



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



## Burleigh County Commission Meeting Agenda

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

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

**March 16<sup>th</sup>, 2026**

**5:00 P.M.**

*Invocation and Pledge of Allegiance presented by Chaplain.*

### COUNTY PARK BOARD

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of February 17<sup>th</sup>, 2026, meeting minutes. (Page 4)
5. **PUBLIC COMMENT.** Restricted to Burleigh County residents and landowners.
6. Commissioner Munson:
  - a. Consideration of mowing quotes.
  - b. Long range plan for the Park Board.
  - c. Transfer pickup from the Highway Department to the Park Board.

### COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of March 2, 2026, meeting minutes and bills. (Page 12)
5. **PUBLIC COMMENT.** *Restricted to Burleigh County residents and landowners.*
6. Consent Agenda:(Page 15)
  - a. Abatements.
  - b. Special event permits.
7. Commissioner Bakken:
  - a. AgeWell Center presentation.
8. **PUBLIC HEARING** on Off Highway Vehicle ordinance and Resolution. (Page 23)
9. Northern Plains Heritage Foundation:
  - a. 2026 4<sup>th</sup> of July Celebration.

10. Sheriff Leben: (Page 39)
  - a. AmVets Post #9 donation.
11. County Engineer Schriock: (Page 41)
  - a. Purchase agreement for pickup.
12. Commissioner Munson: (Page 50)
  - a. Missouri Valley Complex Planning and permitting authority discussion.
  - b. Consideration of MVC mowing quotes.
13. Commissioner Schwab: (Page 56)
  - a. Garrison Diversion discussion.
14. Other Business.
15. Adjourn.

The next regularly scheduled Commission meeting will be on April 6, 2026.

*Mark Splonskowski*  
Burleigh County Auditor

**COUNTY  
PARK  
BOARD**

**BURLEIGH COUNTY PARK BOARD  
MEETING MINUTES  
FEBRUARY 17<sup>th</sup>, 2026**

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

Chairman Bitner called the Burleigh County Park Board meeting to order.

Rollcall of the members: Commissioners Steve Bakken, Errol Behm, Jeffery Herman, Wayne Munson, Steve Schwab, Jerry Woodcox, and Chairman Brian Bitner were present.

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the agenda. Commissioners Bakken, Behm, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Chairman Bitner opened the meeting to public comment.

- No comment was heard.

Chairman Bitner closed the public comment segment.

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the February 17<sup>th</sup>, 2026 meeting minutes. Commissioners Bakken, Behm, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the grant agreement with the North Dakota Game and Fish Department. Commissioners Bakken, Behm, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the Park Maintenance Technician job description and to advertise the position. Commissioners Bakken, Behm, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

No other business was presented.

Meeting adjourned.

**5:18 PM**

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Mark Splonskowski, Auditor

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Brian Bitner, Chairman

<b>MVC Mowing County Parks Mowing</b>			
<b>Elite Lawn Care</b>	<i>Monthly</i>	3,900.00	
	<i>Seasonal</i>	19,500.00	
<b>Lang's Lawn Care</b>	<i>Monthly</i>	11,475.00	
	<i>Seasonal</i>	57,375.00	
<b>Knockout Land Management LLC</b>	<i>Monthly</i>	9,000.00	
	<i>Seasonal</i>	45,000.00	
<b>Elite Lawn Care</b>	<i>Monthly</i>		3,300.00
	<i>Seasonal</i>		16,500.00
<b>Lang's Lawn Care</b>	<i>Monthly</i>		3,162.50
	<i>Seasonal</i>		15,827.50
<b>Bis-Man Outdoor Servies</b>	<i>Monthly</i>		2,928.60
	<i>Seasonal</i>		14,643.00

Addenda item for March, 16 2026 Meeting

Action Requested:

Burleigh County Parks and Recreation is in need to acquire a vehicle for the purposes of maintaining park property. The County Highway Department has an excess vehicle that can be sold to the Park Department.

Description:

2017 Chevy crew cab – unit #10-13 which is a ½ Ton

Mileage is roughly 160,000

KBB Purchase price \$9,690.

The Kelly Blue Book evaluation is attached

Action needed: Move to approve the transfer of the 2017 Chevy Crew Cab pick up from the Highway Department to the Park District. The finances will be addressed by renting the pick up at \$500/month with those payments being applied to the purchase price with a balloon payment of \$5,190 in January of 2027.

In order to make the rent payments in 2026, we will need to utilize money from all 6 individual park budgets as well as the Missouri Valley Complex budget. The 2027 ballon payment will need to be budgeted for.



# 2017 Chevrolet Silverado 1500 Crew Cab Pricing Report

Style: LT Pickup 4D 5 3/4 ft

Mileage: 161,000

KBB.com Consumer Rating: 4.3/5

## Vehicle Highlights

Fuel Economy: City 16/Hwy 22/Comb 18 MPG

Engine: V8, EcoTec3, 5.3 Liter

Transmission: Auto, 6-Spd HD Overdrive

Drivetrain: 4WD

Country of Assembly: United States

Country of Origin: United States

EPA Class: Standard Pickup Trucks

Max Seating: 6

Doors: 4

Body Style: Pickup

## Sell to Private Party

Private Party Range <b>\$8,790 - \$10,590</b>
Private Party Value <b>\$9,690</b>



Valid for ZIP code 58503 through 02/19/2026

# Your Configured Options

Our pre-selected options, based on typical equipment for this car.

✓ Options that you added while configuring this car.

## Exterior Color

✓ White

## Engine

V8, EcoTec3, 5.3 Liter

## Transmission

Auto, 6-Spd HD Overdrive

## Drivetrain

4WD

## Braking and Traction

Hill Start Assist Control

Traction Control

StabiliTrak

ABS (4-Wheel)

## Comfort and Convenience

Power Windows

Power Door Locks

Cruise Control

Power Tailgate Release

Keyless Entry

Air Conditioning

Keyless Start

Anti-Theft System

## Steering

Power Steering

Tilt Wheel

## Lighting

Daytime Running Lights

HID Headlamps

## Entertainment and Instrumentation

AM/FM/HD Radio

CD/MP3 (Single Disc)

SiriusXM Satellite

Bluetooth Wireless

OnStar

Navigation System

Premium Sound

## Safety and Security

Backup Camera

Dual Air Bags

F&R Head Curtain Air Bags

F&R Side Air Bags

## Wheels and Tires

Alloy Wheels

## Seats

✓ Power Seat

✓ Heated Seats

## Exterior

Fog Lights

## Cargo and Towing

Towing Pkg

## Accessory Packages

✓ All Star Edition

# Glossary of Terms

**Kelley Blue Book® Trade-In Value** - This is the amount you can expect to receive when you trade in your car to a dealer. This value is determined based on the style, condition, mileage and options indicated.

**Trade-In Range** - The Trade-In Range is Kelley Blue Book's estimate of what you can reasonably expect to receive this week based on the style, condition, mileage and options of your vehicle when you trade it in to a dealer. However, every dealer is different and values are not guaranteed.

**Kelley Blue Book® Private Party Value** - This is the starting point for negotiation of a used-car sale between a private buyer and seller. This is an "as is" value that does not include any warranties. The final price depends on the car's actual condition and local market factors.

**Private Party Range** - The Private Party Range is Kelley Blue Book's estimate of what you can reasonably expect to receive this week for a vehicle with stated mileage in the selected condition and configured with your selected options, excluding taxes, title and fees when selling to a private party.

**Excellent Condition** - 3% of all cars we value. This car looks new and is in excellent mechanical condition. It has never had paint or bodywork and has an interior and body free of wear and visible defects. The car is rust-free and does not need reconditioning. Its clean engine compartment is free of fluid leaks. It also has a clean title history, has complete and verifiable service records and will pass safety and smog inspection.

**Very Good Condition** - 23% of all cars we value. This car has minor wear or visible defects on the body and interior but is in excellent mechanical condition, requiring only minimal reconditioning. It has little to no paint and bodywork and is free of rust. Its clean engine compartment is free of fluid leaks. The tires match and have 75% or more of tread. It also has a clean title history, with most service records available, and will pass safety and smog inspection.

**Good Condition** - 54% of all cars we value. This car is free of major mechanical problems but may need some reconditioning. Its paint and bodywork may require minor touch-ups, with repairable cosmetic defects, and its engine compartment may have minor leaks. There are minor body scratches or dings and minor interior blemishes, but no rust. The tires match and have 50% or more of tread. It also has a clean title history, with some service records available, and will pass safety and smog inspection.

