

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
December 5, 2016**

MEETING CANCELLED DUE TO WEATHER

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
December 19, 2016**

5:16 P.M.

The Burleigh County Commission convened with all members present except Comm. Schonert.

Chairman Bitner called the meeting to order with the first item the approval of the minutes and vouchers.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the November meeting minutes as presented. All members present voted "AYE." Motion carried.

Chairman Bitner then reported that he reviewed the bills and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the monthly vouchers, journal vouchers, and filing fee reports as presented. All members present voted "AYE." Motion carried.

This was the hour and date set for a Public Hearing on a petition to allow a lot split of Lot 4, Towne and Country Estates. Building Official Ziegler appeared and explained that the original covenants for the subdivision prohibited lot splits for a period of fifteen years and this time has passed. Ziegler presented letters of opposition from subdivision residents Kadrmas, Grondahl, and Dyke. Chairman Bitner noted that the county has no jurisdiction on subdivision covenants.

Jack Humble, the applicant, appeared and stated he is trying to build a retirement home for his parents on his property and cannot get a building permit without the lot split. Humble stated he wants to build a "shop" building with approximately 1,500 square feet of living space.

Chairman Bitner suggested that an ordinance revision be explored to allow for "granny flats" or a second residence on a residential lot.

Harvey Kadrmas, an adjacent landowner, appeared in opposition to the requested lot split. Kadrmas stated all the lots within this subdivision are 5 acres more or less and this is the reason why he purchased and built his home in this subdivision. Kadrmas noted if this lot split is approved precedence will be set and other lots splits may follow which will completely change the subdivision and neighborhood.

As no one else present appeared Chairman Bitner closed the public hearing.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to send this item back to the Planning Commission for a review of the ordinances regarding granny flats. All members present voted "AYE." Motion carried.

Comm. Woodcox questioned if Humble could add onto his existing residence to accommodate his parent. Ziegler responded yes.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to table the Humble request until after the Planning Commission has an opportunity to review and make recommendations. All members present voted "AYE." Motion carried.

Court Administrator Wunderlich appeared regarding consideration and approval of a Court Facilities Improvement Grant. Wunderlich

stated the grant project consists of replacement of floor and wall coverings in Courtrooms 302, 303, and 304 and lighting in Courtrooms 302 and 304, along with window covering improvements in the Courthouse. Wunderlich stated the total cost of the project is \$101,594 with 75% State Court funding and 25% county funding.

Comm. Woodcox stated funds have been budgeted for the project and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the Court Facilities Improvement Grant application with the ND State Supreme Court. All members present voted "AYE." Motion carried.

Jeff Ubl, Ubl Design Group, appeared regarding the selection process for Construction Manager at Risk (CMAR) and advertisement of Request for Qualifications for CMAR for remodeling the existing detention center for the Sheriff's Dept. and State's Attorney's Offices. Ubl explained the first step in the process is to establish a selection committee comprised of an administrative individual from the County Commission, a registered architect, a registered engineer, and a licensed contractor. Ubl stated this selection committee will then advertise the Request for Qualifications, interview, and select a CMAR for the project which is estimated to cost \$9.5 million. Ubl continued that the request for qualifications will not allow the CMAR to self-perform work, but notes that the county may allow self-performance at a later date if it is in the best interest of the county.

Motion by Comm. Jones, 2nd by Comm. Peluso, to appoint Commissioner Woodcox (administrative individual from the County Commission), Jeff Ubl (registered architect), Kevin Magstadt (registered engineer), and Shannon Reichenberg (licensed contractor) as the Burleigh County CMAR Selection Committee. All members present voted "AYE." Motion carried.

Sheriff Heinert appeared and presented the Detention Center report for the month of November. Heinert noted 1,136 prisoner nights were spent outside the Burleigh County facility at a cost of \$84,600, bringing the yearly total to \$1,012,654. Heinert noted there are currently 306 individuals utilizing the 24/7 testing program on a daily basis, with 99 on the drug patch, 138 on the ankle bracelet, and 36 on two-a-day breath tests, with an additional 33 testing in other counties.

Heinert then presented a contract with Walworth County, South Dakota for prisoner housing at a rate of \$95 per day.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the prisoner housing contract with Walworth County at a rate of \$95 per day. All members present voted "AYE." Motion carried.

NDSU Extension Burleigh County 4-H Youth Development Agent Doll appeared and introduced Kelsey Sheldon, Extension Program Assistant who presented the 2016 Master Gardener/Horticulture Program report. Doll then introduced new AG and Natural Resources Agent Bruce Schmidt.

County Building Official/Director Ziegler appeared regarding continued discussion on County Planning/Zoning Commission.

Chairman Bitner stated he has reviewed ND Century Code 11-35-02 relating to the zoning of territory adjacent to cities. Bitner suggested re-forming the current County Planning Commission as the Burleigh County Zoning & Planning Commission.

Motion by Comm. Jones, 2nd by Comm. Peluso, to change the name of the Burleigh County Planning Commission to the Burleigh County Planning and Zoning Commission to include the name change on the Planning and Zoning Commission bylaws. All members present voted "AYE." Motion carried.

Emergency Manager Senger appeared regarding consideration of the renewal of the Emergency Management Joint Powers Agreement with Emmons County and a Mutual Aid Agreement with Bis-Man Transit System.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the renewal of the Joint Powers Agreement for Provision of Emergency Management Services with Emmons County. All members present voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the renewal of the Mutual Aid Agreement with Bis-Man Transit System. All members present voted "AYE." Motion carried.

The Board then considered the following auxiliary board appointments effective January 1, 2017: Burleigh County Housing Authority (1) five-year term; Burleigh County Water Resource District (2) three-year terms; Lincoln City Planning Commission (1) five-year term; Region VII Human Service Council (1) two-year term; Burleigh County Noxious Weed Control Board (1) unexpired four-year term.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to appoint Steven Sathre to a five (5) year term on the Burleigh County Housing Authority. All members present voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Peluso, to appoint Andrea Kluck to a two (2) year term on the Region VII Human Service Council. All members present voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to reappoint Dennis Reep to a three (3) year term on the Burleigh County Water Resource District. All members present voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to appoint John Trygg to a three (3) year term on the Burleigh County Water Resource District. All members present voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to appoint Cory Palm to an unexpired four (4) year term on the Burleigh County Noxious Weed Control Board ending 12/31/2017. All members present voted "AYE." Motion carried.

The abatements were presented for the Commission's consideration; a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the Scherr, Weber, Volk, Fetch, Hedstrom, Werner, Kellar, and Vetter abatements as requested. All members present voted "AYE." Motion carried.

Comm. Woodcox stated that he will not be attending the January 4, 2017, regular meeting. Woodcox continued that normally the Commission reviews and assigns portfolios at this meeting. Woodcox stated he would like to continue with the Buildings & Grounds portfolio and would accept the Chairmanship if considered. No action was taken.

On a motion made seconded and carried the Board adjourned.

Kevin J. Glatt
Burleigh County Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
November 21, 2016**

5:00 P.M.

The Burleigh County Commission convened with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the bills.

Comm. Woodcox reported that he reviewed the bills and vouchers and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the bills as presented. All members voted "AYE." Motion carried.

Greg Runge, Attorney at Law - Indigent Civil Commitment Contract attorney, appeared and presented an analysis of the 2015 involuntary commitment work. No action was taken.

Landon Niemiller, Land Development Technician Swenson, Hagen & Co., appeared regarding acceptance of right of way within and adjacent to Sandy River Place Subdivision.

Upon question County Engineer Hall appeared and stated all roadways have been constructed to current Burleigh County road standards.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to accept the right of way within and adjacent to Sandy River Place Subdivision. All members voted "AYE." Motion carried.

This was the hour and date set for a public hearing regarding a request for a lot split of Lot 2, Block 1, Haadem Subdivision. Building Official Ziegler appeared and presented the request for the lot split within Haadem Subdivision. As no one present appeared the following motion was made:

Motion by Comm. Schonert, 2nd by Comm. Jones, to close the public hearing and approve the lot split of Lot 2, Block 1, Haadem Subdivision. All members voted "AYE." Motion carried.

County Engineer Hall then presented the following results of the November 10, 2016, bid opening for two (2) new motor graders under a 5 year - total cost bid with a guaranteed repurchase price at the end of this period:

	<u>Total Sum bid</u>	<u>Less Buy Back</u>	<u>Total Bid Cost</u>
RDO Equipment Co. (672GP)	\$296,000.00	\$159,300.00	\$136,700.00
Butler Machinery Co. (12M3)	\$317,507.00	\$0.00	\$317,507.00

Hall stated the two (2) units will be replacing two units that will be turned back to the dealer at the end of the five year buy back period on March 12, 2017, with a return value of \$291,000.

Motion by Comm. Schonert, 2nd by Comm. Jones, to accept and award the low bid from RDO Equipment Co. of \$296,000.00 per motor grader (total cost \$592,000) under a 5 year - total cost bid with a guaranteed repurchase price at the end of this period. All members voted "AYE." Motion carried.

Sheriff Heinert appeared regarding the establishment of a special fund and to accept donations for the expansion and operation of the dog program. Heinert stated people are interested in donating to the program to help fund the purchase of an additional animal and provide training to expand the K-9 Patrol Program. Heinert stated the approved 2017 Sheriff's Department budget includes funds for another specially equipped vehicle for the K-9 unit.

Motion by Comm. Peluso, 2nd by Comm. Jones, to authorize the Burleigh County Sheriff to create a special fund to accept monetary donations for the purpose of expanding, operating, and managing the Sheriff's Department current "Patrol Dog" program with donations recognized by a letter from the county identifying the donation. All members voted "AYE." Motion carried.

Chairman Bitner then initiated a discussion regarding the election of Sheriff Heinert to the ND State House of Representatives. Bitner stated he has received a few contacts from concerned citizens regarding Sheriff Heinert being an elected official holding two (2) different full-time positions and receiving two (2) tax payer funded salaries. Bitner stated he can find nothing in state law to prohibit this and invited State's Attorney Riha address the issue.

State's Attorney Riha stated current ND Law prohibits a reduction in salary for an elected official during an office holder's current term.

Bitner then stated he believes Sheriff Heinert is committed to Burleigh County and to District 32. Bitner continued that he wants to assure the public that Sheriff Heinert will continue to function as the Sheriff of Burleigh County and that if there are conflicts Sheriff Heinert will be the first to stand up and let us know.

Comm. Peluso added he supports Sheriff Heinert 100%.

Roswell Henke, Burleigh County resident, appeared and encouraged the Commission to look at the Bismarck School Board policy which requires School District staff to take a leave of absence if elected to the legislature. Henke stated he thinks it would be hard for any person to hold both positions, and if Heinert is not able to do both, the taxpayers should not be charged for both salaries. No action was taken.

Chairman Bitner next initiated a discussion regarding the County Planning/Zoning Commission. Bitner stated he has reviewed ND Century Code 11-35-02 relating to the zoning of territory adjacent to cities. Bitner suggested re-forming the current County Planning Commission as the Burleigh County Zoning & Planning Commission. Bitner requested the State's Attorney review applicable statutes and this item will be rescheduled for a later meeting.

The Board then reviewed appointments to the various auxiliary boards.

Motion by Comm. Jones to appoint Dennis Reep and John Trygg to the Burleigh County Water Resource District. Motion died for lack of second.

Chairman Bitner suggested delaying any appointments to allow more time for interested persons to make applications. Auditor/Treasurer Glatt noted appointments will need to be made for the following auxiliary boards: Burleigh County Housing Authority, Region VII Human Service Council, Burleigh County Water Resource District, and Burleigh County Noxious Weed Control Board.

Motion by Comm. Schonert, 2nd by Comm. Jones, to accept the resignation of Greg Bailey from the Burleigh County Noxious Weed Control Board effective immediately. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration; a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the Wolf, Stewart, Ripplinger, Hopfauf, Walther, Bohl, Emineth, Belgarde, Ziegler and Middlestead abatements as requested and recommended; and to approve the quit claim deed for former tax sale parcel for Lots 1 to 17, inclusive, of Block 7, Lots 9 to 12, inclusive, of Block 8, Lots 1 to 10, inclusive, of Block 9, and Lots 9 to 18, inclusive, of Block 10, all in the Third Addition to the Town of Driscoll. All members voted "AYE." Motion carried.

Comm. Woodcox then reported that he has authorized the Social Service Director to lock down the Provident Building at her discretion if and when needed due to protests related to the Dakota Access Pipeline. Woodcox continued a temporary plan has been put into place allowing security from deputies when there is a threat or potential threat to county social offices and others renting space in the Provident Building until a formal lockdown plan can be drafted and approved.

Motion by Comm. Jones, 2nd by Comm. Peluso, to authorize the Social Service Director to lock down the Provident Building at her discretion when there is a threat or potential threat to county social offices and others renting space in the Provident Building until a

formal lockdown plan can be drafted and approved. All members voted "AYE." Motion carried.

On a motion made seconded and carried the Board adjourned.

Kevin J. Glatt
Burleigh County Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
November 2, 2016**

12:16 P.M.

The Burleigh County Commission convened with all members present except Comm. Schonert.

Chairman Bitner called the meeting to order with the first item of business the approval of the minutes and vouchers.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the October meeting minutes as presented. All members present voted "AYE." Motion carried.

Comm. Woodcox reported that he reviewed the vouchers and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the monthly vouchers, journal vouchers, and filing fee reports as presented. All members present voted "AYE." Motion carried.

Sheriff Heinert appeared and presented the Detention Center report for the month of October. Heinert noted that for the month of October, on average, 32 inmates per day were housed outside the Burleigh County facility at an average per day cost of \$2,419 bringing the yearly total to 12,719 nights at a total cost of \$928,054. Heinert stated there are currently 292 individuals utilizing the 24/7 testing program on a daily basis, with 93 on the drug patch, 125 on the ankle bracelet, and 42 on two-a-day breath tests.

Heinert also gave a brief construction report on the progress of the new Burleigh/Morton Detention Center noting he anticipates it to be fully operational by June 2017.

Sheriff Heinert then requested authorization to pay two (2) exempt staff for overtime spent on the DAPL Protest. Heinert noted two (2) lieutenants have worked close to 200 hours in overtime so far in Morton County in connection with the DAPL protest. Heinert continued Burleigh County is billing Morton County for the hours worked and he anticipates Burleigh County will be reimbursed for the hours. Heinert continued that he feels the exempt staff should be compensated for their time and effort. Heinert stated Lt. Nelson presently would be reimbursed for 34 hours and Lt. Hulm 150 hours.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to reimburse the two (2) exempt officers for their extended working hours in Morton County at straight time upon receipt of reimbursement from Morton County. All members present voted "AYE". Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration; a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the Moch, Kosiak, Spaedy, Erhardt, Spier, Wetzstein, Shook, Schlinger, and Wiese abatements as requested. All members present voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to approve the 2017 Commission Meeting schedule as presented with the January County Park Board meeting scheduled for January 18, 2017. All members present voted "AYE." Motion carried.

On a motion made, seconded and carried the Board adjourned.

Kevin J. Glatt
Burleigh County Auditor/Treasurer

Brian D. Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
October 17, 2016

5:00PM

The Burleigh County Commission convened with all members present.

Comm. Schonert reported that he had reviewed the monthly vouchers and recommended approval.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the bills as presented. All members voted "AYE." Motion carried.

Harvey Trapp, Tom Carlson, and Tom Holzer appeared regarding flood damage to their homes in August due to heavy rain and plugged culverts. Trapp, Carlson, and Holzer all reported extensive damage to their homes and property blaming the Highway Dept. for not responding in an adequate and timely manner. Carlson stated his impression is that the box timber culvert was more important than their homes. Carlson added the old style box culvert should be replaced.

County Engineer Hall appeared and stated the Highway Dept. did nothing wrong. Hall noted this was a 5" rain event in a very short period of time. Hall continued the culvert(s) was plugged due to recently cut hay that was washed into the culvert(s). Hall continued certain equipment requested by the homeowners was on a job site which was inaccessible due to the rain event. Hall concluded the box timber culvert meets current design standards noting state code establishes culvert sizes. Upon question Hall stated if a new culvert was installed it would be the same size.

Chairman Bitner concluded the discussion by stating the county would work to replace the existing box timber culvert this year.

County Engineer Hall then presented the following items for the Board's consideration: road maintenance agreements with the organized and unorganized townships; and, a Developer's Waiver Request related to roads and access into a proposed development in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Hay Creek Township.

The County Commission recessed to immediately sit as the respective Burnt Creek, Riverview, Ft. Rice, Lincoln, Phoenix, and Lyman Unorganized Township Boards of Supervisors for the following motion:

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve as individual Township Boards for Burnt Creek, Riverview, Ft. Rice, Lincoln, Phoenix, and Lyman Unorganized Townships, the road maintenance agreements with the County, assigning the roles and responsibility for maintaining township roads within each respective township. All members voted "AYE." Motion carried.

The Unorganized Township Boards of Supervisors adjourned and the County Commission immediately reconvened with all members present.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the Road Maintenance Agreements between the County of Burleigh and the organized and unorganized townships assigning the roles and responsibilities for maintaining township roads within Burleigh County. All members voted "AYE." Motion carried.

Hall then presented a Developer's Waiver Request related to roads and access into a proposed development in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Hay Creek Township (T139N, R81W). Hall stated an individual is purchasing one (1) fourteen (14) acre parcel and an adjoining forty (40) acre parcel with the intention of constructing a single family residence on the parcels. Hall continued the purchaser has been advised by the City Planning Dept. that to get a building permit the property needs to be formally platted. Hall stated that to meet zoning requirements a paved access road will need to be constructed. Hall continued the purchaser is seeking a waiver of the paving requirement as only a single family residence will be constructed and thus creating limited additional traffic.

Comm. Jones noted the City Planning Dept. and Hay Creek Township oppose this request.

Chairman Bitner stated he could support the waiver for only a single family residence on the entire fifty-four (54) acres.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the Developer's Waiver Request related to roads and access into a proposed development in the SW¼NW ¼, Section 24, Hay Creek Township (T139N, R81W) subject to a limit of only one (1) single family residence on the combined fifty-four (54) acre parcel. All members voted "AYE", except Comm. Jones "NAY." Motion carried.

Burleigh Sheriff Heinert appeared with the following items for the Board's consideration: Mutual Aid Agreement with the City of Bismarck for public safety services during emergency situations; and, contract with ND Dept. of Transportation for law enforcement services (overtime) for Traffic Safety Programs in the amount of \$ 22,406.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the Mutual Aid Agreement Memorandum of Understanding between the Burleigh County Sheriff's Department and the Bismarck City Police Department to effectively respond and provide public safety services during emergency situations. All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the acceptance of a ND Department of Transportation Grant (Contract No. 12161892, four projects) in the amount of \$22,406 for 2016/2017 for occupant protection, impaired driver, underage drinking, and distracted driving enforcement. All members voted "AYE". Motion carried.

