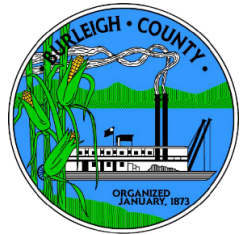




Lincoln, Fort Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman, & Phoenix
Unorganized Townships



Burleigh County Commission Meeting Agenda

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

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

August 18, 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 August 4th, 2025, meeting minutes and bills. (Page 3-5)
5. **PUBLIC COMMENT.** Restricted to Burleigh County residents and landowners.
6. Consent Agenda: (Page 6-12)
 - a. Abatements.
 - b. Second access permit.
 - c. Budget amendment.
7. Vision Zero Regional Outreach Coordinator Theresa Thom:
 - a. Vision Zero update.
8. County Engineer Hall:
 - a. Developer waiver request. (Page 14-17)
 - b. Township flex fund grants. (Page 18)
 - c. County flex fund grants. (Page 19-20)
9. HR Director Binder:
 - a. Buildings and Grounds Department discussion. (Page 22-30)
10. County Finance Director/ Interim Treasurer Jacobs:
 - a. Budget amendment for Auditor/Treasurer Office.
11. Commissioner Munson:
 - a. Discussion on the Provident remodel financing vs minimum required in the reserve fund. (Page 32-33)
12. Commissioner Bakken:

a. ETA Discussion.(Page 35)

13. Commissioner Woodcox:

a. Provident Mural Discussion/Budget Amendment - County Involvement. (Page 37-38)

14. Charman Bitner:

- a. Redistribution of Auditor, Treasurer and Tax Equalization Department Portfolios.
- b. Temporary transfer of employees to help with Treasurer duties.

15. WBI Energy- Right of entry request. (Page 40-46)

16. Other Business.

17. Adjourn.

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

Mark Splonskowski

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
AUGUST 4th, 2025**

5:00 PM *Pledge of Allegiance*

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

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

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the agenda. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Motion by Comm. Bakken, 2nd by Comm. Woodcox to approve the bills. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the July 21st, 2025 meeting minutes. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Chairman Bitner opened the meeting to public comment.

- County resident Mary Podoll spoke regarding the County Weed Officer Daron Johnson and complemented him on the quality of services provided.

Chairman Bitner closed the public comment segment.

Chairman Bitner read a letter of thanks addressed to those individuals that helped move items out of the Provident Building this past weekend.

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Carla Marie Fettig, John Richard & Mary Marlene Peck, Rosalinde Vest abatements, and the consent agenda in its entirety. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

County Human Services Zone (HSZ) Director Chelsea Flory requested the Commission approve the auctioning off of a Chevy Malibu, a HSZ county owned vehicle. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the auction of the county vehicle. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Human Services Zone Director Flory requested the Commission allow her to open a new checking account for foster care. Motion by Comm. Bakken, 2nd by Comm. Munson to grant approval for the Burleigh County Human Services Zone to open a secondary checking account for agency use as a 'dedicated account' for social security beneficiaries, and to authorize personnel access of the account to agency positions which will

include the Zone Business Manager and Zone Administrative Assistant. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Lewis & Clark Regional Development Council Executive Director Brent Ekstrom provided an update, discussed funding sources, and county membership dues. Additional information was provided in the agenda packet.

Burleigh County Housing Authority Executive Director Nicole Schurhamer provided an update on Burleigh County housing. Schurhamer said the Housing Authority meets the 3rd Monday of every month at 8:30 AM. Motion by Comm. Bakken, 2nd by Comm. Munson to create a portfolio for the Burleigh County Housing Authority and to add that to Commissioner Woodcox's list of portfolios. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Finance Director Leigh Jacobs requested that item 10 B (budget amendment for the auditor/treasurers office) be tabled until the next meeting. Chair Bitner moved it to the next meeting's agenda.

Finance Director Jacobs discussed the funding for the Provident Building remodel and presented different bonding options. Motion by Comm. Woodcox, 2nd by Comm. Bakken to spend the ARPA money of \$6,000,000 in its entirety and to use up to \$11,000,000 from reserves to fund the Provident Building remodel. Commissioners Bakken, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Munson voted 'NAY'. **Motion carried.**

Finance Director Jacobs read a letter he composed and presented additional information on the preliminary budget. Discussion was had. Motion by Comm. Munson, 2nd by Comm. Woodcox to create a facilities management fund within the general fund, move the funds from the Provident Building maintenance fund to the newly created fund, and close the Provident Building maintenance fund. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Motion by Comm. Woodcox, 2nd by Comm. Bakken to adopt the preliminary budget and set the final budget hearing for September 15th, 2025. Commissioners Bakken, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Munson voted 'NAY'. **Motion carried.**

Other business:

- Commissioner Bakken reminded the Commission of the joint meeting between the County and City Commissions discussing the ETA tomorrow, August 5th, 2025 at 4:00 PM.

Meeting Adjourned.

6:40 PM

Mark Splonskowski,
County Auditor/Treasurer

Brian Bitner,
Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
25-457	Pamela Whiteley	2025	Unit 1737 Hill View Heights Condo, Lot 2, Block 1, Grandview Heights	Error in property description	\$200,600	\$17,700
25-458	Lee Enterprises Inc	2023	All Block 39, Original Plat	True and full value exceeds market value	\$7,857,000	\$5,140,200
25-459	Lee Enterprises Inc	2024	All Block 39, Original Plat	True and full value exceeds market value	\$6,885,300	\$4,168,500
25-460	Melodie Jorgenson & Kirk Bachmeier	2025	Lot 23, Block 2, Sattler's Sunrise 9th	Error in property description	\$317,600	\$282,900
25-462	Rhet Volk	2024	Lots 28-29, Block 60, McKenzie & Coffin's	70% Disabled Veteran	\$184,300	\$58,300
25-463	Beck Real Estate Holdings LLC	2025	Lots 25-26, Block 63, McKenzie & Coffin's	Error in property description	\$209,600	\$111,800
25-464	Norma Anfinson	2023	Lots 19-20, Block 21, Fisher	100% Homestead Credit	\$267,800	\$67,800
25-465	Norma Anfinson	2024	Lots 19-20, Block 21, Fisher	100% Homestead Credit	\$274,100	\$74,100
25-466	Gerald & Charlene Lelm	2023	Lot 2343 of Lot 1, Block 4, Stein's 5th	50% Homestead Credit	\$277,200	\$177,200
25-467	Gerald & Charlene Lelm	2024	Lot 2343 of Lot 1, Block 4, Stein's 5th	50% Homestead Credit	\$284,800	\$184,800
25-468	Lidna Seidel	2025	Unit 1 869 San Angelo Dr Condo Assoc, Lot 3, Block 3, Cottonwood Lake 5th	Error in property description	\$220,300	\$213,400
25-469	Angelica Jimenez	2025	1971 Fleetwood 56 x 14, VIN # S108	Mobile home removed from lot	\$6,021	\$0
25-470	Angelica Jimenez	2024	1975 Kirkwood 60 x 12	Mobile home removed from lot	\$5,530	\$0
25-471	Angelica Jimenez	2025	1975 Kirkwood 60 x 12	Mobile home removed from lot	\$5,530	\$0
25-477	Norma Nicholson	2023	Unit 3 Garage 7 Gateway Plaza condo bldg 3715, Tract 2715A, Block 2, Gateway Commons	100% Homestead Credit	\$126,800	\$0

			Unit 3 Garage 7 Gateway Plaza condo bldg 3715, Tract 2715A, Block 2, Gateway			
25-478	Norma Nicholson	2024	Commons	100% Homestead Credit	\$127,300	\$0
			Wayne & Mary Jane 2006 Champion 56 X 32, vin #			
25-479	Jensen	2024	0506D7209193AB	100% Homestead Credit	\$99,008	\$0
25-480	Patricia Ruth	2023	Lot 8, Block 5, Replat of Calkins	50% Homestead Credit	\$225,400	\$125,400
25-481	Patricia Ruth	2024	Lot 8, Block 5, Replat of Calkins	50% Homestead Credit	\$225,800	\$125,800



