

MORTON COUNTY COMMISSION REGULAR MEETING  
June 11, 2015

The Morton County Commission Regular Meeting was called to order on June 11, 2015 at 5:30 PM by Chairman Strinden at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Zachmeier, Boehm, Schulz, and Leingang, Deputy Auditor Eckroth, States Attorney Koppy and Assistant States Attorney Grosinger.

Schulz moved and Leingang seconded to approve the agenda. All voting aye, motion carried.

Boehm moved and Zachmeier seconded to approve the minutes of the May 26, 2015 meeting. All voting aye, motion carried.

Boehm moved and Leingang seconded to approve bills and payroll. All voting aye, motion carried.

Boehm moved and Schulz seconded to approve abatements #4747-4749. All voting aye, motion carried.

Leingang moved and Boehm seconded to approve abatement #4750. All voting aye, motion carried.

**Chairman Strinden reconvened the County Board of Tax Equalization at 5:45pm.**

Boehm moved and Schulz seconded to approve the 2015 market value for Page Larson of \$136,800 for parcel #42-0055000 and \$274,000 for parcel #42-0054000. All voting aye, motion carried.

Schulz moved and Boehm seconded to approve the 2015 market value for Brickwork Properties LLC of \$120,000 for parcel# 64-0208000. All voting aye, motion carried.

Schulz moved and Leingang second to approve the 2015 market value change on the residential value for Rocklin Bateman of \$58,700 for parcel # 33-0114000. All voting aye, motion carried.

Boehm moved and Schulz seconded to approve no change to the Agricultural Land Increase to the following parcels:

Douglas Plummer, parcel #41-0137000

Audrey I Spencer, parcel #53-0044000

Paul E Trauger, parcel #41-0231000

Bruce Blend, parcel #45-0147000

Donald & Cheryl Hellman, parcel #19-0051000

Raymond Pulkrabek, parcel #22-0029000.

All voting aye, motion carried.

Schulz moved and Leingang seconded to approve the 2015 market value of \$191,000 for Robert Vayda for parcel #65-4056000 consisting of land at \$40,000 and structure at \$151,000. All voting aye, motion carried.

Leingang moved and Boehm seconded to approve the no change recommendation on the value of \$151,800 for Allen Hohbein property parcel #65-0101000. All voting aye, motion carried.

Schulz moved and Leingang seconded to approve the 2015 market value of \$515,300 for Kenneth Johnson/Monarch Products parcel #65-5690000 consisting of land at \$289,700 and structure at \$225,600. All voting aye, motion carried.

Boehm moved and Leingang seconded to approve the 2015 market value of \$671,600 for Lloyd Deringer – Mobile Home Park parcel #65-5709000 consisting of land at \$435,600 and structure at \$236,000. All voting aye, motion carried.

Leingang moved and Boehm seconded to approve the 2015 market value of \$74,700 for Page Larson parcel #65-556000 consisting of land at \$39,600 and structure at \$35,100 and a market value of \$331,000 for parcel #65-2349000 consisting of land at \$16,800 and structure at \$314,300. All voting aye, motion carried.

Schulz moved and Leingang seconded to approve the no change recommendation on the value of \$97,000 for Steven Bendish parcel # 65-2559000. All voting aye, motion carried.

Boehm moved and Leingang seconded to approve the 2015 market value of \$49,200 for Ronald Frank for parcel #65-3093000 consisting of land at \$15,000 and structure at \$34,200. All voting aye, motion carried.

Schulz moved and Boehm seconded to approve the no change recommendation on the value of \$122,300 for Mari Severson/Page Larson for parcel #65-4016000. All voting aye, motion carried.

Leingang moved and Schulz seconded to approve the 15% decrease to the City of Mandan commercial improved values approved at the City Board of Equalization in April. The City of Mandan 2015 commercial assessment is not within the North Dakota State Board of Equalization tolerance level of 90% to 100% of the 2014 – 2015 True & Full Value/Sales Ratio. All voting aye, motion carried.

Boehm moved and Leingang seconded to approve the City of Mandan Residential values as \$1,138,394,200 which is an increase of 16.8% less any changes we approve to date. The residential values are within the North Dakota State Board of Equalization tolerance level of 90% to 100% of the 2014-2015 True and Full Value/Sales Ratio. All voting aye, motion carried.

Leingang moved and Boehm seconded to approve the Morton County Residential, Commercial and Agricultural Values. All voting aye, motion carried.

Board of Tax Equalization adjourns at 6:15pm.

Morton County Regular Commission meeting is reconvened.

Zachmeier moved and Leingang seconded to approve the Final Report of the I-94 Corridor Study. All voting aye motion carried.

Chairman Strinden opened the Public Hearing on Special Assessment District 1289-15 for paving of Captains Landing – Anderson Marina Addition 1<sup>st</sup> & 2<sup>nd</sup> at 6:35pm.

Boehm moved and Schulz seconded to approve the Special Assessment District 1289-15 and obtain bids for the assessment not to exceed \$180,000. Low bid to be awarded by Captain's Landing Township. All voting aye, motion carried.

