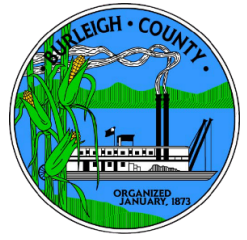




Lincoln, Fort Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman, & Phoenix
Unorganized Townships



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)

May 4th, 2026

5:00 P.M.

Invocation and Pledge of Allegiance presented by Chaplain.

COUNTY PARK BOARD

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of April 20, 2026, meeting minutes.
5. **PUBLIC COMMENT.** *Restricted to Burleigh County residents and landowners.*
6. Campground discussion.
7. Discuss the bid to clean the vault toilets at parks.
8. Other Business.
9. Adjourn.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of April 20th, 2026, meeting minutes and bills. (Pg. 9)
5. **PUBLIC COMMENT.** *Restricted to Burleigh County residents and landowners.*
6. Consent Agenda:
 - a. Abatements.
 - b. Special event permits.
 - c. Liquor Licenses.
7. **PUBLIC HEARING:** OHV Ordinance. (Pg. 30)
8. Daymon Mills, Morton Township Chairman: (Pg. 35)
 - a. Floodplain Resolution.
9. Funatix Events:
 - a. 250th Anniversary Celebration.
10. Mike Berg, Apex Engineering Group: (Pg. 39)

- a. Sanitary Sewer Easement.
11. Taylor Schmidt, Interim Finance Director. (Pg. 47)
- a. Discover Merchant Settlement
12. Daniel Schriock, County Engineer: (Pg. 49)
- a. Project 0193 SAD #78 Ponderosa Riverside Village - Award of Bid.
 - b. Project 1006(26)2 Township Gravel Hauling 2026 - Award of Bid.
 - c. JFP Foxhaven – Acceptance of ROW.
 - d. Klatte Subdivision – Pavement Waiver Request.
 - e. **Public Hearing** – Right of Way Vacation Request.
 - f. 2nd Approach Request – Denial Appeal.
 - g. New Utility Company – Permit Request.
13. Kelly Leben, Sheriff: (Pg. 68)
- a. VFW Post #1326 cash donation.
14. Commissioner Munson: (Pg. 71)
- a. MVC mowing quote.
 - b. Fire ban amendment.
15. Chairman Bitner:
- a. Multi hazard mitigation plan.
16. Other Business.
17. Adjourn.

The next regularly scheduled Commission meeting will be on May 18th, 2026.

Mark Splonskowski
Burleigh County Auditor

**COUNTY
PARK
BOARD**

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
APRIL 20th, 2026**

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

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

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

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

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the March 16th, 2026 meeting minutes. Commissioners Bakken, Behm, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Chairman Bitner opened the meeting to public comment.

- No public comment was heard.

Chairman Bitner closed the public comment segment.

Commissioner Munson presented a request to authorize advertising for bids for dredging at the Kimball Bottoms boat ramp. The Corps permit has been received to dredge up to 300 cubic yards. Motion by Comm. Munson, 2nd by Comm. Bakken to authorize the advertising for bids for dredging at Kimball Bottoms. Commissioners Bakken, Behm, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Commissioner Munson reported that a permit application has been submitted to the Corps for the dredging at the Kniefel boat ramp but has not been approved yet. Motion by Comm. Munson, 2nd by Comm. Woodcox to authorize the advertising for bids for dredging at Kniefel boat ramp once the Corps permit is received. Commissioners Bakken, Behm, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Other business:

- Comm. Bakken discussed increased use and complaints relating to County boat ramps after the closure of a City of Bismarck boat ramp. They emphasized that the closed ramp was not under County control. Comm. Munson stated that adding another access point remains a goal, but site selection and cost remain significant obstacles.
- Comm. Munson thanked the Highway Department for prioritizing road repairs during a difficult Spring and later installing the ramps once staffing and road conditions allowed. He also thanked Chair. Bitner for assisting with proper ramp placement.

- Comm. Munson reported that after six weeks of advertising, the Commission had only one applicant for the part-time park position and that applicant withdrew. He said the County had reached out to Spiffy Biff to maintain the County Park restrooms and if they couldn't service our restrooms the County would have to lock them and put Spiffy Biffs in their place. Comm. Munson asked the Commission to consider closing the campground at Kniefel due to the lack of staff. Comm. Schwab suggested considering a full-time shared position similar to arrangements used for the County Weed Officer. Comm. Munson stated that he would work with Human Resources and Comm. Schwab on the staffing situation. Comm. Munson requested the Commission provide further input on the campground issue and that the item be placed on the next Park Board meeting agenda.

Meeting adjourned.

5:17 PM

Mark Splonskowski, Auditor

Brian Bitner, Chairman

Addenda item for May 4th, 2026 Park Board Meeting

Action Requested:

Discuss the bid to clean the vault toilets at our parks.

Description:

Auditor Splonskowski was able to obtain a bid from Spiffy Biffs to clean and restock the 5 Vault Toilets that we have in our system. That bid came to \$460 for each requested cleaning.

As an option for conversation, we will have an interview with a Temporary employee who has applied for the position at its reposting of the position a couple of weeks ago on May 1st.

As per a conversation with Auditor Splonskowski, Turd Burglar will start pumping the vault Toilets the week of April 27th.

Due to the lack of attention, I would recommend that we hire Spiffy Biffs for the initial cleaning

Action needed:

Bruce's Manufactured Housing, Inc. / Spiffy Biffs

1414 Continental Ave
Bismarck, ND 58504
+17012239778
accounts@spiffybiffs.com



Estimate

ADDRESS

Burleigh County Commission
Burleigh County Auditor
221 N 5th St
Bismarck, ND 58501

SHIP TO

Burleigh County Commission
Burleigh County Auditor
221 N 5th St
Bismarck, ND 58501

ESTIMATE # 1886

DATE 04/23/2026
EXPIRATION DATE 05/23/2026

ACTIVITY	QTY	RATE	AMOUNT
Portable Toilet Additional Service Vault Toilet Service (Steckel Boat Landing)	1	75.00	75.00T
Mileage (Spiffy Biffs) Vault Toilet Service (Steckel Boat Landing)	1	60.00	60.00T
Portable Toilet Additional Service Vault Toilet Service (Maclean Bottom)	1	75.00	75.00T
Mileage (Spiffy Biffs) Vault Toilet Service (Maclean Bottom)	1	25.00	25.00T
Portable Toilet Additional Service Vault Toilet Service (Kniefel Boat Landing)	1	75.00	75.00T
Portable Toilet Additional Service Vault Toilet Service (Swenson Park)	1	75.00	75.00T
Portable Toilet Additional Service Vault Toilet Service (Kimball Bottom)	1	75.00	75.00T

SUBTOTAL	460.00
TAX	0.00
TOTAL	\$460.00

Accepted By

Accepted Date

COUNTY

COMMISSION

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
APRIL 20TH, 2026**

5:17 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. Munson, 2nd by Comm. Bakken to approve the agenda adding an item before Other Business regarding the appointment of Election Inspectors. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Motion by Comm. Woodcox, 2nd by Comm. Munson to approve the April 6th, 2026 meeting minutes and the bills. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Chairman Bitner opened the meeting to public comment.

- County Residents Travis Jensen, Curtis Jundt, and Randy Koch spoke.

Chairman Bitner closed the public comment segment.

Motion by Comm. Bakken, 2nd by Comm. Munson to approve the Matthew Buchholz, Daniel & Claudette Job, Casey & Ronnell Kulish, Greenfield Commons LLC, Eric & Brenda Neutman, Robert & Deandra Hunter, Nicholas & Cheryl Kraft, Marilyn Klein, Justin Loy, Anthony & Rebecca Saxton, James Macpherson, Gregory & Christine Tishmack, Joyce Weishaar, Rochus Nagel, Mary Hultberg, Larry Giese, Janice Elhard, Carmen Fish, Richard Shearer, Leonard Mecham & Larena Tucker, Paul Hansen, Gerald & Chloe Rasmussen, Marilee Toman, Sharon Jensen abatements and the rest of the consent agenda in its entirety. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Morton Township Chairman Daymon Mills presented a resolution requesting the return of local floodplain authority. County Planning Director Flannigan expressed concern that the resolution did not include an indemnification clause protecting the County if the Township later altered course or created issues that defaulted back to the County. State's Attorney Julie Lawyer indicated that an indemnification provision benefiting the County would be appropriate. Comm. Schwab made a motion to approve the separation but later withdrew the motion. Chair. Bitner deferred the matter so the Township could revise the resolution and return it at a later meeting.

Bravera Insurance Advisor Scott Faehnrich presented a review of the County's insurance structure discussing several potential improvements and concerns. Comm. Bakken discussed the role of the current

agent of record and the value of more active advocacy and regular reporting. Chair. Bitner stated that he has not received periodic insurance updates and wanted better communication and service. Faehnrich stated that changing the agent of record would not replace the North Dakota Insurance Reserve Fund as the carrier but would change the County's servicing representative. Motion by Comm. Woodcox, 2nd by Comm. Bakken to allow Chairman Bitner to abstain from the vote due to having his personal insurance through Bravera. Commissioners Bakken, Munson, and Woodcox voted 'AYE'. Commissioner Schwab voted 'NAY'. **Motion carried.** Motion by Comm. Bakken, 2nd by Comm. Munson to switch to Bravera insurance and to assign the Treasurer's Office as the responsible party in the transition. Commissioners Bakken, Munson, and Woodcox voted 'AYE'. Commissioner Schwab voted 'NAY'. **Motion carried.**

Head of the County Library Keli McDonald presented an annual update on the County Library and Bookmobile.

County Assistant Engineer Casey Einrem presented a request relating to a newly created master mechanic position within the Highway Department. He stated that after reviewing departmental needs, it was determined the best approach was to promote the current Shop Maintenance Worker III into the new Master Mechanic position. Motion by Comm. Bakken, 2nd by Comm. Schwab. to direct the Human Resource Director to make the required changes to the existing payroll system to change Mr. Obritsch's position from the Shop Maintenance Worker III to the Master Mechanic position (Grade 6, Step 12 to a Grade 7, Step 10) and to allocate funding from the Road and Bridge fund to cover such change. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Assistant Engineer Einrem requested authorization for the proper County officials to seek an engineering firm to perform construction engineering services for Moffit Road. He said the project is a mill and overlay project on Moffit Road with construction funded through an 80/20 federal/local split. Einrem stated that this project requires compliance with the Federal construction process, which the County is not currently certified to complete, and for that reason they want to use a consulting firm to perform that function. Motion by Comm. Bakken, 2nd by Comm. Schwab to authorize the County Auditor and the County Engineer to advertise to seek construction engineering service proposals for the SC-0848(004), PCN 25028, Moffit Road – ND Highway 1804 to US Highway 83 2" milling and 2" overlay and seal coat improvements (12.56 miles). Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Sheriff Kelly Leben presented the quarterly jail report for the Burleigh Mortan Detention Center.

Sheriff Leben presented a request to approve the amended 2025/2026 ND DOT Traffic Safety Grant. Motion by Comm. Munson, 2nd by Comm. Bakken to authorize the proper County officials to authorize the ND DOT Traffic Safety Grant amendment between the County and the State. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Schwab voted 'NAY'. **Motion carried.**

Sheriff Leben presented two related salary items concerning the jail nurse position at the Burleigh Mortan Detention Center. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the salary variance of the starting salary of the Jail Nurse LPN position at a Grade 7 Step 12 and to approve the variance to the current

salary for the Jail Nurse LPN position from a Grade 7 Step 11 to a Grade 7 Step 13. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Facilities Director Jacob Achtenberg presented a request to promote Dean Van Vleet and Mike Kruckenberg to Building Technician III. He stated that the classification is important to keep the maintenance team growing and progressing in the right direction, and that it would recognize a level of dedication, experience, and diagnostic skill that can only be developed over many years of service. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve both promotions. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Planning Director Mitch Flanagan presented a request for approval for the CJB Subdivision in Painted Woods Township, described as a single lot subdivision containing approximately 5.46 acres, zoned agriculture and remaining agriculture. The Planning and Zoning Commission recommended approval on a 8-0 vote. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the CJB Subdivision Final Plat. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Planning Director Flanagan presented a request for approval for the EAH Subdivision in Burnt Creek Township, described as a two lot subdivision containing 57 acres. The Planning and Zoning Commission recommended approval on a 8-0 vote. Motion by Comm. Woodcox, 2nd by Comm. Bakken to approve the EAH Subdivision Final Plat. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Planning Director Flanagan presented a variance request for 8716 Caraway Drive. He stated the owner is intending to build a 2,400 square-foot accessory building and requesting a reduction of the setback along Caraway Drive from 40 feet to 15 feet. The Planning and Zoning Commission recommended approval on a 8-0 vote. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the 15 foot setback variance. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

County Human Resources Director Pam Binder presented an update on the County's health insurance plan.

Human Resources Director Binder presented an update on employee data insights.

Commissioner Schwab started a discussion on the vote by the Garrison Diversion Conservancy District (GDCCD) for the petition filed by the County to be removed from the district. He stated that the GDCCD Board of Directors voted last Thursday and denied the County's request to be removed. County Resident Kevin Horneman spoke as a user of the irrigation provided by the McClusky Canal. Discussion was had.

Commissioner Schwab started a discussion on public notice requirements and that The Bismarck Tribune was reportedly laying off staff and limiting their print distribution days. Discussion was had.