Mike Manstrom, Dougherty & Co., appeared regarding results of the bond sale for financing of SAD#59 Spiritwood Estates Subdivision and approval of bond resolutions. Manstrom presented the results of the \$540,000 bond sale held today noting a net interest rate of 2.15% along with resolutions to authorize the creation of the fund for Special Assessment District #59 Spiritwood Estates Subdivision and for the issuance of \$540,000 Refunding Improvement Bonds for Special Assessment District #59.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to authorize the creation of the fund for Special Assessment District #59 Spiritwood Estates Subdivision providing for and appropriating special assessments for the support and maintenance of said fund, and authorizing the issuance of improvement warrants for the same. All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to authorize the issuance of \$540,000 Refunding Improvement Bonds for Special Assessment District #59 Spiritwood Estates Subdivision. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented a resolution authorizing the reimbursement of expenses for Special Assessment District #60 High Plains Country Estates and High Plains Country Estates 2nd Subdivisions.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve and adopt a resolution authorizing the reimbursement of expenses for Special Assessment District #60. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the Hornbacher, Dirk, Fogel M., Fogel J., Diede, and Tosseth abatements as requested; to approve the bingo permit application of the Sterling School Teachers Parents Association; and to approve the Lost Instrument Surety Bond to replace check # 99847 (\$17.25). All members voted "AYE". Motion carried.

HR Director Terras appeared and requested authorization to change Life Insurance Providers for Burleigh County employees from Mutual of Omaha to Unum. Terras stated upon receipt of a notice of increased rates from Mutual of Omaha she solicited bids from other companies and received a bid from Unum Life Insurance Company of America which will save the county and estimated \$8,000 per year. Terras recommended authorization to change to Unum effective January of 2017.

Motion by Comm. Peluso, 2nd by Comm. Jones, to authorize the change of life insurance providers from Mutual of Omaha to Unum Life Insurance Company of America effective 1/1/2017. All members voted "AYE." Motion carried.

Social Service Director Osadchuk appeared and stated she was recently notified that the ND Dept. of Health is transferring the cost of a children's cardiac care program to Burleigh County Social Services. Osadchuk continued she received news of the transfer from the Cass County Social Service Dept. and is concerned about the impact this change will have on the county budget. Osadchuk reported Burleigh County and Cass County Social Service Dept. officials have organized a phone conference for next Tuesday with the Department of Human Services to discuss and try and resolve the issue. Osadchuk urged Commissioners to join the conference call. No action was taken.

Chairman Bitner then stated he is requesting the Legislature to consider legislation allowing electors within a city extraterritorial area to be able to vote for that city's elected officials (mayor, commission, council member, etc.) and encouraged others to do the same.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
October 3, 2016**

5:11 P.M.

The Burleigh County Commission convened a regular meeting with all members present except Comm. Woodcox.

Chairman Bitner called the meeting to order with the first item of business the approval of the monthly minutes and vouchers.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the September meeting minutes as presented. All members present voted "AYE." Motion carried.

Comm. Schonert reported that he had reviewed the monthly vouchers and recommended approval.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve payment of the monthly vouchers, journal vouchers, and filing fee reports as presented. All members present voted "AYE." Motion carried.

County Engineer Hall appeared with the following items for the Board's consideration: consideration of the 2017 Highway Department fee schedule; authorize the advertisement of bids for two (2) new motor graders; and, acceptance of right of way within and adjacent to Woodland 3rd Subdivision.

Hall presented information regarding the proposed 2017 Highway Department fee schedule. Hall stated in 2015 the Highway Department started a new fee schedule for Township Road Maintenance agreements with the goal at that time to collect at least 25% of the actual cost of services for the prior three year average expense. Hall continued that during this year's budget discussions, the Commission advised the Highway Department to increase the goal to at least 50% of the actual cost of services. Hall stated with this in mind, the Highway Department is proposing increases between 10% and 50% to the annual fees charged in the Township Road Maintenance Agreement in order to bring the fees collected to at least 50% of the actual cost of services based on an average of the previous three (3) years. Hall stated he is also proposing minor changes in equipment rates with the resultant increases/decreases bringing the Highway Department into compliance with ND state law.

Terry Thomsen, Tom Dutton, Barb Knudson, Randy Klucksdahl, Dwight Reuther, Wayne Rogstad, Verne Whitman, and Ryan Kumerow appeared and stated they were not in favor of the increase as it will create a hardship on most of the Burleigh County townships.

Comm. Schonert stated Burleigh County has been very generous to the Burleigh County Townships over the years and adding some counties do not provide maintenance of township roads.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to approve and adopt the following 2017 Highway Department fee schedule as follows:

<u><i>If your township 3 year average Fee to Cost ratio is:</i></u>	<u><i>Fee Increase:</i></u>
<i>Less than 30%</i>	<i>40%</i>
<i>Greater than 30% - less than 40%</i>	<i>30%</i>
<i>Greater than 40% - less than 45%</i>	<i>20%</i>
<i>Greater than 45% - less than 50%</i>	<i>10%</i>
<i>Greater than 50%</i>	<i>0%</i>

All members present voted "AYE". Motion carried.

Hall next requested authorization to advertise for bids for two (2) new motor graders as approved in the 2017 budget. Hall stated the motor graders would be purchased under a five (5) year – total cost bid with a guaranteed repurchase price at the end of the period.

Motion by Comm. Jones, 2nd by Comm. Schonert, to authorize the advertisement of bids for the purchase of two (2) new motor graders under a five (5) year total cost bid with a guaranteed repurchase price at the end of the period. All members present voted "AYE". Motion carried.

Hall presented the acceptance of right-of-way for Lot 1, Block 1, Woodland Third Subdivision, Burleigh County.

Motion by Comm. Schonert, 2nd by Comm. Jones, to accept the road right of way within and adjacent to Woodland Third Subdivision. All members present voted "AYE". Motion carried.

Sheriff Heinert appeared and presented the Detention report for the month of September. Heinert noted that for the month of September 1,282 prisoner nights were spent outside the Burleigh County facility at a cost of \$93,575 bringing the yearly total to 11,716 "outside nights" at a total cost of \$853,059. Heinert stated there are currently 283 individuals utilizing the 24/7 testing program on a daily basis, with 96 on the drug patch, 121 on the ankle bracelet, and 38 on two-a-day breath tests. Heinert noted another 28 people testing in other counties.

Kelvin Hullet, Bank of ND, appeared and presented information regarding Bank of ND economic development programming. No action was taken.

The abatements were presented for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the Kessler, Olson, Hornbacher, Dirk and Ruff abatements as requested; to approve the second approach application of Jon Proesch (Lot 16, Block 4, The Ranch Subdivision); and to authorize the cancellation of all outstanding checks written prior to July 2015 with funds sent to the Unclaimed Property Division at the State Land Dept. All members present voted "AYE." Motion carried.

On motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
SEPTEMBER 22, 2016**

5:00 P.M.

The Burleigh County Commission convened with all members present. Chairman Bitner attended via telephone.

Vice-Chairman Woodcox called the meeting to order with the first item of business the approval of the bills.

Comm. Peluso reported that he had reviewed the monthly vouchers and recommended approval.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve payment of the bills. All members voted "AYE." Motion carried.

Kim Osadchuk, Social Services Director, appeared regarding renewal of the Supplemental Nutrition Assistance Program (SNAP) agreement with the ND Department of Human Services. Osadchuk explained SNAP offers nutrition assistance to low-income individuals and families.

Motion by Comm. Schonert, 2nd by Comm. Jones to approve renewal of the Supplemental Nutrition Assistance Program (SNAP) agreement with the ND Department of Human Services. All members voted "AYE." Motion carried.

Jeff Ubl, Ubl Design Group, appeared and presented information regarding the remodeling of the existing jail. Ubl noted this concept was previously approved as part of the new Burleigh Morton Detention Center. Ubl noted a space needs study has been completed with the Sheriff's Dept. to occupy the basement, 1st and 2nd floors and the State's Attorney's Office to occupy the 3rd & 4th floors. Ubl stated the preliminary estimated cost for the remodeling project is \$9.7Million which has now been updated to \$9,483,525.

Motion by Comm. Jones, 2nd by Comm. Peluso, to accept the space needs report as prepared by Ubl Design Group and to move forward on the renovation of the current jail facility, to include the preparation of detailed drawings for bidding the project, as presented by Jeff Ubl, Ubl Design Group. All members voted "AYE." Motion carried.

Comm. Woodcox reported that last week a meeting was held with Ubl, Sheriff Heinert and State's Attorney Riha where a review was conducted of the various methods for public improvement bidding and contracts. Woodcox asked Ubl to explain the various project bidding methods.

Ubl then presented an overview of the differences between the design bid build, Construction Manager at Risk, and Construction Manager options for construction of public facilities as per ND Statute. Ubl noted the Bismarck Public School District, University of Mary, and Bismarck State College have all recently successfully utilized construction manager at risk. Upon question Ubl explained the process for the selection of a construction manager at risk as detailed in statute. Ubl stated if the Commission approves the construction manager at risk delivery method he will appear at the next meeting and present information and recommendation regarding the selection process and committee.

Ubl then presented his fee proposal for architectural services for this project. Ubl stated the current contract is for the space needs study only. Ubl continued his fee for the space needs services is approximately \$18,000 under the \$38,920 contract amount. Ubl suggested an amendment to the existing contract to provide full design services including all engineering fees at an hourly rate not to exceed \$659,000.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve an amendment to the architectural services contract with Ubl Design Group with a maximum fee of \$659,000, on an hourly basis, for all architectural and all engineering services related to the renovation of the current jail facility. All members voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, that the Board of Burleigh County Commissioners does hereby find that it is in the best interest of the public to utilize the construction manager at risk public improvement delivery method for the demolition and remodel of the current Burleigh County Detention Center; that it is required that construction manager at-risk planning and design phase services will not duplicate services normally provided by an architect or engineer; and further it is required that the construction manager at-risk construction services will not duplicate services normally provided by an architect or engineer. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt then presented recommendations for the minimum sale prices for the annual delinquent property tax sale.

Motion by Comm. Schonert, 2nd by Comm. Bitner, to approve and establish the minimum sale prices for the annual delinquent property tax sale as presented. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the Herdebu, Wilhelm, Haag and Axtman abatements as requested and to approve the Lost Instrument Surety Bond to replace checks 103245 (\$335.52); 103915 (\$363.48); 104601 (\$167.76). All members voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to authorize Burleigh County Extension Agent Doll to appoint the Burleigh County Commission delegates to the ND State Fair Association Annual Meeting. All members voted "AYE." Motion carried.

5:44 P.M. On a motion made, seconded, and carried the Board recessed until 6:00PM.

6:00 P.M.

The Burleigh County Commission reconvened with all members present. Chairman Bitner attended via telephone.

This was the hour and date set for the continued PUBLIC HEARING regarding the proposed budget as published and adoption of the final budget for the year ending December 31, 2017.

Vice Chairman Woodcox called County Finance Director Thompson to summarize the previous actions of the County Commission related to the 2017 budget.

Vice-Chairman Woodcox opened the PUBLIC HEARING and invited public testimony and comment on the 2017 budget.

No one present appeared and the County Commission then recessed and immediately sat as the Township Boards for each unorganized township for the following motion:

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve and authorize the maximum mill levies for the Unorganized Townships of Lincoln, Burnt Creek, Riverview, Ft. Rice, Lyman, and Phoenix. All members voted "AYE". Motion carried.

Motion by Comm. Jones, 2nd by Comm. Bitner, to approve and adopt the final 2017 Burleigh County budget and appropriate mill levies as per the preliminary budget adopted, published and amended. All members voted "AYE". Motion carried.

The Board then considered approval of the Agreements for the Joint Exercise of Governmental Powers with the City of Bismarck relating to contracts for Nursing & Public Health Services and the Police Youth Bureau.

Motion by Comm. Bitner, 2nd by Comm. Jones, to approve the Agreements for the Joint Exercise of Governmental Powers with the City of Bismarck relating to contracts for Nursing & Public Health Services and the Police Youth Bureau. All members voted "AYE". Motion carried.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the contract with Centre, Inc., for Community Service & Misdemeanor Probation services funding. All members voted "AYE". Motion carried.

Motion by Comm. Jones, 2nd by Comm. Bitner, to approve the contract with Mountain Plains Youth Services (Youthworks) for the provision of Attendant Care and Emergency Shelter Care Services funding. All members voted "AYE". Motion carried.

On a motion made, seconded and carried, the Board adjourned.

FINAL BUDGET OF BURLEIGH COUNTY
NORTH DAKOTA
CALENDAR YEAR BEGINNING JANUARY 1, 2017

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA

I, Kevin J. Glatt, County Auditor, do hereby respectfully submit to the Board of County Commissioners, the Final Budget for the twelve month period beginning January 1, 2017 and ending December 31, 2017. This budget was studied and examined by the Board of County Commissioners and changes made as deemed necessary. Upon a motion made, seconded and carried, the budget was ordered published after the recommended changes were made.

TO THE TAXPAYERS OF BURLEIGH COUNTY, NORTH DAKOTA

We, the Board of County Commissioners of Burleigh County, North Dakota, hereby give notice that we have examined into the several budget estimates filed by the several officers, institutions or undertakings, supported wholly or in part by Burleigh County, and from such examination in our opinion for the calendar year beginning January 1, 2017 the following amounts are necessary:

FINAL BUDGET

County Board.....	\$ 395,466
Juvenile Court.....	211,000
County Auditor/Treasurer/Tax Equalization.....	1,156,680
States Attorney.....	2,133,313
County Recorder.....	364,820
Superintendent of Schools.....	67,000
Public Administrator.....	6,300
Courthouse, Buildings & Grounds.....	521,825
Elections.....	32,000
Utilities.....	124,000
Printing, Publishing and Supplies.....	30,000
Telephone and Postage.....	102,000
Technology.....	93,785
Audit Fees.....	19,500
Human Resources.....	513,962
Liability and Property Insurance.....	117,000
County Planning.....	294,607
County Sheriff.....	6,421,216
County Detention Center.....	7,442,479
Emergency Management.....	275,650
Ambulance Services.....	1,500
Police Youth Bureau.....	66,144
Public Health Nurse.....	185,640
Advertising.....	93,801
Steckel Boat Ramp.....	26,200
Kimball Bottoms Boat Ramp.....	29,500
Kniefel Boat Ramp.....	22,100
Mitchell Lake.....	7,000
Driscoll Sibley Park.....	3,300
City Recreation.....	238,000
McLean Boat Ramp.....	21,900
Swenson Park.....	6,500
Communications Center.....	472,290
Transfer Out.....	342,600
GENERAL FUND BUDGET.....	\$21,839,078

Appropriation for General Government	\$21,839,078	
Plus: Delinquent Taxes & Interim Fund	7,500,722	
Less: Resources	<u>(16,393,790)</u>	
Balance to be levied (27.37 Mills)		\$12,946,010

Appropriation for Unorganized Townships	1,151,000	
Plus: Delinquent Taxes	29,315	
Less: Resources	<u>(594,015)</u>	
Balance to be levied		586,300

Appropriation for County Road & Bridge	11,805,313	
Plus: Delinquent Taxes	23,650	
Less: Resources	<u>(11,355,963)</u>	
Balance to be levied (1.00 Mill)		473,000

Appropriation for Highway Tax Distribution	6,460,000	
Less: Resources	<u>(6,460,000)</u>	
Balance to be levied		- 0 -

Appropriation for Social Welfare		7,908,620
Plus: Delinquent Taxes & Interim Fund	2,244,438	
Less: Resources	<u>(4,807,392)</u>	

	Balance to be levied (11.30 Mills)		5,345,666
Appropriation for Job Development		100,000	
Plus: Delinquent Taxes	4,525		
Less: Resources		<u>(14,021)</u>	
Balance to be levied (.19 Mill)			90,504
Appropriation for Library		303,225	
Plus: Delinquent Taxes		12,800	
Less: Resources		<u>(60,025)</u>	
Balance to be levied (2.12 Mills)			256,000
Appropriation for Liability Insurance		51,000	
Less: Resources		<u>(51,000)</u>	
Balance to be levied			- 0 -
Appropriation for Special Assessments	28,000		
Plus: Interim Fund		7,000	
Less: Resources		<u>(35,000)</u>	
Balance to be levied			- 0 -
Appropriation for Senior Citizens		865,180	
Plus: Delinquent Taxes & Interim Fund		555,502	
Less: Resources		<u>(947,682)</u>	
Balance to be levied (1.00 Mill)			473,000
Appropriation for Detention Commissary		46,000	
Less: Resources		<u>(46,000)</u>	
Balance to be levied			- 0 -
Appropriation for Sobriety 24/7 Program	124,500		
Less: Resources		<u>(124,500)</u>	
Balance to be levied			- 0 -
Appropriation for Communication Center		2,326,000	
Less: Resources		<u>(2,326,000)</u>	
Balance to be levied			- 0 -
Appropriation for Victim/Witness Assistance		270,067	
Less: Resources		<u>(270,067)</u>	
Balance to be levied			- 0 -
Appropriation for Emergency Fund		1,350,000	
Less: Resources		<u>(1,350,000)</u>	
Balance to be levied			- 0 -
Appropriation for Veterans Service		348,683	
Plus: Delinquent Taxes & Interim Fund	103,368		
Less: Resources		<u>(128,110)</u>	
Balance to be levied (.69 Mill)			323,941
Appropriation for Provident Life Bldg.		1,527,354	Less: Resources
Balance to be levied	<u>(1,527,354)</u>		
		- 0 -	
Appropriation for Social Security		356,000	
Less: Resources		<u>(356,000)</u>	

Balance to be levied			- 0 -
Appropriation for Advertising		16,000	
Less: Resources		<u>(16,000)</u>	
Balance to be levied			- 0 -
Appropriation for County Agent		418,270	
Plus: Delinquent Taxes & Interim Fund		126,624	
Less: Resources		<u>(103,766)</u>	
Balance to be levied (.93 Mill)			441,128
Appropriation for Comprehensive Health Insurance		367,000	
Less: Resources		<u>(367,000)</u>	
Balance to be levied			- 0 -
Appropriation for Weed Board	385,801		
Plus: Delinquent Taxes & Interim Fund	109,244		
Less: Resources		<u>(313,922)</u>	
Balance to be levied (1.50 Mills)			181,123
Appropriation for Water Resource District	4,728,400		
Plus: Delinquent Taxes	35,475		
Less: Resources		<u>(4,054,375)</u>	
Balance to be levied (1.50 Mills)			709,500

Appropriation for County Park		2,850	
Plus: Interim Fund		621,273	
Less: Resources		<u>(624,123)</u>	
Balance to be levied			- 0 -
Appropriation for County Fair	7,798,900		
Less: Resources		<u>(7,798,900)</u>	
Balance to be levied			- 0 -
Appropriation for County Jail Maintenance and Construction	30,000,000		
Less: Resources		<u>(30,000,000)</u>	
Balance to be levied			- 0 -
Appropriation for County Parks and Recreational Areas		300	
Less: Resources		<u>(300)</u>	
Balance to be levied			- 0 -
Appropriation for Parking		56,000	
Less: Resources		<u>(56,000)</u>	
Balance to be levied			- 0 -
Appropriation for Abandoned Cemeteries		7,800	
Less: Resources		<u>(7,800)</u>	
Balance to be levied			- 0 -
Appropriation for Preservation Fund		95,125	
Less: Resources	<u>(95,125)</u>		
Balance to be levied			- 0 -
Appropriation for Sheriff Drug Asset Forfeiture Fund		28,000	
Less: Resources	<u>(28,000)</u>		
Balance to be levied			- 0 -
Appropriation for States Attorney Forfeiture Fund		10,000	
Less: Resources	<u>(10,000)</u>		
Balance to be levied			- 0 -
Appropriation for Hazardous Chemicals	5,000		
Less: Resources	<u>(5,000)</u>		
Balance to be levied			- 0 -
Appropriation for Rural Special Assessments		459,800	
Less: Resources		<u>(459,800)</u>	

Balance to be levied

- 0 -

TOTAL LEVIES ALL FUNDS

\$21,826,172

The adopted budget is available for public inspection on weekdays at the Burleigh County Auditor's Office, 221 North 5th Street, Bismarck, North Dakota between 8:00 AM and 5:00 PM.

