**Morton County Commission Meeting Agenda**

**March 22, 2022**
**Commission Room, Morton County Courthouse**
**210 2nd Ave NW, Mandan ND**
**5:30 PM**

Call to order
The Pledge of Allegiance
Roll Call
Approval of Agenda
Approval of minutes for previous meetings
Approve monthly bills and payroll – Commissioner Zachmeier

This meeting will also be available via the Go To Meeting platform via https://www.gotomeet.me/MortonCounty or dial +1 (669) 224-3412
and use access code: 370-200-173

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1. Cody Mattson/Director of Emergency Management
    - Morton County Fire Emergency and Burn Ban Declaration for 2022

2. Donald LaFleur/MC Tax Director
    - Abatements for board consideration

3. John Saiki/MC Engineer
    - Resolution Concurring with Award of NDDOT Contract with Quality Dirtworks LLC, Max ND

4. Gabrielle Goter/Assistant State's Attorney
    - Update on protest litigation

Executive Session to discuss legal strategy on protest litigation

5. Dawn Rhone/MC Auditor
    Board Appointment – Special Assessment Commission (unexpired 2-year term expiring April 2023)

5. Other

*ISSUES MAY BE ADDED OR DELETED BY MEETING DAY.

MORTON COUNTY COMMISSION REGULAR MEETING
March 10, 2022

The Morton County Commission Regular Meeting was called to order on March 10, 2022 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 was States Attorney Koppy.

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

Buckley moved and Leingang seconded to approve the minutes of the February 22, 2022 regular meeting. All voting aye, motion carried.

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

Buckley moved and Zachmeier seconded approve abatements #6058-6061. All voting aye, motion carried.

Buckley moved and Leingang seconded to approve abatements #6062-6063. All voting aye, motion carried.

Morrell moved and Zachmeier seconded to approve the RFP process as presented by Treasurer Hatzenbuhler to solicit proposals from qualified financial institutions to provide comprehensive banking services for the county in accordance with NDCC 21-04-05 with RFPs to be submitted as per the outline presented. All voting aye, motion carried.

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

Zachmeier moved and Buckley seconded to approve the final plat of the short-form subdivision known as Breien Third Subdivision and a zoning map amendment from Agricultural to Residential district for Lot 1 Block 1 and to Estate District for Lot 1 Block 2, as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code, is compatible with the surrounding town site development, and supports the county interest of establishing a right of way corridor for County Road 134 as constructed and to vacate that portion of Block 4 of Northern Pacific Avenue, town site of Breien. All voting aye, motion carried.

Buckley moved and Morrell seconded to waive the subdivision application fee for the Breien Third Subdivision. All voting aye, motion carried.

Morrell moved and Leingang seconded to approve the amendments to Sections 10-020 and 10-030 of the Morton County Land Use Code. All voting aye, motion carried.

Leingang moved and Buckley seconded to approve the contract with Knife River Corporation of $129 per hour per truck for contract gravel hauling and $300 per working day for mobilization for the crew. All voting aye, motion carried.

Buckley moved and Leingang seconded to authorize the Highway Department to execute gravel pit leases for the Nuss and Helbling pits at a rate of $2.50 per yard. All voting aye, motion carried.

Leingang moved and Morrell seconded to approve bituminous overlay of Sweet Briar Lake 37t Street using ARPA funding. All voting aye, motion carried.

Buckley moved and Leingang seconded to approve bituminous overlay of 16th Ave, Little Heart Road, and parking overlay using ARPA funding. All voting aye, motion carried.

Leingang moved and Morrell seconded to move to recess and immediately reconvene in executive session of the Morton County Commission pursuant to NDCC 44-04-19.1(9) for the purpose of consulting with legal counsel. All voting aye, motion carried.

The executive session began at 6:03 PM and was attended by Commissioners Boehm, Zachmeier, Leingang, Buckley and Morrell. Also in attendance were Auditor Rhone, States Attorney Koppy, Assistant States Attorney Goter and Sheriff Kirchmeier. The executive session was adjourned at 6:42 PM.

The Morton County Commission reconvened with all members present at 6:43 PM.

Morell moved and Leingang seconded to approve the 2021 budget amendments as presented. All voting aye, motion carried.

The total of all county funds expended from February 23, 2022 through March 10, 2022 equals $15,358,019.93.

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 Morrell seconded to adjourn at 6:56 PM. All voting aye, motion carried.

