

Morton County Road Commission Agenda

Morton County Highway Department, 2916 37th St NW, Mandan ND

17 July 2024 @ 9:00 am

Call to order

Roll Call

Approval of Agenda

Approval of minutes for the previous meeting

1. Discuss James Drive - Todd Roth & Chad;
2. Discuss Missouri West Water road work – Nygren Dam Area;
3. Discuss the condition of the walking path from 19th South along 1806;
4. Discuss Over Dimension Vehicle Regulations Policy;
5. Retract CO2 capture facility use of County Road 87;
6. Discuss the speed limit on 139 through New Salem;
7. Discuss culvert bid results;
8. Monthly Updates:
 - a. Design Projects
 - b. Construction Projects
 - c. Culvert Replacements
 - d. Budget Update
 - e. Update on Bid Bond Graf Bridge

Morton County Road Commission Meeting
Morton County Highway Department, 2916 37th St NW, Mandan, ND 58554
June 19, 2024

Commission members Present: Jackie Buckley, Kyle Kirchmeier, Roger Hille (telephone)

Commission members Absent: Ron Leingang, Steve Tomac

Others present: John Saiki, Chad Schneider, Kevin and Kristi Miller

The meeting was called to order at 9:00 am by Chair Jackie Buckley

Kyle made a motion to approve the agenda. Roger 2nd. Motion carried.

Kyle made a motion to approve the minutes from the previous meeting. Jackie 2nd, motion carried.

1. Kevin or Kristina Miller – Appealing their temporary approach permit denial. They are asking to have it remain permanently. They are not asking for County Maintenance nor snow removal. Item was discussed including setting a precedence. After discussion Roger made a motion to uphold denial, but allow the approach to remain in place until October 15th, so they can complete land scaping work. The removed dirt will be allowed to be disposed in the bottom of the ditch to make mowing of the ditch easier. Drainage will have to be maintained. Kyle 2nd. Motion carried.
2. Discuss Policies – Kyle stated that the Overweight Policy will have to be removed from consideration by the County Commission. Additional work will have to be done. The new policies were reviewed. There were items that are to be removed and they were highlighted. Roger made a motion that the policies be submitted to the County Commission for approval. Kyle 2nd. Motion Carried.
3. Discuss the sale of used equipment – Advising the Road Commission that we will be advertising used equipment on an online auction from July 1 – July 17.
4. Discuss advertising for Culvert Bids – Advising the Road Commission that we will be advertising for Culvert Bids. After bids are received, we will review at the July Road Commission meeting then present to the full Commission at the July 23rd meeting.
5. Monthly Updates – a & b. Design Projects and Construction projects – Bridges near Flasher and St Anthony are under contract with APEX, bidding in January 2025. Structure type has been selected. Bridge South of Almont (Sauber Engineering) selected Alignment, Bidding January 2026. Little Heart Bridge – Work complete. Bridge North of Mandan (Mork) with (KLJ), Road Commission agreed to straighten out road. Swingen Construction poured the concrete for the bridge deck on the Starck bridge last week. Received quote from Swingen Construction for repair of bridge near Hebron.

There is money in the Bridge Replacement line item to pay for the work. Roger made motion to proceed with repair, Kyle 2nd. Motion Carried.

- c. Culvert Replacements – Chad reviewed the plans for the summer. Replacing small culverts. Graveled 36 miles of road this summer to date.
 - d. Budget Update – No large overages like last year. There is money in the Contractor line item and County Bridge line item, enough to cover the Remainder of the Starck Bridge, the match for the overlay on CR 139 and replacement of the Graf Bridge, north of the truck stop. We will proceed with bidding these two projects. We will be requesting an addition Full Time Employee since so may subdivisions have been added since 2017.
 - e. Update on Bid Bond Graf Bridge – have received a response from the bonding company. They have requested information, which I forwarded to the States Attorneys office to be sent.
6. Discussed change to the Land Use Code requiring Hard Surface Roads for new subdivisions. The Road Commission would like to see Sub Division Developers involved early in the development of this change.

Kyle moved to adjourn, Jackie 2nd. The meeting was adjourned 10:10 am.



700-007 Over Dimension Vehicle Regulations - Harvest Permit - Seasonal Load Restrictions for Roads

Adopted-

Revised-

DRAFT

Legal Reference - NDCC 39-12; NDCC 39-12-05.3 (4)

Purpose

This is a policy to regulate vehicle dimensions and weights on Morton County Highways. Businesses that use vans, trucks and buses to move their customers, products or equipment, depending on the size and use of those vehicles, a business and its drivers may be subject to the states commercial vehicle regulations.

General Policy

This policy is made pursuant to North Dakota Century Code Chapter 39-12. Maximum gross vehicle weight allowed on all Morton County roads is 80,000 lbs., unless otherwise noted. For heavier loads the Morton County Highway Department can issue oversize or overweight permits. ~~Contact the County Engineer's office for further instruction or special routing.~~ The legal load of a truck shall be determined by the NDDOT Legal Load Weight Restrictions Guide & Chart. **Overweight and overdimensional permits are issued through a third party vendor.**

~~Morton County no longer issues over length, width or weight permits. All permits will be handled by "LoadPass Permits".~~

~~All per trip permits for over length, width and weight are considered through a third party vendor called "LoadPass Permits."~~

To obtain a permit go to www.loadpasspermits.com or call 701-566-5576.
email: permits@loadpasspermits.com.

For further information please contact:

Contact the Morton County Highway Department Office: 701-667-3346.

Special Permits for Vehicles of Excessive Size and Weight - Contents - Fees

Upon application and payment of appropriate charges through the third party vendor "LoadPass Permits", **Morton County** may issue a special written permit authorizing the applicant to operate or move a vehicle, mobile home, or modular unit of a size or weight exceeding the maximum specified by this policy upon a highway under the jurisdiction of the County. Every such permit may designate the route to be traversed, and may contain any other restrictions or conditions deemed necessary by the body granting such permit. Every such permit must be carried in the vehicle to which it refers and must be opened to inspection by any peace officer or agent in Morton County, North Dakota. It is a violation

of the provisions of this policy for any person to violate any of the terms or conditions of such special permit.

~~An appropriate charge may~~ A charge for each type of permit will be set by the Morton County Board of Commissioners ~~be made~~ for each permit collected hereunder by the County and must be deposited in the County and may be used for the operating expenses of the County Highway Department. Official or publicly owned vehicles may not be required to pay charges for permits.

Commissioners May Limit Use of Vehicles on Highways

Whenever any highway will be seriously damaged or destroyed by reason of deterioration, rain, snow, or other climatic conditions unless the use of vehicles is prohibited or the weight of the vehicle thereon is limited, the County Commissioners or employees authorized by them by ordinance or resolution, may prohibit the operation of vehicles upon such highway or may impose restrictions as to the weight of vehicles. The commissioners or employees who are making such order or enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the order, ordinance, or resolution. Such signs must be erected and maintained at each end of that portion of any highway affected thereby, and such order, ordinance, or resolution is not effective until such signs are erected and maintained. The operation of trucks or other commercial vehicles or limitations as to the weight thereof on designated highways may be prohibited or limited in the same manner. County Commission order does not constitute a violation of the statutes relative to limitations on sizes and weights.

Peace Officers May Weigh Vehicle to Determine Load

Every peace officer, including members of the State Highway Patrol, having reason to believe that the weight of a vehicle and the load carried thereon is unlawful, may weigh such vehicle and load or have the same weighed either by means of portable or stationary scales, and for that purpose the Officer may require the vehicle to be driven to the nearest scales. Such Officer may require the driver of such vehicle immediately to unload such portion of the load as may be necessary to decrease the gross weight to the maximum allowed by the provisions of this policy.

