

MORTON COUNTY COMMISSION REGULAR MEETING
October 29, 2019

The Morton County Commission Regular Meeting was called to order on October 29, 2019 at 5:30 PM by Chairman Strinden at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Zachmeier, Leingang and Buckley, Auditor Rhone and States Attorney Kopyy. Absent was Commissioner Schulz.

Buckley moved and Leingang seconded to approve the agenda with additions. All voting aye, motion carried.

Leingang moved and Buckley seconded to approve the minutes of the October 10, 2019 regular meeting. All voting aye, motion carried.

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

Leingang moved and Buckley seconded to approve Veteran Credit abatements #5273-5275. All voting aye, motion carried.

Buckley moved and Leingang seconded to approve Homestead Credit abatements #5276-5277. All voting aye, motion carried.

Zachmeier moved and Buckley seconded to authorize the Tax Director to publish building permit data on the county website. All voting aye, motion carried.

Zachmeier moved and Buckley seconded to approve the final plat of a short-form subdivision known as Spencer Subdivision and a zoning map amendment from Agricultural (A) to Residential (R) as the subdivision conforms to regulations established in Article 7 of the Morton County Land Use Code and the subdivision is not in violation of Policy 1.1.2 of the 2025 Comprehensive Plan. All voting aye, motion carried.

Buckley moved and Leingang seconded to approve the final plat of a short-form subdivision known as **Reister Subdivision** and a zoning map amendment from Residential Multi-Family (RM) District to Agricultural (A) District as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code. All voting aye, motion carried.

Buckley moved and Zachmeier seconded to approve the the final plat of the short-form subdivision known as **Clyde Subdivision**, a zoning map amendment from Agricultural (A) District to Residential (R) District, and a variance to allow the creation of a lot that is smaller than the minimum lot size required in Section 2-210/Dimensional Table, as the subdivision conforms to all other regulations established in Article 7 of the Morton County Land Use Code, with the approval being contingent upon the vacation of a portion of 2nd Street and the alleyways of Block 5, Michael's Addition to Judson.

The motion for the variance is based on the following findings:

- 1) The lot lies within a platted township where the density of historical development on non-conforming lots creates challenges unique to platted townships.
- 2) There is adequate space within the proposed lot for a below-ground septic system that meets the approval of Custer District Health.

All voting aye, motion carried.

Buckley moved and Zachmeier seconded to approve the final plat of a short-form subdivision known as **Eisenbarth Subdivision**, a zoning map amendment from Commercial (C) to Residential (R) and a variance to allow the creation of a lot that is smaller than the minimum lot size required in Section 2-210/Dimensional Table, as the subdivision conforms to all other regulations established in Article 7 of the Morton County land Use Code. The motion for the variance is based on the following findings:

- 1) The lot lies within a platted township where the density of historical development on nonconforming lots creates challenges unique to platted townships.
- 2) Custer Health District advised that there appears to be adequate space within the proposed lot for a below-ground septic system.

All voting aye, motion carried.

Buckley moved and Zachmeier seconded to approve the variance request for BEK Communications to locate a utility hut and appurtenances, as presented in the site plan, on a non-conforming residential lot, with the condition that all lighting will be shielded such that the light does not fall outside the property boundary. All voting aye, motion carried.

Zachmeier moved and Leingang seconded to approve a special use permit for Northern Lights Dairy for expansion of a concentrated animal feeding operation from 1,335 to 2,999 animal units on approx.. 81 acres in SW 1/4 of Section 33 Township 137N, Range 81W, comprised of calves, dairy cows, and dairy heifers according to the site plan submitted by the applicant, as the proposed expansion conforms to the land use priorities in the 2045 Comprehensive Plan and is within the rights protected in the North Dakota Constitution under Article 11, Section 29. The special use permit will include the two existing mobile homes for farm worker dwelling units. All voting aye motion carried.

Buckley moved and Zachmeier seconded to approve a request to transfer the Conditional Use Permit from Allele Clean Energy to Glen Ullin Energy Center LLC. All voting aye, motion carried.

Zachmeier moved and Leingang seconded to appoint Chairman Strinden as the Morton County delegate to ND State Fair annual meeting. All voting aye, motion carried.

The total of all county funds expended from October 11, 2019 through October 29, 2019 equals \$1,602,052.70.

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.

Leingang moved and Zachmeier seconded to adjourn at 6:40 PM. All voting aye, motion carried.

Bruce Strinden, Chairman, Morton County Commission _____

Dawn R Rhone, County Auditor _____