

MINUTES

Mountrail County Planning & Zoning Commission

April 22, 2019

Mountrail County South Complex 8103 61st St NW Stanley, ND 58784

Chairman Sorenson called the meeting to order at 8:30 a.m.

In Attendance

Board members present: Charlie Sorenson, Gary (Fritz) Weisenberger, Arlo Borud, Roger Hovda, Trudy Ruland, Linda Wienbar, Tom Bieri and Joan Hollekim.

Also present: Jana Hennessy, Road & Bridge Engineer, Lori Hanson, Mountrail County Tax Director, Teresa Captain, Mountrail County Deputy Tax Director, Kim Savage, Mountrail County Tax Department, Wade Enget, Mountrail County States Attorney and Liz Hollowell, Planning & Zoning Assistant Planner.

Public attending: Daniel & Gary Krieger, Kevin Fretheim , Terry Postovit, Garrett Lalim, Dallas Lalim, Jay Sorenson, Jerome Anderson, Steve Kyathfield of Purity Oilfield Services, Landon Eskew with Highline Water LLC, Dave Abel with Sundre Sand and Gravel Inc., John Anderson with Bakken Water Transfer Service Inc., Paul Severson with Gravel Products, Inc., Holden Russel with Ames Savage Water Solution LLC, Ryan Thibodo with Central Specialties, Inc., Jake Douts, Arlo Griesback, Kenny MacDonald & Raymond Atwood with Power Lake Improvement Committee.

Absent: Bill Klug, Stephane Pappa, Mountrail County Auditor and Heather Greenlee, Mountrail County Deputy Auditor.

Approval of Agenda

Chairman Sorenson requested a motion to review and approve the meeting agenda.

Liz Hollowell, Planning & Zoning Assistant Planner stated the Powers Lake Improvement Committee will be visiting and this will be added to Staff Concerns.

Commissioner Hovda moved to accept the agenda with additions. Commissioner Wienbar seconded. Upon roll call, all present voted yes. Motion carried.

Chairman Sorenson turned the chair over to Vice Chairman Weisenberger to facilitate the 8:30 am public hearing.

Applicant: Edward Krieger Estate, Gary Krieger PR, Landowner

Location: SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 154 North, Range 94 West (**Unorganized Township**).

Certified mailing receipts provided: N/A

Purpose: Pump water from White Earth River for fracking.

Present: Dan & Gary Krieger

Discussion: Dan Krieger stated they will be using a flat hose and no trucks. Mr. Krieger stated they do not have the new ND State temporary water permit but should any day now. Commissioner Ruland stated since this is a renewal, of sorts, this application could be made contingent on Planning & Zoning receiving a copy of their current water permit. Mr. Krieger stated he would forward a copy to Planning & Zoning as soon as he receives it.

Outcome: Approved with contingencies.

Motion: Moved by Commissioner Hovda, seconded by Commissioner Hollekim to approve the zoning request filed by Edward Krieger Estate, Gary Krieger PR, Landowner, for a variance permit to use land zoned agricultural for pumping river water using a flat hose on a 40 acre, more or less, tract of land described as the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 154 North, Range 94 West (**Unorganized Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19391 valid June 16, 2019 through February 15, 2020, using only flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Edward Krieger Estate, Gary Krieger PR has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Edward Krieger Estate, Gary Krieger PR complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Chairman Sorenson did not participate in the discussion nor the vote. Vice Chairman Weisenberger returned the chair to Chairman Sorenson.

Applicant: Beverly Fretheim Trust, Beverly Fretheim, Trustee, Landowner

Location: 160 acre, more or less, tract of land described as the NW¼ of Section 3, Township 154 North, Range 93 West (**Rat Lake Township**)

Certified mailing receipts provided: Yes

Purpose: To pump water from Larson slough for fracking.

Present: Kevin Fretheim

Discussion: Liz Hollowell, Planning & Zoning Assistant Planner stated this site was previously permitted in 2018. Mr. Fretheim stated they will only be using a lay flat hose and they are still waiting for the ND State Temp. Water permit as well. Mr. Fretheim stated he would forward a copy to Planning & Zoning as soon as he receives it.

Outcome: Approved with contingencies.

Motion: Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the zoning request filed by Beverly Fretheim Trust, Beverly Fretheim, Trustee, Landowner, for a *variance* to pump water from Larson slough for fracking on a 160 acre tract of land described as the NW¼ of Section 3, Township 154 North, Range 93 West (**Rat Lake Township**) contingent on Planning & Zoning receiving a copy of the ND State Temporary Water Permit, using only lay flat hose, landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Beverly Fretheim Trust, Beverly Fretheim, Trustee has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Beverly Fretheim Trust, Beverly Fretheim, Trustee complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

8:36 a.m. Public Hearing – *Variance* - Martin Construction Inc. /
Terry Stave, Landowner

Applicant: Martin Construction Inc./ Terry Stave, Landowner

Location: 40 acre, more or less, tract of land described as the NW¼NW¼ of Section 27, Township 157 North, Range 88 West (**Stave Township**).

Certified mailing receipts provided: Yes

Purpose: To pump water from unnamed slough for road construction

Present: Paul Dvorak with Martin Construction via the phone.