~~Impounding Overweight Vehicle~~

~~Any vehicle found to have been moved or used upon any highway, street, or road in this state at a weight exceeding the limitations as specified in any order, ordinance, or resolution issued under this policy may be impounded by any peace officer and taken to a warehouse or garage for storage.~~

Formatted: Strikethrough

~~Impounding Receipt – Information~~

~~A receipt must be given by the officer impounding the vehicle, to the driver or person in charge of such vehicle. Such receipt must identify, as nearly as possible, the owner of the vehicle and cargo, the driver or person in charge of such vehicle, the cargo, the place the vehicle is to be stored during impoundment, the weight of the loaded vehicle and the name and address of the impounding officer. Information as to the owner of the vehicle and cargo must be obtained from the driver or person in charge of the vehicle.~~

~~Impounding Notice – Perishables~~

~~The impounding officer shall notify the owner or owners, if they can be found, by wire or telephone, of the impoundment and the charges involved. If the cargo consists of perishables, the impounding officer shall use reasonable diligence in assisting the operator or owner in finding suitable storage facilities for such perishables, but all risk of loss or damage to such perishables must be upon the owner, operator, or lessee of such vehicle.~~

Formatted: Strikethrough

Penalty

~~Impounding or penalties on overweight vehicles will be according to ND Century Code 39-12.~~

Penalty

~~Any driver of a vehicle who refuses to stop and submit the vehicle and load to a weighing when directed to do so by any police officer or any agent of this state having police powers relating to motor vehicles is guilty of a class B Misdemeanor.~~

Formatted: Strikethrough

Governor or County Commission Order Authorizing Excess Limits

The Governor of this state or the Morton County Commission may authorize, by order of general application, permit and prescribe definite excess limitations as to size and weight for the operation of motor vehicles in emergencies and to meet unusual conditions for the general welfare of the public. The operation of such vehicles, in accordance with the Governor's or County Commission's order, does not constitute a violation of the statutes relative to limitations on sizes and weights.

General Travel Restrictions

- a. Permits shall not be issued for over dimensional movements between sunset and sunrise, unless approved by the County Engineer or Sheriff.
- b. Permits shall not authorize movements when inclement weather prevails, highways are slippery, or when visibility is poor.
- c. Permits do not authorize travel on shoulders of road.
- d. Permits shall apply to movement of one vehicle or one vehicle combination only.
- e. All permits shall require a minimum distance of 1,000 feet between vehicles in a convoy of two or more vehicles.

Permits Must Accompany Movement

The driver of the vehicle must be in possession of the permit, in written or electronic form, prior to Movement. The County has the authority to revoke permits when the holder violates or abuses the privilege or conditions of the permits.

Harvest Permit

~~Effective July 15th through December 1st of the current year, the Morton County Commission, as authorized in Section 39-12-05.3 of the North Dakota Century Code, have granted permission to allow a 10% weight exemption on County Roads in Morton County, for movement of all farm products and solid wastes from the field to a point of storage. This coincides with the policy of the North Dakota Department of Transportation. Permits are good only through harvest.~~

~~Effective December 1st through March 7th of the current year, the Morton County Commission, as authorized in Section 39-12-05.3 of the North Dakota Century Code, have granted permission to allow a 10% weight exemption on County Roads in Morton County, the general movement of products.~~

~~The Morton County Commission shall establish an appropriate fee for the Harvest Permit and direct how it shall be issued.~~

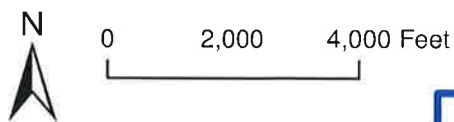
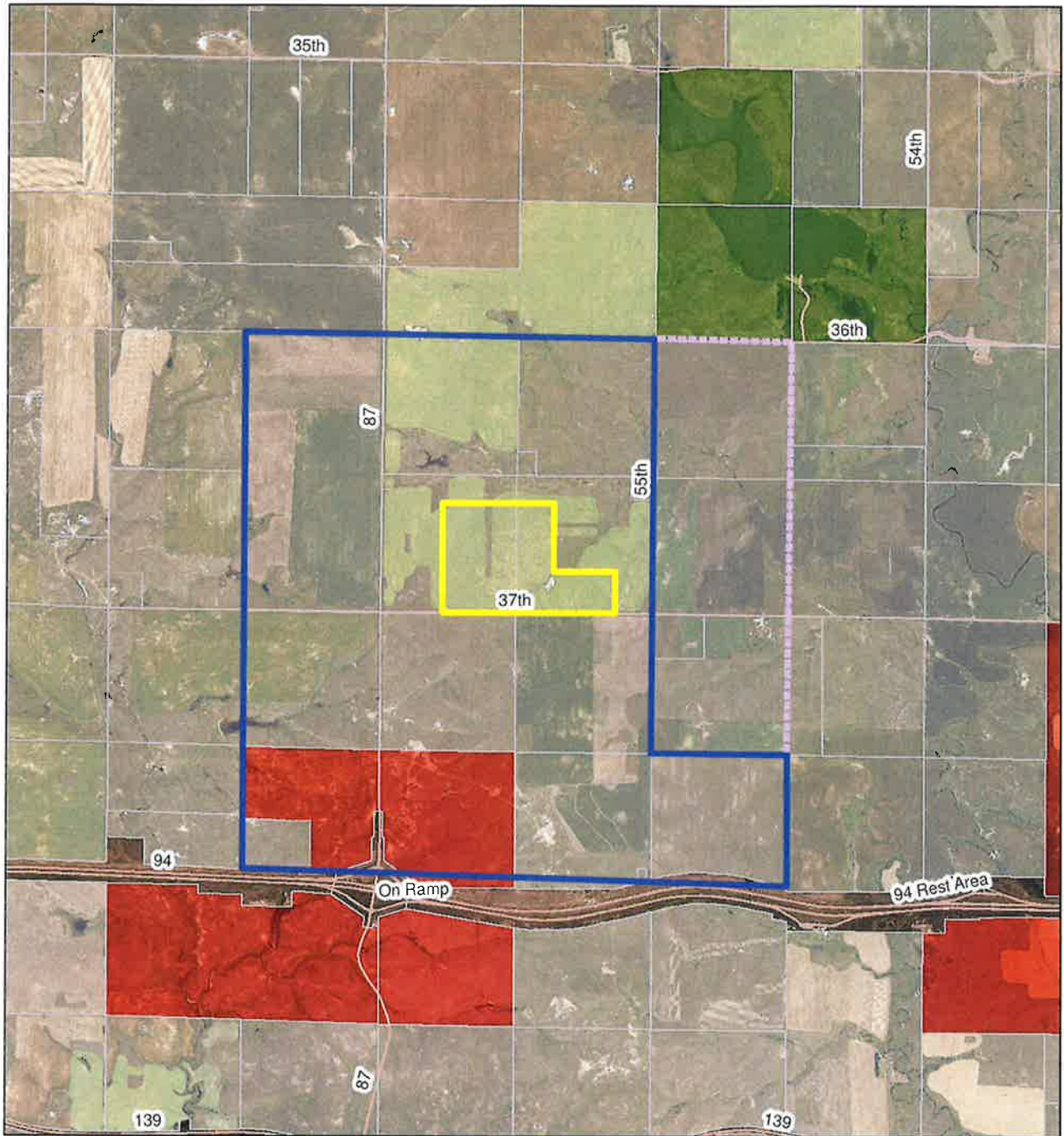
Seasonal Load Restrictions for Roads

Seasonal load restrictions are placed on all roads during the spring in Morton County. Typically load restrictions are in place from mid-February through May, but vary each year depending on actual moisture and weather conditions. The County uses the same guidelines, time frame and recommendations as the North Dakota Department of Transportation (NDDOT).

Official notices of Seasonal Load Restrictions will be posted in the various County newspapers by the County Engineer. Official notice of Seasonal Load Restrictions will be posted on the Morton County website. Official notices of Seasonal Load Restrictions will be posted each spring.

