

**BURLEIGH COUNTY COMMISSION
MEETING MINUTES
June 6, 2022**

3:00 P.M.

The Burleigh County Commission convened pursuant to law as the County Board of Equalization. Chairman Peluso called the Board of Equalization to order with Commissioners, Armstrong, Jones, Bitner, and Chairman Peluso present, Commissioner Matthews virtual presence.

Tax Equalization Director Allan Vietmeier appeared and reviewed the statutes and duties of the Board of Equalization explaining the state requirements related to the sales ratio statistics. Vietmeier 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 2022 market value increased overall by 9.05% from February 1, 2021, to February 1, 2022, due to new construction, non-exempt remodeling and improvements, property classification changes, market changes, abatements, and reappraisals. Vietmeier stated the average count AG land value, as certified by the ND State Tax Dept., is \$501.60 per acre. Vietmeier recommended an average value per acre of \$468.06 to keep Burleigh County within tolerance of the state's recommended average.

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 rural properties qualifying for homestead credits, veteran's credits, new home exemptions, new commercial properties, remodeling exemptions and geothermal exemptions.

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

Vietmeier presented the appeal of Kevin and Tamara Solie (1401 High Creek Pl), Herbert and Carol DeForest (326 W Ingals Ave), and Dale Luithle (3214 Jordan St) to the Burleigh County Commission. Vietmeier stated that he reviewed the properties in question and determined that the City of Bismarck had assessed these properties in a fair and equitable manner and that no change was recommended.

Herbert DeForest, Steve Eckert, Lance Prebble, and Steve Petron appeared before the Commission with concerns to their current increased values for their property asking for a reevaluation to their property and Tax Director Vietmeier explained to the Commission that the current market has been moving the values upward and feels the valuations for properties done by the City of Bismarck and Burleigh County are correct.

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

Motion by Comm. Armstrong, 2nd by Comm. Jones, to approve and accept the assessments of the unorganized Townships of Lincoln, Riverview, Florence Lake, Ft. Rice, Burnt Creek, Canfield, Lyman, and Phoenix as recommended by the Tax Equalization Director Allan Vietmeier. 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.

Motion by Comm. Jones, 2nd by Comm. Armstrong, to approve Agricultural Land values to implement North Dakota State Tax Department recommendation on the average value per acre. All members present voted "AYE." Motion carried.

The Board then reviewed the assessments of the Cities of Bismarck, Lincoln, Regan, South Wilton, and Wing.

Chairman Peluso called for any testimony/comments relating to the assessments of the Cities of Regan, Wing, Lincoln, Bismarck, and South Wilton.

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

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

The Board then reviewed the assessments of the Organized Townships.

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

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

Motion by Comm. Armstrong, 2nd by Comm. Bitner, to approve and accept the assessments of the organized and unorganized townships as adopted by the local Boards of Equalization and recommended by the Tax Equalization Director Allan Vietmeier. All members present voted "AYE." Motion carried.

Motion by Comm. Jones, 2nd by Comm. Bitner, 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 Tax Equalization Director. All members present voted "AYE". Motion carried.

Motion by Comm. Jones, 2nd by Comm. Armstrong, to approve and accept the 2022 real property assessments as equalized, to authorize the Tax Equalization Director make corrections to property values in Burleigh County as needed. All members present voted "AYE." Motion carried.

Tax Director Vietmeier made a recommendation, therefore, be it resolved that the Burleigh County Commission on September 16, 2020, approved the budget and recreated the Burleigh County Tax Equalization Department as a separate Burleigh County Department. Motion by Comm. Jones, 2nd by Comm. Armstrong to approve the recommendation, therefore, be it resolved that the Burleigh County Commission on September 16, 2020, approved the budget and recreated the Burleigh County Tax Equalization Department as a separate Burleigh County Department, and further to adjourn sine die. All members present voted "AYE." Motion carried.