Nathan Boehm, Chairman, Morton County Commission ____________________

Dawn R Rhone, County Auditor ____________________________

**Morton County Commission**
**Morton County Courthouse**
210 2nd Ave NW
Mandan, ND 58554
(701) 667.3414

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|---|---|
| **MEETING DATE:** | March 22, 2022 |
| **PREPARATION DATE:** | March 21, 2022 |
| **SUBMITTING DEPARTMENT:** | Emergency Management/ 911 Coordinator |
| **DEPARTMENT DIRECTOR:** | Cody Mattson |
| **PRESENTER:** | Cody Mattson |
| **SUBJECT:** | Morton County Fire Emergency and Burn Ban Declaration tied to the daily fire danger rating |

STATEMENT/PURPOSE: Due to dry weather conditions and low precipitation amounts in the Morton County area, the Fire Emergency and Burn Ban declaration would help to regulate activities within Morton County, which pose a potential hazard for such loss, should these weather conditions continue.

BACKGROUND/ALTERNATIVES: This declaration would go into effect when the North Dakota Rangeland Fire Danger Rating is in the High, Very High, or Extreme category and/ or a Red Flag warning has been issued.

ATTACHMENTS: Morton County Fire Emergency and Burn Ban Declaration

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION: Motion to approve the Morton County Fire Emergency and Burn Ban Declaration for 2022, which would go into effect when the ND Rangeland Fire Danger Rating is in the High, Very High, Extreme, and/or a Red Flag Warning has been issued.

MORTON COUNTY
STATE OF NORTH DAKOTA

OFFICE OF EMERGENCY MANAGEMENT
Cody Mattson, Director
701.667.3290 • cody.mattson@mortonnd.org

**FIRE EMERGENCY AND BURN BAN**
**Tied Directly to Daily Fire Danger Rating**
March 22, 2022

**WHEREAS**, Morton County, North Dakota is currently in Moderate Drought and has experienced high winds, as well as continued, forecasted dry weather conditions; and

**WHEREAS**, the City of Mandan, Glen Ullin, and Hebron have city fire emergency and burn ordinances in place through an adopted fire code; and

**WHEREAS**, all available resources remain committed to protecting life and property; and

**WHEREAS**, the impact of fires could threaten the health, well-being, and safety of Morton County's citizens; and

**WHEREAS**, the cost of response and inordinate equipment wear may be far in excess of available County resources.

**NOW, THEREFORE, BE IT RESOLVED**, that the Morton County Board of Commissioners declares a Fire Emergency and Burn Ban effective when the North Dakota Rangeland Fire Danger Rating is in the High, Very High or Extreme Rating and/or a Red Flag Warning has been issued for Morton County, North Dakota, effective immediately thru October 1, 2022.

The Morton County Parks Director has the prerogative of posting burning restrictions at Morton County Parks, which may be more restrictive than the county burn ban and dependent on the fire danger, and could change once or more during any given day.

**What's Included (when the ND Rangeland Fire Danger Rating is High, Very High, Extreme, or Red Flag Warning)**
No Open Burning: Includes burning of leaves, grass clippings, garbage/pits, construction debris, fallen trees, crop residue or hay land, sloughs, and campfires/bonfires/recreation fire.

**What's Excluded**
Controlled Devices: Only when device(s) (gas, charcoal, wood-fired/pellet grills, patio fireplaces and chimineas, gas camp stoves, and smokers/pellet grills) is/are on a hard, non-organic surface and 15' away from vegetation and an extinguisher or water is available on site.

The Daily Fire Danger Rating can be found at the following Web site: https://ndresponse.gov/

**THE PENALTY FOR VIOLATION OF THIS BURN BAN IS A CLASS B MISDEMEANOR (NDCC 37-17.1-10.1: MAXIMUM SENTENCE OF 30 DAYS IN JAIL AND $1,500 FINE).**

DATED at Mandan, North Dakota this 22nd day of March 2022.

________________________________
Nathan Boehm, Chairman
Morton County Commission

Morton County Commission
Morton County Courthouse
210 2nd Ave NW
Mandan, ND 58554
(701) 667.3414

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| | |
|---|---|
| **MEETING DATE:** | 3/22/2022 |
| **PREPARATION DATE:** | 3/17/2022 |
| **SUBMITTING DEPARTMENT:** | TAX EQUALIZATION |
| **DEPARTMENT DIRECTOR:** | DONALD LAFLEUR |
| **PRESENTER:** | DONALD LAFLEUR |
| **SUBJECT:** | ABATEMENT 6064 |

STATEMENT/PURPOSE: CONSIDER 2021 APPLICATION FOR TAX EXEMPTION FOR NEWLY BUILT HOMES.

