



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

February 17th, 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 January 5, 2026, meeting minutes. (Page 4)
5. **PUBLIC COMMENT.** Restricted to Burleigh County residents and landowners.
6. Commissioner Munson:(Page 6-11)
 - a. Consideration of Kniefel Landing Fish Cleaning Station O&M Agreement.
 - b. Park Maintenance Tech Job Description.
7. Other Business.
8. Adjourn.

COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of January 29th special meeting minutes and February 2nd, 2026, meeting minutes and bills. (Page 13-17)
5. **PUBLIC COMMENT.** Restricted to Burleigh County residents and landowners.
6. Consent Agenda: (Page 18-24)
 - a. Abatements.
 - b. Special event permits.
 - c. 2nd approach permits.
7. John Bollinger:
 - a. 250th Anniversary Celebration.
8. County Engineer Schriock: (Page 26-44)

- a. Purchase agreement and payment.
- b. Sale of Equipment.
- c. Authorization to advertise for tractor bids.
- d. Purchase agreement and payment for skid steer.
- e. Proposed 2026 Construction Program.
- f. Ponderosa Riverside Village resolution.
- g. Authorization to advertise for road project bids.

9. HR Director Binder: (Page 46-48)

- a. Finance/Treasurer Department Structure and RFP
- b. Highway Department Follow up.

10. County Auditor Splonskowski: (Page 50-52)

- a. Auxiliary board applications.

11. Commissioner Munson: (Page 54)

- a. Missouri Valley Complex Committee request.

12. Continued Commission items: (Page 56-63)

- a. Off Highway Vehicle Ordinance discussion.

13. Other Business.

Adjourn.

The next regularly scheduled Commission meeting will be on March 2nd, 2026.

Mark Splonskowski
Burleigh County Auditor

COUNTY
PARK
BOARD

**BURLEIGH COUNTY PARK BOARD
MEETING MINUTES
JANUARY 5th, 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, Jeffery Herman, Wayne Munson, Steve Schwab, Jerry Woodcox, and Chairman Brian Bitner were present. Commissioner Errol Behm was absent.

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the December 1st, 2025 meeting minutes. Commissioners Bakken, Herman, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. **Motion carried.**

Chairman Bitner opened the meeting to public comment.

- No comment was heard.

Chairman Bitner closed the public comment segment.

Commissioner Schwab started a discussion on the future of the County parks management. He stated that there is space designated at the Highway Department for a park manager. Comm. Munson said that the County Weed Officer and County Auditor had been working with him on a list of tasks he had received from Bismarck Parks & Recreation and that he was also working with the Human Resource Director on a job description for a part-time parks manager. Assistant Senior County Engineer Dan Schriock spoke regarding the possibility of a park manager being able to help with duties at the Highway Department in when the parks are in the off season. Comm. Schwab made the point that County Weed Officer Daron Johnson would not have time to take on some of the responsibilities of the County parks. Discussion was had.

Commissioner Bakken noted that the State Weed Board had recognized the good work being done by Weed Officer Johnson.

Commissioner Woodcox started a discussion on having a County Weed Board separate from the County Commission. Comm. Schwab said that Weed Officer Johnson was pleased with reporting to the County Commission as the County Weed Board. Comm.

No other business was presented.

Meeting adjourned.

5:22 PM

Mark Splonskowski, Auditor

Brian Bitner, Chairman

ITEM

6



January 5, 2026

Mark Splonskowski
Burleigh County Park Board
P.O. Box 5518
Bismarck, ND 58506

RE: Kneifel Landing – Fish Cleaning Station O&M Agreement

Dear Mr. Splonskowski:

Several years ago, our Department entered into a cooperative agreement with your entity to help offset maintenance costs associated with your fish cleaning station. That cooperative agreement expired at the end of December. These stations are very popular and we are unwavering in our attempt to assure that all fish cleaning stations are kept clean and sanitary for public use. As in the past, the grant is paid for the upcoming year and is payable upon receipt of the preceding years list of expenditures.

We are hopeful that you will take advantage of this program and accept our offer of this funding assistance. The monies are to go specifically towards the O&M of the above fish cleaning station and include activities such as, but are not limited to: routine cleaning and sanitizing of the table top, spraying down of the station, and pumping of the septic system and general cleaning to keep the station clean and sanitary.

I've included a new grant agreement that will fund these activities through 2026. Please have the appropriate officials review the agreement and if acceptable, sign and return to me. Please keep a copy of the fully executed agreement for your records. If you have any questions or comments, please feel free to call me at 328-6346.

Sincerely,

Bob Frohlich
Fisheries Development
Coordinator

Governor
Kelly Armstrong

Director
Jeb Williams

Deputy Director
Casey Anderson

**GRANT AGREEMENT BETWEEN
BURLEIGH COUNTY PARK BOARD
AND THE
NORTH DAKOTA GAME AND FISH DEPARTMENT**

**Kneifel Landing – Fish Cleaning Station
Management and Maintenance Agreement**

This agreement is entered into by and between Burleigh County Park Board, hereinafter referred to as the Grantee and the North Dakota Game and Fish Department, hereinafter referred to as the Department, because of a mutual interest and desire to cooperate in the management and maintenance of the existing fish cleaning stations at the above sites. This agreement covers the delineation of management responsibilities and funding of ongoing operation and maintenance.

Specifically, Burleigh County Park Board (Grantee) shall agree to:

1. Provide the manpower and equipment necessary to provide routine general maintenance of the existing fish cleaning stations. Maintenance responsibilities of the Grantee pursuant to this agreement include, but are not limited to performing the following items on a routine and regular basis:
 - a. Cleaning, spraying down, and sanitizing of the entire table/grinder unit, specifically the table top cutting surfaces.
 - b. Cleaning, sanitizing and spraying down the concrete floor and inside of the shelter. Includes periodic cleaning of the floor drain.
 - c. Provide for the periodic pumping of septic tanks as needed.
 - d. Provide for the timely repair of any minor breakdown which interferes with the functionality or usability of the station. Major repairs, such as a broken down grinder, need to also be taken care of in a timely fashion and should be reported to the Department immediately so that corrective measures may be discussed and implemented.
2. Keep a complete record of itemized expenditures and maintenance activities for each area for each calendar year. A copy of this record shall be sent to the Fisheries Development Supervisor by January 15th of each year for the preceding year's activities.
3. Notify the State (Grantor) of all potential claims that arise from or result from this agreement. The Grantee shall take all reasonable steps to preserve all physical evidence and information which may be relevant to the circumstances surrounding a potential claim, while maintaining public safety, and to grant to the State the opportunity to review and inspect such evidence, including the scene of an accident.
4. Certifies by signing this agreement that neither the Grantee, sub-recipient, subcontractor, nor their principals, are presently debarred, declared ineligible or voluntarily excluded from participation in transactions with the State or Federal Government by any Department or Agency of the Federal Government.

5. Shall perform as an independent entity under this agreement. The Grantee, its employees, agents, or representatives are not employees of the state of North Dakota for any purpose, including but not limited to the application of the Social Security Act, the Fair Labor Standards Act, F.I.C.A., F.U.C.A., the North Dakota Unemployment Compensation and Workers Compensation Acts, and the provisions of North Dakota Century Code Chap. 32-12.2. No part of this agreement may be construed to represent the creation of an employer-employee relationship. The Grantee shall retain sole discretion in the manner and means of carrying out the obligations and responsibilities to be performed under this agreement, except to the extent specified in this agreement. Grantee does not have the authority to contract for or incur obligations on behalf of the State.

Specifically, the Game and Fish Department (Grantor) agrees to:

1. Provide \$3,500 annually, a fair and reasonable price, to the Grantee for operation/maintenance expenses incurred in maintaining each fish cleaning station (1) as previously outlined in this agreement. The \$3,500 is payable upon receipt of the preceding year's record of completed activities and will cover the upcoming calendar years activities.

If records of itemized expenditures and maintenance activities show expenditures exceeded \$3,500, the Department will evaluate those overages and may reimburse Grantee up to 50% of any amount over \$3,500, subject to the availability of State funds. The Department retains all rights in making determinations on the reimbursement of overages.

2. Consider cost-sharing with the Grantee for major repairs to the existing fish cleaning station. Plans and cost estimates for all such projects must be presented and approved by the Department prior to project construction.

