

Morton County Commission Proceedings

MORTON COUNTY COMMISSION REGULAR MEETING

JUNE 23, 2026

The Morton County Commission Regular Meeting was called to order on June 23, 2026 at 5:32 PM by Chair Boehm at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota.

Others present were Commissioners Zachmeier, Buckley, Tokach and Morrell and Auditor Rhone. Also present was States Attorney Koppy and Sheriff Kirchmeier.

Morrell moved and Tokach seconded to approve the agenda w/addition. All voting aye, motion carried.

Tokach moved and Buckley seconded to approve the minutes of the June 4, 2026 regular meeting. All voting aye, motion carried.

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

Morrell moved and Tokach seconded to approve the minutes of the June 4, 2026 Board of Equalization meeting. All voting aye, motion carried.

Tokach moved and Zachmeier seconded to approve abatement #7233. All voting aye, motion carried.

Tokach moved and Buckley seconded to approve abatement #7234. All voting aye, motion carried.

Buckley moved and Morrell seconded to approve the final plat of the short-form subdivision known as South Five Subdivision, and a zoning map amendment from Agricultural to Residential, as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and conforms to the land use priorities established in the 2045

Comprehensive Plan. All voting aye, motion carried.

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

Zachmeier moved and Morrell seconded to approve the final plat of the short-form subdivision known as Prairie Flats Subdivision, and a zoning map amendment from Agricultural to Estate, as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and does not expand development, within the Veterans Cemetery Viewshed, beyond agricultural uses. Voting aye: Zachmeier, Morrell, Buckley, Tokach; voting nay: Boehm. Motion carried.

Buckley moved and Tokach seconded to approve the final plat of the short-form subdivision known as Becker Subdivision, and a zoning map amendment from Agricultural to Residential for Lot 1 only, as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and conforms to the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Morrell moved and Buckley seconded to approve the final plat of the short-form subdivision known as Cloverleaf Subdivision, and a zoning map amendment from Agricultural to Residential, as the subdivision

conforms to the regulations established in Article 7 of the Morton County Land Use Code and conforms to the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried. Zachmeier moved and Morrell seconded to approve the Stastny cell tower special use permit because it complies with all the specifications in our land use code in section 5-190 with the conditions that tower will not exceed 198 feet and the generator will be used for backup only. All voting aye, motion carried.

Zachmeier moved and Buckley seconded to approve the final plat of the long-form subdivision, a zoning map amendment from Agricultural to Industrial for Lot 1 only, and a special use permit for an energy conversion facility, as presented, as the site is located in a remote area and is compatible with surrounding agricultural land uses, with the following conditions:

1) Applicant must submit to Morton County a complete stormwater management plan that meets the approval of the County Engineer, before the applicant will be allowed to begin grading the site and before the applicant will be allowed to obtain a building permit.

2) Applicant must execute a Road Use Agreement that meets the approval of the County Engineer, before the applicant will be allowed to begin grading the site and before the applicant will be allowed to obtain a building permit.

3) Project construction must begin within five years of issuance of the SUP or the SUP is void without further action of the Board of County Commissioners, subject to the Zoning

Administrator's ability to grant extensions of two (2) months for good cause shown in writing. "Construction" means clearing of vegetation, excavation, or other substantial physical alteration of the land.

4) Prior to issuance of a building permit and prior to construction, the applicant must submit an emergency operations plan that meets the approval of the County Emergency Manager.

5) All outdoor lighting must be shielded to be directed toward the ground and contained within the defined site boundary. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to approve a variance request to exceed the building height maximum in the Industrial zone and to allow the valve hall to be constructed to a height not to exceed 100 feet, as industry-standard equipment required for the project cannot

be accommodated in a structure that meets the 50-foot height maximum established in the

Morton County Land Use Code for the Industrial Zoning District, and the project could not be constructed at all without the height variance. All voting aye, motion carried.

Zachmeier moved and Morrell seconded to deny the request for a long form subdivision and zoning map amendment from Agricultural to Commercial on Lot 2 of Meadows off Highway 6 Subdivision, as the property lies within the half mile odor setback from a feedlot, established in Section 3-040 of the Morton County Land Use Code. On a roll call vote, all voting aye, motion carried. Morrell moved and Tokach seconded to appoint Dan Schelske to a 3 year term on the Morton County Park Board expiring on 6/30/29. All voting aye, motion carried.

Buckley moved and Morrell seconded to appoint Duane Ell to a 4 year term on the Morton County Planning & Zoning Board expiring on 6/30/30. All voting aye, motion carried.

Zachmeier moved and Tok-

ach seconded to appoint Rose Lawson to a 3 year term on the Three Rivers Human Service Zone Board expiring 6/30/29. All voting aye, motion carried.

Buckley moved and Tokach seconded to appoint Dennis Gustin to a 3 year term on the Morton County School Reorganization Board expiring 6/30/29. All voting aye, motion carried.

Public Comment period as required by NDCC 44-04-20.1 was opened at 7:231PM. There was no public comment and comment period was closed at 7:31PM.

The total of all county funds expended from June 5, 2026 through June 23, 2026 equals \$730,234.69.

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.

Chair Boehm adjourned the meeting at 7:33PM.

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