

CASS COUNTY PLANNING COMMISSION AGENDA FOR DECEMBER 15, 2011

Cass County Highway Department Conference Room
7:00 AM
1201 Main Avenue West, West Fargo, ND 58078

1. Call to Order
Establish Quorum of Members
Approve March 24, 2011 Minutes
2. Cass County Recording Requirements
Staff Initiated Revision to Cass County Subdivision Ordinance #2006-1
[Action]
3. Elect 2012 Officers
Chair, Vice Chair
[Action]
4. 2012 Meeting Calendar
[Action]
5. Other Business and Citizen Comment
6. Adjournment

***Additional copies of the agenda and Planning Commission materials are available at:
<http://www.casscountynd.gov/county/Boards/PlanningCommission/>***

Planning Commissioners:
Please call Highway Department Secretary
at 298-2370 if you are unable to attend.
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at 298-2370 if you are unable to attend.

Persons with Disabilities needing accommodations should call 298-2370 prior to the meeting.

**CASS COUNTY PLANNING COMMISSION
MARCH 24, 2011**

1. MEETING TO ORDER

The meeting was called to order on March 24, 2011, at 7:00 AM in the Highway Department Conference Room with members present as follows: Ken Lougheed, Keith Monson, Todd Ellig, Scott Wagner, Lou Bennett, Mark Johnson, Brad Wimmer and Mike Zimney. Chad Peterson was absent. Also present were County Engineer Keith Berndt and County Planner Tim Solberg.

2. MINUTES APPROVED

MOTION, passed

Mr. Bennett moved and Mr. Wagner seconded that the minutes from the February 24, 2011, meeting be approved as written. Motion carried.

**3. AMERICAN CRYSTAL SUBDIVISION, (NW ¼, S4, Everest Township)
Final Plat Review**

MOTION, passed

Mr. Wagner moved and Mr. Ellig seconded to remove from the table, the Final Plat Review submitted by American Crystal Subdivision, allowing for further discussion on the matter. Motion carried.

Mr. Solberg said Everest Township held a public meeting on February 24, 2011 in Casselton, which was well attended. After hearing public comment, the commission chose to approve the conditional use permit on a 5-1 vote.

Mr. Solberg said the following responses address questions previously raised by representatives from Tharaldson Ethanol: 1) the revised site plan includes paved approaches to Cass County Highway 23 and the installation of Vehicle Tracking Control (VTC) pad on site to reduce the amount of sediment on trucks. 2) The City of Casselton had no comment regarding odors. 3) Advanced Traffic Analysis Center (ATAC) of North Dakota State University conducted a Traffic Impact Study of Cass 23 analyzing the potential impact of the proposed beet piling facility. The study was conducted during a 12 hour period and concluded the proposed facility will not have a negative impact on the operational characteristics of the road.

Mr. Berndt said Cass County and Tharaldson Ethanol also contracted with SRF Consulting Group to do a traffic volume study and findings indicate traffic volume to not be an issue.

Mr. Ellig asked if a special assessment district could be created to assist in paying for the existing road. Mr. Berndt said it is not advisable to attempt to special assess a road that has already been built and paid for, but recommended that American Crystal participate financially in constructing the turn lanes to maintain

the function of safety that currently exists on the road. Steve Candor, American Crystal said they are willing to contribute financially for adding the turn lanes. Russ Newman, Tharaldson Ethanol was present and expressed concerns for safety and the function for both north and south bound traffic related to turning movements. He also said they would like to have American Crystal contribute to the financial cost of the intersection of Cass County Highway 10 and State Highway 18.

MOTION, amended, passed

Mr. Wagner moved and Mr. Ellig seconded to approve the plat for American Crystal Subdivision, (NW ¼, S4, Everest Township) subject to the following:

- 1. Move the main truck exit to achieve approximately ¼ mile spacing from the section line.**
- 2. Move the truck entrance south about 800 feet to the approximate ½ section line.**
- 3. Require contribution from American Crystal toward the construction of a right turn lane and a bypass lane for left turning traffic as a condition of approval, the contribution to be \$250,000 or more.**
- 4. Require commitment by American Crystal to clean mud from road if required.**

Discussion: Mr. Johnson asked of the length of the turn lanes is adequate. Mr. Berndt said American Crystal will have about ¼ mile staging area off the main road, so the proposed turn lanes will be adequate.

Mr. Wagner moved and Mr. Ellig seconded to amend the motion to read American Crystal will contribute \$250,000 for the purpose of installing turn lanes. Motion carried as amended.

4. Gourde Subdivision (SE ¼, S30, Harwood Township), Proposed Revised Motion

Mr. Solberg said the Rush River Water Resource District is negotiating an easement with Chris Gourde so a dedicated easement or right-of-way is no longer necessary.

MOTION, passed.

