



DATE: June 9, 2016
TO: Ward County Planning Commission
FROM: Amber Turnquest, County Planning & Zoning Administrator
SUBJECT: Regular Meeting 7:00PM, June 16, 2016, Room 108, Ward County Administration Building

AGENDA

- A. Call to order, roll call and determination of quorum.
- B. Review and approval of the minutes from May 19, 2016.
- C. Regular Agenda
 - 1. Michael Vollmer

Application for a **plat approval** for the following described property:

Outlots 8 & 9 Being Outlot 1 & Unplatted Portions of the SW $\frac{1}{4}$ NW $\frac{1}{4}$
& NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35-155-81, Surrey Township

The application is for two lots of 2 and 2.05 acres respectively adjacent to County Road 23. The Surrey Township Board has not yet responded. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should obstruct watercourses or divert surface water flows.

- 2. Minot Air Force Base

Discussion about encroachment, density and development within Zoning District #1 in anticipation of ordinance updates.

- 3. First Reading- Floodplain Zoning Amendment

Proposed change to the Ward County Zoning Ordinance to remove references of Freedom and Carbondale townships from Chapter 4- Ward County Floodplain Zoning Ordinance.

- D. Other business or adjourn

Attachments cc: Ward County Commissioners,
Regular Mailing List,
Local News Organizations

Minutes of the Ward County Planning Commission
May 19, 2016

The meeting was called to order at 7:02PM by Chairman Tuttle. Present were Commissioners Carswell, Kopp, Livingston, and Wepler. Also present were County Planning and Zoning Administrator Amber Turnquest, Highway Engineer Dana Larsen, States Attorney Roza Larson, and Misty Hester, Secretary.

Moved by Commissioner Wepler, seconded by Commissioner Carswell, to approve the Planning Commission Meeting Minutes from the April 21, 2016. Roll Call: All Voted yes; Motion carried.

Application for a plat approval by **BACE LLLP** for the following described property:

Outlot 3 of NE ¼ NE ¼, Section 36-160-89, Elmdale Township

The application is for 10.76 acre outlot adjacent to County Road 1A. The Elmdale Township Board has responded without objection. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Wepler, seconded by Commissioner Carswell, to approve based on the stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Eric and Amy Anderson** for the following described property:

Outlot 1 of SW ¼ SE ¼, Section 8-160-89, Elmdale Township

This application is for a 3.79 acre outlot adjacent to County Road 2. The Elmdale Township Board has responded without objection. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Wepler, seconded by Commissioner Kopp, to approve based on stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Norman Sollid on behalf of Richard and Eileen Solberg** for the following described property:

Outlot 4 S ½ SW ¼, Section 22-15681, Maryland Township

This application is for a 5.95 acre outlot adjacent to 72nd Ave NE. The Maryland Township Board has responded without objection. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Weppler, seconded by Commissioner Carswell, to approve based on stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **MacKenzie Hansen** for the following described property:

Outlot 1 of Government Lot 4, Section 3-156-81, Maryland Township

This application is for a 2.71 acre outlot adjacent to County Road 8. The Maryland Township Board has responded without objection. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Weppler, seconded by Commissioner Carswell, to approve based on stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Aaron Haalan** for the following described property:

Outlot 2 Being a Portion of Outlot 1, Section 30-157-85, Mayland Township

This application is for 4.99 acre outlot. The Mayland Township Board has not yet responded. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should not obstruct watercourses or divert surface water flows.

A brief discussion ensued regarding road maintenance.

Moved by Commissioner Weppler, seconded by Commissioner Carswell, to approve contingent on the approval of the Mayland Township and the stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Michael and Teresa Sundsbak** for the following described property:

Outlot 1 within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11-154-85, Rolling Green Township

This application is for a 2.12 acre outlot adjacent to County Road 13. The Rolling Green Township Board has not yet responded. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Wepler, seconded by Commissioner Kopp, to approve contingent on the approval of the Rolling Green Township and the stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Michael and Teresa Sundsbak** for the following described property:

Outlot 1 Within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2-154-85, Rolling Green Township

This application is for a 7.70 acre outlot adjacent to County Roads 13 and 14. The Rolling Green Township Board has not yet responded. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the subject property is (a) developed or subdivided or (b) if an application is made for a building permit; and that no development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Wepler, seconded by Commissioner Livingston, to approve contingent on the approval of the Rolling Green Township and the stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Daren Brown** for the following described property:

Outlots 38 & 39 of NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11-155-85, Des Lacs Township

The application is for two, 2 acre outlots. The Des Lacs Township Board has recommended approval. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Wepler, seconded by Commissioner Carswell, to approve based on stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Public Hearing

Application for a special use permit by **Central Specialties, Inc.** for the following described property:

SW ¼ SW ¼, Section 20-152-84, Hilton Township

The application has been amended from “SW ¼” to “SW ¼ SW ¼”. The application is to allow a temporary camp site for employees while constructing Highway 23 NDDOT project. First District Health Unit has inspected the site, D & B, a company from Jamestown which has systems across the states, service the porta-potties and RVs once per week and will be going to twice per week service.