Discussion: Mr. Dvorak stated this is the same as last year's project. They are just finishing up on the road. It was verified the legal description is Section 27, Township 157 North, Range 88 West (**Stave Township**) as published.

Outcome: Approved with contingencies.

Motion: Moved by Vice Chairman Weisenberger, seconded by Commissioner Hovda to approve the zoning request filed by Martin Construction Inc., in concurrence with Terry Stave, Landowner, for a variance to pump water from unnamed pond for road construction (NDDOT-ROM-0300(135) on a 40 acre, more or less, tract of land described as the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 157 North, Range 88 West (**Stave Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19343 valid April 1, 2019 through October 1, 2019, using only lay flat hose, landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Martin Construction Inc. has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Martin Construction Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

8:39 Public Hearing *Variance* Highline Water LLC/ Gary,
Caroline, & Barbara
Satterthwaite Trustee, Landowners

Applicant: Highline Water LLC, in concurrence with Gary, Caroline, & Barbara Satterthwaite trustees, Landowners

Location: 40 acre, more or less, tract of land described as the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (North of 46th St NW) of Section 17, Township 153 North, Range 92 West (**Knife River Township**)

Certified mailing receipts provided: Yes

Purpose: To pump water from Little Knife River for fracking

Present: Landon Eskew with Highline Water LLC

Discussion: Liz Hollowell, Planning & Zoning Assistant Planner stated this site has no previous water permit history and Planning & Zoning does have a copy of the trust paperwork. Mr. Eskew stated he has spoken to Mr. Uran and will be ending any pumping if Mr. Uran's cattle are affected. Mr. Eskew stated he is still waiting for the ND State Temporary Water permit so this hearing will need to be tabled to May.

Adjacent Landowner Comment: Mr. Jerry Uran wrote he, and his family, are against this variance as they are concerned it will result in poor, or no, quality of water for their cattle.

Outcome: Tabled.

Motion: Moved by Vice Chairman Weisenberger, seconded by Commissioner Hollekim to table the zoning request filed by Highline Water, LLC., in concurrence with Gary, Caroline, & Barbara Satterthwaite trustees, Landowners, for a *variance* to pump surface water from Little Knife River for fracking on a 40 acre, more or less, tract of land described as the NW¼NW¼ (North of 46th St NW) of Section 17, Township 153 North, Range 92 West (**Knife River Township**) to be heard at the May 28, 2019 Planning & Zoning meeting to give Highline Water LLC more time to receive their approved ND Temporary Water permit. Upon roll call, all present voted yes. Motion carried.

8:42 Public Hearing *Variance* Highline Water LLC/ Evans Grain Farm LLLP, Landowner

Applicant: Highline Water, LLC, in concurrence with Evans Grain Farm LLLP, Landowner

Location: 40 acre, more or less, tract of land described as the NW¼SW¼ of Section 12, Township 156 North, Range 93 West (**Manitou Township**)

Certified mailing receipts provided: Yes

Purpose: To pump water from unnamed slough for fracking under ND State Temporary Water Permit ND2019-19326

Present: Landon Eskew with Highline Water LLC

Discussion: Mr. Eskew stated they will be only using flat hose and will contact all landowners that may be affected.

Outcome: Approved with contingencies. .

Motion: Moved by Commissioner Borud, seconded by Commissioner Hovda to approve the zoning request filed by Highline Water, LLC, in concurrence with Evans Grain Farm LLLP, Landowner, for a *variance* to pump from an unnamed slough for fracking on a 40 acre, more or less, tract of land described as the NW¼SW¼ of Section 12, Township 156 North, Range 93 West (**Manitou Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19326 valid March 8, 2019 through February 28, 2020, using only lay flat hose, landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Highline Water, LLC has met all criteria as set forth in Article IV,

Section V of the Mountrail County Zoning Ordinance and is further contingent upon Highline Water, LLC complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

**8:45 a.m. Public Hearing – *Variance* Highline Water LLC/
Fred Sorenson, Landowner**

Applicant: Highline Water LLC in concurrence with Fred Sorenson, Landowner

Location: 160 acre, more or less, tract of land described as the NW¼ of Section 3, Township 154 North, Range 94 West (**Unorganized Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water from White Earth River for fracking.

Present: Landon Eskew with Highline Water LLC.

Discussion: Liz Hollowell, Planning & Zoning Assistant Planner stated this site was previously permitted in 2018 and has a current ND State Temporary Water permit that expires May 31, 2019. Mr. Eskew stated they will only be using a lay flat hose and he is still waiting for the ND State Temp. Water permit on this one. Mr. Eskew stated he would forward a copy to Planning & Zoning as soon as he receives it.

Outcome: Approved with contingencies.

Motion: Moved by Commissioner Hollekim, seconded by Commissioner Bieri to approve the zoning request by Highline Water, LLC in concurrence with Fred Sorenson, Landowner, for a *variance* to pump water from White Earth River for fracking on a 160 acre, more or less, tract of land described as the NW¼ of Section 3, Township 154 North, Range 94 West (**Unorganized Township**) contingent on Planning & Zoning receiving a copy of the ND State Temporary Water Permit, using only lay flat hose, landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Highline Water, LLC has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Highline Water, LLC complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Applicant: Jerome, Peggy & Irene Anderson Estate, Landowners

Location: 80 acre tract of land described as the E½SE¼ of Section 32, Township 156 North, Range 92 West (**Ross Township**).