Chairman Bitner started a continued discussion on the Off Highway Vehicle (OHV) ordinance and resolution. Assistant Engineer Einrem, Sheriff Leben, and State's Attorney Lawyer spoke on the subject. Discussion was had. Motion by Comm. Woodcox, 2nd by Comm. Munson to remove the OHV ordinance and resolution

from the table. Commissioners Bakken, Munson, Woodcox, and Chairman Bitner voted 'AYE'. Commissioner Schwab voted 'NAY'. **Motion carried.** Motion by Comm. Munson, 2nd by Comm Bakken to deny the moratorium on OHVs in Resolution 00-2026-01. Commissioners Bakken, Munson, Schwab, and Woodcox voted 'AYE'. Chairman Bitner voted 'NAY'. **Motion carried.** Motion by Comm. Munson, 2nd by Comm. Bakken to remove all proposed amendments to Ordinance 23-1 relating to the operation of all terrain or off highway vehicles. Commissioners Bakken, Munson, and Woodcox voted 'AYE'. Chairman Bitner and Commissioner Schwab voted 'NAY'. **Motion carried.** Motion by Comm. Munson, 2nd by Comm. Bakken to add in Section 4, Number 3, restrict wheeled OHV operations in the road right of way from December 1st to May 1st with a fine of \$750 for riding during that period. Comm. Munson amended his motion to set the dates to December 1st to May 15th, and Comm. Bakken amended his 2nd. The vote to approve the amendment was had. Commissioners Bakken, Munson, and Woodcox voted 'AYE'. Chairman Bitner and Commissioner Schwab voted 'NAY'. **Motion carried.** The vote to approve the amended motion was had. Commissioners Bakken, Munson, and Woodcox voted 'AYE'. Chairman Bitner and Commissioner Schwab voted 'NAY'. **Motion carried.** Motion by Comm. Munson, 2nd by Comm Bakken to amend section 8 of the County's current ordinance increasing violation penalties from \$50 to \$250 for the first offense, \$500 for the second offense, and \$750 for the third offense and every offense after the third and all fines to be distributed to the Highway department for repairs of the road right of ways. Commissioners Bakken, Munson, and Woodcox voted 'AYE'. Chairman Bitner and Commissioner Schwab voted 'NAY'. **Motion carried.**

County Auditor Mark Splonskowski presented a request regarding Election Inspectors. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint the selected Election Inspectors and to allow the Auditor & Elections Coordinator to select the Inspectors for the remaining open spots. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

In other Business:

- Comm. Schwab stated that documentation for meeting discussion needs to be in the agenda packet.

Meeting Adjourned.

8:40 PM

Mark Splonskowski,
County Auditor

Brian Bitner,
Chairman

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
26-103	Richard & Connie Gebhart	2024	SW1/4 lying W of Hwy 1804 less tracy deeded for boat landing & park & r/w & approx 2.8 in river, Section 10, Painted Woods township			
26-104	Richard & Connie Gebhart	2025	SW1/4 lying W of Hwy 1804 less tracy deeded for boat landing & park & r/w & approx 2.8 in river, Section 10, Painted Woods township	Acreage correction	26,400	16,500
26-208	Florence & Virgil Sailer	2024	Shamrock Acres Third Block: 7 Lot 3	50% Homestead Credit	27,300	17,200
26-209	Lonnie & Sandra Fetzer	2024	Flannery & Wetherby Block: 36 Lots 7-8	50% Homestead Credit	480,600	380,600
26-210	Donna & Billijo Link	2024	Keating Block: 7 Lot 4	50% Homestead Credit	156,300	78,150
26-211	Donna & Billijo Link	2025	Keating Block: 7 Lot 4	100% Homestead Credit	289,000	189,000
26-214	Dorothy Simon; Rhonda & Lonell Dikoff	2024	Pebble Creek 8th Block: 2 Lots 4,6,8,& 10, BLK 1, Pebble Creek 8th RPT & Lot 15 Less Wly 148' of SLY 180', Pebble Creek 8th Arrow Head Ranch Unit D Bldg 3030	100% Homestead Credit	295,300	195,300
26-215	Dorothy Simon; Rhonda & Lonell Dikoff	2025	Pebble Creek 8th Block: 2 Lots 4,6,8,& 10, BLK 1, Pebble Creek 8th RPT & Lot 15 Less Wly 148' of SLY 180', Pebble Creek 8th Arrow Head Ranch Unit D Bldg 3030	100% Homestead Credit	300,200	220,960
26-220	Lonnie & Sandra Fetzer	2025	Flannery & Wetherby Block: 36 Lots 7-8	100% Homestead Credit	325,800	246,560
26-221	Donald & Arlo Thompson	2024	Nagel's 1st Block: 2 S 26' of Lot 32 & N 37' of Lot 33	50% Homestead Credit	164,200	82,100
26-222	Donald & Arlo Thompson	2025	Nagel's 1st Block: 2 S 26' of Lot 32 & N 37' of Lot 33	100% Homestead Credit	249,000	49,000
26-223	Roger & Marlene Freitag	2025	Eastside Heights Block: 4 Lot 6	50% Homestead Credit	250,800	150,800
26-224	Debra Ketterling	2024	Sattler's Sunrise 3rd Block: 1 Lot 4	100% Homestead Credit	345,300	145,300
26-225	Debra Ketterling	2025	Sattler's Sunrise 3rd Block: 1 Lot 4	50% Homestead Credit	327,900	227,900
26-226	Denise Goehring Bergquist	2025	Brendwood Estates Block 1 Lots 9 & 10	50% Homestead Credit	348,000	248,000
				50% Homestead Credit	352,300	252,300

APPLICATION FOR LIQUOR LICENSE

Name of Applicant Tri-Energy Cenex-Sterling Classification of License B1-400

Primary Contact [Redacted] Phone [Redacted]

Address 31346 27th Ave NE Sterling, ND 58572 Date of Birth/Incorporation 1.1.1989

Is this a renewal of liquor license? Yes X No _____

If yes, give date of original application March 2017

Check one of the following to indicate who is applying for the license:

- _____ 1. A physical resident and citizen of the State of North Dakota; or
- X 2. A domestic private corporation organized under the laws of the State of North Dakota with primary place of business in Burleigh County; or
- _____ 3. A co-partnership, all members of which are over 21 years of age and residents and citizens of North Dakota.

Answer the number below (1, 2 or 3) which corresponds to the number checked above:

1. Name of applicant _____

Residence _____

Post Office Address _____

2. List name, residence and post office address of all holding one or more percent of capital stock in Domestic, Private Corporation:

Name	Residence	P.O. Address	Percent
<u>We are a cooperative. I have attached a list of our board of directors.</u>			

3. List name, residence and post office address of all co-partners:

Name	Residence	P.O. Address	Percent
------	-----------	--------------	---------

4. List the name and residence of anyone having a financial interest in the proposed enterprise:

Name	Residence	P. O. Address
------	-----------	---------------

Date and type of any prior or present liquor business:

We currently sell off-sale at six of our convenience stores located in Bismarck, Mandan, Lincoln, and Sterling.

Exact legal description of proposed enterprise:

C-corp cooperative

Does building meet all state and local sanitation and safety requirements? Yes No

Have you ever had a liquor license revoked or rejected by any authority? Yes No

If yes, give date and details:

Have you ever been convicted of the violation of any local, state or Federal law regarding liquor:

Yes No

If yes, give date and details:

Have you ever been charged with or convicted of any crime in this state (do not include minor traffic violations), or any other state, or under any Federal Law? Yes No

If yes, give date and details:

List three business references, including one bank, and state briefly the nature and extent of business relations with each:

1. Kirkwood Bank & Trust 701-355-5342
- All of our banking is done here
2. PepsiCo 701-663-0431
- Beverage vendor
3. MidDakota Transport 701-693-5724
- Transport company for all our fuel and gas

The following two items shall accompany this application:

1. The receipt from the County Treasurer indicating that the prescribed fee for the license has been deposited with the County Treasurer.
2. A statement from the County Treasurer indicating that all property taxes and special assessments of the applicant(s) have been paid.

I hereby agree and consent that authorized officers or representatives of the County may enter the premises licensed at any time to inspect the same and records of the business, and hereby waive any and all rights under the Constitution of the United States or State of North Dakota, relative to searches and seizures without issuance or use of a search warrant, and agree that I will not claim such immunities, and that such search, inspection and seizure may be made at any time without a warrant.

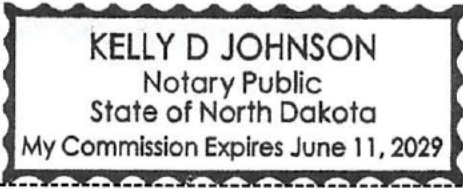
I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform County officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership during the period of the license, prior approval of the Board of County Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

[Redacted Signature]

Signature of Applicant

Subscribed and sworn to before me this 16th day of April, 2024



Kelly D Johnson
Notary Public

Recommend application be approved _____ denied _____

Reasons for negative recommendation

County Auditor

8

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type B1 Retail Liquor License for

Tri-Energy Cenex - Sterling
(Name of Establishment)

owned by Tri-Energy COOPERATIVE PO Box 2317
(Licensee) (Address) Bismarck, ND
58502

[Signature]
Chairman
[Signature]
Member
[Signature]
Member

ATTEST

[Signature] 2026
(Township Clerk)

RE: Liquor License annual renewal application

From Kelly Leben <kleben@burleighsd.com>
Date Mon 4/27/2026 4:08 PM
To Berger, Diane <berger.diane@nd.gov>

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Good to go!

From: Berger, Diane <berger.diane@nd.gov>
Sent: Wednesday, April 22, 2026 9:51 AM
To: Kelly Leben <kleben@burleighsd.com>
Subject: Liquor License annual renewal application

Sheriff Leben, please review the attached annual liquor license renewal application for Tri-Energy Cenex in Sterling.
Thank you.

Diane Berger

Administrative Assistant-Accounts Receivable
Treasurer's Office
Burleigh County
701-712-6213 Ext.708
berger.diane@nd.gov





Burleigh County

North Dakota

Shopping Cart: 0 items [\$0.00]

[New Search](#)

[Detail](#)

[Payoff](#)

[Help](#)

Parcel #: 35-139-76-00-29-230

Status: Paid

Type: RE

Owner: FARMERS UNION OIL COMPANY OF

History:

Tax Year	Statement#	Bill Date	Bill Amount	Date Paid	** Paid Amount	Notes
2025	43674	12/10/2025	\$3,291.44	1/29/2026	\$1,645.72	
				1/29/2026	\$1,481.15	
2024	40824	12/09/2024	\$3,949.88	2/3/2025	\$1,974.94	
				2/3/2025	\$1,777.45	
2023	40265	12/01/2023	\$3,934.27	1/22/2024	\$1,967.14	
				1/22/2024	\$1,770.42	
2022	39745	12/09/2022	\$3,195.82	1/31/2023	\$1,597.91	
				1/31/2023	\$1,438.12	
2021	39439	11/29/2021	\$3,147.21	2/4/2022	\$1,573.61	
				2/4/2022	\$1,416.24	

**** Paid Amount may include penalty, interest, & discounts**

Note: The accuracy of this data is not guaranteed.
Web data was last updated 04/16/2026 09:00 AM.

Send Payments To:

Burleigh County Treasurer
PO Box 5518
Bismarck, ND 58506-5518



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Board of Directors



1755 Co Rd 81

Mandan, ND 58554



2599 Co Rd 135

Solen, ND 58570



3695 27th Ave

Mandan, ND 58554



16501 76th Ave SE

Menoken, ND 58558

takes pd 1/14/26



5105 Hwy 1806

Mandan, ND 58554



9500 Plainview Dt

Bismarck, ND 58503

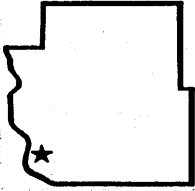
*takes pd
12/30/25*



8200 145th St SE

Menoken, ND 58558

*takes pd
1/14/25*



BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

Clerk: dianeb

Batch Number: 20260428-000012

*** ORIGINAL RECEIPT ***

Receipt#	Trans Date	Clerk	Batch#	Receipt Type	Receipt Total
21216	04/28/2026	dianeb	20260428-000012	MISC	400.00
Received Of			On Account Of		
TRI ENERGY CENEX			ANNUAL LIQUOR LICENSE 26-004		
Line#	PT	Account	Description	Amount	
1	G	1001.00000.32110	Liquor Licenses	400.00	

Payment Type	Doc#	Description	Amount
CHECK	173561	TRI ENERGY 219 N 20TH ST PO BOX 2317 BISMARCK, ND 58502	400.00

173561

TRI-ENERGY COOPERATIVE

Vendor: BURLAU BURLEIGH COUNTY AUDITOR

Check #: 173561
Check Date: 04/17/2026

Inv #	Reference	Inv Date	Inv Amt	Discount	Amt Paid
LICENSE	B1 LICENSE	04/16/26	400.00	0.00	400.00
Total					400.00

APPLICATION FOR SPECIAL PERMIT TO SELL ALCOHOLIC BEVERAGES AT A SPECIAL EVENT AT DESIGNATED PREMISES "SE"

Local Fee: \$25.00

Applicant (must have county license) Tnt Tavern, LLC

1. Name of Licensee [Redacted]

2. Name of Business Tnt Tavern

3. Mailing Address 31 Main St Driscoll, ND

4. State Alcoholic Beverage License Number AA-01836 5. Local License Number(s) 24-003

6. Date(s) and Time of Special Event June 5-7, 2026

7. Describe Special Event Fully 51st Abate Motorcycle Rally

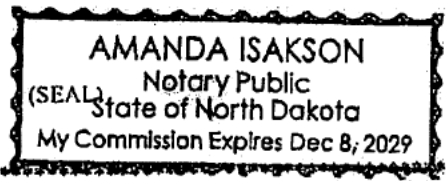
8. Indicate Premises to be Used on Reverse Side of this Application.

