



# Burleigh County Water Resource District

City/County Office Building - 221 North 5<sup>th</sup> Street  
Bismarck, North Dakota 58501-4028

## NOTICE OF ORDER AND HEARING ON SPECIAL ASSESSMENTS SIBLEY ISLAND FLOOD CONTROL PROJECT

NOTICE IS HEREBY GIVEN that the Burleigh County Water Resource District will hold and conduct a PUBLIC HEARING on *Thursday April 25<sup>th</sup>* at the *Bismarck Public Library, Meeting Room A, 515 N 5<sup>th</sup> Street Bismarck, ND* from 5:30 pm to 7:00 pm regarding the proposed *Sibley Island Flood Control Project*. Said project having the following general nature and purpose:

Construct a flood control project to protect rural residential and other property within the designated area, as illustrated on **Exhibit A of Resolution #2**, and with project features located and constructed on or within the following properties:

- a. Along Washington Street, ROW or Easement
  - i. Starting at 48<sup>th</sup> Avenue then south to the entrance of General Sibley Park
- b. Then southeasterly through General Sibley Park (US Army Corps of Engineers)
- c. Then through the following privately owned parcels (Tax Parcel Descriptions)
  - i. Parcel ID 38-138-80-00-28-238  
LINCOLN TOWNSHIP Section 28 TRACT C IN GOVERNMENT LOTS 4 & 5 AND ABANDONED OLD MISSOURI RIVER CHANNEL IRR PLAT 781193; 807291 28-138-80
  - ii. Parcel ID 38-138-80-78-01-050  
SCHMID Block 01 L5 572493
  - iii. Parcel ID 38-138-80-00-28-200  
LINCOLN TOWNSHIP Section 28 PT E1/2NE1/4; BEG @ SE COR N5 RDS; W80 RDS; S5 RDS; E80 RDS TO BEG 28-138-80  
Ending at South 12<sup>th</sup> Street

This project scope is documented in the *Sibley Island Preliminary Engineering Report* {March 22, 2024}; and will be constructed under the authority of Burleigh County Water Resource District.

**NOTICE IS FURTHER GIVEN** that the Burleigh County Water Resource District has adopted a Resolution, hereby included as part of this Notice.

**NOTICE IS FURTHER GIVEN** that:

1. The engineer's report, profiles, plans, specifications and estimate of cost received by this Board for the proposed *SIBLEY ISLAND FLOOD CONTROL PROJECT*, are hereby approved and the same shall be forthwith filed in the office of the Secretary.
2. The Board is proceeding with the assessment of the cost of the project and public hearing process in accordance with N.D.C.C. Section 61-16.1-21.

3. The Board has inspected the property subject to special assessments for the Project and has prepared an Assessment List showing the projected assessment against each parcel of land benefited by the proposed Project. **The assessment list is included in this notice as part of Resolution #2 – Exhibit B.**

Affected landowners have 45 days following the date of the aforementioned public hearing (*until and through June 10, 2024*) to cast their votes concerning the proposed Project. Such votes must be filed with BCWRD Secretary by mailing to the BCWRD at PO Box 1255, Bismarck ND 58502-1255, in the sealed return envelope labeled "*Sibley Island Assessment District*", or they may be dropped off at Fronteer Professional Services 1838 East Interstate Ave Suite B or at the Burleigh County Auditor's office located at 221 N 5<sup>th</sup> Street, Bismarck. Please submit your ballot in the sealed envelope provided.

**NOTICE IS FURTHER GIVEN** that the Assessment List referred to in the above Resolution has been filed with the Burleigh County Auditor.

DATED THIS 22<sup>nd</sup> day of March, 2024

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**



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James Landenberger, Chairman  
Burleigh County Water Resource District



## **Resolution No. 2**

**BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BURLEIGH COUNTY, NORTH DAKOTA**

### **RESOLUTION APPROVING ENGINEER'S REPORT, PLANS, SPECIFICATIONS AND ESTIMATE OF COST AND DIRECTING THE ASSESSMENT OF THE COST FOR THE SIBLEY ISLAND FLOOD CONTROL PROJECT**


BE IT RESOLVED by the Burleigh County Water Resource District, Burleigh County, North Dakota, as follows:

1. The engineer's report, preliminary plans, specifications, profiles, and opinion of probable cost received by this Board for the proposed construction of the **Sibley Island Flood Control Project (the "Project")** on March 22, 2024, are hereby approved and the same shall be forthwith filed in the office of the Secretary.
2. The project benefit area is provided on **Exhibit A** and project features will be located and constructed on or within the following properties, which are subject to revision as part of the final design process.
  - a. Along Washington Street, ROW or Easement
    - i. South of 48<sup>th</sup> Avenue to the entrance of General Sibley Park
  - b. General Sibley Park owned by the US Army Corps of Engineers
  - c. The following privately owned parcels and associated Tax Parcel Descriptions
    - i. Parcel ID 38-138-80-00-28-238  
LINCOLN TOWNSHIP Section 28 TRACT C IN GOVERNMENT LOTS 4 & 5 AND  
ABANDONED OLD MISSOURI RIVER CHANNEL IRR PLAT 781193;  
807291 28-138-80
    - ii. Parcel ID 38-138-80-78-01-050  
SCHMID Block 01 L5 572493
    - iii. Parcel ID 38-138-80-00-28-200  
LINCOLN TOWNSHIP Section 28 PT E1/2NE1/4; BEG @ SE COR N5 RDS; W80  
RDS; S5 RDS; E80 RDS TO BEG 28-138-80
3. The Board shall proceed with the assessment of the cost of the project, see **Exhibit B** special assessment list, and the public hearing process in accordance with N.D.C.C. Section 61-16.1-21. The project assessments are to include project costs as well as monies for an operations and maintenance fund account per the recommendation contained in the engineer's report. Said maintenance funds assessed as part of the project vote shall be dedicated and retained for uses outside initial construction to defray future project operational and maintenance expenses.