5:00PM

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

A roll call of the members; Commissioners, Jones, Bitner, Armstrong, and Chairman Peluso present, Commissioner Matthews virtual presence.

Motion by Comm. Bitner, 2nd by Comm. Jones to approve the May 16, 2022, meeting minutes and bills. All members present voted "AYE." Motion carried.

The following abatements were presented for the Board's consideration; a complete copy of which are on file and available for inspection in the Office of the County Auditor/Treasurer:

Motion by Comm. Jones, 2nd by Comm. Armstrong to approve the Lees and Keigley abatements with the following 2022 Liquor Licenses: Hawktree Golf, Inc., Apple Creek Country Club, Flash's Place, LLC, Rolling Plains Adventures, LLC, Crossroads Tavern, Tri-Energy Cenex – Sterling, Fireworks Permits: Kerry Berg/Driscoll Betterment Club, along with the remainder of the Consent Agenda. All members present voted "AYE." Motion carried.

This was the hour and date set for a public hearing on SAD #73, County Creek 1st – 5th Subdivision.

Assistant County Engineer Schriock explained the process stating the purpose of the hearing is not to discuss costs but how costs are assessed. Schriock reported assessments are spread equally among the benefitted properties pursuant to the submitted petition.

Schriock stated the average cost for Special Assessment District #73 will be \$144/year over 11 years at 4.33 percent interest, he also stated that there was an error in the advertisement of SAD #74 and therefore the proper corrections need to be made and return for approval within the next couple months.

Chairman Peluso closed the regular commission meeting and opened the public hearing and called for public testimony. As no one present appeared, the public hearing was closed, and the Burleigh County Commission immediately reconvened with all members present and made the following motion:

Motion by Comm. Jones, 2nd by Comm. Bitner to approve, confirm, and certify the Special Assessment List for; County Creek 1st – 5th Subdivision SAD #73, as recommended by the Special Assessment Commission. All members present voted "AYE"; motion carried.

Burleigh County Election Manager White gave a Primary Election update stating that there is still time to vote absentee for anyone that would like to do that, election day is June 14th, and early voting is beginning on Wednesday June 8th starting at noon, Thursday June 9th, Friday June 10th from 10:00am till 5:30pm, and Monday June 13th from 10:00am till 5:00pm. Anyone wondering where to vote can go to vote.nd.gov and click "where do I vote".

Bismarck Mandan Symphony Orchestra executive director Mike Gardner appeared before the Commission to request a financial support of \$5,000.00 from Burleigh County for our 4th of July Symphony Spectacular, specifically to offset some of the enormous costs of the show, which is free and open to the public. After discussion the Commission felt that a financial support would not be in the best interest of Burleigh County at this time with anticipated increases in the upcoming budget season.

City of Bismarck Community Development Director Ben Ehreth appeared before the Commission to formally request a letter of support for the extension of the Renaissance Zone program sharing information supporting their reasons for continuing the program. Ben was followed with support by Jim Christensen, Shawn Kessel, Rikki Roehrich, Kate Herzog, and Brian Ritter. Ron Knutson and Terry Fleck spoke against supporting the program stating that it is time to move on and level the playing field for everyone. No action was taken nor needed.

Burleigh County Weed Board Chairman Palm introduced Seth Hansen who is the new weed officer and mentioned their board member Raymond Skoglund has passed away. Palm gave an update on the spraying they've been doing and the 50/50 cost share program. Palm mentioned that anyone interested in more information can contact Seth at 701-934-0088.

Commissioner Jones presented an application from Greg Anderson to fill the open position on the Weed Board due to the passing of Raymond Skoglund. Motion by Comm. Jones, 2nd by Comm. Armstrong to appoint Greg Anderson to fill the open position on the Weed Board due to the passing of Raymond Skoglund. All members present voted "AYE." Motion carried.

One hour and thirty minutes into the meeting Commissioner Matthews excused herself from the meeting.

