

23 Jan 2008

Draft: I. B

The State legislature of North Dakota passed a bill, authorizing four (4) regional authorities to zone or rezone areas within those regions, to provide a framework for orderly urban development of those regions; otherwise known as extra-territorial areas or (ET).

To the unfortunate citizens and taxpayers in these (ET) zones, it has become painfully evident that this bill was sadly lacking in specific detail and far too broad in scope.

Unfortunately, it is obvious, that the respective governing authorities, in these regions, cannot be trusted to efficiently and effectively carry out such a sweeping mandate in the "spirit" with which it was originally intended.

In other words, the legislature gave these regions an inch and the governing bodies took four (4) miles.

This bill has completely failed in far too many key areas, such as:

- 1). It did not provide for equal representation of the citizens, who live in and/or own property in these (ET) zones to participate in the decision process of potential usage with respect to their land and property.
- 2). It did not provide for political accountability in the form of voting rights for the citizens of the (ET) zones.
- 3). It did not prevent "Predatory Zoning" of the (ET) areas which would adversely affect the property owners and the value of their lands and investment.
- 4). It did not include a component such as a moratorium which would empower the citizens to effectively challenge and cease, unfair practices or policies set forth by the governing authorities.

In particular, the Grand Forks City Council (The Council) and by default the Grand Forks County Commission (The Commission), have interpreted this bill as an opportunity to initiate a "land-grab" in their short-sighted and ill-conceived efforts to cover their own respective tracks of poor judgment, short-range strategies, incompetent decision making, poorly executed policies and lack of oversight.

All of which are smothered in a thick layer of "Al Capone" style politics and in actuality, those of us that present before you today face the real possibility of being "Black Listed" and suffer all the consequences that entails.

Allow me to share some examples;

The proposals that have been put forth by The Council, amount to nothing more than nuisance usage of the lands within the (ET) and is predatory in nature.

It also, completely disavows the scientific research brought before them, which indicates that any of the proposed sites for such nuisance usage is an ecological disaster waiting to happen.

Such refusal by the authorities involved to accept the scientifically obvious and adjusting policy and procedures accordingly, is at a minimum, the very essence of bureaucratic arrogance and borderline ecologically criminal.

Any alternatives to the mysterious "Master Plan", of nuisance usages were either tabled, not fully researched or entirely dismissed, which leaves the affected landowners to suffer catastrophic loss of property value, use and enjoyment of their property.

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What makes matters worse is the "Eminent Domain" style tactics that are being used by these Authorities to garnish enough property from the current landowners in the (ET) zones to provide for such nuisance usages.

When asked why, our Council members shrugged their shoulders and responded with a "Because I said so". Yeah, that's not gonna work for me or anyone else. "Homey don't play dat".

Another example:

The policies set forth by The Council and The Commission, squanders the heritage of the affected lands, which in some cases, have been owned and occupied by the same generational family members for upwards of 90-125 years or greater.

These respective citizens and taxpayers, more than likely had other plans for these properties other than that which The Council and Commission have now deemed as applicable to the land. In other words, all of the landowner's aspirations for these properties will disappear with a swipe of a pen.

In one case that I am aware of, a couple, who are long-time property owners, and one of which bravely served this nation's freedom in Korea, having communist bullets shot at his behind, faces the choice of their land confiscated to be used as a landfill or a cemetery.

Not much of a choice and if that doesn't offend anyone's sense of justice, they need serious professional help.

Personally, I did not inherit a chain of liquor stores or a hotel empire. Apparently, it is, apparently, my destiny to be born poor and die poor.

I have spent a lifetime and my own money in educating myself. I didn't have Mommy or Daddy writing checks for tuition so that I could more concern myself with going out and consuming ridiculous amounts of alcohol. I had to work long hours and then have time and energy to study.

However, all of this was made more palatable thinking the means would justify the end and that I would achieve a better life and just a little, tiny, thin slice of the "American Dream". I consider my rural property to be just that. It is also a personal refuge from daily life, the stress of my job and an investment in the future.

And now even that is being threatened by "Silver Spoon" individuals who have never been cold and hungry a single day in their lives and have spent the last 10-15 years entrenching themselves within the system, populating it with their personal "Stooges" and immersing themselves so deeply in conflicts of interest that if it weren't so serious, it would be laughable.

Frankly, it pisses me off that the vision for my family's future, my rural solitude and property value will be swept away like dust from a shelf with the signing another government document of which I had no voice in its determination.

I am a professional pilot and it's my job, everyday, to stare into the face of personal injury or death so that your bank checks clear on a timely basis, that your kids in college get their "Survival Kits" of homemade goodies and that your family gets their Christmas gifts in time to put under the tree.

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To accomplish this I fly aircraft at 250mph in weather and conditions you would not dare to drive a car at 5mph and in doing so, I have survived a crash that is 99% of the time, fatal to its victims.

I stand before you now as a 1 percent-er with crippling injuries that will take the balance of my years to heal.

And it is a cruel injustice that the good Lord granted me the composure of mind and piloting skills to survive just so that I could witness my home and property value crash and burn before my eyes.

Additionally, the citizens get to collectively witness the using of their own tax dollars to purchase legal services in order to force upon them the squandering of their property values, hard work and sacrifices.

Put a different way: the affected property owners pay twice; once in tax dollars that are used to purchase legal services to enforce ridiculous policies upon them and twice to pay for their own legal resources to fight against the very system that uses their tax dollars to fight them.

The fact that these (ET) issues have even surfaced and that they include potential nuisance usages of the related areas has already impacted the property owners in a negative manner and will continue to do so for years to come or until such time that a favorable resolution is determined.

It is obvious that the governing bodies entrusted with these additional (ET) authorities are performing in a manner contrary to the public good and that further review is necessary to determine a better course of action.

With that on record, we would respectfully demand that a full, open and exhaustive review be initiated into these mandates and that a moratorium is established to cease all further extra-territorial (ET) activities.

Furthermore, that all applications for landfill site locations or nuisance usages be withdrawn until such time as additional details and further study can be initiated and concluded and that proper representation be enacted and agreed upon, for the affected citizens and taxpayers.

Thank you for your time and attention.