the ND Governor for removal of the Burleigh County Auditor (Board approved during May 21, 2025, Special Meeting). *(Pg.214-215)*
    c. Burleigh County Commission Public Comment Policy. *(Pg.214-215)*
    d. Missouri Valley Complex purchase inquiry update (topically introduced during May 19, 2025, Meeting). *(Pg.214-215)*
    e. Provident remodel finance options. *(Pg.214-215)*

10. Other Business.

11. Adjourn.

The next regularly scheduled Commission meeting will be on June 16th, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY BOARD OF EQUALIZATION

BURLEIGH COUNTY

EQUALIZATION REPORT



June 2nd, 2025

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Burleigh County Tax Equalization Meeting

Monday, June 2nd, 2025

Tom Baker Room

1. MOTION to approve assessments of the Unorganized Townships (the Board sits as the Township Boards of Equalization for each Unorganized Townships).

2. MOTION to approve Agricultural Land values to implement North Dakota State Tax Department recommendation on the average value per acre.

3. MOTION to approve the assessment of the Cities of Bismarck, Wing, Regan, South Wilton and Lincoln.

4. MOTION to approve assessments of the Organized and Unorganized Townships.

5. MOTION to approve Application for Property Tax Exemption for Improvements to Commercial and Residential Buildings N.D.C.C. §57-02.2 as recommended by Tax Equalization Director Allan Vietmeier.

6. MOTION to approve and accept the 2025 real property assessments as equalized, to authorize the County Tax Director to make corrections to property values in Burleigh County as needed, and further to adjourn sine die.

Brian Bitner, Chairman
Burleigh County Board of Commissioners

This report is respectfully submitted as an overview of local property tax assessments in Burleigh County. Based on this summary, the county valuation increased 5.02 percent from February 1, 2024, to February 1, 2025, due to new construction, non-exemption remodeling and improvements, property classification changes, market changes, abatements, and reappraisals.

I recommend the County Board of Equalization decrease agricultural land outside the City of Bismarck by 3.16 percent to remain between 90% and 100% of the state recommended value for 2025.

Procedures for assessment and appraisal are conducted under guidance from the North Dakota Tax Commissioner's Office, North Dakota Century Code, and nationally recognized standards of mass appraisal of real property. The Burleigh County Tax Director respectfully recommends that the assessment roll be approved as submitted. Should anyone appear before the Board to protest an assessment in the 2025 report, and if the protest cannot be resolved today, I request that this office be given the opportunity to review the valuation in question. Should an inequity be noted, the abatement process as outlined in N.D.C.C. § 57-23 will be employed to rectify the discrepancy.

TRUE AND FULL VALUE FOR BURLEIGH COUNTY

Classification	2024*	2025	Difference
Agricultural Land	$ 445,794,400	$ 458,772,900	2.91%
Commercial Land	$ 1,090,951,100	$ 1,147,464,300	5.18%
Residential Land	$ 1,686,970,400	$ 1,829,937,550	8.47%
Commercial Building	$ 3,182,023,900	$ 3,301,400,800	3.75%
Residential Building	$ 8,376,055,150	$ 8,851,209,400	5.67%
TOTAL	**$ 14,781,794,950**	**$15,588,784,950**	**5.02%**

TRUE AND FULL VALUE FOR BURLEIGH COUNTY (EXCLUDING THE CITY OF BISMARCK)

Classification	2024*	2025	Difference
Agricultural Land	$ 445,159,400	$ 458,121,600	2.91%
Commercial Land & Building	$ 242,211,600	$ 281,964,500	16.4%
Residential Land & Building	$ 3,039,296,650	$ 3,284,655,250	8.07%
TOTAL	**$ 3,726,667,650**	**$ 4,024,741,350**	**8.00%**

TRUE AND FULL VALUE FOR CITY OF BISMARCK

Classification	2024*	2025	Difference
Agricultural Land	$ 635,000	$ 651,300	2.56%
Commercial Land & Building	$ 4,030,763,400	$ 4,166,900,600	3.38%
Residential Land & Building	$ 7,023,728,900	$ 7,396,491,700	5.31%
TOTAL	**$11,055,127,300**	**$11,564,043,600**	**4.60%**

***2024 ASSESSMENT ROLL REFLECTS VALUES THAT WERE CERTIFIED TO THE STATE TAX DEPARTMENT. THESE VALUES HAVE CHANGED DURING THE 2023 YEAR DUE TO ABATEMENTS AND PRORATION'S.**

Agricultural Land

Each year, the State Tax Department provides Burleigh County with an estimate of average value per acre of agricultural land, cropland, and non-cropland.

The original 2025 estimate from the State was authorized December of 2024 and was **$494.94** per acre (county average), **$767.34** per acre (cropland average) and **$167.11** per acre (non-cropland average). These values are derived from agricultural statistics compiled over the past ten years and are used to capitalize the average annual gross return of an acre of land to a landowner.

The capitalization rate used in the valuation formula is calculated annually by the Agribusiness and Applied Economics Department of the North Dakota State University and provided to the State Tax Department. It is calculated by taking the twelve most recent years' gross federal land bank (AgriBank, FCB) mortgage rate of interest for North Dakota, eliminating the highest and lowest years, and averaging the remaining ten years.

I recommend that the County Board of Equalization raise all agricultural land outside the City of Bismarck 2.91% on average to remain in compliance with both the soils and the productivity model supplied to us by the ND Tax Department. This maintains a county average to $494.00 per acre and keeps agricultural land within the state's recommendation. The range of tolerance is 10 percent.

Burleigh County Assessment Sales Ratio Study

The purpose of the Burleigh County Assessment Sales Ratio Study is to advise local assessment officials and to recommend to the Tax Commissioner changes to be made by the State Board of Equalization in the performance of the equalization duties prescribed by law. The current study includes sales of property occurring between January 1, 2024 and December 31, 2024.

A current study of the county, which does not include the City of Bismarck, indicates Market adjustments needed for Residential property.

Based on a review of 2025 assessments and the 2024 sales ratio study, the county will be within the tolerances allowed by the State Board of Equalization for residential and commercial values when the assessment rolls are approved.

The Sales Ratio Study for 2024 is based on the following data:

	Residential	Commercial
2023 Sales and Appraisals	145	40
Total Sales/Appraisal Value	$ 62,261,453	$ 14,582,278
Total Assessment Value	$ 53,830,600	$ 12,786,900
Arithmetic Mean	87.9%	91%
Aggregate Mean	86.5%	87.7%
Median	86.7%	93.3%
Price Related Differential	1.02	1.04
Coefficient of Dispersion	9.46	10.61
Indicated Adjustment to be at 100%	13.3%	6.7%

Arithmetic Mean Ratio: Sum of the ratios divided by the number of ratios. This measure of central tendency is affected by extreme ratios.

Aggregate Mean: Sum of true and full values divided by the sum of the sales or appraisal prices. This number is affected by extremely large values (sales/appraisal price or true and full value).

Median: Ratios are arrayed from high to low and the median is the middle ratio in the array. This is not affected by extreme values and the goal is to have a median ratio between 0.90 and 1.00. This is the primary measure used by the North Dakota State Tax Department.

Price Related Differential (PRD): Measures regressivity or progressivity of assessor's estimates of true and full value. The goal is to have the PRD between .98 and 1.03.

Coefficient of Dispersion (COD): Measures uniformity of true and full values estimate as an average deviation from the median. A COD of 10 percent or less is excellent, 10 to 20 percent is good and 20 to 30 percent is acceptable.

Conclusion

The 2025 assessment roll in Burleigh County is continuing to experience upward growth in the residential sector. This condition is caused by the stable yet growing economy in Burleigh County and the state. The real estate market that has remained steady for years with sales numbers consistently good throughout the county. With these current conditions we are continuing to see market trends that can begin a period of instability.

Some of the value changes that we are experiencing are due to the lack of available properties for sale. When this begins to happen, we start to witness a sellers' market. Burleigh County continues our ongoing reassessment cycles to stay current with the market trends of 2024.

The state of North Dakota and Burleigh County continue to lead national trends in low unemployment and new construction. We have a market that is exploding which from the equalization standpoint causes some volatility that we will have to closely monitor to remain within the allowed tolerances put forth by the State Board of Equalization.

Tax Equalization Director Allan Vietmeier

Senior Appraiser Tessa Knudson

Appraiser I Erin Buchwitz

Appraiser II Breanna Zent

2025 Market Values By Class
Rural and Bismarck



Farm Land
$458,772,900
2.94%

Commercial
$4,448,865,100
28.54%

Residential
$10,681,146,950
68.52%

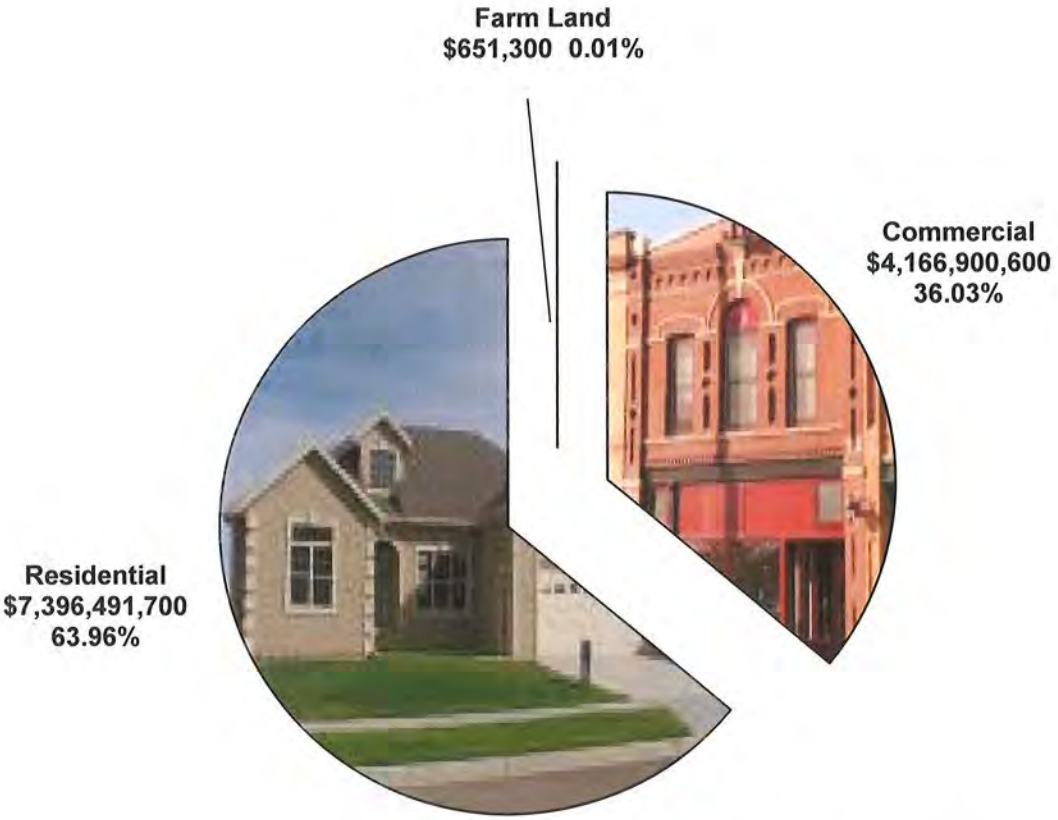
Total $ 15,588,784,950

Homestead credits & Disabled Veteran credits
not included in values

Market Valuation Totals by Classification

City/Township	Farm Land	% + or -	Commercial Land & Bldg	% + or -	Residential Land & Bldg	% + or -	Total	Total % + or -
Burleigh County & Small Cities								
2024	$ 445,159,400		$ 242,211,600		$ 3,039,296,650		$ 3,726,667,650	
2025	$ 458,121,600		$ 281,964,500		$ 3,284,655,250		$ 4,024,741,350	
Amount of Change	$ 12,962,200	2.91%	$ 39,752,900	16.41%	$ 245,358,600	8.07%	$ 298,073,700	8.00%
City of Bismarck								
2024	$ 635,000		$ 4,030,763,400		$ 7,023,728,900		$ 11,055,127,300	
2025	$ 651,300		$ 4,166,900,600		$ 7,396,491,700		$ 11,564,043,600	
Amount of Change	$ 16,300	2.57%	$ 136,137,200	3.38%	$ 372,762,800	5.31%	$ 508,916,300	4.60%
2024 Sub Total	$ 445,794,400		$ 4,272,975,000		$ 10,063,025,550		$ 14,781,794,950	
2025 Sub Total	$ 458,772,900	2.91%	$ 4,448,865,100	4.12%	$ 10,681,146,950	6.14%	$ 15,588,784,950	5.46%

2025 Market Values by Class
City of Bismarck



Total $11,564,043,600

Homestead and Disabled Veteran credits not included in values

2025 Market Values Rural & Small Cities (Excluding Bismarck)



Totals $ 4,024,741,350

Homestead and Disabled Veteran credits not included in values

Market Valuations
Cities

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
City of Bismarck					
2024	$635,000	$4,030,763,400	$7,023,728,900	$11,055,127,300	
2025	$651,300	$4,166,900,600	$7,396,491,700	$11,564,043,600	
Amount of Change	$16,300	$136,137,200	$372,762,800	$508,916,300	4.60%
City of Lincoln					
2024	$12,600	$27,603,400	$367,990,200	$395,606,200	
2025	$235,400	$43,224,600	$394,788,700	$438,248,700	
Amount of Change	$222,800	$15,621,200	$26,798,500	$42,642,500	10.78%
City of Regan					
2024	$371,700	$437,400	$431,350	$1,240,450	
2025	$382,800	$437,400	$459,350	$1,279,550	
Amount of Change	$11,100	$0	$28,000	$39,100	3.15%
City of Wing					
2024	$0	$1,290,900	$4,090,000	$5,380,900	
2025	$0	$1,367,500	$4,516,500	$5,884,000	
Amount of Change		$76,600	$426,500	$503,100	9.35%
City of Wilton (South)					
2024	$0	$2,336,400	$9,331,000	$11,667,400	
2025	$0	$2,517,100	$10,387,000	$12,904,100	
Amount of Change		$180,700	$1,056,000	$1,236,700	10.60%

Market Valuations
Unorganized Townships

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Burnt Creek					
2024	$8,978,600	$12,267,300	$332,147,300	$353,393,200	
2025	$9,183,600	$13,502,900	$365,936,600	$388,623,100	
Amount of Change	$205,000	$1,235,600	$33,789,300	$35,229,900	9.97%
Canfield					
2024	$10,196,700	$0	$125,100	$10,321,800	
2025	$10,492,400	$0	$125,100	$10,617,500	
Amount of Change	$295,700	$0	$0	$295,700	2.86%
Florence Lake					
2024	$7,048,300	$1,000	$25,600	$7,074,900	
2025	$7,251,800	$1,000	$27,500	$7,280,300	
Amount of Change	$203,500	$0	$1,900	$205,400	2.90%
Fort Rice					
2024	$1,234,500	$1,467,000	$56,706,600	$59,408,100	
2025	$1,270,700	$1,528,100	$60,454,200	$63,253,000	
Amount of Change	$36,200	$61,100	$3,747,600	$3,844,900	6.47%
Lincoln					
2024	$2,209,100	$49,851,500	$427,835,200	$479,895,800	
2025	$2,273,000	$53,247,900	$460,584,050	$516,104,950	
Amount of Change	$63,900	$3,396,400	$32,748,850	$36,209,150	7.55%
Lyman					
2024	$9,541,900	$1,000	$86,600	$9,629,500	
2025	$9,818,600	$1,000	$93,200	$9,912,800	
Amount of Change	$276,700	$0	$6,600	$283,300	2.94%
Phoenix					
2024	$7,488,000	$0	$0	$7,488,000	
2025	$7,694,100	$0	$0	$7,694,100	
Amount of Change	$206,100	$0	$0	$206,100	2.75%
Riverview					
2024	$4,717,200	$7,494,200	$112,687,700	$124,899,100	
2025	$4,838,900	$17,405,900	$121,483,600	$143,728,400	
Amount of Change	$121,700	$9,911,700	$8,795,900	$18,829,300	15.08%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Apple Creek					
2024	$6,446,000	$24,574,100	$450,451,200	$481,471,300	
2025	$6,460,900	$14,100,900	$485,823,500	$506,385,300	
Amount of Change	$14,900	-$10,473,200	$35,372,300	$24,914,000	5.17%
Boyd					
2024	$9,824,000	$653,400	$11,589,200	$22,066,600	
2025	$10,103,800	$678,000	$12,947,200	$23,729,000	
Amount of Change	$279,800	$24,600	$1,358,000	$1,662,400	7.53%
Christiania					
2024	$11,964,900	$2,000	$329,600	$12,296,500	
2025	$12,322,100	$2,000	$329,600	$12,653,700	
Amount of Change	$357,200	$0	$0	$357,200	2.90%
Clear Lake					
2024	$12,372,900	$0	$748,900	$13,121,800	
2025	$12,741,200	$0	$1,102,600	$13,843,800	
Amount of Change	$368,300	$0	$353,700	$722,000	5.50%
Crofte					
2024	$11,907,300	$783,900	$7,471,800	$20,163,000	
2025	$12,260,700	$900,000	$8,201,100	$21,361,800	
Amount of Change	$353,400	$116,100	$729,300	$1,198,800	5.95%
Cromwell					
2024	$10,639,600	$99,400	$1,095,300	$11,834,300	
2025	$10,950,000	$52,100	$1,285,400	$12,287,500	
Amount of Change	$310,400	-$47,300	$190,100	$453,200	3.83%
Driscoll					
2024	$11,924,500	$515,200	$3,945,200	$16,384,900	
2025	$12,272,700	$528,100	$3,945,300	$16,746,100	
Amount of Change	$348,200	$12,900	$100	$361,200	2.20%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Ecklund					
2024	$19,767,400	$823,100	$4,075,800	$24,666,300	
2025	$20,279,200	$824,400	$4,439,300	$25,542,900	
Amount of Change	$511,800	$1,300	$363,500	$876,600	3.55%
Estherville					
2024	$12,691,200	$185,500	$353,600	$13,230,300	
2025	$13,070,000	$201,300	$353,600	$13,624,900	
Amount of Change	$378,800	$15,800	$0	$394,600	2.98%
Frances					
2024	$9,868,800	$6,500	$244,000	$10,119,300	
2025	$10,150,700	$6,500	$244,000	$10,401,200	
Amount of Change	$281,900	$0	$0	$281,900	2.79%
Ghylin					
2024	$12,381,500	$57,600	$608,500	$13,047,600	
2025	$12,745,100	$57,600	$608,500	$13,411,200	
Amount of Change	$363,600	$0	$0	$363,600	2.79%
Gibbs					
2024	$10,083,200	$8,814,200	$396,787,000	$415,684,400	
2025	$10,348,400	$8,745,400	$433,725,200	$452,819,000	
Amount of Change	$265,200	-$68,800	$36,938,200	$37,134,600	8.93%
Glenview					
2024	$9,364,500	$1,209,000	$14,676,600	$25,250,100	
2025	$9,628,000	$1,215,000	$14,949,100	$25,792,100	
Amount of Change	$263,500	$6,000	$272,500	$542,000	2.15%
Grass Lake					
2024	$13,299,100	$142,000	$1,149,700	$14,590,800	
2025	$13,697,800	$142,000	$1,032,600	$14,872,400	
Amount of Change	$398,700	$0	-$117,100	$281,600	1.93%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Harriet					
2024	$7,579,600	$22,200	$181,100	$7,782,900	
2025	$7,792,900	$22,200	$181,100	$7,996,200	
Amount of Change	$213,300	$0	$0	$213,300	2.74%
Hay Creek					
2024	$4,431,000	$62,931,300	$767,341,900	$834,704,200	
2025	$4,662,900	$79,928,200	$825,583,000	$910,174,100	
Amount of Change	$231,900	$16,996,900	$58,241,100	$75,469,900	9.04%
Hazel Grove					
2024	$9,822,300	$1,000	$62,500	$9,885,800	
2025	$10,101,500	$1,000	$67,600	$10,170,100	
Amount of Change	$279,200	$0	$5,100	$284,300	2.88%
Lein					
2024	$10,351,200	$2,600	$806,600	$11,160,400	
2025	$10,644,600	$2,600	$826,500	$11,473,700	
Amount of Change	$293,400	$0	$19,900	$313,300	2.81%
Logan					
2024	$10,389,200	$184,100	$345,600	$10,918,900	
2025	$10,695,100	$191,800	$368,700	$11,255,600	
Amount of Change	$305,900	$7,700	$23,100	$336,700	3.08%
Long Lake					
2024	$6,799,800	$310,400	$2,574,100	$9,684,300	
2025	$6,998,800	$316,800	$2,748,600	$10,064,200	
Amount of Change	$199,000	$6,400	$174,500	$379,900	3.92%
McKenzie					
2024	$10,792,500	$16,785,200	$6,018,600	$33,596,300	
2025	$11,112,100	$18,117,700	$6,469,400	$35,699,200	
Amount of Change	$319,600	$1,332,500	$450,800	$2,102,900	6.26%
Menoken					
2024	$11,025,900	$8,951,400	$11,648,600	$31,625,900	
2025	$11,341,200	$10,076,500	$12,752,400	$34,170,100	
Amount of Change	$315,300	$1,125,100	$1,103,800	$2,544,200	8.04%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Missouri					
2024	$3,627,700	$234,600	$8,065,200	$11,927,500	
2025	$3,749,100	$234,600	$8,767,400	$12,751,100	
Amount of Change	$121,400	$0	$702,200	$823,600	6.91%
Morton					
2024	$7,084,500	$385,600	$2,708,200	$10,178,300	
2025	$7,292,200	$396,400	$2,798,400	$10,487,000	
Amount of Change	$207,700	$10,800	$90,200	$308,700	3.03%
Naughton					
2024	$10,772,700	$972,100	$10,403,300	$22,148,100	
2025	$11,101,300	$1,099,100	$10,657,500	$22,857,900	
Amount of Change	$328,600	$127,000	$254,200	$709,800	3.20%
Painted Woods					
2024	$8,944,800	$85,800	$12,665,500	$21,696,100	
2025	$9,190,400	$92,600	$13,639,000	$22,922,000	
Amount of Change	$245,600	$6,800	$973,500	$1,225,900	5.65%
Richmond					
2024	$9,721,500	$4,000	$295,100	$10,020,600	
2025	$10,001,000	$4,000	$306,700	$10,311,700	
Amount of Change	$279,500	$0	$11,600	$291,100	2.91%
Rock Hill					
2024	$10,005,800	$0	$196,700	$10,202,500	
2025	$10,294,500	$0	$323,100	$10,617,600	
Amount of Change	$288,700	$0	$126,400	$415,100	4.07%
Schrunk					
2024	$10,157,500	$6,700	$217,300	$10,381,500	
2025	$10,453,600	$7,300	$230,600	$10,691,500	
Amount of Change	$296,100	$600	$13,300	$310,000	2.99%
Sibley Butte					
2024	$9,738,400	$50,000	$147,600	$9,936,000	
2025	$10,020,000	$50,000	$147,600	$10,217,600	
Amount of Change	$281,600	$0	$0	$281,600	2.83%
Steiber					
2024	$10,370,100	$0	$199,100	$10,569,200	
2025	$10,680,500	$0	$199,100	$10,879,600	
Amount of Change	$310,400	$0	$0	$310,400	2.94%

Market Valuations (Townships)

City/Township	Farm Land	Commercial Land & Bldg	Residential Land & Bldg	Total	% Increase Decrease
Sterling					
2024	$13,239,200	$9,259,000	$5,624,000	$28,122,200	
2025	$13,632,600	$9,317,600	$5,841,000	$28,791,200	
Amount of Change	$393,400	$58,600	$217,000	$669,000	2.38%
Taft					
2024	$12,014,500	$1,196,600	$935,200	$14,146,300	
2025	$12,371,200	$1,196,600	$935,200	$14,503,000	
Amount of Change	$356,700	$0	$0	$356,700	2.52%
Telfer					
2024	$6,977,300	$90,300	$2,389,300	$9,456,900	
2025	$7,170,700	$90,300	$2,429,000	$9,690,000	
Amount of Change	$193,400	$0	$39,700	$233,100	2.46%
Thelma					
2024	$9,343,900	$28,700	$89,900	$9,462,500	
2025	$9,615,200	$31,000	$97,800	$9,744,000	
Amount of Change	$271,300	$2,300	$7,900	$281,500	2.97%
Trygg					
2024	$11,134,900	$0	$331,200	$11,466,100	
2025	$11,462,600	$0	$351,700	$11,814,300	
Amount of Change	$327,700	$0	$20,500	$348,200	3.04%
Wild Rose					
2024	$6,753,100	$90,500	$236,900	$7,080,500	
2025	$6,948,900	$98,000	$257,200	$7,304,100	
Amount of Change	$195,800	$7,500	$20,300	$223,600	3.16%
Wilson					
2024	$10,402,200	$0	$447,000	$10,849,200	
2025	$10,707,100	$0	$779,450	$11,486,550	
Amount of Change	$304,900	$0	$332,450	$637,350	5.87%
Wing					
2024	$9,346,300	$3,500	$54,400	$9,404,200	
2025	$9,609,700	$3,500	$54,400	$9,667,600	
Amount of Change	$263,400	$0	$0	$263,400	2.80%

2025
Increase Due to New Construction vs. Valuation Increase on Existing Properties

Township	Farm Land*	Commercial Land & Bldg	Residential Land & Bldg	Total
Apple Creek				
Valuation 2025	$6,460,900	$14,100,900	$485,823,500	$506,385,300
2024 New Construction	-$222,500	-$11,621,300	$7,741,200	-$4,102,600
2025 Adjusted Value	$6,683,400	$25,722,200	$478,082,300	$510,487,900
Valuation 2024	$6,446,000	$24,574,100	$450,451,200	$481,471,300
Increase to Existing Property	3.68%	4.67%	6.13%	6.03%
Increase Due to New Construction	-3.45%	-47.29%	1.72%	-0.85%
Gibbs				
Valuation 2025	$ 10,348,400	$ 8,745,400	$ 433,725,200	$ 452,819,000
2024 New Construction	$0	$16,700	$10,162,300	$ 10,179,000
2025 Adjusted Value	$10,348,400	$8,728,700	$423,562,900	$442,640,000
Valuation 2024	$10,083,200	$8,814,200	$396,787,000	$415,684,400
Increase to Existing Property	2.63%	-0.97%	6.75%	6.48%
Increase Due to New Construction	0.00%	0.19%	2.56%	2.45%
Hay Creek				
Valuation 2025	$4,662,900	$79,928,200	$825,583,000	$910,174,100
2024 New Construction	$100,200	$15,058,100	$7,504,300	$22,662,600
2025 Adjusted Value	$4,562,700	$64,870,100	$818,078,700	$887,511,500
Valuation 2024	$4,431,000	$62,931,300	$767,341,900	$834,704,200
Increase to Existing Property	2.97%	3.08%	6.61%	6.33%
Increase Due to New Construction	2.26%	23.93%	0.98%	2.72%
Fort Rice				
Valuation 2025	$1,270,700	$1,528,100	$60,454,200	$63,253,000
2024 New Construction	$0	$20,000	$0	$20,000
2025 Adjusted Value	$1,270,700	$1,508,100	$60,454,200	$63,233,000
Valuation 2024	$1,234,500	$1,467,000	$56,706,600	$59,408,100
Increase to Existing Property	2.93%	2.80%	6.61%	6.44%
Increase Due to New Construction	0.00%	1.36%	0.00%	0.03%
City of Lincoln				
Valuation 2025	$235,400	$43,224,600	$394,788,700	$438,248,700
2024 New Construction	$222,500	$15,893,000	$2,428,400	$18,543,900
2025 Adjusted Value	$12,900	$27,331,600	$392,360,300	$419,704,800
Valuation 2024	$12,600	$27,603,400	$367,990,200	$395,606,200
Increase to Existing Property	2.38%	-0.98%	6.62%	6.09%
Increase Due to New Construction	1765.87%	57.58%	0.66%	4.69%

2025
Increase Due to New Construction vs. Valuation Increase on Existing Properties

Township	Farm Land*	Commercial Land & Bldg	Residential Land & Bldg	Total
Lincoln				
Valuation 2025	$2,273,000	$53,247,900	$460,584,050	$516,104,950
2024 New Construction	$0	$1,062,000	$5,743,800	$6,805,800
2025 Adjusted Value	$2,273,000	$52,185,900	$454,840,250	$509,299,150
Valuation 2024	$2,209,100	$49,851,500	$427,835,200	$479,895,800
Increase to Existing Property	2.89%	4.68%	6.31%	6.13%
Increase Due to New Construction	0.00%	2.13%	1.34%	1.42%
Burnt Creek				
Valuation 2025	$9,183,600	$13,502,900	$365,936,600	$388,623,100
2024 New Construction	$0	$1,100,200	$12,556,200	$13,656,400
2025 Adjusted Value	$9,183,600	$12,402,700	$353,380,400	$374,966,700
Valuation 2024	$8,978,600	$12,267,300	$332,147,300	$353,393,200
Increase to Existing Property	2.28%	1.10%	6.39%	6.10%
Increase Due to New Construction	0.00%	8.97%	3.78%	3.86%
Riverview				
Valuation 2025	$4,838,900	$17,405,900	$121,483,600	$143,728,400
2024 New Construction	$0	$9,674,700	$1,952,600	$11,627,300
2025 Adjusted Value	$4,838,900	$7,731,200	$119,531,000	$132,101,100
Valuation 2024	$4,717,200	$7,494,200	$112,687,700	$124,899,100
Increase to Existing Property	2.58%	3.16%	6.07%	5.77%
Increase Due to New Construction	0.00%	129.10%	1.73%	9.31%
County & Small Cities (Excluding The City of Bismarck)				
Valuation 2025	$458,121,600	$281,964,500	$3,284,655,250	$4,024,741,350
2024 New Construction	$100,200	$32,393,600	$51,301,600	$83,795,400
2025 Adjusted Value	$458,021,400	$249,570,900	$3,233,353,650	$3,940,945,950
Valuation 2024	$445,159,400	$242,211,600	$3,039,296,650	$3,726,667,650
Increase to Existing Property	2.89%	3.04%	6.38%	5.75%
Increase Due to New Construction	0.02%	13.37%	1.69%	2.25%

BURLEIGH COUNTY
2025 EXEMPTIONS
Wheelchair, Blind, New Home, 5 Year Remodel, & Geothermal

Property #	Exemption	Wheelchr/Blind	2 Yr New Home	5 YR Remodel	Geothermal	Total
APPLE CREEK						
39-138-79-00-19-200		$100,000				$100,000
39-138-79-11-03-010		$100,000				$100,000
	SUBTOTAL	**$200,000**	**$0**	**$0**	**$0**	**$200,000**
BURNT CREEK						
24-140-80-00-31-600		$100,000				$100,000
24-140-80-73-01-030		$100,000				$100,000
24-140-80-50-02-040		$160,000				$160,000
24-140-80-92-02-080		$160,000				$160,000
	SUBTOTAL	***$520,000***	***$0***	***$0***	***$0***	***$520,000***
GIBBS						
32-139-79-06-01-190		$100,000				$100,000
	SUBTOTAL	***$100,000***	***$0***	***$0***	***$0***	***$100,000***
HAY CREEK						
31-139-81-72-05-150		$100,000				$100,000
31-139-80-17-01-050		$100,000				$100,000
31-139-81-00-24-810		$100,000				$100,000
31-139-81-60-01-300		$100,000				$100,000
	SUBTOTAL	***$400,000***	***$0***	***$0***	***$0***	***$400,000***
LINCOLN						
38-138-80-48-05-040		$160,000				$160,000
38-138-80-48-03-010		$100,000				$100,000
38-138-80-48-04-121		$100,000				$100,000
38-137-80-61-01-010		$100,000				$100,000
	SUBTOTAL	***$460,000***	***$0***	***$0***	***$0***	***$460,000***
CITY OF LINCOLN						
CL-138-79-02-02-100		$ 100,000				$100,000
CL-138-79-21-01-020		$ 100,000				$100,000
CL-138-79-22-01-040		$ 100,000				$100,000
CL-138-79-23-01-050		$ 100,000				$100,000
CL-138-79-34-03-030		$ 100,000				$100,000
CL-138-79-35-01-050		$ 160,000				$160,000
	SUBTOTAL	***$660,000***	***$0***	***$0***	***$0***	***$660,000***
MOBILE HOME						
01-035-00-00-01-590		$8,199.00				$8,199
01-095-00-00-02-544		$18,938.00				$18,938
01-025-00-00-04-708		$49,388.00				$49,388
01-125-00-00-05-780		$85,344.00				$85,344
01-125-00-00-05-096		$81,090.00				$81,090
	SUBTOTAL	***$242,959***	***$0***	***$0***	***$0***	***$242,959***
		Wheelchair/Blind	2 Year New Home	5 Year Remodel	Geothermal	Total
	GRAND TOTAL	***$2,582,959***	***$0***	***$0***	***$0***	***$2,582,959***

Parcel Number	Name	Address	2025 Total Value	Recommend	New Land	New Building	
0005-077-031	Caleb,Toman	320 S 10th St.	$ 175,400	$ 145,600	$ 44,000	$ 101,600	
1053-001-030	Fox, John & Sharon	602 Mustang Dr.	$ 467,500	$ 447,600	$ 84,000	$ 363,600	
0445-012-030	Hackman, Josh	2034 N 3rd St	$ 339,100	$ 303,900	$ 54,000	$ 249,900	
0001-048-065	Brad Balerud - Marquis Investments LLC	401 E Broadway Ave	$ 1,356,000	$ 1,078,700	$ 58,300	$ 1,020,400	
1239-003-001	CENTURY VIEW APARTMENTS LLLP	3015 NEBRASKA DR	$ -	$ 783,900	$ 147,600	$ 636,300	should not have been fully exempt, adjusted exempt amount
0687-001-015	Huber, Laura J	1533 Country West RD	$ 431,600	$ 410,300	$ 80,000	$ 330,300	
1580-017-170	Hanson, Jodee	4905 Weyburn Dr	$ 460,500	$ 408,500	$ 78,000	$ 330,500	
1481-001-001	Montana-Dakota Utilities Co	1200 W Century Ave	$ 4,870,700	$ -	$ -	$ -	100% centrally assessed for 2025, verified with state
1481-001-150	Montana-Dakota Utilities Co	2531 Clydesdale Dr	$ 1,230,500	$ -	$ -	$ -	100% centrally assessed for 2025, verified with state
0000-001-415	Montana-Dakota Utilities Co	2301 University Dr 60	$ 519,200	$ -	$ -	$ -	100% centrally assessed for 2025, verified with state
0040-003-025	Keller, Kenneth L	512 W Ave C	$ 180,700	$ 140,200	$ 50,000	$ 90,200	
0480-002-175	DEHOMES LLC	1709 N Bell St.	$ 240,300	$ 205,100	$ 58,000	$ 147,100	
0924-010-120	MISSEL, PAUL A & SHARA L	1816 MONTEGO DR	$ 522,000	$ 478,400	$ 88,000	$ 390,400	
0420-006-060	Rocky Gordon - Modern Homes Inc	825 N 26th St	$ 898,800	$ 802,200	$ 104,500	$ 697,700	
0420-006-065	Rocky Gordon - Modern Homes Inc	2605 E F Ave	$ 913,300	$ 843,500	$ 112,300	$ 731,200	
0655-004-060	Rocky Gordon - Modern Homes Inc	2900 E Broadway Ave	$ 1,452,900	$ 1,439,300	$ 317,300	$ 1,122,000	

P.O. Box 8050 MS 0555
479-371-2275
kyle.kennett@walmart.com

May 8, 2025

Burleigh County Tax Equalization
221 N 5th Street
Bismarck, ND 58506-5518

Dear Members of the Burleigh County Board of Equalization,

I am writing to formally appeal the 2025 assessed value for the two properties located at 1400 Skyline Blvd. Bismarck, ND (Parcel No. 1454-001-001) and 2717 Rock Island Pl. Bismarck, ND (Parcel No. 1461-002-001).

In support of my appeal, I have attached a third-party fee appraisal for the property located at 1400 Skyline Blvd. that concluded a market value of $11,000,000 as of February 1, 2025. After reviewing the evidence, I believe the value of the property should be assessed at $15,640,000. Additionally, using the appraisal for the Skyline property, I believe the assessment for the Rock Island property should be $16,000,000. However, I am open to discussion and compromise regarding this matter.

Due to a scheduling conflict, I plan to attend the County Commissioner meeting remotely. Please let me know if you have any questions or require further information. I am more than willing to address any concerns you may have.

Thank you for your consideration.

Thank you for your consideration,

Kyle Kennett

Kyle Kennett
Senior Manager, Specialty Tax
Walmart Stores, Inc.

SIMONSON APPRAISALS
COMMERCIAL VALUATION SERVICES



WALMART SUPERCENTER - STORE 3648

1400 Skyline Blvd
Bismarck, North Dakota 58503

Date of Valuation: February 1, 2025
Date of Report: April 4, 2025

PREPARED FOR

Kyle Kennett
Senior Manager | Property Tax Department
Walmart
2608 SE J Street
Bentonville, AR 72716

PREPARED BY

Simonson Appraisals
Mitchell Simonson, MAI
P.O. Box 331
Loretto, MN 55357
File No: 2025-618-c

SIMONSON APPRAISALS
COMMERCIAL VALUATION SERVICES

Simonson Appraisals
P.O. Box 331
Loretto, MN 55357
+1 (612) 618-3726

April 4, 2025

Kyle Kennett
Senior Manager | Property Tax Department
Walmart
2608 SE J Street
Bentonville, AR 72716

RE: Walmart Supercenter - Store 3648
1400 Skyline Blvd, Bismarck, North Dakota 58503

Simonson Appraisals File No: 2025-618-c

Mr. Kennett:

Simonson Appraisals is proud to present the appraisal that satisfies the agreed upon scope of work with Walmart.

The subject property, located at 1400 Skyline Blvd in Bismarck, ND, is a big box retail property with improvements located in the Burleigh County submarket of the Bismarck-Mandan metro area. The building was originally constructed in 2005 with the most recent update occurring in 2021. It contains a total of 211,641 sq. ft. of area. The interior fit-up is typical for similar properties, with an open retail floor plan, perimeter specialty departments or small sublet retail areas, and warehouse space with coolers and freezers. The property includes a garden center, auto repair bays, and a small liquor store with its own cooler. Site improvements include asphalt-surfaced parking and drives, marked parking for 1,058 vehicles, concrete curb, sidewalks, and landscaping islands. The property was considered to be in average condition for its age.

The subject property has been either owner-occupied or master leased to an entity related to the property owner since it was built. The appraisal analysis values the fee simple interest of the subject as of the valuation dates; therefore, market rent forms the basis of the income analysis.

The purpose of this appraisal is to develop an opinion of the Retrospective Market Value (Fee Simple Estate). The following table conveys the final opinion of value that is developed in this appraisal:

MARKET VALUE CONCLUSION				
VALUATION SCENARIO	INTEREST APPRAISED	EXPOSURE TIME	EFFECTIVE DATE	VALUE
Retrospective Market Value	Fee Simple Estate	12 Months or Less	February 1, 2025	$11,000,000

This report conforms to the current Uniform Standards of Professional Appraisal Practice (USPAP).

Extraordinary Assumptions

The use of an extraordinary assumption(s) may have impacted the results of the assignment. The effective date of value for the appraisal report is February 1, 2025. The subject was inspected on March 5, 2025. This appraisal report is based on the extraordinary assumption that the appraised property was in similar condition on the effective date of value as on the date of inspection.

SIMONSON APPRAISALS
COMMERCIAL VALUATION SERVICES

Hypothetical Conditions

No Hypothetical Conditions were made for this assignment.

If there are any specific questions or concerns regarding the attached appraisal report, or if Simonson Appraisals can be of additional assistance, please contact the individuals listed below.

Sincerely,

SIMONSON APPRAISALS



Mitchell Simonson, MAI
Certified General Appraiser
North Dakota License No. CG-21245
Expiration Date 12/31/2025
612-618-3726
mitch@simonsonap.com

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EXECUTIVE SUMMARY

PROPERTY IDENTIFICATION

Name	Walmart Supercenter - Store 3648
Property	Retail - Big Box Retail
Address	1400 Skyline Blvd
City, State Zip	Bismarck, North Dakota 58503
County	Burleigh County
MSA	Bismarck, ND MSA
Market / Submarket	Bismarck MSA / Burleigh County
Geocode	46.857394,-100.768852
Census Tract	38-017-040509

SITE DESCRIPTION

Number of Parcels	1	
Assessor Parcel Number	1454-001-001	
Land Area	Square Feet	Acres
Usable	1,196,905	27.48
Total	1,196,905	27.48
Zoning	Heavy Commercial District (CG)	
Shape	Irregular	
Topography	Level to Sloping at street grade	
Flood Zone	Zone X (Unshaded)	

IMPROVEMENT DESCRIPTION

Tenancy	Single-Tenant Owner-Occupied
Net Rentable Area (NRA)	211,641
Gross Building Area (GBA)	211,641
Ground Floor SF	211,641
Total Buildings	1
Floors	1
Year Built	2005 (Renovated 2021)
Actual Age	20 Years
Effective Age	15 Years
Economic Life	40 Years
Remaining Useful Life	25 Years
Land To Building Ratio	5.66 : 1
Site Coverage Ratio	17.7%
Parking	5.0 / 1,000 SF NRA

QUALITATIVE ANALYSIS

Site Quality	Average
Site Access	Average
Site Exposure	Average
Site Utility	Average
Building Quality	Average
Building Condition	Average
Building Appeal	Average

HIGHEST & BEST USE

Proposed Construction	No	
As Vacant	Primary commercial use that takes advantage of the frontage	
As Improved	Unless the current occupant vacates, big box retail. conversion	

EXPOSURE & MARKETING TIME

Exposure Time	12 Months or Less	
Marketing Time	12 Months or Less	

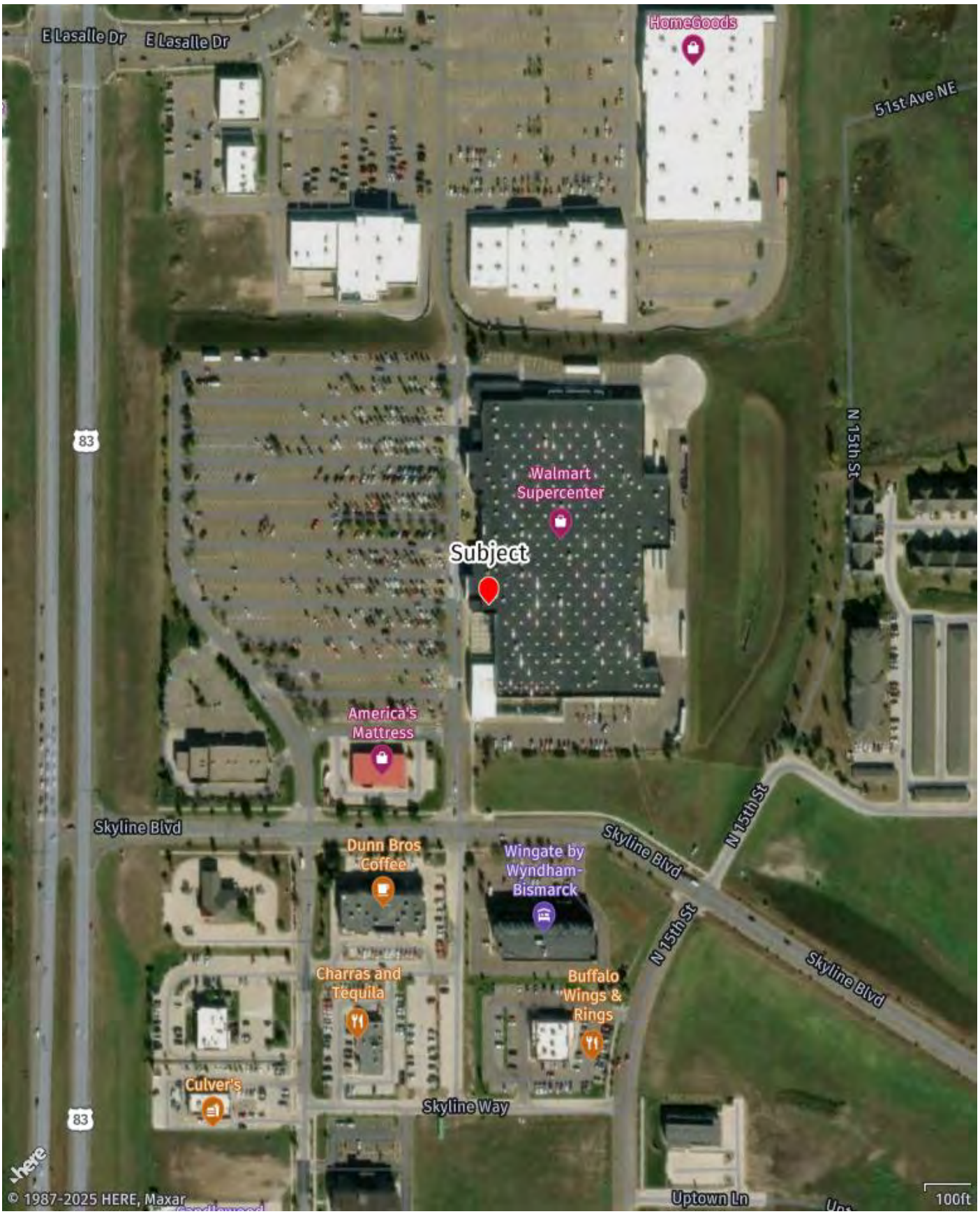
INVESTMENT INDICATORS

Current Occupancy	100.00%	
Stabilized Occupancy / Stabilized Vacancy & Credit Loss	90.00%	10.0%
Expense Structure	Triple Net	
Expense Ratio (Expenses/EGR)	48.10%	
Direct Capitalization NOI	$929,273	$4.39/Sq. Ft.
Capitalization Rate (OAR) Conclusion	8.60%	

VALUE CONCLUSION

VALUATION SCENARIOS	RETROSPECTIVE MARKET VALUE
Interest	Fee Simple Estate
Exposure Time	12 Months or Less
Effective Date	February 1, 2025
Site Value	$8,670,000
Cost Approach	$15,640,000
Sales Comparison Approach	$10,150,000
Income Capitalization Approach	$10,640,000
FINAL VALUE CONCLUSION	$11,000,000

SUBJECT PROPERTY PHOTOGRAPHS





US-83 facing northerly



US-83 facing southerly



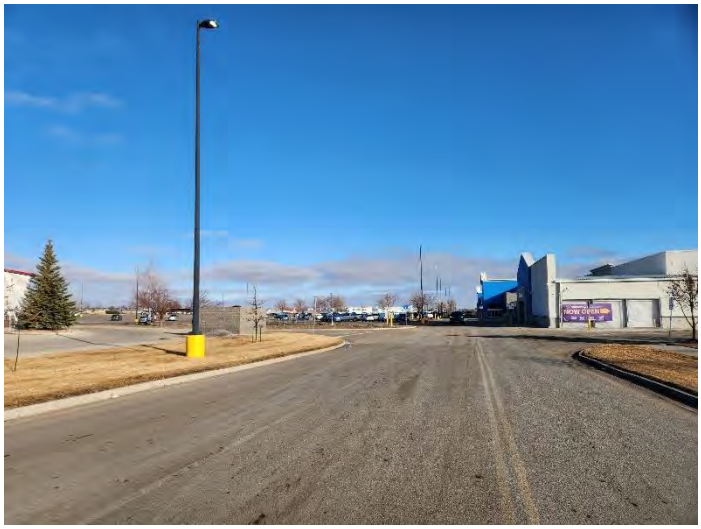
Building elevation facing northwesterly



Building elevation facing southwesterly



Building elevation facing southeasterly



Building elevation facing northeasterly



Parking lot



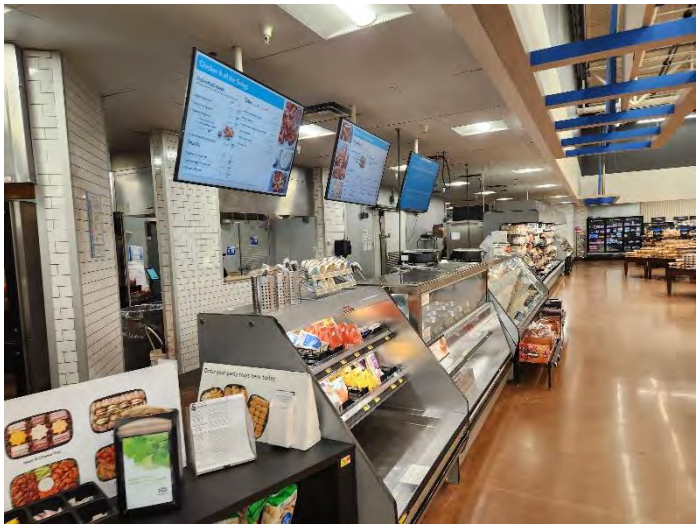
Order pickup area



Order pickup area



Entrance Interior



Deli area



Typical Sublease Space



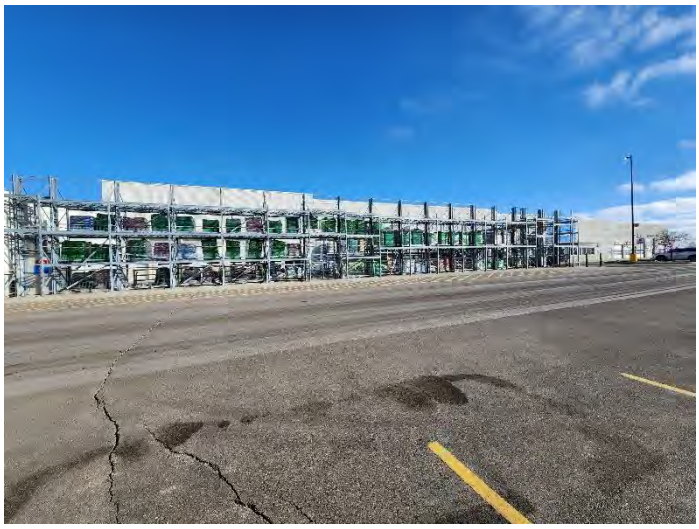
Typical Sublease Space



Typical Sales Aisle



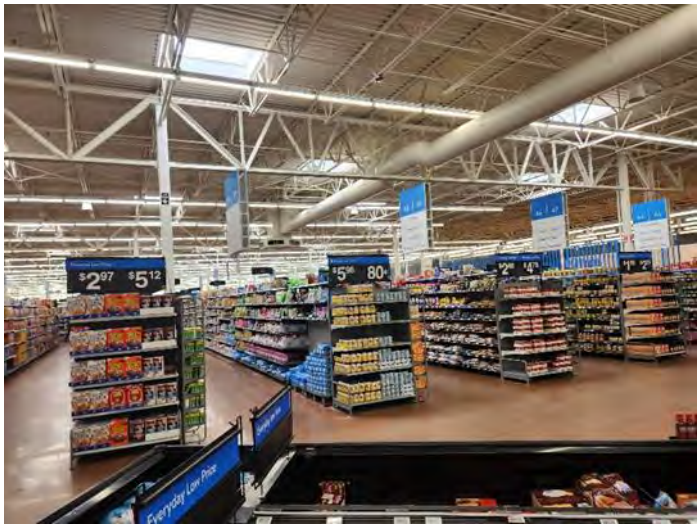
Indoor Cart Park



Garden Center Exterior



Typical Retail Sales Aisle



Typical Grocery Sales Aisle



Refrigerated Grocery Sales Aisle



Frozen Grocery Sales Aisle



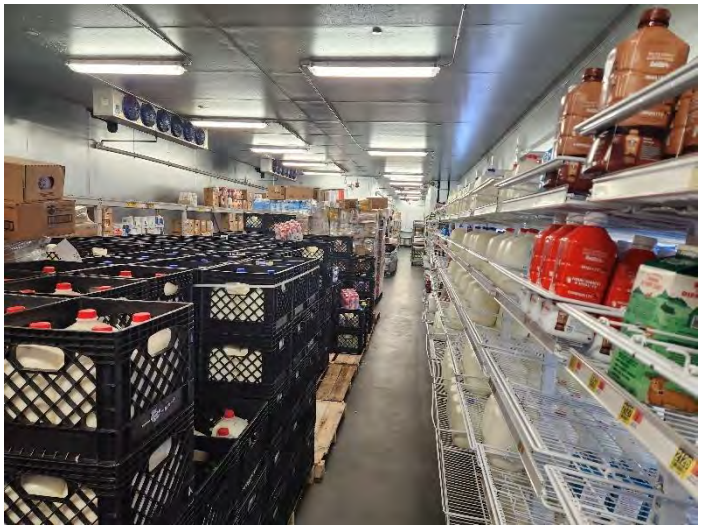
Produce and Bakery Section



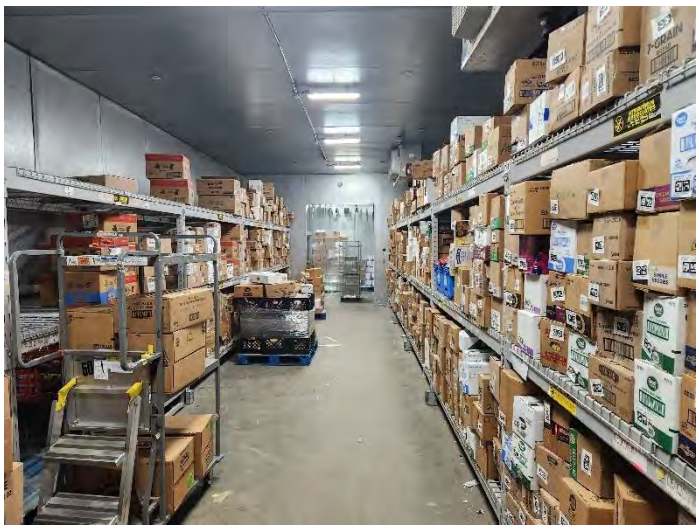
Liquor Section



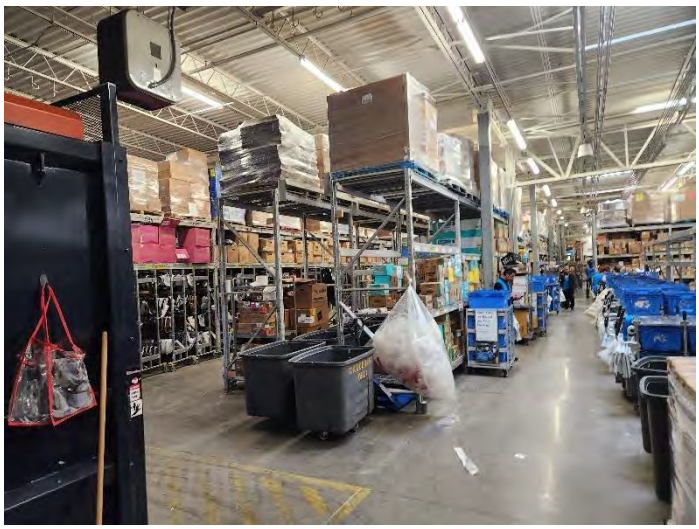
Deli / Bakery Area



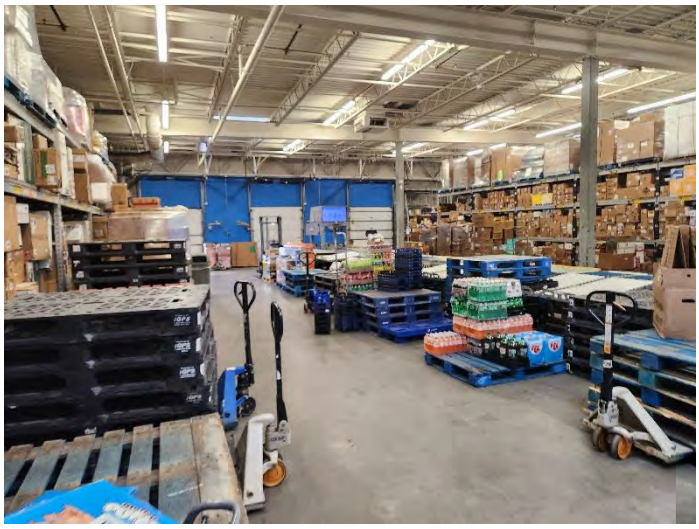
Cooler



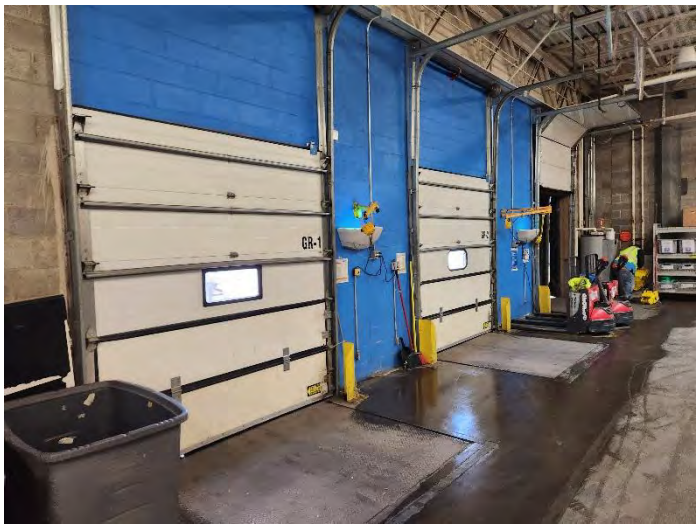
Freezer



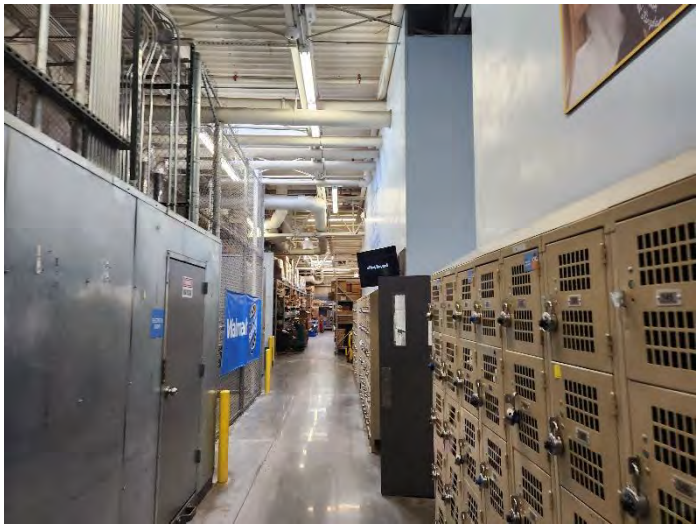
Typical Warehouse Area



Loading Dock Area



Loading Docks



Employee / Back Hallway



Employee Break Area



Employee Break Area



Typical Office Area



Meeting / Training Room



Electrical panel



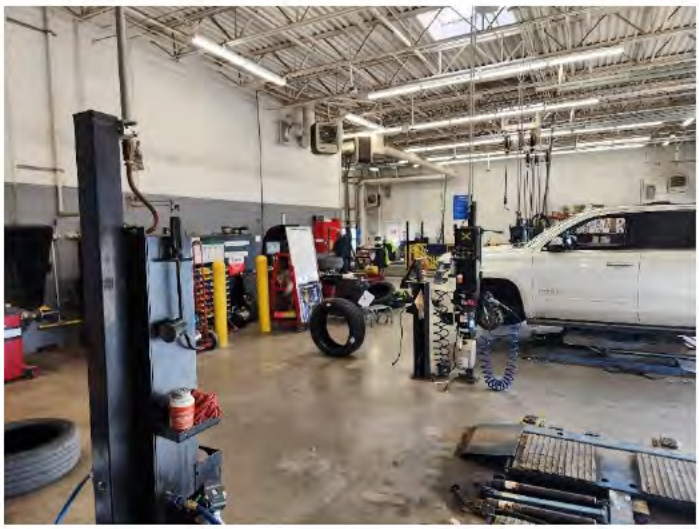
Electrical Panels



Fire Sprinkler System



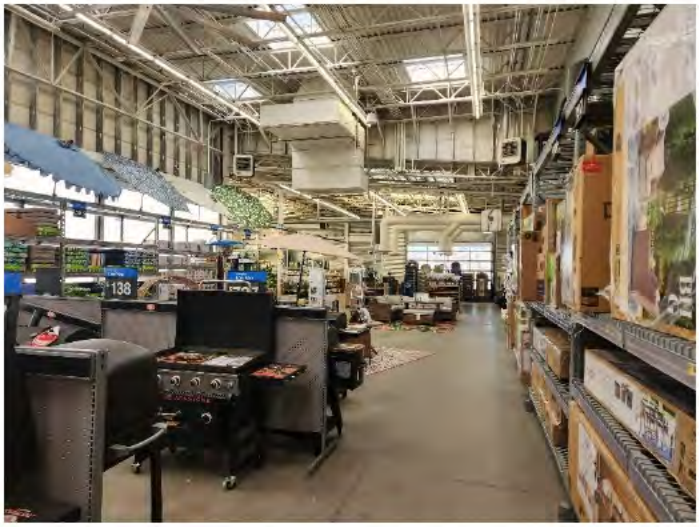
Auto repair bays



Auto repair bays



Garden Center



Garden Center



Garden Center



Oil Change Pits

PROPERTY IDENTIFICATION

The subject property, located at 1400 Skyline Blvd in Bismarck, ND, is a big box retail property with improvements located in the Burleigh County submarket of the Bismarck-Mandan metro area. The building was originally constructed in 2005 with the most recent update occurring in 2021. It contains a total of 211,641 sq. ft. of area. The interior fit-up is typical for similar properties, with an open retail floor plan, perimeter specialty departments or small sublet retail areas, and warehouse space with coolers and freezers. The property includes a garden center, auto repair bays, and a small liquor store with its own cooler. Site improvements include asphalt-surfaced parking and drives, marked parking for 1,058 vehicles, concrete curb, sidewalks, and landscaping islands. The property was considered to be in average condition for its age.