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Memo

Date: August 18, 2025

To: Mark Splonskowski
County Auditor

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

RE: Second access permit for David Metz

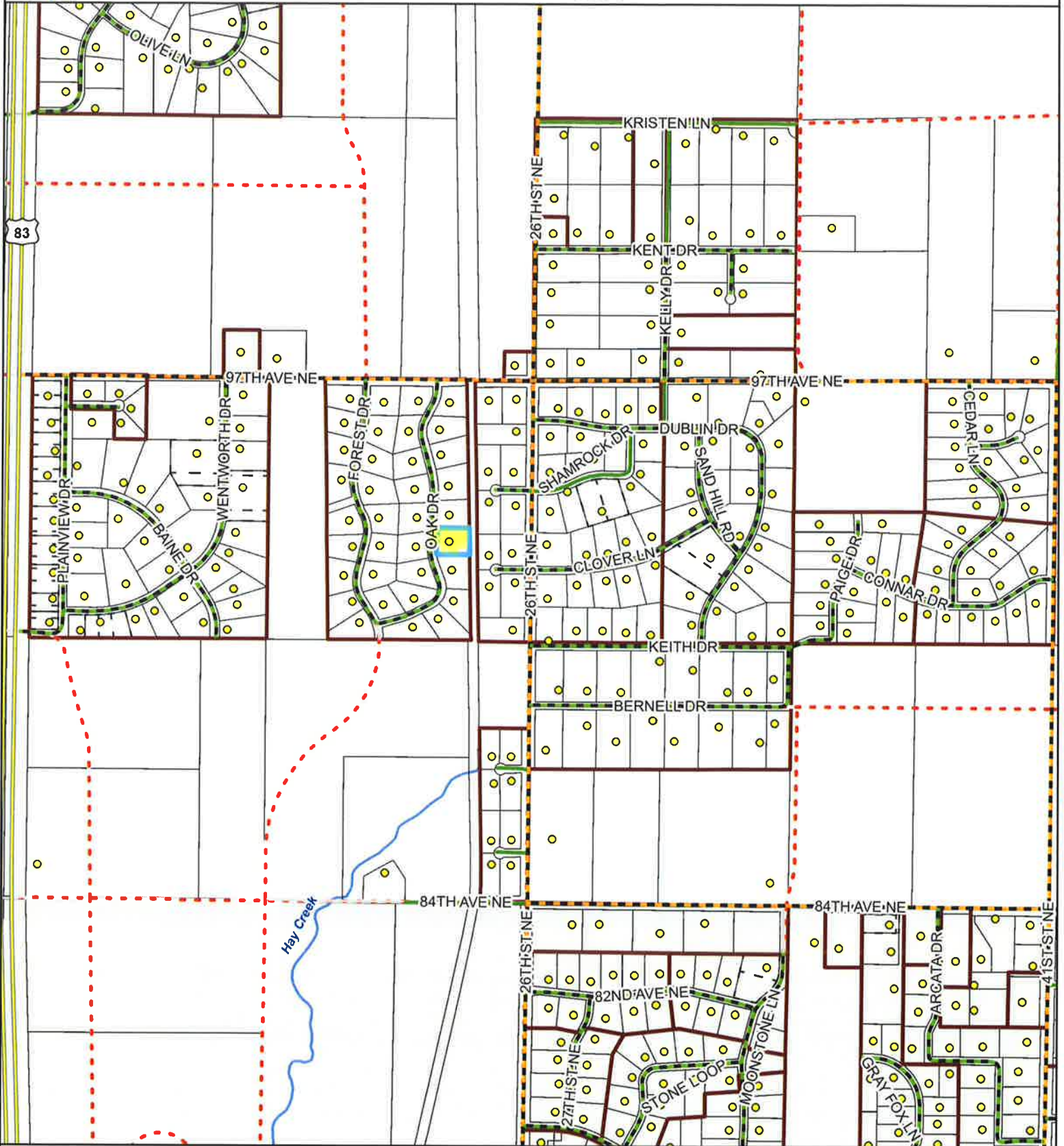
David Metz from 9245 Oak Drive (Hay Creek Pines, Block 03, Lot 6) has requested a second access permit to his property. Both the first and second access approaches are off of Oak Drive. He wishes to have a second approach off of Oak Drive in order to have better access his property. We have reviewed the location of the new proposed access off of Oak Drive and have determined that it will meet our requirements.

Please place the approval of a 2nd approach for David Metz on the August 18, 2025 County Board Consent Agenda.

2nd Approach Permits Requirements

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

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



PARCEL ID: 24-140-80-50-03-060

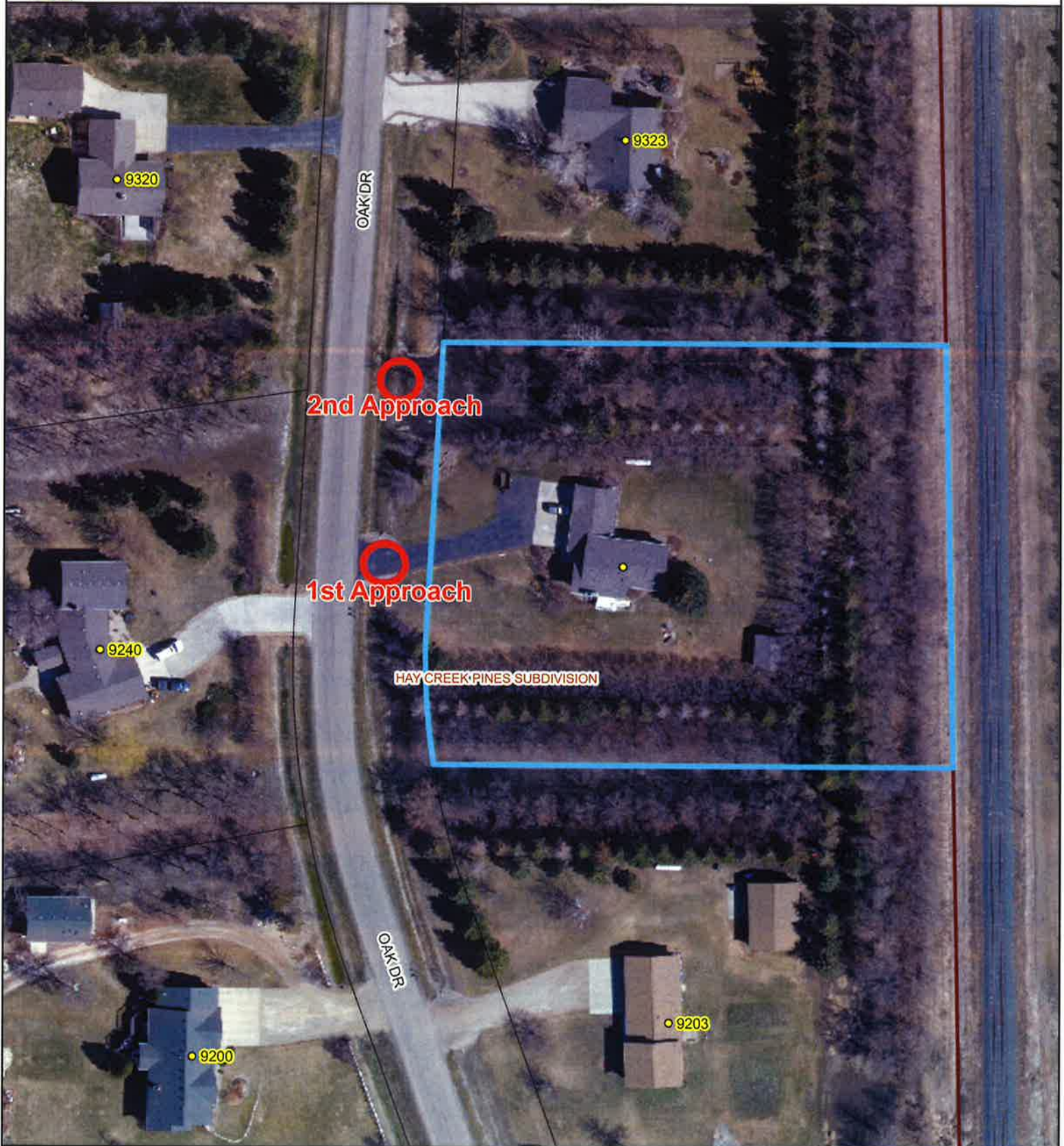
OWNER: METZ, DAVID & CATHERINE

ACRES: 1.98

SITE ADDRESS: 9245 OAK DR

MAIL ADDRESS: 9245 OAK DR, BISMARCK, ND 58503-6541

LEGAL: HAY CREEK PINES Block 03 LOT 6 719551



PARCEL ID: 24-140-80-50-03-060 OWNER: METZ, DAVID & CATHERINE ACRES: 1.98
SITE ADDRESS: 9245 OAK DR
MAIL ADDRESS: 9245 OAK DR, BISMARCK, ND 58503-6541
LEGAL: HAY CREEK PINES Block 03 LOT 6 719551