Specifically, it is agreed that:

1. This Agreement will commence on January 1, 2026 or the date at which this Agreement is signed, whichever comes later, and shall remain in effect until December 31, 2026. This agreement will automatically renew each year until the end of the year 2030, unless either party notifies the other before a December 31 termination date of its decision not to renew. Each renewal term in years subsequent to 2026 will be twelve months, beginning on January 1 and ending on December 31.
2. It is further agreed that this agreement may be amended at any time by mutual written consent.
3. Termination for Lack of Funding or Authority: The Department may terminate this agreement upon delivery of written notice, if funding from federal, state, and or other source is not sufficient to allow continuation of this project. This agreement is also contingent upon approval of the State Historical Preservation Officer from an archaeological site maintenance perspective. Termination shall be without prejudice to any obligations or liabilities of either party already accrued prior to termination.
4. Termination for Cause: If through any cause Grantee shall fail to fulfill in a timely and proper manner its obligations under this agreement, or shall violate any of the terms of this agreement, the Grantor shall thereupon have the right to terminate this agreement forthwith by giving written notice to Grantee of such termination and specifying the effective date thereof. The rights and remedies of the Grantor provided in the above related defaults by the Grantee are not

exclusive and are in addition to any other rights and remedies provided by law or under this agreement.

5. Applicable Law: This agreement shall be governed by and construed in accordance with the laws of the State of North Dakota.
6. Merger and Modification: This agreement constitutes the entire agreement between the parties. No alteration, amendment, or modification in the provisions of this agreement shall be affective unless it is reduced to writing and signed by both parties.
7. Assignment and Subcontracts: The Grantee shall not have the authority to contract for or on behalf of or incur obligations on behalf of the State. However, the Grantee may subcontract with qualified Vendors of services provided that any such subcontract shall acknowledge the binding nature of this agreement, and incorporate this agreement, together with its attachments as appropriate. The Grantee agrees to be solely responsible for the performance of any subcontractor.
8. Confidentiality: The Grantee agrees not to use or disclose any information it receives from the Grantor under this agreement that is confidential or exempt from mandatory public disclosure except as necessary to carry out the purposes of this agreement or as authorized in advance by the Grantor. The Grantor agrees not to disclose any information it receives from the Grantee which the Grantee has previously identified as confidential and which the Grantor determines in its sole discretion is protected from mandatory public disclosure under a specific exception to the North Dakota open records law, North Dakota Century Code § 44-04-18. The duty of the Grantor and the Grantee to maintain confidentiality of information under this section continues beyond the term of this agreement, including any extensions or renewals.
9. Compliance with Public Records Law: The Grantee understands that, except for disclosures prohibited in Section 8 - Confidentiality, the Grantor must disclose to the public upon request any records it receives from Grantee. Grantee further understands that any records which are obtained or generated by the Grantee under this agreement, except for records that are confidential under Section 8, may, under certain circumstances, be open to the public upon request under the North Dakota open records law. Grantee agrees to contact the Grantor immediately upon receiving a request for information under the open records law and to comply with the Grantor's instructions on how to respond to the request.
10. Retention of Records: The Grantee agrees to retain financial records for a period of three years from the date of submission of the final expenditure report or if subject to audit, until such audit is completed and closed, whichever occurs later. The Grantor, the ND State Auditor, and the federal government (if applicable), and their duly authorized representatives shall have access to the books, documents, papers, and records of the Grantee which are pertinent to the services provided under this agreement.

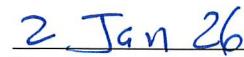
The parties hereto cause this agreement to be executed as of the date of the last signature below.

Burleigh County Park Board



North Dakota Game & Fish Department

Date



Date

	<p style="text-align: center;">Burleigh County, North Dakota</p> <p style="text-align: center;">Job Description</p>	<p>Last Date Revised: 1/6/2026</p> <p>Job Description Number:</p>
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Employee: _____ **Location:** Bismarck
Job Title: Park Maintenance Technician - Seasonal **Department:** Parks Department
Status: Nonexempt **Reports to:** Park Board
Salary Grade: 3 **DBM Rating:** A13

Job Summary: Under the supervision of the Park Board, this position is responsible for performing a variety of routine manual and semi-skilled tasks to maintain the cleanliness, safety, appearance, and functionality of Burleigh County public parks, fairgrounds, and associated facilities and docks. This role also monitors the parks and communicates with park visitors and campers regarding safety, park use, hours of operation and rules.

- **This is a temporary/seasonal position that will run from May through October.**

Responsibilities:

40 % of time 1. Inspect, supply and repair park amenities, including boat docks/ramps, picnic areas and restrooms, to maintain safe operation of all Burleigh County parks.

30 % of time 2. Serves as primary contact for park visitors, conduct regular checks on visitors and activities, reporting any rule violations to the Burleigh County Sheriff's Department.

10 % of time 3. Communicate with portfolio holder and contractors regarding any issues with contracted services.

20 % of time 4. Perform landscaping, tree trimming and other forestry services.

Essential Job Duties:

1. Inspect parking lots and docks and report any needed maintenance to the Park Board and portfolio holder.
2. Perform regular maintenance and repairs to all buildings, picnic areas, fish cleaning stations, and other facilities located in the park.
3. Inspect all dock heights weekly and make request for raising or lowering as needed.
4. Pick-up litter and restock toilets.
5. Ensure safety of all park visitors and campers by monitoring visitor/camper activities.
6. Serves as primary contact for the public regarding park operations, hours, and other information.
7. Direct and monitor contractors and contracted services for quality regarding mowing and trimming, stocking of supplies and litter/garbage removal.
8. Report any major maintenance required to facilities to the Park Board and portfolio holder.
9. Perform routine landscaping, tree trimming, and other forestry services.
10. Perform general cleaning and clearing of grounds, removing tree limbs and other items as needed.
11. Inspect and repair picnic tables, benches, and playground equipment.
12. Perform safety inspections of all park and playground equipment.
13. Operate hand tools, such as shovels, rakes, brooms, and other hand tools in a safe manner.
14. Operate machinery/vehicles such as skid steers, tractors, mowers in a safe manner.
15. Clean and maintain vault toilets.
16. Assist the Park Board and portfolio holder with obtaining bids for contracted services as needed.
17. Other duties as assigned and required.

 <p>Burleigh County</p>	<p>Burleigh County, North Dakota</p> <p>Job Description</p>	<p>Last Date Revised: 1/6/2026</p> <p>Job Description Number:</p>
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Accountabilities:

1. Ensure parks, fairgrounds facilities boat ramps/landings are properly maintained for use by the public.
2. Inspect parks and fairgrounds to ensure proper cutting and trimming of lawns, shrubs, and trees.
3. Ensure garbage collection, landscaping, and parking lots are maintained.
4. Observe established safety practices and procedures when using equipment or working with chemicals.
5. Create a positive and productive work atmosphere by communicating and maintaining a professional manner with other Burleigh County employees and the public.

Qualifications:

1. Must be 18 year of age, high school diploma or GED.
2. One (1) year of experience in general building maintenance, landscaping, or related manual labor.
3. Valid North Dakota driver's license and a clean driving record.
4. Applicants will be subject to a pre-employment physical, drug screen and criminal background check.

Working Conditions/Physical and Mental Demands:

1. Physical environment consists of indoor/outdoor exposure to various extremes of climate and weather.
2. Extensive walking and standing may be required.
3. Will include physical motions of sitting, bending, pushing, pulling crouching, twisting, grasping, lifting, and carrying heavy items and other physical motions.
4. May be required to respond to call back in emergency situations.

Clarification Clause:

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

Employee Signature

Date

COUNTY COMMISSION

**BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
DISCUSSION OF VARIOUS DEPARTMENTS
JANUARY 29TH, 2026**

12:00 PM

Chairman Bitner called the special 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.

Chairman Bitner opened the meeting to public comment.

- No comment was heard.

Chairman Bitner closed the public comment segment.

Chairman Bitner started a discussion about the Finance Director and Deputy Finance Director positions. Human Resources Director Pam Binder said a job offer had been made to one Treasurer candidate and that person declined. She also stated that there were no suitable candidates that applied for the Finance Director position. Director Binder stated that she had discussed the possibility of a past County Finance Director stepping into assist and Chair Bitner had said he received a phone call from a retired CPA that would be interested in assisting as well. Director Binder said that we have received some interest in the RFP for accounting services from several accounting firms. Deputy Finance Director/Interim-Treasurer Schmidt spoke noting the Treasurer's Office is still short a couple people and deadlines are still being met. Chair Bitner requested Director Binder reach out to the CPA who had contacted him. By consensus the Commission decided to move forward with Former Finance Director Clyde Thompson, the other CPA, and the CPA firm to assist with year end work, training employees, and setting policies and procedures. The Commission requested Director Binder look into the salaries for the Finance Department.

