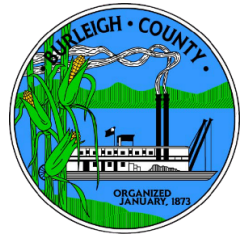




Lincoln, Fort Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman, & Phoenix
Unorganized Townships



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](https://www.freetv.org) or [Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) | Replay later from [freetv.org](https://www.freetv.org)

September 10, 2026

5:00 P.M.

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 August 17, 2026, meeting minutes and bills.
5. **PUBLIC COMMENT.** *Restricted to Burleigh County residents and landowners.*
6. Consent Agenda:
 - a. Abatements. (Page 5)
 - b. Check replacement.
 - c. 2nd approach permit.
 - d. Paving waiver requests. (Page 13)
 - e. 2nd Quarter 2026 Budget Report. (Page 23)
7. UMary Intergovernmental Agreement. (Page 25)
8. Taft Township Supervisor Kip Rath:
 - a. Request the merge Taft and Thelma Townships.
9. County Engineer Schriock: (Page 33)
 - a. Account technician position.
 - b. Sale of Used Assets.
10. County Planning Director Flanagan: (Page 37)
 - a. Apple Creek Ridge 3rd Subdivision.
 - b. Olive Tree 2nd Subdivision Final.
 - c. Arcadia Lite Estates Subdivision.
 - d. Misty Waters 3rd Replat.
11. Sheriff Leben: (Page 50)
 - a. Salary Variance request.
12. Human Relations Director Binder: (Page 52)
 - a. HR Policy updates.

13. Auditor Splonskowski: (Page 72)
 - a. 2027 meeting calendar.
14. Commissioner Munson: (Page 74)
 - a. Missouri Valley Complex Committee.
 - b. County Park Board discussion.
15. Commissioner Schwab:
 - a. Garrison Diversion discussion.
16. Other Business.
17. Adjourn.

The next regularly scheduled Commission meeting will be on September 21, 2026.

Mark Splonskowski
Burleigh County Auditor

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
AUGUST 17, 2026**

5:30 PM

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

Roll call: Commissioners Wayne Munson, Steve Schwab, Jerry Woodcox, and Chairman Brian Bitner were present. Commissioner Steve Bakken attended via Telephone.

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the agenda, adding a finance discussion to other business. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Schwab voted 'NAY'. **Motion carried.**

Motion by Comm. Schwab, 2nd by Comm. Munson to approve the August 3, 2026, meeting minutes and the bills. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.** A detailed list of funds expended is available for public inspection upon request at the Burleigh County Auditor & Treasurer's office.

Chairman Bitner opened the meeting to public comment.

- County Resident Chase Dauenhauer, the new owner of Papa's Pumpkin Patch, spoke.

Chairman Bitner closed the public comment segment.

Motion by Comm. Munson, 2nd by Comm. Woodcox to approve the Kenneth Rebel, Troy Jr & Joanne Swindler, Wendy Boyer, Sandra Doffee abatements and the consent agenda in its entirety. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

The Commission considered designation of a delegate to the annual North Dakota Association of Counties Conference. County Administrator Mary Senger stated that she would be willing to serve. Motion by Comm. Munson, 2nd by Comm. Bakken to appoint County Administrator Senger as the County's NDACO delegate. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Interim Finance Director Taylor Schmidt presented an update regarding the calculation of the 2025 mill levies. He reported that mobile homes and in-lieu-of-tax property had inadvertently been included in the valuation used to calculate mill levies even though those amounts should not have been included in the real-estate valuation base. Schmidt stated that the most significantly affected districts had been contacted and that procedures are being put in place to prevent this from repeating.

No other business was heard.

Meeting adjourned.

5:43 PM

Mark Splonskowski,
County Auditor

Brian Bitner,
Chairman

DRAFT

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

[illegible]

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

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

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

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

NAME AND ADDRESS OF PAYEE:

SAMUEL J MCLEAN
3821 DOMINION ST
BISMARCK, ND-58503-5587

Check Amount: \$41.10
Check Date: 1/12/2024
Original Check #: 127935

AFFIDAVIT AND AGREEMENT

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

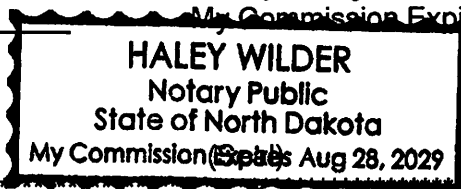
I hereby state under oath that the above-described check has never been presented to me for payment, nor transferred to any other person or persons, and the same is believed to have been lost or destroyed, and that I hereby request the County of Burleigh to issue a duplicate payment for said check.

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

Samuel J McLean
Signature of Payee
Date _____

Subscribed and sworn to before me:

Haley Wilder
Notary Public - County of Burleigh
My Commission Expires 8/2029



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

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

Burleigh County Auditor

Date

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

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

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

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

NAME AND ADDRESS OF PAYEE:
STEPHENS PROPERTY MANAGEMENT GROUP LLC
2306 CLYDESDALE DR
BISMARCK, ND 58503

Check Amount: \$118.59
Check Date: 4/12/2024
Original Check #: 129125

AFFIDAVIT AND AGREEMENT

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

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

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Signature of Payee
Date 8/13/2026

Subscribed and sworn to before me:

Notary Public - County of Arizona/Pinal

My Commission Expires 9/16/2027



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

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

Burleigh County Auditor

Date

BURLEIGH COUNTY CHECK REPLACEMENT

(4-17)

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

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

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

NAME AND ADDRESS OF PAYEE:

THREE AFFILIATED TRIBES
404 FRONTAGE RD
NEW TOWN, ND 58763

Check Amount: \$2,172.93

Check Date: 2/23/2024

Original Check #: 128420

AFFIDAVIT AND AGREEMENT

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

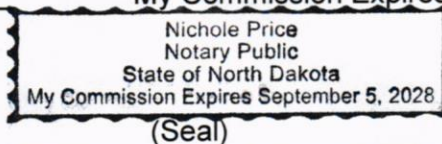
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Laurenate Chevaill
Signature of Payee
Date 9/1/26

Subscribed and sworn to before me:

Nichole Price
Notary Public - County of McKenzie
My Commission Expires 9/5/28



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

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

Burleigh County Auditor

Date

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

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

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

NAME AND ADDRESS OF PAYEE:

KATHLEEN PHILLIPS
409 CEDAR AVE
NEW SALEM, ND 58563

Check Amount: \$68.50
Check Date: 1/24/2024
Original Check #: 128035

AFFIDAVIT AND AGREEMENT

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

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

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Signature of Payee
Date 8/25/26

Subscribed and sworn to before me:



Notary Public - County of Norton
My Commission Expires 2/20/28

HEATHER NORTON
Notary Public
State of North Dakota
My Commission Expires Feb 20, 2028

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

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

Burleigh County Auditor

Date

009

BURLEIGH COUNTY CHECK REPLACEMENT
(4-17)

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

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

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

NAME AND ADDRESS OF PAYEE:

LEILA (REWALD) JOYCE
227 BOEING AVE
BISMARCK, ND 58504

Check Date: 4/23/2024
Original Check #: 129207
Check Amount: 262.24

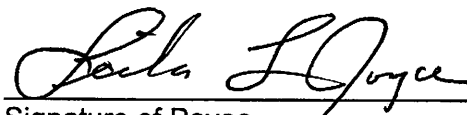
AFFIDAVIT AND AGREEMENT

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

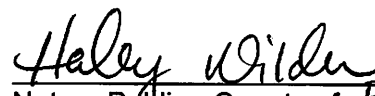
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Subscribed and sworn to before me:



Signature of Payee
Date 8/18/26



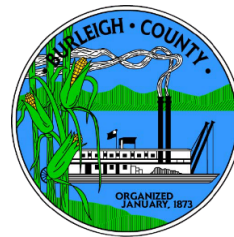
Notary Public, County of Burleigh
HALEY WILDER My Commission Expires 8/28/29
Notary Public
State of North Dakota
My Commission Expires Aug 28, 2029
(Seal)

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

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

Burleigh County Auditor/Treasurer

Date



Memo

DATE: September 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Second access permit for Andrew Schmidt

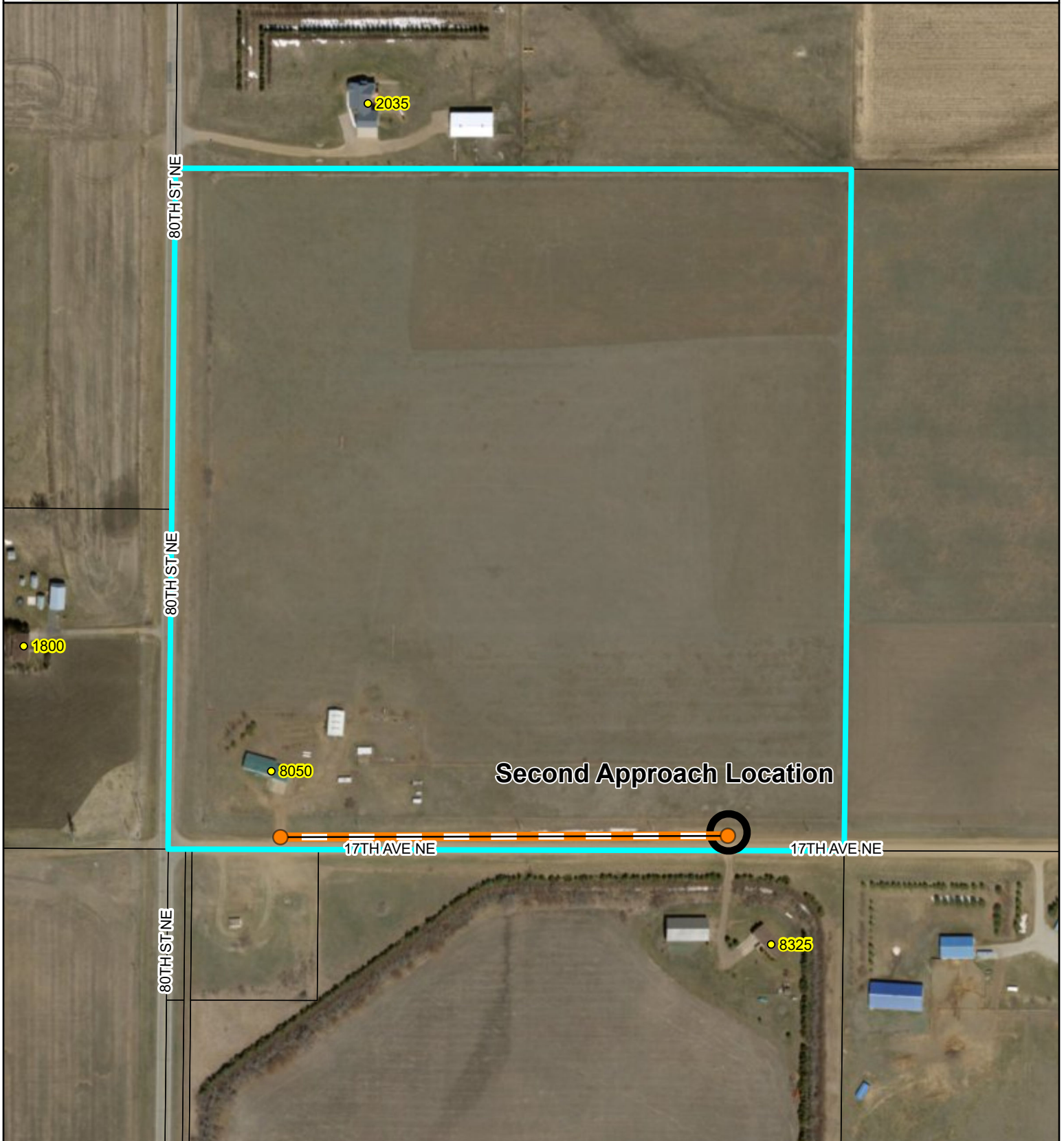
Please place the approval of a 2nd approach for Andrew Schmidt on the September 10, 2026 County Board Consent Agenda.

Andrew Schmidt on behalf of Larry Barnhardt 8050 17th Avenue NE, Bismarck ND 58504 has asked for a second access permit for his family parcel. This parcel is a 40 Acre tract legally described as SW ¼ SW ¼ Section 28 in Gibbs Township 28-139-79. He currently has a driveway off 17th Ave NE along the southern end of his property. He wishes to have a second approach installed 875' East of his existing approach. (See attached map). We have reviewed the proposed access request and have determined it meets our requirements.

2nd Approach Permit 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.



PARCEL ID: 32-139-79-00-28-601

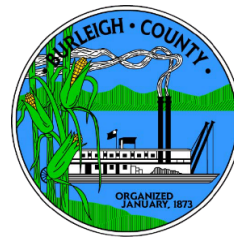
OWNER: RUDNICK, HOLLY R & SCHMIDT, TAMIE L

ACRES: 40

SITE ADDRESS: 8050 NE 17TH AVE

MAIL ADDRESS: BARNHARDT, LARRY J & DONNA M LE 8050 17TH AVE NE, BISMARCK, ND 58501-8511

LEGAL: GIBBS TOWNSHIP Section 28 SW1/4SW1/4 28-139-79



Request for County Board Action

DATE: September 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Developer Waiver Request

Please include this item on the next Burleigh County Board Consent 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."

Ryan & Jennifer Hiatt, Government Lot 1 in the NE $\frac{1}{4}$ of Section 01, Burnt Creek Township (see attached map), are proposing a two (2) lot subdivision (Hiatt Subdivision), and are requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to pave approximately 4.9 miles of Township/Subdivision roadway.

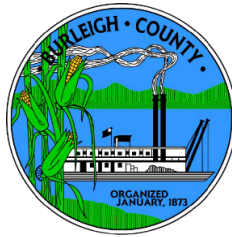
Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer re-constructing and paving the required roadways at this time. It does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future.