Certified mailing receipts provided: Yes

Purpose: Pump water from unnamed slough under ND State Temporary Permit ND2018-19164 for fracking

Present: Jerome Anderson, Landowner

Discussion: Mr. Anderson stated this one would also just be using flat hose for transfer of water. Liz Hollowell, Planning & Zoning Assistant Planner asked about the PR paperwork. Mr. Anderson stated he had that and gave a copy to the Board.

Outcome: Approved with contingencies.

Motion: Moved by Commissioner Borud, seconded by Commissioner Bieri to approve the zoning request filed by Jerome & Peggy Anderson with Irene Anderson Estate, Landowners, for a *variance* to pump water from an unnamed slough for fracking on an 80 acre tract of land described as the E½SE¼ of Section 32, Township 156 North, Range 92 West (**Ross Township**) contingent on adhering to the ND State Temporary Water Permit ND2018-19164 valid December 14, 2018 to December 13, 2019, using only flat hose, landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Jerome & Peggy Anderson with Irene Anderson Estate, Landowners have met all criteria as set forth in Article IV, Section V of the Mountrail County and is further contingent upon Jerome & Peggy Anderson with Irene Anderson Estate, Landowners complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Applicant: Jerome, Peggy & Irene Anderson Estate, Landowners

Location: 80 acre tract of land described as the S½SW¼ of Section 15, Township 155 North, Range 92 West (**Alger Township**).

Certified mailing receipts provided: Yes

Purpose: Pump water from unnamed slough under ND State Temporary Permit ND2018-19169 for fracking

Present: Jerome Anderson, Landowner

Discussion: Mr. Anderson stated this one would also just be using flat hose for transfer of water.

Outcome: Approved with contingencies.

Motion: Moved by Commissioner Hovda, seconded by Commissioner Ruland to approve the zoning request filed by Jerome & Peggy Anderson with Irene Anderson Estate, Landowners, for a *variance* to pump water from an unnamed slough for fracking on an 80 acre tract of land described as the S½SW¼ of Section 15, Township 155 North, Range 92 West (**Alger Township**) contingent on adhering to the ND State Temporary Water Permit ND2018-19169 valid January 2, 2019 to December 31, 2019, using only flat hose, landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as by Jerome & Peggy Anderson with Irene Anderson Estate, Landowners have met all criteria as set forth in Article IV, Section V of the Mountrail County and is further contingent upon by Jerome & Peggy Anderson with Irene Anderson Estate, Landowners complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

8:54 Public Hearing

Variance

Jay and Shayla Sorenson,
Landowner

Applicant: Jay & Shayla Sorenson, Landowners

Location: 40 acre tract of land described as the NE¼NW¼ of Section 15, Township 155 North, Range 92 West (**Alger Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water under ND State Temporary Water Permit ND2019-19245 from unnamed slough for fracking.

Present: Jay Sorenson, Landowner

Discussion: Mr. Sorenson stated they will only be using a flat hose.

Outcome: Approved with contingencies.

Motion: Moved by Vice Chairman Weisenberger, seconded by Commissioner Borud to approve the zoning request filed by Jay & Shayla Sorenson, Landowners, for a variance to pump water from unnamed slough for fracking on a 40 acre tract of land described as the NE¼NW¼ of Section 15, Township 155 North, Range 92 West

(**Alger Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19245 valid April 1, 2019 through March 30, 2020, on using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Jay & Shayla Sorenson have met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Jay & Shayla Sorenson complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

8:57 Public Hearing

Variance

Jay Sorenson / Jerome
Peggy & Irene Anderson Estate,
Landowners

Applicant Jay Sorenson in concurrence with Jerome, Peggy & Irene Anderson Estate, Landowners

Location: 80 acre tract of land described as the N½NE¼ of Section 15, Township 155 North, Range 92 West (**Alger Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water, under *ND State Temporary Water Permit ND2019-19326* from an unnamed slough for fracking.

Present: Jay Sorenson

Discussion: Jay Sorenson stated they will be using only flat hose to transfer any water.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the zoning request filed by Jay Sorenson in concurrence with Jerome & Peggy Anderson & Irene Anderson Estate, Landowners, for a variance to pump water from an unnamed slough for fracking on a 80 acre tract of land described as the N½NE¼ of Section 15, Township 155 North, Range 92 West (**Alger Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19326 valid April 1, 2019 through March 30, 2020, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Jay Sorenson has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Jay Sorenson complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Applicant: Mountrail County Road & Bridge, in concurrence with Kevin & Joanne Lapica, Landowners

Location: 80 acre, more or less, tract of land described as the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 154 North, Range 93 West (**Rat Lake Township**)

Certified mailing receipts provided: Yes

Purpose: Mining gravel for Mountrail County roads.

