

MORTON COUNTY COMMISSION REGULAR MEETING
November 22, 2022

The Morton County Commission Regular Meeting was called to order on November 22, 2022 at 5:30 PM by Chairman Boehm at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Zachmeier, Leingang, Buckley, Morrell and Auditor Rhone. Also present was States Attorney Koppy and Sheriff Kirchmeier.

Buckley moved and Morrell seconded to approve the agenda. All voting aye, motion carried.

Zachmeier moved and Leingang seconded to approve the minutes of the October 25, 2022 regular meeting. All voting aye, motion carried.

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

Buckley moved and Morrell seconded to appoint Lynn Kinnischtzke to an unexpired term expiring on 6/30/2025 on the Morton County Special Assessment Commission. All voting aye, motion carried.

Morrell moved and Leingang seconded to appoint Donald Wanner to an unexpired term expiring on 8/1/2026 on the Morton County Weed Board District #1. All voting aye, motion carried.

Leingang moved and Buckley seconded to re-appoint Grant Johnson to a 4 year term expiring 8/1/2026 on the Morton County Weed Board District #2. All voting nay, motion denied.

Zachmeier moved and Morrell seconded to appoint Alan Kemmet to an unexpired term expiring 12/31/2023 on the Lower Heart Water District Board. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to appoint Carter Berger to an unexpired term expiring 6/30/2024 on the Morton County Planning & Zoning Board. All voting aye, motion carried.

Morrell moved and Leingang seconded to approve to name the County Park, located at 3641 Palamino Drive, Valeri Entzel Memorial Park in remembrance of the many years of dedicated service Valeri Entzel and the Entzel Family gave to Morton County through Morton County Extension, Fair and 4-H. All voting aye, motion carried.

Zachmeier moved and Buckley seconded to cancel uncashed checks as presented by Treasurer Hatzenbuhler. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to send the uncashed checks to Unclaimed Property of the ND Dept of Trust Lands per NDCC 47-30.1 and on the recommendation of the Morton County Treasurer. All voting aye, motion carried.

Morell moved and Leingang seconded to approve abatement #6122. All voting aye, motion carried.

Buckley moved and Zachmeier seconded to approve abatements #6123-6125 because the property is tax exempt. All voting aye, motion carried.

Buckley moved and Zachmeier seconded to approve abatement #6130 because it is City of Mandan property. All voting aye, motion carried.

Leingang moved and Buckley seconded to approve abatements #6131-6133 because this is centrally assessed property. All voting aye, motion carried.

Morrell moved and Leingang seconded to approve abatements #6134-6138 due the property purchase by the Mandan Park District. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to approve a special use permit for a guyed telecommunications tower, not to exceed 330' in height, and equipment compound on Government Lot 3 in SW ¼ of Section 18, Township 139N, Range 89W, as the proposed use is compatible with surrounding agricultural land use. All voting aye, motion carried.

Zachmeier moved and Buckley seconded to approve a zoning map amendment from commercial to agricultural for the N ½ of Section 18, Township 139N, Range 86W, less the Jonathon subdivision and less the right of way as the proposed zone change supports the land use priorities in the 2045 Comprehensive Plan. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to approve a special use permit for a guyed telecommunications tower, not to exceed 330' in height and equipment compound in the NE1/4 of Section 18, Township 139N, Range 86W as the proposed use is compatible with surrounding agricultural land uses. All voting aye, motion carried.

Moved and seconded to approve a short-form subdivision known as Bogey Acres and a zoning map amendment from Agricultural to Residential in the SW ¼ of Section 13, Township 139N, Range 85W with the condition of a 15' easement for Missouri West Water. All voting aye, motion carried.

Zachmeier moved and Buckley seconded to approve a special use permit for Flat Rock Wind Project LLC to install one meteorological tower in the SE ¼ of Section 3, Township 140N, Range 84W with the following conditions: the tower shall not exceed 267 feet, the term of the SUP shall be 5 years, placement of the tower is allowed to vary as long as the tower meets all county setback requirements, is placed within the boundary of the subject property, and is located no further than 365 feet distant from the x,y coordinates proposed in the application . All voting aye, motion carried.

Zachmeier moved and Buckley seconded to approve a special use permit for Flat Rock Wind Project LLC to install one meteorological tower in the SW ¼ of Section 27, Township 140N, Range 84W with the following conditions: the tower shall not exceed 198 feet, the term of the SUP shall be 5 years, placement of the tower is allowed to vary as long as the tower meets all county setback requirements, is placed within the boundary of the subject property, and is located no further than 365 feet distant from the x,y coordinates proposed in the application . All voting aye, motion carried.

Buckley moved and seconded to approve a final plat of a long-term subdivision known as Marmot 2nd Subdivision on 195.46 acres with Lot 1 entirely Industrial and Lot 2 entirely

Agricultural located in the S ½ of Section 25, Township 139N, Range 82W. Voting aye: Buckley, Morrell, Leingang, Boehm; voting nay: Zachmeier. Motion carried.

Leingang moved and Buckley seconded to authorize the County Engineer to execute a gravel lease through 12/31/2025 for the Vogel pit. All voting aye, motion carried.

Morrell moved and Leingang seconded to authorize the Chairman to sign the NDDOT annual maintenance certificate. All voting aye, motion carried.

The total of all county funds expended from October 26, 2022 through November 22, 2022 equals \$2,724,073.23

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.

Meeting was adjourned at 7:52PM.

Nathan Boehm, Chairman, Morton County Commission _____

Dawn R Rhone, County Auditor _____