

Public Notice

AMENDMENT TO EDDY COUNTY ZONING ORDINANCE RESOLUTION

WHEREAS, the Eddy County Board of County Commissioners (hereinafter "the Board"), pursuant to North Dakota Century Code Chapter 11-33, adopted the 2017 Eddy County Zoning Ordinance on March 21, 2017;

WHEREAS, said Ordinance, Articles 7 and 8, authorizes the Board to review, approve, modify and deny the recommendations of the Eddy County Zoning Commission;

WHEREAS, on September 16, 2024 the Eddy County Zoning Commission approved a recommendation to replace the Model "B" Floodplain Ordinance with the Model "D" Floodplain Ordinance to the 2017 Eddy County Zoning Ordinance;

WHEREAS, on October 28, 2024, the Eddy County Zoning Commission held a public hearing on the change and no comments were received;

WHEREAS, the Eddy County Zoning Commission recommends that the Board replace the Model "B" Floodplain Ordinance with the Model "D" Floodplain Ordinance in the 2017 Eddy County Zoning Ordinance;

WHEREAS, the updating of the Floodplain Ordinance into the 2017 Eddy County Zoning Ordinance will allow Eddy County to secure FEMA funding and protections;

WHEREAS, the Model "D" Floodplain Ordinance is designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, Commissioner Dave Gehrtz moved to approve the recommendation of the Eddy County Zoning Commission and Commissioner Glenda Collier seconded the motion and the motion having passed by unanimous roll call vote of the Board;

NOW, THEREFORE, BE IT RESOLVED, that the County Commission of Eddy County hereby adopts the Model "D" Floodplain Ordinance, replacing Model "B", into its 2017 Eddy County Zoning Ordinance this 4th day of November, 2024 as Addendum "A."

The amendment approved herein shall be immediately incorporated into the officially adopted text of the 2017 Eddy County Zoning Ordinance is adopted this 4th day of November, 2024 and shall be effective the 18th day of November, 2024. The full text of this change is available for review with the County Auditor.

James F. Allmaras, Chairperson
Becki Schumacher, Auditor

STATE OF NORTH DAKOTA )
) ss.
COUNTY OF EDDY )

On this 4th day of November, 2024, personally appeared before me, a notary public within the aforesaid County and State, James F. Allmaras and Becki Schumacher, to me personally known to be the Chairperson of the Board of County Commissioners and the Auditor, respectively, of Eddy County, and acknowledged to me that they executed the within instrument for and on behalf of Eddy County.

Notary Public
Eddy County, North Dakota

STATE OF NORTH DAKOTA )
) ss.
COUNTY OF EDDY )

I, Becki Schumacher, County Auditor in and for the County of Eddy, State of North Dakota, as Secretary of the Eddy County Zoning Commission, do hereby certify that the attached-document is a true and correct original of the addition to the Eddy County Zoning Ordinance which was adopted by the Eddy County Commission on the 4th day of November, 2024.

ance to the Zoning Ordinances; WHEREAS, on October 28, 2024, the Eddy County Zoning Commission held a public hearing on the addition and no comments were received;

WHEREAS, the Eddy County Zoning Commission recommends that the Board add an option to the Zoning Ordinances for which the Commission may grant a hardship exception to a variance request in the 2017 Eddy County Zoning Ordinance;

WHEREAS, the addition of the variance hardship request into the 2017 Eddy County Zoning Ordinance will allow Eddy County to be better able to address possible variance requests and adopt standards similar to counties around it;

WHEREAS, the amendment is designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, Commissioner Glenda Collier moved to approve the recommendation of the Eddy County Zoning Commission and Commissioner Dave Gehrtz seconded the motion and the motion having passed by unanimous roll call vote of the Board;

NOW, THEREFORE, BE IT RESOLVED, that the County Commission of Eddy County hereby adds the hardship variance language into its 2017 Eddy County Zoning Ordinance this 4th day of November, 2024.

The amendment approved herein shall be immediately incorporated into the officially adopted text of the 2017 Eddy County Zoning Ordinance is adopted this 4th day of November, 2024 and shall be effective the 18th day of November, 2024.

