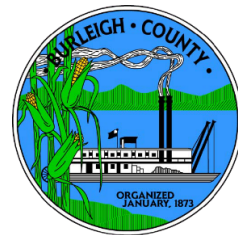




Lincoln, Fort Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman, & Phoenix  
Unorganized Townships



## 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)

**October 20, 2025**

**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 October 6, 2025, meeting minutes and bills. (Pg.3)
5. **PUBLIC COMMENT.** *Restricted to Burleigh County residents and landowners.*
6. Consent Agenda:
  - a. Abatements. (Pg.9)
  - b. Provident Building remodel change order. (Pg.10)
  - c. Special Use Permit.
7. City of Bismarck:
  - a. Discussion of Bismarck's ETA Proposal (Pg.12)
8. County Engineer Hall:
  - a. Federal HSIP Grant. (Pg.14)
  - b. State Special Road Funds. (Pg.17)
9. County Planning Director Flanagan:
  - a. Biegler final Subdivision. (Pg.21)
  - b. Rolling Hills Road variance request. (Pg.24)
  - c. Twin Buttes Non-Access line. (Pg.26)
  - d. Complaint to owner. (Pg.30)
  - e. Resolution 25-003.
10. HR Director Binder: (Pg.39)
  - a. Buildings and Grounds Department.
  - b. States Attorney stipend.
  - c. Recruitment policy.
  - d. Annual leave policy revision.

e. FLSA Law Enforcement Rule with Paylocity

11. County Finance Director/ Interim Treasurer Jacobs:

a. Treasurer's Office Discussion. *(Pg.63)*

12. Auditor/Treasurer Splonskowski:

a. 2026 meetings calendar.

13. Commissioner Schwab:

a. Garrison Diversion discussion. *(Pg.75)*

b. Summit Carbon Solutions update. *(Pg.78)*

14. Commissioner Munson:

a. Kimball Bottoms funding options. *(Pg.84)*

15. Continued agenda items:

a. ETA discussion.

16. Other Business.

17. Adjourn.

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

*Mark Splonskowski*

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION  
MEETING MINUTES  
OCTOBER 6<sup>TH</sup>, 2025**

**5:10 PM**

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

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

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

Motion by Comm. Schwab, 2<sup>nd</sup> by Comm. Woodcox to approve the September 15<sup>th</sup>, 2025 meeting minutes and bills. Commissioners Bakken, 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 Daniel & Audrey Carpenter, Dale & Dorothy Patrick, Richard Goetz Sr, Henry & Doretta Rasmusson, Nathan Burk, Zach Bohem, Wayne & Mary Jane Jensen, abatements and the consent agenda in its entirety. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

County Sheriff Kelly Leban presented information on the Police Youth Bureau Agreement. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to authorize the proper County officials to enter the Police Youth Bureau Agreement between Burleigh County, the City of Bismarck, and the Bismarck Police Department. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Sheriff Leban presented information on the 2025/2026 North Dakota Department of Transportation Traffic Safety Grant. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to authorize the proper County officials to authorize the North Dakota Department of Transportation Traffic Safety Grant between Burleigh County and the State of North Dakota. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

County Engineer Marcus Hall requested authorization to advertise for bids. Motion by Comm. Schwab, 2<sup>nd</sup> by Comm. Bakken to authorize the County Auditor and the County Engineer to advertise for bids for three new motor graders under a five year total cost bid with a guaranteed repurchase price at the end of this

period. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Engineer Hall presented a developer pavement waiver request. Hall stated that this is going to be a five lot subdivision with three shared access points on to 26<sup>th</sup> Street NE. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to grant SPLJ, LLP's request to waive the construction and paving requirements "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 SPLJ Subdivision. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Engineer Hall presented the 2026 Highway Department fee schedule for Township road maintenance agreements. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to adopt the attached 2026 Highway Department fee schedule. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Engineer Hall presented the maintenance agreement between the County Highway Department and both the organized and unorganized Townships. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to authorize the proper County officials to enter into an agreement with the County's Townships, assigning the roles and responsibility for maintaining township roads within Burleigh County. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Chairman Bitner temporarily adjourned the Burleigh County Commission and convened as the Unorganized Township Supervisors.

#### **5:22PM**

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

Motion by Comm. Woodcox, 2<sup>nd</sup> by Comm. Bakken to authorize the proper Township officials to enter into an agreement with the County, assigning the roles and responsibility for maintaining township roads within the township. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Chairman Bitner adjourned as the Unorganized Township Supervisors and reconvened as the Burleigh County Commission.

#### **5:23PM**

County Auditor/Treasurer Mark Splonskowski spoke to the Commission to establish the minimum sales price for property acquired by the County through tax deed proceedings (non-payment of taxes). Motion by Comm. Woodcox, 2<sup>nd</sup> by Comm. Bakken to approve the minimum sales list. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**



Auditor/Treasurer Splonskowski presented the 2026 County Commission meeting calendar. Splonskowski noted that the September 10<sup>th</sup>, 2026 meeting is tentatively scheduled for a Thursday due to a holiday and other meetings. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to accept the 2026 County Commission meeting calendar excluding the September 10<sup>th</sup>, 2026 meeting to see if it can be scheduled at a different time and day. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Auditor/Treasurer Splonskowski presented a Memorandum of Understanding (MOU) between the North Dakota Secretary of State and Burleigh County regarding the execution of elections and the state owned election equipment used by the County. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the Memorandum of Understanding with the North Dakota Secretary of State. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Finance Director/Interim Treasurer Leigh Jacobs presented a budget amendment for the Sheriff's Department repairs and maintenance line item. Jacobs stated that a purchase and installation of a generator which was funded by a grant exceeded the budgeted expenditures on the Sheriff's budget even though the grant funds were received under revenues. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to amend the 2025 budget for the Sheriff's Department by increasing the repairs and maintenance account by \$47,550. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Finance Director/Interim Treasurer Jacobs discussed the need to create a County Vendor Policy. Jacobs stated that the County should strongly encourage all vendors to utilize payment via EFT for invoice payment and all vendors should have invoices due net thirty days. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to approve the accounts payable policy which includes the Vendor Payment Terms – Net 30 and ACH Payments policies. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Human Resources Director Pam Binder presented a follow-up with the States Attorney's Office regarding retention and recruitment. She stated that in December of 2023, States Attorney Julie Lawyer presented a request to the Commission to institute a retention bonus for the Assistant State's Attorneys for extra work done due to the office being understaffed. Binder recommended a back pay stipend be paid out to the six Assistant State's Attorneys and the States Attorney from 2019 and on as well as come up with a stipend policy going forward. States Attorney Lawyer spoke on the subject. Discussion was had. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Schwab to approve the totals listed in the stipend chart for 2019 through 2023 with the addendum that 2024 will be calculated with the same methodology as the stipend chart and add it on. Commissioners Bakken, Schwab, and Chairman Bitner voted 'AYE'. Commissioners Munson and Woodcox voted 'NEY'. **Motion carried.**

Human Resources Director Binder presented the revised Auditor job description with the Treasurer's duties removed for approval. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Woodcox to approve the revised Auditor job description. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Human Resource Director Binder presented information regarding the salary of Auditor effective April 1<sup>st</sup>, 2027. Binder included a summary of elected and appointed auditor salaries from across the state as well as the minimum allowed salary of \$28,500 per the North Dakota Century Code. A consensus was had with \$28,500 with the ability to modify it with added education, experience, and completed training and for Director Binder to work on a salary schedule for the Auditor going forward.

Commissioner Munson started a discussion on the Treasurer position and when it will be filled. Human Resources Director Binder spoke on the subject. Chairman Bitner stated that the Treasurer's Office is still in a state of repair and transition and it would be to chaotic at this moment.

Commissioner Woodcox gave an update on the 250<sup>th</sup> anniversary mural to be placed on the south side of the Provident Building. Comm. Woodcox stated that we received a grant of \$35,000 from the North Dakota Heritage Association which the County needs to match. The Commission discussed taking the matching \$35,000 from the General Fund Reserves. Discussion was had. Chairman Bitner requested this item be added to the agenda for the first meeting in November.

County Planning Director Mitch Flanagan spoke regarding the Extra Territorial Area (ETA) discussion that has been ongoing. Flanagan provided maps showing the current ETA, the City of Bismarck's suggested ETA, and the County's suggested ETA. He then reviewed the estimated costs the County would incur to expand the Planning & Zoning department to handle the increased workload of a smaller ETA area resulting in a budget increase of approximately 61%. County resident Heidi Schirado spoke on the subject. The Commission requested Engineer Hall's assisting Planning & Zoning in working on the ETA. Discussion was had.

The Commission discussed the agreement between the County, the City of Bismarck, and Bismarck Parks & Recreation regarding City Recreation. Bismarck Park Board President Mark Zimmerman spoke on the subject. Discussion was had. Motion by Comm. Schwab, 2<sup>nd</sup> by Comm. Bakken to quit the City Recreation Agreement with the City of Bismarck and the Bismarck Parks & Recreation. Commissioners Bakken, Schwab, and Chairman Bitner voted 'AYE'. Commissioners Munson and Woodcox voted 'NAY'. **Motion carried.**

State's Attorney Julie Lawyer presented a request for a salary variance for a new hire State's Attorney Investigator with extra investigatory experience. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the salary variance of a grade 7, step 9 salary of \$69,160 for the State's Attorney Investigator. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

#### Other Business:

- Engineer Hall was given a letter by Chair Bitner at the start of the meeting which Hall brought forward to address. He stated the letter was a Solicitation of Views regarding a request for involvement from the Bureau of Land Management who is going to be revising their current North Dakota resource management plan. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to chose option 2 which is to keep informed of the process and have Engineer Hall submit the proper paperwork to do so.

Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

- Chairman Bitner received a certified letter from the City of Bismarck Community Development department stating they had received a petition from a commercial land owner in the Boulder Ridge area to be annexed into the City of Bismarck.
- Chairman Bitner discussed a letter request the naming of delegates for the North Dakota State Fair Associations annual meeting on November 18<sup>th</sup>, 2025. Comm. Bakken volunteered to be one of the delegates and the Commission requested Auditor Splonskowski reach out to the Extension Office for the second delegate.
- Chairman Bitner discussed a letter received from the Federal Emergency Management Agency regarding a Community Assistance Visit. Chair Bitner read the letter which thanked Burleigh County staff for hosting them.
- Commissioner Schwab spoke regarding the Missouri Valley Complex and starting a 501(c)(3) non-profit organization and operate a fair ground similar to Ramsey County.

State's Attorney Lawyer stated she provided information to the Commission on the ongoing opioid litigation and settlement overview. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to agree to opt in to the opioid settlement. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Meeting Adjourned.

**09:58 PM**

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Mark Splonskowski,  
County Auditor/Treasurer

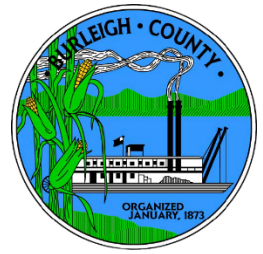
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Brian Bitner,  
Chairman

# PUBLIC COMMENT

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 |
|---------|----------------------------------------|----------|--------------------------------------------------------------------|----------------------------------|------------|------------|
| 25-486  | Robert Adams                           | 2024     | Lot 2, Block 1, Copper Ridge 2nd                                   | 100% Disabled Veteran            | \$317,200  | \$137,200  |
| 25-501  | Terry & Kathleen Mauch<br>Larry & Mary | 2024     | Lot 4, C&L Estates                                                 | Error in property<br>description | \$310,500  | \$261,900  |
| 25-502  | Hatzenbuhler                           | 2024     | Lot 12, Block 11, Washington Heights 3rd                           | 50% Homestead Credit             | \$344,000  | \$244,000  |
| 25-503  | Mary Ann Grossman                      | 2023     | Unit 3A the Sheraton Condo, Aud Lot A,<br>Block 1, Gateway Commons | 100% Homestead Credit            | \$148,500  | \$74,250   |
| 25-504  | Mary Ann Grossman                      | 2024     | Unit 3A the Sheraton Condo, Aud Lot A,<br>Block 1, Gateway Commons | 100% Homestead Credit            | \$134,100  | \$67,050   |
| 25-513  | Craig Marsh                            | 2023     | 1979 Sch, VIN# 163642ULT Manchester 76<br>x 14                     | Owner deceased                   | \$10,214   | \$0        |
| 25-514  | Craig Marsh                            | 2024     | 1980 Sch, VIN# 163642ULT Manchester 76<br>x 14                     | Owner deceased                   | \$10,214   | \$0        |
| 25-515  | Craig Marsh                            | 2025     | 1981 Sch, VIN# 163642ULT Manchester 76<br>x 14                     | Owner deceased                   | \$10,214   | \$0        |



# Burleigh County Change Order

Provident Remodel

Project Name

1

Change Order Number

Skeels Electric

Contractor Name

10-08-2025

Change Order Date

## DESCRIPTION OF CHANGES:

Additional charges for exchanging 2<sup>nd</sup> and 4<sup>th</sup> floors. Second floor originally only getting cosmetic updates, finishes, lighting, etc. With the new layout on 2<sup>nd</sup> floor, there is added cost of additional demolition and new electrical items, along with added emergency systems and increase in material costs with tariffs.

## PRICE

☒ \*Increase \$

☐ Decrease \$

☐ No Affect

\*\$50,000 or more requires Burleigh County Commission approval.

Less than \$50,000 requires Burleigh County Commission Chair approval.

Original Agreement Amount      \$2,923,459.00

Prior Changes      \$

Current Change Order      \$104,098.67

Adjusted Agreement Amount      \$3,027,557.67

## PROJECT DURATION

☐ Extend

☐ Shorten

☒ No Affect

ORIGINAL COMPLETION DATE      11-05-2027

ADJUSTED COMPLETION DATE

Burleigh County Commission Chair Signature

Contractor Signature

Brian D. Bitner

10-20-2025

Printed Name

Date

Printed Name

Date



# 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<br><b>United Tribes Technical College</b> |                         | Dates of Activity (Does not include dates for the sales of tickets)<br><b>10/25/2025</b> |                          |
| Organization or Group Contact Person<br>[REDACTED]                      | E-mail<br>[REDACTED]    | Telephone Number<br>[REDACTED]                                                           |                          |
| Business Address<br><b>3315 University Drive</b>                        | City<br><b>Bismarck</b> | State<br><b>ND</b>                                                                       | ZIP Code<br><b>58501</b> |
| Mailing Address (if different)                                          | City                    | State                                                                                    | ZIP Code                 |

## SITE INFO

|                                                                                                                                                                                              |                         |                           |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------|--------------------------|
| Site Name<br><b>United Tribes Technical College</b>                                                                                                                                          |                         | County<br><b>Burleigh</b> |                          |
| Site Physical Address<br><b>3315 University Drive</b>                                                                                                                                        | City<br><b>Bismarck</b> | State<br><b>ND</b>        | ZIP Code<br><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.)<br><b>One time event-50/50 raffle on October 25, 2025</b> |                         |                           |                          |

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

| Game Type                          | Description of Prize | Exact Retail Value of Prize |
|------------------------------------|----------------------|-----------------------------|
| 50/50                              | Cash prize           | 0.00                        |
|                                    |                      |                             |
|                                    |                      |                             |
| Total<br>(limit \$50,000 per year) |                      | \$ 0.00                     |

## ADDITIONAL REQUIRED INFORMATION

|                                                                                                                                                                                                                                                                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Intended Uses of Gaming Proceeds<br><b>Human and Social Services/Psychology club efforts</b>                                                                                                                                                                                                                                                                                     |  |
| 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)<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                          |  |
| Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)<br><input checked="" type="checkbox"/> No <input type="checkbox"/> 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.)<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No              |  |

|                                                                               |                                |                              |
|-------------------------------------------------------------------------------|--------------------------------|------------------------------|
| Printed Name of Organization Group's Permit Organizer<br><b>Cindy Sheldon</b> | Telephone Number<br>[REDACTED] | E-mail Address<br>[REDACTED] |
| Signature of Organization Group's Permit Organizer                            | Title<br><b>SWK Instructor</b> | Date<br><b>10/16/2025</b>    |



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

Permit Number  
**25-011**

Permit Type (check one)

☒ Local Permit ☐ Restricted Event Permit\*

Games Authorized

☐ Bingo ☒ Raffle ☐ Raffle by a Political or Legislative District Party  
☐ 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<br><b>United Tribes Technical College</b> |                         | Dates Authorized (Read Instruction 2)<br><b>10/25/2025</b> |                          |
| Organization or Group Contact Person<br>[REDACTED]                      | E-mail<br>[REDACTED]    | Telephone Number<br>[REDACTED]                             |                          |
| Mailing Address<br><b>3315 University Drive</b>                         | City<br><b>Bismarck</b> | State<br><b>ND</b>                                         | ZIP Code<br><b>58504</b> |

**SITE INFO**

|                                                                                                                                    |                         |                           |                          |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------|--------------------------|
| Site Name<br><b>United Tribes Technical College</b>                                                                                |                         | County<br><b>Burleigh</b> |                          |
| Site Address<br><b>3315 University Drive</b>                                                                                       | City<br><b>Bismarck</b> | State<br><b>ND</b>        | ZIP Code<br><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.) |                         |                           |                          |
| <b>One time event - 50/50 raffle on October 25, 2025</b>                                                                           |                         |                           |                          |

**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**

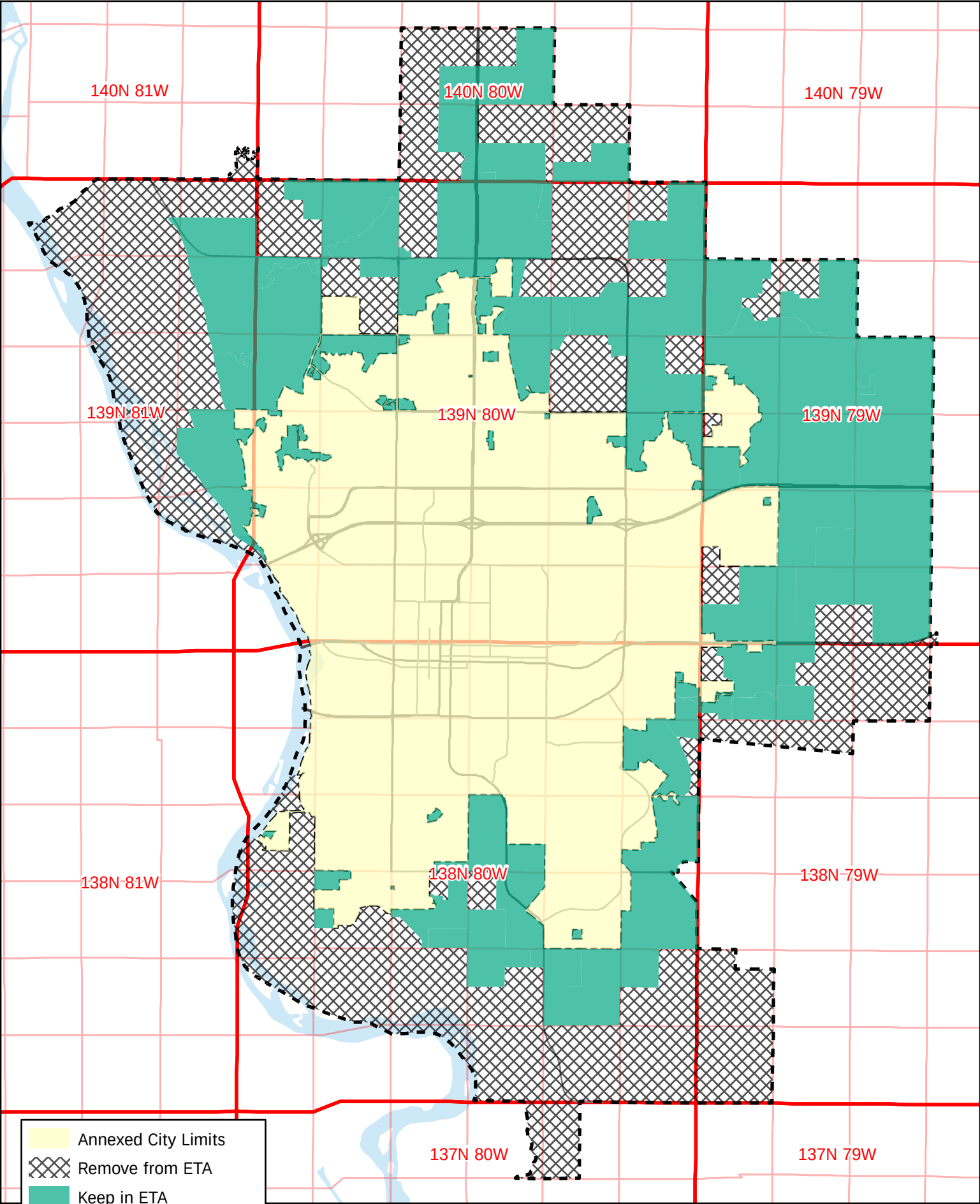
|                                                                     |                                                                    |                                          |                                                                                         |
|---------------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------|
| Printed Name of City or County Official<br><b>Mark Splonskowski</b> | Title of City or County Official<br><b>Burleigh County Auditor</b> | Telephone Number<br><b>701-5222-6718</b> | E-mail Address<br><b>msplonskowski@nd.gov</b>                                           |
| Signature of City or County Official                                |                                                                    | Date                                     | Issuing Governing Body<br><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.**



# ITEM

## # 7



Annexed City Limits

Remove from ETA

Keep in ETA

This map is for reference purpose only and is not intended as a survey or accurate representation of all map features.