BACKGROUND/ALTERNATIVES: PROPERTY OWNER DID NOT RETURN APPLICATION FOR TAX EXEMPTION FOR NEWLY BUILT HOMES FOR 2021 PRIOR TO THE FEBRUARY 1, 2021 DEADLINE. A FORM WAS MAILED TO OWNER BUT WAS NOT RETURNED TO THE CITY OF MANDAN BY DEADLINE.

ATTACHMENTS:

| TAX YEAR | ABATEMENT NUMBER | TYPE OF ABATEMENT | PARCEL NUMBER | ORIGINAL VALUE | OWNER | NEW VALUE | PROPERTY ADDRESS | ABATED VALUE | REASON FOR ABATEMENT | MILL RATE | APPROVED BY CITY |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 2021 | 6064 | NEW HOME | 65-6127015 | $12,848 | SUMMERS/KAREN | $9,473 | 3721 GALE CIR SE MANDAN | $ 3,375 | NEW HOME | 285.16 | DENIED |

- CITY OF MANDAN AGENDA DOCUMENTATION
- LETTER NOTIFYING OWNER OF THIS MEETING TO CONSIDER ABATEMENT

FISCAL IMPACT: MINIMAL

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: RECOMMEND DENIAL OF ABATEMENT 6064

SUGGESTED MOTION: MOTION TO DENY DUE TO OWNER NOT RETURING APPLICATION BY DEADLINE.

New Business No. 1

# Board of City Commissioners

# Agenda Documentation

CITY OF MANDAN
WHERE THE WEST BEGINS

| | |
|---|---|
| **MEETING DATE:** | March 15, 2022 |
| **PREPARATION DATE:** | March 1, 2022 |
| **SUBMITTING DEPARTMENT:** | Assessing Department |
| **DEPARTMENT DIRECTOR:** | Kimberly Markley |
| **PRESENTER:** | Kimberly Markley, City Assessor |
| **SUBJECT:** | Abatement Applications from Karen Summers |

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STATEMENT/PURPOSE: To consider 2021 Application for Tax Exemption for Newly Built Homes for property at 3721 Gale Circle SE.

BACKGROUND/ALTERNATIVES: The parcel is also known as parcel # 65-6127015 with a legal description of Lot 7 Block 3 Lakewood $8^{th}$

Reason for abatement: Property owner did not return Application for Tax Exemption for Newly Built Homes for 2021prior to the February 1, 2021 deadline. A form was mailed to her but was not returned to our office.

ATTACHMENTS: Application for Abatement of Taxes, Application for Tax Exemption for Newly Built Homes, Local Resolution

ESTIMATED FISCAL IMPACT: 2021 All taxing entities = $962.42, City share = $215.93

STAFF IMPACT: N/A

LEGAL REVIEW: Reviewed by City Attorney Oster.

RECOMMENDATION: I recommend a motion for denial to the Morton County Commission of the 2021 abatement application for Karen Summers at 3721 Gale Cir SE.

SUGGESTED MOTION: I move to recommend denial to the Morton County Commission of the 2021 abatement application as presented for Karen Summers at 3721 Gale Cir SE

PARCEL # 65-6127015

# APPLICATION FOR TAX EXEMPTION FOR NEWLY BUILT HOMES

All real estate is valued as of February 1 of each year. In compliance with North Dakota Century Code 57-02-08 (35), the City of Mandan allows a property tax exemption for the first $75,000 of true and full value of new single-family, condominium and townhouse residential property, exclusive of the land on which it is situated, for the first taxable year after the taxable year in which the permit was issued and the residence is owned and occupied for the first time. To be eligible, special assessments and taxes on the property upon which the residence is situated must not be delinquent. **The exemption goes on the year after you acquire it as long as you have submitted this application by the deadline of February 1. If you own and occupy the residence between January 1 and January 31 of the current year, the exemptions will be applied for the current year. If you own and occupy the residence after February 1, the exemption will apply the following year.**

I hereby submit an application for a tax exemption for the year 2021 on the property described below (exclusive of the land on which it is situated or any special assessments). I certify this request is in compliance with North Dakota Century Code 57-02-08 (35). This exemption is for single-family dwelling, condominium or townhouse residential property.

RECEIVED FEB 28 2022

NAME OF APPLICANT: Karen Summers

MAILING ADDRESS: 3721 Gale Circle SE

STATUS OF APPLICANT: Builder ______ First owner after builder ✓

ADDRESS OF PROPERTY TO BE EXEMPT: 3721 Gale Circle SE

LEGAL DESCRIPTION:

DATE PERMIT ISSUED: 6-14-18 BUILDING PERMIT #: RESN-18-0492

DATE OCCUPIED: 5/2020 PHONE NUMBER: 101-226-5914

COST OR VALUE OF STRUCTURE (Purchase Price): $249,000

1. Were you aware of this Exemption before you purchased this home? ☐ Yes ☑ No
2. Did this Exemption influence your decision in the purchase of this home? ☐ Yes ☑ No

I hereby certify there are no delinquent taxes or special assessments on the above described property.