James F. Allmaras, Chairperson
Becki Schumacher, Auditor

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Notary Public
Eddy County, North Dakota

STATE OF NORTH DAKOTA )
) ss.
COUNTY OF EDDY )

I, Becki Schumacher, County Auditor in and for the County of Eddy, State of North Dakota, as Secretary of the Eddy County Zoning Commission, do hereby certify that the attached-document is a true and correct original of the addition to the Eddy County Zoning Ordinance which was adopted by the Eddy County Commission on the 4th day of November, 2024.

Witness my hand and official seal of Eddy County, North Dakota, this 4th day of November, 2024.

Becki Schumacher

8.3.8 Hardship Variances

In addition to the five (5) authorized variances in Section 8.3.7, the Zoning Commission may consider an application for variance for any other reason after taking into consideration the following matters:

8.3.8.1 Strict compliance would result in extraordinary hardship to the landowner, or adversely affect the public welfare, or obstruct the goals and objectives of the Eddy County Zoning Ordinances.

8.3.8.2 The hardship, which motivates the request for variance, must be related to the size, shape, or topography of the lot or tract or some other physical feature that deprives the landowner of a reasonable use of the property.

8.3.8.3 The hardship is unique to the property in question and not a common condition experienced by other landowners in the area.

8.3.8.4 Granting the variance will not give any special rights or privileges to the applicant that are not already enjoyed by other landowners in the area.

8.3.8.5 The hardship has not been created by the applicant or by anyone acting on the applicant's behalf.

8.3.8.6 Granting the variance will have no adverse effect on the neighbors of the property in questions or Eddy County in general.

8.3.8.7 Any variance granted shall be no more than a minimum easing of the regulation necessary to alleviate the hardship.

Published November 11 & 18, 2024

MINUTES OF EDDY COUNTY COMMISSIONERS EDDY COUNTY COURTHOUSE

October 1, 2024, 8:00 A.M.

The meeting was called to order at 8:00 a.m. by James Allmaras, Chairperson. Also present were Commissioners Glenda Collier, Dave Gehrtz, and State's Attorney Ashley Lies.

Glenda Collier made a motion to approve the agenda as presented. Dave Gehrtz seconded the motion. All in favor. Motion carried.

Dave Gehrtz made a motion to approve the September 3, 2024 Regular Meeting Minutes, as presented. Glenda Collier seconded the motion, all were in favor. Motion carried.

After review of the financials and expenditure and revenue budgets for the month of September 2024, a motion was made by Dave Gehrtz to approve both the financials and budgets. The motion was seconded by Glenda Collier. All were in favor, motion carried.

Glenda Collier made a motion to approve the following bills, it was seconded by Dave Gehrtz. Roll call vote: Glenda Collier, James Allmaras, and Dave Gehrtz voted aye. The motion carried.

Table listing various bills and amounts: CenDak Coop (2,964.48), C And J Oil Co (524.93), Central Business Sys (252.52), etc.

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) ss.
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Notary Public
Eddy County, North Dakota

Bush Township .....378.27
Gates Township.....395.63
Grandfield Township.....346.17
Donna Young.....156.95

Lisa Thompson discussed Cyber Security and advised the Commission that 2 programs are currently installed and being utilized. Thompson presented a Cyber Security Annex Plan. The purpose of the annex is to ensure a coordinated effort for preparedness and response to threats and consequences caused by potential criminal activity, hacking, virus exploits and/or disruption to Eddy County's computer and software systems.

Glenda Collier made a motion to approve the Floodplain Model "D" Ordinance that was presented. Floodplain Model "D" meets the minimum requirements from both the State of North Dakota and Eddy County. Eddy County Zoning Commission made a recommendation to the Commission to accept the Floodplain Model "D" ordinance as presented.

Glenda Collier made a motion to move forward with the Cyber Maturity Assessment. Dave Gehrtz seconded the motion. All were in favor. Motion carried.

Glenda Collier made a motion to approve the Floodplain Model "D" Ordinance for public hearing. Dave Gehrtz seconded the motion. All were in favor. Motion carried. A public hearing will be set at a later date.

The Commissioners joined the Lake Region District Health Unit joint meeting conference call to approve the final 2024 budget.