RECOMMENDATION:

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



Burleigh County Highway Department
8100 43rd Ave NE
Bismarck ND 58503
701.204.7748 | burleigh.gov

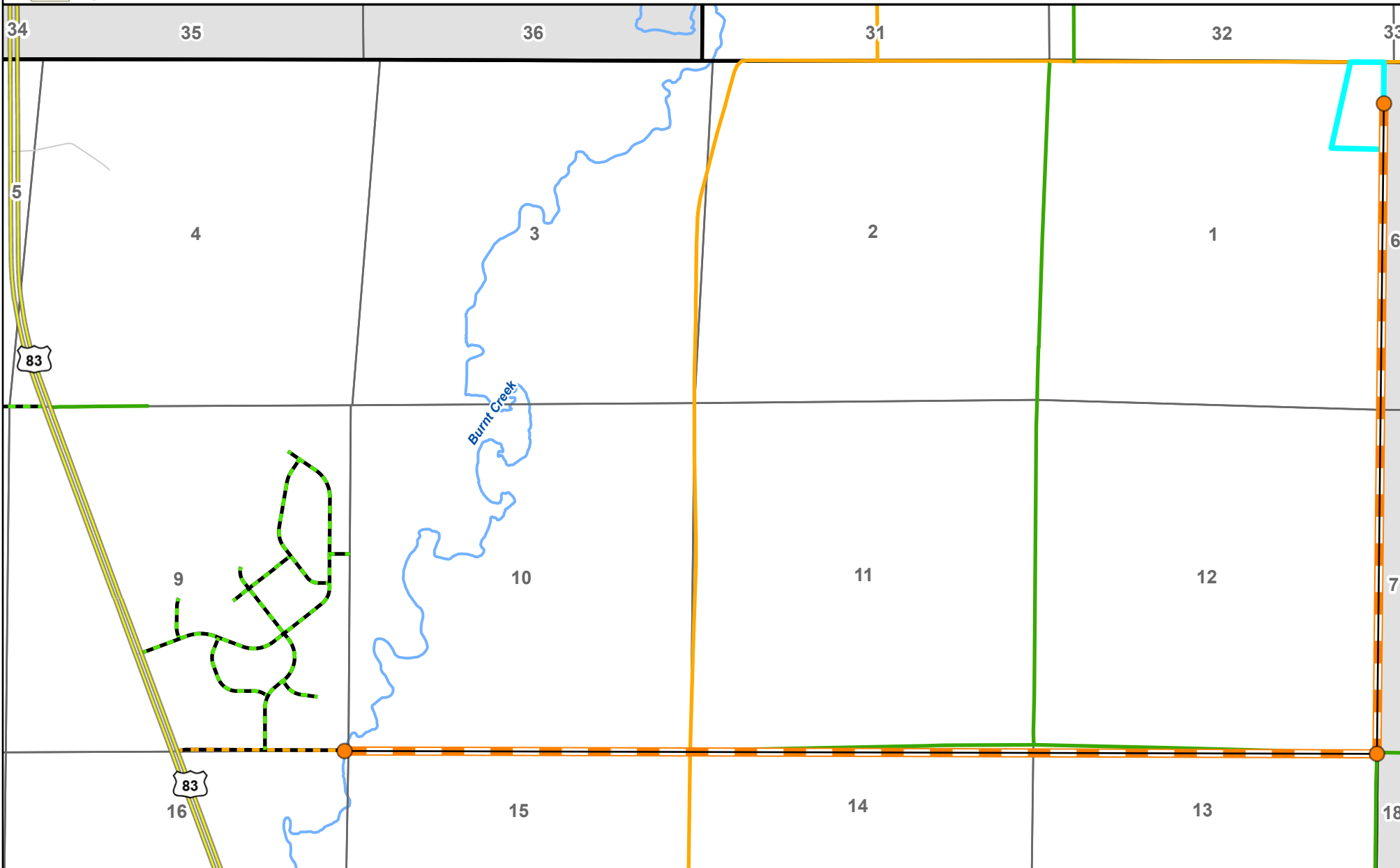


PROPOSED RESOLUTION:

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 Ryan & Jennifer's request to waive the paving requirements "...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." listed in the Pavement Policy, in conjunction with the approval of the Hiatt Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

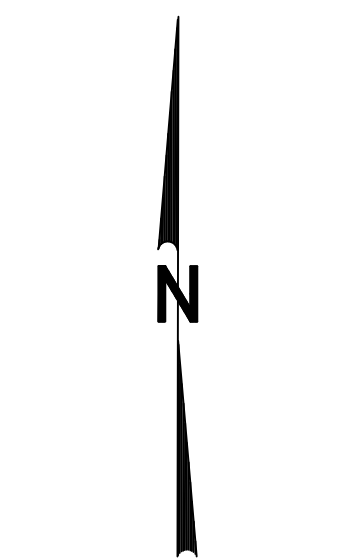


PARCEL ID: 24-140-80-00-01-205 OWNER: HIATT, RYAN & JENNIFER ACRES: 20
 SITE ADDRESS: MAIL ADDRESS: 8325 PALOMINO DR, BISMARCK, ND 58504
 LEGAL: BURNT CREEK TOWNSHIP Section 01 GOVERNMENT LOT 1 IN NE1/4 LESS 19.09 TRACT TO -200 01-140-80

AXT RIVER CLIFFS SUBDIVISION

LOT A, LESS THE SOUTH 59.15', AND ALL OF LOT B OF GOVERNMENT LOT 2
OF THE NW 1/4 OF SECTION 27 TOWNSHIP 142 NORTH, RANGE 81 WEST

BURLEIGH COUNTY, NORTH DAKOTA



0 30' 60' 90'

SCALE: 1"= 60'

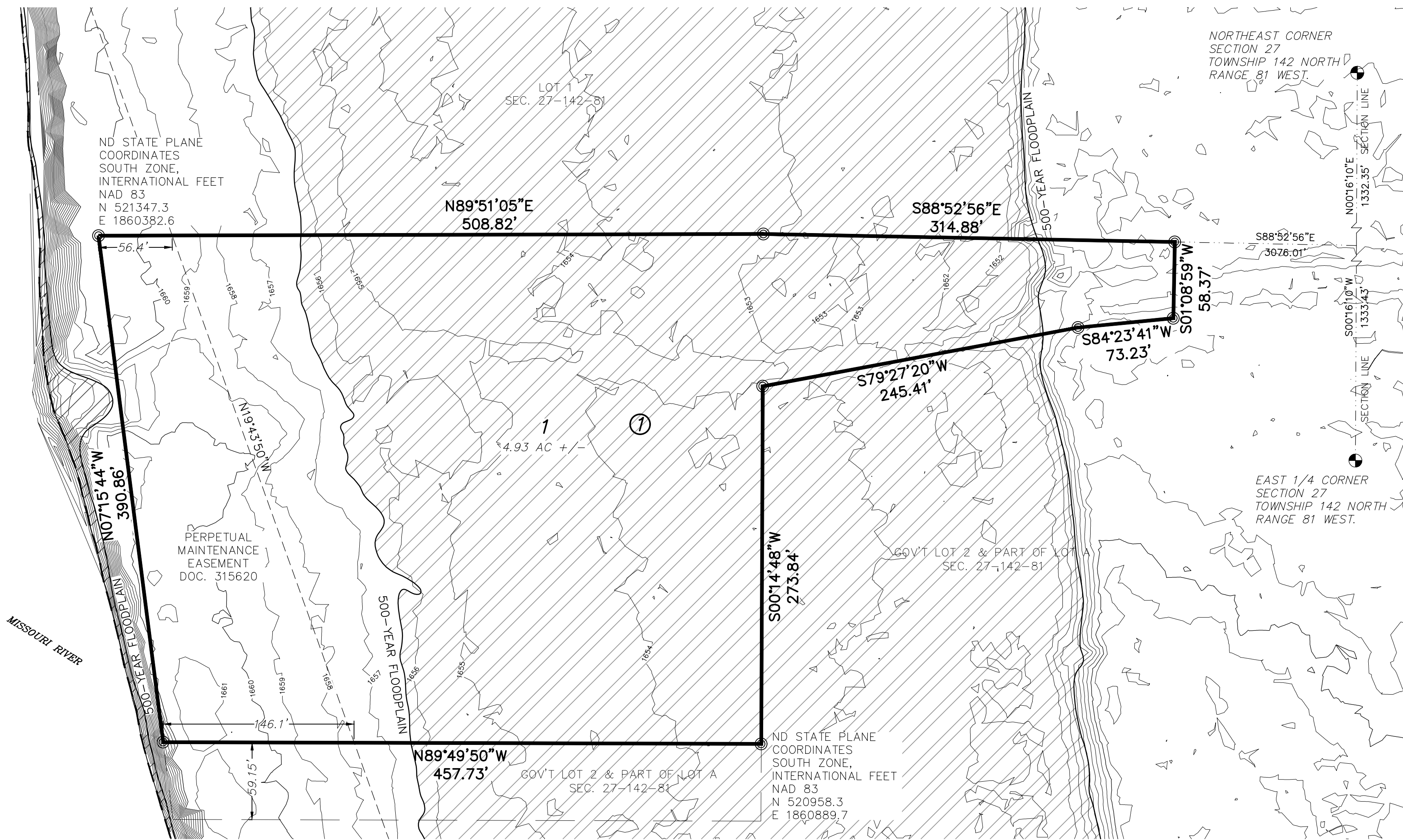
AUGUST 18, 2026

© MONUMENT IN PLACE

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE
**BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.**

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET
NAVD 88 VERTICAL DATUM



DESCRIPTION

LOT A, LESS THE SOUTH 59.15', AND ALL OF LOT B OF GOVERNMENT LOT 2 OF THE NW 1/4 OF SECTION 27 TOWNSHIP 142 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF SAID SECTION 27; THENCE NORTH 89 DEGREES 51 MINUTES 05 SECONDS EAST, ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 508.82 FEET; THENCE SOUTH 88 DEGREES 52 MINUTES 56 SECONDS EAST, CONTINUING ON SAID SOUTH LINE, A DISTANCE OF 314.88 FEET TO THE EAST LINE OF LOT B OF GOVERNMENT LOT 2 OF SAID SECTION 27; THENCE SOUTH 01 DEGREE 08 MINUTES 59 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 58.37 FEET TO THE SOUTH LINE OF SAID LOT B; THENCE SOUTH 84 DEGREES 23 MINUTES 41 SECONDS WEST, ON SAID SOUTH LINE, A DISTANCE OF 73.23 FEET; THENCE SOUTH 79 DEGREES 27 MINUTES 20 SECONDS WEST, CONTINUING ON SAID SOUTH LINE, A DISTANCE OF 245.41 FEET TO THE EAST LINE OF LOT A OF GOVERNMENT LOT 2 OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 14 MINUTES 48 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 273.84 FEET TO A LINE THAT IS PARALLEL WITH AND 59.15 NORTH OF THE SOUTH LINE OF SAID LOT A; THENCE NORTH 89 DEGREES 49 MINUTES 50 SECONDS WEST, ON SAID LINE, A DISTANCE OF 457.73 FEET TO THE WEST LINE OF SAID LOT A; THENCE NORTH 07 DEGREES 15 MINUTES 44 SECONDS EAST, ON SAID WEST LINE, A DISTANCE OF 390.86 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 4.93 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE SHOWN PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____, 2026, 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 COUNTY PLANNING AND ZONING COMMISSION

THE COUNTY PLANNING AND ZONING COMMISSION HEREBY APPROVES ABERLE PARK FIFTH SUBDIVISION, AS SHOWN ON THE 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 REGULATIONS ADOPTED BY SAID PLANNING AND ZONING COMMISSION.

THE FOREGOING ACTION OF THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 2026

DENNIS AGNEW -- CHAIRMAN MITCH FLANAGAN -- SECRETARY

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 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.

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 OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 2026.

BRIAN BITNER-- CHAIRMAN ATTEST: MARK SPLONSKOWSKI
BURLEIGH COUNTY AUDITOR

APPROVAL OF COUNTY ENGINEER

I, DANIEL L. SCHRIOCK, COUNTY ENGINEER OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVE THIS PLAT OF AXT RIVER CLIFFS SUBDIVISION, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THIS PLAT.

DATED THIS ____ DAY OF _____, 2026.

DANIEL SCHRIOCK, P.E.
COUNTY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT PHILIP AXT, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "AXT RIVER CLIFFS SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA AND DOES SO 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 DEDICATE EASEMENTS TO BURLEIGH COUNTY 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.

STATE OF NORTH DAKOTA)
COUNTY OF _____)

PHILIP AXT
26276 NW 80TH ST
BALDWIN, ND 58521

ON THIS ____ DAY OF _____, 2026, BEFORE ME PERSONALLY APPEARED PHILIP AXT, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND _HE ACKNOWLEDGED TO ME THAT _HE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____



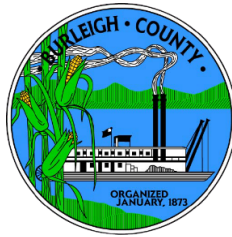
SWENSON, HAGEN & COMPANY P.C.

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



PARCEL ID: 09-142-81-00-27-420 OWNER: AXT, PHILIP ACRES: 4.297
 SITE ADDRESS: 26276 NW 80TH ST MAIL ADDRESS: 26276 80TH ST NW, BALDWIN, ND 58521
 LEGAL: PAINTED WOODS TOWNSHIP Section 27 LOT A IN NW1/4 LESS S59.15' (.613AC TO -410) 27-142-81



Request for County Board Action

DATE: September 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Developer Waiver Request

Please include this item on the next Burleigh County Board Consent 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."

Philip Axt, Lots A & B of Government Lot 2 in the NW ¼ of Section 27, Painted Woods Township (see attached map), is proposing a one (1) lot subdivision (Axt River Cliffs Subdivision), and are requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to pave approximately 0.38 miles of Township/Subdivision roadway.

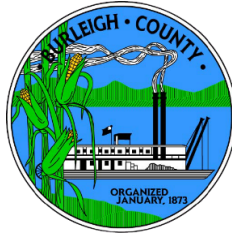
Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer re-constructing and paving the required roadways at this time. It does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future.

RECOMMENDATION:

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



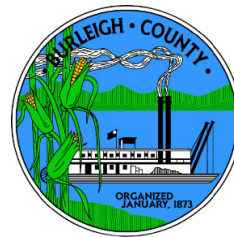
Burleigh County Highway Department
8100 43rd Ave NE
Bismarck ND 58503
701.204.7748 | burleigh.gov



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 Philip Axt's request to waive the paving requirements "...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." listed in the Pavement Policy, in conjunction with the approval of the Axt River Cliffs.



Request for County Board Action

DATE: September 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Developer Waiver Request

Please include this item on the next Burleigh County Board Consent 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."

Roger & Sarah Grendahl, 8141 80th Street NE in the NW ¼ of Section 04, Gibbs Township (see attached map), are proposing a two (2) lot subdivision (Grendahl Subdivision), and are requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to pave approximately 0.35 miles of Township/Subdivision roadway.

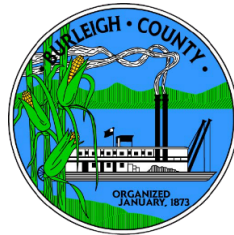
Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer re-constructing and paving the required roadways at this time. It does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future.