Mr. Monson moved and Mr. Bennett seconded to not obtain an easement from the Rush River Water Resource Water Board. Motion carried unanimously.

5. OTHER BUSINESS AND CITIZEN COMMENT

None

6. ADJOURNMENT

MOTION, passed

On motion by Mr. Johnson, seconded by Mr. Wagner, and all voting in favor, the meeting was adjourned at 7:50 AM.



MEMORANDUM

**Highway
Department**

Jason Benson
County Engineer

Richard S. Sieg
Superintendent

Thomas B. Soucy, P.E.
Design and Construction
Engineer

TO: Cass County Planning Commission

FROM: Tim Solberg, County Planner

DATE: December 9, 2011

SUBJECT: Staff Initiated Revision to Cass County Subdivision Ordinance #2006-1: Recording Requirements

The process used to print a photographic mylar plat is no longer supported by vendors locally. We have further been notified that supply is limited and will likely be completely depleted by the end of 2011. This will initiate some changes in the process of recording at the Office of the Recorder. For that reason we need to amend our Ordinance to accommodate the change.

We are in the process of finding a digital solution, however wet signatures will likely still be required in some form. Staff is proposing that we follow procedures similar to those used by the cities in the County who have staff or attorneys physically submit the plats to the Recorder's Office. This will reduce confusion in dealing with new procedures in place and changes that may occur in the future. To deal with the additional cost for recording and staff time associated with the change I am further recommending we increase our fee schedule. Our base fee for a minor subdivision is already very low – I would propose we add fifty dollars across the board to our fee schedule.

Attached hereto you will find the existing section of Subdivision Ordinance #2006-1 followed by the staff proposed amended version of the section. The County Recorder plans to be available at our meeting should Planning Commissioners have any questions regarding the change. You will also find attached the existing fee schedule followed by a proposed fee schedule.

Recommended Motion: Move to forward recommended changes as outlined by County Planner in attachment to the Cass County Board of Commissioners for formal adoption as a revision to Cass County Subdivision Ordinance #2006-1.

1201 Main Avenue West
West Fargo, North Dakota
58078-1301

701-298-2370
Fax: 701-298-2395

Existing Version of Section 304.02 (C.):

C. All Final Plat subdivisions approved by the Board of County Commissioners which have completed all improvements required by this Ordinance and installed all improvements in accordance with this Ordinance or have deposited a financial security pursuant to Article V of this Ordinance shall provide the office of the Cass County Recorder of Deeds two (2) photographic mylars (one containing original signatures, the other a copy of the signed original), plus three (3) full size, three (3) 11" x 17" reduced paper prints copies of the signed original and the appropriate recording fee. All signatures on the plat shall be written with black ink, not ball point and all rubber stamps must be with black ink. The plat shall be twenty (20) inches by thirty (30) inches and shall have border lines ½ inch from the top, bottom and right sides and 1 ½ inches from the left side.

Proposed Amended Version of Section 304.02 (C.):

C. All Final Plat subdivisions approved by the Board of County Commissioners which have completed all improvements required by this Ordinance and installed all improvements in accordance with this Ordinance or have deposited a financial security pursuant to Article V of this Ordinance shall provide the Planning Office one (1) signed original mylar plat and the appropriate recording fee. All signatures on the plat shall be written with black ink, not ball point and all rubber stamps must be with black ink. The Planning Office may require the applicant obtain signatures necessary for recording. The plat shall be twenty-two (22) inches by thirty-four (34) inches and shall have border lines ½ inch from the top, bottom and right sides and 1 ½ inches from the left side.

Existing Fee Schedule:

MINOR SUBDIVISION FEE SCHEDULE		
Lots/Units	Base Fee	Minor Subdivision
1 to 4	\$50.00	\$35.00 each lot/unit

MAJOR SUBDIVISION FEE SCHEDULE	
Lots/Units	Major Subdivision
5 to 12	\$450.00
13+	\$600.00

Proposed Fee Schedule:

MINOR SUBDIVISION FEE SCHEDULE		
Lots/Units	Base Fee	Minor Subdivision
1 to 4	\$100.00	\$35.00 each lot/unit

MAJOR SUBDIVISION FEE SCHEDULE	
Lots/Units	Major Subdivision
5 to 12	\$500.00
13+	\$650.00

REGULARLY SCHEDULED CASS COUNTY PLANNING COMMISSION MEETINGS
FOR THE YEAR 2012

January	26
February	23
March	22
April	26
May	24
June	28
July	26
August	23
September	27
October	25
December	13

Meetings are held the 4th Thursday of each month at 7:00 AM in the Large Conference Room at the Cass County Highway Department Complex, 1201 Main Avenue West, West Fargo, ND 58078 (unless otherwise stated), with the exception of November and December where the meeting is combined and held on the second Thursday of December. Meetings may be cancelled and special meetings may also be called when deemed necessary.