**Fair Condition** - 18% of all cars we value. This car has some mechanical or cosmetic defects and needs servicing, but is still in safe running condition and has a clean title history. The paint, body and/or interior may need professional servicing. The tires may need replacing and there may be some repairable rust damage.

## Tip:

It's crucial to know your car's true condition when you sell it, so that you can price it appropriately. Consider having your mechanic give you an objective report.



**COUNTY**

**COMMISSION**

**BURLEIGH COUNTY COMMISSION  
MEETING MINUTES  
MARCH 2<sup>ND</sup>, 2026**

**5:00 PM**

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

Roll call of the members: Commissioners Wayne Munson, Steve Schwab, Jerry Woodcox, and Chairman Brian Bitner present. Commissioner Steve Bakken participated via Zoom.

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Schwab to approve the agenda with adding a discussion regarding a potential OHV ordinance or resolution under item 14. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Motion by Comm. Schwab, 2<sup>nd</sup> by Comm. Munson to approve the February 17<sup>th</sup>, 2026 meeting minutes and the bills. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Chairman Bitner opened the meeting to public comment.

- County Residents Jim Koch, Dennis Wetzel, and Curtis Jundt spoke.

Chairman Bitner closed the public comment segment.

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Woodcox to approve the Nichols & Alexis Faber, Thomas & Krystle Hansen, ND Long Term Care Assoc, Jared & Alison Sherven, Dorothy & Roger Thomas, Ryan Fettig, Thomas & Lori Leier, Central Station LLC, Bavendick Properties & Harley Swenson, Jeffrey Andahl, Christopher & Destiny Smith, Lavetta Fox, Arthur & Karla Whitley, Joyce Borgelt, Joel & Arlene Melarvie, Bernie Walery, Cary & Lori Allen, Viki Renken, Loann Fettig, Cynthia Welk abatements and the rest of the consent agenda in its entirety. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

University of Mary Executive Vice President Jerome Richter presented a preliminary bond resolution for a \$60,000,000 (Sixty-Million) Municipal Industrial Development Act (MIDA) bond for the University. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to schedule a public hearing for the MIDA bond on April 6<sup>th</sup> at 5:00PM in the Tom Baker Meeting Room at the next scheduled meeting. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Commissioner Woodcox discussed the funding related to the 250<sup>th</sup> Anniversary 4<sup>th</sup> of July Celebration. Motion by Comm. Woodcox, 2<sup>nd</sup> by Comm. Bakken to take the \$5,000 from both last year and this year's Community Involvement Fund along with \$30,000 from the General Fund for a total of \$40,000 for the 250<sup>th</sup> Anniversary. After discussion, the Comm. Woodcox rescinded his motion as well as Comm. Bakken rescinding his 2<sup>nd</sup>.

The consensus among the Commission was to move forward with the using the \$40,000 from the County for the project and applying for a grant to offset the County's expense to assist with the project. Chairman Bitner requested this item be on the agenda for the next meeting.

County Sherrif Kelly Leban presented a request for a salary variance for the starting salary for the Jail Nurse – RN position. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Woodcox to authorize the proper County officials to authorize the variance to Burleigh County Policy Chapter 2 Section 10 – Starting Salary for the Jail Nurse – RN position. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Planning Director Mitch Flannagan requested the approval of the Kummer Ranch Subdivision Final Plat. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the Kummer Ranch Subdivision Final Plat. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Engineer Dan Schriock presented a request for the Commission to declare a Resolution of Necessity for the Ponderosa Riverside Village Subdivision's special assessment district (SAD #78) and call for a public hearing. Motion by Comm Munson, 2<sup>nd</sup> by Comm. Bakken to approve the Resolution of Necessity for the Ponderosa Riverside Village Subdivision's special assessment district (SAD #78) and call for a public hearing on April 6<sup>th</sup>, 2026. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Auditor Mark Splonskowski presented an update on the 2026 Primary Election and Poll Worker recruitment. He said that the County already has 146 Election Volunteers and there are 260 to 280 that are needed.

Chairman Bitner presented a draft amendment to the County Public Comment Policy. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to approve the draft amendment to the County Public Comment Policy. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Chairman Bitner presented an update to the County Administrator position. Chair Bitner stated that there are five candidates for the position of which three are internal. He stated that they are going to assign an interview panel outside of Burleigh County employees to conduct interviews for the candidates. Discussion was had to have a non-voting member of the Commission sit in on the interviews. A consensus was had to move forward with the process.

Chairman Bitner started a discussion on the Off-Highway Vehicle (OHV) ordinance and resolution. Sherrif Leben presented a recap of a meeting he had with Commissioner Munson and several OHV dealers from the area on OHVs. The Commission directed the Sherrif to work with the North Dakota Parks & Recreation Department on a reimbursement program for adding enforcement for OHV safety. Chair Bitner read Ordinance Number 2601 which is an ordinance to amend and reenact ordinance 23-1 amended ordinance of Burleigh County, North Dakota relating to the operation of all terrain or off-road vehicles. He also read Resolution Number 0020260 which is a resolution of the Board of County Commissioners, Burleigh County, North Dakota, a moratorium on the use and operation of OHVs. Chair Bitner stated that the next step is to schedule a public hearing on the subject. Recreation Division Chief Tony Hillig with North Dakota Parks & Recreation spoke on the subject. County Residents Brian Fettig, Austin Dukart, Debbie Staloch, Valerie Jundt, Douglas Pearson, Lanny Kenner, Darin Schill, and Non-County Resident Steve Pletan. Chairman

Bitner stated that there will be a public hearing on the Off-Highway Vehicle Ordinance and Resolution at the next regularly scheduled Commission meeting.

No other business was heard.

Meeting Adjourned.

**7:51 PM**

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Mark Splonskowski,  
County Auditor

