

MORTON COUNTY COMMISSION REGULAR MEETING  
June 27, 2017

The Morton County Commission Regular Meeting was called to order on June 27, 2017 at 5:30 PM by Chairman Schulz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Leingang, Zachmeier, Boehm and Strinden, Auditor Rhone, States Attorney Koppy and Assistant States Attorney Grosinger.

Strinden moved and Boehm seconded to approve the agenda. All voting aye, motion carried.

Strinden moved and Leingang seconded to approve the bills. All voting aye, motion carried.

Boehm moved and Strinden seconded to approve out of state travel for Veterans Service Officer Otto to attend the Disabled American Veterans National Convention in New Orleans on July 29 – August 1, 2017. All voting aye, motion carried.

Strinden moved and Boehm seconded to approve the final plat of a short-form subdivision known as DMS Subdivision and a zoning map amendment from Agricultural (A) to Residential (R) for approximately 18.63 acres in the S ½ of Section 24, Township 138N, Range 90W. All voting aye, motion carried.

Leingang moved and Strinden seconded to approve a short-form subdivision known as Replat of Lot 2, Block 1, Meier's 1<sup>st</sup> Subdivision for approximately 13.02 acres in the NW ¼ of Section 6, Township 137, Range 80W with the condition the Lynn Lane be constructed to access both lots. All voting aye, motion carried.

Strinden moved and Leingang seconded to approve a short-form subdivision known as Picchietti Subdivision and a zoning map amendment from Agricultural (A) to Residential (R) District for approximately 2 acres located in the NW ¼ of Section 3, Township 139N, Range 83 W, with the condition that the existing approach be relocated to straddle the eastern property line with 16' on each side, prior to recording of the plat. All voting aye, motion carried.

Leingang moved and Boehm seconded to approve a short-form subdivision known as Long Butte Subdivision and a zoning map amendment from Agricultural (A) to Industrial (I) District for approximately 10 acres in the SE ¼ of Section 19, Township 139N, Range 90W. All voting aye, motion carried.

Strinden moved and Leingang seconded to zoning map amendment from Agricultural (A) to Rural Commercial (CR) for approximately 17.96 acres in the E ½ of the SW ¼ of Section 14, Township 138N, Range 81W. All voting aye, motion carried.

Strinden moved and Boehm seconded to approve an amendment to strike the Recreational (RC) District from the Morton County land use code and amend the zoning map to reassign parcels in the Recreational (RC) District to other districts, as presented by staff, as the Recreational (RC) District currently does not forward the interest of promoting orderly development within the county. All voting aye, motion carried.

Strinden moved and Boehm seconded that the meeting recess and immediately reconvene in executive session under the authority of §44-04-19.1 and §44-04-19.2 for the purpose of attorney consultation and providing negotiation guidance and authority back to the attorney, in the matter of the ongoing dispute and potential litigation between Morton County and Ivan Gange/Cendak specific to Lot E PT of SW ¼ of NW ¼ S11-T135-R79, Morton County, Parcel 08-0068. Voting aye: Strinden, Boehm, Zachmeier, Leingang, Schulz; Voting nay: none. Motion Carried.

The executive session began at 6:12 PM and was attended by Commissioners Zachmeier, Strinden, Bohm, Leingang and Schulz. Also in attendance were Auditor Rhone, Assistant States Attorney Grosinger and States Attorney Koppy.

The executive session was adjourned at 6:40 PM.

The Morton County Commission reconvened with all members present at 6:41 PM.

Strinden moved and Boehm seconded to authorize Assistant States Attorney Grosinger to proceed as authorized including authority to resolve the matter with Ivan Gange/Cendak, within the limits specified in executive session. The amount to be in the agreement is \$26,000. Voting aye: Strinden, Boehm, Zachmeier, Leingang, Schulz; Voting nay: none. Motion carried.

Strinden moved and Leingang seconded to reappoint Dennis Gustin & Robyn Thiel to 3 year terms on the School District Reorganization & Annexation Committee, expiring on June 30, 2020. All voting aye, motion carried.

Zachmeier moved and Boehm seconded to approve the liquor license for Mitch Eisenbarth, doing business as the Watering Hole, located at 6140 Highway 1806, Ft Rice, on the condition that the Sheriff also approves such license. All voting aye, motion carried.

The total of all county funds expended from June 9, 2017 through June 27, 2017, equals \$350,660.31. 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.

Leingang moved and Strinden seconded to adjourn at 6:48 PM. All voting aye, motion carried.

Cody Schulz, Chairman, Morton County Commission \_\_\_\_\_

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