0 8,145 16,290 24,480 Feet



# ITEM

## # 8



## BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43<sup>RD</sup> AVENUE NE  
BISMARCK, ND 58503  
701-204-7748  
FAX 701-204-7749  
[www.burleighco.com](http://www.burleighco.com)

### Request for County Board Action

**DATE:** October 20, 2025

**TO:** Mark Splonskowski  
County Auditor

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

**RE:** Federal HSIP Grant

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

**ACTION REQUESTED:**

Approve support of the County Highway Department's Federal HSIP Grant application.

**BACKGROUND:**

Every year the Metropolitan Planning Organization (MPO) accepts applications for various funding programs. In the past, we have applied for money from the Highway Safety Improvement Program (HSIP). The roundabouts on Highway 10, and North Washington Street have all been funded, in part, with HSIP money. The County Highway Department would like to apply for construction funds under the HSIP grant for the construction of a roundabout (or other intersection improvements) at the intersection of 66<sup>th</sup> Street SE and Apple Creek Road. This project has been identified in multiple planning studies done by Metropolitan Planning Organization (MPO) and Burleigh County. In addition, the project has been included in the MPO's long-range project list.

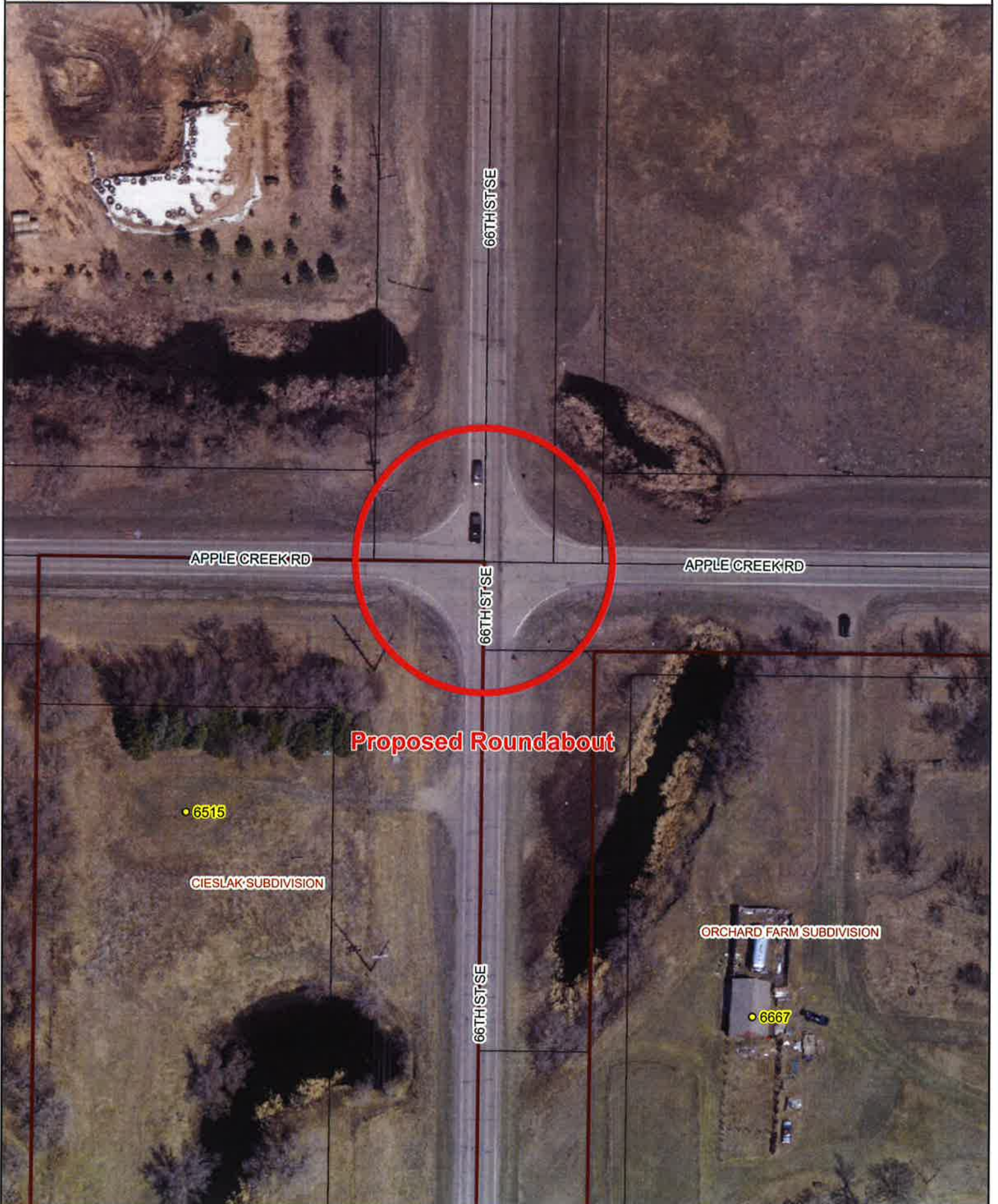
The Highway Department is still working out details for the application and cost estimate, but currently we estimate the project at around \$4.1 million. The grant application would be funded 90% federally and 10% locally. The local match dollars would come from Burleigh County and we estimate it do be around \$450,000.

**RECOMMENDATION:**

It is recommended the Board adopt the following proposed resolution.

**PROPOSED RESOLUTION:**

THEREFORE, BE IT RESOLVED: That the proper County officials are hereby authorized to apply for a 2030 Highway Safety Improvement Program (HSIP) grant for the construction/reconstruction of a roundabout (or other intersection improvements) at the intersection of 66<sup>th</sup> Street SE and Apple Creek Road.







## BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43<sup>RD</sup> AVENUE NE  
BISMARCK, ND 58503  
701-204-7748  
FAX 701-204-7749  
[www.burleighco.com](http://www.burleighco.com)

### Request for County Board Action

**DATE:** October 20, 2025

**TO:** Mark Splonskowski  
County Auditor

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

**RE:** State Special Road Funds

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

#### **ACTION REQUESTED:**

Approve support of the County Highway Department's State Special Road Funds (SRF) grant application.

#### **BACKGROUND:**

Every year the North Dakota Department of Transportation (NDDOT) accepts applications for various funding programs. In the past, we have applied for money from the NDDOT – Special Road Funds Program. The Mill and Overlay of 93<sup>rd</sup> Street NE from Highway 10 to McDowell Dam was constructed, in part, with SRF money. The County Highway Department would like to apply for construction funds under the SRF grant for the Mill and Overlay of Desert Road from SH 1804 to the Kimball Bottoms Boat Landing.

The Highway Department is still working out details for the application and cost estimate, but currently we estimate the project at around \$800,000. The grant application would be funded 80% state and 20% locally with a \$500,000 max. The local match dollars would come from Burleigh County and we estimate it do be around \$300,000.

**RECOMMENDATION:**

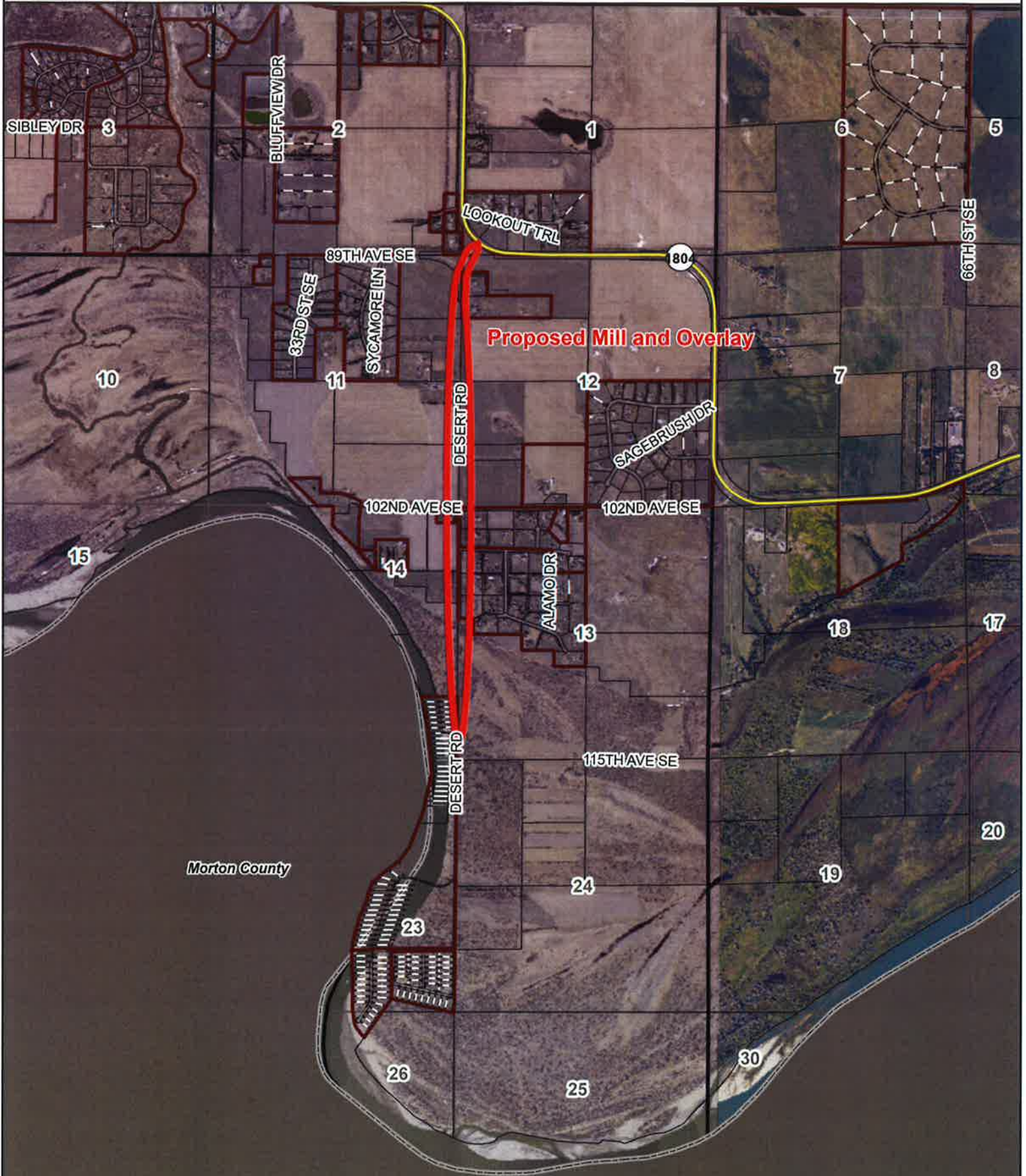
It is recommended the Board adopt the following proposed resolution.

**PROPOSED RESOLUTION:**

THEREFORE, BE IT RESOLVED: That the proper County officials are hereby authorized to apply for a 2026 Special Road Funds (SRF) grant for the Mill and Overlay of Desert Road from SH 1804 to the Boat Landing.



# BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



# ITEM

# # 9



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

[burleighcobuilding@nd.gov](mailto:burleighcobuilding@nd.gov)  
701-221-3727

To: Burleigh County Commission.

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

Date: 10-13-2025

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

ITEM 1

Biegler Final Subdivision

Legal Description: Part of Auditor's Lot E in the SE Quarter and Part of the SE Quarter all in Section 29, Township 139N, Range 76W.

Property Address: 32051 NE 5<sup>th</sup> Ave. Sterling ND. 58572

Beginning in 2024, Biegler's had requested to purchase the excess Right of Way along County Highway 10 from Burleigh County, that request was granted to the Biegler's on October 21, 2024. ILS Surveying began platting the four (4) lot subdivision containing 19.47 acres.

- An approval vote of 7-0 of the final plat was based also on the approval of a Storm Water Management Waiver.

ACTION REQUESTED

Supporting documents and findings of the Planning Commission recommend the approval of Biegler Final Subdivision Plat.

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

LOT EX. 1

# BIEGLER SUBDIVISION

PART OF AUDITOR'S LOT E IN THE SE QUARTER  
AND PART OF THE SE QUARTER  
ALL IN SECTION 29, T139N, R76W  
BURLEIGH COUNTY, NORTH DAKOTA



## LEGAL DESCRIPTION

PART OF AUDITOR'S LOT E IN THE SE QUARTER AND PART OF THE SE QUARTER ALL IN SECTION 29, T139N, R76W, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29, THENCE SOUTH 89° 50' 55" WEST ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 89° 50' 55" WEST ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 100.00 FEET, THENCE NORTH 00° 04' 42" WEST A DISTANCE OF 410.01 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 10, THENCE NORTH 83° 29' 34" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET, THENCE SOUTH 83° 42' 54" WEST A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 29.29 ACRES MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

## VERIFICATION OF SURVEY

I, MARK R. ISAACS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ATTACHED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 12, 2015, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL NECESSARY RECORDS HAVE BEEN SET, AND THAT ALL QUESTIONS AND OBJECTIONS HAVE BEEN CORRECTED.

MARK R. ISAACS

## CONSENT OF THE PARTIES

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE SEVERAL PARTS OF SAID PLAT AND TO DELEGATE ALL THE RIGHT OF VARIATION HEREIN TO BURLEIGH COUNTY. WE ALSO DELEGATE EASEMENTS TO RUN WITH THE LAND FOR GAS, ELECTRIC, TELEPHONE, WATER, OR OTHER PUBLIC UTILITIES OR SERVICES OF OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

WE ALSO DELEGATE ACCESS EASEMENTS TO ALL LAND OWNERS PARTIES TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTING, OPERATING, AND MAINTAINING THE ACCESS UNDER OR UPON THE REAL PROPERTY OF THOSE CERTAIN STRIPS OF LAND SO DESIGNATED.

MARK R. ISAACS

JOYCE M. BIEGLER

MARK R. ISAACS

DATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SIGNED BEFORE ME, A NOTARY PUBLIC, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC

## APPROVAL OF THE COUNTY ENGINEER

THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVES BIEGLER 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 LAND PLANNING AND ZONING COMMISSION.

THE FOLLOWING ACTION OF THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DRINK BIEGLER, CHAIRMAN

ATTEST: MITCH PLANKMAN, SECRETARY

## APPROVAL OF THE COUNTY ENGINEER

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT. THIS PLAT HAS BEEN ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, AND IS HEREBY DECLARED A PUBLIC RECORD.

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 FOLLOWING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DRINK BIEGLER, CHAIRMAN

ATTEST: MARK R. ISAACS, COUNTY ENGINEER

## APPROVAL OF THE COUNTY ENGINEER

I, MARKUS J. HALL, COUNTY ENGINEER FOR THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVES THIS PLAT OF BIEGLER SUBDIVISION AS SHOWN ON THE PLAT DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MARKUS J. HALL, PE

## COPIES

NOVEMBER 18, 2015

31215TH AVENUE SE

STREETSIDE, ND 58572

JOYCE M. BIEGLER

4101 1ST AVE SE

TAPPAH, ND 58467

## COPIES

1. BEING THE ORIGINAL AND TRUE COPY OF THE PLAT, TO BE KEPT IN THE RECORDS OF THE COUNTY OF BURLEIGH.
2. BEING THE ORIGINAL AND TRUE COPY OF THE PLAT, TO BE KEPT IN THE RECORDS OF THE COUNTY OF BURLEIGH.
3. BEING THE ORIGINAL AND TRUE COPY OF THE PLAT, TO BE KEPT IN THE RECORDS OF THE COUNTY OF BURLEIGH.

DATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

STATE OF \_\_\_\_\_

## LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED NEAR 7517 F ROAD FLUSH WITH THE GROUND, ELEVATION 1152.17
- NON-ACCESS LINE
- VACATE LOT LINE

BENCHMARK: NORTH PLANE, SE CORNER OF LOT 4, BLOCK 1, A CAPPED NEAR 7517 F ROAD FLUSH WITH THE GROUND, ELEVATION 1152.17

PROFESSIONAL LAND SURVEYOR

MARK R. ISAACS, LICENSE # \_\_\_\_\_

DATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

STATE OF \_\_\_\_\_

DATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

STATE OF \_\_\_\_\_

DATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

STATE OF \_\_\_\_\_

DATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

STATE OF \_\_\_\_\_



EX. 2 SITE LOCATION





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

[burleighcobuilding@nd.gov](mailto:burleighcobuilding@nd.gov)  
701-221-3727

To: Burleigh County Commission.

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

Date: 10-13-2025

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

ITEM 1

Variance for 8507 Rolling Hills Road

Legal Description: COUNTRY HILLS SUBDIVISION, LOT12, BLOCK 2

Property Address: 8507 Rolling Hills Road, Bismarck, ND. 58572

On September 8<sup>th</sup>, 2025 Mark Rall approached the Burleigh County Building Department intending to build an accessory building for the property owner – Vern Kuntz. The petitioner is asking for relief of 35' of the 50' setback on the SE side of the property, leaving a 15' setback for the proposed building.

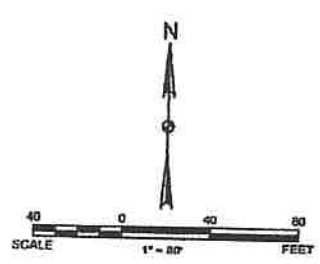
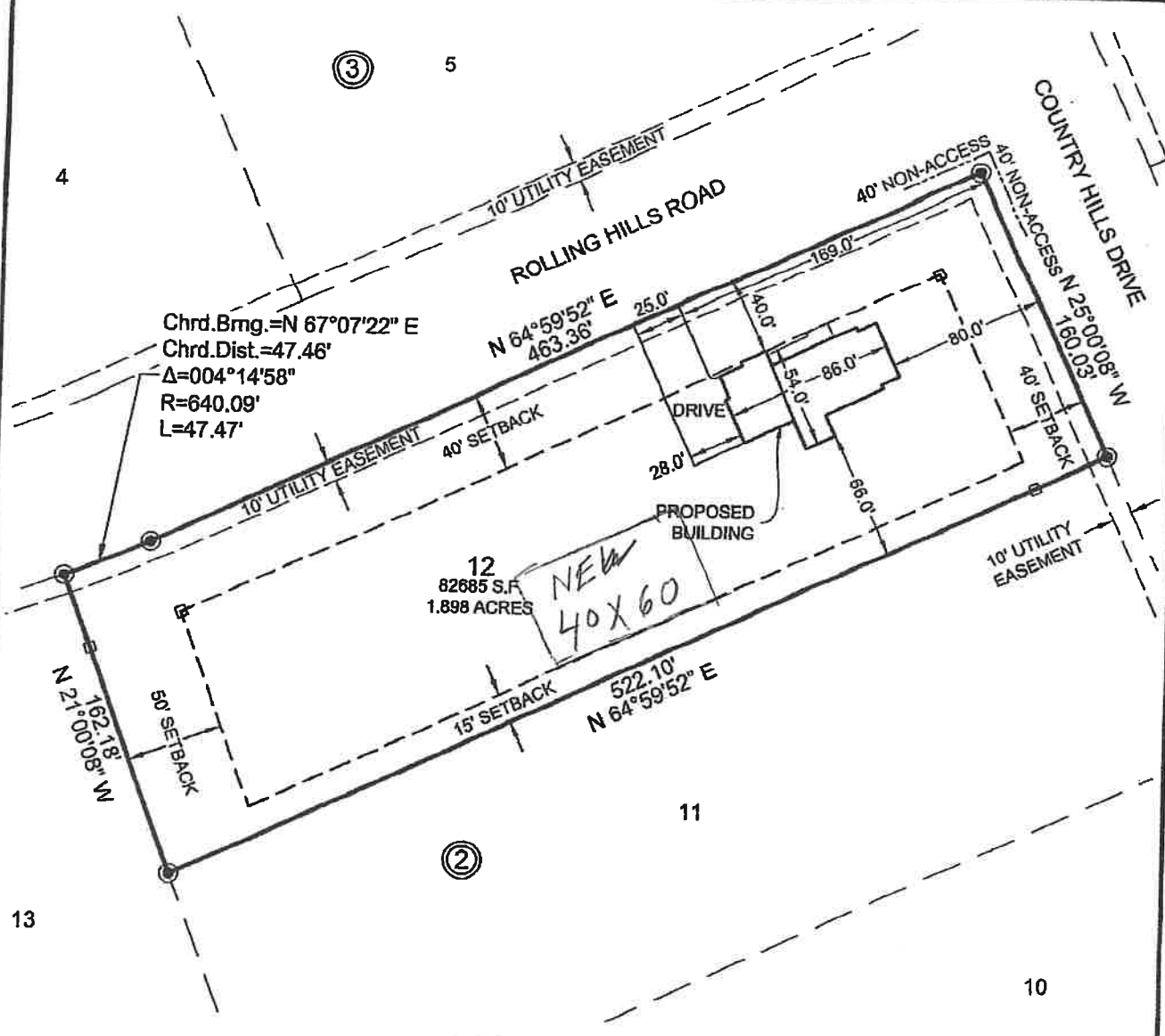
This property is located on a corner which requires 90' feet of front and rear setbacks.