Present: Jana Hennessy, Road & Bridge Engineer

Discussion: Engineer Hennessy stated this is renewal of sorts as this is a pit the County has used for a while.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Wienbar, seconded by Commissioner Hollekim to approve the zoning request filed by Mountrail County Road & Bridge, in concurrence with Kevin & Joanne Lapica, Landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on a 80 acre, more or less, tract of land described as the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 154 North, Range 93 West (**Rat Lake Township**) for five (5) years contingent on maintaining a haul route agreement with Debing Township as Mountrail County Road & Bridge has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon Mountrail County Road & Bridge complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Applicant: Gravel Products, Inc., in concurrence with Jerimey & Nicohl Bruhn, Landowners

Location: 74 acre, more or less, tract of land described as the SE $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 156 North, Range 89 West (**McGahan Township**)

Certified mailing receipts provided: Yes

Purpose: Mining gravel for road projects

Present: Paul Severson with Gravel Products, Inc.

Discussion: Commissioner Hollekim asked about the legal description. It was determined the true legal description is the SE $\frac{1}{4}$ of Gov't Lot 4 & S $\frac{1}{2}$ of Gov't Lot 3 & SE $\frac{1}{4}$ NW $\frac{1}{4}$. A discussion was held about Gravel Products Inc. trucks driving through Blaisdell. It was recommended Gravel Products Inc. does not use that road.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Bieri, seconded by Commissioner Borud to approve the zoning request filed by Gravel Products, Inc., in concurrence with Jerimey & Nichol Bruhn, Landowners, for a *conditional use permit* to use land zoned agricultural for the purpose of mining gravel on a 74 acre, more or less, tract of land described as the SE $\frac{1}{4}$ of Gov't Lot 4 & S $\frac{1}{2}$ of Gov't Lot 3 & SE $\frac{1}{4}$ NW $\frac{1}{4}$. Section 1, Township 156 North, Range 89 West (**McGahan Township**) for three (3) years contingent upon a \$125,000.00 letter of credit payable to Mountrail County and renewed yearly for the 3 year period as well as a current haul route agreement with McGahan Township that includes dust control and not traveling through the town of Blaisdell as Gravel Products, Inc. has met all criteria as set forth in Article IV, Section IV in the Mountrail County Zoning Ordinance and is further contingent upon Gravel Products, Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:06 Public Hearing *Conditional Use* Sundre Sand & Gravel, Inc./
Dorothy Tully, Leonard Scott, Kathryn Scott Trust,
Walter & Virginia Evens Trust, Marlene Holmberg Trust, Landowners

Applicant: Sundre Sand & Gravel, Inc., in concurrence with Dorothy Tully, Leonard Scott, Kathryn Scott Trust, Walter & Virginia Evens Trust, and Marlene Holmberg Trust, Landowners.

Location: 80 acre, more or less, tract of land described as the NE $\frac{1}{4}$ SW $\frac{1}{4}$ & Gov't Lot 3, Section 30, Township 153 North, Range 92 West (**Knife River Township**).

Certified mailing receipts provided: Yes

Purpose: Mining gravel for road projects

Present: Dave Able with Sundre Sand & Gravel, Inc.

Discussion: Mr. Able gave a short overview of the project. Commissioner Hollekim asked about the haul route agreement as it expires 2021 and this conditional use permit is good until 2024. Mr. Able stated it would not be difficult to get a new haul route agreement when necessary. Commissioner Hollekim asked about the trust

paperwork as several of the owners have their interest in a trust. Mr. Able stated he will get that paperwork to Planning & Zoning.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Hovda, seconded by Vice Chairman Weisenberger to approve the zoning request filed by Sundre Sand & Gravel, Inc., in concurrence with Marleen Holmberg, Dorothy Tully, Trustee of the John & Dorothy Tully Family Trust, Walter Evens, Virginia Evens, Trustee of the Randy N & Virginia M Evens Family Living Trust, Leonard Scott, Kathryn J Scott, Trustee of the Kathryn J Scott Trust, Landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on an 80 acre, more or less, tract of land described as the NE $\frac{1}{4}$ SW $\frac{1}{4}$ & Gov't Lot 3, Section 30, Township 153 North, Range 92 West (**Knife River Township**) for five (5) years contingent upon a \$125,000.00 letter of credit payable to Mountrail County and renewed yearly for the 5 year period as well as a current haul route agreement with McGahan Township that includes dust control when needed and copies of landowner trust paperwork provided to Planning & Zoning as Sundre Sand & Gravel, Inc. has met all criteria as set forth in Article IV, Section IV in the Mountrail County Zoning Ordinance and is further contingent upon Sundre Sand & Gravel, Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:09 a.m. Public Hearing – *Variance - Bakken Water Transfer Services Inc./ James & Peggy Stewart Family Trust, James & Peggy Stewart, Trustees, Landowners.*

Applicant: Bakken Water Transfer Services Inc., in concurrence with James & Peggy Stewart Family Trust, James & Peggy Stewart, Trustees, Landowners

Location: 6.72 acre, more or less, tract of land described in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, North of the railroad (parcel# 200009100) of Section 15, Township 156 North, Range 93 West (**Manitou Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water, under *ND State Temporary Water Permit ND2019-19394*, from an unnamed slough for fracking.

Present: John Anderson with Bakken Water Transfer Inc.