Adopted the 22nd day of September, 2016
BY THE BURLEIGH COUNTY BOARD OF COMMISSIONERS

Kevin J. Glatt
Burleigh County Auditor/Treasurer

Brian D Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
September 7, 2016

5:06 P.M.

The Burleigh County Commission convened a regular meeting with all members present except Comm. Jones.

Chairman Bitner called the meeting to order with the first item of business the approval of the monthly minutes and vouchers.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to approve the August meeting minutes as presented. All members present voted "AYE." Motion carried.

Comm. Peluso reported that he had reviewed the monthly vouchers and recommended approval.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to approve payment of the monthly vouchers, journal vouchers, and filing fee reports as presented. All members present voted "AYE." Motion carried.

This was the hour and date set for a public hearing regarding Special Assessment District #58 Skyline Estates Subdivision.

Auditor/Treasurer Glatt explained the process stating the purpose of the hearing is not to discuss costs but how costs are assessed. Glatt reported assessments are spread equally among the benefited properties pursuant to the submitted petition. Glatt also stated the average cost for Special Assessment District #58 will be \$1,292 per year for eleven (11) years at 3.51 percent interest.

Chairman Bitner opened the public hearing and called for public testimony. As no one present appeared, the following motion was made:

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to close the public hearing and to approve, confirm, and certify the Special Assessment List for Skyline Estates Subdivision, S.A.D. #58, as recommended by the Special Assessment Commission. All members present voted "AYE". Motion carried.

Eric Delzer, Central Dakota Frontier Cooperative, appeared regarding consideration of an anhydrous ammonia facility license for Central Dakota Frontier Cooperative (formally known as Alliance Ag).

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve the facility license to Central Dakota Frontier Cooperative. All members present voted "AYE". Motion carried.

County Engineer Hall appeared with the following items for the Board's consideration: acceptance of right of way within and adjacent to Koch Creek Commercial Subdivision; acceptance of the Special Assessment Screening Committee report for SAD#60 High Plains Country Estates Subdivisions including an authorization to call for a public hearing; and consideration of petitioners waiver request regarding the special assessment process for Metro Industrial Park Subdivision.

Hall presented a request for the acceptance of right of way within and adjacent to Koch Creek Commercial Subdivision. Hall recommended denial of the request to accept the right of way as the subject roadways have not been completed. Hall noted the April 4, 2016, action of this Board to approve the temporary waiver request of Central Power Electric Cooperative and Mike Koch to delay construction and paving of a portion of William's Way off of 71st Ave NW until after the new proposed substation (Lot 1, Block 1, Koch Creek Commercial Subdivision) construction is complete.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to table the final plat acceptance for Koch Creek Commercial Subdivision. All members present voted "AYE". Motion carried.

Auditor/Treasurer Glatt stated the final plat has already been approved by the City of Bismarck as the property is within the City of Bismarck extraterritorial zoning authority.

Comm. Schonert withdrew his motion with Comm. Woodcox concurring.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to accept the right of way within and adjacent to Koch Creek Commercial Subdivision. All members present voted "AYE". Motion carried.

Hall then presented the Special Assessment Screening Committee report regarding High Plains Country Estates and High Plains Country Estates 2nd Subdivisions, SAD #60. Hall stated the Screening Committee met on August 31, 2016, and considered the petition, the feasibility of the project, and the predictability of solvency of the district. Hall reported the Screening Committee recommended the Board of Commissioners accept the Engineering Report and Petition for Paving Improvements for High Plains Country Estates and High Plains Country Estates 2nd Subdivisions and create a special assessment district by adopting a resolution of necessity.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to accept the Preliminary Engineer's report to create Special Assessment District #60, and to declare a Resolution of Necessity for Special Assessment District #60 High Plains Country Estates and High Plains Country Estates 2nd Subdivisions and to authorize the call for a public hearing regarding the same. All members present voted "AYE". Motion carried.

Hall next presented a request to waive the requirement to obtain petitions (signatures) from at least 60% of the landowners for the creation of a special assessment district. Hall stated under current policy a petitioner requesting the creation of a special assessment district for the improvement of roadways within a given subdivision is required to present a petition that contains sixty percent or more of the landowners. Hall noted the landowners within Metro Industrial Park Subdivision have presented a petition that contains the signatures from 51.1% of the benefited properties and have stated they are not able to obtain more. Hall stated the petitioners are requesting the County Board to waive the 60% requirement or proceed with the establishment of a roadway improvement district by resolution; or further, to allow them to create a special assessment district that contains only a part of Metro Industrial Park Subdivision.

Motion by Comm. Schonert, 2nd by Comm. Woodcox to deny the petitioners' waiver request regarding the special assessment process for Metro Industrial Park Subdivision and to notify the petitioners that the County Commission is willing to consider creation of a special assessment district that contains only part of Metro Industrial Park Subdivision. All members present voted "AYE". Motion carried.

Sheriff Heinert appeared and presented the Detention report for the month of August. Heinert noted that for the month of August, 1495 prisoner nights were spent outside the Burleigh County facility at a cost of \$111,717 bringing the yearly total to 10,434 "outside nights" at a total cost of \$759,484. Heinert stated there are currently 289 individuals utilizing the 24/7 testing program on a daily basis, with 100 on the drug patch, 122 on the ankle bracelet, 35 on two-a-day breath tests, and 32 testing in other counties.

Jeff Ubl, Ubl Design Group, appeared and presented information regarding the remodeling of the existing jail. Ubl noted this was approved previously as part of the new Burleigh Morton Detention Center. Ubl noted a space needs study has been completed with the Sheriff's Dept. to occupy the basement, 1st, and 2nd floors, and the State's Attorney's Office to occupy the 3rd & 4th floors. Ubl stated the preliminary estimated cost for the remodeling project is \$9.7Million.

Comm. Woodcox stated all the remodeling work in the existing jail will be paid for using sales tax revenue. Woodcox continued that the State Court will then occupy the current State's Attorney's Offices with the State Court assuming the cost of remodeling those areas. No action was taken.

Auditor/Treasurer Glatt presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to approve the Swennes, Heil, Keller and Trottier abatements as requested; and to approve the 2nd approach permit applications of Whispering Pines LLP (600 SE 48th Ave.), Michael and Pamela Hoffman (3112 Boundary Rd.) and Jesse McEvers and Tracy Mitzel (800 Parker Ranch Rd.). All members present voted "AYE." Motion carried.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
August 22, 2016

12:00 Noon

The Burleigh County Commission convened a special meeting with all members present.

Chairman Bitner opened the meeting with the only items of discussion related to the 2017 preliminary budget.

Brent Ekstrom, Executive Director Lewis & Clark Regional Development Council (LCRDC), appeared regarding membership benefits and dues for the LCRDC.

McLean County Commissioner Steve Lee, Chairman of the LCRDC, appeared and stated he believes membership in the LCRDC is a very good investment.

State District 30 Representative Diane Larson appeared in support of funding for the Fox Island flood protection project.

Comm. Woodcox stated the County Commission is committed to funding the project and the only real discussion is whether to spread the \$920,000 funding commitment over a period of years or pay the entire amount in 2017.

Finance Director Thompson appeared and presented a synopsis of preliminary budget action taken at the August 17, 2016, meeting. Thompson noted that the county portion of the taxes on a house now valued at \$244,413 is up \$22.40 from last year or 4%. Thompson stated that a 0% mill levy increase would require the reduction of spending or increase revenues sources by \$850,000 or 1.8 mills.

Comm. Woodcox questioned how much revenue would be generated if township road maintenance fees were increased from 25% to 50%. County Engineer Hall responded if the fees were increased to 100% of costs the revenue earned would be approximately \$800,000. Comm. Schonert stated an increase in the township road maintenance fees does not have an effect on mill levies. Schonert continued that the Highway Dept. can operate without the .75 mill increase approved at the last meeting. Engineer Hall explained that the mill levy reduction can be accomplished by delaying the purchase and replacement of two (2) of the motor graders as initially planned.

Comm. Woodcox stated he thinks the townships should provide more than 25% of the cost of their road maintenance and every dollar of income from the township maintenance agreements is less money needed to be levied in the future. Comm. Schonert agreed adding that a plan needs to be developed and discussed with the townships.

Comm. Woodcox then reiterated that it was never the intent of the County Commission to back out of the funding commitment for the Fox Island flood protection project. Woodcox stated there is no need to budget the entire \$920,000 in 2017 as the Water Resource District will be selling bonds for the project and we can spread our contribution over ten (10) years at 3% interest and harm no one by doing this. Woodcox added this is the easiest solution. Greg Larson, Burleigh County Water Resource District Manager, appeared and noted the commitment can be spread out over a period time.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to budget \$100,000 for the 2017 payment for the Fox Island Flood Protection Project. All members voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to eliminate the Jail Maintenance & Construction levy for 2017.

Sheriff Heinert appeared and stated this levy will not be needed for the next two (2) years. Comm. Woodcox suggested levying .25 mills for 2017.

Vote on Motion: All members voted "AYE." Motion carried.

Chairman Bitner noted a recent State's Attorney email regarding the county fair fund balance.

Motion by Comm. Jones, 2nd by Comm. Schonert, to transfer the county fair fund balance to the general fund. All members voted "AYE." Motion carried.

Comm. Schonert then requested revisiting employee salaries and benefits. Schonert stated he supports the 1.5% across the board salary increase as recommended by the county department heads.

Comm. Peluso stated he did not have a problem with the 1.5% salary increase but thinks it there should be a dollar amount that is split equally between each employee. Peluso noted he is concerned about the employees at the bottom of the pay scale.

Motion by Comm. Peluso, 2nd by Comm. Jones, to provide each full time permanent employee a \$1,000 salary increase effective January 1, 2017.

HR Director Terras appeared and stated such a salary increase would be very difficult to administer under our present compensation plan and would not extend to part-time or returning temporary employees.

Vote on Motion: All members voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to move all returning temporary employees up one (1) step in the compensation plan effective January 1, 2017, thereby increase salaries an average of 2.5%.

Vote on Motion: All members voted "NAY." Motion failed.

Recorder Kroshus appeared regarding the approved motion to provide each full time permanent employee a \$1,000 salary increase effective January 1, 2017. Kroshus noted this motion will be very difficult to administer under the current compensation plan. Kroshus added it is more equitable to all employees, full-time, part-time, and temporary to stick with the 1.5% across the board salary increase as recommended by the county department heads.

State's Attorney Richard Riha appeared and stated the Commission adopted the current compensation plan and to authorize a \$1,000 salary increase creates many, many compensation issues.

Comm. Peluso then suggested providing a salary step increase for all employees.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to rescind the motion providing a \$1,000 salary increase for all permanent full time employees and to authorize a 1.5% salary increase for all employees. All members voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve and adopt the Burleigh County 2017 Preliminary Budget as amended and to call for a public hearing on the budget on September 22, 2016. All members voted "AYE". Motion carried.

On motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
August 17, 2016**

8:30 A.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the bills.

Comm. Jones stated she had reviewed the bills and recommended approval.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the bills as submitted. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Board's consideration:

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the Nelson, Radke/Glasser, Kuhn, and Nygaard abatements as presented; to approve the second approach permit application of Dustin and Nicolle Grant; to approve the SE Liquor License application of the Burnt Creek Club (August 18, 2016); and to approve the lost instrument surety bond to replace check #100429 (\$65). All members voted "AYE." Motion carried.

Finance Director Thompson appeared and presented an overview of the submitted 2017 budgets and preliminary mill levies. Thompson stated the estimated taxable valuation for 2016 is \$473,000,000, an increase of 8% from 2015. Thompson continued the estimated value of one mill is \$473,000 for 2016 up from \$438,023 in 2015. Thompson stated based on last year's mill levy this would equal approximately \$822,000 in new taxes.

Thompson continued the submitted budgets for 2017 (reflecting proposed salary, retirement and health insurance increases) would require a property tax levy of \$23,072,360, a 9.9% or \$2,076,846 increase from the 2016 adopted budget of \$20,995,514. Thompson stated the estimated levy required to fund the 2017 preliminary budget is 52.75 mills, a 1.86 mill increase from the current 50.89 mills. Thompson noted the adoption of the Governor's Property Tax Reform Bill by the 64th Legislature combined several levies into the general fund. Thompson highlighted the decrease in State Aid Distribution revenues (\$1.1Million in each of 2016 and 2017) and the decrease in the Highway Gas Tax Distribution of \$1.4Million. Thompson noted the submitted budgets project a \$1.2Million budget deficit with the projected ending fund balance (12/31/17) in the General Fund at \$7Million or 31% of budgeted expenses. Thompson concluded that the county portion of the taxes on a house that is now valued at \$254,532 (4.14% average increase) is up \$42.44 from last year.

The Board then conducted a review of the budget requests for the various departments and funds with several elected officials and department heads present.

Auditor/Treasurer Glatt presented the 2017 Auditor/Treasurer/Tax Equalization and budget requests.

State's Attorney Richard Riha appeared and briefly explained the proposed State's Attorney budget.

Comm. Woodcox noted the request for a new employee (legal secretary) in the Victim Witness will be funded 50% from grant funding.

Victim Witness Advocate Wanner appeared and presented the proposed 2017 Victim Witness Advocate budget noting the request for a new legal assistant position.

Recorder Kroshus appeared and presented the Recorder's Office budget.

Comm. Woodcox briefly explained the Courthouse Building and Grounds and Provident Building budgets. Woodcox stated the building maintenance line item in the Courthouse budget includes \$15,000 for new LED lights in a courtroom.

HR Director Terras appeared and presented the HR Department budget.

Building Official-Director Ray Ziegler appeared and explained the proposed Planning/Zoning budget.

Sheriff Heinert appeared and presented the Sheriff and Detention Center budgets noting a grant and private funding have been secured for a second canine unit. Heinert continued the county cost for the second canine unit is only 10% of the total cost. Chairman Bitner noted the large increase in the Detention Center budget and questioned Heinert if he thinks the Home Rule Charter should be amended to allow sales tax funding for operations and maintenance. Heinert answered this was a concern of almost 50% of the residents he spoke to during the 2014 Detention Center informational meetings. Heinert stated that 26% of operations and maintenance costs will be funded by Morton County and noted the Detention Center budget is for 80% of the facility as the fifth prisoner pod will not open until mid-year 2018.

Emergency Manager/Homeland Security Manager Mary Senger appeared and briefly explained the proposed Emergency Management/Homeland Security budget.

Bismarck/Burleigh Public Health Director Moch appeared and presented the Public Health proposed 2017 budget request.

Dave Mayer, Bismarck Park & Recreation District, appeared and presented the county park areas and Missouri Valley Complex budgets pursuant to the park management agreement between the Bismarck Park & Rec District and Burleigh County. Comm. Jones noted the 2017 proposed budget reflects an overall decrease.

Chairman Bitner questioned the allocation of funds under the old city/county recreation mill and suggested the amount be negotiated.

Bismarck Park & Rec District Director Bina appeared and stated he did not have the authority to negotiate the amount as that would need to be a Bismarck Park Board decision.

The Board then discussed the county advertising budget and requested that the Director of the Lewis and Clark Regional Development Council be present at the next meeting to explain the dues and benefits of membership.

Ryan Parsons, Bismarck Mandan Chamber Vice President of Membership, appeared and presented The Chambers request for funding.

Combined Communications Manager Mike Dannenfelzer appeared and briefly explained the proposed Combined Communications budget noting a decrease in General Fund contributions due to the addition of the City of Mandan. Upon question about future space needs for the E-9-1-1 Communications Center Dannenfelzer noted a space study has been completed. Dannenfelzer stated the results of the study will be presented to the City and County Commissions. Dannenfelzer noted decisions will need to be made regarding funding of a new facility. Dannenfelzer concluded there does not appear to be adequate time to place a ballot measure on the November 2016 General Election ballot to increase the 9-1-1 phone line tax.

County Engineer Hall appeared and presented a detailed analysis of the 2017 proposed Highway Dept. budget. Hall noted that historically the Highway Dept. has only received ¼ of a mill in property tax revenue and requested the Commission carefully consider a two (2) mill levy for the Highway Dept. Hall reported that the Highway Dept. has reduced its 2016 budget spending by over \$1.4Million which was discussed at the February 17, 2016 Commission Meeting. Hall stated he believes certain project costs can be cut from the budget and stay within the requested two (2) mill levy. Hall then detailed the eight (8) proposed construction projects for 2017. Hall specified that project #1, the reconstruction and paving of either 43rd Ave or 71st Ave will be state funded, and if cut will not provide any cost savings to the county.

Comm. Peluso noted the Burleigh County Townships are only paying approximately 25% of the maintenance costs and the townships need to pay more of the cost. Peluso continued this is especially true in those townships that have funds available and additional mill levy authority. Chairman Bitner noted that road maintenance is a core function of township government and if they do not provide funding for their roads, the rest of us are subsidizing the townships. Comm. Schonert noted he agreed the townships need to step up and pay their share of the costs.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to cut projects #2 through #8 from the Highway Department budget. All members voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to increase the Highway Dept. mill levy from .25 mills to 1 mill. All members voted "AYE" except Bitner "NAY." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to trade-in one (1) motor grader and to keep three (3) for another year rather than trading all four (4) units in 2017.

Comm. Schonert strongly suggested we keep on our current replacement program and replace all four (4) motor graders in 2017.

Vote on Motion: "AYE" votes: Jones, Woodcox. "NAY" votes: Peluso, Schonert, Bitner. Motion failed.

Social Service Director Osadchuk appeared and presented the 2017 Social Service Department budget noting her budget was at the state budget cap required by SB2206 which is intended to move Social Service Department costs to the state budget.

Library Director Kujawa appeared and presented the Veteran's Memorial Library (county library) 2017 budget request.

Burleigh County Senior Adults Program Director Kipp appeared and presented the 2017 senior adults programming budget requests.

Veteran's Service Director Landis appeared and presented the Veteran's Service Department 2017 budget request.

Extension Agent Doll appeared and presented the proposed 2017 Extension budget.

The Board then briefly reviewed the Noxious Weed Control 2017 budget request.

Greg Larson, Burleigh County Water Resource District Manager, appeared and presented the Water Resource District 2017 budget request.

Danielle Smith of Guardian and Protective Services (GAPS) appeared and presented the 2017 budget request in the amount of \$6,300 as a subsidy to defray the cost of office space.

Motion by Comm. Schonert, 2nd by Comm. Jones, to compensate all Burleigh County auxiliary board members at a rate of \$65 per meeting plus mileage effective January 1, 2017, excluding the Water Resource District. All members voted "AYE." Motion carried.

Brian Ritter, Bismarck Mandan Development Association President, appeared and presented the Jobs Development mill levy request.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to approve and adopt the Burleigh County 2017 Preliminary Budget as amended and to call for a public hearing on the budget on September 22, 2016.

Comm. Peluso stated he would like to see the budget include a salary step increase rather than the 1.5% across the board salary increase. Peluso questioned the effect this would have on the budget. Accountant Thompson responded a 1% salary increase equals approximately \$230,000. Peluso suggested the department heads be asked to cut 5% from their respective budgets to fund this 1% salary increase.

Vote on Motion: "AYE" votes: Schonert, Woodcox. "NAY" votes: Jones, Peluso, Bitner. Motion failed.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the preliminary budget as amended and to further substitute a salary step increase for the 1.5% across the board salary increase with a transfer of \$240,000 from the Provident Building Fund to defray the cost of the additional salary increase.