- At the October public hearing, the Planning Commission recommended approval of the variance by a vote of 7-0.

ACTION REQUESTED

Based on supporting documents and findings of the Planning Commission, it is recommended to approve the variance request.

Attachments: Ex. 1 8507 Lot Exhibit.



- LEGEND**
- MONUMENT FOUND
  - ⊙ MONUMENT SET
  - BUILDING SETBACK

|                                                                                                 |           |             |          |
|-------------------------------------------------------------------------------------------------|-----------|-------------|----------|
| Rev'd.                                                                                          |           |             |          |
| LOT SURVEY EXHIBIT<br>K&L HOMES<br>BISMARCK, NORTH DAKOTA                                       |           |             |          |
| 8507 ROLLING HILLS ROAD<br>LOT 12, BLOCK 2,<br>COUNTRY HILLS SUBDIVISION<br>BURLEIGH COUNTY, ND |           |             |          |
| OWNER                                                                                           | DEVELOPER | PROJECT NO. | DATE     |
| ZT                                                                                              | JRJ       | 1817177     | 4/4/2017 |

Apr 04, 2017 - 8:45pm - P:\Private\WDL\LotSurvey\K&LHomes\2017\1817177\CADD\1817177\_L12\_B2\_CountryHillsSubdivision.dwg

©KLJ 2017



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

[burleighcobuilding@nd.gov](mailto:burleighcobuilding@nd.gov)  
701-221-3727

To: Burleigh County Commission.  
Re: Resolution 25-003  
Date: 10-15-2025  
From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1

Resolution 25-003

Legal Description: TWIN BUTTES Block 03 L21 604496

Property Address: 4400 Sagebrush Drive, Bismarck, ND 58504

The owner Joel Kern at the above stated address requested to have the non-access line that was platted on the Twin Buttes Subdivision Plat to be partially vacated to place an approach onto his property.

Non-access lines are selectively drawn on a plat to limit access to high speed, high traffic volume roadways and at intersections to lower traffic accidents. County Staff has reviewed the non-access line location and makes a recommendation to approve the resolution.

**ACTION REQUESTED**

Approve Resolution 25-003 as requested.

Attachments: Ex. 1. Resolution 25-003  
Ex. 2. 4400 site location



.....  
(Above space reserved for Burleigh County Recorder use)

## **RESOLUTION 25-03**

### **RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS COUNTY OF BURLEIGH, NORTH DAKOTA MODIFICATION OF NON-ACCESS LINE**

WHEREAS, the owners of property described as TWIN BUTTES Block 03 L21 604496, adjoining and contiguous to a platted non-access control lines, have heretofore joined in petition requesting that parts of said non-access control lines be modified, verified by oath of at least one petitioner and accompanied by a plat of said non-access control lines to be modified having set forth the facts and reason for said modification; and

WHEREAS, said platted non-access control lines were shown on the plat of TWIN BUTTES SUBDIVISION which was recorded on 01/24/1979 (document #300431) and

WHEREAS, The County Engineer has determined that the non-access control lines to be modified does not adversely affect traffic movements or public safety.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners for Burleigh County, North Dakota that the petition heretofore described to modify the non-access control line described as:

SOUTH PROPERTY NON-ACCESS CONTROL LINE TWIN BUTTES Block 03 L21 604496,

Is in all things vacated and removed.

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

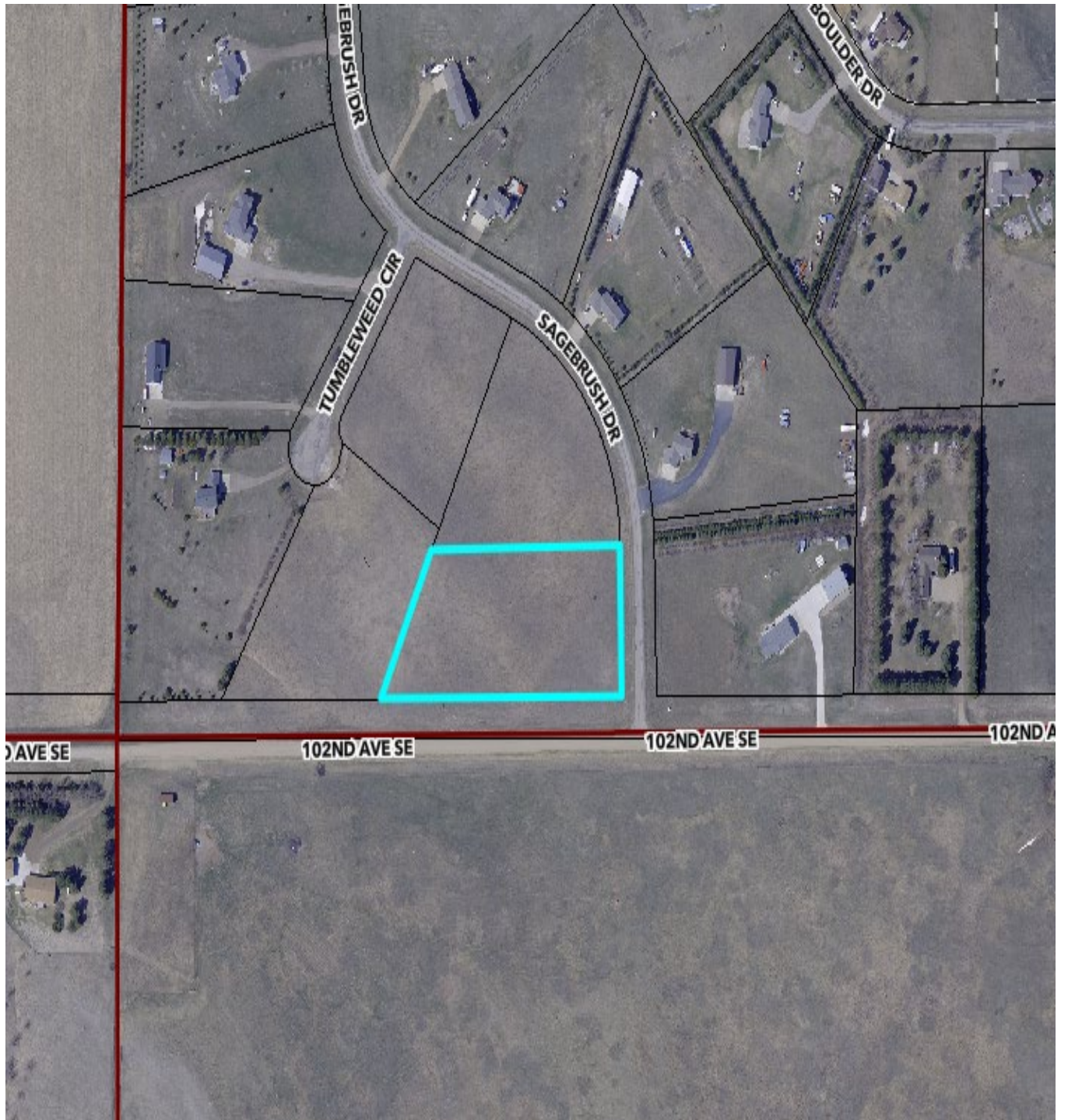
CERTIFICATE

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 \_\_\_\_\_ 20\_\_.

IN WITNESS WHEREOF, have hereunto set my hand and the seal of the County of Burleigh, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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

## Exhibit 2. 4400 Sagebrush Drive





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

[burleighcobuilding@nd.gov](mailto:burleighcobuilding@nd.gov)  
701-221-3727

To: Burleigh County Commission.  
Re: Appeal of a Notice of Complaint  
Date: 10-15-2025  
From: Mitch Flanagan, Burleigh County Planning Director. *lll*

ITEM 1

Complaint to Owner

Legal Description: GLENVIEW TOWNSHIP Section 24 W1/2E1/2NW1/4  
772217 24-141-80

Property Address: 1725 201st Ave NE, Baldwin, ND 58521

A Notice to Owner concerning a complaint from a neighbor was sent to the owner Mr. Jarod Stoll, Stoll Holdings LLP., 1725 201<sup>st</sup> Ave NE, Baldwin, ND 58521 on 9-8-2025. The complaint was based on an agricultural tour that was conducted on the property. Ms. Podoll has appealed the notice and is related to the owner.

ACTION REQUESTED

No action is requested.

Attachments: Ex. 1. NTO 1725 201st Ave NE  
Ex. 2. Podol Appeal 10082025  
Ex. 3. Police Report: Baldwin Greenhouse



## **NOTICE and ORDER**

DATE: 8-8-2025

TO: Stoll Holdings LLP 1725 201<sup>st</sup> Ave NE, Baldwin, ND 58521

RE: ZONING VIOLATION: 1725 201<sup>st</sup> Ave NE, Baldwin, ND 58521

LEGAL DESCRIPTION: GLENVIEW TOWNSHIP Section 24 W1/2E1/2NW1/4  
772217 24-141-80

Dear Jarod Stoll:

It has been brought to our attention that your property is in violation of Article 8, Section 31 of the Burleigh County Zoning Ordinances.

### **FINDINGS:**

1. Article 8 Section 31. Special Use permit required located at: 1725 201<sup>st</sup> Ave NE, Baldwin, ND.

Article 8 Section 31: Special Use Permits *Agricultural Recreation may be permitted in an Agricultural District as a special use. All persons, entities or organizations wishing to establish the use of Agricultural Recreation within Burleigh County must apply for a special use permit.*

### **AUTHORIZATION:**

Operating Agricultural Recreation without a special use permit constitutes a violation as defined and amended: Article 22 Section 1, Burleigh County Zoning Ordinance. Application for a special use permit must be made within 10 days' receipt of this notice.

You should be advised that under Article 30 Section 4 Violations, Penalty for Disregarding: Burleigh County has the authority, if the conditions described above are not remedied in the time allowed under this notice, to undertake legal proceedings of the corrections required.

### **APPEAL:**

If you desire to appeal this order, you must file a written request within thirty (30) days receipt of this order with the Board of County Commissioners. The notice of appeal shall be delivered to and verified by the County Building Official, PO Box 5518 Bismarck ND. 58506.

Please contact this officer at your earliest convenience.

Sincerely, 

Mitch Flanagan, Building Official,  
701-221-3727 Burleigh County, ND.

|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------|---------------------------|----------------------|---------|-------------------|---------------------------------------|-------------------|----------------------|--------------------------|-----------------|------------------------|--------------------------|---------------|-----------------------------------------------------|--------------|------------------------|--|--|
| I<br>N<br>C<br>I<br>D<br>E<br>N<br>T<br><br>D<br>A<br>T<br>A  | Agency Name<br><b>Burleigh County Sheriffs Office</b>                                                                                                           |                                                | <input type="checkbox"/> Investigator<br><input type="checkbox"/> States Attorney<br><input type="checkbox"/> PYB<br><input type="checkbox"/> Other |        |                |                           |                      |         |                   | <b>INCIDENT/INVESTIGATION REPORT</b>  |                   |                      |                          |                 |                        |                          |               | Case#<br><b>24-00005220</b>                         |              |                        |  |  |
|                                                               | ORI<br><b>ND0080000</b>                                                                                                                                         |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               | Date / Time Reported<br><b>07/11/2024 14:36 Thu</b> |              |                        |  |  |
|                                                               | Location of Incident<br><b>1375 201ST AVE NE, Baldwin ND 58521</b>                                                                                              |                                                | Gang Relat Premise Type Agency/Report Ar                                                                                                            |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               | Last Known Secure<br><b>07/11/2024 14:36 Thu</b>    |              |                        |  |  |
|                                                               | #1                                                                                                                                                              | Crime Incident(s)<br><b>Other Public Peace</b> |                                                                                                                                                     | (Com ) | Weapon / Tools |                           |                      |         |                   |                                       |                   | Activity<br><b>N</b> |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               | #2                                                                                                                                                              | Crime Incident                                 |                                                                                                                                                     | ( )    | Weapon / Tools |                           |                      |         |                   |                                       |                   | Activity             |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               | #3                                                                                                                                                              | Crime Incident                                 |                                                                                                                                                     | ( )    | Weapon / Tools |                           |                      |         |                   |                                       |                   | Activity             |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
| MO                                                            |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
| V<br>I<br>C<br>T<br>I<br>M                                    | # of Victims <b>0</b>                                                                                                                                           |                                                | Type:                                                                                                                                               |        | Injury:        |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               | <b>V1</b>                                                                                                                                                       |                                                | Victim/Business Name (Last, First, Middle)                                                                                                          |        |                |                           |                      |         |                   | Victim of Crime #                     |                   | DOB                  |                          | Race            | Sex                    | Relationship To Offender |               | Resident Status                                     |              | Military Branch/Status |  |  |
|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   | Age                                   |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                | Home Address                                                                                                                                        |        |                |                           |                      |         |                   |                                       |                   | Email                |                          |                 |                        |                          |               |                                                     | Home Phone   |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                | Employer Name/Address                                                                                                                               |        |                |                           |                      |         |                   |                                       |                   | Business Phone       |                          |                 |                        |                          |               |                                                     | Mobile Phone |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                | VYR                                                                                                                                                 | Make   | Model          | Style                     | Color                | Lic/Lis |                   |                                       | VIN               |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
| O<br>T<br>H<br>E<br>R<br><br>S                                | CODES: V- Victim (Denote V2, V3) WI= Witness IO = Involved Other RP = Reporting Person (if other than victim)                                                   |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               | Type: INDIVIDUAL (NOT LAW ENFORCEMENT) Injury:                                                                                                                  |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               | Code                                                                                                                                                            | Name (Last, First, Middle)                     |                                                                                                                                                     |        |                |                           |                      |         | Victim of Crime # | DOB                                   | Race              | Sex                  | Relationship To Offender | Resident Status | Military Branch/Status |                          |               |                                                     |              |                        |  |  |
|                                                               | <b>IO</b>                                                                                                                                                       | <b>PODOLL, MARY ELAINE</b>                     |                                                                                                                                                     |        |                |                           |                      |         |                   | <b>07/1965</b>                        |                   | <b>W</b>             | <b>F</b>                 |                 | <b>Resident</b>        |                          |               |                                                     |              |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                | Home Address                                                                                                                                        |        |                |                           |                      |         |                   |                                       |                   | Email                |                          |                 |                        |                          |               |                                                     | Home Phone   |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                | Employer Name/Address                                                                                                                               |        |                |                           |                      |         |                   |                                       |                   | Business Phone       |                          |                 |                        |                          |               |                                                     | Mobile Phone |                        |  |  |
| I<br>N<br>V<br>O<br>L<br>V<br>E<br>D                          | Type: INDIVIDUAL (NOT LAW ENFORCEMENT) Injury:                                                                                                                  |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               | Code                                                                                                                                                            | Name (Last, First, Middle)                     |                                                                                                                                                     |        |                |                           |                      |         | Victim of Crime # | DOB                                   | Race              | Sex                  | Relationship To Offender | Resident Status | Military Branch/Status |                          |               |                                                     |              |                        |  |  |
|                                                               | <b>IO</b>                                                                                                                                                       | <b>FEIST, JAMIE LEE</b>                        |                                                                                                                                                     |        |                |                           |                      |         |                   | <b>07/1979</b>                        |                   | <b>W</b>             | <b>M</b>                 |                 | <b>Resident</b>        |                          |               |                                                     |              |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                | Home Address                                                                                                                                        |        |                |                           |                      |         |                   |                                       |                   | Email                |                          |                 |                        |                          |               |                                                     | Home Phone   |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                | Employer Name/Address                                                                                                                               |        |                |                           |                      |         |                   |                                       |                   | Business Phone       |                          |                 |                        |                          |               |                                                     | Mobile Phone |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
| P<br>R<br>O<br>P<br>E<br>R<br>T<br>Y                          | 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OI" = Recovered for Other Jurisdiction) |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               | VI #                                                                                                                                                            | Code                                           | Status Frm/To                                                                                                                                       | Value  | OJ             | QTY                       | Property Description |         |                   |                                       |                   | Make/Model           |                          |                 |                        |                          | Serial Number |                                                     |              |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
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|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
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|                                                               |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
| Officer/ID# <b>BROWNING, ROBERT OWEN III (BCSO1237)</b>       |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
| Invest ID# <b>(0)</b>                                         |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   | Supervisor <b>ROCHESTER, HAROLD S</b> |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |
| Status                                                        | Complainant Signature                                                                                                                                           |                                                |                                                                                                                                                     |        |                | Case Status <b>Active</b> |                      |         |                   |                                       | Case Disposition: |                      |                          |                 |                        | Page 1                   |               |                                                     |              |                        |  |  |
| R CS1IBR Printed By: RBROWNING, Sys#: 1565571 07/11/2024 19:5 |                                                                                                                                                                 |                                                |                                                                                                                                                     |        |                |                           |                      |         |                   |                                       |                   |                      |                          |                 |                        |                          |               |                                                     |              |                        |  |  |



# INCIDENT/INVESTIGATION REPORT

Burleigh County Sheriffs Office

Case # 24-00005220

| Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown |     |        |          |              |                |
|------------------------------------------------------------------------------------------------------------------------------------|-----|--------|----------|--------------|----------------|
|                                                                                                                                    | IBR | Status | Quantity | Type Measure | Suspected Type |
| D<br>R<br>U<br>G<br>S                                                                                                              |     |        |          |              |                |
|                                                                                                                                    |     |        |          |              |                |
|                                                                                                                                    |     |        |          |              |                |
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|                                                                                                                                    |     |        |          |              |                |
|                                                                                                                                    |     |        |          |              |                |
| Assisting Officers<br>SCHOEDEL, N.R. (BCSO1153)                                                                                    |     |        |          |              |                |

Suspect Hate / Bias Motivated:

**NARRATIVE**

On July 11, 2024 at approximately 1435 hours Cpl. Schoedel was notified of a possible fued between neighbors that happened on July 10, 2024 after the County Commission meeting. Deputy Robert Browning responded with Cpl. Schoedel to 1375 201st Ave NE to speak with the RP Jamie Feist. Feist stated that he was at the meeting to contest against a corn maze that his neighbor Mary Podoll was trying to get approved. The County Commission denied Podoll from setting up the corn maze. Feist stated that after the meeting he was standing with Shawn Schafer, Michael(Mike) Ryckman and Robert(Bob) Miller when Podoll approached the group. Feist told Browning that Podoll stated something to the effect of "I have 11 grandchildren with dirtbikes and atvs they can ride along the property and show you a disturbance to your deer." Feist stated that Podoll seperately made comments to Burleigh County Building and Zoning staff member Maria McMonagle. Feist stated that he didn't want any action at this time. Browning spoke with all parties involved. Browning informed Podoll that purposefully having people annoy or harass Feist's deer by any means could result in further actions. See Suppliment.