Discussion: Mr. Anderson stated they would be using only a flat hose to transfer water. Commissioner Hollekim asked about trust paperwork. Mr. Anderson stated he would speak with Mr. Childs and get that information to Planning & Zoning.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the zoning request filed by Bakken Water Transfer Services Inc., in concurrence with James & Peggy Stewart Family Trust, James & Peggy Stewart, Trustees, Landowners, for a variance to pump water from an unnamed slough for fracking on a 6.72 acre, more or less, tract of land, in the NW¼SW¼, North of the railroad (parcel# 200009100) of Section 15, Township 156 North, Range 93 West (**Manitou Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19394 valid April 20, 2019 through April 19, 2020, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary and copies of landowner trust paperwork given to Planning & Zoning as Bakken Water Transfer Services Inc. has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Bakken Water Transfer Services Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:12 a.m. Public Hearing – *Variance - Bakken Water Transfer Services Inc./ Jorn Oulie, Trustee, Landowners*

Applicant: Bakken Water Transfer Services Inc., in concurrence with Jorn Oulie, Trustee, Landowner.

Location: 160 acre, more or less, tract of land described as the NE¼ of Section 18, Township 154 North, Range 90 West (**Austin Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2019-19415, from an unnamed slough for fracking

Present: John Anderson with Bakken Water Transfer Inc.

Discussion: Mr. Anderson stated they will also use a flat hose to transfer this water and the pump will be in the same location. Liz Hollowell, Planning & Zoning Assistant Planner stated Mr. Oulie's trust paperwork is on file.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Borud, seconded by Commissioner Hovda to approve the zoning request filed by Bakken Water Transfer Services Inc., in concurrence with Jorn Oulie, Trustee, Landowner, for a variance to pump water from unnamed slough for fracking on a 160 acre, more or less, tract of land described as the NE¼ of Section 18, Township 154 North, Range 90 West (**Austin**

Township) contingent on adhering to the ND State Temporary Water Permit ND2019-19415 valid April 20, 2019 through April 19, 2020, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Bakken Water Transfer Services Inc. has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Bakken Water Transfer Services Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:15 a.m. Public Hearing – *Variance - Bakken Water Transfer Services Inc. / Anna Hysjulien, Landowner*

Applicant: Bakken Water Transfer Services Inc., in concurrence with Anna Hysjulien, Landowner.

Location: 32.6 acre, more or less, tract of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Outlot 4 of Gov't Lot 3) of Section 4, Township 156 North, Range 94 West (**Myrtle Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2019-19290, from White Earth River for fracking

Present: John Anderson with Bakken Water Transfer Inc.

Discussion: Mr. Anderson stated they will also use a flat hose to transfer this water.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Hollekim, seconded by Commissioner Hovda to approve the zoning request filed by Bakken Water Transfer Services Inc., in concurrence with Anna Hysjulien, Landowner, for a variance to pump water from White Earth River for fracking on a 32.6 acre, more or less, tract of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Outlot 4 of Gov't Lot 3) of Section 4, Township 156 North, Range 94 West (**Myrtle Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19290 valid April 19, 2019 through December 1, 2019, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Bakken Water Transfer Services Inc. has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Bakken Water Transfer Services Inc. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Applicant: Dallas & Valarie Lalim, Landowners

Location: 40 acre, more or less, tract of land described as the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't Lot 3) of Section 7, Township 157 North, Range 93 West (**Sorkness Township**).

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2018-18797, from White Earth River for fracking

Present: Dallas Lalim, Landowner

Discussion: Mr. Lalim stated they would be using only flat hose to transport the water. Commissioner Hollekim asked if they were pumping now since the ND State Temporary water permit was valid since last year. Mr. Lalim stated they are not and they have applied for another permit to “renew” this one. Mr. Lalim stated he did not know he needed a variance permit from Mountrail County to pump water.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Hovda, seconded by Commissioner Ruland to approve the zoning request filed by Dallas & Valarie Lalim, Landowners, for a *variance* to pump water from White Earth River for fracking on a 40 acre, more or less, tract of land described as the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't Lot 3) of Section 7, Township 157 North, Range 93 West (**Sorkness Township**) contingent on adhering to the ND State Temporary Water Permit ND2018-18797 valid July 11, 2018 through July 10, 2019, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Dallas & Valarie Lalim, Landowners have met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Dallas & Valarie Lalim, Landowners complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Applicant: Arnold & Majorie Postovit Trust, Penelope Berry, Trustee, Landowners

Location: 160 acre, more or less, tract of land described as the SE $\frac{1}{4}$ of Section 6, Township 157 North, Range 93 West (**Sorkness Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2018-18838, from White Earth River for fracking.

Present: Terry Postovit

Discussion: Liz Hollowell, Planning & Zoning Assistant Planner stated we had one landowner comment that express concern about water usage from the White Earth River. Mr. Postovit stated they would only be using flat hose to transport the water and they have also applied for another permit to “renew” this one.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the zoning request filed by Arnold & Majorie Postovit Trust, Penelope Berry, Trustee, Landowners, for a variance to pump water from White Earth River for fracking on a 160 acre, more or less, tract of land described as the SE $\frac{1}{4}$ of Section 6, Township 157 North, Range 93 West (**Sorkness Township**) contingent on adhering to the ND State Temporary Water Permit ND2018-18838 valid July 12, 2018 through July 13, 2019, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Arnold & Majorie Postovit Trust, Penelope Berry, Trustee, Landowners have met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Arnold & Majorie Postovit Trust, Penelope Berry, Trustee, Landowners complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Applicant: Garrett Lalim, Landowner

Location: 80 acre, more or less, tract of land described as the S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 18, Township 157 North, Range 93. West (**Sorkness Township**).