The subject property has been either owner-occupied or master leased to an entity related to the property owner since it was built. The appraisal analysis values the fee simple interest of the subject as of the valuation dates; therefore, market rent forms the basis of the income analysis.

The assessor parcel Number is: 1454-001-001.

LEGAL DESCRIPTION

The legal description of the subject property is as follows: Lot 1 of the Replat of Meadowlark Commercial Second Addition to the City of Bismarck, Burleigh County, North Dakota, and half the adjacent vacated street.

CLIENT IDENTIFICATION

The client of this specific assignment is Walmart.

INTENDED USE & INTENDED USERS

The intended use of this appraisal is to assist the client in relation to a litigation or dispute involving this asset. Walmart is the intended user of this report. Additional intended users include the City, County, and State Equalization Boards.

PURPOSE

The purpose of this appraisal is to develop an opinion of the Retrospective Market Value (Fee Simple Estate).

PERSONAL PROPERTY & BUSINESS INTANGIBLE

There is no personal property (FF&E) included in this valuation.

PROPERTY AND SALES HISTORY

Current Owner

The subject property is currently under the ownership of Wal-Mart TRS LLC, according to the Cass County records.

Three-Year Sales History

According to county records there has been no transfer of ownership for the subject property in the past three years and there is no known pending sale or listing of the subject.

TAXES & ASSESSMENT

Commercial properties in North Dakota are taxed at about 1.0% to 2.5% of the assessor's estimated market value of the property each year. Taxes are paid one year in arrears in North Dakota, which means that the taxes payable in 2025 relate to the February 1, 2024, assessor's estimated market values.

The subject's assessed values and property taxes for the current year are summarized in more detail in the following table.

ASSESSMENT & TAXES (2025)						
TAX RATE AREA	**City of Bismarck and Burleigh County**				**TAX RATE**	1.2869%
ASSESSOR PARCEL #	**LAND**	**IMPROVEMENTS**	**TOTAL**	**EXEMPTIONS**	**TAXABLE**	**BASE TAX**
1454-001-001	$6,871,800	$13,322,600	$20,194,400	$0	$20,194,400	$259,881
Subtotal	$6,871,800	$13,322,600	$20,194,400	$0	$20,194,400	$259,881
Subtotal $/NRA	$32.47	$62.95	$95.42	$0.00	$95.42	$1.23
ADDITIONAL TAX CHARGES						
Special Assessments						$1,523
Total Additional Tax Charges $/NRA / Total					$0.01	$1,523
TOTAL BASE TAX & ADDITIONAL TAX CHARGES $/NRA / $ TOTAL					**$1.24**	**$261,404**

Source: Burleigh County Assessment & Taxation

According to Burleigh County records, taxes are current as of the effective date of value of this appraisal report. The first half of taxes payable in 2025 are not due until March 3, 2025. Property owners may pay the full real estate taxes due by February 18, 2025, for a 5% discount on the amount owed.

'Tax History

The subject's assessment history is shown in the following table:

SUBJECT PROPERTY ASSESSMENT AND TAX HISTORY					
YEAR	**TOTAL ASSESSED VALUE**	**TAX RATE**	**TAXES**	**TAXES/SF**	**CHANGE**
2025	$20,194,400	0.01287	$259,881	$1.23	-3.2%
2024	$20,659,000	0.01299	$268,464	$1.27	11.5%
2023	$18,953,200	0.01271	$240,848	$1.14	0.0%
2022	$18,953,200	0.01271	$240,848	$1.14	11.1%
2021	$17,063,100	0.01271	$216,821	$1.02	-

Conclusion

Because of the intended use of this report, real estate taxes have not been estimated for use in the Income Capitalization Approach. Instead, the effective tax rate, taking into account the typical vacancy for the property that would require the property owner to pay for real estate taxes, is "loaded" into the capitalization rate.

It should also be noted that the appraised property is encumbered by special assessments levied for the development of public roadways and utilities. The reported balance is $5,270.

EXPOSURE & MARKETING TIME

Marketing time and exposure time are both influenced by price. That is, a prudent buyer could be enticed to acquire the property in less time if the price were less. Hence, the time span cited below coincides with the value opinion(s) formed herein.

USPAP Standard rule 1-2(c)(iv) requires an opinion of exposure time, not marketing time, when the purpose of the appraisal is to estimate market value. In the recent past, the volume of competitive properties offered for sale, sale prices, and vacancy rates have fluctuated little. Sale concessions have not been prevalent. The following information is used to estimate exposure time and marketing time for the subject:

EXPOSURE & MARKETING TIME			
SOURCE	YEAR/QUARTER	MONTHS RANGE	AVERAGE
National Strip Shopping Center PwC			
Current Quarter	2024 Q4	3.0 to 15.0	8.2
Previous Quarter	2024 Q3	2.0 to 15.0	7.9
Four Quarters Prior	2023 Q4	1.0 to 15.0	7.2
Improved Sales		6.7 to 20.7	13.9
OVERALL AVERAGE			**11.1**
Exposure Period Conclusion			12 Months or Less
Marketing Time Conclusion			12 Months or Less

Exposure Time Conclusion

The subject is a retail (big box retail) use totaling 211,641 sq. ft. of NRA on a site with 1,196,905 sq. ft. (27.4772 acres). It is located at 1400 Skyline Blvd in Bismarck, Burleigh County, North Dakota. Considering these factors, a reasonable estimate of exposure time for the subject Retrospective Market Value (Fee Simple Estate) is 12 months or less.

Marketing Time Conclusion

A marketing time estimate is a forecast of a future occurrence. History should be considered as a guide, but anticipation of future events & market circumstances should be the prime determinant. Overall market conditions are expected to remain stable, so a marketing time of 12 months or less is predicted for the subject.

DEFINITION OF MARKET VALUE

The North Dakota Office of the State Tax Commissioner uses this definition of market value from the International Association of Assessing Officers: Market value is the most probable price expressed in terms of money that a property would bring if exposed for sale in the open market in an arms-length transaction between a willing seller and a willing buyer, both of whom are knowledgeable concerning all the uses to which it is adapted and for which it is capable of being used.[1]

PROPERTY RIGHTS APPRAISED

The property rights appraised constitute the fee simple estate interest.

Fee Simple Interest

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.[2]

VALUE SCENARIOS

Retrospective Value Opinion

A value opinion effective as of a specified historical date. The term *retrospective* does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. Inclusion of the type of value with this term is appropriate, e.g., "retrospective market value opinion."[2]

[1] North Dakota Office of the State Tax Commissioner. *Guideline: Property Tax Assessment Terms and Concepts*. Bismarck, North Dakota. July 2005..

[2] The Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute, Chicago, Illinois, 2022

SCOPE OF WORK

The scope of work for this appraisal assignment is outlined below:

- The appraisal analyzes the regional and local area profiles including employment, population, household income and real estate trends. The local area was inspected to consider external influences on the subject.
- The appraisal analyzes legal and physical features of the subject including site size, improvement size, flood zone, site zoning, easements, encumbrances, site access and site exposure.
- The appraisal includes a retail market analysis for the Bismarck MSA market and Burleigh County submarket using vacancy, absorption, supply and rent data. Conclusions were drawn for the subject's competitive position given its physical and locational features, current market conditions and external influences.
- The appraisal includes a Highest and Best Use analysis and conclusions have been completed for the highest and best use of the subject property As Vacant and As Improved. The analysis considered legal, locational, physical and financial feasibility characteristics of the subject site and existing improvements.
- In selecting applicable approaches to value, the appraiser considered the agreed upon appraisal scope and assessed the applicability of each traditional approach given the subject's characteristics and the intended use of the appraisal. As a result, this appraisal developed Land Sales Comparison, Cost, Sales Comparison, and Income (Direct Capitalization) Approaches. The values presented represent the Retrospective Market Value (Fee Simple Estate).
- The assignment was prepared as an Appraisal Report in accordance with USPAP Standards Rules 2, with the analysis stated within the document and representing a fully described level of analysis.
- The author of this report is aware of the Competency Rule of USPAP and meets the standards.

ASSISTANCE PROVIDED

Karin Almjeld provided significant real property appraisal assistance to the appraiser signing this certification, including verifying rent & sale comparables, interviewing brokers for appropriate market rent, cap rates and sale prices for the subject and similar property type. It is noted that the responsibilities of parties providing assistance is not considered to be significant in terms of any value determination. All parties conducted assistance under the direct supervision of the appraiser's signing this report in compliance with State regulations.

SOURCES OF INFORMATION

The following sources were contacted to obtain relevant information:

INFORMATION PROVIDED	
Property Assessment & Tax	Burleigh County Assessor
Zoning & Land Use Planning	City of Bismarck Zoning
Site Size	Burleigh County Assessor
Building Size	Burleigh County Assessor
Supply & Demand	CoStar
Flood Map	FEMA
Demographics	STDB On-Line
Comparable Information	CoStar | Public Records | Confirmed by Local Agents
Legal Description	Assessor
Operating Statements	Client
Site Plan	Client

The lack of unavailable items could affect the results of this analysis. As part of the general assumptions and limiting conditions, the subject is assumed to have no adverse easements, significant items of deferred maintenance, or be impacted by adverse environmental conditions.

SUBJECT PROPERTY INSPECTION

PROPERTY INSPECTION				
APPRAISER	**INSPECTED**	**EXTENT**	**DATE**	**ROLE**
Mitchell Simonson, MAI	Yes	Interior & Exterior	March 5, 2025	Primary Appraiser

REGIONAL AREA MAP



INTRODUCTION

In order to understand the subject's position in the area or region, we have undertaken a brief analysis in order to determine how trends—both historical and projected—in population, employment, personal income, consumer spending, and housing impact supply and demand and influence the subject's area directly and indirectly. This analysis first begins on a broader spectrum, and without respect to the subject itself, and is highlighted in the Regional Area Analysis. Secondly, we undertake a more narrowly focused study of the aforementioned attributes as they relate directly to the subject and the subject's neighborhood. This discussion is presented in the forthcoming Local Area Analysis.

REGIONAL AREA ANALYSIS

The subject property is located in Bismarck, Burleigh County, North Dakota. Additionally, the subject is located in an area that is part of the greater Bismarck, North Dakota Metropolitan Statistical Area (MSA). The Bismarck MSA is composed of Burleigh, Morton, and Oliver counties in the state of North Dakota. Its core cities are Bismarck and Mandan, which are across from each other on opposite sides of the upper Missouri River. In addition to being the county seat of Burleigh County, Bismarck is also the state capital of North Dakota.

The map presented on the previous page illustrates the subject property location relative to the Bismarck, ND MSA metropolitan area.

DEMOGRAPHICS

A demographic profile of the Bismarck MSA, including population, households, and income data, is presented in the following table.

Summary	Census 2010	Census 2020	2023	2028
Population	110,625	133,626	138,188	142,830
Households	46,021	54,514	56,566	58,569
Families	29,290	-	34,630	35,693
Average Household Size	2.33	2.36	2.36	2.35
Owner Occupied Housing Units	32,571	-	40,034	41,936
Renter Occupied Housing Units	13,450	-	16,532	16,633
Median Age	37.9	-	39.8	40.5

Trends: 2023-2028 Annual Rate	Area	State	National
Population	0.66%	0.37%	0.30%
Households	0.70%	0.50%	0.49%
Families	0.61%	0.38%	0.44%
Owner HHs	0.93%	0.63%	0.66%
Median Household Income	2.26%	2.21%	2.57%

	2023		2028	
Households by Income	Number	Percent	Number	Percent
<$15,000	3,293	5.8%	2,985	5.1%
$15,000 - $24,999	4,420	7.8%	3,979	6.8%
$25,000 - $34,999	4,681	8.3%	4,288	7.3%
$35,000 - $49,999	6,737	11.9%	6,499	11.1%
$50,000 - $74,999	10,082	17.8%	9,229	15.8%
$75,000 - $99,999	7,826	13.8%	8,610	14.7%
$100,000 - $149,999	10,087	17.8%	10,125	17.3%
$150,000 - $199,999	6,965	12.3%	9,945	17.0%
$200,000+	2,475	4.4%	2,909	5.0%
Median Household Income	$71,829		$80,316	
Average Household Income	$93,318		$105,294	
Per Capita Income	$38,496		$43,465	

As shown above the current population in the Bismarck MSA is estimated at 138,188 and the average household size is 2.36. Population in the area has increased significantly (25%) since the 2010 census, and the

trend is forecasted to slow down (3%) over the next five years. This is similar with the State of North Dakota overall, which is also projected to experience population growth.

TRANSPORTATION

Road

Major highways traveling through the area include Interstate Highway 94, U.S. Highway 83, and numerous state highways. Interstate 94 runs east to west through the central portion of the Bismarck MSA. The nearest major cities along the highway include Dickinson, ND about 94 miles to the west, and Jamestown, ND about 107 miles to the east. U.S. Highway 83 travels north/south through the central portion of the Bismarck MSA, and provides access to Minot, ND about 109 miles to the north.

The area maintains a bus system called Bis-Man Transit, also known by the acronym CAT. There are twelve bus routes serving Bismarck and Mandan, as well as service to nearby Lincoln.

Air

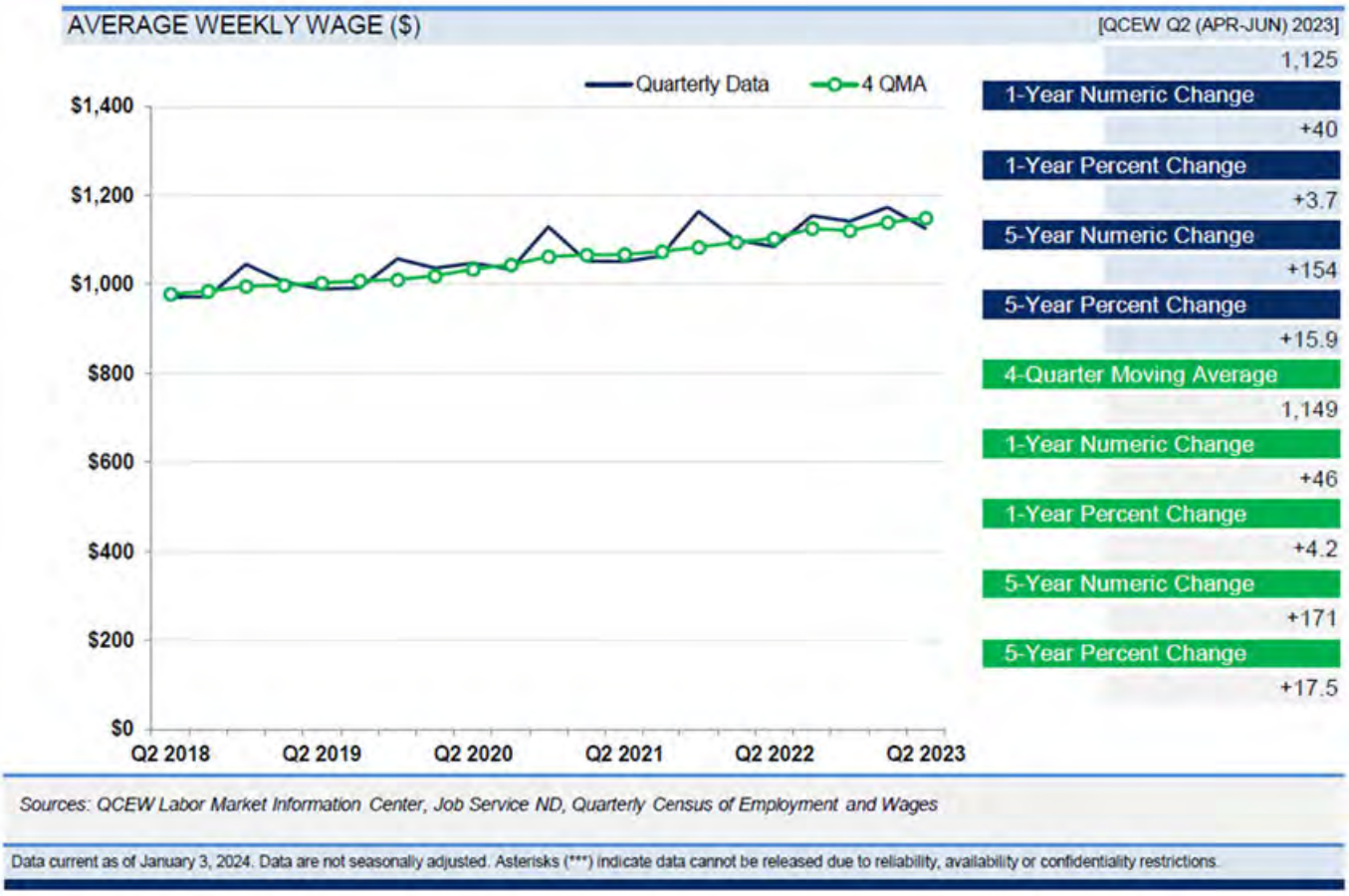
The largest airport in the region is Bismarck Airport. The airport is served by United Express, Allegiant Air, Delta Air Lines, American Airlines, and Frontier Airlines. Destinations include Las Vegas, Phoenix/Mesa, Orlando/Sanford, Chicago-O'Hare, Dallas/Fort Worth, Minneapolis-St. Paul, and Denver. A new $15 million terminal opened in May 2005. In 2020, the amount of Passenger Boardings was 150,161.

Rail

The BNSF Railway runs east-west through the area. The railway was originally integral to the growth of Bismarck and Mandan. Today it is used for freight. Due to restructuring in the railroad industry, there has not been Amtrak passenger service in the area since the North Coast Hiawatha service ended in 1979. The closest Amtrak station is in Minot, ND, where the Empire Builder line runs.

INCOME

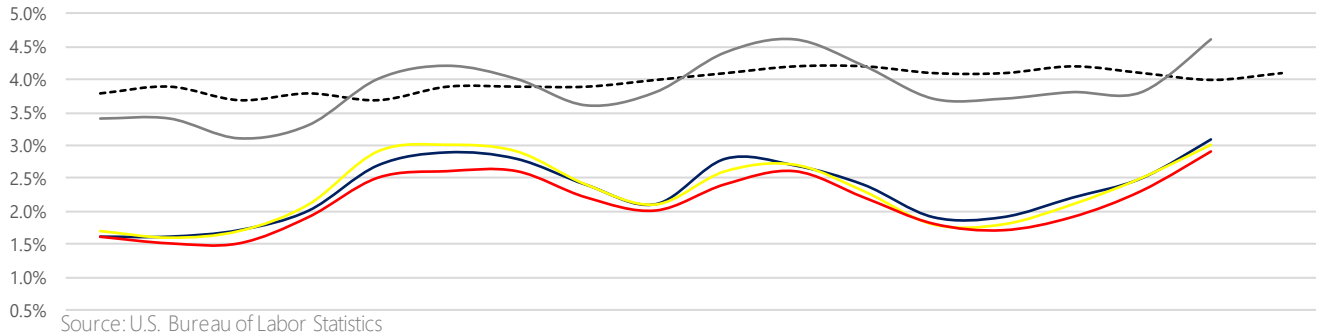
According to Site To Do Business, 2023 median household income for the Bismarck MSA is estimated at $71,829, which is more than the median household income for the State of North Dakota. Data provided by the Labor Market Information Center, Job Service North Dakota, Quarterly Census of Employment and Wages (QCEW) suggests the weekly wage for Q2 2023 was roughly $1,125 or $58,500 on an annualized basis.



UNEMPLOYMENT

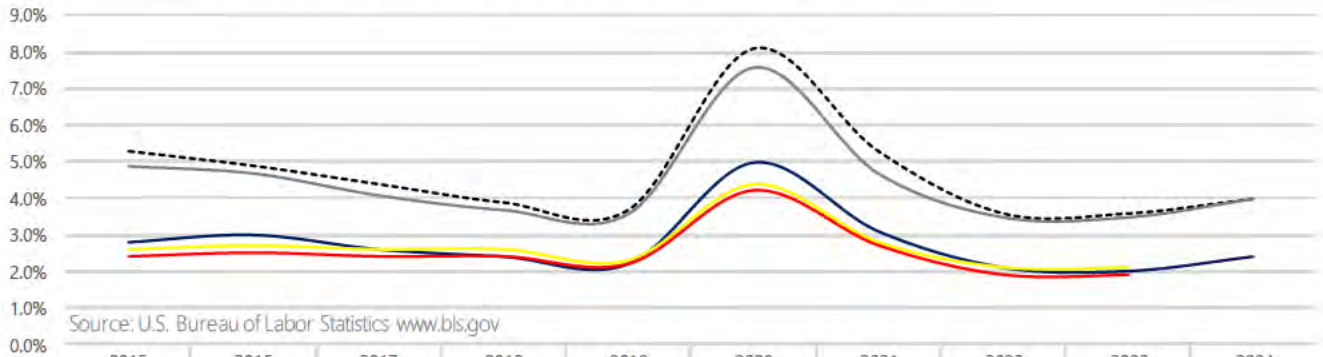
The following graphs charts the trailing 18 months and trailing 10 years unemployment rate for the United States, Midwest Region, North Dakota, Bismarck, ND MSA, and Burleigh County.

MONTHLY UNEMPLOYMENT RATE (18 MONTHS)



	Sep	Oct	Nov	Dec	Jan	2024 Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	2025 Feb
Nation	3.8%	3.9%	3.7%	3.8%	3.7%	3.9%	3.9%	3.9%	4.0%	4.1%	4.2%	4.2%	4.1%	4.1%	4.2%	4.1%	4.0%	4.1%
Region	3.4%	3.4%	3.1%	3.3%	4.0%	4.2%	4.0%	3.6%	3.8%	4.4%	4.6%	4.2%	3.7%	3.7%	3.8%	3.8%	4.6%	
State	1.6%	1.6%	1.7%	2.0%	2.7%	2.9%	2.8%	2.4%	2.1%	2.8%	2.7%	2.4%	1.9%	1.9%	2.2%	2.5%	3.1%	
Area	1.7%	1.6%	1.7%	2.1%	2.9%	3.0%	2.9%	2.4%	2.1%	2.6%	2.7%	2.3%	1.8%	1.8%	2.1%	2.5%	3.0%	
County	1.6%	1.5%	1.5%	1.9%	2.5%	2.6%	2.6%	2.2%	2.0%	2.4%	2.6%	2.2%	1.8%	1.7%	1.9%	2.3%	2.9%	

ANNUAL UNEMPLOYMENT RATE (10 YEARS)



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Nation	5.3%	4.9%	4.4%	3.9%	3.7%	8.1%	5.3%	3.6%	3.6%	4.0%
Region	4.9%	4.7%	4.1%	3.7%	3.6%	7.6%	4.7%	3.5%	3.5%	4.0%
State	2.8%	3.0%	2.6%	2.4%	2.2%	5.0%	3.1%	2.1%	2.0%	2.4%
Area	2.6%	2.7%	2.6%	2.6%	2.3%	4.4%	2.8%	2.1%	2.1%	
County	2.4%	2.5%	2.4%	2.4%	2.2%	4.2%	2.7%	1.9%	1.9%	

EMPLOYMENT

The following chart shows the trailing 10 years employment for the state of North Dakota, Bismarck, ND MSA, and Burleigh County.

STATE & REGIONAL EMPLOYMENT

YEAR	STATE	% CHG.	AREA	% CHG.	COUNTY	% CHG.
2014	400,758	2.3%	62,182	0.5%	46,016	0.3%
2015	401,886	0.3%	64,292	3.3%	47,721	3.6%
2016	401,930	0.0%	66,756	3.7%	49,573	3.7%
2017	403,390	0.4%	66,829	0.1%	49,687	0.2%
2018	401,921	(0.4%)	65,870	(1.5%)	48,942	(1.5%)
2019	404,621	0.7%	66,343	0.7%	49,286	0.7%
2020	389,117	(4.0%)	65,798	(0.8%)	48,916	(0.8%)
2021	395,402	1.6%	68,006	3.2%	50,582	3.3%
2022	404,617	2.3%	68,908	1.3%	51,271	1.3%
2023	410,761	1.5%	68,928	0.0%	51,264	(0.0%)
CAGR	**0.3%**	-	**1.2%**	-	**1.2%**	-

Source: U.S. Bureau of Labor Statistics www.bls.gov

ECONOMIC BASE

As the capital of North Dakota, Bismarck serves as a major center for government and business. Government Employment makes up the largest percent of employment in Burleigh County at 20.1%, Health Care and Social Assistance is second at 19.3%, followed by Retail Trade at 12.4%. Below is a table from the North Dakota Labor Market Information regional report for Burleigh County.

Burleigh County						
Abbr	[2-Digit NAICS Code] Industry	Q2 2022 Avg Employ.	Q2 2023 Avg Employ.	Numeric Change	Percent Change	Percent Share of Total
AG	[11] Agriculture, Forestry, Fishing and Hunting	163	145	-18	-11.0	0.3
MG	[21] Mining, Quarrying, and Oil and Gas Extraction	182	265	+83	+45.6	0.5
UT	[22] Utilities	193	194	+1	+0.5	0.3
CS	[23] Construction	3,067	2,951	-116	-3.8	5.1
MF	[31-33] Manufacturing	1,778	1,879	+101	+5.7	3.3
WT	[42] Wholesale Trade	2,017	1,988	-29	-1.4	3.5
RT	[44-45] Retail Trade	7,202	7,130	-72	-1.0	12.4
TW	[48-49] Transportation and Warehousing	1,400	1,449	+49	+3.5	2.5
IN	[51] Information	699	690	-9	-1.3	1.2
FI	[52] Finance and Insurance	2,082	2,030	-52	-2.5	3.5
RE	[53] Real Estate and Rental and Leasing	489	529	+40	+8.2	0.9
PT	[54] Professional and Technical Services	2,755	2,785	+30	+1.1	4.8
MT	[55] Management of Companies and Enterprises	1,330	1,338	+8	+0.6	2.3
AW	[56] Administrative and Waste Services	2,177	2,177	0	0.0	3.8
ED	[61] Educational Services	893	934	+41	+4.6	1.6
HS	[62] Health Care and Social Assistance	11,130	11,102	-28	-0.3	19.3
AE	[71] Arts, Entertainment, and Recreation	837	940	+103	+12.3	1.6
AF	[72] Accommodation and Food Services	5,267	5,426	+159	+3.0	9.4
OS	[81] Other Services (except Government)	1,972	2,023	+51	+2.6	3.5
GV	Government	11,965	11,562	-403	-3.4	20.1
TL	**Total, All Industries**	**57,597**	**57,539**	**-58**	**-0.1**	**100.0**

['Government' includes employment for public schools, colleges, universities, and hospitals and tribal entities]

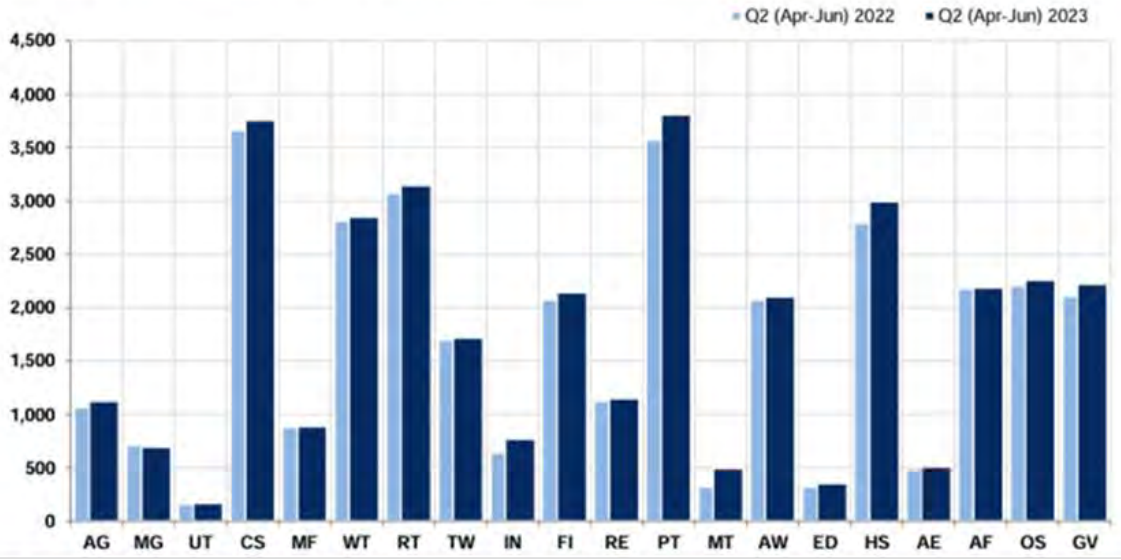
Sources: QCEW Labor Market Information Center, Job Service ND, Quarterly Census of Employment and Wages

Data current as of January 3, 2024. Data are not seasonally adjusted. Asterisks (***) indicate data cannot be released due to reliability, availability or confidentiality restrictions.

Below is a graph and table illustrating the number of firms by industry. As shown, there is a good diversity of industries in Burleigh County, which is a positive.

NORTH DAKOTA AREA PROFILE

BUSINESS ESTABLISHMENTS BY INDUSTRY [QCEW Q2 (APR-JUN) 2023]



North Dakota

Abbr	[2-Digit NAICS Code] Industry	Q2 2022 Business Estab.	Q2 2023 Business Estab.	Numeric Change	Percent Change	Percent Share of Total
AG	[11] Agriculture, Forestry, Fishing and Hunting	1,066	1,126	+60	+5.6	3.2
MG	[21] Mining, Quarrying, and Oil and Gas Extraction	715	693	-22	-3.1	2.0
UT	[22] Utilities	161	169	+8	+5.0	0.5
CS	[23] Construction	3,665	3,756	+91	+2.5	10.6
MF	[31-33] Manufacturing	878	890	+12	+1.4	2.5
WT	[42] Wholesale Trade	2,812	2,848	+36	+1.3	8.1
RT	[44-45] Retail Trade	3,075	3,144	+69	+2.2	8.9
TW	[48-49] Transportation and Warehousing	1,696	1,722	+26	+1.5	4.9
IN	[51] Information	641	772	+131	+20.4	2.2
FI	[52] Finance and Insurance	2,077	2,142	+65	+3.1	6.1
RE	[53] Real Estate and Rental and Leasing	1,126	1,150	+24	+2.1	3.3
PT	[54] Professional and Technical Services	3,573	3,812	+239	+6.7	10.8
MT	[55] Management of Companies and Enterprises	322	499	+177	+55.0	1.4
AW	[56] Administrative and Waste Services	2,074	2,102	+28	+1.4	5.9
ED	[61] Educational Services	320	352	+32	+10.0	1.0
HS	[62] Health Care and Social Assistance	2,793	2,996	+203	+7.3	8.5
AE	[71] Arts, Entertainment, and Recreation	486	512	+26	+5.3	1.4
AF	[72] Accommodation and Food Services	2,179	2,189	+10	+0.5	6.2
OS	[81] Other Services (except Government)	2,208	2,261	+53	+2.4	6.4
GV	Government	2,108	2,219	+111	+5.3	6.3
TL	**Total, All Industries**	**33,975**	**35,354**	**+1,379**	**+4.1**	**100.0**

['Government' includes establishments for public schools, colleges, universities, and hospitals and tribal entities]

Sources: QCEW Labor Market Information Center, Job Service ND, Quarterly Census of Employment and Wages

Data current as of January 3, 2024. Data are not seasonally adjusted. Asterisks (***) indicate data cannot be released due to reliability, availability or confidentiality restrictions.

Below is a list of the largest employers in the Bismarck-Mandan Area as of 2020. Of note, is the mix of numerous private and public industries that make up the employment opportunities.

Make Your Mark Major Employers	
Company	# of Employee
State of North Dakota	4,900
Sanford Health	3,386
Bismarck Public Schools	2,187
CHI St. Alexius	1,512
U.S. Government	1,200
City of Bismarck	988
Bismarck State College	733
Mandan Public School District	697
Aetna	645
University of Mary	631
Housing Industry Training (HIT)	641
MDU Resources Group	731
Bobcat/Doosan Company	1,000
Missouri Slope Lutheran Care Center	556
Basin Electric Power Cooperative	490
Mid-Dakota Clinic	535
Dan's Supermarket	401
Missouri Valley YMCA	488
National Information Systems Cooperative (NISC)	460
Walmart North	365

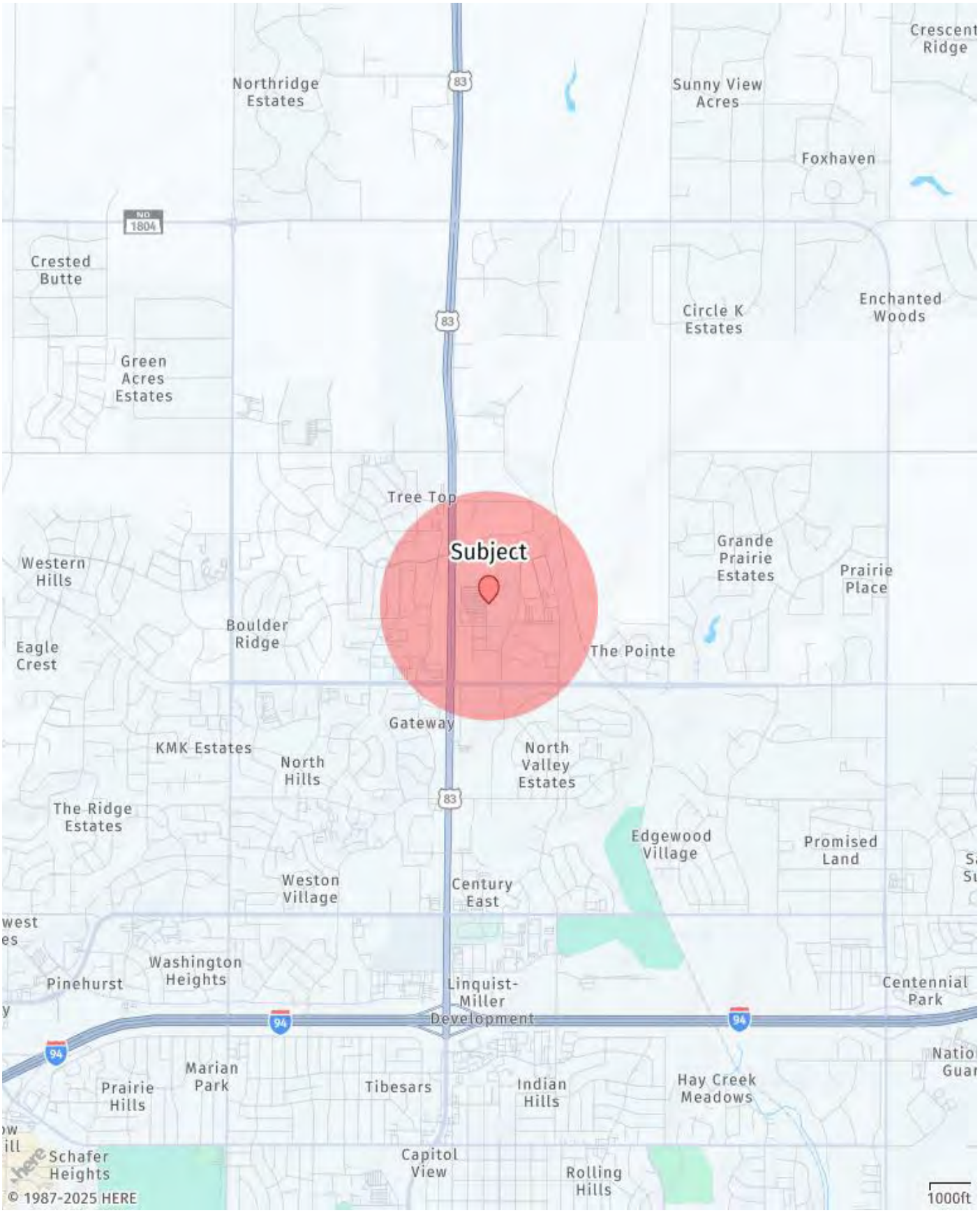
EDUCATION

Bismarck Public Schools has an enrollment of over 12,000 students and has four high schools, three middle schools, and 16 elementary schools. The area is home to several Private schools with a combined enrollment of over 1,500 students. Bismarck State College is a state-assisted 2-year college that offers 40 technical and transfer degrees. The University of Mary is a Private 4-year college that offers numerous undergraduate degrees, a few master's degrees, and one doctoral program (bmda.org).

CONCLUSION

Over the long term, the Bismarck MSA is forecasted to grow due to steady population growth, diversified economic base and low unemployment rates. Based on these factors, it is anticipated that near term demand for real estate in the Bismarck MSA will remain stable.

LOCAL AREA MAP



INTRODUCTION

The subject property is located in the Bismarck area of the Burleigh County submarket. The immediate area of the subject is characterized by residential and commercial uses in the surrounding area.

Demographics

The following information reflects the demographics for the subject's area.

LOCAL AREA & MSA DEMOGRAPHICS

DESCRIPTION	0 - 1 MILE	1 - 3 MILE	3 - 5 MILE	DESCRIPTION	0 - 1 MILE	1 - 3 MILE	3 - 5 MILE
POPULATION TOTAL				HOUSEHOLDS			
2010 Census	2,566	32,369	29,067	2010 Census	980	14,223	12,748
2020 Census	5,379	39,525	30,764	2020 Census	2,060	16,808	13,418
2024 Estimate	5,601	41,023	32,102	2024 Estimate	2,174	17,369	13,902
2029 Projection	5,833	42,398	33,522	2029 Projection	2,253	17,846	14,474
Δ 2010-2020	109.63%	22.11%	5.84%	Δ 2010-2020	110.20%	18.17%	5.26%
Δ 2020-2024	4.13%	3.79%	4.35%	Δ 2020-2024	5.53%	3.34%	3.61%
Δ 2024-2029	4.14%	3.35%	4.42%	Δ 2024-2029	3.63%	2.75%	4.11%
Total Daytime Population	6,292	39,779	45,929	**HOUSEHOLDS BY INCOME (2024 ESTIMATE)**			
HOUSING UNITS				<$15,000	7.0%	8.4%	11.1%
Total (2024 Estimate)	2,378	18,396	15,246	$15,000 - $24,999	1.8%	3.7%	3.7%
Owner Occupied	65.6%	65.3%	58.0%	$25,000 - $34,999	5.1%	6.3%	7.9%
Renter Occupied	25.8%	29.1%	33.1%	$35,000 - $49,999	7.1%	8.5%	11.7%
Vacant Housing Units	8.6%	5.6%	8.8%	$50,000 - $74,999	14.9%	17.0%	19.6%
Total (2029 Projection)	2,468	18,928	15,881	$75,000 - $99,999	11.5%	11.9%	9.7%
Owner Occupied	66.0%	67.3%	59.6%	$100,000 - $149,999	21.6%	20.4%	16.4%
Renter Occupied	25.4%	26.9%	31.6%	$150,000 - $199,999	19.3%	12.9%	11.4%
Vacant Housing Units	8.7%	5.7%	8.9%	$200,000+	11.8%	11.1%	8.4%
AVERAGE HOUSEHOLD INCOME				**AVERAGE HOUSEHOLD SIZE**			
2024 Estimate	$123,030	$113,214	$99,367	2024 Estimate	2.50	2.32	2.19
2029 Projection	$138,951	$129,468	$113,187	2029 Projection	2.51	2.33	2.20
Δ 2024-2029	12.94%	14.36%	13.91%	Δ 2024-2029	0.40%	0.43%	0.46%
MEDIAN HOUSEHOLD INCOME				**MEDIAN HOME VALUE**			
2024 Estimate	$103,933	$86,464	$68,105	2024 Estimate	$406,928	$349,649	$323,680
2029 Projection	$109,794	$101,096	$76,849	2029 Projection	$417,456	$357,860	$338,212
Δ 2024-2029	5.64%	16.92%	12.84%	Δ 2024-2029	2.59%	2.35%	4.49%
PER CAPITA INCOME				**AVERAGE HOME VALUE**			
2024 Estimate	$49,453	$47,890	$42,183	2024 Estimate	$403,263	$372,368	$346,751
2029 Projection	$55,578	$54,426	$47,843	2029 Projection	$411,227	$384,252	$362,456
Δ 2024-2029	12.39%	13.65%	13.42%	Δ 2024-2029	1.97%	3.19%	4.53%

Source: Sites To Do Business Online

Population

The estimate provided by ESRI for the current 2024 population within the subject neighborhood's 1 - 3 mile radius is 41,023 representing a 3.79%change since 2020. ESRI's 2024 population estimate for the subject's 3 - 5 mile radius is 32,102, which represents a 4.35% change since 2020.

Looking forward, ESRI estimates that the population within the subject neighborhood's 1 - 3 mile radius is forecasted to change to 42,398 by the year 2029. As for the broader area, ESRI forecasts that the population within the subject's 3 - 5 mile radius will change to 33,522 over the next five years. The population estimates for the next five years within the subject's 3 - 5 mile radius represents a 4.42% change as well as a 4.14% change within the subject's 0 - 1 mile radius for the same period.

Households

The estimates provided by ESRI indicate that the number of households within the subject neighborhood's 1 - 3 mile radius is 17,369, which is a 3.34% change since 2020. Within the subject's broader 3 - 5 mile radius, ESRI estimates that the number of households is 13,902, a 3.61% change over the same period of time.

By the year 2029, the estimates provided by ESRI indicate that the number of households within the subject neighborhood's 1 - 3 mile radius will change by 2.75% to 17,846 households. Additionally, ESRI's estimate for total households over the next five years within the subject's broader 3 - 5 mile radius indicates an expected change of 4.11% which will result in a total household estimate of 14,474.

Looking back, the number of households in the subject neighborhood's 1 - 3 mile radius changed 18.17% during the ten-year period of 2010 to 2020. Since then, it has changed by 3.34%.

Income

Income estimates provided by ESRI for the subject neighborhood's 1 - 3 mile radius indicates that the median household income is $86,464 and that the average household income is $113,214. Further, the estimates provided by ESRI indicate that, for the subject's broader 3 - 5 mile radius the median household income is $68,105, and the average household income is $99,367. Given that there are reportedly 13,902 households in the subject's 3 - 5 mile radius, it is estimated that the local effective buying income is around $1,381,400,034.

CONCLUSION

Based on our observation and the data provided by ESRI, it is perceived that the income and population demographics for the subject neighborhood exhibit above average characteristics in terms of reported population growth levels. As previously mentioned, the population growth for the subject's 1 - 3 mile radius has increased 3.79% since 2020 and based on the projections provided by ESRI, it is expected to continue to increase another 3.35% during the next 5 years. Lastly, we perceive that, since average household incomes are below the national average ($113,214, for the subject's 1 - 3 mile radius) and given that the area is well-populated (17,369 households in a 1 - 3 mile radius), developments like the subject should be adequately supported.

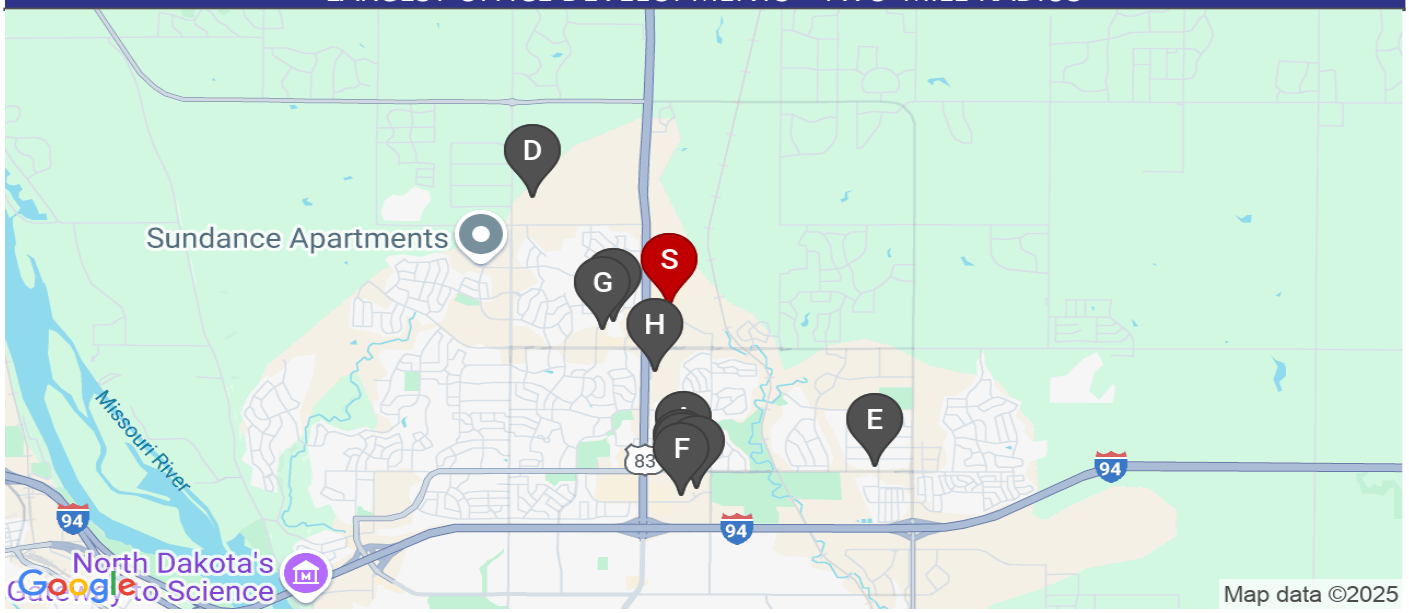
SURROUNDING LAND USES

The following tables and maps highlight the development in and around the subject.

LOCAL AREA OFFICE - TWO-MILE RADIUS				
CLASS	RBA	YEAR BUILT	PERCENT LEASED	PROPERTIES
A	129,376 SF	2006	80.2	4
B	848,973 SF	2004	97.4	41
C	291,941 SF	1983	99.2	23
TOTAL	1,270,290 SF	2000	96.2	70

Source: CoStar

LARGEST OFFICE DEVELOPMENTS - TWO-MILE RADIUS



PIN	NAME	ADDRESS, CITY	DIST TO SUBJ	RBA	BUILT	CLASS	%LEASED
A		1600 E Century Ave, Bismarck	1.3 mi	108,089	2002	B	100
B		4585 Coleman St, Bismarck	0.4 mi	77,694	2012	B	100
C	Aetna Building	1800 E Interstate Ave, Bismarck	1.5 mi	52,766	1990	B	100
D	Daybreak Medical Addition Phase	220 E Greenfield Ln, Bismarck	1.3 mi	43,600	2024	0	100
E		3456 E Century Ave, Bismarck	2.0 mi	43,482	1998	A	100
F		1600 E Interstate Ave, Bismarck	1.5 mi	35,000	2005	B	100
G		4501 Coleman St, Bismarck	0.5 mi	30,384	2012	A	100
H	State Street Center	4007 State St, Bismarck	0.5 mi	30,000	1975	C	92.13
I	GRE/Gagnon Office Building	1531 E Century Ave, Bismarck	1.4 mi	29,665	2008	B	100
J		1611 E Century Ave, Bismarck	1.5 mi	29,510	2006	A	13.23

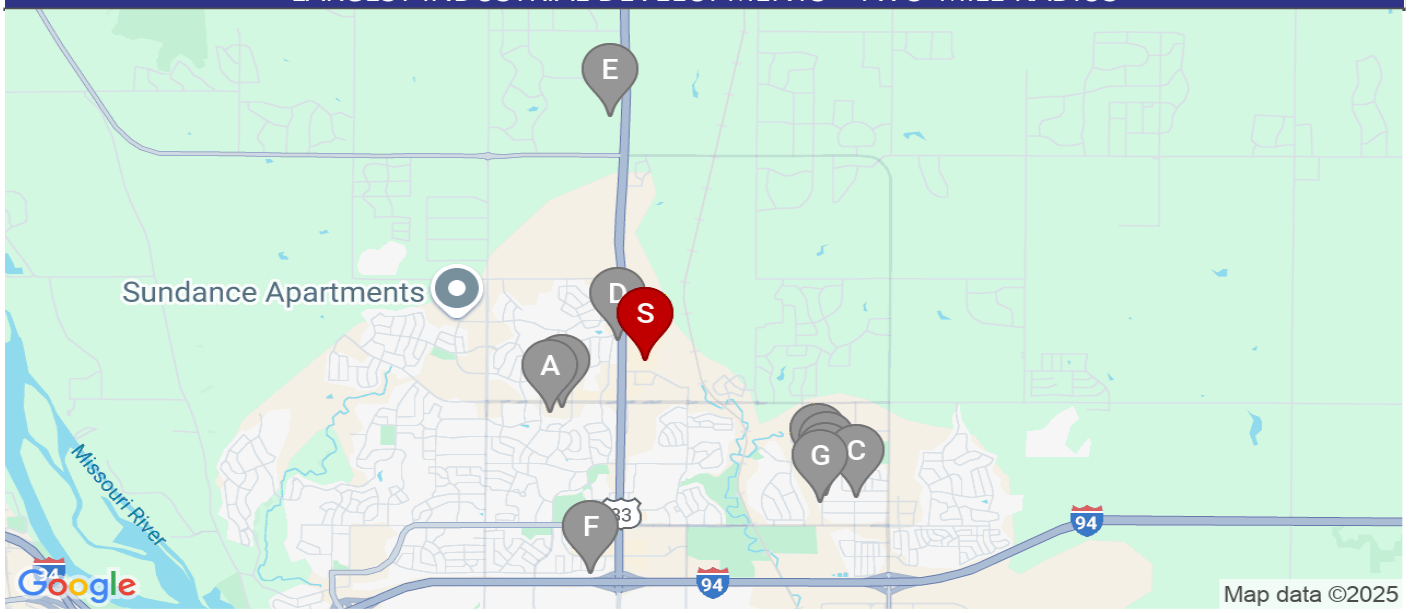
Source: CoStar

LOCAL AREA INDUSTRIAL - TWO-MILE RADIUS

TYPE	RBA	YEAR BUILT	PERCENT LEASED	PROPERTIES
Flex	99,314 SF	2014	100	2
Gen-Ind <25,000 FT	201,657 SF	1999	100	19
Gen-Ind >25,000 FT	137,800 SF	1996	100	2
TOTAL	438,771 SF	2003	100.0	23

Source: CoStar

LARGEST INDUSTRIAL DEVELOPMENTS - TWO-MILE RADIUS



PIN	NAME	ADDRESS, CITY	DIST TO SUBJ	RBA	BUILT	TYPE	%LEASED
A		4201 Normandy St, Bismarck	0.8 mi	74,564	2014	Flex	100
B		4202 Coleman St, Bismarck	0.7 mi	72,000	N/A	Industrial	100
C	USFS Industrial Distribution	3500 Saratoga Ave, Bismarck	1.9 mi	65,800	1996	Industrial	100
D		5003 Ottawa St, Bismarck	0.3 mi	24,750	2016	Flex	100
E		7601 Yukon Dr, Bismarck	2.0 mi	23,227	2007	Industrial	100
F		923 E Interstate Ave, Bismarck	1.8 mi	21,960	1973	Industrial	100
G		3300-3304 Hamilton St, Bismarck	1.7 mi	20,000	2014	Industrial	100
H		3307 Hamilton St, Bismarck	1.7 mi	18,900	2012	Industrial	100
I	Legacy Business Condominiums	3320 Hamilton St, Bismarck	1.6 mi	16,480	2015	Industrial	100
J		3319 E Hamilton St, Bismarck	1.7 mi	15,000	N/A	Industrial	100

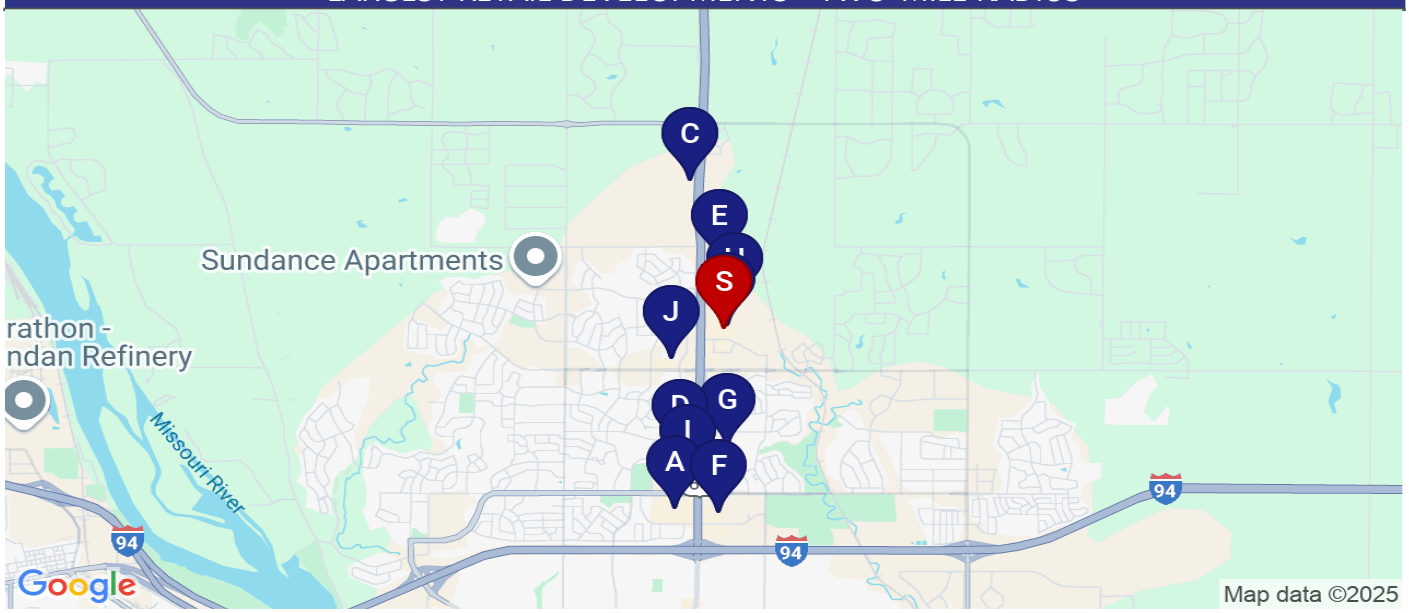
Source: CoStar

LOCAL AREA RETAIL - TWO-MILE RADIUS

SIZE	RBA	YEAR BUILT	PERCENT LEASED	PROPERTIES
<5,000 FT	72,269 SF	1994	100.0	22
>5,000 FT-<20,000 FT	499,026 SF	2001	98.8	51
>20,000 FT	1,912,635 SF	2001	90.8	21
TOTAL	2,483,930 SF	2001	92.7	94

Source: CoStar

LARGEST RETAIL DEVELOPMENTS - TWO-MILE RADIUS



PIN	NAME	ADDRESS, CITY	DIST TO SUBJ	RBA	BUILT	CLASS	%LEASED
A		2700 State St, Bismarck	1.5 mi	329,946	1978	B	54.54
B	Wal-Mart Supercenter	1400 Skyline Blvd, Bismarck	0.0 mi	201,370	2005	C	100
C	Fleet Farm	1025 NE 64th Ave, Bismarck	1.2 mi	200,000	2025	B	100
D	Menards	3300 State St, Bismarck	1.1 mi	187,000	1999	C	100
E		1106 Brookside Ln, Bismarck	0.5 mi	157,000	N/A	B	100
F		2625 State St, Bismarck	1.5 mi	104,320	1971	C	100
G		3401 N 14th St, Bismarck	1.0 mi	102,759	2004	A	100
H	Building E	1449 W Lasalle Dr, Bismarck	0.2 mi	100,674	2015	B	100
I		3101 N 11th St, Bismarck	1.2 mi	62,021	2002	0	100
J		900 43rd Ave NE, Bismarck	0.5 mi	60,510	2018	C	100

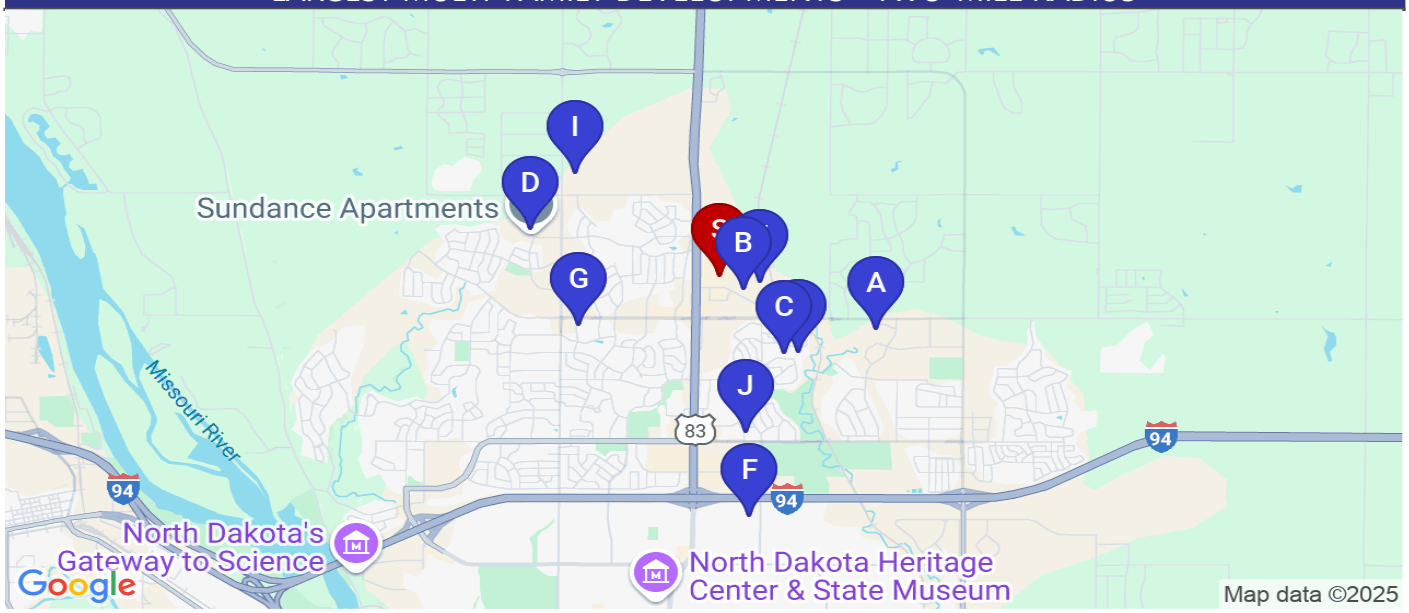
Source: CoStar

LOCAL AREA MULTI-FAMILY - TWO-MILE RADIUS

CLASS	RBA	YEAR BUILT	UNITS	PROPERTIES
A	205,200 SF	2015	108	1
B	3,294,859 SF	2007	2,449	39
C	426,580 SF	2000	429	12
TOTAL	3,926,639 SF	2007	2,986	52

Source: CoStar

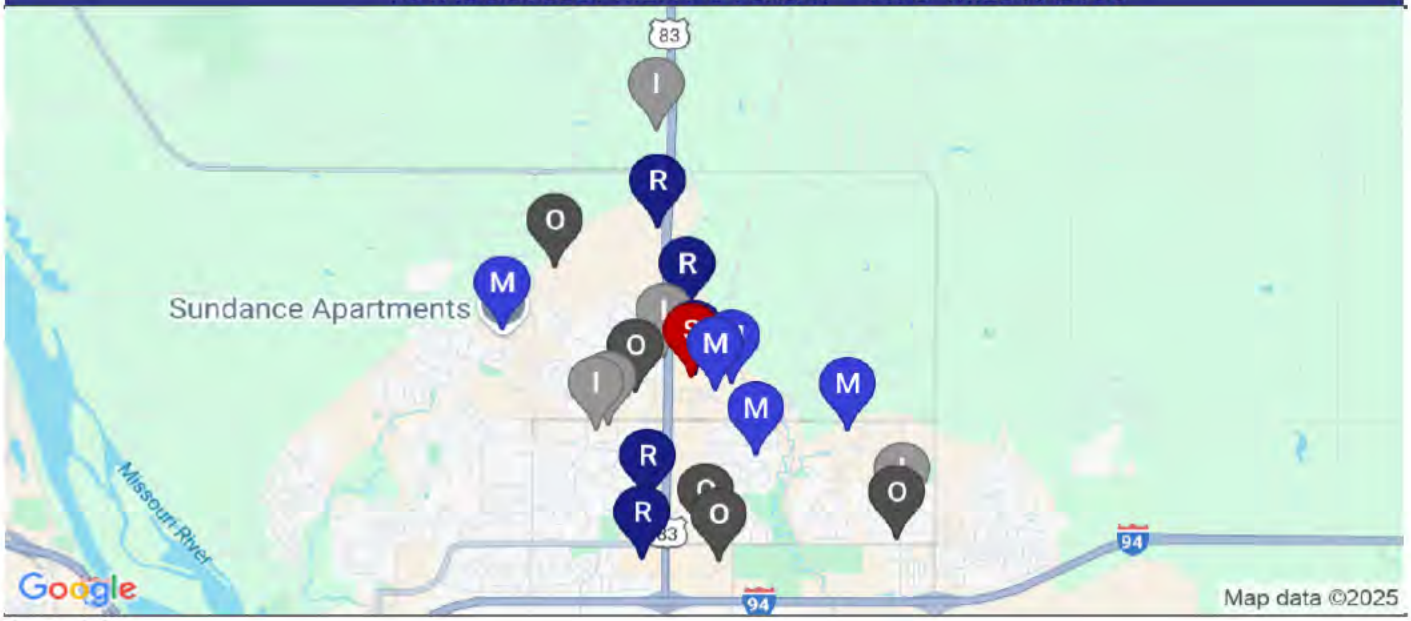
LARGEST MULTI-FAMILY DEVELOPMENTS - TWO-MILE RADIUS



PIN	NAME	ADDRESS, CITY	DIST TO SUBJ	RBA	BUILT	CLASS	STORIES
A	Coulee Ridge	3009 NE 43rd Ave, Bismarck	1.2 mi	297,448	2015	B	4
B	Meadowlark Commercial 6th	1600 Skyline Blvd, Bismarck	0.2 mi	257,673	2025	B	4
C	Sunset Ridge 1 & 5	2018-2106 Koch Dr, Bismarck	0.8 mi	212,775	2008	C	3
D	Sundance Apartments	320 W LaSalle Dr, Bismarck	1.5 mi	205,200	2015	A	4
E	Stonefield Apartments	4912 N 19th St, Bismarck	0.3 mi	192,000	2013	B	3
F	Capitol Apartments	1818 E Capitol Ave, Bismarck	2.0 mi	185,000	1990	B	3
G	Hawk Pointe	4201 Montreal St, Bismarck	1.1 mi	178,110	2008	B	3
H	Overlook Ridge 55+ Apartments	2200 Koch Dr, Bismarck	0.9 mi	161,545	2013	B	3
I	Area 57	202 Greenfield Ln, Bismarck	1.4 mi	158,587	2020	B	4
J	Century East Apartments	1823 Mapleton Ave, Bismarck	1.3 mi	130,695	1994	B	2

Source: CoStar

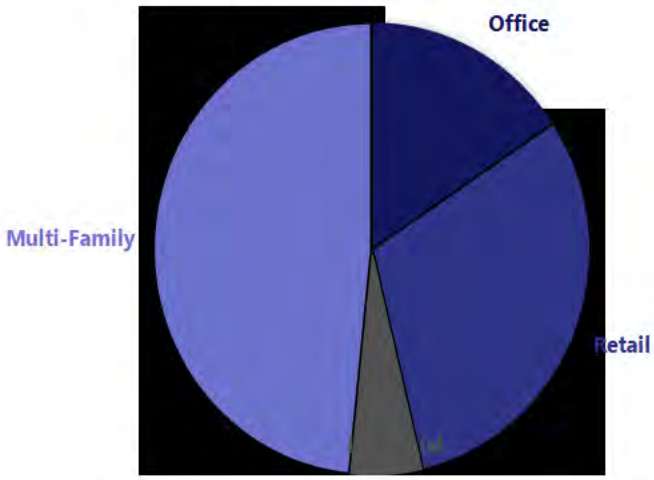
TOTAL DEVELOPMENT OVERLAY - TWO-MILE RADIUS



Source: CoStar

The land use in the subject's immediate neighborhood consists of a significant amount of commercial property, comprising of a mix of many property types. Commercial uses in the area include medical clinics, hotels, office buildings, banks, standalone retail, strip malls, bakeries, and various auto and industrial buildings. The following chart illustrates the high concentration of multi-family and retail uses in comparison to other property types.