BURLEIGH COUNTY

FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: August 18th, 2025

TO: MARK SPLONSKOWSKI
County Auditor

FROM: LEIGH J JACOBS, CPA
Finance Director/Interim Treasurer

RE: State's Attorney Budget Amendment

Please place the attached budget amendment on the next Burleigh County Board in the consent agenda.

ACTION REQUESTED:

Approval of the attached budget amendment and adoption of the accompanying resolution to adjust departmental line items to account for fuel expenses in the State's Attorney department.

BUDGET IMPACT:

This budget amendment will reallocate funds from the Investigations line item to the newly created fuel line item. There is no net increase in the overall County budget.

RECOMMENDATION:

Approve the budget amendment and adopt the resolution as presented.

PROPOSED RESOLUTION:

BE IT RESOLVED by the Burleigh County Commission that the 2025 County Budget be amended as follows:

Establish new fuel line item in the State's Attorney department budget.

Reallocate \$1,000 from the investigations line item to the fuel line item.

This resolution shall become effective immediately upon its passage and adoption.

BURLEIGH COUNTY

FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

Account	Description	Account Type	Amount	Budget Amendment	Amended Amount
10014143000111	SALARIES	EXPENDITURE	3,728,298.29		3,728,298.29
10014143000211	FRINGE BENEFITS	EXPENDITURE	1,929,371.38		1,929,371.38
10014143000317	WITNESS & CASE EXPENSES	EXPENDITURE	1,500.00		1,500.00
10014143000318	SERVICES & FILING FEES	EXPENDITURE	400.00		400.00
10014143000319	TRANSCRIPTS	EXPENDITURE	1,500.00		1,500.00
10014143000341	TRAVEL-LODGING-MEALS	EXPENDITURE	8,000.00		8,000.00
10014143000373	ORGANIZATIONAL DUES	EXPENDITURE	13,300.00		13,300.00
10014143000382	CONTRACTED SERVICES	EXPENDITURE	0.00		0.00
10014143000411	OFFICE SUPPLIES	EXPENDITURE	21,500.00		21,500.00
10014143000443	COMPUTER PROGRAMS	EXPENDITURE	22,000.00		22,000.00
10014143000444	COMPUTER SERVICES	EXPENDITURE	30,000.00		30,000.00
10014143000453	SERVICE AGREEMENTS	EXPENDITURE	300.00		300.00
10014143000641	FURNITURE & EQUIPMENT	EXPENDITURE	32,000.00		32,000.00
10014143000644	INVESTIGATIONS	EXPENDITURE	77,000.00	(1,000.00)	76,000.00
10014143000920	CONTINUING EDUCATION	EXPENDITURE	500.00		500.00
10014143000921	LEGAL INSTITUTES	EXPENDITURE	3,500.00		3,500.00
10014143000922	LIBRARY	EXPENDITURE	24,500.00		24,500.00
10014143000923	CONTINGENT FUND	EXPENDITURE	2,000.00		2,000.00
10014143000424	GAS OIL & FUEL	EXPENDITURE	0.00	1,000.00	1,000.00

ITEM

8



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: August 18, 2025

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: Developer Waiver Request

Please include this item on the next Burleigh County Board agenda.

ACTION REQUESTED:

Review and Direct the County Highway Department on how to proceed with the Developer's request.

BACKGROUND:

Under the current Pavement Policy, developers (owners of property that is being platted) are required to: "Proposed platted subdivisions will include the construction and paving of all internal roadways and adjacent section line roads, and the construction and paving of at least one roadway that connects into the existing paved highway system."

LGO Trust, in the W ½ of Section 23, Burnt Creek Township (see attached map), is proposing a two (2) lot subdivision (LGO Subdivision), and is requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to re-construct and pave 0.30 miles of County/Township/Subdivision roadway.

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

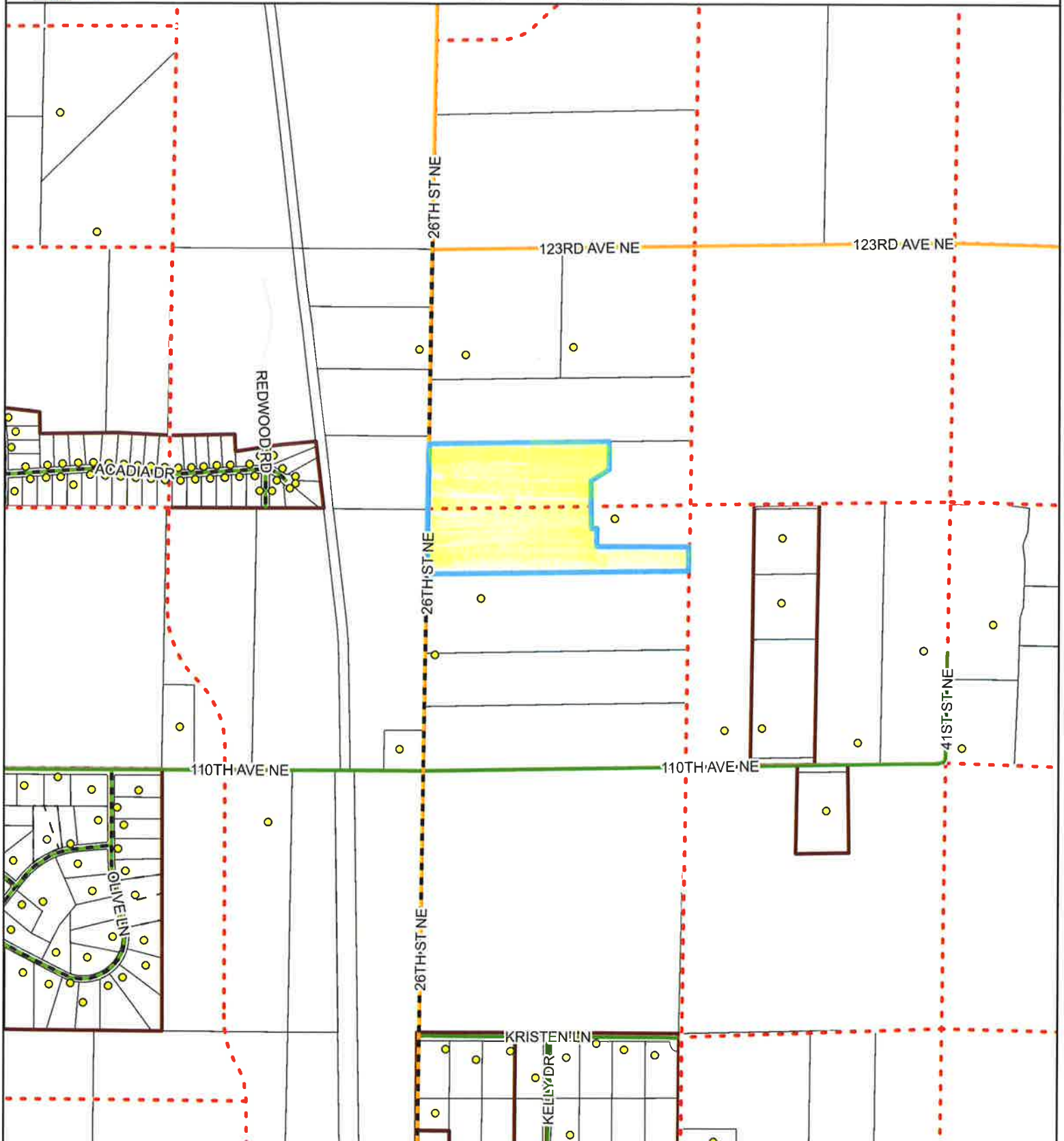
RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board of Commissioners do hereby recognize that the waiving of the Pavement Policy at this time is only to allow the proposed plat to be approved and does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future, and

THEREFORE, BE IT FURTHER RESOLVED: That the County Board of Commissioners do hereby grant LGO Trust request to waive the construction and paving requirements "all internal roadways" listed in the Pavement Policy, in conjunction with the approval of the LGO Subdivision.