Discussion was had on the County pay scales. Director Binder stated she would continue doing research on the topic.

Chairman Bitner started a discussion on the Veterans Services Office (VSO). Comm. Munson stated that he was not ready for the job of Deputy Veterans Services Officer to be opened yet and that he still had to review the VSO with the new Veterans Services Officer before moving forward. Veterans Services Officer Chris Berglund spoke on the subject. Discussion was had. Consensus amongst the Board was for Comm. Munson to work with Berglund and Director Binder to determine the needs of the Veterans Services Office and the path forward.

Chairman Bitner started a discussion on the County Administrator position. Director Binder and Sheriff Leben spoke on the subject. Discussion was had.

Chairman Bitner started a discussion on the County Engineer Position. He stated that the two in-house candidates scored equally in their interview. Senior County Engineer Casey Einrem and Dan Schriock spoke on the subject. Discussion was had. Motion by Comm. Woodcox, 2nd by Comm. Bakken to appoint Dan Schiock to the position of County Engineer. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Chairman Bitner started a discussion on the stipend for Emergency Management Director Mary Senger who is also serving as the Project Manager for the Provident Building remodel. Motion by Comm. Munson, 2nd by Comm. Bakken to provide Director Mary Senger a stipend of \$9,000 for the work done from June through December in 2025 and a grade increase until the completion of the remodel. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Meeting Adjourned.

1:24 PM

Mark Splonskowski,
County Auditor

Brian Bitner,
Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
FEBRUARY 2nd, 2026**

5:00 PM Invocation by Chaplain and Pledge of Allegiance

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 with adding 12b under Commissioner Schwab for an NDSU Extension position and adding a raffle permit for UTTC to the Consent Agenda. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the January 7th, 2026 special meeting minutes, the January 20th, 2026 meeting minutes, and bills. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Chairman Bitner opened the meeting to public comment.

- No comment was heard.

Chairman Bitner closed the public comment segment.

Motion by Comm. Munson, 2nd by Comm. Bakken to the Margaret Schempp, Wayne & Gladys Trottier, Joseph & Shyla Wesson, Gene & Dianna Hysjulien, Jessica Lawler, Connie Trauger, Steven Andrews, Ronald Farrell, Marilyn Zins, Craig Gaube, Daniel & Laura Murphy, Susan Weaver, Kathleen Mills, Ryan Sabin, Edward & Janelle Brunner, Preston Johnson, Bismarck Cancer Center, Roxanne & Tomas Reis, Nicole & Shawn Heck, Destiny Smith, Bis-Man Chamber of Commerce, Debra Orley, Mary Elizabeth Stevens & Alonso Laurore, Jeffery & Loretta Conlon, Janice Briese, Mary Munder, Shelly Geiszler, John & Joann Baker, Blair & Amy Boisjolie, William & Susan Ann Ternes abatements and the rest of the consent agenda in its entirety. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

Bismarck Mandan Chamber EDC President/CEO Brenda Nagel presented an update on the Chamber of Commerce.

Chairman Bitner started a discussion on off highway vehicles. County residents Doug Pearson, Brian Fettig, and Jerri Hopfauf spoke on the subject. Sheriff Kelly Leben, County Engineer Dan Schroick, and State's Attorney Julie Lawyer provided insight on the subject. Chairman Bitner instructed Lawyer to move forward

with drafting an ordinance to reflect the City of Bismarck's ordinance regarding off highway vehicles. Chairman Bitner requested this item be added to the next agenda.

County Planning Director Mitch Flannagan presented an amendment to Article 21 (Floodplain Regulations). Motion by Comm. Munson, 2nd by Comm. Schwab to approve the amendment to Article 21. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

County Auditor Mark Splonskowski presented a Joint Powers Agreement which was to be between Burleigh County and Wilton Public School District to execute elections on their behalf. The arrangement was canceled with no further action needed.

Commissioner Munson presented an agreement for the management of the Community Gardens at the Missouri Valley Complex with Bismarck Parks & Recreation. Comm. Munson stated his goal was to eventually have the 4H Council take care of the gardens. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the agreement between the County and Bismarck Parks & Recreation for the management of the Community Gardens at the Missouri Valley Complex for 2026. Commissioners Bakken, Munson, and Woodcox voted 'AYE'. Commissioner Schwab and Chairman Bitner voted 'NAY'. ***Motion carried.***

Commissioner Schwab presented information regarding the Garrison Diversion Conservancy District.

Commissioner Schwab requested the Board approve a new position with the NDSU Extension Office. Motion by Comm. Bakken, 2nd by Comm. Munson to approve the addition of the position of ANR Extension Agent with the NDSU Extension Office. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***

In other Business:

- Commissioner Woodcox presented information on the 250th Anniversary Mural for the Provident building and said that the project has run into financial problems. Motion by Comm. Bakken, 2nd by Comm. Munson to cease progress on the mural and request the return of any unexpended funds as well as look into other opportunities to celebrate the 250th Anniversary with the State and City of Bismarck. Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner voted 'AYE'. ***Motion carried.***
- Commissioner Schwab requested information from Auditor Splonskowski on the deadline for action from the Garrison Diversion Conservancy District (GDCD) upon receiving the County's petition to get out. Auditor Splonskowski stated that the GDCD has sixty days to respond.
- Commissioner Schwab reminded the residents of the County to sign up for the Primary Residence Credit for next year.
- Commissioner Bakken inquired as to the status of the Missouri Valley Complex and the new planning and zoning agreement with the City of Bismarck regarding how the property will be managed going forward. Engineer Schriock stated that the agreement was currently in the works.

Meeting Adjourned.

6:39 PM

Mark Splonskowski,
County Auditor

Brian Bitner,
Chairman

DRAFT

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

Abate #	Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
26-032	Travis & Kylie Ktytor	2025	L5, Blk 3, Country Hills	70% Disabled Veteran	\$416,100	\$276,100
26-056	Jean Jasper	2025	Unit C Colorado Dr Condo V, L10-11 less S17' for R/W, Blk 1, Pebble Creek 4th	50% Homestead Credit	\$331,900	\$231,900
26-057	Val & Jeanette Frank	2025	L1, Blk 2, Evergreen Ridge	50% Homestead Credit	\$335,400	\$235,400
26-058	Pete Kopp	2025	Unit 1741 Hill View Heights Condo, L2, Blk 1, Grandview Heights	100% Homestead Credit	\$166,600	\$0
26-062	Lenora Woehl	2025	Unit Q Cottonwood Estates Condo, L1-6, Blk 24, Southwood Terrace 2nd Replat	50% Homestead Credit	\$203,000	\$103,000
26-063	Caroline Ternes	2025	Unit 2 Bernies Continental Arms Condo, L1-3, Blk 25, Wachter's 3rd	100% Homestead Credit	\$173,800	\$0
26-064	Terry Howe	2025	L2, Blk 4, Replat of Lounsberry Outlots 17-20 & 24	100% Homestead Credit	\$229,300	\$29,300
26-065	Kathryn Gentz	2025	Unit M & garage 13 Northridge Townhomes, Pt L1-2, Blk 3, North Hills 5th	100% Homestead Credit	\$237,300	\$37,300
26-068	Wesley Becker	2025	L4, Blk 4, Pheasant Valley	50% Homestead Credit	\$878,400	\$778,400
26-069	Curtis & Beverly Goehring	2025	L31, BLk 1, Apple Valley	50% Homestead Credit	\$187,800	\$87,800
26-070	Tom & Lola Tomek	2024	L29, Blk 14, Highland Acres	50% Homestead Credit	\$244,500	\$144,500
26-071	Donald & Faye Pavlicek	2025	L6, Blk 10, Sattler's Sunrise 7th	100% Homestead Credit	\$487,200	\$287,200
26-072	Norman Tibke	2025	Unit 3433 Bldg 4 Star Condos II, L1B of L1, Blk 5, Edgewood Village 2nd Add	100% Homestead Credit	\$334,300	\$134,300
26-076	Tracy Smith	2026	1968 Magnolia 51 x 17, VIN # DMH4448	Mobile home removed	\$7,929	\$0
26-077	Margaret Mertz	2025	L14, Blk 10, Meadow Valley 3rd	100% Homestead Credit	\$223,300	\$22,300

