

MORTON COUNTY COMMISSION REGULAR MEETING  
November 25, 2014

The Morton County Commission Regular Meeting was called to order on November 25, 2014 at 5:30 PM by Chairman Strinden at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Boehm, Schulz, Leingang and Zachmeier, Auditor Rhone and Assistant States Attorney Grosinger.

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

Schulz moved and Boehm seconded to approve the minutes of November 10, 2014. All voting aye, motion carried.

Zachmeier moved and Boehm seconded to approve monthly bills. All voting aye, motion carried.

Boehm moved and Schulz seconded to approve abatements 4584-4605. All voting aye, motion carried.

Schulz moved and Zachmeier seconded to approve the special use permit for a telecommunications tower in the Agricultural (A) District in the SE  $\frac{1}{4}$  of Section 11 Township 140 Range 82 with the following four conditions:

1. The tower is no greater than 170' in height.
2. The lease area of 100' by 100' is in the general proximity of the area shown on the site plan presented to the County Commission.
3. The tower and equipment shed are fully enclosed by a security fence.
4. All rights and existing utility easements are honored during construction and operation of the facility.

All voting aye, motion carried.

Boehm moved and Leingang seconded to approve a short form subdivision known as Kroh Subdivision, and a zoning map amendment from Agricultural (A) District to Residential (R) District for approximately 18 acres in the NW  $\frac{1}{4}$  of Section 21, Township 140N, Range 87 with the following condition: A non-access line is added to the plat for the southernmost 200' of the frontage with 58<sup>th</sup> Ave. All voting aye, motion carried.

Boehm moved and Leingang seconded to inform the Department of Transportation that the County does not want to put lights up at the intersection of Highway 49 and Interstate 94 if the County would be responsible for maintenance and electricity charges. All voting aye, motion carried.

Boehm moved and Leingang seconded to participate with the DOT putting up a light west of Glen Ullin at the intersection of Highway 49 and County Road 139. All voting aye, motion carried.

Schulz moved and Boehm seconded to inform the DOT that the County does not support a change to traffic flow east of Glen Ullin at the intersection of Highway 49 and County Road 139. All voting aye, motion carried.

Boehm moved and Leingang seconded to authorize the County Engineer to advertise for bids for gravel crushing for 2015. All voting aye, motion carried.

Schulz moved and Boehm seconded to approve a gravel pit lease with Paul, Lavern & Ardale Johnson located in the SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 28, Township 139, Range 86. All voting aye, motion carried.

Boehm moved and Leingang seconded to approve a gravel pit lease with Judy Miller, Gervase Miller,

Jeanette Frohlich and Bernadette Miller located in SW¼ of Section 15, Township 139, Range 83. All voting aye, motion carried.

Leingang moved and Boehm seconded to approve a scoria pit lease with Walter & Phyllis Morman located in the SW ¼ of Section 14, Township 138, Range 89. All voting aye, motion carried.

Schulz moved and Boehm seconded to reappoint Commissioner Zachmeier as the County Representative on the Mandan Planning & Zoning Board. All voting aye, motion carried.

Schulz moved and Boehm seconded to establish a Standard Operating Procedure for Board Appointments which would encourage board members to apply for reappointment when their terms are expiring and to also accept applications from other interested eligible citizens. All voting aye, motion carried.

Leingang moved and Schulz seconded to approve the contract with Centre Inc for 2015. All voting aye, motion carried.

Schulz moved and Leingang seconded to appoint Tim Duppong to an unexpired term on the Morton County Housing Authority which will expire on December 31, 2015. All voting aye, motion carried.

Schulz moved and Boehm seconded to recess and immediately reconvene in an executive session of the Morton County Commission pursuant to NDCC44-04-19.2 for the purpose of consulting with legal counsel regarding the Cendak/Ft Rice issue. All voting aye, motion carried.

The executive session began at 6:21 PM and was attended by Commissioners Strinden, Zachmeier, Schulz, Leingang and Boehm. Also in attendance were Auditor Rhone, Attorney Porsborg, and Assistant States Attorney Grosinger. The executive session was adjourned at 6:57 PM.

The Morton County Commission reconvened with all members present at 7:00 PM.

Schulz moved and Boehm seconded to authorize Assistant States Attorney Grosinger to continue negotiations in regards to the Cendak property. All voting aye, motion carried.

The total of all county funds expended from November 11 through November 25, 2014, equals \$492,400.31. 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.

Boehm moved and Schulz seconded to adjourn at 7:03 PM. All voting aye, motion carried.

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

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