HR Director Terras appeared and stated the county department heads, after review of several options, recommended previously to the Commission that for the 2017 budget a 1.5% across the board salary increase be adopted rather than a salary step increase.

Vote on Motion: "AYE" votes: Peluso. "NAY" votes: Jones, Schonert, Woodcox, Bitner. Motion failed.

Commission Woodcox questioned if the Commission limited the tax increase to 5% how much would need to be cut? Accountant Thompson responded \$1.2 Million would be needed to be cut.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to remove the \$15,000 request for new lights in the courthouse from the Courthouse Building and Grounds budget and to delay the hiring of the new employee (legal secretary) in the Victim Witness Advocate Department until July 1, 2017. All members voted "AYE". Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to continue discussions on the 2017 budget to Monday August 22, 2016. All members voted "AYE". Motion carried.

Accountant Thompson questioned if the \$920,000 funding commitment to the Fox Island flood protection project made last October was still needed. Greg Larson, Burleigh County Water Resource District Manager, reappeared and noted a letter and ballot associated with the special assessment district for this project will be sent out in the next day or so with state funding already having been received.

Comm. Woodcox stated we have committed the funds and we cannot back out now.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to remove the \$200,000 budget request for election equipment and delay the purchase until 2018. All members voted "AYE". Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to transfer \$1,000,000 from the Provident Building Fund to the General Fund. All members voted "AYE." Motion carried.

On motion made, seconded, and carried, the Board recessed until August 22, 2016.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
August 1, 2016**

5:28 P.M.

The Burleigh County Commission convened a regular meeting with all members present except Comm. Schonert.

Chairman Bitner called the meeting to order with the first item of business the approval of the monthly minutes and vouchers.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the July meeting minutes as presented. All members present voted "AYE." Motion carried.

Comm. Jones reported that she reviewed the monthly vouchers and recommended approval.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve payment of the monthly vouchers, journal vouchers, and filing fee reports as presented. All members present voted "AYE". Motion carried.

This was the hour and date set for a public hearing regarding the proposed issuance of MIDA Bonds for the University of Mary.

Scott Wegner, Arntson Stewart Wegner PC, appeared regarding the issuance of Education Facilities Revenue Bonds (University of Mary Project) Series 2016 in an amount not exceeding \$35,000,000 for the purpose of financing the construction, equipping, renovation and expansion of a residence hall, an athletics and wellness center, a campus center, student apartments, and classrooms, conference rooms, offices and functionally related and subordinate facilities at the University of Mary campus. Wegner noted that as this issue will utilize all of the authorized \$10M bank qualified bonds; a companion agreement will be executed requiring the University of Mary to reimburse Burleigh County for any additional interest incurred should the county issue bonds later in 2016.

Greg Vetter, Executive Vice President, University of Mary appeared and explained the Vision 2030 Campaign and construction projects on the U of Mary campus.

No one else present appeared and the following motion was made:

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the Resolution Approving the Issuance of Education Facilities Revenue Bonds (University of Mary Project) Series 2016 in an amount not to exceed \$35,000,000. All members present voted "AYE". Motion carried.

This was the hour and date set for a public hearing regarding a petition to split a twenty (20) acre lot legally described as Lot 13, Block 6, The Ranch Subdivision, into three (3) lots of 6+ acres more or less.

Building Official Ziegler appeared and presented information regarding the request to split Lot 13, Block 6, The Ranch Subdivision, into three (3) lots. Ziegler also presented a revision to the request decreasing the length of the access easement along the eastern boundary of Lot 13. Ziegler noted a buffer zone is not a requirement of the county zoning ordinance.

Chairman Bitner noted such late revisions are troublesome and should not become routine.

Deeann Balliet, Lot 3, Block 6 resident, appeared and asked why the access easement is not on the western boundary of the lots along US Highway 83. Balliet stated she is worried about the proposed location of the access easement and how it will affect her residential lot (dust, safety, etc.).

County Engineer Hall appeared and explained the proposed "road" is on an access easement and is not a public road. Hall continued the landowner/developer will decide if the "road" will be paved or gravel as the county has no jurisdiction and thus no criteria for the type, specifications, or location of the access road.

Building Official Ziegler noted these are commercial lots and a site plan will need to be approved prior to the issuance of building permits. Ziegler noted the site plan process requires review by the county highway department, rural fire department, and the sheriff's department, and any other entity that may have an interest prior to approval.

Chairman Bitner questioned if anything specifically in the site plan process addresses dust. Ziegler stated any real commercial business will need parking to attract customers and thus a hard surface.

Ken Krumm, owner of several residential lots within The Ranch Subdivision, appeared and questioned the reason for the requested lot split. Krumm noted he is concerned with the potential devaluation of his property with the proposed lot split. Krumm noted the low density of The Ranch Subdivision and questioned what benefit the lot split will bring to the subdivision and its residents.

Jackie Andahl, The Ranch Subdivision owner/developer, appeared and stated that it has been difficult to sell a twenty (20) acre commercial lot. Andahl stated she thinks the residences would be better served with smaller lots than the larger lot. Andahl continued they will take care of all the property noting they are planting a tree row buffer to help alleviate concerns.

Comm. Peluso noted there is a list of allowable uses for commercial property.

Janelle Glass, Lot 15, Block 4 resident, appeared and asked if the developer will notify the subdivision residents of what businesses will be located on these lots. Glass noted many of the existing subdivision residents have small children and she is concerned with safety should a road be built in their back yards. Glass stated not many of the residents think this is a good idea.

Dave Andahl, The Ranch Subdivision owner/developer, appeared and stated they have rejected purchase offers from different types of businesses as they are very selective about the type of business they will allow on this parcel. Andahl added the current subdivision is Phase I of three (3) phases and they want to ensure good development happens for future sales.

Aaron Isaak, Lot 7, Block 6 resident, appeared and stated he would like to see a buffer and fencing to prevent noise, dust, and light pollution from these commercial lots.

Chairman Bitner questioned Isaak as to what he considered a satisfactory buffer. Isaak stated a 30' buffer between the access easement and the residential lots noting a privacy fence would greatly help keep the noise, garbage, and people from entering his property. Bitner noted it is difficult to do more than what current ordinance requires.

Building Official Ziegler then stated that during the site plan process, fences maybe required depending on the type of business.

Deeann Balliet reappeared and stated she would like to see a six (6) foot fence placed as a buffer from the commercial lots. Balliet added her main concern is the "road" and suggested that it be moved to the west side of the lot adjacent to US 83.

Chairman Bitner questioned if the proposed easements can be moved. Building Official Ziegler stated it would require another lot modification. Ziegler noted that buffer zones are very tough to monitor and enforce.

County Engineer Hall stated site plans are not a part of the zoning ordinance and are not required. Hall recommended that the non-access line along 136th Ave remain.

Comm. Woodcox questioned Hall if he thought the southernmost lot (Auditor's Lot A) should have access from the north.

Hall reiterated his recommendation that the non-access line along 136th Ave remain.

Chairman Bitner questioned the developer regarding what kind of trees are being planted as a buffer.

Jackie Andahl stated they are working with home owners on the type and planting location of trees, noting trees will also be planted on the commercial lots.

Chairman Bitner closed the public hearing with the following motion being made:

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to approve the revised lot split as presented to split a twenty (20) acre lot legally described as Lot 13, Block 6, The Ranch Subdivision, into three (3) lots of 6+ acres more or less (Auditor's Lots A, B and C of Lot 13, Block 6) including the vacation of the non-access line along the west 80' of 136th Ave NW adjacent to Auditor's Lot A. All members present voted "AYE". Motion carried.

County Engineer Hall then requested authorization to return the additional unused right-of-way along 57th Ave NW. Hall explained the right-of-way was purchased as part of the 57th Ave NW paving project and is no longer needed.

Motion by Comm. Peluso, 2nd by Comm. Jones, to authorize the proper county officials to return (sell) the unused right-of-way to the adjacent landowners using the original purchase prices as consideration and authorize quit claim deeds for the unused right-of-way along 57th Ave NW upon receiving such consideration. All members present voted "AYE". Motion carried.

Hall then recommended acceptance of additional right of way easements adjacent to Aberle Park 2nd Subdivision.

Motion by Comm. Peluso, 2nd by Comm. Jones, to accept the additional right of way easements adjacent to Aberle Park 2nd Subdivision, Menoken Township. All members present voted "AYE". Motion carried.

Sheriff Heinert appeared and presented the Detention Center report for the month of July. Heinert noted 1610 prisoner nights were spent outside the Burleigh County facility at a cost of \$120,218 bringing the yearly total to 8939 "outside nights" at a total cost of \$647,767. Heinert noted there are currently 245 individuals utilizing the 24/7 testing program on a daily basis, with 94 on the drug patch, 116 on the ankle bracelet, and 35 on two-a-day breath tests. We also have 21 people testing in other Counties.

Heinert then presented an update on the construction of the new detention facility.

Auditor/Treasurer Glatt then requested the County Commission designate First International Bank & Trust as an approved depository of county funds.

Motion by Comm. Peluso, 2nd by Comm. Jones, to designate First International Bank & Trust as an approved depository of county funds. All members present voted "AYE". Motion carried.

The abatements were presented for the Board's consideration complete copies of which are on file and available for inspection in the office of the county Auditor/Treasurer:

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the Schumacher, Ziegler, Krikava, Nelson and Nygaard abatements; to authorize a call for a public hearing on September 7, 2016, related to the assessment lists for Special Assessment Districts #58 Skyline Estates Subdivision; to approve the raffle permit application of Grace Lutheran Church (Driscoll); to approve the Special Event Liquor License application of Flash's Place (8/27/16 at Albert Kuntz farm); and to authorize the publication of the Weed Cutting Notice. All members present voted "AYE." Motion carried

Chairman Bitner presented information regarding a drainage complaint related to a storm water easement in Copper Ridge 3rd Subdivision. No action was taken.

On motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
July 18, 2016

5:00PM

The Burleigh County Commission convened with all members present.

Chairman Bitner stated he had reviewed the bills and recommended approval.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the bills as presented. All members voted "AYE." Motion carried.

Alan Anderson, Commerce Commissioner ND Department of Commerce, appeared to present an explanation of why an extension was granted for the City of Bismarck Renaissance Zone Program when the County Commission did not provide a letter of support as required by Commerce Dept. guidelines. Anderson stated Commerce Dept. guidelines spell out that the county and school district should give letters of support to renew the program. Anderson continued the definition of community support is unclear because the City of Bismarck's application was the first renewal contested by a county commission. Anderson noted Burleigh County and the City of Bismarck interpret community support differently and even though the Commerce Dept. guidelines specify the application must include letters of support from the school district and the county, it is not included in statute. Anderson stated he believes it is appropriate to allow the Legislature the opportunity to clarify what is evidence of community support. Anderson added the extension until August 1, 2017, will allow the Legislature to review and clarify full community support.

Comm. Peluso questioned who made the decision to grant the extension. Anderson responded the Community Service's program manager Rikki Roehrich, and himself. Peluso stated he thinks the county commission's vote should have had more effect on the decision.

Comm. Schonert noted that the guidelines were very clear to the county commission – if we did not support the extension it would not be granted.

Comm. Jones questioned how many active Renaissance Zone projects there are in the City of Bismarck.

Rikki Roehrich, Commerce Dept. Community Service's program manager, appeared and stated there are six (6) active projects. Comm. Jones asked if there are any timelines for completion on the projects.

Roehrich answered she believed the majority will be completed within the next year. Chairman Bitner questioned if there are any requirements to be current on property taxes.

Roehrich replied yes – taxes must be current. Roehrich continued Renaissance Zone projects are required to show a certificate of good standing from the state tax department and it is the city's responsibility to maintain records to show there are no delinquent property taxes.

Bitner questioned if such records have been provided by the City of Bismarck. Roehrich stated no.

Don Clement appeared and stated it is time for a reset of Renaissance Zone projects and Tax Increment Finance Districts.

Comm. Jones then questioned Assistant City Administrator Tomanek about the six (6) active projects and their taxable values and exemption amounts.

Jason Tomanek, Assistant Bismarck City Administrator, appeared and stated that he does not have all the information at this time. Tomanek noted one of the newest projects, the 30 unit 55+ senior housing project on Main Ave and 1st St will have an estimated value of \$2.5 - \$3 million when complete.

Chairman Bitner questioned Tomanek if he knew of any projects with delinquent property taxes. Tomanek responded one (1) parcel.

Terry Fleck appeared and stated there is a flaw in the process and wanted to know who is responsible for maintaining the system.

No action was taken.

Kip Kovar, District Engineer Garrison Diversion Conservancy District, appeared and presented information on the proposed Red River Valley Water Supply Project and its impact on Burleigh County lands. Kovar reported a 68 inch water line is proposed to be built across northern parts of Burleigh County utilizing a 400 foot easement to provide Missouri River water to the eastern part of ND. No action was taken.

Steve Bain, Bain Insurance, appeared regarding the renewal of the County liability insurance policy. Bain briefly reviewed the policy coverage and deductible amounts.
No action was taken.

HR Director Terras appeared with the following items for the Board's consideration: classification for a new Behavioral Health Specialist position within the Detention Center, and amendments to the credit card policy and Personnel Manual Chapter 12: Section 17: In and Out of State Travel Policy.
Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the creation and classification of a new Behavioral Health Specialist position within the Detention Center at a Grade 10. All members voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the recommended amendments to the credit card policy and Personnel Manual Chapter 12: Section 17: In and Out of State Travel Policy. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Board's consideration, a complete copy of which are on file and available for inspection in the office of the auditor/treasurer.

Motion by Comm. Bitner, 2nd by Comm. Jones, to approve the Pfennig, VCZ, and Gilliam abatements as presented. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
July 6, 2016

5:31 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the monthly minutes and vouchers.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the June meeting minutes as presented. All members voted "AYE." Motion carried.

Chairman Bitner reported he had reviewed the monthly vouchers and recommended approval.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the monthly vouchers, journal vouchers, and filing fee reports as presented. All members voted "AYE." Motion carried.

This was the hour and date set for a public hearing regarding the issuance of tax-exempt Colorado Health Facilities Authority Revenue Bonds (Catholic Health Initiatives) Series 2016 (the "Bonds") for the purposes of financing and/or refinancing the cost of the acquisition by Catholic Health Initiatives of certain health care and related facilities of St. Alexius Medical Center and its subsidiaries and as well as certain costs of constructing, renovating and equipping those facilities.

Scott Wegner, Arntson Stewart Wegner PC, appeared and explained the required Burleigh County "host" approval for the requested issuance of tax-exempt Colorado Health Facilities Authority Revenue Bonds in an amount not to exceed \$120,000,000 to be issued in Colorado for use at CHI-St. Alexius facilities located in Bismarck and Lincoln.

As no one present appeared the following motion was made:

Motion by Comm. Schonert, 2nd by Comm. Jones, to authorize the issuance of tax-exempt Colorado Health Facilities Authority Revenue Bonds (Catholic Health Initiatives) Series 2016 (the "Bonds") for the purposes of financing and/or refinancing the cost of the acquisition by Catholic Health Initiatives of certain health care and related facilities of St. Alexius Medical Center and its subsidiaries and as well as certain costs of constructing, renovating and equipping those facilities. All members voted "AYE". Motion carried.

Scott Wegner, Arntson Stewart Wegner PC, next requested authorization to call for a public hearing August 1, 2016 regarding a MIDA Bond Issuance for the University of Mary to issue its Education Facilities Revenue Bonds (University of Mary Project) Series 2016 (the "Bonds") in an amount not exceeding \$35,000,000 for the purpose of financing the construction, equipping, renovation and expansion of (i) a residence hall, (ii) an athletics and wellness center, (iii) a campus center, (iv) student apartments, and (v) classrooms, conference rooms, offices and functionally related and subordinate facilities at the University of Mary campus, located at 7500 University Drive, Bismarck, North Dakota (the "Project").

Jody Davison, University of Mary controller, appeared and stated the bonds will be used to finance the construction, equipping, renovation and expansion of a residence hall, an athletic wellness center, a campus center, student apartments, classrooms, conference rooms, offices and related facilities for the university campus.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to authorize a call for a public hearing on August 1, 2016, relating to a MIDA Bond Issuance for the University of Mary. All members voted "AYE." Motion carried.

Communications Director Dannenfelzer appeared regarding amendment to Central Dakota 9-1-1 Authority and Central Dakota Communications Center (CenCom) Joint Powers Agreement to allocate 5% of the retained 9-1-1 taxes to the CenCom annual operating budget.

Motion by Comm. Peluso 2nd by Comm. Schonert, to approve the amendment to Central Dakota 9-1-1 Authority and Central Dakota Communications Center (CenCom) Joint Powers Agreement to allocate 5% of the retained 9-1-1 taxes to the CenCom annual operating budget. All members voted "AYE". Motion carried.

County Engineer Hall appeared with the following items for the Boards consideration: review and direct project selection for highway construction projects; consideration of agreement with ND Game & Fish Dept. to blade and gravel existing roads and trails in the Oahe WMA (100% reimbursement); and, consideration of a Developer Waiver Request not to pave two (2) miles of 34th St NW and one (1) mile of 123rd Ave NW.

Hall first updated the Board on progress related to the gravelling of township roads. Hall stated gravelling has been completed for thirty-four (34) of the forty-seven (47) townships. Hall also reported that the Highway Dept. budget is on track with the revisions (\$1.4 million in spending cuts) made earlier this year due to reductions in the Highway Gas Tax revenues.

Hall then requested discussion regarding the use of the highway construction funds allocated by the 2015 legislative session. Hall continued the intent of the funding is to reduce the backlog of local highway construction projects throughout the state. Hall noted it is likely that any money not spent (or allocated through letting) on a project before the next legislative session (2017) will be un-allocated and the local unit of government will forfeit the money. Hall reported Burleigh County has \$3.2 million in funding available which has been targeted for the reconstruction of 71st Ave NE from Centennial Rd to 66th St NE. Hall continued that acquiring the needed right-of-way has been problematic and to date we have only acquired 4 of the 16 parcels. Hall stated the goal is to bid this project sometime this fall; however this may not be possible if the required right-of-way cannot be secured. Hall recommended that Burleigh County start developing a second project to ensure that a construction project can be bid and awarded this fall to secure the funds allocated for Burleigh County road construction projects. Hall suggested that the reconstruction of 43rd Ave NE from 52nd St NE to 80th St NE be designated as an alternate project and engineering work be started. Hall noted the county engineering staff can complete the design work in time for a fall bid opening.

The Board by consensus approved the designation of the reconstruction of 43rd Ave NE from 52nd St NE to 80th St NE as an alternate project as recommended.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the agreement with the North Dakota Game and Fish Department (NDGFD) to gravel and blade existing roads and trails within the Oahe (Apple Creek) Wildlife Management Area with all work done by the Burleigh County Highway Department reimbursed 100% (\$16,000 estimated cost). All members voted "AYE". Motion carried.

Hall then introduced the waiver request of Troy Nelson to waive the requirement of paving all internal roadways within a proposed subdivision and pave at least one roadway that connects the proposed subdivision into the existing paved highway system.

Troy Nelson appeared and stated he is considering purchasing 280 acres along 123rd Ave NW about 2 miles south of 149th Ave NW. Nelson continued he would like to create a new subdivision and sell six (6) twenty (20) acre parcels. Nelson stated since he is only creating six (6) new lots he would prefer not paving either the 2 miles of 34th St NW or 1 mile of 123rd Ave NW and is therefore requesting a waiver of the existing Gravel Road Improvement Policy.