26-078	Jeffery Lowe	2025	Lot 24 less tract beg @ NW cor..., Blk 5, North Hills 3rd	100% Homestead Credit	\$378,600	\$178,600
26-079	Elizabeth Swanson	2025	Knollwood II Townhouse, Lot 3240, Blk 2, North Hills 5th & undiv int in common area	50% Homestead Credit	\$260,000	\$201,667



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

Permit Number

26-005

Permit Type (check one)

Local Permit Restricted Event Permit*

Games Authorized Raffle by a Political or Legislative District Party

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

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

ORGANIZATION INFO

Name of Organization or Group LEGACY GIRLS FASTPITCH SOFTBALL BOOSTERS	Dates Authorized (Read Instruction 2) 05/03/2026		
Organization or Group Contact Person [REDACTED]	E-mail [REDACTED]	Telephone Number [REDACTED]	
Mailing Address [REDACTED]	City Bismarck	State ND	ZIP Code 5[REDACTED]

SITE INFO

Site Name Lessard Residence	County Burleigh		
Site Address 7816 Runnel Road	City Bismarck	State ND	ZIP Code 58503
If the city or county is placing restrictions on the permit, please explain [REDACTED]			
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.) 05/03/2026- Clock raffle- one time event			

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 form 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 Spłoskowski	Title of City or County Official Burleigh County Auditor	Telephone Number 701-712-2887	E-mail Address mspłoskowski@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)

<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*
Games to be conducted <div style="display: flex; justify-content: space-around;"> <div> <input type="checkbox"/> Bingo </div> <div> <input checked="" type="checkbox"/> Raffle </div> <div> <input type="checkbox"/> Raffle Board </div> <div> <input type="checkbox"/> Calendar Raffle </div> <div> <input type="checkbox"/> Sports Pool </div> <div> <input type="checkbox"/> Poker* </div> <div> <input type="checkbox"/> Twenty-One* </div> <div> <input type="checkbox"/> Paddlewheels* </div> </div>	

***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 Legacy Girls Fastpitch Softball Boosters		Dates of Activity (Does not include dates for the sales of tickets) 5-3-24	
Organization or Group Contact Person [REDACTED]	E-mail [REDACTED]	Telephone Number [REDACTED]	
Business Address [REDACTED]	City Bismarck	State ND	ZIP Code 58503
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name [REDACTED]	County		
Site Physical Address 7816 Runnel Road	City Bismarck	State ND	ZIP Code 58503
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.) May 3 rd 2026			

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

Game Type	Description of Prize	Exact Retail Value of Prize
Clock Raffle	Cash Prizes 20- \$40, 2 - \$50, 1 - \$100, 1-\$200, 1-\$300	1,500.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds

Raffle proceeds will be used to purchase uniforms and warm-ups for Legacy Softball players.

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) _____

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 [REDACTED]	Telephone Number [REDACTED]	E-mail Address [REDACTED]
Signature of Organization Group's Permit Organizer [REDACTED]	Title [REDACTED]	Date 2-14-10

All Items required for this Permit have been met.

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



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Memo

Date: February 10, 2026

To: Mark Splonskoski
County Auditor

From: Daniel Schriock P.E.
County Engineer

RE: Second access permit for Jordan Bartsch

Jordan Bartsch from 1102 93rd Street NE has asked for a second access permit for his lot. Currently he has a driveway off of 93rd Street NE along the east side of his lot. He wishes to have a second access off of 93rd Street NE approximately 535 feet north of his existing approach. We have reviewed the proposed access and have determined that the access meets our requirements.

Please place the approval of a 2nd approach for Jordan Bartsch on the February 17th, 2026 County Board Consent Agenda.

2nd Approach Permit Requirements

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

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



PARCEL ID: 32-139-79-00-33-201

OWNER: BARTSCH, JORDAN & BROOKELLE; BARTSCH, D&M

ACRES: 40

SITE ADDRESS: 1102 NE 93RD ST

MAIL ADDRESS: BARTSCH, JORDAN & BROOKELLE 1102 93RD ST NE, BISMARCK, ND 58501-8558

LEGAL: GIBBS TOWNSHIP Section 33 SE1/4NE1/4 499630 33-139-79

ITEM

8



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 9, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel Schriock
County Engineer

RE: Purchase Agreement & Payment

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

ACTION REQUESTED:

Authorize the proper County officials to accept the vehicle quotes with Nelson Auto Center for two new pickup trucks and make proper payment arrangements:

2026 Ford F150 \$47,272.96

2026 Dodge Ram 2500 \$44,520

Total purchase of \$91,792.96

BACKGROUND:

During the development of the 2026 Highway Department Budget, the Highway Department set aside \$118,000 to purchase two new pickups. After shopping around, it was determined that the current pricing of the market would allow us to purchase both pickups for less than the 2026 budgeted amount by \$26,207.04.

Purchase Quote FW3L \$47,272.96

Purchase Quote DJ7L92 \$44,520.00

Nelson Auto Center Total: \$91,792.96.00

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Board hereby allows the proper County officials to accept and sign the vehicle quotes from Nelson Auto Center for a 2026 Ford F150 \$47,272.96 Purchase Quote FW3L, and a 2026 Dodge Ram 2500 \$44,520.00 Purchase Quote DJ7L92, for a total purchase of \$91,792.96 and make necessary payments.



Fleet Department
2228 College Way, PO Box 338
Fergus Falls, MN 56538-0338
Phone: 218-998-8865
Toll Free: 800-477-3013 Ext. 8865
mlarson@nelsonfleet.com

VEHICLE QUOTE NUMBER **DJ7L92**

Sold To: Burleigh County
Attn: Brooks Salhus
Address: 8100 43rd Ave NE
Bismarck, ND 58503

Date: 2/3/2026
Phone: 701-989-0994
FAX:
Salesperson: Melissa Larson
Key Code:

Stock No:	Year	Make	Model	New/Used	Vehicle ID Number
DJ7L92	2026	Ram 2500	Tradesman Crew Cab 4X4 8'	New	
			Color: TBD		

Price of Vehicle:	\$54,370.00
Includes All Standard Equipment, Plus:	\$0.00

Please note that order acceptance is subject to manufacturer's schedules. Due to current conditions production is not guaranteed and if cancelled, it will not be price protected.

Less Contract Discount	-\$9,850.00
Quote Does Not Include Tax or Registration	
Subtotal:	\$44,520.00
Trade - In:	
Total Cash Price:	\$44,520.00

Your Purchase Order #	0	Project #	Contract 26.02 VHL
Priority			

Thanks for your business!

Ship To / Lessee / End User: Burleigh County
Attn: Brooks Salhus
Highway Department
Address: 8100 43rd Ave NE
Order Approved by:

FAX:
Phone: 701-989-0994
email: salhusbrooks@nd.gov

Signed: _____ **Title:** _____

Printed Name: _____ **and Date:** _____



Fleet Department
2228 College Way, PO Box 338
Fergus Falls, MN 56538-0338
Phone: 218-998-8865
Toll Free: 800-477-3013 Ext. 8865
mlarson@nelsonfleet.com

VEHICLE QUOTE NUMBER

F W3L

Sold To: Burleigh County
Attn: Brooks Salhus
Address: 8100 43rd Ave NE
Bismarck, ND 58503

Date: 2/3/2026
Phone: 701-989-0994
FAX:
Salesperson: Melissa Larson
Key Code:

Stock No:	Year	Make	Model	New/Used	Vehicle ID Number
W3L	2026	Ford F150	4WD SuperCrew 5.5' Box	New	
			Color: White		

Price of Vehicle: \$50,415.00

Includes All Standard Equipment, Plus: \$4,357.96

Base Price increase from XL to XLT	\$2,014.96
301A Package	\$633.00
193 Black Appearance Package	\$837.00
XLT Black Appearance Package Discount	(\$455.00)
41H Engine Block Heater	\$173.00
50M Mobile Office	\$1,155.00

Please note that order acceptance is subject to manufacturer's schedules. Due to current conditions production is not guaranteed and if cancelled, it will not be price protected.

Less Contract Discount -\$7,500.00

Quote Does Not Include Tax or Registration

Subtotal: \$47,272.96

Trade - In:

Total Cash Price: \$47,272.96

Your Purchase Order #	0	Project #	Contract # 26.02 VHL
Priority			

Thanks for your business!

Ship To / Lessee / End User: Burleigh County
Attn: Brooks Salhus
Highway Department
Address: 8100 43rd Ave NE
Order Approved by:

FAX:
Phone: 701-989-0994
email: salhusbrooks@nd.gov

Signed: _____ Title: _____

Printed Name: _____ and Date: _____



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel L. Schriock
County Engineer

RE: Sale of equipment

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

ACTION REQUESTED:

Authorize the proper County officials to sell used equipment.

