

THE MORTON COUNTY PLANNING AND ZONING COMMISSION MINUTES
January 28, 2026

Chairman Kist called the Morton County Planning and Zoning Commission meeting to order at 5:30 P.M. January 28, 2026, in the Morton County Commission Room, 210 2nd Ave NW, Mandan, North Dakota. Commissioners present were Zachmeier, Rohr, Tomac, Ell Jr., Wald and Berger. Also present were County Planner Natalie Pierce and Deputy Auditor Eckroth. Absent Buckley and Braun

Ell Jr moved and Tomac seconded to approve the agenda. All voting aye, motion carried.

Tomac moved and Berger seconded to approve the minutes from December 17, 2025. All voting aye, motion carried.

Chairman Kist turns over the chair to Deputy Auditor Eckroth to preside over election of officers.

Deputy Auditor Eckroth called for nominations for Chairman.

Zachmeier nominates Jesse Kist for Chairman Tomac seconded.

Zachmeier moves and Ell Jr. seconds that all nominations cease and cast a unanimous ballot for Kist as Chairman. All voting aye, motion carried.

Deputy Auditor Eckroth turns over the chair to Chairman Kist to preside over election of officers.

Zachmeier nominates Rohr for Vice Chair, Rohr withdrew nomination. No action taken.

Kist nominates Tomac for Vice Chairman Berger seconded.

Tomac nominates Buckley for Vice Chairman Ell Jr. seconded.

Chairman Kist closed the floor to nominations and ceased nominations.

Ballots were cast with Tomac receiving a majority of the votes for Vice – Chairman.

Chairman Kist opened the Public Hearing – request from Estate of Delmer Schlenker for the final plat of a long-form subdivision known as Monte’s Rancho’s Sixth Subdivision on 40.46 acres in the NW ¼ of Section 8, Township 138N, Range 82W, Morton County.

Berger moved and Rohr seconded to recommend approval to County Commission of the revised final plat of a long-form subdivision known as Monte’s Rancho’s Sixth Subdivision with the revised plat showing a relocation of the existing utility easement. All voting aye, motion carried.

Chairman Kist opened the Public Hearing – request from WW Ranch LLP for the final plat of a long-form subdivision known as Harmon Village 24th Subdivision, and a zoning map amendment from Agricultural to Residential on approximately 25.73 acres in the W ½ of Section 12, Township 140N, Range 82W, Morton County.

Ell Jr. moved and Berger seconded to recommend approval of the final plat of the long-form subdivision of Harmon Village 24th 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 is in keeping with the land use priorities established in the 2024 Comprehensive Plan. All voting aye, motion carried.

Chairman Kist opened the Public Hearing - request from Lee Ingalls for the final plat of a short-form subdivision known as Starck Subdivision, and zoning map amendment from Agricultural to Estate on approximately 1.57 acres in NE ¼ of Section 11, Township 137N, Range 84W, Morton County.

Berger moved and Zachmeier second to recommend approval of the final plat of the short-form subdivision known as Starck 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 is in keeping with the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Chairman Kist opened the Public Hearing – request from Darin Starck for the final plat of a short-form subdivision known as Lee Subdivision and a zoning map amendment from Agricultural to Residential on approximately 11.99 acres in the S ½ of Section 2, Township 137N, Range 84W, Morton County.

Ell Jr. moved and Wald seconded to recommend approval of the final plat of the short-form subdivision known as Lee Subdivision, and a zoning map amendment from Agricultural to Estate as the subdivision conforms to the regulation established in Article 7 of the Morton County Land Use Code and is in keeping with the land use priorities established in the 2045 Comprehensive Plan and with the addition of WAPA Easement. All voting aye, motion carried.

Chairman Kist opened the Public Hearing – request from Kelly Bethke for a final plat of a short-form subdivision known as North Pasture Subdivision, and a zoning map amendment from Agricultural to Estate on approximately 14.47 acres in the SW ¼ of Section 14, Township 137N, Range 85W, Morton County.

Ell Jr. moved and Wald seconded to recommend approval of the final plat of a short-form subdivision known as North Pasture 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 is keeping with the land use priorities in the 2045 Comprehensive Plan. All voting aye, motion carried.

Chairman Kist opened the Public Hearing – request from Boulder Homes LLC for the final plat of a long-form subdivision known as Maverick Estates Second Subdivision, and a zoning map amendment from Agricultural to Residential on approximately 41.26 acres in the SE ¼ of Section 21, Township 138N, Range 81W, Morton County.

Berger moved and Ell Jr. seconded to recommend approval of the final plat of a long-form subdivision known as Maverick Estates Second 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 as the subdivision conforms to the policies established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Chairman Kist opened the Public Hearing – Lifting the moratorium on Direct Air Capture use (Resolution 30-2024-02) via Resolution 30-2026-01.

Tomac moved and Ell Jr. seconded to recommend County Commission to lift the moratorium and adopt Resolution 30-2026-01. All voting aye, motion carried.

Chairman Kist opened the Public Hearing – Morton County Land Use Code Amendment to Section 3-010 Floodplain Overlay District, based on requirements of SB2027, and direction from ND Department of Water.

Ell Jr. moved and Kist seconded to approve the Flood Plain Overlay District amendments as presented excepting the yellow changes, with the condition if FEMA does not agree with our wording in Section C we would then adopt theirs moving from one foot to two foot for our elevations. All voting aye, motion carried.

Public Comment period as required by NDCC 44-04-20.1 was opened at 6:50PM. There were no public comments and comment period was closed at 6:52PM.

Ell Jr. moved and Tomac seconded to adjourn the meeting at 6:54 pm. All voting aye, motion carried.