Chairman Bitner noted that as recent as this past weekend he received correspondence regarding the condition of 34th St NW.

Comm. Peluso recognized this as a long distance for Nelson to pave and explained the history and related safety and dust complaints associated with the landfill in the immediate area.

Nelson noted the recent waiver granted to Goehring Subdivision.

Chairman Bitner further explained the issues regarding the area roadways and suggested a special assessment district be considered to fund the cost of paving.

Motion by Comm. Peluso, 2nd by Comm. Jones, to deny the waiver request of Troy Nelson to waive the requirement of paving of all internal roadways within a proposed subdivision and pave at least one roadway that connects the proposed subdivision into the existing paved highway system. All members voted "AYE". Motion carried.

Sheriff Heinert appeared and presented the Detention report for the month of June. Heinert noted 1378 prisoner nights were spent outside the Burleigh County facility at a cost of \$101,041 bringing the yearly total to 7329 "outside nights" at a total cost of \$527,549. Heinert stated inmates are currently being housed at seven (7) locations within the state and one (1) in South Dakota. Heinert noted there are currently 261 individuals utilizing the 24/7 testing program on a daily basis, with 78 on the drug patch, 124 on the ankle bracelet, and 35 on a two-a-day breath tests. Heinert concluded that this morning we had a record 199 prisoners in custody. Heinert reported that the new Detention Center should be substantially completed by the end of March 2017.

Comm. Peluso recognized the Detention Center staff for their diligence in finding housing for prisoners in so many other locations.

Heinert then requested the Commission approve the acceptance of a JAG Grant with the City of Bismarck Police Department in the amount of \$ 28,766 with the Burleigh County share totaling \$10,068 for less-than-lethal equipment (Tasers, batteries, etc.).

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the acceptance of a JAG Grant with the City of Bismarck Police Department in the amount of \$ 28,766 with the Burleigh County share totaling \$10,068. All members voted "AYE." Motion carried.

State's Attorney Riha and Auditor/Treasurer Glatt presented information regarding the transfer of oversight of the Missouri Valley Complex property to the County Park Board with the intent that all decisions regarding the complex property be made by the County Park Board in order to streamline and make the meetings more efficient.

Comm. Peluso stated the County Commission is ultimately responsible for the budget and expenditures. Chairman Bitner noted the dollars available in the complex fund and expressed his concern with the potential for the volunteer Park Board members, who are not accountable to the public, authorizing large expenditures.

Comm. Jones noted her agreement with Chairman Bitner, and requested a dollar amount limit be established.

Motion by Comm. Jones, 2nd by Comm. Peluso, to authorize the County Park Board to oversee the Missouri Valley Complex property and further to authorize the County Park Board to expend up to \$5,000 per expenditure for Missouri Valley Complex items without County Commission approval. All members voted "AYE". Motion carried.

Motion by Comm. Jones, 2nd by Comm. Schonert, to appoint Bismarck City Commission President Mike Seminary and Commissioner Member Steve Marquart to the Burleigh County Planning Commission as representatives of the City of Bismarck. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion Comm. Peluso, 2nd by Comm. Jones, to approve the Charboneau, Krumm, Helgeson, and Cichos abatements; to approve the raffle permit application of the Marauder Boosters; to approve the security pledges and designation of depositories; and, to approve the second approach permit application of Roger and Sharon Grendahl (Lot 8, Block 2, Country Hills 2nd). All members voted "AYE." Motion carried.

On motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
June 20, 2016**

5:00PM

The Burleigh County Commission convened with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the bills.

Comm. Woodcox stated he reviewed the bills and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the bills as presented. All members voted "AYE." Motion carried.

Toni R Neslen, Executive Director of The Bismarck-Mandan Symphony Orchestra, appeared and requested \$5,000 in funding for the Annual 4th of July Celebration held at the State Capitol grounds.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to approve the \$5,000 funding request of the Bismarck Mandan Symphony Orchestra for the Annual 4th of July Celebration and to approve the formal contract describing how the funds will be expended along with proof that the Symphony is a qualified non-profit organization recognized by the ND Council on the Arts. "AYE" votes: Jones, Schonert, Woodcox, Bitner. "NAY" vote: Peluso. Motion carried.

County Engineer Hall appeared with the following items for the Boards consideration:

Second approach permit request by Verizon Wireless; and consideration of bids for Hay Creek Township seal coat project.

Hall stated the request for the second approach from Verizon Wireless was previously tabled by the Commission on May 16, 2016. Hall continued that the request is for expansion of an existing approach onto 48th Ave SE for the construction of a communications tower. Hall stated he rejected the second approach permit application because it does not meet Burleigh County Highway Dept. standards which state in part "...distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center)...". Hall continued the adjacent land owner is opposed to this request because it will be constructed next to his existing driveway.

Arnie Zent, the adjacent landowner, appeared in opposition to the second approach permit request. Zent stated he was initially contacted by Verizon Wireless for a lease site for the proposed tower. Zent continued he visited with his neighbors and due to their opposition to a tower in the immediate area; he declined the Verizon Wireless offer. Zent stated he is not here to oppose the tower site, but to oppose the expansion and widening of his private approach to access the new tower site. Zent noted Verizon Wireless agents without permission have used his approach to start site preparations for the tower construction. Zent added the owner of the land where the tower site will be located can provide access using his existing approach.

Comm. Peluso questioned if other options are available if the requested approach is not approved. Hall responded there are other options; however a new federal permit will be required which will significantly delay the construction of the communications tower.

Comm. Woodcox stated if the needed approach to the tower site was moved 100 feet, there would be no opposition from the county. Hall affirmed moving the approach 100 feet could be granted provided the width of the approach is not greater than 32 ft.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to deny the second approach permit request of Verizon Wireless.

Brent Kabat, representing Verizon Wireless, appeared and stated the reason this site location was selected as the existing approach would have limited impact on the area. Kabat stated if this waiver is not granted a new federal permit application will be required and will significantly delay the project.

Vote on motion: "AYE" votes: Jones, Schonert, Woodcox, Bitner. "NAY" vote: Peluso. Motion carried.

Hall then presented the results of the June 16, 2016 bid opening for the Hay Creek Township seal coat project. Hall reported one (1) bid was received.

Motion by Comm. Schonert, 2nd by Comm. Jones, to accept and award the bid for the Hay Creek Township seal coat project to Asphalt Surface Technologies Corporation in the amount of \$204,840.55 on behalf of Hay Creek Township subject to formal written approval by Hay Creek Township. All members voted "AYE" subject to Hay Creek Township accepting the bid. Motion carried.

County Building Official/Director Ziegler appeared regarding consideration of the zoning change and final plat of Aberle Park 2nd Subdivision, Menoken Township.

Comm. Woodcox questioned if the roadways within the subdivision would be paved. Ziegler responded yes.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to approve the zoning change and final plat of Aberle Park 2nd Subdivision as presented. All members voted "AYE". Motion carried.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the ratification of the Light of Christ Addition plat. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
June 6, 2016

3:00 P.M.

The Burleigh County Commission convened pursuant to law as the County Board of Equalization. Chairman Bitner called the Board of Equalization to order with all Commissioners present.

Deputy Auditor/Tax Equalization Director Vietmeier appeared and reviewed the statutes and duties of the Board of Equalization explaining the state requirements related to the sales ratio statistics. Chairman Bitner noted that the Board of Equalization must meet during the first ten (10) days in June to equalize and correct the assessment rolls and that the Board of Equalization is responsible for rendering uniform and just taxation.

Vietmeier presented the annual report of assessments for Burleigh County. Vietmeier reported that the total 2016 market value has increased overall by 8.21% (including AG land values at 90% - 100% of the State Tax Dept recommendation). Vietmeier reported the main reason for the increase is due to new construction, non-exempt remodeling and improvements, property classification changes, market changes, abatements, and reappraisals. Vietmeier stated the average county AG land value, as certified by the ND State Tax Dept., is \$421.69 per acre. Vietmeier recommended an average value per acre of \$400.61 to keep Burleigh County within tolerance of the state's recommended average. Vietmeier stated all values are as of February 1, 2016.

Vietmeier presented a detailed summary of changes in market valuations within the City of Bismarck, organized townships, unorganized townships and AG land. Vietmeier also presented a summary of mobile home valuations and the number of rural properties qualifying for homestead credits, veteran's credits, new home exemptions, new commercial properties, remodeling exemptions and geothermal exemptions.

The County Board of Equalization recessed to immediately sit as the Township Boards of Equalization for the unorganized townships of Lincoln, Riverview, Ft. Rice, Burnt Creek, Lyman, and Phoenix.

Chairman Bitner called for any testimony from those in attendance regarding the assessment of property within the unorganized townships.

Lynn Mills and Karen Hogue appeared regarding the value of the N1/2 of Lot 8 and all of Lot 9, Block 1, Riverside Subdivision, Riverview Township. Hogue stated that the \$20,900 value as determined by the assessor is not fair as the lot is unbuildable. Hogue continued that the lots across the street which are buildable are valued less than this lot.

Upon question Hogue stated she paid \$30,000 for the lot and further she is saving the county lots of money by keeping the lot mowed and maintained.

Comm. Peluso stated he does not think the value as assessed is too high, as riverfront property is valuable, and considering the purchase price of \$30,000 which is \$10,000 more than the value as assessed.

Deputy Auditor/Tax Director Vietmeier stated he would visit the property with the landowners and if warranted an abatement could be filed to address the value.

As no one else present appeared, the following motion was made:

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to approve and accept the assessments of the unorganized Townships of Burnt Creek, Ft. Rice, Lincoln, Lyman, Phoenix, and Riverview as recommended by the Deputy Auditor/Tax Equalization Director. All members present voted "AYE." Motion carried.

The respective Unorganized Township Boards of Equalization adjourned and the County Board of Equalization immediately reconvened with all members present.

The Board then reviewed the assessments of the Cities of Bismarck, Lincoln, Regan, South Wilton, and Wing. Chairman Bitner called for any testimony/comments relating to the assessments of the Cities of Regan, Wing, Lincoln, Bismarck, and South Wilton. No one present appeared.

The Board then reviewed the assessments of the Organized Townships.

Chairman Bitner called for any testimony/comments relating to the assessments of the organized townships.

Motion by Comm. Schonert, 2nd by Comm. Jones, to authorize a 2.18% overall increase on AG lands to an average of \$400.61 per acre. All members present voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the assessments of the Cities of South Wilton, Regan, Wing, Lincoln, and Bismarck as adopted and recommended by the local Boards of Equalization. All members present voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve and accept the assessments of the organized and unorganized townships as adopted by the local Boards of Equalization and recommended by the Deputy Auditor/Tax Equalization Director. All members present voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve the Application for Property Tax Exemption for improvements to Commercial and Residential Buildings N.D.C.C 57-02.2 as recommended by the Deputy Auditor/Tax Equalization Director. All members voted "AYE". Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Schonert, to approve and accept the 2016 real property assessments as equalized, including an average AG value of \$400.61 per acre, and to authorize the Deputy Auditor/Tax Equalization Director to make corrections to property values on inundated lands in Burleigh County as needed, and further to adjourn sine die. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried the County Board of Equalization adjourned sine die.

5:17PM

The Burleigh County Commission convened with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the May minutes and vouchers.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve the May meeting minutes as presented. All members voted "AYE." Motion carried.

Comm. Woodcox stated he reviewed the vouchers and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve payment of the vouchers, journal vouchers, and filing fee reports as presented. All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Peluso, to table the second approach permit request of Verizon Wireless until the June 20, 2016 meeting. All members voted "AYE". Motion carried.

This was the hour and date set for a public hearing regarding a proposal for Grand Forks County to issue revenue bonds in one or more series under the Municipal Industrial Development Act.

Chairman Bitner opened the public hearing and called for any public testimony.

Scott Wegner, Artson Stewart Wegner, appeared and explained that the proceeds of the Bonds will be used for the purposes of refinancing a two-story building containing the Western Plains residential center and related facilities and adjacent parking lot located at 1227 N 35th St, and paying the costs of issuing the Bonds. Wegner continued the Project will be owned and operated by Dakota Boys and Girls Ranch Foundation, a North Dakota nonprofit corporation with the amount of the proposed bond issue(s) not to exceed \$875,000 and that although Grand Forks County will be the issuer, Burleigh County needs to approve as the host county.

As no one else present appeared, the public hearing was closed and the following motion made:

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to approve the issuance of MIDA Bond Issuance in an amount not to exceed \$875,000 for the Dakota Boys and Girls Ranch Foundation. All members voted "AYE." Motion carried.

HR Director Terras appeared regarding consideration of adding a "Weapons on Premises" policy for Burleigh County.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the "Weapons on Premises" policy. All members voted "AYE" Motion carried.

Finance Director/Accountant Thompson appeared regarding 2017 salaries and benefits for budget purposes. Thompson stated the county department heads are requesting a 1.5% salary increase be added to the step plan with no step increase for 2017. Thompson stated no increase to the county portion (95%) of health insurance funding or increase in retirement benefits are requested.

By consensus the Commission directed a 1.5% salary increase thereby increasing each pay grade step by 1.5% be included in the 2017 County Preliminary Budget.

Barb Knutson, Burleigh County Township Officers Association, appeared requesting the county purchase "Annual Township Ledger Report" software for all Burleigh County Townships.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the purchase of "Annual Township Ledger Report" software for Burleigh County Townships with the conditions that Barb Knutson (Burleigh County Township Officers Secretary) provide all training and technical support to the townships; and manage the reimbursement from each township to the county (\$40 per township) with the cost of the software to be paid out of the Commissioners budget (\$1,600). All members voted "AYE". Motion carried.

Sheriff Heinert appeared and presented the Detention report for the month of May. Heinert noted 1283 prisoner nights were spent outside the Burleigh County facility at a cost of \$93,478 bringing the yearly total to 5,951 "outside nights" at a total cost of \$426,508. Heinert noted there are currently 244 individuals utilizing the 24/7 testing program on a daily basis, with 70 on the drug patch, 123 on the ankle bracelet, and 35 on two-a-day breath tests. We also have 16 people testing in other Counties.

Auditor/Treasurer Glatt presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor\Treasurer:

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the Langer, Serr, and Miller abatements as requested. All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the liquor license renewals for Flash's Place (D & S), Rolling Plains Adventures (C & S), and Apple Creek Country Club (E & S); to approve the SE liquor license applications for TnT Tavern (Driscoll Street Dance) and Flash's Place (Wing Rodeo); to approve the raffle permit application for UND Alumni Association; to approve the Site Authorizations for the BisMan Convention and Visitors Bureau (Burnt Creek Club); and to approve the 2nd approach permit application request of Jeffery Ellingson from the S½N½SW¼, Section 23, Burnt Creek Township. All members voted "AYE." Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to appoint Commissioner Peluso to replace Chairman Bitner on the County Canvass Board. All members voted "AYE" Motion carried.

Comm. Peluso then initiated a discussion regarding the ND Department of Commerce's granting of a 15-month extension to the City of Bismarck Renaissance Zone. Peluso questioned why the county commission was even asked to vote on the matter if their vote was not given consideration. Peluso further questioned if the cumulative vote from the City Commission, County Commission, and Bismarck Public School Board was seven (7) yes and eight (8) no, why was the extension granted by the Dept. of Commerce. Peluso noted the Dept. of Commerce's own guidelines specify the county commission must submit a letter of support for continuation.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to direct the State's Attorney to request a formal Attorney General's Opinion of whether the Department of Commerce has authority to grant an extension of the City of Bismarck's renaissance zone in order to allow the Legislature an opportunity to clarify the definition of evidence of community support when the county is in opposition to the extension. All members voted "AYE." Motion carried.

Chairman Bitner suggested and the commission by consensus agreed to request an appearance from the Commerce Dept. to explain the reasoning and justification of their decision to extend the City of Bismarck Renaissance Zone.

On a motion made, seconded, and carried, the Board recessed.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
May 16, 2016**

5:00 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the bills.

Comm. Schonert stated he reviewed the bills and recommended approval.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve payment of the bills as presented. All members voted "AYE." Motion carried.

Arnold Schieve, 11000 Apple Creek Rd, appeared regarding drainage issues within the road right of way adjacent to his property. Schieve stated he attended the Burleigh County Water Resource District (BCWRD) meeting as directed by the County Commission and was informed by the attorney for the BCWRD that the County Commission has jurisdiction on this matter.

Chairman Bitner stated he has been out to the Schieve property and unless the county engineer has new information no further action will be taken on this matter.

Schieve then attempted to present a detailed account of what the Highway Dept. has done over the past many years affecting drainage adjacent to his approach and private road.

Comm. Schonert stated this has been an ongoing issue with Schieve with the county doing everything it can to date.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to take no action on the Schieve matter and if Schieve desires further action he will need to pursue legal remedies. All members voted "AYE." Motion carried.

Deputy Auditor/Tax Director Vietmeier appeared and presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the Fischer abatements as requested and recommended by the Deputy Auditor/Tax Director. All members voted "AYE." Motion carried.

Vietmeier then presented information to the Board regarding the upcoming County Board of Equalization meeting on June 6th at 3:00pm. Vietmeier continued that upon review of the assessment rolls, each Commissioner will receive an email with the final report.

City of Bismarck Design & Construction Engineer Linda Oster appeared regarding consideration of approval of storm sewer and temporary construction easements at the Missouri Valley Complex. Oster noted this is for a new easement to accommodate a new plan for moving storm water in the area. Oster stated the new plan calls for a underground drainage pipe rather than a drainage ditch. Oster continued she believes this is a better method and far less costly to install and maintain.

Sheriff Heinert appeared and expressed his concern about increased in flows in the area adjacent to the new detention center and how this may affect the Apple Creek Road in the future. Heinert stated he has concerns about ponding water and mosquito problems for the new detention center.

County Engineer Hall appeared and suggested because of the issues and concerns of the previous special assessments in the area, any motion offered be specific to the intent of the County Commission.

Oster reappeared and stated the storm water flows will not increase.

Ross Legacy, City Engineering staff, appeared and stated that no more than two (2) trees will need to be removed and the pipe is designed to be self-cleaning.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the storm water easement and related temporary construction easement for the storm water work to be performed on and adjacent to the Missouri Valley Complex with the following

conditions: no more than two (2) trees be removed, and further that no future maintenance costs for the storm sewer will be assessed to the county with the Street Improvement District SI-488 final cost to be \$568,931.65 and the Storm Sewer Improvement District SE-561 cost to be \$91,292.12 (this number may change slightly when project is finalized). All members voted "AYE." Motion carried.

Social Service Director Kim Osadchuk and Angela Lang appeared and presented a brief report on the newly created eligibility trainer position.

Bismarck Veterans Memorial Public Library Director Christine Kujawa and Bookmobile Head KeliAnn McDonald appeared and presented an update on activities at the Library.

Comm. Jones noted she spent a day riding the Bookmobile and was amazed at the number of patrons who utilized the Bookmobile.

Brian Ritter, President Bismarck Mandan Development Association (BMDA), appeared and presented an update on activities of the BMDA.

County Engineer Hall appeared with the following items for the Board's consideration: second approach permit request of Verizon Wireless, and a development pavement waiver request for Huchler Park Subdivision.

Hall stated Verizon Wireless requested a second approach onto 48th Ave SE for the construction of a communications tower, which he rejected because it did not meet Burleigh County Highway Dept. standards which state in part "...distance between adjacent approaches and the requested approach must be larger than 100 feet (center to center)...". Hall continued the adjacent land owner is opposed to this request because it will be constructed next to his existing driveway.