BACKGROUND:

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

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

RECOMMENDATION:

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

PROPOSED RESOLUTION:

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

ITEMS TO BE AUCTIONED TO PUBLIC

1. Unit 10 -30 2007 Chevy 1500 pickup 4X4 5.3 L Crew Cab # 1GCEK19Z65Z238560
2. Unit 10 -44 2013 Chevy 2500 Pickup 4X4 6.0 L Crew Cab # 1GC1KVC6DF202591
3. Unit 11-67 2006 IH 7400 Cab and chassis single axel # 1HTWDAZR06J250561
4. Unit 12-84 2005 Freightliner C120 # 1FUJA6DE95PU48724
5. Unit 12-85 2005 Freightliner C120 # 1FUJA6DE75PU48723
6. Unit 12-89 2003 Freightliner C120 # 1FUJA6AV03LL10319
7. Unit 15-23 2019 J.D. 672GP Blade #1DW672GPAKF695470
8. Unit 15-24 2019 J.D.672GP Blade # 1DW672GPCKF695398
9. Unit 15-25 2019 J.D.672GP Blade # 1DW672GPKKF695477
10. Unit 16-00 2004 Cat Challenger MT535 Tractor 5,9 cummings 120 HP # N159011
11. Unit 1708 2008 Case 821E Wheel loader # N8F206478
12. Unit 18-79 1967 Water tanker trailer #5270PAM



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 9, 2026

TO: **Mark Splonskowski**
County Auditor

FROM: **Daniel L. Schriock**
County Engineer

RE: Authorization to advertise for bids.

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

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for two new tractors.

BACKGROUND:

As part of the approved 2026 Burleigh County Budget, the Highway Department has requested the purchase of two new mower tractors to replace two of our older high hour units. The new units will replace a 2005 Challenger Unit #16-00 and a 2005 Challenger Unit #16-01. The existing units will be sold under public auction at a later date.

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTIONS:

THE THEREFORE BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for two new mower tractors.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 9, 2026

TO: **Mark Splonskowski**
County Auditor

FROM: **Daniel L. Schriock**
County Engineer

RE: Purchase Agreement & Payment

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

ACTION REQUESTED:

Authorize the proper County officials to accept the Quote with Acme Equipment for one new Kubota Skid Steer and make proper payment arrangements:

2026 Kubota SVL97-3HFCC
Total purchase price of \$81,259.22

BACKGROUND:

During the development of the 2026 Highway Department Budget, the Highway Department set aside \$100,000 to purchase a new skid steer. After receiving quotes from 4 dealers we recommend approving the purchase of a 2026 Kubota Model SVL97-3HFCC for a total price of \$81,259.22. (\$18,740.78 less than the budgeted amount).

Quote Number: 2936408 Total: \$81,259.22

RECOMMENDATION:

It is recommended the Board adopt the attached proposed resolution.

PROPOSED RESOLUTION:

THE THEREFORE, BE IT RESOLVED: That the County Board hereby allows the proper County officials to accept and sign the invoice from Acme Equipment for a 2026 Kubota

Model SVL97-3HFCC Skid Steer Order Number: 27067333, for a total purchase of \$81,259.22 and make necessary payments.

-- Standard Features --


Kubota

S Series

SVL97-3HFCC

*** EQUIPMENT IN STANDARD MACHINE ***

FEATURES

Final Tier 4 Certified Kubota

Diesel Engine

Electronic Travel Torque

Management System

Vertical Lift Path Loader Frame

Standard Front Quick Coupler

Float Standard

Hydraulic Quick Coupler Option

Loader Arm Self-Leveling

Loader Boom Lock

Open ROPS/FOPS

Optional enclosed and

pressurized cab with A/C

High Back, Adjustable, Vinyl,

Suspension Seat

Heated, Air Suspension Seat

Standard on Cab Models

2" Retractable Seat Belt And 2-

Piece Seat Bar

12V Electric Outlet

23.1 gpm Auxiliary Hydraulics

Standard, 41.2 gpm Option

Case Drain Line

Rigid Mounted Undercarriage, 5

Lower Track Rollers

High Grip Rubber Tracks, 17.7"

Standard

Two Speed Travel System

Automatic Wet Disk Parking

Brake

Kubota 4 Hydraulic Pump Load

Sensing System

2 Variable Displacement

Pumps

KubotaNOW Telematics

Standard

Lockable DEF Cap Guard

Hydraulic Joystick Controls

ISO Operating Pattern

Dial Knob and Foot Throttle

Controls

Decelerator Pedal

Stall Guard Engine Controls

Automatic Glow Plugs

7" Multifunction Touch Screen

Integrated Rear Camera

Keyless Start

Key Switch Stop System

Self Bleed Fuel System

2 Front and 2 Rear Working

Lights

Hour Meter, Engine Temperatur,

DEF, and Fuel Gauges and

Warning Lights

Horn and Backup Alarm

Lockable Fuel Cap

BASIC UNITS

SVL97-3HFCC, 17.7" Rubber

Tracks,

Open ROPS/FOPS Cab w/ Cold-

weather CCV Package,

Hydraulic Quick Coupler, Flow

Auxiliary Hydraulics, KSR

OPERATIONAL

DIMENSIONS

Operating Weight* 17.7" Rubber

Tracks, Open ROPS/FOPS Cab,

Mechanical Quick Coupler

11,676 lbs.

Rated Operating Capacity (ROC)

@ 35%

of Tipping Load complies with ISO

14397-1

and SAE J 818) 3,511 lbs.

Rated Operating Capacity (ROC)

@ 50%

of Tipping Load 4,850 lbs.

Tipping Load 9,700 lbs.

Auxiliary Hydraulics Flow 23.1/

41.2 gpm

Travel Speed (Low / High) 5.5 /

8.4 mph

Reach @ Maximum Height 40.7"

Height to Hinge Pin 128.6"

Ground Pressure 4.5 psi.

ENGINE

V3800-Tier 4 Kubota Final Tier 4

Diesel Engine

4 Cylinder, 4 Cycle, Turbo Charged

96.4 Gross HP @ 2400 rpm

DIMENSIONS

Cab Height 83.1"

Width (without attachment) 77.2"

Length (without attachment) 123.7"

Length of Track on Ground 65.6"

SVL97-3HFCC Base Price: \$105,522.00

Configured Price: **\$105,522.00**

Sourcewell Discounts:

Kubota Items: (\$25,325.28)

Total Discount: (\$25,325.28)

SUBTOTAL: **\$80,196.72**

Kubota Item Fees:

Dealer Assembly: \$0.00

Freight Cost: \$662.50

PDI: \$400.00

Total Unit Price: \$81,259.22

Quantity Ordered: 1

Final Sales Price: \$81,259.22

Purchase Order Must Reflect Final Sales Price.

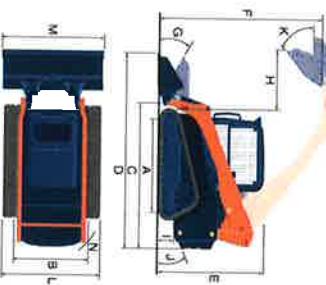
To order, place your Purchase Order directly with the quoting dealer

*All equipment specifications are as complete as possible as of the date on the quote. Additional attachments, options, or accessories may be added (or deleted) at the discounted price. All specifications and prices are subject to change. Taxes are not included. The PDI fees and freight for attachments and accessories quoted may have additional charges added by the delivering dealer. These charges will be billed separately. Prices for product quoted are good for 60 days from the date shown on the quote. All equipment as quoted is subject to availability.