Dated this 15 day of April, 2026

Tnt Tavern LLC
(Licensee)

BY [Redacted]
(Name and title if Corporate Officer or Manager)

Subscribed and sworn to before me this 15th day of April, 2026



[Signature]

Recommendation Approved Denied If denied, reason for denial: _____

[Signature] 4/22/26
(Burleigh County Sheriff) (Date)

PERMIT

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

Dated this _____ day of _____, 20____

(County Auditor)

APPLICATION FOR LIQUOR LICENSE
TOWNSHIP BOARD APPROVAL

To: Burleigh County Auditor

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

application for a Type SE Retail Liquor License for

Tnt Tavern
(Name of Establishment)

31 Main Street Driscoll, ND
(Address of Establishment)

owned by [Redacted]
(Licensee) (Address)

Scott Dalton
Chairman

Sam Agnew
Member

[Signature]
Member

ATTEST

[Signature]
(Township Clerk)

4/20/20
(Date)

DESCRIPTION OF PREMISES

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

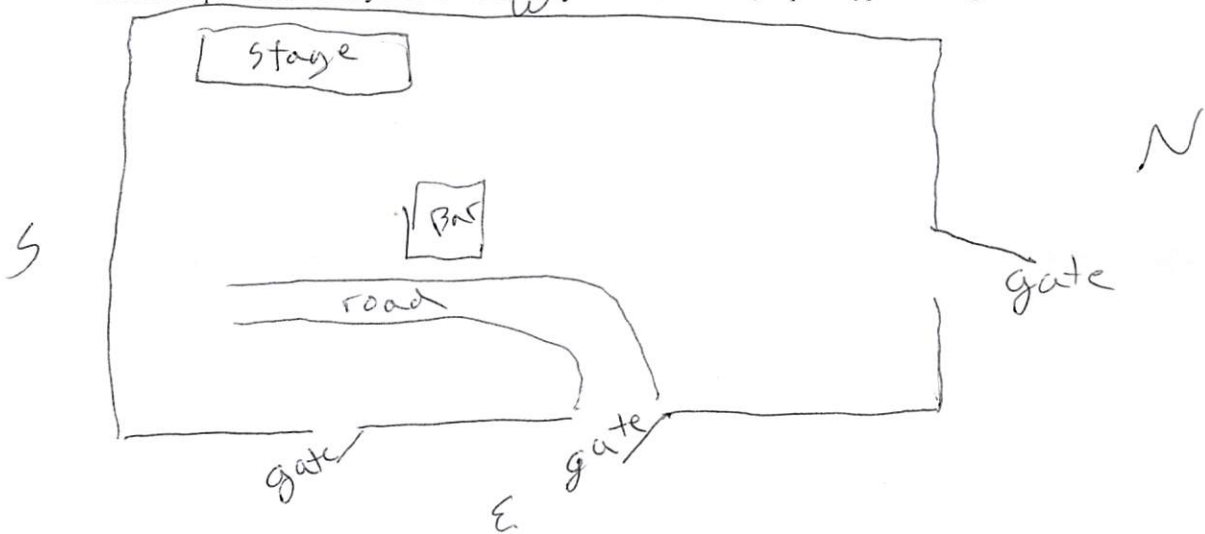
2. Address of premises:

Menoken Grove Menoken 58558
(Street Address) (City) (Zip Code)

3. Name of building where event will be held: Campground

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

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



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



BURLEIGH COUNTY TREASURER

PO Box 5518
Bismarck, ND 58506-5518

*** ORIGINAL RECEIPT ***

Clerk: thomasl
Batch Number: 20260422-000031

Receipt#	Trans Date	Clerk	Batch#	Receipt Type	Receipt Total
21198	04/22/2026	thomasl	20260422-000031	MISC	25.00
Received Of			On Account Of		
TNT TAVERN			SE 26-003 LIQUOR LICENSE		
Line#	PT	Account	Description	Amount	
1	G	1001.00000.32110	Liquor Licenses	25.00	

Payment Type	Doc#	Description	Amount
CHECK	3033	TNT TAVERN LLC 212 JOHN ST DRISCOLL, ND 58532	25.00



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

Permit Number 26-012

Permit Type (check one)	
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*
Games Authorized	
<input checked="" type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle
<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle
<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*
<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> 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 Church of St. Hildegard	Dates Authorized (Read Instruction 2) September 13, 2026
Organization or Group Contact Person [REDACTED]	E-mail [REDACTED]
	Telephone Number [REDACTED]
Mailing Address 17200 Highway 10	City Menoken
	State ND
	ZIP Code 58558

SITE INFO	
Site Name Church of St. Hildegard	County Burleigh
Site Address 17200 Highway 10	City Menoken
	State ND
	ZIP Code 58558
If the city or county is placing restrictions on the permit, please explain	
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)	
Bingo and Raffle drawing will both take place on Sunday, September 13, 2026 at the Church of St. Hildegard.	

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

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

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

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

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

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

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



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

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 Church of St. Hildegard		Dates of Activity (Does not include dates for the sales of tickets) September 13, 2026	
Organization or Group Contact Person [REDACTED]	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address 17200 Highway 10	City Menoken	State ND	ZIP Code 58558
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Church of St. Hildegard	County Burleigh
Site Physical Address 17200 Highway 10	City Menoken
	State ND
	ZIP Code 58558

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

Bingo and the raffle drawing will both take place on Sunday, September 13, 2026 at the Church of St. Hildegard.

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	See attached listing	14,949.78
Total (limit \$50,000 per year)		\$ 0.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds
Proceeds will be used for the needs of the church throughout the year.

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

Yes No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)

Yes No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)

No Yes - Total Retail Value: _____ (This amount is part of the total prize limit for \$50,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

Yes No

Printed Name of Organization Group's Permit Organizer Msgr. Gene Lindemann	Telephone Number Pastor	E-mail Address sthildegard@bektel.com
Signature of Organization Group's Permit Organizer [REDACTED]	Title <i>Pastor</i>	Date <i>11/26/2026</i>

Church of St. Hildegard Altar Society

2026 Raffle Prize List

Drawing to be held on Sunday, September 13, 2026, 4:00 pm
at the Church of St. Hildegard, 17200 Highway 10, Menoken, ND

Item	Donor	Value
\$600 cash	St. Hildegard's Altar Society	\$600.00
\$500 cash	St. Hildegard's Altar Society	\$500.00
\$400 cash	St. Hildegard's Altar Society	\$400.00
Ruger Gen II 204 Ruger	The ChrEasters	\$649.99
Ruger Gen II 223 Rem	The ChrEasters	\$649.99
Ruger Gen II 243 Win	The ChrEasters	\$649.99
Ruger Gen II 6mm Creedmoor	The ChrEasters	\$649.99
Ruger Gen II 6.5 Creedmoor	The ChrEasters	\$649.99
Ruger Gen II 7mm-08	The ChrEasters	\$649.99
Ruger Gen II 7mm PRC	The ChrEasters	\$649.99
Ruger Gen II 308 Win	The ChrEasters	\$649.99
Ruger Gen II 30-06 Spr	The ChrEasters	\$649.99
Benelli Nova 12g	The ChrEasters	\$549.99
Ruger Precision 22LR	The ChrEasters	\$519.99
Ruger Precision 17HMR	The ChrEasters	\$519.99
Ruger Precision 17HMR	The ChrEasters	\$379.99
Ruger Precision 17HMR	The ChrEasters	\$379.99
Ruger LCP 380 HG	The ChrEasters	\$299.99
Ruger Super Wrangler 22/22WM	The ChrEasters	\$279.99
Ruger Super Wrangler 22/22WM	The ChrEasters	\$279.99
Ruger Wrangler 22	The ChrEasters	\$219.99
Ruger Wrangler 22	The ChrEasters	\$219.99
Ruger 10/22 22LR	The ChrEasters	\$209.99
Ruger 10/22 22LR	The ChrEasters	\$209.99
Ninja Cafe	Kuntz & Arnold families	\$600.00
Impala Plus Field 12 Ga. 28" CT-5 Carbon	Anonymous	\$579.99
\$200 cash	A Prairie Breeze RV Park	\$200.00
\$200 cash	Bob Sjostrom & Wilma Dunford	\$200.00
\$200 cash	Jim & Kathy Heisler	\$200.00
\$200 cash	Mike & Corrine Heaton, Marlyn & Sue Richter	\$200.00
\$200 Plant Perfect gift card	Josey & Megan Milbradt	\$200.00
\$200 Lewis & Clark Riverboat gift card	Wayne & Sheila Rogstad	\$200.00
\$100 Scheels gift card	Marv & Arlene Abraham	\$100.00
\$100 cash	Bud Anderson	\$100.00
\$100 The Tavern Grill gift card	Jon & Renae Craven	\$100.00
\$100 LongHorn Steakhouse gift card	Jon & Renae Craven	\$100.00
\$100 cash	Stephen & Kelly Kepp	\$100.00
\$100 cash	Wes & Carol Meidinger	\$100.00
\$100 cash	Gary & Coreen Richter	\$100.00
\$100 cash	Russ & Holly Schirado	\$100.00
\$100 cash	Russ & Holly Schirado	\$100.00
\$100 cash	David & Linda Schmitz	\$100.00
\$100 cash	David & Linda Schmitz	\$100.00
Hand embroidered hand towels	Linda Schmitz	\$50.00

Total Value = \$14,949.78

ALL ITEMS REQUIRED FOR THIS PERMIT
HAVE BEEN MET

THESE ITEMS ARE ON FILE AND CAN BE
SEEN UPON REQUEST

ORGANIZATION/CLUB Church of St. Hildegard
PERMIT 26-012
DATE 5/3/24

ITEM

7

PUBLIC HEARING

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

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

SECTION 1. General Provisions

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

SECTION 2. Purpose.

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

SECTION 3. Definitions.

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

ORDINANCE NO. 26-01

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

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

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

1. No person may engage in exhibition driving of any vehicle in the road right-of-way.
2. Exceptions are granted for OHVs operated by government employees when in the performance of official government business, including:
 - a. in normal operations of a property owner, business or agricultural activity would be exempt
3. Restrict wheeled OHV operations in the road right of way from December 1st to May 1st with a fine of \$750 for riding during that period.

SECTION 5. Temporary Restrictions of Off Highway Vehicle Operation During Certain Conditions.

1. In the event of adverse weather conditions or soil conditions, the Board of County Commissioners may, by resolution, restrict operation of off highway vehicles in the affected area to prevent damage to that area. The restrictions may not be continued or renewed for a period in excess of seven days except by further resolution of the Board.
2. Any resolution adopted under this section must be given prompt and general publicity and must be filed promptly with the county auditor and posted prominently on the county website.

SECTION 6. Penalty for Offenses While Operating in Right of Way.

1. Any person who violates this ordinance must be assessed a fee of fifty dollars in the following order:
 - a. \$250 for the first offense,
 - b. \$500 for the second offense,
 - c. \$750 for the third offense.

SECTION 7. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. Severability Clause. If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 8. When Effective. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

First Reading Passed: _____

Second Reading Passed: _____

Passed and adopted this _____ day of _____ 2026.

Brian Bitner , Chairperson

ATTEST:

Mark Splonskowski, County Auditor

ITEM

8

**RESOLUTION Of Morton TOWNSHIP
BY AND THROUGH ITS BOARD OF TOWNSHIP SUPERVISORS
RELATING TO FLOODPLAIN ZONING AND FLOODPLAIN MANAGEMENT**

WHEREAS, the above-named Township is a political subdivision contained within the jurisdictional boundaries of Burleigh County, North Dakota, and therefore is subject to the Constitution and laws of the State of North Dakota; and

WHEREAS, pursuant to Article VII, §10 of the North Dakota Constitution and chapter 54-40.5 of the North Dakota Century Code, a political subdivision may by mutual agreement transfer administrative, legal, or financial responsibilities to another political subdivision, and may in like manner revoke said transfer of responsibilities; and

WHEREAS, pursuant to chapter 61-16.2 of the North Dakota Century Code pertaining to Floodplain Management and the National Flood Insurance Program 42 U.S.C. 4001 et seq. the term "Community" means any political subdivision that has the authority to zone; and

WHEREAS, Communities having residential and nonresidential structures in areas that are subject to excessive flooding shall be required to participate in the National Flood Insurance Program, and shall adopt and enforce required floodplain management ordinances; and

WHEREAS, failure to adopt and enforce said ordinances as required by the National Flood Insurance Program shall result in the Community's ineligibility to receive flood disaster assistance from the State of North Dakota or other flood relief from the Federal Emergency Management Agency; and

WHEREAS, pursuant to a resolution of the Township Board of Supervisors dated the 7th day of April, 2026, the above-named Township has exercised its statutory authority to zone as provided in sections 58-03-11 through 58-03-15 of the North Dakota Century Code, by establishing a township zoning commission, one or more zoning districts, and township zoning regulations.