Comm. Peluso questioned if other options are available if the requested approach is not approved. Hall responded there are options but the federal permitting process will significantly delay the construction of the communications tower.

Cole Schantz, Buell Consulting representing Verizon Wireless, appeared and stated during the federal permitting process this approach location was selected as the best option as it is closest to the proposed building site. Schantz continued if this waiver is not granted a new federal permit application will be required and will delay the project several months.

Motion by Comm. Schonert, 2nd by Comm. Jones to table the second approach permit request of Verizon Wireless until Arnie Zent, the neighboring landowner can be present. All members voted "AYE". Motion carried.

Hall then presented the request of Jack Jones for a waiver of the existing Gravel Road Improvement Policy requiring him to reconstruct/pave approximately 1,150 feet of Fernwood Dr south of Sandy River Dr. Hall continued that Jones proposed to split Lot 1, Block 1 Huchler Park Subdivision into three (3) lots which would require re-platting of the property. Hall stated under the current Gravel Road Improvement Policy, developers are required to pave all internal roadways within a proposed subdivision and pave at least one roadway that connects the proposed subdivision into the existing paved highway system.

Motion by Comm. Jones, 2nd by Comm. Peluso, to deny the request of Jack Jones for a waiver of the existing Gravel Road Improvement Policy requiring him to reconstruct/pave approximately 1,150 feet of Fernwood Dr south of Sandy River Dr.

Landon Niemiller, Swenson & Hagen Co., appeared on behalf of the developer and noted the existing right of way only exists for the first 750 feet and the remaining portion of Fernwood Dr. has not been dedicated.

Hall noted that current policy is the developer needs to acquire the necessary right of way for the construction of a roadway.

Vote on motion: All members voted "AYE." Motion carried.

Comm. Jones then initiated a discussion regarding 2017 budget preparations including employee salaries and benefits. Comm. Jones questioned if the time was right for a salary study to be completed as several years have passed since the last formal salary survey was completed.

HR Director Terras appeared and stated it has been several years since the county completed a market study. Terras estimated a cost range of \$30,000 - \$50,000 to complete a new market study. Terras noted the costs could be lower if some of the comparison work was done in-house.

Comm. Peluso stated he believes the Burleigh County compensation package is competitive within our current market.

Comm. Woodcox questioned if the time was right to do a compensation study, as revenues are unknown at this time and the county is just starting the budget process for 2017. Woodcox stated as this is his portfolio he will work on this item with the HR Director and report back at a later time.

County Building Official/Director Ziegler appeared with the following items for the Board's consideration: zoning change and final consideration of Small Subdivision, and zoning change and final consideration of Aberle Park 2nd Subdivision.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the zoning change and final plat of Small Subdivision located in the SE 1/4 of the Section 12, Telfer Township (137N R80W). All members voted "AYE." Motion carried.

Ziegler next requested consideration of the Aberle Park 2nd Subdivision be removed from the agenda.

Ziegler then presented a report on the activities of the Building/Planning/Zoning Office including the number of building permits issued.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to reappoint Gladys Cairns to a three (3) year term on the Burleigh County Social Service Board. All members voted "AYE." Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Jones, to designate Chairman Bitner as the voting representative for Capital Electric Cooperative annual meeting June 1, 2016. All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the second approach permit request of Cole Stevens from Lot 1, Block 1, Twin Buttes Subdivision; to approve the Gaming Site Authorization of the Veterans of Foreign Wars at the Apple Creek Country Club; and to approve the Liquor License renewals of the Moffit Bar (D&S, SE June 10 -11, 2016 Menoken Grove for Abate Rally), Hawk Tree Golf Club (D&S), Misty Waters Marina (D&S), TNT Tavern (D&S), and Burnt Creek Club (D) subject to Sheriff and State's Attorney review and favorable recommendations. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt,
Auditor/Treasurer

Brian D. Bitner
Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
May 2, 2016**

5:25 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the minutes and vouchers.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to approve the April 2016 meeting minutes as presented. All members voted "AYE." Motion carried.

Comm. Schonert reported that he reviewed the bills and recommended approval.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to approve payment of the vouchers, journal vouchers, and filing fee reports as presented. All members voted "AYE." Motion carried.

Scott Wegner, Arntson Stewart Wegner PC, appeared and requested authorization to call for a public hearing regarding a MIDA Bond Issuance for the Dakota Boys and Girls Ranch.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to authorize a call for a public hearing on June 6, 2016, relating to a MIDA Bond Issuance for the Dakota Boys and Girls Ranch. All members voted "AYE." Motion carried.

The Burleigh County Commission recessed and immediately reconvened as the County Board of Health.

Bismarck-Burleigh Public Health Director Renae Moch appeared and presented the Community Health Quality Improvement Plan along with the 2016-2018 Public Health Strategic Plan.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the Bismarck-Burleigh Public Health Community Health Quality Improvement Plan and the 2016-2018 Public Health Strategic Plan. All members voted "AYE." Motion carried.

The County Board of Health adjourned and the County Commission reconvened with all members present.

County Engineer Hall appeared with the following items for the Board's consideration: authorization to advertise for bids for the Hay Creek Township Chip Seal Package, disposition of bids for the Lincoln Road Phase 2 project, disposition of bids for SAD #59 Spiritwood Estates Subdivision project, and discussion regarding improvements to the Missouri Valley Complex parking lots.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to authorize the advertisement of bids for the Hay Creek Township Chip Seal Package. All members voted "AYE." Motion carried.

Hall then reported that four (4) bids were opened on April 21, 2016 for the Lincoln Road Phase 2 project. Hall noted the Engineers Estimate for the project was \$1,841,956.25 and recommended award of the bid to the low bidder.

Motion by Comm. Schonert, 2nd by Comm. Jones, to award the bid for the Lincoln Road Phase 2 project to the low bidder, Weisz & Sons Inc., in the amount of \$1,437,400.51. All members voted "AYE." Motion carried.

Hall next reported that two (2) bids were opened on April 21, 2016, for the SAD #59 Spiritwood Estates Subdivision project. Hall noted the Engineer's Estimate for the project was \$540,374.47 and the estimate used for the circulated special assessment petition was \$536,640. Hall recommended award of the bid to the low bidder.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to award the bid for the SAD #59 - Spiritwood Estates Subdivision project to the low bidder, Northern Improvement Co., in the amount of \$497,778.46. All members voted "AYE." Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Jones, to authorize the expenditure of \$5,328 (estimated) for the purpose of paving a 10' - 12' wide parking area next to the curb (cost – around \$5,328) along the Northeast side of the 4-H Building to provide a better place to park and to improve drainage in the area. All members voted "AYE." Motion carried.

Sheriff Heinert appeared with the following items for the Board's consideration: monthly detention center report, new detention center construction update, and owners' representative contract approval.

Sheriff Heinert presented the April jail report noting 1,248 prisoner nights were spent outside the Burleigh County facility at a cost of \$90,055, bringing the yearly total for "outside nights" to \$333,030. Heinert noted the 2016 budget for outside prisoner housing is \$455,000. Heinert stated the average nightly prisoner count was 176 for April. Heinert noted there are currently 270 individuals utilizing the 24/7 testing program on a daily basis, with 87 on the drug patch, 130 on the ankle bracelet, and 33 on two-a-day breath tests.

Heinert next presented a report on the construction of the new Burleigh/Morton Detention Center noting the present focus of construction is to complete the exterior including parking lots.

Heinert then introduced Jeff Ubl, Ubl Design Group, regarding the remodeling of the current jail upon completion of the new jail facility. Ubl stated the new detention center project includes the remodeling of the current jail. Ubl continued the scope of the original architectural contract did not include this remodeling. Ubl stated he has met with Sheriff Heinert and State's Attorney Riha to explore options for the space. Ubl is requesting approval of a contract for the preliminary design phase for the remodeling project which will include a space needs assessment, develop concept plans and preliminary designs, along with a construction budget. Ubl stated the proposed contract for services is on an hourly basis not to exceed \$38,920 including engineering, and excluding furniture or detailed designs.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the contract with Ubl Design Group for the preliminary design phase for remodeling the current Burleigh County Detention Center to include a space needs assessment, preliminary designs development, and a construction budget on an hourly basis not to exceed fee of \$38,920 including engineering. All members voted "AYE". Motion carried.

Heinert then requested a variance to the Burleigh County Credit Card Policy to exclude his deputies from the requirement to reimburse sales tax when traveling and transporting prisoners out of state. Heinert noted the current sales tax amount he requests be eliminated is \$1.70 with officers presently traveling in Florida that may also incur such charges.

Motion by Comm. Schonert, 2nd by Comm. Jones, to authorize the variance to the Burleigh County Credit Card Policy thereby eliminating the \$1.70 sales tax charges as requested. All members voted "AYE". Motion carried.

Heinert requested that the policy be changed and asked HR Director Terras to appear on this matter.

HR Director Tammy Terras appeared and stated the Burleigh County Personnel Policy Manual does not address credit cards as that policy is administered by the auditor/treasurer's office. Chairman Bitner asked Terras to work with the various departments regarding an amendment to the credit card policy. Comm. Jones suggested the State's Attorney also be consulted on any proposed amendments.

Auditor/Treasurer Glatt appeared and presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Schonert, 2nd by Comm. Peluso, to approve the Furniture Row USA, LLC, Wolff, Nelson, Schmitcke, Burke-Mirzakhani, Job, Diocese of Bismarck, Miller, Wiard and Fritz abatements as requested and recommended. All members voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to confirm the reappoint of Dawn Aberle and Linda MacDonald to three (3) year terms on the Burleigh County School District Reorganization Committee effective 7/1/2016. All members voted "AYE." Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the county employee poll workers resolution. All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to authorize the expenditure of up to \$50,000 for the development of a master plan for the Missouri Valley Complex as discussed and approved by the Burleigh County Park Board. All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Peluso, to recognize the Dakota Woodturners as an other public spirited organization and to approve the raffle permit applications of the Dakota Woodturners and United Tribes Technical College; the Gaming Site Authorizations of the NoDak Sportsman's Club (TnT Tavern in Driscoll and Flash's Bar in Sterling); and to approve the Liquor License renewal of the Capital City Gun Club. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt,
Auditor\Treasurer

Brian D. Bitner, Chairman
Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
April 18, 2016**

5:00 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the bills.

Comm. Peluso stated he reviewed the bills and recommended approval.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve payment of the bills as presented. All members voted "AYE." Motion carried.

County Building Official/Director Ziegler appeared regarding consideration of a service agreement with the City of Wilton to provide a building review for determining condemnation of a structure.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the service agreement with the City of Wilton to provide a building review for determining condemnation of a structure. All members voted "AYE." Motion carried.

Deputy Auditor/Tax Equalization Director Vietmeier appeared and presented a short update on Township Equalization. Vietmeier stated that reviews of the township assessors' work was completed for 40 townships with all but one (1) township submitting their books for review on a timely basis. Vietmeier continued the Auditor/Treasurer/Tax Equalization Office completed the assessment work for eleven (11) townships and the City of Lincoln with ten (10) city/township boards of equalization meetings completed.

Auditor/Treasurer Glatt then presented an update on enhancements to the county website in the areas of property tax information and financial transparency.

Auditor/Treasurer Glatt next presented a list of Election Inspectors for appointment by the County Commission pursuant to ND Statute.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to appoint the Election Inspectors as presented and to authorize Auditor/Treasurer Glatt to make appointments for the vacancies as needed. All members present voted "AYE". Motion carried.

Auditor/Treasurer Glatt finally presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the Feigitsch, Hexom, Ohlhauser, Rudnick, LLC, Neer, Stewart and Selzler abatements as requested; and to approve the Raffle Permit Application of St. Hildegard's Catholic Church. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
April 4, 2016

5:16 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the March minutes.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the March meeting minutes as presented. All members voted "AYE." Motion carried.

Comm. Peluso stated he reviewed the bills and recommended approval.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve payment of the vouchers, journal vouchers, and filing fee reports as presented. All members voted "AYE." Motion carried.

Rachel Drewlow Transportation Planner Bismarck-Mandan Metropolitan Planning Organization and Joel Quanbeck, KLJ, appeared and presented the BurleighGrowth2015 Final Report.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the BurleighGrowth2015 Final Report. All members voted "AYE." Motion carried.

Arnold Schieve, 11000 Apple Creek Rd, appeared regarding issues concerning the road right of way work done adjacent to his property. Schieve stated he has sent letters to the County Engineer and County Commission regarding this item with no response.

County Engineer Hall appeared and explained the work completed and that he did in fact respond to Schieve. Hall stated upon complaint from Schieve regarding the cattails in the ditch adjacent to his approach, the Highway Dept. first mowed the cattails and then removed them to improve the site distance (visibility) for Schieve and the travelling public's safety.

Schieve then presented a long and detailed account of what the Highway Dept. has done over the past many years affecting drainage along his approach and private road. Schieve was especially upset with the fact that the Highway Dept. removed material (dirt) from the road right of way (ditch) along Apple Creek Rd which he claims is affecting the drainage on his property.

Greg Johnson, registered surveyor, appeared and stated he recently did some survey work for Schieve but does not know exactly how much material was removed from the ditch in question as he had not done a survey prior to the material being removed.

Comm. Peluso noted that for at least ten (10) years Schieve has had issues with the drainage in this area and the county's attempts to appease him. Peluso stated the county is just doing the best they can to help.

Comm. Schonert stated he remembers the county trying to help Schieve for at least twenty (20) years with Schieve mostly unsatisfied.

No action was taken.

County Engineer Hall then appeared with the following items for the Board's consideration: developer pavement waiver request for a proposed residential subdivision along McDonald Road from State Highway 1804 (Section 28, Lincoln Township); pavement waiver request of Central Power Electric Cooperative for a portion of 71st Ave NW to access their 71st Ave Substation (Hay Creek Township); and, Township Road Mileage Certification.

Motion by Comm. Schonert, 2nd by Comm. Jones, to deny the developer pavement waiver request of Carl Wilkes for a proposed two (2) lot residential subdivision along McDonald Rd from State Highway 1804 (Section 28, Lincoln Township). All members voted "AYE". Motion carried.

Hall then presented a pavement waiver request on behalf of Central Power Electric Cooperative and Mike Koch for a portion of William's Way off of 71st Ave NW. Hall stated Central Power desires a temporary waiver to delay the road construction and paving until immediately after the new proposed substation (Lot 1, Block 1, Koch Creek Commercial Subdivision) construction is complete. Hall continued Central Power is concerned as the substation equipment, transformers and material is very heavy along with the equipment used to grade and build the site. Hall stated Central Power's concern that the equipment and substation material has the

potential to cause premature wear and tear to a newly paved road is unfounded if they follow and abide by legal load limits. Hall expressed his concern over the precedent this may set – with all new subdivision developers wanting to wait until all the basements are poured before paving of roads.

Mike Hill, Senior Land Surveyor Ulteig Engineers, appeared representing Mike Koch the developer of the subdivision. Hill stated the preliminary plat for the subdivision has been submitted and the developer with no hesitation will pave the roads upon completion of the substation construction. Hill added this is a unique situation as the substation construction will require heavier equipment than a typical residential subdivision.

Upon question Hall noted the only waivers that have been previously granted were end of season (weather) related and were approved only after the first lift of pavement was completed.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to approve the temporary waiver request of Central Power Electric Cooperative and Mike Koch to delay construction and paving of a portion of William's Way off of 71st Ave NW until after the new proposed substation (Lot 1, Block 1, Koch Creek Commercial Subdivision) construction is complete.

Eric Poppinga, Central Power Electric Cooperative, appeared and stated another reason for the request is to allow for the process to move forward and get the substation done. Poppinga stated waiting for the construction and paving of the road will delay the construction of the substation. Poppinga continued the goal is to start construction of the substation in June with completion in August, thereby affording time for the completion of the roadway before the end of the 2016 construction season. Poppinga concluded Central Power Electric Cooperative will do everything right and nothing will be left undone.

Vote on Motion: "AYE" votes: Peluso, Woodcox, Bitner. "NAY" votes: Schonert, Jones. Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the Township Road Mileage Certification as presented. All members voted "AYE". Motion carried.

HR Director Terras appeared regarding consideration of the Reclassification of the 24/7 Program Administrative Asst. II position to Administrative Asst. III within the Sheriff's Dept.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the reclassification request of the 24/7 Program Administrative Asst. II position to Administrative Asst. III within the Sheriff's Dept. All members voted "AYE". Motion carried.

Sheriff Heinert appeared and presented the Detention Center monthly report. Heinert stated that for the month of March 1,225 prisoner nights were spent outside the Burleigh County facility at a cost of \$86,460. Heinert noted there are currently 263 individuals utilizing the 24/7 testing program on a daily basis, with 75 on the drug patch, 133 on the ankle bracelet, and 32 on two-a-day breath tests. Heinert noted 23 people are testing in other counties. Heinert also presented a brief construction update on the Burleigh/Morton Combined Detention Center.

Sheriff Heinert next presented for consideration a contract with the Heartview Foundation for Justice and Mental Health Collaboration – Screening and Planning. Heinert noted that the county previously received a two (2) year federal grant in the amount of \$150,000 (\$37,500 local share) for working with incarcerated mentally ill persons. Heinert continued through this contract Heartview will provide assistance to the county for the completion of the grant requirements.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve the contract with the Heartview Foundation for Justice and Mental Health Collaboration – Screening and Planning assistance to the county for the completion of the Bureau of Justice Assistance grant in an amount not to exceed \$78,202. All members voted "AYE". Motion carried.

The Commission then considered the request of the City of Bismarck for a resolution of support for a five (5) year extension of the Bismarck Renaissance Zone.

Motion by Comm. Peluso, 2nd by Comm. Jones, to deny the request of the City of Bismarck for a letter of support for the five (5) year extension of the City of Bismarck Renaissance Zone.

Steve Schwab, Bismarck city resident, appeared in support of the motion. Schwab stated the Renaissance Zone is socially and morally wrong and provides an unfair advantage to those who receive the exemptions.

Dustin Gawrylow, North Dakota Watchdog Network, appeared and stated supporting the extension also creates the possibility to expand the area of the Renaissance Zone and will further divert funds from the county.

Don Clement and Terry Fleck, Bismarck city residents, appeared in support of the motion to deny support for the extension of the City of Bismarck Renaissance Zone.

Vote on Motion: All members voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Peluso, to direct the Bismarck Park and Recreation District to dispose and salvage/sell the old bleachers on the Missouri Valley Complex property in the most reasonable and cost effective manner. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Board's consideration, a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve the Meier, Wetzel, Lunn, Davenport, Roth, Wald, and Liechty Homes abatements as requested; to approve the Lost Instrument Surety Bonds to replace check#102285 (\$3,642.36) and check #102438 (\$110.98); to approve the Gaming Site Authorization for the AMVETS at Apple Creek Country Club and the Rocky Mountain Elk Foundation at Capital City Sporting Clays; to approve the Special Event Liquor License applications for the TnT Tavern (Driscoll) on April 29 and May 7, 2016; and to approve the National Public Safety Telecommunications Week Proclamation. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian D. Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
SPECIAL MEETING MINUTES
March 17, 2016**

1:30 P.M.

The Burleigh County Commission convened a special meeting via phone with all members present except Comm. Peluso. The purpose of the meeting was to consider affirming and extending the county fire emergency and burn ban.

Emergency Manager Senger explained the fire emergency and burn ban put into effect by Chairman Bitner on March 11, 2016, will expire on March 17 unless extended by County Commission action.