PARCEL ID: 24-140-80-00-23-403

OWNER: LGO TRUST

ACRES: 57.35

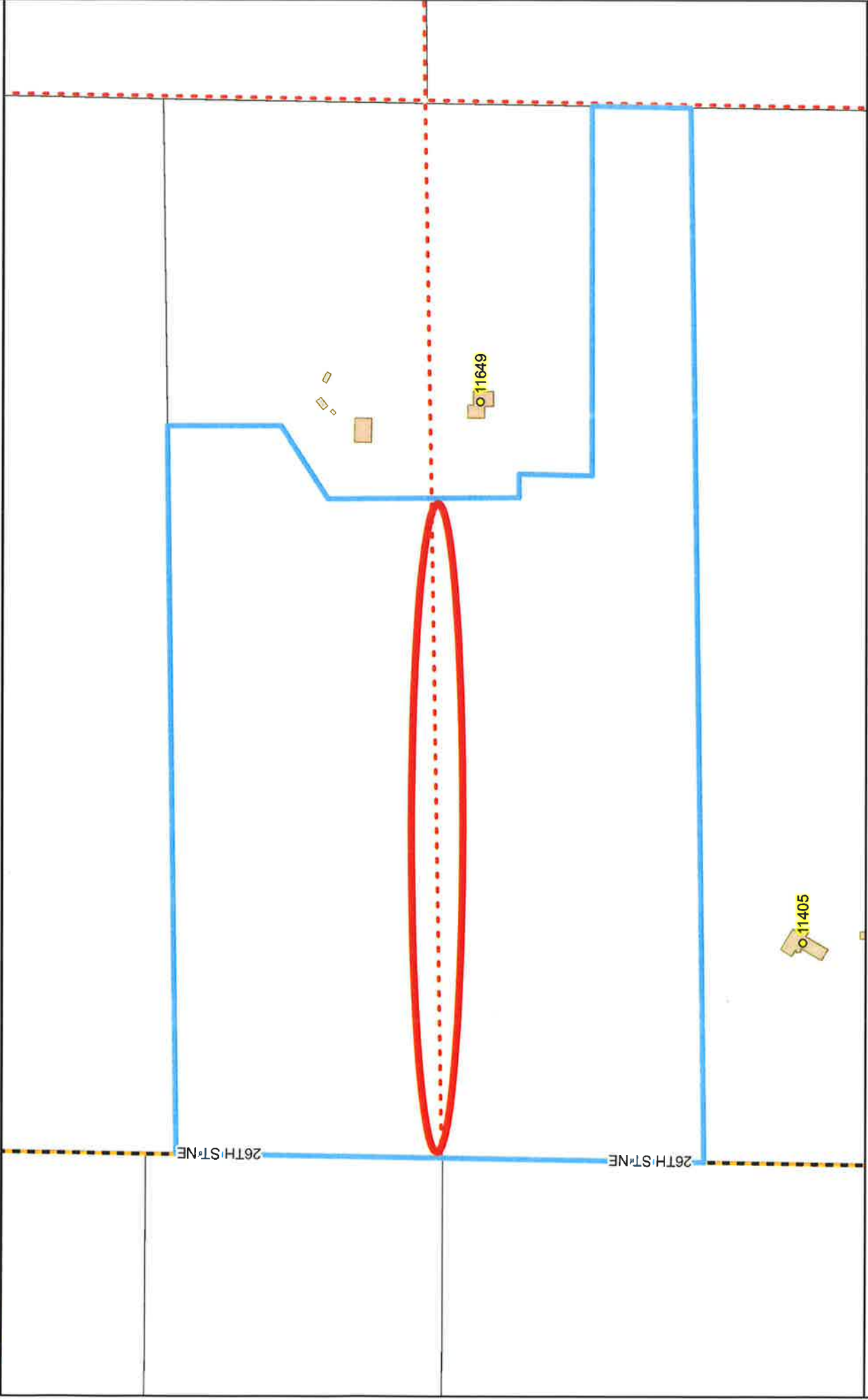
SITE ADDRESS:

MAIL ADDRESS: %O'SHEA, LINDA - TRUSTEE 2200 KOCH DR APT 122, BISMARCK, ND 58503

LEGAL: BURNT CREEK TOWNSHIP Section 23 PT OF AUDITORS LOTS A & B IN W1/2 BEG AT NW COR OF AUD LOT A; TH N89°12'10E 1822.92'; TH S-00°02'04E 271.02'; TH S00°12'12W 13.00'; TH S57°32'36W 217.00'; TH S00°31'31E 479.43'; TH N89°11'54E 18271'; TH N89°56'19E 926.29'; TH-S00°51'19W 246.54'; TH S89°11'54W 2641.53'; TH N00°50'50E 1319.00' TO POB 23-140-80

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

N
8/8/2025



PARCEL ID: 24-140-80-00-23-403 OWNER: LGO TRUST ACRES: 57.35
SITE ADDRESS: MAIL ADDRESS: 2200 KOCH DR APT 122, BISMARCK, ND 58503
LEGAL: BURNT CREEK TOWNSHIP Section 23 PT OF AUDITORS LOTS A & B IN W1/2 BEG AT NW COR OF AUD LOT A; TH N89°12'10E 1822.92'; TH S00°02'04E 271.02'; TH S00°12'12W 13.00'; TH-S57°32'36W 217.00'; TH S00°31'31E 479.43'; TH N89°11'54E 18271'; TH N89°56'19E 926.29'; TH S00°51'19W 246.54'; TH S89°11'54W 2641.53'; TH N00°50'50E 1319.00' TO POB 23-140-80

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



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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Request for County Board Action

DATE: August 18, 2025

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: County support of Township Flex fund grants.

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

ACTION REQUESTED:

Approve supporting the Townships Flex Fund grants.

BACKGROUND:

The 2025 Legislative session set up a Township Flexible Fund grant program through the North Dakota Department of Transportation (NDDOT). Through this program townships are required to fill out an application requesting funds for various projects. As part of this application, the NDDOT requires that the township has support from the County. In order to speed this process along the Highway Department is requesting that the County Board grant a blanket approval (letter of support) for all Township projects.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commission supports all 2025 qualifying Township Flex Fund project applications.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: August 18, 2025

TO: Mark Splonskowski
County Auditor

FROM: Marcus J. Hall
County Engineer

RE: County support of County Flex fund grants.

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

ACTION REQUESTED:

Approve supporting the County Flex Fund grants.

BACKGROUND:

The 2025 Legislative session set up a County Flexible Fund grant program through the North Dakota Department of Transportation (NDDOT). Through this program county are required to fill out an application requesting funds for various projects. As part of this application, the NDDOT requires that the County Board supports each of the proposed County Projects. The Highway Department is requesting support for the following projects:

Project 1: Microsurface of 71st Ave and Centennial Road from US 83 to the City Limits of Bismarck

This project will include the mill and overlay of the remaining portion of 71st Ave NE - from Aleutian to Centennial Road, and illumination of the curve to improve safety

Project Cost Estimate: \$1.75M

Project 2: Paving of 66th Street NE (2 Miles from 43rd Ave NE to 71st Ave NE) & 57th Ave NE (1 Mile from 52nd St NE to 66th St NE).