A memo was presented to the County Commission at their May 3, 2016 meeting at the request of the Planning Commission at the April 21, 2016 meeting. A two foot high berm was erected to serve as a fire break. Larry Haug, the Ward County 911 Coordinator, sent out letters to emergency services and first responders notifying them of the camp site and directions to it.

Moved by Commissioner Weppler, seconded by Commissioner Carswell, to open the public hearing at 7:22 PM.

Ryan Minnerath, Central Specialties Project Manager, 6325 County Rd 87 SW, Alexandria, MN, appeared and spoke on behalf of the company to state their intentions and answer any questions. He stated they are paying the land-owner for usage and it is not open to the public. It's 25-miles from the City of Minot. They plan on being in that location through September. He stated there are about 50 or so trailers each with their own man. Ryan reported that First District Environmental Health Director James Heckman said they did meet the requirements for sewer/water.

Discussion ensued regarding topics such as the lack of permit before moving in and the safety and well-being of the campers and near-by residence in regards to fire hazards from the grills and road usage/access.

Brent Johnson, 29400 142nd St SW, Douglas, ND, appeared and spoke against the special use permit. Concerns include how an increase in traffic not only affects the minimum maintenance road, but spooks his cattle, the lack of extra patrol when he called in to complain he caught a guy dumping sewage on his land, and fire hazards. He stated that he'd found out that a permit from the state would need to be issued since there are more than 13 campers.

Amber pointed out handouts/letters included from the following persons/entities:

- Letter from Brent Johnson
- Letter from Minot Innkeepers Association
- Letter from Visit Minot Convention & Visitors Bureau
- Letter from Swenson RV & Marine—along with photos
- Email copy containing photos from the Tax Assessors / Equalization office

Moved by Commissioner Kopp, seconded by Commissioner Carswell, the public hearing was closed at 7:54 PM.

After a brief discussion concerning length of time Central Specialties had already been on site and legal liabilities, it was moved by Commissioner Weppler to approve the special use permit request under guidelines of Section 7 contingent upon the findings regarding state laws on number of campers and Central Specialties would have to provide to us any permits. Motion died for lack of second.

Moved by Commissioner Kopp, seconded by Commissioner Carswell, to deny the permit based on the availability of other campsites and “after-the-fact” action. Roll call: All voted yes; Motion carried.

Dana stated it will be at the June 7th Commission meeting for final action.

Application for variance by **John and Nicole Carlson** for the following described property:

N Lot 4, Sandy Beach Second Addition to Rice Lake Park, Section 10-152-85, Rice Lake Township

The application has been amended to include supplemental information. The application is to allow a garage to be converted to a habitable structure of which the lowest floor would be 41 inches below the required County Floodplain Management Elevation of 2049.5.

Moved by Commissioner Weppler, seconded by Commissioner Carswell, to open the public hearing at 8:11 PM.

Peter Hankla, Hankla Backes Law Firm, 1309 10th St SW, Minot, ND, appeared and spoke on behalf of the homeowner. John Carlson, 1200 53rd Ave SW, Minot, ND also introduced himself.

Mr. Hankla pointed out and read the verbiage of the Ward County building code and the newly adopted Ordinance 2016-1 dealing with flood levels at Rice Lake. He believes a variance isn't needed according to the terminology used regarding construction, alteration, repair, change in use, etc., but should be obtained if needed under the circumstances of his client.

Mr. Carlson then spoke to explain the time-frame when he purchased the property and his intentions for usage with that property.

Amber pointed out hand-outs including one from the assessor's office showing how the property has been listed as a garage for assessing purposes.

Leo Schmidt, Ward County Building Inspector, appeared and spoke about his concerns. On March 3rd, he found that the property was being renovated and asked them to stop due to lack of permit. A documentation timeline from Leo was included in the handouts.

Discussion ensued between Mr. Hankla, Mr. Carlson, and the commissioners.