M Joseph DAC Facility SUP Zoning Map

Morton County Planning and Zoning Department
Created: 6/21/2024



Zoning

- Agricultural
- Conservation/Open Space
- Commercial

- Area under lease option contracts
- Core project site (boundary is approximate)
- Lease options under negotiation



Proposed boundaries of site not exact.
For planning purposes only.

23134

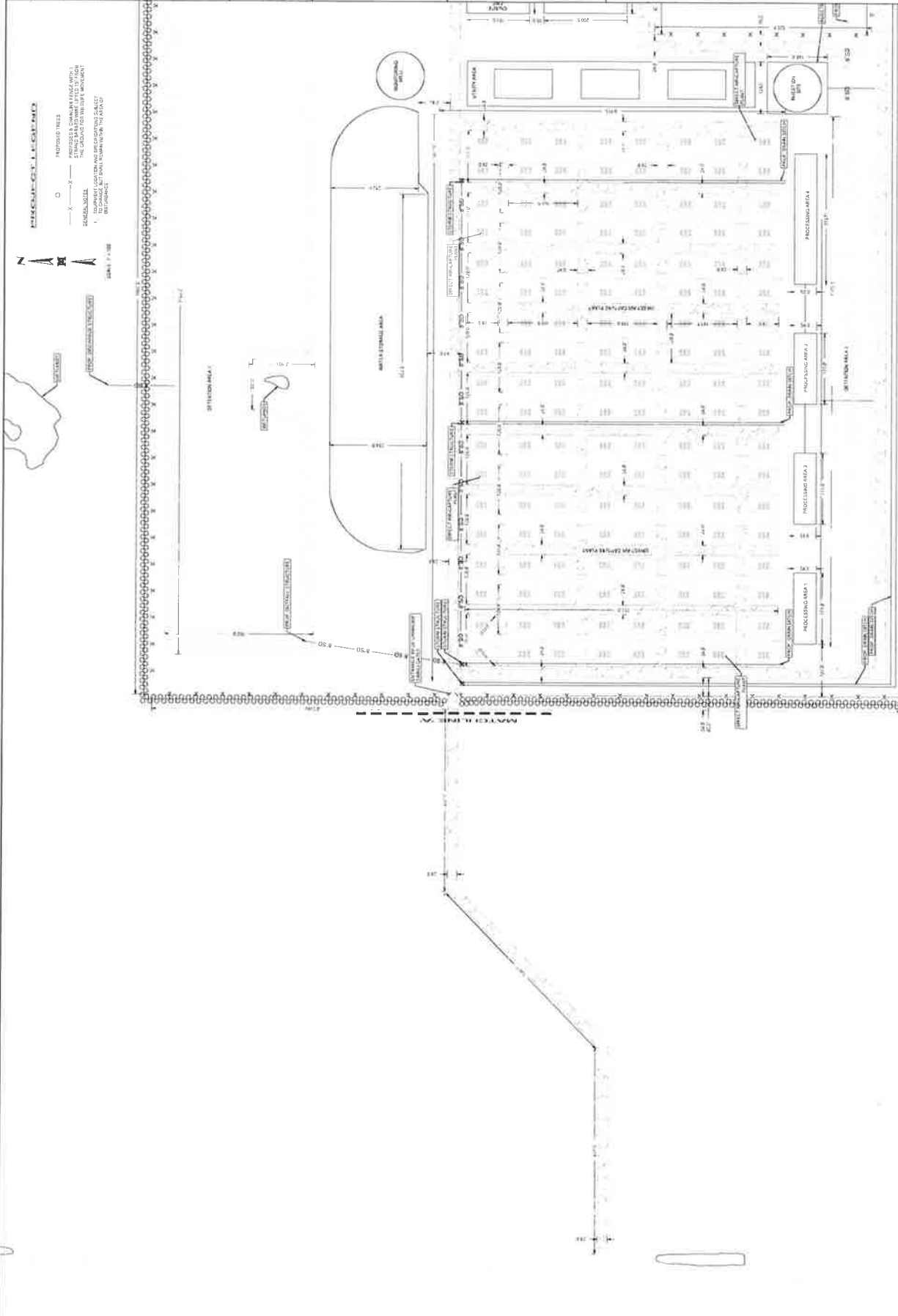
MILNER & HUNT INC.
 ENGINEERS
 1000 S. 10TH ST. SUITE 100
 MILWAUKEE, WI 53233
 PHONE: 414.224.1100
 FAX: 414.224.1101
 WWW.MILNERANDHUNT.COM

DATE	NO.	DESCRIPTION
10/15/10	1	ISSUED FOR PERMITS
08/10/10	2	REVISED PER COMMENTS
07/10/10	3	REVISED PER COMMENTS
06/10/10	4	REVISED PER COMMENTS
05/10/10	5	REVISED PER COMMENTS
04/10/10	6	REVISED PER COMMENTS
03/10/10	7	REVISED PER COMMENTS
02/10/10	8	REVISED PER COMMENTS
01/10/10	9	REVISED PER COMMENTS
12/09/09	10	REVISED PER COMMENTS
11/09/09	11	REVISED PER COMMENTS
10/09/09	12	REVISED PER COMMENTS
09/09/09	13	REVISED PER COMMENTS
08/09/09	14	REVISED PER COMMENTS
07/09/09	15	REVISED PER COMMENTS
06/09/09	16	REVISED PER COMMENTS
05/09/09	17	REVISED PER COMMENTS
04/09/09	18	REVISED PER COMMENTS
03/09/09	19	REVISED PER COMMENTS
02/09/09	20	REVISED PER COMMENTS
01/09/09	21	REVISED PER COMMENTS
12/08/08	22	REVISED PER COMMENTS
11/08/08	23	REVISED PER COMMENTS
10/08/08	24	REVISED PER COMMENTS
09/08/08	25	REVISED PER COMMENTS
08/08/08	26	REVISED PER COMMENTS
07/08/08	27	REVISED PER COMMENTS
06/08/08	28	REVISED PER COMMENTS
05/08/08	29	REVISED PER COMMENTS
04/08/08	30	REVISED PER COMMENTS
03/08/08	31	REVISED PER COMMENTS
02/08/08	32	REVISED PER COMMENTS
01/08/08	33	REVISED PER COMMENTS
12/07/07	34	REVISED PER COMMENTS
11/07/07	35	REVISED PER COMMENTS
10/07/07	36	REVISED PER COMMENTS
09/07/07	37	REVISED PER COMMENTS
08/07/07	38	REVISED PER COMMENTS
07/07/07	39	REVISED PER COMMENTS
06/07/07	40	REVISED PER COMMENTS
05/07/07	41	REVISED PER COMMENTS
04/07/07	42	REVISED PER COMMENTS
03/07/07	43	REVISED PER COMMENTS
02/07/07	44	REVISED PER COMMENTS
01/07/07	45	REVISED PER COMMENTS
12/06/06	46	REVISED PER COMMENTS
11/06/06	47	REVISED PER COMMENTS
10/06/06	48	REVISED PER COMMENTS
09/06/06	49	REVISED PER COMMENTS
08/06/06	50	REVISED PER COMMENTS
07/06/06	51	REVISED PER COMMENTS
06/06/06	52	REVISED PER COMMENTS
05/06/06	53	REVISED PER COMMENTS
04/06/06	54	REVISED PER COMMENTS
03/06/06	55	REVISED PER COMMENTS
02/06/06	56	REVISED PER COMMENTS
01/06/06	57	REVISED PER COMMENTS
12/05/05	58	REVISED PER COMMENTS
11/05/05	59	REVISED PER COMMENTS
10/05/05	60	REVISED PER COMMENTS
09/05/05	61	REVISED PER COMMENTS
08/05/05	62	REVISED PER COMMENTS
07/05/05	63	REVISED PER COMMENTS
06/05/05	64	REVISED PER COMMENTS
05/05/05	65	REVISED PER COMMENTS
04/05/05	66	REVISED PER COMMENTS
03/05/05	67	REVISED PER COMMENTS
02/05/05	68	REVISED PER COMMENTS
01/05/05	69	REVISED PER COMMENTS
12/04/04	70	REVISED PER COMMENTS
11/04/04	71	REVISED PER COMMENTS
10/04/04	72	REVISED PER COMMENTS
09/04/04	73	REVISED PER COMMENTS
08/04/04	74	REVISED PER COMMENTS
07/04/04	75	REVISED PER COMMENTS
06/04/04	76	REVISED PER COMMENTS
05/04/04	77	REVISED PER COMMENTS
04/04/04	78	REVISED PER COMMENTS
03/04/04	79	REVISED PER COMMENTS
02/04/04	80	REVISED PER COMMENTS
01/04/04	81	REVISED PER COMMENTS
12/03/03	82	REVISED PER COMMENTS
11/03/03	83	REVISED PER COMMENTS
10/03/03	84	REVISED PER COMMENTS
09/03/03	85	REVISED PER COMMENTS
08/03/03	86	REVISED PER COMMENTS
07/03/03	87	REVISED PER COMMENTS
06/03/03	88	REVISED PER COMMENTS
05/03/03	89	REVISED PER COMMENTS
04/03/03	90	REVISED PER COMMENTS
03/03/03	91	REVISED PER COMMENTS
02/03/03	92	REVISED PER COMMENTS
01/03/03	93	REVISED PER COMMENTS
12/02/02	94	REVISED PER COMMENTS
11/02/02	95	REVISED PER COMMENTS
10/02/02	96	REVISED PER COMMENTS
09/02/02	97	REVISED PER COMMENTS
08/02/02	98	REVISED PER COMMENTS
07/02/02	99	REVISED PER COMMENTS
06/02/02	100	REVISED PER COMMENTS