|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------------------------|--------------------------|-----------------------------------------------------|--|
| I<br>N<br>C<br>I<br>D<br>E<br>N<br>T<br>D<br>A<br>T<br>A           | Agency Name<br><b>Burleigh County Sheriffs Office</b>                                                                                                           |           | <input type="checkbox"/> Investigations<br><input type="checkbox"/> States Attorney<br><input type="checkbox"/> PYB<br><input type="checkbox"/> Other |                | <b>INCIDENT/INVESTIGATION REPORT</b> |                          | Case#<br><b>24-00006528</b>                         |  |
|                                                                    | ORI<br><b>ND0080000</b>                                                                                                                                         |           |                                                                                                                                                       |                |                                      |                          | Date / Time Reported<br><b>08/19/2024 12:08 Mon</b> |  |
|                                                                    | Location of Incident<br><b>1375 201ST AVE NE, Baldwin Nd ND 58521</b>                                                                                           |           | Gang Relat<br><b>Field/woods</b>                                                                                                                      |                | Premise Type<br><b>Field/woods</b>   |                          | Last Known Secure<br><b>08/17/2024 20:27 Sat</b>    |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Agency/Report Ar                     |                          | At Found<br><b>08/17/2024 21:00 Sat</b>             |  |
| #1                                                                 | Crime Incident(s)<br><b>Other Public Peace 86Z</b>                                                                                                              |           | ( Att )                                                                                                                                               |                | Weapon / Tools                       |                          | Activity                                            |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Entry                                |                          | Exit                                                |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Security                             |                          |                                                     |  |
| #2                                                                 | Crime Incident                                                                                                                                                  |           | ( )                                                                                                                                                   |                | Weapon / Tools                       |                          | Activity                                            |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Entry                                |                          | Exit                                                |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Security                             |                          |                                                     |  |
| #3                                                                 | Crime Incident                                                                                                                                                  |           | ( )                                                                                                                                                   |                | Weapon / Tools                       |                          | Activity                                            |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Entry                                |                          | Exit                                                |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Security                             |                          |                                                     |  |
| MO                                                                 |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
| V<br>I<br>C<br>T<br>I<br>M                                         | # of Victims <b>0</b>                                                                                                                                           |           | Type:                                                                                                                                                 |                | Injury:                              |                          |                                                     |  |
|                                                                    | V1                                                                                                                                                              |           | Victim/Business Name (Last, First, Middle)                                                                                                            |                | Victim of Crime #                    |                          | DOB                                                 |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Age                                  |                          | Race Sex                                            |  |
|                                                                    | Home Address                                                                                                                                                    |           |                                                                                                                                                       |                | Email                                |                          | Resident Status                                     |  |
|                                                                    | Employer Name/Address                                                                                                                                           |           |                                                                                                                                                       |                | Business Phone                       |                          | Military Branch/Status                              |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | Home Phone               |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | Mobile Phone             |                                                     |  |
| VYR                                                                |                                                                                                                                                                 | Make      |                                                                                                                                                       | Model          |                                      | Style                    |                                                     |  |
| Color                                                              |                                                                                                                                                                 | Lic/Lis   |                                                                                                                                                       | VIN            |                                      |                          |                                                     |  |
| O<br>T<br>H<br>E<br>R<br>S                                         | CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)                                                  |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
|                                                                    | Type: INDIVIDUAL (NOT-LAW ENFORCEMENT) Injury:                                                                                                                  |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
|                                                                    | Code                                                                                                                                                            |           | Name (Last, First, Middle)                                                                                                                            |                | Victim of Crime #                    |                          | DOB                                                 |  |
|                                                                    | RP                                                                                                                                                              |           | FEIST, JAMIE LEE                                                                                                                                      |                |                                      |                          | Age 44 W M                                          |  |
|                                                                    | Home Address                                                                                                                                                    |           | BALDWIN, ND 58521                                                                                                                                     |                | Email                                |                          | Resident Status                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | Military Branch/Status   |                                                     |  |
| Employer Name/Address                                              |                                                                                                                                                                 | (UNKNOWN) |                                                                                                                                                       | Business Phone |                                      | Mobile Phone             |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
| I<br>N<br>V<br>O<br>L<br>V<br>E<br>D                               | Type:                                                                                                                                                           |           | Injury:                                                                                                                                               |                | Code                                 |                          | Name (Last, First, Middle)                          |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Victim of Crime #                    |                          | DOB                                                 |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | Age                                  |                          | Race Sex                                            |  |
|                                                                    | Home Address                                                                                                                                                    |           |                                                                                                                                                       |                | Email                                |                          | Resident Status                                     |  |
|                                                                    | Employer Name/Address                                                                                                                                           |           |                                                                                                                                                       |                | Business Phone                       |                          | Military Branch/Status                              |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | Home Phone               |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | Mobile Phone             |                                                     |  |
| P<br>R<br>O<br>P<br>E<br>R<br>T<br>Y                               | 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction) |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
|                                                                    | VI #                                                                                                                                                            |           | Code                                                                                                                                                  |                | Status                               |                          | Value                                               |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                | OJ                                   |                          | QTY                                                 |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          | Property Description                                |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          | Make/Model                                          |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          | Serial Number                                       |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
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|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
| Officer/ID# <b>MEHRER, RONALD T (BCSO306)</b>                      |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
| Invest ID# <b>(0)</b> Supervisor <b>MEHRER, RONALD T (BCSO306)</b> |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      |                          |                                                     |  |
| Status                                                             |                                                                                                                                                                 |           | Complainant Signature                                                                                                                                 |                |                                      | Case Status              |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | <b>Active 08/19/2024</b> |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | Case Disposition:        |                                                     |  |
|                                                                    |                                                                                                                                                                 |           |                                                                                                                                                       |                |                                      | Page 1                   |                                                     |  |

R\_CS11BR

Printed By: RMEHRER,

Sys#: 1570228

08/19/2024 14:45

# INCIDENT/INVESTIGATION REPORT

Burleigh County Sheriffs Office

Case # 24-00006528

| Status Codes: 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown |     |        |          |              |                |
|-------------------------------------------------------------------------------------------------------------------------------------|-----|--------|----------|--------------|----------------|
| D<br>R<br>U<br>G<br>S                                                                                                               | IBR | Status | Quantity | Type Measure | Suspected Type |
|                                                                                                                                     |     |        |          |              |                |
|                                                                                                                                     |     |        |          |              |                |
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|                                                                                                                                     |     |        |          |              |                |
|                                                                                                                                     |     |        |          |              |                |

Assisting Officers

Suspect Hate / Bias Motivated:

**NARRATIVE**

On 08/19/24 at approx. 1115, Deputy Mehrer and Burleigh County Sheriff Kelly Leben met with Jamie Fiest at the Burleigh County Sheriffs Dept. Fiest stated that he is the owner of a deer farm located at [REDACTED] Baldwin ND. Fiest stated that there is a corn maze that butts up to his property on the east side. The location of the maze is 1725 201st ave, Baldwin ND. Fiest stated that the maze is currently not under operation.

Fiest stated that on 08/17/24 at apprx. 2037 five male juveniles arrived at the corn maze property. Fiest stated that the males were talking very loud and that their actions startled his deer. Fiest stated that the males entered the corn maze yelling and continued to yell and whistle while in the maze. The five males then exited the maze yelling and clapping their hands. Fiest stated most of the neighbor dogs were barking because of the yelling.

Fiest stated that after the incident he found a buck with a broken tine. Fiest stated that because of this injury he would not be able to sell the animal this year. Fiest believes the animal was startled because of the males actions. Fiest could not identify the individuals but did provide video of the males and photos of the injured deer.

|                                                                                                                    | INCIDENT/INVESTIGATION                                                                                                                                          |                                                                                                      |                     |                                                                                                                                                                                                            |                                    |                                                     |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------------------------|
| AIR<br>C<br>I<br>D<br>E<br>N<br>T<br><br>D<br>A<br>T<br>A                                                          | Agency Name:<br><b>Burleigh County Sheriffs Office</b>                                                                                                          |                                                                                                      |                     | <input type="checkbox"/> Investigations<br><input checked="" type="checkbox"/> <b>REPORT</b><br><input type="checkbox"/> States Attorney<br><input type="checkbox"/> PYB<br><input type="checkbox"/> Other |                                    |                                                     |
|                                                                                                                    | ORI<br><b>ND0080000</b>                                                                                                                                         |                                                                                                      |                     | Case#<br><b>25-00006105</b>                                                                                                                                                                                |                                    |                                                     |
|                                                                                                                    | Location of Incident<br><b>1375 201ST AVE NE, Baldwin ND 58521</b>                                                                                              |                                                                                                      |                     | Gang-Relat.<br>                                                                                                                                                                                            | Premise Type<br><b>Field/woods</b> | Date / Time Reported<br><b>07/21/2025 11:13 Mon</b> |
|                                                                                                                    | #1                                                                                                                                                              | Crime Incident(s)<br><b>Criminal Trespass, Enter Area W/ Notice Against Trespass - 12.1-22-03(3)</b> | (Com) M             | Weapon / Tools                                                                                                                                                                                             | Exit                               | Last Known Secure<br><b>07/21/2025 11:13 Mon</b>    |
|                                                                                                                    | #2                                                                                                                                                              | Crime Incident<br><b>Civil Dispute</b>                                                               | (Com)               | Entry                                                                                                                                                                                                      | Security                           | At Found<br><b>07/21/2025 11:13 Mon</b>             |
|                                                                                                                    | #3                                                                                                                                                              | Crime Incident                                                                                       | ( )                 | Entry                                                                                                                                                                                                      | Security                           |                                                     |
| M<br>O                                                                                                             |                                                                                                                                                                 |                                                                                                      |                     |                                                                                                                                                                                                            |                                    |                                                     |
| V<br>I<br>C<br>T<br>I<br>M                                                                                         | # of Victims                                                                                                                                                    | Type:                                                                                                | Injury:             |                                                                                                                                                                                                            |                                    |                                                     |
| O<br>T<br>H<br>E<br>R<br>S<br><br>I<br>N<br>V<br>O<br>L<br>V<br>E<br>D<br><br>P<br>R<br>O<br>P<br>E<br>R<br>T<br>Y | V1                                                                                                                                                              | Victim/Business Name (Last, First, Middle)<br><b>FEIST, JAMIE LEE</b>                                | DOB<br><b>/1979</b> | Race<br><b>W</b>                                                                                                                                                                                           | Sex<br><b>F</b>                    | Relationship To Offender<br><b>Resident</b>         |
|                                                                                                                    |                                                                                                                                                                 | Home Address<br><b>, Baldwin, ND 58521-</b>                                                          | Email               |                                                                                                                                                                                                            |                                    | Home Phone                                          |
|                                                                                                                    |                                                                                                                                                                 | Employer Name/Address<br><b>(UNKNOWN)</b>                                                            | Business Phone      |                                                                                                                                                                                                            |                                    | Mobile Phone                                        |
|                                                                                                                    | VYR                                                                                                                                                             | Make                                                                                                 | Model               | Style                                                                                                                                                                                                      | Color                              | Lic/Lis                                             |
|                                                                                                                    | VIN                                                                                                                                                             |                                                                                                      |                     |                                                                                                                                                                                                            |                                    |                                                     |
|                                                                                                                    | CODES: V= Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)                                                  |                                                                                                      |                     |                                                                                                                                                                                                            |                                    |                                                     |
|                                                                                                                    | Type:                                                                                                                                                           | Injury:                                                                                              |                     |                                                                                                                                                                                                            |                                    |                                                     |
|                                                                                                                    | Code                                                                                                                                                            | Name (Last, First, Middle)                                                                           | Victim of Crime #   | DOB                                                                                                                                                                                                        | Race                               | Sex                                                 |
|                                                                                                                    | IO                                                                                                                                                              | <b>PODOLL, MARY ELAINE</b>                                                                           |                     | <b>965</b>                                                                                                                                                                                                 | <b>W</b>                           | <b>F</b>                                            |
|                                                                                                                    |                                                                                                                                                                 | Home Address<br><b>BALDWIN, ND 58521</b>                                                             | Email               |                                                                                                                                                                                                            |                                    | Home Phone                                          |
|                                                                                                                    |                                                                                                                                                                 | Employer Name/Address                                                                                | Business Phone      |                                                                                                                                                                                                            |                                    | Mobile Phone                                        |
|                                                                                                                    | Type:                                                                                                                                                           | Injury:                                                                                              |                     |                                                                                                                                                                                                            |                                    |                                                     |
|                                                                                                                    | Code                                                                                                                                                            | Name (Last, First, Middle)                                                                           | Victim of Crime #   | DOB                                                                                                                                                                                                        | Race                               | Sex                                                 |
|                                                                                                                    |                                                                                                                                                                 |                                                                                                      |                     | Age                                                                                                                                                                                                        | To Offender                        | Resident Status                                     |
|                                                                                                                    |                                                                                                                                                                 | Home Address                                                                                         | Email               |                                                                                                                                                                                                            |                                    | Home Phone                                          |
|                                                                                                                    |                                                                                                                                                                 | Employer Name/Address                                                                                | Business Phone      |                                                                                                                                                                                                            |                                    | Mobile Phone                                        |
|                                                                                                                    | 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OI" = Recovered for Other Jurisdiction) |                                                                                                      |                     |                                                                                                                                                                                                            |                                    |                                                     |
|                                                                                                                    | VI #                                                                                                                                                            | Status Pm/To                                                                                         | Value               | OJ                                                                                                                                                                                                         | QTY                                | Property Description                                |
|                                                                                                                    |                                                                                                                                                                 |                                                                                                      |                     |                                                                                                                                                                                                            |                                    | Make/Model                                          |
|                                                                                                                    |                                                                                                                                                                 |                                                                                                      |                     |                                                                                                                                                                                                            |                                    | Serial Number                                       |
|                                                                                                                    | Officer/ID# <b>SCHOEDER, NICHALOS R (BCSO1153)</b>                                                                                                              |                                                                                                      |                     |                                                                                                                                                                                                            |                                    |                                                     |
|                                                                                                                    | Invest ID# <b>(0)</b>                                                                                                                                           |                                                                                                      |                     | Supervisor <b>SCHOEDER, NICHALOS R</b>                                                                                                                                                                     |                                    |                                                     |
|                                                                                                                    | Status Complainant Signature                                                                                                                                    |                                                                                                      |                     | Case Status Active                                                                                                                                                                                         |                                    |                                                     |
|                                                                                                                    | Date                                                                                                                                                            |                                                                                                      |                     | Page 1                                                                                                                                                                                                     |                                    |                                                     |

# INCIDENT/INVESTIGATION REPORT

*Burleigh County Sheriffs Office*

Case # 25-00006105

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

| D<br>R<br>U<br>G<br>S | IBR | Status | Quantity | Type Measure | Suspected Type |  |
|-----------------------|-----|--------|----------|--------------|----------------|--|
|                       |     |        |          |              |                |  |
|                       |     |        |          |              |                |  |
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|                       |     |        |          |              |                |  |

Assisting Officers

Suspect Hate / Bias Motivated:

**NARRATIVE**

Cpl. Schoedel spoke with Jamie Feist regarding an incident on 7/18/25. Feist informed Schoedel that Mary Podoll had a tour on the Baldwin Green House property. Feist explained that she did not have any permits to do so but did anyway. Feist stated that someone had trespassed onto his property near where he kept his deer. Feist stated that he has "No trespassing" signs on his property line and then 30 ft to the west is where he has 8ft fences where he keeps his deer. Feist stated someone had gone to the 8ft fence and spooked the deer. This caused two deer to die and one deer to suffer a broken leg. Feist estimated the damages in the deer to be \$15,000 dollars. The deer are for Feist's business. Feist explained this is an ongoing issue with the neighbors at the Green House. No suspect was given for the trespassing.

Schoedel called Mary who said that she did have a farm tour out that day and did not need a permit due to her numbers. Mary estimated around 35 people out at the tour. Mary explained the tour as a garden tour for the farm vegetables. Mary informed Schoedel that no one had left the Green House property. She stated she got in front of them and the property and informed the tour not to go any further. Mary also said that a few people may have walked off toward that direction. Mary said they would have had to walk a long distance to get to the deer. Schoedel asked if a few people did go that way and Mary said that she cannot verify one way or another. Mary said that she clearly said in the microphone not to go any further. Mary said if they did they would have not left their property.

Schoedel called Burleigh County Zoning which informed Schoedel that Mary did in fact need a specialty permit and was told this by them.

# ITEM

## # 10

# BURLEIGH COUNTY

## HUMAN RESOURCES DEPARTMENT

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PAM BINDER, SPHR, SHRM-SCP  
DIRECTOR

HUMAN RESOURCE ASSISTANTS:  
MEGAN MARTIN  
DESIREE HILBORN

### Memorandum

To: Chairman Brian Bitner  
Commissioner Steve Bakken  
Commissioner Wayne Munson  
Commissioner Steve Schwab  
Commissioner Jerry Woodcox

From: Pam Binder, SPHR, SHRM-SCP  
HR Director/Risk Manager

Date: October 15, 2025

Re: Human Resource's Agenda items for October 20, 2025, Commission Meeting

### **Subject One: Buildings & Grounds Department**

#### **BACKGROUND:**

In the August 18, 2025 Burleigh County Commission meeting; the Commission gave approval to complete a job posting for both a Facilities Director and a Facilities Manager (Buildings & Grounds Supervisor). There was also approval made to complete a job posting for two Building Technician II positions with the option of an underfill of Building Technician I if needed.

In a meeting that was held on September 3, 2025 with the Buildings and Grounds employees, shortly after the Facilities Director position became vacant, the following issues were discussed:

- The need to create an inventory system for the parts on hand for the different Burleigh County buildings. There are parts located in different areas, however, the former Buildings & Grounds Manager (Supervisor) was the person that knew where everything was located. Parts need to be inventoried and purged if obsolescent.
- The need to have an inventory system for all of the tools that belong to the Buildings & Grounds department is important, so we are able to determine the value of the tools as a whole for insurance purposes. Also, a tool replacement program is needed for broken tools.
- Organization of tools and proper preparation of tool bags with tools specific to the building or project need to be created.

# BURLEIGH COUNTY

## HUMAN RESOURCES DEPARTMENT

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HUMAN RESOURCE ASSISTANTS:  
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DESIREE HILBORN

- Proper training on safety practices such as confined spaces, hazardous material cleanup, etc. needs to be scheduled and completed. Training records have to be setup for the buildings & grounds employees.
- Policies and procedures that are unique to the Buildings & grounds department need to be created and implemented.
- Training on the service ticketing system needs to be done for all employees. There has to be certain information included when submitting a service ticket. This will save time for the Building Technicians who frequently have to do follow-up on the service ticket in order for the needed information to be gathered to complete the service ticket request.
- Scheduling and On-Call rotation for the Buildings & Grounds Department to ensure adequate coverage.
- The meeting also addressed the need to have a Facilities Director that actually knows how to repair the different systems within the buildings, such as boilers, chillers, and general plumbing and electrical systems.

On Wednesday, October 8, 2025 interviews were held for all three of the positions. There were three interviews for the Facilities Director position, one interview for the Facilities Manager (Buildings & Grounds Supervisor) position, and three interviews for the Building Technician II position. There were two very good applicants for the Facilities Director position. The top applicant has very similar training and experience in a government facility than what we need in our facilities. The other applicant has training in the different systems such as HVAC, plumbing and electrical systems. Both would be great additions to our current buildings and grounds employees.

After the interview process, a discussion was had by the interview panel regarding the strengths and weaknesses of the applicants as it is applicable to the needs for the Buildings & Grounds department. The interview panel consisted of the same group that has been involved in overseeing and meeting with the Buildings Technicians. The end result of that conversation was a suggestion of making an offer to one applicant for the Facilities Director position and also making an offer to another applicant for the Buildings & Grounds Supervisor (Facilities Manager) position. The Facilities Director is needed for the overall general items for the Buildings & Grounds department. While the Buildings & Grounds Supervisor is needed to supervise the Building Technicians and assist in performing the troubleshooting, maintenance repairs, and training processes. Also, Burleigh County has grown substantially from the Provident Building and the Courthouse Building, which was what the Buildings & Grounds Department was originally designed to cover. The addition of the Burleigh-Morton Detention Center was a very large undertaking for the Buildings & Grounds department. Now the addition of Burleigh East (the old Highway Building) and the future addition of the new Highway



# BURLEIGH COUNTY

## HUMAN RESOURCES DEPARTMENT

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PAM BINDER, SPHR, SHRM-SCP  
DIRECTOR

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DESIREE HILBORN

Building, mandates a change in the Buildings & Grounds Department to better accommodate the needs of Burleigh County both now and in the future.

### RECOMMENDATION:

The recommendation from the interview panel would be to make an offer to the first applicant for the Facilities Director position. This is already in process. This applicant has the skills and experience to perform the job. However, this applicant comes from another political subdivision and has been there for approximately fifteen (15) years. As part of the job offer an annual leave variance exception would have to be made. I would recommend moving the applicant up to the third (6 hours per pay period) or fourth (7 hours per pay period) tier in the Annual Leave accruals grid. This would be an exception that is made at this time. However, as policies are revised there are some changes that we need to make to our Annual Leave policy due to recent state regulations.