RECOMMENDATION:

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



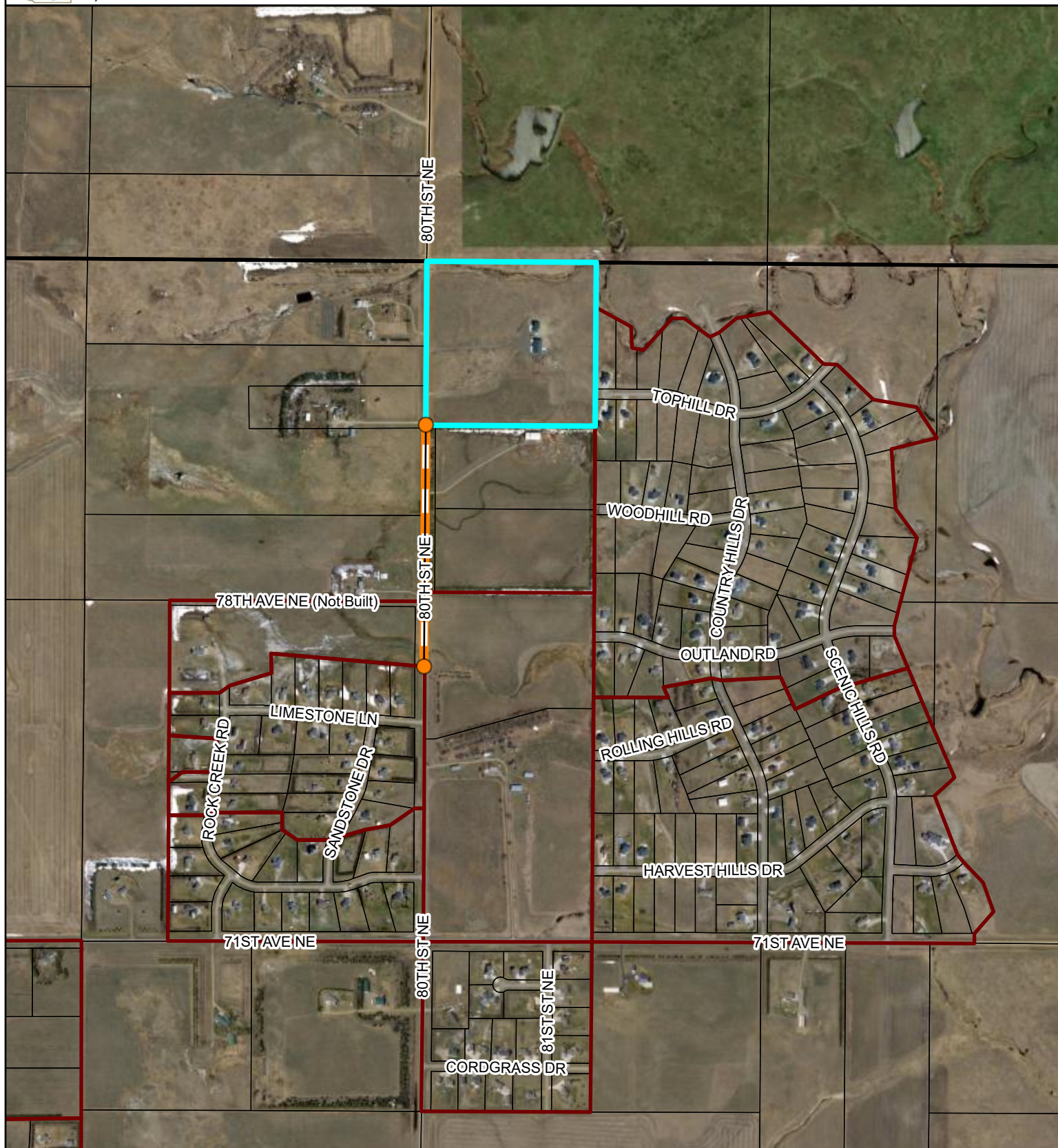
Burleigh County Highway Department
8100 43rd Ave NE
Bismarck ND 58503
701.204.7748 | burleigh.gov



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 Roger & Sarah's request to waive the paving requirements "...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." listed in the Pavement Policy, in conjunction with the approval of the Hiatt Subdivision.



PARCEL ID: 32-139-79-00-04-411

OWNER: GRENDahl, ROGER & SARAH

ACRES: 40

SITE ADDRESS:

MAIL ADDRESS: 8141 80TH ST NE, BISMARCK, ND 58503

LEGAL: GIBBS TOWNSHIP Section 04 NW1/4NW1/4 04-139-79



Burleigh County
Finance/Treasurer Department
221 N 5th St
Bismarck, ND 58501
(701) 712-8353



DATE: September 01, 2026

TO: Burleigh County Finance Committee

FROM: Taylor Schmidt, Finance Director

RE: Q2 2026 Budget Report

BACKGROUND

The Q2 2026 budget report shows County finances generally tracking as expected through the first half of the year. No action is recommended at this time, and it is still early enough that projections will continue to change as the year progresses.

The General Fund is currently projected to end the year with a deficit of approximately \$120,000, compared to a budgeted deficit of more than \$3 million. This is a significant improvement from budget. Revenue collections are ahead of the halfway point primarily due to the timing of property and sales tax collections, while expenditures are consistent with normal timing.

The County Road and Bridge Fund is projected to use approximately \$2.7 million of accumulated highway savings, as planned in the adopted budget. The Capital Improvement Fund reflects approximately \$12.7 million of expenditures funded with ARPA dollars and excess half-cent sales tax collections. Other special revenue funds are generally tracking as expected.

Notable favorable variances include increased inmate board revenue, State's Attorney vacancy savings, increased Social Services revenue from the updated indirect cost formula, and additional building permit revenue resulting from the County taking on additional planning authority in areas formerly within Bismarck's extraterritorial area.

Overall, the Q2 results are positive. Staff will continue to monitor the budget and bring any material changes back to the Finance Committee.

RECOMMENDATION

No action is requested.

ATTACHMENTS

1. Q2 2026 Budget Report



Burleigh County
Finance/Treasurer Department
221 N 5th St
Bismarck, ND 58501
(701) 712-8353



BUDGET REPORT
Q2 2026

FUND PROJECTIONS

Fund Group	Proj. Revenue	Proj. Expenses	Proj. Variance
General Fund	\$ 39,317,354.01	\$ 39,436,949.78	\$ (119,595.76)
County Road and Bridge	\$ 31,378,560.26	\$ 34,091,111.63	\$ (2,712,551.37)
Capital Improvement Fund	\$ -	\$ 12,667,117.45	\$ (12,667,117.45)
Other Special Revenue Funds	\$ 18,553,673.38	\$ 18,607,956.22	\$ (54,282.83)

FUND REVENUE

Fund Group	Budget Revenue	YTD Revenue	% Collected
General Fund	\$ 38,241,738.00	\$ 31,789,226.47	83.13%
County Road and Bridge	\$ 16,475,478.00	\$ 9,450,802.39	57.36%
Capital Improvement Fund	\$ -	\$ 79,443.26	N/A
Other Special Revenue Funds	\$ 25,456,132.00	\$ 14,865,757.06	58.40%

FUND EXPENSES

Fund Group	Budget Expense	YTD Expense	% Spent
General Fund	\$ 41,203,786.23	\$ 18,453,342.37	44.79%
County Road and Bridge	\$ 20,821,970.41	\$ 6,916,334.96	33.22%
Capital Improvement Fund	\$ 12,667,117.45	\$ 6,465,050.62	51.04%
Other Special Revenue Funds	\$ 19,199,599.15	\$ 7,105,918.37	37.01%

VARIANCES

Description	Projected Variance	Comment
Inmate Board (Revenue)	\$ 865,135.00	Favorable: Due to increased contracts
States Attorney (Expense)	\$ 656,457.73	Favorable: Due to position vacancies
Social Service Misc (Revenue)	\$ 213,596.00	Favorable: Due to indirect cost increase
Building Permits & Fees (Revenue)	\$ 99,993.34	Favorable: Due to ETA change

ITEM

7

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT, dated as of September 22, 2026, is entered into by and among Burleigh County, North Dakota (“Burleigh County”), the City of Briarwood, North Dakota (“Briarwood”), the City of Hague, North Dakota (“Hague”) and the Emmons County, North Dakota (“Emmons County”). Burleigh County, Briarwood, Hague and Emmons County are sometimes collectively referred to herein as the “Political Subdivisions”. Briarwood, Hague and Emmons County are sometimes collectively being referred to herein as the “Municipalities”.

RECITALS:

Each of the Political Subdivisions is authorized pursuant to Chapter 40-57 of the North Dakota Century Code (the “Act”) to issue revenue bonds and to loan the proceeds thereof to a contracting party to finance revenue producing facilities including the cost of retiring any existing indebtedness that the governing body determines to be necessary or desirable and in furtherance of the public health or welfare.

University of Mary, a North Dakota nonprofit corporation (the “Borrower”), has requested the Municipalities to issue City of Briarwood, North Dakota Education Facilities Revenue Bonds, Series 2026E, City of Hague, North Dakota Education Facilities Revenue Bonds, Series 2026F and Emmons County, North Dakota Education Facilities Revenue Bonds, Series 2026G (collectively the “Bonds”) in an aggregate amount not exceeding \$26,000,000 for the following purposes:

- (1) to finance certain costs of planning, permitting, constructing, improving, furnishing and/or equipping additional capital projects located at 7500 University Drive, Bismarck, North Dakota (the “Improvement Project”), including but not limited to (a) a new athletics complex and related master landscaping, (b) a new campus welcome center, (c) a new residence hall, (d) various functionally related and subordinate facilities, and (e) reimbursement of the University for certain costs previously incurred by the University with respect to the Improvement Project; and
- (2) to pay the costs of issuing the Bonds.

Section 40-57-03, subsections (1) and (8) of the Act authorize municipalities to enter into and perform agreements with other municipalities concerning the planning, construction, lease, or other acquisition and financing of a project, including an agreement whereby a municipality issues its revenue bonds on behalf of one or more other municipalities to finance a project located within the boundaries of another municipality.

The governing bodies of the Political Subdivisions have each held public hearings regarding the issuance of Bonds to finance the Improvement Project and following the public hearings have given approval to the Improvement Project, the issuance of the Bonds under the Act and the execution and delivery of this Intergovernmental Agreement.

The Political Subdivisions have determined that an intergovernmental approach should be taken concerning the financing of the Improvement Project and that it is in the best interests of the Political Subdivisions and the Borrower to finance the Improvement Project by Bonds to be issued by the Municipalities.

NOW, THEREFORE, THE POLITICAL SUBDIVISIONS AGREE AS FOLLOWS:

SECTION 1. AUTHORITY FOR INTERGOVERNMENTAL AGREEMENT. This Intergovernmental Agreement is authorized by Section 40-57-03, subsections (1) and (8) of the Act, which authorize a municipality to issue revenue bonds to finance projects on behalf of one or more other municipalities.

SECTION 2. PURPOSE OF THE INTERGOVERNMENTAL AGREEMENT. The purpose of this Intergovernmental Agreement is to permit the financing of the Improvement Project located in Burleigh County through Bonds to be issued by the Municipalities.

SECTION 3. TERMS OF THE INTERGOVERNMENTAL AGREEMENT. Burleigh County hereby consents to the issuance of Bonds by the Municipalities to finance the Improvement Project located within the boundaries of Burleigh County. The Municipalities may authorize, execute and deliver the Bonds, loan agreements and any other necessary documents on such terms and conditions as it may deem desirable without further approval or consent from Burleigh County. The Bonds and all of the other documents, agreements and certifications may be entered into and executed solely by authorized officers of the Municipalities.

SECTION 4. NO LIABILITY. Neither this Intergovernmental Agreement nor any actions, agreements, or legal matters related hereto or in pursuance hereof, shall in any manner or form create an indebtedness or liability of the Political Subdivisions. The Bonds shall be special, limited obligations of the Municipalities payable solely from proceeds, revenues and other amounts specifically pledged thereto. The Bonds and the interest thereon shall neither constitute nor give rise to a pecuniary liability, general or moral obligation or a pledge of the full faith or credit of the Political Subdivisions, the State of North Dakota or any political subdivision thereof.

SECTION 5. INDEMNIFICATION. The Borrower hereby agrees to jointly and severally indemnify and hold the Political Subdivisions harmless from any and all claims, demands, lawsuits, administrative or regulatory actions or investigations initiated toward or against the Political Subdivisions as a result of the issuance of the Bonds, including any post-compliance obligations related thereto, and has agreed or will agree to fully reimburse the Political Subdivisions for any and all costs, including attorneys' fees or other professional fees, incurred by the Political Subdivisions in responding to such claims, demands, lawsuits, administrative or regulatory actions or investigations.

SECTION 6. TERMINATION. This Intergovernmental Agreement shall terminate upon the retirement or defeasance of the last outstanding Bond and this Intergovernmental Agreement may not be terminated in advance of such retirement or defeasance.

[Signature Page Follows]

(Intergovernmental Agreement Signature Page)

IN WITNESS WHEREOF, duly authorized officers of the Political Subdivisions have executed this Intergovernmental Agreement as of the date set forth above.

BURLEIGH COUNTY, NORTH DAKOTA

Attest:

Brian Bitner
Chairman, Board of County Commissioners

Mary H. Senger
County Administrator

BRIARWOOD, NORTH DAKOTA

Attest:

John Adams
Mayor

Michael Fritz
City Auditor

HAGUE, NORTH DAKOTA

Attest:

Christopher Baumgartner
Mayor

Joyce Pfeifer
City Auditor

EMMONS COUNTY, NORTH DAKOTA

Attest:

Dan Materi
Chairman, Board of County Commissioners

Marlys Ohlhauser
County Auditor

University of Mary agrees to be bound by the provisions of Section 5 of this Intergovernmental Agreement.

UNIVERSITY OF MARY

By: _____
Matthew J. Zimmermann
Vice President of Financial Affairs

NOTICE OF PUBLIC HEARING ON THE ISSUANCE
OF EDUCATION FACILITIES REVENUE BONDS UNDER THE MUNICIPAL
INDUSTRIAL DEVELOPMENT ACT
(UNIVERSITY OF MARY PROJECT)

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Burleigh County, North Dakota, will hold a public hearing on September 10, 2026, beginning at 5:00 PM in the Tom Baker Meeting Room located in the City/County Building 221 North 5th Street, Bismarck, North Dakota, regarding a proposal that the cities of Briarwood and Hague and Emmons County issue revenue bonds in three or more series under the Municipal Industrial Development Act of 1955, Chapter 40-57, N.D.C.C., in order to finance the cost of an Improvement Project located in Burleigh County.

The Improvement Project consists of:

- (1) financing certain costs of planning, permitting, constructing, improving, furnishing and/or equipping additional capital projects located at 7500 University Drive, Bismarck, North Dakota (the "Improvement Project"), including but not limited to (a) a new athletics complex and related master landscaping, (b) a new campus welcome center, (c) a new residence hall, (d) various functionally related and subordinate facilities, and (e) reimbursement of the University for certain costs previously incurred by the University with respect to the Improvement Project; and
- (2) paying the costs of issuing the Bonds.

The Improvement Project being financed, refinanced, or reimbursed from the proceeds of the bonds will be owned and operated by the University and used in an integrated operation of the University. The bonds will be issued as qualified 501(c)(3) bonds under Section 145 of the Internal Revenue Code of 1986, as amended. The amount of the proposed bond issues by the cities of Briarwood and Hague and Emmons County is not to exceed \$26,000,000.

The bonds shall be limited obligations of the respective issuers payable solely from the revenue provided by the University and pledged to the payment thereof. No holder of any such bonds shall ever have the right to compel any exercise of the taxing power of Burleigh County to pay the bonds, or the interest thereon, nor to enforce payment against any property of Burleigh County.

The University is an institution of higher education with facilities in Bismarck, North Dakota, and competitors are hereby notified of that fact pursuant to Chapter 40-57, N.D.C.C. All persons interested may appear and be heard at the time and place set forth above or may submit their views in writing prior to the time specified for the public hearing.