This project will include 4" HBP surfacing on 3 miles of County Gravel Roadways

Project Cost Estimate: \$1.5M

Project 3: Microsurface of Moffit Road from US 83 to ND Highway 1804
This project would include pavement repairs and a microsurface project of 13 miles of County paved road connecting a US Highway and a State Highway. This project may need to be split into 2 phases.
Project Cost Estimate: \$2.6M

Project 4: Microsurface of 80th St NE from Apple Creek Road to 71st Ave NE
This project would include pavement repairs and a microsurface of 80th St NE. We would likely split this project into 2 phases. Phase 1 would include 3 miles from Apple Creek Road to the Bridge that crosses I-94, Phase 2 would include 3 miles from the overpass on I-94 to 71st Ave NE.
Project Cost Estimate: \$1.2M

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commission supports the following projects for the 2025 County Flex Grants:

Project 1: Microsurface of 71st Ave and Centennial Road from US 83 to the City Limits of Bismarck.

Project 2: Paving of 66th Street NE (2 Miles from 43rd Ave NE to 71st Ave NE) & 57th Ave NE (1 Mile from 52nd St NE to 66th St NE).

Project 3: Microsurface of Moffit Road from US 83 to ND Highway 1804.

Project 4: Microsurface of 80th St NE from Apple Creek Road to 71st Ave NE.

ITEM

9

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

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

From: Pam Binder, SPHR, SHRM-SCP
HR Director

Date: August 12, 2025

Re: Human Resource's Agenda items for August 18, 2025, Commission Meeting

Subject 1: Facilities Director Job Posting Approval

BACKGROUND:

The Facilities Director position is vacant. The Burleigh County Commission will need to provide guidance and approval for posting this position. I do question whether we need to post the Facilities Director position or post the Facilities Manager position as the underfill option. I have enclosed both job descriptions in this board packet for your review.

RECOMMENDATION:

I would recommend that we use the same method for posting this position as we have done in the past with the Finance Director position. We can post both the Facilities Director position and the Facilities Manager position as the underfill option. That way we can see what kind of applicants we can get through these job postings. With the current schedules that we have for the Provident Building remodel and the Burleigh East Building remodel projects, we do not have a pressing need at this time for the Facilities Director position. The Facilities Manager underfill option may give us the opportunity to train and grow this position into the Facilities Director. I need a motion for guidance on approval to post for either the Facilities Director position alone or to post for both the Facilities Director and the Facilities Manager positions.

Subject 2: Stipend for Buildings and Grounds Senior Employees.

BACKGROUND:

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

With the absence of a Facilities Director, Dean Van Vleet and Mike Kruckenberg are being asked to fill in and perform the duties that would normally be handled by the Facilities Director. The recruiting period and training period for the new Facilities Director is expected to take at least six months. This will place a strain on both Dean and Mike as they are also training two newer employees in the Buildings & Grounds department.

RECOMMENDATION:

I would recommend that the Commission approve temporary pay increases for both Dean Van Vleet and Mike Kruckenberg. I would recommend approving a temporary increase of one (1) Pay Grade and two (2) Pay Steps for both Dean and Mike. This temporary increase will be in place until three months after the hire date of a new Facilities Director or Facilities Manager. This will allow time for training and duty reassignments for the Buildings & Grounds Department.

A motion for the temporary increase of one pay grade and two pay steps for both Dean and Mike through the three-month anniversary of the hire date for the new Facilities Director or Facilities Manager position.


Subject 3: Annual Leave Exception for Mike Kruckenberg

BACKGROUND:

Mike Kruckenberg has been employed with Burleigh County since February 9, 1998. Because of his long tenure with the County, Mike accrues 8 hours of annual leave every pay period. The Buildings and Grounds Department will be short staffed for the immediate future and into early 2026 as there will be training needs for the new department head for the Buildings & Grounds Department, Mike will be unable to use his annual leave in order to keep his annual leave balance at 240 hours. Based on the Annual Leave policy, any employee that has annual leave hours above the 240 hours limit will lose those annual leave hours after the second pay period in December of each year.

RECOMMENDATION:

I would recommend that the Commission approve a variance for Mike Kruckenberg to be able to keep his annual leave hours that have been accrued above the 240-hour limit for December 20, 2025 and to give Mike six months into 2026 to use these hours. If they are not used by that time, they will be lost.

	<p align="center">Burleigh County, North Dakota</p> <p align="center">Job Description</p>	<p align="center">Last Date Revised: 07/10/2024</p> <p align="center">Job Description Number:</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 supervision, managing, training and evaluation of maintenance personnel.
<u>30</u>	% time	2. Responsible for the scheduling and supervision of maintenance and repair of all assigned buildings and grounds.
<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 ordering supplies.
<u>5</u>	% time	5. Responsible for performing maintenance on assigned County buildings, grounds, and equipment.

Essential Job Duties:

1. Directs, supervises, and evaluates department staff; ensures staff receive training related to specific job tasks and responsibilities.
2. Directs, schedules, and oversees external contractors.
3. Schedules and supervises maintenance workers engaged in building and grounds upkeep and repair; responsible for safety and security, electrical, plumbing, heating, air conditioning, and ventilation 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, policies, procedures, and work standards for department.
7. Evaluates the need for and arranges staff safety training sessions.
8. Contributes to strategic planning by evaluating and projecting future facility needs and proposing options to achieve them.
9. Investigate air quality concerns in assigned buildings.
10. Maintain records and prepare reports regarding department activities, facilities conditions, and operation activities.
11. Responds to inquiries and complaints from building tenants regarding the maintenance of assigned buildings and grounds.
12. Coordinate and communicate repair and construction activities with appropriate department heads.
13. Performs other duties as required.

Accountabilities:

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

	<p align="center">Burleigh County, North Dakota</p> <p align="center">Job Description</p>	<p align="center">Last Date Revised: 07/10/2024</p> <p align="center">Job Description Number:</p>
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3. Knowledge of practices and principles of buildings and grounds, journey level maintenance and facilities management.
4. Observe established safety practices and procedures when working with chemicals and equipment.
5. Create a positive and productive work atmosphere by communicating and maintaining a professional manner with employees and the public.

Job Qualifications, Experience and Education:

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

Working Conditions/Physical and Mental Demands:


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

Clarification Clause:

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

Employee Signature

Date

	<p align="center">Burleigh County, North Dakota</p> <p align="center">Job Description</p>	<p align="center">Last Date Revised: 12/13/2024</p> <p align="center">Job Description Number:</p>
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Employee:		Location:	Bismarck
Job Title:	Buildings & Grounds Manager	Department:	Buildings & Grounds
Status:	Exempt	Reports to:	Commission
Salary Grade:	11	DBM Rating:	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. Supervise Buildings and Grounds staff; ensure safety requirements, procedures, and codes are followed; coordinate with county departments regarding remodeling and new construction projects.

Responsibilities:

- | | |
|--------------------|--|
| <u>20%</u> of time | 1. Responsible for performing maintenance on assigned County buildings, grounds, and equipment. |
| <u>10%</u> of time | 2. Responsible for preparing annual budget; monitor and approve expenditures of the Buildings & Grounds Department. |
| <u>20%</u> of time | 3. Responsible for planning and scheduling maintenance and updates for the following buildings: Courthouse, Provident Building, Burleigh Morton Detention Center, and Burleigh East. |
| <u>30%</u> of time | 4. Responsible for working with contractors and monitoring their performance and schedules. |
| <u>20%</u> of time | 5. Responsible for hiring, managing, and evaluating performance of Buildings & Grounds personnel. |

Essential Duties:

1. Monitor the condition and operation of the Courthouse, Provident Building, Burleigh Morton Detention Center, and Burleigh East location.
2. Ensure all 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.
3. 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.
4. 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.
5. Prepare boilers for annual state boiler inspection and reassemble boiler when completed; mix and regulate boiler chemical water treatment.
6. Coordinate 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; obtain bids from contractors; direct projects; ensure that all requirements are met; submit reports as required.