The second applicant has the technical experience and has some supervisory experience. The recommendation would be to offer the Buildings & Grounds Supervisor position to this applicant. We were not able to get a good fit for either of the Building Technician II positions.

In conclusion, we would like to make a job offer for the Facilities Director position with the annual leave variance, and make a job offer for the Buildings & Grounds Supervisor position. I have attached the job descriptions for both positions and also a potential organizational chart for the Buildings & Grounds department.

### Subject Two: State's Attorney Office Follow-up on Stipend Back Pay Discussion

### BACKGROUND:

This is follow-up from the October 6, 2025 Burleigh County Commission meeting. I have made revisions to the Stipend Back Pay table to include the 2024 data. I also went back and reviewed the percentage of stipend paid to eligible employees and researched the average percentage of stipend paid per year in Burleigh County over the referenced period as listed below. That percentage averaged to be at 10%. In the table below I increased the percentage from the original 5% to the actual average of 10% per year. Please see the revised amounts in the table below:

# BURLEIGH COUNTY

## HUMAN RESOURCES DEPARTMENT

**PAM BINDER, SPHR, SHRM-SCP**  
DIRECTOR

HUMAN RESOURCE ASSISTANTS:  
**MEGAN MARTIN**  
**DESIREE HILBORN**

| First Name | Last Name   | Title           | 2019         | 2020         | 2021         | 2022         | 2023         | 2024         | TOTALS        |
|------------|-------------|-----------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| Justin     | Schwarz     | ASA II          | \$ 8,500.00  | \$ 8,500.00  | \$ 8,500.00  | \$ 10,500.00 | \$ 11,000.00 | \$ 11,000.00 | \$ 58,000.00  |
| Julie      | Lawyer      | States Attorney | \$ 11,500.00 | \$ 11,500.00 | \$ 11,500.00 | \$ 13,000.00 | \$ 14,000.00 | \$ 15,000.00 | \$ 76,500.00  |
| Dennis     | Ingold      | ASA, Sr.        | \$ 7,000.00  | \$ 9,000.00  | \$ 9,000.00  | \$ 12,000.00 | \$ 12,000.00 | \$ 13,000.00 | \$ 62,000.00  |
| Mary       | Melech      | ASA II          | \$ 8,500.00  | \$ 8,500.00  | \$ 8,500.00  | \$ 10,500.00 | \$ 11,000.00 | \$ 11,000.00 | \$ 58,000.00  |
| Daniel     | Vondracheck | ASA I           | N/A          | N/A          | N/A          | \$ 2,000.00  | \$ 10,000.00 | \$ 9,500.00  | \$ 21,500.00  |
| Isaac      | Lees        | ASA I           | N/A          | N/A          | N/A          | \$ 1,000.00  | \$ 10,000.00 | \$ 9,500.00  | \$ 20,500.00  |
| Gabrielle  | Goter       | ASA, Sr.        | N/A          | N/A          | N/A          | N/A          | \$ 12,000.00 | \$ 13,000.00 | \$ 25,000.00  |
| Britta     | Joyce       | ASA, Sr.        | N/A          | N/A          | N/A          | N/A          | N/A          | \$ 8,700.00  | \$ 8,700.00   |
| Rebecca    | Flanders    | ASA II PT to FT | N/A          | N/A          | N/A          | N/A          | N/A          | \$ 10,000.00 | \$ 10,000.00  |
|            |             |                 |              |              |              |              |              |              | \$ 321,500.00 |

### RECOMMENDATION:

Given the information obtained by the research for the average percentage of stipend paid when extra duties are assumed by an employee, I would recommendation that the Burleigh County Commission set the Stipend Pay Policy at the average of 10% for any employee that is eligible for a stipend due to being assigned to cover extra duties due to a vacancy within their department or in Burleigh County as a whole.

I would also recommend that the above Stipend Back Pay amounts be paid to the attorneys listed in the table above.

### Subject Three: Recruitment/Employment Policy future revisions

#### BACKGROUND:

The Burleigh County Recruitment/Employment Policy was last revised and approved by the County Commission on September 1, 2021. Since that time, we have made some revisions in our recruitment and employment processes. We will be switching from BreezyHR to Paylocity Recruitment and Selection as our Applicant tracking Software (ATS) in 2026. We have not finished the setup or training regarding the Paylocity Recruitment software. The Recruitment/employment Policy will be revised and brought to the Commission for approval in early 2026.

However, As stated in Subject One: Buildings & Grounds Department where we are asking for an Annual Leave variance exception, for the new Facilities Director, we will have to look into this as a recruitment practice in the future. As the NDPERS Main Retirement Plan is no longer an option for new employees that were not previously in that plan, we will need to find other options to provide to new hires. This Annual Leave variance option will allow Burleigh County to attract more tenured applicants from other government agencies. This is a practice that is currently in place for the Burleigh County Human Service Zone (BCHSZ).

# BURLEIGH COUNTY

## HUMAN RESOURCES DEPARTMENT

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PAM BINDER, SPHR, SHRM-SCP  
DIRECTOR

HUMAN RESOURCE ASSISTANTS:  
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DESIREE HILBORN

### RECOMMENDATION:

There is no recommendation needed at this time. This item was just for discussion as we are requesting an Annual Leave variance for a potential new hire department head. This revision along with any other needed revisions will be completed in 2026.

### Subject Four: Annual Leave Policy future revisions

#### BACKGROUND:

The Burleigh County Annual Leave Policy was last reviewed and approved by the County Commission on August 1, 2022. Since that time there have been some revisions made by the ND legislature HB 1170. Specifically allowing for the State of North Dakota to offer any newly hired state employee the use of a 40-hour bank of what they call “New Hire Leave” during the employee’s first year of work. This is not considered to be Annual Leave and if the New Hire Leave is not used by the employee’s first work anniversary, the employee forfeits any balance remaining in their new hire leave bank. We will need to consider whether we would like to revise our Annual Leave policy for Leave Accrual variances in order to get more tenured employees. We will also have to review whether we want to institute a New Hire Leave program within Burleigh County. We are waiting on the actual policy language for the New Hire Leave so we can start our research and analysis. This policy will not be revised until 2026.

### RECOMMENDATION:

There is no recommendation needed at this time. This item was just for discussion as we are requesting an Annual Leave variance for a potential new hire department head. This revision along with any other needed revisions will be completed in 2026.

### Subject Five: Law Enforcement Overtime under Section 207(k) of the Fair Labor Standards Act (FLSA)

#### BACKGROUND:

The Fair Labor Standards Act (FLSA) requires that all covered nonexempt employees be paid overtime pay at no less than time and one-half their regular rate of pay for all hours worked in excess of 40 in a workweek. I have enclosed the FLSA Fact Sheet #8: Law Enforcement and Fire Protection Employees – revised March 2011 for your information.

# BURLEIGH COUNTY

## HUMAN RESOURCES DEPARTMENT

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PAM BINDER, SPHR, SHRM-SCP  
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Section 7(k) of the FLSA provides an exemption for employees engaged in law enforcement as an officer of a local government agency be paid overtime on a “work period” basis. A “work period” for Burleigh County is defined as a 14 day -biweekly pay period. Section 7(k) states that law enforcement personal must receive overtime after 86 hours worked during a 14-day work period. The Burleigh County Sheriff’s Department has been following the Section 7(k) “Garcia Rule”. However, with the implementation of the Paylocity Time & Labor system, the extra 6 hours that a low enforcement officer may work in a 14 day work period is paid at the Straight Overtime rate (This is the regular rate for an employee). This is very confusing to new employees and even to deputies and detention officers that have worked for Burleigh County for a few years. This extra 6 hours of straight overtime is not straight forward, due to certain hours that are worked beyond the 40 hours in a week that are required to be paid at the time and one-half overtime rate when they are worked by a deputy or detention officer. Some examples of these time and one-half overtime rates would be Seatbelt enforcement grant worked hours, Speed Enforcement grant worked hours, Call-In worked hours or Extended Shift hours worked. These different variations make it extremely difficult to write formulas that can be programmed into the Time & Labor software in Paylocity.

Sheriff Kelly Leben and I have had several discussions over my five year tenure with Burleigh County regarding setting aside the “Garcia Rule” A local government agency can choose to pay all worked hours in excess of 40 hours per week as overtime time and one-half. This would provide uniform enforcement for all nonexempt (hourly) Burleigh County employees. This was discussed as a valid option to help deputy and detention officers that pickup a shift due to a last minute call in from another law enforcement officer.

With the implementation of Paylocity Time & Labor and having processed two pay periods in this system, we have continued to have errors with those extra six hours in the pay period being paid at the regular rate and not the straight overtime rate. This effects reporting and causes errors that holdup Payroll processing. It is also causing more manual review in the Sheriff’s Department within the Detention (BMDC), Enforcement, and Operations sections where nonexempt law enforcement officers work.

Below are the pros and cons of eliminating the “Garcia Rule” and setting all nonexempt (hourly) employees to overtime at time and one-half after 40 hours worked in a work in a work week:

- Pros
  - There is less confusion when completing and reviewing the employee timecards in the Sheriff’s Department.

# BURLEIGH COUNTY

## HUMAN RESOURCES DEPARTMENT

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- The Paylocity system will not have to be programmed to calculate complex formulas for the pay scenarios for that extra six hours worked. Which means less chance of timesheet errors.
- The impact to overtime would be around \$20,000.00 and is within the overtime budget allowance.
- This would be a recruitment and retention perk in the Sheriff's department.
- The amount of straight overtime worked is generally not a lot of hours given the total overtime hours paid within all the sections of the Sheriff's department
- The majority of the emergency overtime and grant funded overtime hours are already being paid out at overtime time and one-half.
- The elimination of the up to 6 hours of straight overtime will allow Paylocity to rearrange the timesheet in Time & Labor to look like the current paper timesheet that is being used by the Sheriff's Department.
- This will save supervisor's and manager's time when reviewing employee timesheets for approval prior to payroll processing thus creating efficiency.
- Cons
  - There will be an added expense in overtime hours worked that would have been paid out at the straight overtime rate. Approximately \$20,000.00 difference.
  - The command staff within the Sheriff's Department will have to monitor overtime costs closely to determine if truly needed.

### RECOMMENDATION:

The recommendation that I would like to make is to allow the Sheriff's department to put aside the "Garcia Rule" Section 207(k) and allow the nonexempt deputies and detention officers to be paid the overtime rate of time and one-half for any hours worked above 40 hours in a work week. This will make all Burleigh County nonexempt (hourly) employees uniform throughout Burleigh County.

|                                                                                   |                                                                                                             |                                                                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
|  | <p align="center"><b>Burleigh County, North<br/>Dakota</b></p> <p align="center"><b>Job Description</b></p> | <p align="center"><b>Last Date Revised:</b><br/>07/10/2024</p> <p align="center"><b>Job Description Number:</b></p> |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|

**Employee:** \_\_\_\_\_  
**Job Title:** Facilities Director  
**Status:** Exempt  
**Salary Grade:** 13

**Location:** Bismarck  
**Department:** Buildings & Grounds  
**Reports to:** Commission  
**DBM Rating:** C52

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

**Responsibilities:**

|           |        |                                                                                                                                                                              |
|-----------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>30</u> | % time | 1. Responsible for the overall supervision of all buildings and grounds employees.                                                                                           |
| <u>30</u> | % time | 2. Responsible for the scheduling and general supervision of maintenance and repairs of all Burleigh County buildings.                                                       |
| <u>25</u> | % time | 3. Responsible for project management and planning for current and future infrastructure needs.                                                                              |
| <u>10</u> | % time | 4. Responsible for preparing annual budget; monitor and approve expenditures of the Buildings & Grounds Department; maintain reports, inventory records, and order supplies. |
| <u>5</u>  | % time | 5. Responsible for performing maintenance on County buildings, grounds, and equipment.                                                                                       |

**Essential Job Duties:**

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

**Accountabilities:**

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

|                                                                                   |                                                                                                             |                                                                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
|  | <p align="center"><b>Burleigh County, North<br/>Dakota</b></p> <p align="center"><b>Job Description</b></p> | <p align="center"><b>Last Date Revised:</b><br/>07/10/2024</p> <p align="center"><b>Job Description Number:</b></p> |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|

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

**Job Qualifications, Experience and Education:**

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

**Working Conditions/Physical and Mental Demands:**

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

**Clarification Clause:**

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

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**Employee Signature**

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**Date**



|                                                                                   |                                                                                                             |                                                                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
|  | <p align="center"><b>Burleigh County, North<br/>Dakota</b></p> <p align="center"><b>Job Description</b></p> | <p align="center"><b>Last Date Revised:</b><br/>12/13/2024</p> <p align="center"><b>Job Description Number:</b></p> |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|

|                      |                                |                    |                     |
|----------------------|--------------------------------|--------------------|---------------------|
| <b>Employee:</b>     |                                | <b>Location:</b>   | Bismarck            |
| <b>Job Title:</b>    | Buildings & Grounds Supervisor | <b>Department:</b> | Buildings & Grounds |
| <b>Status:</b>       | Non-Exempt                     | <b>Reports to:</b> | Commission          |
| <b>Salary Grade:</b> | 10                             | <b>DBM Rating:</b> | C52/C45             |

**Job Summary:** Responsible for the condition and operation of equipment in the following buildings: Courthouse, Provident Building, Burleigh Morton Detention Center and Burleigh East, and the grounds of these buildings. Directly supervise Buildings and Grounds staff; ensure safety requirements, procedures, and codes are followed; assist the Facilities Director with any remodeling and new construction projects.

**Responsibilities:**

- |                    |                                                                                                                                                                                |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>45%</u> of time | 1. Responsible for performing maintenance on assigned County buildings, grounds, and equipment.                                                                                |
| <u>5%</u> of time  | 2. Responsible for assisting the Facilities Director in the preparation of the annual budget.                                                                                  |
| <u>20%</u> of time | 3. Responsible for the completion of maintenance and updates for the following buildings: Courthouse, Provident Building, Burleigh Morton Detention Center, and Burleigh East. |
| <u>20%</u> of time | 4. Responsible for working with contractors and monitoring their performance and schedules as assigned by the Facilities Director.                                             |
| <u>10%</u> of time | 5. Assist in the hiring, managing, and evaluating performance of Buildings & Grounds employees.                                                                                |

**Essential Duties:**

1. Ensure all scheduled preventative maintenance and repairs on the assigned buildings, grounds and equipment are scheduled and completed, including electrical, plumbing, mechanical, heating, ventilation, and air conditioning (HVAC) systems, as well as changes/modifications to the buildings and grounds.
2. Operate and update computerized security systems, perform data entry, and identify issues; maintain program codes for punch key security door locks; monitor and maintain alarm control system; monitor Simplex fire control system for the assigned buildings.
3. Maintain various systems, including performing light maintenance and responding to emergency situations related to elevators, emergency generators, etc.; test and trouble shoot to identify problem areas and corrections needed.
4. Prepare boilers for annual state boiler inspection and reassemble boiler when completed; mix and regulate boiler chemical water treatment.
5. Assist the Facilities Director in the coordination of contracted repairs and maintenance projects to include renovation projects oversee projects; monitor work in progress and completed work to ensure projects are completed according to specifications. Report the status of these projects to the Facilities Director.
6. Provide mentoring and supervision to department employees under the span of control. Make suggestions on matters of assignment, reward, or discipline of employees. Set goals and objectives for others to work towards and monitor performance.
7. Provide training and work direction, ensuring staff know and follow department and county guidelines, follow sound work and safety practices to accomplish the job objectives and avoid injury or loss.
8. Ensure staff know and follow department and county safety work practices and wear proper PPE and observe and correct unsafe conditions and ensure employees are aware of safety procedures.
9. Purchase supplies for purposes and amounts that are within the budget and authorized approval limit of the job.

|                                                                                   |                                                                                                             |                                                                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
|  | <p align="center"><b>Burleigh County, North<br/>Dakota</b></p> <p align="center"><b>Job Description</b></p> | <p align="center"><b>Last Date Revised:</b><br/>12/13/2024</p> <p align="center"><b>Job Description Number:</b></p> |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|

10. Assist in maintaining records and prepare reports regarding work unit activities, condition of facilities, and operational activities.
11. Perform other duties as required and assigned.

**Accountabilities:**

1. Ensure tasks and projects are completed in a timely manner by monitoring the work and performance of staff.
2. Ensure the safety of County employees and the public by making sure sidewalks are kept free of ice, snow, and other debris.
3. Ensure grounds are maintained by proper cutting and trimming of lawn, shrubs, and trees.
4. Observe established safety practices and procedures when working with chemicals and equipment.
5. Create a positive and productive work atmosphere by communicating and maintaining a professional manner with employees and the public.

**Job Qualifications, Experience and Education:**

1. Highschool graduate or GED certified.
2. Must have advanced knowledge of materials, methods and techniques used in maintenance activities.
3. Must have five (5) years of experience in a maintenance position working on HVAC, plumbing, maintenance of buildings and grounds, and preventative maintenance of buildings, equipment, and vehicles.
4. Must have one (1) to three (3) years of supervisory experience in a maintenance setting.
5. Must have reasonable interpersonal communication skills and be able to interact with employees, professional staff, and the public.
6. Must possess a valid Class D North Dakota Driver's license and a clean driving record.
7. Applicant will be subject to a criminal background check, pre-employment physical and drug screen paid for by the County.

**Working Conditions/Physical and Mental Demands:**

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

**Clarification Clause:**

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

---

**Employee Signature**

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**Date**

|                                                                                   |                                                                |                                                                                |
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|  | <p align="center"><b>Recruitment/Employment<br/>Policy</b></p> | <p align="center"><b>BCHR - 04<br/>Board Approved:<br/><br/>09/01/2021</b></p> |
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**Statement of Philosophy:**

It is the policy of Burleigh County to attract the most qualified applicants for all positions through open competition, both internal and external. Ensuring a consistent application and selection process resulting in equal treatment of all applicants, while providing the Department Head/Hiring Manager in charge of selection along with the interviewers, the tools to complete the hiring process. Burleigh County uses a competitive recruitment system to fill all positions that are posted internally and externally.

**Purpose:**

Recruitment, selection and advancement of employees shall be on the basis of their relative ability, knowledge and skills, including open consideration of qualified applicants for initial appointments.

Departments are encouraged whenever possible and reasonable to fill a vacancy internally by promoting qualified regular employees. It should however, be the ultimate goal of each department to obtain the best qualified applicant for the vacancy regardless of the method utilized.

**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 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.

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### **Veteran's Status**

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.

### **Recruiting Process**

The Human Resource Director is to be notified of the intent to hire needed staff, for all openings. This notification should be completed as far in advance as possible to ensure sufficient time to recruit the best candidate(s). Recruiting efforts shall be based on the current and projected work force needs along with budgeted funding.

The Human Resource Director and the Department Head/Hiring Manager will determine the type of recruitment: external/internal posting or interdepartmental posting and/or intradepartmental posting.

### **Vacancy Announcements and Job Postings:**

Vacancy Announcements will describe the position, the department, the location, job classification, the summary of job responsibilities, salary grade, 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.

Job posting information will be taken directly from the vacancy announcement.

The timeframe for each job posting will be determined by the Department Head/Supervisor, but should not be less than a minimum five (5) days.

### **Applications:**

All applications must be submitted online; paper applications are no longer accepted. Supporting documents (as listed on the vacancy announcement) may be emailed, faxed, mailed or delivered personally to the Human Resources Department by the deadline date. Only completed applications will be considered.

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The County Human Resource Team may research the applicant's submitted information to verify statements contained in the application. The Team may also conduct research in order to secure factual information regarding the applicant's character and fitness.

**Types of Applicants:**

1. 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. \* Internal Applicants do not qualify for Veteran status if they have claimed it previously.
2. PREVIOUS EMPLOYEES - If the applicant is a previous employee, a member from Human Resources will authenticate their performance standing along with terms and length of service and separation. For more information see Re-employment policy
3. EXTERNAL APPLICANTS - All completed applications from external candidates 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/Supervisor:

1. A Register of Applicants listing both qualified and unqualified applications; with the qualified applications in descending order.
2. The completed applications for the top five (5) rated applicants.

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

**Interviews:**

The Human Resources Team, in conjunction with the Department Head/Supervisor will determine the interview questions, composition of the Interview Panel and the date, time and place of interviews.

Applicants must be asked the same set of questions and the same panel must be present throughout the interview process.

Once the interviews are completed the candidates' scores will be added up. At this time the panel may discuss their recommendations and comments concerning each candidate. The top candidate's information will be sent to the Department Head/Supervisor for final

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approval.

Upon completion of the selection process Background Checks and the required testing may be completed.