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Brian Bitner,  
Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type		Current MV	Reduced MV
25-566	Theresa Ebertz	2025	L4, Blk 7, Fort Lincoln Estates #2	80%	Disabled Veteran	\$233,200	\$73,200
25-573	Jonel Linder	2024	L1A of L1, Blk 4, Lincoln School	50%	Disabled Veteran	\$259,800	\$159,800
25-574	Jonel Linder	2025	L1A of L1, Blk 4, Lincoln School	50%	Disabled Veteran	\$275,200	\$175,200
26-014	Lance Rambousek	2024	L20, Blk 1, Whispering Ridge		Market value less than current assessed value	\$1,044,400	\$950,000
26-015	Lance Rambousek	2025	L20, Blk 1, Whispering Ridge		Market value less than current assessed value	\$1,108,000	\$960,000
26-044	Todd Bailey	2024	L4, Blk 8, Fort Lincoln Est #2	70%	Disabled Veteran	\$226,400	\$100,400
26-045	Todd Bailey	2025	L4, Blk 8, Fort Lincoln Est #2	70%	Disabled Veteran	\$241,600	\$101,600
26-053	Cory Cavett	2025	L1, Blk 8, Wheatland Hills	70%	Disabled Veteran	\$39,800	\$169,800
26-091	Emmett & Doretta Taylor	2024	L4, Blk 2, Country West XII		Blind exemption	\$532,000	\$372,000
26-092	Emmett & Doretta Taylor	2025	L4, Blk 2, Country West XII		Blind exemption	\$493,800	\$333,800
26-093	Elk Ridge Addition Homeowners Assoc	2025	L49, Blk 3, Elk Ridge 3rd Addn		Error in property description	\$51,900	\$5,300
26-102	Jaden Pettit-Schmidt	2025	W3' of L3 & all L4, Blk 10, Marian Park 3rd	100%	Disabled Veteran	\$297,600	\$97,600
26-105	Larry & Deborah Ziegler	2025	L1 beg 993.54' E of common cor of sec N333.67' E331.05' S332.4' W331.18' to POB, Blk 0, 4K's	50%	Homestead Credit	\$540,200	\$440,200
26-106	Kim Wagner	2024	Unit A-3 & Garage GA-3, Maple Leaf Condos, L4-5, Blk 19, Register's 3rd	100%	Homestead Credit	\$105,300	\$52,650
26-107	Anthony & Alvina Splonskowski	2025	Lot 17, Block 10, Washington Heights 3rd	50%	Homestead Credit	\$291,200	\$191,200
26-108	Michael & Robin Addington	2025	L5, Blk 2, Country West XII Addn & L3, Blk 1, Country West XXXI Addn	50%	Homestead Credit	\$502,000	\$402,000
26-110	Wickum, Jackie	2026	1997 Schult 16' x 76' Serial #R276499	100%	Homestead Credit	\$36,675	\$0
26-111	Brandner, Shirley	2025	Sturgis Block 8 E 75' of lots 9-12	100%	Homestead Credit	\$227,800	\$27,800
26-112	Staiger, Bonnie	2025	Highland Acres Block: 14 Lot 38	50%	Homestead Credit	\$263,300	\$163,300
26-113	Forderer, Shannon & Willoughby, Darlene	2025	Register's 2nd Block: 15 Lot 1	100%	Homestead Credit	\$213,200	\$113,200
26-114	Yantzer, Carol A	2024	Replat Homan Acres Block: 13 Lot H of Lot 1 Washington Court Condominiums Building 215 Unit 3 & Garage 5	50%	Homestead Credit	\$115,400	\$57,700
26-115	Vannett, Kevin & Patricia	2025	East Hills Addition Replat Block: 2 Lots 2-4 Less S 179.10' & Lots 5-7 Hay Creek Condos Unit 7 Building 2	100%	Homestead Credit	\$251,700	\$51,700
26-116	Sutheimer, Melvin & Marilyn	2024	Boulder Ridge 1st Add Block 2 Lot 2 & undivided int. in common areas	50%	Homestead Credit	\$622,100	\$572,100
26-117	Sutheimer, Melvin & Marilyn	2025	Boulder Ridge 1st Add Block 2 Lot 2 & undivided int. in common areas	50%	Homestead Credit	\$678,800	\$628,800
26-118	Thompson, Krislyn Ann	2024	Sonnet Hgths Sub 3rd Replat Block: 1 Lot 3	50%	Homestead Credit	\$328,100	\$228,100
26-119	Thompson, Krislyn Ann	2025	Sonnet Hgths Sub 3rd Replat Block: 1 Lot 3	50%	Homestead Credit	\$346,100	\$246,100
26-120	Vetsch, Carlotta	2024	Sonnet Heights subdivision 4th replat Block: 1 Lot 7 LaSalle Acres homeowners Association inc unit 5 bldg 4	50%	Homestead Credit	\$168,700	\$84,350
26-121	Smith, Richard D & Mimi M	2025	Park hill (aud lots) Block: 2 West 50.9' of Auditors lot 2 less north 183' and South 1/2 of East 50.1' of Auditors Lot 3	50%	Homestead Credit	\$473,200	\$373,200
26-122	Ziman, Cynthia K	2024	North hills 6th block: 1 Lots 5-6 Less W 33.48' of said lots centennial condominium unit 105 & Garage G-32 & Parking Space P-25	50%	Homestead Credit	\$215,000	\$115,000
26-123	Vannett, Kevin & Patricia	2024	East Hills Addition Replat Block: 2 Lots 2-4 Less S 179.10' & Lots 5-7 Hay Creek Condos Unit 7 Building 2	100%	Homestead Credit	\$232,700	\$32,700
26-124	Bosworth, Cynthia K	2024	Richter's Subdivision Block: 10 Lot 11	50%	Homestead Credit	\$192,900	\$96,450
26-125	Bosworth, Cynthia K	2025	Richter's Subdivision Block: 10 Lot 11	50%	Homestead Credit	\$198,100	\$99,050
26-126	Follmer, Rande	2026	2019 Friendship 32 x 60 Serial #51642		Mobile home removed	\$5,504	\$0



**APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
 GAMING DIVISION  
 SFN 9338 (8-2025)

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

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

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

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

**ORGANIZATION INFO**

Name of Organization or Group <b>UTTC American Indian Science and Engr. Society</b>		Dates of Activity (Does not include dates for the sales of tickets) <b>3/17-3/18, 3/26/26</b>	
Organization or Group Contact Person [REDACTED]	E-mail [REDACTED]	Telephone Number 7 [REDACTED]	
Business Address <b>3315 University Dr</b>	City <b>Bismarck</b>	State <b>ND</b>	ZIP Code <b>58504</b>
Mailing Address (if different)	City	State	ZIP Code

**SITE INFO**

Site Name <b>United Tribes Technical College</b>	County <b>Burleigh</b>
Site Physical Address <b>3315 University Dr</b>	City <b>Bismarck</b>
	State <b>ND</b>
	ZIP Code <b>58504</b>

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)  
 Raffle **March 26, 2026 and March 17: 530 pm-12 am; March 18: 10-11 am, 2-3 pm, 6 pm-12 am**

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

Game Type	Description of Prize	Exact Retail Value of Prize
<b>50:50</b>	<b>1/2 the ticket sales (prize varies based on sales)- drawing during each event</b>	<b>+ - 200.00</b>
Total (limit \$50,000 per year)		\$

**ADDITIONAL REQUIRED INFORMATION**

Intended Uses of Gaming Proceeds  
**To support club meals and outreach events. Donated in the past as well. - STEM events for kids**

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

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

Has the organization or group received a local permit from any city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)  
 No       Yes - Total Retail Value: [REDACTED] (This amount is part of the total prize limit for \$50,000 per fiscal year)

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

Printed Name of Organization Group's Permit Organizer [REDACTED]	Telephone Number [REDACTED]	E-mail Address a [REDACTED]
Signature of Organization Group's Permit Organizer [REDACTED]	Title <b>Engineering Chair/Advisor and AISES Advisor</b>	Date <b>Mar 10, 2026</b>

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

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

**PRIZE RESTRICTIONS:**

A single cash prize cannot exceed \$15,000

The retail value of a merchandise prize cannot exceed \$15,000.

The total of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$50,000 per year.

If the value of the planned cash and merchandise prizes exceed \$50,000, the organization or group must reduce the prizes to this limit or a nonprofit corporation may apply for a state gaming license with the Office of Attorney General.

**LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:**

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

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

For a Restricted Event Permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$50,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is no a prize.



**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
 GAMING DIVISION  
 SFN 17926 (8-2025)

Permit Number

Permit Type (check one)  
 Local Permit       Restricted Event Permit\*  
 Games Authorized  
 Bingo     Raffle     Raffle Board     Calendar Raffle     Sports Pool     Poker\*     Twenty-One\*     Paddlewheels\*

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

**ORGANIZATION INFO**

Name of Organization or Group <b>UTTC American Indian Science and Engr. Society</b>		Dates Authorized (Read Instruction 2) <b>03/17/2026-03/18/2026 , 03/24/2026</b>	
Organization or Group Contact Person <b>[REDACTED]</b>	E-mail <b>[REDACTED]</b>	Telephone Number <b>[REDACTED]</b>	
Mailing Address <b>3315 University Dr</b>	City <b>Bismarck</b>	State <b>ND</b>	ZIP Code <b>58504</b>

**SITE INFO**

Site Name <b>United Tribes Technical College</b>		County <b>Burleigh</b>	
Site Address <b>3315 University Dr.</b>	City <b>Bismarck</b>	State <b>ND</b>	ZIP Code <b>58504</b>

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

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

**3/17/26 and 3/18/26 , 3/24/2026 - 50/50 Raffle - Fundraising Events**

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

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

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

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

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

**CITY OR COUNTY CONTACT PERSON**

Printed Name of City or County Official <b>Mark Splonskowski</b>	Title of City or County Official <b>Burleigh County Auditor</b>	Telephone Number <b>701-712-2887</b>	E-mail Address <b>msplonskowski@nd.gov</b>
Signature of City or County Official		Date	Issuing Governing Body <input type="checkbox"/> City <input type="checkbox"/> County

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

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

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

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

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

**INSTRUCTIONS:**

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

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
  - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
  - b. A local permit can be issued for one or more events per fiscal year.
  - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
  - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
  - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
  - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
  - g. A restricted event permit may be issued for only one event per year. if the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and send a copy within 14 days of issuance of the permit. However, all permits must be sent to the Gaming Division, no later than 7 days prior to the first event date by email to [agogaming@nd.gov](mailto:agogaming@nd.gov) or fax to (701) 328-3535.

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

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

All Items required for this Permit have been met.