	<p align="center">Burleigh County, North Dakota</p> <p align="center">Job Description</p>	<p align="center">Last Date Revised: 12/13/2024</p> <p align="center">Job Description Number:</p>
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7. Using independent judgment, provide management and leadership to department personnel under the span of control. Make decisions on matters of assignment, reward, or discipline of employees. Set goals and objectives for others to work towards and monitor performance.
8. Conduct on-going feedback, coaching, mentoring, and timely formal performance reviews for staff.
9. 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.
10. 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.
11. Create and manage department schedules, including on-call schedule.
12. Manage the Buildings & Ground budget: provide professional input to the county Commission on matters relating to the annual operating and multi-year capital budgets. Purchase supplies and approve expenditures for purposes and amounts that are within the budget and authorized approval limit of the job. Work to ensure the most cost-effective alternatives are identified when planning expenditures.
13. Investigate air quality concerns in the assigned buildings.
14. Maintain records and prepare reports regarding work unit activities, condition of facilities, and operational activities.
15. Responds to inquires and complaints from building tenants regarding the maintenance of assigned buildings and grounds.
16. Recommend projects to the extend the life of County equipment and buildings to the County Commission.
17. 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.
6. Prepare reports and inventory records of County equipment and supplies.

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.

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

Date

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
HR DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

To: Burleigh County Commission

From: Pamela J. Binder, SPHR, SHRM-SCP
HR Director

Date: Monday, August 18, 2025

Re: Temporary Pay Variances for Senior Employees in Buildings & Grounds

Below are the details for the temporary one (1) Pay Grade and two (2) Pay Step increases for both Dean Van Vleet and Mike Kruckenberg:

Dean Van Vleet – Building Maintenance Technician II – Hire Date August 1, 2016

- Move from Pay Grade 6 – Pay Step 12
- Move to Pay Grade 7 – Pay Step 14
- This is a difference of \$386.40 per pay period in 2025
- This is a difference of \$399.20 per pay period in 2026 (approximate)
- Total cost of temporary increase is approximately \$6,259.20

Mike Kruckenberg – Building Maintenance Technician II – Hire Date February 9, 1998

- Move from Pay Grade 6 – Pay Step 13
- Move to Pay Grade 7 – Pay Step 15
- This is a difference of \$391.20 per pay period
- This is a difference of \$406.40 per pay period in 2026 (approximate)
- Total cost of temporary increase is approximately \$6,350.40

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
HR DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

To: Mike Kruckenberg

From: Pamela J. Binder, SPHR, SHRM-SCP
HR Director

Date: Monday, August 18, 2025

Re: Annual Leave Variance

A variance was requested to the Annual Leave Policy at the Burleigh County Commission meeting on Monday, August 18, 2025, to allow you to carry over the maximum of 240 hours of accrued annual leave beyond the second pay period in December, 2025 (December 20, 2025) to a future date not to exceed six (6) months. This was approved.

You will have until June 30th, 2026 to use these extra annual leave hours that were accrued above the 204 hours limit in 2025.

Thank you for all of your hard work during the vacancies in the Facilities Director/Manager position

ITEM

11

Balances as of Jan 1, 2025		
General Fund Balance	\$ 20,369,639.59	UNRESTRICTED FUND BALANCE
Capital Projects Fund Balance	6,626,777.30	RESTRICTED FOR CAPITAL PROJECTS
Subtotal	26,996,416.89	
Committed to Provident Renovation	17,000,000.00	
Balance	9,996,416.89	
2025 General Fund Budget	\$ 40,669,455.00	
Reserve %	24.58%	
Excess 1/2 Cent Sales Tax	\$ 8,908,937.65	

BURLEIGH COUNTY

FUND BALANCE HISTORY(AUDIT REPORT)

Fund Balance 12/31/24	\$ 20,369,640	UNAUDITED
Fund Balance 12/31/23	16,122,507	AUDITED
Fund Balance 12/31/22	16,715,688	AUDITED
Fund Balance 12/31/21	18,745,804	AUDITED
Fund Balance 12/31/20	18,861,336	AUDITED
Fund Balance 12/31/19	13,762,124	AUDITED
Fund Balance 12/31/18	14,002,740	AUDITED
Fund Balance 12/31/17	9,785,757	AUDITED
Fund Balance 12/31/16	8,608,782	AUDITED
Fund Balance 12/31/15	8,792,393	AUDITED
Fund Balance 12/31/14	10,318,666	AUDITED
Fund Balance 12/31/13	9,436,126	AUDITED
Fund Balance 12/31/12	8,665,690	AUDITED
Fund Balance 12/31/11	6,148,070	AUDITED
Fund Balance 12/31/10	5,276,613	AUDITED
Fund Balance 12/31/09	4,638,123	AUDITED
Fund Balance 12/31/08	4,694,867	AUDITED
Fund Balance 12/31/07	4,551,007	AUDITED
Fund Balance 12/31/06	4,297,256	AUDITED

FINAL BUDGET RESERVE %

\$ 40,669,455	50.09%	2025 Reserve %
34,888,349	46.21%	2024 Reserve %
32,920,543	50.78%	2023 Reserve %
29,382,370	63.80%	2022 Reserve %
26,784,055	70.42%	2021 Reserve %
26,151,426	52.62%	2020 Reserve %
23,975,631	58.40%	2019 Reserve %
23,387,455	41.84%	2018 Reserve %

ITEM

12

County of Burleigh

221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

DATE: August 18, 2025

TO: Burleigh County Commission

FROM: Auditor/Treasurer Splonskowski

ITEM: ETA Discussion

HISTORY:

A joint City/ County Commissions meeting was held on August 5th 2025 to discuss the City's Extra Territorial Area. (ETA).

Public Comment predominantly consisted of individuals living in the ETA and centered around various concerns the people had with a lack of representation within the ETA while being regulated by the City.

The following next steps were discussed by the Commissions as possible ways to move forward.

1. Have continued conversations with the Commissions and staff to see what compromises can be reached. Possibly consider areas that will not be annexed by the city in the foreseeable future.
2. Put together a working group to discuss potential changes and present them to the Commissions at a future meeting.
3. Add the opportunity to the City and County Commission agendas in order to give the citizens another opportunity to share their thoughts on the ETA.

ITEM

13

BURLEIGH COUNTY

FINANCE DEPARTMENT

316 N. 5th St.
Bismarck, ND 58501
701-712-8353

DATE: August 18th, 2025

TO: MARK SPLONSKOWSKI
County Auditor

FROM: LEIGH J JACOBS, CPA
Finance Director/Interim Treasurer

RE: County Board

Please place the attached budget amendment on the next Burleigh County Board in the consent agenda.

ACTION REQUESTED:

Approval of the attached budget amendment and adoption of the accompanying resolution to adjust departmental line items.

BUDGET IMPACT:

This budget amendment will increase the budget by \$2,150 to offset expenditures already incurred in the County Involvement account and allow for the desired \$5,000 allotment to the Provident Building mural.

RECOMMENDATION:

Approve the budget amendment and adopt the resolution as presented.

PROPOSED RESOLUTION:

BE IT RESOLVED by the Burleigh County Commission that the 2025 County Budget be amended as follows:

Increase the County Involvement budget to \$8,150.

This resolution shall become effective immediately upon its passage and adoption.