Motion by Comm. Jones, 2nd by Comm. Schonert, to affirm and extend the Burleigh County fire emergency and burn ban thru October 1, 2016. All members present voted "AYE." Motion carried.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
March 21, 2016**

5:00 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the bills.

Comm. Jones stated she reviewed the vouchers and recommended approval.

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve payment of the bills as presented. All members voted "AYE." Motion carried.

This was the hour and date set for a public hearing regarding a petition to vacate the existing roadway located in the SE¼SE¼NE¼, Section 19, Lincoln Township.

County Engineer Hall appeared and presented background information on the petition. Hall noted the specific portion of the road at issue was declared a public road by prescription on October 22, 1979 by the Honorable Benny A. Graff, Judge of the District Court.

State's Attorney Riha appeared and stated that it is his opinion that the County Commission has the discretion to vacate the roadway.

RJ Pathroff, Vogel Law Firm representing the petitioner Randal and Elizabeth Miller (3918 England St), appeared and requested the vacation and closure of the petitioned roadway located in the SE¼SE¼NE¼, Section 19, Lincoln Township. Pathroff stated the Miller's desire the roadway vacation is to improve the enjoyment of their home, increase privacy, and to increase their property value. Pathroff continued this procedure for the vacation and closure of this portion of the roadway is legal and utilizes the proper requirements of statute and is well supported by a petition of the neighbors.

Landon Niemiller, Land Development Technician, Swenson Hagen Co., appeared and stated the Miller's and Wetch's now have separate access to their properties and therefore this portion of the road is no longer needed. Niemiller stated the only people who uses this stretch of road is the Wetch family.

Comm. Peluso questioned when the Millers purchased their property?

Randy Miller appeared and stated he purchased his property after the court judgment establishing the roadway. Miller added Wetch has a no trespassing sign along the roadway restricting use of the road across his property.

Tim Wetch, 3924 England St, appeared and stated the road at issue is very important to his family and serves as the primary access to his property. Wetch noted all maps, global positioning systems (GPS), delivery persons, friends, etc. use the road. Wetch stated if vacated there is no alternative route from his property and would severely compromise safety. Wetch added if the road is vacated he will have to change his address which will cause him a financial hardship.

Commissioners Schonert and Peluso both expressed their concerns about emergency vehicles getting in and out of the area.

Chairman Bitner questioned if there was any compelling public interest in the closure with both Miller and Wetch responding no.

Engineer Hall reappeared and stated he opposed the vacation as he can see no benefit for the vacation. Hall added road right of way is usually difficult and or expensive to acquire and thus should not be released without a convincing reason.

Motion by Comm. Peluso, 2nd by Comm. Jones, to deny the petition to vacate the existing roadway located in the SE¼SE¼NE¼, Section 19, Lincoln Township. All members voted "AYE." Motion carried.

Rachel Drewlow Transportation Planner Bismarck-Mandan Metropolitan Planning Organization and Joel Quanbeck, KLJ, appeared and presented the BurleighGrowth2015 Final Report.

Chairman Bitner noted a couple of items in the report and requested that a complete printed hard copy of the report be provided to each Commissioner for review.

Motion by Comm. Schonert, 2nd by Comm. Jones, to table consideration of the BurleighGrowth2015 Final Report until the next regular meeting. All members voted "AYE." Motion carried.

Dennis Reep and Greg Larson of the Burleigh County Water Resource District (BCWRD) appeared and presented a report on BCWRD activities. Reep noted the four (4) flood projects (Hogue Island buyout, Burnt Creek, Missouri River Correctional Facility and Fox Island) along with other general activities presently being undertaken. No action was taken.

Bismarck/Burleigh Public Health Director Renae Moch appeared and presented a report on Public Health activities. Jody Wolf appeared and explained the Home Health Maintenance program. No action was taken.

Building Official-Director Ziegler appeared regarding consideration of amendments to Articles 23 and 24 of the Burleigh County Zoning Ordinance.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the amendments to Articles 23 and 24 of the Burleigh County Zoning Ordinance. All members voted "AYE." Motion carried.

County Engineer Hall appeared and presented the following items for the Board's consideration: results of bids for 2016 centerline and edge line striping, gravel crushing, and providing concrete and metal culverts; and, consideration of a NDDOT Rail Safety Program Agreement.

Hall reported that on March 10, 2016, the following bids were received and opened:

J & J Striping	\$139,013.00
West River Striping Company	\$140,761.47
Traffic Safety Services, Inc.	\$180,550.74

Hall noted the engineer's estimate for the project was \$162,035.00

Motion by Comm. Schonert, 2nd by Comm. Jones to award the bid for painted pavement markings to the low bidder, J & J Striping, in the amount of \$139,013.00 and to authorize the proper County officials to enter into a contract with said bidder. All members voted "AYE". Motion carried.

Hall continued that on March 10, 2016, the following bids were opened for gravel crushing.

Knife River Corp North Central	\$4.15 per cubic yard,
Gravel Products Inc.	\$4.25 per cubic yard
Sundre Sand & Gravel	bid rejected

Hall noted the 2015 gravel crushing bid was awarded at \$4.52 per cubic yard.

Motion by Comm. Jones, 2nd by Comm. Peluso, to accept the low bid of Knife River Corp North Central in the amount of \$4.15 per cubic yard for the crushing of gravel and authorize the proper county officials to enter into a contract with said bidder. All members voted "AYE". Motion carried.

Hall reported that Cretex Concrete Products, Inc. submitted a bid for Furnishing Concrete Culverts and that TrueNorth Steel and Contech Engineered Solutions submitted bids for Furnishing Metal Culverts.

Motion by Comm. Schonert, 2nd by Comm. Jones, to award the low bid from Cretex Concrete Products, Inc. for Furnishing Concrete Culverts; and to accept the bids of TrueNorth Steel and Contech Engineered Solutions for Furnishing Metal Culverts and to authorize the proper county officials to enter into contracts with said bidders. All members voted "AYE". Motion carried.

Hall then reported that the North Dakota Department of Transportation is offering Burleigh County a significant cost share for the upgrade of the existing railroad crossing surface and signal system over 71st Avenue NE. Hall noted the estimated project cost is \$254,273.42 with the NDDOT proposing a 90% state and 10% county (\$25,427.34) funding split.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to approve the cost share agreements with the NDDOT for the crossing improvement project and the signal improvement project at the Dakota Missouri Valley Western railroad crossing over 71st Ave NE, north of the City of Bismarck. All members voted "AYE". Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Schonert, 2nd by Comm. Peluso, to approve the Coleman, KECO, LLC, Alvina, LLC, Horntvedt, Zabka, Swennes & Stromme, Cortijo, Koch, Herauf, Wiedrich, Peak, Bair, Mayer, Person, Irons and Strehlow abatements as requested. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
March 7, 2016**

7:30 A.M.

The Burleigh County Commission convened an informational meeting at the NDSU Extension Office with all members present except Chairman Bitner and Comm. Woodcox. The purpose of the meeting was to hear programming updates from the Burleigh County Extension Service. No action was taken.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
March 7, 2016**

5:22 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Chairman Bitner called the meeting to order with the first item of business the approval of the February minutes and vouchers.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the February meeting minutes as presented. All members voted "AYE." Motion carried.

Comm. Jones stated she reviewed the vouchers and recommended approval

Motion by Comm. Jones, 2nd by Comm. Peluso, to approve payment of the vouchers, journal vouchers, and filing fee reports as presented. All members voted "AYE." Motion carried.

Dave Patience, Swenson, Hagen & Co, appeared regarding acceptance of right of way within the final plat of University of Mary Second Subdivision including granting a waiver to delay the construction and paving of for Sentinel Road within the University of Mary Second Subdivision.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the final plat of University of Mary Second Subdivision accepting the right of way with the final plat including granting a waiver to delay the construction and paving of Sentinel Road within University of Mary Second Subdivision.

Mark Swenson, a neighboring landowner appeared regarding the status of the construction of Sentinel Road. Swenson stated he is aware of a waiver allowing the roadway to be built at a later date. Swenson questioned what will trigger the requirement for the road to be constructed. Swenson suggested that the University of Mary be required to construct and pave the Sentinel Road upon the platting of the adjacent property. Swenson requested an opportunity to review the waiver.

Chairman Bitner allowed Swenson an opportunity to review the road construction waiver with the Commission proceeding to the next item on the agenda.

County Engineer Hall appeared and presented the following items for the Board's consideration: request of Renee Small for a road pavement waiver; bids for township gravel hauling, dust control, surface grading, haying leases (3 locations); and, authorization to advertise bids for the paving of 57th Ave NW.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the Developer Waiver Request of Renee Small to waive the requirement to pave approximately 3,600 feet of 102nd Ave SE from State Highway 1804 to the proposed two (2) lot subdivision within the SE¼SW¼, Section 12, Ft. Rice Township. All members voted "AYE". Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to award the bid for Township Gravel Hauling to the low bidder Circle C, LLC, in the amount of \$271,930. All members voted "AYE". Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to award the bid for Dust Control (supplying and applying Magnesium Chloride) to the low bidder RoadWorx, LLC, in the amount of \$235,300. All members voted "AYE". Motion carried.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to award the bid for the 2016 grazing rights on Section 9, T141N, R76W, to Travis Fisher in the amount of \$18,000 and to authorize the proper county officials to enter into a contract with said bidder. All members voted "AYE". Motion carried.

Hall reported that bids were solicited for the 2016 haying rights for the Wilton, Sterling, and Moffit Shops. Hall stated bids were only received for haying at the Wilton Shop.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to award the bid for the 2016 haying rights at the Wilton Shop to Larry Buchholtz in the amount of \$526 and to authorize the proper county officials to enter into a contract with said bidder. All members voted "AYE". Motion carried.

County Engineer Hall then requested authorization to advertise for bids for the paving of 57th Avenue from ½ mile west of Washington Street to 15th Street NW and to use General Fund monies to fund the project. Hall noted the County Commission moved this project from the unfunded priority list to the funded priority list on February 1. Hall continued that on February 17 he reported to the Commission about the projected budget shortfall in the Burleigh County Highway Dept. Hall noted he stated at that time the revised projections represent a \$1,602,598 reduction in revenue.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to deny authorization to advertise for bids for the paving of 57th Avenue from ½ mile west of Washington Street to 15th Street NW due to the funding shortage.

Comm. Woodcox suggested that we advertise for bids to see what it will cost. Woodcox continued that he does not think we will have any money, but it will not cost us anything to go out for bids.

Chairman Bitner and Engineer Hall stated that to go out for bids with little chance of award due to funding constraints is not good business as bidders must expend resources to formulate their bids.

Auditor/Treasurer Glatt cautioned the Commission on using General Funds to pay for road projects without looking at the entire county budget.

Vote on motion: All members voted "AYE". Motion carried.

The Board then returned to the motion and discussion related to the acceptance of the right of way for Sentinel Road within University of Mary Second Subdivision. Mark Swenson appeared and stated the University of Mary has been given many, many exceptions over the years and should be required to build the road.

Engineer Hall appeared and recommended acceptance of the right of way for Sentinel Road within University of Mary Second Subdivision noting the county has the discretion to require that the road is built when and as needed.

Vote on motion: All members voted "AYE". Motion carried.

Sheriff Heinert appeared and presented the Detention Center monthly report. Heinert stated that for the month of February, 1117 prisoner nights were spent outside the Burleigh County facility at a cost of \$80,400. Heinert noted there are currently 279 individuals utilizing the 24/7 testing program on a daily basis, with 102 on the drug patch, 142 on the ankle bracelet, and 35 on two-a-day breath tests. Heinert noted 26 people are testing in other counties.

Finance Director Thompson appeared and presented the following proposed 2015 budget amendments for the Board's consideration:

FUND	2015 BUDGET	AMENDED BUDGET	CHANGE
RIVERVIEW TWP	50,000	88,000	38,000

BURNT CREEK TWP	ROAD EXPENSE EXCEEDED BUDGET	100,000	113,000	13,000
LINCOLN TWP	ROAD EXPENSE EXCEEDED BUDGET	100,000	175,000	75,000
ROAD AND BRIDGE	ROAD EXPENSE EXCEEDED BUDGET	11,929,517	14,910,000	2,980,483
HIGHWAY GAS TAX	EXPENSE EXCEEDED BUDGET	7,162,000	7,167,000	5,000
COUNTY POOR	REVENUES EXCEEDED ESTIMATE	1,233,387	1,238,000	4,613
VICTIM/WITNESS ADVOCATE	EXPENSE EXCEEDED BUDGET	208,095	214,000	5,905
VETERAN SERVICE	EXPENSE EXCEEDED BUDGET	299,365	317,000	17,635
HEALTH INSURANCE	EXPENSE EXCEEDED BUDGET	1,537,085	1,539,000	1,915
KNIEFEL BOAT RAMP	EXPENSE EXCEEDED BUDGET	36,150	45,000	8,850
DRISCOLL SIBLEY PARK	CAPITAL OUTLAY EXCEEDED	4,300	5,400	1,100
ST ATT DRUG ASSET FORFEITURE	EXPENSE EXCEEDED BUDGET	7,000	10,500	3,500
SOBRIETY 24/7 PROGRAM	EXPENSE EXCEEDED BUDGET	66,000	160,000	94,000
DETENTION COMMISSARY	EXPENSE EXCEEDED BUDGET	35,000	49,000	14,000
ABANDONED CEMETERY	EXPENSE EXCEEDED BUDGET	5,000	6,000	1,000
FALCONER EST III PAVING RSAD	REFINANCED OUTSTANDING DEBT	-	1,000	1,000
GRANDE PRAIRIE PAVING II RSAD	CLOSED FUND	-	35,000	35,000
BRIARDALE PAVING RSAD	CLOSED FUND	-	3,000	3,000
RIVERSIDE I & II PAVING RSAD	CLOSED FUND	-	22,000	22,000
LINDTEIGENS LANDING PAVING RSAD	CLOSED FUND	-	10,000	10,000
NORTHWOOD ESTATES RSAD	CLOSED FUND	-	15,000	15,000
ABERLE BARBIE PRAIREVIEW RSAD	CLOSED FUND	-	10,000	10,000

CIRCLE K RSAD	-	18,000	18,000
CLOSED FUND			
PRAIRIEWOOD ESTATES 2ND RSAD	63,650	80,000	16,350
REFINANCED OUTSTANDING DEBT			
CRESCENT RIDGE RSAD	6,350	8,000	1,650
REFINANCED OUTSTANDING DEBT			
SECLUDED ACRES 2ND & 3RD RSAD	-	11,800	11,800
NEW SPECIAL ASSESSMENT			
SECLUDED ACRES WEST RSAD	-	10,200	10,200
NEW SPECIAL ASSESSMENT			
COUNTRYSIDE ESTATES CHIP SEAL	-	700	700
NEW SPECIAL ASSESSMENT			
	22,842,899	26,261,600	3,418,701

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the 2015 budget amendments as presented and recommended by Finance Director Thompson. All members voted "AYE." Motion carried.

Comm. Jones reported on recent meetings she attended of the Intergovernmental Committee (city, county, school, and park representatives) and The Chamber of Commerce Government Affairs Committee. No action was taken.

Motion by Comm. Schonert, 2nd by Comm. Jones, to accept the resignation of Judy Krueger from the School District Reorganization Committee and to appoint Dawn Aberle to the unexpired term ending 6/30/16. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt then presented the bids for election supplies and ballot printing for 2016 - 2017. Glatt stated the only bid received was from the Printers Inc. Glatt noted the bid amounts were similar to the 2014 – 2015 bid.

Motion by Comm. Peluso, 2nd by Comm. Jones, to accept the election supplies and ballot printing bid from The Printers, Inc., and approve the contract for the same. All members present voted "AYE". Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the, and Dobrzelecki, Schepper, Seidel, Woelber, Meidinger, Neumann, Young, Demars, Fonder, Doll, Anderson, Bergley, Knudsen, Walter, Schantz, Wagner, Ellwein, Barnes, Stugelmayer, RF Properties, Pearson, and Derwin abatements as requested. All members voted "AYE." Motion carried.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the 2nd approach permit application of Cody Igoe from Lot 2, Block 1, England Acres Subdivision (4022 England St); to approve the Lost Instrument Surety Bonds to replace check# 101309 (\$391.44) and check# 101597 (\$845.97); and, to approve the Special Event Liquor License application of TnT Tavern Driscoll for March 19, 2016. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
February 17, 2016**

5:00 P.M.

The Burleigh County Commission convened a regular meeting with all members present except Commissioner Jones.

Chairman Bitner reported that he had reviewed the bills and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve the bills as presented. All members present voted "AYE." Motion carried.

Deputy Auditor/Tax Director Vietmeier appeared with the abatements for the Board's consideration:

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to approve the Barth, Schuler, Salter, Schumaker, Bold, Goehring, Wald, Bender, Reidinger, Creed, Wickum, Senger, Grosche-Evans, Kuhn, Kalamaha, Hilsendeger, Thompson, Schantz, White, Meuchel, Stauffacher, D. Kramer, Andrews and P. Kramer abatements as requested. All members present voted "AYE." Motion carried.

Vietmeier then presented a report on township assessments and property value trends. Vietmeier noted the new training requirements for local assessment officials including a requirement that all assessments be reviewed by a certified assessor. Vietmeier continued that there are only a handful of certified assessors in the county. Vietmeier noted the very positive township reaction to the plan approved by the County Commission in October of 2015. Vietmeier stated to date 37 of the 47 townships have responded and requested that their assessments be reviewed or completed by the Tax Equalization Office.

Vietmeier then reported on building permit activity and Multiple Listing Service sales data, noting both show a flat real estate market. Vietmeier continued this indicates property values are stabilizing and thus he does not anticipate large increases in taxable values. Vietmeier concluded AG Land values for crop land are up about 2.5% from 2015 with no change in value for non-crop land.

County Engineer Hall appeared and presented the following items for the Board's consideration: review and approve the detailed plans and specifications for SAD#59 and authorize the call for bids; authorize the call for bids for Lincoln Road Phase II; consider petition to vacate a roadway and call for public hearing; and, discussion related to Highway Dept. budget shortfall.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to approve the detailed plans and specifications for the paving and chip sealing of roadways within Spiritwood Estates Subdivision Special Assessment District #59 and to authorize the advertisement of bids for the same. All members present voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to authorize the advertisement of bids for the Lincoln Road Phase II project. All members present voted "AYE." Motion carried.

Hall then presented a petition on behalf of the residents in the SE¼ SE¼ NE¼ , Section 19, Lincoln Township requesting the vacation of a public road by prescription accessing England St. Hall noted in recent years an additional roadway into the area was constructed thus reducing the necessity of this roadway. Hall concluded in order to vacate this roadway the county/township must conduct a Public Hearing and ascertain any damages that may be caused by discontinuing this roadway.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to accept the petition to vacate said roadway and call for a public hearing on March 21, 2016 at 5:00 p.m. to review and hear testimony regarding the discontinuance of this roadway and ascertain any damages caused by such action. All members present voted "AYE." Motion carried.