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

**ITEM**

**# 8**

# PUBLIC HEARING

RESOLUTION 00-2026-01

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
COUNTY OF BURLEIGH, NORTH DAKOTA,  
MORATORIUM ON THE USE AND OPERATION OF OHV'S

WHEREAS, the Board of Commissioners of Burleigh County, ND has taken notice of the potential for damage to public rights of ways within the Burleigh County Road Systems from current OHV use.

WHEREAS, the Board of Commissioners of Burleigh County, ND finds it necessary to develop a framework for the evaluation and considerations for OHV use in order to protect the health, safety and general welfare of the citizens of Burleigh County.

WHEREAS, the Board of Commissioners of Burleigh County, ND finds it necessary to impose a moratorium on use of OHV's within the public rights of ways for the purpose of allowing the County adequate time to conduct research to develop and adopt standards as a guide for the development of said use within the ROW.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Burleigh County, ND that a moratorium on the use of OHV's within the public rights of ways is adopted, for the period of time necessary to develop and adopt minimum regulations, and that this resolution shall take effect upon recording and publication and be in effect until \_\_\_\_\_.

BE IT FURTHER RESOLVED the County Auditor is hereby authorized to file this resolution for record in the office of the County Recorder. Burleigh County, North Dakota.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

CERTIFICATE

I, \_\_\_\_\_, do hereby certify that I am the duly elected, qualified, and acting County Auditor of the County of Burleigh, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted by the Board of County Commissioners at its regular meeting of \_\_\_\_\_ 2026.

IN WITNESS WHEREOF, have hereunto set my hand and the seal of the County of Burleigh, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mark Splonskowski County Auditor, Burleigh County, North Dakota

**AN ORDINANCE TO AMEND AND RE-ENACT ORDINANCE 23-1 AMENDED ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA RELATING TO OPERATION OF ALL-TERRAIN OR OFF HIGHWAY VEHICLES IN A PUBLIC RIGHTS OF WAYS.**

**NOW THEREFORE , BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA.**

**SECTION 1. General Provisions**

1. Burleigh County Home Rule Charter allows for the creation of an ordinance which provides for the safe operation of all-terrain or off highway vehicles while traveling on all rights of ways of public roads.

**SECTION 2. Purpose.**

1. The purpose of this Ordinance is to control and regulate the use of registered off-highway vehicle in the road right-of-way within Burleigh County, to ensure the integrity of, and appropriate use of, said right-of-ways, and to promote the general health, safety, and welfare of the citizens of Burleigh County.

**SECTION 3. Definitions.**

1. "*Exhibition driving*" means: driving a vehicle in a manner which disturbs the peace by creating or causing unnecessary engine noise, tire squeal, skid, or slide upon acceleration or braking; or driving and executing or attempting one or a series of unnecessarily abrupt turns; or jumping of ditches.
2. "*Jumping of ditches*" means: accelerating a vehicle at such speeds as to cause one or more of the vehicle's tires to leave the ground.
3. "*Off-highway vehicle*" means: Any motorized vehicle not designed for use on a highway and capable of cross-country travel on land, snow, ice, marsh, swampland, or other natural terrain. The term includes a motorized vehicle converted to operate on snow. The term does not include an electric bicycle. An off-highway vehicle must be classified into one of the following categories:
  - a. Class I off-highway vehicle is a vehicle that does not qualify as road capable Under NDCC Chapters 39-21 and 39-27, has a seat or a saddle designed to be straddled by the operator, and has handlebars for steering control of two wheels.
  - b. Class II off-highway vehicle is fifty inches [1270.00 millimeters] or less in width, weighs one thousand two hundred pounds [544.31 kilograms] or less, and travels on three or more nonhighway tires; or is sixty-five inches [1651

millimeters] or less in width, weighs two thousand pounds [907.19 kilograms] or less, and travels on four or more nonhighway tires.

- c. Class III off-highway vehicle weighs less than eight thousand pounds [3628.74 kilograms]; travels on skis, runners, tracks, or four or more tires; has a seat; has a wheel, handlebars, or steering for steering control; and is designated for or capable of cross-country on or over land, water, sand, snow, ice, marsh, swampland, or other natural terrain, but does not include a vehicle registered by the North Dakota DMV under chapter 39-04 or 39-24.
- d. Only an OHV with a minimum width of 50 inches meeting the requirements of this Section may be operated on Burleigh County Roads. No other class of OHV's are allowed to operate upon any road, street or highway in this County kept open for vehicular traffic.

4. "Road Right-of-Way" means: land, property, or any interest therein, acquired by a governing entity for or devoted to road purposes and includes approaches or driveways into private property.

#### **SECTION 4. Operation of Off Highway Vehicles in Right of Way**

1. No person may engage in exhibition driving of any vehicle in the road right-of-way.
2. Exceptions are granted for OHVs operated by government employees when in the performance of official government business, including:
  - a. in normal operations of a property owner, business or agricultural activity would be exempt
3. An individual may not operate an OHV on the shoulder, bottom of ditch or slope of any road, street, or highway.
4. Licensed driver over 16 years of age may operate a registered OHV on a paved highway designated and posted at a speed not exceeding 65, miles per hour. An individual may not operate an OHV on a paved highway if the OHV is unable to attain a speed, on a paved level surface, of at least 25 miles per hour.
5. The operator of an OHV may make a direct crossing of a street or road only if:
  - a. The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.
  - b. The OHV is brought to a complete stop before crossing the shoulder or main traveled way of the highway.
  - c. The operator yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
6. An individual may not operate an OHV in the following ways, which

ORDINANCE NO. 26-01

are declared to be unsafe and a public nuisance:

- a. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage to another person or the property of another person.
- b. While under the influence of intoxicating liquor or a controlled substance.
- c. Without a manufacturer-installed or equivalent muffler in good working order and connected to the OHV's exhaust system.
- d. On any private land where the private land is posted prohibiting trespassing. The name and address of the person posting the land and the date of posting must appear on each sign in legible characters. The posted signs must be readable from outside the land and be placed conspicuously at a distance of not more than 880 yards apart. Land entirely enclosed by a fence or other enclosure is sufficiently posted by posting of these signs at or on all gates through the fence or enclosure.
- b. An individual may not operate an OHV without having in possession a valid driver's license.
- c. When an OHV is operated within the right-of-way of any road, street, or highway, headlamps and tail lamps must always be on.
- d. An individual may not operate an OHV within the right-of-way of any highway while towing a trailer, unless the trailer being towed is connected to the OHV by a secure hitch.
- e. An individual under the age of 18 years may not operate, ride, or otherwise be propelled on an OHV unless the person wears a safety helmet meeting United States Department of Transportation standards.
- f. An operator of an OHV may not carry a passenger while operating the vehicle unless the OHV is equipped and recommended by the manufacturer to carry a passenger and the passenger is carried as recommended by the manufacturer.
- g. Any occupant must, while wearing the safety belt, be able to set their feet flat on the floor of the OHV and be able to simultaneously touch the grab bar attached to the roll cage, or in the alternative the occupant who weighs at least 40 pounds may wear a 4- or 5-point harness installed according to manufacturer's instructions.

7. Only peace officers of this state and their respective duly authorized representatives may enforce this chapter.
8. A person who violates subsection a, b or d of paragraph 6 of this section is guilty of an offense. Any person who violates any other provision of this section shall be assessed a fee of fifty dollars.

### **Section 5. OHV Equipment**

1. To operate a Class III OHV on County roads or streets, the OHV must be equipped with all of the following.
  - a. one mirror on the driver side and one mirror on the passenger side.
  - b. a horn.
  - c. a speedometer.
  - d. two tail/brake lights.
  - e. two headlights.
  - f. a motor of at least 550 cubic centimeters.
  - g. a factory installed roll cage.
  - h. turn signals on the front and rear of the vehicle.
  - i. factory installed suspension.
  - j. a metal license plate centered on the rear of the vehicle, with a license plate light; and
  - k. safety belts for the driver and all occupants that are properly adjusted and fastened while in motion.
2. To operate a Class II OHV on County roads or streets, the OHV must be equipped with all of the following.
  - a. one mirror on the driver side
  - b. a horn.
  - c. a speedometer.
  - d. single tail/single brake lights.
  - e. single headlight.
  - f. a motor of at least 550 cubic centimeters.
  - g. factory installed suspension.
  - h. license plate sticker or hard plate centered on the rear of the vehicle,
  - i. safety belts for the driver and all occupants that are properly adjusted and fastened while in motion.
3. ~~Both~~ headlights and taillights must be on at all times while the vehicle is in operation. No auxiliary lights may be turned on while the vehicle is in Operation.