Moved by Commissioner Wepler, seconded by Commissioner Carswell, the public hearing was closed at 8:58 PM.

Moved by Commissioner Wepler, seconded by Commissioner Livingston, to approve the variance to not require them to have to build above the 2049.5 foot elevation based on the structure already existing below the required elevation. Roll call: All voted yes; Motion carried.

There being no further business, the meeting was adjourned by Commissioner Tuttle at 9:05 PM.

Chairperson, Ward County Planning Commission

Attest:

Deputy Ward County Auditor, Secretary



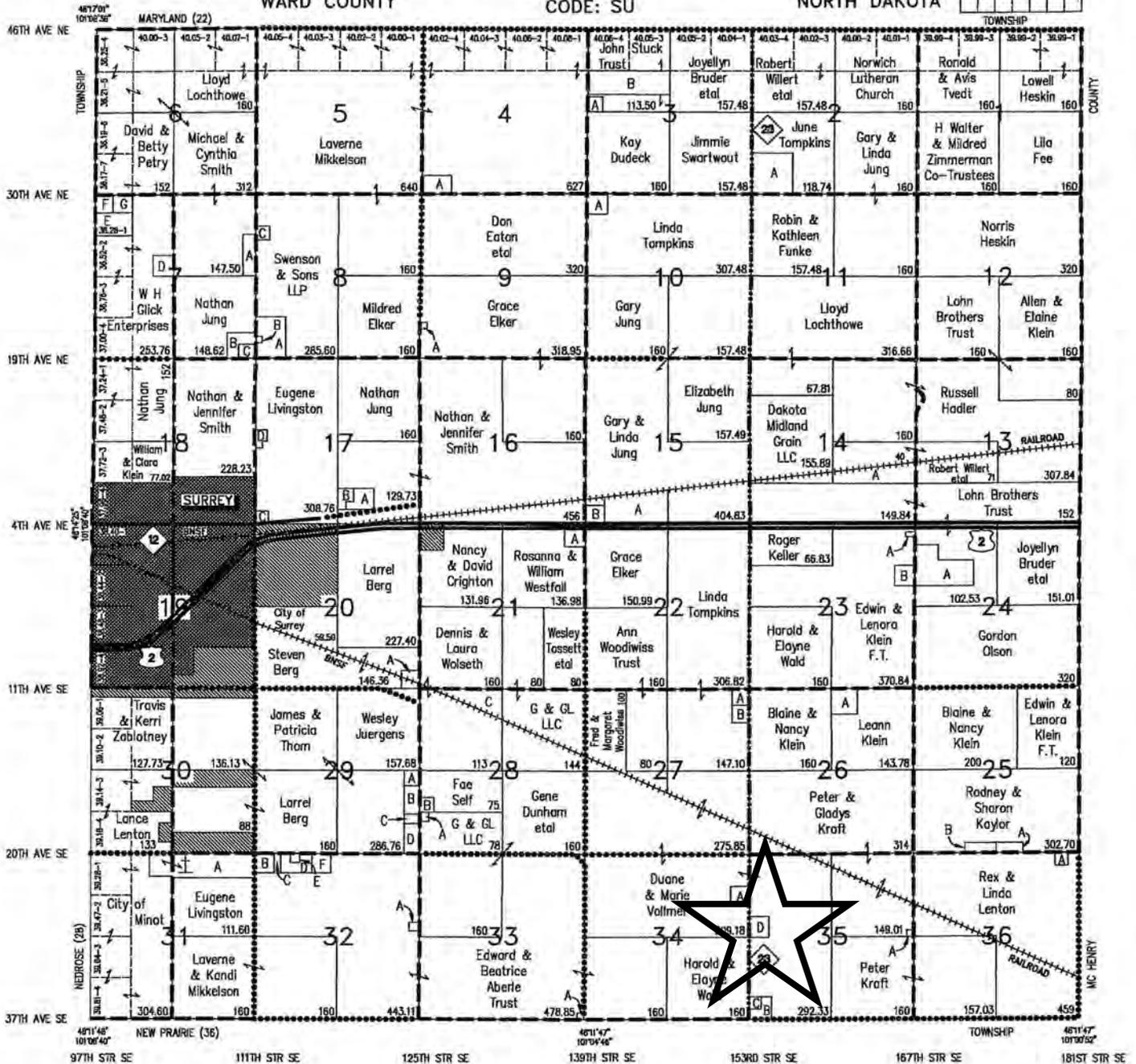
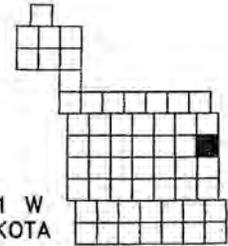
MAP OF SURREY