Karen Summers 2/28/22

Signature Date

************************************************************************************************

**FOR OFFICE USE ONLY**

APPROVED: ______ TAXES CURRENT: ______ OCCUPANCY CERTIFICATE: ______

DENIED: ______ REASON FOR DENIAL: ______

20-21 taxes paid 3/9/22

CO 5/2020

Assessor's Signature Date

**RESOLUTION**

**CITY OF MANDAN, NORTH DAKOTA**

**RESOLUTION ESTABLISHING TAX EXEMPTION**

Whereas, North Dakota Century Code §57-02-08(35) provides that up to One hundred fifty thousand Dollars ($150,000) of the true and full value of all new single-family and condominium and townhouse residential property, exclusive of the land on which it is situated, is exempt from taxation for the first two taxable years after the taxable year in which construction is completed and the residence is owned and occupied for the first time if all of the following conditions are met:

1. Taxes and special assessments on the property upon which the residence is situated are not delinquent.

2. Residence must be owned and occupied for the first time.

Whereas, the exemption is implemented by resolution of the City Commission of the City of Mandan, North Dakota; and

Whereas, The Board of City Commissioners of the City of Mandan, North Dakota deems it to be in the best interests of the City to implement the authority granted in order to provide incentive for the construction of new dwelling units.

Now, therefore, be it resolved by the Board of City Commissioners of Mandan, North Dakota, that effective January 1, 2018, up to $75,000 of the true and full value of all new single-family and condominium and townhouse residential property, exclusive of the land on which it is situated, shall be exempt from taxation as follows:

(a) For the taxable year ending December 31, 2018 in which construction is completed, the exemption will be for years 2019 and 2020.

(b) For the taxable year ending December 31, 2019 in which construction is completed, the exemption will be for the year 2020.

Dated and adopted this 6th day of March, 2018.

Dennis Rohr, Vice-President
Board of City Commissioners

ATTEST:

James Neubauer, City Administrator

**City of Mandan**
**Assessing Department**
**205 2nd Avenue NW**
**Mandan, ND 58554**
**(701) 667-3232**
kimberly.markley@cityofmandan.com

March 5, 2022

Karen Summers
3721 Gale Circle SE
Mandan, ND 58554

Dear Karen,

I have received your Application of Abatement for the property located 3721 Gale Circle SE in Mandan ND, with a legal description of Lot 7, Block 3, Lakewood 8th City of Mandan.

This application will be presented at the March 15, 2022 City of Mandan Commission meeting. The meeting begins at 5:30.

If you have any questions please call me at 667-3232.

Sincerely,

Kimberly Markley

Kimberly Markley
City Assessor
City of Mandan
kimberly.markley@cityofmandan.com

**City of Mandan**
**Assessing Department**
**205 2nd Avenue NW**
**Mandan, ND 58554**
**(701) 667-3232**
kimberly.markley@cityofmandan.com

March 17, 2022

Karen Summers
3721 Gale Circle SE
Mandan, ND 58554

Dear Karen,

The City of Mandan Commission recommended denial of Application of Abatement for the property located 3721 Gale Circle SE in Mandan ND, with a legal description of Lot 7, Block 3, Lakewood 8th City of Mandan.

As we discussed on the phone this morning, the application will be presented at the March 22, 2022 Morton County Commission meeting. The meeting begins at 5:30.

If you have any questions please call me at 667-3232.

Sincerely,

Kimberly Markley

Kimberly Markley
City Assessor
City of Mandan
kimberly.markley@cityofmandan.com

Morton County Commission
Morton County Courthouse
210 2nd Ave NW
Mandan, ND 58554
(701) 667.3414

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**MEETING DATE:** 3/22/2022
**PREPARATION DATE:** 3/17/2022
**SUBMITTING DEPARTMENT:** TAX EQUALIZATION
**DEPARTMENT DIRECTOR:** DONALD LAFLEUR
**PRESENTER:** DONALD LAFLEUR
**SUBJECT:** ABATEMENTS 6065-6066

STATEMENT/PURPOSE: CONSIDER REASSESSMENT OF HOME AT 1206 SUNNY RD MANDAN, ND.

BACKGROUND/ALTERNATIVES: DETACHED GARAGE WAS ASSESSED ON WRONG PARCEL.