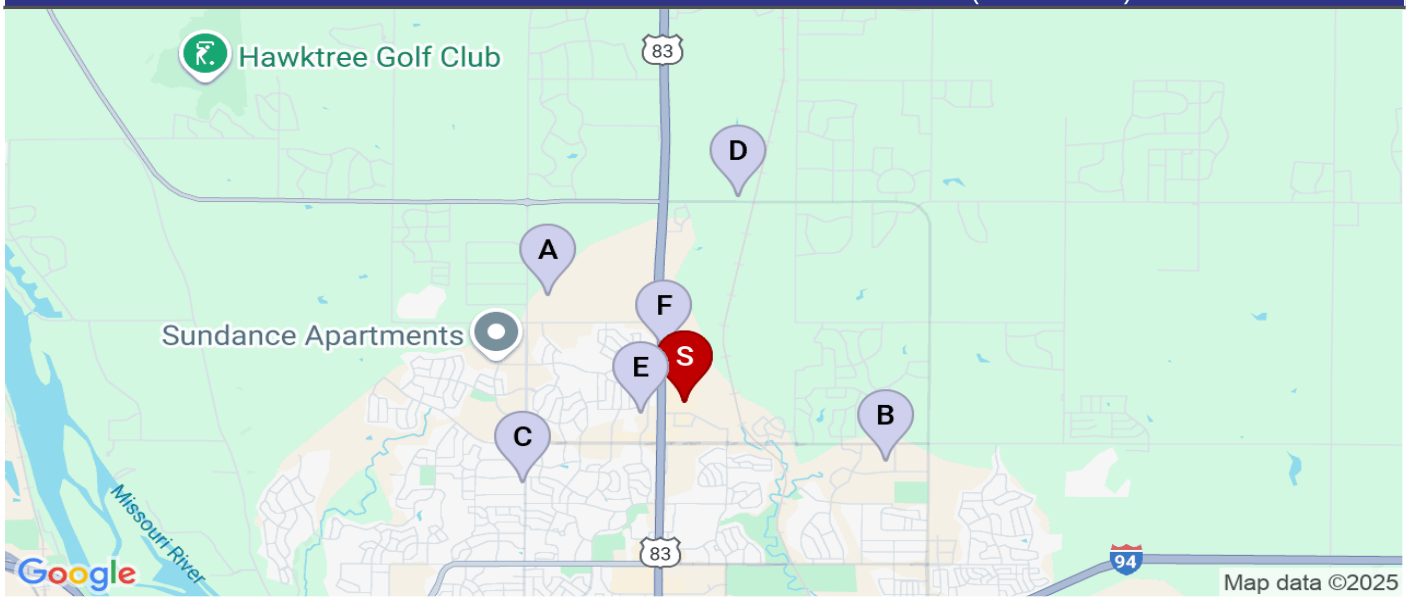
COMMERCIAL LAND USE



RECENT DEVELOPMENT

Based on our research using CoStar, there appears to be about 6 projects that have been recently developed within two miles of the subject property. These projects cover a range of uses and sizes, with the smallest development being a 3,750 sq. ft. retail store and the largest a 43,600 sq. ft. office. The following map and grid relate these properties to the subject.

RECENT DEVELOPMENTS IN A TWO-MILE RADIUS (2024-2025)



PIN	NAME	ADDRESS, CITY	DIST TO SUBJ	RBA	TYPE	CLASS
A	Daybreak Medical Addition Phase	220 E Greenfield Ln, Bismarck	1.3 mi	43,600	Office	0
B	Legacy Homes at Coulee Ridge	4001-4129 Oklahoma Lane, Bismarck	1.6 mi	26,000	Multi-Family	B
C		125 Buckskin Ave, Bismarck	1.4 mi	25,000	Office	B
D		7107 N 19th St, Bismarck	1.7 mi	10,000	Specialty	B
E		4550 Ottawa St, Bismarck	0.3 mi	5,756	Retail	0
F	IHOP	1213 Brookside Pl, Bismarck	0.4 mi	3,750	Retail	B

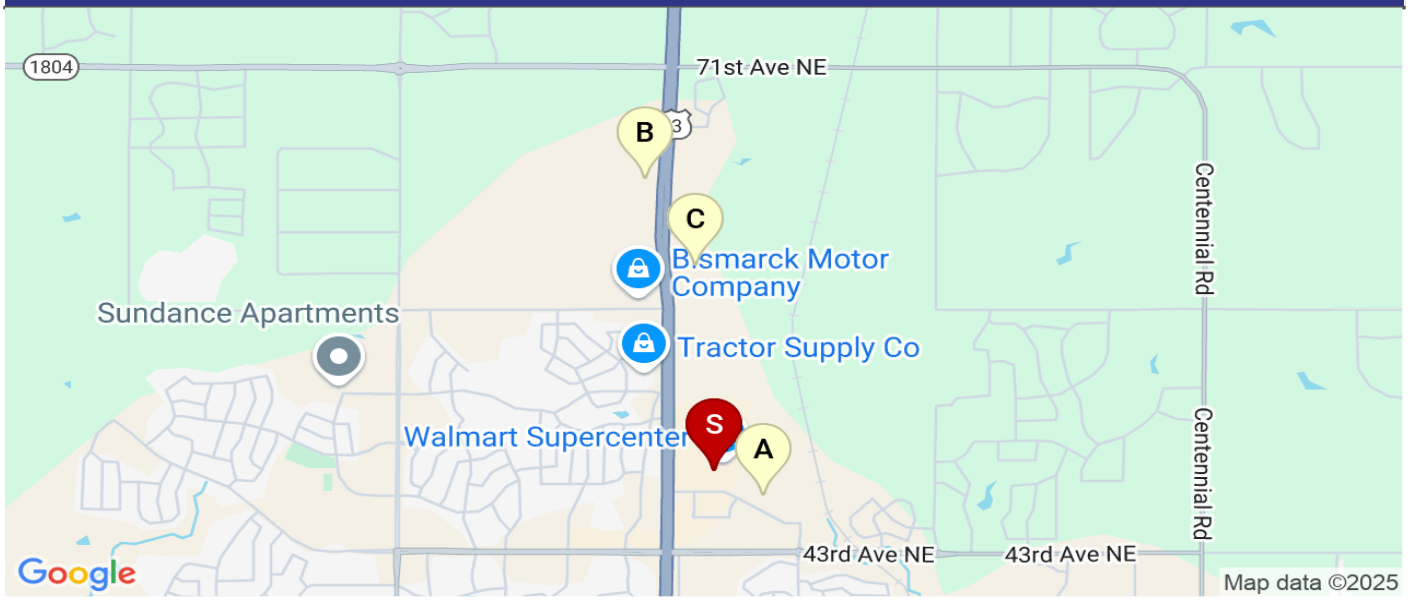
Source: CoStar

DEVELOPMENT PIPELINE

Under Construction

There are three projects currently under construction within two miles of the appraised property, according to our research using CoStar. The smallest project is a 14,200 sq. ft. health care building, while the largest is a 257,673 sq. ft. multi-family development. The following map and grid relate these properties to the subject.

CURRENT DEVELOPMENTS UNDER CONSTRUCTION IN A TWO-MILE RADIUS



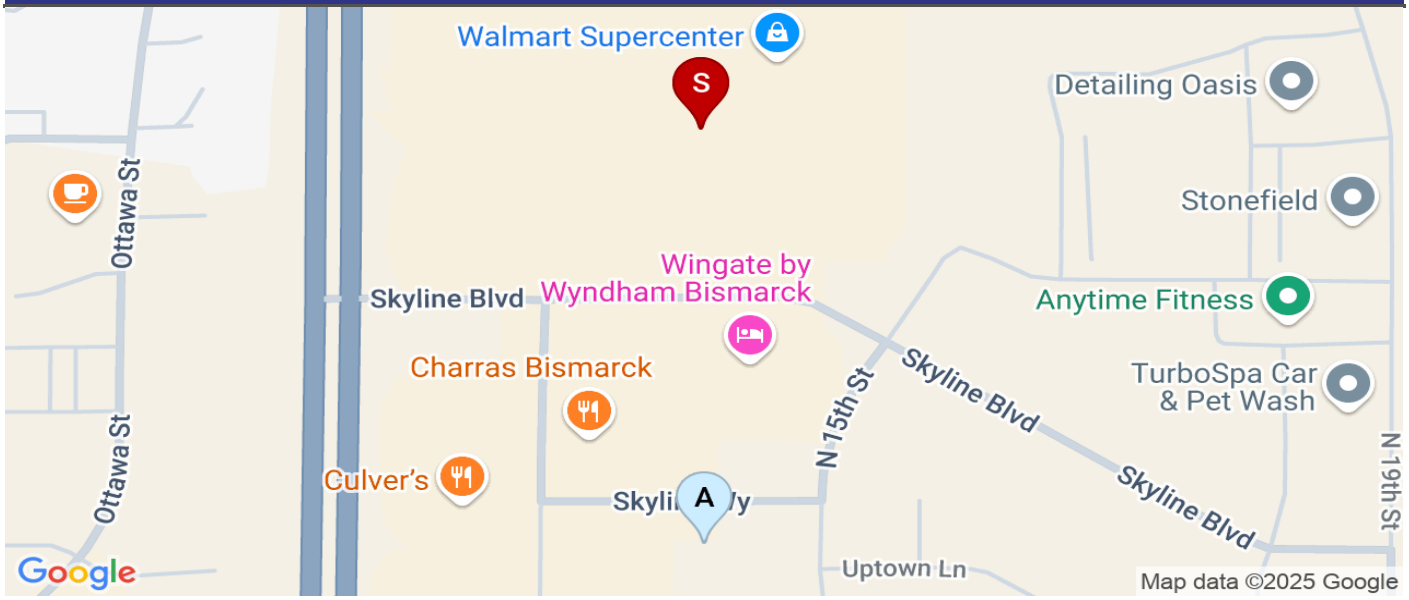
PIN	NAME	ADDRESS, CITY	DIST TO SUBJ	RBA	TYPE	CLASS
A	Meadowlark Commercial 6th	1600 Skyline Blvd, Bismarck	0.2 mi	257,673	Multi-Family	B
B	Fleet Farm	1025 NE 64th Ave, Bismarck	1.2 mi	200,000	Retail	B
C		1300 Elbowood Ln, Bismarck	0.9 mi	14,200	Health Care	B

Source: CoStar

Proposed

According to our research using CoStar, there is one property currently proposed for development within two miles of the subject. This project will be a 25,100 sq. ft. retail building. It is related to the subject in the following map and grid.

CURRENTLY PROPOSED DEVELOPMENT IN A TWO-MILE RADIUS



PIN	NAME	ADDRESS, CITY	DIST TO SUBJ	RBA	TYPE	CLASS
A		1445 Skyline Blvd, Bismarck	0.2 mi	25,100	Retail	B

Source: CoStar

ECONOMIC INFLUENCES

The local area economic status is important to recognize as the measurement of income levels provides an indication of the ability of the area population to buy, rent and maintain property. The economic status of an

area also provides an indication of the population's appetite for goods and services. Relevant economic information includes income levels, property ownership vs. rent, property rent levels, rent level trends, property vacancies and new construction.

About 43% of the housing units are owner occupied and another 44% are renter occupied in the 1-mile radius, with the owner occupied percentage rising up to about 61% in the 5-mile radius and the renter occupied percentage sinking to 31.5%.

GOVERNMENT INFLUENCE

Governmental considerations relate to zoning, building codes, regulations, flood plain restrictions, special assessment, property tax and empowerment zones.

Zoning in the area is mixed, including commercial, residential and industrial designations. Zoning code is enforced by the municipality and enforcement in all areas of City of Bismarck is considered to be typical. Rezoning is typically discouraged and requires public input in all municipalities. Building codes are in force and require a certain standard of construction quality and design. This is a typical influence on properties similar to the subject and falls in line with the zoning classification.

Property taxes in the area are established by Burleigh County and are assessed based on valuation. Considering the broad authority of the county administration, the assessments in the neighborhood are similar to other neighborhoods in the metropolitan area. The appraised property is impacted by an unpaid special assessment balance of $5,273.

ACCESS/PUBLIC TRANSPORTATION

The major north/south streets in the neighborhood include North Dakota State Highway 83, and N. Washington Street. The major east/west streets include US Interstate 94, E. Century Ave, and 43rd Ave NE. With the existing transportation system, most areas of metropolitan Bismarck are accessible from the subject neighborhood and access is considered for the metropolitan area. Public bus service is somewhat available throughout the area. Overall, access within the neighborhood is average for the metropolitan area.

ENVIRONMENTAL INFLUENCES

The subject area is considered to be a typical neighborhood with average building size and density. There are no extraordinary topographical features, nuisances or hazards. Public utilities are available in most all areas in quantities from public and private sources. The area has both public and private schools in adequate supply and quality.

LOCAL AREA SUMMARY

The market benefits from a diverse blend of residential, commercial, and community uses and close proximity to many recreational activities. According to the NDSU Economic Outlook Report published in November 2022, "The Bismarck, ND, metro area has a positive economic outlook. Wages are expected to grow in the second quarter of 2022 and continue that growth trend through 2023. The labor force is expected to hold constant in the fourth quarter of 2022 and then grow in 2023.

The unemployment rate is expected to hold constant around 2.3%. The Bismarck housing price index has recently posted a growth of more than 6%.

SITE DESCRIPTION

The subject property consists of one parcel with a total site area of 1,196,905 sq. ft. (27.48 acres), which is based on information obtained from Burleigh County Assessor. While there is a large vacant space at the back of the building, it is used for a storm water detention pond. There is no surplus or excess land at the subject. For the purposes of this report, we have relied on this site area and reserve the right to amend our analysis upon receipt of a formal legal plan. Please note that the site plan and original lot size in the recorded plat map reflect the property prior to the vacation of 15th Street, when half of the vacated right-of-way was assigned to the subject parcel.

Address	1400 Skyline Blvd, Bismarck, North Dakota.
Census Tract	38-017-040509

Number of Parcels	1	
Assessor Parcel	1454-001-001	
Land Area	Square Feet	Acres
Economic Unit (Primary) Site Size	1,196,905	27.48
Usable Site Size	**1,196,905**	**27.48**
Total Land Area	**1,196,905**	**27.48**
Excess/Surplus Land	No	
Corner	No	
Permitted Building Height	160 Feet	
Floor Area Ratio (FAR)	None Specified	
Site Topography	Level to Sloping	
Site Shape	Irregular	
Site Grade	At street grade	
Site Quality	Average	
Site Access	Average	
Site Exposure	Average	
Site Utility	Average	
Utilities	City Sewer & Water	

Adjacent Properties

North	Retail
South	Retail & Hospitality
East	Multi-Family Residential
West	Light Industrial

Accessibility Access to the subject site is considered average overall.

STREET & TRAFFIC DETAIL

Street Improvements	Type	Direction	Lanes	Lights	Curbs	Sidewalks	Signals	Median	Parking	Center Lane	Bike Lane
State Street / US Highway 83	Major Arterial	Two-Way	4	x			x	x			
Skyline Boulevard	Neighborhood Street	Two-Way	2		x	x					

Frontage	
State Street / US Highway 83	563.69 feet; None.
Skyline Boulevard	565.5 feet; Two Drives.

Traffic Counts	Location	Date	Source	Count
State Street / US Highway 83	1400 Skyline Blvd	Jun-16	ND DOT	16,450
Skyline Boulevard		Data Not Available		
	TOTAL			**16,450**

Exposure & Visibility

Exposure of the subject is above average, with visibility from US Highway 83 / State Street.

Flood Plain

Zone X (Unshaded). This is referenced by Panel Number 38017C0787G, dated January 16, 2015. Zone X (unshaded) is a moderate and minimal risk area. Areas of moderate or minimal hazard are studied based upon the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Local storm water drainage systems are not normally considered in a community's flood insurance study. The failure of a local drainage system can create areas of high flood risk within these zones. Flood insurance is available in participating communities, but is not required by regulation in these zones. Nearly 25% of all flood claims filed are for structures located within these zones. Minimal risk areas outside the 1% and 0.2% annual chance floodplains. No BFEs or base flood depths are shown within these zones. (Zone X (unshaded) is used on new and revised maps in place of Zone C.)

Easements

A preliminary title report was not available for review. During the property inspection, no adverse easements or encumbrances were noted. This appraisal assumes that there are no adverse easements present. If questions arise, further research is advised.

Soils

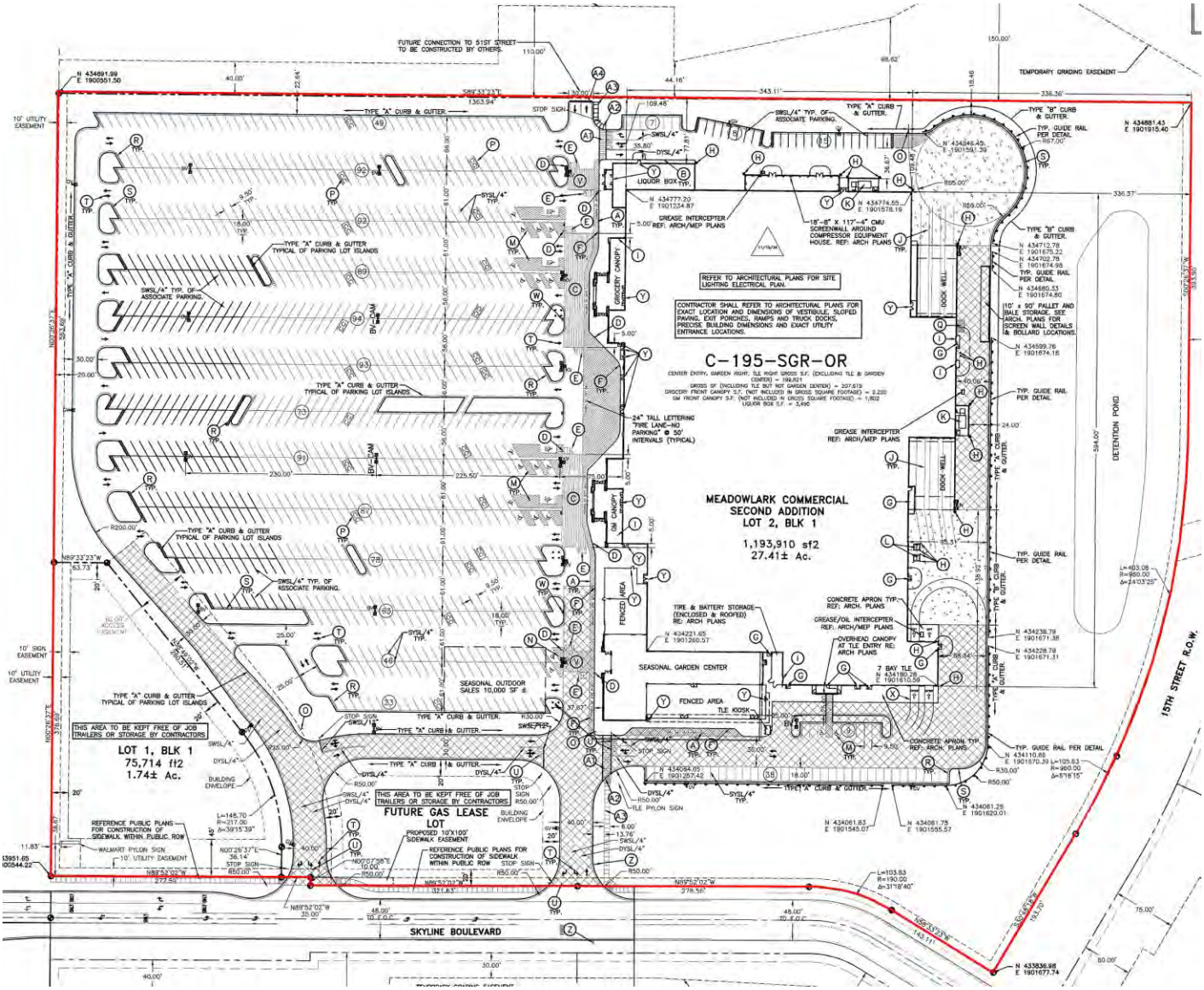
A detailed soils analysis was not available for review. Based on the development of the subject, it appears the soils are stable and suitable for the existing improvements.

Hazardous Waste

I have not conducted an independent investigation to determine the presence or absence of toxins on the subject property. If questions arise, the reader is strongly cautioned to seek qualified professional assistance in this matter. Please see the Assumptions and Limiting Conditions for a full disclaimer.

Site Rating

Overall, the subject site is considered average as a retail site in terms of its location, exposure and access to employment, education and shopping centers, based on its location along a major arterial.

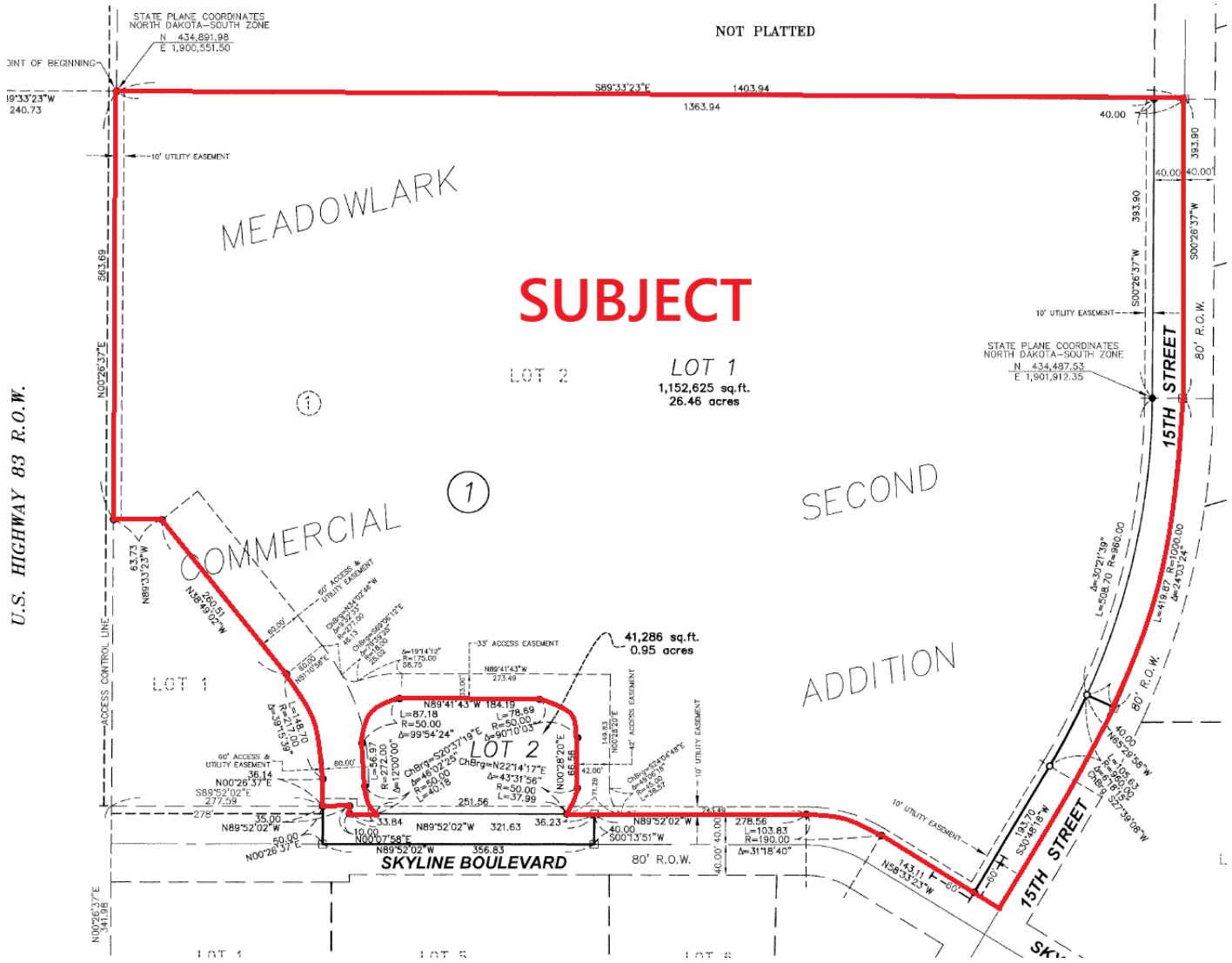

C-195-SGR-OR
MEADOWLARK COMMERCIAL
SECOND ADDITION
LOT 2, BLK 1
1,193,910 sf2
27.41± Ac.
LOT 1, BLK 1
75,714 ft2
1.74± Ac.
FUTURE GAS LEASE LOT
SKYLINE BOULEVARD
15TH STREET R.O.W.
SEASONAL GARDEN CENTER
DETENTION POND

Site Plan

PLAT MAP

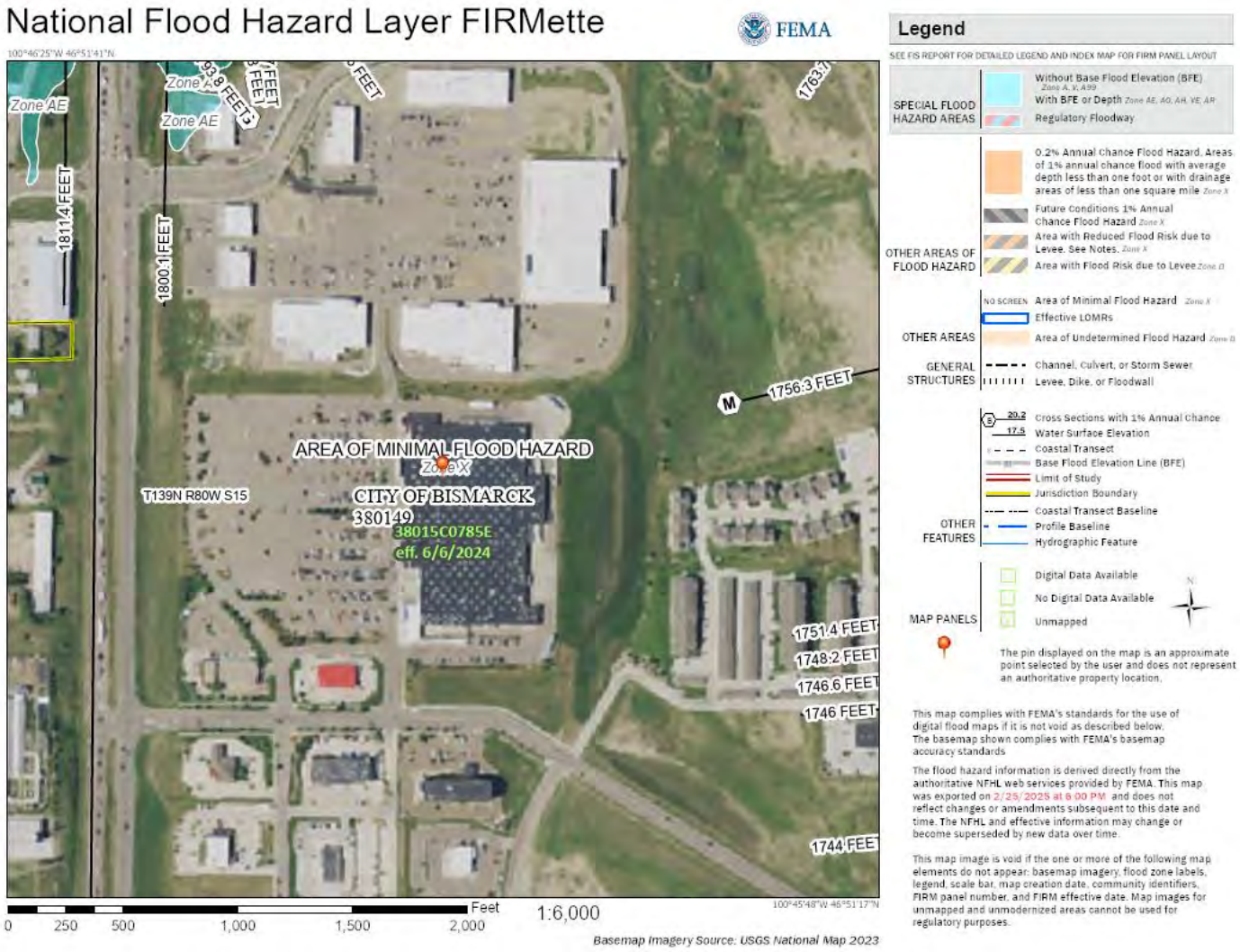


Source: Burleigh County GIS



Source: Recorded Plat Map

FLOOD MAP



Source: FEMA

ZONING

The subject is located in the Heavy Commercial District (CG) zoning area. According to the zoning ordinance, the CG, Heavy Commercial District is "a heavy commercial area located outside the central business district to provide commerce and service to the City of Bismarck and the surrounding regional market."

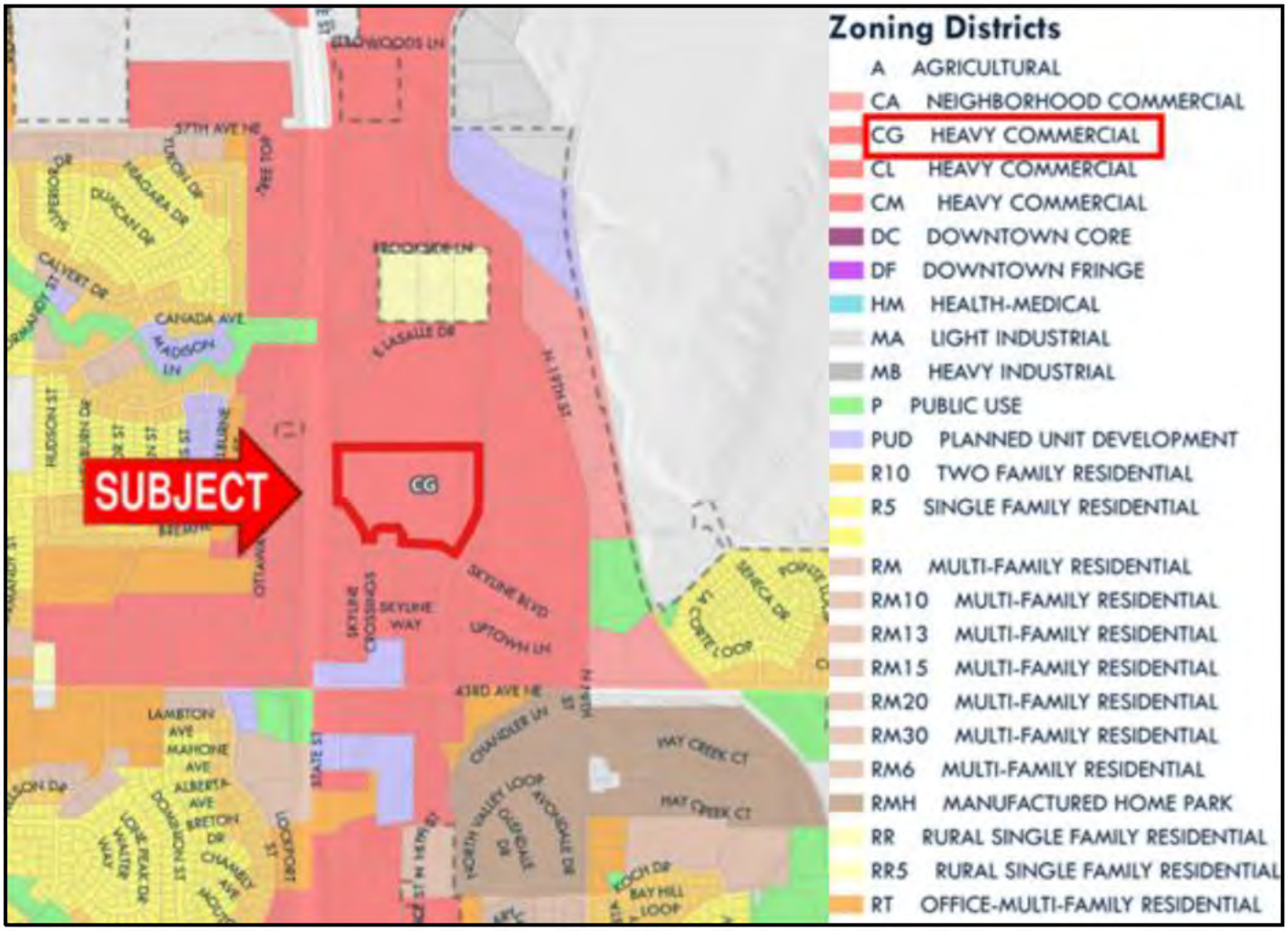
ZONING	
Designation	Heavy Commercial District (CG)
Zoning Authority	City of Bismarck
Permitted Uses	Single or two-family dwellings when used in conjunction with commercial uses; multi-family dwellings; group dwellings; multi-family high rises; hotels and motels; retail group A and B uses, which include department and grocery stores; office and bank uses; service group A and B uses, which include motor vehicle repair; commercial recreation; wholesale; health and medical uses; education; public recreation; railroad or passenger bus stations; commercial greenhouses; commercial parking lots; religious institutions; microbrew pubs; and domestic distilleries.
Prohibited Uses	Any not permitted by the zoning ordinance or allowed by conditional use permit.
Current Use	Big Box Retail
Current Use Legally Permitted	Yes
Conforming Use	The subject improvements and parking conform to the requirements of the zoning ordinance.
Conforming Lot	The subject site conforms to the requirements of the current zoning ordinance.
Zoning Change	Not Likely
Max Permitted Height	160
Max Permitted Floor Area Ratio (FAR)	None Stated
Maximum Building Area	80%
Parking Spaces Required	705 (one per 300 sq. ft. of GBA)
Parking Spaces Provided	1,058
Max Permitted Site Coverage	None Stated
Min Permitted Site Area (SF)	7,000
Min Permitted Lot Width (Feet)	60
Min Permitted Yard Setbacks	None Stated
Front (Feet)	50
Rear (Feet)	10
Side (Feet)	0

Source: City of Bismarck Planning & Zoning Department

Zoning Conclusion

The current use for the subject property is big box retail and is a permitted use based on the current zoning guidelines. A zoning change for the subject does not appear likely. Based on the foregoing, it appears that the subject's improvements are a legally conforming use of the subject site.

ZONING MAP



Source: City of Bismarck

IMPROVEMENT DESCRIPTION

The information presented below is a basic description of the existing improvements that is used in the valuation of the property. Reliance is placed on information provided by sources deemed dependable for this analysis. It is assumed that there are no hidden defects, and that all structural components are functional and operational, unless otherwise noted. If questions arise regarding the integrity of the improvements or their operational components, it may be necessary to consult additional professional resources.

OVERVIEW

The subject property, located at 1400 Skyline Blvd in Bismarck, ND, is a big box retail property with improvements located in the Burleigh County submarket of the Bismarck-Mandan metro area. The building was originally constructed in 2005 with the most recent update occurring in 2021. It contains a total of 211,641 sq. ft. of area. The interior fit-up is typical for similar properties, with an open retail floor plan, perimeter specialty departments or small sublet retail areas, and warehouse space with coolers and freezers. The property includes a garden center, auto repair bays, and a small liquor store with its own cooler. Site improvements include asphalt-surfaced parking and drives, marked parking for 1,058 vehicles, concrete curb, sidewalks, and landscaping islands. The property was considered to be in average condition for its age.

The appraised property is typical of big box stores of its age, with the retail space having polished concrete floors, exposed ceilings, strip fluorescent lighting, and skylights. There are a few small areas at the front of the store that are either used for owner-occupancy specialty space (e.g., the Vision Center) or subleased. These areas are similarly fitted up with polished concrete floors and acoustical tile ceiling. The garden center and auto repair spaces have open ceilings, concrete floors, and space heaters. There is air conditioning in the auto retail and service counter area and by the garden center check-out lanes. The auto repair bays have two below-grade pits for quick lube oil changes.

The warehouse areas are fully heated and air-conditioned, and they have concrete floors and exposed ceilings. There are supplemental space heaters by the overhead doors. The employee areas consist of a break room, training room, some small office areas, and a reflection room. These spaces have concrete flooring and acoustic tile ceilings. The break room has a sink, some countertop appliances, multiple refrigerators, and vending machines.

The subject property has been either owner-occupied or master leased to an entity related to the property owner since it was built. The appraisal analysis values the fee simple interest of the subject as of the valuation dates; therefore, market rent forms the basis of the income analysis.

Property Type	Retail - Big Box Retail
Tenancy	Single-Tenant Owner-Occupied
Net Rentable Area (NRA)	211,641
Gross Building Area (GBA)	211,641
Total Buildings	1
Floors	1
Year Built	2005; Renovated: 2021
Age/Life Analysis	
Actual Age	20
Effective Age	15
Economic Life	40
Remaining Useful Life	25
Overall Building Quality	Average
Overall Building Condition	Average
Overall Building Appeal	Average
Land to Building Ratio	5.66 : 1
Site Coverage Ratio	17.68% (Based On Total Overall Site Area)
Floor Area Ratio (FAR)	0.18
Total Parking Spaces	1058 - Surface spaces
Parking Ratio	5.0 / 1,000 SF NRA

COMPONENT DESCRIPTION

Foundation	Concrete Slab
Exterior Walls/Framing	Concrete block with decorative block exterior
Roof	Flat
Elevator	N/A
Heating & AC (HVAC)	Rooftop mounted central HVAC for the main building; space heaters in the auto service bays and garden center.
Insulation	Assumed standard and to code.
Lighting	Fluorescent with skylights
Electrical	Assumed adequate and to code
Interior Walls	Painted drywall
Doors and Windows	Standard commercial glass in aluminum frame
Ceilings	Open in most areas; acoustical tile in office, bathrooms, and employee-only areas
Plumbing	Assumed standard and to code.

Floor Covering	Polished concrete in the retail area; unpolished concrete in the warehouse, garden center, and auto service bays; and tile in the restroom and food preparation areas.
Fire Protection	Wet fire sprinkler system
Interior Finish/Build-Out	Typical of big box retail spaces with concrete floors, open ceilings with skylights, and perimeter specialty departments. Restrooms and food preparation areas have tile flooring, while the back offices have acousitcal tile ceilings.
Site Improvements	Asphalt parking and drives; concrete curbs and sidewalks; concrete truck loading areas; minimal landscaping.
Landscaping	Low maintenance shrubs and grass.
Signage	On building and a pylon sign at the corner of State Street and Skyline Blvd
Parking	Parking varies by use but is typically expressed as a number of spaces per 1,000 sq. ft. of building area. The appraised property has 1,058 parking spots, providing a parking ration of 5.0. This within the typical range for this property type (3 to 5 spaces per 1,000 sq. ft. of building area)
Site Coverage Ratio	17.7% (211,641 sq. ft. footprint / 1,196,905 sq. ft. site).
Deferred Maintenance	None noted
Functional Design	The building features a functional Big Box Retail design with typical site coverage and adequate off-street parking.
ADA Comment	This analysis assumes that the subject complies with all ADA requirements. Please refer to the Assumptions and Limiting Conditions section.
Hazardous Materials	A Phase I report was not provided. This appraisal assumes that the improvements are constructed free of all hazardous waste and toxic materials, including (but not limited to) unseen asbestos and mold. Please refer to the Assumptions and Limiting Conditions section regarding this issue.

MARKET ANALYSIS

In this section, market conditions which influence the subject property are analyzed. An overview of Retail supply and demand conditions for the Bismarck MSA market and Burleigh County submarket are presented. Key supply and demand statistics for the most recent quarter, last year and historical averages over the past 10 years are summarized in the tables below.

RETAIL MARKET AND SUBMARKET DATA SUMMARY (10 YEARS)

		INVENTORY SUPPLY (SF)		VACANCY (%)	
QTR	YEAR	MARKET	SUBMARKET	MARKET	SUBMARKET
Q4	2024	8,168,048	7,100,351	3.3%	3.8%
Q3	2024	8,168,048	7,100,351	3.5%	3.9%
Q2	2024	8,168,048	7,100,351	4.0%	4.5%
Q1	2024	8,164,298	7,096,601	4.1%	4.6%
	2023	8,138,976	7,071,279	4.4%	4.7%
	2022	8,138,976	7,071,279	5.1%	5.0%
	2021	8,024,403	6,965,732	3.8%	3.5%
	2020	7,982,087	6,927,751	6.0%	6.2%
	2019	7,949,661	6,906,951	3.4%	3.1%
	2018	7,888,030	6,862,146	3.1%	2.8%
	2017	7,788,826	6,762,942	3.2%	2.9%
	2016	7,738,171	6,715,202	3.6%	3.1%
	2015	7,482,592	6,494,123	1.8%	2.0%
		RENT $/SF		NET ABSORPTION (SF)	
QTR	YEAR	MARKET	SUBMARKET	MARKET	SUBMARKET
Q4	2024	$15.14	$15.17	10,548	8,416
Q3	2024	$15.84	$15.93	40,839	39,589
Q2	2024	$15.99	$16.08	16,309	14,830
Q1	2024	$15.91	$15.99	28,351	31,080
	2023	$15.84	$16.36	74,454	16,542
	2022	$10.80	$11.52	2,217	(2,579)
	2021	$11.16	$11.52	220,833	225,774
	2020	$10.75	$11.09	(175,984)	(193,847)
	2019	$12.69	$14.58	38,234	23,085
	2018	$15.57	$17.85	97,145	99,981
	2017	$15.03	$17.01	84,363	61,899
	2016	$13.05	$14.54	113,267	145,019
	2015	$12.41	$14.26	214,424	215,757

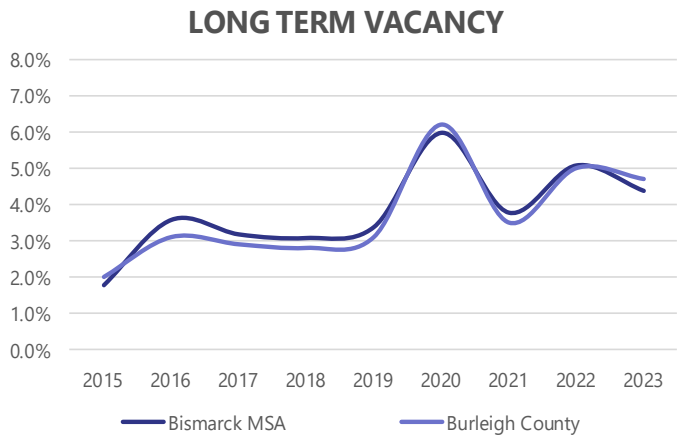
Source: CoStar Property®

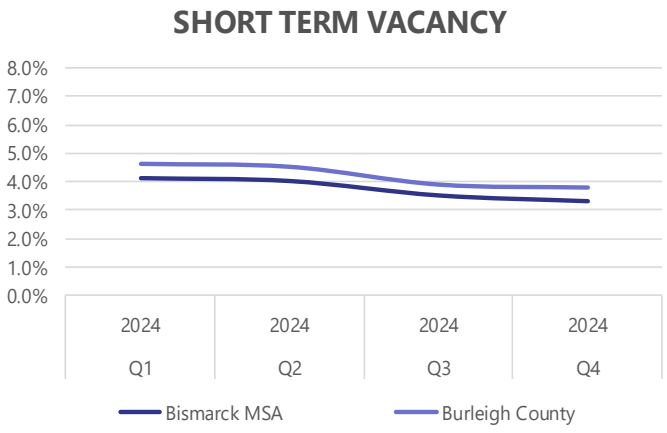
The Bismarck MSA Retail market demonstrates stable conditions. Supply grew by about 9% over the last decade and has remained unchanged over the last three quarters. Vacancy rates been quite variable, ranging between 1.8% in 2015 and 6.0% in 2020. Vacancy for 2024 has been more stable, with rates declining from 4.1% in Q1 to 3.3% in Q4. Market rent has also fluctuated over the last decade, swinging from $10.80/sq. ft. in 2022 to $15.57 in 2018. Q2 2024 had the highest reported market rent at $15.99. Rents have since cooled and are currently at $15.14 for Q4. Net absorption has been largely positive, with 2020 showing the only negative net absorption since 2015.

The Burleigh County Retail submarket makes up about 87% of the metro market area and drives the trends for the wider market. Supply has grown steadily since 2015, increasing 9.33% over the past decade. Vacancy rates ranged between 2.0% and 6.2%, generally staying close to the vacancy trends for the overall metro market. Market rents for this submarket are generally higher than for the overall market and have been as much as $2.28 higher. Rents for Q4 2024 are nearly identical between the Burleigh County submarket and the broader Bismarck-Mandan market. Net absorption has been positive since 2015, with 2020 and 2022 showing negative net absorption.

VACANCY

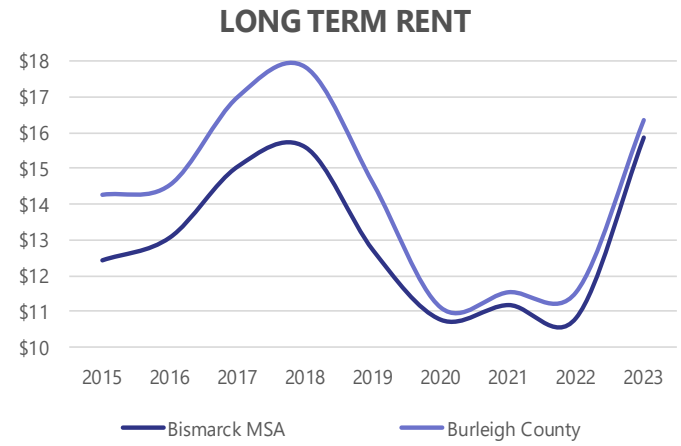
The following tables provide visual illustration of the long term and short term Retail vacancy for the Bismarck MSA market and Burleigh County submarket.

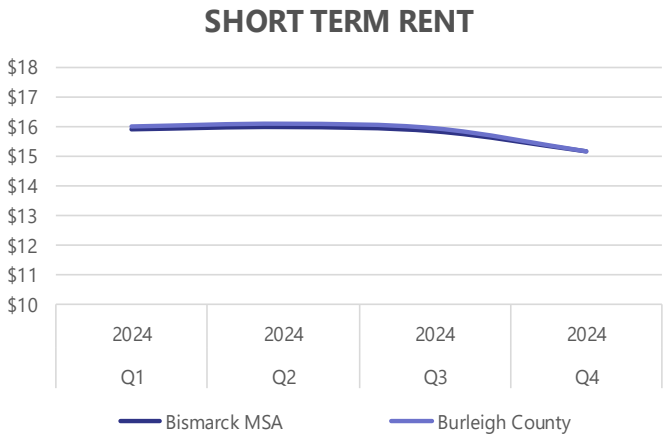




RENTAL RATES

The following tables provide a visual illustration of rental Retail trends for the Bismarck MSA market and Burleigh County submarket in the short and long term:





DELIVERIES

The following tables provides the recently delivered and under construction Retail supply for the Bismarck MSA market and Burleigh County submarket:

DELIVERIES (SF)					
QTR	YEAR	MARKET	% OF TOTAL	SUBMARKET	% OF TOTAL
Q4	2024	0	0.0%	0	0.0%
Q3	2024	0	0.0%	0	0.0%
Q2	2024	3,750	0.0%	3,750	0.1%
Q1	2024	8,174	0.1%	8,174	0.1%
	2023	17,148	0.2%	17,148	0.2%
	2022	114,573	1.4%	105,547	1.5%
	2021	42,316	0.5%	37,981	0.5%
	2020	32,426	0.4%	20,800	0.3%
	2019	61,631	0.8%	44,805	0.6%

UNDER CONSTRUCTION (SF)					
QTR	YEAR	MARKET	BUILDINGS	SUBMARKET	BUILDINGS
Q4	2024	200,000	1	200,000	1
Q4	2023	17,107	3	17,107	3
Q4	2022	91,047	3	91,047	3
Q4	2021	110,380	3	110,380	3
Q4	2020	39,046	5	27,420	3

CONCLUSION

Overall, investors would recognize these general retail conditions and the subject's positioning in the immediate market area as having a positive overall influence when contemplating purchase of the subject. While vacancy rates have been variable, the market overall has shown recovery and growth since the 2020 pandemic. The outlook for the market is one of continued moderate growth.

SUBJECT PROPERTY ANALYSIS

The subject property, located at 1400 Skyline Blvd in Bismarck, ND, is a big box retail property with improvements located in the Burleigh County submarket of the Bismarck-Mandan metro area. The building was originally constructed in 2005 with the most recent update occurring in 2021. It contains a total of 211,641 sq. ft. of area. The interior fit-up is typical for similar properties, with an open retail floor plan, perimeter specialty departments or small sublet retail areas, and warehouse space with coolers and freezers. The property includes a garden center, auto repair bays, and a small liquor store with its own cooler. Site improvements include asphalt-surfaced parking and drives, marked parking for 1,058 vehicles, concrete curb, sidewalks, and landscaping islands. The property was considered to be in average condition for its age.

The subject property has been either owner-occupied or master leased to an entity related to the property owner since it was built. The appraisal analysis values the fee simple interest of the subject as of the valuation dates; therefore, market rent forms the basis of the income analysis.

The subject has single-tenant design that is currently Owner-Occupied, and has an analyzed occupancy of 100.0%, which is above the stabilized occupancy level estimate of 90.0% developed in this appraisal. The property is a big box retail store, which tend to remain vacant longer than other types of retail occupancies. Based on our analysis of sales in the region (North Dakota, South Dakota, and outstate Minnesota), big box retail stores that are vacant are frequently converted to alternate uses, including multi-tenant retail and light industrial uses.

The market generally classifies the subject as a standard Retail investment property that if exposed to the open market would command average interest from local and regional buyers that are actively pursuing similar investment properties in the $5 Million to $15 Million price range. Currently there is average buyer demand, while there is limited availability for this property type on the supply side.

Based on the above factors the subject is considered to have average investment appeal. Further, the subject is considered to have average overall tenant appeal with a typical competitive position for attracting and retaining tenants.

The following SWOT Analysis chart summarizes the major property strengths and weaknesses while outlining potential opportunities or threats to the subject's competitive position and overall marketability.

STRENGTHS, WEAKNESSES, OPPORTUNITIES & THREATS

STRENGTHS	WEAKNESSES
Location along major arterial in growing commercial area	Limited ability to absorb the property if the current occupant were to vacate
OPPORTUNITIES	**THREATS**
	Continued market uncertainty due to political and global upheaval.

HIGHEST & BEST USE

The highest and best use of the subject property provides the foundation for the valuation section. Highest and best use is defined in the 7th edition of *The Dictionary of Real Estate Appraisal* (Appraisal Institute, Chicago, 2022), as follows:

1. The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.
2. The use of an asset that maximizes its potential and that is possible, legally permissible, and financially feasible. The highest and best use may be for continuation of an asset's existing use or for some alternative use. This is determined by the use that a market participant would have in mind for the asset when formulating the price that it would be willing to bid.
3. The highest and most profitable use for which the property is adaptable and needed or likely to be needed in the reasonably near future.

Highest and best use analysis uses the following steps for the subject:

- Highest & Best Use As Vacant
- Determination of the ideal improvements
- Highest & Best Use As Improved
- Conclusion of the Highest & Best Use

The analysis of highest and best use can be thought of as the logical end of a spectrum of market analysis procedures, running from the macroeconomic overview of a general market study, through more detailed marketability studies and analyses of financial feasibility, to the formal analysis of highest and best use. In theory, the highest and best use is commonly described as that reasonable and most profitable use that will support its highest present value. The highest and best use, or most profitable use, must be legally permissible, physically possible, financially feasible, and maximally productive.

This section develops the highest and best use of the subject property As-Vacant and As Improved.

AS VACANT ANALYSIS

In this section the highest and best use of the subject as vacant is concluded after taking into consideration financial feasibility, maximal productivity, marketability, legal, and physical factors.

Legally Permissible

Private restrictions, zoning, building codes, historic district controls, and environmental regulations are considered, if applicable to the subject site. The legal factors influencing the highest and best use of the subject site are primarily government regulations such as zoning ordinances. Permitted uses of the subject's Heavy Commercial District (CG) include single or two-family dwellings when used in conjunction with commercial uses; multi-family dwellings; group dwellings; multi-family high rises; hotels and motels; retail group a and b uses, which include department and grocery stores; office and bank uses; service group a and b uses, which include motor vehicle repair; commercial recreation; wholesale; health and medical uses; education; public recreation; railroad or passenger bus stations; commercial greenhouses; commercial parking lots; religious institutions; microbrew pubs; and domestic distilleries. Zoning change is not likely; therefore, uses outside of those permitted by the CG zoning are not considered moving forward in the as-vacant analysis.

Physical Possible

The test of what is physically possible for the subject site considers physical and locational characteristics that influence its highest and best use. In terms of physical features, the subject site totals 27.4772 acres (1,196,905 sq. ft.). It is irregular in shape and has a level to sloping topography. The site has above average exposure and

average overall access. There are no physical limitations that would prohibit development of any of the by-right uses on the site.

Financial Feasibility

Based on observations of comparable big box retail building sales that have sold below replacement cost in the region, existing properties in the market area suffer from functional obsolescence. It would be difficult to justify/achieve rent sufficient to support new construction, as replacement cost is higher than current market values for retail properties of the subject's vintage in the market area. Thus, it appears that a newly developed speculative or multi-tenant retail use on the site would not have a value commensurate with its cost; therefore, speculative or multi-tenant retail use is not considered to be financially feasible at the present time.

It is noted that fewer space options exist for retail users looking to expand into newer, better quality space. In the current environment, it is not unusual to see owner-occupied or build-to-suit retail construction.

Owner occupants are often looking to expand, or have their own location, which makes owner-occupied retail development feasible. Therefore, owner-occupied retail use is considered to be financially feasible.

Maximum Productivity

There is only one use that creates value and at the same time conforms to the requirements of the first three tests. Financial feasibility, maximal productivity, marketability, legal, and physical factors have been considered and the highest and best use of the subject site as-vacant concluded to be: Primary commercial use that takes advantage of the frontage along State Street / US Highway 83. A variety of specific uses could meet this criteria, including big box retail.

AS IMPROVED ANALYSIS

The legal factors influencing the highest and best use of the subject property are primarily governmental regulations such as zoning and building codes. The subject's improvements were constructed in 2005 and are a legal, conforming use. The physical and location characteristics of the subject improvements have been previously discussed in this report. The project is of average quality construction and in average condition, with adequate site coverage and parking ratios. Therefore, the property as improved, meets the physical and location criteria as the highest and best use of the property.

In addition to legal and physical considerations, analysis of the subject property as-improved requires consideration of alternative uses. The five possible alternative treatments of the property are demolition (not warranted as the improvements contribute substantial value to the site), expansion (not warranted, no excess or surplus land), renovation (not warranted), conversion (possible), and continued use "as-is".

Of the six sales analyzed in the Sales Comparison Approach, five of the six sales were vacant at the time of the transaction, and four of them were purchased for conversion to another use. Several of the permissible uses in the CG District would be potential alternative uses for the property, were it to become vacant. Therefore we have concluded that the highest and best use of the appraised property, as improved, is continued use as a big box retailer. However, were the current occupant to vacate, conversion to an alternate use becomes likely.

MOST PROBABLE BUYER

Based on the type of property and the income generating potential of the improvements, it is our opinion that the most probable buyer for the subject would be an owner user.

SITE VALUATION

The site value is a specific scope requirement of this assignment. The estimate of vacant land value has been developed in accordance with the Cost Approach. Therefore, a valuation of the subject site has been provided herein.

COST APPROACH

The Cost Approach is a specific scope requirement of this assignment. The Cost Approach has limited applicability due to the age of the improvements and lack of market-based data to support an estimate of accrued depreciation. Further, investors typically place limited emphasis on this approach. However, based on the scope of work for this particular assignment, the Cost Approach has been presented, though given limited/no emphasis.

IMPROVED SALES COMPARISON APPROACH

The Sales Comparison Approach is a specific scope requirement of this assignment. Considering the applicability of this approach in relation to the subject property's characteristics, we consider the application of this approach to be warranted.

INCOME APPROACH

The Income Approach is a scope requirement for this assignment. The subject is an owner/user facility, however buyers and sellers of this property type will still attribute some or all emphasis on this valuation technique either as a primary indication or as a crosscheck on value. Therefore, the Income Approach is developed. The Direct Capitalization method is used in this analysis. The Discounted Cash Flow analysis does not contribute substantially to estimating value beyond the Direct Capitalization method and is not used in this analysis.

Based on the agreed upon scope with the client, the subject’s specific characteristics and the interest appraised, this appraisal developed Land Sales Comparison, Cost, Sales Comparison, and Income (Direct Capitalization) Approaches. The values presented represent the Retrospective Market Value (Fee Simple Estate)

The Valuation will be presented in the following order:

- Site Valuation
- Cost Approach
- Sales Comparison Approach
- Income Approach
- Reconciliation of Value Conclusions

This section values the subject site by comparing it with substitute land sales or listings within the local market area or in competitive areas throughout the region. Land value is influenced by a number of factors; most notably development and use potential. These factors, as well as others, are factored in the following analysis.

Unit of Comparison

The most relevant unit of comparison for competing retail land is the price per square foot of usable site size. All of the comparable sales presented in this section were reported on this basis.

Adjustments

Adjustments to the comparable sales were considered and made when warranted for expenditures after purchase, property rights transferred, conditions of sale, financing terms, balance of unpaid special assessments, and market conditions.

1. **Property Rights -** All of the sales comparables were fee simple sales reflecting the property rights appraised herein per the agreed upon scope of work.
2. **Financing -** The sales all reflected typical cash equivalent, lender-financed transactions, and no adjustments were required for financing terms.
3. **Sale Conditions –** Sales 1 through 4 reflect completed transactions that did not require any adjustments. Sale 5 is a listing that has been on the market for an extended period of time. Two of the comparable land sales had original list prices available, which indicated that the final sale price was about 50% of the list price. We have utilized a downward 30% adjustment to reflect the typical list price to sale price adjustment.
4. **Balance of Special Assessments –** It is customary in the local market for buyers to assume the unpaid balance of special assessments, which are levied against properties for construction and maintenance of public infrastructure. Sale 2 and 5 had unpaid special assessment balances, which were added to the sale price.
5. **Expenditures After Sale -** Expenses that the buyer incurs after purchase (demolition, cleanup costs, etc.). Sales 1, 2, and 5 had no reported expenditures after sale, indicating that no adjustments are required. Sale 3 is currently under-improved with a pole storage building. We have estimated the cost to remove the building and treated it as an expenditure after sale adjustment. The buyer of Sale 4 agreed to take on $2.0 million of the estimated $4.1 million to install public streets and infrastructure. We have adjusted the sale price to account for this expenditure.
6. **Market Conditions (Time) –** List prices and sale prices have remained relatively steady in the market over the last few years. Sale 6 has been on the market since 2018, when it was originally listed for $11/sq. ft. According to the broker, the current list price is $13/sq. ft. We have utilized a nominal 1% upward adjustment to reflect changing market conditions over time.