M JOSEPH FACILITY
 NORTH DAKOTA

SITE PLAN

DATE: 10/15/10
 SCALE: AS SHOWN
 SHEET 3.1 OF 7

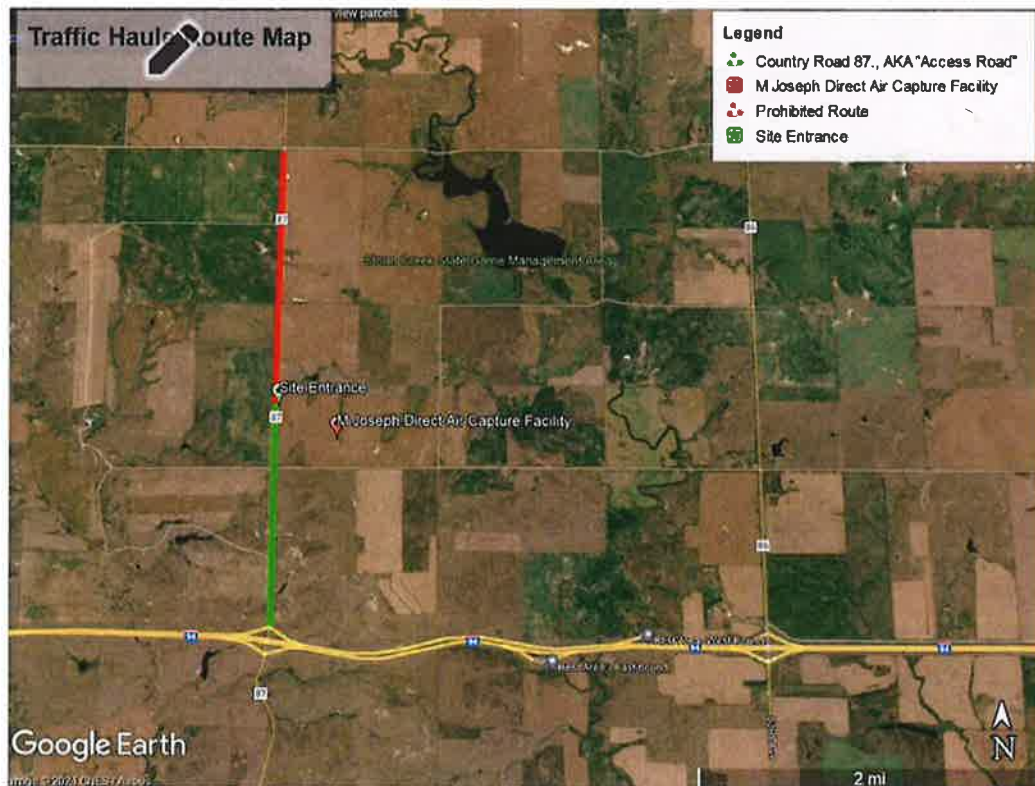


Project Vehicle Trips – M Joseph Facility

Route Designation

Retract has identified the best available access route as a stretch of road with a distance of approximately 5,770' in length consisting of northbound and southbound traffic on County Road 87 north of I-94 to the Project entrance.

Figure 1 – “Traffic Route Map”



Projected Vehicle Trips During Construction

With an 18-month construction schedule and a potential ground breaking in the Spring of 2026:

- May - September - Foundation and Grade Prep (5 months)
 - 25 - 35 vehicles per day
- October - April - Infrastructure Buildout (7 months)
 - 50 - 65 vehicles per day



- May - October - DAC Delivery and Install (6 months)
 - 30 - 45 vehicles per day

Projected Vehicle Trips During Operation

With an estimated 30 full-time operations staff working three 8-hour shifts, as well as facility deliveries, 45 vehicles per day are expected.



EQUIPMENT SPECIFICATION SUMMARY – M JOSEPH FACILITY

DAC Equipment

Technology	Vendor	Units Proposed	Capture Capacity	Power Consumption	Water Consumption	Unit Dimensions
Solid Amine	Airhive	Up to 144	Up to 2.74 tonnes carbon dioxide per unit per day	0.18 MWh per unit	10.3 barrels per unit per day	64 feet long, 32 feet wide, 34 feet high

Natural Gas Engines

Technology	Vendor	Units Proposed	Power Capacity	Heat Rate	Typical Plant Size
Reciprocating Internal Combustion Engines (RICE)	Wartsilla	5-6	De-rate to ~8.07 MW per unit	8.26 gross HHV	~2.5 acres

Natural Gas Carbon Dioxide Capture Equipment

Technology	Vendor	Capture Capacity	Power Consumption	Water Consumption	Unit Dimensions
Liquid Solvent	TC Advisors	Up to 72,000 tonnes carbon dioxide per year	~2.5 MWh	None, water captured from flue gas stream of gas engines	Adsorber towers 34 ft high, 40 ft wide; Stripper towers 34 ft high, 18 ft wide

Equipment subject to change based on technological advancements and detailed engineering.



UTILITY REPORT- M JOSEPH FACILITY

Electricity for Plant

Methodology	Maximum Power Capacity	Major Power Consumers	Distribution
Behind the meter natural gas engines (RICEs)	48.42 MW	DAC units (~26 MW), Plant Compressors/Pumps (~8 MW), Gas Capture (~2.5 MW)	On-site substation

Water for DAC Operations

Methodology	Storage	Truck traffic	Source	Use in Operations
Truck delivery – 10,423 barrels/week	On-site underground storage tanks, 1 acre/foot capacity each	~9 deliveries per day	State Licensed Water Depot – Central Dakota Water Works – Beulah (36 miles away; 28 miles on Hwy 49, 7 miles on I-94, and 1 mile on CR 87)	1,489 barrels per day. No waste water created, loss is to evaporation.