Burleigh County Sheriff Leben explained to the Commission his Department utilizes Mobile Data Terminals for the Patrol Section in each of the squad cars. Four terminals need replacement in accordance with the rotation based on usage and life expectancy and recommended that the County Commission concur with the Burleigh County Asset Forfeiture Board for authorization of the Sheriff's Department to purchase this equipment with Asset Forfeiture dollars, therefore be it resolved: that the proper County officials are hereby authorized to use asset forfeiture funds for this expenditure.

Motion by Comm. Bitner, 2nd by Comm. Jones to approve the recommendation that the County Commission concur with the Burleigh County Asset Forfeiture Board for authorization of the Sheriff's Department to purchase this equipment with Asset Forfeiture dollars, therefore be it resolved: that the proper County officials are hereby authorized to use asset forfeiture funds for this expenditure. All members present voted "AYE." Motion carried.

Summit Carbon Solutions Executive Vice President Wade Boeshans gave the Commission an overview of what their pipeline project will entail passing through North Dakota and Burleigh County. More information is available by accessing their website summitcarbonsolutions.com. North Dakota resident Mary Jo Herman appeared before the Commission and expressed her disapproval of the project.

Assistant County Engineer Schriock presented the bids for 93rd Street project with Northern Improvement being low bid in the amount of \$756,530.67 (\$257,368 SRF Grant Funds, \$499,162.67 County) and the budget amount was \$428,946 (\$257,368 SRF Grant Funds, \$171,578 County) indicating that recent high oil prices has (bituminous and trucking of material cost) has caused project cost to rise abnormally high and recommended that the County Board rejects all bids for the mill and overlay of 93rd Street NE project.

Motion by Comm. Jones, 2nd by Comm. Armstrong to accept the recommendation that the County Board rejects all bids for the mill and overlay of 93rd Street NE project. All members present voted "AYE." Motion carried.

Assistant County Engineer Schriock explained to the Commission every year the County Board of Commissioners are required by the State of North Dakota to certify the number of township road miles in each township. the Highway Department has reviewed the County/Township roadway system and prepared the required forms for the County Commissioner Chair's signature. The total roadway mileage is as follows: County Roadways; 586 miles, Organized Township Roadways; 745 miles, Un-Organized Township Roadways; 153 miles, with a total of 1,483 miles, and recommended that Burleigh County certifies the township road mileage breakdown and authorized the Board Chairman to sign the required state forms.

Motion by Comm. Jones, 2nd by Comm. Bitner to approve that Burleigh County certifies the township road mileage breakdown and authorized the Board Chairman to sign the required state forms. All members present voted "AYE." Motion carried.

Assistant County Engineer Schriock stated as per the County Board's direction on July 7, 2021, the County Auditor, County Finance Director, County Engineer, and County highway Accountant have been working on the American Rescue Plan project. On August 16, 2021, the County Board approved the first set of projects. Subsequently, additional action from the County Board has allocated additional money to various projects. The second allotment of funds from the Federal Government is due sometime this summer. It is anticipated that Burleigh County will have around \$9,766,385 (the remainder of the unallocated first-round funds and the total second round of funds) to allocate at this time. Schriock presented a list of projects that have been received and ranked to date for the second-round funding and recommended that the County Board approves the funding of projects 1 thru 5 and directs staff to establish agreements with each of the grantees.

Motion by Comm. Bitner, 2nd by Comm. Jones to approve the funding of projects: #1 (Burleigh County – Provident Building Renovation, \$5,000,000), #2 (Burleigh County – Phase II – 66th Street RR Overpass, \$1,094,507), #3 (Burleigh County – Sheriff Dept Shop Repairs, \$324,312), and #5 (Bismarck Rural Fire Dept – New Station \$2,000,000) and directs staff to establish agreements with each of the grantees. All members present voted "AYE." Motion carried.

Meeting adjourned.

Leo Vetter, Auditor/Treasurer

Jim Peluso, Chairman