Todd Weber, Road Superintendent gave an update on the County Road department. The Munster Bridge project is near completion. Mowing ditches was discussed. Weber will discuss replacing the Skid Steer toward the end of the year.

At 9:00 A.M., Eddy County's 2025 budget hearing was held. There were no comments made from the public. Dave Gehrtz made a motion to approve the final County 2025 budget, and it was seconded by Glenda Collier. All were in favor. Motion carried.

Roger Langley was present to request an update on the drainage on Eddy County #4. State's Attorney Lies read the report given to Eddy County from Mike May of Interstate Engineering on his assessment of Eddy County #4. Langley expressed concerns, and would like the drainage further discussed. State's Attorney Lies will meet with Interstate Engineering on their assessment and report back to Commission.

OLD BUSINESS: The Public Health Building cleaning was discussed. Randy Linderman proposed weekly cleaning to that building for an increase in his contract of \$100 per month. Commission agreed to the terms, no motion was made.

NEW BUSINESS: Glenda Collier made a motion to move our Regular November meeting to Monday, November 4th at 8:30 A.M., and to move the time of the future regular meetings to 8:30 A.M. Dave Gehrtz seconded the motion. All were in favor. Motion carried.

A review of County employee travel expenditures to date and budgets were reviewed. Eddy County owns a 2017 Charger that will not be utilized in the Sheriff's department in January of 2025. It was discussed that this vehicle could be used as a county vehicle, to be used in place of employees using their personal

vehicle and getting reimbursed mileage. Glenda Collier made a motion to approve the use of the 2017 Charger as a county vehicle for travel beginning in January of 2025. Dave Gehrtz seconded the motion. All were in favor, motion carried.

There were seven properties on the delinquent tax list as of the meeting date and time. Loren & Cheryl Anderson -CFD, Clinton & Mitchel Haman own SW4 2-150-66, total tax due: 4284.47. Clinton Haman owns AL 1A (NW4NE4) 9-150-66, total tax due: 1020.36. Jeffrey Norton owns Lots 10 1112 Blk 16 OT, total tax due: 3722.66. Joanne McNeil & David Lee own, L 4 E2 L5 Blk 1 West End Addn, total tax due: 6879.03 and W2 L5 Blk 1 West End Addn, total tax due 853.21. Bill Wobbema owns W2 L3 All L 4 5 Blk 14 Fairview, total tax due is 5800.09. Barry Johansen owns Lots 23 24 Blk 7 Railway Addn, total tax due: 1756.27. All tax payers have until 4PM October 1, 2024 - day of this meeting - to make payments. The delinquent tax sale will be held at 10:00 A.M. on Tuesday, November 19, 2024.

Glenda Collier made a motion to set the sale price as the total tax due for each parcel. Dave Gehrtz seconded the motion. All were in favor. Motion carried.

Glenda Collier read her Oath of Office statement for the office of Central Prairie Human Services Zone Board Member, and was sworn in. Arlene Holtz also representing Eddy County, affirmed her duties of the same office on September 25, 2024.

The Commissioners discussed the Main and Public Safety Retirement Plans options for the Sheriff's Department. The Commissioners reviewed a Main and Public Safety Comparison worksheet. It was noted that 39 Counties have adopted the PSRP with 1 joining 1/1/25 and 9 other counties have inquired, with only one county to decline enrollment.

A motion was made by Dave Gehrtz for EDDY COUNTY to affirm to North Dakota Public Employees Retirement System that EDDY COUNTY is formed pursuant to N.D.C.C. § 11-01 and is neither a nonprofit corporation nor a for-profit corporation, to join the NDPERs Public Safety Defined Benefit Retirement Plan and offer the plan to all eligible employees of EDDY COUNTY. The motion was seconded by Glenda Collier. The Board approved joining the NDPERs Public Safety Defined Benefit Retirement Plan effective November 1, 2024.

Glenda Collier made a motion to appoint Tiffany Munson and Michelle Gilley as the County's delegates to the ND State Fair Association. Dave Gehrtz seconded the motion. All were in favor, motion carried.