Natural Gas for Power Generation

Methodology	Delivery Amount	Delivery Pressure for RICEs	Delivery Setup
6 inch transport line, managed by WBI, from Glen Ullin pumping station	11MM cubic feet per day	75 psi	As needed, WBI will manage process of obtaining land agreements, permits and installation of any newly needed infrastructure. It will be a FERC regulated open access line, any other local resident or business is also able to connect.

Telecomm for Operations

Methodology	Line Size	Nearest Connection Point	Installation
Fiber line from West River Telecomm	¾ inch	0.8 miles east of Project	WRT manages installation process, likely laying bare fiber in ground with a vibratory plow

Amounts subject to change based on technological advancements and detailed engineering.



Applicant's Draft

of Suggested Conditions for Project Approval

Proposed Conditions for Approval of M Joseph Facility Special Use Permit

Please accept this proposed list of permit conditions for a special use permit for RT Site 4 LLC (“Applicant”) of a proposed direct air capture and sequestration facility (“DAC”) in Morton County, known as the M Joseph Facility (the “Project”).

Considering feedback from the local community and Planning and Zoning staff, Applicant sets forth what it considers to be best practice conditions for the operation of the proposed Project. Additionally, Applicant reviewed the wind energy facility guidelines from Morton County’s Land Use Code and, for County’s consideration, suggests the conditions below be considered as part of an approval of special use permit for the M Joseph Facility:

CONSTRUCTION

- The Applicant will designate at least one public liaison and publicize a toll-free phone number and email address for communication with the liaison during construction.
- Advance notice shall be mailed by first class mail to properties within 1 mile of the project no less than (7) days prior to the start of such activities and shall include the estimated start date, estimated end date, and the liaison’s contact information.
- All construction activity on the property shall be limited to the following:
 - All clearing, grading and construction of the Project shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 8:00am and 6:00 p.m. Saturday and Sunday.
 - Oversize load deliveries are prohibited on County Road 87, north of the project entrance.
 - All deliveries are prohibited on County Road 87 during prime school bus traffic between the hours of 6:10a.m. and 8:40 a.m. and 2:45p.m. and 4:30 p.m. or any amendments thereof due to inclement weather, during the Morton County Public Schools instructional year.

RESTORATION OF PROPERTY

- Within twelve (12) months of termination or abandonment of the Project, Applicant shall cause, at its own expenses, removal of all structures to a depth of three (3) feet below pre-construction grade. Underground collection cables do not have to be removed, but any easements of record must be released. Applicant shall demonstrate that Morton County will not be responsible for any decommissioning/reclamation costs after the useful life of the Project.

ENVIRONMENTAL

- Applicant shall perform an environmental assessment completed prior to the issuance of building permit.
 - The Applicant, in consultation with the US Fish & Wildlife Service - Ecological Services Office (USFWS) and the North Dakota Department of Game and Fish (NDGF) shall, for the project site, conduct a preconstruction inventory of existing wildlife management areas, scientific and natural areas, recreation areas, native prairies and forests, wetlands, and any other biologically sensitive areas and wildlife resources, particularly birds and bats, within the site and assess the presence of state- or federally-listed or threatened species, and other protected species, such as migratory birds. The results of the survey shall be submitted to the Zoning Administrator, USFWS and NDGF.
- Applicant shall complete a Class III archeological survey prior to issuance to building permit.

- The Applicant shall contract with a qualified archaeologist to complete such surveys, and shall submit the results to the Zoning Administrator and the State Historical Preservation Office (SHPO). The SHPO will make recommendations for the treatment of any significant archaeological sites which are identified. Any issues in the implementation of these recommendations will be resolved by Morton County Board of Commissioners in consultation with the SHPO. All information submitted under this provision is subject to NDCC Section 55-02-07.
- If any archaeological sites or human remains are found during construction, the Applicant shall follow standard operating procedures as established by the SHPO and in accordance with NDCC Section 23-06- 27 and associated North Dakota Administrative Code 40-02-03.

FIRE SAFETY

- Applicant shall have fully trained and available firefighter(s) on duty around the clock during operation of the facility as well as abide by an adequate fire prevention plan as outlined in Applicant's Emergency Operations Plan.

PUBLIC SAFETY

- Prior to construction, the Applicant shall prepare fire protection and medical emergency plans in consultation with the rural fire district, Sheriff's Department, Emergency Management, and local emergency medical service provider having jurisdiction over the area.
- Each direct air capture unit and all other major equipment shall be marked with a visible identification number to assist with provision of emergency services, and the permittee shall file with the Morton County Emergency Manager a direct air capture facility map identifying equipment locations and numbers.
- The Applicant will provide educational material to landowners within the pore space boundaries and, upon request, to interested persons about the project.
- Within twenty-four (24) hours of an occurrence, the Applicant shall notify the Morton County Emergency Manager of any extraordinary event. Extraordinary events include, but shall not be limited to, fires, leaks, or injured worker or private person. The Applicant shall, within thirty (30) calendar days of the occurrence, submit a report to the County Emergency Manager describing the cause of the occurrence and the steps taken to avoid future occurrences.
- The Applicant shall be responsible for compliance with all federal, state, and local laws applicable to the capture and sequestration of carbon dioxide during any phase of the project's life.
- All equipment shall be set back from the nearest existing occupied dwelling a distance of not less than ½ mile (or 2,640 feet). This setback may be reduced or waived, if stated in writing, by both the owners and the inhabitants (if different from the owners) of the dwelling.

SEQUESTRATION PERMITTING FROM NDIC

- The Applicant shall obtain all necessary permits and approvals from state and federal agencies

VEHICLES

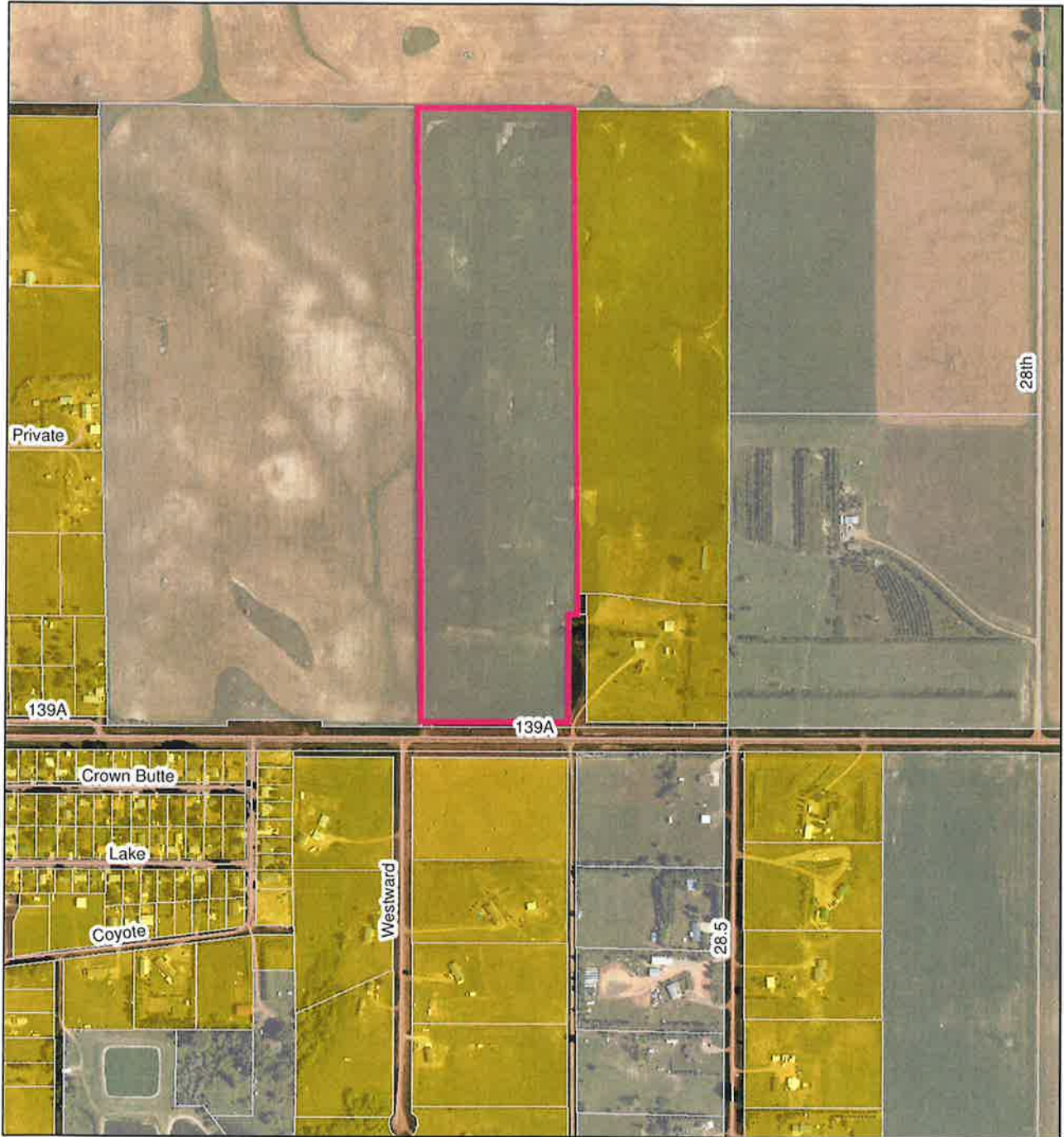
- The Applicant will develop a formal road use agreement for construction phase of the project, to the satisfaction of the County Engineer. Applicant shall also abide by the state and local overweight load permitting process in accordance with NDCC Chapter 39- 1 2.