Specifications

Model	SVL97-3
Type of operator station	SVL97-3
Model	Open CAB / Closed CAB
Output (SAE J1349 gross)	V3800-TE5-L
Output (SAE J1349 net)	96.4 (77.9) / 2500
Displacement	94.9 (70.8) / 2500
Cylinders	230.0 (3759)
Bore x Stroke	4
Aspiration	3.9 (100) x 4.1 (120)
Rated operating capacity-35% tipping load	Turbocharged
Hinged operating capacity-50% tipping load	3459 (1569)
Tipping load	4942 (2242)
Ladser performance	9864 (4463)
Breakout force	7546 (3468)
Lift arm path	5277 (2394)
Track width	Vertical
Ground pressure	Standard
Undercarriage	in. (mm)
Track ground contact length	Standard
Travel speed	5
Fraction force	in. (mm)
Hydraulic system	Low
Aux. hydraulic flow	High
Service oil III	High (mm)
Hydraulic system	High (mm)
Fuel tank capacities	Low (mm)
DEF tank	13174.7 (5976)
Operating weight (includes operator weight 165 lbs.)	23.8 (90) / 47.2 (156)
	3553 (24.5)
	10.6 (40.2)
	30.6 (115.7)
	3.4 (12.7)
	11676 (5296) / 1929 (8411)

Dimensions	in. (mm)	in. (mm)
Track on ground	55.5 (1405)	55.5 (1405)
Track gauge	59.5 (1512)	59.5 (1512)
Length w/o bucket	123.7 (3141)	123.7 (3141)
Length w/bucket on ground	155.6 (3901)	155.6 (3901)
Height to top of cab	83.1 (2112)	83.1 (2112)
Bucket hinge pin height, at max lift	128.5 (3264)	128.5 (3264)
Rollback angle at carry position	28	28
Reach at max lift and dump	40.7 (1034)	40.7 (1034)
Ground clearance	10.9 (278)	10.9 (278)
Departure angle	30.6	30.6
Max dump angle	43	43
Vehicle width standard track	77.2 (1962)	77.2 (1962)
Vehicle width w/bucket	81 (2057)	81 (2057)
Turning radius (from center-machine rear)	63.7 (1618)	63.7 (1618)



Kubota

KUBOTA TRACTOR CORPORATION
1000 Kubota Drive, Grapevine, TX 76055 Tel 888-4 KUBOTA

Visit our web site at: www.kubotausa.com



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SVL

KUBOTA COMPACT TRACK LOADER
SVL97-3

Kubota performance, comfort and reliability allow you to work faster, longer and more efficiently.



For Earth, For Life
Kubota



Acme Tools
PO Box 13720
Grand Forks, ND 58208-3720
USA
Phone: 701-335-4824
Fax: 701-746-2850

Order Number
27067333-

PRO-FORMA INVOICE

Date
2/06/26

Page
1

Acct#: #473286
Bill To: BURLEIGH COUNTY HWY DEPT
8100 43RD AVE NE

Ship To:
BURLEIGH COUNTY HWY DEPT
8100 43RD AVE NE

BISMARCK, ND 58503
USA

BISMARCK, ND 58503-8078
USA

Ordered..: 2/06/26
Ship by...: 2/06/26
Cust. P.O.#.: SVL97-3
Order Taker: Ian McDonald
Phone #.....: 7012047748

Ship Via...: Will Deliver
Ship terms:
Terms.....: Cash and Carry

Line	Qty. Ordered	Qty. Shipped	Loc.	Item/ Description	UOM	Disc %	Unit Price	Extend. Price
1	1.00	1.00	120	SVL97-3HFCC KUBOTA CTL / 17.7IN RUBBER /HYD HIGH AUX / CAB S/N: KBCZ065CCS1C11014	EA		89,431.1700	89,431.17
2				** Misc. Charge(s) ** Kubota Discount			8,171.95-	
							Material Total:	89,431.17
							Addtl Charges:	8,171.95-
							Balance Due:	81,259.22



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel L. Schriock
County Engineer

RE: Burleigh County Proposed 2026 Construction Program

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

ACTION REQUESTED:

Approve the 2026 Burleigh County Construction Program

BACKGROUND:

The Highway Department will present to the County Board a proposed list of construction projects for the 2026 Construction Season.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the Burleigh County Board adopts the attached 2026 Burleigh County Construction Program, and authorizes the Highway Department to allocate resources to design, acquire right of way and construct the projects under the North Dakota Century Code and Burleigh County policies.

2026 Construction Program

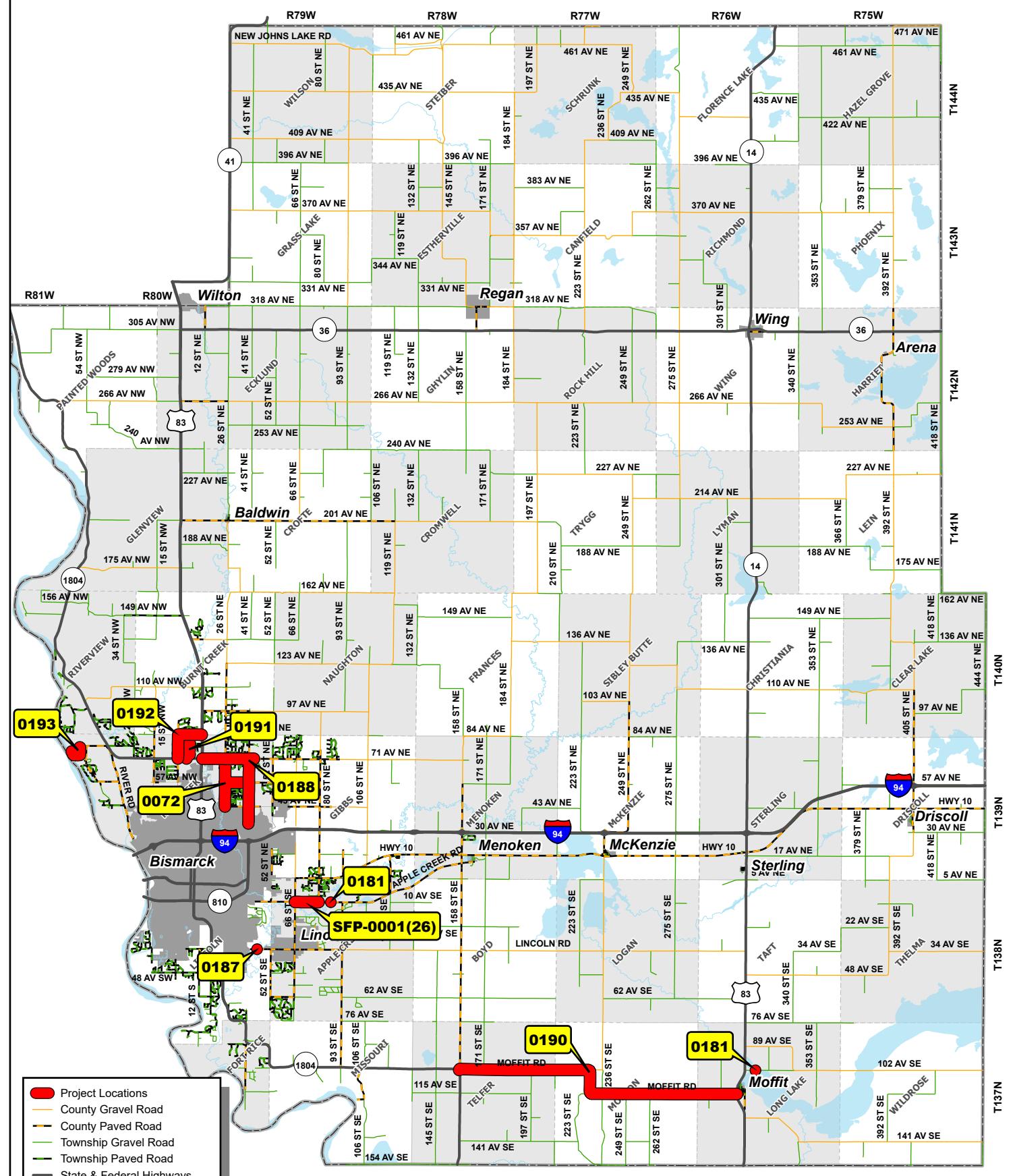
PROJECT DESCRIPTION	PROJECT #	LENGTH	CONTRACTOR	FUNDING SOURCE	Reimbursable	COST TO "COUNTY WORK IMPROVEMENT"	COST TO "COUNTY WORK MAINT." LINE	COST TO "COUNTY WORK FOR OTHERS WORK - BILLED OUT" LINE	COST TO "COUNTY WORK FOR OTHERS WORK - BILLED OUT" LINE
					Funding:Flex Funds, Prairie Dog State, Federal, SAD	LINE ITEM 878	ITEM 879	ITEM 888	TOTAL PROJECT COST
Unorganized Township Chip Seal Program (Roadways to be determined in Spring of the Construction Year)	1004-XX(26)	5.0 to 10.0 miles	Out for Bids	Unorganized Township Funds	\$0	\$0	\$0	\$150,000	\$150,000
Organized Township Chip Seal Program (Roadways to be determined in the Spring of the Construction Year)	1004-XX(26)	5.0 to 10.0 miles	Out for Bids	Township Funds	\$0	\$0	\$0	\$150,000	\$150,000
County Chip Seal Program	1004-(26)	5.0 to 10.0 Miles	Out for Bids	County Funds	\$0	\$0	\$200,000	\$0	\$200,000
Annual Gravel Road Construction Project - 25th Street NE from 43rd Avenue NE to 71st Avenue NE and 5th Avenue NE from 26th Street NE to Centennial Road. (Part 2 - Grading) (Year 2)	0072	3.0 miles	Burleigh County	Burleigh County	\$0	\$0	\$100,000	\$0	\$100,000
Mill and Overlay of Apple Creek Road from 66th St. to 80th Street	SFP-0001(25)	1.25 miles	Out for Bids	Burleigh County	\$0	\$1,500,000	\$0	\$0	\$1,500,000
Replacement of Bridge 08-115-37-0 on Apple Creek Road one half mile east of 80th Street. And the removal of Bridge 08-133-44-0 on 102nd Ave. St. one half mile east of US 33	0181	N.A.	Out for Bids	Federal Funding & Burleigh County	\$1,520,000	\$380,000	\$0	\$0	\$1,900,000
Lincoln Road Bridge Preliminary Engineering, Design, ROW, Permitting, Utilities, Environmental, Delineation, & Mitigation, Mill and Overlay (with lighting of intersection) 71st Ave NE from Centennial Road to Aleutian Drive and Microsurface of 71st Ave & Centennial Road from US 83 to City Limits	0187	N/A	N/A	Flex Funds & Burleigh County	\$0	\$500,000	\$0	\$0	\$500,000
Morton Township: Graveling, Subgrade Repair, & Culverts	0189	Varies	Out for Bids	Flex Funds & Morton Township	\$706,676	\$0	\$0	\$14,000	\$720,676
Morfit Road Resurfacing; Mill & Overlay of Morfit Road	0190	13 miles	Out for Bids	Federal Funding & Burleigh County	\$2,900,000	\$710,000	\$0	\$0	\$3,610,000
Northridge Estates, SAD 77, Microsurface & Patching	0191	3.77 miles	Out for Bids	SAD & Township	\$540,934	\$0	\$0	\$127,600	\$668,534
8th Ave NE & North Washington Street Microsurface	0192	2 miles	Out for Bids	Burleigh County	\$0	\$400,000	\$0	\$0	\$400,000
Ponderosa Subdivision, SAD 78, Paving plans	0193	N/A	N/A	SAD	\$619,502	\$0	\$0	\$0	\$619,502
MISC- See Below				Burleigh County	\$0	\$363,047	\$0	\$0	\$363,047
					TOTAL Annual Cost =	\$7,192,490	\$4,265,047	\$300,000	\$441,600
The remaining \$363,047 will be put back into maintenance budget:									
Crusting: \$100,000									
Patching: \$100,000									
Graveling: \$100,000									
MSC Repairs: \$63,047									