NOW, THEREFORE, BE IT RESOLVED, to the extent allowable by the Constitution and laws of the State of North Dakota, the above-named Township, by and through this resolution of its Board of Township Supervisors, and upon the mutual agreement of Burleigh County, North Dakota, hereby *elects to participate* in the National Flood Insurance Program as a Community as follows:

I.

The above-named Community (Township) shall adopt and enforce floodplain zoning and floodplain management ordinances within its jurisdictional area in compliance with the National Flood Insurance Program and the laws of North Dakota.

II.

To the extent allowable by North Dakota law, the above-named Community (Township), by and through this resolution of its Board of Township Supervisors, hereby revokes any and all existing agreements with Burleigh County, North Dakota, related to the administrative, legal, and financial responsibilities of floodplain zoning, floodplain management, and the enforcement of the same as required by chapter 61-16.2 of the North Dakota Century Code and the National Flood Insurance Program.

III.

That in accordance with Article VII, §10 of the North Dakota Constitution this agreement must be made mutually between the political subdivisions, and according to section 54-40.5-03 of the North Dakota Century Code the agreement must include the following information:

1. Nature of the power or function to be revoked: Adoption and enforcement of floodplain zoning and floodplain management ordinances as required by chapter 61-16.2 of the North Dakota Century Code;
2. Effective date of the proposed revocation: This resolution shall be effective upon the signature of the Township Chairman, the Township Clerk, the Chairman of the County Commission, and the County Auditor. This resolution shall be filed with the Township Clerk and a copy of this resolution shall be kept at the Burleigh County Finance Office;
3. Responsibility for administration of the power or function to be revoked: This resolution shall vest all administrative, legal, or financial responsibilities related to floodplain zoning and floodplain management with above-named Community (Township) pursuant to N.D.Const. Art. VII, §10, N.D.C.C. §§ 54-40.5 et seq., 58-03-11 through 58-03-15, 58-06 et seq., 61-16.2 et seq., and the National Flood Insurance Program 42 U.S.C. 4001 et seq.;
4. Manner in which affected employees currently engaged in the performance of the power or function will be revoked, reassigned, or otherwise treated: Any employee or employees of Burleigh County, North Dakota currently engaged in the performance of floodplain zoning and/or floodplain management will be released from their obligations and responsibilities with respect to the above-named Community (Township);
5. Manner in which real property, facilities, equipment, or other personal property required in the exercise of the power or function are to be transferred, sold, or otherwise disposed of: Township records and documents relating to the adoption of floodplain zoning and floodplain management currently on file at the Burleigh County Courthouse may be accessed by Township Supervisors upon request;
6. Method of financing, establishing, and maintaining a budget for the power or function: Chapter 58-06 et seq. of the North Dakota Century Code; and
7. Other legal, financial, and administrative arrangements necessary to affect the revocation in an orderly and equitable manner: The above-named Community (Township) specifically *retains and does not relinquish* its authority, duties, functions, and responsibilities related to the statutory powers listed in N.D.C.C. §§ 58-03-11 through 58-03-15 (township zoning authority).
8. If Morton Township previously exercised floodplain management authority and becomes subject to county floodplain management authority under Section 1 of SB 2027, Morton Township shall defend, indemnify, and hold harmless Burleigh County and its agents, officers and employees from and against a claim for damages arising from township's noncompliance with chapter 61-16.2 and the national flood insurance program (42 U.S.C 4001 et seq.)

Township Zoning and Floodplain

DATED this _____ day of _____, 20_____.

Township Chairman

Township Clerk

Chairman of the County Commission

County Auditor

ITEM

10

SANITARY SEWER EASEMENT

This indenture, made this _____, day of _____, 2026, between **Burleigh County**, whose address is 221 N 5th Street, Bismarck, North Dakota, Grantor, and the **City of Bismarck**, a municipal corporation, whose post office address is P.O. Box 5503, Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of \$1.00, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to construct, operate, maintain, and repair public utility facilities including sanitary sewer under or upon the real property hereinafter described, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said utility. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.

2. This Easement is, except for right of access, limited to:

SANITARY SEWER EASEMENT DESCRIPTION

A TRACT OF LAND WITHIN LOT 13, BLOCK 1 OF MISSOURI VALLEY COMPLEX, IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST, THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 7A OF AUDITOR'S LOT 7, DESCRIBED IN DOCUMENT NUMBER 904488, RECORDED AT THE BURLEIGH COUNTY RECORDER; THENCE S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 7A, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, DESCRIBED IN DOCUMENT NUMBER 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER, A DISTANCE OF 607.05 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID LOT 7A, ALSO BEING THE NORTHWEST CORNER OF LOT 8B OF AUDITOR'S LOT 8, DESCRIBED IN DOCUMENT NUMBER 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER; THENCE CONTINUING S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 8B, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, A DISTANCE OF 76.14 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 8B, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, A DISTANCE OF 89.30 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF AN EXISTING SANITARY SEWER EASEMENT, DESCRIBED IN DOCUMENT NUMBER 972472, RECORDED AT THE BURLEIGH COUNTY RECORDER; THENCE ON AND ALONG THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT THE FOLLOWING TWO COURSES: N46°01'23"W A DISTANCE OF 7.27 FEET, MORE OR LESS; THENCE N00°51'04"W A DISTANCE OF 129.47 FEET, MORE OR LESS; THENCE S10°15'26"E A DISTANCE OF 45.94 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 722 SQUARE FEET (0.017 ACRES), MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

ALSO COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7A OF AUDITOR'S LOT 7; THENCE S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 7A, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, A DISTANCE OF 353.57 FEET, MORE OR LESS; THENCE N89°20'30"W A DISTANCE OF 64.69 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT; THENCE, LEAVING THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT, S10°29'16"E A DISTANCE OF 273.31 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT; THENCE ON AND ALONG THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT THE FOLLOWING TWO COURSES: N12°24'52"W A DISTANCE OF 271.75 FEET, MORE OR LESS; THENCE N68°54'01"E A DISTANCE OF 9.29 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 1,248 SQUARE FEET (0.029 ACRES), MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

See Attached Exhibit

3. Grantee shall, after completing the above-described construction or installation, or after the exercise of any rights granted by this easement, restore the lands to as near their original condition as reasonably possible and remove all debris, spoils, and equipment resulting from or used in connection with the construction or installation or access to the lands. Grantee agrees to pay for damage to fences and growing crops arising from construction, operation, or maintenance.
4. Grantor agrees to not erect or permit any new structure or obstruction other than fences or driveways, change the ground elevation, or perform any act that interferes with Grantee's rights under this easement, except with the written consent of Grantee.
5. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution of this easement.
6. Grantor hereby reserves title to and any interest in any and all archeological and paleontological materials, whether located on or below the surface of said land.

Acceptance of Easement Terms by the Grantor:

By: _____
Brian Bitner
Chair of Burleigh County Board of Commissioners

State of North Dakota
County of Burleigh

On this ____ day of _____, in the year 2026 before me personally appeared Brian Bitner, known to me to be the person who is described in, and who executed the within instrument, and acknowledged to me that they executed the same.

(Signature of Notarial Officer)
(Title of Office): _____

Acceptance of dedicated lands by the Grantee:

By: _____
Michael Schmitz
President, Board of City Commissioners

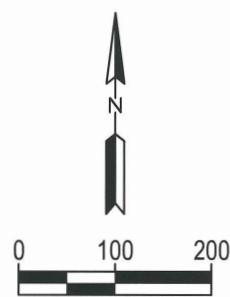
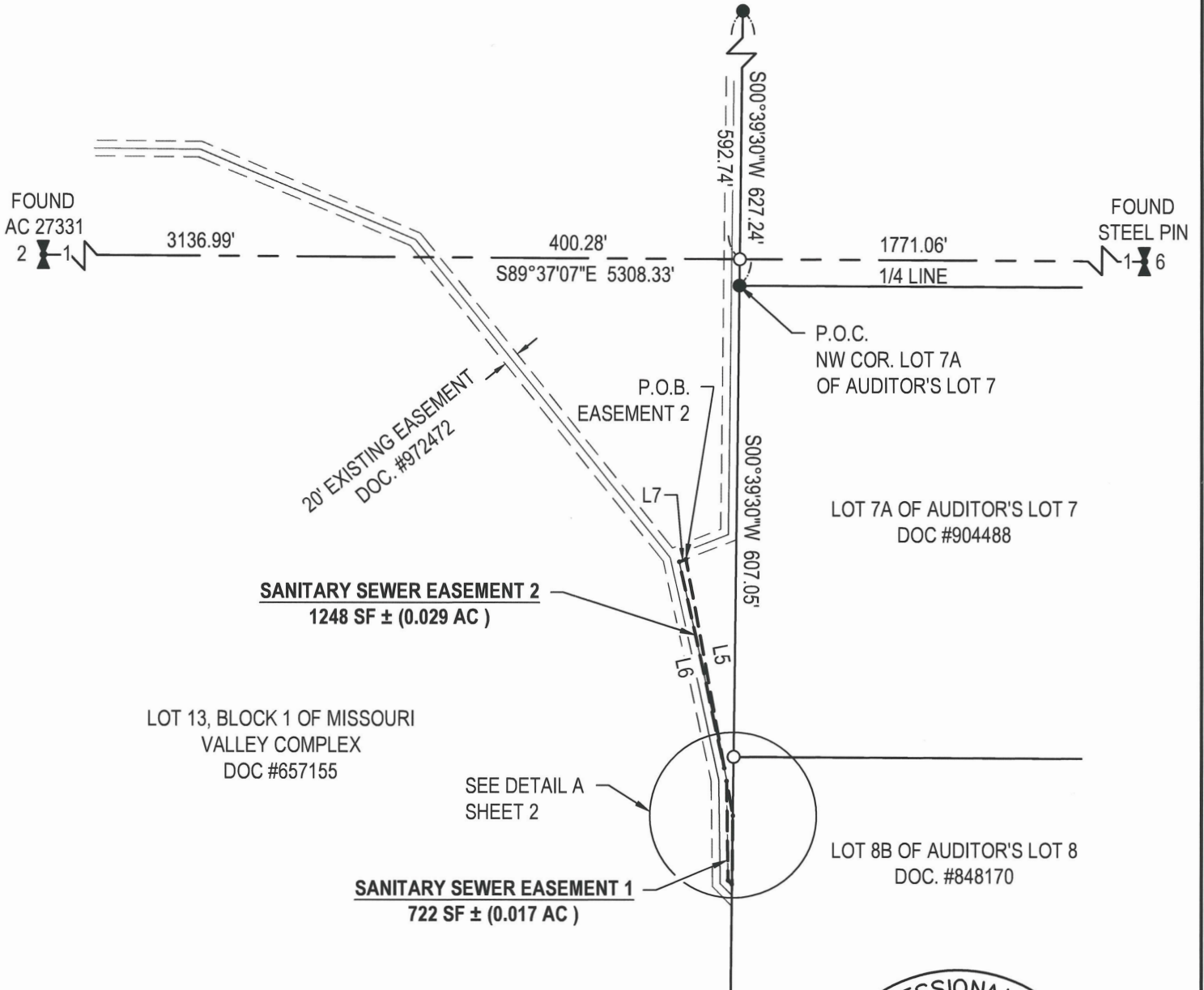
State of North Dakota
County of Burleigh

On this _____ day of _____, in the year 2026, before me personally appeared Michael Schmitz, known to me to be the person who is described in, and who executed the within and foregoing instrument and acknowledged to me that they executed the same.

(Signature of Notarial Officer)
(Title of Office): _____

SANITARY SEWER EASEMENT EXHIBIT

WITHIN LOT 13, BLOCK 1 OF MISSOURI VALLEY COMPLEX,
 IN THE E1/2 OF SECTION 1, T138N, R80W, OF THE
 FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA



SCALE: 1 INCH = 200 FEET
 N.D. STATE PLANE, SOUTH ZONE
 INTERNATIONAL FEET
 BEARINGS AND DISTANCES ARE GROUND

LEGEND

- QUARTER CORNER
- FOUND MONUMENT
- COMPUTED POSITION
- EXISTING PROPERTY LINE
- EASEMENT LINE



NOTES:

1. THE INTENT OF THIS SURVEY IS TO MAKE AN ADDITION TO AN EXISTING SANITARY SEWER EASEMENT, PER DOCUMENT #972472.
2. THIS IS NOT A BOUNDARY SURVEY.
3. SUBJECT TO EASEMENTS OF RECORD.
4. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS, DUE TO DIFFERENT METHODS OF MEASUREMENT.
5. COMBINED SCALE FACTOR = 1.0001485221
6. DATE OF SURVEY: 3/2/2026

PROJECT TITLE: SANITARY SEWER EASEMENT EXHIBIT		 1300 TACOMA AVE BISMARCK, ND 58504 PHONE: (701) 557-3348 WWW.MTNPLAINS.COM	
CLIENT NAME: BEK CONSULTING, LLC		DRWN BY: PJO CHKD BY: MJT APPD BY: MJT	DATE: 4/1/2026 SCALE: 1" = 200' SHEET: 044
		PROJECT NO: 6818	SHEET 1 OF 3

SANITARY SEWER EASEMENT EXHIBIT

WITHIN LOT 13, BLOCK 1 OF MISSOURI VALLEY COMPLEX,
 IN THE E1/2 OF SECTION 1, T138N, R80W, OF THE
 FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA

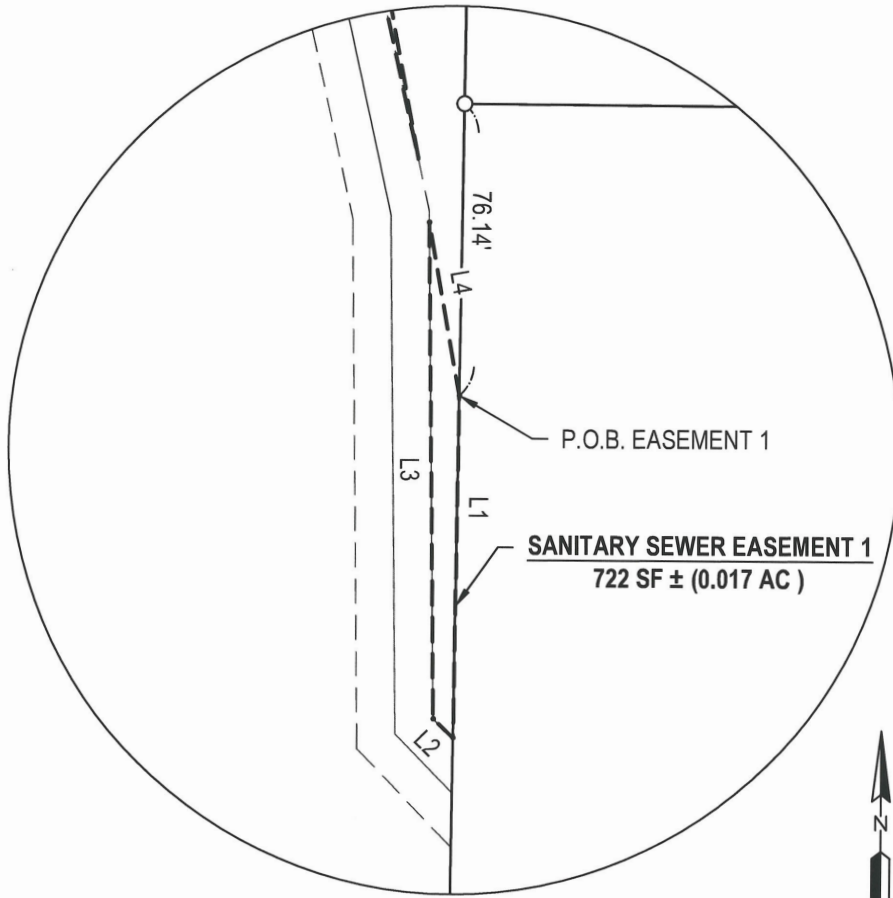
SANITARY SEWER EASEMENT 1

LINE	BEARING	DISTANCE
L1	S00°39'30"W	89.30'
L2	N46°01'23"W	7.27'
L3	N00°51'04"W	129.47'
L4	S10°15'26"E	45.94'

SANITARY SEWER EASEMENT 2

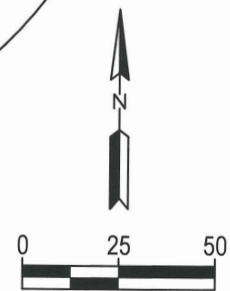
LINE	BEARING	DISTANCE
L5	S10°29'16"E	273.31'
L6	N12°24'52"W	271.75'
L7	N68°54'01"E	9.29'

DETAIL A:
1"=50'



NOTES:

1. THE INTENT OF THIS SURVEY IS TO MAKE AN ADDITION TO AN EXISTING SANITARY SEWER EASEMENT, PER DOCUMENT #972472.
2. THIS IS NOT A BOUNDARY SURVEY.
3. SUBJECT TO EASEMENTS OF RECORD.
4. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS, DUE TO DIFFERENT METHODS OF MEASUREMENT.
5. COMBINED SCALE FACTOR = 1.0001485221
6. DATE OF SURVEY: 3/2/2026




SCALE: 1 INCH = 50 FEET
 N.D. STATE PLANE, SOUTH ZONE
 INTERNATIONAL FEET
 BEARINGS AND DISTANCES ARE GROUND

LEGEND

- QUARTER CORNER
- FOUND MONUMENT
- COMPUTED POSITION
- EXISTING PROPERTY LINE
- EASEMENT LINE



PROJECT TITLE: SANITARY SEWER EASEMENT EXHIBIT		 1300 TACOMA AVE BISMARCK, ND 58504 PHONE: (701) 557-3348 WWW.MTNPLAINS.COM	
CLIENT NAME: BEK CONSULTING, LLC		DRWN BY: PJO	CHKD BY: MJT
		APPD BY: MJT	DATE: 4/1/2026
		PROJECT NO: 6818	SCALE: 1" = 50'
		SHEET NO: 2 OF 3	

SANITARY SEWER EASEMENT EXHIBIT

WITHIN LOT 13, BLOCK 1 OF MISSOURI VALLEY COMPLEX,
 IN THE E1/2 OF SECTION 1, T138N, R80W, OF THE
 FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A SANITARY SEWER EASEMENT, WITHIN LOT 13, BLOCK 1 OF MISSOURI VALLEY COMPLEX, IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 80 WEST, THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 7A OF AUDITOR'S LOT 7, DESCRIBED IN DOCUMENT NUMBER 904488, RECORDED AT THE BURLEIGH COUNTY RECORDER; THENCE S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 7A, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, DESCRIBED IN DOCUMENT NUMBER 657155, RECORDED AT THE BURLEIGH COUNTY RECORDER, A DISTANCE OF 607.05 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID LOT 7A, ALSO BEING THE NORTHWEST CORNER OF LOT 8B OF AUDITOR'S LOT 8, DESCRIBED IN DOCUMENT NUMBER 848170, RECORDED AT THE BURLEIGH COUNTY RECORDER; THENCE CONTINUING S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 8B, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, A DISTANCE OF 76.14 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 8B, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, A DISTANCE OF 89.30 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF AN EXISTING SANITARY SEWER EASEMENT, DESCRIBED IN DOCUMENT NUMBER 972472, RECORDED AT THE BURLEIGH COUNTY RECORDER; THENCE ON AND ALONG THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT THE FOLLOWING TWO COURSES: N46°01'23"W A DISTANCE OF 7.27 FEET, MORE OR LESS; THENCE N00°51'04"W A DISTANCE OF 129.47 FEET, MORE OR LESS; THENCE S10°15'26"E A DISTANCE OF 45.94 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.


SAID EASEMENT CONTAINS 722 SQUARE FEET (0.017 ACRES), MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

ALSO COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7 A OF AUDITOR'S LOT 7; THENCE S00°39'30"W ON AND ALONG THE WEST LINE OF SAID LOT 7A, ALSO BEING THE EAST LINE OF SAID MISSOURI VALLEY COMPLEX, A DISTANCE OF 353.57 FEET, MORE OR LESS; THENCE N89°20'30"W A DISTANCE OF 64.69 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT; THENCE, LEAVING THE EASTERLY LINE OF SAID EXISTING SANITARY EASEMENT, S10°29'16"E A DISTANCE OF 273.31 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT; THENCE ON AND ALONG THE EASTERLY LINE OF SAID EXISTING SANITARY SEWER EASEMENT THE FOLLOWING TWO COURSES: N12°24'52"W A DISTANCE OF 271.75 FEET, MORE OR LESS; THENCE N68°54'01"E A DISTANCE OF 9.29 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 1,248 SQUARE FEET (0.029 ACRES), MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

I, Michael J. Tarnowski, A Registered Land Surveyor, North Dakota PLS No. LS-27506, do hereby certify that the survey shown hereon was made by me or under my direction, and the information shown on this map is true and correct, to the best of my ability.



PROJECT TITLE: SANITARY SEWER EASEMENT EXHIBIT		 1300 TACOMA AVE BISMARCK, ND 58504 PHONE: (701) 557-3348 WWW.MTNPLAINS.COM	
CLIENT NAME: BEK CONSULTING, LLC		DRWN BY: PJO CHKD BY: MJT APPD BY: MJT	DATE: 4/1/2026 SCALE: N/A SHEET NO: 046
		PROJECT NO: 6818	3 OF 3

ITEM

11



Burleigh County Finance/Treasurer Department

221 N 5th St
Bismarck, ND 58501
(701) 712-8353

DATE: May 04, 2026
TO: Burleigh County Commission
FROM: Taylor Schmidt, Interim Finance Director
RE: Discover Merchant Settlement

REQUEST

Authorize the Interim Finance Director to submit a claim for the Discover Merchant Settlement on behalf of Burleigh County.

BACKGROUND

Burleigh County received notice that we may be a Settlement Class Member in a settlement involving three related lawsuits against Discover. The lawsuits allege that, beginning in 2007, Discover misclassified certain Discover-issued consumer credit cards as commercial credit cards, which in turn caused merchants and others to incur excessive interchange fees.

The County must file a claim to receive a payment under the Settlement. The deadline to file claims is May 18, 2026.

Additional information can be found at www.discovermerchantsettlement.com

RECOMMENDATION

It is recommended that the Burleigh County Commission adopt the proposed resolution.

PROPOSED RESOLUTION

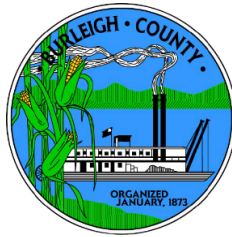
THEREFORE, BE IT RESOLVED: That the Interim Finance Director is hereby authorized to submit a claim for the Discover Merchant Settlement on behalf of Burleigh County.

ITEM

12



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



Request for County Board Action

DATE: May 4, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Award of Bid

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

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for Project No. 0193 SAD# 78 Ponderosa Riverside Village Road Improvement Project.

BACKGROUND:

On April 6, 2026, the County Board authorized the County Auditor and the County Engineer to advertise for bids for Project 0193 SAD 78 Ponderosa Riverside Village Road Improvements. Bids were opened on April 28, 2026 and the following bids were received:

Strata Corporation	\$434,830.20
Northern Improvement	\$464,062.80
Engineers Estimate:	\$425,319.00

RECOMMENDATION:

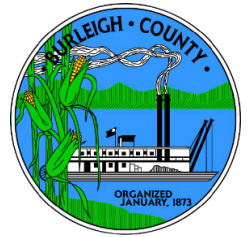
It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts low bid from Strata Corporation for \$434,830.20 for Project No. 0193 SAD #78 and authorize the proper County officials to enter into contracts with said bidder.



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



Request for County Board Action

DATE: May 4, 2025

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Award of Bids

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

ACTION REQUESTED:

Authorize the proper County officials to enter into a contract with the low bidder for Township Gravel Hauling 2026.

BACKGROUND:

On January 5, 2026, the County Board authorized the County Auditor and the County Engineer to advertise for bids for Township Gravel Hauling 2026. Bids were opened on April 28, 2026 and the following bids were received:

Wm D Scepaniak Inc.	\$395,000.00
Circle C Enterprises	\$492,750.00
Engineers Estimate:	\$380,000.00

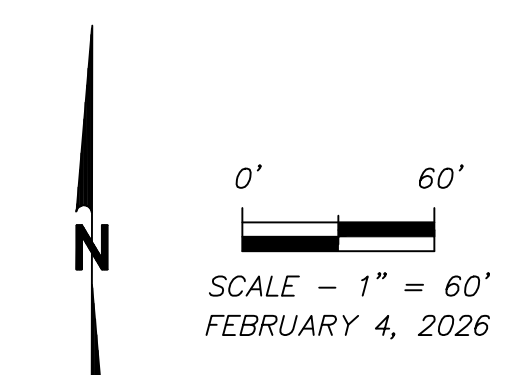
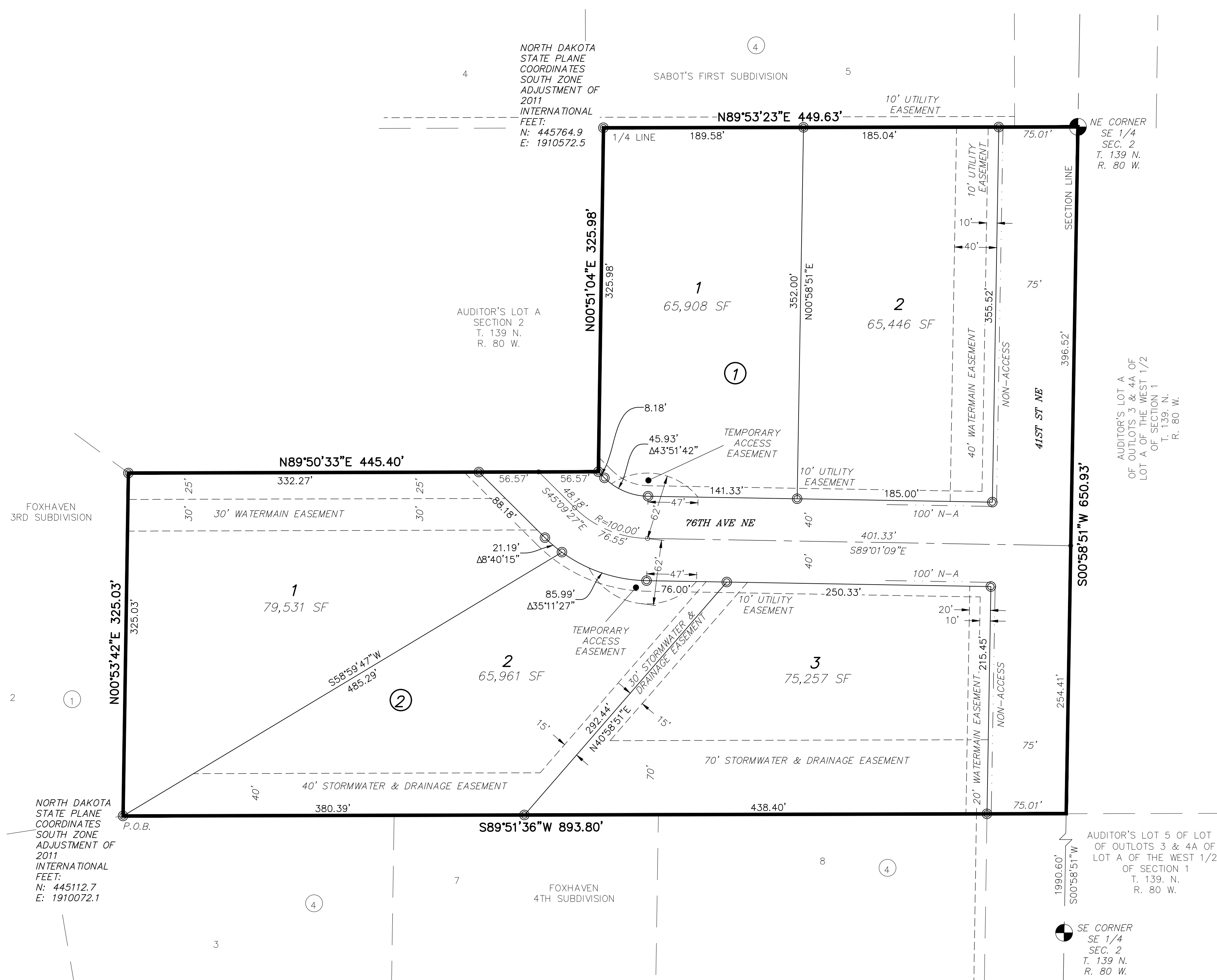
RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby accepts the Township Gravel Hauling low bid from Wm D Scepaniak Inc. for \$395,000.00 and authorize the proper County officials to enter into contracts with said bidder.