Hall then initiated a discussion related to the projected budget shortfall in the Burleigh County Highway Dept. Hall stated that earlier this month correspondence from the ND Association of Counties working in conjunction with the ND Dept. of Transportation and ND State Tax Dept. presented revised State Highway Distribution revenue figures using the latest state revenue projections for sales & use tax, motor vehicle excise tax, motor fuels tax, and motor vehicle registrations. Hall noted the revised projections represent a \$1,602,598 reduction in budgeted revenues. Hall continued that the County Highway Dept. has reviewed the current budget to develop expense reductions. Hall noted the proposed reductions are in the following line items: Travel, Gas Oil Fuel, Salt Sand, Furn. & Equip., Mach. & Equip., Crack Pouring, Cutting Edges, Gravel & Crushing, County Work, Centerline Striping, Patch Mix, Bismarck Shop, Continue Education, Emergency Fund, and Tires. Hall noted these reductions can be achieved by taking into account the mild winter, reductions in material on hand (salt, sand, gravel), deferred maintenance of our roadways (reducing crack sealing, patching and striping), deferred projects, reductions in travel and continuing education, and the elimination of the Highway Dept. Emergency Fund. Hall stated none of these reductions come without long term cost to the County Highway system. No action was taken.

Auditor/Treasurer Glatt then presented a resolution authorizing the reimbursement of expenses related to Special Assessment District #59; Spiritwood Estates paving project.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to approve and adopt a resolution authorizing the reimbursement of expenses for Special Assessment District #59. All members present voted "AYE." Motion carried.

Auditor/Treasurer Glatt next presented for consideration an update to the Burleigh County Investment Policy.

Motion by Comm. Peluso, 2nd by Comm. Schonert, to approve and adopt changes to the Burleigh County Investment Policy authorizing investments in State and local securities (general obligations of any state or local government with taxing powers and is rated in the highest three categories by a nationally recognized rating agency; an obligation of the state housing finance agency that is rated in the highest two categories by a nationally recognized rating agency; any security that is a general obligation of a school district and is rated in the highest two categories by a nationally recognized rating agency; obligations of this state and general obligations of its political subdivisions; along with commercial paper issued by a United States corporation rated in the highest quality category by at least two nationally recognized rating agencies and matures in two hundred seventy days or less. All members present voted "AYE." Motion carried.

Building Official-Director Ziegler and Emergency Manager Senger appeared and presented preliminary information regarding a voluntary Federal Emergency Management Administration incentive program aimed at reducing flood insurance premiums for county property owners. No action was taken.

Motion by Comm. Woodcox, 2nd by Comm. Peluso, to authorize Human Resource Office to plan and hold the 2016 County Employee Service Recognition Luncheon on April 20, 2016. All members present voted "AYE." Motion carried.

On a motion made, seconded, and carried the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
February 1, 2016**

5:00 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to approve the January meeting minutes as presented. All members voted "AYE." Motion carried.

Chairman Bitner reported that he reviewed the vouchers and recommended approval.

Motion by Comm. Schonert, 2nd by Comm. Woodcox, to approve the January vouchers, journal vouchers, and filing fee reports as presented. All members voted "AYE." Motion carried.

Mike Manstrom, Dougherty & Co., and Scott D. Wegner, Arntson Stewart Wegner PC, appeared regarding results of the bond sale for financing of SAD#58 (Skyline Estates Subdivision) and approval of bond resolutions. Manstrom presented the results of the \$590,000 bond sale held today noting a net interest rate of 2.1%.

Wegner presented resolutions to authorize the creation of the fund for Special Assessment District #58 Skyline Estates Subdivision and for the issuance of \$590,000 Refunding Improvement Bonds for Special Assessment District #58.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to authorize the creation of the fund for Special Assessment District #58 (Skyline Estates Subdivision) providing for and appropriating special assessments for the support and maintenance of said fund, and authorizing the issuance of improvement warrants for the same. All members voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to authorize the issuance of \$590,000 Refunding Improvement Bonds for Special Assessment District #58 (Skyline Estates Subdivision). All members voted "AYE." Motion carried.

Chad Moldenhauer, K & L Homes, appeared and requested that the paving of 15th St NW from 57th Ave NW to Highway 1804 be moved from the unfunded list of the 2016 Burleigh County Project Priority List in order to have the two roads paved in 2016 or as soon as grading is complete. Moldenhauer continued that as the developer of Heritage Ridge and Heritage Park Additions, it was his understanding before he started the developments that this section of 57th Ave NW would be paved. Moldenhauer stated the Northwest SubArea Study shows 57th Ave as one of the main arterials for northwest Bismarck traffic. Moldenhauer noted this project has been on the priority list since at least 2012 and asked the Commission to finish what has been started.

County Engineer Hall appeared and stated the paving of 57th Ave NW and 15th St NW appears as priority #20, an unfunded project, on the Burleigh County Project Priority List. Hall continued project priority # 3, the construction (grading) of 15th St NW needs to be completed prior to the paving. Hall noted 15th St NW probably will not be paved until at least the 2017 construction season adding that both projects have been on the county priority list for the past few years. Hall noted the first ½ mile of 57th Ave NW west of Washington St has been paved, and extending the pavement another ½ mile through the intersection of 15th St NW will cost an estimated \$200,000.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to separate project #20, the paving of 57th Ave NW and 15th St NW, into two (2) individual projects and to move the paving of 57th Ave NW from the end of the existing pavement through the intersection of 15th St NW to project priority #7.

Burleigh County Township Officers Association President Tom Dutton appeared and questioned why the County Commission would approve building and paving roads within the city limits of Bismarck.

Chairman Bitner and Comm. Schonert agreed and questioned why the county would want to fund the cost of roadways that are within the limits of the City of Bismarck.

Comm. Woodcox stated project was started by the county before the property was annexed to the city and is intended to provide access all the way to River Road.

Dutton questioned why the county requires other developers to pay for the paving of the road to the subdivision.

Comm. Schonert agreed noting if this request is approved we will have many other requests for similar treatment.

Vote on Motion: "AYE" votes: Jones, Peluso, Woodcox. "NAY" votes: Schonert, Bitner. Motion carried.

Hall then presented for consideration the 2016 Burleigh County Highway Dept. Project Priority List.

Motion by Comm. Schonert, 2nd by Comm. Peluso, to adopt the 2016 Burleigh County Project Priority List and authorize the Highway Dept. to allocate resources to design, acquire right of way and construct the prioritized projects under the North Dakota Century Code and Burleigh County policies as amended (Project #7). All members voted "AYE." Motion carried.

Hall then presented information related to the township gravel hauling contract and the request of the Burleigh County Townships to further subsidize the cost of township graveling (i.e. gravel spreading cost). Hall stated that in 2014 and 2015, Burleigh

County entered into a contract with a local trucking company to haul gravel for all township roads. Hall continued the County Highway Dept. has informed the townships that in 2016 bids will again be solicited for a private company to provide township graveling. Hall noted to facilitate this work the county has agreed to administer the gravel hauling contract and to provide a front end loader and operator at the gravel pit to load and measure the material used for the township roads. Hall added the county will also provide a gravel checker at the placement site to make sure that the gravel is being placed at the correct location with all other costs to be paid by the townships. Hall stated the townships have asked the County to consider assuming additional costs of the township graveling contract (i.e. the spreading cost) to make it more affordable. Hall noted after internal discussions within the Highway Dept., he is recommending the spreading of gravel be dropped from the Township gravel hauling contract and that the County Highway Dept. perform this work. Hall concluded that the Highway Department would bill 100% of this work to the Townships but predicted that it would still save the townships, on average, \$3.50 per yard of gravel.

Tom Dutton, Burleigh County Township Officers Association President, appeared and stated this is a great start but asked for more county help for maintaining the township roads.

Comm. Schonert stated the townships pay only about 25% - 30% of the total cost of maintaining their roads with the county subsidizing the remaining 70% – 75%.

Terry Thomsen, Crofte Township Supervisor, appeared and stated a few years ago Crofte Township gave about six (6) miles of township roads to the county and the maintenance cost has never gone down.

Hall stated that the township maintenance contracts are based upon a three (3) year average to determine costs with the target being the township paying between 25% - and 30% of the annual maintenance costs.

By consensus the Commission agreed to remove the Spreading of Gravel from the Township Gravel Hauling contract.

Social Service Director Osadchuk appeared regarding a pilot project with the State Human Service Dept. for the hiring & funding of an assessment position (Advanced Clinical Specialist). Osadchuk stated this position has been authorized and approved in the 2016 budget contingent upon state funding. Osadchuk noted this is a pilot project with the State Human Service Dept. working with mental health and substance abuse individuals. Osadchuk concluded the position is currently under review for classification by Fox Lawson & Associates with a target start date of April 1, 2016. No action was taken.

Sheriff Heinert appeared and presented the Detention Center monthly report. Heinert stated that for the month of January, 1078 prisoner nights were spent outside the

Burleigh County facility at a cost of \$76,115. Heinert noted there are currently 266 individuals utilizing the 24/7 testing program on a daily basis, with 84 on the drug patch, 143 on the ankle bracelet, and 39 on two-a-day breath tests. Heinert noted 33 people are testing in other counties.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration; a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the Liechty Homes Inc, Were, Fandrich, Feist, Creek, Midwest Motor Express, Tooke, FPL Energy Burleigh Co Wind, Boehm, Montana Dakota Utilities Co, Scholl, Loeffelman, Easter Seals Goodwill ND Inc, Fox, Kuss, Oban, Halcrow, Malarkey, Balzer, Olmsted, and Koth abatements as requested. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
January 20, 2016**

5:00 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

Comm. Woodcox reported that he had reviewed the bills and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the bills as presented. All members voted "AYE." Motion carried.

This was the hour and date set for a PUBLIC HEARING regarding the Resolution of Necessity for Special Assessment District #59 Spiritwood Estates Subdivision.

County Auditor/Treasurer Glatt explained the proposed Special Assessment District for the paving of roadways stating that 77% of the required 60% of the landowners signed the petition to create the district. Glatt noted the engineer's estimate of \$536,640 which is to be spread equally among the forty-eight benefited properties per the submitted petition.

Chairman Bitner opened the public hearing and called for public testimony.

Brian Senger and Roger Kaseman appeared in support of Special Assessment District #59 for Spiritwood Estates Subdivision.

As no one else present appeared, the public hearing was closed and the following motion was made:

Motion by Comm. Peluso, 2nd by Comm. Jones, to adopt a resolution determining the insufficiency of protests related to the Resolution of Necessity for Special Assessment District #59, Spiritwood Estates Subdivision, and to direct the engineer to prepare detailed plans and specifications. All members voted "AYE." Motion carried.

Gary Christenson, representing Hay Creek Pines Subdivision homeowners, appeared regarding drainage issues which affect the subdivision with the hope that the drainage/high water table issues will be included in the Highway Dept. 2016 project priorities. Christenson stated the roads within the subdivision need to be resurfaced and the County Engineer has advised that the roadways should not be fixed until the water issues are resolved as the water/drainage issues have an effect on the roads. Christenson continued that he hopes the county can sponsor a study and fix the water/drainage issues. Christenson stated upon correcting the water issues the residents would then petition for a special assessment district for the pavement overlay.

Comm. Schonert suggested that Christenson make a request to the Burleigh County Water Resource District to study the issue.

Comm. Jones presented an old Burleigh County Water Resource District study of the area drainage and stated she would see that Christenson be placed on the agenda of the next Water Resource District meeting. Jones suggested that the County Highway Engineer and the Water Resource District Engineer be directed to work together on this project from the onset. No action was taken.

County Building Official/Director Ziegler appeared regarding the “Policies, Goals and Objectives” Section of the County Future Land Use Plan “BurleighGrowth2015”. Ziegler stated this item is being forwarded from the Burleigh County Planning Commission as the Planning Commission directed the consultant to remove the chapter in the final report that listed goals, objectives and policies.

Comm. Schonert added that the Burleigh County Comprehensive Plan already includes goals, objectives and policies and that another document that also lists goals, objectives and policies that may not be the same could cause problems down the road.

Motion by Comm. Schonert, 2nd by Comm. Jones, to remove the Land Use Plan Goals, Objectives and Policies section (pages 24 – 35) of the “BurleighGrowth2015”, Burleigh County Land Use Plan. All members voted “AYE.” Motion carried.

Rachel Drewlow, Transportation Planner Bismarck-Mandan Metropolitan Planning Organization, appeared and stated the “Policies, Goals and Objectives” Section of the County Future Land Use Plan was part of the original contract with the consulting engineer and was not an “add-on” or additional cost.

County Building Official/Director Ziegler then requested consideration of amendments to Article 33 of the Burleigh County Zoning Ordinance. Ziegler noted a public hearing on the proposed amendments was held before the Burleigh County Planning Commission. Ziegler stated the Planning Commission approved the amendments with the exception that the adjacent property owners within 1320’ must be given notice by letter of the public hearing.

Motion by Comm. Jones, 2nd by Comm. Woodcox, to approve the amendments to Article 33 of the Burleigh County Zoning Ordinance as presented including adjacent property owners within 1320’ must be given notice by letter of the public hearing. All members voted “AYE.” Motion carried.

HR Director Terras appeared regarding consideration of the salary classification for the Extension Program Assistant position in the NDSU Extension Service Office. Terras noted the Commission at the December 7, 2015, meeting approved the reclassification of the existing Summer Horticulturist Intern position from a part-time position to a full-time benefited position utilizing the adopted 2016 budget; with the caveat that without 50% salary and 100% benefit funding from NDSU Extension in 2017 the full-time position will be eliminated. Terras continued that the Program Assistant position was sent to Fox Lawson for review and recommendation that the position be classified as (B21)/Grade 4.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve classification of the horticulturist position as a Program Assistant at a (B21)/Grade 4. All members voted "AYE." Motion carried.

Sheriff Heinert appeared regarding the following items: consideration of a contract for blood draws and consideration of an amendment to the ND DOT Traffic Safety contract.

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the contract for the Collection of Blood Samples from Impaired Drivers with the Central Dakota Forensic Nurse Examiners at a rate of \$105 per draw through December 31, 2016. All members voted "AYE." Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the amendment (date change) to Traffic Safety Contract No. 12152021 with the ND Dept. of Transportation for seat belt enforcement. All members voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration; a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Woodcox, 2nd by Comm. Jones, to approve the Fuller, Lapp, Schirado, Mindt, Schantz, Hust, Arnold, Bautz, W. Ternes, Steckler, Hillerud, Schweitzer, Zietlow, Brown, Sailer, Berg, Endres, Bertsch, Hecklesmiller, A. Ternes, Krumm, Schatz, Geiger, Scheirmeister, and Priddy abatements as requested; to declare the Driscoll Centennial Organization as an other public spirited organization and approve the raffle permit for the Driscoll Centennial Organization; and to approve the Assessment Services Contract with City of Lincoln. All members voted "AYE." Motion carried.

Emmons County Commissioner Jeff Magrum appeared regarding his candidacy for Dist. 28 House of Representatives noting that Dist. 28 includes all or parts of 15 townships in SE Burleigh County. No action was taken.

On a motion made, seconded, and carried the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman

BURLEIGH COUNTY COMMISSION
MEETING MINUTES
January 4, 2016

5:00 P.M.

The Burleigh County Commission convened a regular meeting with all members present.

County Auditor/Treasurer Glatt called the meeting to order and immediately called for nominations for Chair for 2016.

Comm. Peluso nominated Comm. Bitner for the Chairmanship with Comm. Jones seconding the nomination. Auditor/Treasurer Glatt called for further nominations. As there were no further nominations the following motion was made:

Motion by Comm. Jones, 2nd by Comm. Woodcox, to cease nominations and to cast a unanimous ballot to elect Comm. Bitner as Chairman. All members voted "AYE." Motion carried.

Comm. Bitner assumed the Chair and expressed his appreciation and commendation to Comm. Schonert for his hard work and diligence as Chairman in 2015 with the other Commissioners also expressing their appreciation.

Chairman Bitner then called for nominations for the Vice-Chair. Comm. Schonert nominated Comm. Woodcox as Vice-Chair with Comm. Jones seconding the nomination. Chairman Bitner called for further nominations. As there were no further nominations the following motion was made:

Motion by Comm. Schonert, 2nd by Comm. Jones, to cease nominations and to cast a unanimous ballot to elect Commissioner Woodcox as Vice-Chair. All members voted "AYE." Motion carried.

The Board then discussed portfolio assignments for 2016 with the following motions made:

Motion by Comm. Peluso, 2nd by Comm. Jones, to combine the Government Coordination, Community Involvement (The Chamber, BisMan Development Association, etc.), and the InTerGovernment Committee portfolios under Comm. Jones. All members voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to combine the Highway Department and Bismarck Mandan Metropolitan Planning Organization portfolios. All members voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Jones, to assign the County Park and Missouri Valley Complex Authority portfolio to Comm. Jones and combine this with the county extension portfolio. All members voted "AYE." Motion carried.

By consensus the Board agreed to switch several portfolio assignments.

Auditor/Treasurer Glatt stated Helen Schatz, the current county representative on the Dakota Prairie Regional Development Council, is no longer interested in serving and suggested a county commissioner replace her.

Motion by Comm. Peluso, 2nd by Comm. Woodcox, to appoint Chairman Bitner as the Burleigh County representative on the Dakota Prairie Regional Development Council. All members voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve the December meeting minutes as presented. All members voted "AYE." Motion carried.

Comm. Woodcox reported that he had reviewed the vouchers and recommended approval.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to approve the December bills and vouchers as presented. All members voted "AYE." Motion carried.

Will Hutchings, Transportation Planner Bismarck-Mandan Metropolitan Planning Organization (MPO), appeared regarding a MPO application to receive Bicycle Friendly Community status from the League of American Bicyclists. Hutchings stated the MPO will apply for a Bicycle Community status in February. Hutchings stated the application will provide an opportunity to have the pedestrian and biking trails within the cities of Bismarck, Mandan, Lincoln, and the area county trails independently reviewed based on engineering, education, encouragement, enforcement and evaluation/planning of biking and walking environments. Hutchings concluded that feedback from the application could be used in a future bike/pedestrian federally funded master plan study in 2016. No action was taken.

Sheriff Heinert appeared and presented a jail update. Heinert stated that 831 prisoner nights were spent outside of the Burleigh County facility in December at a cost of \$58,020. Heinert noted this brings the yearly total to 11,318 nights outside of the facility at a total cost of \$738,527. Heinert added there were 5,824 bookings in 2015; a total of 59,024 total inmate days; and 145,170 meals served in the Detention Center.

The Commission then considered appointments to the following auxiliary boards: County Planning Commission (one – 4 year term) and Region VII Human Service Council (one - 2 year term).

Motion by Comm. Schonert, 2nd by Comm. Jones, to appoint Brad Scott to a four (4) year term on the Burleigh County Planning Commission. All members present voted "AYE." Motion carried.

Motion by Comm. Woodcox, 2nd by Comm. Schonert, to appoint Darko Draganic to a two (2) year term on the Region VII Human Service Council. All members present voted "AYE." Motion carried.

Auditor/Treasurer Glatt presented the abatements for the Commission's consideration; a complete copy of which is on file and available for inspection in the office of the Burleigh County Auditor/Treasurer:

Motion by Comm. Peluso, 2nd by Comm. Jones, to approve the abatements; to approve the designation of the public depositories and approval of the security pledges as presented; to authorize the County Auditor/Treasurer to make payment upon demand for all invoices and claims for utility services, gas, fuel, and oil pursuant to the adopted bill payment policy; and to approve the Bingo Permit of the Sterling Lions Club. All members voted "AYE." Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve the contract with Gregory Runge for legal services for indigent involuntary commitments. All members voted "AYE." Motion carried.

Motion by Comm. Schonert, 2nd by Comm. Jones, to approve a resolution of appreciation recognizing former County Park Commissioner Dave Bement for his years of service on the Burleigh County Park Board. All members voted "AYE." Motion carried.

On a motion made, seconded, and carried, the Board adjourned.

Kevin J. Glatt, Auditor/Treasurer

Brian Bitner, Chairman