BURLEIGH COUNTY, NORTH DAKOTA

2026 PROJECT PRIORITIES

N
02/10/2026



Map produced by Burleigh County GIS. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. 040



BURLEIGH COUNTY HIGHWAY DEPARTMENT

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

Request for County Board Action

DATE: February 10, 2026

TO: Mark Splonskowski
County Auditor

FROM: Daniel L. Schriock
County Engineer

RE: Ponderosa Riverside Village Subdivision

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

ACTION REQUESTED:

Authorize the proper County officials to create the Ponderosa Riverside Village Subdivision special assessment district (SAD).

BACKGROUND:

The residents of Ponderosa Riverside Village Subdivision have requested that the Burleigh County Board create a special assessment district under NDCC 11-11-55.1 for the paving of roadways and for the application of a chip seal to the existing roadways (approximately 1.13 miles.) within their Subdivision. We have received a petition with what appears to be at least 60% of the local residents. The Highway Department is requesting that the County Special Assessment Screening Committee meet to review the petition and consider the feasibility of the project and the predictability of solvency of the district. Recommendation for approval or rejection will be brought back to the County Board.

RECOMMENDATION:

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

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the proper County officials are hereby required to create and number the Ponderosa Riverside Village Subdivisions special

assessment district (SAD), and direct the County Special Assessment Screening Committee meet and review the petition.



BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43RD AVENUE NE
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www.burleighco.com

Request for County Board Action

DATE: February 10, 2026

TO: **Mark Splonskowski**
County Auditor

FROM: **Daniel L. Schriock**
County Engineer

RE: Authorization to advertise for bids.

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

ACTION REQUESTED:

Authorize the proper County officials to advertise for bids for the following projects:

Project SFP-0001(26) Apple Creek Road Phase II

Project 0188 Mill & Overlay 71st Ave NE Centennial to Aleutian & Microsurface of 71st Ave NE & Centennial Road

Project 0189 Morton Township Graveling, Subgrade Repair, & Culverts

Project 0191 SAD: 77 Northridge Estates-Microsurface & Patching

Project 0192 Microsurface of North Washington and 84th Ave NE

BACKGROUND:

On February 17th, 2026 the County Board reviewed and approved the 2026 Construction Program.

The following projects were approved as part of that program:

Project SFP-0001(26) Apple Creek Road Phase II

Project 0188 Mill & Overlay 71st Ave NE Centennial to Aleutian & Microsurface of 71st Ave NE & Centennial Road

Project 0189 Morton Township Graveling, Subgrade Repair, & Culverts

Project 0191 SAD: 77 Northridge Estates-Microsurface & Patching

Project 0192 Microsurface of North Washington and 84th Ave NE

The Highway Department has been working on plans and specifications for these projects and are asking for authorization to advertise for bids.

RECOMMENDATION:

It is recommended the Board adopt the following proposed resolution.

PROPOSED RESOLUTION:

THEREFORE, BE IT RESOLVED: That the County Auditor and the County Engineer are hereby authorized to advertise for bids for:

Project SFP-0001(26) Apple Creek Road Phase II

Project 0188 Mill & Overlay 71st Ave NE Centennial to Aleutian & Microsurface of 71st Ave NE & Centennial Road

Project 0189 Morton Township Graveling, Subgrade Repair, & Culverts

Project 0191 SAD: 77 Northridge Estates-Microsurface & Patching

Project 0192 Microsurface of North Washington and 84th Ave NE

ITEM

9

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

Memorandum

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

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

Date: February 9, 2026

Re: HR Director – Pam Binder Commission Meetings Follow up

Subject One: Finance/Treasurer Department Structure

BACKGROUND: As discussed in the Burleigh County Commission Special Meeting held on January 29, 2026, I was given follow-up instructions from the Commission. There are several changes that need to be done within the Finance/Treasurer department in order to bring the department back into alignment for efficient and stable operations:

- ***Finance Director position:*** With the lack of a CPA applicant in the last round of recruitment for this position, it was decided by the Commission to complete the Request for Proposal (RFP) process for financial services and policies and procedures. There has been some confusion from our vendors that have worked with the former Finance Director. The vendors that work with the Finance/Treasurer department want to know who has the authority to authorize business operations. The Finance Director has the signing authority on all financial accounts for Burleigh County; as well as; the person who is the liaison between the vendors and Burleigh County. I would suggest that in order to clear up this confusion the Commission should appoint an Interim Finance Director. The Interim Finance Director will not be considered the permanent Finance Director and is in place to direct the Finance/Treasurer Department both internally and externally until a candidate is hired or promoted that meets the qualifications that Burleigh County requires for the Finance Director. I would suggest that our current Deputy Finance Director be named as the Interim Finance Director to clear up any confusion from the vendors and provide the leadership to the department employees. During the Special Commission meeting on January 29, 2026, Deputy Finance Director Taylor Schmidt provided an update regarding his progress toward his CPA certification.

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

There has been a training plan put in place with Taylor Schmidt regarding the resources needed for him to be able to attain his CPA certification within the eighteen-month timeframe. Burleigh County cannot expect Taylor Schmidt to perform the amount of work that currently requires him to work some evenings and weekends and also expect him to have the time to study for the CPA certification and have a work/life balance.