JFP FOXHAVEN SUBDIVISION
BEING AUDITOR'S LOT B OF THE SOUTHEAST 1/4
OF SECTION 2 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN
BURLEIGH COUNTY, NORTH DAKOTA



- NOTES**
- MONUMENT TO BE SET
 - ⊙ MONUMENT IN PLACE

AREA DATA

LOTS	352,109 S.F.	8.08 ACRES
STREETS	84,907 S.F.	1.95 ACRES
TOTAL	437,016 S.F.	10.03 ACRES

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY CITY ORDINANCE

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

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.

NOTE:
THE WATER SERVICE AGREEMENT BETWEEN THE CITY OF BISMARCK AND SOUTH CENTRAL REGIONAL WATER DISTRICT WILL ALLOW THE PROVISION OF WATER SERVICE TO JFP FOXHAVEN SUBDIVISION FOR A PERIOD OF _____ YEARS AND SUBSEQUENT TO THAT TIME, THE CITY MAY, UPON A ONE YEAR NOTICE, REQUIRE SOUTH CENTRAL REGIONAL WATER DISTRICT TO DISCONTINUE WATER SERVICE IF CITY WATER SERVICE IS AVAILABLE.

APPROVAL OF BOARD OF COUNTY COMMISSION

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE PLAT.

THIS PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND ORDINANCES OF THE COUNTY OF BURLEIGH.

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

STEVE BAKKEN -- CHAIRMAN
 ATTEST: MARK SPLONSKOWSKI
 BURLEIGH COUNTY AUDITOR/TREASURER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT LOREN FISHER, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "JFP FOXHAVEN SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE BURLEIGH COUNTY FOREVER.

HE ALSO DEDICATES EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

HE FURTHER DEDICATES TO BURLEIGH COUNTY, "TEMPORARY ACCESS EASEMENTS" TO CONSTRUCT, OPERATE, MAINTAIN, AND REPAIR PAVING FACILITIES ON THOSE STRIPS OF LAND DESIGNATED AS SUCH. EASEMENTS WILL BE RELEASED UPON THE EXTENSION OF 76TH AVE NE WESTERLY TO INTERSECT WITH FOXHAVEN THIRD SUBDIVISION AND OAKLAND SUBDIVISION.

HE FURTHERMORE DEDICATES TO BURLEIGH COUNTY, "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERETO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA)
 COUNTY OF BURLEIGH)

LOREN FISHER
 605 EAST MAIN ST
 MANDAN, ND 58554

ON THIS _____ DAY OF _____, 2026, BEFORE ME PERSONALLY APPEARED LOREN FISHER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES _____

SWENSON, HAGEN & COMPANY P.C.
 3002 Airway Avenue
 Bismarck, North Dakota 58504
 shenag@swensonhagen.com
 Phone (701) 223-2600
 Fax (701) 223-2606

Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

DESCRIPTION

BEING AUDITOR'S LOT B OF THE SOUTHEAST 1/4 OF SECTION 2 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 BLOCK 1 FOXHAVEN 3RD SUBDIVISION; THENCE NORTH 00 DEGREES 53 MINUTES 42 SECONDS EAST, ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 325.03 FEET TO THE BOUNDARY LINE OF AUDITOR'S LOT A OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 80 WEST; THENCE NORTH 89 DEGREES 50 MINUTES 33 SECONDS EAST, ON SAID BOUNDARY LINE, A DISTANCE OF 445.40 FEET; THENCE NORTH 00 DEGREES 51 MINUTES 04 SECONDS EAST, CONTINUING ON SAID BOUNDARY LINE, A DISTANCE OF 325.98 FEET TO THE SOUTH LINE OF SABOT'S FIRST SUBDIVISION; THENCE NORTH 89 DEGREES 53 MINUTES 23 SECONDS EAST, ON SAID SOUTH LINE, A DISTANCE OF 449.63 FEET TO THE EAST LINE OF SAID SECTION 2; THENCE SOUTH 00 DEGREES 58 MINUTES 51 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 650.93 FEET TO THE NORTH LINE OF FOXHAVEN 4TH SUBDIVISION; THENCE SOUTH 89 DEGREES 51 MINUTES 36 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 893.80 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 10.03 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____ THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
 3002 AIRWAY AVE
 BISMARCK, NORTH DAKOTA
 58504

TERRY BALTZER
 PROFESSIONAL LAND SURVEYOR
 N.D. REGISTRATION NO. 3595

APPROVAL OF CITY PLANNING & ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF BISMARCK, ON THE _____ 2026, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING & ZONING COMMISSION OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ -- CHAIRMAN
 ATTEST DANIEL NAIRN -- SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE APPROVED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE APPROVED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 2026.

MICHAEL T. SCHMITZ -- PRESIDENT
 ATTEST JASON TOMANEK -- CITY ADMINISTRATOR

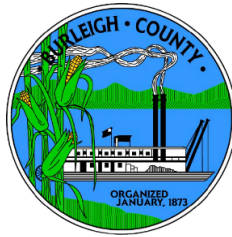
APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAT.

GABRIEL J. SCHELL
 CITY ENGINEER



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



Request for County Board Action

DATE: May 4, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Accepting Platted Right of Way

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

ACTION REQUESTED:

Accept platted right of way shown on the attached Plat.

BACKGROUND:

Burleigh County is required to accept (on their own behalf or on the behalf of one of our Townships) Right of Way shown on Plats that are approved by the City of Bismarck, City of Lincoln or Burleigh County.

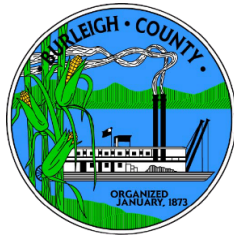
JFP Foxhaven Subdivision has been approved by the City of Bismarck through their ETA process and we are requesting that the County Board accept the Right of Way that is shown on the attached plat.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board of Commissioners do hereby accept the Right of Way shown on the JFP Foxhaven Subdivision Plat.



Request for County Board Action

DATE: May 4, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Developer Waiver Request

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

Timothy & Mallory Klatte, Tract 10 in the NE ¼ of Section 11, Burnt Creek Township (see attached map), are proposing a one (1) lot subdivision (Klatte Subdivision), and are requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to pave approximately 2.5 miles of Township/Subdivision roadway.

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

RECOMMENDATION:

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

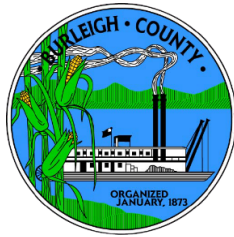


Burleigh County Highway Department

8100 43rd Ave NE

Bismarck ND 58503

701.204.7748 | burleigh.gov

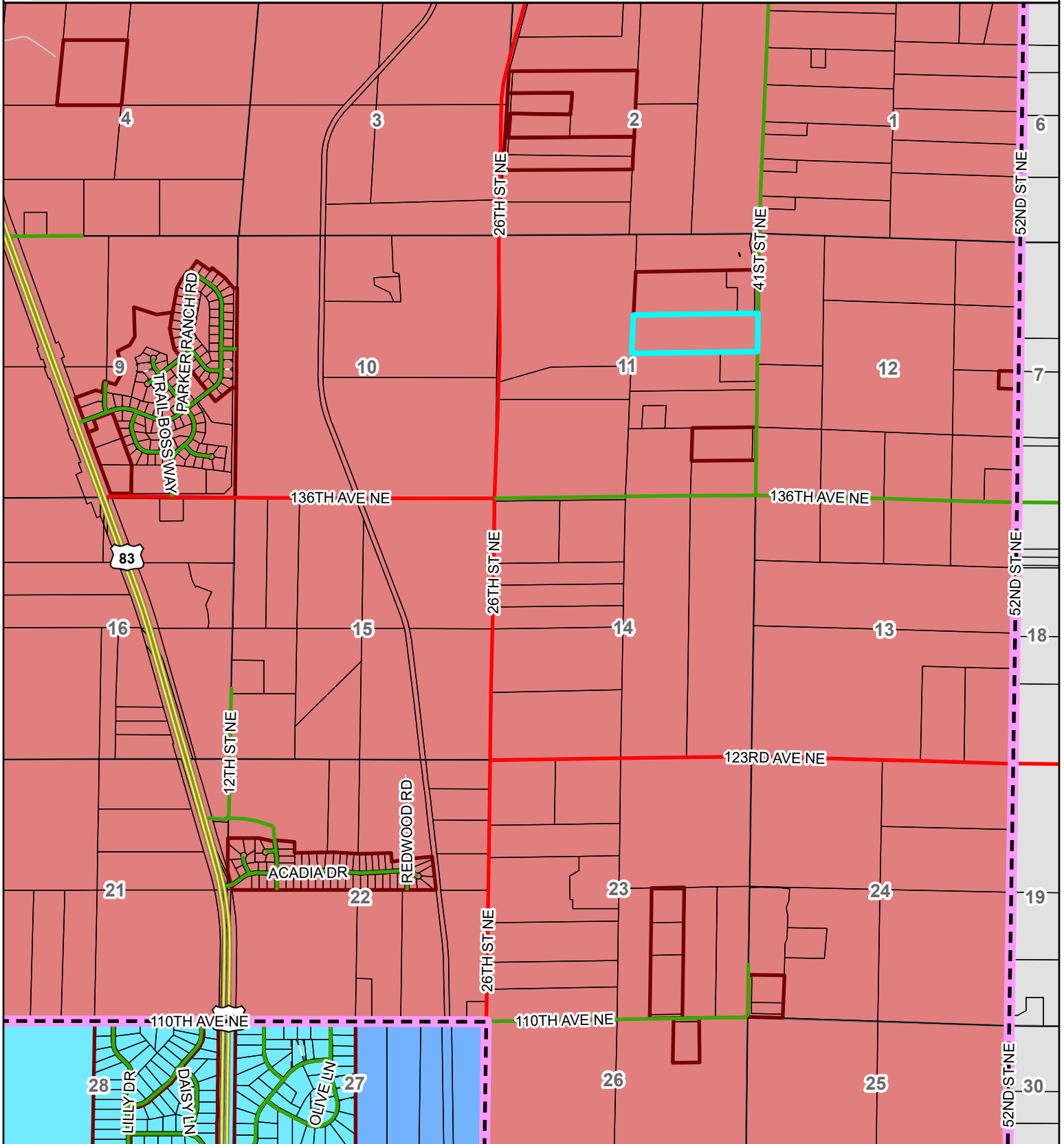


PROPOSED RESOLUTION:

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

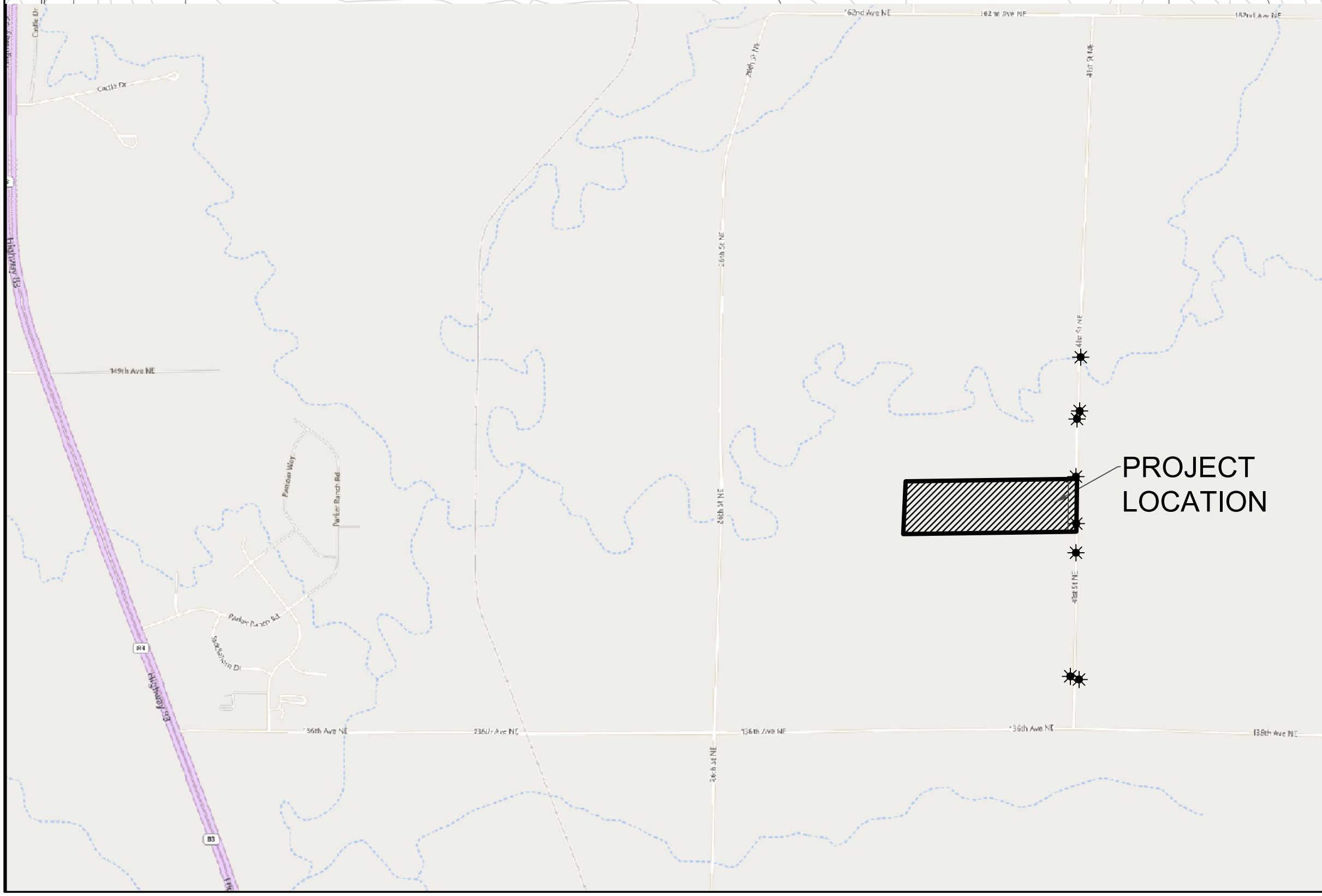
THEREFORE, BE IT FURTHER RESOLVED: That the County Board of Commissioners do hereby grant Timothy & Mallory Klatte's request to waive the paving requirements "...paving of all internal roadways and adjacent section line roads, and the construction and paving of at least one roadway that connects into the existing paved highway system." listed in the Pavement Policy, in conjunction with the approval of the Klatte Subdivision.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



PARCEL ID: 24-140-80-00-11-230 OWNER: KLATTE, TIMOTHY PATRICK & MALLORY ACRES: 45
SITE ADDRESS: 14328 NE 41ST ST
MAIL ADDRESS: 1805 BONN BLVD, BISMARCK, ND 58504
LEGAL: BURNT CREEK TOWNSHIP Section 11 TRACT 10 IN NE1/4 328495 683030 11-140-80

PRELIMINARY PLAT
KLATTE SUBDIVISION
 ALL OF TRACT 10 IN THE NORTHEAST QUARTER
 SECTION 11, T140N, R80W
 BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR - LS9628
- ROW RIGHT OF WAY
- EXISTING BUILDING
- EXISTING GRAVEL
- EXISTING DRIVE APPROACH
- X EXISTING FENCE
- EXISTING PVC WATER LINE
- OH OH EXISTING OVERHEAD POWER LINE
- OH OH EXISTING STORM SEWER PIPE
- FRESH WATER POND WETLAND NATIONAL WETLANDS INVENTORY PER THE NWI MAPPER
- BLUE LINE STREAM NATIONAL WETLANDS INVENTORY PER THE NWI MAPPER

ACREAGE TABLE

LOT 1	8.41 ACRES
LOT 2	35.24 ACRES
DEDICATED ROW	1.33 ACRES
TOTAL	44.98 ACRES

LAND DESCRIPTION

ALL OF TRACT 10 IN THE NORTHEAST QUARTER OF SAID SECTION 11, TOWNSHIP 140 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

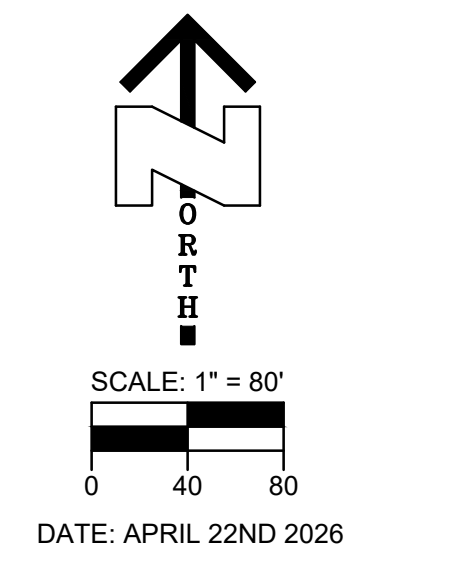
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 11; THENCE SOUTH 00° 44' 33" WEST ON THE EAST LINE OF SAID SECTION 11 A DISTANCE OF 1608.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00° 44' 33" WEST ON SAID EAST LINE A DISTANCE OF 774.63 FEET; THENCE SOUTH 89° 10' 09" WEST A DISTANCE OF 2540.71 FEET; THENCE NORTH 02° 29' 03" EAST A DISTANCE OF 776.46 FEET; THENCE NORTH 89° 11' 16" EAST A DISTANCE OF 2517.08 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 44.98 ACRES MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

OWNERS:

TIMOTHY PATRICK & MALLORY KLATTE
 1805 BONN BOULEVARD
 BISMARCK, ND 58504

NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
- EXISTING ZONING AS SHOWN, PROPOSED ZONING FOR PROPOSED PLAT AREA = R1 & AG

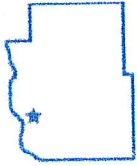


DATE: APRIL 22ND 2026
 VERTICAL DATUM - NAVD 1988.
 BASED ON NORTH DAKOTA SOUTH ZONE-NAD83 (2011), INTERNATIONAL FEET.
 MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "NDBK" CORS STATION AND ARE REPORTED IN GRID.

PROFESSIONAL LAND SURVEYOR
 MARK R. ISAACS, LS-9628

KLATTE SUBDIVISION ALL OF TRACT 10 IN THE NE 1/4 SECTION 11, T140N, R80W BURLEIGH, NORTH DAKOTA		I ndependent L and S urveying & E ngineering
SHEET: 1 OF 1 SCALE: 1" = 80' DRAWN BY: LCM DWG DATE: 4/17/26	JOB NUMBER: 26060 DWG REVISION DATES:	

4215 Old Red Trail NW
 Mandan, ND 58505
 Phone: 701-563-5184
 Cell: 701-595-2079
 mark@isurveynd.com



BURLEIGH COUNTY UNIFIED DEVELOPMENT APPLICATION

Application submitted for (check all that apply):

Preliminary Plat
 Road Vacation

Final Plat
 Zoning Change

Minor Plat Modification
 Development Permit

Plat Vacation
 Special Use Permit

PROPERTY INFORMATION:			
Name of plat: Parcel No 31-139-81-74-15-040			
Legal description of property (lot, block, addition): Ponderosa Riverside RPLT Block 15 L4.543389			
Street address of property: 5535, 5545, 5555, 5565 Ponderosa Ave.			
Existing Zoning: Rural Residential		Proposed zoning: Rural Residential	
Acreage: 10		Number of lots: 4	
Description of development proposal, including reason(s) for the request: Abandon platted road known as "Buckboard Lane" and combine existing four lots.			
APPLICANT/DEVELOPER:			
Name: Kimberly & Jeffrey Eslinger		Mailing address: 5535 Ponderosa Ave, Bismarck, ND 58503	
Daytime telephone number: 701-471-2475	FAX number: Na	E-mail address: kimberly.eslinger65@gmail.com	
PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER):			
Name:		Mailing address:	
Daytime telephone number:	FAX number:	E-mail address:	
CONTACT PERSON/AGENT:			
Name/Firm: Kimberly & Jeffrey Toman Engineering		Mailing address: 501 1st St NW Mandan ND 58554	
Daytime telephone number: 701-663-6483	FAX number: 701-663-6483	E-mail address: Harvey@Tomanengineering.com	

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

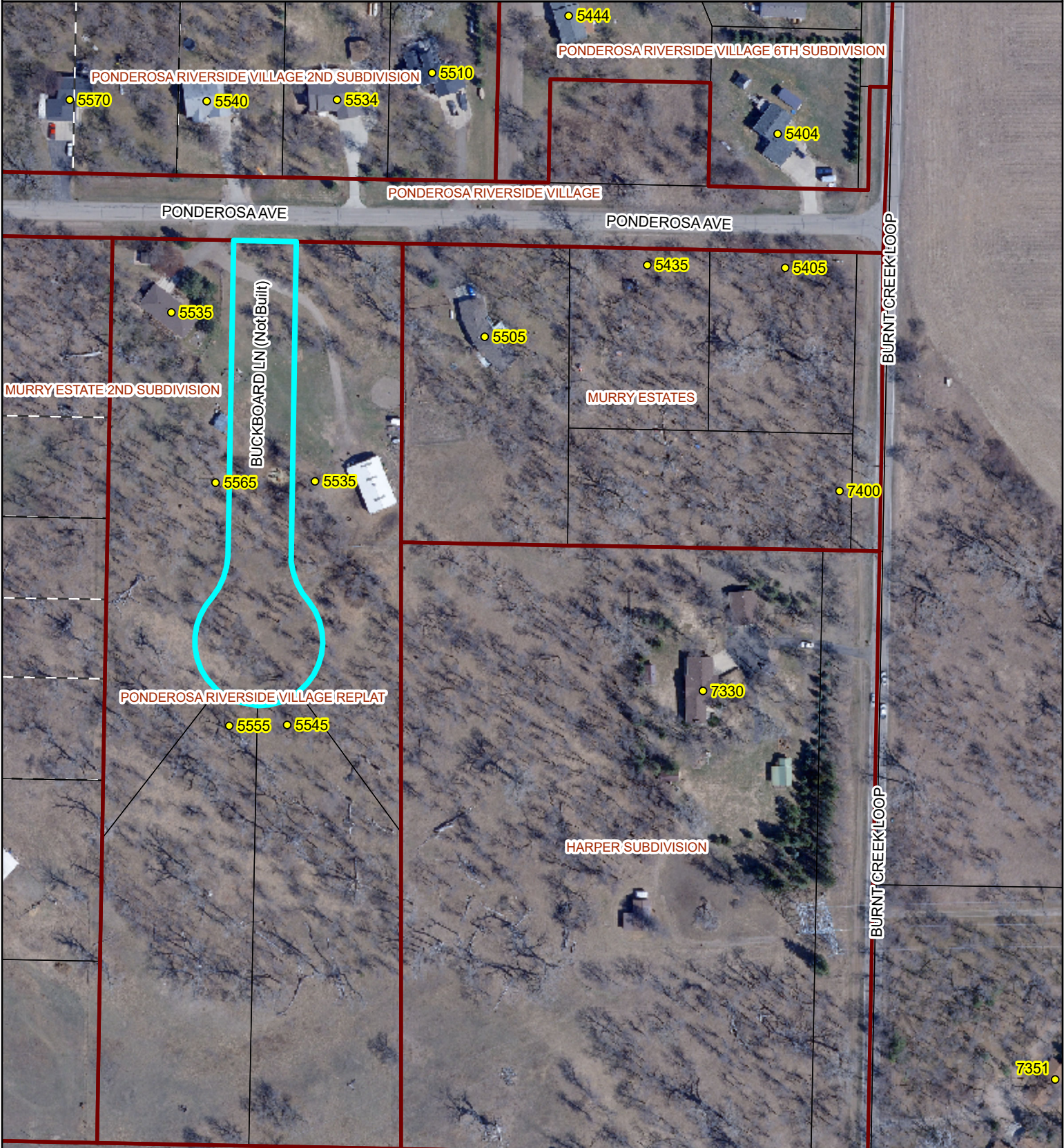
Burleigh County Building/Planning/Zoning Department
Phone: 701-221-3727 * FAX: 701-221-3726 * P.O. Box 5518 * Bismarck, ND 58506-5518 *

The following checklist must be completed and submitted with the application form.