VISIBILITY

- All light emanating from the facility must be contained on-site and directed toward the ground, using shielding if necessary. Any structure or potential lighting location higher than six feet shall not be artificially lighted, except to the extent required by Federal Aviation Administration (FAA) or other applicable authority.
- All equipment and structures associated with the project will have non-reflective/non-obtrusive finishes and be of a color that reasonably blends into the surrounding landscape.
- Direct air capture facilities shall not be used for displaying any advertising except for reasonable identification of the manufacturer or Applicant of the facility.
- Applicant shall work in consultation with Morton County Soil Conservation to advise on the most effective and practical tree and shrubbery plantings to surround the proposed facility.

Rosemary Second Subdivision Zoning Map

Morton County Planning and Zoning Department
Created: 7/3/2024



 Project Area



0 400 800 1,600 Feet

Zoning

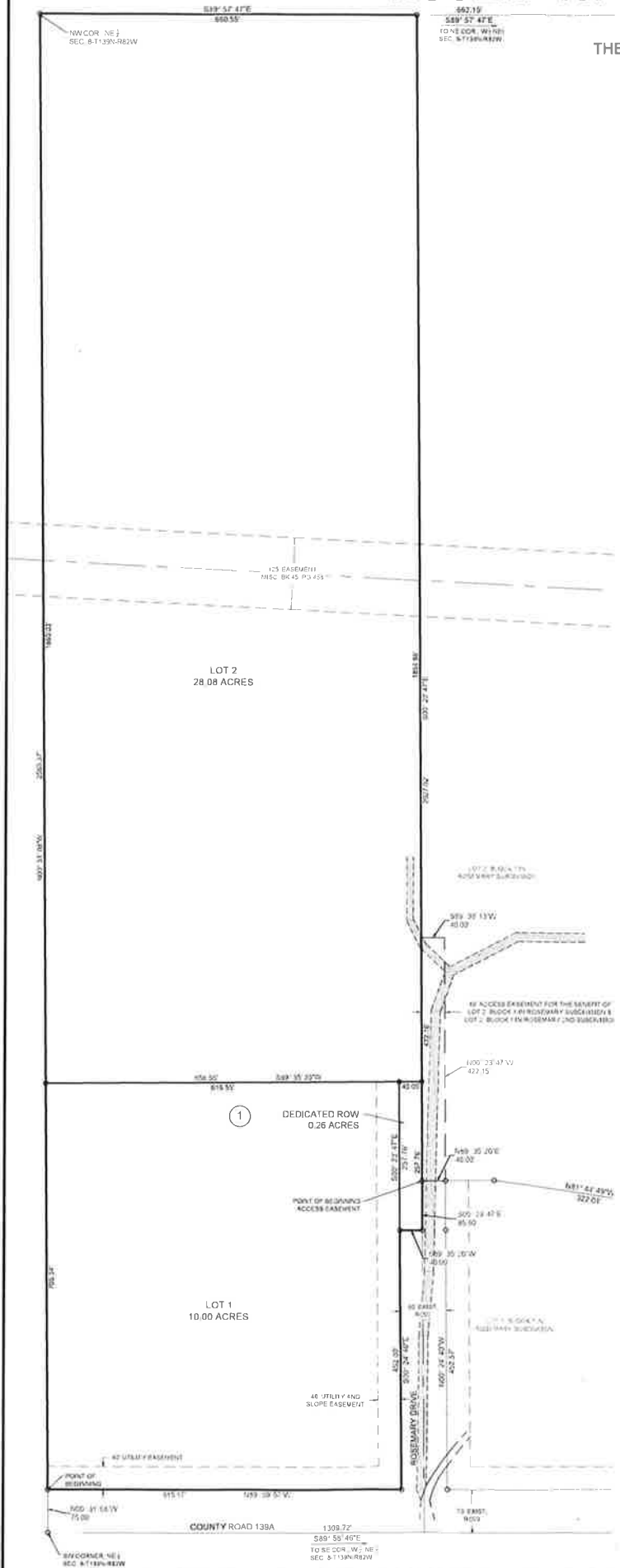
- | | | |
|---|--|---|
|  Estate |  Industrial |  Residential Multifamily |
|  Public Institutional |  Limited Industrial |  Residential |
|  Parks & Recreation |  Commercial | |
|  Conservation/Open Space |  Rural Commercial | |



Proposed boundaries of site not exact.
For planning purposes only.

ROSEMARY SECOND SUBDIVISION

OF MORTON COUNTY, NORTH DAKOTA
AUDITOR'S LOT "B" ALL IN THE WEST HALF OF
THE NORTHEAST QUARTER OF SECTION 8, T139N, R82W



DESCRIPTION
A TRACT OF LAND BEING AUDITOR'S LOT "B" IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 8 TOWNSHIP 13 NORTH RANGE 82 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE NORTH 00° 31' 00" WEST ON THE WEST LINE OF SAID WEST HALF A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00° 31' 00" WEST ON SAID WEST LINE A DISTANCE OF 256.37 FEET TO THE NORTHWEST CORNER OF SAID WEST HALF; THENCE SOUTH 89° 57' 47" EAST ON THE NORTH LINE OF SAID WEST HALF A DISTANCE OF 400.95 FEET TO THE NORTHEAST CORNER OF SAID LOT "B"; THENCE SOUTH 00° 21' 47" EAST ON THE EAST LINE OF SAID LOT "B" A DISTANCE OF 302.03 FEET; THENCE CONTINUING SOUTH 00° 21' 47" EAST A DISTANCE OF 83.48 FEET; THENCE SOUTH 89° 57' 47" WEST A DISTANCE OF 400.00 FEET; THENCE SOUTH 00° 21' 49" EAST ON THE WEST BOUNDARY OF THE NORTHEAST CORNER OF SAID LOT "B" A DISTANCE OF 442.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT "B"; THENCE NORTH 89° 53' 51" WEST ON THE NORTH BOUNDARY OF THE LINE OF COUNTY ROAD 139A A DISTANCE OF 816.11 FEET TO THE POINT OF BEGINNING, CONTAINING 28.08 ACRES, MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