County of Burleigh

General Ledger - Detailed Expense Report

Fiscal Year: 2025-2025 From Date: 8/1/2025 To Date: 8/31/2025

FUND / DEPARTMENT / ACCOUNT	2025 Adopted Budget	Adjusted Budget	Range To Date	Year To Date	Budget Balance	Percent Used
1001 - GENERAL FUND						
41110 - COUNTY BOARD						
00111 - SALARIES	\$339,262.00	\$339,262.00	\$13,502.40	\$216,038.40	\$123,223.60	63.68%
00211 - FRINGE BENEFITS	\$189,789.00	\$189,789.00	\$8,881.28	\$136,404.62	\$53,384.38	71.87%
00341 - TRAVEL-LODGING-MEALS	\$3,500.00	\$3,500.00	\$0.00	\$1,499.18	\$2,000.82	42.83%
00373 - ORGANIZATIONAL DUES	\$56,000.00	\$56,000.00	\$0.00	\$50,416.00	\$5,584.00	90.03%
00382 - CONTRACTED SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
00411 - OFFICE SUPPLIES	\$300.00	\$300.00	\$0.00	\$13.50	\$286.50	4.50%
00444 - COMPUTER SERVICES	\$0.00	\$0.00	\$120.03	\$2,083.21	(\$2,083.21)	0.00%
00641 - FURNITURE & EQUIPMENT	\$2,000.00	\$2,000.00	\$0.00	\$599.75	\$1,400.25	29.99%
00802 - COUNTY INVOLVEMENT	\$6,000.00	\$6,000.00	\$0.00	\$2,150.00	\$3,850.00	35.83%
00920 - CONTINUING EDUCATION	\$3,500.00	\$3,500.00	\$0.00	\$1,604.00	\$1,896.00	45.83%
00925 - AUDIT FEES	\$42,000.00	\$42,000.00	\$0.00	\$26,620.00	\$15,380.00	63.38%
41110 - COUNTY BOARD Total:	\$642,351.00	\$642,351.00	\$22,503.71	\$437,428.66	\$204,922.34	68.10%
Grand Total:	\$642,351.00	\$642,351.00	\$22,503.71	\$437,428.66	\$204,922.34	68.10%

End of Report

ITEM

15



WBI ENERGY TRANSMISSION, INC.
2010 Montana Ave.
Glendive, MT 59330
(888) 451-1119
contact@wbienergy.com

August 5, 2025

BURLEIGH CO BOARD OF COMM.
221 N. 5th ST
BISMARCK, ND 58501

Re: WBI Energy - Bakken East Pipeline Project

Dear Landowner,

WBI Energy Transmission, Inc. (WBI Energy) is assessing the feasibility of constructing the Bakken East Pipeline Project (Project), consisting of approximately 123 miles of 30-inch diameter and 202 miles of 24-inch diameter natural gas pipeline. The Project will also include lateral lines along with interconnect locations to be determined. The purpose of the Project is to allow the increasing quantities of natural gas produced in western North Dakota to support communities and a range of industries throughout the state.

As part of the initial pipeline corridor study, WBI Energy is seeking permission to enter your property to conduct environmental and civil surveys beginning in summer of 2025. **Enclosed is a Right of Entry (ROE) Form** granting permission to conduct these studies on your property. WBI Energy has included a postage-paid envelope to return the ROE Form, but you may also scan and email it back to contact@wbienergy.com. In addition to the ROE Form, you will find a copy of our Survey Informational Brochure.

On behalf of WBI Energy, **a Land Agent will contact you to schedule a meeting** to discuss the Project in detail and answer initial questions. If you have questions prior to hearing from a Land Agent, you may call the Project's toll-free hotline at **1-888-451-1119** or email contact@wbienergy.com.

As a pipeline company that transports natural gas in interstate commerce, WBI Energy is regulated by the Federal Energy Regulatory Commission (FERC). The FERC's role is to oversee projects like this one to ensure they are developed in a way that protects the public interest, minimizes environmental impacts, and maintains safety standards. By following the FERC's guidelines and requirements, WBI Energy will work to ensure that this Project is designed and operated responsibly, with attention to both community and environmental considerations.

WBI Energy plans to file an application for a Certificate of Public Convenience and Necessity with the FERC for approval of the Project after the Project planning phase. If the FERC approves WBI Energy's application, WBI Energy will seek to acquire a permanent right-of-way (ROW) or easement from

WBI ENERGY TRANSMISSION, INC.
2010 Montana Ave.
Glendive, MT 59330
(888) 451-1119
contact@wbienergy.com

property owners crossed by the Project. This easement will create a corridor in which the natural gas pipeline and related facilities will be placed and maintained and will not change your status as the owner of the property. The permanent ROW will be approximately 50' in width, depending on the area. WBI Energy will also require temporary ROW adjacent to the permanent ROW (up to an additional 75-feet in width) for pipeline and facility construction and additional temporary workspace for access needs and equipment and material staging areas.

Thank you for your attention to this matter. We look forward to meeting with you to discuss the Project in detail.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wade Nielsen".

Wade Nielsen, SR/WA
Survey, Land and ROW Acquisition Supervisor
WBI Energy Transmission

Enclosures: Right of Entry & Artifact Collection Form
 Project Area Map
 Survey Informational Brochure
 Postage-paid envelope

WBI ENERGY TRANSMISSION, INC.
RIGHT OF ENTRY & ARTIFACT COLLECTION
Line List #(s): 3231

The undersigned, BURLEIGH CO BOARD OF COMM., on behalf of hereby consents and authorizes the entry of WBI ENERGY TRANSMISSION, INC., its employees and agents, upon the following parcels located in the county(s) of BURLEIGH, State of North Dakota to wit:

PID(s): 9-142-81-00-10-611

To make surveys, examinations, photographs, tests, and samplings. Any damage to the property described above by such entry shall be paid promptly by WBI ENERGY TRANSMISSION, INC.

Should any cultural, historical, or archaeological artifacts be identified on my/our property, the undersigned hereby grants permission to WBI Energy Transmission, Inc. or its Authorized Representatives to remove the artifacts from the property. In addition, I/we understand that I/we own legal title to the artifacts(s) collected and request that, after the artifacts are evaluated and categorized, they be returned to the landowner.

The right of entry granted hereunder is not an easement and does not obligate the undersigned to grant an easement.

(Landowner signature) Dated: _____, 2025

(Print name)

PHONE: _____ ALT PHONE: _____

EMAIL(s): _____

WITNESS:

PLEASE FILL OUT TENANT CONTACT INFO ON THE FOLLOWING PAGE,
if applicable, so that we may contact them in regard to construction access, crops, clearing or
other issues that may impact the tenant(s) on the above-described tract(s).

TENANT CONTACT INFORMATION

TENANT 1:

Parcel/APN(s): _____

Name: _____

Address: _____

Phone1: _____ Phone2: _____

Email: _____

Land Type: Farmed _____ Pasture _____ Other _____

Notes: _____

TENANT 2:

Parcel/APN(s): _____

Name: _____

Address: _____

Phone1: _____ Phone2: _____

Email: _____

Land Type: Farmed _____ Pasture _____ Other _____

Notes: _____

TENANT 3:

Parcel/APN(s): _____

Name: _____

Address: _____

Phone1: _____ Phone2: _____

Email: _____

Land Type: Farmed _____ Pasture _____ Other _____

Notes: _____

Feel free to make multiple copies of this sheet if you have more tenants.