4. If the vehicle is being operated with tracks, they must be made of rubber or similar material. No metal can come in contact with the street surface while the vehicle is in motion.

**Section 6. Operation by Persons Under Age 16.**

1. An individual must be aged 16 or over and have in their possession a valid driver's license to operate an OHV on or in any County right-of-way.

**Section 7. Electric Personal Assistive Mobility Device.**

“Electric personal assistive mobility device” means a self-balancing device with two non-tandem wheels designed to transport not more than one person and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less. Electric personal assistive mobility devices are not classified as motor vehicles for the purposes of this section.

1. A person may operate an electric personal assistive mobility device on public sidewalks.
2. An electric personal assistive mobility device may not be operated on the trail system except for devices operated by the mobility impaired or operated by peace officers, emergency personnel, maintenance personnel or special event personnel in the performance of their official duties.
3. An electric personal assistive mobility device may be operated on a roadway only:
  - a. while making a direct crossing of a roadway in a marked or unmarked crosswalk.
  - b. where no sidewalk is available, and the posted speed on the roadway is 25 mph or less.
  - c. where the sidewalk is so obstructed as to prevent safe use.
  - d. when directed by a traffic control device or by a peace officer.
  - e. temporarily in order to gain access to a motor vehicle; or
  - f. when operated by an on-duty peace officer in an emergency situation.
4. An electric personal assistive mobility device may not be operated at any time while carrying more than one person.
5. A person operating an electrical personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times.
6. Every electric personal assistive mobility device when in use at nighttime must be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear. A lamp emitting a red light visible from a distance of five

hundred feet to the rear may be used in addition to the red reflector. This section may be satisfied if the operator of the electric personal assistive mobility device wears a headlight and reflectors on their person.

- 7. An electric personal assistive mobility device must be equipped with a braking system that when employed will enable the operator to bring the device to a controlled stop.
- 8. A person under 18 years of age must wear a helmet when operating an electric personal assistive mobility device.
- 9. Every person operating an electric personal assistive mobility device must be aware of existing conditions and potential hazards on the sidewalk and must exercise due care in operating the device.
- 10. A violation of this section is an infraction.

**SECTION 8. Penalty for Offenses While Operating in Right of Way.**

- 1. Any person who violates this ordinance must be assessed a fee of fifty dollars.

**SECTION 9. Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 10. Severability Clause.** If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 11. When Effective.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

First Reading Passed: \_\_\_\_\_

Second Reading Passed: \_\_\_\_\_

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Brian Bitner , Chairperson

ATTEST:

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Mark Splonskowski, County Auditor

DRAFT



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



**MEMO**

**Contact:** Daniel Schriock, PE  
County Engineer

**March 11, 2026**

**RE: OHV Ditch Repairs**

Attached are maps and calculations used for the estimated costs/mile of repairs.

The following criteria was used with calculating the repair costs:

One side of roadway

Assume 8 feet width

Till and prep ditch bed using a subgrade prep item.

4" of topsoil would be imported, placed, and prepped

Seeding, Mulch, and Erosion Control Rolls Installed.

These costs do not include any asphalt approach damages, gravel approach losses, or culvert repairs.

Average ditch regrading and drainage improvements can be accomplished with this approach.

Major ditch repairs would require more extensive work.

TOWNSHIP	ROAD	MILES
APPLE CREEK	52ND ST SE	1.28
APPLE CREEK	62ND AVE SE	1.00
APPLE CREEK	66TH ST SE	5.50
APPLE CREEK	HWY 10	0.83
APPLE CREEK	LINCOLN RD	0.50
BURNT CREEK	26TH ST NE	2.00
BURNT CREEK	41ST ST NE	1.01
BURNT CREEK	84TH AVE NE	0.64
BURNT CREEK	97TH AVE NE	2.00
BURNT CREEK	N WASHINGTON ST	0.61
FORT RICE	DESERT RD	1.96
GIBBS	17TH AVE NE	0.99
GIBBS	52ND ST NE	1.56
GIBBS	66TH ST NE	1.00
GIBBS	71ST AVE NE	0.99
GIBBS	HWY 10	0.83
HAY CREEK	26TH ST NE	1.01
HAY CREEK	41ST ST NE	1.00
HAY CREEK	52ND ST NE	1.56
HAY CREEK	71ST AVE NE	2.99
HAY CREEK	84TH AVE NE	0.64
HAY CREEK	BURNT CREEK LOOP	2.13
HAY CREEK	CENTENNIAL RD	2.71
HAY CREEK	N WASHINGTON ST	1.01
LINCOLN	12TH ST SE	1.00
LINCOLN	52ND ST SE	1.28
LINCOLN	S WASHINGTON ST	0.31
LINCOLN	SIBLEY DR	0.73
RIVERVIEW	DOUBLE DITCH LOOP	0.35

<b>Total</b>
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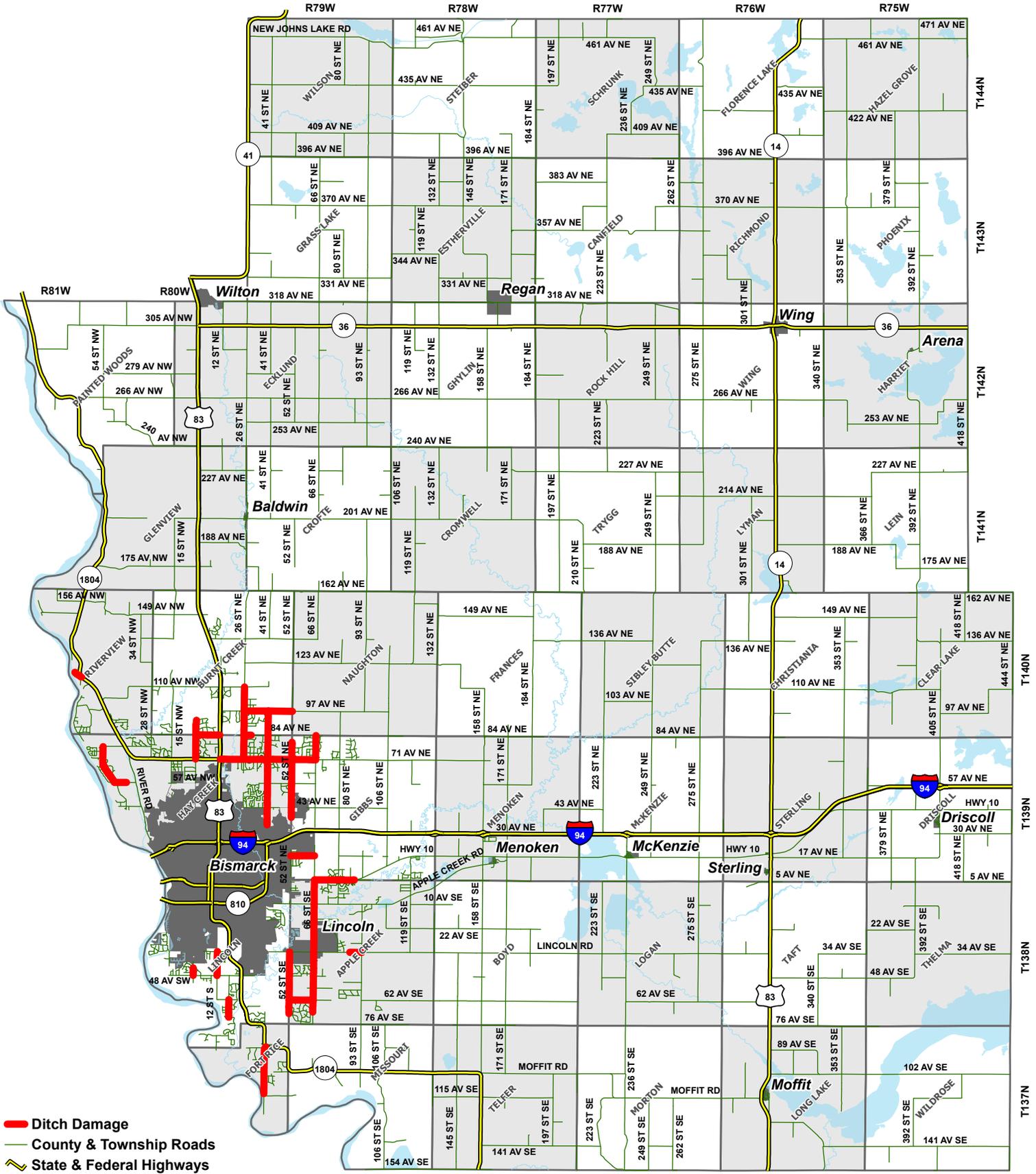
<b>39.43</b>
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*The miles along roads adjacent to 2 townships were split in half between the 2 townships. Inspection did not mar*