ACCESS EASEMENT DESCRIPTION
A 40 FOOT ACCESS EASEMENT BEING A PART OF LOT 2, BLOCK 1 IN ROSEMARY SUBDIVISION, SITUATED IN THE NORTHEAST QUARTER OF SECTION 8 TOWNSHIP 13 NORTH RANGE 82 WEST OF THE 5TH PRINCIPAL MERIDIAN MORTON COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 1 IN ROSEMARY SUBDIVISION; THENCE NORTH 89° 35' 20" EAST ON THE SOUTH LINE OF SAID LOT 2 A DISTANCE OF 410.00 FEET; THENCE NORTH 00° 21' 47" WEST A DISTANCE OF 429.15 FEET; THENCE SOUTH 89° 35' 13" WEST A DISTANCE OF 40.35 FEET TO THE WEST LINE OF SAID LOT 2; THENCE SOUTH 00° 21' 47" EAST ON THE SAID WEST LINE A DISTANCE OF 422.16 FEET TO THE POINT OF BEGINNING, CONTAINING 0.36 ACRES, MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

SURVEYOR'S CERTIFICATE
I, MARK R. BRANDE, NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 304, HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED BY FORCE & MAIN BY ME OR MY DEPUTY THE PARCELS DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT. FURTHER, THAT DISTANCES INDICATED HEREON ARE IN FEET AND FRACTIONS THEREOF, AND BEARINGS ARE INDICATED IN DEGREES, MINUTES, AND SECONDS THEREOF. FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF ISSUE: JUN 26 2024

OWNER'S CERTIFICATE OF DESIGNATION

I, THE UNDERSIGNED, BEING SOLE OWNER OF THE LAND PLATED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE RIGHT OF WAY IDENTIFIED HEREON TO THE PUBLIC FOREVER. WE ALSO DEDICATE EASEMENTS UNDER THE PROVISIONS OF SECTION 1405 OF THE NORTH DAKOTA LAND USE CODE AND INDICATED ON THE PLAT WITH THE DESIGNATION OF UTILITY EASEMENT.

WE DO HEREBY DEDICATE A 40 FOOT ACCESS EASEMENT FOR THE BENEFIT OF LOT 2, BLOCK 1 IN ROSEMARY SUBDIVISION AND LOT 2, BLOCK 1 IN ROSEMARY 2ND SUBDIVISION, AND INDICATED ON THE PLAT WITH THE DESIGNATION OF "40' ACCESS EASEMENT", WHICH WILL RUN WITH THE LANDS.

WALLY PETER _____ CORPETER _____
JEREMY PETER _____ ALYDA PETER _____

STATE OF _____ 1 SS
COUNTY OF _____ 1 SS

SUBSCRIBED AND SWORN BEFORE ME A NOTARY PUBLIC THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC _____

PLANNING COMMISSION APPROVAL

THE SUBDIVISION OF LAND SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE COUNTY OF MORTON, NORTH DAKOTA THIS _____ DAY OF _____, 2024, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND THE REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID COUNTY IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF MORTON COUNTY, NORTH DAKOTA.

DEBBIE WEST - CHAIRMAN _____ TAWAN R. MOORE - SECRETARY _____

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF MORTON COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON AND HAS ACCEPTED THE DESIGNATION OF ALL UTILITY ALLEYS AND PUBLIC WAYS SHOWN HEREON. THE FOREGOING ACTION BY THE BOARD OF COUNTY COMMISSIONERS OF MORTON COUNTY, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THIS _____ DAY OF _____, 2024.

DAWN M. WIGGERS - COUNTY AUDITOR _____ KATHYAN BOYD - CHAIRMAN _____

COUNTY APPROVAL

WE, THE UNDERSIGNED, AFTER REVIEW APPROVE AN TO CARRY THE SUBDIVISION OF LAND SHOWN HEREON.

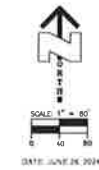
JOHN SARGO - COUNTY ENGINEER _____ DEBRAE REINER - PLANNING DIRECTOR _____

ACREAGE TABLE

LOT 1	10.00 ACRES
LOT 2	28.08 ACRES
DEDICATED ROW	0.26 ACRES
TOTAL	38.34 ACRES

LEGEND

- FOUND SURVEY MONUMENT
- SET CORNER MARK IS 80%



DATE: JUNE 26, 2024
VERTICAL DATUM: NAVD 1988
BASED ON NORTH DAKOTA SOUTH ZONE NAD 83 INTERNATIONAL FEET.
MEASUREMENTS HAVE BEEN ESTABLISHED BY SIX FROM THE BASIC GRID STATION AND ARE REPORTED IN GRID.

ROSEMARY SECOND SUBDIVISION SECTION 8, T139N, R82W MORTON COUNTY, ND		Independent Land Surveying & Engineering 4218 Oak Hill Trail SW Mandan, ND 58542 Ph: 701-844-1188 Cell: 701-585-2478 mrb@reemj.com
SHEET 1 OF 1 DATE: JUN 26 2024 DRAWN BY: MRS. ALYDA PETER CHECKED BY: MRS. ALYDA PETER DATE: JUN 26 2024	JOB NUMBER: 2024-001	

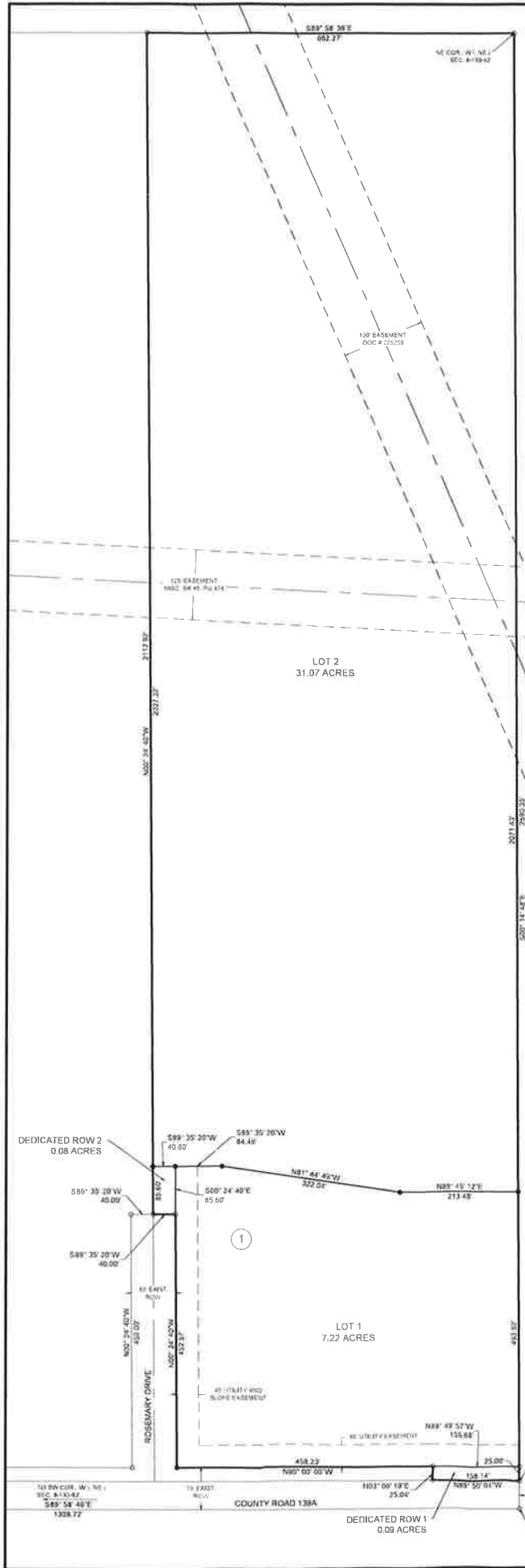
NOTES

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
- THE 40' ACCESS EASEMENT SHOWN HEREON IS FOR THE BENEFIT OF LOT 2, BLOCK 1 IN ROSEMARY SUBDIVISION AND LOT 2, BLOCK 1 IN ROSEMARY 2ND SUBDIVISION.