Dated this 22<sup>nd</sup> day of March, 2024

ATTEST:

BURLEIGH COUNTY WATER  
RESOURCE DISTRICT

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
James Landenberger, Chairman,  
Burleigh County Water Resource District

The governing body of the political subdivision acted on the foregoing resolution on this 22<sup>nd</sup> day of March, 2024 as follows:

Adoption moved by  Jones

Seconded by  Reep

Roll Call Vote (List Last Names)

“Aye”  Binegar, Reep, Smith, Jones, Landenberger

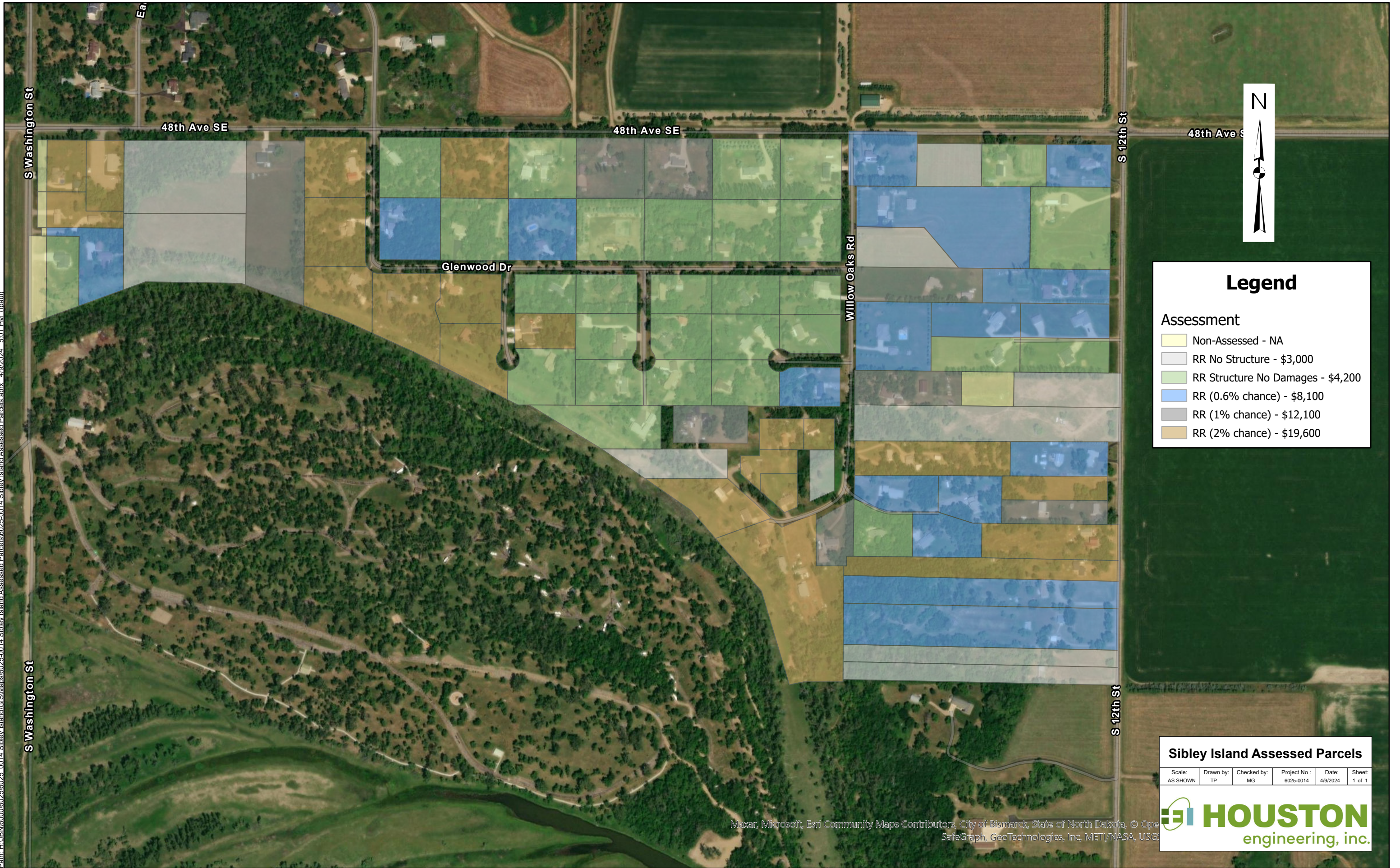
“Nay” \_\_\_\_\_

Absent \_\_\_\_\_

...and after vote the presiding officer declared the resolution adopted.



Path: H:\EN\6000\6025\6025\_0014\_Sibley\_Island\GIS\Maps\6025-0014\_Sibley\_Island\_Assessed\_Parcels.aprx - 4/9/2024 - 5:01 PM (baul)



### Legend

- Assessment**
- Non-Assessed - NA
  - RR No Structure - \$3,000
  - RR Structure No Damages - \$4,200
  - RR (0.6% chance) - \$8,100
  - RR (1% chance) - \$12,100
  - RR (2% chance) - \$19,600

### Sibley Island Assessed Parcels

Scale: AS SHOWN	Drawn by: TP	Checked by: MG	Project No : 6025-0014	Date: 4/9/2024	Sheet: 1 of 1
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