Comparable Selection

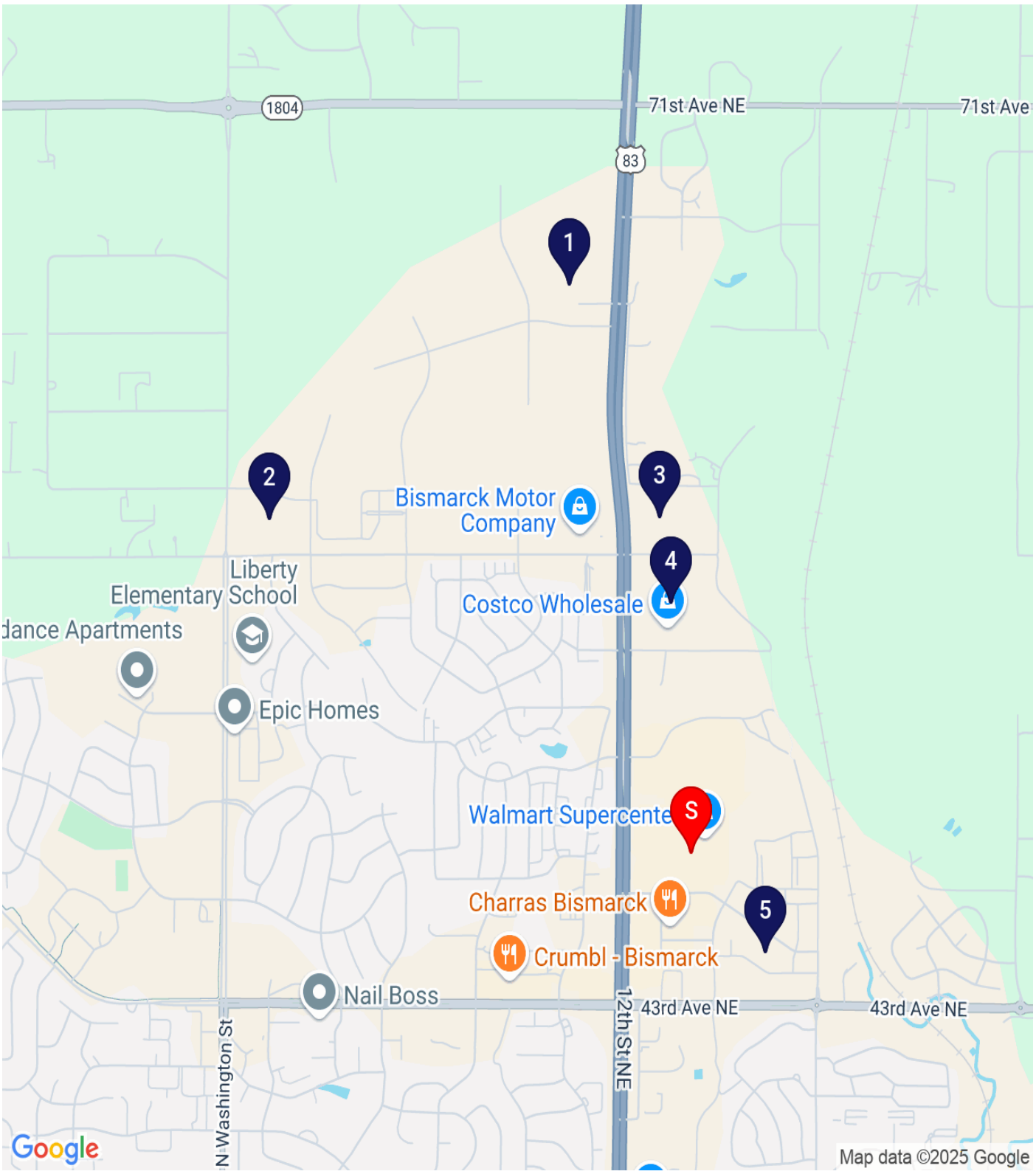
A thorough search was made for similar land sales in the area. The parameters of the survey were highest and best use, zoning, proximity to the subject, size, and date of sale. In selecting comparables, emphasis was placed on confirming recent sales of sites that are similar to the subject property in terms of location and physical characteristics. Overall, the sales used represent the best comparables available for this analysis.

Presentation

The following Land Sales Comparison Table, location map and exhibits summarize the sales data. Following these items, the sales are adjusted for applicable elements of comparison and the site value is concluded.

LAND SALES COMPARISON TABLE

	SUBJECT	COMP 1		COMP 2		COMP 3		COMP 4		COMP 5	
Name	Walmart	Fleet Farm Land		Greenfield Land		Elbowood Land		Costco Land		Skyline Land	
Address	1400 Skyline Blvd	1025 64th Ave NE		107 Greenfield Ln E		1301 Elbowood Ln		1325 57th Ave NE		1619 Skyline Blvd	
City	Bismarck	Bismarck		Bismarck		Bismarck		Bismarck		Bismarck	
State	ND	ND		ND		ND		ND		ND	
Zip	58503	58503		58503		58503		58503		58503	
County	Burleigh	Burleigh		Burleigh		Burleigh		Burleigh		Burleigh	
Submarket	Burleigh County	Bismarck		Bismarck		Bismarck		Bismarck		Bismarck	
Parcel(s)	1454-001-001	2288-003-001		2285-001-001, 2285-001-100		31-139-80-2A-01-010		2282-001-001		See Sales Sheet	
SALE INFORMATION											
Transaction Price		$4,878,720		$4,624,239		$3,500,000		$3,900,000		$12,289,888	
Transaction Price $/SF		$7.05		$9.40		$8.64		$4.29		$13.00	
Property Rights [1]		Fee Simple		Fee Simple		Fee Simple		Fee Simple		-	
Financing [2]		Cash To Seller		Cash To Seller		Cash To Seller		Conventional		-	
Sale Conditions [3]		Arm's Length		Arm's Length		Assemblage		Arm's Length		Listing	(30%)
Balance of Special Assessments [4]		-		$198,497	4.3%					$70,717	0.6%
Expenditures After Sale [5]						$10,000	0.3%	$2,000,000	51.3%		
Market Conditions [6]		11/22/2022	2.2%	6/10/2022	2.6%	4/27/2022	2.8%	8/21/2019	5.5%	-	
Sale Status		Recorded		Recorded		Recorded		Recorded		Listing	
Recording Number		Warranty Deed #950499		Warranty Deed #943659		Warranty Deed #942277		Warranty Deeds #890019 & #3890018		-	
Marketing Status		-		Open Market		Open Market		Open Market		-	
Marketing Period (Months)		-		28.1 Months		-		28.6 Months		-	
Total Transactional Adjustments		$0.15	2%	$0.66	7%	$0.26	3%	$2.55	59%	($3.85)	(30%)
Adjusted $/SF		**$7.20**		**$10.06**		**$8.90**		**$6.84**		**$9.15**	
PHYSICAL INFORMATION											
Sq. Ft. (Usable)	1,196,905	692,369		491,979		405,108		909,281		945,376	
Acres	27.48	15.8946	(12.5%)	11.2943	(17.5%)	9.3000	(17.5%)	20.8742	(7.5%)	21.7028	(7.5%)
Location	Average	Average		Below Average	5%	Average		Average		Average	
Exposure	Above Average	Average	5%	Average	5%	Above Average		Above Average		Average	5%
Shape	Irregular	Irregular		L-Shaped		Rectangular		Rectangular		Irregular	
Zoning	CG	CG		CA / RT		CG		CG		CG	
Topography	Level to Sloping	Level to Sloping		Level to Sloping		Level to Sloping		Level to Sloping		Sloping	
Vehicles/Day (Street)	16,450 (US Hwy 83 / State Street)	9,810 (38th St)		3,900 (Veterans Blvd)		16,150 (I-94) & 5,635 (23rd Ave)		15,510 (I-29)		9,810 (38th St)	
Other						Power Line Easement	5%				
Total Physical Adjustments		($0.54)	(8%)	($0.75)	(8%)	($1.11)	(13%)	($0.51)	(8%)	($0.23)	(3%)
Adjusted $/SF		**$6.66**		**$9.31**		**$7.79**		**$6.33**		**$8.92**	



COMPARABLE	LABEL	ADDRESS	MILES FROM SUBJECT
COMPARABLE 1	1	1025 64th Ave NE, Bismarck, ND, 58503	1.3
COMPARABLE 2	2	107 Greenfield Ln E, Bismarck, ND, 58503	1.3
COMPARABLE 3	3	1301 Elbowood Ln, Bismarck, ND, 58503	0.8
COMPARABLE 4	4	1325 57th Ave NE, Bismarck, ND, 58503	0.6
COMPARABLE 5	5	1619 Skyline Blvd, Bismarck, ND, 58503	0.3

Fleet Farm Land

Comparable 1

Sale Information

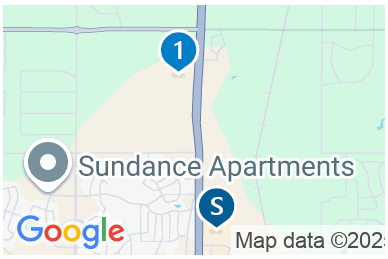
Buyer	Fleet Farm Group LLC	
Seller	Belfield Access Terminal LLC	
Sale Date	11/22/2022	
Transaction Status	Recorded	
Sale Price	$4,878,720	$7.05 /SF Land
Recording Number	Warranty Deed #950499	
Rights Transferred	Fee Simple	
Financing	Cash To Seller	
Conditions of Sale	Arm's Length	

Property

Land Area	15.8946 Acres (692,369 SF)
Number of Parcels	1
Zoning	CG
Shape	Irregular
Topography	Level to Sloping
Corner	Yes
Utilities	City Sewer & Water
Frontage	836' US Highway 83 / State Street



1025 64th Ave NE
Bismarck, ND 58503



County
Burleigh

Submarket
Bismarck

APN
2288-003-001

Confirmation

Date	3/26/2025

Remarks

Large parcel on the northern fringe of the community purchased for development with a Fleet Farm. There was no balance of special assessments at the time of sale, but $179,421 was levied after the start of construction. Verified by public records and media accounts.

Greenfield Land

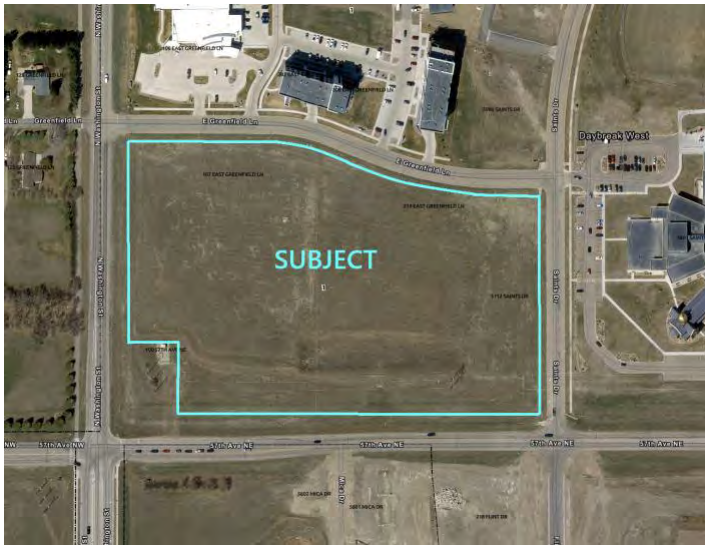
Comparable 2

Sale Information

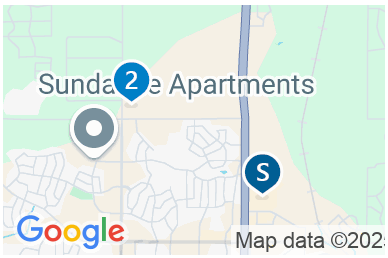
Buyer	Ortho Land Partners LLC	
Seller	57 North Investors LLP	
Sale Date	6/10/2022	
Transaction Status	Recorded	
Sale Price	$4,624,239	$9.40 /SF Land
Analysis Price	$4,822,736	$9.80 /SF Land
Recording Number	Warranty Deed #943659	
Rights Transferred	Fee Simple	
Financing	Cash To Seller	
Conditions of Sale	Arm's Length	
Marketing Time	842 days	

Property

Land Area	11.2943 Acres (491,979 SF)
Number of Parcels	2
Zoning	CA / RT
Shape	L-Shaped
Topography	Level to Sloping
Corner	Yes
Utilities	CIty Sewer & Water
Frontage	496' Washington Street N, 887' 57th Avenue NW



107 Greenfield Ln E
Bismarck, ND 58503



County
Burleigh

Submarket
Bismarck

APN
2285-001-001, 2285-001-100

Confirmation

Date	3/26/2025

Remarks

Vacant commercial parcels on the northern edge of the community. The western parcel is zoned RT, Office/Multi-Family Residential, while the eastern parcel is zoned for Neighborhood Commercial development. The southern portion of the site is affected by an overhead power line easement. The south 108 feet of the eastern parcel is also impacted by a storm water / drainage easement.

Sale price is $4,624,239, or $9.40/sq. ft. of usable site area. It is typical in the local market for the buyer to assume the unpaid balance of special assessments, which totaled $198,497 ($0.40/sq. ft. of usable site). The total analysis price is therefore $4,822,736. Verified by marketing materials and public records.

Elbowood Land

Comparable 3

Sale Information

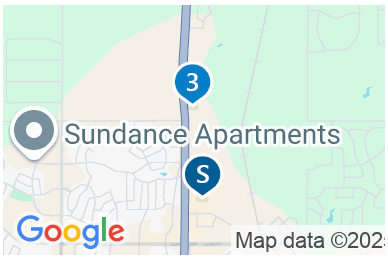
Buyer	Three Affiliated Tribes of the Fort Berthold Reservation	
Seller	Ronald and Ruth Knutson	
Sale Date	4/27/2022	
Transaction Status	Recorded	
Sale Price	$3,500,000	$8.64 /SF Land
Analysis Price	$3,510,000	$8.66 /SF Land
Recording Number	Warranty Deed #942277	
Rights Transferred	Fee Simple	
Financing	Cash To Seller	
Conditions of Sale	Assemblage	

Property

Land Area	9.3 Acres (405,108 SF)
Number of Parcels	1
Zoning	CG
Shape	Generally Rectangular
Topography	Level to Sloping
Corner	No
Utilities	City Utilities Stubbed In
Frontage	709' US Highway 83 / State Street



1301 Elbowood Ln
Bismarck, ND 58503



County
Burleigh

Submarket
Bismarck

APN
31-139-80-2A-01-010

Confirmation

Date	3/26/2022

Remarks

Commercial site at the corner of 57th Avenue NE and US Highway 83 / State Street. Underimproved with a 5,100 sq. ft. pole building. Site slopes downward from west to east, and a 125-foot power line easement runs diagonally across the site from the northwest to the southeast.

Property was purchased by the owner of the adjacent parcel, which is partially improved with a healthcare center. There were no unpaid special assessments at the time of sale. The analysis price includes the appraiser's estimate of demolition costs for the building. Originally listed for $15.00/sq. ft., or $6,076,620. Verified by marketing materials and public records.

Costco Land

Comparable 4

Sale Information

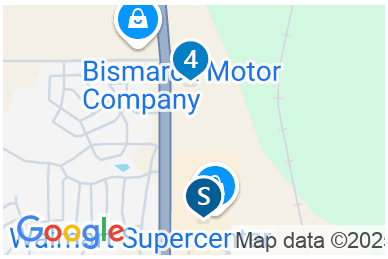
Buyer	Costco Wholesale Corporation	
Seller	Mapleton Investors LLP and TPR LLP	
Sale Date	8/21/2019	
Transaction Status	Recorded	
Sale Price	$3,900,000	$4.29 /SF Land
Analysis Price	$5,900,000	$6.49 /SF Land
Recording Number	Warranty Deeds #890019 & #3890018	
Rights Transferred	Fee Simple	
Financing	Conventional	
Conditions of Sale	Arm's Length	
Marketing Time	859 days	

Property

Land Area	20.8742 Acres (909,281 SF)
Number of Parcels	1
Zoning	CG
Shape	Rectangular
Topography	Level to Sloping
Corner	Yes
Utilities	City Sewer & Water
Frontage	1,011' US Highway 83 / State Street



1325 57th Ave NE
Bismarck, ND 58503



County
Burleigh

Submarket
Bismarck

APN
2282-001-001

Confirmation

Date	3/26/2025

Remarks

Vacant site at the corner of US Highway 83 / State Street and 57th Avenue NE. The northeastern corner is affected by a power line easement, and the frontage along State Street is impacted by a non-access easement.

Costco purchased two adjacent parcels for development with a new big box retails store. The cost of developing the roadways to serve the property was estimated at $4.1 million, with the city paying for $2.1 million and the buyer paying the remaining $2.0 million. The cost of the roads was added to the sale price for the analysis price. Originally listed for $15.00/sq. ft. Verified by marketing materials, media accounts, and public records.

Skyline Land

Comparable 5

Sale Information

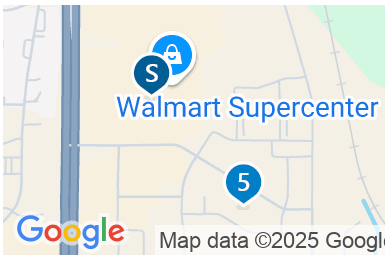
Transaction Status	Listing	
Sale Price	$12,289,888	$13 /SF Land
Analysis Price	$12,360,605	$13.07 /SF Land
Conditions of Sale	Listing	

Property

Land Area	21.7028 Acres (945,376 SF)
Number of Parcels	10
Zoning	CG
Shape	Irregular
Topography	Sloping
Corner	Yes
Utilities	City Sewer & Water
Frontage	1,320' 43rd Avenue NE



1619 Skyline Blvd
Bismarck, ND 58503



County
Burleigh

Submarket
Bismarck

APN
1466-001-100, 1466-001-050,
1466-001-002, 1466-001-450,
1466-001-400, 1466-001-350,
1466-001-300, 1466-001-251,
1466-001-200, 1466-001-150

Confirmation

Name	Mike Ilse
Company	Aspen Group
Phone Number	701-223-2450
Affiliation	Listing Broker
Date	3/26/2025

Remarks

Ten commercial lots for sale individually or together. Located one to two blocks east of US Highway 83 / State street. Site slops downward from west to east. Current list price is $13.00/sq. ft. and reflects all ten parcels as a package, per broker. It is customary in the local market for buyers to assume the balance of unpaid special assessments, which adds $70,717 to the analysis price.

The property has been on the market since June 2018 and was originally listed at $11.00/sq. ft.. Verified by public records, marketing materials, and listing broker.

Quantitative Adjustment Process

Quantitative percentage adjustments are also made for location and physical characteristics such as size, location quality, access, exposure, as well as other applicable elements of comparison. Where possible the adjustments applied are based on paired data or other statistical analysis. It should be stressed that the adjustments are subjective in nature and are meant to illustrate the logic in deriving a value opinion for the subject property by the Land Sales Comparison Approach.

Size

The typical market reaction to size is that as site size increases, the price per square foot decreases. All of the comparable sales were smaller than the subject property and warranted varying downward adjustments.

Location/Access/Exposure

The appraised property is located in a commercial growth area and has frontage along the major north-south thoroughfare of the community. Sale 1 is located on the norther fringe of the city, in an area with lesser traffic counts. Its overall location was considered to be similar, but it was adjusted upward for exposure. Sale 2 is situated to the west on a much less traveled street. It was adjusted upward for both location and exposure. Sales 3 and 4 are similar to the subject site in these two categories and were not adjusted. While Sale 5 is located in the same growing commercial area, it lacks frontage on US Highway 83 / State Street. It was adjusted upward for exposure.

Other

Sale 3 is impacted by a powerline easements that crosses the site from the northwest to the southeast. This will impact the layout of any improvements developed on the site. It was adjusted upward for this condition. While Sale 2 is also affected by a powerline and storm water easements, these are on the southern portion of the site, where parking is typically located. Because of the limited effect on potential improvements, no adjustment was made to Sale 2.

The sales were considered to be similar to the subject in most other aspects and were not given any further adjustments.

LAND VALUE CONCLUSION

The comparables indicate a unit value, based on a general bracketing analysis, between $6.33/sq. ft. and $9.31/sq. ft. Lesser weight was placed on Sale 6, due to its status as a listing. More weight was placed on Sales 1 and 5, given their development with similar big box retail properties. Based on the subject's overall locational and physical features, a unit value conclusion of $7.25/sq. ft. is supported. The following table summarizes the comparable land sales analysis and applies the unit value conclusion to the site area to provide an indication of the as-vacant land value. The subject's unpaid special assessment balance was then deducted, to provide the net value of the site.

LAND SALES COMPARISON APPROACH CONCLUSION (SF)

	TRANSACTION PRICE	ADJUSTMENT TRANSACTIONAL[1]	ADJUSTED	PROPERTY[2]	FINAL	NET ADJ	GROSS ADJ
1	$7.05	2%	$7.20	(8%)	$6.66	(6%)	20%
2	$9.40	7%	$10.06	(8%)	$9.31	(1%)	34%
3	$8.64	3%	$8.90	(13%)	$7.79	(10%)	26%
4	$4.29	59%	$6.84	(8%)	$6.33	48%	64%
5	$13.00	(30%)	$9.15	(3%)	$8.92	(31%)	43%
HIGH	*$13.00*	*59%*	*$10.06*	*(3%)*	*$9.31*	*48%*	*64%*
AVG	*$8.48*	*8%*	*$8.43*	*(8%)*	*$7.80*	*(0%)*	*37%*
MED	*$8.64*	*3%*	*$8.90*	*(8%)*	*$7.79*	*(6%)*	*34%*
LOW	*$4.29*	*(30%)*	*$6.84*	*(13%)*	*$6.33*	*(31%)*	*20%*

	SUBJECT SF		$/SF		VALUE
Total Land Area	1,196,905	x	$7.25	=	$8,677,561
INDICATED VALUE (ROUNDED TO NEAREST $10,000)			$7.25		$8,680,000
Less Balance of Unpaid Special Assessments			($0.00)		($5,270)
INDICATED VALUE (ROUNDED TO NEAREST $10,000)			$7.24	=	$8,670,000

[1]Cumulative [2]Additive

This approach is based on the principle of substitution, using the cost to construct a similar property as a reasonable alternative. Unless stated otherwise, the subject value is estimated based on a replacement cost analysis, which is consistent with this principle and defined by the 14th Edition of the Appraisal of Real Estate as: *The estimated cost to construct, at current prices as of the effective appraisal date, a substitute for the building being appraised, using modern materials and current standards, design, and layout.* The elements of cost are addressed in this section.

Cost Estimates

To estimate the improvement cost for the subject, the *Marshall Valuation Service* cost manual was used.

Marshall & Swift® Valuation Service (MVS)

The estimated cost to construct a similar facility includes construction materials, labor, construction interest, permits, average government fees, average architect's and engineering fees, sales tax, and contractor's overhead and profit.

Direct Costs

Direct costs are expenditures for labor and materials used in the construction of improvements (also called hard costs). Examples include building permits, materials, labor, equipment, security, temporary structures and storage facilities, transportation costs, utility installation and service costs, contractor's profit and overhead and performance bonds[2].

The following table indicates *direct costs* for the subject based on the *Marshall Valuation Service*. These costs include structural improvements, site grading and preparation, landscaping and street improvements. The appraised property was considered to have three separate sections for estimating replacement cost. The majority of the appraised building is considered to be most similar to Warehouse Discount Stores, with the grocery and liquor store sections most comparable to Warehouse Food Stores in MVS. The quality of the building falls between good (exterior and mechanical improvements) and average (interior fit-up). We used a blended rate that reflects the quality of the appraised property and the approximate division of space.

The auto repair center is most consistent with mini-lube space. The mechanicals and exterior were considered to be good quality, while the interior fit-up was more typical of low-cost. A blended rate was used t estimated the cost of this space. The garden center was best described by warehouse shell.

Both sections of the appraised property required adjustments to reflect the heating and cooling systems demanded by its location in an extreme climate as well as for the fire sprinkler system in the main building. Standard adjustments for building height and floor area multipliers were also applied, along with current and local cost multipliers. The table on the following page relates the cost calculations.

MVS DIRECT BUILDING COSTS				
BUILDING	1	2	3	TOTAL
Description	Main Building Whse Discount / Whse Food Store	Garden Center Warehouse Shell	Auto Center Mini-Lube	
MVS Building Type				
Number of Stories	1	1	1	
Height Per Story (Feet)	15.67 - 19.83	15.43 - 21.67	16.25	
MVS Section/Page	13/28 & 29	14/35	14/33	
Building Class	C	C	C	
MVS Publication Date	5/1/2024	2/1/2024	2/1/2024	
Quality Rating	Average	Average	Average	
BASE COST / SQUARE FOOT				
Component GBA SF	193,083	10,382	8,176	211,641
MVS Base Cost $/SF	$93.63	$51.00	$157.66	
SQUARE FOOT REFINEMENTS				
Heating and Cooling	$6.55	$8.11	$1.49	
Sprinklers	$3.09	$0.00	$0.00	
Elevators	$0.00	$0.00	$0.00	
Other	$0.00	$0.00	$0.00	
Subtotal $/SF	$103.27	$59.11	$159.15	
HEIGHT & SIZE REFINEMENTS				
Number of Stories Multiplier	1.000	1.000	1.000	
Height Per Story Multiplier	1.138	1.124	1.047	
Floor Area Multiplier	0.801	1.012	0.984	
Subtotal $/SF	$94.13	$67.24	$163.96	
COST MULTIPLIERS				
Current Cost Multiplier	1.000	0.990	0.990	
Local Area Multiplier	1.000	1.000	1.000	
Subtotal $/SF	$94.13	$66.56	$162.32	
DIRECT BUILDING COSTS MARSHALL VALUATION SERVICES				
Direct Building Cost Total	$18,175,777	$691,073	$1,327,164	$20,194,014
DIRECT BUILDING COSTS TOTAL	$18,175,777	$691,073	$1,327,164	$20,194,014
DIRECT BUILDING COSTS TOTAL $/SF	$94.13	$66.56	$162.32	$95.42

Indirect Costs

These costs are expenditures for items other than labor and materials that are necessary for construction but that are not typically part of the construction contract (also known as soft costs). Indirect costs represent (a) real property taxes (and direct assessments, if any), (b) professional fees, (c) permanent financing fees, (d) insurance expenses, (e) lease-up costs, (f) marketing and (g) contractor's overhead/contingency. Indirect costs in the market for similar commercial projects range 5% to 20%. Due to the subject's building size and owner-occupied use, indirect costs of 5.0% were applied.

It is noted that the MSV base cost figures include some of these items including professional fees, construction financing, site preparation and contractor's overhead/contingency. Therefore, these items are not included in our indirect cost estimate in the chart below.

MVS INDIRECT BUILDING COSTS				
BUILDING	**1**	**2**	**3**	**TOTAL**
Direct Building Costs Total	$18,175,777	$691,073	$1,327,164	$20,194,014
Indirect Costs (Est.) 5.0% of Direct Building Costs	$908,789	$34,554	$66,358	$1,009,701
INDIRECT BUILDING COSTS TOTAL	$908,789	$34,554	$66,358	$1,009,701
INDIRECT BUILDING COSTS TOTAL $/SF	$4.71	$3.33	$8.12	$4.77

MARSHALL VALUATION SERVICE CONCLUSION

Entrepreneurial profit and overhead compensates the developer for project risk and management. It is unlikely that a developer would proceed with a development unless adequate profit is available to justify the effort. Based on information provided by developers of similar commercial projects, profit is typically based on a percentage of the replacement costs and land value, generally 5% to 15%, depending upon project size, location, and marketability. Due to the subject's size and owner-occupied use, an entrepreneurial profit and overhead allocation of 5% of the improvements was utilized. The total improvement cost new as estimated through *Marshall Valuation Service* is summarized below.

MVS DIRECT & INDIRECT BUILDING COSTS				
BUILDING	**1**	**2**	**3**	**TOTAL**
Direct Building Costs Total	$18,175,777	$691,073	$1,327,164	$20,194,014
Indirect Building Costs Total	$908,789	$34,554	$66,358	$1,009,701
FINAL MVS BUILDING RCN TOTAL	$19,084,566	$725,627	$1,393,522	$21,203,715
FINAL MVS BUILDING RCN TOTAL $/SF	$98.84	$69.89	$170.44	$100.19

BUILDING REPLACEMENT COST NEW CONCLUSION

The Marshall-Swift Valuation Service cost estimate was relied upon for replacement cost new.

BUILDING REPLACEMENT COST NEW				
Marshall Valuation Services			$100.19	$21,203,715
CONCLUDED BUILDING REPLACEMENT COST NEW				
Marshall Valuation Services			$100.19	$21,203,715
ENTREPRENEURIAL PROFIT				
Entrepreneurial Profit Total	5%	of Total Direct + Indirect Building Cost	$5.01	$1,060,186
CONCLUDED BUILDING REPLACEMENT COST NEW				
CONCLUDED BUILDING REPLACEMENT COST NEW TOTAL			$105.20	$22,263,901

BUILDING DEPRECIATION

Long Live - Incurable

From the replacement cost new, a dollar amount of depreciation may be deducted. There are three types of depreciation: physical, functional and economic. Physical depreciation is the result of physical wear and tear on the improvements. Functional obsolescence is the result of design or physical problems which reduce the income-producing ability or desirability of the subject property. Economic obsolescence is the result of outside influences (economic and neighborhood) which decrease the value of the property. The subject improvements are existing improvements and physical depreciation is applied.

An additional adjustment was made for functional obsolescence. Purchasers and new tenants in vacant big box retail stores typically invest in renovations and improvements to adapt the property from its old branding and occupant needs to the requirements of the new occupancy. Based on our review of comparable market leases in the region, tenant improvement allowances of $10.00/sq. ft. appear to be typical when a new tenant occupies a vacant big box retail property. A functional obsolescence adjustment of $10.00/sq. ft. was utilized.

An adjustment for external obsolescence, due to the rising cost of construction, was considered. Based on the estimates in MVS, construction costs have risen 33% over the last four years. Sale prices and rental rates have failed to keep pace. Based on these factors, a 15% external obsolescence adjustment was applied to both the building and site improvement cost estimates.

We undertook a deeper analysis of three of the sales utilized in the Sales Comparison Approach, as well as two larger former Walmart / Sam's Club properties that recently sold in the Minneapolis-St. Paul metro area. These sales were included because of their similarity of age and size to the appraised property and their similar former uses.

A cost analysis was performed for each property, using the MVS that was in effect as of the date of sale. We used the most relevant category in MVS to estimate the base costs, modified by the costs for heating and cooling system; fire sprinkler systems; wall height; perimeter to floor area ratios; current cost multipliers, and local cost multipliers. Similar techniques were used to estimate the cost of site improvements. Physical depreciation, functional obsolescence, and any external obsolescence due to the rising cost of construction vs. sale prices and rental rates were also applied. It should be noted that the Federal Reserve did not begin to increase interest rates until March 2022. We then added the estimated land value to find the total depreciated cost of each sale. The assessor's land value at the time of the sale was used for most properties. We found that the city assessor for Grand Forks undervalued the land for that property; we have applied our estimate of site value to that sale for this analysis.

The table below reveals a clear pattern to the sales. Newer properties have a 45% to 56% discount between their estimated cost and their sale price. As properties age, the amount of external obsolescence decreases as the amount of physical obsolescence increases. The two oldest buildings sold very near their estimated cost. This indicates that by the time a property reaches an effective age of about 25 years, external obsolescence is no longer a factor, with the exception of any adjustment needed for the inflation of construction costs relative to increases in sale prices and rents.

SALE PRICE VS. ESTIMATED DEPRECIATED COST

Property	Former Wal-Mart	Former JC Penney's	Former Sam's Club	Former Camping World	Runnings
Address	1200 Shingle Creek Xing	2352 Glory Rd	3745 Louisiana Ave S	14275 Edgewood Dr N	1508 Washington St N
City	Brooklyn Center	Baxter	Saint Louis Park	Baxter	Grand Forks
State	MN	MN	MN	MN	ND
NRA	181,943	83,605	150,637	121,397	95,483
Year Built	2011	2007	2006	1990	1988
Sale Date	12/28/2023	6/14/2022	1/29/2021	11/18/2024	9/4/2024
Sale Price	$8,200,000	$3,600,000	$9,085,000	$7,000,000	$4,514,000
Sale Price/Sq. Ft.	$45.07	$43.06	$60.31	$57.66	$47.28
Estimated Building Costs	$19,993,919	$11,602,959	$13,807,439	$12,536,329	$9,984,251
Estimated Site Improvements Cost	$1,776,965.40	$758,252.13	$1,368,998.51	$1,328,607.59	$737,084.65
Total Estimated Costs	$21,770,883.93	$12,361,211.51	$15,176,437.31	$13,864,936.11	$10,721,335.79
Total Physical Depreciation	($6,886,658)	($4,730,236)	($5,862,289)	($8,499,509)	($7,357,518)
Total Funciontal Depreciation	($1,819,430)	($836,050)	($1,506,370)	($1,213,970)	($954,830)
Total External Depreciation (Inflati	($1,577,271)	($801,010)	$0	($904,460)	($559,854)
Total Depreciation	($10,283,359)	($6,367,296)	($7,368,659)	($10,617,939)	($8,872,202)
Estimated Land Value	$4,715,000	$1,788,400	$8,485,000	$3,722,000	$2,249,118
Total Depreciated Cost	$16,202,524.83	$7,782,315.50	$16,292,778.51	$6,968,997.37	$4,098,251.67
Total Depreciated Cost / Sq. Ft.	$89.05	$93.08	$108.16	$57.41	$42.92
Sale Price as % of Cost	50.61%	46.26%	55.76%	100.44%	110.14%

Based on the age and condition of the appraised property, we an additional 25% external obsolescence adjustment for the realities of the big box retail market. The total external obsolescence adjustment is 40%.

BUILDING DEPRECIATION SUMMARY		
Replacement Cost New Total		$22,263,901
AGE/LIFE DEPRECIATION (INCURABLE LONG LIVED)		
Year Built	2005	
Actual Age of Building	20 Years	
Effective Age of Building	15 Years	
Economic Life of Building	40 Years	
Remaining Economic Life of Building	25 Years	
Percent Depreciated	37.5%	
Age/Life Depreciation Total	($8,348,963)	
Physical Deterioration Subtotal		($8,348,963)
Functional Obsolescence Subtotal		($2,116,410)
External Obsolescence Subtotal		($5,565,975)
FINAL DEPRECIATED BUILDING REPLACEMENT COST		
FINAL DEPRECIATED BUILDING REPLACEMENT COST TOTAL	**$29.45**	**$6,232,553**

Site Improvements

SITE IMPROVEMENTS				
ITEMS	**UNITS**	**$/UNIT OF MEASURE**		**TOTAL**
Concrete Paving	62,625 SF	$6.42		$402,053
Asphalt Parking Lot	1,058 Spaces	$1,429		$1,511,750
Direct Replacement Cost				$1,913,802
Indirect Replacement Cost 5%			$0.10	$95,690
Direct & Indirect Replacement Cost New Subtotal				$2,009,492
Entrepreneurial Profit Total 5% of Total Direct & Indirect Improvement Cost			$0.10	$100,475
FINAL SITE IMPROVEMENTS REPLACEMENT COST NEW				
FINAL SITE IMPROVEMENTS REPLACEMENT COST NEW TOTAL			**$2.14**	**$2,109,967**

Site Improvements Depreciation

SITE IMPROVEMENTS DEPRECIATION ANALYSIS		
Site Improvements Replacement Cost New		$2,109,967
Physical Deterioration Subtotal		($1,054,983)
External Obsolescence Subtotal		($316,495)
FINAL DEPRECIATED SITE IMPROVEMENTS REPLACEMENT COST		
FINAL DEPRECIATED SITE IMPROVEMENTS REPLACEMENT COST TOTAL	**$3.49**	**$738,488**

COST APPROACH CONCLUSION

The Cost Approach analysis and conclusion are presented in the following table.

COST APPROACH SUMMARY		
	$/SF	TOTAL
BUILDING IMPROVEMENTS		
Direct Costs		$20,194,014
Indirect Costs		$1,009,701
Entrepreneurial Profit		$1,060,186
Optional Adjustment		$0
Depreciation		($16,031,348)
Total Depreciated Value Of Building Improvements	$29.45	$6,232,553
SITE IMPROVEMENTS		
Direct Costs		$1,913,802
Indirect Costs		$95,690
Entrepreneurial Profit		$100,475
Depreciation		($1,371,479)
Total Depreciated Value Of Site Improvements	$3.49	$738,488
SUMMARY OF ALL IMPROVEMENTS		
Direct Costs		$22,107,816
Indirect Costs		$1,105,391
Entrepreneurial Profit		$1,160,660
Replacement Cost New		$24,373,868
Depreciation		($17,402,826)
Total Depreciated Cost of Building & Site Improvements	$32.94	$6,971,041
Estimated Land Value (Adjusted)		$8,670,000
Total Estimated Cost of Improvements & Land Value		$15,641,041
INDICATED VALUE (ROUNDED TO NEAREST $10,000)	$73.90	$15,640,000

SALES COMPARISON APPROACH

In the Sales Comparison Approach, the value of a property is estimated by comparing it with similar, recently sold properties in the surrounding or competing areas. Inherent in this approach is the principle of substitution, which holds that when a property is replaceable in the market, its value tends to be set by the cost of buying an equally desirable property, assuming that no costly delay occurs in making the substitution.

Through the analysis of sales of verified arm's-length transactions, market value and price trends are identified. The sales utilized are comparable to the subject in physical, functional, and economic characteristics.

Comparable Selection

Comparable sales are presented, which were selected due to their similarity in physical, locational, and qualitative attributes. They represent the most recent and relevant comparable sale available for this analysis. Emphasis was given to the subject's location and similarly positioned properties.

All sales have been researched, verified and viewed through numerous sources by Simonson Appraisals and as indicated in the detailed sale sheets.

Unit of Comparison

The most relevant unit of comparison is the price per SF of NRA. This best reflects the unit of comparison used by buyers and sellers in this market for the subject property type.

IMPROVED SALES SUMMARY

	DATE OF SALE	LOCATION	CITY	YR. BLT	NRA	**UNADJUSTED SALE PRICE**	$/SF
1	11/18/2024	14275 Edgewood Dr N	Baxter	1990	121,397	$7,000,000	$58
2	9/4/2024	1508 N Washington St	Grand Forks	1988	95,483	$4,514,000	$47
3	9/8/2023	1845 Haines Ave	Rapid City	1987	100,602	$4,250,000	$42
4	6/14/2022	7352 Glory Rd	Baxter	2007	83,605	$3,600,000	$43
5	6/1/2021	701 5th Ave SE	Devils Lake	1992	91,346	$1,850,000	$20
6	3/29/2021	801 W Central Entrance	Duluth	1993	119,190	$3,000,000	$25

Presentation

The subject and comparable property attributes are presented on the following Improved Sales Comparison Table, location map and photographs. This is followed by analysis of the subject and comparable sales and the value conclusion indicated using the Sales Comparison Approach.

Former Camping World

Comparable 1



Sale Information

Buyer	St. Joseph's Medical Center	
Seller	FRHP 1, LLC	
Sale Date	11/18/2024	
Transaction Status	Recorded	
Sale Price	$7,000,000	$58 /SF NRA
Recording Number	Prelim eCRV 1713056	
Rights Transferred	Fee Simple	
Financing	Cash To Seller	
Conditions of Sale	Change of Use	
Marketing Time	202 days	

Property

Type	Retail, Big Box
Gross Building Area (GBA)	121,397 SF
Net Rentable Area (NRA)	121,397 SF
Buildings	1 Building, 1 Floor
Parking	173 Spaces (1.4/1,000 SF NRA)
Year Built	1990
Land Area	17.3393 Acres (755,302 SF)
Site Coverage Ratio	16.07%
FAR	0.16
Zoning	PUD
Shape	Irregular
Topography	Level
Corner	No
Flood Zones	Zone X (Unshaded)

14275 Edgewood Dr N
Baxter, MN 56425



County
Crow Wing

Submarket
MN North Central

APN
40060975

Confirmation

Date	3/21/2025

Remarks

The property is a one-story, concrete block structure originally constructed as a Gander Mountain retailer. It originally had about 300 marked parking spaces. The parking lot was reconfigured in 2019, adding more secure paved area for inventory and reducing the number of marked parking spots to 173.

Property had been vacant for about a year at the time of sale. Buyer plans to renovate the property into a medical clinic. Verified by CoStar, marketing materials, and public records.

Runnings

Comparable 1



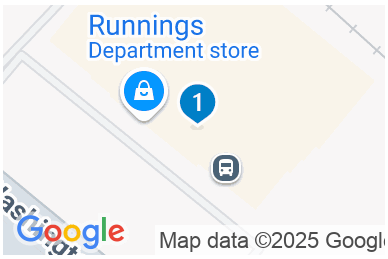
Sale Information

Buyer	JR & R II, LLC	
Seller	Home of Economy, Inc.	
Sale Date	9/4/2024	
Transaction Status	Recorded	
Sale Price	$4,514,000	$47 /SF NRA
Recording Number	Warranty Deed #843169	
Rights Transferred	Fee Simple	
Financing	Conventional	
Conditions of Sale	Private Sale	

Property

Type	Retail, Big Box
Gross Building Area (GBA)	95,483 SF
Net Rentable Area (NRA)	95,483 SF
Buildings	1 Building, 1 Floor
Parking	306 Spaces (3.2/1,000 SF NRA)
Year Built	1988
Land Area	8.6054 Acres (374,853 SF)
Site Coverage Ratio	25.47%
FAR	0.25
Zoning	B3
Shape	Generally Rectangular
Topography	Level
Corner	No
Flood Zones	Zone X (Shaded)

1508 N Washington St
Grand Forks, ND 58201



County
Grand Forks

Submarket
Grand Forks

APN
44.2402.00001.000,
44.2402.00002.000,
44.3113.00334.007

Confirmation

Date	3/21/2025

Remarks

The property is a one-story, concrete and concrete block structure originally constructed in 1988. Site improvements include paved parking for 306 vehicles.

The buyer purchased eight Home of Economy stores across the state of North Dakota, including the subject property. Each store that owned its own real estate was issued a separate warranty deed with its own sale price. While most of the employees were retained, the Home of Economy inventory was all sold off before the Runnings brand moved in. Verified by public records and media reports.

Former Shopko

Comparable 3



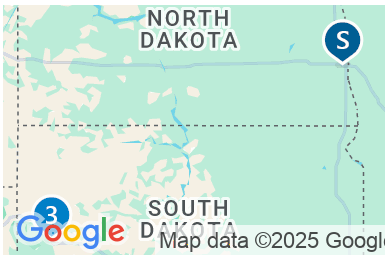
Sale Information

Buyer	RCSD Retail LLC	
Seller	RCAA Owner LLC	
Sale Date	9/8/2023	
Transaction Status	Recorded	
Sale Price	$4,250,000	$42 /SF NRA
Recording Number	Special Warranty Deed 23-2990	
Rights Transferred	Fee Simple	
Financing	Conventional	
Conditions of Sale	Change of Use	

Property

Type	Retail, Big Box
Gross Building Area (GBA)	100,602 SF
Net Rentable Area (NRA)	100,602 SF
Buildings	1 Building, 1 Floor
Parking	561 Spaces (5.6/1,000 SF NRA)
Year Built	1987
Land Area	10.5264 Acres (458,532 SF)
Site Coverage Ratio	21.94%
FAR	0.22
Zoning	GC
Shape	Irregular
Topography	Level
Corner	No
Flood Zones	Zone X (Unshaded)

1845 Haines Ave
Rapid City, SD 57701



County
Pennington

Submarket
Rapid City

APN
20-25-332-012, 20-25-332-013

Confirmation

Date	3/21/2025

Remarks

The property is a one-story, concrete block building originally constructed as a Shopko. Building area does not include 20,388 of mezzanine storage. Site improvements include paved parking for 561 vehicles.

Property had been vacant since mid 2019. The buyer intends to remodel the property into a multi-tenant, multi-use property with options for retail, office, and light industrial use. Verified by public records and media reports.

Former JC Penney

Comparable 4



Sale Information

Buyer	Parlay Baxter, LLC	
Seller	Central Lakes Properties, LLC	
Sale Date	6/14/2022	
Transaction Status	Recorded	
Sale Price	$3,600,000	$43 /SF NRA
Recording Number	eCRV #1417657	
Rights Transferred	Fee Simple	
Financing	Conventional	
Conditions of Sale	Change of Use	
Marketing Time	621 days	

Property

Type	Retail, Big Box
Gross Building Area (GBA)	83,605 SF
Net Rentable Area (NRA)	83,605 SF
Buildings	1 Building, 1 Floor
Parking	374 Spaces (4.5/1,000 SF NRA)
Year Built	2007
Land Area	7.2107 Acres (314,099 SF)
Site Coverage Ratio	26.62%
FAR	0.27
Zoning	C2
Shape	Irregular
Topography	Level
Corner	Yes
Flood Zones	Zone X (Unshaded)

7352 Glory Rd
Baxter, MN 56425



County
Crow Wing

Submarket
North Central MN

APN
40070580

Confirmation

Date	3/21/2025

Remarks

Property is a one-story, concrete block building originally constructed as a JC Penney. Site improvements include asphalt parking for 374 vehicles. Picture courtesy of the Brainerd Dispatch

Property had been vacant since 2017. The buyer converted the property to a two-tenant retail space and leased it to Hobby Lobby and Home Goods. The property sold in June 2023 for $9,730,000, or $116.35/sq. ft. Verified by CoStar and public records.

Former K-Mart

Comparable 5

Sale Information

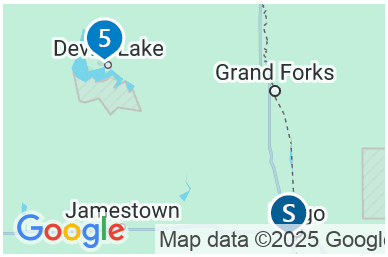
Buyer	Midtown Ventures, LLC	
Seller	GFI-Devils Lake Investments LP	
Sale Date	6/1/2021	
Transaction Status	Recorded	
Sale Price	$1,850,000	$20 /SF NRA
Recording Number	Special Warranty Deed #276845	
Rights Transferred	Fee Simple	
Financing	Conventional	
Conditions of Sale	Change of Use	

Property

Type	Retail, Big Box
Gross Building Area (GBA)	91,346 SF
Net Rentable Area (NRA)	91,346 SF
Buildings	1 Building, 1 Floor
Parking	359 Spaces (3.9/1,000 SF NRA)
Year Built	1992
Land Area	6.9031 Acres (300,700 SF)
Site Coverage Ratio	30.38%
FAR	0.30
Zoning	C-HWY
Shape	Irregular
Topography	Level
Corner	No
Flood Zones	Zone C



701 5th Ave SE
Devils Lake, ND 58301



County
Ramsey

Submarket
Devils Lake

APN
39-0000-00579-001

Confirmation

Date	3/21/2025

Remarks

Property is a one-story, concrete block building originally constructed as a K-Mart. Site improvements include asphalt parking for 359 vehicles. Picture courtesy of the Grand Forks Herald.

The property had been vacant since 2018. The parking lot appears to be in rough condition at the time of sale. The buyer renovated the property into an indoor self-storage facility. Verified by CoStar and public records.

Former Shopko

Comparable 6



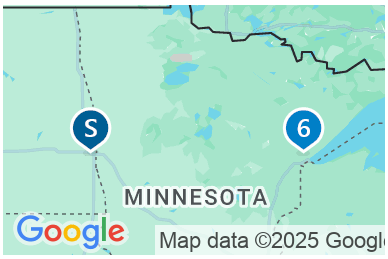
Sale Information

Buyer	Furn USA MN - Duluth, LLC	
Seller	801 W Central Entrance LLC	
Sale Date	3/29/2021	
Transaction Status	Recorded	
Sale Price	$3,000,000	$25 /SF NRA
Recording Number	eCRV #1229664	
Rights Transferred	Fee Simple	
Financing	Cash To Seller	
Conditions of Sale	Arm's Length	
Marketing Time	431 days	

Property

Type	Retail, Big Box
Gross Building Area (GBA)	119,190 SF
Net Rentable Area (NRA)	119,190 SF
Buildings	1 Building, 1 Floor
Parking	379 Spaces (3.2/1,000 SF NRA)
Year Built	1993
Land Area	9.6747 Acres (421,428 SF)
Site Coverage Ratio	28.28%
FAR	0.28
Zoning	MU-C
Shape	Irregular
Topography	Level
Corner	No
Flood Zones	Zone C

801 W Central Entrance
Duluth, MN 55811



County
St Louis

Submarket
Miller Hill / Air Park

APN
010-4445-00071, 010-2710-05866, 010-2710-05855, 010-2710-05856

Confirmation

Date	3/21/2025

Remarks

Property is a one-story, concrete block building originally constructed as a Shopko. The building shares a wall with the adjacent parcel, and the surrounding properties share drives and parking. The subject parcel has 379 marked parking spots within its boundaries.

Property had been vacant since June 2019. The buyer plans to turn the building into a furniture store. Verified by CoStar and public records.



COMPARABLE	LABEL	ADDRESS	MILES FROM SUBJECT
COMPARABLE 1	1	14275 Edgewood Dr N, Baxter, MN, 56425	311.4
COMPARABLE 2	2	1508 N Washington St, Grand Forks, ND, 58201	189.1
COMPARABLE 3	3	1845 Haines Ave, Rapid City, SD, 57701	224.4
COMPARABLE 4	4	7352 Glory Rd, Baxter, MN, 56425	311.5
COMPARABLE 5	5	701 5th Ave SE, Devils Lake, ND, 58301	123.8
COMPARABLE 6	6	801 W Central Entrance, Duluth, MN, 55811	407.3

IMPROVED SALES COMPARISON TABLE

	SUBJECT	COMP 1		COMP 2		COMP 3		COMP 4		COMP 5		COMP 6	
Name	Walmart Supercenter - Store 3648	Former Camping World		Runnings		Former Shopko		Former JC Penney		Former K-Mart		Former Shopko	
Address	1400 Skyline Blvd	14275 Edgewood Dr N		1508 N Washington St		1845 Haines Ave		7352 Glory Rd		701 5th Ave SE		801 W Central Entrance	
City	Bismarck	Baxter		Grand Forks		Rapid City		Baxter		Devils Lake		Duluth	
State	ND	MN		ND		SD		MN		ND		MN	
Zip	58503	56425		58201		57701		56425		58301		55811	
County	Burleigh	Crow Wing		Grand Forks		Pennington		Crow Wing		Ramsey		St Louis	
Submarket	Burleigh County	MN North Central		Grand Forks		Rapid City		North Central MN		Devils Lake		Miller Hill / Air Park	
SALE INFORMATION													
Transaction Price		$7,000,000		$4,514,000		$4,250,000		$3,600,000		$1,850,000		$3,000,000	
Transaction Price $/SF NRA		$58		$47		$42		$43		$20		$25	
Property Rights [1]		Fee Simple		Fee Simple		Fee Simple		Fee Simple		Fee Simple		Fee Simple	
Financing [2]		Cash To Seller		Conventional		Conventional		Conventional		Conventional		Cash To Seller	
Sale Conditions [3]		Change of Use		Private Sale		Change of Use		Change of Use		Change of Use		Arm's Length	
Expenditures After Sale [4]		-		-		-		-		-		-	
Market Conditions [5]		11/18/2024		9/4/2024		9/8/2023	(5.0%)	6/14/2022	(7.5%)	6/1/2021	7.5%	3/29/2021	7.5%
Sale Status		Recorded		Recorded		Recorded		Recorded		Recorded		Recorded	
Recording Number		Prelim eCRV		Warranty Deed		Special		eCRV #1417657		Special		eCRV #1229664	
Marketing Status		Open Market		Not Marketed		Open Market		Open Market		Open Market		Open Market	
Marketing Period (Days)		202 Days		-		-		621 Days		-		431 Days	
Total Transactional Adjustments		$0	0%	$0	0%	($2)	(5%)	($3)	(7%)	$2	10%	$2	8%
Adjusted $/SF (NRA)		**$58**		**$47**		**$40**		**$40**		**$22**		**$27**	
PHYSICAL INFORMATION													
GBA (SF)	211,641	121,397		95,483		100,602		83,605		91,346		119,190	
NRA (SF)	211,641	121,397	(10%)	95,483	(15%)	100,602	(12.5%)	83,605	(15%)	91,346	(15%)	119,190	(10.0%)
Year Built/Ren	2005 / 2021	1990	17.5%	1988	21.9%	1987	17.5%	2007	0.0%	1992	26.3%	1993	17.5%
Location	Average	Below Average	5%	Average	2.5%	Average		Below Average	5%	Fair	10%	Average	2.5%
Building Quality	Average	Average		Average		Average		Average		Average		Average	
Parking Ratio	5.0	1.4		3.2		5.6		4.5		3.9		3.2	
Site Coverage	17.7%	16.1%		25.5%		21.9%		26.6%		30.4%		28.3%	
L:B Ratio	5.66	6.22	(3.4%)	3.93	12.8%	4.56	9.1%	3.76	15.4%	3.29	40.9%	3.54	29.4%
Building Classes	C	C		C		C		C		C		C	
Vehicles/Day (Street)	16,450 (US Hwy 83 / State Street)	29,083 (US Highway 371)		8,260 (Washington St)		18,654 (Haines Ave)		11,159 (Glory Rd)		11,950 (US Highway 2)		21,548 (US Highway 53)	
3-Mile Population (2024)	41,023	19,334		49,498		34,914		18,717		8,466		40,060	
Total Physical Adjustments		$5	9%	$10	22%	$6	14%	$2	5%	$14	62%	$11	39%
Adjusted $/SF (NRA)		**$63**		**$57**		**$46**		**$42**		**$36**		**$38**	

Quantitative Adjustment

The sales are compared to the subject and adjusted to account for significant differences that affect value. Adjustments are considered in the sequence as shown below.

Transactional Adjustments

The transactional adjustments are applied in a specific sequence:

1. Real Property Rights Conveyed
2. Financing Terms
3. Conditions of Sale
4. Expenditures After Sale
5. Market Conditions

Real Property Rights Conveyed

This analysis accounts for differences, if any in real property rights conveyed including leased fee, fee simple, leasehold, partial interest, etc. The subject's fee simple interest is appraised, which is the same interest conveyed by the comparable sales. No adjustments are required.

Financing Terms

The transaction price of similar properties may differ depending on the type of financing terms involving the buyer and seller. Examples include seller financing, or assumption of existing financing, at non-market terms. In this analysis, all of the sales involved cash to seller terms or cash equivalent terms and no adjustments are required.

Conditions of Sale

A market value appraisal implies buyers and sellers have typical motivation to complete a transaction where there is no duress on either party to consummate the sale. Most of the sales were arm's length transactions that were exposed to the open market. While Sale 2 was a privately negotiated sale, it was still an arm's length transaction, and no adjustment was considered necessary.

Expenditures Made Immediately After Purchase

This adjustment category recognizes an informed buyer considers expenditures that will be necessary upon purchase of a property because these costs influence the amount the buyer pays. Such expenditures may include:

- Costs to cure deferred maintenance
- Cost to demolish and remove any portion of the improvements
- Cost to petition for a zoning change
- Cost to remediate environmental contamination

In this analysis, no adjustments are required.

Market Conditions

The market conditions adjustment reflects changes in the economic environment over time that affects the appreciation and depreciation of real estate. An adjustment for change in market conditions is usually measured as a percentage of previous prices. The best source for measuring this change is to analyze sales and resales of the same properties provided the physical and economic characteristics remain generally unchanged. We performed a survey of large retail properties (20,000 sq. ft. or more) that sold in North Dakota, South Dakota, and outstate Minnesota since 2021. The data shows that sale prices rose between 2021 and 2022. Prices declined slightly between 2022 and 2023 and then declined more sharply between 2023 and

2024. Based on these factors, tiered market condition adjustments were applied. No adjustments were made to Sales 1 and 2, while downward adjustments were given to Sales 3 and 4. Sales 5 and 6 required upward adjustments.

Property Adjustments

Property adjustments do not need to be applied in an exact sequence like the transactional adjustments but are based on the adjusted sale price after market conditions. For purposes of this analysis, the property adjustments include

- Location/Access
- Size
- Building Quality
- Year Built - Age/Condition
- Land to Building Ratio

Location/Access

Adjustments for location within a market area are required when the locational characteristics for the comparable properties differ from the subject property. Location has a great impact on property values. This adjustment category considers general market area influences as well as a property's accessibility and visibility from a main thoroughfare. Differing rent levels or land values are typically good indications that a location adjustment is required.

The subject is located in Bismarck, North Dakota, the state capital and a hub for retail, healthcare, and industrial trade in the central portion of the state. The site has visibility from US Highway 83 / State Street. Sales 1 and 4 are located in Baxter, Minnesota, a smaller community with lesser regional significance. These sales were adjusted upward. Sale 2 is in Grand Forks, North Dakota, a community with similar dynamics as the Bismarck-Mandan metro area. The frontage for Sale 2 has much less average daily traffic, and it is located in an older, less desirable part of the community. An upward adjustment was applied to this sale. Sale 3 is in Rapid City, South Dakota, and was considered to have a similar location as the subject. No adjustments was warranted for this sale. Sale 5 is in Devils Lake, North Dakota, a much smaller community in the north-central part of the state. Its location was considered to be the least favorable, and a larger upward adjustment was applied to this sale. Sale 6 is in Duluth, Minnesota. While overall the property is considered to have a similar location as the subject, its visibility from major roadways is impacted by developed outlots. It was given a small upward adjustment for this factor.

Size

An inverse relationship often exists between building size and unit value. The smaller the improvement size the higher the per-unit value, and a larger size improvement will place downward pressure on the per-unit value. All of the sales are significantly smaller than the appraised property and required varying downward adjustments.

Building Quality

The building quality adjustment addresses construction quality, amenities, market appeal and functional utility. The subject improvements are of average quality construction and in average condition. The overall layout is suited for owner occupancy or single tenant use and has adequate functional utility. The appraised property and all of the comparable sales are similar concrete block or masonry structures with interior fit-up typical of big box retailers. No adjustments were warranted in this category.

Year Built - Age/Condition

Buildings generally show less depreciation in the first few years and the rate of deprecation increases as the building ages. Adjustments for age/condition are based on the age differential between the comparable sales (as of the date of sale) and the subject property as of the date of valuation. The effective age of the subject is made following the property tour, with primary considerations based on age of construction and renovations; quality of the overall finishes, and market appeal. The effective age of the comparable sales is estimated after viewing the buildings and reviewing file data on the year of original construction and any subsequent additions or major renovations.

The difference in age is first considered with a straight-line depreciation charge of 2.5% for a building with a life of 40 years, which is typical for big box retail buildings. This number is then adjusted to account for land value that does not depreciate. Therefore, we utilize an annual depreciation of 1.75% to account for this factor. The following table summarizes our calculations, and our final adjustment is rounded from these numbers.

DERIVATION OF AGE/CONDITION ADJUSTMENT

	SALE 1	SALE 2	SALE 3	SALE 4	SALE 5	SALE 6
Date of Sale	11/18/2024	9/4/2024	9/8/2023	6/16/2022	6/3/2021	3/26/2021
Date of Construction	1990	1988	1987	2007	1992	1993
Effective Age at Sale	25	27.5	25	15	30	25
Effective Age of Subject	15	15	15	15	15	15
Difference in Age	10	12.5	10	0	15	10
Annual Depreciation	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%
Adjustment for Age (rounded)	17.50%	21.88%	17.50%	0.00%	26.25%	17.50%

Land-to-Building Ratio

Land-to-building ratios impact parking, landscaping and future potential for expansion. The subject features a land-to-building ratio of 5.66 : 1 based on usable site area. The comparable ratios are depicted in the table below. Adjustments are applied to all comparables to account for the differing land-to-building ratios on the basis of utilizing the subject's land-to-building ratios to calculate the impact of a higher or lower ratio for each comparable.

Basically, the formula answers the question "if the comparable had the subject's LTB ratio, based on the concluded land value (weighted for the incremental diminished return for size), what would the change in value be?" Not that the percentage for weighted extra land is to account for something less than full land value because of diminished returns for higher increments of land area. The adjustments are shown in the table below.

DERIVATION OF LAND TO BUILDING RATIO ADJUSTMENT

	SALE 1	SALE 2	SALE 3	SALE 4	SALE 5	SALE 6
Comparable GBA	121,397	95,483	100,602	83,605	91,346	119,190
Subject LTB Ratio	5.66	5.66	5.66	5.66	5.66	5.66
Comparable LTB Ratio	6.22	3.93	4.56	3.76	3.29	3.54
Comparable Land SF	755,302	374,853	458,532	314,099	300,700	421,428
Concluded Land Value	$7.00	$7.00	$7.00	$7.00	$7.00	$7.00
Weight for Extra Land	0.5	0.5	0.5	0.5	0.5	0.5
Sale Price of Comparable	$7,000,000	$4,514,000	$4,250,000	$3,600,000	$1,850,000	$3,000,000
*INDICATED ADJUSTMENT	-3.43%	12.77%	9.07%	15.41%	40.88%	29.42%

Indicated Adjustment Formula = ((Comp GBA(Subject LTB-CompLTB))*Concluded Land Value * Weight for Extra Land)/Sale Price of Comparable

SALES COMPARISON APPROACH CONCLUSION

The comparable sales indicate an overall unadjusted unit value range of $20/SF to $58/SF, averaging $39/SF After adjustments, the comparables indicate a slightly narrower range for the subject property of $36/SF to $63/SF with an average of $47/SF The adjustment process is summarized below.