Certified mailing receipts provided: Yes

Purpose: Building a storage pond for frack water

Present: Garrett Lalim, Landowner

Discussion: Mr. Lalim stated he was looking at building a storage pond to gather water for fracking. Commissioner Ruland asked if he had engineered plans for his project. Mr. Lalim stated of sort but he hasn't started with an engineer yet. Mr. Lalim showed on the overhead map where his project was going to be. Mr. Lalim stated he was waiting to see if the conditional use permit would be approved before he got an engineered plan. Commissioner Ruland stated he would need to speak with the Water District since he would be changing the drainage. Chairman Sorenson asked about haul route agreement for this area. Mr. Lalim stated only lay flat line and no trucks would be used to transfer the water but perhaps a few during construction. Mr. Lalim stated they were going to do some test well's in that location and wondered what the necessary steps were to develop an industrial well. Wade Enget, Mountrail County States Attorney explained the steps taken to rezone and it was best to wait until after the test wells were done to make sure there was water to develop. Mountrail County States Attorney Enget also stated to meet with Planning & Zoning when they were ready to take the next steps. Commissioner Hollekim stated Mr. Lalim should get a copy of the industrial ordinance to have a better understanding on what can be done in an industrial district. Liz Hollowell, Mountrail County Planning & Zoning Assistant Planner stated she will email Mr. Lalim that information.

Outcome: Approved with contingencies

Motion: Moved by Vice Chairman Weisenberger, seconded by Commissioner Hovda to approve the zoning request filed by Garrett Lalim, Landowner, for a conditional use permit to use land zoned industrial for the purpose of building a storage pond for frack water on a 80 acre, more or less, tract of land described as the S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 18, Township 157 North, Range 93. West (**Sorkness Township**) contingent on providing complete engineered plans for the project prior to starting building, following up with Water Resources Board regarding drainage, using only flat hose to transfer water, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Garrett Lalim, Landowner has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon Garrett Lalim, Landowner complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:27 a.m. Public Hearing –

Variance -

Ames Savage Water
Solutions, LLC/ Bradley Farhart,
Landowner

Applicant: Ames Savage Water Solutions, LLC, in concurrence with Bradley Farhart, Landowner

Location: 80 acre, more or less, tract of land described as the S½NW¼ of Section 12, Township 156 North, Range 93 West (**Manitou Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2018-19178, from an unnamed slough for fracking

Present: Holden Russel with Savage Water Solutions, LLC

Discussion: Mr. Russel stated they would only be using flat hose to transfer the water.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Borud, seconded by Commissioner Hollekim to approve the zoning request filed by Ames Savage Water Solutions, LLC, in concurrence with Bradley Farhart, Landowner, for a *variance* to pump water from unnamed slough for fracking on an 80 acre, more or less, tract of land described as the S½NW¼ of Section 12, Township 156 North, Range 93 West (**Manitou Township**) contingent on adhering to the ND State Temporary Water Permit ND2018-19178 valid February 1, 2019 through December 31, 2019, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Ames Savage Water Solutions, LLC has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Ames Savage Water Solutions, LLC complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:30 a.m. Public Hearing –

Variance -

Ames Savage Water
Solutions, LLC/ Charles &
Marlys Juma, Landowner

Applicant: Ames Savage Water Solutions, LLC, in concurrence with Charles and Marlys Juma, Landowners

Location: 80 acre, more or less, tract of land described as the S½NW¼ of Section 23, Township 156 North, Range 92 West (**Ross Township**)

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2018-19179, from an unnamed slough for fracking

Present: Holden Russel with Savage Water Solutions, LLC

Discussion: Mr. Russel stated they will only be using a flat hose. It was determined the legal would be NW¼ matching the ND State Temporary Water Permit ND2018-19179.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Hovda, seconded by Commissioner Ruland to approve the zoning request filed by Ames Savage Water Solutions, LLC, in concurrence with Charles and Marlys Juma, Landowners, for a variance to pump water from unnamed slough for fracking on a 160 acre, more or less, tract of land described as the NW¼ of Section 23, Township 156 North, Range 92 West (**Ross Township**) contingent on adhering to the ND State Temporary Water Permit ND2018-19179 valid January 15, 2019 through December 31, 2019, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Ames Savage Water Solutions, LLC has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Ames Savage Water Solutions, LLC complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:33 a.m. Public Hearing – *Variance -* Ames Savage Water Solutions, LLC/ Fred Sorenson, Landowner

Applicant: Ames Savage Water Solutions, LLC, in concurrence with Fred Sorenson, Landowner

Location: 80 acre, more or less, tract of land described as the S½NE¼ of Section 4, Township 154 North, Range 94 West (**Unorganized Township**).