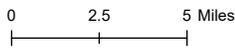
*side of road or if both sides of the road.*



# BURLEIGH COUNTY, NORTH DAKOTA OFF-HIGHWAY VEHICLE (OHV) DITCH DAMAGE



- Ditch Damage
- County & Township Roads
- State & Federal Highways
- Civil Townships
- Cities and Townsites
- Water Bodies



Length = 66,321  
Width = 25  
Depth = 0.167  
Area = 181,793

Tack = 9,089.7  
CRS2P = 69,081.4  
CL 41 = 2,272.4  
Fog Seal = 21,815.2

8822  
17644  
1.620202

Approach = 0  
1,637 0.256222  
1,214 0.190014  
Total = 181,793 950 0.148693  
2,218 0.347159  
CY = 10100 370 0.057912  
6,389

Asphalt = 20199.2

PG 58S-28 = 1211.95

Length = 7,392  
Width = 22  
Depth = 0.333  
Area = 18,069

Scratch = 6,002 Gal  
181 Ton

Length = 7,392  
Width = 25  
Depth = 0.333  
Area = 20,533

Approach = 0  
Total = 18,069

Approach = 501  
Total = 21,034

Length = 12,514  
Width = 22  
Depth = 0.333  
Area = 30,590

Scratch = 10,160 Gal  
306 Ton

Length = 12,514  
Width = 25  
Depth = 0.333  
Area = 34,761

Approach = 0  
Total = 30,590

Approach = 228  
Total = 34,989

Wearing =	8,733	Gal	Total =	14,735
	263	Ton	Total =	444

Wearing =	14,527	Gal	Total =	24,687
	437	Ton	Total =	743

Average Cost per Mile to Repair OHV Damage (one side only)						
Spec	Code	Description	Unit	Quantity	Unit Cost	Total
203	0119	Topsoil-Imported	CY	521.5	\$41.15	\$21,458.96
230	0310	Subgrade Preparation-Type B	Sta	52.8	\$360.00	\$19,008.00
251	0200	Seeding Class II	Acre	0.97	\$640.00	\$620.61
253	0101	Straw Mulch	Acre	0.97	\$630.00	\$610.91
261	0112	Fiber Rolls	LF	158.4	\$2.95	\$467.28
<b>Total =</b>						<b>\$42,165.76</b>

Estimate of costs: prices are based off NDDOT average contractor prices

**\$42,165.76/Mile**

Approximately 40 miles have been observed and inspected to date. Much of this area is in the closer proximity to City limits of Bismarck.

The thought behind the repairs are as follows:

One side of roadway

Assume 8 feet width

Till and prep ditch bed

4" of topsoil would be imported, placed, and prepped

Seeding, Mulch, and Erosion Control Rolls Installed.

These costs do not include any asphalt approach damages, gravel approach losses, or culvert repairs.

Average ditch regrading and drainage improvements can be accomplished with this approach. Major ditch repairs would require more work.

**ITEM**

**# 10**



# BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN  
SHERIFF

## Request for County Commission Action

**Date:** March 11, 2026

**To:** Mark Splonskowski  
Burleigh County Auditor

**From:** Kelly Leben *Kelly Leben*  
Burleigh County Sheriff

**Re:** Bismarck AmVets Post #9 Cash Donation

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

**Action Requested:**

Authorize the Burleigh County Sheriff's Department to accept a cash donation from Bismarck AmVets Post #9.

**Background:**

The Burleigh County Sheriff's Department has a fleet of drones for use in law enforcement operations. These drones are also used to assist other government entities in obtaining aerial observation intelligence for government operations. The department is reaching a point where drones need updating and replacing.

**Recommendation:**

It is recommended that the County Commission authorize proper county officials to receive the donation.

**Proposed Resolution:**

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to accept the donation between Burleigh County and Bismarck AmVets Post #9.

**COURTHOUSE**

514 E. Thayer • PO Box 1416  
Bismarck, ND 58502-1416

P 701-222-6651 • F 701-221-6899

[www.facebook.com/BurleighCountySheriffsDepartment](http://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

039

**ITEM**

**# 11**



## Request for County Board Action

**DATE:** March 11, 2026

**TO:** Mark Splonskowski  
County Auditor

**FROM:** Daniel Schriock  
County Engineer

**RE:** Purchase Agreement & Payment

Please include the following item in Burleigh County Board packet.

### ACTION REQUESTED:

Authorize the proper County officials to accept the purchase agreement with Ryder Vehicle Sales for two used trucks and make proper payment arrangements:  
2019 Freightliner Cascadia 125 VEH-861304  
2019 Freightliner Cascadia 125 VEH-864087

Total purchase of \$76,648.00

### BACKGROUND:

During the development of the 2026 Highway Department Budget, the Highway Department set aside \$160,000 to replace two of our existing high mileage gravel hauling trucks. These trucks were replaced in January 2026. With the remaining trucks scheduled to be replaced in the 2027 budget.

Recently it was found that one of our remaining older gravel hauling trucks is in need of a major repair. This repair is estimated to cost similar to what the truck would be expected to sell on auction. We are proposing replacing this vehicle out of the 2026 budget instead of the original plan of 2027. After shopping around, we were offered a 2 truck purchase deal with Ryder Vehicle sales. Since the purchase of these 2 trucks would put us over budget on Trucks for the year we intend to use the money saved from the previous truck purchase (approximately \$50,000) and some of the money saved on our motor grader bids to cover the overage on the truck purchase (approximately \$26,648.00).

The units being replaced are a 2007 Freightliner (Unit #12-82 590,000 miles), and a 2005 Freightliner (Unit #12-83 658,687 miles). We intend to sell the two older units as is on Public Surplus auction some time in 2026.



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



Ryder Vehicle Sales: \$76,648.00 Total Purchase Price

**RECOMMENDATION:**

It is recommended the Board adopt the attached proposed resolution.

**PROPOSED RESOLUTION:**

THEREFORE, BE IT RESOLVED: That the County Board hereby allows the proper County officials to accept and sign the purchase agreements from Ryder Vehicle Sales for a 2019 Freightliner Cascadia 125 VEH-861304, and a 2019 Freightliner Cascadia 125 VEH-864087 Purchase for a total purchase of \$76,648.00 and process payment.

Pending Sale



VEH-861304

Freightliner/Mercedes

**CASCADIA 125**

**\$48,408 USD**

**Ryder Verified**

Year  
**2019**

Odometer  
**159,798 Miles**

Gross Weight  
**80,000 Pounds**

 US / Texas, Dallas

### Details

VIN  
**3AKJGEFG9KSKS9132**

Body Color  
**WHITE**

### Chassis

Wheelbase  
**182**

Fifth Wheel Type  
**AIR SLIDE**

Air Fairings  
**Full**

Air Ride Cab  
**Yes**

Cab To Axle  
**N/A**

Sleeper Size  
**N/A**

### Axle

Rear Axle Manufacturer  
**ROCKWELL INTERNATIONAL**

Rear Axle Model  
**MT-40-14X**

Rear Axle Type  
**TANDEM AXLE**

## Transmission

Transmission Manufacturer <b>DETR DSL ALLISON/G.M.C.</b>	Transmission Model <b>4000HS 6SPD (AUTO)</b>	Transmission <b>AUTO</b>
Transmission Speeds <b>6</b>		

## Engine

Engine Make <b>CUMMINS ENGINE CO.</b>	Engine Model <b>X15 GHG'17 450/1800</b>	Liter Engine <b>14.9</b>
Engine HP <b>450</b>	Engine Brake <b>Yes</b>	

## Suspension

Suspension Manufacturer <b>FREIGHTLINER/MERCEDES</b>	Suspension Model <b>AIRLINER 40,000</b>	Suspension Type <b>AIR RIDE</b>
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## Additional Features