**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.

1. CRIMINAL BACKGROUND CHECKS - shall be performed on all external candidates. Criminal background checks for the Sheriff's Department, Burleigh Morton County Detention Center and Burleigh County State's Attorney's Office will be conducted via the Burleigh County Sheriff's Department. Background checks for all other departments will be submitted to the North Dakota Bureau of Criminal Investigations.
2. 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 give the proper Fair Credit Lending Act disclosures. \*Credit information MAY NOT be released by Burleigh County to candidates in any form.
3. 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. An applicant 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.

**Reference Checks:**

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

**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 Control Substance Workplace Policy. Burleigh County Personnel Manual Ch 6, Sec. 10.

**Pre-employment Physical Exams:**

Candidates for positions in the Highway Department, Sheriff and Detention Center will be subject to a pre-employment physical at Burleigh County's expense.

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**Position Specific Exams:**

Positions in the Sheriff's Department and Detention Center 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 will be forwarded to the Department Head/Supervisor to establish the pay grade and step to be offered to the candidate. See On-boarding - Establishing Salary

Once the offer is accepted an "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 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 Internal/External applicants at their discretion.

**On Boarding**

**Establishing Salary:**

The Department Head will establish the new employee's starting salary. The starting salary will normally be the grade of the job classification and step 1-5 of the Burleigh County Pay Grade and Step Structure, depending relevant experience.

**Salary Variances:**

If the Department Head feels that a higher step than 5 is warranted; the Department Head will jointly determine the salary grade with assistance from the Human Resource Director. Salaries for new hires above the step of 5 must receive a variance from the County Commission. All requests for salary variances will be made by the Department Head.

Criteria for a salary variance include the new hire's relative experience, the current job



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market, unemployment rate, number of qualified applicants that applied and previous salary history.

### **Probationary Period**

All newly hired or promoted employees (excluding elected officials) will be subject to a six (6) month probationary period. The purpose of the probationary period is to effectively evaluate the employee's on-the-job performance. At the end of the probationary period the employee will be either:

1. Moved to regular status
2. Have their probation extended
3. Terminated from employment

### **Regular Status:**

The employee will be evaluated at six (6) months, based on the evaluation they will be moved to "regular status". At this time, they will be eligible for a one (1) step increase based on the Burleigh County Pay Grade and Step Structure.

### **Probationary Extension:**

If the employee's performance evaluation is unsatisfactory the Department Head may extend the employee's probationary period by an additional six (6) months. All probationary extensions must be in writing prior to the end of the employee's probationary period. Extensions will be placed into the employee official record along with the unsatisfactory performance evaluation.

### **Termination of Employment:**

An employee may be separated from service during a probationary period without right of appeal to the County Human Resource Department, except in cases of alleged discrimination. The Human Resource Director shall be notified in writing the reason for separation.

### **Step Pay Increases:**

Any employee on probationary status at the end of the first pay period in December will not be eligible for an additional step increase in the following year if the step increase is authorized by the Board of Commissioners for eligible employees of Burleigh County. Probationary salary increases become effective on the first working day of the next pay period after completion of the probationary period.

### **Re-employment Policy**

A former employee who previously had regular or temporary employment status may be eligible for consideration of re-employment up to one (1) year from the date of separation if the following conditions are met:

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1. The employee resigned or separated while in good standing, including those subject to a reduction in force.
2. The employee applies and meets the minimum qualifications for the position available. Upon meeting the minimum qualifications, the employee must go through the hiring process and be selected for the position.

**Leave Accruals:**

Previous employees may have an adjusted accrual date for the purpose of determining the amount of annual leave. This will be based upon length of employment and amount of separation time.

Also, previous employees will have their previous years of employment service credited to their accrual for the amount of annual leave. The accrual date will be lengthened by the number of months gone from service (i.e. if an employee is gone for a period of six (6) months, six months will be added to their accrual schedule before the next level of accrual is reached).

**Compensation Rate:**

Previous employees who are eligible for re-employment will be subject to the compensation rate for the position as advertised or assigned to that job classification, along with a probationary period.

**Transfer Policy**

The Board of County Commissioners may authorize in-service transfers. These transfers shall be requested by the appointing authorities and shall be submitted in writing to the Human Resource Director.

Transfers from a department, which is partially funded and supervised by Burleigh County, shall be permitted a transfer to a Burleigh County position with loss of benefits and/or time-in-service credit.

**Relative Policy**

**Nepotism:**

No head of any executive or administrative department or agency, either elective or appointive, of any county in this state, may appoint that official's spouse, son, daughter, brother, or sister to any position under the control or direction of that official, unless the appointment has been previously approved by resolution of the board of county commissioners (NDCC 11-10-25).

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**Employment:**

A member of an employee's immediate family will be considered for employment by the County provided the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if such employment would:

1. Create either a direct or indirect supervisor/subordinate relationship with a family member; or
2. Create either an actual conflict of interest or the appearance of a conflict of interest.

Employees who marry or become members of the same household may continue employment as long as there is not:

1. A direct or indirect supervisor/subordinate relationship between such employees; or
2. An actual conflict of interest or the appearance of a conflict of interest.

Definitions for the purpose of this policy:

- Intradepartmental posting – posting the job opening within the immediate department, only.
- Interdepartmental or Internal posting – posting the job opening within all of the departments in the county agencies.
- External Posting – posting the job opening within a variety of external sources through use of media, utilization of placement offices or temporary agencies, and university or college placement offices.
- Immediate Family - the employee's spouse, child (natural, adoptive, foster, or stepchild), or any other family member who is a member of the employee's household.

|                                                                                   |                                           |                                                                                           |
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|  | <p align="center"><b>ANNUAL LEAVE</b></p> | <p align="center"><b>BCHR - 04</b><br/> <b>Board Approved:</b><br/> <b>08/01/2022</b></p> |
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**Purpose:**

The purpose of this policy is to define employees' eligibility for annual leave (also known as vacation leave), accrual of leave, and usage rules. Paid annual leave (vacation leave) is to allow and encourage every employee to renew their physical and mental capabilities and to remain a fully productive employee. Employees are encouraged to request vacation leave in advance during each year in order to achieve this purpose. Vacation leave may also be requested for other periods of absence for personal reasons, absences due to adverse weather conditions and for personal illness or illnesses in the immediate family. Vacation leave must be exhausted before an employee goes on leave without pay, except in cases of the birth or adoption of a child as covered under the Family and Medical Leave policy.

**Objectives:**

The annual leave accrual schedule was developed to encourage employees to remain in County employment and to recognize continued experience and service. Annual leave is part of regular employees' compensation and benefit package (excluding elected officials). Employees begin to accrue annual leave from the first day of hire. Annual leave will accrue on the first two (2) pay periods of each month. The annual leave hours available to employees will be reflected on the payroll document each employee receives after each pay period. Annual leave must be earned before it can be taken. Annual leave may not be advanced. It must be taken in no less than ½ hour increments.

**Responsibilities:**

It is the responsibility of the employee to manage and maintain a proper Annual Leave balance at all times.

1. A request for annual leave must be approved by the employee's supervisor before the employee is authorized to take the leave. A leave request can be denied if the absence would unduly disrupt the operations or services of the workplace or other business-related purpose.
2. A supervisor may place an employee on leave restrictions which would require the employee to carry a minimum balance of annual leave hours (usually 24 hours). Leave restrictions are disciplinary actions taken when there has been a violation or abuse of this policy.

3. The annual leave accrual rates in relation to length of service are as follows:

| <b><u>Years of Service</u></b> | <b><u>Hours Per Pay Period (24)</u></b> | <b><u>Hours Per Year</u></b> |
|--------------------------------|-----------------------------------------|------------------------------|
| 0-3                            | 4                                       | 96                           |
| 4-7                            | 5                                       | 120                          |
| 8-12                           | 6                                       | 144                          |
| 13-18                          | 7                                       | 168                          |
| Over 18                        | 8                                       | 192                          |

4. Regular part-time positions working 20 or more hours per week will received a pro-rated share of annual leave benefits based on the number of hours worked. Regular employees who are employed less than twenty (20) hours per week shall not be eligible for annual leave benefits.
5. If the employee does not work a full payroll period, the payroll system will pro-rate leave accordingly.
6. Years of service credit will be for continuous years of employment with a break of less than one year unless an employee's separation from the County was due to a reduction-in-force. (refer to Re-employment Policy, Chapter 2, Section 9). Continuous employment applies to all employees regardless of agency, department, or institution.
7. An employee can carry over a maximum of 240 hours of accrued leave beyond the second pay period in December of each year. Any balance over 240 will be forfeit on the second pay period of December.
8. Terminated employees shall be paid for all earned and unused annual leave on their final payroll. At the discretion of the Department Head, a resigning employee may be allowed to request to take annual leave at the end of his/her resignation however, the employee shall not be allowed to go beyond the current month of his/her last day worked.
9. Compensation due to an employee upon death, shall be paid to the appropriate heir(s) as set forth in the North Dakota Century Code 34-01-12.
10. Each Burleigh County Department shall submit a record of leave used by all employees, at the end of each pay period to the Human Resource department except for elected officials who do not earn leave. Such record shall be signed certifying its accuracy.



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

# Fact Sheet #8: Law Enforcement and Fire Protection Employees Under the Fair Labor Standards Act (FLSA)

Revised March 2011

This fact sheet provides general information concerning the application of the [FLSA](#) to law enforcement and fire protection personnel of State and local governments.

## Characteristics

Fire protection personnel include firefighters, paramedics, emergency medical technicians, rescue workers, ambulance personnel, or hazardous materials workers who:

1. are trained in fire suppression;
2. have the legal authority and responsibility to engage in fire suppression;
3. are employed by a fire department of a municipality, county, fire district, or State; and
4. are engaged in the prevention, control and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk.

There is no limit on the amount of nonexempt work that an employee employed in fire protection activities may perform. So long as the employee meets the criteria above, he or she is an employee “employed in fire protection activities” as defined in section 3(y) of the FLSA.

Law enforcement personnel are employees who are empowered by State or local ordinance to enforce laws designed to maintain peace and order, protect life and property, and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement.

Employees engaged in law enforcement activities may perform some nonexempt work which is not performed as an incident to or in conjunction with their law enforcement activities. However, a person who spends more than 20 percent of the workweek or applicable work period in nonexempt activities is not considered to be an employee engaged in law enforcement activities under the FLSA.

## Coverage

Section 3(s)(1)(C) of the FLSA covers all public agency employees of a State, a political subdivision of a State, or an interstate government agency.

## Requirements

Hours of work generally include all of the time an employee is on duty at the employer's establishment or at a prescribed work place, as well as all other time during which the employee is suffered or permitted to work for the employer. Under certain specified conditions time spent in sleeping and eating may be excluded from compensable time.

The FLSA requires that all covered nonexempt employees be paid the statutory minimum wage of not less than \$7.25 per hour effective July 24, 2009.

The FLSA requires that all covered nonexempt employees be paid overtime pay at no less than time and one-half their regular rates of pay for all hours worked in excess of 40 in a workweek.

Section 13(b)(20) of the FLSA provides an overtime exemption to law enforcement or fire protection employees of a public agency that employs less than five employees during the workweek in law enforcement or fire protection activities.

Section 7(k) of the FLSA provides that employees engaged in fire protection or law enforcement may be paid overtime on a "work period" basis. A "work period" may be from 7 consecutive days to 28 consecutive days in length. For work periods of at least 7 but less than 28 days, overtime pay is required when the number of hours worked exceeds the number of hours that bears the same relationship to 212 (fire) or 171 (police) as the number of days in the work period bears to 28. For example, fire protection personnel are due overtime under such a plan after 106 hours worked during a 14-day work period, while law enforcement personnel must receive overtime after 86 hours worked during a 14-day work period.

Under certain prescribed conditions, a State or local government agency may give compensatory time, at a rate of not less than one and one-half hours for each overtime hour worked, in lieu of cash overtime compensation. Employees engaged in police and fire protection work may accrue up to 480 hours of compensatory time.

An employee must be permitted to use compensatory time on the date requested unless doing so would "unduly disrupt" the operations of the agency.

At the time of termination an employee must be paid the higher of (1) his or her final regular rate of pay or (2) the average regular rate during his or her last three years of employment for any compensatory time remaining "on the books" when termination occurs. For more information on state and local governments under the FLSA, see [Fact Sheet #7](#).

No covered employer may employ any minor in violation of the [youth employment provisions](#) of the FLSA. The Act establishes specific provisions concerning prohibited occupations and/or hours of employment of minors under age 18.

Covered employers must make, keep and preserve payroll-related records as described by regulations [29 CFR Part 516](#).

### Where to Obtain Additional Information

**For additional information, visit our Wage and Hour Division Website:**

**<http://www.dol.gov/agencies/whd> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).**

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.



The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.