Chairman Strinden closed the Public Hearing.

Schulz moved and Boehm seconded to recognize the name GL Gerving Subdivision for a previously approved Gerving Subdivision plat, also approval of a survey change to the previously approved Bittner subdivision plat. All voting aye, motion carried.

Zachmeier moved and Boehm seconded to approval of a short form subdivision known as Casey's Subdivision and zoning map amendment from Agricultural (A) District to Residential (R) District for approximately 11 acres in the NE ¼ of Section 28 Township 138 North, Range 84 West. The subdivision is in compliance with the Morton County Comprehensive Plan and the Morton County Planning & Zoning regulations. All voting aye, motion carried.

Schulz moved and Zachmeier seconded to approval of a short form subdivision known as Schaf Acres and zoning map amendment from Agricultural (A) District to Residential (A) District for approximately 1.5 acres in the W ½ of Section 25 Township 140 North Range 82 West with the following conditions:

1. A "utility easement" of 20' through Auditor's Lot A is recorded through a separate document to extend the existing water line into the Schaf Acres.
2. The "access easement" shown on the plat through Auditor's Lot A is recorded with a separate instrument.

All voting aye, motion carried.

Zachmeier moved and Schulz seconded to approve a long form subdivision known as Highway 25 Commerce Center and a zoning map amendment from Agricultural (A) District to Light Industrial (IL) District for 28 lots on a total of approximately 102 acres, consisting of all of Lot B and Lot 1 of Lot B of the SW ¼ of Section 26, Township 140N, Range 82 W with the following conditions:

1. The developer will be responsible for that the upkeep and maintenance of all detention ponds within the Highway 25 Commerce Center until such a time as the lots are sold. At the time of the sale of a lot, the buyer will take over upkeep and maintenance of the detention pond on the lot

that was purchased. The development will have the purchaser sign a statement to that effect which will be attached to the purchase agreement and deed.

2. The developer will inform the buyers of Lots 1 through 4, Block 1 Highway 25 Commerce Center that the front yard or side yard shall be fronting the Highway 25 Corridor.
3. Morton County Emergency Management, Morton County Engineer, and Morton County Water Board will be notified and kept current on the maintenance and operation of the detention ponds and valves on an annual basis.
4. Outdoor storage as a primary use shall require a Special Use Permit.
5. Outdoor storage as an accessory use shall be limited to 1/8 of the surface area of the lot and shall be screened with an opaque barrier of a height adequate to prevent stored items from being viewed from public right of way that are exterior to the development.
6. Outdoor storage shall be understood to include storage of materials, vehicles, semi-trucks, equipment, machinery and the like.
7. Any structures that are built on the seven lots that abut Highway 25 shall be oriented with a primary face toward Highway 25, with rear entrances and loading facilities oriented toward the interior street of the subdivision.

The final plat complies with the current Morton County Comprehensive Plan. The final plat also complies with Morton County Land Use Code Sections 2-100, 2-110, 2-120, 4-020, 10-080, and 10-020. The final plat also complies with NDCC 11-33.2-12 and complies with NDCC 11-28-05 (7) in regards that the project is outside the ½ mile jurisdiction the County has in regards to regulating businesses within a 1/2-mile of a county park. The water retention and storm water management plan fulfills and exceeds the requirements of Morton County as approved by the Morton County Engineer.

Voting aye: Zachmeier and Schulz; voting nay Leingang, Boehm, and Strinden. Motion failed.

Boehm moved and Leingang seconded to deny the a long form subdivision known as Highway 25 Commerce Center and a zoning map amendment from Agricultural (A) District to Light Industrial (IL) District for 28 lots on a total of approximately 102 acres, consisting of all of Lot B and Lot 1 of Lot B of the SW ¼ of Section 26, Township 140N, Range 82 W for the following reasons:

1. Public Oppositions
2. Excessive need for berms, fences, ponds and gates.
3. Potential threat to Harmon Lake

Voting aye: Leingang, Boehm and Strinden; voting nay: Schulz and Zachmeier. Motion carried.

Schulz moved and Zachmeier seconded to approve amendments to Section 3-010 Floodplain Overlay District, in Article 3 Overlay Districts of the Morton County Land Use Code, to reference the 2015 Flood Insurance Rate Map. All voting aye, motion carried.

Zachmeier moved and Boehm seconded to approve to amend Article 3 of the Morton County Use Code by establishing a Dam Break Inundation Overlay District, Section 3-050. All voting aye motion carried.

Leingang moved and Schulz seconded to appoint Elwood "Woody" Barth to the unexpired term of Joel Johnson on the Morton County Housing Authority expiring 12/31/2015. All voting aye, motion carried.

The total of all county funds expended from May 27, 2015 through June 11, 2015, equals \$1,032,555.11. A detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Boehm moved and Leingang seconded to adjourn at 8:20 PM. All voting aye, motion carried.

Bruce Strinden, Chairman, Morton County Commission \_\_\_\_\_

Dawn R Rhone, County Auditor \_\_\_\_\_