**RESOLUTION APPROVING THE ISSUANCE OF BONDS
UNDER THE MUNICIPAL INDUSTRIAL DEVELOPMENT ACT**

BE IT RESOLVED by the Board of County Commissioners (the “Commission”) of Burleigh County, North Dakota (the “County”), as follows:

Section 1. Recitals and Findings

1.1. University of Mary, a North Dakota nonprofit corporation (the “Corporation”), has requested the City of Briarwood, North Dakota, the City of Hague, North Dakota and the Emmons County, North Dakota (collectively, the “Municipalities”) to each issue revenue bonds, in three or more series (the “Bonds”) for the benefit of the Corporation in the aggregate principal amount not to exceed \$26,000,000, under the provisions of Chapter 40-57, North Dakota Century Code (the “Act”), to (i) finance certain costs of planning, permitting, constructing, improving, furnishing and/or equipping additional capital projects located at 7500 University Drive, Bismarck, North Dakota (the “Improvement Project”), including but not limited to (a) a new athletics complex and related master landscaping, (b) a new campus welcome center, (c) a new residence hall, (d) various functionally related and subordinate facilities, and (e) reimbursement of the University for certain costs previously incurred by the University with respect to the Improvement Project; and (ii) pay the costs of issuing the Bonds.

1.2. The Corporation has proposed that the County and the Municipalities enter into an agreement under Section 40-57-03, Subsections I and 8 of the Act, which permit the Improvement Project located within the boundaries of the County to be financed by the Municipalities if an agreement is entered into between the County and the Municipalities.

1.3. At a public hearing held on the date hereof, all parties who appeared at the hearing were given an opportunity to express their views with respect to the proposal to finance the Improvement Project through the issuance of revenue bonds under the Act by the Municipalities, and interested persons were given the opportunity to submit written comments to the County Auditor/Treasurer before the time of the hearing.

Section 2. Approval and Authorization

2.1. The County hereby approves the issuance of the Bonds by the Municipalities under the Act, in three or more series and the use of the proceeds thereof to finance the Improvement Project located in the County. Such Bonds may be issued on such terms and conditions as the Municipalities, the Corporation and the purchaser of the Bonds may deem desirable and without further approval or consent of this Commission.

2.2. The Agreement is hereby approved in substantially the form now on file in the office of the County Administrator, and the Chair and County Administrator are authorized to execute the same in the name of and on behalf of the County. In the event of the disability or the resignation or other absence of the Chair or County Administrator, such other officers of the County who may act in their behalf shall without further act or authorization of the County do all things and execute all instruments and documents required to be done or to be executed by such absent or disabled

officials. The approval hereby given to the Agreement includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the State's Attorney and by the County officials authorized herein to execute the Agreement prior to their execution; and such County officials are hereby authorized to approve said changes on behalf of the County.

2,3. Neither this approval nor any actions, agreements, or legal matters related hereto or executed in pursuance hereof, shall in any manner or form create an indebtedness or liability of the County, but is solely an accommodation by the County to satisfy the requirements of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended. The Bonds, if and when issued, will not constitute a charge, lien or encumbrance upon any property of the County and such obligations will not be a charge against the general credit or taxing powers of the County but will be payable from sums paid by the Corporation. The Bonds shall not be deemed to constitute a debt or liability of the County, the Municipalities, the State of North Dakota, or of any other political subdivision thereof or a pledge of the faith and credit of the County, the State of North Dakota, and neither the County, the State of North Dakota, nor any political subdivision thereof will be liable on the Bonds.

Dated: September 10, 2026

BURLEIGH COUNTY, NORTH DAKOTA Attest:

Brian Bitner
Chair, Board of County Commissioners

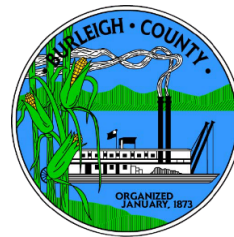
Mary H. Senger
County Administrator

The governing body of the County acted on the foregoing resolution at a properly noticed meeting held in Bismarck, North Dakota, on September 10, 2026, with the motion for adoption made by _____ and seconded by _____ and the roll call vote on the motion was as follows:

1. Brian Bitner	Aye	Nay	Absent	Abstain
2. Steve Bakken	Aye	Nay	Absent	Abstain
3. Wayne Munson	Aye	Nay	Absent	Abstain
4. Steve Schwab	Aye	Nay	Absent	Abstain
5. Jerry Woodcox	Aye	Nay	Absent	Abstain

ITEM

9



Request for County Board Action

DATE: September 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Account Technician Position

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

ACTION REQUESTED:

Authorize the proper County officials to make position changes.

BACKGROUND:

During the past few months, the Highway Department and the Human Resource Department have been working on creating a Highway Department Account Technician position. After reviewing the Department's needs, it was determined that the best way to fill this position would be to promote our current Admin Assistant II to the newly created Account Technician position.

Brenda Fischer would be promoted from an Admin Assistant II position to the Account Technician Position (Grade 4, Step 9 to a Grade 5, Step 8). Brenda would remain a non-exempt employee.

This change does fit within the Current Highway Department's salary and fringe benefit budget. This new position would replace the Engineering Technician position that is currently not filled. We will then advertise to fill the vacant Admin Assistant II position.

RECOMMENDATION:

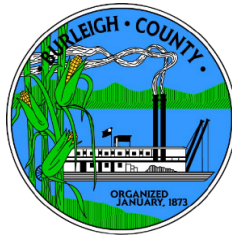
It is recommended that the Burleigh County Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the Human Resource Director is hereby directed to make the required changes to the existing payroll system to change Brenda Fischer's position from the Admin Assistant II position to the Account Technician position (Grade 4, Step 9 to a Grade 5, Step 8) and to allocate funding from the Road and Bridge fund to cover the change.



Burleigh County Highway Department
8100 43rd Ave NE
Bismarck ND 58503
701.204.7748 | burleigh.gov



Request for County Board Action

DATE: September 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Sale of Used Assets

Please include the following in the next Burleigh County Board packet.

ACTION REQUESTED:

Authorize the proper County officials to sell used equipment.

BACKGROUND:

The Highway Department would like to sell the attached list of used surplus equipment.

These units have been replaced with other units and/or are no longer needed within the Department.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to work with GovDeals in selling the attached list of used surplus equipment.

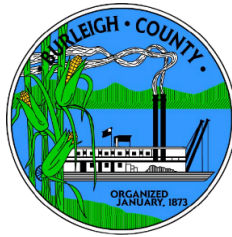


Burleigh County Highway Department

8100 43rd Ave NE

Bismarck ND 58503

701.204.7748 | burleigh.gov



2007 Freightliner Columbia CL120 Semi Truck
Approximately 470,000 miles

Unit #12-83
2005 Freightliner Columbia CL120 Semi Truck
Approximately 500,000 miles

Unit #16-01
2004 Caterpillar Challenger MT535 Tractor
Approximately 8,400 Hours

Unit #19-01
2010 Allianz/Global M3 Sweeper
Approximately 2,300 Hours

Clement Pup Trailers – 1997 10 yard
Unit #18-70 – 10 CY Pup Trailer
Unit #18-71 – 10 CY Pup Trailer
Unit #18-72 – 10 CY Pup Trailer

ITEM

10



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 August meeting of County Planning Commission

Date: 8-31-2026

From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Apple Creek Ridge 3rd Subdivision

Legal Description: Lots 1 & 2, Block 4 in Apple Creek Ridge Subdivision
Sec 35, T139N, R79W

Property Address: 11737 Apple View Lane Gibbs Township

A request to Burleigh County regarding the combination of 2 parcels to allow the property owner to build an accessory building. The proposed subdivision will combine 2 lots from the Apple Creek Ridge Subdivision to create a single lot of 3.11 acres, more or less. This lot combination has been in review since July 23, 2026. County staff has reviewed the subdivision and have no concerns.

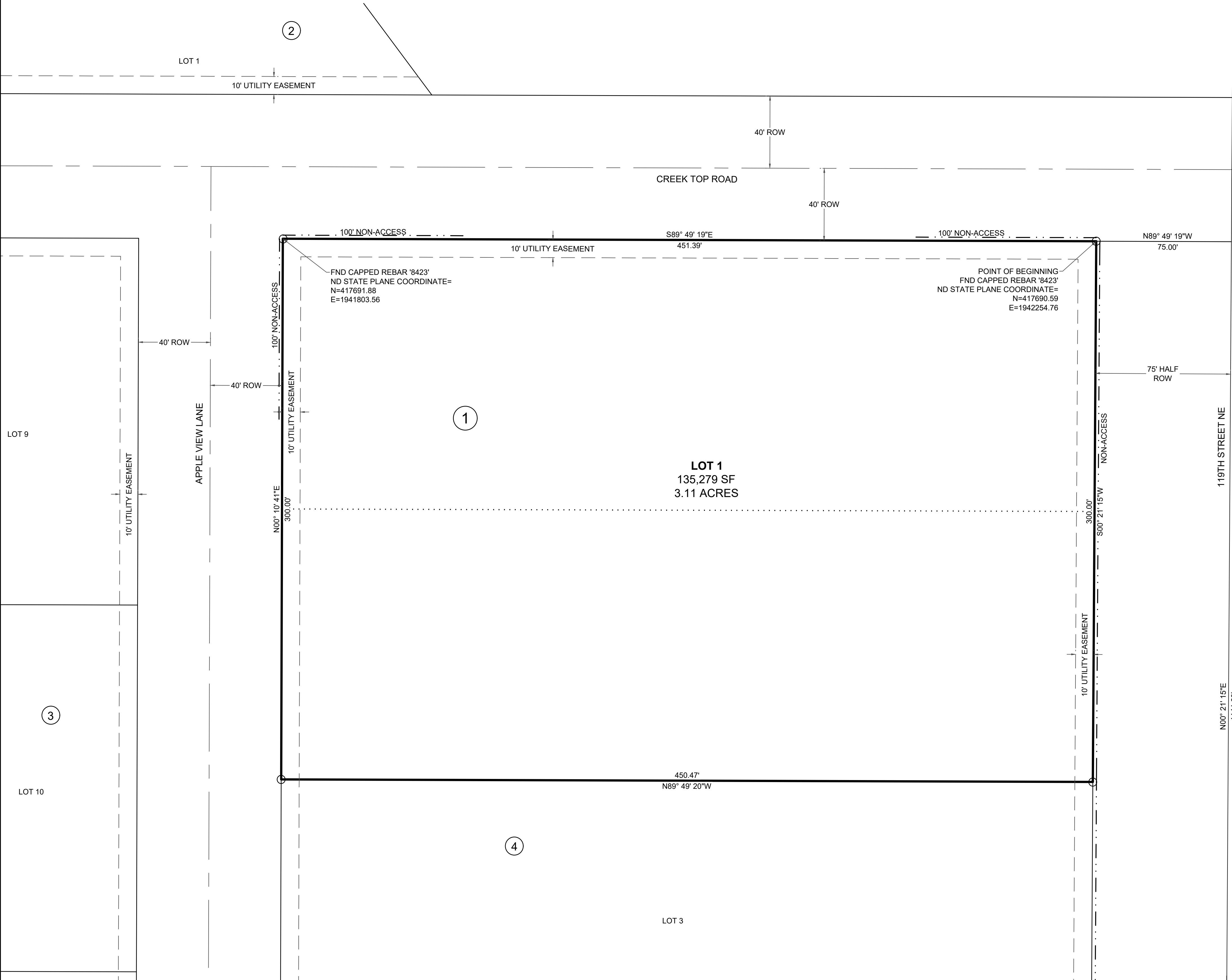
ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve the Apple Creek Ridge 3rd Final Subdivision Plat

Attachments: Ex. 1 11737 Site Location
Ex. 2. Apple Creek Ridge 3rd Subdivision



APPLE CREEK RIDGE THIRD SUBDIVISION
LOTS 1 & 2, BLOCK 4 IN APPLE CREEK RIDGE SUBDIVISION
SECTION 35, T139N, R79W
BURLEIGH COUNTY, NORTH DAKOTA



SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, 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 JULY 6, 2026. 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.

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE RIGHT OF WAY IDENTIFIED HEREIN TO BURLEIGH COUNTY. WE ALSO 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".

KYLE WEISBECK
LOT 1, BLOCK 1

HEATHER WEISBECK
LOT 1, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC _____

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVES APPLE CREEK RIDGE THIRD 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 THE ORDINANCES OF THE COUNTY OF BURLEIGH AND REGULATIONS ADOPTED BY SAID PLANNING AND ZONING COMMISSION.

THE FOREGOING ACTION OF 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

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

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, 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 THIS PLAT.

THE 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 OF THE BOARD OF COUNTY COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 20__.

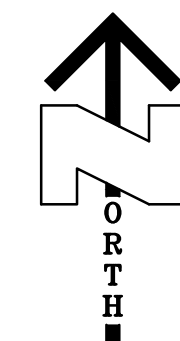
BRIAN BITNER - CHAIRMAN

ATTEST: MARK SPLONSKOWSKI,
COUNTY AUDITOR

LAND DESCRIPTION

LOTS 1 & 2, BLOCK 4 IN APPLE CREEK RIDGE SUBDIVISION IN SECTION 35, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 00° 21' 15" EAST A DISTANCE OF 1141.63 FEET; THENCE NORTH 89° 49' 19" WEST A DISTANCE OF 75.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING; THENCE SOUTH 00° 21' 15" WEST ON THE EAST LINE OF SAID LOT 1 AND THE EAST LINE OF SAID LOT 2 A DISTANCE OF 300.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 89° 49' 20" WEST ON THE SOUTH LINE OF SAID LOT 2 A DISTANCE OF 450.47 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00° 10' 41" EAST ON THE WEST LINE OF SAID LOT 2 AND THE WEST LINE OF SAID LOT 1 A DISTANCE OF 300.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° 49' 19" EAST ON THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 451.39 FEET TO THE POINT OF BEGINNING, CONTAINING 3.11 ACRES (135,279 SF), MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS OF RECORD.



SCALE: 1" = 30'
0 15 30

DATE: JULY 21, 2026

VERTICAL DATUM - NAVD 1989.

BASED ON NORTH DAKOTA SOUTH
ZONE-NAD83 (2011), INTERNATIONAL FEET.
MEASUREMENTS HAVE BEEN ESTABLISHED
BY RTK FROM THE "NDBK" CORS STATION
AND ARE REPORTED IN GRID.

AREA TABLE

LOT 1	135,279 SF	3.11 ACRES
TOTAL		3.11 ACRES

LEGEND

○ FOUND SURVEY MONUMENT
--- NON-ACCESS LINES

APPROVAL OF THE COUNTY ENGINEER

I, DANIEL L. SCHROCK, COUNTY ENGINEER FOR THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVES THIS PLAT OF "APPLE CREEK RIDGE THIRD SUBDIVISION" AS SHOWN ON THE PLAT, DATED THIS ____ DAY OF _____, 20__.

