Morton County Commission Proceedings

MORTON COUNTY COMMISSION REGULAR MEETING
OCTOBER 8, 2026

The Morton County Commission Regular Meeting was called to order on October 8, 2026 at 5:30 PM by Chair Boehm at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota.

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

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

Tokach moved and Boehm seconded to approve the minutes of the joint meeting with Burleigh County on September 21, 2026. All voting aye, motion carried.

Buckley moved and Morrell seconded to approve the minutes of the September 22, 2026 regular meeting. All voting aye, motion carried.

Boehm moved and Zachmeier seconded to approve bills and payroll. On a roll call, all voting aye, motion carried.

Tokach moved and Zachmeier seconded to approve the Fringe Area Road Master Plan. All voting aye, motion carried.

Chair Boehm opened the public hearing on the first reading of Resolution 30-2026-02 to lift the moratorium on data centers and cryptocurrency mining facilities.

Chair Boehm closed the public hearing at 6:07PM.

Morrell moved and Tokach seconded to maintain the fire and burn ban declaration dated 8-13-26 as resolved to protect life, property and the resources within Morton County. On a roll call vote, all voting aye, motion carried.

Morrell moved and Tokach seconded to approve abatement #7246. All voting aye, motion carried.

Tokach moved and Morrell seconded to approve abatement #7247. All voting aye, motion carried.

Morrell moved and Zachmeier seconded to approve abatements #7248-7249. All voting aye, motion carried

Zachmeier moved and Tokach seconded to approve a zoning map amendment from Residential to Public Institutional for Lot 1, Block 1, Montes Rancheros 5th Replat Blocks 1 and 2, as the intensity of the purposed use is reasonably compatible with neighboring residential uses and supports the agricultural economy of Morton County with the following condition:

1. The applicant will use 29th Avenue for ingress/egress of all equipment onto County Road 139A.

All voting aye, motion carried.

Commissioner Zachmeier recused himself from the next agenda item.

Morrell moved and Tokach seconded to approve a variance to allow a reduction of the north building setback from 15 feet to 9.5 feet for an addition as presented on Lot 36, Zachmeier Flats Subdivision as the existing setback precludes a reasonable extension of the existing structure which was properly permitted at the time it was constructed. All voting aye, motion carried.

Zachmeier moved and Tokach seconded to approve a special use permit for a wind energy conversion facility known as Flat Rock Wind Project with the project components and specifications described in the application submitted to Morton County on August 31, 2026, as the proposed project reasonably complies with the standards established in Section 5-180 of the Morton County Land Use Code and supports Goal 6 of the Comprehensive Plan with the 11 conditions as listed in the Morton County Planning & Zoning report on 9-23-2026. On a roll call vote, all voting aye, motion carried.

Zachmeier moved and Morrell seconded to approve a zoning map amendment from Agricultural to Industrial for the Roughrider ethanol production facility on approximately 708.31 acres in Section 22, T139N R88W and the NW ¼ of Section 4, T138N R88W, as a rezoning to Industrial on the subject property supports the land use priorities in the 2045 Comprehensive Plan and as the proposed use supports the agricultural economy of Morton County with the conditions as listed in the attached condition schedule within the Morton County Planning & Zoning report form 9-23-2026 and with the new placement of the substation and a revision of condition 1 presented on 10-8-2026. On a roll call vote, all voting aye, motion carried.

Zachmeier moved and Tokach seconded to approve the amendments to Morton County Land Use Code 5-085 Energy Conversion Facility and Article 12 Definitions as presented in the packet. All voting aye, motion carried.

Morrell moved and Zachmeier seconded to appoint Mark Doll to the Planning & Zoning Commission to an unexpired

term expiring on 6/30/28. All voting aye, motion carried.

Morrell moved and Tokach seconded to appoint Commissioner Buckley as the Morton County State Fair Delegate for 2026. All voting aye, motion carried.

Public Comment period as required by NDCC 44-04-20.1 was opened at 8:19 PM. There was no public comment and comment period was closed at 8:19 PM.

The total of all county funds expended from September 23, 2026 through October 8, 2026 equals $720,045.23.

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.

Morrell moved and Tokach seconded to adjourn the meeting at 8:20 PM.

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