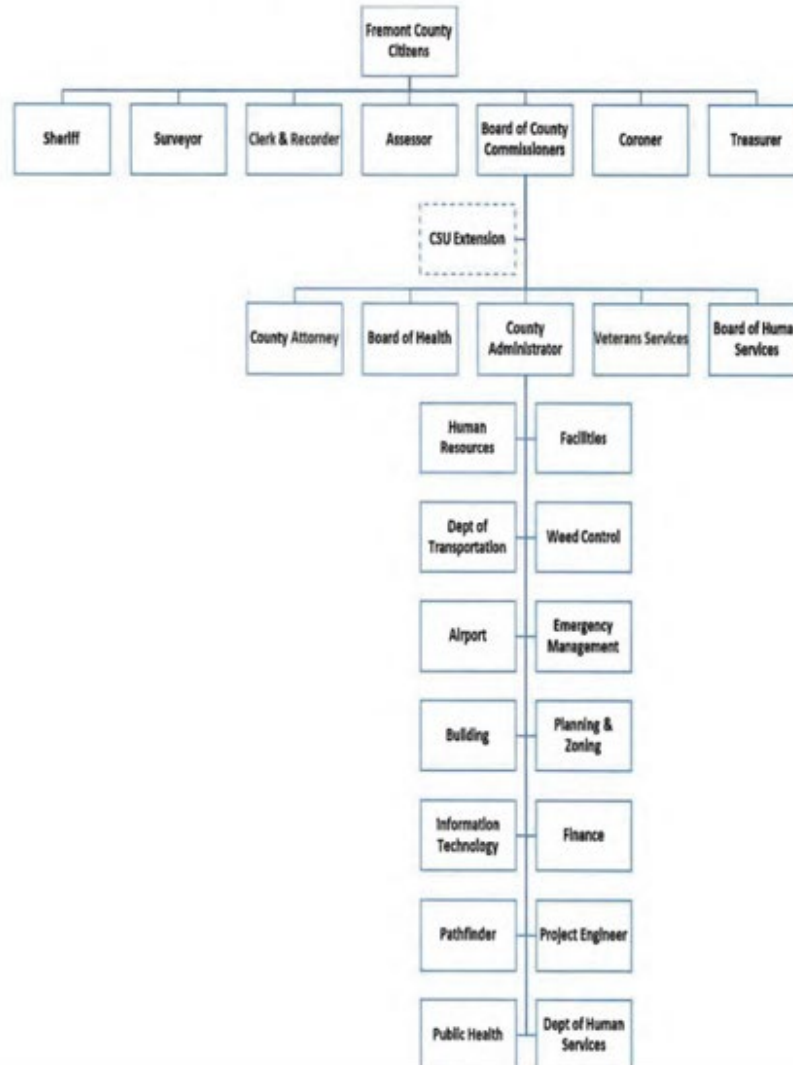
**ITEM**

**# 11**

# Organizational Chart

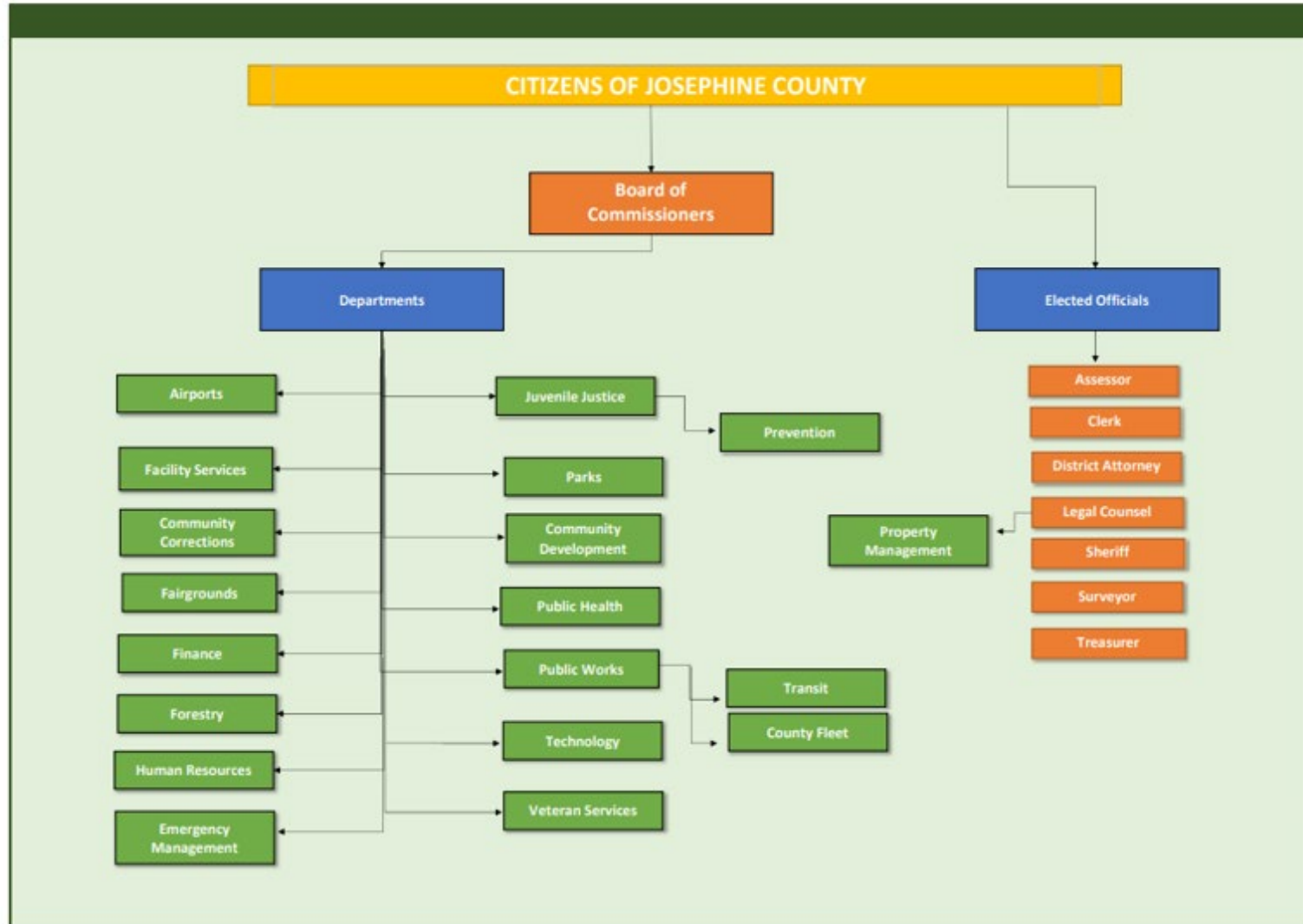
## Freemont County, Colorado

### ORGANIZATIONAL CHART



# Organizational Chart Josephine County, Oregon

FYE 2024

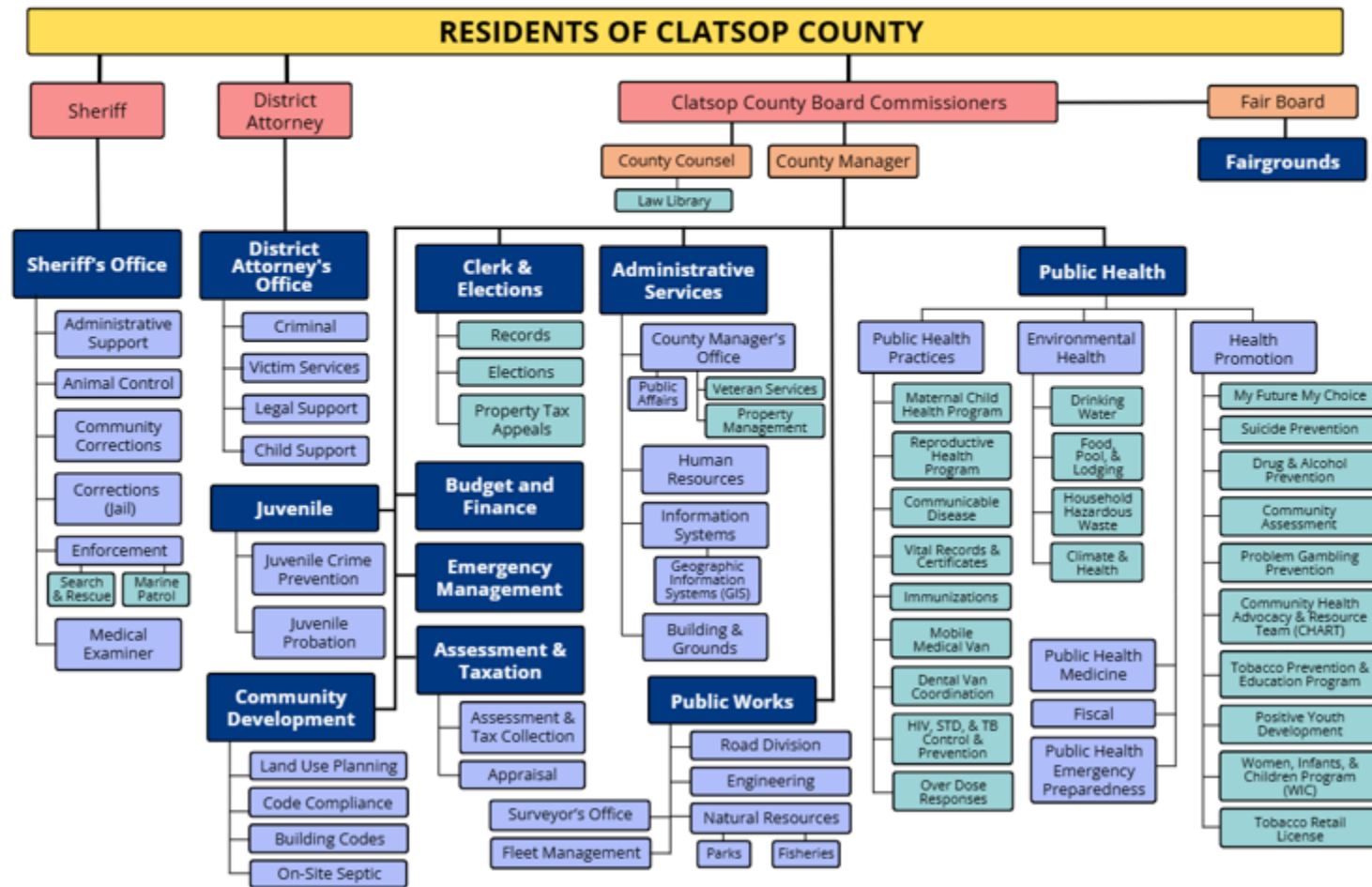


# Organizational Chart Clatsop County, Oregon



## CLATSOP COUNTY'S ORGANIZATIONAL CHART

Updated  
12/8/23

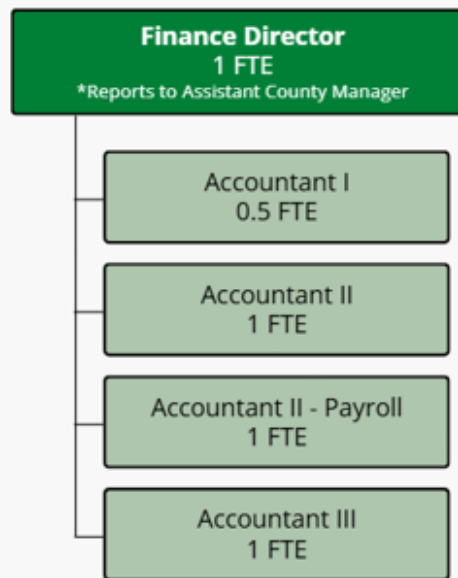


# Organizational Chart Clatsop County, Oregon



## BUDGET & FINANCE

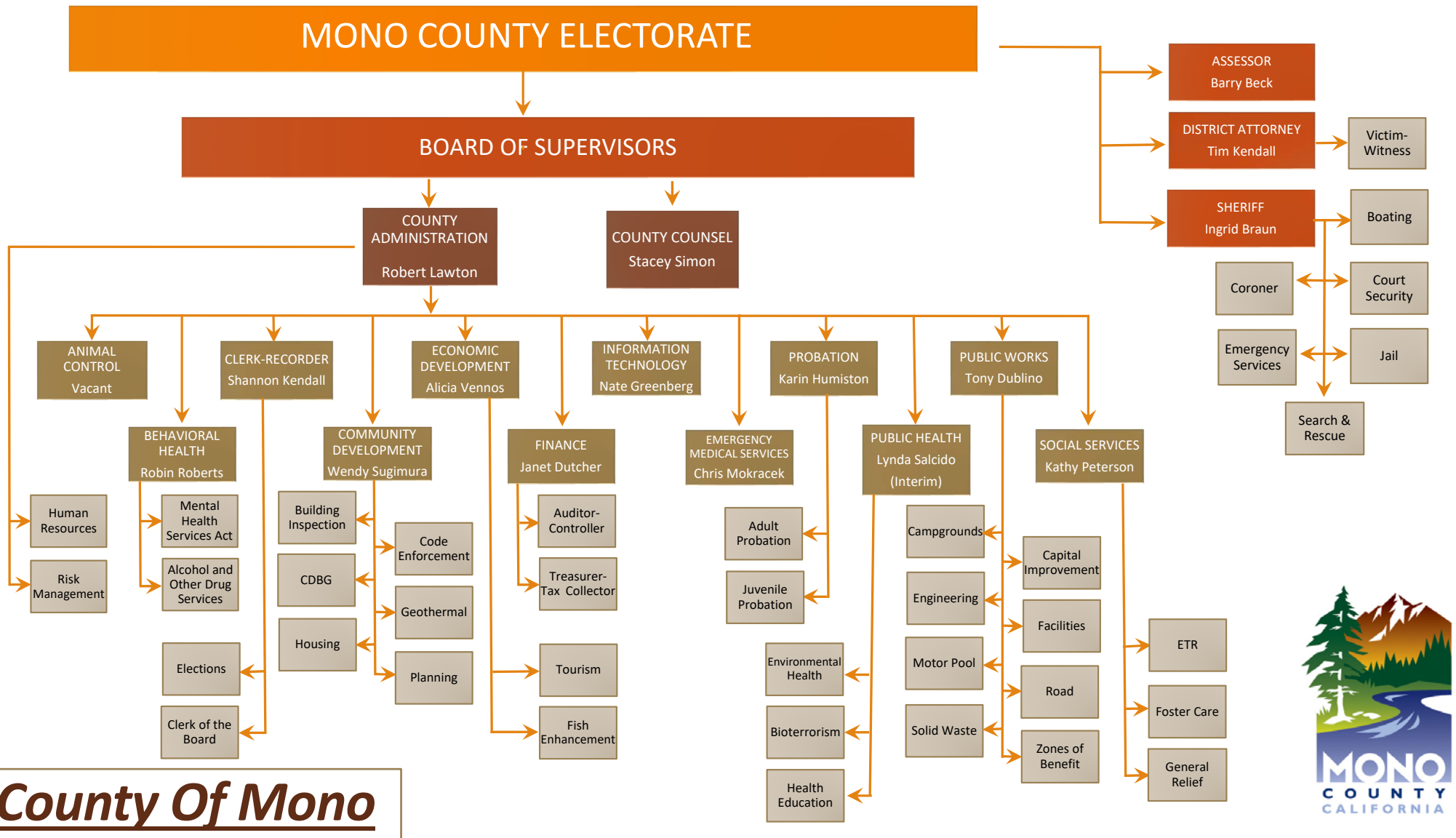
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8/4/23



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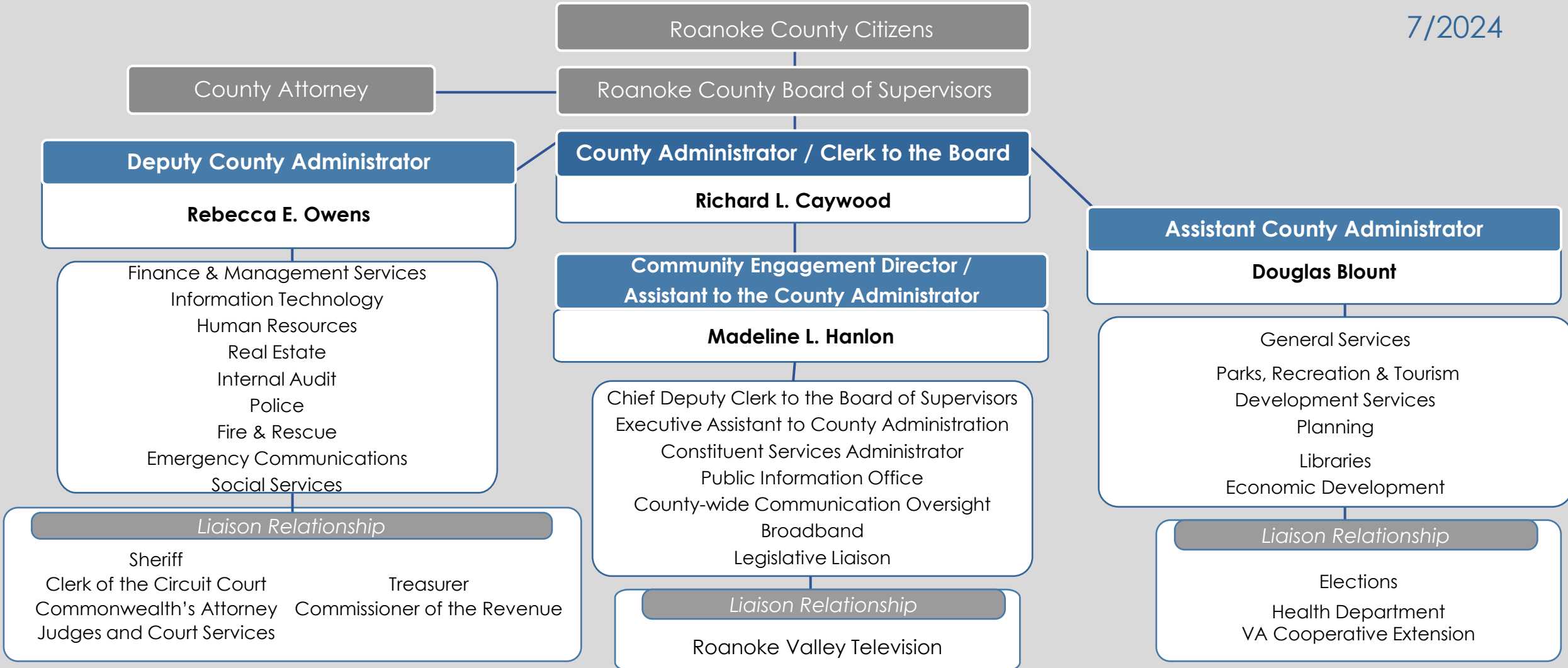
|                 |                 |                                     |
|-----------------|-----------------|-------------------------------------|
| Department      | Department Head | Employee Position                   |
| Office/Division | Program         | Appointed by Board of Commissioners |