TOWNSHIP: 155 N
WARD COUNTY

MIDLAND ATLAS COMPANY LLC COPYRIGHT 2011

CODE: SU

RANGE: 81 W
NORTH DAKOTA



EXCAVATING INC.
ALL TYPES OF EXCAVATING
COMMERCIAL/MUNICIPAL
Excavating - Grading/Fill
Gravel/Crushed Asphalt
Water/Zewer - Septic Systems
Basements - Trucking
Demolition - Landscaping
Email: mailboxes@excavatinginc.com

Certified Tank Removal & Installation

5200 Hwy 2 East, Minot, ND (701) 839-1817
6218 53rd Ave SW, Fargo, ND (701) 277-1884

Hovde Insurance Agency
Car - Home - Commercial - Health - Life - Disability
Long Term Care - State Farm Bank

Darrel V. Hovde, Agent
111 11th Ave SW - PO Box 1904
Minot, ND
(West to South) Sargopumper 464-9-5446

(701) 852-2757 - Res. (701) 838-5679 - Fax: (701) 852-3320

ACKERMAN SURVEYING & ASSOCIATES, INC.

Lev Surveys - Subdivisions - Land Boundaries - Land Planning
Topographic & Construction Surveys - GPS Services

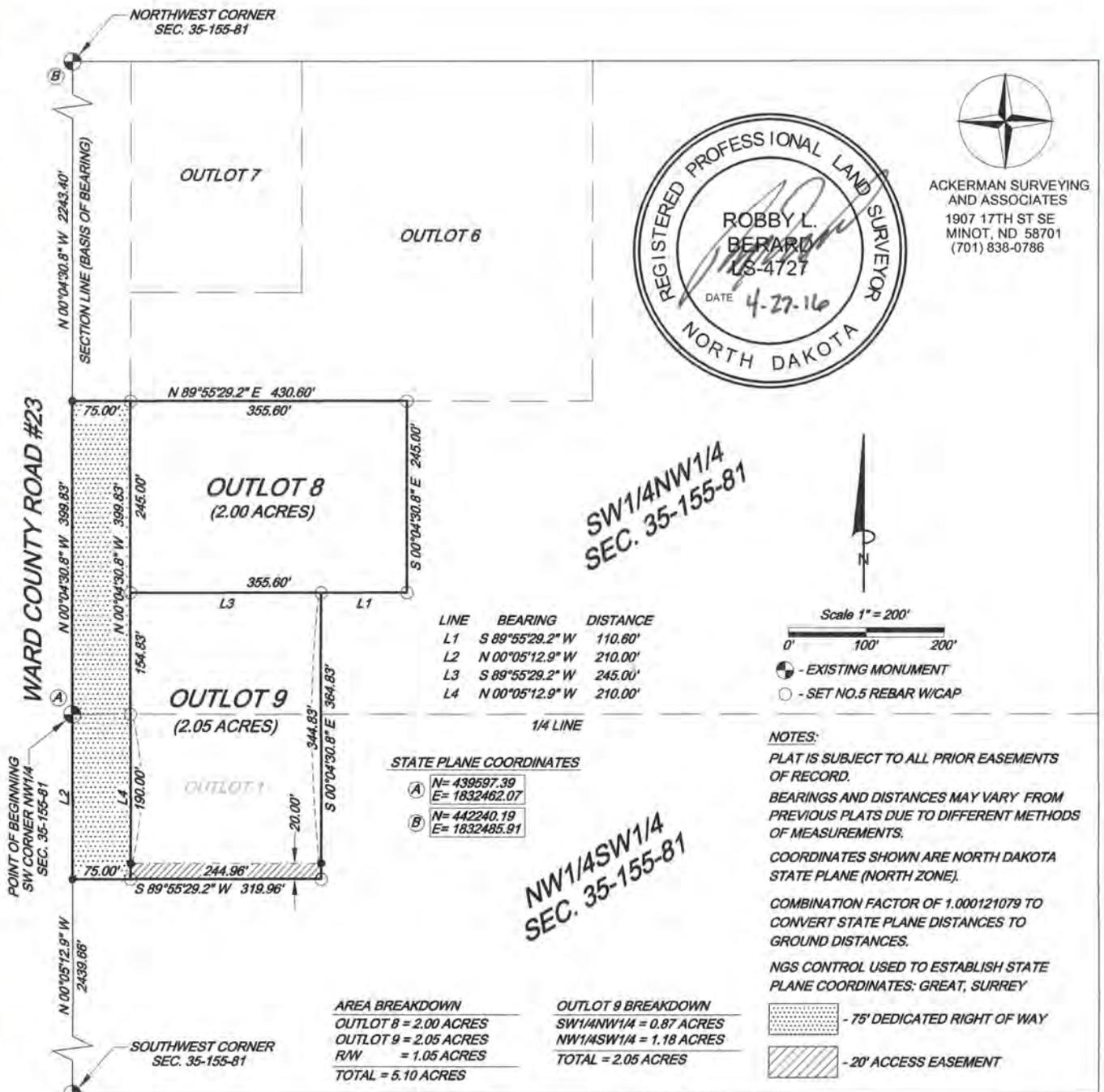
Rolly B. Ackerman, Robby L. Berard & Aaron J. Anderson
Registered Land Surveyors