Lesser weight was placed on Sales 5 and 6, which required the highest percentage of gross adjustments, indicating that these properties are less comparable to the subject. A unit value of $48/SF was concluded for the subject property. The current unpaid balance of special assessments impacting the subject was then deducted, providing the net value of the property. The following table summarizes the analysis of the comparables, reports the reconciled price per SF value conclusion, and presents the concluded value of the subject property by the Sales Comparison Approach.

IMPROVED SALES COMPARISON APPROACH CONCLUSION (NRA)

	TRANSACTION	ADJUSTMENT				NET	GROSS
	PRICE	TRANSACTIONAL[1]	ADJUSTED	PROPERTY[2]	FINAL	ADJ	ADJ
1	$58	0%	$58	9%	$63	9%	36%
2	$47	0%	$47	22%	$57	21%	52%
3	$42	(5%)	$40	14%	$46	10%	44%
4	$43	(7%)	$40	5%	$42	(2%)	43%
5	$20	10%	$22	62%	$36	80%	100%
6	$25	8%	$27	39%	$38	52%	67%
HIGH	*$58*	*10%*	*$58*	*62%*	*$63*	*80%*	*100%*
AVG	*$39*	*1%*	*$39*	*25%*	*$47*	*28%*	*57%*
MED	*$43*	*0%*	*$40*	*18%*	*$44*	*15%*	*48%*
LOW	*$20*	*(7%)*	*$22*	*5%*	*$36*	*(2%)*	*36%*

SUBJECT SF (NRA)		$/SF CONCLUSION		VALUE
211,641	x	$48	=	$10,158,768
INDICATED VALUE (ROUNDED TO NEAREST $10,000)		$48		$10,160,000
Less Balance of Unpaid Special Assessments		($0.02)		($5,270)
INDICATED VALUE (ROUNDED TO NEAREST $10,000)		$48		$10,150,000

[1]Cumulative [2]Additive

We have appraised a number of similar big box retail stores in the Minneapolis-St. Paul metro area, and we have included the following table that details the available comparable sales for that market. This data lends support to our conclusion of value via the Sales Comparison Approach and illustrates the consistency of sale prices for this property type across the region.

BIG BOX RETAIL SALES - MINNEAPOLIS - ST. PAUL METRO AREA

	Comp 1	Comp 2	Comp 3	Comp 4	Comp 5
Name	Former Walmart-Now Empire Foods	Former Shopko - Now Cartfull	Former Menards-Now Eagle Brook Church	Former Sam's Club-Now Loffler Companies	At Home
Address	1200 Shingle Creek Crossing	5630 Saint Croix Trl	14960 Florence Trl	3745 Louisiana Ave S	4405 Pheasant Ridge Dr NE
City	Brooklyn Center	North Branch	Apple Valley	St Louis Park	Blaine
State	MN	MN	MN	MN	MN
Zip	55430	55056	55124	55426	55449
County	Hennepin	Chisago	Dakota	Hennepin	Anoka
Submarket	Brookdale	Chisago County	Apple Valley / Lakeville	Southdale	Northtown
SALE INFORMATION					
Transaction Price	$8,200,000	$4,000,000	$6,500,000	$9,085,000	$5,200,000
Transaction Price $/SF NRA	$45	$50	$40	$60	$36
Property Rights	Fee Simple	Leased Fee	Fee Simple	Fee Simple	Fee Simple
Financing	Conventional	Conventional	Cash To Seller	Conventional	Cash To Seller
Sale Conditions	Arm's Length	1031 Exchange	Change of Use	Change of Use	Arm's Length
Expenditures After Sale	-	-	$600,000	-	-
Date of Sale	12/28/2023	6/29/2022	11/12/2021	1/29/2021	1/4/2016
Sale Status	Recorded	Recorded	Recorded	Recorded	Recorded
Recording Document	eCRV #1612736	eCRV #1432565	eCRV #1345809	eCRV #1211140	eCRV #451109
Marketing Status	Open Market	Open Market	Open Market	Open Market	Open Market
Marketing Period (Days)	184 Days		180 Days	962 Days	424 Days
Total Transactional Adjustments			$600,000		
Adjusted $/SF (NRA)	**$45**	**$50**	**$44**	**$60**	**$36**
PHYSICAL INFORMATION					
GBA (SF)	181,943	80,000	161,521	150,637	145,471
NRA (SF)	181,943	80,000	161,521	150,637	145,471
Year Built/Ren	2011	2011	1998	2006	2001
Location	Average	Below Average	Good	Very Good	Above Average
Building Quality	Average	Average	Average	Average	Average
Parking Ratio	4.4	5.6	2.8	4	5.3
Site Coverage	23.2%	22.1%	26.8%	26.6%	20.8%
L:B Ratio	4.32	4.52	3.74	3.76	4.8
Class	C	C	C	C	`
Vehicles/Day (Street)	65,312 (MN Highway 100)	5,800 (Flick); 27,449 I-35)	6,177 (Flagstaff) 27,752 (150th)	9,400 (Louisiana) 35,645 (MN 7)	6,763 (109th) 45,790 (I-35W)
3-Mile Population (2023)	125,651	11,322	94,848	116,107	42,705

The Income Approach is based on the premise that properties are purchased for their income producing potential. It considers both the annual return on the invested principal and the return of the invested principal. The two fundamental methods of this valuation technique include Discounted Cash Flow and Direct Capitalization. The subject is currently 100% owner occupied. Therefore, market rent is the basis of the income projection and only the direct capitalization method is applied.

DIRECT CAPITALIZATION METHOD

The first step in direct capitalization is to estimate the durable rental income through analysis of the in-place leases and market rent terms. Next, reimbursements and other revenue are analyzed. Then, vacancy and operating expenses are estimated. Finally, the net operating income is capitalized at a supported rate. The implied value may be adjusted to account for non-stabilized conditions or required capital expenditures to reflect an as-is value. A below-the-line adjustment for the unpaid balance of special assessments is then made to relate the net value of the property.

Lease Structure

Based on the market data, quoted lease structures for comparable space in the market area are primarily expressed on a net lease basis. For this analysis, the subject lease structure is projected to be written on a net basis. Therefore, the comparable rentals are analyzed on a net lease structure. The analysis is conducted on a dollar per square foot annually, reflecting market behavior.

The occupant of the subject is a related party to the property owner. Market rent forms the basis of the income analysis.

MARKET RENT ANALYSIS

This section examines comparable properties within the marketplace to estimate market rent for the subject. Our search for comparable rentals focused on transactions most similar to the subject in terms of location, age, transaction date and use. In addition to the comparable rentals, we also spoke with multiple market participants including brokers and property owners to better understand current market conditions, confirm comparable market data and analyze the appropriate comparables.

We have researched five comparables for this analysis; these are documented on the following pages followed by a location map and analysis grid. All rents have been researched, viewed and verified through numerous sources by the appraisers and verified as indicated in the rent sheets.

RENT COMPARABLE SUMMARY

	START DATE	TENANT	LOCATION	YR. BLT	LEASE SF	LEASE STRUCTURE	$/SF
1	3/15/2025	Urban Air	1401 W 41st St, Sioux Falls, SD	1991	53,196	NNN	$9.50
2	1/1/2022	Bomgaar's	1940 Adams St, Mankato, MN	1994	117,412	NNN	$4.50
3	1/1/2019	Hobby Lobby	490 E Disk Dr, Rapid City, SD	1979 / 2009	67,744	NNN	$4.50
4	-	TBD - Listing	2700 State St, Bismarck, ND	1978 / 2022	80,000	NNN	$12.00
5	-	TBD - Listing	3901 Abbott Dr, Willmar, MN	1992 / 2005	118,040	NNN	$3.50

41st Street Marketplace

Comparable 1

Lease Information

Tenant	Urban Air Adventure Park
Tenant Type	Entertainment
Lease Type	New
Tenant Size	53,196 SF
Start Date	3/15/2025
Rent	$9.50/SF (Yr.) / $0.79/SF (Mo.)
Expense Structure	NNN
Reimbursements	$3.22/SF (Yr.) / $0.27/SF (Mo.)

Property

Type	Retail, MT Retail
Gross Building Area (GBA)	104,656 SF
Net Rentable Area (NRA)	101,164 SF
Occupancy	52.6%
Buildings	1 Building, 1 Floor
Parking	447 Spaces (4.4/1,000 SF NRA)
Year Built	1991
Land Area	8.395 Acres (365,686 SF)
Site Coverage Ratio	28.62%
FAR	0.29
Zoning	C-4
Shape	Irregular
Topography	Level
Corner	No
Flood Zones	Zone X (Unshaded)



1401 W 41st St
Sioux Falls, SD 57105



County
Minnehaha

Submarket
Sioux Falls

APN
59970

Confirmation

Date	3/23/2025

Remarks

The property is a one-story, concrete block building that is part of a multi-tenant strip center. The building has approximately 3,536 sq. ft. of shared loading dock area. The other parcels that make up the shopping center and the outlot buildings share parking and drives. The subject parcel has asphalt parking for 447 vehicles.

Former Hobby Lobby space leased for an indoor entertainment/exercise facility. Broker had multiple interested parties. Verified by CoStar and marketing materials.

Bomgaar's

Comparable 1

Lease Information

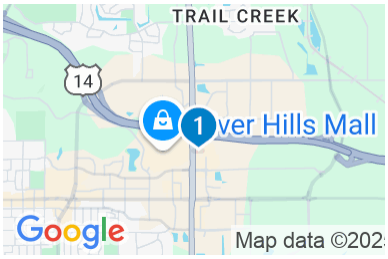
Tenant	Bomgaar's
Tenant Type	Big Box
Lease Type	New
Tenant Size	117,412 SF
Start Date	1/1/2022
Lease Term	10 Years (120 Months)
Rent	$4.50/SF (Yr.) / $0.38/SF (Mo.)
Expense Structure	NNN

Property

Type	Retail, Big Box
Gross Building Area (GBA)	117,412 SF
Net Rentable Area (NRA)	117,412 SF
Buildings	1 Building, 1 Floor
Parking	700 Spaces (6.0/1,000 SF NRA)
Year Built	1994
Land Area	13.06 Acres (568,894 SF)
Site Coverage Ratio	20.64%
FAR	0.21
Zoning	B-3
Shape	Generally Rectangular
Topography	Level
Corner	No



1940 Adams St
Mankato, MN 56001



County
Blue Earth

Submarket
East Mankato

APN
R01.09.10.301.001

Confirmation

Name	Chad Christensen
Company	The Carrington Company
Phone Number	916-801-8881
Affiliation	Listing Broker
Date	3/21/2025

Remarks

The property is a one-story, concrete block building originally constructed as a Gander Mountain and Gordman's two-tenant building. The site is at the corner of the US Highway 14 / MN Highway 22 interchange and has visibility from both thoroughfares. Access to the site is about one-half block off of MN Highway 22. Site improvements include asphalt parking for about 700 vehicles.

Single tenant leased out the entirety of what was originally a two-tenant building. The broker said it was a bit more space than they needed, which impacted the rental rate. The lease is absolute net with escalators over the ten-year term. The broker did not remember the starting base rent, but confirmed that the average rent over the course of the lease is $4.50/sq. ft. Repairs to the roof, HVAC system, and parking lot were made prior to the lease taking effect. Verified by CoStar and listing broker.

Hobby Lobby

Comparable 3

Lease Information

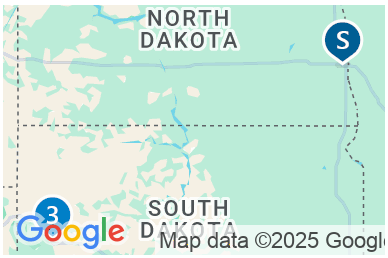
Tenant	Hobby Lobby
Tenant Type	Retail
Lease Type	New
Tenant Size	67,744 SF
Start Date	1/1/2019
Lease Term	10 Years (120 Months)
Rent	$4.50/SF (Yr.) / $0.38/SF (Mo.)
Expense Structure	NNN
Options/Extensions	Two 5-Year
Escalation Detail	$0.50 per option period

Property

Type	Retail, Big Box
Gross Building Area (GBA)	67,744 SF
Net Rentable Area (NRA)	67,744 SF
Occupancy	100.0%
Buildings	1 Building, 1 Floor
Parking	281 Spaces (4.1/1,000 SF NRA)
Year Built	1979 (Renovated 2009)
Land Area	4.61 Acres (200,812 SF)
Site Coverage Ratio	33.74%
FAR	0.34
Zoning	SC-2
Shape	Generally Rectangular
Topography	Level



490 E Disk Dr
Rapid City, SD 57701



County
Pennington

Submarket
Rapid City

APN
21-30-126-004

Confirmation

Date	3/24/2025

Remarks

The property is a one-story, concrete block building that shares a wall with the parcel adjacent to the west. Site improvements include asphalt parking for 281 vehicles.

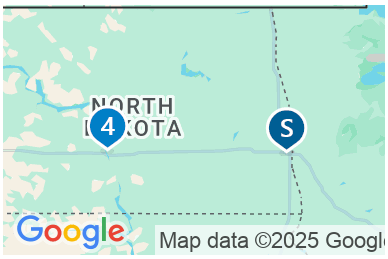
Although the lease was new, the tenant has been in occupancy since 2009. Details obtained from marketing materials for 2024 sale of the property.

Gateway Mall

Comparable 4



2700 State St
Bismarck, ND 58501



County
Burleigh

Submarket
Bismarck-Mandan MSA

APN
0625-001-040

Lease Information

Tenant	TBD - Listing
Tenant Type	Retail
Lease Type	Listing
Tenant Size	80,000 SF
Rent	$12/SF (Yr.) / $1/SF (Mo.)
Expense Structure	NNN

Property

Type	Retail, Enclosed Mall
Gross Building Area (GBA)	355,745 SF
Net Rentable Area (NRA)	332,000 SF
Occupancy	63.9%
Buildings	1 Building, 1 Floor
Parking	1561 Spaces (4.7/1,000 SF NRA)
Year Built	1978 (Renovated 2022)
Land Area	25.5908 Acres (1,114,736 SF)
Site Coverage Ratio	31.91%
FAR	0.32
Zoning	CG
Shape	Irregular
Topography	Level
Corner	No

Confirmation

Date	3/24/2025

Remarks

Property is a one-story, concrete block enclosed mall originally constructed in 1978. The exterior and roof were redone in 2022. Site improvements include asphalt parking for about 1,561 vehicles.

Former Sears anchor store available for lease. Space could easily be subdivided into two 40,000 sq. ft. spaces. Verified by current marketing materials.

Hennan's Furniture

Comparable 5

Lease Information

Tenant	TBD - Listing
Tenant Type	Retail
Lease Type	Listing
Tenant Size	118,040 SF
Rent	$3.50/SF (Yr.) / $0.29/SF (Mo.)
Expense Structure	NNN

Property

Type	Retail, ST Retail
Gross Building Area (GBA)	118,040 SF
Net Rentable Area (NRA)	118,040 SF
Buildings	1 Building, 1 Floor
Parking	62 Spaces (0.5/1,000 SF NRA)
Year Built	1992 (Renovated 2005)
Land Area	6.0435 Acres (263,256 SF)
Site Coverage Ratio	44.84%
FAR	0.45
Zoning	GB-3
Shape	L-Shaped
Topography	Level
Corner	Yes



3901 Abbott Dr
Willmar, MN 56201



County
Kandiyohi

Submarket
Minnesota Central

APN
95-303-0010

Confirmation

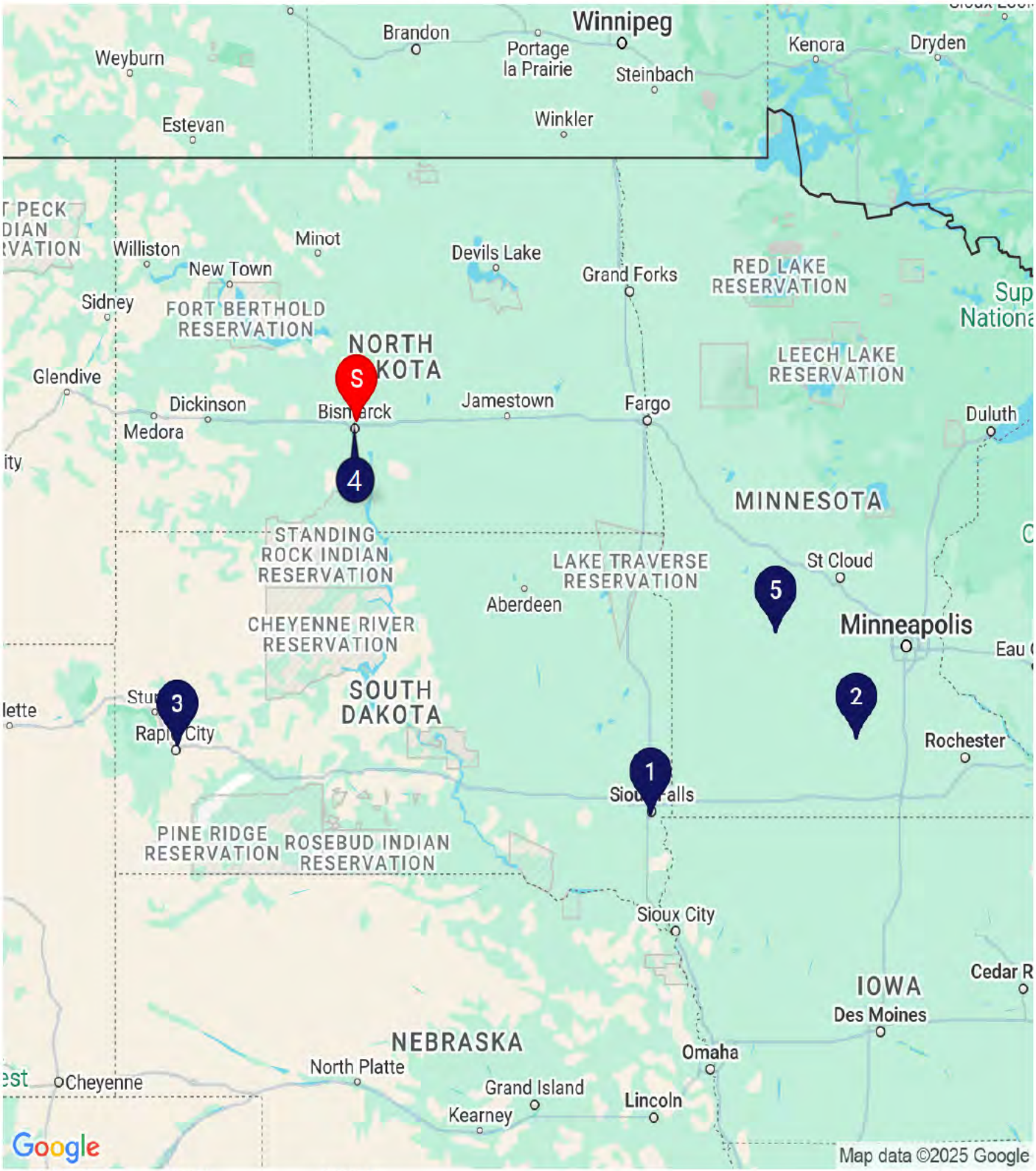
Date	3/24/2025

Remarks

The property is a one-story, concrete building originally built in 1992 with an addition in 2005. the site has visibility from US Highway 71 and is located less than a block from the US-71 / MN-23 interchange. Site improvements include paved parking for 62 vehicles.

The city had previously agreed to a change of use for the property to industrial, making the property viable for either retail or showroom/industrial use. The building currently has 82,026 sq. ft. of showroom space, 27,216 sq. ft. of high bay warehouse, and 8,798 sq. ft. of receiving bay and shop space. Clear height varies from 16 to 35 feet. Also listed for sale for $4,500,000 ($32.99/sq. ft.). Verified by current marketing materials.

Rent Comparable Map



COMPARABLE	LABEL	ADDRESS	MILES FROM SUBJECT
COMPARABLE 1	1	1401 W 41st St, Sioux Falls, SD, 57105	302.9
COMPARABLE 2	2	1940 Adams St, Mankato, MN, 56001	378.6
COMPARABLE 3	3	490 E Disk Dr, Rapid City, SD, 57701	223.6
COMPARABLE 4	4	2700 State St, Bismarck, ND, 58501	1.5
COMPARABLE 5	5	3901 Abbott Dr, Willmar, MN, 56201	301.0

Below is a rental comparison grid displaying the subject property, the comparables and the adjustments applied.

LEASE COMPARISON TABLE											
	SUBJECT	COMP 1		COMP 2		COMP 3		COMP 4		COMP 5	
Name	Walmart	41st Street		Bomgaar's		Hobby Lobby		Gateway Mall		Hennan's	
Address	1400 Skyline Blvd	1401 W 41st St		1940 Adams St		490 E Disk Dr		2700 State St		3901 Abbott Dr	
City	Bismarck	Sioux Falls		Mankato		Rapid City		Bismarck		Willmar	
State	ND	SD		MN		SD		ND		MN	
Zip	58503	57105		56001		57701		58501		56201	
County	Burleigh	Minnehaha		Blue Earth		Pennington		Burleigh		Kandiyohi	
Submarket	Burleigh County	Sioux Falls		East Mankato		Rapid City		Bismarck-		Minnesota	
Floor/Suite	-	Suite 1401		Building		Building		West Anchor		Building	
LEASE INFORMATION											
Rent ($/SF/Yr.)		$9.50		$4.50		$4.50		$12.00		$3.50	
Tenant		Urban Air Adventure Park		Bomgaar's		Hobby Lobby		TBD - Listing		TBD - Listing	
Start Date		3/15/2025	0.0%	1/1/2022	3.0%	1/1/2019	6.0%	-		-	
Lease Type		New		New		New		Listing		Listing	
Lease Str.		NNN		NNN		NNN		NNN		NNN	
Size (SF)	211,641	53,196		117,412		67,744		80,000		118,040	
Term (Yrs.)		-		10		10		-		-	
TI's ($/SF)		None		None		None		None		None	
Floor/Suite		Suite 1401		Building		Building		West Anchor		Building	
Total Lease Adjustments		$0.00	0%	$0.14	3%	$0.27	6%	$0.00	0%	$0.00	0%
Adjusted Rent ($/SF/Yr.)		**$9.50**		**$4.64**		**$4.77**		**$12.00**		**$3.50**	
BUILDING INFORMATION											
NRA (SF)	211,641	101,164		117,412		67,744		332,000		118,040	
Unit Size (SF)	211,641	53,196	(10%)	117,412	(5%)	67,744	(10%)	80,000	(7.5%)	118,040	(5%)
Year Built/Ren	2005 / 2021	1991	25%	1994	25%	1979 / 2009	15%	1978 / 2022	10%	1992 / 2005	15%
Location	Above Average	Good	(5%)	Above Average		Average	5%	Very Good	(10%)	Below Average	10%
Building Quality	Average	Average		Average		Average		Good	(10%)	Average	
Parking Ratio	5.0	4.4		6.0		4.1		4.7		0.5	10%
Site Coverage	17.7%	28.6%		20.6%		33.7%		31.9%		44.8%	
Building Classes	C	C		C		C		C		C	
Vehicles/Day (Street)	16,450 (US Hwy 83 / State Street)	15,700 (West 41st Street)		26,869 (US 14); 28,909 (MN 22)		5,727 (Disk Dr)		35,645 (US Highway 83)		7,502 (US Highway 71)	
3-Mile Pop	41,023	97,534		34,796		31,095		64,738		17,541	
Property Type	Freestanding	Strip Mall	(15%)	Freestanding		Freestanding		Enclosed Mall	(15%)	Freestanding	
Total Building Adjustments		($0.48)	(5%)	$0.93	20%	$0.48	10%	($3.90)	(33%)	$1.05	30%
Adjusted Rent ($/SF/Yr.)		**$9.03**		**$5.56**		**$5.25**		**$8.10**		**$4.55**	

COMPARABLE RENT ADJUSTMENTS

Conditions of Lease

This adjustment category accounts for extraordinary motivations of either the landlord or tenant to complete the transaction. Rentals 1, 2 and 3 reflect completed transactions and require no adjustment in this category. While Rentals 4 and 5 are listings, there is not sufficient data available to draw conclusions about the listed rental rate to actual rental rate. Therefore, no adjustments have been made in this category.

Type of Lease/Expense Structure

This adjustment category is considered for the division of expense responsibilities between landlord and tenants. In this analysis, no adjustments are required.

Market Conditions

The market conditions category reflects changes in the economic environment over time that affect the depreciation and appreciation of real estate. Based on the escalation clauses gathered from other comparable lease data in the region, a nominal upward adjustment of 1% annually was applied.

Location

The location adjustment accounts for market or submarket area influences on rent. It also considers convenience to transportation facilities, ease of site access and visibility from main thoroughfares. The subject is located at 1400 Skyline Blvd, Bismarck, North Dakota. Rental 1 was considered to have a good location along a major commercial thoroughfare near the city's mall. It was adjusted downward. Rental 2 is located in a community about an hour away from the Minneapolis-St. Paul metro area, and the site has visibility from two major thoroughfares. It was considered to have a similar location to that of the subject and was not adjusted. Rental 3 is located in a retail/commercial corridor but lacks visibility from major thoroughfares. An upward adjustment was applied to this comparable. was considered to be comparable to the subject based on location, warranting no adjustment. Rental 4 is located in the primary mall and shopping district of the city and was considered to have the best location, requiring the largest downward adjustment. Rental 5 is located in a smaller community on a roadway with lesser daily traffic counts. It was adjusted upward.

Size

The size adjustment category accounts for differences in rental rates that is often attributable to variation in sizes of leased space. All of the comparable rentals are smaller than the subject, requiring varying downward adjustments.

Building Quality

The building quality adjustment addresses construction quality, amenities, market appeal and functional utility. The subject improvements are of average quality construction and in average condition. The overall layout is suited for owner occupancy or single tenant use and has adequate functional utility.

The subject and most of the comparable sales are similar Class C, masonry or concrete block structures. No adjustments were necessary in this category to Rentals 1, 2, 3, and 5. Rental 4 is a vacant former anchor store in the regional mall. Its building quality was considered to be superior to that of the subject, requiring a downward adjustment.

Age/Condition

The age/condition adjustment category accounts for differences in effective age and physical condition. The subject's improvements were constructed in 2005. All of the comparable rentals are older construction, requiring upward adjustments.

Parking Ratio

Most of the comparable rentals had similar parking ratios as the appraised property and appropriate parking ratios for retail properties. Rental 5 only has 0.5 spaces per 1,000 sq. ft. of building area, being inferior to the subject and all of the other comparables. It was adjusted upward for this factor.

Property Type

The appraised property and Rentals 2, 3, and 5 are freestanding retail structures. Rental 1 is in a multi-tenant strip mall, and Rental 4 is in an enclosed mall. These two comparables indicated rental rates far above those indicated by the freestanding buildings. They were adjusted downward for this factor.

CONCLUSION OF MARKET RENT

The lease comparables indicate an unadjusted range of $3.50/sq. ft. to $12.00/sq. ft. with an average of $6.80/sq. ft. Rents are analyzed on a triple net basis. After adjustments a narrower rental range is indicated for the subject of $4.55/sq. ft. to $9.03/sq. ft. with an average of $6.50/sq. ft.

Lesser weight was placed on Rentals 1 and 4, as they still had market rent indicators well above the others even after adjusting for their location in multi-tenant buildings. A market rent of $5.65/sq. ft. was concluded for the subject property. The following table summarizes the various indicators of market rent, provides the market rent analysis and the conclusion for the subject property.

MARKET RENT CONCLUSION

	LEASE	ADJUSTMENT				NET	GROSS
	RATE	LEASE[1]	ADJUSTED	BUILDING[1]	FINAL	ADJ	ADJ
1	$9.50	0%	$9.50	(5%)	$9.03	(5%)	45%
2	$4.50	3%	$4.64	20%	$5.56	24%	28%
3	$4.50	6%	$4.77	10%	$5.25	17%	26%
4	$12.00	0%	$12.00	(33%)	$8.10	(33%)	45%
5	$3.50	0%	$3.50	30%	$4.55	30%	35%
HIGH	*$12.00*	*6%*	*$12.00*	*30%*	*$9.03*	*30%*	*45%*
AVG	*$6.80*	*2%*	*$6.88*	*5%*	*$6.50*	*7%*	*36%*
MED	*$4.50*	*0%*	*$4.77*	*10%*	*$5.56*	*17%*	*35%*
LOW	*$3.50*	*0%*	*$3.50*	*(33%)*	*$4.55*	*(33%)*	*26%*
		AVG CONTRACT		**ASKING**		**CONCLUSION**	
0		$0.00			Triple Net	$5.65	

[1]Total Additive Adjustment

Total Rental Revenue

The total rental revenue is based on the rent conclusions presented above and is summarized in the following table.

OCCUPIED SPACE							
TENANT	**NRA (SF)**	**CATEGORY**	**CONTRACT**	**MARKET**	**CONT V MKT**	**$/SF (YR.)**	**$/YEAR**
Owner Occupied User	211,641	0	$0.00	$5.65	0%	$5.65	$1,195,772
OCCUPIED SUBTOTALS	**211,641**	**-**	**$0.00**	**$5.65**	**0%**	**$5.65**	**$1,195,772**
TOTAL	211,641	-	$0.00	$5.65	0%	$5.65	$1,195,772

Reimbursement Income

The subject improvements are currently owner-occupied, and the market rent projection is based on a net basis. This assumes the tenant would be reimbursing most of the operating expenses back to the building owner. Thus, detailed operating expense reimbursement costs are not paid by the building owner, but by the tenant. Typically, this would indicate that detailed expense reimbursement income would not be projected.

However, to give a better picture of the costs associated with the vacancy and credit loss factor discussed later in this analysis, we have developed a brief estimate of the operating expenses for the subject. The tenants in buildings similar to the subject are typically either directly responsible for the payment of expenses or reimburse the property owner. These reimbursements are based on the operating expenses that are concluded later in the Income Approach.

REIMBURSEMENT REVENUE CONCLUSIONS				
OTHER TENANT REVENUE	%PRR	$/SF NRA	TOTAL	COMMENT
CAM / Tenant Expenses	66.4%	$3.75	$793,654	Based on tenant direct payment or reimbursement of all operating expenses except management and reserves
TOTAL OTHER TENANT REVENUE	**66.4%**	**$3.75**	**$793,654**	

Miscellaneous Income

Miscellaneous income generators are not usually present in properties like the subject. None have been forecast.

Potential Gross Revenue (PGR)

The potential gross revenue equals the total rental revenue plus reimbursement and miscellaneous revenue. The potential gross revenue of the subject is calculated by multiplying the sum of market rent of $5.65 per square foot rent and reimbursements if any at $793,654 which is $3.75/SF by the net rentable area of 211,641 square feet, which indicates a PGR of $1,989,425.

Vacancy and Credit Loss

This category accounts for the time period between occupants, as well as possible prolonged vacancies under slow market conditions. This assignment reflects the probable vacancy during the economic life of the property and not necessarily the current or short-term vacancy. Big box retail stores do not lease or sell very quickly, often taking a year or more to fill. In line with our market exposure estimate, we consider that the appraised property, if vacated, will take 12 months to lease. The two comparable rentals with lease terms available each had 10 year leases, or 120 months. These figures indicate an 10% vacancy rate over a typical holding period. Other comparable lease data from the Minneapolis-St. Paul metro area indicate an 11% vacancy rate over a typical holding period. As of the effective date, the subject is 100.0% occupied. Based on current and anticipated long-term market conditions and the subject's current and anticipated tenancy over a typical holding period, a vacancy and credit loss of 10.0% is concluded.

ALL VACANCY LOSS	%PGR	%EGR	$/SF (YR.)	$/YEAR
Rental Revenue	10.0%	6.7%	($0.57)	($119,577)
Reimbursement Revenue	10.0%	4.4%	($0.38)	($79,365)
Miscellaneous Revenue			-	$0
TOTAL VACANCY & CREDIT LOSS	10.0%	11.1%	($0.94)	($198,943)

Effective Gross Revenue (EGR)

Effective gross revenue equals the potential gross revenue less vacancy and credit loss.

Operating Expenses

As previously mentioned, it is assumed that operating expenses are paid directly by the tenant to the building owner. We were provided with historic operating data for the appraised property. Based on this data, we have estimated operating expenses of $3.75/sq. ft. for the appraised property. This estimate does not include real estate taxes, management, or reserves for replacements.

Management fees are considered an expense of operation, whether the services are contracted or provided by ownership. We estimate this expense at 2.0% of effective gross income considering the limited managerial responsibilities associated with this property type. Considering the renovated age of the subject improvements, replacement reserves are projected at $0.15 per square foot of building area.

Expense Conclusions

The individual expense conclusions for the subject are summarized below. The analysis relies upon the subject's historical data and general market parameters.

EXPENSE CONCLUSIONS				
OPERATING EXPENSES	%EGR	$/SF NRA	TOTAL	COMMENT
Management Fees	2.0%	$0.17	$35,810	Based on industry standards
Reserves	1.8%	$0.15	$31,746	Based on property condition and industry standards
Other Operating Expenses	44.3%	$3.75	$793,654	Excluding real estate taxes and based on confidential historic data
TOTAL OPERATING EXPENSES	48.1%	$4.07	$861,210	

Net Operating Income (NOI)

The net operating income equals the effective gross income less the total expenses. The total net operating income for the subject is $929,273 which is $4.39/SF.

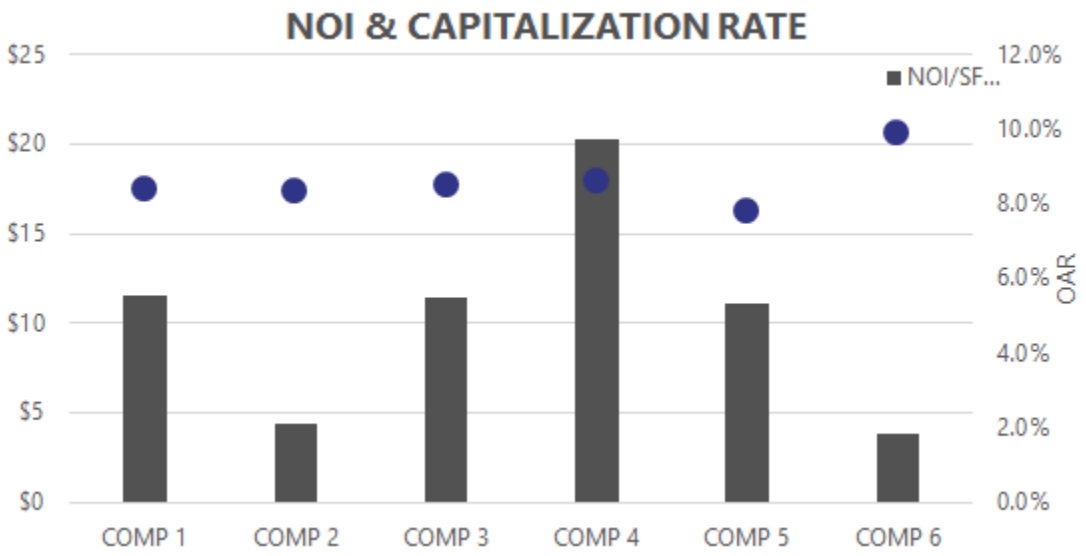
Capitalization Rate

In this section, a capitalization rate for the subject is developed based upon market extraction, national survey data, and band of investments analysis.

Market Extraction

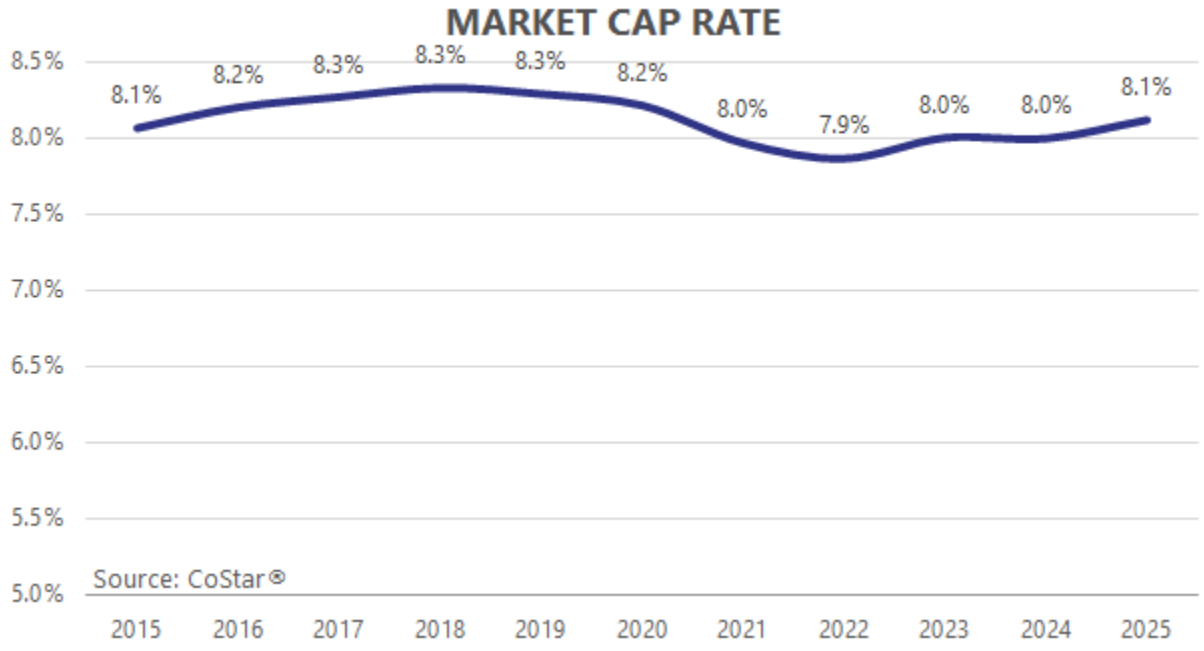
The following capitalization table details capitalization rates extracted from the market.

MARKET EXTRACTION METHOD						
	COMP 1	COMP 2	COMP 3	COMP 4	COMP 5	COMP 6
Name	Division Place I & II	Hobby Lobby	Columbia Plaza	Southside Plaza	Detroit Lakes Shopping Center	Park Plaza Shopping Center
Address	2920 & 2958 Division St	490 E Disk Dr	2500 Columbia Rd S	3300 Broadway S	1659 US Hwy 10 W	410 10th St SE
City	Saint Cloud	Rapid City	Grand Forks	Minot	Detroit Lakes	Jamestown
State	MN	SD	ND	ND	MN	ND
NRA (SF)	127,433	67,744	61,226	21,810	25,710	74,390
Year Built/Ren	1990/2018	1979/2009	1979/2018	2015	2003	1960
Sale Date	12/23/2024	9/30/2024	8/28/2024	2/21/2024	10/5/2023	11/17/2022
Sale Price	$17,550,000	$3,573,266	$8,250,000	$5,143,500	$3,650,000	$2,900,000
Price/SF	$138	$53	$135	$236	$142	$39
NOI/SF NRA	$11.57	$4.38	$11.45	$20.28	$11.09	$3.86
Occupancy	90%	100%	100%	100%	100%	77%
Property Type	Multi-Tenant	Single Tenant	Multi Tenant	Multi Tenant	Multi-Tenant	Multi Tenant
Capitalization Rate	**8.40%**	**8.31%**	**8.50%**	**8.60%**	**7.81%**	**9.90%**
HIGH	9.90%					
AVERAGE	**8.59%**					
LOW	7.81%					



Market Extraction Conclusion

In conclusion, the market extraction method brackets the subject's applicable capitalization rate with a range of The cap rate comps indicate a range from 7.81% to 9.90% with an average of 8.59%. A cap rate near the middle of the range is supported.



National Survey

The investor pool for the subject property likely includes local investors, with a national investor profile viewed as unlikely based on the single-tenant design of the property. Data pertaining to investment grade properties from the PwC and Real Estate Research Corporation (RERC) surveys are summarized below.

NATIONAL INVESTOR SURVEY

CAPITALIZATION RATE (OAR)	YEAR/QUARTER	RANGE	AVERAGE
PwC National Strip Shopping Center			PwC
Retrospective Quarter	**2024 Q4**	**5.50% to 10.00%**	**7.25%**
Previous Quarter	2024 Q3	5.50% to 10.00%	7.30%
Four Quarters Prior	2023 Q4	5.25% to 10.00%	7.50%
RERC Midwest Neighborhood/Community Shop Ctr - Tier 1			RERC
Retrospective Quarter	**2024 Q4**	**6.50% to 8.00%**	**7.40%**
Previous Quarter	2024 Q3	6.50% to 8.00%	7.50%
Four Quarters Prior	2023 Q4	7.00% to 8.00%	7.40%
RERC Midwest Neighborhood/Community Shop Ctr - Tier 2			RERC
Retrospective Quarter	**2024 Q4**	**6.80% to 9.50%**	**8.40%**
Previous Quarter	2024 Q3	6.80% to 9.70%	8.40%
Four Quarters Prior	2023 Q4	7.80% to 9.50%	8.60%
RERC Midwest Neighborhood/Community Shop Ctr - Tier 3			RERC
Retrospective Quarter	**2024 Q4**	**6.80% to 10.50%**	**9.20%**
Previous Quarter	2024 Q3	6.80% to 11.00%	9.20%
Four Quarters Prior	2023 Q4	8.50% 11 -	9.60%

In our experience, cap rates in the region area tend to exceed the rates reported by PwC but are either in line with or below the rates indicated by RERC. The appraised property is considered to be most similar to Tier 2 space in RERC.

Band of Investment Technique

To analyze the capitalization rate from a financial position, the Band of Investment Technique is used. Available financing information from lenders and the sales comparables indicates the following terms. Equity dividend rates vary depending upon motivations of buyers and financing terms. The terms, appreciation, NOI growth and other rates used in the Band of Investment calculations along with the Band of Investment conclusions are presented in the following table:

SIMPLE BAND OF INVESTMENT

ASSUMPTIONS			
Interest Rate	6.89%	Ten Year Treasury	250 bp
Loan Amortization Period	25 Years	Current 10-Yr. Treasury	4.39% (Other)
Loan-To-Value-Ratio	75.00%	6-Mos Trend	
Mortgage Constant	0.08397	Current SOFR	4.36% (Other)
		6-Mos Trend	

CALCULATION					
Mortgage Component	75%	x	8.40%	=	0.0630
Equity Component	25%	x	10.00%	=	0.0250
INDICATED CAPITALIZATION RATE					**8.80%**

Capitalization Rate Conclusion

Taking all factors into consideration, the following table summarizes the various capitalization rate indicators and provides the final capitalization rate conclusion. Equal emphasis was placed on the market extraction and band of investment with support from the balance of the data.

CAPITALIZATION RATE CONCLUSION				
COMPONENT		**RANGE**		**AVERAGE**
Market Extraction	7.81%	to	9.90%	8.59%
National PwC Investor Surveys Average	6.40%	to	9.50%	8.06%
RERC Midwest Neighborhood Shop Ctr - Tier 2	6.80%	to	9.50%	8.40%
Simple Band of Investment Calculation				8.80%
CONCLUDED CAPITALIZATION RATE				**8.60%**

DIRECT CAPITALIZATION CONCLUSION

The table below summarizes the Direct Capitalization Method and its value conclusion. The unpaid balance of special assessments was deducted to relate the net value of the property.

DIRECT CAPITALIZATION							
OCCUPIED SPACE							
TENANT	**NRA (SF)**	**CATEGORY**	**CONTRACT**	**MARKET**	**CONT V MKT**	**$/SF (YR.)**	**$/YEAR**
Owner Occupied User	211,641	0	$0.00	$5.65	0%	$5.65	$1,195,772
OCCUPIED SUBTOTALS	**211,641**	**-**	**$0.00**	**$5.65**	**0%**	**$5.65**	**$1,195,772**
TOTAL	211,641	-	$0.00	$5.65	0%	$5.65	$1,195,772
GROSS RENTAL REVENUE							
RENTAL REVENUE			**%PRR**	**%PGR**	**%EGR**	**$/SF (YR.)**	**$/YEAR**
Potential Base Rent			100%	60%	67%	$5.65	$1,195,772
TOTAL RENTAL REVENUE						$5.65	$1,195,772
OTHER TENANT REVENUE (REIMBURSEMENT/RECOVERIES)							
CAM / Tenant Expenses			66%	40%	44%	$3.75	$793,654
TOTAL OTHER TENANT REVENUE (REIMBURSEMENT/RECOVERIES)			66%	40%	44%	$3.75	$793,654
POTENTIAL GROSS REVENUE						$9.40	$1,989,425
ALL VACANCY LOSS				**%PGR**	**%EGR**	**$/SF (YR.)**	**$/YEAR**
Rental Revenue				10.0%	6.7%	($0.57)	($119,577)
Reimbursement Revenue				10.0%	4.4%	($0.38)	($79,365)
Miscellaneous Revenue						-	$0
TOTAL VACANCY & CREDIT LOSS				10.0%	11.1%	($0.94)	($198,943)
EFFECTIVE GROSS REVENUE						$8.46	$1,790,483
OPERATING EXPENSES	**Reimbursed As**			**%PGR**	**%EGR**	**$/SF (YR.)**	**$/YEAR**
Management Fees				1.8%	2.0%	($0.17)	($35,810)
Reserves				1.6%	1.8%	($0.15)	($31,746)
Other Operating Expenses	*CAM / Tenant Expenses 100%*			39.9%	44.3%	($3.75)	($793,654)
TOTAL OPERATING EXPENSES				43.3%	48.1%	($4.07)	($861,210)
NET OPERATING INCOME						$4.39	$929,273
Capitalization Rate							8.60%
Subject's Effective Payable 2024 Tax Rate (Paid by Tenant, Subject to Vacancy)							0.13%
Loaded Capitalization Rate (Includes Effective Tax Rate)							8.73%
Capitalized Value Based on Loaded Cap Rate							$10,646,195
INDICATED VALUE (ROUNDED TO NEAREST $10,000)						**$50**	**$10,650,000**
Less Unpaid Balance of Special Assessments						($0.02)	($5,270)
INDICATED VALUE (ROUNDED TO NEAREST $10,000)						**$50**	**$10,640,000**

RECONCILIATION OF VALUE CONCLUSIONS

Based on the agreed upon scope with the client, the subject's specific characteristics and the interest appraised, this appraisal developed Land Sales Comparison, Cost, Sales Comparison, and Income (Direct Capitalization) Approaches. The values presented represent the Retrospective Market Value (Fee Simple Estate).

The Reconciliation of Value Conclusions is the final step in the appraisal process and involves the weighing of the individual valuation techniques in relationship to their substantiation by market data, and the reliability and applicability of each valuation technique to the subject property. Below, the individual strengths and weaknesses of each approach are analyzed.

As previously discussed, the **Cost Approach** was included in this analysis. There were limited comparable land sales in the size range of the appraised property, and none purchased for big box retail development, which is a weakness of this approach. We were able to analyze depreciation of big box stores, which indicates that this approach is applicable. Additionally, given the larger owner-user oriented use of the property, the Cost Approach is considered a reliable valuation method. However, the costs of construction have outstripped market rental rates and sale prices. This factor works against the reliability of the Cost Approach, and it was given lesser weight in the final analysis.

The price per square foot method has been presented in the **Sales Comparison Approach**. There have been several recent sales of properties similar to the subject in the region in the current market conditions, which increases the validity of this approach. The most likely buyer for the subject would most be an owner-user and consequently, this approach is given primary weight.

The **Income Approach** to value is generally considered to be the best and most accurate measure of the value of income-producing properties. The value estimate by this approach best reflects the analysis that knowledgeable buyers and sellers carry out in their decision-making processes regarding this type of property. Sufficient market data was available to reliably estimate gross income, vacancy, expenses and capitalization rates for the subject property. The property is occupied by a party related to the property owner, and similar buildings are frequently purchased for owner-occupancy. This approach was given some weight in the final reconciliation.

The Sales Comparison and Income Capitalization Approaches formed a very tight band and were given greater emphasis in the following retrospective market value.

RECONCILIATION OF VALUES

VALUATION SCENARIOS	RETROSPECTIVE MARKET VALUE
Interest	Fee Simple Estate
Date	February 1, 2025
LAND VALUE	
LAND CONCLUSION	**$8,670,000**
$/SF Total Land Area	$7.24
COST APPROACH	
COST CONCLUSION	**$15,640,000**
$/SF NRA	$74
SALES COMPARISON APPROACH	
SALES COMPARISON APPROACH	
Indicated Value	**$10,150,000**
$/SF NRA	$48
INCOME CAPITALIZATION APPROACH	
DIRECT CAPITALIZATION	
Indicated Value	**$10,640,000**
$/SF NRA	$50
FINAL VALUE CONCLUSION	
FINAL VALUE CONCLUSION	**$11,000,000**
$/SF NRA	$52

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions of the signer are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- The signer of this report has no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- Mitchell Simonson, MAI has performed no services, specifically as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- The signer is not biased with respect to the property that is the subject of this report or to the parties involved with this assignment.
- The engagement in this assignment was not contingent upon developing or reporting predetermined results.
- The compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the *Code of Professional Ethics* and *Standards of Professional Appraisal Practice* of the Appraisal Institute, and the *Uniform Standards of Professional Appraisal Practice*, as set forth by the Appraisal Standards Board of the Appraisal Foundation.
- Mitchell Simonson, MAI inspected the property that is the subject of this report.
- Karin Almjeld provided significant real property appraisal assistance to the appraiser signing this certification, including verifying rent & sale comparables, interviewing brokers for appropriate market rent, cap rates and sale prices for the subject and similar property type. It is noted that the responsibilities of parties providing assistance is not considered to be significant in terms of any value determination. All parties conducted assistance under the direct supervision of the appraiser's signing this report in compliance with State regulations.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this report, Mitchell Simonson, MAI, has completed the continuing education program for Designated Members of the Appraisal Institute.



Mitchell Simonson, MAI
Certified General Appraiser
North Dakota License No. CG-21245
Expiration Date 12/31/2025
612-618-3726
mitch@simonsonap.com

ASSUMPTIONS & LIMITING CONDITIONS

- Information presented in this report has been obtained from reliable sources, and it is assumed that the information is accurate.
- This analysis assumes that the information provided for this appraisal accurately reflect the current condition of the subject property.
- This report shall be used for its intended purpose only, and by the party to whom it is addressed. Possession of this report does not include the right of publication.
- The appraiser may not be required to give testimony or to appear in court by reason of this appraisal, with reference to the property in question, unless prior arrangements have been made.
- The statements of value and all conclusions shall apply as of the dates shown herein.
- There is no present or contemplated future interest in the property by the appraiser which is not specifically disclosed in this report.
- Without the written consent or approval of the author neither all, nor any part of, the contents of this report shall be conveyed to the public through advertising, public relations, news, sales, or other media. This applies particularly to value conclusions and to the identity of the appraiser and the company with which the appraiser is connected.
- This report must be used in its entirety. Reliance on any portion of the report independent of others, may lead the reader to erroneous conclusions regarding the property values. Unless approval is provided by the author no portion of the report stands alone.
- We assume no responsibility for matters legal in character, nor do we render any opinion as to title, which is assumed to be marketable. All existing liens, encumbrances, and assessments have been disregarded, unless otherwise noted, and the property is appraised as though free and clear, under responsible ownership, and competent management.
- The appraisal has provided exhibits to assist the client(s)/intended user(s) to understand from a graphical standpoint some of the salient issues which impact the subject property. We have made no survey of the property and if further verification is required, a survey by a registered surveyor is advised.
- The appraiser assumes no responsibility for determining if the property requires environmental approval by the appropriate governing agencies, nor if it is in violation thereof, unless otherwise noted herein. This analysis assumes that no asbestos or other hazardous materials are stored or found in or on the subject property. If evidence of hazardous materials of any kind occurs, the reader should seek qualified professional assistance. If hazardous materials are discovered and if future market conditions indicate an impact on value and increased perceived risk, a revision of the concluded values may be necessary.
- The valuation stated herein assumes professional management and operation of the buildings throughout the lifetime of the improvements, with an adequate maintenance and repair program.
- The liability of Simonson Appraisals, its principals, agents, and employees is limited to the client. Further, there is no accountability, obligation, or liability to any third party. If this report is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions. The appraiser is in no way responsible for any costs incurred to discover or correct any deficiency in the property.
- The appraiser is not qualified to detect the presence of toxic or hazardous substances or materials which may influence or be associated with the property or any adjacent properties, has made no investigation or analysis as to the presence of such materials, and expressly disclaims any duty to note the degree of fault. Simonson Appraisals and its principals, agents, employees, shall not be liable for any costs, expenses, assessments, or penalties, or diminution in value, property damage, or personal injury (including death) resulting from or otherwise attributable to toxic or hazardous substances or materials, including without limitation hazardous waste, asbestos material, formaldehyde, or any smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids, solids or gasses, waste materials or other irritants, contaminants or pollutants.
- The appraiser assumes no responsibility for determining if the subject property complies with the *Americans with Disabilities Act* (*ADA*). Simonson Appraisals, its principals, agents, and employees, shall not be liable for any costs, expenses, assessments, penalties or diminution in value resulting from non-compliance.
- This appraisal assumes that the subject meets an acceptable level of compliance with *ADA* standards; if the subject is not in compliance, the eventual renovation costs and/or penalties would negatively impact the present value of the subject. If the magnitude and time of the cost were known today, they would be reduced from the reported value conclusion.

- Unless otherwise noted herein, a detailed soils study was not provided for this analysis. The subject's soils and sub-soil conditions are assumed to be suitable based upon a visual inspection of the subject property and surrounding properties, which did not indicate evidence of excessive settling or unstable soils. No certification is made regarding the stability or suitability of the soil or sub-soil conditions.

PROFESSIONAL QUALIFICATIONS OF MITCHELL E. SIMONSON, MAI

EXPERIENCE:

- Simonson Appraisals – Owner/Certified General Appraiser – January 2019 to present
- Chadwick Appraisals – Managing Principal, Certified General Appraiser – August 2012 to December 2018
- Integra Realty Resources- Minneapolis / St. Paul – Associate Director, Senior Real Estate Appraiser and Expert Witness Consultant – March 2006 to July 2012
- Integra Winius Realty Analysts – Phoenix, Arizona – Real Estate Appraiser and Expert Witness Consultant – February 2005 to February 2006

APPRAISAL:

Experience includes valuation and analysis of all types of real estate ranging from commercial, industrial, residential, and special purpose properties. Clients served include private and public agencies, lenders, law firms, and investment firms. Valuations have been performed for condemnation and property tax purposes, estates, financing, equity participation and due diligence support. Valuations and market studies have been done on proposed, partially completed, renovated and existing structures. Valuations have been performed on various properties including, but not limited to, neighborhood and community shopping centers, apartment complexes, single and multi-tenant industrial buildings, low to high rise office buildings, mixed use facilities, and vacant land for different uses. Specialized real estate valued includes mobile home parks, limited-service and full-service hotels, campgrounds, places of worship, marinas, auto dealerships, medical offices, and residential land subdivisions. Mr. Simonson is qualified as an Expert Witness at Condemnation Proceedings.

PROFESSIONAL ASSOCIATIONS AND LICENSES:

- Appraisal Institute, Member (MAI)
- Certified General Appraiser, Minnesota License No. 20573344, Expires August 2025
- Certified General Appraiser, Wisconsin License No. 1561-10, Expires December 2025
- Certified General Appraiser, North Dakota License No. CG-21245, Expires December 2025
- Speaker at Minnesota Bankers Association/SBA Workshops - Helping Lenders Navigate the Appraisal Process
- Moderator/Speaker at Minnesota Real Estate Journal, NAIOP, Bisnow, Minnesota Real Estate Exchangors (MREE) events
- Keynote Speaker/Trainer -Empowering Leaders to Live with More Meaning, Margin and Miracles
- Participant – 2012 Co-Chair NAIOP MN Communications Committee
- Member – St. Cloud State University Real Estate Alumni Association
- Participant – Appraisal Institute Leadership Development and Advisory Council, Washington DC, 2012
- Past Member: Realtors Toastmasters 2512

EDUCATION:

St. Cloud State University, Bachelor of Science Degree in Business, Real Estate Appraisal

Along with his formal real estate education, Mr. Simonson has successfully completed numerous investment education offerings along with multiple real estate appraisal related courses sponsored by the Appraisal Institute, and other valued educators.

Currently certified by the Appraisal Institute's voluntary program of continuing education for its designated members.



North Dakota Real Estate Appraiser Qualifications and Ethics Board

Mitchell E. Simonson

Is fully qualified
in the State of North Dakota as A

Certified General Appraiser
ND Permit Number: CG-21245

Date of Issuance: 01/01/2025
Expiration Date: 12/31/2025

Unless sooner suspended or revoked, as provided by law.

Mitchell Simonson
Appraiser Signature

COUNTY

COMMISSION

ITEM

4

BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
PROVIDENT BUILDING REMODEL
MAY 15th, 2025

1:30 PM

Chairman Bitner called the Burleigh County Commission special meeting to order.

A roll call of members: Commissioners Munson, Bakken, Schwab, and Chairman Bitner were present along with Commissioner Woodcox via phone.

Alicia Fadley and Dan Schaff from HTG Architects presented information about the bids that were received for the Provident Building renovation. Fadley listed the low bids for the project. The low bid for general contractor was Northwest Contracting at $4,969,100 with the alternate bid of solid surface instead of quartz saving $65,000. The low bid for the re-roofing was Herzog Roofing, however the roof had a re-coating about a year ago and does not need to be done at this time. The low bid for the asbestos abatement was Horsley Specialties at $322,795. The low bid for mechanical and plumbing was H.A. Thompson & Sons at $8,372,000. The low bid for the electrical was Skeel's Electric at $2,923,459. Schaff stated the overall cost of the project will be $16,587,354. Discussion was had. Motion by Comm Schwab, 2nd by Comm. Bakken to approve the low bids of Northwest Contracting, Horsley Specialties, H.A. Thompson & Sons, and Skeel's Electric for the remodeling of the Provident Building. Discussion was had on the funding for the project and possible financing. Fadley stated that the project would take two to two and a half years to complete in two large phases. Commissioners Bakken, Schwab, Woodcox and Chairman Bitner voted 'AYE'. Commissioner Munson voted 'NAY'. ***Motion Carried.***

Meeting adjourned.

_____ _____

Mark Splonskowski, Auditor/Treasurer Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
PETITION TO REMOVE THE AUDITOR/TREASURER &
PRELIMINARY RESOLUTION FOR THE REDESIGNATION OF THE AUDITOR/TREASURER
MAY 21st, 2025

5:00 PM

Chairman Bitner called the Burleigh County Commission special meeting to order.

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

Chairman Bitner started the discussion of submitting a petition to the Governor to remove Auditor/Treasurer Mark Splonskowski. Chair Bitner noted that there was information relative in the agenda packet. States Attorney Julie Lawyer presented information regarding the petition. Discussion was had. Motion by Comm. Schwab, 2nd by Comm. Woodcox to proceed with submitting of the petition for removal of the Auditor/Treasurer. Commissioners Munson, Woodcox, Schwab, and Chairman Bitner voted 'AYE'. Commissioner Bakken voted 'NAY'. ***Motion carried.***

Chairman Bitner started the discussion on the preliminary resolution for the redesignation of the Auditor/Treasurer position. Chair Bitner noted that there was information relative in the agenda packet. States Attorney Julie Lawyer presented information regarding the preliminary resolution. To correct a statement which was made at the last meeting, Lawyer clarified that the Commission can redesignate and restructure the offices during the term as long as the duration of the term or the salary of the official is not altered. She presented a schedule of the anticipated staff needed by each department effected by the redesignation and restructuring. Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve the preliminary resolution to separate the elective office of Auditor and the appointed offices of Treasurer, County Administrator, & Tax Equalization as presented. Commissioners Bakken, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Munson voted 'NAY'. ***Motion carried.***

Meeting adjourned.

_____ _____

Mark Splonskowski, Auditor/Treasurer Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
May 19th, 2025

5:25 PM

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

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

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the agenda adding an item to other business per Chairman Bitner regarding public comment policy. All members present voted 'AYE'. ***Motion carried***.