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2019-19195, from White Earth River for fracking

Present: Holden Russel with Savage Ames Water Solutions, LLC

Discussion: Mr. Russel stated they will only use flat hose to transfer water.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Hovda, seconded by Commissioner Ruland to approve the zoning request filed by Ames Savage Water Solutions, LLC, in concurrence with Fred Sorenson, Landowner, for a variance to pump water from White Earth River for fracking on an 80 acre, more or less, tract of land described as the $S^{1/2}NE^{1/4}$ of Section 4, Township 154 North, Range 94 West (**Unorganized Township**) contingent on adhering to the ND State Temporary Water Permit ND2019-19195 valid February 1, 2019 through December 31, 2019, using only flat hose, all landowners being contacted about hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when necessary as Ames Savage Water Solutions, LLC has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Ames Savage Water Solutions, LLC complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

9:36 a.m. Public Hearing – *Variance* - Ames Savage Water Solutions, LLC/ Fred Sorenson, Landowner

Applicant: Ames Savage Water Solutions, LLC, in concurrence with Fred Sorenson, Landowner

Location: 80 acre, more or less, tract of land described as the $E^{1/2}SE^{1/4}$ of Section 34, Township 154 North, Range 94 West (**Unorganized Township**).

Certified mailing receipts provided: Yes

Purpose: Pump water, under ND State Temporary Water Permit ND2019-19194, from White Earth River for fracking

Present: Holden Russel with Savage Water Solutions, LLC

Discussion: Mr. Russel stated only flat hose will be used to transfer water.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Hovda, seconded by Commissioner Borud to approve the zoning request filed by Ames Savage Water Solutions, LLC, in concurrence with Fred Sorenson, Landowner, for a variance to pump water from White Earth River for fracking on an 80 acre, more or less, tract of land described as

Applicant: Central Specialties, Inc. in concurrence with Curt & Summer Meyer, Landowners

Location: 15 acre, more or less, tract of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, Township 155 North, Range 94 West (**Unorganized Township**)

Certified mailing receipts provided: Yes

Purpose: Temporary workforce housing while completing a road project ID 09(04)13.

Present: Ryan Thibodo with Central Specialties, Inc.

Discussion: Liz Hollowell, Planning & Zoning Assistant Planner asked about the application signed by the landowners and the letter of credit referring this location. Mr. Thibodo stated he didn't know about those items as he is filling in for Mr. Minnerath who would normally attend these hearings. Liz Hollowell, Planning & Zoning Assistant Planner asked when Central Specialties would be finished with this project. Mr. Thibodo stated he thinks about the end of November 2019. Commissioner Borud asked when they would start. Mr. Thibodo stated today. Liz Hollowell, Planning & Zoning Assistant Planner advised Mr. Thibodo to contact his project manager and she will contact Jake Rickaby with Central Specialties to work on getting all the necessary paperwork so they can move in today.

Outcome: Approved with contingencies

Motion: Moved by Commissioner Hollekim, seconded by Commissioner Borud to approve the zoning request filed Central Specialties, Inc. in concurrence with Curt & Summer Meyer, Landowners, for a conditional use permit to use land zoned agricultural for temporary workforce housing while working road project ID 09(04)13 on a 15 acre, more or less, tract of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, Township 155 North, Range 94 West (**Unorganized Township**) contingent on all landowners signing the application and permit, maintaining a letter of credit for \$100,000.00 until the RV's are removed and all RV's must be removed when the road project is complete. Upon roll call, all present voted yes. Motion carried.

Applicant: Ames Savage Water Solutions, LLC, with concurrence from Scott & Debbie Fladeland, Landowners

Location: 24.8 acre, more or less, tract of land in the NW¼ of Section 10, Township 154 North, Range 92 West (**Brookbank Township**)

Certified mailing receipts provided: Yes

Purpose: Building a water storage pond for frack water

Present: Holden Russel with Savage Water Solutions, LLC

Discussion: Mr. Russel briefly explained the project. Commissioner Hollekim asked if the outlot had been filed. Liz Hollowell, Planning & Zoning Assistant Planner stated no outlot was submitted. Wade Enget, Mountrail County States Attorney stated an outlot is required if the parcel cannot be described using the rectangular system and 24.8 acres cannot be. It was determined that more information was needed showing easements, access, and exact location of the ponds in relation to those items. Wade Enget, Mountrail County States Attorney explained to Mr. Russel what was needed.

Outcome: Tabled

Motion: Moved by Commissioner Borud, seconded by Vice Chairman Weisenberger to table the zoning request filed by Ames Savage Water Solutions, LLC, with concurrence from Scott & Debbie Fladeland, Landowners, for an amendment to change land zoned agricultural to industrial for the purpose of building a water storage pond for frack water on a 24.8 acre, more or less, tract of land in the NW¼ of Section 10, Township 154 North, Range 92 West (**Brookbank Township**) as more information on the project is needed. Upon roll call, all present voted yes. Motion carried.

Applicant: Ames Savage Water Solutions, LLC, with concurrence from Scott & Debbie Fladeland, Landowners

Location: 24.8 acre, more or less in the NW¼ of Section 10, Township 154 North, Range 92 West (**Brookbank Township**)

Certified mailing receipts provided: Yes

Purpose: Building a water storage pond for frack water

Present: Holden Russel with Savage Water Solutions, LLC

Discussion: This hearing was also tabled as it is directly tied to the Amendment.