6508 Highway 2 East Minot, ND 58701 (701) 838-0786
www.ackermansurvey.com
Fax: (701) 837-1990 email: landsurvey@art.com

PLAT OF OUTLOTS 8 & 9

BEING OUTLOT 1 & UNPLATTED
 PORTIONS OF THE SW1/4NW1/4 & NW1/4SW1/4, Section 35, Township 155 North, Range 81 West

Owner: MARIE VOLLMER



BEING OUTLOT 1 & UNPLATTED

Outlots 8 & 9, of PORTIONS OF THE SW1/4NW1/4 & NW1/4SW1/4, Section 35, Township 155 North, Range 81 West
 Described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF THE NW1/4, SECTION 35, TOWNSHIP 155 NORTH, RANGE 81 WEST, WARD COUNTY, NORTH DAKOTA; THENCE N 00°04'30.8" W, ALONG THE WEST BOUNDARY OF SECTION 35, A DISTANCE OF 399.83 FEET; THENCE N 89°55'29.2" E, A DISTANCE OF 430.60 FEET; THENCE S 00°04'30.8" E, A DISTANCE OF 245.00 FEET; THENCE S 89°55'29.2" W, A DISTANCE OF 110.60 FEET; THENCE S 00°04'30.8" E, A DISTANCE OF 364.83 FEET; THENCE S 89°55'29.2" W, A DISTANCE OF 319.96 FEET TO THE WEST BOUNDARY OF SAID SECTION 35; THENCE N 00°05'12.9" W, ALONG THE WEST BOUNDARY OF SECTION 35, A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 5.10 ACRES.



Michael Vollmer



NORTH

Amber Turnquest

From: SPECHT, JOEY R GS-12 USAF AFGSC 5 CES/CENP <joeey.specht@us.af.mil>
Sent: Thursday, June 09, 2016 7:47 AM
To: Amber Turnquest
Cc: PEARSON, RENETTA J GS-14 USAF AFGSC 5 CES/CD; ALBRIGHT, TREV A GS-13 USAF AFGSC 5 CES/CEN; OPPERMAN, BRYAN C Lt Col USAF AFGSC 5 CES/CC; MCMAHON, ROXANNE M GS-13 USAF AFGSC 5 BW/JA
Subject: Ward County Zoning Consolidation

Amber,

I recognize that this will be repetitive for you as well as some of the long standing members of the Ward County Planning Commission but would like to reiterate the premise of Minot Air Force Base's (MAFB) interest in zoning in and around the Base, launch facilities and missile alert facilities.

MAFB is the home of two major US Air Force units, the 5th Bomb Wing and the 91st Missile Wing, that support Air Force Global Strike Command and our national defense. They are focused on the provision of full-spectrum deterrence or responsive and precise conventional and nuclear combat capability, if necessary. Ward County Zoning District 1 supports these missions through prevention of encroachment and encourages compatible land use. This zoning district allows Minot AFB to operate within the Air Installation Compatible Use Zones that have been established in accordance with Department of Defense guidance and Air Force Instruction 32-7063, Air Installations Compatible Use Zones Program. Without Ward County Zoning District 1, Minot AFB would be encroached upon, similar to many other locations throughout our nation, thus limiting current and future mission capabilities.

Through participation in the development of the Office of Economic Adjustment Joint Land Use Study Ward County has demonstrated a commitment to the need for prudent planning for future development around the base and the missile sites. To continue to build that long-range vision Minot AFB is very interested in being involved in the consolidation of the zoning ordinances. Not knowing how in depth the Planning Commission intends to go with this endeavor we would like to start out by offering the following comments.