DANIEL L. SCHROCK, PE
COUNTY ENGINEER

BENCHMARK - NORTHEAST CORNER OF LOT
1, BLOCK 1, A CAPPED REBAR FOUND FLUSH
WITH THE GROUND. ELEVATION = 1689.06'

PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

OWNERS:

KYLE & HEATHER WEISBECK
11737 APPLE VIEW LANE
MENOKEN, ND 58558

NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

APPLE CREEK RIDGE
3RD SUBDIVISION
LOTS 1 & 2, BLOCK 4 IN APPLE
CREEK RIDGE SUBDIVISION
SECTION 35, T139N, R79W
BURLEIGH, NORTH DAKOTA

SHEET: 1 OF 1
SCALE: 1" = 30'
DRAWN BY: LHM
DWG DATE: 7/7/26
JOB NUMBER: 26147
DWG REVISION DATES
7/21/26
NAME: 26147_Survey.dwg

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-995-2078
mark@lsurveynd.com



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 August meeting of County Planning Commission

Date: 8-31-2026

From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Olive Tree 2nd Subdivision Final

Legal Description: All of Lot 21 Block 2 Olive Tree Subdivision & Part of Auditor's Lot A & B of Government Lot 1 of the North 1/2 of Section 10 Township 139 Range 81W

Property Address: 5501 Dietrich Place Hay Creek Township

A request was made to Burleigh County regarding the combination of 2 parcels to allow the property owner to build an accessory building. A pre-application meeting was held on May 14, 2026. The proposed subdivision will combine 1 lot from the Olive Tree Subdivision containing 1.43 acres, with part of a neighboring 33.19 acres parcel, creating a total acreage of 25 acres, more or less. The residence is located on the 1.43 acre lot with access from Dietrich Place. A public hearing was held on August 12, 2026. The subdivision has been in review since May 21, 2026.

ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve the Olive Tree 2nd Final Subdivision Plat

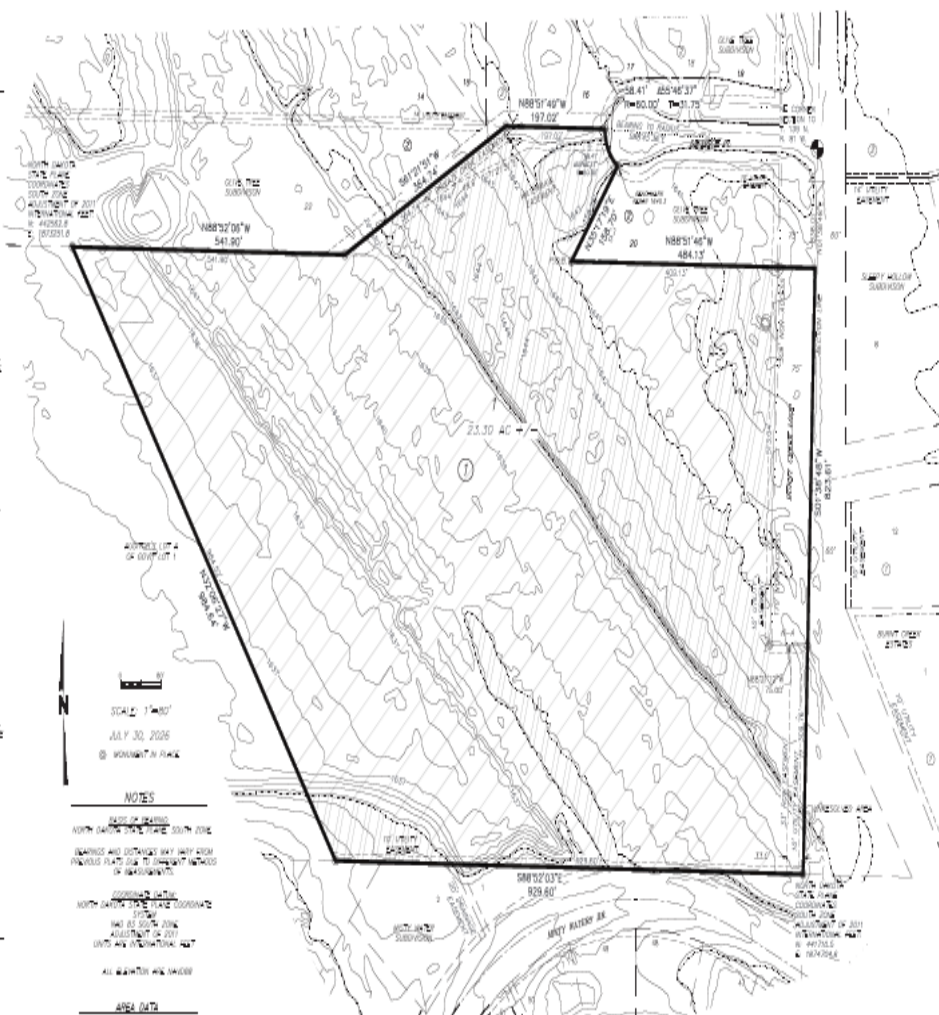
Attachments: Ex. 1 5501 Site Location
Ex. 2 Olive Tree 2nd Subdivision Final Plat



BURLEIGH COUNTY, NORTH DAKOTA

SWENSON HAGEN & COMPANY P.

1988 Kirtley Avenue
Elkton, North Dakota 58541
405/637-0000
Telex 250111 SHC
Fax 405/637-1007





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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission.

Re: Recommendations from August County Planning Commission Meeting

Date: 8-31-2026

From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Arcadia Lite Estates Subdivision

Legal Description: SE ¼, Section 15, Township 140, Range 80W
Burnt Creek Township

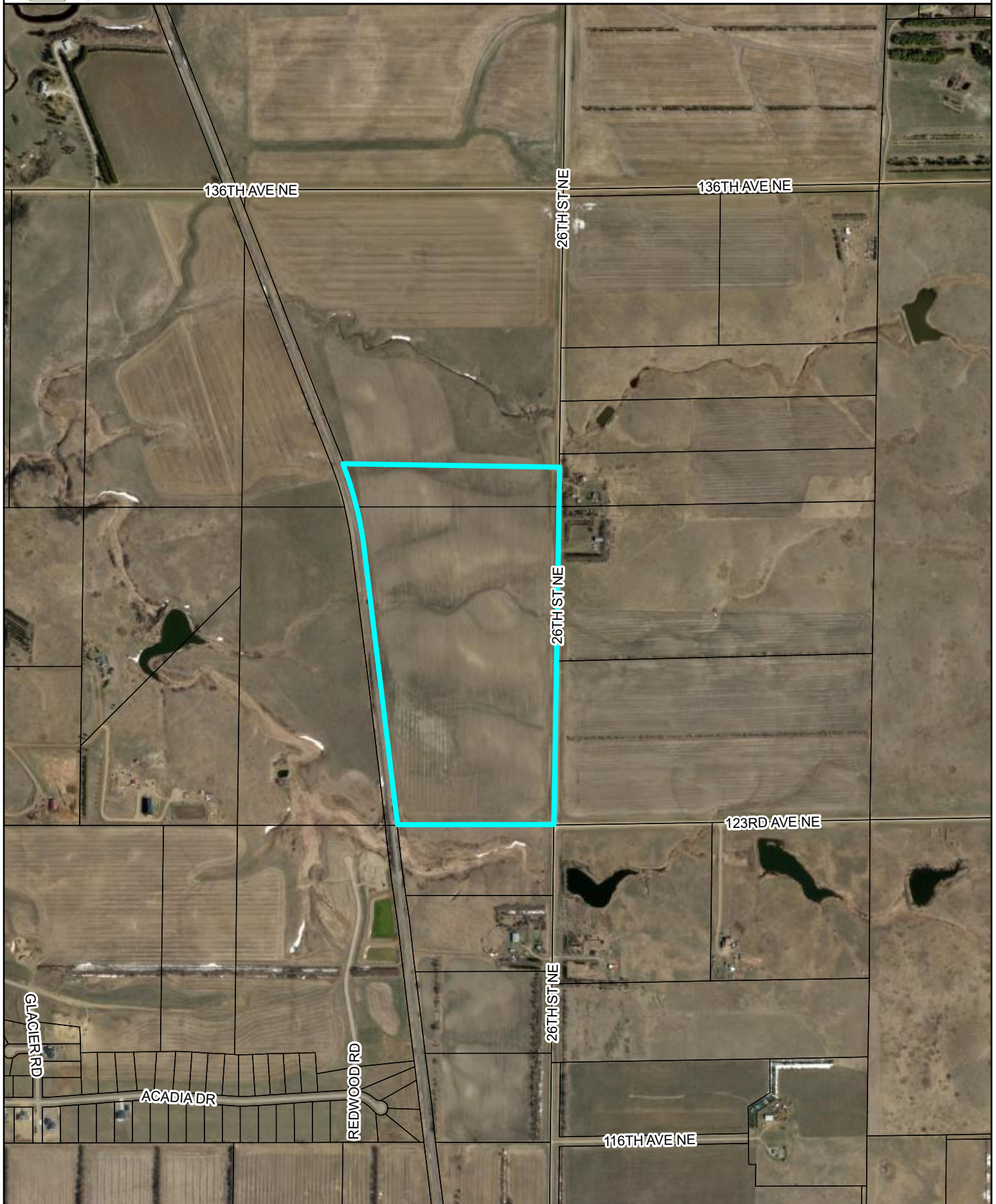
Property Address: 911 addresses have not yet been assigned.

Proposed subdivision-Arcadia Lite Estates contains has (5) lots, each lot being 16.5 acres, the subdivision will contain a total of 80.1 acres. Four (4) lots will have shared access points on the east side of parcel from 26th Street NE. Lot 5 will be allowed access from 123rd Ave. The zoning will remain AG-Agricultural.

ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve the Acadia Lite Estates Final Subdivision.

Attachments: Ex. 1 Site Location Acadia Lite Estates
Ex. 2 Acadia Lite Estates Subdivision



BEING PART OF THE SOUTHEAST 1/4 OF
SECTION 15, TOWNSHIP 140 NORTH, RANGE 80 WEST
OF THE FIFTH PRINCIPAL MERIDIAN
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: Recommendations from the August meeting of County Planning Commission

Date: 8-31-2026

From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Misty Waters 3rd Replat

Legal Description: All of Lots 28 and 29, Block 1 Misty Waters of W1/2 of Section 11,
T139N-R81W

Property Address: 6301 Dream Circle Hay Creek Township

A request to Burleigh County regarding the combination of 2 parcels to allow the property owners to build on both of their parcels. The proposed subdivision will combine 2 lots from the Misty Waters Subdivision to create a single lot of 1.45 acres, more or less. There are no existing buildings on the site. This lot combination has been in review since July 24th, 2026

- A SWMP Waiver was not required
- A paving waiver was not required
- The combined lot size is 1.45 acres
- The Planning Commission recommended approval by vote of 9-0

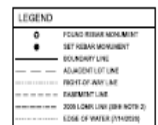
ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve the Misty Waters 3rd Replat.

Attachments: Ex. 1. 6301 Site Location
Ex. 2. Misty Waters 3rd Replat



ALL OF LOTS 28 AND 29, BLOCK 1, MISTY WATERS OF THE W1/2 OF SECTION 11,
T139N-R81W, 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA



ITEM

11



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: August 27, 2026

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Variance to Burleigh County Policy- Chapter 2 SECTION 10: STARTING
SALARY

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

Action Requested:

Approve a variance to the starting salary and leave accrual schedule for Jail Nurse-RN Position.

Background:

BMDC is in the process of hiring a Jail Nurse-RN position. The selected applicant has over six years of experience in various aspects of nursing to include public health. The negotiated step and leave accrual schedule is outside of the allowable practice by Burleigh County policy without County Commission approval. Market analysis shows negotiated salary is comparable with local job market.

Recommendation:

It is recommended that the County Commission approve the variances to the starting salary for the Jail Nurse-RN position at a Grade 9 Step 8 and to the leave accrual schedule from eight to ten hours a month.

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to authorize the variance to Burleigh County Policy Chapter 2 Section 10-Starting Salary.

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

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 Management Director

Date: September 10, 2026

Re: HR Policy Updates

Subject One: Burleigh County Recruitment & Selection Policy

BACKGROUND: Burleigh County has human resources policies that are in place to guide certain processes that are completed within the county. These processes are documented for instructional as well as compliance reasons. From time-to-time these policies need to be revised in response to compliance regulation updates or process changes.

The current policy in the Burleigh County Employee Handbook is titled Recruitment/Employment Policy. This policy version was approved by the Burleigh County Commission on September 1, 2021.

The proposed Recruitment and Selection Policy separates the Recruitment and Selection processes from the Employment process. The policy revisions were designed to clarify the individual processes and include any compliance updates.

As an attachment to the Recruitment and Selection Policy, we would like to introduce a Job Requisition & Recruitment Plan Form that will need to be completed prior to starting the recruitment process for any open positions going forward from the approval date. The Job Requisition Form will help the Human Resources Department clarify the recruitment plan with the hiring manager. There are job justification questions that would be beneficial for the hiring manager to consider prior to starting the recruitment process for an open position. This form is intended to be a working form and may be changed as it is completed; for clarification or ease of use purposes.

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

RECOMMENDATION: I would recommend that the Burleigh County Commission approve the revisions to the Recruitment and Selection Policy and the Job Requisition and Recruitment Plan Form to be used by Burleigh County employees going forward from the approval date.

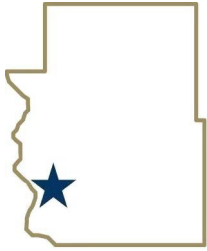
Subject Two: Burleigh County Employment Policy

BACKGROUND: Burleigh County has human resources policies that are in place to guide certain processes that are completed within the county. These processes are documented for instructional as well as compliance reasons. From time-to-time these policies need to be revised in response to compliance regulation updates or process changes.

The current policy in the Burleigh County Employee Handbook is titled Recruitment/Employment Policy. This policy version was approved by the Burleigh County Commission on September 1, 2021.

The proposed Employment Policy separates the Employment process from the Recruitment and Selection processes. The policy revisions were designed to clarify the individual processes and apply any compliance updates from employment laws that have happened since September 1, 2021.

RECOMMENDATION: I would recommend that the Burleigh County Commission approve the revised Employment Policy.

	Recruitment & Selection Policy	BCHR - 04 Board Approved: 09/01/2021
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Overview:

It is the goal of Burleigh County to attract the best qualified person to fill a vacancy. The use of standard recruitment and selection processes will ensure a consistent and compliant outcome for every job vacancy.

Purpose:

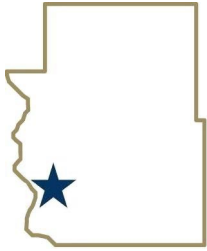
Recruitment, selection, and advancement of employees shall be on the basis of their relative knowledge, skills, abilities, education, and experience as compared to the essential job duties and all other requirements listed on the vacancy announcement and job description.