Motion by Comm. Schwab, 2nd by Comm. Bakken to approve the May 5th, 2025 meeting minutes as well as the approval of the 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
Adela Perez Diaz	2024	N5' of Lot 29, all Lot 30, S10' of Lot 31, Block 93, McKenzie & Coffin's	Error in property description	$168,600	$74,100
John & Sharon Fox	2023	Lot 7, Block 1, High Meadows 7th	Error in property description	$441,600	$404,000
John & Sharon Fox	2024	Lot 7, Block 1, High Meadows 7th	Error in property description	$469,400	$431,800
Michael & Rita Bartholomew	2023	Com @ pt 50' W of SE cor of Lot 3 W50' along S line of Lot 3 N70' E15' N80' to N line Lot 3 E35' along N line Lot 3 S150 to beg, Block 6, Northern Pacific	50% Homestead Credit	$225,200	$125,200
Michael & Rita Bartholomew	2024	Com @ pt 50' W of SE cor of Lot 3 W50' along S line of Lot 3 N70' E15' N80' to N line Lot 3 E35' along N line Lot 3 S150 to beg, Block 6, Northern Pacific	50% Homestead Credit	$231,500	$131,500

Verdeen Backstrom	2023	Lot 5A, Block 1, Boulder Ridge 1st Addn & undiv int in following common areas: Aud Lot B of L13, L15, Aud Lot B of L17, B1; L8 B2; L7 B3; L11 B9 & L12-13 B10	100% Homestead Credit	$297,300	$97,300
Verdeen Backstrom	2024	Lot 5A, Block 1, Boulder Ridge 1st Addn & undiv int in following common areas: Aud Lot B of L13, L15, Aud Lot B of L17, B1; L8 B2; L7 B3; L11 B9 & L12-13 B10	100% Homestead Credit	$291,300	$91,300
Jefferie Ehman	2024	Unit 4, Bldg 3112 Arrow Head Ranch, Block 2, Pebble Creek 8th, Lots 4,6,8,10, Block 1,Pebble Creek 8th Rplt & Lot 15 less Wly 148' of Sly 180', Block 2, Pebble Creek 8th	50% Homestead Credit	$300,000	$200,000
Eve Ann Benson	2023	Lot 5, Block 21, Wachter's 10th	50% Homestead Credit	$338,400	$288,400
Milt & Julie Bradford	2025	1999 Bellavista 66 x 26, serial # 670CC-99	50% Homestead Credit	$62,600	$31,300
Gaylynn Becker	2023	Lot 11, Block 12, Sattler's Sunrise 5th	50% Homestead Credit	$456,700	$406,700
Neal & Judith Jacobson	2024	Lot 13, Block 4, Wachter's 7th	50% Homestead Credit	$137,300	$68,650
Caleb Toman	2023	Lots 10-11 less the S4' of W40.08' of Lot 11, Block 77, William's Survey	Error in property description	$171,100	$141,400
Caleb Toman	2024	Lots 10-11 less the S4' of W40.08' of Lot 11, Block 77, William's Survey	Error in property description	$172,700	$140,600
Vernon & Darlene Bender	2023	Lot 23, Block 8, Peet's 4th	50% Homestead Credit	$326,700	$226,700
Ted Allen	2023	Lots 14-15 less E10' for alley, Block 3, Coffin's	100% Homestead Credit	$146,000	$0
Ted Allen	2024	Lots 14-15 less E10' for alley, Block 3, Coffin's	100% Homestead Credit	$152,200	$0

Keys Please	2023	Lot 37 Wilton Mobile Home Park, 1973 Marshfield 14 x 66	MH in unlivable condition, currently being repaired	$7,456	$3,728
Keys Please	2024	Lot 37 Wilton Mobile Home Park, 1973 Marshfield 14 x 66	MH in unlivable condition, currently being repaired	$7,456	$3,728
Franklin & Marjorie Mick	2023	Lot 12 pt of Lot 1 beg Wly cor Lot 1 Sely 52' SSEly 45.3' to Sly cor Lot 1 Nwly 94.28' to beg, Block 6, Peet's 3rd	50% Homestead Credit	$299,500	$199,500
Franklin & Marjorie Mick	2024	Lot 12 pt of Lot 1 beg Wly cor Lot 1 Sely 52' SSEly 45.3' to Sly cor Lot 1 Nwly 94.28' to beg, Block 6, Peet's 3rd	50% Homestead Credit	$313,900	$213,900
Francine Aune	2023	Lot 44, Block 1, Edgewood Village 2nd Addn	50% Homestead Credit	$368,500	$268,500
Francine Aune	2024	Lot 44, Block 1, Edgewood Village 2nd Addn	50% Homestead Credit	$386,100	$286,100
Eric & Corrine Atwood	2024	W50' of Lots 13-16 & W50' of S10' of Lot 17, Block 17, Coffin's	100% Homestead Credit	$190,900	$95,450
Marlys Baumann	2023	Lots 2-3, Block 3, Sonnet Heights Sub 1st Rpt & Lot 2, Block 26, Sonnet Heights Sub & W35' Vac Ottawa St Adj Unit 6 Bldg 2(B) Laguna Hills, Block 3, Sonnet Heights Sub 1st Rpt	50% Homestead Credit	$187,200	$0
Walter & Lea Baumgartner	2024	Lot 22 & Lot 21A, Block 1, Kilber 2nd Addn	50% Homestead Credit	$311,200	$211,200
John & Helen Bennett	2023	Tract M being W1/2 Lot 8, Block 28, Stein's 4th	50% Homestead Credit	$224,700	$124,700
Bob & Patty Gefre	2024	Unit 3335 Rolling Hills Condos I, Lot 1, Block 1, East Hills Addn Replat	50% Homestead Credit	$341,600	$241,600
Shaun Riveland	2024	Lot 1, Block 1, Ripplinger	80% Disabled Veteran	$549,300	$405,300
Douglas & Carol Alm	2023	Lot 8, Block 3, Cottonwood Lake 4th & undivided interest in Lot 32, Block 1	50% Homestead Credit	$412,200	$312,200

Marlene Grate	2023	Unit 8 & garage unit 1, Gateway Plaza Condos Bldg 2715, Tract 2715A, Block 2, Gateway Commons	50% Homestead Credit	$127,700	$63,850
Marlene Grate	2024	Unit 8 & garage unit 1, Gateway Plaza Condos Bldg 2715, Tract 2715A, Block 2, Gateway Commons	50% Homestead Credit	$129,400	$64,700
Bernadette Heidrich	2024	Unit 5 & garage 8, Washington Court Condos Bldg 215, Lot H of Lot 1, Block 13, Replat Homan Acres	50% Homestead Credit	$120,800	$60,400
Frank Benson & Janice Vigil	2023	Lot 1, Block 17, Replat Tibesar's 1st Sub	100% Homestead Credit	$245,300	$45,300
James Keegan	2023	Lot 15, Block 10, Jenning's 2nd	50% Homestead Credit	$184,700	$92,350
James Keegan	2024	Lot 15, Block 10, Jenning's 2nd	50% Homestead Credit	$181,300	$90,650

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Adela Perez Diaz, John & Sharon Fox, Michael & Rita Bartholomew, Verdeen Backstrom, Jefferie Ehman, Eve Ann Benson, Milt & Julie Bradford, Gaylynn Becker, Neal & Judith Jacobson, Caleb Toman, Vernon & Darlene Bender, Ted Allen, Keys Please, Franklin & Marjorie Mick, Francine Aune, Eric & Corrine Atwood, Marlys Baumann, Walter & Lea Baumgartner, John & Helen Bennett, Bob & Patty Gefre, Shaun Riveland, Douglas & Carol Alm, Marlene Grate, Bernadette Heidrich, Frank Benson & Janice Vigil, James Keegan abatements and the consent agenda in its entirety. All members present voted 'AYE'. ***Motion carried***.

Chairman Bitner opened a public hearing for the consideration of the Sanford bonds and asked if there was a representative of Sandford present. Ronni Martin with law firm Chapman and Cutler LLP, representing Sanford as bond council, joined the meeting via Zoom and presented information regarding Sanford's plan to issue tax exempt bonds through the South Dakota Health & Educational Facilities Authority. She said a portion of these bonds would be used in facilities throughout the County. She stated there is no liability to the County for these bonds and that for Sanford to use the proceeds of tax-exempt bonds they need the public hearing for the jurisdiction to approve the financing. Martin explained the detailed use of the bond funds within the County. Charles Tuttle spoke against the Sanford bond. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Sanford bond. Commissioners Munson and Bakken voted 'AYE'. Commissioners Schwab, Woodcox, and Chairman Bitner voted 'NAY' ***Motion failed.*** Martin explained why the request was being made of the County versus the City of Bismarck.

Public comment was heard from Coty Sicble regarding a petition to request the Burleigh County State's Attorney to cease and desist initiating removal proceedings against the elected County Auditor/Treasurer on behalf of the County Commission. Charles Tuttle added comment. Discussion was had.

Chairman Bitner discussed the submission of a petition to the Governor for the removal of the County Auditor/Treasurer. State's Attorney Julie Lawyer stated that she had been delayed in preparing the petition in time for the agenda packet for tonight's meeting. She said that she did prepare a draft that had been emailed out to the Commission to review and discuss at the next regular Commission meeting. Motion by Comm. Munson, 2nd by Comm. Bakken to move this agenda item to the next regular Commission meeting. Commissioners Bakken and Munson voted 'AYE'. Commissioners Schwab, Woodcox, and Chairman Bitner voted 'NAY'. ***Motion failed.*** Motion by Comm. Woodcox, 2nd by Comm. Munson to hold a special meeting for this item on Wednesday, May 21st, 2025 at 5:00pm in the 1st Floor Conference Room instead of moving it to the next regular Commission meeting. All members present voted 'AYE'. ***Motion carried.*** Auditor/Treasurer Mark Splonskowski presented information regarding alleged harassment towards the Human Resources (HR) Department for request for information on documents being received by Rob Port about an investigation into the Auditor/Treasurer's Office and requested those emails become public. Splonskowski addressed a complaint that had been filed with the HR Department regarding two Commissioners being placed on the hiring panel for the Elections Coordinator.

Chairman Bitner discussed the transfer of duties of the Auditor/Treasurer. State's Attorney Julie Lawyer said that the duties can be changed through the redesignation of offices procedure, which is what the Commission is pursuing at this time. Another option would be the Commission re-write the home rule charter to assign different duties to other offices. She said neither option could take effect until the current term is over. She stated that the Auditor/Treasurer can designate responsibilities to other people but would ultimately be responsible for those duties. Chair Bitner read through a document discussing the Auditor/Treasurer's office. Charles Tuttle provided comment. Chair Bitner moved this item to the special meeting on Wednesday, May 21st, 2025.

County Extension Agent Kelsey Deckert provided information on the County's 4-H Achievement Days held from July 7th, 2025 through July 10th, 2025. She requested extension office closures due to the event for the afternoons of July 7th & 8th and all day on July 9th & 10th. Motion by Comm. Schwab, 2nd by Comm. Munson to approve the closures of the County Extension Offices in the afternoon on July 7th & 8th and closing all day on July 9th & 10th. All members present voted 'AYE'. ***Motion carried.***

County Sherriff Kelly Leban requested the approval of the amendment to the 2024/2025 ND DOT Traffic Safety Grant. This amendment to the grant is for an additional $2,000 for Impaired Driving Enforcement overtime. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the amendment to the ND DOT Traffic Safety Grant. All members present voted 'AYE'. ***Motion carried.***

County Engineer Marcus Hall presented a resolution to waive the pavement policy, at this time, for the proposed plat for Evaristo & Villegas Cruz (Cruz Subdivision). Motion by Comm. Munson, 2nd by Comm. Bakken to approve the resolution to waive the pavement policy, at this time, for the proposed plat for Evaristo & Villegas Cruz (Cruze Subdivision). All members present voted 'AYE'. ***Motion carried.***

Engineer Hall presented the Township Road mileage breakdown to be submitted to the State annually. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the Township Road mileage breakdown and authorize Chairman Bitner to sign the required State forms. All members present voted 'AYE'. ***Motion carried.***

County Facilities Director Bob Hook presented the bids for the boiler replacement. Hook stated that the low bid received was from Corval Construction, Inc. of $720,000. Motion by Comm. Woodcox, 2nd by Comm. Munson to accept the low bid from Corval Construction, Inc. of $720,000. All members present voted 'AYE'. ***Motion Carried.***

County Human Resources Director Pam Binder presented a review of the County health insurance program. She stated that the Health Insurance Committee recommended an eight percent increase for insurance premiums in 2026, a $700,000 transfer to the general fund from the health insurance appropriation account, and a $1,000,000 transfer to the health insurance plan from the health insurance appropriation account. Binder said these transfers are necessary to correctly account for interest earned. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve an eight percent health insurance premium increase for the 2026 plan year, approve the transfer of $700,000 from the health insurance appropriation (loan) account back into the general fund, and transfer the remaining balance of $1,000,000 into the health insurance plan directly to add to the plan reserves for clarification of recordkeeping for interest earned on the plan reserves. All members present voted 'AYE'. ***Motion carried.***

County Finance Director Leigh Jacobs gave an update on the processing of the Primary Residence Credit (PRC). He stated that money had to be returned to the State for PRC exceptions. Jacobs said an example of an exception would be a person receiving the PRC and then later applying for the Homestead Credit (HC) which zeroed out the tax liability resulting in no taxes owed. This would result in zero dollars remaining to be covered by the PRC since the HC gets applied before the PRC. This money would need to be returned to the State. He said the money has already been returned to the state for real estate property exceptions. Regarding mobile homes, Jacobs stated that the amounts refunded by the County was the amount paid, with or without the discount, if it was under the $500 cap. He said the States guidance was to refund the full consolidated tax amount as long as it was $500 or less and that the County had to send out refund checks to the mobile home owners to cover that difference. Discussion was had.

Finance Director Jacobs discussed investment documentation. He stated that the Finance Department recommended an investment checklist to the Investment Committee and suggested they adopt it into the County's investment procedure, however, the checklist was never used. Jacobs discussed items that were on the checklist that were not being done in the Auditor/Treasurer's office as well as a CD that automatically renewed. Auditor/Treasurer Mark Splonskowski spoke regarding the automatically renewed CD and the Auditor/Treasurer's office procedures for investments. Discussion was had regarding a series of investments that were to be made on a staggered basis.

County Auditor/Treasurer Mark Splonskowski stated that there had been an inquiry into the possibility of a purchase of part of the Missouri Valley Complex property. Discussion was had and the Commission

requested that any inquiry of this nature in the future be brought directly to the attention of the portfolio holder and the Commission. Consensus amongst the Commission was to find out more about the potential offer that was made regarding a purchase of a part of the Missouri Valley Complex property.

Auditor/Treasurer Splonskowski asked for direction on the formation of the Budget Committee and the meeting dates. Chair Bitner stated that the Budget Committee would be made up of the Auditor/Treasurer, Finance Director, and the Human Resources Director. Comm. Woodcox and Comm. Munson volunteered to serve on the Committee.

Auditor/Treasurer Splonskowski gave an update on the parking lot transfer, recommending that the County take the funds from the specials account and transfer them to the parking lot fund to make it whole. The County would then transfer that balance over to the general reserve fund and close both of those funds. Deputy Finance Director Taylor Schmidt added information to the discussion. Motion by Comm. Bakken, 2nd by Comm. Munson to transfer the funds from the specials account to the parking lot account and then transfer the account balance to the general reserve fund then closing both funds. All members present voted 'AYE'. ***Motion carried.***

Auditor/Treasurer Splonskowski made note of an item not on the agenda for informational purposes. There was a resignation on the Burleigh County Housing Authority; thus, the County will be opening up the application process for that auxiliary board position.

In other business:

- Chair Bitner presented and read a proposed policy for public comment procedures and asked the Commission to give their input for the draft. Chair Bitner requested this item be placed on the agenda for the next regular meeting.

Meeting Adjourned.

_____
Mark Splonskowski,
County Auditor/Treasurer

_____
Brian Bitner,
Chairman

DRAFT

ITEM

5

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
25-365	Deborah Sukauskas	2024	Lot 1, Block 5, Tatley Meadows VI	100% Disabled Veteran	$352,700	$172,700
25-383	Josh Hackman	2024	N47' of Lot 7 & S33' of Lot 8, Block 12, Register's 2nd	Error in property description	$296,400	$261,200
25-384	Laura Huber	2024	Lot 4, Block 1, Northwest Acres 3rd	Error in property description	$417,300	$396,000
25-385	James Keegan	2023	Lot 15, Block 10, Jenning's 2nd	50% Homestead Credit	$184,700	$92,350
25-386	James Keegan	2024	Lot 15, Block 10, Jenning's 2nd	50% Homestead Credit	$181,300	$90,650
25-387	Dale Bleeker	2023	Lot 6, Block 1, East Lincoln First	100% Homestead Credit	$229,200	$29,200
25-388	Dale Bleeker	2024	Lot 6, Block 1, East Lincoln First	50% Homestead Credit	$243,400	$143,400
25-389	Valentine & Genevieve Gross	2024	Lot 1, Block 2, Indian Hills	50% Homestead Credit	$257,500	$157,500
25-392	Bryon & Susan Ralph	2023	Lots 11-12, Block 61, McKenzie & Coffin's	50% Homestead Credit	$185,900	$92,950
25-393	Bryon & Susan Ralph	2024	Lots 11-12, Block 61, McKenzie & Coffin's	50% Homestead Credit	$191,400	$95,700
25-394	Phyllis Walker	2023	Beg 150'E & 450'S of NW cor E147' to W line of 22nd St S50' W147' N50' to beg, Block 21, Lounsberry Outlots	50% Homestead Credit	$196,000	$98,000
25-395	Phyllis Walker	2024	Beg 150'E & 450'S of NW cor E147' to W line of 22nd St S50' W147' N50' to beg, Block 21, Lounsberry Outlots	100% Homestead Credit	$197,200	$0
25-396	Donna Kemmet	2023	Unit 7 & Garage 2 Bldg 2121 Washington Court Condos, Lot F of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	$110,900	$0
25-397	Donna Kemmet	2024	Unit 7 & Garage 2 Bldg 2121 Washington Court Condos, Lot F of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	$117,100	$0

25-398	Sharon Swenson	2023	Lot 55, Block 2, Sonnet Heights Sub 1st Replat	50% Homestead Credit	$427,300	$327,300
25-399	Sharon Swenson	2024	Lot 55, Block 2, Sonnet Heights Sub 1st Replat	50% Homestead Credit	$454,700	$354,700
25-400	Timothy & Michelle Vanderlaan	2024	Lot 4, Block 8, Hay Creek Meadows	50% Homestead Credit	$260,700	$160,700
25-401	Neal & Judith Jacobson	2023	Lot 13, Block 4, Wachter's 7th	50% Homestead Credit	$142,500	$71,250
25-402	Richard Throndset	2023	Lot 22, Block 8, Highland Acres	50% Homestead Credit	$312,700	$212,700
25-404	Roger & Elrita Nelson	2023	Lot 2 less easterly 62.5' measured parallel to east line L2, Block 3, North Hills 14th	50% Homestead Credit	$314,900	$214,900
25-405	Andy Schmit	2023	Lot 8 less Sely 2', said 2' being measured adj & parallel to lot line common to Lots 7-8 & SELY 2'Lot 9 said 2' meas adj & parallel to Lots 8-9, Block 1, the Pointe	100% Homestead Credit	$350,200	$150,200
25-406	Leonard & Helen Berger	2023	Unit 3364 North Star Condos, Lot 1, Block 2, North Hills 11st	50% Homestead Credit	$357,900	$257,900
25-407	Leonard & Helen Berger	2024	Unit 3364 North Star Condos, Lot 1, Block 2, North Hills 11st	50% Homestead Credit	$359,400	$259,400
25-408	Mary Martell	2023	Lot 10, Block 22, Meadow Valley 4th	100% Homestead Credit	$253,600	$53,600
25-409	Mary Martell	2024	Lot 10, Block 22, Meadow Valley 4th	100% Homestead Credit	$267,500	$67,500
25-410	Charles & Gloria Olmsted	2024	Lot 8, Block 4, Marian Park 2nd	50% Homestead Credit	$250,900	$150,900
25-411	Richard & Mavis Shine	2023	Lot 16, Block 25, Southwood Terrace 2nd Rep	100% Homestead Credit	$274,300	$74,300

25-007

GAMING SITE AUTHORIZATION

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

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

Full, Legal Name of Gaming Organization
Matpac Wrestling Club, Inc.

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

Name of Location
Crossroads Tavern

Street	City	ZIP Code	County
1205 Northstar Drive	**Bismarck**	**58503**	**Burleigh**

Beginning Date(s) Authorized	Ending Date(s) Authorized	Number of Twenty-One tables, if zero, enter "0"
7/1/25	**6/30/26**	**2**

Specific location where games of chance will be conducted and played at the site **(required)**
Games will be conducted in bar area, excluding the restrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

[X] Bingo	[ ] Club Special	[X] Sports Pools
[ ] **ELECTRONIC** Quick Shot Bingo	[ ] Tip Board	[X] Twenty-One
[X] Raffles	[ ] Seal Board	[X] Poker
[ ] **ELECTRONIC** 50/50 Raffle	[ ] Punchboard	[X] Calcuttas
[X] Pull Tab Jar	[ ] Prize Board	[ ] Paddlewheel with Tickets
[X] Pull Tab Dispensing Device	[ ] Prize Board Dispensing Device	[X] Paddlewheel Table
[X] **ELECTRONIC** Pull Tab Device		

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

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

RENTAL AGREEMENT

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

License Number (Office Use Only)

Site Owner (Lessor)		Site Name		Site Phone Number
Crossroads Bar Operators, LLC		Crossroads Tavern		
Site Address	**City**	**State**	**Zip Code**	**County**
1205 Northstar Drive	Bismarck	ND	58503	Burleigh
Organization	**Rental Period**			**Monthly Rent Amount**
Matpac Wrestling Club, Inc.	7/1/25	to	6/30/26	

1. Is Bingo going to be conducted at the site?			☐ No ☒ Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.			☒ No ☐ Yes	$
2. Is Twenty-One conducted at this site?			☐ No ☒ Yes	$
Number of Tables with wagers up to $5		X Rent per Table $		
Number of Tables with wagers over $5	2	X Rent per Table $	300	$ 600
3. Is Paddlewheels conducted at this site? Number of Tables	1	X Rent per Table $	200	☐ No ☒ Yes $ 200
4. Is Pull Tabs involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☒ Jar Bar ☒ Standard Dispensing Device				☐ No ☒ Yes $ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices	10			☐ No ☒ Yes $ 1250
Total Monthly Rent				$ 2375-

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

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

Signature of Lessor	Title	Date
x [signature]	Member	5-16-2025
Signature of Lessee	Title	Date
x [signature]	President	5-15-25

25-001

Fireworks Display Permit Application (cont.)

Description of Event/Display Driscoll 4th of July Celebration
Job Value 4,500.00 Display Date 7-4-25
Display Address 39½ Ave SE Driscoll ND 58532
Name of Pyrotechnics Contractor Jerry Keller

Applicant, Owner, Contractor, and Pyrotechnic Information

NOTE: The applicant's email address will be the primary contact during application, review, and inspection processes.

Applicant Information

Name Driscoll Betterment Club / Scott Whitman - President
Address [redacted]
City Driscoll State ND Zip 58532
Phone [redacted] Email N/A

Owner Information

Name Alvin Fried
Address [redacted]
City Driscoll State ND Zip 58532
Phone [redacted] Email N/A

Contractor Information

Name
Address
City State Zip
Phone Email

Fireworks Display Permit Application (cont.)

Pyrotechnician Information

Name Jerry Keller

Address [redacted]

City Bismark State ND Zip 58501

Phone [redacted] Email [redacted]

Pyrotechnician Business Information

Name J & J Fireworks

Address [redacted]

City Bismarck State ND Zip 58503

Phone [redacted] Email [redacted]

Submittal

Scott Whitman — Applicant Name

5/27/25 — Date Submitted

Burleigh County Auditor

Date Received

Fee Received ☑ Yes ☐ No Date Received $2.00 - 5/27/2025

Approval

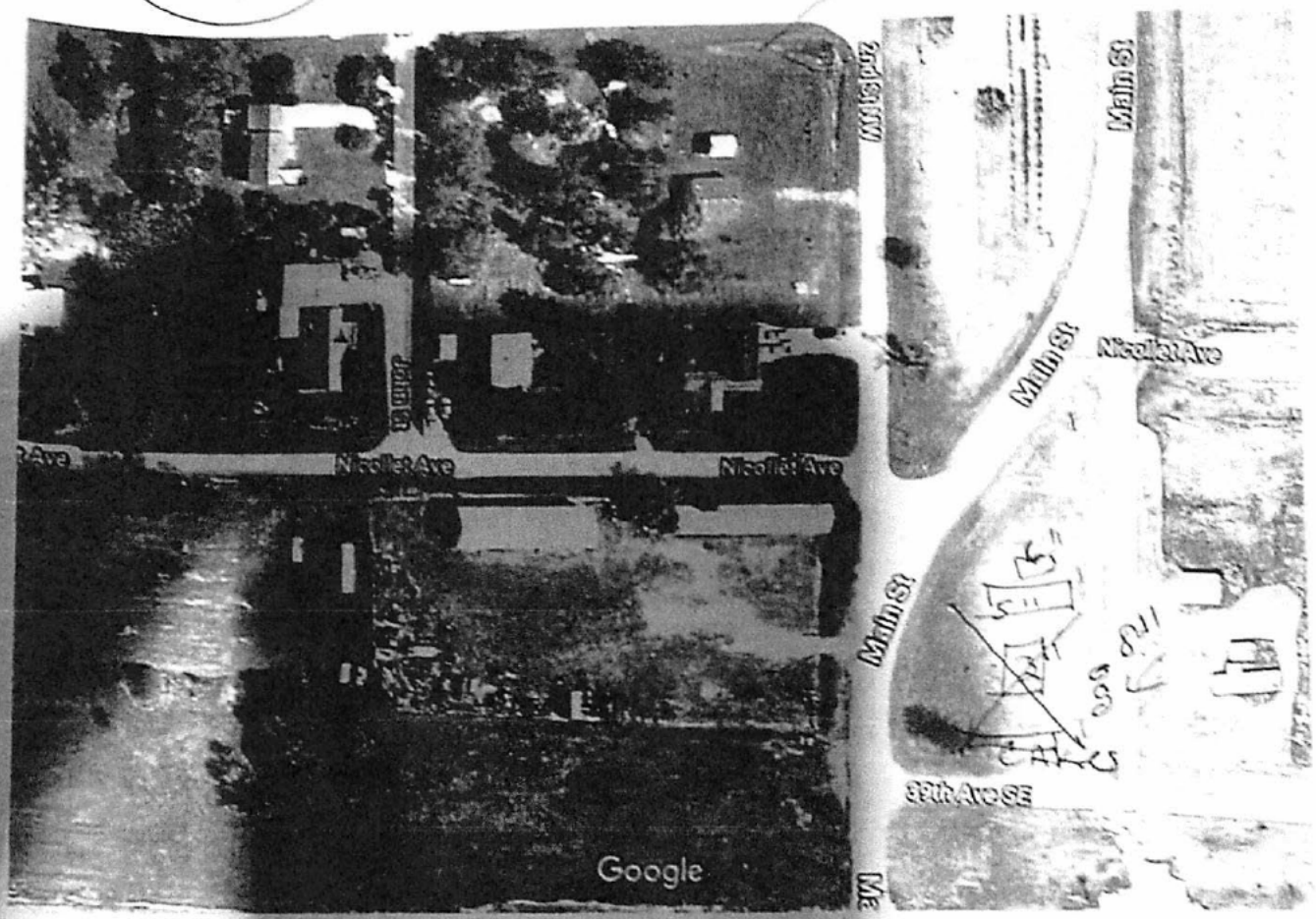
ND Fire Marshal — Date

Burleigh County Chairperson — Date

Approved: 04-04-2022

5/30/22, 8:55 PM Google Maps

#3



#1

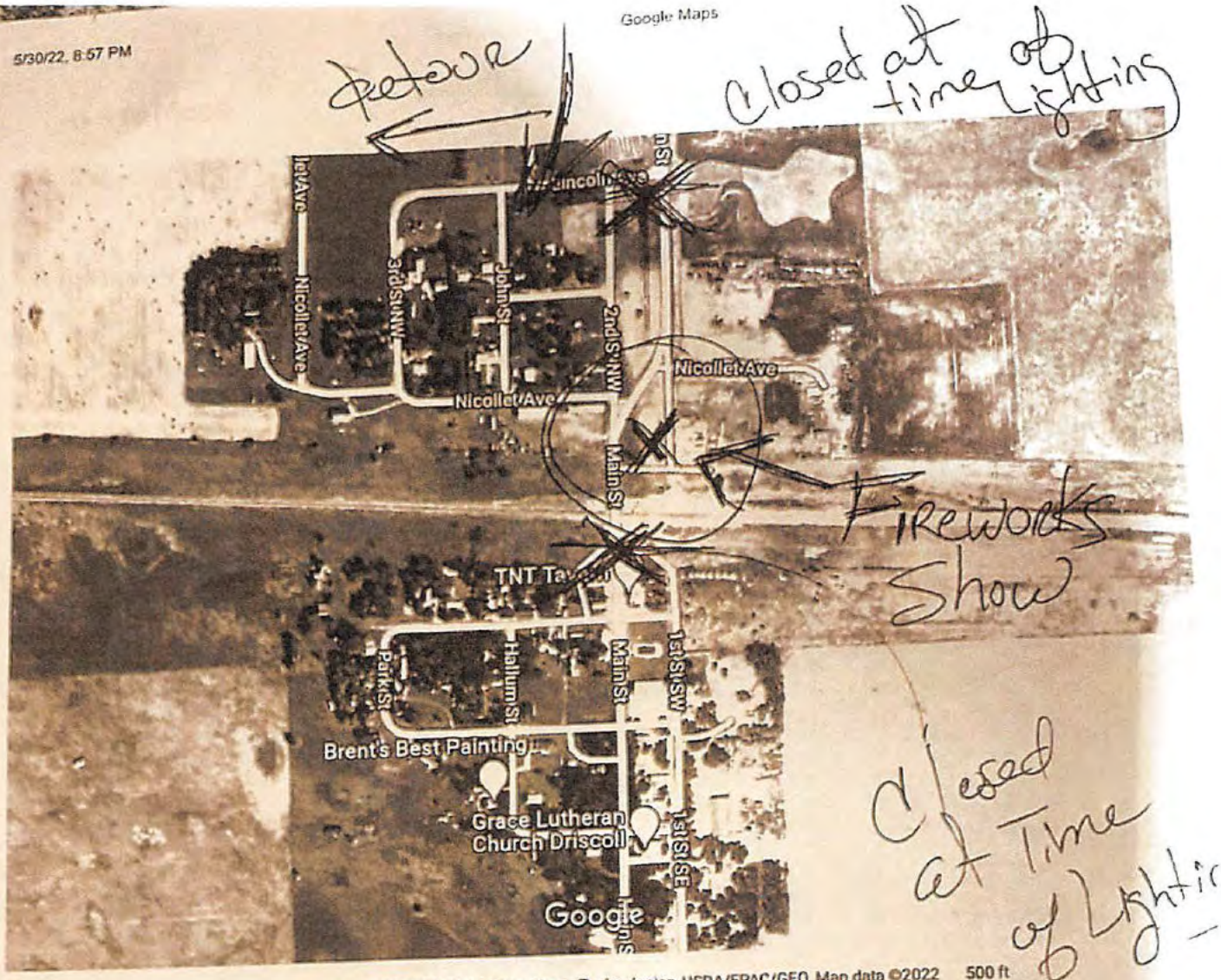
Contact: JerryKeller [redacted]

#4

Fireworks are stored in an Inspected Location that certified by the BATF. They will be transpected in a trailer Inspected by the BATF.

https://www.google.com/maps/@46.8461269,-100.1412223,218m/data=!3m1!1e3

5/30/22, 8:57 PM Google Maps

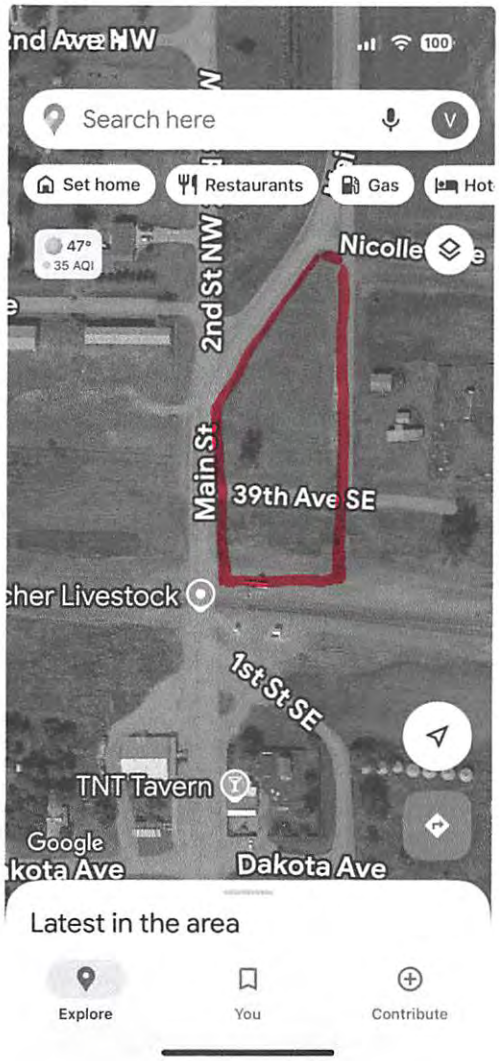


Cakes

3" Shells
5" Shells
6" Shells
8" Shells

[redacted]

https://www.google.com/maps/@46.844751,-100.1382329,873m/data=!3m1!1e3



Roped off fireworks area in Red.

5/27/25 No Changes! All event dates/times are the same for 2025.

Date: ~~***May 15, 2024***~~

To: **Auditor Splonskowski and Burleigh County Commission**

From: **Lonnie Jay Binder, Driscoll Betterment Club Treasurer**

Subject: **Driscoll's Annual 4th of July Fireworks Show Permit**

The Driscoll Betterment Club (a nonprofit organization) has once again hired J & J Professional Fireworks of Bismarck to put on our Fireworks display for our annual 4th of July Celebration on July 4, 2024.

I will provide a brief history of the Driscoll 4th Of July Celebration. Driscoll is a small town on the eastern edge of Burleigh County, thirty-two (32) miles east of Bismarck. On July 4th, 1983 the town of Driscoll celebrated its Centennial. The celebration was such as success that the town residents decided to have an annual 4th of July Celebration. July 4, 2023 will mark the 40th Annual Driscoll 4th of July Celebration. The Driscoll Betterment Club took over the planning and execution of the annual Driscoll 4th of July Celebration from the 4th of July Committee. A good share of the Driscoll Betterment Club members are children of the original Driscoll 4th of July Committee members that started the 4th of July Celebration. It is a proud tradition of the town of Driscoll and many area town's residents attend this celebration every year.

Listed below is a list of the events going on in Driscoll on July 4, 2024:

- **Bingo under the Shelter**
- **Mud Volleyball Tournament**
- **The Mr. Bubble clean fun slip and slide**
- **Dunking Booth**
- **Inflatables for kids**
- **Lawn tractor-train rides for kids**
- **Kids street games**
- **Food Vendors**
- **Craft Vendors**
- **Opening Ceremony with Wing Veteran's Club and Steele Amvets Color guards**
- **Kiddie Parade**
- **Regular Parade**
- **Antique Airplane flyover**
- **Button Prizes**
- **Raffle with great prizes**
- **DJ music street dance**
- **Professional Fireworks Show**

The Sterling Rural Fire Department has agreed to be in Driscoll and on standby during the fireworks display. The water truck will remain on site after the fireworks have been ignited for the reminder of the night and the next day. In past years when it has been dry the Steele Fire Department has also brought a couple of their grass rigs to Driscoll for both the parade and as standby for the fireworks afterward.

The Burleigh County Sheriff's department has been made aware of all of our previous celebrations in the past and security is always hired. Both of these will be done again, as the time gets closer.

The Driscoll Betterment Club is requesting the approval of this permit application from Burleigh County so that we can still have our fireworks show if a burn ban is put into place.

Thank you for your consideration!

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 5/27/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Rebecca Fischer	
Bowerman Insurance Agency PO Box 288 Steele ND 58482	PHONE (A/C, No, Ext): 701-475-2340	FAX (A/C, No): 701-475-2499
	E-MAIL ADDRESS: insurance.services@bowermaninsurance.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Concorde	
INSURED Driscoll Betterment C/O Lonnie Binder 2413 Highway 10 West Steele ND 58472	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 20250527085827805 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:			NBP3550402	9/6/2024	9/6/2025	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
							PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						[ ] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE Rebecca Fischer

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Premier Pyrotechnics, Inc.

certifies to all that

Jerry Keller

Has successfully completed a course in NFPA -1123
and has fulfilled the requirements to be qualified as

Pyrotechnician

April 24, 2004 under the Training Board seal.

Matt Sutcliffe – Lead Instructor

Tony Ramberg – Area Coordinator

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Federal Explosives Licensing Center (FELC)
www.atf.gov

Federal Explosives Licensing Center
244 Needy Road
Martinsburg, West Virginia 25405
telephone: (877)283-3352 fax: (304)616-4401

11/20/2024

NOTICE OF CLEARANCE

for individuals transporting, shipping, receiving, or possessing explosive materials.

ISSUED TO: J & J FIREWORKS LLP
NOTICE DATE: 11/20/2024

Federal Explosives license/permit no.: 3-ND-015-53-7H-00125
Expiration Date: **August 1, 2027**
Explosives License/Permit Type: 53-DEALER OF EXPLOSIVES

EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

❶ **WARNING. Only those individuals listed below as RESPONSIBLE PERSONS and EMPLOYEE POSSESSORS with a background clearance status of "CLEARED" or "PENDING" are authorized to transport, ship, receive, or possess explosive materials in the course of employment with you.**

❷ **"DENIED" STATUS. If an employee possessor has a background clearance status of "DENIED", you MUST take immediate steps to remove the employee from a position requiring the transporting, shipping, receiving, or possessing of explosive materials. Also, if the employee has been listed as a person authorized to accept delivery of explosive materials, you MUST remove the employee from such list and immediately, and in no event later than the second business day after such change, notify distributors of such change, as stated in 27 CFR 555.33(a).**

❸ **CHANGE IN RESPONSIBLE PERSONS. You MUST report any change in responsible persons to the Chief, Federal Explosives Licensing Center, within 30 days of the change and new responsible persons MUST include "appropriate identifying information" as defined in 27 CFR 555.11. Fingerprints and photos are NOT required, however they will be required upon renewal of the license or permit.**

❹ **CHANGE OF EMPLOYEES. You MUST report any change of employee/possessors to the Chief, FELC, within 30 days. Reports relating to newly hired employees must be submitted on ATF Form 5400.28 for EACH employee.**

Premises Address: 3408 THUNDERBIRD LANE
BISMARCK, ND 58503

Mailing Address:
J & J FIREWORKS LLP
J & J FIREWORKS
[redacted]
BISMARCK, ND 58503

This 'Notice of Clearance' is provided to you as required by 18 U.S.C. 843(h) and MUST be retained as part of your permanent records and be made available for examination or inspection by ATF officers as required by 27 CFR 555.121. If you receive a Notice subsequent to this Notice, this Notice will no longer be valid.

In accordance with 27 CFR 555.33, Background Checks and Clearances, and 27 CFR 555.57, Change of Control, Change in Responsible Persons, and Change of Employees, ATF's Federal Explosives Licensing Center (FELC) has conducted background checks on the individual(you identified as a responsible person(s) and an employee/possessor(s) on your application, or reported after the issuance of your license/permit.

The following is a SUMMARY of the results of the background checks conducted on the individuals you reported as responsible persons and employee/possessors. ATF will be notifying ALL individuals listed on this document of their respective status by separate letter mailed to their residence address.

PLEASE BE ADVISED THAT IT IS UNLAWFUL FOR ANY PERSON REFLECTING A STATUS OF "DENIED" TO TRANSPORT, SHIP, RECEIVE, OR POSSESS EXPLOSIVE MATERIALS.

Please carefully review this Notice to ensure that all the information is accurate. If this Notice is incorrect, please return the Notice to the Chief, FELC, with a statement showing the nature of the error(s). The Chief, FELC, shall correct the error, and return a corrected Notice.

Number of RESPONSIBLE PERSON(S) : 2
Number of EMPLOYEE POSSESSOR(S): 2

LAST NAME, First Name, Middle Name	Clearance Status
RESPONSIBLE PERSONS:	**2**
0001 KELLER, JAMES ALLAN	Cleared
0002 KELLER, JERRY MICHAEL	Cleared
EMPLOYEE POSSESSORS:	**2**
0001 KELLER, CHRISTOPHER RON	Cleared
0002 KELLER, KELSEY JOE	Cleared

continued

LAST NAME, First Name, Middle Name	Clearance Status

I-ND-015-53-7H-00125 expiration date: August 1, 2027 J & J FIREWORKS LLP OF J & J FIREWORKS, 3408 THUNDERBIRD LANE, BISMARCK, ND 58503

25-009

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Rolling Plains Adventures LLC Classification of License C

Primary Contact Jeremy Doan Phone [redacted]

Address [redacted] Date of Birth/Incorporation 2000

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application June 30, 2012

Check one of the following to indicate who is applying for the license:

X 1. A physical resident and citizen of the State of North Dakota; or

_____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Jeremy Doan

   Residence [redacted], Bismarck, ND 58503

   Post Office Address "

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

Date and type of any prior or present liquor business:
Class C License / current till June 30, 2025

Exact legal description of proposed enterprise:
24750 62nd Ave SE, McKenzie, ND 58572

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Starion Financial – Business Loan – [redacted]
2. Farm Credit services - Farm Loan - [redacted]
3. First International - Business Loan [redacted]

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Signature of Applicant

Subscribed and sworn to before me this 21st day of May, 2025

CORI ODEGARD
Notary Public
State of North Dakota
My Commission Expires Sept 4, 2028

Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type C Retail Liquor License for

Rolling Plains Adventures LLC
(Name of Establishment)

owned by Jeremy Doan [redacted], Bismarck, ND 58503
(Licensee) (Address)

Patrick R Heaton
Chairman

Member

Member

ATTEST

Corrine M. Heaton
(Township Clerk)

Berger, Diane

From: Kelly Leben <kleben@burleighsd.com>
Sent: Thursday, May 22, 2025 4:51 PM
To: Berger, Diane
Subject: RE: Liquor License

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

Both are good to go!

From: Berger, Diane <berger.diane@nd.gov>
Sent: Thursday, May 22, 2025 2:24 PM
To: Kelly Leben <kleben@burleighsd.com>
Subject: Liquor License

Attached are two applications for annual liquor license renewal. Please review.
Rolling Plains Adventures
Black Leg Brewery

Thank you.

Diane Berger
Administrative Assistant-Accounts Receivable
Auditor/Treasurer's Office
Burleigh County
701-712-6213 Ext.708
berger.diane@nd.gov

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: daniellek
Batch Number: 20250107-000060

(continued from page 2)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
482639	01/07/2025	2024	41-138-77-00-28-400	44861	576.44	0.00	0.00	0.00	576.44
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 28 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 28 NW1/4 483112 617894 28-138-77					
482640	01/07/2025	2024	41-138-77-00-28-600	44862	583.27	0.00	0.00	0.00	583.27
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 28 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 28 SW1/4 483112 617894 28-138-77					
482641	01/07/2025	2024	41-138-77-00-28-800	44863	1,763.48	0.00	0.00	0.00	1,763.48
1882 LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL LOCATION: 24750 SE 62ND AVE DISTRICT: 4106ST SCT: 28 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 28 SE1/4 483112 617894 28-138-77					
482642	01/07/2025	2024	41-138-77-00-31-200	44874	437.11	0.00	0.00	0.00	437.11
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 31 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 31 NE1/4 483112 617894 31-138-77					
482643	01/07/2025	2024	41-138-77-00-31-400	44875	428.92	0.00	0.00	0.00	428.92
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 31 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 31 NW1/4 483112 617894 31-138-77					
482644	01/07/2025	2024	41-138-77-00-31-600	44876	217.87	0.00	0.00	0.00	217.87
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 31 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 31 SW1/4 483112 617894 31-138-77					

PAID

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: daniellek
Batch Number: 20250107-000060

(continued from page 15)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
482715	01/07/2025	2024	47-137-77-00-12-402	45675	2.04	0.00	0.00	0.00	2.04
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58553-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4706ST SCT: 12 TWN: 137 RNG: 77 MORTON TOWNSHIP Section 12 PT NW1/4 - ABANDONED PROPERTY #399303 12-137-77					
482716	01/07/2025	2024	48-137-76-00-06-600	45824	477.20	0.00	0.00	0.00	477.20
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58553-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4806ST SCT: 06 TWN: 137 RNG: 76 LONG LAKE TOWNSHIP Section 06 SW1/4 #407371 06-137-76					
				TOTAL:	**$34,392.32**	**$0.00**	**$3,195.17**	**$0.00**	**$37,587.49**

PAID

PAID

Payment Type	Doc#	Description	Amount
CHECK	103293	BLACK LEG RANCH DOAN/BLR LAND LLC 24401 62ND AVE SE MCKENZIE, ND 58572-9649	37,587.49
		TOTAL AMOUNT PAID:	**37,587.49**

Tyler Tax-Wise County Taxation Software

(continued from page 16)

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
0001-073-001				Paid In Full
40-138-78-00-25-200				Paid In Full
40-138-78-00-25-400				Paid In Full
40-138-78-00-25-600				Paid In Full
40-138-78-00-25-800				Paid In Full
41-138-77-00-07-800				Paid In Full
41-138-77-00-08-610				Paid In Full
41-138-77-00-17-410				Paid In Full
41-138-77-00-18-200				Paid In Full
41-138-77-00-18-400				Paid In Full
41-138-77-00-28-200				Paid In Full
41-138-77-00-28-400				Paid In Full
41-138-77-00-28-600				Paid In Full
41-138-77-00-28-800				Paid In Full
41-138-77-00-31-200				Paid In Full
41-138-77-00-31-400				Paid In Full
41-138-77-00-31-600				Paid In Full
41-138-77-00-31-800				Paid In Full
41-138-77-00-32-200				Paid In Full
41-138-77-00-32-400				Paid In Full
41-138-77-00-32-600				Paid In Full
41-138-77-00-32-800				Paid In Full
41-138-77-00-33-200				Paid In Full
41-138-77-00-33-210				Paid In Full
41-138-77-00-33-400				Paid In Full
41-138-77-00-33-600				Paid In Full
41-138-77-00-33-800				Paid In Full
41-138-77-00-34-400				Paid In Full
41-138-77-00-34-600				Paid In Full
41-138-77-00-35-600				Paid In Full
41-138-77-00-35-800				Paid In Full
46-137-78-00-01-200				Paid In Full
46-137-78-00-01-400				Paid In Full
46-137-78-00-01-600				Paid In Full
46-137-78-00-01-602				Paid In Full
46-137-78-00-01-800				Paid In Full
46-137-78-00-01-802				Paid In Full
46-137-78-00-02-200				Paid In Full
46-137-78-00-12-200				Paid In Full
46-137-78-00-12-400				Paid In Full
47-137-77-00-01-200				Paid In Full
47-137-77-00-01-210				Paid In Full
47-137-77-00-01-400				Paid In Full
47-137-77-00-01-410				Paid In Full
47-137-77-00-01-600				Paid In Full
47-137-77-00-01-602				Paid In Full
47-137-77-00-01-610				Paid In Full
47-137-77-00-01-800				Paid In Full
47-137-77-00-02-200				Paid In Full
47-137-77-00-02-400				Paid In Full
47-137-77-00-02-402				Paid In Full
47-137-77-00-02-600				Paid In Full
47-137-77-00-02-602				Paid In Full
47-137-77-00-02-800				Paid In Full
47-137-77-00-02-802				Paid In Full
47-137-77-00-03-200				Paid In Full
47-137-77-00-03-202				Paid In Full
47-137-77-00-03-400				Paid In Full
47-137-77-00-03-402				Paid In Full
47-137-77-00-03-600				Paid In Full
47-137-77-00-03-800				Paid In Full
47-137-77-00-03-802				Paid In Full
47-137-77-00-04-200				Paid In Full
47-137-77-00-04-202				Paid In Full
47-137-77-00-04-400				Paid In Full
47-137-77-00-04-402				Paid In Full
47-137-77-00-05-200				Paid In Full
47-137-77-00-05-202				Paid In Full

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: daniellek
Batch Number: 20250107-000060

(continued from page 17)

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
47-137-77-00-05-400				Paid In Full
47-137-77-00-05-402				Paid In Full
47-137-77-00-05-600				Paid In Full
47-137-77-00-05-800				Paid In Full
47-137-77-00-06-200				Paid In Full
47-137-77-00-06-202				Paid In Full
47-137-77-00-06-400				Paid In Full
47-137-77-00-06-600				Paid In Full
47-137-77-00-06-602				Paid In Full
47-137-77-00-06-800				Paid In Full
47-137-77-00-06-802				Paid In Full
47-137-77-00-07-800				Paid In Full
47-137-77-00-10-200				Paid In Full
47-137-77-00-10-400				Paid In Full
47-137-77-00-10-600				Paid In Full
47-137-77-00-10-800				Paid In Full
47-137-77-00-11-200				Paid In Full
47-137-77-00-11-400				Paid In Full
47-137-77-00-11-600				Paid In Full
47-137-77-00-12-200				Paid In Full
47-137-77-00-12-202				Paid In Full
47-137-77-00-12-402				Paid In Full
48-137-76-00-06-600				Paid In Full
	TOTAL:			**0.00**

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Jim Laducer Inc. dba Apple Creek Country Club Classification of License E

Primary Contact Ty Hawglie Phone [redacted]

Address [redacted] Date of Birth/Incorporation 1/2006

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 1-1-2006

Check one of the following to indicate who is applying for the license:

_____ 1. A physical resident and citizen of the State of North Dakota; or

__X__ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Jim Laducer Inc dba Apple Creek Country Club

   Residence [redacted] Bis. ND 58501

   Post Office Address PO Box 1611 Bis. ND 58502

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Jim Laducer	[redacted]		100%

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
Jim Laducer	[redacted]	

Date and type of any prior or present liquor business:

1-2006 - Type E

Exact legal description of proposed enterprise: Private Country Club - Golf

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Kirkwood Bank: Trust
2. Acushnet Co - Golf Products
3. Taylormade Golf - Golf Products

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Signature of Applicant

Subscribed and sworn to before me this 19th day of May 2025

IRENE M MARTELL
Notary Public
State of North Dakota
My Commission Expires June 25, 2028

Irene M Martell
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Apple Creek approve the
(Name of Township)

application for a Type E Retail Liquor License for

Jim Ladwer, Inc dba Apple Creek Country Club
(Name of Establishment)

8921 E Hwy 10 Bismarck ND 58501
(Address of Establishment)

owned by Jim Ladwer [redacted] Bis ND 58504
(Licensee) (Address)

Chairman

Member

Member

ATTEST

Sherry M. Rew 4-7-2025
(Township Clerk) (Date)

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: daniellek
Batch Number: 20241231-000459

(continued from page 1)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
479673	12/31/2024	2024	39-138-79-00-04-405	42914	13.17	0.00	0.00	0.00	13.17

APPLE CREEK PROPERTIES LLC
PO BOX 1611
BISMARCK ND 58502-1611

TAX YEAR 2024 PAID IN FULL

DISTRICT: 3939BI SCT: 04 TWN: 138 RNG: 79
APPLE CREEK TOWNSHIP Section 04 E 50'OF S885' OF NW1/4 665939 04-138-79

PAID

TOTAL:	**$21,673.84**	**$0.00**	**$2,310.32**	**$0.00**	**$23,984.16**

Payment Type	Doc#	Description	Amount
CHECK	121700	KIRKWOOD BANK AND TRUST WALDOCH, DANIEL V PO BOX 6089 BISMARCK ND 58506	23,984.16
		TOTAL AMOUNT PAID:	**23,984.16**

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
0813-001-010				Paid In Full
09-142-80-00-04-610				Paid In Full
24-140-80-77-01-010				Paid In Full
39-138-79-00-03-400				Paid In Full
39-138-79-00-04-200				Paid In Full
39-138-79-00-04-405				Paid In Full
	TOTAL:			**0.00**

479671	12/31/2024	2024	39-138-79-00-03-400	42905	2,959.11	0.00	0.00	0.00	2,959.11

APPLE CREEK PROPERTIES LLC
PO BOX 1611
BISMARCK ND 58502-1611

TAX YEAR 2024 PAID IN FULL

DISTRICT: 3939BI SCT: 03 TWN: 138 RNG: 79
APPLE CREEK TOWNSHIP Section 03 NW1/4 665939 03-138-79

PAID

479672	12/31/2024	2024	39-138-79-00-04-200	42913	8,881.94	0.00	0.00	0.00	8,881.94

APPLE CREEK PROPERTIES LLC
PO BOX 1611
BISMARCK ND 58502-1611

TAX YEAR 2024 PAID IN FULL

LOCATION: 8921 HWY 10
DISTRICT: 3939BI SCT: 04 TWN: 138 RNG: 79
APPLE CREEK TOWNSHIP Section 04 NE1/4 LESS R/W & LESS APPLE CREEK COUNTRY CLUB 1ST-3RD 665939 04-138-79

PAID

Tyler Tax-Wise County Taxation Software

25-010

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Black Leg Brewery, LLC Classification of License BB

Primary Contact Jay Doan Phone [redacted]

Address 24750 62nd AVE SE McKenzie Date of Birth/Incorporation 2018

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 2018

Check one of the following to indicate who is applying for the license:

X 1. A physical resident and citizen of the State of North Dakota; or

_____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Black Leg Brewery LLC

   Residence 24750 62nd AVE SE McKenzie, ND 58572

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
Jay Doan	[redacted]	Bismarck ND 58503	100

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

Date and type of any prior or present liquor business:

BB

Exact legal description of proposed enterprise:

Micro Brewery

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. First International Bank - Jeff Quink - Business operating loan
2. BND - Don Morgan - Business advisor
3. ABE - Equipment Manufacturer

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Signature of Applicant

Subscribed and sworn to before me this 22 day of May, 2025

TESSA KNUDSON
NOTARY PUBLIC
STATE OF NORTH DAKOTA
MY COMMISSION EXPIRES NOV. 14, 2027

Tessa Knudson
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type BB Retail Liquor License for

Black Leg Brewery
(Name of Establishment)

owned by Jay Doan 24750 62nd AVE SE McKenzie, ND
(Licensee) (Address)

Chairman

Member

Patrick R Heaton
Member

ATTEST

Correne Heaton
(Township Clerk)

Berger, Diane

From: Kelly Leben <kleben@burleighsd.com>
Sent: Thursday, May 22, 2025 4:51 PM
To: Berger, Diane
Subject: RE: Liquor License

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

Both are good to go!

From: Berger, Diane <berger.diane@nd.gov>
Sent: Thursday, May 22, 2025 2:24 PM
To: Kelly Leben <kleben@burleighsd.com>
Subject: Liquor License

Attached are two applications for annual liquor license renewal. Please review.
Rolling Plains Adventures
Black Leg Brewery

Thank you.

Diane Berger
Administrative Assistant-Accounts Receivable
Auditor/Treasurer's Office
Burleigh County
701-712-6213 Ext.708
berger.diane@nd.gov

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: daniellek
Batch Number: 20250107-000060

(continued from page 2)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
482639	01/07/2025	2024	41-138-77-00-28-400	44861	576.44	0.00	0.00	0.00	576.44
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 28 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 28 NW1/4 483112 617894 28-138-77					
482640	01/07/2025	2024	41-138-77-00-28-600	44862	583.27	0.00	0.00	0.00	583.27
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 28 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 28 SW1/4 483112 617894 28-138-77					
482641	01/07/2025	2024	41-138-77-00-28-800	44863	1,763.48	0.00	0.00	0.00	1,763.48
1882 LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL LOCATION: 24750 SE 62ND AVE DISTRICT: 4106ST SCT: 28 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 28 SE1/4 483112 617894 28-138-77					
482642	01/07/2025	2024	41-138-77-00-31-200	44874	437.11	0.00	0.00	0.00	437.11
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 31 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 31 NE1/4 483112 617894 31-138-77					
482643	01/07/2025	2024	41-138-77-00-31-400	44875	428.92	0.00	0.00	0.00	428.92
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 31 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 31 NW1/4 483112 617894 31-138-77					
482644	01/07/2025	2024	41-138-77-00-31-600	44876	217.87	0.00	0.00	0.00	217.87
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58572-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4106ST SCT: 31 TWN: 138 RNG: 77 LOGAN TOWNSHIP Section 31 SW1/4 483112 617894 31-138-77					

PAID

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: daniellek
Batch Number: 20250107-000060

(continued from page 15)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
482715	01/07/2025	2024	47-137-77-00-12-402	45675	2.04	0.00	0.00	0.00	2.04
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58553-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4706ST SCT: 12 TWN: 137 RNG: 77 MORTON TOWNSHIP Section 12 PT NW1/4 - ABANDONED PROPERTY #399303 12-137-77					
482716	01/07/2025	2024	48-137-76-00-06-600	45824	477.20	0.00	0.00	0.00	477.20
BLR LAND LLC 24401 62ND AVE SE MCKENZIE ND 58553-9649				TAX YEAR 2024 PAID IN FULL DISTRICT: 4806ST SCT: 06 TWN: 137 RNG: 76 LONG LAKE TOWNSHIP Section 06 SW1/4 #407371 06-137-76					
				TOTAL:	**$34,392.32**	**$0.00**	**$3,195.17**	**$0.00**	**$37,587.49**

PAID

PAID

Payment Type	Doc#	Description	Amount
CHECK	103293	BLACK LEG RANCH DOAN/BLR LAND LLC 24401 62ND AVE SE MCKENZIE, ND 58572-9649	37,587.49
		TOTAL AMOUNT PAID:	**37,587.49**

Tyler Tax-Wise County Taxation Software

(continued from page 16)

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
0001-073-001				Paid In Full
40-138-78-00-25-200				Paid In Full
40-138-78-00-25-400				Paid In Full
40-138-78-00-25-600				Paid In Full
40-138-78-00-25-800				Paid In Full
41-138-77-00-07-800				Paid In Full
41-138-77-00-08-610				Paid In Full
41-138-77-00-17-410				Paid In Full
41-138-77-00-18-200				Paid In Full
41-138-77-00-18-400				Paid In Full
41-138-77-00-28-200				Paid In Full
41-138-77-00-28-400				Paid In Full
41-138-77-00-28-600				Paid In Full
41-138-77-00-28-800				Paid In Full
41-138-77-00-31-200				Paid In Full
41-138-77-00-31-400				Paid In Full
41-138-77-00-31-600				Paid In Full
41-138-77-00-31-800				Paid In Full
41-138-77-00-32-200				Paid In Full
41-138-77-00-32-400				Paid In Full
41-138-77-00-32-600				Paid In Full
41-138-77-00-32-800				Paid In Full
41-138-77-00-33-200				Paid In Full
41-138-77-00-33-210				Paid In Full
41-138-77-00-33-400				Paid In Full
41-138-77-00-33-600				Paid In Full
41-138-77-00-33-800				Paid In Full
41-138-77-00-34-400				Paid In Full
41-138-77-00-34-600				Paid In Full
41-138-77-00-35-600				Paid In Full
41-138-77-00-35-800				Paid In Full
46-137-78-00-01-200				Paid In Full
46-137-78-00-01-400				Paid In Full
46-137-78-00-01-600				Paid In Full
46-137-78-00-01-602				Paid In Full
46-137-78-00-01-800				Paid In Full
46-137-78-00-01-802				Paid In Full
46-137-78-00-02-200				Paid In Full
46-137-78-00-12-200				Paid In Full
46-137-78-00-12-400				Paid In Full
47-137-77-00-01-200				Paid In Full
47-137-77-00-01-210				Paid In Full
47-137-77-00-01-400				Paid In Full
47-137-77-00-01-410				Paid In Full
47-137-77-00-01-600				Paid In Full
47-137-77-00-01-602				Paid In Full
47-137-77-00-01-610				Paid In Full
47-137-77-00-01-800				Paid In Full
47-137-77-00-02-200				Paid In Full
47-137-77-00-02-400				Paid In Full
47-137-77-00-02-402				Paid In Full
47-137-77-00-02-600				Paid In Full
47-137-77-00-02-602				Paid In Full
47-137-77-00-02-800				Paid In Full
47-137-77-00-02-802				Paid In Full
47-137-77-00-03-200				Paid In Full
47-137-77-00-03-202				Paid In Full
47-137-77-00-03-400				Paid In Full
47-137-77-00-03-402				Paid In Full
47-137-77-00-03-600				Paid In Full
47-137-77-00-03-800				Paid In Full
47-137-77-00-03-802				Paid In Full
47-137-77-00-04-200				Paid In Full
47-137-77-00-04-202				Paid In Full
47-137-77-00-04-400				Paid In Full
47-137-77-00-04-402				Paid In Full
47-137-77-00-05-200				Paid In Full
47-137-77-00-05-202				Paid In Full

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk: daniellek
Batch Number: 20250107-000060

(continued from page 17)

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
47-137-77-00-05-400				Paid In Full
47-137-77-00-05-402				Paid In Full
47-137-77-00-05-600				Paid In Full
47-137-77-00-05-800				Paid In Full
47-137-77-00-06-200				Paid In Full
47-137-77-00-06-202				Paid In Full
47-137-77-00-06-400				Paid In Full
47-137-77-00-06-600				Paid In Full
47-137-77-00-06-602				Paid In Full
47-137-77-00-06-800				Paid In Full
47-137-77-00-06-802				Paid In Full
47-137-77-00-07-800				Paid In Full
47-137-77-00-10-200				Paid In Full
47-137-77-00-10-400				Paid In Full
47-137-77-00-10-600				Paid In Full
47-137-77-00-10-800				Paid In Full
47-137-77-00-11-200				Paid In Full
47-137-77-00-11-400				Paid In Full
47-137-77-00-11-600				Paid In Full
47-137-77-00-12-200				Paid In Full
47-137-77-00-12-202				Paid In Full
47-137-77-00-12-402				Paid In Full
48-137-76-00-06-600				Paid In Full
	TOTAL:			**0.00**

25-012

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Nicholson Enterprises LLC Classification of License D

Primary Contact Darnell Nicholson Phone [redacted]

Address [redacted] Sterling ND Date of Birth/Incorporation _____

Is this a renewal of liquor license? Yes ✓ No _____

If yes, give date of original application June 7th 2000

Check one of the following to indicate who is applying for the license:

✓ 1. A physical resident and citizen of the State of North Dakota; or

_____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant Darnell Nicholson

   Residence Sterling, ND

   Post Office Address [redacted] Sterling, ND 58572

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

Date and type of any prior or present liquor business:
Darnell's Restaurant - Aug. 2002
Sterling Bar - June 2003
Nicholson Tavern Hazelton, ND - Jan. 2006

Exact legal description of proposed enterprise:
Moffit Townsite Block 14 Lot 17

Does building meet all state and local sanitation and safety requirements? Yes ✓ No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No ✓
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No ✓
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No ✓
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. McQuade Distributing - Purchasing
2. Jerome Distributing - Purchasing
3. Bank of Hazelton - Checking & Loan

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Darnell Nicholson
Signature of Applicant

Subscribed and sworn to before me this 28th day of May, 2025

TESSA KNUDSON
NOTARY PUBLIC
STATE OF NORTH DAKOTA
MY COMMISSION EXPIRES NOV. 14, 2027

Tessa Knudson
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Long Lake (Name of Township) approve the application for a Type D Retail Liquor License for

Moffit Bar (Name of Establishment)

owned by Nicholson Enterprises LLC (Licensee) [redacted] (Address) NE, Sterling ND, 58572

Chairman

Member

Member

ATTEST

Pam Towne (Township Clerk)

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk:
Batch Number: 20250331-000070

Today's Date: 03/31/2025

Received from: DARNELL NICHOLSON
NICHOLSON ENTERPRISES
31350 27TH AVE NE
STERLING, ND 58572

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes Tax	General Taxes P&I	Special Assessments Tax	Special Assessments P&I	Total Amount
521372	03/31/2025	2023	35-110-00-00-06-038	2784	32.89	5.10	0.00	0.00	37.99
NEUSTEL, JR, WILLIAM W 31109 27TH AVE NE LOT #3 STERLING ND 58572				TAX YEAR 2023 PAID IN FULL LOCATION: 31109 27TH AVE NE DISTRICT: 3535ST 12 X 64 1964 PATHFINDER SERIAL #10343 *** SEE ASSESSOR FOR COMPLETE LEGAL ***					
521373	03/31/2025	2024	35-110-00-00-06-038	2768	40.49	3.84	0.00	0.00	44.33
NICHOLSON, DARNELL 31103 NE 27TH AVE STERLING ND 58572				TAX YEAR 2024 PAID IN FULL LOCATION: 31109 27TH AVE NE DISTRICT: 3535ST 12 X 64 1964 PATHFINDER SERIAL #10343 *** SEE ASSESSOR FOR COMPLETE LEGAL ***					
521376	03/31/2025	2024	35-139-76-00-29-210	40822	21.94	0.33	0.00	0.00	22.27
NICHOLSON, DARNELL 31350 27TH AVENUE NE STERLING ND 58572-9708				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST SCT: 29 TWN: 139 RNG: 76 STERLING TOWNSHIP Section 29 LOT E IN NE1/4 IRR PLAT 741168; 744079 29-139-76					
521375	03/31/2025	2024	35-139-76-00-29-220	40823	1,615.19	24.23	0.00	0.00	1,639.42
NICHOLSON, DARNELL 31350 27TH AVENUE NE STERLING ND 58572-9708				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST SCT: 29 TWN: 139 RNG: 76 STERLING TOWNSHIP Section 29 OUT LOT B OF NE1/4 MOBILE HOME PARK SURVEY 572998; 744079 29-139-76					
521382	03/31/2025	2024	35-139-76-92-02-030	40977	7.31	0.11	0.00	0.00	7.42
NICHOLSON, DARNELL 31350 27TH AVENUE NE STERLING ND 58572-9708				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST TWN: 139 RNG: 76 BLK: 02 WENTZ - STERLING Block 02 L3 600411 612480					

PAID

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk:
Batch Number: 20250331-000070

(continued from page 1)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes		Special Assessments		Total Amount
					Tax	P&I	Tax	P&I	
521381	03/31/2025	2024	35-139-76-92-02-040	40978	7.31	0.11	0.00	0.00	7.42
NICHOLSON, DARNELL 31350 27TH AVENUE NE STERLING ND 58572-9708				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST TWN: 139 RNG: 76 BLK: 02 WENTZ - STERLING Block 02 L4 600411 612480					
521380	03/31/2025	2024	35-139-76-92-02-050	40979	1,259.84	18.90	0.00	0.00	1,278.74
NICHOLSON, DARNELL 31350 27TH AVENUE NE STERLING ND 58572-9708				TAX YEAR 2024 PAID IN FULL DISTRICT: 3535ST TWN: 139 RNG: 76 BLK: 02 WENTZ - STERLING Block 02 L5 600411 612480					
521379	03/31/2025	2024	48-137-76-63-07-170	45948	6.85	0.10	0.00	0.00	6.95
NICHOLSON, DARNELL 31350 27TH AVE NE STERLING ND 58572-9708				TAX YEAR 2024 PAID IN FULL DISTRICT: 4806ST TWN: 137 RNG: 76 BLK: 07 MOFFIT TSTE Block 07 L16-17 664693					
521377	03/31/2025	2024	48-137-76-63-14-170	45997	342.64	5.14	0.00	0.00	347.78
NICHOLSON, DARNELL 31350 27TH AVE NE STERLING ND 58572				TAX YEAR 2024 PAID IN FULL LOCATION: 120 N MAIN ST DISTRICT: 4806ST TWN: 137 RNG: 76 BLK: 14 MOFFIT TSTE Block 14 LOT 17 MOFFIT BAR 764815					
521378	03/31/2025	2024	48-137-76-63-14-190	45998	73.46	1.10	0.00	0.00	74.56
NICHOLSON, DARNELL 31350 27TH AVE NE STERLING ND 58572-9708				TAX YEAR 2024 PAID IN FULL DISTRICT: 4806ST TWN: 137 RNG: 76 BLK: 14 MOFFIT TSTE Block 14 L18-19 664693					
521383	03/31/2025	2025	35-110-00-00-03-235	5685	55.13	0.55	0.00	0.00	55.68
NICHOLSON, DARNELL 31103 NE 27TH AVE STERLING ND 58572				TAX YEAR 2025 PAID IN FULL LOCATION: 31350 NE 27TH AVE LOT DISTRICT: 3535ST 1977 ARTCRAFT 67 X 14 VIN # 9850 *** SEE ASSESSOR FOR COMPLETE LEGAL ***				

PAID

Tyler Tax-Wise County Taxation Software

BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

TAX RECEIPT
***** ORIGINAL *****

Clerk:
Batch Number: 20250331-000070

(continued from page 2)

Receipt#	Trans Date	Tax Year	Tax ID#	Stmt#	General Taxes Tax	General Taxes P&I	Special Assessments Tax	Special Assessments P&I	Total Amount
521374	03/31/2025	2025	35-110-00-00-06-038	5688	40.65	0.41	0.00	0.00	41.06

NICHOLSON, DARNELL
31103 NE 27TH AVE
STERLING ND 58572

TAX YEAR 2025 PAID IN FULL

LOCATION: 31109 27TH AVE NE
DISTRICT: 3535ST
12 X 64
1964 PATHFINDER
SERIAL #10343

*** SEE ASSESSOR FOR COMPLETE LEGAL ***

TOTAL:	**$3,503.70**	**$59.92**	**$0.00**	**$0.00**	**$3,563.62**

Payment Type	Doc#	Description	Amount
CHECK	4451	DARNELL NICHOLSON NICHOLSON ENTERPRISES 31350 27TH AVE NE STERLING, ND 58572	3,563.62
		TOTAL AMOUNT PAID:	**3,563.62**

Parcel#	Tax Year	1st Half Due	2nd Half Due	Balance Due
35-110-00-00-03-235				Paid In Full
35-110-00-00-06-038				Paid In Full
35-139-76-00-29-210				Paid In Full
35-139-76-00-29-220				Paid In Full
35-139-76-92-02-030				Paid In Full
35-139-76-92-02-040				Paid In Full
35-139-76-92-02-050				Paid In Full
48-137-76-63-07-170				Paid In Full
48-137-76-63-14-170				Paid In Full
48-137-76-63-14-190				Paid In Full
	TOTAL:			**0.00**

Berger, Diane

From: Kelly Leben <kleben@burleighsd.com>
Sent: Wednesday, May 28, 2025 11:42 AM
To: Berger, Diane
Subject: RE: LIQUOR LICENSE

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

This one is good to go. Thanks!