Chief Deputy Jesse Anderson presented plans to update the body cameras and in car video systems for the police department. Anderson reported that the cameras in use currently as low quality and customer service is also lacking. The current cameras only have a one-year warranty. The current cameras also have a history of not working correctly. Anderson presented a quote from Axon for new equipment in the amount of \$77,788.40. Axon offers a 5-year warranty. Anderson intends to approach local gaming to help cover the cost, a 5-year plan would cost around \$15,557 each year.

The Zoning Commission made a recommendation for an amendment to the Zoning Ordinances for variance hardships. SA Lies described the hardship waiver exception for variances.

Glenda Collier made a motion to proceed with the Public Hearings for variances for Eddy County Zoning Commission, a time and date to be set. Dave Gehrtz seconded the motion. All were in favor. Motion carried.

Dave Gehrtz made a motion to approve the transfer of County Deed of Back Tax Lots 23 24 25 Blk 3 Greeleys Addn. to the City of New Rockford. Glenda Collier seconded the motion. All were in favor. Motion carried.

Glenda Collier made a motion to approve a transfer from Weed Board for 6.78, Airport for 4.53 and Water Resource for 4.53 to County General for 15.84. An error in tax program calculated prematurely.

Dave Gehrtz seconded the motion. All were in favor. Motion carried.

With no further business, James Allmaras adjourned the meeting at 10:14 A.M.

The next regular meeting will be November 4, 2024 at 8:30 A.M.

James F. Allmaras, Chairperson
Becki Schumacher, Auditor

Published November 11, 2024

ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

RELATING TO REVISE THE LICENSING, TRAINING, ACADEMIC, AND EXAMINATION RULES SET FORTH IN 4.5-02.1-01; TO CLARIFY THE CONTINUING EDUCATION REQUIREMENTS SPECIFIED IN 4.5-02.1-02; TO ADJUST THE CLINICAL TRAINING PROVISIONS IN 4.5-02.1-03; TO CLARIFY THE SPECIALIZED REGISTRATION CRITERIA OUTLINED IN 4.5-02.1-04; AND TO REVISE THE PROFESSIONAL CONDUCT STANDARDS ESTABLISHED IN 4.5-02.1-05. TAKE NOTICE THAT THE

North Dakota Board of Addiction Counselor Examiners will hold a public hearing to address proposed changes to the N.D. Admin. Code at 9:00 a.m. on December 16, 2024, at Sky Commons, second floor of the Civic Center 207 4th Street North Fargo, ND 58102.

A copy of the proposed rules may be obtained by writing the North Dakota Board of Addiction Counselor Examiners, emailing Board@ndbace.org or calling 701-805-5244. Also, written comments may be submitted to PO Box 1053 Bismarck, ND 58502 until December 27, 2024. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Board of Addiction Counselor Examiners at the above telephone number or address at least 10 (ten) days prior to the public hearing. Dated this 31st day of October, 2024.

Jeremy Traen, Chair

0% Financing is back for up to 48 months! Adventure ready 2024 Chevy Trailblazer. Get this deal on select Silverados and combine HUGE DISCOUNTS & REBATES. See us for details.

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NOTICE OF SALE OF REAL ESTATE FORFEITED TO THE COUNTY FOR DELINQUENT TAXES CHAPTER 57-28 N.D.C.C.

Notice is hereby given that the following real estate has been forfeited to the County of Eddy, State of North Dakota, for delinquent taxes; that said County has taken tax deed to such property and will offer it for sale at public auction at the office of the County Auditor on Tuesday, November 19, 2024, beginning at 10:00 A.M.

Prospective purchasers are urged to thoroughly examine the title, location, and desirability of the properties available to their own satisfaction prior to the sale. The County makes no guarantee, expressed or implied, relative to the title, location, or condition of the properties for sale. The County assumes no liability for any other possible liens, encumbrances, or easements, recorded or not recorded, nor assumes any responsibility for conformance to codes, permits, or zoning ordinances.

Each parcel of real estate will be offered separately and sold to the highest qualified bidder, but not for a sum less than the minimum sale price. Payment must be made by cash or check.

The sale will continue from day to day until completed.

Table with 2 columns: LEGAL DESCRIPTION and MINIMUM SALE PRICE. Includes Lot 4 E2 L5 Blk 1, West End Addition, City of New Rockford (\$6,891.45).

Becki Schumacher, Eddy County Auditor

Published November 11, 2024