Recruitment Process

The Human Resource Director is to be notified of the intent to hire needed employees for all existing budgeted vacancies. These vacancies are called budgeted positions. The Hiring Manager will need to complete a Job Requisition Form that has an integrated Recruitment Plan. Please refer to the ***Job Requisition & Recruitment Plan Form***. For departments that have an appointed department head; the vacancy must be approved by the County Administrator prior to starting the recruitment process. Notification to the Human Resource Director should be completed as far in advance as possible to ensure sufficient time to gain approval from the County Administrator and recruit the best person(s). Recruiting efforts shall be based on the current and projected work force needs along with budget funding.

The Human Resource Director is to be notified of the intent to hire any new vacancies that were not listed in the approved final budget. These vacancies are called unbudgeted positions. The Human Resource Director will work with the Department Head to complete the job classification and job description processes. After the above processes have been completed and approved by the County Administrator, the Department Head must present the job description and other justification for the unbudgeted vacancy to the Burleigh County Commission for approval in a regular meeting. This entire process must be completed prior to the start of the recruitment process for the vacancy. Only after this process has been completed will the ***Job Requisition & Recruitment Plan form*** be approved.

There will be no position that gets posted prior to receiving a completed and approved Job Requisition & Recruitment Plan Form.

	Recruitment & Selection Policy	BCHR - 04 Board Approved: 09/01/2021
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The Recruitment Plan:

After the Job Requisition Form has been approved, the Human Resources Department will send the Hiring Manager a current copy of the job description for the vacancy. The Hiring Manager will meet with the Human Resources Department Recruiter to discuss any requested revisions to the job description, and the details of the Recruitment Plan. This will include the type of job posting; internal, external or both. Whether there are any specialized associations, educational institutions, or clubs the vacancy could be advertised with for maximum outreach. Whether the vacancy will be posted as a potential underfill opportunity. The timeframe expected to have the vacancy filled. There will be realistic expectations that are set for the recruitment of the vacancy.

Vacancy Announcements and Job Postings

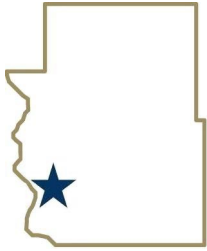
All vacancies for regular full-time and temporary positions that are approved to fill must be posted. Job posting information will be taken directly from the job description. The job posting will also include the compensation range, type of recruitment, and closing date for the receipt of applications. Instructions on how to apply, and any supporting documentation required to complete the application will be included. All vacancies that are in the active job posting stage of the recruitment process will be listed on the Burleigh County website www.burleigh.gov/career-opportunities.

The timeframe for each job posting will be determined by the Hiring Manager but should not be less than a minimum of three (3) days.

Applications:

All applications must be submitted via Paylocity; paper applications will not be accepted. All supporting documents must be uploaded to Paylocity as part of the application process. Only completed applications will be considered.

The Human Resources Department may research the applicant's submitted information to verify statements contained in the application. The Human Resources Department may also conduct research in order to secure factual information regarding the applicant's character and fitness. The Human Resources Department will share their findings with the Hiring Manager to discuss the next step in the hiring process. Any application that has been confirmed to contain fraudulent information will be automatically disqualified from the application process.

	Recruitment & Selection Policy	BCHR - 04 Board Approved: 09/01/2021
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Types of Applicants:

- *INTERNAL APPLICANTS* – All internal applicants must have a positive performance standing. Internal applicants that are scheduled for an interview must inform their current Department Head/Supervisor. An Internal Applicant will not qualify for Veteran status if they have claimed it previously.
- *PREVIOUS EMPLOYEES* - If the applicant is a previous employee, a member from the Human Resources Department will authenticate their performance standing along with terms and length of service and separation circumstances. For more information, please refer to ***the Re-employment policy***.
- *EXTERNAL APPLICANTS* - All completed and qualified applications from external applicants will be accepted for rating.

Applicant Ratings:

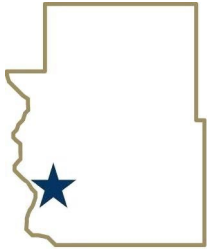
All completed applications will be reviewed to ensure that the Minimum Qualifications per the job description have been met.

If there are more than four (4) qualified applicants, the applications may be given a numerical score according to the rating sheet developed for that specific position.

The following will be forwarded to the Department Head/Hiring Manager:
A Register of Applicants listing both qualified and disqualified applications; with the qualified applications in descending order. The completed applications for the top five (5) rated applicants.

The Department Head/Hiring Manager will determine the number of applicants they wish to interview. Once the number of applicants to be interviewed has been determined, the Human Resources Department will contact the applicants and schedule the interviews.

The rating process is important in that this process ensures compliance with employment laws and regulations such as The Civil Rights Act of 1964 (Title VII), The Equal Employment Opportunity Act (EEO), the Department of Labor (DOL) Human Rights Division and the Americans with Disabilities Act (ADA).

	Recruitment & Selection Policy	BCHR - 04 Board Approved: 09/01/2021
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The Interview Process:

The Human Resources Department, in conjunction with the Hiring Manager will determine the interview questions, composition of the interview panel, and the date, time and place for the interviews.

All candidates that are interviewed must be asked the same set of questions and the same interview panel must be present throughout the interview process for all applicants that are interviewed.

The members of the interview panel are allowed and encouraged to ask other legal and relevant follow up questions during the unrated question section of the interview. These questions can, but are not required to be, asked to each candidate that is interviewed by the interview panel. Interview panel members can contact the Human Resources Department if they have any questions or need guidance regarding appropriate follow-up interview questions that can be asked of the applicant.

Once the interviews are completed the candidates' scores will be totaled and recorded. At this time the interview panel may discuss their recommendations and comments concerning each candidate.

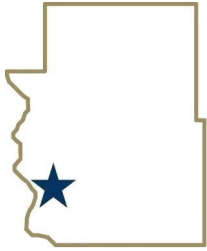
The top candidate's information will be sent to the Department Head/Hiring Manager for final approval.

Upon completion of the selection process the background check process and any required testing will be completed as required by the position type.

Pre-screens:

Applicants for all of the Sheriff Department and the Burleigh-Morton Detention Center (BMDC) positions will be subject to a telephone pre-screening questionnaire.

Once an applicant has been scheduled for an interview, the Human Resources Department will contact the Sheriff Department Administrative Sergeant, who will contact the applicant prior to scheduling an interview and complete a pre-screening questionnaire as allowed in N.C.C. 12.1-33-02.2.

	Recruitment & Selection Policy	BCHR - 04 Board Approved: 09/01/2021
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Background Checks:

The Human Resources Department, Department Head, or the Hiring Manager can offer the top candidate a conditional offer of employment subject to receiving a compliant result in the background check process.

The background check process has several different steps that have to be completed prior to the issuance of a final employment offer to the candidate.

There are a variety of background checks that can be completed based on the nature and requirements of the vacant position. All candidates that have had a conditional employment offer extended to them must be notified of background check requirements and the candidate must provide written authorization for relevant background checks.

*A General Release Authorization and Reference Check form must be signed by the candidate **BEFORE** any of the following checks may be performed.

- **CRIMINAL BACKGROUND CHECKS** - shall be performed on all external candidates. Criminal background checks for the Sheriff's Department and the Burleigh Morton County Detention Center (BMDC) will be conducted by the Burleigh County Sheriff's Department. Criminal background checks for the States Attorney's Office will be conducted by that department. The criminal background checks for all other departments will be submitted to the North Dakota Bureau of Criminal Investigations (BCI).
 - **It is important to note that if a candidate fails to disclose any or all criminal convictions when asked to do so in the interview process, the Human Resource Director or the Department Head may rescind the conditional offer due to the candidate being untruthful or deceptive.*
- **CREDIT CHECKS** – a candidate that is being hired for a financially sensitive position will be subject to a credit check. A credit check may only be performed once the candidate has signed a release and been given the proper Fair Credit Reporting Act (FCRA disclosures).
 - **Credit information **MAY NOT** be released by Burleigh County to candidates in any form. The FCRA disclosure explains the adverse action process that can be taken by the candidate if the employer rescinds the conditional offer of employment due solely to the results of their consumer credit report.*

	Recruitment & Selection Policy	BCHR - 04 Board Approved: 09/01/2021
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- ***DRIVER'S LICENSE RECORDS CHECKS*** – Any candidate that will be performing a safety sensitive function or that will be driving Burleigh County owned vehicles is subject to a pre-hire Driver's License records check. A candidate **WILL NOT** be hired to work in these departments if his/her driving record shows a current gain of four (4) or more points over the last year, or twelve (12) or more points over the last three (3) years. Driver's license record check decisions for the Sheriff's Department will be decided within that department.
- ***LICENSE AND CERTIFICATION CHECKS*** – When appropriate, public records from applicable licensing or certification boards will be obtained to determine if there have been any disciplinary or suspension actions applied to the license or certification.
- ***EDUCATION VERIFICATION CHECKS*** – Education records can be verified by contacting the educational institution where the degree was awarded.
 - **Any candidate that provides fraudulent degree attainment information or transcripts will be disqualified from employment with Burleigh County.*

Reference Checks:

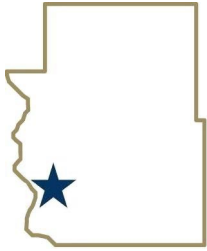
The Burleigh County Human Resources Department or the designated Hiring Manager will conduct reference checks of all applicants. These references will include the applicant's past employers when possible.

In the event that the Human Resources Department or the Hiring Manager discovers the references provided are not sufficient to ascertain the candidate's performance record, the Human Resources Department may request additional references from the candidate in order to complete this process effectively.

Pre-employment Drug Testing:

Some candidates will be subject to pre-employment drug testing for more information: Please refer to ***the Burleigh County Alcohol and Controlled Substance Workplace Policy.***

Pre-employment Physical Exams:

	Recruitment & Selection Policy	BCHR - 04 Board Approved: 09/01/2021
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Candidates for positions in the Highway, the Sheriff, the Burleigh-Morton Detention Center (BMDC), and in the Buildings & Grounds (Facilities) Departments will be subject to a pre-employment physical at Burleigh County's expense.

Position Specific Exams:

Positions in the Sheriff, the Burleigh-Morton Detention Center (BMDC), and in the Buildings & Grounds (Facilities) Departments may be subject to psychological and personality exams depending upon the position. These exams are conducted at Burleigh County's expense.

Closing the Position:

Upon completion of all background checks and pre-employment exams, the results summary will be forwarded to the Department Head/Hiring Manager to establish the pay grade and pay step to be offered to the candidate. Please refer to ***the Burleigh County New Employee Onboarding Policy***.

Once the offer is accepted a "Final Offer Letter" will be sent to the selected candidate. All other candidates that received an interview will receive a "Thank You" email. Applicants that did not receive an interview will be sent an email inviting them to apply for other opportunities in the future.

Records Retention

Burleigh County is subject to North Dakota Open Records Laws (NDCC 44-04-17.1) and all hiring records, including applicant ranking sheet, interview guides, and email correspondence between Burleigh County Human Resources and applicants must be retained for three (3) years.

Hiring Lists

At the discretion of the Department Head a hiring list may be established from which candidates can be hired for future openings. If established the hiring list is active for twelve (12) months. Department Heads are not limited to using an established hiring list and may open future positions to both internal and external applicants at their discretion. The applicant must apply for the active vacancy through the Paylocity system to be considered. The hiring list will serve as a contact list only.



BURLEIGH COUNTY

Job Requisition Form & Recruitment Plan

SECTION ONE – JOB INFORMATION			
<i>Please complete the below listed information for section one. This information pertains to the vacancy that is being proposed for hiring a new employee(s).</i>			
Job Title:		Department:	
Hiring Manager:		Department Head:	
Target Hire Date:		Date Submitted:	
Reason for Opening:	☐ Replacement	☐ Budgeted New	☐ Unbudgeted
Employment Type:	☐ Full-Time Appointed	☐ Full-time Employee	☐ Temporary Employee
SECTION TWO – JOB JUSTIFICATION			
<i>Please complete the below listed questions for section two. This information pertains to the need to fill the vacancy.</i>			
1. Has the job description been reviewed and revised to align with current needs for duties in the position.			
2. Can the duties of this position be realigned or streamlined to such an extent that the position can be eliminated?			
3. Do you foresee any technology advances in the next one-to-three years that would cause this position to become obsolete or have reduced job duties?			
4. How will this work be done if approval cannot be granted and by whom? Please provide title/names/overtime costs, etc.			



BURLEIGH COUNTY

SECTION THREE – RECRUITMENT PLAN

Please complete the below listed information for section three. This information pertains to the specific recruitment plan for this vacancy.

DURATION OF JOB POSTING:	☐ Three Days	☐ Two Weeks	☐ One Month	☐ Other
	☐ Five Days	☐ Three Weeks		
POSTING TYPE:	☐ Internal Only	☐ External	☐ Internal/External	
	☐ Department Only			
JOB SOURCING:	☐ Indeed	Professional Associations:	☐ Please list below:	
	☐ Bis-Man Online			
	☐ LinkedIn			
INTERVIEW PANEL MEMBERS:	Please list names below:			

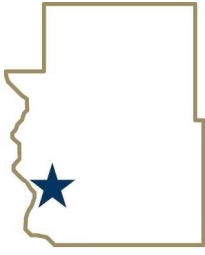
SECTION FOUR – APPROVALS

Please complete the below listed information for section four. This information pertains to the approvals that are needed prior to the start of the recruitment process.

Hiring Manager Signature:		Date:	
HR Director Signature:		Date:	
County Administrator Signature:		Date:	

SECTION FIVE – HR DEPARTMENT USE ONLY

Assigned HR Recruiter:			
Job Description Review Date:		Job Classification Ranking:	
Job Requisition Number:		Position Number:	
Recruitment Checklist Date:		Selection Checklist Date:	
HR Recruiter Initials:		Date:	

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Overview:

This Employment Policy is designed to provide important information regarding federal, state, and local laws and regulations that may affect your employment with Burleigh County.

Purpose:

Burleigh County is committed to maintaining a safe, productive, and compliant work environment. This Employment Policy outlines the legal framework guiding our employment practices, ensuring adherence to federal, state, and local regulations and laws. This policy applies to all employees, appointed officials, and elected officials regardless of their role within Burleigh County.

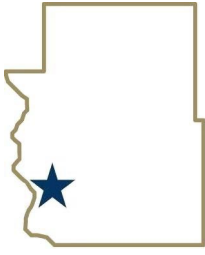
At-Will Employment

North Dakota is an at-will employment state, meaning Burleigh County can terminate the employment of an employee at any time for any reason; as long as; it does not violate any employment laws. An employee can quit their employment with Burleigh County for any reason without prior notice. N.D.C.C. § 34-03-01

Equal Employment Opportunity:

We provide employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, pregnancy, citizenship, national origin, age, disability, military service, veteran status, genetic information, union membership, sexual orientation, gender identity, marital status, status with regards to public assistance, participation in lawful activity off the employer's premises during non-working hours (which is not in direct conflict with the essential business-related interests of the County) or any other characteristic protected by law. In order to provide equal employment and advancement opportunities to all individuals, employment decisions are based on merit, qualifications, and abilities. However, we may provide hiring preference to veterans and disabled veterans, pursuant to N.D.C.C. §37-19.1.

