

MORTON COUNTY COMMISSION REGULAR MEETING

October 12, 2023

The Morton County Commission Regular Meeting was called to order on October 12, 2023 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, and Morrell and Auditor Rhone. Also present were States Attorney Kopyy and Sheriff Kirchmeier.

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

Morrell moved and Leingang seconded to approve the minutes of the September 26, 2023 regular meeting. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to deny the Acme Electric bill pending further clarification. All voting aye, motion carried.

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

Zachmeier moved and Buckley seconded approve of the final plat of the short-form subdivision known as Lazy B Subdivision and a zoning map amendment from Agricultural to Residential district on Lot 2 only, as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and reasonably conforms to the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Buckley moved and Morrell seconded to approve final plat of the short-form subdivision known as Neumiller Subdivision and a zoning map amendment Agricultural to Residential district, as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and reasonably conforms to the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Zachmeier moved and Morell seconded approval of a zoning map amendment Residential to Agricultural district for 2.5 acres in the W ½ W ½ SW ¼ SW ¼ NW ¼ Section 27 Township 138N Range 84W, Morton County, upon recording of Outlot A, which will merge all lots in the NW ¼ less Neumiller Subdivision. All voting aye, motion carried.

Chairman Boehm opened the public hearing on the 2<sup>nd</sup> reading of Resolution 30-2023-01 under the Morton County Home Rule Charter at 5:45PM.

Chairman Boehm closed the public hearing at 5:52PM.

Morrell moved and Leingang seconded to approve Resolution 30-2023-01 to guide the closing of section lines and the opening of roads. All voting aye, motion carried.

Buckley moved and Morrell seconded to approve a special use permit for two farm dwelling units on Outlot A in the SW ¼ of Section 25, Township 138N, Range 89W for a period of 2 years, as the residential structures are necessary for agricultural business operation, the application complies with the standards for farm worker dwelling units established in Section 5-220 of the Morton County Land Use Code, and the use is

compatible with surrounding agricultural land uses, with the following conditions:

1. The applicants install a permanent placard showing the 911 address on each structure.
2. The applicants install a permanent sign with each address number at the approach to the property. Numbers must be at least 4 inches to all and be of a reflective material.
3. The applicants apply to the Morton County Tax Equalization Department for building/moving permits for the two mobile homes.
4. The applicants obtain permits for septic from Western Plains Public Health within 30 days of approval of the special use permit.
5. The applicants complete the applications for building permit, approach permit and the installation of a conforming septic system, as directed by Western Plains, by December 1, 2023.

All voting aye, motion carried.

Zachmeier moved and Buckley seconded to approve the amendment to the Morton County Land Use Code Section 5-180, Wind Energy Facilities. All voting aye, motion carried.

Zachmeier moved and Leingang seconded to approve abatement #6259. All voting aye, motion carried.

Zachmeier moved and Boehm seconded to deny abatement #6260 as the application for the farm residence was not received by the deadline. All voting aye, motion carried.

Buckley moved and Morrell seconded to approve abatement #6261. All voting aye, motion carried.

Morrell moved and Leingang seconded to approve abatements #6262-6263. All voting aye, motion carried.

Leingang moved and Morrell seconded to approve abatements #6264-6265. All voting aye, motion carried.

Buckley moved and Morrell seconded to approve abatement #6266. All voting aye, motion carried.

Morrell moved and Leingang seconded to approve abatement #6267. All voting aye, motion carried.

Leingang moved and Buckley seconded to approve abatement #6268. All voting aye, motion carried.

Morrell moved and Leingang seconded to approve abatements #6269-6271. All voting aye, motion carried.

Buckley moved and Zachmeier seconded to approve abatement #6272. All voting aye, motion carried.

Morrell moved and Leingang seconded to approve abatements #6273-6274. All voting aye, motion carried.

Leingang moved and Morrell seconded to approve abatements #6275-6277. All voting aye, motion carried.

Buckley moved and Morrell seconded to approve out of state travel for Highway Department employees to attend the 38<sup>th</sup> Annual Local Roads Conference in Sioux Falls, SD on October 23-25, 2023. All voting aye, motion carried.

Leingang moved and Morrell seconded to approve the selection of Ulteig Engineering for bridge consultant and design for project BRJ-0030(051)PCN 23984, Br No. 30-141-25.0, 11 miles north and one mile west of Flasher. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to appoint Commissioner Buckley as the Morton County State Fair Delegate for 2023. All voting aye, motion carried.

Morrell moved and Zachmeier seconded to submit a letter of support on behalf of the Bison Express Project and authorize the Chairman to sign the letter. All voting aye, motion carried.

Morrell moved and Zachmeier seconded a motion to reconsider the motion to deny the Acme Electric bill. All voting aye, motion carried.

Morrell moved and Zachmeier seconded to approve the Acme Electric bill based on the information provided by the Sheriff. All voting aye, motion carried.

The total of all county funds expended from September 27 through October 12, 2023 equals \$2,075,261.70.

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.

Morrell moved and Leingang seconded to adjourn at 6:57 PM. All voting aye, motion carried.

Nathan Boehm, Chairman, Morton County Commission \_\_\_\_\_

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