ATTACHMENTS:

| TAX YEAR | ABATEMENT NUMBER | TYPE OF ABATEMENT | PARCEL NUMBER | ORIGINAL VALUE | OWNER | NEW VALUE | PROPERTY ADDRESS | ABATED VALUE | REASON FOR ABATEMENT | MILL RATE | APPROVED BY CITY |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 2020 | 6065 | REASSESS | 65-1279000 | $7,938 | SEMERIKOV/IVAN | $7,330 | 1206 SUNNY RD MANDAN | $ 608 | REASSESS | 261.91 | APPROVED |
| 2021 | 6066 | REASSESS | 65-1279000 | $8,100 | SEMERIKOV/IVAN | $7,479 | 1206 SUNNY RD MANDAN | $ 621 | REASSESS | 285.16 | APPROVED |

- CITY OF MANDAN AGENDA DOCUMENTATION

FISCAL IMPACT: MINIMAL

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: RECOMMEND APPROVAL OF ABATEMENTS 6065-6066

SUGGESTED MOTION: MOTION TO APPROVE AS PRESENTED

Consent No. 3ii

# Board of City Commissioners

# Agenda Documentation

CITY OF MANDAN
WHERE THE WEST BEGINS

**MEETING DATE:** March 15, 2022
**PREPARATION DATE:** March 7, 2022
**SUBMITTING DEPARTMENT:** Assessing Department
**DEPARTMENT DIRECTOR:** Kimberly Markley
**PRESENTER:** Kimberly Markley, City Assessor
**SUBJECT:** Abatement Applications for Ivan Semerikov

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STATEMENT/PURPOSE: To consider 2020 & 2021 Abatement Applications for property located at 1206 Sunny Road SW

BACKGROUND/ALTERNATIVES: This parcel is also known as parcel #65-1279000 with a legal description of Lot 6 (less N 2') & All of Lots 7 & 8 Block 13 Heartview

Reason for abatement: Detached garage was assessed on the wrong parcel.

ATTACHMENTS: 2020 & 2021 Applications for Abatement

ESTIMATED FISCAL IMPACT:
2020 All taxing entities = $159.11, City share = $38.40
2021 All taxing entities = $177.08, City share = $39.73

STAFF IMPACT: N/A

LEGAL REVIEW: Reviewed by City Attorney

RECOMMENDATION: I recommend a motion to recommend approval to the Morton County Commission of the 2020 & 2021 Abatement Applications for Ivan Semerikov at 1206 Sunny Road SW as presented.

SUGGESTED MOTION: I move to recommend approval to the Morton County Commission of the 2020 & 2021 Abatement Applications for Ivan Semerikov at 1206 Sunny Road SW as presented.

Morton County Commission
Morton County Courthouse
210 2nd Ave NW
Mandan, ND 58554
(701) 667.3414

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**MEETING DATE:** 3/22/2022
**PREPARATION DATE:** 3/17/2022
**SUBMITTING DEPARTMENT:** TAX EQUALIZATION
**DEPARTMENT DIRECTOR:** DONALD LAFLEUR
**PRESENTER:** DONALD LAFLEUR
**SUBJECT:** ABATEMENT 6067

STATEMENT/PURPOSE: CONSIDER EXEMPTION FOR PROPERTY AT 4504 30TH AVE NW MANDAN, ND.

BACKGROUND/ALTERNATIVES: THIS PROPERTY ADJOINS THE PARCEL ON WHICH THE CHURCH IS LOCATED AND CONTAINS A PORTION OF THE PARKING LOT, GARAGE, AND PLAYGROUND.

ATTACHMENTS:

| TAX YEAR | ABATEMENT NUMBER | TYPE OF ABATEMENT | PARCEL NUMBER | ORIGINAL VALUE | OWNER | NEW VALUE | PROPERTY ADDRESS | ABATED VALUE | REASON FOR ABATEMENT | MILL RATE | APPROVED BY CITY |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 2021 | 6067 | EXEMPT | 65-0935200 | $2,170 | SEVENTH DAY ADVENTIST | $0 | 4504 30TH AVE MANDAN | $ 2,170 | EXEMPT | 282.31 | APPROVED |

- CITY OF MANDAN AGENDA DOCUMENTATION

FISCAL IMPACT: MINIMAL

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: RECOMMEND APPROVAL OF ABATEMENT 6067

SUGGESTED MOTION: MOTION TO APPROVE AS PRESENTED

Consent No. 3i

# Board of City Commissioners

# Agenda Documentation

CITY OF MANDAN
WHERE THE WEST BEGINS

| | |
|---|---|
| **MEETING DATE:** | March 15, 2022 |
| **PREPARATION DATE:** | March 2, 2022 |
| **SUBMITTING DEPARTMENT:** | Assessing Department |
| **DEPARTMENT DIRECTOR:** | Kimberly Markley |
| **PRESENTER:** | Kimberly Markley, City Assessor |
| **SUBJECT:** | Abatement Applications for Seventh Day Adventist |

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STATEMENT/PURPOSE: To consider 2021 Applications for Property Tax Exemptions for property located at 4504 30th Avenue NW.