This policy applies to all terms and conditions of employment, including recruiting, hiring, compensation, selection, job assignment, promotion, discipline, termination, layoff, recall, transfer, access to benefits, leaves of absences, and training. Any questions or concerns about any type of discrimination in the workplace, should be brought to the attention of your immediate supervisor or the Human Resources Department. Employees can raise concerns and make reports without fear of

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reprisal. Any employees found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Veteran's Preference

Qualified veterans shall have preference for employment with Burleigh County. Veteran's Status as defined in subsections 4 and 8 of NDCC 37-19.1

- Applicants who are residents of North Dakota and eligible to claim veteran's preference must include Form DD214.
- Claims for disabled veteran's preferences must also include Form DD214 and a letter less than one year old from the Department of Veterans Affairs indicating disability.
- Claims for preference as the eligible spouse of a disabled or deceased veteran must include Form DD214, a marriage certificate, and a letter less than one year old from Dept. of Veteran's Affairs indicating disability, or the veteran's death certificate.

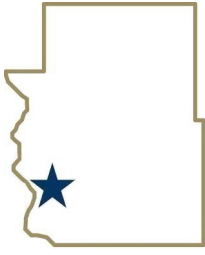
Veteran employment is referenced in NDCC 37-19.1.

Americans with Disabilities Act (ADA & ADAAA)

An employer may not discriminate against an employee because of a mental or physical disability. Employers must make reasonable accommodations for an employee with a physical or mental disability who is otherwise qualified. N.D.C.C. § 14-02.4-01. In addition, Burleigh County strictly forbids retaliation against individuals who request an accommodation or otherwise exercise their rights under the ADA. This policy applies to all applicants and employees unless it creates an undue hardship.

Reasonable Accommodation is a reasonable adjustment to the work environment, or in the way things are customarily done, that enables an individual with a disability to enjoy equal employment opportunities. Accommodations are to be made in the hiring process (application tests, and interview), performance of essential functions (duties) of the job, and equal opportunities in benefits and promotions.

Undue Hardship is an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation. To qualify for protection under the ADA, an individual must:

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- Have a physical or mental impairment that substantially limits one or more major life activities.
- Have a history or record of such impairment
- Be regarded as having an impairment that is not transitory and minor.

Qualified employees or applicants with disabilities may request accommodations to perform the essential functions of a position. Such requests should be made to the HR Director or their Department Head. It is important to note that the accommodation process is an interactive process between the applicant or employee and Burleigh County. Alternate accommodations may be suggested by Burleigh County during this interactive process.

If there are no reasonable accommodations available and the individual is not able to perform the essential functions (duties) of the position, the individual may no longer qualify for the position.

An employee or applicant who feels discriminated against because of a disability may contact the Human Resources Department to express their concern. Employees may also file a grievance with the Department Head and, if dissatisfied, may file an appeal with the HR Director.

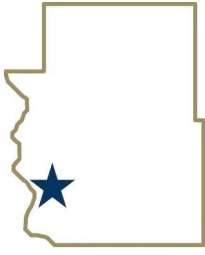
Employees shall not retaliate against, coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his or her rights under the ADA or because an individual aided or encouraged any other individual in the exercise of rights granted or protected by the ADA.

Any employee who is determined to have violated this policy will be subject to disciplinary action up to and including termination (discharge) from employment.

Workplace Violence:

Burleigh County maintains a working environment free from violence or the threat of violence. Acts or threats of physical violence, including but not limited to intimidation, harassment, or coercion will not be tolerated.

Employees must immediately report any incidents of violence, threat of violence, or any behavior that may threaten an employee's safety or the safety of others to appropriate management or law enforcement authorities. Once a managerial level employee is notified of a violent or threatening situation, he/she must contact Human Resources. The Human Resources Department will

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assist in coordinating the proper response and notifying the appropriate officials/authorities.

Burleigh County prohibits any form of discipline or retaliation for reporting such incidents and shall handle all complaints promptly. Any employee who engages in such conduct or who makes, false accusations of violence or threats of violence will be subject to disciplinary action up to and including termination (discharge) from employment.

In appropriate cases, the county may seek criminal prosecution or cooperate with the appropriate authorities.

Employees must report to their supervisor the existence of anything that may potentially threaten the safety of the employee or other county employees. This includes a restraining order of any kind obtained by the employee against another individual(s) or a restraining order obtained against an employee.

Employees are also encouraged to report if they are a victim of domestic violence or if they suspect a coworker may be a victim.

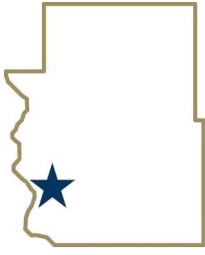
Any person who violates this policy will be subject to disciplinary action, up to and including termination (discharge) from employment and may be removed from the county work area.

Workplace Discrimination and Anti-Harassment (Title VII):

Burleigh County, as the employer, will not tolerate, condone, or allow any type of harassment to occur within county workplaces or in any other work-related settings. This prohibition applies to every person at a county workplace or present during county-related business activities, including but not limited to county employees, customers, vendors, contractors, or any other person. All employees are empowered with the responsibility to prevent harassment in all county work areas and during all county-related business activities.

Harassment

Harassment is defined as any offensive conduct that interferes with an individual's work performance or creates an intimidating or hostile work environment. Unlawful harassment can be verbal, non-verbal, or physical conduct or communication that shows hostility or aversion towards an individual because of a

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person's race, color, religion, sex, age, genetics, national origin, disability, or other legally protected status in the State of North Dakota.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on county time or using county equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Harassment becomes unlawful when:

- Enduring the offensive conduct becomes a condition of continued employment, or
- The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,

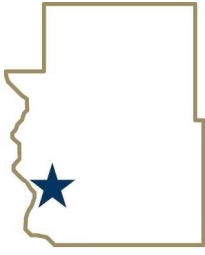
Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual,

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment:

- quid pro quo
- hostile work environment

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display

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in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

If an employee observes or experiences harassing conduct in the workplace, the employee should either directly inform the offender that the conduct is offensive and must stop or notify the Department Head about the occurrence. If an employee does not feel comfortable reporting the situation within the department, he/she should contact the Human Resources Department to report the situation.

All employees shall report harassing behavior they observe or is reported to them.

Department Heads are required to report any harassing conduct they observe, experience, or that is reported to them to the HR Director. The HR Director will investigate and resolve all reports of workplace harassment appropriately in a timely, thorough, and discreet manner that is in compliance with employment laws and regulations.

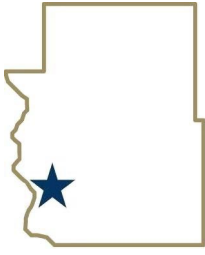
Any person who violates this policy will be subject to disciplinary action, up to an including termination (discharge) from employment or be removed from the county work area.

Drug and Alcohol-Free Workplace:

In accordance with the Federal Drug-Free Workplace Act and the North Dakota Workforce Safety and Insurance's Risk Management Program, it is Burleigh County's intent to establish a policy to maintain a safe and productive work environment for all employees by preventing accidents or other dangerous incidents that may result from drug or alcohol use.

County employees may not possess or consume alcoholic beverages or controlled substances in County buildings, offices, vehicles, or while driving or doing business on behalf of the County. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited on any work site and during all working hours by employees. No employee will be allowed to perform job duties when impaired or under the influence of mind-altering drugs, illegal drugs and/or alcohol during working hours.

For more detailed information please see the ***Burleigh County Alcohol and Controlled Substance Workplace Policy***.

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Smoking and Tobacco Use:

Smoke-Free Workplace Law

Under the North Dakota Century Code § 23-12-08, smoking including combustible cigarettes, pipes, cigars and the use of e-cigarettes (vaping) are completely banned in indoor public places, and in workplaces. Burleigh County prohibits smoking and the use of tobacco by its employees within County owned vehicles, in county owned or leased workplaces.

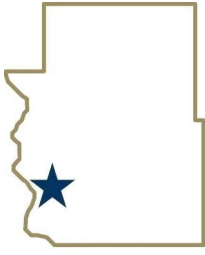
Smoking means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. Smoking also includes the use of e-cigarettes (vapes), in any manner or any form, or the use of any oral smoking device.

Tobacco means any product made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of a tobacco product. This includes, among other products, cigarette tobacco, roll-your-own tobacco, electronic cigarettes, vaporizers, and smokeless tobacco.

Hostile Work Environment:

Burleigh County's policy is to provide an environment free of age, gender, race, ethnicity, religion, disability harassment, and harassment based on sexual orientation. Such harassment may include any activity that creates fear, intimidates, ostracizes, psychologically or physically threatens, embarrasses, ridicules, or in some other way unreasonably over burdens or precludes an employee from reasonably performing his or her work.

Hostile Work Environment harassment generally occurs in supervisor/subordinate or peer/co-worker situations. Early reporting and intervention are critical and have proven to be the most effective method of resolving actual or perceived incidents of hostile work environment. Individuals experiencing any unwelcome behavior in the workplace or at any location, activity or event associated with Burleigh County may advise the offender directly that the conduct is unwelcome and offensive and request the conduct be stopped. If the employee has confronted the offender and the offensive conduct has not stopped, or the employee feels uncomfortable confronting the offender, the employee must notify their Department Head or the HR Director who will then initiate appropriate action. The HR Director will investigate complaints of hostile or inappropriate behavior in a timely, thorough, and discreet manner and will take appropriate corrective and disciplinary action.

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Hostile work environment harassment will not be tolerated by the county. Disciplinary action can and will be taken against any employee who engages in such behavior. In addition, an employee who is found to have intentionally made a false report of harassment or hostile work environment or who fails to cooperate in the investigation of a complaint will be subject to disciplinary action up to and including termination (discharge) from employment.

The Whistle-Blower Act

The North Dakota legislature has enacted a whistle-blower statute. An employer is prohibited from terminating, disciplining, penalizing, or discriminating against an employee who, in good faith, reports a violation or potential violation of a federal, state, or local law or rule to their employer, a governmental body, or a law enforcement official. An employer is also prohibited from taking the same action against an employee because the employee is requested by a public body or official to participate in an investigation, a hearing, or an inquiry, or refuses an employer's order to perform an action that the employee believes violates local, state, or federal law, ordinance, rule, or regulation. With respect to the foregoing, the employee must have an objective basis in fact for that belief and shall inform the employer that the order is being refused for that reason. N.D.C.C. § 34-01-20.

ITEM

13

BURLEIGH COUNTY COMMISSION AND PARK BOARD
2027 MEETING SCHEDULE

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

<u>DATE</u>	<u>AGENDA</u>
Jan. 4 19 (Tues)	Regular Meeting – Reorganize/Assign Portfolios 2 nd Meeting
Feb. 1 16 (Tues)	Regular Meeting 2 nd Meeting
Mar. 1 15	Regular Meeting 2 nd Meeting
Apr. 5 19	Regular Meeting 2 nd Meeting
May 3 17	Regular Meeting 2 nd Meeting
Jun. 7 21	Regular Meeting/Equalization 2 nd Meeting
July 7 (Wed) 19	Regular Meeting 2 nd Meeting & Preliminary Budget Introduction
Aug. 2 16	Regular Meeting 2 nd Meeting
Sept. 1 or 9 20	Regular Meeting 2 nd Meeting/Final Budget Hearing
Oct. 4 18	Regular Meeting Hearing to establish minimum sales prices for tax sale. 2 nd Meeting
Nov. 1 15 17	Regular Meeting 2 nd Meeting Annual Tax Sale (10:00 AM)
Dec. 6 20	Regular Meeting 2 nd 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.

ITEM

14

Missouri Valley Complex Committee

The Missouri Valley Complex Committee formation was further clarified with the Burleigh County Commissioners and the following structure and operations were agreed to and approved on February 5, 2024, by the Commission.

The items for presentation and discussion are as follows:

Committee member compensation:

- The committee is a non-compensated committee.

The membership of the Missouri Valley Complex Committee be established as follows:

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

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

Stakeholder Membership:

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

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

- The identified stakeholder groups of the Committee are as follows:

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

Missouri Valley Complex Committee

Burleigh County Resident Committee Appointments.

- Three (3) committee members will be residents of Burleigh County and appointed by the Burleigh County Commission.
- The appointment process of the resident members is proposed to follow the current application practice of Burleigh County with a written application to serve submitted to the County Auditor and forwarded to the Commission for review and approval for appointment. The initial appointments will be for a 2, 3 and 4-year term.

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

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

Administrative Support

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

Item 3: Organization Chart

- A Draft Organization Chart is provided indicating the committee membership and lines of responsibilities, relationships, and term considerations.

Item 4: Request for Commissioner Liaison Appointment.

- The appointment of Commissioner Wayne Monson as Burleigh County Commission Liaison to the Missouri Valley Complex Committee was approved.

Missouri Valley Complex Committee

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

- The Committee has been provided permission to contact and work with county staff as an example County Auditor, County Engineer, Sheriff, and States Attorney when needs arise for such items as access to records and leases at the Complex, meeting scheduling, web site management, budget information for annual budget development, copies, insurance, contracts, planning, and history.
- The Committee has been granted permission to seek outside financial resources to support the operation, development and improvements at the Complex including grants and private fundraising.
- The Committee has been granted permission to seek new events and community offerings at the Complex.

Addenda item for September 10, 2026 Meeting

Action Requested Missouri Valley Complex Committee Clarification

Description: At the February 5th 2024 Burleigh County Commission, the Commission approved the formation of the Missouri Valley Complex Committee (see attached document). Since that meeting, the committee has been in front of the Burleigh County Commission several times requesting a variety of actions.

From my understanding of the Commissions direction, the committee is an advisory board reporting to the Portfolio Holder.

Today, I will ask Chair Kay LaCoe to address the commission requesting a clarification of the duties of the Committee.

Action needed:

Addenda item for September 10, 2026 Meeting

Action Requested Missouri Valley Complex Committee Membership

Description: it has been brought to my attention that the Membership – specifically the liaison member from the Bismarck Park Board may not be required. This will be an agenda item on the Complex Committee at the September 16th meeting. Once we have a recommendation from the Committee, I will bring that recommendation to the County Commission.

Action needed: No Action required

**RESOLUTION FOR BURLEIGH COUNTY PARK BOARD
TO COMMENCE MANAGEMENT OF BURLEIGH COUNTY PARKS**

Whereas the Burleigh County Park Board is responsible for the regulation, supervision, control, and management of all areas of land and water owned or held by the County for park or recreational purposes pursuant to N.D.C.C. Ch. 11-28;

Whereas the Burleigh County Park Board no longer has a joint powers agreement with the Bismarck Parks and Recreation District for supervision and management of all areas of land and water owned or held by the County for park or recreational purposes;

Whereas the Burleigh County Park Board has adopted a reorganization plan of the Burleigh County Park Board pursuant to N.D.C.C. § 11-28-01;

Whereas the Burleigh County Park Board has adopted a governance and operational transition plan to assume management of all areas of land and water owned or held by the County for park or recreational purposes; now, therefore, be it

Resolved, the Burleigh County Commission adopts the reorganization plan for the Burleigh County Park Board;

Resolved, the Burleigh County Commission re-establishes a seven-member Burleigh County Park Board consisting of two county commissioner and five resident citizens of the County to be appointed by the County Commission;

Resolved, the Burleigh County Commission adopts the governance and operational transition plan for the Burleigh County Park Board to assume regulation, supervision, control, and management of all areas of land and water owned or held by the County for park or recreational purposes.

