



Bismarck-Burleigh Commissions Committee

7/7/2023 - Minutes

Call To Order

County Commissioner Chair Matthews called the meeting to order at 9:00 AM. Committee members present were City of Bismarck Mayor Schmitz, Burleigh County Commission Chair Becky Matthews, Burleigh County Auditor Mark Splonskowski, and City Administrator Keith Hunke.

1. Consider approval of minutes of June 16, 2023, meeting.

Chair Matthews called for approval of the minutes from the June 16, 2023, meeting. Mayor Schmitz motioned to approve the minutes from the June 16, 2023, meeting as presented, and Auditor Splonskowski seconded. Upon a roll call vote, all voted aye. M/C.

2. Extraterritorial Area (ETA)

Committee members discussed the Extraterritorial Area (ETA) with Chair Matthews citing concerns about which agency, the City of Bismarck or Burleigh County, would take the lead position on various complaints such as noise, home occupation activities in rural subdivisions, and building inspections.

Community Development Director Ben Ehreth addressed the Committee with information relating to North Dakota Century Code legislation from the 1970s that authorizes cities to exercise a 4-mile ETA for the purpose of zoning and guiding future land uses in areas that may become part of the city of Bismarck in the future. Director Ehreth explained the City of Bismarck and Burleigh County collectively negotiated a modified boundary where in some areas, the ETA extends 3.5 miles beyond the City of Bismarck limits, and in other areas, it's less than ½-mile from the current city limit boundary. Director Ehreth continued by noting the City of Bismarck has sole authority over development, zoning, building inspection applications, and code enforcement for Title 14 – Zoning of the City Code of Ordinances.

Mr. Ehreth closed by informing the Committee members the contract between the City of Bismarck and Burleigh County has not changed since its original date of approval, which was nearly 10 years ago.

Administrator Hunke informed Committee members on the structure of the City's Planning & Zoning Commission, noting there are members of the advisory commission that reside within the ETA, which provides an opportunity for those areas that may be impacted by the growth of the urban area to have a voice at the table and input on the decision-making process.

The Committee members agreed the current Extraterritorial Area negotiated area and contract will be discussed at the next meeting.

3. Coordination between agencies relating to grants and applications.

The Committee discussed a desire to see collaborative efforts between City of Bismarck staff and Burleigh County staff when grant opportunities that would benefit both agencies exist. County Engineer Hall discussed the need to collaborate on large-scale projects such as a new interchange/overpass on Interstate 94 and 66th Street just east of City limits. Engineer Hall noted the City of Bismarck provided a letter of support for Burleigh County's interests in pursuing the project; however, at this time, funding has not been made available, nor has the project been approved.

4. Other Business

Chair Matthews informed the Committee members the lease agreement between the City of Bismarck and Burleigh County for the first-floor office space failed for lack of a second to approve the contract. Chair Matthews noted the item will be placed on the next Burleigh County Commission agenda again for the meeting on July 17, 2023. Mayor Schmitz noted the current agreement would automatically renew at the rate of \$15 per square foot, an increase from the amended proposal of \$12 per square foot as presented.

Chair Matthews noted the Burleigh County Commission will receive the initial budget proposal for 2024 on July 19, 2023.

Adjourn

There being no further business to discuss, the meeting adjourned at 9:45 AM.