Air Conditioner <b>N/A</b>	Power Locks <b>No</b>	Power Mirrors <b>Yes</b>
Power Windows <b>Yes</b>		

## Maintenance History

[Show Maintenance Disclaimer](#)

Date	Milage	Description
1/5/2026	159,501	INSPECT PILOT-CA DRY B PM - HD
1/5/2026	159,501	INSPECT TEXAS ANNUAL STATE INSPECTION
7/11/2025	147,009	INSPECT PILOT-CA DRY C PM - HD
1/30/2025	139,673	INSPECT PILOT-CA DRY B PM - HD
1/30/2025	139,673	INSPECT TEXAS ANNUAL STATE INSPECTION

Date	Milage	Description
8/17/2024	126,434	INSPECT PILOT-CA DRY C PM - HD

### Dallas

3301 Irving Blvd  
Dallas, TX 75247 US

[Location Details](#) 📍

### Michael Stephens

Mgr Vehicle Sales

 [214-630-9898](tel:214-630-9898)

 [Mike\\_Stephens@ryder.com](mailto:Mike_Stephens@ryder.com)

Pending Sale



VEH-864087

Freightliner/Mercedes

**CASCADIA 125**

**\$47,859 USD**

**Ryder Verified**

Year  
**2019**

Odometer  
**234,565 Miles**

Gross Weight  
**80,000 Pounds**

 US / Texas, Fort Worth

### Details

VIN  
**3AKJGEDV0KSKU4622**

Body Color  
**WHITE**

### Chassis

Wheelbase  
**178**

Fifth Wheel Type  
**AIR SLIDE**

Air Fairings  
**None**

Air Ride Cab  
**No**

Cab To Axle  
**N/A**

Sleeper Size  
**N/A**

### Axle

Rear Axle Manufacturer  
**ROCKWELL INTERNATIONAL**

Rear Axle Model  
**MT-40-14X**

Rear Axle Type  
**TANDEM AXLE**

### Transmission

Transmission Manufacturer  
**DETROIT DIESEL,DIV. GM**

Transmission Model  
**DT12-1650-OH1 AMT**

Transmission  
**AUTO**

Transmission Speeds  
**12**

### Engine

Engine Make  
**DETROIT DIESEL,DIV. GM**

Engine Model  
**DD13'17 450/1650**

Liter Engine  
**12.8**

Engine HP  
**450**

Engine Brake  
**Yes**

### Suspension

Suspension Manufacturer  
**FREIGHTLINER/MERCEDES**

Suspension Model  
**AIRLINER 40,000**

Suspension Type  
**AIR RIDE**

### Additional Features

Air Conditioner  
**N/A**

Power Locks  
**Yes**

Power Mirrors  
**Yes**

Power Windows  
**Yes**

### Maintenance History

[Show Maintenance Disclaimer](#)

Date	Milage	Description
10/30/2025	232,032	INSPECT PILOT-CA DRY B PM - HD
3/31/2025	221,274	INSPECT PILOT-CA DRY B PM - HD
3/31/2025	221,274	INSPECT TEXAS ANNUAL STATE INSPECTION
7/18/2024	206,778	INSPECT PILOT-CA DRY C PM - HD

**Fort Worth**

**Feliciano Hernandez**

951 Terminal Rd  
Fort Worth, TX 76106 US

[Location Details](#) 

Mgr Vehicle Sales

 [817 317 8144](tel:8173178144)

 [Feliciano\\_P\\_Hernandez@ryder.com](mailto:Feliciano_P_Hernandez@ryder.com)

**ITEM**

**# 12**

**Joint Powers Agreement**  
City of Bismarck and Burleigh County

This Joint Powers Agreement (JPA) is made this \_\_\_ day of \_\_\_\_\_ 20\_\_\_, between the City of Bismarck (“City”) and Burleigh County (“County”), collectively known as the “Parties.”

The City is a municipal corporation and is a home rule city organized and operated under a Home Rule Charter pursuant to Chapter 40-05.1 of the North Dakota Century Code. The County is organized and operated pursuant to Title 11 of the North Dakota Century Code.

The Parties have the authority to enter into a Joint Powers Agreement (“JPA”) pursuant to Article VII, Section 10 of the North Dakota Constitution.

**I. Defined Area**

The County owns Lots 4-5, 7-19, Block 1, Missouri Valley Complex, known herein as the Missouri Valley Complex (“Complex”), which is located within the boundaries of the City. The property has been platted and has City water and sanitary sewer service. The City Fire and Police Departments respond to the area when necessary. A lift station owned and operated by the City is located within the property. Currently, the Complex houses the North Dakota State University Extension Office, Buckstop Junction, a rodeo complex, community gardens, and motocross facilities. See Exhibit A, which is attached and incorporated by reference.

**II. Purpose:** The City and the County hereby enter into this JPA for the purpose of formally memorializing the parties’ agreement regarding the permitting and planning authority for the Complex.

**III. Powers and Duties:** This JPA authorizes the County to exercise permitting and planning authority within the Complex, as detailed in this section, in accordance with and subject to the City’s adopted ordinances, regulations, fire code, building code, procedures, and development standards, as they may be amended from time to time

- a. **Subdivision.** County is authorized to exercise subdivision review and administration, subject to approval by the Burleigh County Planning and Zoning Commission and the Burleigh County Commission, with concurrence from the Bismarck City Commission. All subdivision plats shall be executed and signed by all three of the decision-making bodies, and the County Engineer shall certify that all City ordinances have been met.

- b. **Zoning.** County is authorized to exercise all zoning authority, with the partial exception for floodplain development and stormwater management noted below.
- c. **Site Plans.** County is authorized to approve site plans with concurrence of the City Engineer.
- d. **Building Permits.** County is authorized to approve building permits. The County must follow all building codes adopted by the City, including any amendments adopted during the term of this JPA.
- e. **Fire Code Review.** The County must follow all fire codes adopted by the City, including any amendments adopted during the term of this JPA. City Fire Chief will review all building plans to ensure that fire code has been met prior to issuance of a permit. City Fire Department will continue to administer annual fire and life safety inspections and issue permits to achieve compliance.
- f. **Signs.** County is authorized to approve sign permits, excluding off-premise advertising signs along public rights-of-way on the perimeter of the Complex.
- g. **Floodplain Development.** City will retain floodplain management authority, including issuance of floodplain development permits and other powers and duties outlined in the floodplain district of the City's Code of Ordinances.
- h. **Roadways and Access.** County will construct and maintain all roadways within the Complex. Any modifications to existing access points or new access points onto public roadways outside of the Complex will be subject to approval of the City Engineer.
- i. **Public Utilities.** City will provide access to water and sanitary sewer services. County will construct, own, and maintain all new laterals and mains, and all existing water lines and the 8" sanitary sewer within the Complex will be transferred to County ownership. All water mains shall have sufficient pressure to support fire suppression within the Complex at all times. County is authorized to approve stormwater management plans with concurrence of the City Engineer. Utility capital charges will be due prior to the issuance of a water meter.
- j. **Industrial Pretreatment.** City shall administer industrial pretreatment regulations of Title 11.2 prior to issuance of a water meter on the lot.

- k. **Campgrounds.** City is authorized to administer and enforce the memorandum of understanding agreement they have entered into with the North Dakota Department of Health and Human Services Food and Lodging Unit.
- l. **Excavation.** County is authorized to approve excavations and grading activity within the easements or rights-of-way within the Complex. City is authorized to approve excavation permits for connections or extensions of municipal water and sanitary sewer. Restoration of any disturbed right of way within the Complex would be jointly approved by City and County.
- m. **Enforcement.** The County shall be responsible for administration and enforcement of all authority delegated to the County by this agreement. All variances and appeals shall be reviewed by the County. Failure to enforce ordinance requirements shall be deemed non-compliance with this JPA.

**IV. Coordination and Communication.** The parties shall cooperate in good faith, coordinate as necessary, and communicate in a timely manner to ensure consistent application of regulations and to implement the responsibilities herein.

**V. Ownership of Land.** This JPA applies only to the Complex as long as it remains within ownership of Burleigh County. This agreement shall be void for any lands within the Complex transferred to a different owner, and the agreement may remain in effect for lands retained in Burleigh County ownership.