Dated this ____ day of _____, 2026.

Burleigh County Commission
Brian Bitner, Chair

ATTEST:

Burleigh County Auditor
Mark Splonskowski

Strategic Reorganization of the Burleigh County Park Board: A Comprehensive Governance and Operational Transition Plan

The administrative evolution of the Burleigh County Park Board represents a seminal shift in the regional management of public recreational assets. The Bismarck Parks and Recreation District (BPRD) acted as the primary operational agent for Burleigh County's park inventory through a series of cooperative agreements and joint powers frameworks. However, the formal decision by the BPRD Board of Park Commissioners on November 20, 2025, not to renew the management agreement with the Burleigh County Commission has fundamentally altered the landscape of local governance. This conclusion of service, effective at the end of the 2025 calendar year, encompasses the management of all county boat ramps, county-owned parks, and the significant Missouri Valley Complex. Consequently, the Burleigh County Commission is now tasked with the standalone reorganization of its park management, a process that necessitates a rigorous adherence to the North Dakota Century Code (NDCC), a strategic realignment of fiscal resources, and the establishment of an independent administrative infrastructure.

The necessity of this reorganization is punctuated by the termination of the joint powers agreement regarding the riverfront mill levy, an action initiated per Burleigh County's direction and finalized by the BPRD in December 2025. This move signifies a broader trend toward administrative autonomy, allowing the county to tailor its recreational offerings to the specific needs of its constituency. The transition requires a sophisticated understanding of the legal authorities granted under NDCC Chapter 11-28 and 11-28.1, as well as the practical challenges of maintaining complex river access sites and specialized recreation areas like Kimball Bottoms.

Statutory Architecture and Governance Framework

The reorganization must first be anchored in the legal mandates provided by North Dakota law. NDCC Section 11-28-01 dictates the composition of the board of county park commissioners. The Burleigh County Park Board is structured as a seven-member body, integrating five elected county commissioners with two "lay" members who must be resident citizens of the county. This hybrid structure is designed to ensure that the policy-making body remains directly accountable to the electorate through the commissioners while benefiting from the specialized focus and community perspective of the appointed residents.

Under Section 11-28-02, the terms for these appointed members are fixed at three years, with a requirement that vacancies be filled by the board of county commissioners as soon as practicable. The internal organization of the board is equally regulated; within twenty days of appointment or personnel changes, the board must select a chairman and establish a meeting

schedule. In Burleigh County, these meetings are typically held in conjunction with regular County Commission sessions at 5:00 PM on an as-needed basis in the Tom Baker Meeting Room.

Burleigh County Park Board recommended changes for 2027:

- 1) Change the membership make up of two Burleigh County Commissioners and five public members at large.
- 2) Missouri Valley Complex committee to become a subcommittee of the Park Board.

Mandatory Roles of County Officials

A critical element of the reorganization is the statutory integration of existing county offices into the Park Board's administrative function. This ensures fiscal and legal oversight without the immediate need for a parallel bureaucracy.

County Official	Statutory Role to Park Board	Legal Authority
County Auditor	Serves as Secretary of the Park Board	NDCC 11-28-03 ⁴
County Treasurer	Serves as Treasurer and Custodian of Funds	NDCC 11-28-03 ⁴
State's Attorney	Acts as Legal Adviser and Prosecutor/Defender	NDCC 11-28-03 ⁴
County Commission	Appointing authority for lay members and mill levy oversight	NDCC 11-28-01, 11-28-06 ⁴

The requirement that park funds be maintained in a separate account by the county treasurer is a fundamental safeguard.⁴ As the county transitions away from BPRD management, it must ensure that all previously shared revenues, are correctly accounted for and transferred into this dedicated county fund.² This separation of funds prevents the diversion of park resources for general county purposes and maintains the transparency required for public audit.

Comprehensive Asset Inventory and Site-Specific Considerations

The Burleigh County park system is characterized by its focus on Missouri River access and large-scale rural recreation. This inventory is distinct from the neighborhood-park model of the city, requiring different maintenance equipment and expertise.

Boat Ramp and River Access Facilities

The county's boat ramps are arguably its most vital and labor-intensive assets. These facilities provide the primary public conduit to the Missouri River and Lake Oahe for residents and visitors.

- **Kniefel Landing (Burnt Boat):** Located near the Bismarck city limits, this site is a high-traffic river access point. Recent discussions have focused on the maintenance and operation of its fish cleaning station and the ongoing need for dredging to ensure navigability.
- **Kimball Bottoms (The Desert):** This 400-acre site is a complex multi-use area featuring off-highway vehicle (OHV) trails, primitive camping, and shoreline fishing. Management of this site requires coordination with the US Army Corps of Engineers (USACE), as it operates under federal shoreline management policies.
- **McLean Bottoms (Rifle Range):** Another significant river access point, often used by hunters and recreational boaters. Its proximity to other county and state lands necessitates clear boundary management.
- **Steckel Park (Wilton):** Serves the northern portion of the county, providing essential water access for residents near the Wilton area.

Dedicated Parks and Specialized Complexes

- **Driscoll Sibley Park:** A historic and community-oriented park that hosted a time capsule reveal in 2024, highlighting its role as a repository of local heritage. It features camping and picnic shelters that require seasonal staff for reservation management and cleaning.
- **Missouri Valley Complex:** A versatile facility that includes community gardens and space for large-scale events like the Central Dakota Card Show. The 2017 Master Plan for this complex remains the guiding document for its future development.
- **Mitchell Lake (Wing):** Provides water-based recreation in the eastern part of the county, requiring monitoring of water quality and habitat preservation.
- **Swenson Park:** Outdoor recreation area located at 62nd Ave. SE in Lincoln, ND, just east of the Bismarck area.

Administrative and Personnel Infrastructure

Transitioning away from BPRD means the county can no longer rely on the city's specialized parks staff, from horticulturists to maintenance mechanics.

Future needs within the Park Board will require a staff:

2026: Temporary Park Maintenance Technician (through July of 2026)
Hybrid Park Maintenance Technician / Highway Department employee

2027: Park Manager

2028: Full-time Park Maintenance Technician

Regulatory Ordinances and Public Safety

One of the most immediate requirements of the reorganization is the adoption of a comprehensive set of park ordinances. Previously, BPRD ordinances were enforced by both park staff and the Burleigh County Sheriff. The county must now draft its own rules that reflect the specific needs of its properties.

Key Areas for New Ordinances

- **Animal Control:** Current BPRD rules require animals to be on a leash no longer than six feet and mandate the cleanup of excrement. The county should adopt similar standards, particularly for high-density areas like Driscoll Sibley Park and McDowell Dam.
- **Firearms and Projectiles:** BPRD generally prohibited the discharge of firearms in parks, with narrow exceptions for archery ranges or special deer reduction licenses. Burleigh County's rural parks, such as McLean Bottoms, are often adjacent to hunting areas, requiring more nuanced ordinances that balance recreational safety with traditional land uses.
- **Camping and Length of Stay:** To prevent semi-permanent residency in primitive areas like Kimball Bottoms, the county should maintain the 14-day limit within any 30-day period.
- **Off-Highway Vehicles (OHVs):** The management of Kimball Bottoms (The Desert) is predicated on the regulation of OHVs. The county has already begun drafting a new OHV ordinance to address enforcement and signage.

Strategic Implementation Checklist for the Burleigh County Commission

This reorganization should be approached in four distinct phases, ensuring legal, financial, and operational readiness.

Phase 1: Institutional Foundation (Months 1-3)

The focus of this phase is the formal establishment of the Board and the legal framework.

- **Formal Resolution of Reorganization:** The Commission should pass a resolution citing NDCC 11-28 to officially assume all management duties previously delegated to BPRD.
- **Board Member Orientation:** Conduct training for the lay members on their fiduciary duties and the open meeting laws under NDCC 44-04-20.
- **Bylaw Adoption:** Establish regular meeting dates that do not conflict with other major county boards, ensuring the Auditor can fulfill the role of Secretary.
- **Ordinance Drafting:** Task the State's Attorney with drafting a unified set of county park ordinances, incorporating necessary OHV and river-access regulations.
- **Separate Account Activation:** Confirm the Treasurer has established the dedicated Park Board Fund and that any trailing revenues from BPRD are deposited there.

Phase 2: Administrative and Staffing Setup (Months 3-6)

This phase builds the internal capacity to manage the parks.

- **Finalize Staffing Plan:** Adopt the job descriptions for the Park Board's Park Manager and Park Maintenance Technician.
- **Equipment Acquisition:** Identify and purchase essential maintenance equipment. The 2026 preliminary budget includes the sale and purchase of equipment like pickups, trailer, and lawn mowers through the Highway Department, which may be shared with the Park Board.
- **NDIRF Enrollment:** Complete the comprehensive liability and hazard survey for all county park sites to ensure uninterrupted insurance coverage.
- **Service Contract RFPs:** Issue bids for specialized services that the county may not yet have the capacity to perform, such as septic pumping for vault toilets or large-scale mowing.

Phase 3: Operational Transition and Site Management (Months 6-9)

This phase involves the physical takeover of the properties.

- **Lease/Permit Transfer:** Work with the USACE to ensure all management permits for Kimball Bottoms and other federal-interfaced lands include the Burleigh County Park Board.
- **Facility Safety Audit:** Conduct a baseline inspection of all docks, ramps, and playground equipment to establish a prioritized maintenance schedule.

Phase 4: Long-term Strategic Planning (Months 9-12+)

The final phase looks toward the sustainable future of the Burleigh County Park Board.

- **Mill Levy Evaluation:** Based on actual operational data from the first six months, determine the necessary mill levy for the 2027 fiscal year to maintain service levels without relying on reserves.
- **Master Plan Update:** Re-evaluate the 2017 Missouri Valley Complex Master Plan to ensure it aligns with the county's independent vision.
- **Establish Grant Application Schedule:** Establish a recurring schedule for applying for state grants, such as the North Dakota Park District Facility Renovation Grant, and available federal grants.
- **Community Engagement:** Initiate a regular series of public forums to solicit input on the direction of the county parks, ensuring the lay members act as a conduit for resident feedback.

Inter-Departmental and Inter-Agency Cooperation

The success of a standalone county park board in a region with a lean administrative tradition relies heavily on cooperation. The reorganization should not seek to replicate BPRD's urban model but rather to forge a "Burleigh Model" that utilizes existing county strengths.

The Role of the Water Resource District

The Burleigh County Water Resource District (BCWRD) is a crucial partner. Its jurisdictional boundaries match those of the county, and it already possesses regulatory authority over dams and watercourses. At McDowell Dam, the BCWRD has been the lead agency for major projects like the supplemental water supply from Apple Creek. The Park District should view the BCWRD not just as a landlord at McDowell Dam, but as a technical partner for all water-based recreation sites.

Cooperation with the Highway Department

The Burleigh County Highway Department has similar equipment and personnel needs as the Burleigh County Park Board. The Highway Department's role in addressing Apple Creek erosion near Sibley Drive demonstrates its capacity for emergency infrastructure repair. By formalizing a relationship where the Highway Department provides heavy equipment and engineering expertise for park roads and boat ramps, Burleigh County can utilize its existing resources without creating an additional financial burden on its taxpayers.

Law Enforcement and the Sheriff's Office

With the cessation of BPRD enforcement, the Burleigh County Sheriff's Department is the law enforcement agency with enforcement jurisdiction within Burleigh County parks. The Burleigh County Sheriff should consider a dedicated "Parks Patrol" during peak season, particularly to manage the OHV activity at Kimball Bottoms. This requires a clear understanding of the park ordinances and the police powers granted under NDCC 11-28.1-01.

The Future of the Missouri Valley Complex

The Missouri Valley Complex serves as the headquarters for several county functions and remains a focal point of the reorganization. The recent decision to approve the management of community gardens for 2026 as requested by the county suggests that this site will remain a hub of public-private partnership.

The master planning committee for this complex includes representatives from the County Commission, the County Park Board, and BPRD leadership, alongside stakeholders like the ND Game and Fish and the Junior/High School Rodeo. As the reorganization progresses, the

county must ensure that these partnerships are preserved, even as the administrative lead shifts. The ongoing discussion regarding special assessments for Midwest Drive highlights the complexities of urban infrastructure development at the edge of the county's jurisdiction.

Strategic Insights into Regional Recreation Trends

The decision to reorganize occurs at a time of shifting recreational preferences. Data from McDowell Dam indicates a significant increase in vehicle traffic, with over 58,000 vehicles entering in 2020. This surge in outdoor activity, likely spurred by post-pandemic shifts in leisure behavior, places additional strain on primitive county facilities that were not designed for high-frequency use.

The "Desert" (Kimball Bottoms) similarly faces pressures from specialized recreation like OHV use. The county's ability to manage these high-impact uses through zoning, ordinances, and physical site improvements will determine the long-term viability of these areas. The feasibility study for Kimball Bottoms discussed in late 2025 will be a foundational document for the new Park Board as they balance access with environmental stewardship.

Conclusion: A Vision for an Autonomous Burleigh County Park Board

The transition of the Burleigh County parks from a city-managed adjunct to an independent county entity is a complex but necessary undertaking. By adhering to the statutory requirements of NDCC 11-28, the county ensures a governance structure that is both legally sound and democratically accountable. The use of reserve funds in the 2026 budget provides a fiscal cushion, allowing the board to build its administrative and maintenance capacity without immediate tax increases.

The reorganization plan outlined here provides a roadmap for the Commission to navigate the legal, financial, and operational challenges of this transition. By focusing on its unique river-based assets, leveraging the strengths of existing county departments like the Highway

Department and Water Resource Districts, and establishing clear, enforceable ordinances, Burleigh County can create a park system that serves as a vital resource for its citizens. The move toward autonomy is not just a separation from the city district but an opportunity to refine and elevate the county's commitment to its rural heritage and the natural beauty of the Missouri River valley.

This reorganization marks the beginning of a new chapter in Burleigh County governance—one where the stewardship of public lands is held directly by those elected to lead the county, supported by a professional staff and a dedicated citizenry. The success of this model will serve as a testament to the county's ability to adapt to changing administrative realities while maintaining its core values of fiscal responsibility and service to the public. Through the careful execution of this plan, the Burleigh County Park Board is poised to become a premier example of modern, effective county-level park management in the state of North Dakota.

Addenda item for September 10, 2026 Meeting

Action Requested

Review the updated Burleigh County Park Board Reorganization document and resolution

Description:

States Attorney Lawyer reviewed the proposed document and made minor adjustments where needed.
We are following Century Code and maintaining the name of the organization as Park Board.

Action needed:

Move to approve the proposed Resolution in the packet