BACKGROUND/ALTERNATIVES: This parcel is also known as parcel #65-0935200 with a legal description of Lot 2 Block 1 Elmshaven.

Reason for abatement: This applicant qualifies for the Property Tax Exemption for 2021. The lot adjoins the parcel on which the church is located and contains a portion of the parking lot, garage and playground.

ATTACHMENTS: Applications for Abatement of Taxes, Application for Property Tax Exemption, Copy of North Dakota Century Code 57-02-08(9)

ESTIMATED FISCAL IMPACT:
Estimated Fiscal Impact for the Property Tax Exemptions:
2021 All taxing entities = $612.61, City share = $138.84

STAFF IMPACT: N/A
LEGAL REVIEW: Reviewed by City Attorney

RECOMMENDATION: I recommend a motion to recommend approval to the Morton County Commission of the 2021 abatement application for Seventh Day Adventist at 4504 30th Avenue NW as presented.

SUGGESTED MOTION: I move to recommend approval to the Morton County Commission of the 2021 abatement application for Seventh Day Adventist at 4504 30th Avenue NW as presented.

2021

# Application For Property Tax Exemption

**This application must be filed with the assessor every year by February 1 of the year for which the exemption is claimed.**

**Property Number: 65-0935200**
**Property Owner: SEVENTH DAY ADVENTIST**
**Property Address: 4504 30 AVE NW**
**Mailing Address: 7200 N WASHINGTON ST**
**BISMARCK, ND 58503-6301**

**Legal Description:**
**LOT 2 BLOCK 1 ELMSHAVEN**

Date property was acquired: 07-13-1994 Market value of property claimed exempt $

**Exemption Claimed Pursuant to One of the Following Sections of the North Dakota Century Code:**

[X] 1. N.D.C.C § 57-02-08(9), property used exclusively for public worship or property belonging to a religious organization and used for religious purposes: Church [X] Parsonage [ ] Other (attach explanation) [ ]

[ ] 2. N.D.C.C § 57-02-08(8), property owned by an institution of public charity and used for the charitable purposes for which it was organized: Public Hospital [ ] (1) Nursing Home [ ] (1) Other (attach explanation) [ ] (1)

[ ] 3. N.D.C.C § 57-02-08(11), property owned by nonprofit lodges, clubs, etc. and used for their meetings and ceremonies:
a. If licensed to sell alcoholic beverages, describe each area of the building where these beverages are sold or consumed.
b. If food is sold, describe each area of the building where the food is sold or consumed.

[ ] 4. N.D.C.C § 57-02-08(20), buildings owned and occupied as a homestead by one of the following:
a. Paraplegic Disabled Veteran or Veteran awarded specially adapted housing or unremarried surviving spouse [ ] (2)(4)(5)(6)
b. Permanently and Totally Disabled Person Confined to a Wheelchair or unremarried surviving spouse [ ] (2)

[ ] 5. N.D.C.C § 57-02-08(22), buildings owned by a blind person and/or spouse and occupied as a home by the blind person. (2)

[ ] 6. N.D.C.C § 57-02-08(26), buildings owned and occupied as a homestead by a paraplegic disabled person or unremarried surviving spouse. (2)(3)

FEB 16 2022
BY:

[ ] 7. N.D.C.C § 57-02-08(31), group homes owned by nonprofit corporations.

[ ] 8. N.D.C.C § 57-55-10, mobile home is exempt or the provisions of N.D.C.C ch. 57-55 apply.

[ ] 9. N.D.C.C § ______ Subsection ______

For what purpose(s) was the property used during the 12-month period prior to the year for which this exemption is claimed? (Note: Be specific. If there were several types of use, indicate such usages by square foot areas of the building and floor location. If additional space is needed, attach another sheet.) Used for Church related activities

Is any income derived from the use of any portion of this property by other individuals or groups, whether considered as rent or reimbursement for expenses or services rendered? Yes [ ] No [X] If Yes, give details.

(1) Provide a current copy of organizational documents supporting claim (e.g. articles of incorporation and by-laws, etc.) if claiming exemption for the first time or upon request.
(2) Provide an affidavit or physician's certificate if claiming exemption for the first time.
(3) Provide an annual statement that previous year's income did not exceed the amount provided in N.D.C.C § 57-02-08.1.
(4) Provide a copy of the DD form 214 showing veteran's honorable discharge from active military service if claiming exemption for the first time.
(5) Provide evidence from the Department of Veterans Affairs showing award of specially adapted housing if claiming exemption for this status for the first time.
(6) A person shall furnish to the assessor or other assessment officials when requested to do so any information that is believed will support the claim for exemption for a subsequent year.