# Organizational Chart Mono County, California

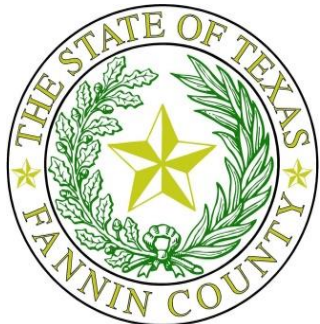


# Roanoke County Organizational Chart

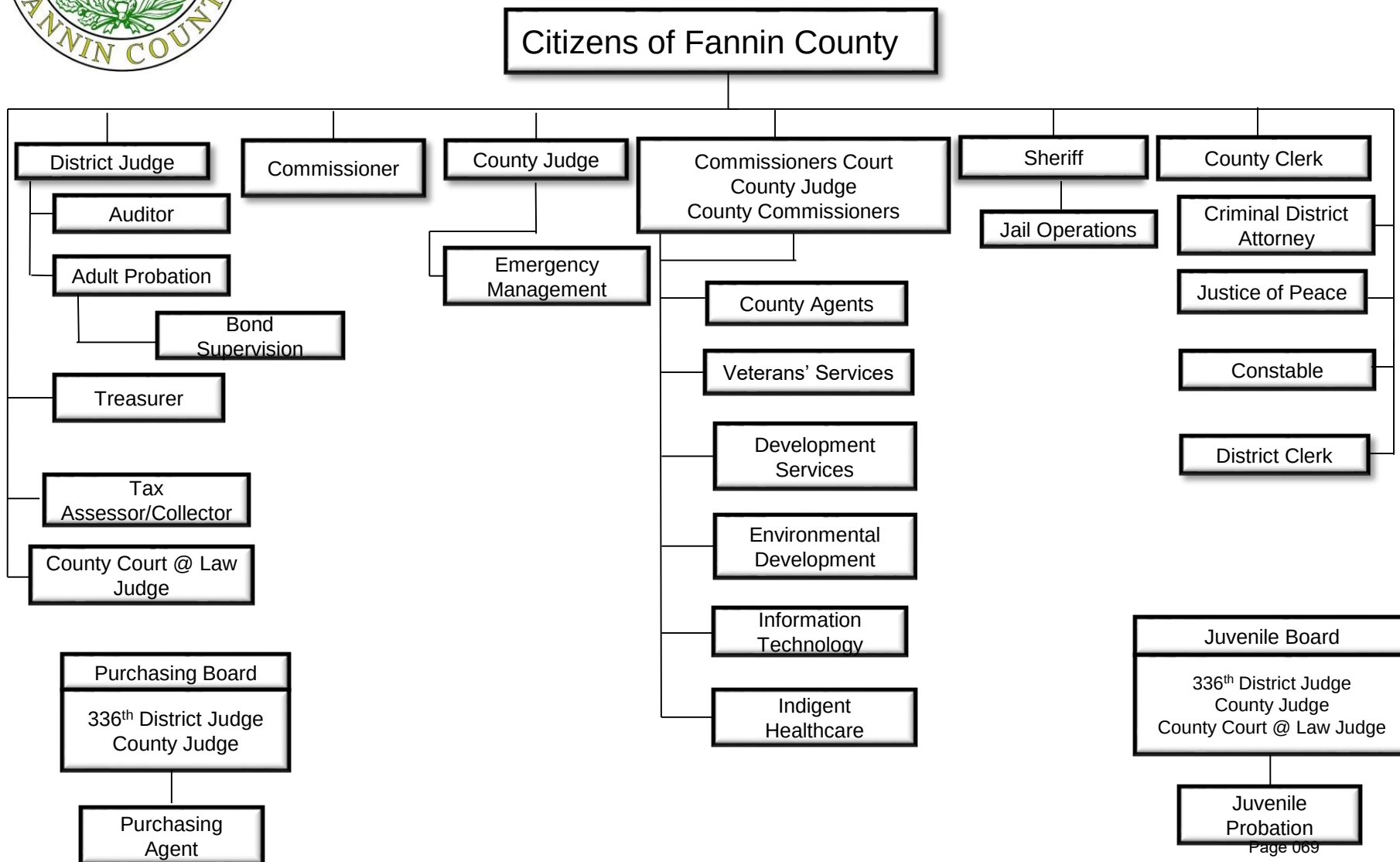
7/2024



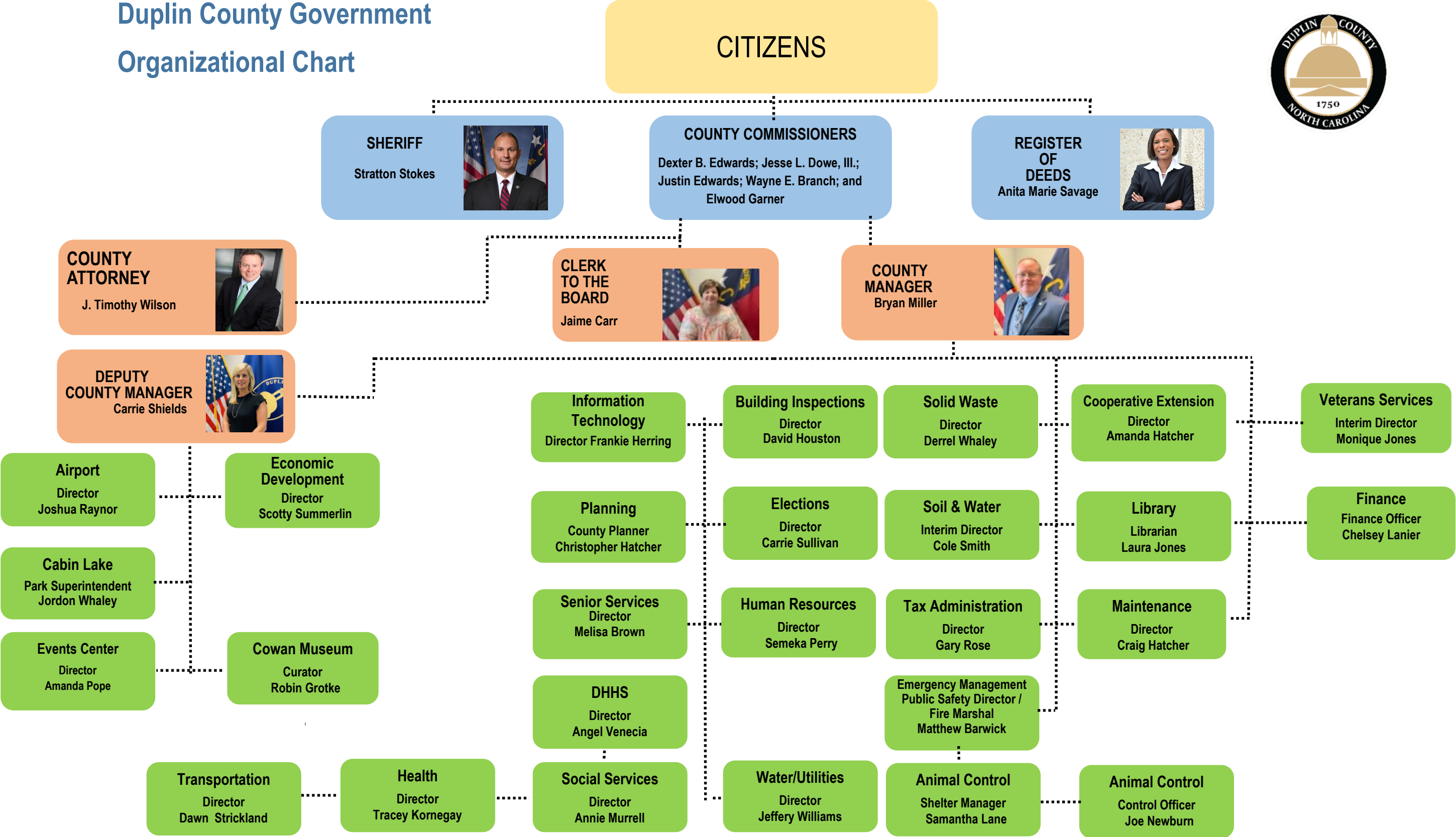




# Fannin County Organizational Chart

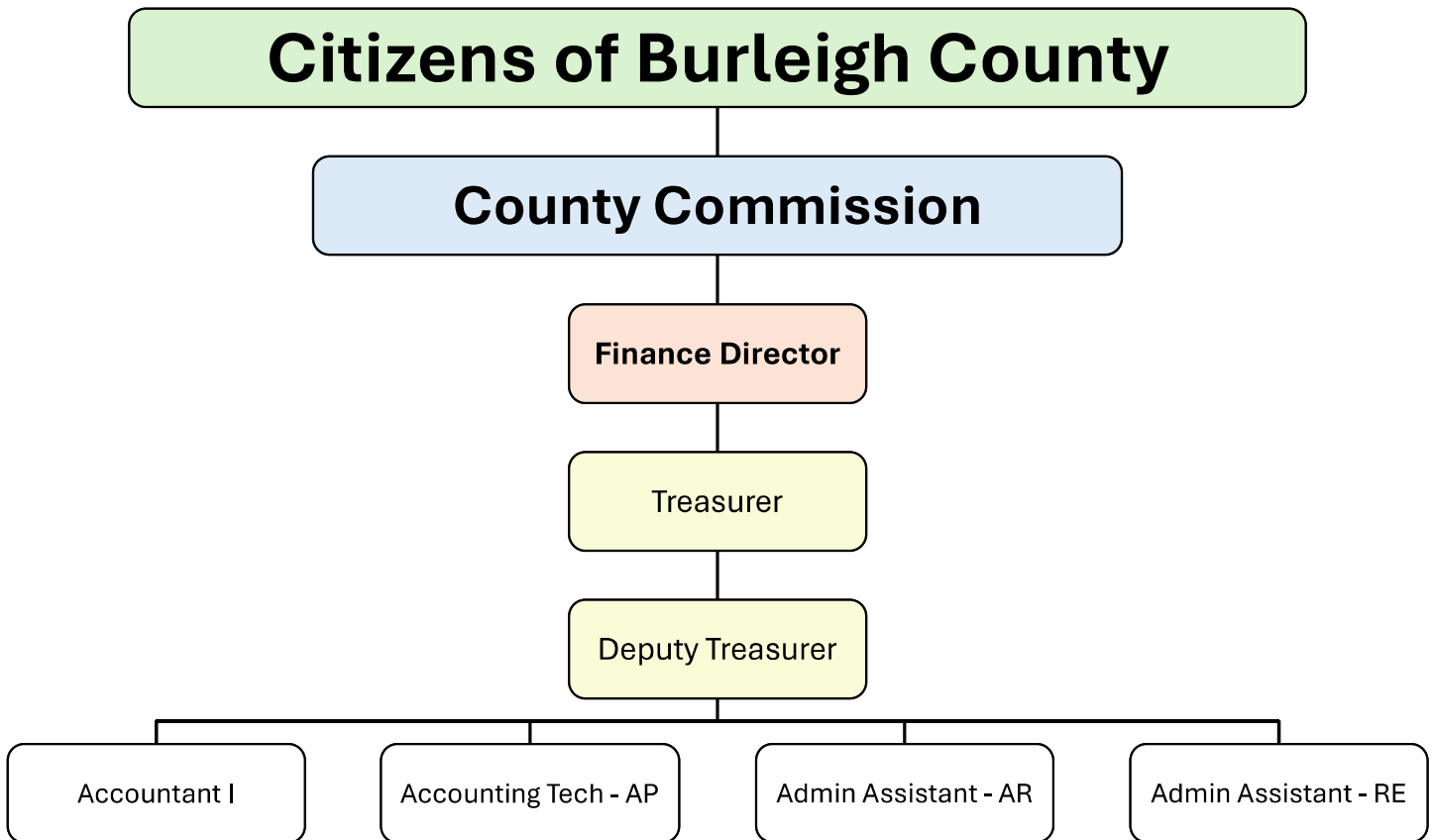


Duplin County Government  
Organizational Chart



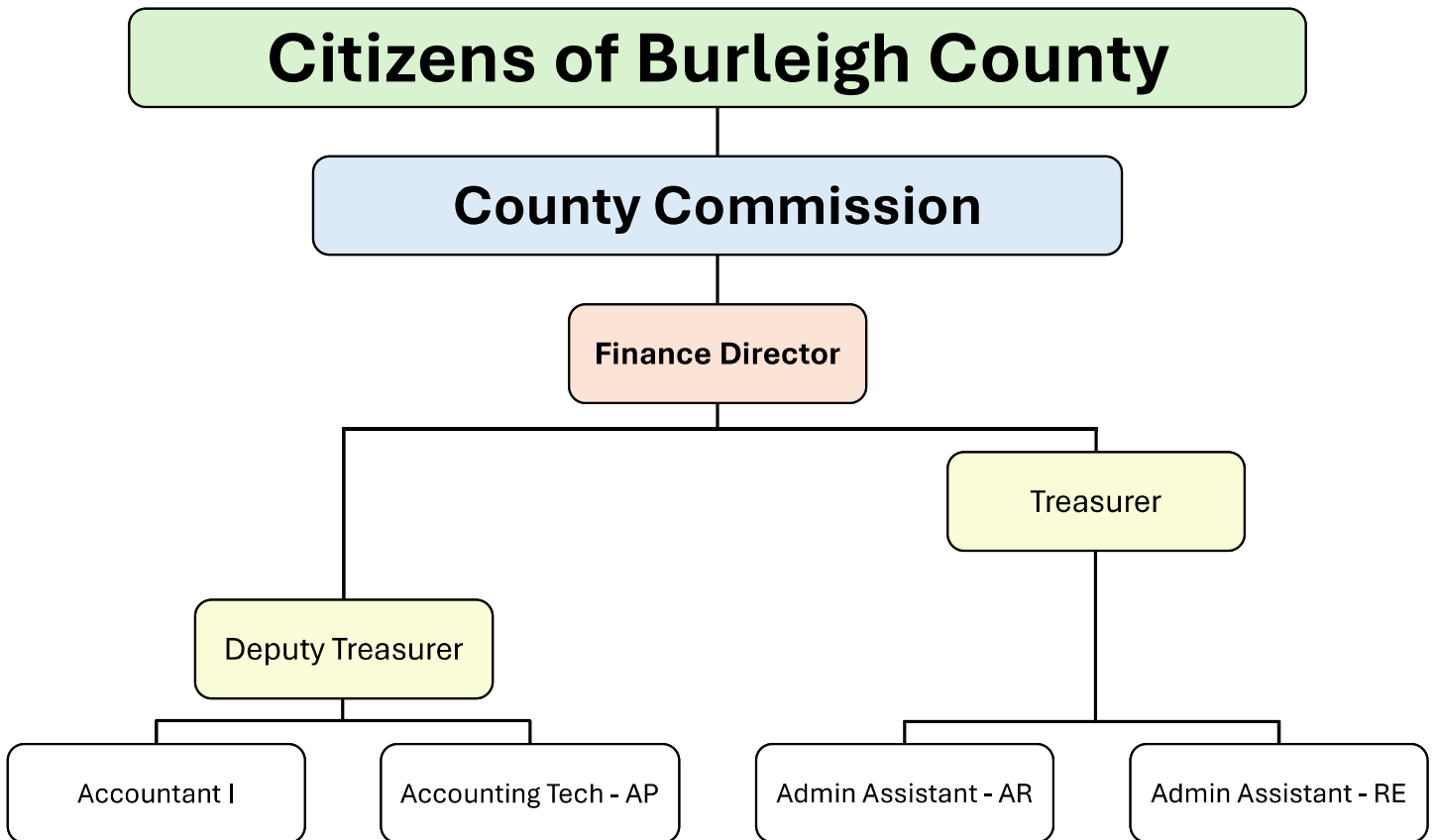
# Organizational Chart

## Option 1



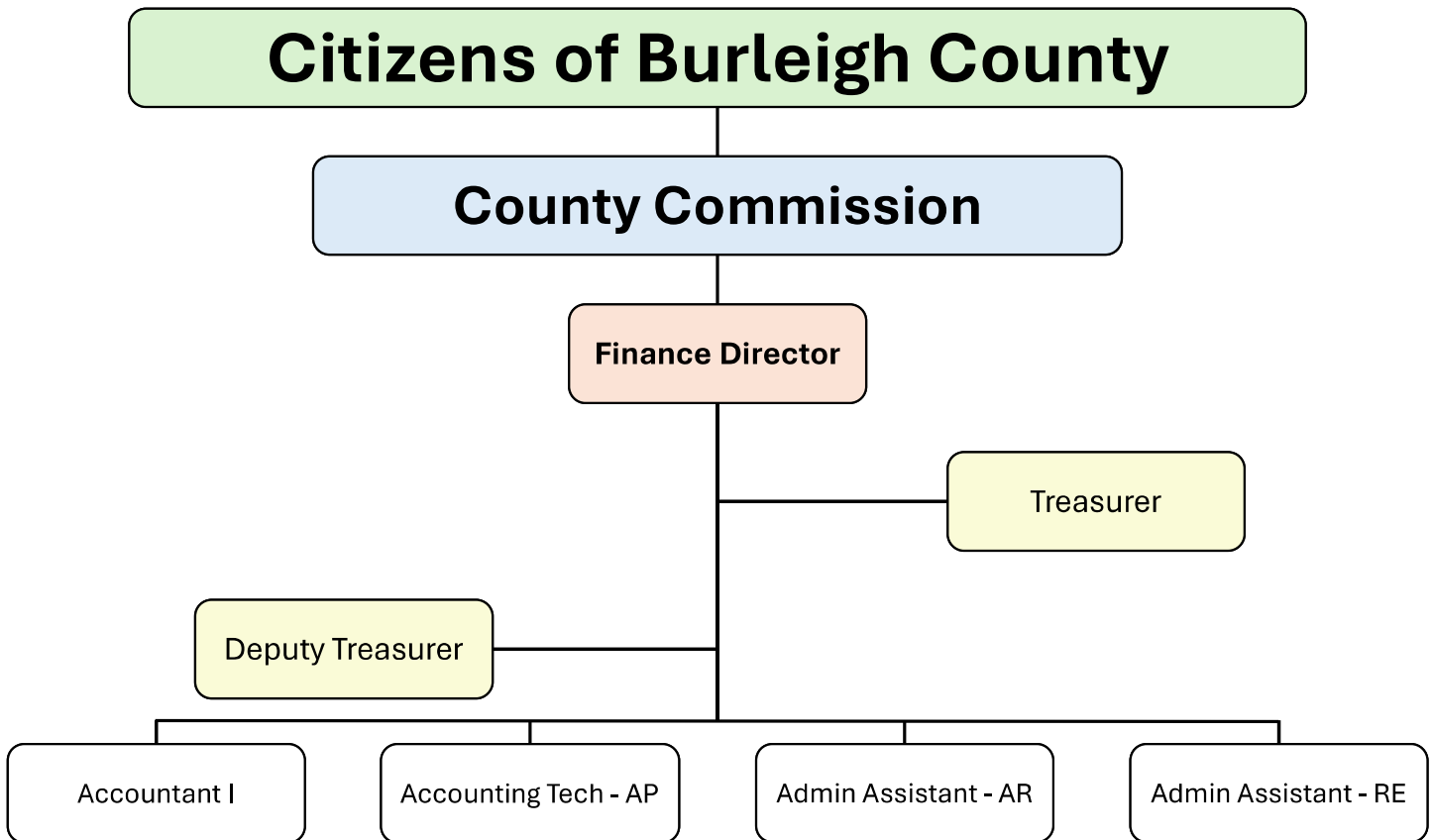
# Organizational Chart

## Option 2



# Organizational Chart

## Option 3



**ITEM**

**# 13**

## **History of Burleigh County and the Garisson Diversion Conservancy District.**

- The Garisson Diversion Conservancy District (District) was established in 1955.
- Burleigh County petitioned to join the district in 1988.
- Since joining, Burleigh County has levied a total of \$9.9 million in property taxes.
- Based on the last 5 year's growth rate, a 1 mill tax rate would produce an estimated \$9.6 million in the next ten years.
- The total amount received in grants by political subdivisions in Burleigh County from 1993 through 2022 is approximately \$825,588.
- South Central Water District has received 56 million dollars in federal funds through the District. Reception of these funds was not dependent upon Burleigh County's membership, per the District. Similarly, the Southwest pipeline project received federal funds through the District although the benefiting Counties are not part of the District.
- South Central has also been a pass-through entity for Burleigh County citizens who applied for a grant to connect to Rural Water. The total amount citizens have received is \$36,664.

|                              | Budgeted            | % increase   |
|------------------------------|---------------------|--------------|
| 1988                         | 57,712.00           |              |
| 1989                         | 58,200.00           | 0.84%        |
| 1990                         | 73,705.00           | 21.04%       |
| 1991                         | 74,056.00           | 0.47%        |
| 1992                         | 74,100.00           | 0.06%        |
| 1993                         | 77,733.00           | 4.67%        |
| 1994                         | 84,376.00           | 7.87%        |
| 1995                         | 92,360.00           | 8.64%        |
| 1996                         | 98,328.00           | 6.07%        |
| 1997                         | 103,603.00          | 5.09%        |
| 1998                         | 108,813.00          | 4.79%        |
| 1999                         | 115,755.00          | 6.00%        |
| 2000                         | 122,033.00          | 5.14%        |
| 2001                         | 129,432.00          | 5.72%        |
| 2002                         | 136,829.00          | 5.41%        |
| 2003                         | 145,021.00          | 5.65%        |
| 2004                         | 155,692.00          | 6.85%        |
| 2005                         | 171,149.00          | 9.03%        |
| 2006                         | 194,888.00          | 12.18%       |
| 2007                         | 219,345.00          | 11.15%       |
| 2008                         | 244,127.00          | 10.15%       |
| 2009                         | 258,997.00          | 5.74%        |
| 2010                         | 267,906.00          | 3.33%        |
| 2011                         | 279,895.00          | 4.28%        |
| 2012                         | 300,391.00          | 6.82%        |
| 2013                         | 341,456.00          | 12.03%       |
| 2014                         | 388,962.00          | 12.21%       |
| 2015                         | 438,023.00          | 11.20%       |
| 2016                         | 471,117.00          | 7.02%        |
| 2017                         | 500,272.00          | 5.83%        |
| 2018                         | 512,561.00          | 2.40%        |
| 2019                         | 524,218.00          | 2.22%        |
| 2020                         | 543,952.00          | 3.63%        |
| 2021                         | 563,139.00          | 3.41%        |
| 2022                         | 611,474.00          | 7.90%        |
| 2023                         | 667,772.00          | 8.43%        |
| 2024                         | 700,704.00          | 4.70%        |
| <b>Total levied to date.</b> | <b>9,908,096.00</b> | <b>5.67%</b> |



**Next 10 years projection.**

|      |              |       |
|------|--------------|-------|
| 2025 | 740,465.10   | 5.37% |
| 2026 | 782,482.43   | 5.37% |
| 2027 | 826,884.01   | 5.37% |
| 2028 | 873,805.14   | 5.37% |
| 2029 | 923,388.78   | 5.37% |
| 2030 | 975,786.02   | 5.37% |
| 2031 | 1,031,156.52 | 5.37% |
| 2032 | 1,089,668.99 | 5.37% |
| 2033 | 1,151,501.72 | 5.37% |
| 2034 | 1,216,843.12 | 5.37% |

**1 Mil Levy estimate total                    9,611,981.86**



AG + ENVIRONMENT

CARBON PIPELINE

JUSTICE

## Court to decide if proposed Summit permit change affects pipeline opponents' lawsuit

Oral arguments heard in request to remand the case to utilities commission

BY: CAMI KOONS - OCTOBER 10, 2025 3:23 PM



The Polk County Courthouse in Des Moines. (Photo via Google Earth)

Attorneys for Summit Carbon Solutions argued Friday in Polk County District Court that the company's proposed amendment to its permit for a carbon sequestration pipeline through Iowa should be decided on before a legal case against the permit can move forward.

The Iowa Utilities Commission [approved](#) a permit in June 2024 for Summit Carbon Solutions to build more than 600 miles of a carbon

sequestration pipeline in Iowa, with the condition that the company gain permits in the Dakotas before beginning construction.

The Sierra Club Iowa Chapter, along with several counties and individual landowners, then filed a lawsuit in fall 2024, seeking to overturn the IUC's permit approval. The lawsuit alleged the proceedings were unfair and that Summit did not meet the definition of a common carrier.



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Summit filed a [petition with the IUC](#) on Sept. 15 to amend its approved permit. The amendment would remove the condition that required approval in the Dakotas and add several route and pipe-size modifications to the permit. This action followed Summit's second permit [denial](#) in South Dakota and the [enactment](#) of a law barring the use of eminent domain for carbon pipelines in the state.

Summit also requested the court remand the Sierra Club and landowners' case to the IUC and stay any future actions on the case until the IUC decided on the filed amendment petition. This was the issue before Polk County District Court Judge Scott Beattie Friday morning.



📷 Bret Dublinske of Fredrickson & Byron in Des Moines, argues on behalf of Summit Carbon Solutions in Polk County District Court Oct. 10, 2025. (Photo by Cami Koons/Iowa Capital Dispatch)

Summit's attorney, Bret Dublinske of Fredrickson & Byron in Des Moines, argued the IUC needed to rule on the amendment petition before the case against the permit could proceed.

He argued the facts in the case would be outdated once the IUC ruled on the amendment and the courts would be presented with either duplicative litigation or a scenario in which the ruling did not match the most recent version of the permit.

“It makes little sense to proceed to litigate over outdated facts that are in the process of being amended, and would be contrary to judicial economy to split the Summit 1.0 case in such a way that it may be litigated twice – once for the original permit and once for the decision on the Petition to Amend that permit,” Summit wrote in its request to remand the case.

Wally Taylor, on behalf of the Sierra Club Iowa Chapter, argued Summit did not supply sufficient information as to how the amendment would change the nature of the lawsuit against the IUC’s decision.

“The proposed amendment does not impact any of the issues in this decision,” Taylor argued. “... It does not change the lack of public convenience and necessity, the issue of eminent domain, the damage to farmland ... none of the petitioners have raised issues about the route or even impact of the condition on the South Dakota permit.”

Taylor asked the court to deny the motion to remand the case to the IUC.

Brian Jorde with Domina Law Group, based in Nebraska, represented landowners in the case and took a similar stance to Taylor, arguing it would make more sense for the case to continue without regard to Summit’s amendment with the IUC, so that the Iowa Supreme Court can give guidance on the carbon pipeline issue.

Jorde said the landowners and affected parties in the case “don’t need to go through eight more weeks of hearings” in the multi-year case for the same “mistakes” to be made by the IUC on the amendment.

“We need guidance from the Supreme Court; frankly, the IUC needs guidance from the Supreme Court,” Jorde said. “Is a carbon dioxide pipeline that you know has no drop off points in the state of Iowa, does that promote public convenience and necessity? We need the Supreme Court to tell us, or we’re just going to have 15, potentially, other dockets fighting that same issue.”

Michelle Rabe, on behalf of the Iowa Utilities Commission, said while the IUC believes Summit’s request for remand is, “slightly outside” of how a remand is typically used, she believes there are three options forward, “none of which are ideal.”

Rabe said Beattie could deny the remand and allow the case to continue, in which case it would advance through the courts until eventually the Supreme Court issues what she said could be a “moot order” at that point because the permit might have changed via the IUC proceedings.



📷 Brian Jorde of Domina Law Group, argues on behalf of landowners in Polk County District Court Oct. 10, 2025. (Photo by Cami Koons/Iowa Capital Dispatch)

The second option she presented was for the court to grant the remand and allow the IUC to rule on the amendment, in which case she predicted the parties would appeal the IUC’s decision and then the courts would be presented with potentially “parallel” cases.

The third option, she said, would be for the court to stay the decision and allow the IUC proceedings to play out, so that when that decision is appealed, the two cases can be consolidated.

“I don’t think there’s a clean way to do it at this point,” Rabe said. “I think what Summit is asking ... on the amendment, may not directly affect the bigger issues in the case. I think potentially it could, but we don’t know.”

## Summit to change routes?

Summit’s amendment petition with the IUC, per Dublinske and the [filing](#), does not seek to do away with the IUC’s protections against a “pipeline to nowhere.” Instead of listing North Dakota as the ending point, Summit asks the permit be changed to instead condition pipeline construction to the company’s securement of “access to one or more sequestration sites and permits or agreements to allow it to reach such storage.”

Dublinske said the changes that occurred in South Dakota since the permit was issued, along with carbon sequestration site potential in Wyoming, Nebraska, Colorado and Kansas, are “fundamentally the reasons” the company submitted the amendment and requested the remand in the case.

Opponents suggested the amendment means that Summit plans to change its original route, which would have ended in North Dakota

where the CO<sub>2</sub> could be pumped into an underground rock formation.

A spokesperson for Summit said Friday the amendment “keeps open the option to transport CO<sub>2</sub> west through Nebraska or north through South Dakota.”

“Our focus is on supporting as many ethanol partners as possible and building a strong foundation that helps farmers, ethanol plants, and rural communities access the markets they’ll depend on for decades to come,” the spokesperson said.

Beattie said he will work to issue an order as soon as possible, though he suspected it would be a “couple of weeks” before he able to issue a written order.

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**CAMI KOONS**  

Cami Koons is an Iowa Capital Dispatch reporter covering agriculture and the environment. She previously worked at publications in Kansas and Missouri, covering rural affairs.

Iowa Capital Dispatch is part of [States Newsroom](#), the nation's largest state-focused nonprofit news organization.

**MORE FROM AUTHOR**

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**ITEM**

**# 14**

Addenda item for October 20, 2025 Meeting

Action Requested

Funding for Kimball Bottoms reclamation

Description:

During the Budget process, the recommended funding mechanism for this repair was removed. The approximate cost is between \$3,000,000 and \$3,500,000, however the project will take between 18 months to 2 years for permitting. During that time, the costs may go up. From my conversations with Houston Engineering, the possibility does exist that we could qualify for approximately \$1,000,000 in grants.

What are our options?

Action:

None needed at this time