Minot AFB would very much like to see the integrity of Zoning District 1 maintained with consideration given to adding provisions for enforcement. The Ward County Comprehensive Land Use Plan limits the development of land around the Air Base perimeter to agricultural uses. Encroachment control and mission viability necessitates maintaining agriculture as the primary permitted use.

As the consolidation of ordinances progresses we will want to stay engaged and have the opportunity to provide input to address any specific concerns that may arise. We look forward to being a part of this process as it moves forward.

JOEY R. SPECHT, GS-12, DAFC
Portfolio Optimization Chief
5 CES/CENP
Minot AFB, ND
Comm: 701 723-2872, dsn: 453-2872



MEMORANDUM

TO: Ward County Commissioners
FROM: Amber Turnquest, Ward County Planning and Zoning Administrator/ Floodplain Administrator
DATE: June 6, 2016
SUBJECT: Floodplain Administration Information

As a part of the Flood Insurance Rate Map (FIRM) updates and the Community Rating System (CRS) information gathering process, FEMA requested the boundaries of the floodplain managed by Ward County. In gathering that information, it was discovered that Freedom and Carbondale townships were listed as a part of the area managed by the County however those townships exercise their own zoning authority.

Anyone with a flood insurance policy in Freedom or Carbondale townships will have their policies canceled on the renewal date. The Townships can join the National Flood Insurance Program on their own. Both townships chairmen have been put in contact with the State's Assistant Coordinator for the NFIP if they decide to join the program, residents would be eligible for flood insurance, please see the attached email.

The County will need to amend the Floodplain Zoning Ordinance to reflect that those townships have taken over responsibility for both zoning and floodplain administration.

Amber Turnquest

From: Huibregtse, Jared J. <jjhuibregtse@nd.gov>
Sent: Friday, June 03, 2016 11:30 AM
To: jhn_ptsch@yahoo.com
Cc: Fitzpatrick, Barbara; Amber Turnquest
Subject: Freedom Township

John,

Technically, Freedom Township has already been released from the National Flood Insurance Program (NFIP) since it has taken back its regulatory authority from Ward County. Here is some information and my thoughts:

- Anyone with a flood insurance policy in Freedom Township will have their policy canceled upon the renewal date. This may be problematic because flood insurance is almost always a requirement for a home mortgage located in a floodplain.
 - I looked at the Flood Insurance Rate Map (FIRM) for Freedom Township. There is quite a bit of floodplain (Zone A) mapped. Any property owner with a home mortgage in one of these areas would be required by the bank/mortgage company to purchase flood insurance.
- It is the Township's choice—but I would recommend that Freedom Township join the NFIP on their own to make sure citizens have flood insurance available to them.
 - I can assist you through the entire process should you choose to join

Please call or email me back if a decision is made on Freedom Township's intentions moving forward.

Thank you,

-Jared



Jared Huibregtse, CFM
Assistant State NFIP Coordinator
ND State Water Commission
701-328-4898 | jjhuibregtse@nd.gov

The change as proposed would remove mentions of Carbondale and Freedom townships from the boundaries zoned by Ward County in Chapter 4- Ward County Floodplain Zoning Ordinance.

DISTRICT BOUNDARIES

The boundaries of the base floodplain district shall be the areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) through a scientific and engineering report entitled "The Flood Insurance Study for Ward County, North Dakota" dated January 19, 2000 with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway maps and any revision thereto are hereby adopted by reference and declared to be a part of this ordinance. The boundaries shall include areas shown on the County Floodplain Management Map as County Floodplain Management Areas. Said maps are kept on file in the office of the Ward County Auditor at the time of the adoption of this ordinance, and shall be available for public inspection during the established County office hours. Said flood hazard areas may be changed periodically through additional floodplain maps derived from studies by federal, state and local officials. This new information for updating the flood insurance study and supplementary documents shall be forwarded to FEMA immediately. The area subject to the authority of the Ward County Floodplain Zoning Ordinance will be comprised of all unorganized areas located within the boundaries of Ward County, and those townships which have filed written relinquishments of their zoning authority to Ward County at the Ward County Auditor's office. The townships which have filed their written relinquishments of zoning authority to Ward County pursuant to North Dakota Century Code, Chapter 11-33, are: Baden, ~~Carbondale~~, Carpio, Harrison, Foxholm, ~~Freedom~~, Kerkelie, Nedrose, New Prairie, Sawyer, Sundre, and Willis.