COUNTY SUBMISSION CHECKLIST			Submitted	N/A
Applying for:				
Preliminary Plat	Required pre-application meeting	Date:		
	5 prints of plat, including all items listed in preliminary plat checklist			
	Preliminary plat checklist, completed by applicant			
	Fee determined by lot number: 1 - 2 lots \$200.00 3 - 10 lots \$300 11 - 20 lots \$400 21 or more lots \$900			
	8½" x 11" reduction of plat			
	Digital copy of plat			
	Road master plan & adjacent owner's consent (if required)			
	For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township			
	Written request for amendment to Fringe Area Road Master Plan (if applicable)			
Final Plat	Final plat fee \$250.00			
	Stormwater Management Plan Review Fee \$200 (includes permit if approved)			
	6 prints of plat, including all items listed in final plat check list			
	Final plat checklist, completed by applicant			
	8½" x 11" reduction of plat			
	Digital copy of plat, if requested			
	Attorney's opinion of ownership, including all easement owners			
Development Application Review	Fee determined by number of lots: 1 - 2 lots \$25 3 to 10 lots \$100 11 to 20 lots \$200 21 or more \$600			
	Site plan, drawn to scale (no larger than 11" x 17")			
	Completed Development Application and all exhibits			
Development Permit & Field Review	Fee determined by number of lots: 1 - 2 lots \$200 3 to 10 lots \$400.00 11 - 20 lots \$1,500 21 or more lots \$2,500.			
	Review and Approval of Development Application			
Plat Vacation	Map of property to be vacated			
	Fee of \$300.00			
	Legal description of property to be vacated			
Road Vacation	Map of property to be vacated			
	Fee of \$250.00			
	Legal description of property to be vacated			
	Letters of consent from utilities (street/alley vacation & easement release)			
Zoning Change	Fee of \$500.00 (zoning change)			
	Description of zoning change by legal description if multiple districts requested			
	Architectural drawings (PUD only)			
	One (1) print of site plan, at 1"=100' scale (PUD only)			
	8½" x 11" reduction of site plan (PUD only)			
	Written statement (PUD only)			
Special Use	Fee of \$300.00			
	3 prints of site plan, at 1"=20' or larger scale			
	8½" x 11" reduction of site plan			
	Photograph of building (moving building only)			
	Adjacent property owner petition (required for moving of a building, trap or skeet shooting range, vehicular racetrack, rodeo or rodeo event and solid waste disposal facility only)			

Legal Description for Road Vacation:

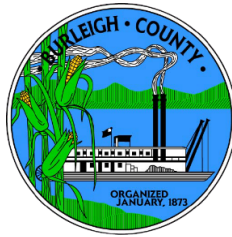
All of Buckboard Lane within Replat of Part of Ponderosa Riverside Village, Section 3, T139N, R81W, Burleigh County, North Dakota, containing 1.24 acres±



PARCEL ID: Road_RW_PONDEROSA_RIVERSIDE_VILLAGE_REPLAT OWNER: ACRES:
SITE ADDRESS:
MAIL ADDRESS: , ,
LEGAL:



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



Request for County Board Action

DATE: May 4, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Vacate Roadway Right of Way – PUBLIC HEARING

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

ACTION REQUESTED:

Conduct Public Hearing for the vacation roadway ROW in Ponderosa Riverside Village Replat.

BACKGROUND:

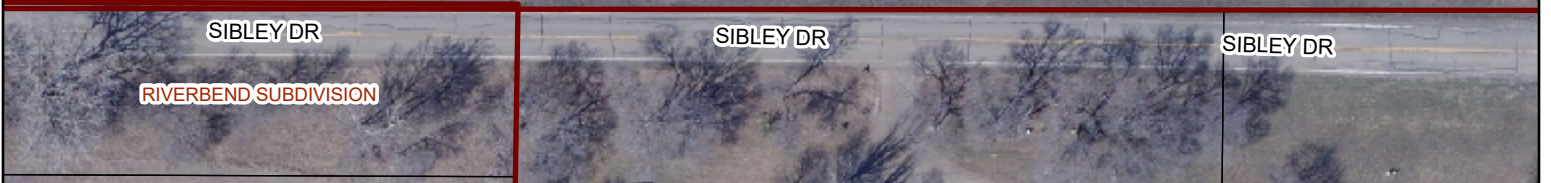
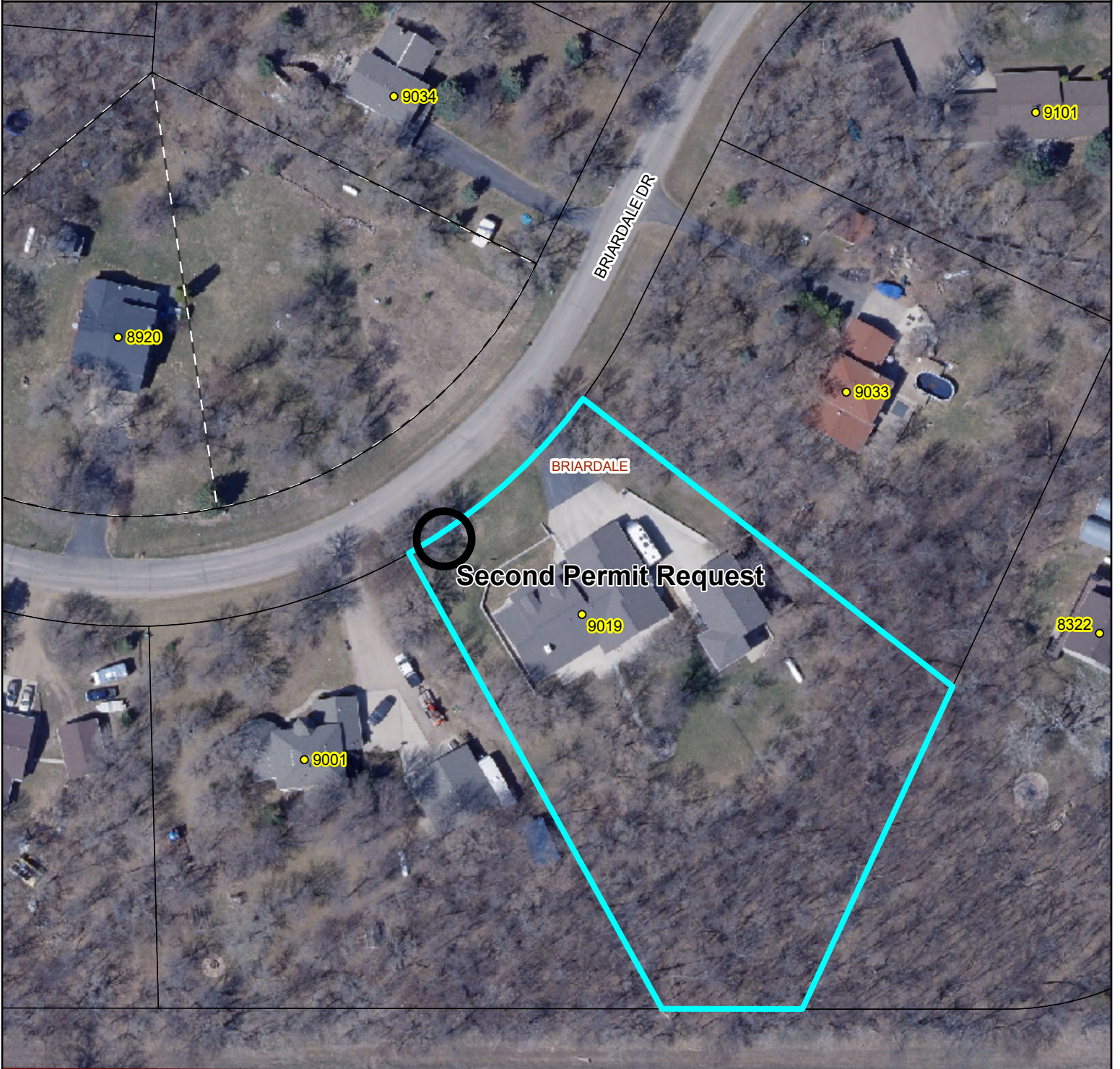
Jeff and Kim Eslinger would like to have the platted Right of Way in Ponderosa Riverside Village Replat vacated. The property is located in the SE ¼ of Section 3, Township 139N, Range 81W, Hay Creek Township - Burleigh County (See attached map). They have filed a petition (see attached letter) with the County Engineer (Under NDCC 24-07) to vacate the excess Right of Way. In order to vacate this Right of Way, the County/Township must conduct a Public Hearing and ascertain any damages that are caused by eliminating this Right of Way.

Additional Information: Jeff and Kim Eslinger are currently working through the platting process and if granted would like to plat the vacated unimproved Right of Way into their plat.

Hay Creek Township is in concurrence with the vacation of the Right of Way known as Buckboard Lane.

RECOMMENDATION:

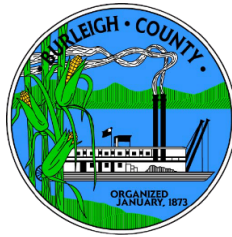
It is recommended that the Board review the attached application, conduct the Public Hearing and direct staff on how to proceed.



PARCEL ID: 38-137-80-15-02-050 OWNER: BERGER, SCOTT & LORRIE ACRES: 1.46
SITE ADDRESS: 9019 BRIARDALE DR
MAIL ADDRESS: 9019 BRIARDALE DR, BISMARCK, ND 58504-3061
LEGAL: BRIARDALE Block 02 L5 615163 637794



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



Request for County Board Action

DATE: May 4, 2026
TO: Mark Splonskowski
County Auditor
FROM: Daniel Schriock
County Engineer
RE: 2nd Approach 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 Scott Bergers's request.

BACKGROUND:

Scott Berger has requested a second approach permit to a property described as Block 02, Lot 05, of Briardale Subdivision (9019 Briardale Drive). The first approach is currently off of Briardale Drive. The second approach requested would also enter the property off Briardale Drive as shown on the map. The second approach was denied because of spacing requirements and proximity to both his and his neighbor's driveways.

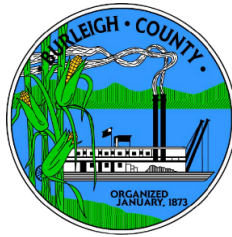
Scott Berger has requested an appeal of the Highway Department's denial to the County Board.

RECOMMENDATION:

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



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



Request for County Board Action

DATE: May 4, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: New Utility Company – Permit Request

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

ACTION REQUESTED:

Permission to add Ziplly Fiber Pacific to the list of approved utility companies for permit issuance.

BACKGROUND:

Historically the Highway Department has requested that the County Board approve any new utility company that has requested utility permits. Ziplly Fiber Pacific will provide retail internet and Voice over IP services to the residents of Burleigh County and has requested to be added to our list of approved telecommunication utilities.

RECOMMENDATION:

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

ITEM

13




BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Request for County Commission Action

Date: April 28, 2026

To: Mark Splonskowski
Burleigh County Auditor

From: Kelly Leben 
Burleigh County Sheriff

Re: Bismarck Veterans of Foreign Wars Post #1326 Cash Donation

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

Action Requested:

Authorize the Burleigh County Sheriff's Department to accept a cash donation from Bismarck Veterans of Foreign Wars Post #1326.

Background:

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

Recommendation:

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

Proposed Resolution:

THEREFORE BE IT RESOLVED: That the proper County officials are hereby authorized to accept the donation between Burleigh County and Bismarck Veterans of Foreign Wars Post #1326.

COURTHOUSE

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

P 701-222-6651 • F 701-221-6899

 www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319



APPLICATION FOR GAMING FUNDS

ND OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9801 (2-2024)

Organization
Bismarck VFW

Legal Name of Organization or Individual Applying For Funds Burleigh County Sheriff's Department	Contact Person for Applicant Sheriff Kelly Leben	Telephone Number 701-222-6651
Mailing Address 514 E Thayer Ave	City Bismarck	State ND
		Zip Code 58501

Detailed Description of Intended Use of Gaming Funds: The Burleigh County Sheriff's Department is looking to purchase 2 drones

The estimate for the 2 drones is \$50,950.00. The Bismarck Amvets has agreed to provide the sheriffs

department with \$25,000.00 towards the purchase of the drones. We are asking the Bismarck VFW to

provide the remaining \$25,950.00. These drones are crucial to serving the public locating missing

and endangered people. See attached drone estimates and information.

Applicant agrees to retain documentation of the use of the funds for three years from the date funds are received. Applicant agrees that if the funds are not used for the above stated purpose, or the funds are not used within six months, the funds will be returned to the gaming organization.

Signature of Applicant 	Date 3-23-26
--	------------------------

Amount Requested \$25,950.00	<input type="checkbox"/> Request Approved <input type="checkbox"/> Request Denied	Approved By	Amount Approved	Check Number	Check Date	Eligible Use Code -
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ITEM

14

MVC Mowing County Parks Mowing			
Elite Lawn Care	Monthly	3,000.00	
	Seasonal	10,500.00	
Lang's Lawn Care	Monthly	11,475.00	
	Seasonal	57,375.00	
Knockout Land Management LLC	Monthly	9,000.00	
	Seasonal	45,000.00	
Elite Lawn Care	Monthly		3,300.00
	Seasonal		16,500.00
Lang's Lawn Care	Monthly		3,162.50
	Seasonal		15,827.50
Bis-Man Outdoor Servies	Monthly		2,928.60
	Seasonal		14,643.00

Addenda item for May 4th, 2026 Meeting

Action Requested:

Discuss the Burn Ban restrictions that should not apply to established recreational areas.

Description:

Missouri Valley Complex is currently used as a training facility for the North Dakota Parks and Recreation. Kimball Bottoms OHV Area also known as the Desert is an established OHV Recreational area.

Action needed: Move modify the current burn ban to exclude operation of OHV's at the Missouri Valley Complex and the Kimbal Bottoms OHV area/ The Desert.