**VI. Effective Date and Termination:** This JPA shall become effective on the date signed by the last party to sign the JPA. The JPA shall be for a term of ten (10) years commencing on the effective date of this JPA. This JPA can be terminated at any time following written notice of termination sent by either party to the other party 180 days prior to termination. Upon completion, the term of the agreement shall renew for an additional ten (10) years unless terminated by either party.

**VII. JPA will not limit the statutory powers of either party.** This JPA shall not be construed to, in any manner, abrogate, or limit the rights, powers, duties, and functions of either party.

**VIII. Miscellaneous Provisions.**

- a. **Amendment.** This JPA may be amended at any time upon written agreement of the parties.
- b. **Scope.** This JPA , all appendices subsequently adopted and appropriate to this JPA , shall constitute the entire agreement between the Parties. No

modifications of the terms of this JPA shall bind the Parties unless in writing. This JPA supersedes any prior discussions or understandings, whether written or oral.

- c. **No Third-Party Beneficiaries.** This JPA is intended solely for the benefit of the County and the City. Nothing in this JPA creates or shall be construed to create any rights in any third party.
- d. **No Delegation without Consent.** Neither party may assign or delegate its rights or obligations under this JPA without the prior written consent of the other party, except as provided by law.
- e. **Severability.** If any provision of this JPA is determined to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.
- f. **No Waiver.** Failure by either party to enforce any provision of this JPA shall not constitute a waiver of that provision or any other provision.
- g. **Notices.** Any notices given by the parties under this JPA shall be provided in writing and sent by electronic mail, U.S. mail, or delivered by hand, addressed to the parties noted below or their successors/assignees.
- h. **Applicable Law.** This JPA shall be construed under the constitution and laws of the State of North Dakota.
- i. **Non-Compliance.** This JPA shall be considered terminated effective immediately upon a finding of non-compliance by either party of the terms herein.

**BURLEIGH COUNTY**

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Brian Bittner, Chair  
Burleigh County Commission

Attest: \_\_\_\_\_  
Mark Splonskowski  
Burleigh County Auditor

**CITY OF BISMARCK**

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Michael T. Schmitz, President  
Board of Bismarck City Commissioners

Attest: \_\_\_\_\_  
Jason Tomanek,  
Administrator, City of Bismarck

**ITEM**

**# 13**

Testimony from  
Burleigh County Board of Commissioners  
In Support of Burleigh County's  
Petition for Exclusion from  
the Garrison Diversion Conservancy District

March 24, 2026

To the Board of Directors  
Garrison Diversion Conservancy District

As stated on your website (<https://garrisondiversion.org/about-garrison-diversion/history>), the Garrison Diversion Conservancy District ("the District") came about due to federal legislation in 1944 as the Flood Control Act. The full history included on the website is incorporated into this testimony. The shortened version is that the "primary purpose was for flood control, navigation, irrigation and hydropower" which included construction of dams on the Missouri River. "North Dakota was promised over a million acres of irrigation as compensation for the 300,000 acres of prime farmland lost to the permanent flood created as a result of the dams and the lost economic benefit that farmland generated."

In 1955, the North Dakota legislature established the District to provide for provide for future economic welfare and prosperity of the people of the state and particularly of the people residing in the area embraced within the boundaries of the conservancy district; to provide for irrigation and stabilize the production of crops; to replenish and restore depleted waters of lakes, rivers and streams and stabilize the flow of the stream; to replenish the waters and restore the level of Devils Lake, Stump Lake, Lake Williams and Turtle Lake; and to divert waters from the Missouri River to areas within the district for irrigation, domestic, municipal and industrial needs, and for hydroelectric power, recreation and other beneficial and public uses. S.L. 1955, ch. 348, § 1. This new legislation also authorized the District to create a budget and levy a tax not exceeding one mill. S.L. 1955, ch. 348, § 1. The legislation was codified at N.D.C.C. Ch. 61-24. Since that time, the purposes of the District have been modified by the North Dakota legislature to include replenish and restore depleted waters of the Red, Sheyenne, and James Rivers; to make diverted waters from the Missouri River available to areas outside the district; and to study and provide for the water needs of eastern North Dakota communities and water districts and western Minnesota communities through a Red River valley water supply project. N.D.C.C. § 61-24-01.

In 1965, federal legislation was enacted for the Garrison Diversion Unit with the “primary focus of the plan was to include municipal and industrial water, fish and wildlife development, recreation and flood control along with irrigation of 250,000 acres.” In 1986, federal legislation was again enacted that redirected the project and included irrigation of 130,940 acres of land, municipal, rural, and industrial water service, water treatment facilities, mitigation of wildlife impacts, and recreational development.

In 1988, Burleigh County petitioned into the District and has been a member since that time.

In 2000, federal legislation was again enacted which modified the program and included authorized uses of meeting water needs within in the State, minimizing environmental impacts associated with construction and operations, and offsetting the loss of farmland.

Since joining the District in 1988, the District has levied a tax of one mill each year and Burleigh County has collected \$9.9 million from its residents through property taxes for the District. Burleigh County has been awarded grants from the District between 1993 and 2022 in the amount of \$825,588, which represents approximately 8% of the money collected from Burleigh County property taxes for the District. Those grants included the following projects:

- 1) Installing a vapor light next to the boat ramp at Kimball Bottoms near Bismarck. (2005 Garrison Diversion Annual Report, p. 8)
- 2) Installation of a fish cleaning station at Kneifel Landing. (2011 Garrison Diversion Annual Report, p. 10)
- 3) Upgrades and improvements at Sibley Park. (2014 Garrison Diversion Annual Report, p. 9)
- 4) New playground equipment at Kiwanis Park in Bismarck. (2015 Garrison Diversion Annual Report, p. 10)
- 5) Development of an interpretive trail at General Sibley Park. (2016 Garrison Diversion Annual Report, p. 10)
- 6) Development of a Splash Pad at New Generations Park and Development of a Sensory Play Space within the Magical Moments Playground at Wachter Park. (2018 Garrison Diversion Annual Report, p. 6)
- 7) Development of the Elk Ridge Park in Bismarck, Installation of a vault toilet at the McDowell Dam Recreation Area, and Creation of prairie play nodes in Zonta Park. (2019 Garrison Diversion Annual Report, p. 6)

- 8) Improvements to North Central Park, New playground equipment at the Sertoma Shelter 4 Playground in Bismarck, and New picnic shelter construction at the Steckel Boat Landing. (2020 Garrison Diversion Annual Report, p. 6)
- 9) Addition of fitness elements and accessible pathways at Sertoma Park, Construction of a restroom facility in the Tom O’Leary Recreation Complex, Creation of a play area in the 4-H Arena at the Missouri Valley Complex, Electrical upgrades at the Sibley Campground, and Replacement of the south picnic shelter at the Steckel Boat Landing. (2021 Garrison Diversion Annual Report, p. 7)
- 10) Construction of the American Legion Splash Pad in Wilton and Installation of the Wilton North Pickle Ball Court. (2022 Garrison Diversion Annual Report, p. 7)

These grants are part of the “recreation” purposes of the District. As found on the District’s website, the matching recreation grant program has two requirements for eligibility: the project has to be located within the District and the project sponsor must be a political subdivision, including a park board or city or county government. <https://garrisondiv.org/focus-areas/recreation-programs>. While the statutory purpose of the District includes “to provide for the future economic welfare and prosperity of the people of this state, and particularly of the people residing in the area embraced within the boundaries of the conservancy district created by this chapter”, recreational grants for things like pickleball courts appears to be outside the statutory scope of the District. Burleigh County does not want to be involved in collecting taxies levied by the District if the District is going to utilize those taxpayer funds outside the scope of its purpose.

Rural areas in Burleigh County are serviced by the South Central Regional Water District but the District has not contributed to the Regional Water District who receives federal funding from other sources.

Garrison Dam was construction between 1947 through 1953 as a result of the federal legislation for the purposes of flood control, hydroelectric power, and irrigation. The construction of the Garrison Dam did alleviate flooding in areas of Burleigh County. However, this was not seen as a benefit to Burleigh County when the District was formed as Burleigh County was not included in the District in 1955 when the North Dakota legislature created the District and included the counties in the original legislation. S.L. 1955, ch. 348, § 1. Therefore, flood control as a result

of the construction of the Garrison Dam should not be considered as a benefit of Burleigh County's participation in the District.