- Commissioner Jerry Woodcox also mentioned that former Finance Director Clyde Thompson would be willing to come back and help the Finance/Treasurer department with closing the 2025 year and assisting with the adjusting entries and any of the other financial processes that he is able to assist the department within order to have them complete. Commissioner Woodcox facilitated a meeting between Clyde Thompson, Deputy Finance Director Taylor Schmidt, Accountant I Britan Rabe and HR Director Pam Binder. This was a meeting to discuss what Clyde Thompson would be able to help the department with and what was needed to do so. A contract is in place with Clyde Thompson, and we are currently setting up his access to the items he will need in order to work on these projects.
- **Treasurer Position:** Because the candidate that was offered the Treasurer position decline it, and with the other candidates not having strong experience in government accounting, I would suggest that we reopen the Treasurer position internally to Burleigh County for a period of no longer than one week. After the last Treasurer recruiting process closed, it was found there was some confusion internally within the department about the qualifications for the Treasurer position. After I had conversations with some of the employees within the department, it was determined that the County may have a current employee(s) with the needed qualifications for the Treasurer position.
- **Accountant I/II Position:** With the exit of several positions in both 2024 and 2025 in the Auditor/Treasurer/Finance departments it has become clear that there is a need for another Accountant position. Therefore, I would suggest approval to post for another Accountant position in the Finance/Treasurer department. Although this is not specifically included within the 2026 budget, this will not require an amendment to the budget. In the past there have been two Accountants, one in the Treasurer department and one in the Finance department.
- **Request for Proposal (RFP):** The RFP closes on February 11, 2026. As of February 9, 2026, we have not received any submissions. However, Eide Bailly LLP has been in communications with us and intends to submit their RFP response. I am not aware of any other vendors that intend to submit an RFP response as of this time. The current plan of

BURLEIGH COUNTY

HUMAN RESOURCES DEPARTMENT

PAM BINDER, SPHR, SHRM-SCP
DIRECTOR

HUMAN RESOURCE ASSISTANTS:
MEGAN MARTIN
DESIREE HILBORN
LINDSAY BROWER

action would be to contract with Clyde Thompson to assist with the immediate finance processes and to review the RFP and decide whether we want to award all projects or certain projects and to whom we want to award these projects.

RECOMMENDATION: I would like to recommend that the Burleigh County Commissioners appoint Deputy Finance Director Taylor Schmidt as the Interim Finance Director.

I would also recommend that the Burleigh County Commissioners approve the internal job posting for the Treasurer position.

I would like to recommend that the Burleigh County Commissioners approve the job posting for another Accountant I/II for the Finance/Treasurer department.

The RFP recommendation will be dependent upon the needs of the Finance/Treasurer department. I would recommend that we contract with a vendor to assist with the Financial Reports and the Finance/Accounting Policies and Procedures. I would also recommend that we review the budget process and see if we have a need to contract a part of, or all of the 2027 Budget process to a consultant.

Subject Two: Highway Department Follow up

BACKGROUND: In the January 29, 2026 Burleigh County Commission Meeting the Commissioners approved promoting Daniel Schriock Senior Assistant County Engineer to County Engineer. Senior Assistant County Engineer Casey Einrem will be reclassified to Assistant County Engineer. HR Director Pam Binder has successfully negotiated compensation for both Dan and Casey.

RECOMMENDATION: None needed, informational only.

Subject Three:

BACKGROUND:

RECOMMENDATION:

ITEM

10

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Linda Mac Donald

Address: 7650 Hwy 1804 S. Bismarck, ND 58504

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

School reorganization Committee

List below the skills or qualifications you could bring to this Board or Commission:

More than 50 years working with Burleigh Co. Schools especially
Manning Schools

If you have any special interest or reason for serving on this Board or Commission, please explain below.

Principal Occupation/Source of Income (check one)

<input checked="" type="checkbox"/> Farmer	<input type="checkbox"/> Military	<input type="checkbox"/> Investor/Retired	<input type="checkbox"/> Clerical & Sales
<input type="checkbox"/> Laborer	<input type="checkbox"/> Craftsman	<input type="checkbox"/> Business Owner	<input type="checkbox"/> Professional
<input type="checkbox"/> Government	<input type="checkbox"/> Student	<input type="checkbox"/> Other	

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:

List below the associations or institutions with which you are closely associated, or serve as a director or officer: Manning School Board

Signature: Linda Mac Donald Date: Jan 21, 2026

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Randy Strom

Address: 6730 Omar St. Bismarck ND 58504

Home Phone: _____ - Work: _____ - Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

Burleigh County Reorganization Committee

List below the skills or qualifications you could bring to this Board or Commission:

I have served on the Apple Creek School Board for 4 years

I have learned a lot about the Education System

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I support the Apple Creek School & Township.

I am also proud of our School district.

Principal Occupation/Source of Income (check one)

<input type="checkbox"/> Farmer	<input type="checkbox"/> Military	<input checked="" type="checkbox"/> Investor/Retired	<input type="checkbox"/> Clerical & Sales
<input type="checkbox"/> Laborer	<input type="checkbox"/> Craftsman	<input type="checkbox"/> Business Owner	<input type="checkbox"/> Professional
<input type="checkbox"/> Government	<input type="checkbox"/> Student	<input type="checkbox"/> Other	

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: N/A

List below the associations or institutions with which you are closely associated, or serve as a director or officer:

Currently I am on the Apple Creek School Board
and I am the Treasurer for Apple Creek Township.

Signature: Randy Strom Date: 2-5-26

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

BURLEIGH COUNTY
AUXILIARY BOARD
APPLICATION FORM

Name: Sara Pic

Address: 6312 Fox Meadow Place

Home Phone: _____ Work: _____ Cell: _____

Email: _____

Board or Commission on which you prefer to serve:

County Planning Commission or
School District Reorganization Board

List below the skills or qualifications you could bring to this Board or Commission:

Communication, Problem Solving, Relationship Building, Collaboration, Critical Thinking, Attentive to
Details, Objective, Leader

If you have any special interest or reason for serving on this Board or Commission, please explain below.

I look forward to an opportunity to participate locally to pursue collaborative objectives.

Principal Occupation/Source of Income (check one)

<input type="checkbox"/> Farmer	<input type="checkbox"/> Military	<input type="checkbox"/> Investor/Retired	<input type="checkbox"/> Clerical & Sales
<input type="checkbox"/> Laborer	<input type="checkbox"/> Craftsman	<input type="checkbox"/> Business Owner	<input checked="" type="checkbox"/> Professional
<input type="checkbox"/> Government	<input type="checkbox"/> Student	<input type="checkbox"/> Other	

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest: N/A

List below the associations or institutions with which you are closely associated, or serve as a director or officer: Pro-Cathedral of St. Mary's Finance Council Committee Member

Signature: Sara Pic Date: 12.6.2025

Please return application to: Burleigh County Auditor/Treasurer - PO Box 5518 - Bismarck ND 58506

OFFICE USE ONLY

Date Appointed by Commission _____

Term Start Date _____

Term End Date _____

Oath Returned _____

ITEM

11

Addenda item for February 16, 2026 Meeting

Action Requested

Discuss the ability of the Missouri Valley Complex Committee to request assistance from Burleigh County Staff

Description: Recently a member of the committee requested assistance from the Burleigh County Highway Department and that request was denied.

In order for this committee to complete tasks, from time to time they will need assistance. At this commission table we have had the conversation in the past and I understood that the consensus of the commission that this was approved

Action needed: I formally move that the Burleigh County Commission approve the use of County Staff as needed by the Missouri 'Valley Complex Committee.

ITEM

12



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

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Commission
Re: New OHV Ordinance
Date: 2-11-2026
From: Mitch Flanagan, Burleigh County Planning Director.
MF

ITEM 1

Proposed Ordinance

Due to public discourse and concerns brought to the Burleigh County Commission, it has been requested to create a local ordinance for the residents of this County when operating Off Highway Vehicles in a Public Right of Way.

The highlighted sections of the draft ordinance are the proposed changes to the OHV ordinance that was adopted in 2023.

Suggested Motion:

Under Consideration for a new OHV Ordinance for Burleigh County.

Attachments:

Ex. 1 OHV Ordinance _ draft 01.

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

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

SECTION 1. General Provisions

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

SECTION 2. Purpose.

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

SECTION 3. Definitions.

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

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

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

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

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

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

are declared to be unsafe and a public nuisance:

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

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

Section 5. OHV Equipment

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

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

Section 6. Operation by Persons Under Age 16.

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

Section 7. Electric Personal Assistive Mobility Device.

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

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

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

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

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

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

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

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

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

First Reading Passed: _____

Second Reading Passed: _____

Passed and adopted this _____ day of _____ 2026.

Brian Bitner , Chairperson

ATTEST:

Mark Splonskowski, County Auditor

DRAFT