I (We) make application for real property tax exemption for the year 2021 on the property described above and, in compliance with North Dakota Century Code § 57-02-14.1, certify the information is accurate to the best of my (our) knowledge and belief.

Note: N.D.C.C § 12.1-11-02 provides that making a false statement in a governmental matter is punishable as a Class A misdemeanor.

Julayne Brude, Admin Assist. 2-14-22
Applicant Date

Application is: Approved [X] Disapproved [ ]

Kimberly Markley 2-23-2022
Assessor or Director of Tax Equalization Date

24740 (Rev. 3-12)

North Dakota Century Code 57-02-08 (9)

57-02-08. Property exempt from taxation.

9. a. The land and any buildings on a parcel on which a church building is located, and which is owned by a religious corporation or organization and used predominantly for the religious purposes of the organization, must be deemed to be property used exclusively for religious purposes, and exempt from taxation. The land and any buildings on a parcel contiguous to the parcel on which a church building is located, which is owned by a religious corporation or organization, is exempt from taxation if any building located on the parcel is used predominantly for religious purposes.

b. If the parsonage and residence of the bishop, priest, rector, minister, or other clergy is located on property owned by the religious corporation or organization, which is not adjacent to the church, that residence, with usual outbuildings and land on which it is located, up to two acres [.81 hectare], must be deemed to be property used exclusively for religious purposes and is exempt from taxation.

c. Up to twenty acres [8.09 hectares] of undeveloped land owned by a religious corporation or organization for the purpose of a future church building or buildings is exempt from taxation. This exemption expires ten years after the taxable year in which the property was acquired by the religious corporation or organization if construction improvements to accommodate a church building have not commenced.

d. The exemption for a building used for the religious purposes of the owner continues to be in effect if the building in whole, or in part, is rented to another otherwise tax-exempt corporation or organization, provided no profit is realized from the rent.

https://www.legis.nd.gov/cencode/t57c02.pdf

Morton County Commission
Morton County Courthouse
210 2nd Ave NW
Mandan, ND 58554
(701) 667.3414

Stewardship of Public Trust | Respect for Diverse Voices & Ideas | Responsive & Comprehensive Customer Service | Leadership with Ethics and Integrity | Culture of Teamwork & Collaboration

| | |
|---|---|
| **MEETING DATE:** | 3/22/2022 |
| **PREPARATION DATE:** | 3/17/2022 |
| **SUBMITTING DEPARTMENT:** | TAX EQUALIZATION |
| **DEPARTMENT DIRECTOR:** | DONALD LAFLEUR |
| **PRESENTER:** | DONALD LAFLEUR |
| **SUBJECT:** | ABATEMENT 6068 |

STATEMENT/PURPOSE: APPLICANT QUALIFIES FOR DISABLED VETERANS CREDIT

BACKGROUND/ALTERNATIVES: N/A

ATTACHMENTS:

| TAX YEAR | ABATEMENT NUMBER | TYPE OF ABATEMENT | PARCEL NUMBER | ORIGINAL VALUE | OWNER | NEW VALUE | PROPERTY ADDRESS | ABATED VALUE | REASON FOR ABATEMENT | MILL RATE | APPROVED BY CITY |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 2021 | 6068 | VET | 65-6116900 | $22,433 | KLEIN/WILLIAM J | $16,763 | 223 COBBLESTONE LOOP SW MANDAN | $ 5,670 | VET | 282.31 | APPROVED |

- CITY OF MANDAN AGENDA DOCUMENTATION

FISCAL IMPACT: MINIMAL

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: RECOMMEND APPROVAL OF ABATEMENT 6068

SUGGESTED MOTION: MOTION TO APPROVE AS PRESENTED

Consent No. 3iii

# Board of City Commissioners

# Agenda Documentation

**MEETING DATE:** March 15, 2022
**PREPARATION DATE:** March 9, 2022
**SUBMITTING DEPARTMENT:** Assessing Department
**DEPARTMENT DIRECTOR:** Kimberly Markley
**PRESENTER:** Kimberly Markley, City Assessor
**SUBJECT:** Abatement Application for William Klein

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STATEMENT/PURPOSE: To consider Application for Disabled Veterans Property Tax Credit for 2021 for property located at 223 Cobblestone Loop SW

BACKGROUND/ALTERNATIVES: This parcel is also known as parcel #65-6116900 with a legal description of LOT 6 BLOCK 7 KEIDEL'S SOUTH HEART TERRACE 3RD

Reason for abatement: I have reviewed the Disabled Veterans Property Tax Credit Application and documentation, which are on file in my office. This applicant qualifies for Disabled Veterans Property Tax Credit for 2021.