ROSEMARY SUBDIVISION

OF MORTON COUNTY, NORTH DAKOTA

LOT 1, BLOCK 1 IN MEADOWLARK PRAIRIE FIRST SUBDIVISION, LOT "C", AND AUDITOR'S LOT "A" ALL THE NORTHEAST QUARTER OF SECTION 8, T139N, R82W



DESCRIPTION

A TRACT OF LAND BEING LOT 1, BLOCK 1 IN MEADOWLARK PRAIRIE FIRST SUBDIVISION, LOT "C", AND AUDITOR'S LOT "A" ALL IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 133 NORTH, RANGE 82 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE NORTH 00° 14' 48" EAST ON THE EAST LINE OF SAID SECTION A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT "A" AND THE POINT OF BEGINNING; THENCE NORTH 89° 50' 00" WEST ON THE SOUTH LINE OF SAID LOT "A" A DISTANCE OF 150.14 FEET TO THE WEST LINE OF SAID LOT "A"; THENCE NORTH 03° 03' 19" EAST A DISTANCE OF 25.34 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 1; THENCE NORTH 89° 50' 00" WEST ON THE SOUTH LINE OF SAID LOT 1, BLOCK 1 A DISTANCE OF 453.33 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 1; THENCE NORTH 00° 24' 48" WEST ON THE WEST LINE OF SAID LOT 1, BLOCK 1 A DISTANCE OF 429.57 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1; THENCE SOUTH 89° 33' 20" WEST A DISTANCE OF 400.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT "C"; THENCE NORTH 00° 24' 48" WEST ON THE WEST LINE OF SAID LOT "C" A DISTANCE OF 212.92 FEET TO THE NORTHWEST CORNER OF SAID LOT "C"; THENCE SOUTH 89° 38' 30" EAST ON THE NORTH LINE OF SAID LOT "C" A DISTANCE OF 862.27 FEET TO THE NORTHEAST CORNER OF SAID LOT "C"; AND THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE SOUTH 00° 14' 48" EAST ON THE EAST LINE OF SAID LOT "C" AND THE EAST LINE OF SAID SECTION A DISTANCE OF 300.33 FEET TO THE POINT OF BEGINNING, CONTAINING 33.48 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 9828, HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT. FURTHER, THAT DISTANCES INDICATED HEREON ARE IN FEET AND HUNDREDTHS THEREOF, AND BEARINGS ARE INDICATED IN QUADRANTS AND DEGREES, MINUTES AND SECONDS THEREOF. FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK R. ISAACS, REG. 9828

OWNER'S CERTIFICATE OF DEDICATION

I, THE UNDERSIGNED, BEING SOLE OWNER OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE RIGHT OF WAY IDENTIFIED HEREIN TO THE PUBLIC. FURTHER, WE ALSO DEDICATE EASEMENTS UNDER THE PROVISIONS OF SECTION 7-207 OF THE MORTON COUNTY AND USE CODE AND INDICATED ON THE PLAT WITH THE DESIGNATION OF UTILITY EASEMENT.

CAROL A. CARLSON

STATE OF

COUNTY OF

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ___ DAY OF _____, 2023.

NOTARY PUBLIC

PLANNING COMMISSION APPROVAL

THE SUBDIVISION OF LAND SHOWN HEREIN HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE COUNTY OF MORTON, NORTH DAKOTA, THIS ___ DAY OF ___ 20___, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND THE REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID COUNTY IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF MORTON COUNTY, NORTH DAKOTA.

JESSE HEST, CHAIRMAN

DAWN R. RHONE, SECRETARY

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF MORTON COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON AND HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON. THE FOREGOING ACTION BY THE BOARD OF COUNTY COMMISSIONERS OF MORTON COUNTY, NORTH DAKOTA, HAS TAKEN EFFECT AS OF THE DATE APPROVED THIS ___ DAY OF ___ 20___.

MARK R. RHONE, COUNTY AUDITOR

NATHAN BUGHN, CHAIRMAN

COUNTY APPROVAL

BY THE UNDERSIGNED AFTER REVIEW APPROVE AS TO FORM THE SUBDIVISION OF LAND AS SHOWN HEREON:

JOHN SAHRI, COUNTY ENGINEER

NATALIE PIERCE, PLANNING & ZONING DIRECTOR



DATE: APRIL 25, 2023

VERTICAL DATUM - NAVD 1983

BASED ON NORTH DAKOTA SOUTH ZONE NAD83 INTERNATIONAL FEET

MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE 25M+ CORS STATION AND ARE REPORTED IN UTM.

ACREAGE TABLE

LOT 1	7.22 ACRES
LOT 2	31.07 ACRES
DEDICATED ROW 1	0.09 ACRES
DEDICATED ROW 2	0.08 ACRES
TOTAL ACRES	38.46 ACRES

LEGEND

- FOUND SURVEY MOVEMENT
- SET CAPPED REBAR (L&S)

OWNERS
CAROL A. CARLSON
237 COUNTY ROAD 113A
MANDAN, ND 58554

NOTES

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

ROSEMARY SUBDIVISION
SECTION 8, T139N, R82W
MORTON COUNTY, ND

1131 5th Ave NW
Bismarck, ND 58501
Phone: 701-851-5161
Cell: 701-553-2079
www.mortoncounty.com

Morton County Bridge Priorities

	Bridge #	Location	Notes	Consultant	Contact	Bid Date	Replacement a Major Structure
	Off System (100% funded)						
	30-152-35.0	11 East 1 North Flasher		APEX	Troy Ripplinger	Structure Selected	January 1, 2025
	30-158-27.0	2 South 1 East of St Anthony		APEX	Troy Ripplinger	Structure Selected	January 1, 2025
	30-141-25.0	11 North 1 West Flasher		Ulteig	Mary Boechler	Survey in progress	January 1, 2027
	On System (100% funded)						
	30-162-41.0	Solen		HDR	Craig Mitzera	Design Complete, Bid 3 times, no bids	January 1, 2027 X
	On System (80-20 funded)						
	30-143-19.0	9 South 3 East of Judson	Stark Bridge	Sauber	John Sauber	Barrier Poured July 16	X
	30-128-19.0	1 South Almont		Sauber	John Sauber	Route selected use a bypass - Working on Permitting	January 1, 2026
	HB 1505 (NDDOT)						
2022	30-133-03.0	7N of New Salem	Youngtown	AE2S	Todd Norton	Bid Dec 2024 Bid Opening	December 13, 2024 X
	ARPA (COVID) Funding						
	30-153-04.0	7N 13E of Judson	North of Truck Stop	Sauber	John Sauber	Contract Awarded and signed	June 20, 2024 X
	30-156-04.1	2W 6N of Mandan	Bank Slumping	KLJ	Jennie Krause	KLJ agreed to \$35000 and continuing work	
2023							
2	30-123-05.0	9W 4N of New Salem	Danzig Dam	S&B	Ryan Rykowski	Design on Hold due to permitting	
3	30-114-08.0	3N of Glen ulla	Frontage Road	Apex	Troy Ripplinger	Working with NDDOT since portion of the Box on NDDOT ROW	X
4	30-128-10.0	5W 1S of New Salem	40th Street				
5	30-120-23.0	5S 8W of Almont	CO 87				
6	30-164-35.0	3S 9W of Fort Rice	17th Ave				
2024							
1	30-103-06.1	City of Hebron	South Park Street	Open and Posted			
2	30-103-06.2	City of Hebron	East Fulton Ave	Closed			
3	30-129-18.1	3N of Glen ulla	49 S Ave	Big Bridge West of Almont			

Revised July 15, 2024