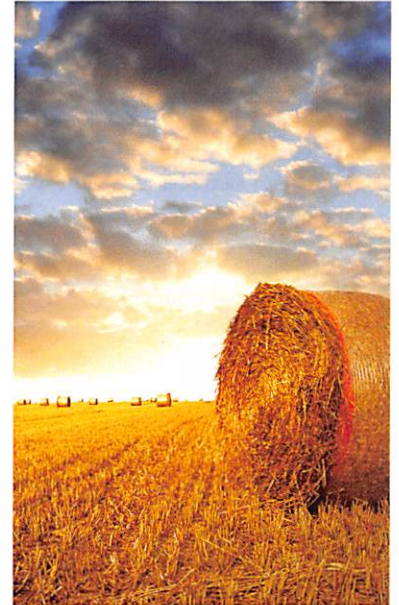
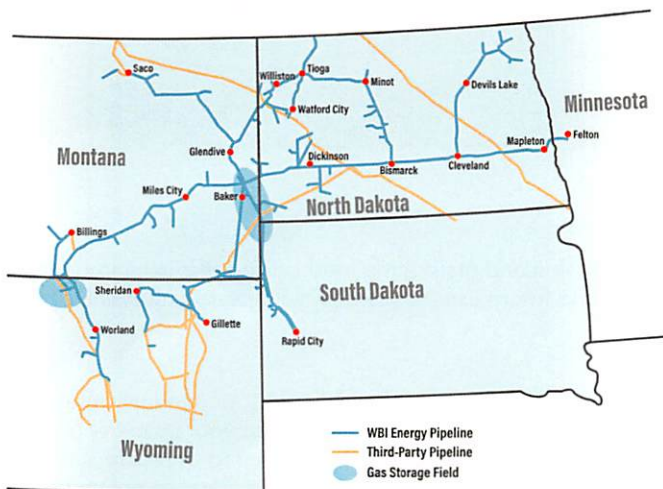
Introduction

WBI Energy currently owns and operates approximately 3,800 miles of natural gas transmission and gathering pipeline spanning major portions of North Dakota, South Dakota, Minnesota, Montana and Wyoming. These operations deliver much-needed natural gas to the city gates of the cities and towns in the region as well as to a number of large-scale industrial operations.

WBI Energy has headquarters in Bismarck, North Dakota, with an operations center in Glendive, Montana.

The Company is part of the MDU Resources Group, Inc. family of companies. MDU Resources, a member of the S&P SmallCap 600 index, provides essential products and services through its regulated energy delivery businesses. Founded in 1924 as a small electric utility, MDU Resources has grown to serve nearly 1.2 million customers across eight states. The Company operates in the Pacific Northwest and Midwest, constructing and operating infrastructure that delivers natural gas and electricity that energizes homes and businesses. For more information about MDU Resources, visit www.mdu.com.

WBI Energy pipeline system map



Why are surveys necessary?

Having accurate, current information on the proposed pipeline route is necessary for regulatory permitting processes and to identify appropriate construction and restoration techniques. Some information is found in maps, aerial photos, and public records, but certain types of data must be collected on site.

What do you look for in the field?

This varies depending on the scope of the project, the types of properties crossed, and regulatory requirements. We typically conduct civil, archaeological and wetland delineation surveys.

Other studies, such as surveys for vegetation types, stream crossings, habitat, sensitive species, or soil types, also may be necessary.

How will the surveys affect my property?

Civil and environmental field studies cause little or no disruption to landowners. Field crews will walk the study area across your property. In some cases the crews may need to excavate small holes, which are filled back in, or leave small stakes or flagging tape behind until all surveys are complete. Disturbance to your property is minimal and short term. We will ask your permission and notify you prior to conducting a field survey on your property.

What is a civil survey?

Civil survey crews (teams of two to three people) will survey the proposed pipeline route, often placing stakes and lath at defined intervals along the proposed pipeline centerline. These stakes are typically embedded about a half-foot into the ground and extend about three feet above the ground. They are marked with bright orange paint to make them clearly visible and serve as a guide to other specialists who need to acquire field information in the same area. Survey crews will use all-terrain vehicles during the civil survey.

What does an archaeological survey entail?

Archaeological surveys document the presence of prehistoric and historic artifacts and structural remnants within the study area. Professional archaeologists (teams of three to six people) walk across the study area and look for artifacts on the surface. Small shovel tests or auger tests are excavated by hand if visibility of the ground surface is obscured by vegetation or if there is a likelihood of buried artifacts (including in agricultural lands). Shovel tests are typically about 14 inches in diameter by 2 to 3 feet in depth. Auger tests are typically about 4 inches in diameter by up to 6 feet in depth. Soils from shovel and auger tests are screened and artifacts are collected. The holes are then filled and sod, if present, is replaced.

What if an archaeological site is found on my property?

In most cases, the archaeological sites found in the study area will have been disturbed by previous activity (such as plowing). Sometimes a site is found that can yield important information about the past. In this case, WBI Energy's archaeologists may need to return to your property to conduct additional work. Our land agent will contact you if this is necessary, and explain the type of work that will need to be completed.

Artifacts found on your property belong to you. Once the artifacts have been studied, they will be returned at your request. Because some artifacts may have educational value, WBI Energy supports the donation of rare or significant artifacts to a state repository (such as a museum). If you choose to donate, WBI Energy will make arrangements to curate your artifacts. On rare occasions, human remains and associated artifacts may be found. In these instances, state law protects these unmarked cemeteries. WBI Energy will treat any discoveries of human remains in accordance with state law.

What is wetland delineation?

Delineation, or mapping of wetlands, helps identify where permits are needed and what types of construction and restoration methods will be necessary. Typically, teams of two to three people walk the route to perform a visual check and conduct limited soil probes. Teams will sometimes leave flagging tape or small stakes behind, marking areas that may require further survey. These temporary markers will be removed shortly after completion of the survey work.

What happens if a wetland is delineated on my property?

If a wetland is delineated on your property, WBI Energy will need to use special construction and restoration methods on that section of the right-of-way. The delineation of wetlands does not affect or alter your use of the land, and future uses will remain your prerogative, subject to existing regulations.

What other kinds of work may be necessary?

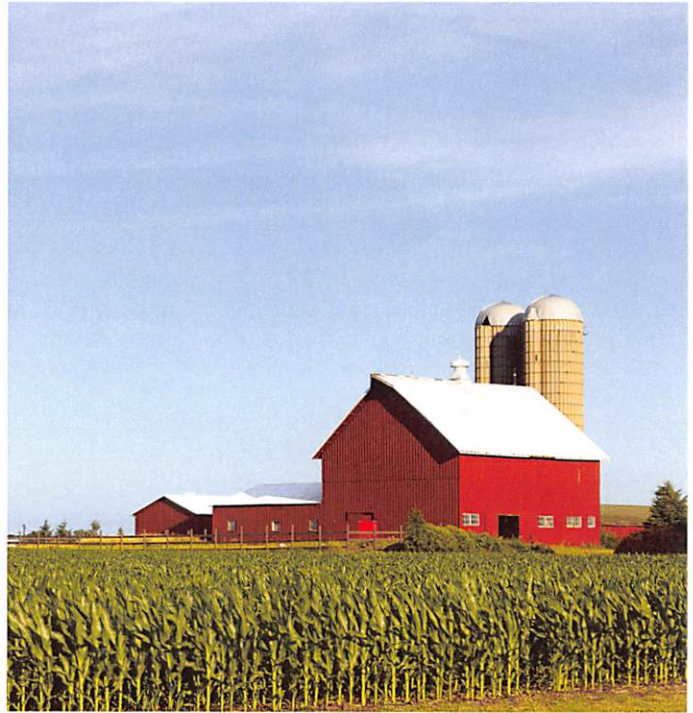
WBI Energy may need to conduct surveys for vegetation types, stream crossing, habitat, sensitive species, or soil types, or conduct other field work depending on site-specific needs. To the extent feasible, multiple surveys will be coordinated to limit visits to your property (e.g., vegetation and stream crossings may be documented during the wetland delineation survey). Information collected during the surveys will be used to identify appropriate construction and restoration methods. Regardless of the type of fieldwork, you will receive advance notice from a land agent. In all cases, WBI Energy's survey methods will be low-impact and cause minimal disruption.

Why survey for endangered species?

If it appears that protected species (or habitat for these species) may be present on your property, regulatory agencies may require WBI Energy to field-verify the presence of those species or habitat. If endangered species or habitat are identified on your property, the agencies will be notified and WBI Energy will be required to work with the agencies to determine the best method of construction in these areas.

What if a survey results in damage to my property?

WBI Energy's environmental surveyors have extensive experience in completing work on private property and are careful not to disturb crops or livestock, or damage properties. Surveyors carry liability insurance, and WBI Energy will fairly compensate you for damages if any should occur.



For more information on this project:

Please call 1-888-451-1119
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