ATTACHMENTS: Application for Abatement of Taxes

ESTIMATED FISCAL IMPACT: No fiscal impact to the City since the Tax Credit is reimbursed by the State of ND.

STAFF IMPACT: N/A

LEGAL REVIEW: Reviewed by City Attorney

RECOMMENDATION: I recommend a motion to recommend approval to the Morton County Commission of the 2021 abatement application for William Klein at 223 Cobblestone Loop SW as presented.

SUGGESTED MOTION: I move to recommend approval to the Morton County Commission of the 2021 abatement application for William Klein at 223 Cobblestone Loop SW as presented.

**Morton County Commission**
**Morton County Courthouse**
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(701) 667.3414



**MEETING DATE:** March 22, 2022
**PREPARATION DATE:** March 14, 2022
**SUBMITTING DEPARTMENT:** Highway Department
**DEPARTMENT DIRECTOR:** John Saiki
**PRESENTER:** John Saiki

**SUBJECT:** Resolution Concurring with Award of NDDOT Contract with Quality Dirtworks LLC, Max ND

STATEMENT/PURPOSE: Request for Concurrence with Award of Contract

BACKGROUND/ALTERNATIVES: The Morton County Highway Department has developed a project involving replacement of two bridges, one north of Hebron and the other NW of Hebron. Both bridges will be replaced with Precast Reinforced Concrete Box Culverts. This project is being Federally Funded with the typical 20% local match. Before the NDDOT can execute a contract with the low bidder, they need concurrence from the County Commission.

ATTACHMENTS: Copy of the Resolution provided by the NDDOT.

FISCAL IMPACT: The low bid is $ 1,489,472.61. The Engineers Estimate is $ 1,489,111.78, based on averages of the unit bid prices. The match has been budgeted.

STAFF IMPACT: Minimal

LEGAL REVIEW: None

RECOMMENDATION Concur with the Award of the NDDOT contract with Quality Dirt Works, LLC, Max, ND, for the Bridge Replacement Project near Hebron.

SUGGESTED MOTION: Move to concur with the Award of the NDDOT contract with Quality Dirt Works, LLC, Max, ND, for the Bridge Replacement Project near Hebron.

# RESOLUTION

WHEREAS, the bid in the amount of $1,489,472.61 from Quality Dirtworks LLC received in the bid opening of March 11, 2022 for Project BRC-3004(053) was the low bid received.

WHEREAS, this bid is considered reasonable.

NOW THEREFORE, be it resolved by the Board of County Commissioners of MORTON County will award to Quality Dirtworks LLC the contract for Project BRC-3004(053) and hereby authorizes the Chairman of the Board to sign said contract.

It is further understood that the County shall reimburse the North Dakota Department of Transportation for any payments made under this contract, which are not collectible from the Federal Highway Administration.

ATTEST:

| | |
|---|---|
| ______________________________ | ______________________________ |
| County Auditor | Chairman, Board of County Commissioners |
| | County: MORTON______________ |

This is to certify that the above resolution was adopted and passed at a meeting of the Board of County Commissioners at ______________ County on __________________.

______________________________

County Auditor

# MORTON COUNTY AUXILIARY BOARD
## APPLICATION FORM

Name: Shannon Boehm

Address: 5400 Old Red Trail

Cell Phone: 701-391-6208

Email: thehagg501@gmail.com

Board or Commission on which you prefer to serve:
County special assessment

List below the skills or qualifications you could bring to this Board or Commission:

Served on city planning & zoning
25 years Information Technology experience
Small Business Owner

If you have any special interest or reason for serving on this Board or Commission, please explain below.
I am interested in learning how this process works.

Principal Occupation/Source of Income (check one)

- [ ] Farmer
- [ ] Military
- [ ] Investor/Retired
- [ ] Clerical & Sales
- [ ] Laborer
- [ ] Craftsman
- [x] Business Owner
- [x] Professional
- [ ] Government
- [ ] Student
- [ ] Other

List the name of each business or trust that is NOT the principal source of income, in which you have a financial interest:
Click here to enter text.

List below the associations or institutions with which you are closely associated, or serve as a director or officer:
Click here to enter text.

Signature: __Shannon Boehm_________________________________ Date: 3-14-22___

Please return application to: Dawn R Rhone, Morton County Auditor – 210 2nd Ave NW – Mandan, ND 58554