From: Berger, Diane <berger.diane@nd.gov>
Sent: Wednesday, May 28, 2025 10:48 AM
To: Kelly Leben <kleben@burleighsd.com>
Subject: LIQUOR LICENSE

Attached is one more license for your approval.
Thank you.

Diane Berger
Administrative Assistant-Accounts Receivable
Auditor/Treasurer's Office
Burleigh County
701-712-6213 Ext.708
berger.diane@nd.gov

ITEM

6

EXTRACT OF MINUTES OF MEETING OF THE
COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA

Pursuant to due call and notice thereof, a regular meeting of the County Commissioners (collectively, the "*Commissioners*" and each a "*Commission Member*") of Burleigh County, North Dakota (the "*County*") was duly held at Tom Baker Meeting Room, City and County Office Building, at 221 North Fifth Street, Bismarck, North Dakota, on May 19, 2025, at approximately 5:00 P.M.

The following Commission Members were present: _____

_____

_____

and the following were absent:

* * * *

The Chair of the Commissioners (the "*Chair*") announced that this was the time and place for a public hearing on a proposal for the issuance of tax-exempt revenue bonds in one or more series in an aggregate principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the *"Series 2025 Bonds"*) by the South Dakota Health and Educational Facilities Authority (the "*Authority*") on behalf of Sanford, a North Dakota nonprofit corporation ("*Sanford*"), and/or certain tax-exempt affiliates thereof (collectively with Sanford, the "*Borrowers*"). In the County, a portion of the proceeds of the Series 2025 Bonds will be used, together with certain other moneys, in a principal amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) to (i) finance, refinance, or reimburse the Borrowers for the costs of (a) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to gastroenterology and endoscopy services, in an

amount not to exceed $20,000,000 (interim financing) and not to exceed $20,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), at each of the following addresses: 300 N 7th Street, Bismarck, North Dakota; 715 E Broadway Avenue, Bismarck, North Dakota; and 700 E Main Avenue, Bismarck, North Dakota; (b) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities to expand capacity, in an amount not to exceed $50,000,000 (interim financing) and not to exceed $50,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at each of the following addresses: 209, 222, 225 and 300 N 7th Street, Bismarck, North Dakota; and 3451 N 14th Street, Bismarck, North Dakota; (c) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to pediatric services in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at 801 W Interstate Avenue, Bismarck, North Dakota; (d) acquiring, remodeling, furnishing, or equipping clinical space at 701 E Rosser Avenue, Units 3 and 4, Bismarck, North Dakota in an amount not to exceed $8,000,000 (interim financing) and not to exceed $8,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); (e) constructing, furnishing, and equipping an approximately 19,800 square foot healthcare clinic to be located at 565 S 7th Street, Bismarck, North Dakota in an amount not to exceed $15,000,000 (interim financing) and not to exceed $15,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); and (f) constructing and remodeling a loading dock located at 300 N 7th Street, Bismarck, North Dakota in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), (ii) pay a portion of the interest on the Series 2025 Bonds, if deemed necessary or advisable by the Authority or the Borrowers, (iii) provide

working capital, if deemed necessary or advisable by the Authority or the Borrowers, (iv) fund a debt service reserve fund, if deemed necessary or advisable by the Authority or the Borrowers, and (v) pay certain expenses incurred in connection with the issuance of the Series 2025 Bonds. Therefore, the Chair explained the purpose of the public hearing was to satisfy Section 147(f) of the Internal Revenue Code of 1986, as amended. The following persons appeared: _____ _____ .

After all persons present had an opportunity to express their views, the hearing was closed.

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS BY THE SOUTH DAKOTA HEALTH AND EDUCATIONAL FACILITIES AUTHORITY FOR THE BENEFIT OF SANFORD AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

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

WHEREAS, Sanford, a North Dakota nonprofit corporation (*"Sanford"*) and/or any tax-exempt affiliate thereof that is a related party to Sanford (collectively with Sanford, the *"Borrowers"*), has requested that the South Dakota Health and Educational Facilities Authority (*"Authority"*) issue one or more series of tax-exempt revenue bonds under Sections 1-16A-1 through 1-16A-92 of the South Dakota Codified Laws, in a principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the *"Series 2025 Bonds"*); and

WHEREAS, the Borrowers intend to use the proceeds from the sale of the proposed Series 2025 Bonds to finance and/or refinance projects located in various states; and

WHEREAS, on May 12, 2025, notice of a public hearing (the "*Notice*") by the Board of County Commissioners (collectively, the "*Commissioners*" and each, a "*Commission Member*") of Burleigh County, North Dakota (the *"County"*) was published in the *Bismarck Tribune*, said hearing concerning the proposed plan of finance and the issuance of Series 2025 Bonds; and

WHEREAS, a portion of the proceeds of the Series 2025 Bonds in an amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) (the "*Local Portion*") will be used in the County, together with certain other moneys, to (i) finance, refinance or reimburse the Borrowers for the costs of (a) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to gastroenterology and endoscopy services, in an amount not to exceed $20,000,000 (interim financing) and not to exceed $20,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), at each of the following addresses: 300 N 7th Street, Bismarck, North Dakota; 715 E Broadway Avenue, Bismarck, North Dakota; and 700 E Main Avenue, Bismarck, North Dakota; (b) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities, to expand capacity, in an amount not to exceed $50,000,000 (interim financing) and not to exceed $50,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at each of the following addresses: 209, 222, 225 and 300 N 7th Street, Bismarck, North Dakota; and 3451 N 14th Street, Bismarck, North Dakota; (c) remodeling, furnishing, or equipping certain of the Borrowers' healthcare facilities relating to pediatric services in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) at 801 W Interstate Avenue, Bismarck, North Dakota; (d) acquiring, remodeling, furnishing, or equipping clinical space at

701 E Rosser Avenue, Units 3 and 4, Bismarck, North Dakota in an amount not to exceed $8,000,000 (interim financing) and not to exceed $8,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); (e) constructing, furnishing, and equipping an approximately 19,800 square foot healthcare clinic to be located at 565 S 7th Street, Bismarck, North Dakota in an amount not to exceed $15,000,000 (interim financing) and not to exceed $15,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing); and (f) constructing and remodeling a loading dock located at 300 N 7th Street, Bismarck, North Dakota in an amount not to exceed $5,000,000 (interim financing) and not to exceed $5,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), (ii) pay a portion of the interest on the Series 2025 Bonds, if deemed necessary or advisable by the Authority or the Borrowers, (iii) provide working capital, if deemed necessary or advisable by the Authority or the Borrowers, (iv) fund a debt service reserve fund, if deemed necessary or advisable by the Authority or the Borrowers, and (v) pay certain expenses incurred in connection with the issuance of the Series 2025 Bonds (collectively, the "*Financing Purposes*"); and

WHEREAS, the aggregate principal amount of the Series 2025 Bonds will not exceed $1,000,000,000 (interim financing) and will not exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), with an amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing) constituting the Local Portion; and

WHEREAS, Sanford requests that the County consent to the proposed issuance of the Series 2025 Bonds by the Authority; and

WHEREAS, the public hearing was held by the Commissioners of the County on May 19, 2025 (the "*Public Hearing*") in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "*Code*), conducted in a manner that provided a reasonable opportunity for persons to express their views on the plan of finance and proposed issuance of such portion of the Series 2025 Bonds that will be used to finance the Financing Purposes; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated in and made a part of this Resolution by this reference.

Section 2. The Notice of the Public Hearing was published no fewer than seven calendar days before the Public Hearing. After the Public Hearing the undersigned hereby approves the proposed plan of finance and consents to the issuance of the Series 2025 Bonds by the Authority for the Financing Purposes stated in the Notice. The issuance of the Series 2025 Bonds by the Authority in a principal amount of not to exceed $1,000,000,000 (interim financing) and not to exceed $2,100,000,000 (permanent financing, which amount includes a portion used to refinance the interim financing), with an amount not to exceed $100,000,000 (interim financing) and not to exceed $100,000,000 (permanent financing, which amount

includes a portion used to refinance the interim financing) constituting the Local Portion, are hereby approved, for purposes of Section 147(f) of the Code.

Section 3. This approval does not impose any liability on the County or in any way involve the County in the issuance of the Series 2025 Bonds or in connection with the purposes of the Series 2025 Bonds described above but is solely an accommodation by the County to satisfy the requirements of Section 147(f) of the Code.

Section 4. The Chair of the Board and the Auditor/Treasurer (collectively, the *"Authorized Officers"*) are hereby authorized and directed to do all such acts and things and to execute or accept all such documents as may be necessary to carry out and comply with the provisions of these resolutions, and all of the acts and doings of the Authorized Officers of the County which are in conformity with the intent and purposes of these resolutions and within the parameters set forth herein, whether heretofore or hereafter taken or done, shall be and are hereby authorized, ratified, confirmed and approved.

Adopted by the Board of County Commissioners of Burleigh County, North Dakota, this 19th day of May, 2025.

_____
Chair

ATTEST:

_____
Auditor/Treasurer

ITEM

7

BURLEIGH COUNTY
FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: **JUNE 2, 2025**

TO: **MARK SPLONSKOWSKI**
County Auditor

FROM: **LEIGH J JACOBS, CPA**
Finance Director

RE: **Funding Options for Provident Building**

ACTION REQUESTED:
Consider the options presented for funding the Provident Building renovation.

BACKGROUND:

The Burleigh County Commission voted to accept bids for the Provident Building renovation project. The Finance Department was requested to present on the available funding sources for the project.

RECOMMENDATION:

No recommendation. For informational purposes only.

Provident Building Funding Options

	Total bids accepted:	16,500,000
OPTION 1:	**ARPA Funds + Reserves**	
	ARPA:	6,000,000
	General Fund Reserves:	10,500,000
OPTION 2:	**ARPA Funds + Reserves + BND Infrastructure Loan**	
	Available ARPA:	6,000,000
	General Fund Reserves:	5,500,000
	BND Infrastructure Loan:	5,000,000
OPTION 3:	**ARPA Funds + Reserves + Issue Bonds**	
	Available ARPA:	6,000,000
	General Fund Reserves:	4,500,000
	Bonds:	6,000,000
OPTION 4:	**ARPA + BND Loan + Issue Bonds**	
	Available ARPA:	6,000,000
	BND Infrastructure Loan:	5,000,000
	Bonds:	5,500,000
OPTION 5:	**BND Infrastructure Loan + Issue Bonds**	
	BND Infrastructure Loan:	5,000,000
	Bonds:	11,500,000
OPTION 6:	**ARPA + Issue Bonds**	
	ARPA	6,000,000
	Bonds:	10,500,000
OPTION 7:	**Issue Bonds**	
	Bonds:	16,500,000

PROs and CONs

Funding with ARPA & Reserves:

PROs:

1. Avoidance of debt. The interest rate on debt is likely higher than the investment returns available to the County, thus using existing cash to avoid debt is probably a better move, measured strictly in ROI.

2. Does not Increase the tax burden when the County has enough cash to pay for the project (albeit while substantially depleting reserves).

CONs:

1. Lost opportunity for other uses of cash. Reserves are an unofficial budget stabilization fund and emergency fund. Reserves will be harder to grow under HB 1176 with a 3% property tax cap and especially under Burleigh's unique situation with sales tax replacing property taxes.

2. Paying the cost of construction out of existing funds burdens past and current taxpayers with the full cost of a project that will benefit future generations (indirectly). In that sense it's not entirely "fair."

3. Concerns about the impact of HB 1176. The County is in a unique position with HB 1176 which caps property tax increases in dollars at 3%. Because the County is now funded mostly with sales taxes, our property taxes in dollars are very low, which means we are relying mostly on sales tax increases to provide for increases in expenditures year over year. Sales taxes are unpredicatble. **Average increase in sales tax from 2015 through 2024 is 2.07%. 2025 sales taxes are projected to decline by 5.83% or $671,662.**

Use of Debt - BND & issuance of Bonds

PROs:

1. BND is Low cost debt - 2%. This is significantly lower than the current rates for municipal debt.

2. Bonding spreads the cost of construction over future years where the taxpayers paying the tax are benefiting from the project (indirectly). In that sense it is more "fair."

3. Maintain reserves in the uncertainty of HB 1176. The County is in a unique position with HB 1176 which caps property tax increases in dollars at 3%. Because the County is now funded mostly with sales taxes, our property taxes in dollars are very low, which means we are relying mostly on sales tax increases to provide for increases in expenditures year over year. Sales taxes are unpredicatble. **Average increase in sales tax from 2015 through 2024 is 2.07%. 2025 sales taxes are projected to decline by 5.83% or $671,662.**

4. Taxes levied to pay bonds are exempt from the 3% increase limitation limiation of HB 1176.

CONs:

1. Increases the tax burden when the County has enough cash to pay for the project (albeit while substantially depleting reserves)

2. The interest rate on debt issued by the County is likely higher than the investment returns available to the County thus using existing cash to avoid debt is probably a better move, measured to avoid debt is probably a better move, measured strictly in ROI.

BURLEIGH COUNTY
FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: **JUNE 2, 2025**

TO: **MARK SPLONSKOWSKI**
County Auditor

FROM: **LEIGH J JACOBS, CPA**
Finance Director

RE: **Bank of North Dakota Infrastructure Revolving Loan Fund**

ACTION REQUESTED:
Provide consent for the Finance Department to apply for the loan on behalf of Burleigh County.

BACKGROUND:

The Bank of North Dakota is requesting applications for the next round of the Infrastructure Revolving Loan Fund. The loan is limited to $5 million per qualified applicant, per application round. The interest rate is 2%. The deadline is June 20, 2025.

RECOMMENDATION:

It is recommended that the Board review direct the Finance Department to apply for the loan. Applying does not obligate the County, and Board action will be required to accept the loan if offered.

BND
Bank of North Dakota

BND Infrastructure Revolving Loan Fund

The BND Infrastructure Revolving Loan Fund provides loans to political subdivisions, the Garrison Diversion Conservancy District and the Lake Agassiz Water Authority for repair, replacement and new infrastructure projects. Applications are accepted on a continuing basis.



How to apply

Login using an existing North Dakota Login, or register for a new North Dakota Login. Once logged in, start a new application in the "Funding for Infrastructure in ND – FIND " funding opportunity."

Eligibility

In order to qualify for these funds, the community must access other state and federal government funding options first. This loan may be used to provide gap funding if the full project cost cannot be met through other funding sources or if there are no other funding sources available. BND will take into consideration timing and the opportunity to maximize funding sources.

- If a political subdivision applies for a loan for a county road or bridge project, the Department of Transportation will review and approve the project before the Bank may issue a loan. The Department of Transportation may develop policies for reviewing and approving projects.
- If a political subdivision applies for a loan for a water-related project, the Department of Water Resources will review and approve the project before the Bank may issue a loan. The Department of Water Resources may develop policies for reviewing and approving projects.

Use of proceeds

Funds may be used for capital construction projects to construct new infrastructure or replace existing infrastructure, which provide the fixed installations necessary for the function of a political subdivision including:

- The Red River Valley Water Supply Project
- Water treatment plants
- Wastewater treatment plants
- Sewerlines and waterlines, including lift stations and pumping systems
- Storm water infrastructure, including curb and gutter construction

- Water storage systems, including dams, water tanks, and water towers
- Road and bridge infrastructure, including paved and unpaved roads and bridges
- Airport infrastructure
- Electricity transmission infrastructure
- Natural gas transmission infrastructure
- Communications infrastructure
- Emergency services facilities, excluding hospitals
- Critical political subdivision buildings and infrastructure
- Infrastructure to include water, sewer, roads and parking lots that are required to service recreation and community facilities, excludes the construction of the building or recreational amenity

Ineligible uses of proceeds include:

- Refinancing of existing debt or other obligations
- Routine maintenance and repair projects
- Construction of a recreational building or amenity
- Mixed-use paths and recreational trails

Loan amount/limit

A qualified applicant may have a maximum combined total of $20,000,000 in outstanding loans under the Infrastructure Revolving Loan Fund (NDCC 6-09-49) and the Legacy Infrastructure Loan Fund (NDCC 6-09-49.1).

Interest rate and fees

Interest Rate: 2.00% fixed rate

Fees: The borrower will be responsible for all closing costs associated with the loan.

Collateral

BND may take all steps necessary and appropriate to preserve security.

Loan terms

The maximum term of a loan is the lesser of thirty years or the useful life of the project. The maximum term includes both the construction and permanent financing period.

BURLEIGH COUNTY
FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: **JUNE 2, 2025**

TO: **MARK SPLONSKOWSKI**
County Auditor

FROM: **LEIGH J JACOBS, CPA**
Finance Director

RE: **Reimbursement Resolution**

ACTION REQUESTED:
No action requested. For informational purposes only.

BACKGROUND:
Treasury Regulation Section 1.150-2 (the "Regulations") restricts the use of tax-exempt bond proceeds to reimburse the County for project expenditures made by the County prior to the date of issuance of such bonds. The Regulations generally require that (i) the County declare its official intent to reimburse itself for prior expenditures from the proceeds of a subsequent issue of tax-exempt bonds no later than 60 days after making such expenditures, (ii) the bonds be issued within 18 months after making an expenditure or within 18 months after the project is placed in service, but in no event more than three years after the date the original expenditure was made, and (iii) the expenditure be either a capital expenditure or a cost of issuance of the bonds.

RECOMMENDATION:

No recommendation. For informational purposes only.

BURLEIGH COUNTY, NORTH DAKOTA
Special Assessment District #76
(_____ Subdivision)

RESOLUTION RELATING TO THE ISSUANCE OF BONDS AND
THE REIMBURSEMENT OF CERTAIN EXPENDITURES

BE IT RESOLVED by the Board of County Commissioners of Burleigh County, North Dakota (the "County") as follows:

Section 1. RECITALS.

(a) Treasury Regulation Section 1.150-2 (the "Regulations") restricts the use of tax-exempt bond proceeds to reimburse the County for project expenditures made by the County prior to the date of issuance of such bonds.

(b) The Regulations generally require that (i) the County declare its official intent to reimburse itself for prior expenditures from the proceeds of a subsequent issue of tax-exempt bonds no later than 60 days after making such expenditures, (ii) the bonds be issued within 18 months after making an expenditure or within 18 months after the project is placed in service, but in no event more than three years after the date the original expenditure was made, and (iii) the expenditure be either a capital expenditure or a cost of issuance of the bonds.

(c) The County plans to construct certain paving districts within the County. The County desires to comply with the Regulations in order to preserve the option of the County to be reimbursed for certain expenditures from the proceeds of tax-exempt bonds. The total costs of the improvements to be paid by the County are estimated to be approximately $_____. The County currently expects to pay a portion of the costs from funds on hand until the County can be reimbursed for such expenditure from the proceeds of bonds.

Section 2. OFFICIAL INTENT DECLARATION. The County reasonably expects to be reimbursed for all or part of the expenditures made for the construction of the projects from the proceeds of bonds to be issued by the County. The maximum principal amount of such bonds or other obligations which may be issued for such purposes is approximately $_____.

Dated: _____, 2023.

BURLEIGH COUNTY, NORTH DAKOTA

_____
Chair, Board of County Commissioners

Attest:

_____
County Auditor/Treasurer

The governing body of the County acted on the foregoing resolution at a properly noticed meeting held in Bismarck, North Dakota, on _____, 2023, with the motion for adoption made by _____ and seconded by _____, and the roll call vote on the motion was as follows:

"Aye" _____

"Nay" _____

Absent _____

ITEM

8

Addenda item for June 2nd, 2025 Meeting

Action Requested
Discuss and come to a vote on how the Provident Building remodel will be funded.
The commission approved the remodel package of $

Remaining ARPA funding of $
Reserves of $
Possible BND Loan of $

Action needed: This subject must be decided soon so the residents are comfortable with the project.

Addenda item for June 2nd, 2025 Meeting

Action Requested
Discuss the process for approving change orders
The commission approved the remodel package of $

What, if any, additional money has been set aside for change orders?
Who has authority to approve change orders? Is there a limit to the size of the change order?

ITEM

9

Larson, Thomas

From: Splonskowski, Mark D.
Sent: Wednesday, May 28, 2025 9:23 PM
To: Larson, Thomas
Subject: FW: Agenda items

Please print this email out and place it in the agenda packet.

Thanks

From: Bitner, Brian <bccbitner@nd.gov>
Sent: May 28, 2025 11:45
To: Splonskowski, Mark D. <msplonskowski@nd.gov>
Subject: Agenda items

Agenda items for the June 2, 2024 Commission Meeting due noon tomorrow "Wednesday".

County Commission Meeting Agenda Items:

Determine public hearing dates for resolution and plan for separating elective office of Burleigh County Auditor/Treasurer to elective office of Auditor and appointive office of Treasurer:

- Information updated on County and accessible from main page – burleigh.gov
- Publications in The Bismarck Tribune the week of May 25th and June 1st
- Proposed hearing dates during June 16th and July 7th regularly scheduled Commission Meetings
- Timeframe allows spacing before preliminary budget meetings July 21-22

Update on petition to the ND Governor for removal of the Burleigh County Auditor (Board approved during May 21, 2025, Special Meeting)

Burleigh County Commission Public Comment Policy

Burleigh County has generally accepted public comment; however, a written policy is necessary and becomes part of each regularly scheduled meeting (including subcommittees under the County Commission).

Public Comment Policy (NDCC 44-04)

Burleigh County welcomes public comment at our regularly scheduled meetings. A “Public Comment” period will be provided before the consent agenda and regular agenda to discuss items not listed on the agenda. Public comment is available during each agenda items.

Public Comment:

- Must be pertinent to Burleigh County
- May not interfere with the orderly conduct of the regular meeting
- May not be defamatory, abusive, harassing, or unlawful
- May be prohibited if an alternative procedure exists to bring that particular type of public comment before the entity, the public comment includes confidential or exempt information, or the public comment is otherwise prohibited by law.

Time limit per speaker or session?

Missouri Valley Complex purchase inquiry update (topically introduced during May 19, 2025, Meeting)

Provident remodel finance options

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

Burleigh County Commission Meeting Agenda

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

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

June 16, 2025

5:00 PM

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration May 19, 2025, meeting minutes. *(Pg.4-5)*

5. Comm. Munson:

    a. Steckel Boat ramp ADA upgrade request. *(Pg.6-8)*

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of June 2nd 2025 meeting minutes and bills. *(Pg.11-14)*

5. Consent Agenda:

    a. Abatements. *(Pg.16-17)*
    b. Special use permits.
    c. Liquor License renewals. *(Pg.18-38)*

6. **PUBLIC HEARING** on resolution and plan for separating elective office of Burleigh County Auditor/Treasurer to elective office of Auditor and appointive office of Treasurer. *(Pg.41-70)*

7. County Engineer Hall:

    a. Northridge Estates Subdivision. *(Pg.72-73)*

8. Commission continued items:

a. Discuss the process for approving change orders.

b. Reimbursement Resolution for Provident Building Renovation. *(Pg.75-78)*

c. Burleigh County Commission Public Comment Policy.

9. Comm. Bakken:
    a. Bismarck- Burleigh Public Health discussion.

10. Auditor/Treasurer Splonskowski:

    a. NDACo Committees. *(Pg.80)*

11. Other Business.

12. Adjourn.

The next regularly scheduled Commission meeting will be on July 7th, 2025.

Mark Splonskowski
Burleigh County Auditor/Treasurer

COUNTY PARK BOARD

BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
MAY 19th, 2025

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

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

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

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the April 7th, 2025 meeting minutes. Commissioners Bakken, Behm, Schwab, Hermon, Munson, and Chairman Bitner voted 'AYE'. Commissioner Woodcox voted 'NAY'. ***Motion carried.***

Bismarck Parks & Recreation Director Dave Mayer discussed the dredging quotes received earlier this Spring. One quote for dredging was for Kimball Bottoms at $6,00 and for Kniefel at $9,750. Motion by Comm. Munson, 2nd by Comm. Behm to approve the acceptance of the low bid for each boat ramp for dredging. All member present voted 'AYE'. ***Motion carried.*** Motion by Comm. Munson, 2nd by Comm. Bakken to approve Misty Waters to use the same contractor as the County for this project for their project. Commissioners Bakken, Hermon, Munson, Woodcox, Behm and Chairman Bitner voted 'AYE'. Commissioner Schwab voted 'NAY'. ***Motion carried.***

Director Mayer presented a request for a feasibility study for Kimball Bottoms. A notice had been received from the Army Core of Engineers requesting some movement regarding the erosion at Kimball Bottoms old parking lot and ramp area. Mayer said a quote for a feasibility study was received upon request from Houston Engineering on a solution and associated cost. Comm. Munson stated that funds for this project were not included in the budget for 2025, however, this was at least the second time the Army Core of Engineers has reached out to the County on this issue and that he would like to find the funds elsewhere so the feasibility study could commence. Comm. Munson said that the cost of the feasibility study would be $34,800. Mayer stated that removing a portion of the old ramp could prevent yearly dredging of the new ramp. Discussion was had regarding possible grant opportunities with the North Dakota Department of Game & Fish and the Garrison Diversion. Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the feasibility study with Huston Engineering for $34,800 with allowance to work with County Finance Director Leigh Jacobs on finding the funds in the County Park Board's budget. All members present voted 'AYE'. ***Motion carried.***

Director Mayer presented the ADA improvements planned for Steckel Boat Ramp in 2025 which are multiple accessible parking lot spaces, paved walkways, and ADA toilet facilities. He said the concrete work for the vault toilet is currently out for bids. Comm. Munson stated that this item was just informative at this time and that any bids received would be brought back to the Commission for approval.

Director Mayer presented a proposal for a Kneifel Boat Ramp consultant study. He said that with conversations heard of the Keelboat Boat Ramp closing at some point this summer, there have been requests

DRAFT

from the fishing community to add a second boat ramp at Kneifel. Houston Engineering was asked to provide a quote to prepare a feasibility study for the second boat ramp, adding an additional fish cleaning station, removing the campground for more parking, and adding a way for handicapped individuals to access watercraft. Discussion was had.

Meeting adjourned.

_____ _____

Mark Splonskowski, Auditor/Treasurer Brian Bitner, Chairman

DRAFT

Addenda item for June 16th County Park Board Meeting

Action Requested approve the purchased and installation of a new vault toilet at Steckel Boat Ramp.

Description: The bid that we received is acceptable and within our budget of the ADA upgrades for 2025. The only bid we received for the concrete work was rejected and we are rebidding the remaining part of that project.

The company that installs the vault toilet will install our unit at the same time as others in North Dakota and our bid takes that into consideration. If we wait, the cost will increase

Action needed: Approve the low bid for the Vault Toilet

NATIONAL GOLD MEDAL WINNER
BISMARCK PARKS AND RECREATION DISTRICT
Est. 1927

Let's Play!

June 11, 2025

Burleigh County Commission
221 N 5th St
Bismarck, ND 58501

RE: Approval to Concrete Improvement Quotes

Bismarck Parks and Recreation District (BPRD) solicited sealed price quotes for the concrete improvement at Steckel Boat Landing. Knife River Corporation submitted the only quote in the amount of $73,000. BPRD is recommending rejection of this submittal as it is above our threshold for quoting work. We do recommend that the project be requoted, and staff will work hard to attract additional interested contractors.

Regards,

for R Kahr Admin Asst.

David Mayer
Operations Director
400 E. Front Ave.
Bismarck, ND 58504
701-222-6464 (phone)
dmayer@bisparks.org

NATIONAL GOLD MEDAL WINNER
BISMARCK PARKS AND RECREATION DISTRICT
Est. 1927

Let's Play!

June 10, 2025

Burleigh County Commission
221 N 5th St
Bismarck, ND 58501

RE: Approval to Accept Quotes

Bismarck Parks and Recreation District (BPRD) is requesting authorization to proceed with vault toilet improvements at Steckel Boat Landing.

BPRD solicited vendors for sealed priced quotes, and Boom Concrete is the low quote at $15,064.00.

Vendor	Model	Cost
Boom Concrete, Inc	Clovermist Standard	$15,064.00
Huffcut Concrete	Huffcutt – Teal	$36,960.00

Regards,

David Mayer
Operations Director
400 E. Front Ave.
Bismarck, ND 58504
701-222-6464 (phone)
dmayer@bisparks.org

COUNTY

COMMISSION

ITEM

4

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
JUNE 2ND, 2025

3:30 PM

The Burleigh County Commission convened pursuant to law as the County Board of Equalization.

Chairman Bitner called the Board of Equalization to order.

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

County Tax Equalization Director Al Vietmeier presented a summary of the 2025 Burleigh County Equalization Report.

An appeal was submitted by Walmart for the South Walmart location. Vietmeier recommended the Board deny this appeal due to his concurrence with the valuation of the City on the property.

Chair Bitner recessed the County Board of Equalization and convened as the Board of Equalization for the Unorganized Townships.

Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve the assessments of the Unorganized Townships. All members present voted 'AYE'. ***Motion carried.***

Chair Bitner adjourned as the Board of Equalization for the Unorganized Townships and reconvened as the County Board of Equalization.

Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve Agricultural Land values to implement North Dakota State Tax Department recommendation on the average value per acre. All members present voted 'AYE'. ***Motion carried.***

Motion by Comm. Schwab, 2nd by Comm. Woodcox to deny Walmart's appeal and concur with the City of Bismarck's valuations. All members present voted 'AYE'. ***Motion carried.***

Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve the assessments of the Cities of Bismarck, Regan, Wing, South Wilton, and Lincoln. All members present voted 'AYE'. ***Motion carried.***

Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve the assessments of the Organized and Unorganized Townships. All members present voted 'AYE'. ***Motion carried.***

Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve application for property tax exemption for improvements to commercial and residential buildings (NDCC § 57-02.2) as recommended by County Tax Equalization Director Allan Vietmeier. All members present voted 'AYE'. ***Motion carried.***

Motion by Comm. Woodcox, 2nd by Comm. Schwab to approve and accept the 2025 real property assessments as equalized, to authorize the County Tax Director to make corrections to property values in Burleigh County as needed, and further to adjourn sine die. All members present voted 'AYE'. ***Motion carried.***

Meeting Adjourned.

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 Bakken, Munson, Schwab, Woodcox, and Chairman Bitner present.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the agenda with deleting item 8A and 9E. All members present voted 'AYE'. ***Motion carried***.

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the May 15th and May 21st, 2025 special meeting minutes and May 19th, 2025 meeting minutes as well as the bills. All members present voted 'AYE'. ***Motion carried***.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Deborah Sukauskas, Josh Hackman, Laura Huber, James Keegan, Dale Bleeker, Valentine & Genevieve Gross, Bryon & Susan Ralph, Phyllis Walker, Donna Kemmet, Sharon Swenson, Timothy & Michelle Vanderlaan, Neal & Judith Jacobson, Richard Throndset, Roger & Elrita Nelson, Andy Schmit, Leonard & Helen Berger, Mary Martell, Charles & Gloria Olmsted, Richard & Mavis Shine abatements and the consent agenda in its entirety. All members present voted 'AYE'. ***Motion carried.***

Commissioner Woodcox stated that there were some unanswered questions regarding the Sanford bond which was voted on at the last regular meeting held May 19th, 2025. Motion by Comm. Woodcox, 2nd by Comm. Munson to reconsider the Sanford bond. All members present voted 'AYE'. ***Motion carried.*** Todd Schaffer, President and CEO of Sanford Health's Bismarck region, explained the bond, the projects that would be funded by the bond, and he presented a FAQ sheet with additional information regarding the bond. Discussion was had. Charles Tuttle spoke against the approval of the bond. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Sanford bond. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Schwab voted 'NAY'. ***Motion carried.***

County Finance Director Leigh Jacobs presented different funding options for the Provident Building remodel which were listed in the agenda packet. Jacobs stated that the three percent budget increase cap passed in North Dakota House Bill 1176 would effect the different funding options. One of the options presented was

to apply for the Bank of North Dakota Infrastructure Revolving Loan at two percent interest. Discussion was had. Motion by Comm. Schwab, 2nd by Comm. Bakken to direct the Finance Department to apply for the Bank of North Dakota Infrastructure Revolving Loan. All members present voted 'AYE'. ***Motion carried.*** Jacobs said that if the Commission wanted to issue tax exempt bonds, a reimbursement resolution would need to be completed per Internal Revenue Service rule. Motion by Comm. Bakken, 2nd by Comm. Munson to start the process for tax exempt bonds pending verification there is no penalty for starting and then stopping the process. Commissioners Bakken, Munson, Schwab, and Chairman Bitner voted 'AYE'. Commissioner Woodcox voted 'NAY. ***Motion carried.*** Jacobs discussed the three percent cap regarding budgeting and the one percent sales tax. Chair Bitner noted that this item is to be kept on the agenda for the next regularly scheduled Commission meeting.

Chairman Bitner started a discussion on change orders for the Provident Building remodel. He stated that there is an amount built in to cover some of the contingent expenditures. Chair Bitner said that the Commission needs to come up with an amount the can be authorized for a change order without full Commission approval. Discussion was had. Chair Bitner noted that this item is to be kept on the agenda for the next regularly scheduled Commission meeting.

Chairman Bitner started a discussion on the dates for the public hearings for the resolution and plan of separating the elective office of Burleigh County Auditor/Treasurer to elective office of Auditor and appointive office of Treasurer. Motion by Comm. Woodcox, 2nd by Comm. Bakken to schedule public hearings at the next two regularly scheduled Commission meetings. Commissioners Bakken, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Munson voted 'NAY'. ***Motion carried.***

Chairman Bitner provided an update on the petition to the North Dakota Governor for removal of the Burleigh County Auditor/Treasurer. Chair Bitner said the petition had been filed with the North Dakota Attorney General on Tuesday, May 27th, 2025. He said the filed documents can be viewed on the Burleigh County website.

Chairman Bitner started a discussion on the County's public comment policy by reading a proposed policy which is included in the agenda packet. Discussion was had. Jan Wangler commented on the policy. Chair Bitner noted that this item is to be kept on the agenda for the next regularly scheduled Commission meeting.

Chairman Bitner requested information regarding a purchase inquiry for part of the Missouri Valley Complex. County Auditor/Treasurer Mark Splonskowski stated that he was waiting for information from the interested party. Chair Bitner noted that this item is to be kept on the agenda for the next regularly scheduled Commission meeting if the information becomes available.

In other business:

- Comm. Schwab said that the barriers were moved again at the bridge located 4.2 miles south of Highway 10 on 236th Street SE. County Engineer Marcus Hall stated that the County was going to be putting concrete barriers up to keep the public from accessing the unsafe bridge until its repaired.

- Comm. Woodcox stated that the Lewis & Clark walking path northwest of Bismarck had vehicles driving on it and suggested a gate be placed across it. Engineer Hall said he would look into it and provide more information at a later date.
- Comm. Bakken brought up a discussion on the Extra Territorial Area (ETA) that was brought up by the City of Bismarck Commission. He suggested that a joint meeting be held between all members of the County Commission and the City Commission to discuss the ETA with public input. Chair Bitner suggested possibly holding a special meeting with both Commissions before a meeting with public comment is allowed. Discussion was had. Chair Bitner stated an invitation to meet should be extended to the City Commission.
- Comm. Schwab referenced an incident in Kansas where people are pumping manure into the ground and wanted to make the Commission aware.

Meeting Adjourned.

_____ _____

Mark Splonskowski, Brian Bitner,
County Auditor/Treasurer Chairman

DRAFT

ITEM

5

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
25-412	Linda Strandemo	2023	Lot 19, Block 5, North Hills 3rd	50% Homestead Credit	$344,900	$244,900
25-413	Arnold Kosobud	2024	Unit 1 & garage 1 (bldg 880) San Angelo Dr Condo Complex Assoc, Lots 3-5, Block 2, Cottonwood Lake 5th	50% Homestead Credit	$203,800	$103,800
25-414	Jean Olson	2023	Tract B & undiv int in Lot 31 common area Knollwood Condo Central Assoc Unit 5, Block 1, Replat North Hills 4th	50% Homestead Credit	$237,500	$137,500
25-415	Jean Olson	2024	Tract B & undiv int in Lot 31 common area Knollwood Condo Central Assoc Unit 5, Block 1, Replat North Hills 4th	100% Homestead Credit	$235,400	$35,400
25-416	Michael John Nagel	2023	Lot 2, Block 4, Marian Park 2nd	100% Homestead Credit	$208,500	$8,500
25-417	Bernice Nagel	2023	Unit 11 & garage 9, Bldg 2705 Gateway Plaza Condos, Tract 2705A of part of lot 1, Block 2, Gateway Commons	100% Homestead Credit	$124,500	$0
25-418	Thomas & Maryann Baumgartner	2023	Unit 2 of bldg 2 Sleepy Hollow Heights 3rd Addn Condo V, Lots 6-7, Block 1, Sleepy Hollow Heights 3rd	100% Homestead Credit	$311,100	$111,100
25-419	Thomas & Maryann Baumgartner	2024	Unit 2 of bldg 2 Sleepy Hollow Heights 3rd Addn Condo V, Lots 6-7, Block 1, Sleepy Hollow Heights 3rd	100% Homestead Credit	$328,700	$128,700
25-420	Doyle & Betty Randal	2023	Unit 3 & garage unit 3, 3554 N 19th St Condo Assoc, Lot 4, Block 1, Pebble Creek 9th	100% Homestead Credit	$214,100	$14,100
25-421	Doyle & Betty Randal	2024	Unit 3 & garage unit 3, 3554 N 19th St Condo Assoc, Lot 4, Block 1, Pebble Creek 9th	100% Homestead Credit	$231,100	$31,100
25-422	Margie Ferderer	2024	Aud Lot F of part of Lot 5 Blk 2 North Hills 3rd & part of Lot 7 Blk 1 North Hills 7th, Block 2, North Hills 3rd	50% Homestead Credit	$254,900	$154,900

25-423	Angela Heck	2023	Lot 9, Block 6, Falconer Estates	Lowered to 1,000 per acre due to the property in floodway	$40,100	$1,900
25-424	Angela Heck	2024	Lot 9, Block 6, Falconer Estates	Lowered to 1,000 per acre due to the property in floodway	$40,100	$1,900

25-011

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Capital City Gun Club, Inc dba Bullets & More Classification of License B2

Primary Contact [redacted] Phone [redacted]

Address [redacted] Date of Birth/Incorporation 2/20/1967

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application June 1987

Check one of the following to indicate who is applying for the license:

X 1. A physical resident and citizen of the State of North Dakota; or

_____ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____

   Residence _____

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
N/A Organized as nonprofit corporation under NCCC ch 10-33 List of Directors and officers attached			

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

N/A - Organized as a Nonprofit Corporation under NDCC ch 10-33

Date and type of any prior or present liquor business:

Class B2 (previously listed as B2-5) beer on and off sale License for 6 months (April 1 to Sept 30)

Exact legal description of proposed enterprise:

24-140-80-00-34-611

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. BNC National Bank - Club's Bank
2. Flash Printing - Print programs, flyers, etc...
3. Double H Gun Shop - Supplies

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Steven J Bar
Signature of Applicant

Subscribed and sworn to before me this 28th day of May, 2025

TESSA KNUDSON
NOTARY PUBLIC
STATE OF NORTH DAKOTA
MY COMMISSION EXPIRES NOV. 14, 2027

Tessa Knudson
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

Board Directory.xlsx : Sheet2

CAPITAL CITY GUN CLUB
BOARD OF DIRECTORS
Feb-25

NAME	TITLE	TELEPHONE	ADDRESS	E-MAIL
[redacted]			Bismarck, ND 58501	
[redacted]			Mandan, ND 58554	
[redacted]			Bismarck, ND 58503	
[redacted]			Bismarck, ND 58504	
[redacted]			Sterling, ND 58572	
[redacted]			Bismarck, ND 58504	
[redacted]			Bismarck, ND 58501	
[redacted]			Mandan, ND 58554	
[redacted]			Bismarck, ND 58503	
[redacted]			Bismarck, ND 58503	
[redacted]			Bismarck, ND 58503	
[redacted]			Bismarck, ND 58503	
[redacted]			Bismarck, ND 58503	
[redacted]			Washburn, ND 58577	

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25-013

APPLICATION FOR LIQUOR LICENSE

Name of Applicant MISTY WATERS MARINA Classification of License D

Primary Contact [redacted] Phone [redacted]

Address 5800 BURNT CREEK LOOP Date of Birth/Incorporation 9/1999

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 2007

Check one of the following to indicate who is applying for the license:

_____ 1. A physical resident and citizen of the State of North Dakota; or

X 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____

   Residence _____

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
[redacted]	[redacted] BISMARCK, ND 58503		91.25
[redacted]	[redacted] BISMARCK ND 58504		8.75

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise: MISTY WATER TWN:139 RNG81 BLK:01
MISTY WATERS BLOCK 01 LOT 2

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. SECURITY FIRST BANK - BANKING
2. KRAMER AGENCY - INSURANCE CO,
3. FARSTAD OIL - FUEL SUPPLIER

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Gary Van Beek
Signature of Applicant

Subscribed and sworn to before me this 24TH day of APRIL, 2025

MICHAEL FLAA
Notary Public
State of North Dakota
My Commission Expires Oct 16, 2027

Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Hay Creek Township approve the
(Name of Township)

application for a Type D Retail Liquor License for

Misty Waters Marina LLC
(Name of Establishment)

5800 Burnt Creek Loop, Bismarck, ND 58503
(Address of Establishment)

owned by River City Sports 3751 East Rosser Ave. Bismarck ND 58501
(Licensee) (Address)

Mary L. Rennich
Chairman

Larry Hanley
Member

Member

ATTEST

(Township Clerk)

5-7-2025
(Date)

25-014

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Hawktree, Inc. Classification of License Type D

Primary Contact [redacted] Phone [redacted]

Address 3400 Burnt Creek Loop, Bismarck, ND 58503 Date of Birth/Incorporation 9/5/1996

Is this a renewal of liquor license? Yes x No _____

If yes, give date of original application 7/20/1997

Check one of the following to indicate who is applying for the license:

_____ 1. A physical resident and citizen of the State of North Dakota; or

x 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____

   Residence _____

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
see attached list			

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

see attached list

Date and type of any prior or present liquor business:

Current type D license held 7/1/2024- 6/30/2025.

Exact legal description of proposed enterprise:

Addition Name: The Ridge at Hawktree; TWN:139; RNG:81; BLK:01; LOT 17 & 44; Burleigh Co.
Addition Name: The Ridge at Hawktree; TWN:140; RNG:81; BLK:01; LOT 45; Burleigh Co.

Does building meet all state and local sanitation and safety requirements? Yes x No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No x
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No x
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No x
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Bremer Bank - lender 701-258-8005
2. Acushnet Co. - vendor of golf merchandise 800-225-8500
3. Callaway - vendor of golf merchandise 760-931-1771

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Thomas Lutt
Signature of Applicant

Subscribed and sworn to before me this 29 day of May, 2025

CRYSTAL SCHMALTZ
Notary Public
State of North Dakota
My Commission Expires Oct 27, 2027

Crystal Schmaltz
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Hay Creek approve the
(Name of Township)

application for a Type D Retail Liquor License for

Hawktree Golf Club
(Name of Establishment)

owned by Hawktree, Inc. 3400 Burnt Creek Loop, Bismarck, ND 58503
(Licensee) (Address)

Mary L. Rennich
Chairman

Larry Hurley
Member

Member

ATTEST

5-7-2025
(Township Clerk)

25-015

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES
"SE"
Local Fee: $25.00

Applicant (must have county license) 25-007

1. Name of Licensee Wendelyn Krows
2. Name of Business FLASH'S PLACE
3. Mailing Address 1401 Hwy 83 NE
4. State Alcoholic Beverage License Number AA 2648 5. Local License Number(s) 25-007
6. Date(s) and Time of Special Event Wing Rodeo Friday July 11 1:00 PM to 1:00 AM Sat July 12 1:00 PM to 1:00 AM
7. Describe Special Event Fully Beer Garden for Wing Rodeo
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 10 day of June, 20 25

Wendelyn Krows
(Licensee)

BY _____
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 10 day of June, 20 25

ASHLEE A BOOM
(SEAL) Notary Public
State of North Dakota
My Commission Expires Dec 4, 2027

Ashlee A Boom

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

Jolly JL 6/11/25
(Burleigh County Sheriff) (Date)

PERMIT

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

Dated this _____ day of _____, 20_____

_____
(County Auditor)

DESCRIPTION OF PREMISES

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

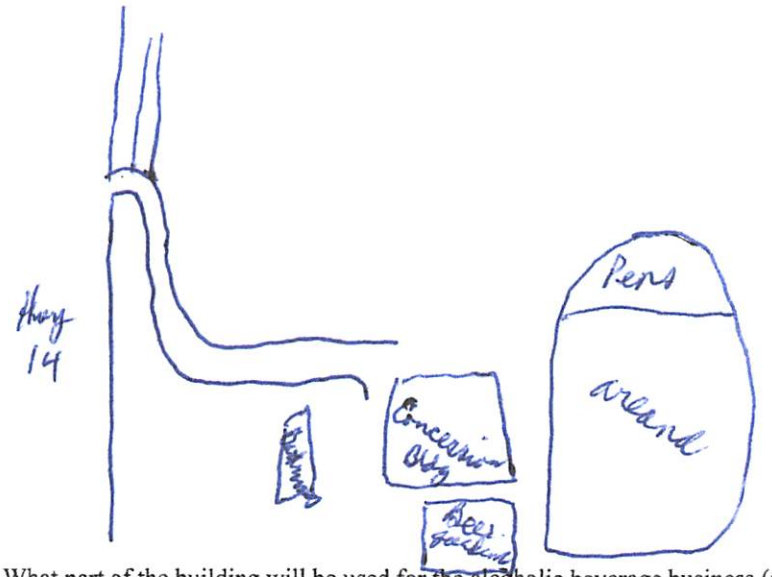
2. Address of premises:

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

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

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

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



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

_____

_____

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

We, the Township Board of Wing (Name of Township) approve the application for a Type SE Retail Liquor License for

FRASH'S PLACE LLC
(Name of Establishment)

owned by Wendelyn Kraus (Licensee) 1401 Hwy 83 NE Sterling ND 58572 (Address)

Nolan Swenson
Chairman

Larry Bergquist
Member

Dennis Oswald
Member

ATTEST

Ella Swenson
(Township Clerk)

25-016
Chesterons

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Compass ND, LLC Classification of License I

Primary Contact Susan Hinsperger Phone 605-391-2308

Address 7500 University Drive Date of Birth/Incorporation 08/17/2017

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 10/13/2017

Check one of the following to indicate who is applying for the license:

_____ 1. A physical resident and citizen of the State of North Dakota; or

X 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant N/A

   Residence _____

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
N/A			

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
N/A		

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise:

Does building meet all state and local sanitation and safety requirements? Yes X No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No X
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No X
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No X
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. N/A
2.
3.

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Signature of Applicant

Subscribed and sworn to before me this 12th day of June, 2025

RONDA D RIPPLINGER
Notary Public
State of North Dakota
My Commission Expires Mar 3, 2029

Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

County Auditor

25-017
Chartwells

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Compass ND LLC Classification of License F1

Primary Contact Susan Hinsperger Phone 605-391-2308

Address 7500 University Drive Date of Birth/Incorporation 8/17/2017

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application 10/13/2017

Check one of the following to indicate who is applying for the license:

_____ 1. A physical resident and citizen of the State of North Dakota; or

__✓__ 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or

_____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant N/A

   Residence _____

   Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent

N/A

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name Residence P. O. Address

N/A

Date and type of any prior or present liquor business:

Exact legal description of proposed enterprise:

Does building meet all state and local sanitation and safety requirements? Yes ✓ No_____

Have you ever had a liquor license revoked or rejected by any authority? Yes_____ No ✓
If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:
Yes_____ No ✓
If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes_____ No ✓
If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1.

2. N/A

3.

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.

2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

Susan Hunsperger
Signature of Applicant

Subscribed and sworn to before me this 12th day of June, 2025

RONDA D RIPPLINGER
Notary Public
State of North Dakota
My Commission Expires Mar 3, 2029

Ronda Ripplinger
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

_____

_____

_____
County Auditor

ITEM

6

PUBLIC HEARING

PRELIMINARY RESOLUTION on Separating the Elective Office of Burleigh County Auditor / Treasurer to Elective Office of Auditor and Appointive Office of Treasurer, Office of County Administrator, and Office of Tax Equalization

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office and also consolidated the office of Tax Equalization with the office of County Auditor effective May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to be the chief financial officer of the County;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law separating an elective county office into two or more elective or appointive offices and North Dakota Century Code § 11-09.1-05(6) allows the Board of County Commissioners to eliminate or combine county offices pursuant to N.D.C.C. ch. 11-10.2.

Whereas pursuant to N.D.C.C. § 11-10.2-01(1)(b), the Board of County Commissioners may separate an elective county office into two or more elective or appointive offices; now, therefore, be it

Resolved, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be separated into offices of Auditor and Treasurer, and the County Commission, may, if deemed necessary and appropriate, add the office of County Administrator at any time thereafter;

Resolved, that effective April 1, 2027, the positions of Treasurer and County Administrator, if authorized, shall be hired positions with minimum qualifications as recommended by Human Resources Director and approved by the County Commission;

Resolved, that effective April 1, 2027, the office of Tax Equalization shall have separate staff from the Auditor, Treasurer, and County Administrator offices;

Resolved, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this _____ day of _____, 2025.

_____
Brian Bitner, Chair
Burleigh County Commission

Attest: _____
Mark Splonskowski
Burleigh County Auditor / Treasurer

DRAFT

PLAN to Separate the Elective Office of Burleigh County Auditor / Treasurer to Elective Office of Auditor and Appointive Offices of Treasurer, Office of County Manager or Administrator, and Office of Tax Equalization

The combined offices of Burleigh County Auditor / Treasurer and Office of Tax Equalization will be separated effective April 1, 2027. The purpose of the separation is to retain an elected auditor and to ensure that a treasurer is hired who has the necessary qualifications to collect, disburse, and invest the county's funds. The separation will promote checks and balances and will involve the following changes:

1. The Office of County Auditor will be separated from the Office of County Treasurer. The non-financial statutory duties of the County Auditor shall be retained by the Auditor.

2. The Office of Treasurer shall be assigned all statutory duties of the Treasurer and all remaining financial duties of the Auditor, including primary management for all banking and cash management operations, investments, collecting, receipting, and disbursing county funds.

3. The Office of County Administrator may be created and filled by the County Commission if and when deemed necessary by the County Commission.

4. The Office of County Tax Equalization shall be separated from that of the County Auditor and County Treasurer.

The County Auditor will be directly responsible for the management of the County Auditor's office and the County Commission will continue to provide the necessary staff, office space, and equipment necessary to perform the functions required of the County Auditor's office.

The County Treasurer will be directly responsible for the management of the County Treasurer's office and the County Commission will provide the necessary staff, office space, and equipment necessary to perform the functions required of the County Auditor's office.

The County Administrator will be directly responsible for coordinating or overseeing day-to-day activities of the county pursuant to the direction of the County Commission and the County Commission will provide the necessary staff, office space, and equipment necessary to perform the functions required of the County Administrator's office.

Additional staff of a Treasurer and a County Administrator, as deemed necessary, may be added. As current staff are assigned the current job duties related to the duties of the county auditor and treasurer, staffing for the offices will remain the same, however, staff may be reassigned to office of auditor, treasurer, or tax equalization to ensure all job duties of each office are accomplished with maximum efficiency.

The staff needed for daily operations for each department is:

Office of the County Auditor – County Auditor, Executive Assistant/Elections Coordinator, Administrative Assistant

Office of the County Treasurer – County Treasurer, Deputy Treasurer, Accountant I or II, Accounting Technician, Administrative Assistant

Office of Tax Equalization – Tax Equalization Director, Senior Appraiser, Appraiser I or II (2)

DRAFT

Office of County Administrator – County Administrator

Additional staff needed for elections management every two years is as needed. As the offices of Auditor / Treasurer and Tax Equalization would be separated, those staff in the Treasurer and Tax Equalization offices would no longer be required to assist in elections duties. Therefore, other staff in other departments can assist as available, but there would be an increase in the number of temporary election workers needed every two years.

DRAFT

States Attorney Lawyer,

The Burleigh County Auditor/Treasurer office currently consists of 7 members. Myself, my Deputy Auditor/Treasurer, Executive assistant/Elections Coordinator, Accountant I, Accounting technician, Admin assistant-accounts receivable and Admin assistant-real estate.

It is difficult to give you an estimate for the needs of the office since the duties have not been more clearly defined. However, I will do my best to give you an estimate based on the comments I have heard.

If the office were to be split, depending upon the duties associated with each division. The Treasurers office would require an admin assistant, accounts receivable, accounts payable and at least an Accountant I and II along with the Treasurer.

The Auditor's office would require at a minimum the Auditor and three supporting staff. An Executive assistant/elections coordinator, an administrative assistant, and an accountant. If the Treasurer's office and Tax Equalization office were no longer to be part of the election process, we would also have to substantially increase the salary and election worker budget for election years. My estimation would be a 400% increase to the election's salary budget and a 30-50% increase to the election worker budget line items.

I have included the job descriptions for each of the member so the office for their duties.

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description Number: 01-41410-016

Employee: _____
Job Title: Auditor/Treasurer/Tax

Job Status: Elected
Salary Grade: 16

Location: Bismarck
Department: Auditor/Treasurer/Tax Equalization
Reports to: Electorate
DBM Rating: D63

Job Summary: As a duly elected official, is responsible for duties as Auditor and Treasurer outlined in North Dakota Century Code, Chapter 11-13 and 11-14, and oversee duties of the Tax Equalization division outlined in N.D.C.C., Chapter 11-10, and provide complete, concise, accurate, and timely information and comprehensive services to the citizens of Burleigh County as requested, and to provide information and support services to elected officials and staff so they may perform their identified duties and responsibilities.

Responsibilities:

_40_ % time	1. Responsible for the management of the offices of Auditor, Treasurer and Tax Equalization.
_30_ % time	2. Act as Chief Financial Officer, in cooperation with the County Finance Director, responsible for providing accurate financial information and comprehensive services to Elected Officials, County staff, and the public.
_10_ % time	3. Responsible for serving as Chief Election officer for the County, managing all aspects of an election, to make out and deliver notices of general and special elections.
_10_ % time	4. Responsible for managing meetings and coordinating with other agencies, act as clerk of the Board of County Commissioners and keep an accurate record of official proceedings of the Board.
_10_ % time	5. Preserve and keep all documents, books, records, maps, and other papers necessary to transact County Business.

Essential Job Duties:

1. Perform all responsibilities of Auditor and Treasurer outlined in North Dakota Century Code Chapters 11-13 and 11-14 and oversee certain responsibilities of the Tax Equalization office in accordance with North Dakota Century code, Chapter 11-10.
2. Act as clerk of the Board of County Commissioners and keep an accurate record of the official proceedings of the board.
3. Act as Chief Financial Officer for the County and in cooperation with the Finance Director, and Deputy Finance Director, keep complete and detailed records of all financial transactions, and prepare the annual financial statement of the County.
4. File and preserve all accounts, documents, books, records, maps, vouchers, and other papers pertaining to the settlement of all accounts to which the County is a party, and such copies under the hand and seal of the Auditor shall be admitted as evidence in all courts in the state.
5. As Chief Election Officer for the County, perform all acts required of the auditor relative to the making out and delivering of notices of general and special elections, making abstracts of and canvassing votes cast at election, issues certificates of election and forward the abstracts of and canvassing votes cast as election, issue certificates of election and forward the abstract of votes cast to the Secretary of State.
6. Prepare operating budget for combined department, and annual budget for the county, including calculation of tax mill levies, and prepare assessment list/abstract and tax abstract.

7. Manage the combined offices of Auditor/Treasurer/Tax and hire, train, supervise, and evaluate the performance of Deputy Auditor/Treasurer, Executive Assistant – Elections Coordinator, and Deputy Auditor/Tax Equalization Director. And in conjunction with the Finance Director, the Deputy Finance Director.
8. Act as advisor for other County governing boards such as County Planning Commission, County Board of Health, Water Management Board, Weed Control Board, Park Board, Special Assessment Commission, etc., and keep the community informed of the direction of the County by communicating with the media, community officials, and the general public.
9. Act as the custodian for the unorganized township records.
10. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Must be duly elected by the citizens of Burleigh County. Bachelor's or Master's Degree in Public Administration, Business Administration or Accounting would be beneficial.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment. Will include physical motions of finger dexterity for frequent use of PC keyboard and monitor, sitting and standing motions.
2. Often works in high-stress situations. Often works irregular schedules. Must be able to work through stressful times with high customer counts.

Clarification Clause:

This is an elected position and as such, is subject to election rules. This position is subject to the North Dakota Century Code, Chapter 11-13 and 11-14 rules and regulations. This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in performing the duties related to the Auditor/Treasurer/Tax position. The job description is not a contract. The County reserves the right to change the job description as long as it follows N.D.C.C. 11-13 and 11-14.

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 12/18/2024 Job Description # 02-41410-533

Employee: _____
Job Title: Deputy Auditor/Treasurer
Job Status: Exempt
Salary Grade: 12

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Auditor/Treasurer
DBM Rating: C44/C51

Job Summary: Under the supervision of the Auditor/Treasurer/Tax, is responsible for supervision of clerical staff, tax collection function, accounting functions, preparing, balancing, and making daily bank deposits, and reconciling periodic statements of the County's bank accounts.

Responsibilities:

_60_ % time	Supervise, schedule, train, and evaluate staff in the Auditor/Treasurer area of the department, and prepare and mail tax statements, entry of tax collections, and issuance of receipts.
_25_ % time	Manage and perform fund investment activities and monitors cash flow requirements of county including preparation of required reports and apportioning various funds to proper districts and custodial accounts.
_15_ % time	Maintain periodic financial reports related to general ledger, accounting for special funds, tax collections, and investment of funds, assist with the budget and mill levy processes.

Essential Job Duties:

1. Oversee the collection and recording of all county revenues; prepare and balance daily receipts and deposits of funds, prepare listing of all checks and cash, and reconciliation checking account(s) and periodic statements of bank accounts.
2. Prepare needed data for annual audit, internal report requests, maintain pledged securities.
3. Serve as an active member of the Burleigh County Investment Committee.
4. Assist in the annual budget preparation including calculation of tax levies, preparing assessment list/abstract, special assessment districts.
5. Assist in review of warrants and orders for payments issued by the county to determine whether they are legal obligations of the County, have been properly budgeted, and do not represent over payment to any payee or from any fund.
6. Assist County Auditor/Treasurer in the official record keeping process including taking minutes of County Commission and other meetings.
7. Serve as contact (liaison) for Banks, all Auditor/Treasurer software systems, online (web-based) programs.
8. Responsible for research, troubleshooting, and problem-solving processes for the technical programs and the overall Auditor/Treasurer's department.
9. Create property tax statements, courtesy notices (two time a year), estimate statements, taxation notices, in lieu of taxes, public utilities (electrical and transmission) distribution lines – verifying, reporting, and billing.
10. Process year-end entries, perform rollover and annual closing processes for connection groups.
11. Supervise, train, process timekeeping, monitor workload, evaluate performance, and provide assistance to staff in the department.
12. Assist with elections as directly by the Auditor/Treasurer.
13. Provide backup for telephone calls and assist the public.

14. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Bachelor's degree in finance, accounting, or business administration and three (3) years of experience in accounting including banking and investing funds and/or an equivalent combination of education and experience.
2. Preference will be given to applicants with two (2) or more years of supervisory experience.
3. Knowledge of state and local laws governing the assessment and collection of real estate taxes.
4. Knowledge of legal property descriptions and common property instruments such as warranty and quit claim deeds, death certificates, and plats.
5. Must possess excellent written and communication skills with the ability to prepare clear, concise, and accurate reports, and maintain effective working relationships with the public and other employees.
6. Ability to perform day-to-day accounting operations, technical computer skills, sufficient in the implementation of an integrated financial management system, and problem solving and analytical skills, sufficient to identify problem areas.
7. Must have valid North Dakota drivers license with clean driving record.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Deputy Auditor/Treasurer position. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

_____ _____

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 05-41410-502

Employee: _____
Job Title: Executive Assistant – Elections Coordinator

Job Status: Exempt
Salary Grade: 9

Location: Bismarck
Department: Auditor/Treasurer/Tax Equalization
Reports to: Auditor/Treasurer/Tax
DBM Rating: C41

Job Summary: Under the supervision of the Auditor/Treasurer, is responsible for the high-level administrative duties for the Auditor/Treasurer and the Burleigh County Commission. Assist the Auditor/Treasurer in all aspects of the election process. Perform other projects required by the Auditor/Treasurer/Tax Equalization department.

Responsibilities:

_50_ % time	1. Assist the Auditor/Treasurer with complex administrative tasks for administration of elections and real property taxation.
_30_ % time	2. Assist the Auditor/Treasurer/Tax Equalization Department with high-level administrative duties and project coordination for both the office and the Burleigh County Commission.
_20_ % time	3. Provide administrative support for Burleigh County Commission and various county auxiliary boards including preparation and dissemination of agendas, minutes, and correspondence, calendar, and meeting schedules.

Essential Job Duties:

1. Under the guidance of the Auditor/Treasurer; research develop and provide recommendations and resolutions for the election administration process and other processes for the Auditor/Treasurer/Tax Equalization Department and the Burleigh County Commission.
2. Responsible for the development and coordination of Requests for Proposal (RFP) and coordinating bulk mailings with the USPS according to federal regulations and guidelines and with mailing house operations in data transfer for tax statements and elections.
3. Responsible for coordinating the Auditor/Treasurer/Tax Equalization Department internal calendar of duties and projects to be completed by the department.
4. Coordinate maintenance and repair/replacement of office equipment (copy machine, communication devices). Coordinate with IT on repair/replacement of computer equipment and new user setup (authorities, email, passwords) for the Auditor/Treasurer/Tax Department.
5. Provide confidential administrative support for the Auditor/Treasurer and Burleigh County Commission by preparing and coordinating various meetings, meeting arrangements, materials, agendas, and minutes.
6. Serve as one of the contact people for all website content and updates to the website for the department and the county commission.
7. In coordination with the Auditor/Treasurer; administer the election process and all policies and procedures that fall under the election process.
8. Assist the Auditor/Treasurer with the development of an annual election budget and monitor the election administration to the media, public, and other government agencies.
9. Assist the Auditor/Treasurer with any outreach and education regarding voting, voting processes, and election administration to the media, public, and other government agencies.
10. In coordination with the Auditor/Treasurer review all appropriate correspondence issued by the Secretary of State's office and act as required.

11. In coordination with the Auditor/Treasurer, develop the test programs and test procedures to verify the logic and accuracy of each ballot style used prior to each election.
12. In coordination with the Auditor/Treasurer; is responsible for the recruitment and training of election workers.
13. Provide backup as needed for telephone calls, assist members of the public, collect tax payments, issue receipts, and perform other general clerical duties.
14. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Associate degree required with coursework in office support, business, or education and five (5) years of experience in high-level administrative support duties that include participation in the development, or modification, of major projects or procedures; or an equivalent combination of education and experience such as a Bachelor degree and three (3) years of.
2. Requires knowledge of administrative processes, procedures, or methods, and work experience with considerable knowledge, skill, and ability in duties similar in type and complexity to those performed at this level.
3. Ability to handle multiple duties and priorities under limited supervision along with the ability to direct and motivate other employees.
4. Proficiency in the MS Office Suite of products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
5. Requires a high degree of written and/or verbal communication skills dealing with employees, clients, or the general public.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting and standing.
2. Mental demands require the ability to analyze circumstances and interpret guidelines to select appropriate procedures, which provide analysis, recommendation, or advice used by others in making decisions.
3. Frequent use of PC Keyboard and monitor. Will include physical motions of finger dexterity for use of keyboard, and other office equipment.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Executive Assistant related positions. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 04-41410-019

Employee: _____
Job Title: Accountant I
Job Status: Exempt

Salary Grade: 9

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Deputy Auditor/Treasurer & Deputy Finance Director
DBM Rating: C41

Job Summary: Under the supervision of the Deputy Auditor\Treasurer performs professional level accounting duties, financial analysis, and reporting activities in support of the county's integrated financial system in accordance with federal and state guidelines, rules, policies, and procedures. Assists in compiling and preparing complex fund statements and financial statements in compliance with Generally Accepted Accounting Principles (GAAP). Assists in the implementation and maintenance of new financial applications as well as training and assisting users in order to obtain a variety of financial information.

Responsibilities:

_80_ % time	Perform routine and specialized accounting and financial activities in support of the countywide financial management system including functions of accounts receivable, accounts payable, cash receipts, capital assets, inventory management, investments, and long-term debt.
_10_ % time	Assist in general administrative functions including budgeting, expenditure analysis, purchasing, and related areas.
_10_ % time	Assist in the preparation of the comprehensive annual financial audit; close year-end financial statements, compile information and prepare statistical and note sections of the report. Assist in the review and update of all supporting processes, policies, and procedures needed to ensure compliance with Generally Accepted Accounting Principles (GAAP), conformance with applicable laws and policies, and an effective internal control system.

Essential Job Duties:

1. Maintain and assist in developing financial reports to accurately reflect the financial status of the county.
2. Perform reconciliations within the accounting system. Provide accounting interpretation and analyses to support the financial decisions of the county.
3. Responsible for the recording of deeds and the escrow accounting process.
4. Prepare monthly apportioning to allocate correct amount of collected funds to various taxing districts.
5. Responsible for general ledger reconciliations, corrections, and any needed journal entries.
6. Responsible for assisting with the scanning and transferring of paper invoices and documents to digital format for online storage.
7. Work with the Deputy Auditor/Treasurer to train and coordinate the work of clerical and technical employees, engaged in accounting activities.
8. Answer questions from other departments regarding coding, past records, reports, and payment of bills.
9. Advise county employees on proper accounting procedures as established by the County.
10. Recommend process improvements to current accounting procedures as established by the County.
11. Allocate and verify the recording of revenue and expenditures to the correct funds according to county policies, and procedures. Check invoices and billing statements for coding and validity
12. Assist in the preparation, processing, and verification of the year-end fixed assets and inventory.
13. Responsible for filing unclaimed property, preparing annual school financial reports, and processing abatements.

14. Receipt, count, and balance money, and prepare deposits.
15. Perform the annual 1099 tax reporting process.
16. Provide backup as needed for telephone calls, assist members of the public, collect tax payments, assist with elections, and other general clerical duties.
17. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Bachelor's degree in Accounting or Business Administration and minimum of two (2) years of experience in computer-based accounting functions with an emphasis in fund accounting and financial software applications.
2. Knowledge of fund and cost accounting practices and procedures.
3. Knowledge of automated financial systems and software applications.
4. Knowledge of application of accounting principles to the financial statements with the ability to analyze financial information and other related documents.
5. Knowledge of the Generally Accepted Accounting Principles (GAAP), and Government Accounting Standards Board statements and interpretations (GASB)
6. Ability to perform day-to-day accounting operations, technical computer skills sufficient in the implementation of an integrated financial management system, and problem solving and analytical skills sufficient to identify problem areas.
7. Ability to communicate verbally and in writing to establish and maintain effective working relationships with employees, other agencies, and the public.
8. Ability to apply knowledge in developing and implementing countywide policy and procedures.
9. Ability to analyze and explain the impacts of authoritative standards and work with staff within the department and other departments to establish guidelines and implement policies, procedures, and processes to assure compliance.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, conferencing online meeting tools, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Accountant position. The job description is not a contract. The County reserves the right to modify this or any other job description at any time.

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 06-41410-014

Employee: _____
Job Title: Accounting Technician
Job Status: Non-Exempt
Salary Grade: 5

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Deputy Auditor/Treasurer
DBM Rating: B22

Job Summary: Under the supervision of the Deputy Auditor/Treasurer, performs accounting duties in the administration and maintenance of accounts payables and credit card processing procedures.

Responsibilities:

_40_% time	Responsible for administering and maintaining all functions of the county's accounts payable processing system.
_30_% time	Compile and maintain information to substantiate transactions, balance, and reconcile accounts relating to the county's credit card system.
_20_% time	Responsible for processing the general ledger posting function for the Burleigh County biweekly employee payroll.
_10_% time	Assist the public and coworkers, assist with elections, and maintain accurate records.

Essential Job Duties:

1. Responsible for administering and maintaining all functions of the county's accounts payable processing system.
2. Conduct internal audits of all invoices, and credit card charges to provide credit card controls for all departments to assure accuracy for the payment process.
3. Process applications, requests, and claims for individuals seeking information or help regarding the county's credit card system, transfer information from the credit card system to the county's accounting system.
4. Monitor authorized credit card usage in all departments to assure activities are performed in accordance with credit card usage policies, and procedures.
5. Apportion invoices as needed; print and distribute checks for payment; and assist with gathering data for budget development.
6. Responsible for scanning and transferring paper invoices and documents to digital format for online storage.
7. Receive and refer telephone calls, assist members of the public, verify deeds, collect tax payments, assist with elections, complete and process various applications and documents, and other general clerical duties.
8. Collect money, issue receipts, balance and reconcile accounts, maintain, and disburse funds.
9. Proficient in the use of the MS Office Suite of products, specifically, Excel, Word, and Outlook to complete the daily tasks associated with this position.
10. File, retrieve, interpret information, and prepare reports from records. Distribute reports to appropriate people.
11. Post payroll entries to include ACH transfers and other general ledger entries relating to employee deductions and employee benefit payments.
12. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Associates degree with coursework in accounting, finance, or business, and four (4) years of accounting, bookkeeping, or budgeting experience; or an equivalent combination of education and experience.
2. Preference will be given to applicants with prior experience in accounts payable.

3. Proficiency in the MS Office Suite or products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
4. Requires knowledge of administrative processes, procedures, or methods, and work experience with considerable knowledge, skill, and attention to detail.
5. Requires a high degree of written and verbal communication skills and great customer service skills.
6. Ability to handle multiple duties and priorities under limited supervision.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, typewriter, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Accounting Technician position. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

_____ _____

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 08-41410-530

Employee: _____
Job Title: Administrative Assistant II – Accounts Receivable
Job Status: Non-Exempt
Salary Grade: 4

Location: Bismarck
Department: Auditor/Treasurer/Tax
Reports to: Deputy Auditor/Treasurer
DBM Rating: B21

Job Summary: Under the supervision of the Deputy Auditor/Treasurer, perform general clerical and bookkeeping duties. Assist the public, answer telephones, collect and tabulate data, prepare original correspondence and reports, balance books, and maintain files.

Responsibilities:

_40_ % time	Perform receptionist and general clerical duties including answering telephones, filing, and word processing, assists the public, assists with elections, and maintain accurate records.
_40_ % time	Compile and maintain information to substantiate transactions, balance, and reconcile accounts, search records at appropriate time.
_20_ % time	Responsible for interpreting information and preparing reports from records, and properly disposing of records at appropriate time.

Essential Job Duties:

1. Receive and refer telephone calls, assist members of the public, receive payments, complete and process various applications and documents, assist with elections, and other general clerical duties.
2. Responsible for assisting with the scanning and transferring of paper invoices and documents to digital format for online storage.
3. Collect money, issues receipts, balance and reconcile accounts, maintain, and disburse funds.
4. Maintain accurate records with respect to real estate and chattel properties, tax assessments and collections, and accounts receivable.
5. Complete and process applications, requests, and permits for Burleigh County.
6. Maintain stock of office supplies, equipment, and forms by ordering and receiving goods, issue goods to staff, and perform physical inventory.
7. Proficient in the use of the MS Office Suite of products, specifically, Excel, Word, and Outlook to complete the daily tasks associated with this position.
8. Assist in the development, implementation, and maintenance of office procedures for the unit.
9. File, retrieve, interpret information, and prepare reports from records. Distribute reports to appropriate people.
10. Research issues with documents, applications, and permits to provide follow-up as needed to retrieve missing information.
11. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Associate degree with major coursework in legal, business, or applied Science, and two (2) years of work experience in high-level administrative and/or a combination of education and experience. Work experience must reflect an ability to conduct research, provide analysis, and interpretation of information, and prepare formal reports.
2. Preference will be given to applicants with experience involving a combination of banking, bookkeeping, or accounts receivable duties.

3. Requires knowledge of administrative processes, procedures, or methods, and attention to detail. Must have considerable knowledge, skill, and ability in duties similar in type and complexity to those performed at this position level.
4. Requires a high degree of written and verbal communication skills, dealing with the general public and other employees.
5. Proficiency in the MS Office Suite or products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
6. Ability to handle multiple duties and priorities under limited supervision.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting, standing, lifting, and completing a variety of recurring activities independently.
2. Requires operation of specialized equipment such as a computer, adding machine, business machines, copiers, etc.
3. Mental demands require the ability to interpret and choose the appropriate work procedure from available choices and judgment to select the appropriate guidelines.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Administrative Assistant type positions. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

_____ _____

Employee Signature **Date**

	Burleigh County, North Dakota Job Description	Last Date Revised: 04/17/2023 Job Description # 07-41410-033

Employee: _____
Job Title: Administrative Assistant – Real Estate

Job Status: Non-Exempt
Salary Grade: 4

Location: Bismarck
Department: Auditor/Treasurer/Tax Equalization
Reports to: Deputy Auditor/Treasurer
DBM Rating: B21

Job Summary: Under the supervision of the Deputy Auditor/Treasurer, perform general clerical and bookkeeping duties. Assist the public, answer telephones, collect and tabulate data, prepare original correspondence and reports, balance accounts, and maintain files. Perform duties for deed transfers and the three-year delinquent tax process. Assist with property taxes and elections

Responsibilities:

_40_% time 1. Perform receptionist and general clerical duties including answering telephones, filing, and word processing, assist the public, assist with elections, and maintain accurate records.

_40_% time 2. Prepare formal reports, letters, and other documentation on matters concerning elections, real estate assessments, real estate taxation and general government administration.

_20_% time 3. Assist the Auditor/Treasurer/Tax and Executive Assistant – Elections Coordinator with administrative support for the Burleigh County Commission and various county auxiliary boards including preparation and dissemination of agendas, minutes, and correspondence, calendars, and meeting schedules.

Essential Job Duties:

1. Receive and refer telephone calls, assist members of the public, receive payments, complete and process various applications and documents, assist with elections, and other general clerical duties.
2. Transfer information from source documents such as deeds, plats, billings, invoices, reports, and statements to permanent records such as assessment rolls, and annual reports.
3. Perform deed transfers and abatement recording. Reconciles abatements.
4. Maintain accurate records, with respect to real estate and chattel properties, tax assessments and vouchers for payment as part of the abatement process.
5. Responsible for the coordination of the three-year delinquent tax process.
6. Serve as one of the contact people for all website content and updates to the website for the department and the county commission.
7. Provide monthly expenses to the media as directed by the Auditor/Treasurer Tax.
8. Process legal publications as directed by the Auditor/Treasurer/Tax.
9. Process the multiple parcel maintenance and redaction of property records.
10. Compile township packets annually.
11. Assist the Auditor/Treasurer/Tax and Executive Assistant – Elections Coordinator in providing confidential administrative support for the Burleigh County Commission by preparing and coordinating various meetings, meeting arrangements, materials, agendas, and minutes.
12. Perform other duties as required or assigned.

Job Qualifications, Experience and Education

1. Associate degree with major coursework in legal, business, or applied science, and two (2) years of work experience in high-level administrative and/or a combination of education and experience. Work experience must reflect an ability to conduct research, provide analysis and interpretation of information, and prepare formal reports.
2. Requires knowledge of administrative processes, procedures, or methods, and attention to detail. Must have considerable knowledge, skill, and ability in duties similar in type and complexity to those performed at this position level.
3. Requires a high degree of written and/or verbal communication skills dealing with general public and other employees.
4. Proficiency in the MS Office Suite of products, specifically, Excel and Word in order to efficiently perform the administrative tasks assigned to this position.
5. Ability to handle multiple duties and priorities under limited supervision.

Working Conditions/ Physical and Mental Demands

1. Physical environment consists of a desk job in the standard environment, repetitive motion, sitting and standing.
2. Mental demands require the ability to analyze circumstances and interpret guidelines to select appropriate procedures, which provide analysis, recommendation, or advice used by others in making decisions.
3. Frequent use of PC Keyboard and monitor. Will include physical motions of finger dexterity for use of keyboard, and other office equipment.

Clarification Clause:

This job description is not intended and should not be construed to be a complete list of all duties, skills, responsibilities, or working conditions associated with the job. It is intended to be a reasonable outline of those principal job elements essential in maintaining the Administrative Assistant type positions. The job description is not a contract. The County reserves the right to modify job descriptions at any time.

Employee Signature **Date**

From: Jacobs, Leigh
To: Lawyer, Julie A.
Cc: Binder, Pamela J.; Bitner, Brian
Subject: RE: Preliminary Resolution - Auditor / Treasurer Reorganization
Date: Tuesday, May 13, 2025 2:27:09 PM

Julie,

1. current positions you have in your office
    a. We have a Finance Director and a Deputy Finance Director
2. their job duties
    a. Deputy Finance Director
        i. 20 hours a week of Auditor's Office duties
        1. These 20 hours were not fully utilized under previous Deputy Auditor, but have increased since we hired a new Deputy Auditor
            a. Duties include investment journal entries
            b. Bank reconciliations
            c. Reconciliations of cash and accounts receivable
            d. Vision Zero grant
            e. Quarterly billings including BMDC, CenComm, Courthouse utilities
        ii. Seasonal duties including 1099 processing, unclaimed property
        iii. BMDC Sales Tax bond defeasance activities (this will be going away in the coming days/weeks)
        iv. Research policies/procedures
        v. Reconciling general ledger
        vi. Research items for Commission meetings

    b. Finance Director
        i. Certain duties for Auditor's Office
        1. Fixed assets
        2. Financial statement audit liaison
        3. Year-end adjusting entries
        4. Investment reconciliation, procedures, tracking sheets
        5. ARPA grant administration
        6. Other grants
        7. Review of work performed by Deputy Auditor
        8. Reconciliation of cash, receivables, other
        ii. General Ledger reconciliation
        iii. Investment benchmarking and reporting
        iv. Substantial time is devoted to reviewing the work of the Auditor/Treasurer's Office
        v. Reporting to the Commission
        vi. Evaluating procedures, looking for process improvement

3. what projected staffing you will need for your offices to perform the reassigned duties

In this case, the Auditor/Treasurer Splonskowski contributes at least a negative one, if not negative two FTEs. Not only does he not provide the kind of work product or output one would expect at his level, but he creates additional problems on an ongoing basis due to his incompetence. I've estimated a cost of at least $5M to Burleigh County directly because of Auditor/Treasurer Splonskowski's incompetence. As a result, the Finance Director position was re-purposed as an internal auditor. Therefore, a significant amount of our time is spent reviewing the Auditor/Treasurer's work and reporting back to the Commission. Due to the scope of the incompetence, there's a lot to review. If Auditor/Treasurer Splonskowski's job duties are substantially reassigned, his ability to create problems is greatly reduced and therefore, there is less of a need for this internal audit function.

So, by largely removing Auditor/Treasurer Splonskowski from the picture, we gain at least 1 or 2 FTE's by eliminating his negative influence. We also gain probably at least ½ to 1 FTE in the Finance Department due to the reduced need for oversight.

Additionally, the Auditor/Treasurer's Office has failed to improve its procedures over the years. Because we are in a separate building, the scope of this problem is not known, but I would estimate the Auditor/Treasurer's Office loses at least 1 FTE of time per year due to ineffective procedures, lack of technical ability/training, etc. So, with new leadership, there's the opportunity to gain man-hours by improving processes.

I don't think we need to add FTEs to the Finance Department, and I think we have enough FTEs authorized within the Auditor/Treasurer's Office and Finance Department combined to perform the statutory duties, with the understanding that we are currently short an Accountant I position. **However, neither the Auditor/Treasurer nor Deputy Auditor/Treasurer's job duties have been done for over 4 years. We have a backlog of work that needs to be done at that level.** It may be that an additional staff member is needed to catch up from these years of negligence. Not to mention the lack of written documentation of many policies & procedures for the decades prior to that.

I am a little skeptical about adding an appointed Treasurer without a County Administrator. It seems to me that accounting departments need to be vertically integrated. Concerns about dual controls can be addressed through segregation of duties and policies/procedures, especially if financial duties are removed from the elected Auditor.

So to summarize, under the reorganization we gain back the negative 2 FTE's caused by Auditor/Treasurer Splonskowski; another ½ to 1 FTE from Finance Department's internal audit function; a potential for 1 FTE from improving procedures; with the possible need to use 1 FTE to clean up years of neglect. So conservatively, a net gain of 2.5 FTEs.

Leigh Jacobs, CPA
Finance Director
Burleigh County

From:	Vietmeier, Alan R.
To:	Lawyer, Julie A.
Cc:	Binder, Pamela J.; Bitner, Brian
Subject:	RE: Preliminary Resolution - Auditor / Treasurer Reorganization
Date:	Wednesday, May 7, 2025 9:45:52 AM
Attachments:	Deputy Auditor-Tax Director Job Description-4.17.23.pdf Senior Tax Appraiser Job Description-04.17.23.pdf Tax Appraiser II Job Description 04.17.23.pdf Tax Appraiser I Job Description 04.17.23.pdf

Good morning,

Here is the structure for the Tax Equalization office:

4 Staff Members, 1 in each category.

Tax Equalization Director – Oversee the operations of the office. Provide expert knowledge to public and county officials when needed. Supervise the Tax Equalization staff.

> **Senior Appraiser** - Manages the property records in Tax Wise and Vanguard. Provide guidance to title companies, banks, engineers, surveyors, and appraisers. Provides leadership to appraiser 1 and 2. Assists the director with required filings and conducting of meetings. Other duties as assigned by the Director.
>
> > **Appraiser 2** – perform individual assessments on basic and complex properties. Study the market conditions. Provide customer service. Value the Mobile Homes and track their data. Compile sales data for equalization use.
> >
> > **Appraiser 1** – perform individual assessments on basic properties. Study the market conditions. Provide customer service. Administer the Homestead and Vet Credits.

The office also provides expert knowledge relating to assessments, taxation, property descriptions, etc. to the public when the questions arise. All staff members are well versed in providing that information and utilize the chain of command when the answer is not able to be provided by them.

I have attached all the job descriptions for the office. These are the current job responsibilities that we are working off currently. We also do a lot of additional work due to lack of experience in the other portion of the department.

As the appraiser 1 meets the requirements in the appraiser 2 position they will be moved to an appraiser 2.

Current Staffing Levels of the Tax Equalization will not require any changes at this time.

Hopefully, this helps you compile the necessary information you need.

CHAPTER 11-09.1
HOME RULE COUNTIES

11-09.1-01. Methods of proposing home rule charter.

The board of county commissioners may on its own motion cause a home rule charter to be drafted and submitted for adoption to the electors of the county in the manner provided in this chapter. A home rule proposal may be initiated in a petition filed with the board of county commissioners and signed by qualified electors of the county not fewer in number than two percent of the population of the county.

11-09.1-02. Charter commission - Membership - Preparation and submission of charter - Compensation and expenses - Publication.

Within sixty days after proceedings have been initiated for a home rule charter, the board of county commissioners shall appoint a charter commission, comprised of at least five members, to draft the charter, unless a petition proposing a charter pursuant to section 11-09.1-01 prescribes the composition of the commission or the manner by which the composition of the commission is to be determined. The board shall designate one of the charter commission members as chairman of the charter commission. The board shall set the compensation and expenses of charter commission members. Actual expenses incurred by charter commission members may be reimbursed at the official reimbursement rates of the appointing authority. The board, from its general funds, may furnish the charter commission with office space, clerical help, supplies, and legal and other assistance. The charter commission shall hold at least one public hearing on the proposed charter and may use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the proposed charter. The commission shall prepare and submit the charter to the board of county commissioners within one year after appointment, unless the board allows additional time for submission of the charter. The charter must contain a list of county offices to be elected and any elected offices that will be eliminated or combined if the charter is adopted. The board of county commissioners shall publish the proposed charter once in the official newspaper of the county.

11-09.1-03. Submission of charter to electors.

At least sixty days, but no more than two years, after submission of the charter to the board of county commissioners, the proposed charter must be submitted to a vote of the qualified electors of the county at a primary or general election. If the proposed charter has been submitted to a vote of the qualified electors of the county, the board of county commissioners may call a special election to resubmit the proposed charter to a vote of the qualified electors of the county, and the special election must take place at least sixty days after the call for the special election. The board may amend the proposed charter prior to its resubmission to the electors.

11-09.1-04. Ratification by majority vote - Supersession of existing charter and conflicting state laws - Filing of copies of new charter.

If a majority of the qualified electors voting on the charter at the election vote in favor of the home rule charter, it is ratified and becomes the organic law of the county on the first day of January or July next following the election, and extends to all its county matters. The charter and the ordinances made pursuant to the charter in county matters must be liberally construed to supersede within the territorial limits and jurisdiction of the county any conflicting state law except for any state law as it applies to cities or any power of a city to govern its own affairs, without the consent of the governing body of the city. The charter may not authorize the enactment of ordinances to diminish the authority of a board of supervisors of a township or to change the structure of township government in any organized civil township, without the consent of the board of supervisors of the township. No ordinance of a home rule county shall supersede sections 49-22-16 and 49-22.1-13. One copy of the charter as ratified and approved must be filed with the secretary of state; one with the recorder for the county, unless the board

of county commissioners designates a different official; and one with the auditor of the county to remain as a part of its permanent records. Courts shall take judicial notice of the charter.

11-09.1-04.1. Multicounty home rule.

1. Two or more counties may draft and submit for adoption a multicounty home rule charter to the electors of each county pursuant to this section. The other provisions of this chapter apply to a multicounty home rule charter, except as otherwise provided by this section.
2. The process for drafting and submitting a multicounty home rule charter may be initiated by:
   a. Separate motions by the boards of county commissioners of the participating counties;
   b. The execution of a joint powers agreement between participating counties; or
   c. A petition filed with each board of county commissioners of two or more counties and signed by ten percent or more of the total number of qualified electors of each county voting for governor at the most recent gubernatorial election.
3. Within sixty days after proceedings are initiated for a multicounty home rule charter, the boards of county commissioners shall enter into a joint powers agreement specifying the procedure for framing the charter, which may include the establishment of a single cooperative charter commission with membership representing each county. As an alternative, the boards of county commissioners in each affected county may establish a separate charter commission pursuant to section 11-09.1-02 to frame the charter in cooperative study with the charter commission of any other affected county. The charter commissions must submit a single joint report and proposed charter.
4. A charter commission, during its deliberation, may hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion on the subject of the proposed multicounty home rule charter, and may report periodically to the affected governing bodies on their progress. In preparing the charter, the charter commission may:
   a. Include any, or all, of the available powers enumerated in section 11-09.1-05, subject to the limitations of that section;
   b. Provide for adjustment of existing bonded indebtedness and other obligations in a manner that will provide for a fair and equitable burden of taxation for debt service;
   c. Provide for the transfer or other disposition of property and other rights, claims, assets, and franchises of the counties;
   d. Provide for the reorganization, abolition, or adjustment of boundaries of any existing boards, commissions, agencies, and special districts of the county government;
   e. Include provisions for transition in implementing the charter, including elements that consider the reasonable expectations of current officeholders such as delayed effective dates for implementation at the end of a current term or a future term, upon the occurrence of a vacancy, or on a date certain;
   f. Include provision for the limited application or temporary implementation of the charter, including provisions that permit implementation on an experimental or pilot basis such as the expiration of the charter on a date certain in the future, required reapproval of the charter by the electors at a future date, or a phased-in implementation of various components of the charter; and
   g. Include other provisions that the charter commission elects to include and which are consistent with state law.
5. The proposed charter or accurate summary of the charter must be published in the official newspaper of each affected county, at least once during two different weeks within the thirty-day period immediately preceding the date of election.
6. If a majority of the qualified electors voting in each county on the charter votes in favor of the multicounty home rule charter, it is ratified and becomes the organic law of the

multicounty area on the first day of January following the election or other effective date specified in the charter.

7. The amendment or repeal of a multicounty home rule charter may proceed pursuant to the amendment and repeal provisions of section 11-09.1-06 on a multicounty basis. A majority vote of the qualified electors voting in each county in the election is required to adopt any amendment of a multicounty charter. A majority vote of the qualified electors of only one or more participating counties is required to repeal a multicounty charter.

11-09.1-05. Powers.

After the filing with the secretary of state of a charter approved in reasonable conformity with this chapter, the county and its citizens may, if included in the charter and implemented through ordinances:

1. Acquire, hold, operate, and dispose of property within or without the county limits, and, subject to chapter 32-15, exercise the right of eminent domain for those purposes.
2. Control its finances and fiscal affairs; appropriate money for its purposes, and make payments of its debts and expenses; contract debts, borrow money, issue bonds, warrants, and other evidences of indebtedness; establish charges for any county or other services to the extent authorized by state law; and establish debt limitations.
3. Levy and collect property taxes and special assessments for benefits conferred, for its public and proprietary functions, activities, operations, undertakings, and improvements, and establish mill levy limitations. Notwithstanding any authority granted under this chapter, all property must be assessed in a uniform manner as prescribed by the state board of equalization and the state supervisor of assessments and all taxable property must be taxed by the county at the same rate unless otherwise provided by law. A charter or ordinance or act of a governing body of a home rule county may not supersede any state law that determines what property or acts are subject to, or exempt from, ad valorem taxes. A charter or ordinance or act of the governing body of a home rule county may not supersede section 11-11-55.1 relating to the sixty percent petition requirement for improvements and of section 40-22-18 relating to the barring proceeding for improvement projects.
4. Levy and collect an infrastructure fee. The fee must replace a general special assessment on all property for payment of infrastructure maintenance costs through a utility bill issued by the county. The money collected under this subsection may not be used for any purpose other than infrastructure maintenance costs. If a home rule county levies an infrastructure fee, the home rule county also may levy and collect green field special assessments. As used in this subsection:
   a. "General special assessments" means special assessments levied for the purpose of maintaining existing roads and infrastructure and special assessments levied for the construction or repair of arterial roads and infrastructure that provide a benefit to the entire community.
   b. "Green field special assessments" means special assessments levied for infrastructure costs associated with the development of agricultural or undeveloped property.
5. Levy and collect sales and use taxes, farm machinery gross receipts taxes, alcoholic beverage gross receipts taxes, a county lodging tax, and a county restaurant tax. Sales and use taxes and gross receipts taxes levied under this chapter:
   a. Must conform in all respects with regard to the taxable or exempt status of items under chapters 57-39.2, 57-39.5, 57-39.6, and 57-40.2 and may not be imposed at multiple rates with the exception of sales of manufactured homes or mobile homes.
   b. May not be newly imposed or changed except to be effective on the first day of a calendar quarterly period after a minimum of ninety days' notice to the tax commissioner or, for purchases from printed catalogs, on the first day of a calendar quarter after a minimum of one hundred twenty days' notice to the seller.

c. May not be limited to apply to less than the full value of the transaction or item as determined for state sales and use tax, except for farm machinery gross receipts tax purposes.
d. Must be subject to collection by the tax commissioner under an agreement under section 57-01-02.1, with the exception of a county lodging or county restaurant tax, and must be administered by the tax commissioner in accordance with the relevant provisions of chapter 57-39.2, including reporting and paying requirements, correction of errors, payment of refunds, and application of penalty and interest.

After December 31, 2005, any portion of a charter or any portion of an ordinance or act of a governing body of a home rule county passed pursuant to a charter which does not conform to the requirements of this subsection is invalid to the extent that it does not conform. The invalidity of a portion of a charter or ordinance or act of a governing body of a home rule county because it does not conform to this subsection does not affect the validity of any other portion of the charter or ordinance or act of a governing body of a home rule county or the eligibility for a refund under section 57-01-02.1. Any taxes imposed under this chapter on farm machinery, farm irrigation equipment, and farm machinery repair parts used exclusively for agricultural purposes, or on alcoholic beverages, which were in effect on December 31, 2005, become gross receipts taxes after December 31, 2005. Ordinances enacted after August 1, 2017, may not allow for the collection and levy of any tax not otherwise specified under this section.

6. Provide for county elected and appointed officers and employees, their selection, powers, duties, qualifications, and compensation, and the terms of county appointed officers and employees. However, after adoption of a home rule charter, a county elected office may not be eliminated or combined with another office except upon approval of a majority of the electors of the county voting upon the question at a primary or general election or pursuant to the county officer combination, separation, or redesignation procedures of chapter 11-10.2. A home rule charter may not diminish the term of office for which a current county officer was elected, redesignate that elected office during that term as appointed, or reduce the salary of the office for that term. This subsection does not authorize a county to redesignate the elected offices of sheriff and state's attorney as appointed, except as provided in section 11-10-02.3.
7. Provide for all matters pertaining to county elections, except as to qualifications of electors.
8. Provide for the adoption, amendment, repeal, initiative, referral, enforcement, and civil and criminal penalties for violation of ordinances, resolutions, and regulations to carry out its governmental and proprietary powers and to provide for public health, safety, morals, and welfare. This subsection does not confer any authority to regulate any industry or activity regulated by state law or by rules adopted by a state agency. This subsection is subject to the provisions of section 62.1-01-03.
9. Lay out or vacate public grounds, and provide through its governing body for the construction, use, operation, designation, and regulation of a county road system.
10. Provide for zoning, planning, and subdivision of public or private property within the county limits but outside the zoning authority of any city or organized township. This subsection is subject to the provisions of section 62.1-01-03.
11. Exercise in the conduct of its affairs all powers usually exercised by a corporation.
12. Contract with and receive grants from any other governmental entity or agency, with respect to any local, state, or federal program, project, or works.

The people of all counties coming within this chapter have the full right of self-government in all matters within the powers enumerated in this chapter. The statutes of this state, so far as applicable, continue to apply to counties, except as superseded by the charters of the counties or by ordinances passed pursuant to the charters.

11-09.1-05.1. Sales tax revenue transfer to school districts prohibited.

Notwithstanding the provisions of chapters 54-40 and 54-40.3 or any other provision of law, revenue from sales, use, or other excise taxes levied under this chapter may not be transferred

to or for the primary benefit of a school district except for payment of bonded indebtedness incurred before April 19, 2007, or for capital construction and associated costs approved by the electors of the county before April 19, 2007.

11-09.1-06. Amendment or repeal.

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

11-09.1-07. Commission - Terms of office - Vacancies.

The board of county commissioners shall determine the term of office of the members of the charter commission at the time the members are appointed. The board of county commissioners shall fill any vacancy on the charter commission.

11-09.1-08. Restriction on proposals to amend or repeal.

Repealed by S.L. 1993, ch. 401, § 53.

11-09.1-09. Manner of calling and holding elections.

The elections provided for in this chapter are subject to the laws applicable to other elections of the county. All qualified electors of the county are eligible to vote at the election. The charter commission, for proposals to adopt a home rule charter, or the governing body of the county, for proposals to amend or repeal a home rule charter, shall prescribe the form of ballot so that the voter may signify whether the voter is for or against the proposed home rule charter or the amendment or repeal.

11-09.1-10. Effect of amendment or repeal on salary or term of office.

On the first day of January following repeal of a home rule charter, the county reverts to the form of government of the county immediately preceding adoption of the home rule charter. If positions to which officials were elected under the home rule charter are substantially the same as positions under the form of government to which the county reverts upon repeal, the elected officials shall continue to exercise the authority of their positions for the salary prescribed by the home rule charter until expiration of their terms of office as prescribed by the home rule charter. No amendment of a home rule charter may shorten the term for which any official was elected or reduce the salary of the official's office for that term.

11-09.1-11. General powers preserved.

All powers granted counties by general law are powers of home rule counties.

11-09.1-12. Vested property - Rights of action - Actions saved.

The adoption of any charter or amendment does not destroy any property, action, right of action, claim, or demand of any nature vested in the county. All rights of action, claims, or demands are preserved to the county and to any persons asserting any claims against the county as completely as though the charter or amendment had not been adopted. The adoption of any charter or amendment affects neither the right of the county to collect special assessments previously levied under any law or charter for the purpose of public improvements, nor impairs the obligation of any existing contract to which the county is a party.

11-09.1-13. Enforcement of criminal penalties.

A county that has adopted a home rule charter may impose a penalty for a violation of an ordinance through a citation, a criminal complaint, or an information through the district court in the county where the offense occurred. The penalty for a violation of an ordinance may be an infraction or a class B misdemeanor.

11-09.1-14. Payment of expenses for indigent defense services.

The home rule county must pay for an attorney and those expenses necessary for the adequate defense of an indigent person prosecuted for violation of a home rule county ordinance.

CHAPTER 11-10.2
COUNTY OFFICER COMBINATION, SEPARATION, AND REDESIGNATION

11-10.2-01. County officer combination, separation, and redesignation options.

1. A county may, without requiring local citizens to permit county home rule powers:
   a. Combine any elective county office with one or more functionally related elective or appointive county offices;
   b. Separate an elective county office into two or more elective or appointive offices; or
   c. Redesignate an elective county office as an appointive office or an appointive office as an elective office.
2. A combination or separation of any elected or appointed county office may include the reassignment of any statutory function of that office or service provided by that office, but may not diminish the general responsibility of county government to perform any function or provide any service that is required by law to be performed or provided by county government.
3. This option is available in addition to, or in lieu of, other county structural options authorized under this title, unless a specific mandate for combining or separating particular county offices is otherwise provided by law. The office of sheriff is excluded from the application of this chapter.

11-10.2-02. Methods of accomplishing office combination, separation, or redesignation of elective or appointive status.

The combination or separation of elective county offices, or redesignation of a county office as elective or appointive, may be accomplished:

1. By resolution of the board of county commissioners, subject to the right of referendum in the county electors. The board of county commissioners may by a majority vote adopt a preliminary resolution incorporating a proposed plan for combining or separating county offices, or redesignating a county office as elective or appointive. The board shall cause the complete text of the proposed plan to be published in the official newspaper of the county, at least once during two different weeks within the thirty-day period immediately following the adoption of the preliminary resolution. The board of county commissioners shall hold public hearings and community forums or use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose, conclusions, and recommendations of the plan. Within two years after the adoption of the preliminary resolution, the board of county commissioners may by final resolution approve the plan or amend the plan and approve it for implementation according to its terms. The final resolution may be referred to the qualified electors of the county by a petition protesting the plan. The petition must be signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election, and filed with the county auditor, or functional equivalent of that office, before four p.m. on the thirtieth day after the final resolution is adopted. Within ten days after the filing of the petition, the county auditor shall examine the petition and ascertain from the voter list whether the petition contains the signatures of a sufficient number of qualified electors. Any insufficiencies may be cured by the filing of an amended petition within ten days after the county auditor declares the insufficiency. The final resolution is suspended upon a determination by the county auditor that the petition was timely filed and contains the signatures of a sufficient number of qualified electors. The board of county commissioners shall reconsider the referred resolution, and if it does not repeal the resolution in its entirety, shall submit the resolution to a vote of the qualified electors of the county at the next regular election. The county auditor shall cause the complete text of the resolution to be published in the official newspaper of the county, not less than two weeks nor more than thirty days, before the date of the election. If a majority of the qualified electors voting on the question

approves the resolution, the plan incorporated in the resolution is effective and becomes operative according to its terms as if it had not been suspended.

2. By initiative of county electors. A petition signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election may be submitted to the board of county commissioners, calling upon the board to submit to the electors the question of adopting a plan described in, or annexed to, the petition. The county auditor, or the functional equivalent of that officer, shall examine the petition and ascertain from the voter list whether or not the petition contains the signatures of a sufficient number of qualified electors. Any insufficiencies may be cured by the filing of an amended petition within thirty days after the county auditor declares the insufficiency. When a plan for the combination or separation of county offices or redesignation of county offices as elective or appointive is proposed pursuant to this subsection, the board of county commissioners shall submit the proposed plan to a vote of the qualified electors of the county at a primary or general election not less than sixty days nor more than two years, as specified in the petition, after determining that the petition is sufficient. The question on the ballot at the election must be framed in a manner that fairly and accurately describes the substance of the proposed plan. The board shall cause the complete text of the proposed plan to be published in the official newspaper of the county, at least once during two different weeks within the thirty-day period immediately preceding the date of the election. The board of county commissioners may, prior to the election, hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose, conclusions, and recommendations of the plan. If a majority of the qualified electors voting on the question approves of its adoption, the plan is effective according to its terms.

11-10.2-03. Analysis required - Contents of plan - Limitations.

1. A proposed plan for combining or separating county elective offices, or redesignating a county office as elective or appointive, must be based on an analysis of each affected office, which may include an analysis of:
   a. The existing office organization, functions, and procedures established for providing governmental services;
   b. The proposed office organization, functions, and procedures; and
   c. How the proposal may improve the effectiveness and efficiency of county government and its responsiveness and accountability to local citizens.
2. The analysis may be performed as part of a study process initiated pursuant to chapter 40-01.1.
3. A proposed plan for combining or separating county elective offices, or redesignating a county office as elective or appointive, may include provision for:
   a. The selection, powers, duties, functions, qualifications and training, terms, and compensation of the affected county offices, notwithstanding any other law;
   b. Selection, transfer, reassignment, or termination of personnel associated with each affected office;
   c. The election or appointment of a county manager, notwithstanding the provisions of chapter 11-09;
   d. Transition in implementation of the plan, including elements that consider the reasonable expectations of current officeholders such as delayed effective dates for implementation at the end of a current term or a future term, upon the occurrence of a vacancy, or on a date certain;
   e. The limited application or temporary implementation of the plan, including provisions that permit implementation on an experimental or pilot basis such as the expiration of the plan on a date certain in the future, required reapproval of the plan by the electors at a future date, or a phased-in implementation of different components of the plan; and

f. Any other provision deemed necessary for combining or separating the offices or redesignating an office as elective or appointive.

4. A plan may not propose to diminish the term of office for which a current county officer was elected, redesignate that elected office during that term as appointed, or reduce the salary of the office for that term. The plan may not diminish the general responsibility of county government to perform any function or provide any service that is required by law to be performed or provided by county government.
5. A proposed plan may not diminish the future term of office, or redesignate an elected office as appointed, with respect to any person who, on August 1, 1993, holds an elected county office and continues to hold that specific office for future terms on an uninterrupted basis. This subsection does not apply after January 1, 2002, or if the person holding the affected office consents in writing to the proposed plan and files that written document prior to the scheduled implementation of the plan with the district court for the county.

11-10.2-04. Plan implementation - Revision or abandonment of plan.

One copy of the plan as approved must be filed with the district court for the county and one with the county auditor or functional equivalent to remain as a part of the county's permanent records. The board of county commissioners may take any action necessary to bring about an orderly transition in implementation of the plan, including any transfer of powers, records, documents, property, or funds which is consistent with the approved plan and necessary to place it into full effect. A plan, or part of a plan, adopted under this chapter may be revised or abandoned through the same procedure set forth in this chapter for adopting a plan.

11-10.2-05. Combination or separation of appointive offices.

A plan for combining or separating appointive county offices may be proposed and adopted by resolution of the board of county commissioners.

ITEM

7

BURLEIGH COUNTY
HIGHWAY DEPARTMENT

8100 43rd Ave NE
BISMARCK, ND 58503
701-204-7748
www.burleigh.gov

Request for County Board Action

DATE: **June 16, 2025**

TO: **Mark Splonskowski**
County Auditor

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

RE: **Northridge Estates Subdivision**

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

ACTION REQUESTED:
Authorize the proper County officials to create the Northridge Estates Subdivision special assessment district (SAD).

BACKGROUND:
Hay Creek Township has requested that the Burleigh County Board create a special assessment district in Northridge Estates Subdivision to perform pavement patching and a micro surfacing application to the existing paved roadways (approximately 3.77 miles.) North Dakota Century Code allows the local unit of government to establish a special assessment district without a petition from the local residents.

In addition to creating the special assessment district, the Board should also direct the County Engineer to prepare a report as to the general nature, purpose, feasibility and estimate of probable cost.

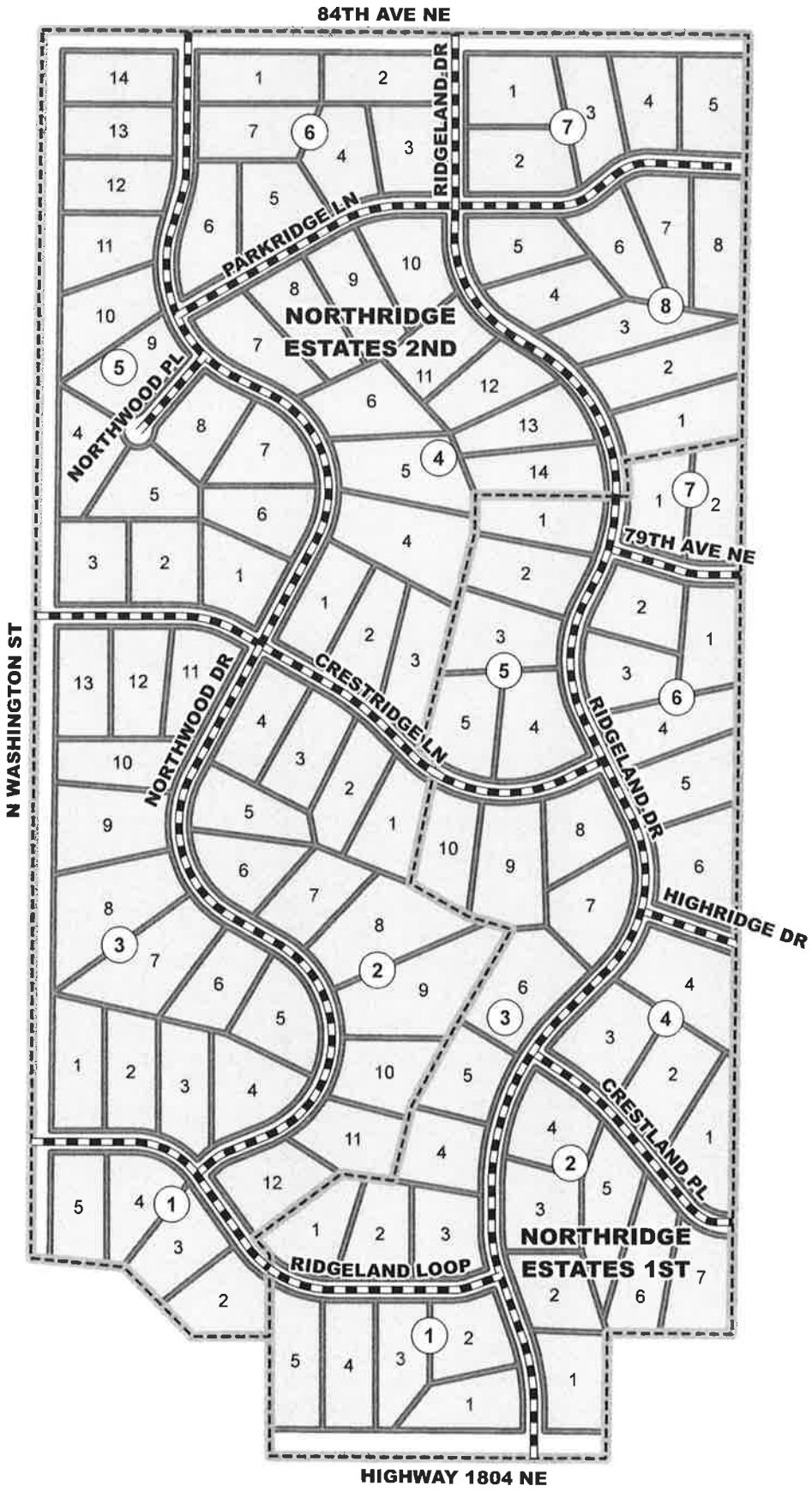
RECOMMENDATION:
It is recommended that the Burleigh County Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:
THEREFORE BE IT RESOLVED: That the proper County officials are hereby required to create and number the Northridge Estates Subdivision special assessment district (SAD), and direct the County Engineer to prepare a report as to the general nature, purpose, feasibility and estimate of probable cost.

BURLEIGH COUNTY, NORTH DAKOTA
BENEFITED PROPERTIES

N
05/21/2025





BENEFITED PROPERTIES
PARTICIPATING ROADWAY
SUBDIVISION BOUNDARY
LOT BOUNDARY

Map produced by Burleigh County GIS. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

ITEM

8

BURLEIGH COUNTY
FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: **JUNE 16, 2025**

TO: **MARK SPLONSKOWSKI**
County Auditor

FROM: **LEIGH J JACOBS, CPA**
Finance Director

RE: **Reimbursement Resolution for Provident Building Renovation**

Please place the attached Reimbursement Resolution and email from bond counsel in the agenda packet of the June 16th, 2025 meeting of the Burleigh County Board of Commissioners.

ACTION REQUESTED:
Vote to adopt the attached resolution.

BACKGROUND:

Treasury Regulation Section 1.150-2 (the "Regulations") restricts the use of tax-exempt bond proceeds to reimburse the County for project expenditures made by the County prior to the date of issuance of such bonds. The Regulations generally require that (i) the County declare its official intent to reimburse itself for prior expenditures from the proceeds of a subsequent issue of tax-exempt bonds no later than 60 days after making such expenditures, (ii) the bonds be issued within 18 months after making an expenditure or within 18 months after the project is placed in service, but in no event more than three years after the date the original expenditure was made, and (iii) the expenditure be either a capital expenditure or a cost of issuance of the bonds.

RECOMMENDATION:

It is recommended that the Board vote to adopt the attached resolution.

From: Scott Wegner
To: Jacobs, Leigh
Cc: Bitner, Brian
Subject: RE: Refunding Resolution for Burleigh Provident Building
Date: Wednesday, June 4, 2025 11:09:41 AM
Attachments: Reimbursement Resolution.docx

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

Good morning Leigh,

Attached is a reimbursement resolution. In paragraph 1(c), please revise the project description as needed. There are two blanks for dollar amounts. These two can be the same figure, which is the anticipated borrowing amount.

The resolution does not commit the Commission to issue bonds or even move forward with the project. It is simply a precaution that allows the reimbursement of prior expenditures if needed. I don't think there is any down-side to adopting the resolution.

The resolution relates to the issuance of tax-exempt bonds. I read that the County is applying for a BND loan. If that moves ahead, BND loans are taxable, and so no need for a reimbursement resolution. But again if tax-exempt bonds are a possibility the Commission should adopt the resolution.

Whether tax-exempt bonds or a BND loan, the County needs to issue an obligation that is authorized by law. I don't know what you are considering, but a limited tax bond under NDCC Chapter 57-47 is one option. With this option, the Commission irrevocably pledges so many of the general fund mills as are necessary for debt service.

Thanks.

Scott D. Wegner
Arntson Stewart Wegner PC
3811 Lockport Street, Suite 3
Bismarck, ND 58503-5554
701.255.1008

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From: Jacobs, Leigh <ljacobs@nd.gov>
Sent: Wednesday, June 4, 2025 9:28 AM
To: Scott Wegner <swegner@aswbondlaw.com>
Cc: Bitner, Brian <bccbitner@nd.gov>

Subject: Refunding Resolution for Burleigh Provident Building

This sender is trusted.

Good morning Scott,

We are looking at all funding options for the Provident Building renovation project, one of those being the issuance of bonds. With the 3% property tax cap in effect, it might be wise to issue debt rather than spending our reserves. My understanding is we would need to pass a refunding resolution if we are using tax exempt bonds.

The question that came up at the Commission table on Monday is, if we pass a refunding resolution, are we then obligated to issue debt or could we pursue other options such as using reserves.

If the answer to the above is “no, we are not obligated”, then the next question is, could you draft a refunding resolution for us, and what information do you need from us to do so?

Thanks

Leigh Jacobs, CPA
Finance Director
Burleigh County
316 N. 5th St
Bismarck, ND 58501
701-712-8353

BURLEIGH COUNTY, NORTH DAKOTA

RESOLUTION RELATING TO THE ISSUANCE OF BONDS AND
THE REIMBURSEMENT OF CERTAIN EXPENDITURES

BE IT RESOLVED by the Board of Commissioners of Burleigh County, North Dakota (the "County") as follows:

Section 1. RECITALS.

(a) Treasury Regulation Section 1.150-2 (the "Regulations") restricts the use of tax-exempt bond proceeds to reimburse the County for project expenditures made by the County prior to the date of issuance of such bonds.

(b) The Regulations generally require that (i) the County declare its official intent to reimburse itself for prior expenditures from the proceeds of a subsequent issue of tax-exempt bonds no later than 60 days after making such expenditures, (ii) the bonds be issued within 18 months after making an expenditure or within 18 months after the project is placed in service, but in no event more than three years after the date the original expenditure was made, and (iii) the expenditure be either a capital expenditure or a cost of issuance of the bonds.

(c) The County plans to remodel, construct and equip the Provident building in Bismarck, North Dakota (the "Project"). The County desires to comply with the Regulations in order to preserve the option of the County to be reimbursed for certain expenditures from the proceeds of tax-exempt bonds. The total cost of the Project to be paid by the County is estimated to be approximately $_16,500,000_____. The County currently expects to pay a portion of the cost from funds on hand until the County can be reimbursed for such expenditures from the proceeds of bonds.

Section 2. OFFICIAL INTENT DECLARATION. The County reasonably expects to be reimbursed for all or part of the expenditures made for the construction of the Project from the proceeds of bonds to be issued, in one or more series, by the County. The maximum principal amount of such bonds or other obligations which may be issued for such purpose is approximately $__16,500,000_____.

Dated: June 16, 2025.

BURLEIGH COUNTY, NORTH DAKOTA

_____
Chair, Board of County Commissioners

Attest:

_____
County Auditor/Treasurer

The governing body of the County acted on the foregoing resolution at a properly noticed meeting held in Bismarck, North Dakota, on June __, 2025, with the motion for adoption made by _____ and seconded by _____, and the roll call vote on the motion was as follows:

"Aye" _____

"Nay" _____

Absent _____

ITEM

10

STANDING COMMITTEES
OF THE
NORTH DAKOTA COUNTY COMMISSIONERS ASSOCIATION

_____ COUNTY

Please fill in your county's name above and the interested commissioner's name(s) on the lines below and mail or fax this form back to NDCCA President Hollekim by Tuesday, July 29, 2025.

Please mail to: **Joan Hollekim, NDCCA President**
P.O. Box 877, Bismarck, ND 58502-0877
Fax: 701-425-0830
Email: ndccapresident@ndaco.org

Audit Committee: This committee historically conducts its business by means of a short meeting on the opening day (Sunday) of the annual conference but may meet virtually, if necessary. They are responsible for reviewing the financial records for the past year.

_____ _____

Nominating Committee: This committee prepares a slate of candidates for president, vice president, treasurer, and 2 or 3 vacant director positions on the Board. They also nominate NACo, WIR, and NDIRF Board candidates as these positions become vacant. Their business will be held virtually prior to the annual conference. A brief meeting during the conference may be necessary.

_____ _____

Resolutions Committee: This committee is charged with developing policy and position statements. In addition to the NDCCA President and Vice President who serve as chair and co-chair, the committee has one representative from each of the 8 regions in the state. The committee will meet virtually once or twice prior to the convention.

_____ _____

Additional NDCCA Committee – No appointments necessary

Legislative Committee: This committee serves for two years and is appointed after even-numbered-year annual meetings. The committee is responsible to provide on-going direction to NDACo staff regarding legislative issues and assist with lobbying efforts at the local level as well as interim committee participation. In addition to the current NDCCA Board of Directors, up to six additional members are appointed to serve on this committee. The committee meets prior to the legislative session and generally once during the session. However, virtual meetings are periodically held to generate consensus on emerging issues.

Constitution & By-Laws Committee: The NDCCA Board of Directors makes up this committee. They are responsible to receive and review all proposed amendments to the constitution and by-laws of the Association. Submittals are mailed to the committee members prior to the conference; and a virtual meeting is held, if necessary, prior to the annual meeting. A meeting at the conference may be necessary to finalize the committee's recommendations.