Outcome: Tabled

Motion: Moved by Commissioner Ruland, seconded by Commissioner Hovda to table the zoning request filed by Ames Savage Water Solutions, LLC, with concurrence from Scott & Debbie Fladeland, landowners, for a conditional use permit to use land zoned industrial for the purpose of building a water storage pond for frack water on a 24.8 acre, more or less in the NW¼ of Section 10, Township 154 North, Range 92 West (**Brookbank Township**) as more information on the project is needed. Upon roll call, all present voted yes. Motion carried.

9:54 Public Hearing

Amendment

Ames Savage Water
Solutions, LLC./ Kevin &
Sharon Mell, Landowner

Applicant: Ames Savage Water Solutions, LLC, with concurrence from Kevin and Sharon Mell, Landowners

Location: 16.2 acre, more or less tract of land in the NW¼SW¼ of Section 21, Township 156 North, Range 93 West (**Manitou Township**)

Certified mailing receipts provided: Yes

Purpose: Building a water storage pond for frack water

Present: Holden Russel with Savage Water Solutions, LLC

Discussion: This project is similar to the 9:48 am hearing and would need more information.

Outcome: Tabled

Motion: Moved by Vice Chairman Weisenberger, seconded by Commissioner Ruland to table the zoning request filed by Ames Savage Water Solutions, LLC, with concurrence from Kevin and Sharon Mell, Landowners, for an amendment to change land zoned agricultural to industrial for the purpose of building a water storage pond for frack water on a 16.2 acre, more or less, tract of land in the

NW¼SW¼ of Section 21, Township 156 North, Range 93 West (**Manitou Township**) as more information on the project is needed. Upon roll call, all present voted yes. Motion carried.

9:57 Public Hearing

Conditional Use

Ames Savage Water
Solutions, LLC./ Kevin &
Sharon Mell, Landowner

Applicant: Ames Savage Water Solutions, LLC, with concurrence from Kevin and Sharon Mell, Landowners

Location: 16.2 acre, more or less tract of land in the NW¼SW¼ of Section 21, Township 156 North, Range 93 West (**Manitou Township**)

Certified mailing receipts provided: Yes

Purpose: Building a water storage pond for frack water

Present: Holden Russel with Savage Water Solutions, LLC

Discussion: This project is similar to the 9:51 am hearing and would need more information.

Outcome: Tabled

Motion: Moved by Commissioner Wienbar, seconded by Commissioner Ruland to table the zoning request filed by Ames Savage Water Solutions, LLC, with concurrence from Kevin & Sharon Mell, Landowners, for a *conditional use permit* to use land zoned industrial for the purpose of building a water storage pond for frack water on a 16.2 acre, more or less, tract of land in the NW¼SW¼ of Section 21, Township 156 North, Range 93 West (**Manitou Township**) as more information on the project is needed. Upon roll call, all present voted yes. Motion carried.

10:00 Public Hearing

Variance

Select Energy Services/ Joey &
Karlyn Meiers, Landowner

APPLICATION WITHDRAWN (Application tabled in March)

Motion: Moved by Commissioner Ruland, seconded by Commissioner Borud to untable the zoning request filed by Select Energy Services in concurrence with Joey & Karlyn Meiers, landowners, for a variance permit to pump water from an unnamed slough for fracking on a 35 acre, more or less, tract of land in the SE¼SW¼ of Section 10, Township 156 North, Range 93 West (**Manitou Township**) to proceed with the hearing.

Liz Hollowell, Planning & Zoning Assistant Planner reported that Roger Arredondo with Select Energy Services has withdrawn this hearing due to not being able to secure an easement from the US Fish & Wildlife. No one was there to speak for or against the hearing. Application was withdrawn.

Approval of Minutes

Motion: Moved by Vice Chairman Weisenberger, seconded by Commissioner Wienbar to approve the March 25, 2019 minutes as corrected. Upon roll call, all present voted yes. Motion carried.

Approval of Building Permit

Permit No.	Name/Address of applicant	Legal Description	Sec and Lot	Township	Range	Township Name	building type
2041	Rodney Nickle 15901 86th Ave NE Surrey, ND 58785 701-728-6840 nickle@minot.com	Brendle Subdivision S½NE¼	10 Lot 28	151	91	Liberty	Zoned: Res Stick built Home

Motion: Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the Building Permit 2041. Upon roll call, all present voted yes. Motion carried.

Staff Concerns

Jake Douts, Arlo Griesback, Kenny MacDonald & Raymond Atwood with Powers Lake Improvement Committee came to the meeting to express their concerns regarding water usage from Powers Lake for fracking. Commissioner Ruland suggested they work with Mountrail County Water Resources.

Wade Enget, Mountrail County States Attorney stated the ordinance has been published twice with no comments received. Our discussion today would be the public hearing on the ordinance and this would be recommendation to Mountrail County Commissioner to approve. Commissioner Hollekim asked why it wasn't

published with the time of the public hearing. Wade Enget, Mountrail County States Attorney stated it wasn't necessary.

Motion: Moved by Commissioner Borud, seconded by Commissioner Ruland to recommend to the Mountrail County Commissioners to approve the Amending of Article II by adding a new Section *XIII Temporary Use* to the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

Wade Enget, Mountrail County States Attorney reported Joseph J Ottesen of J&J Oilfield Service Inc. will be in court May 2nd to answer to the rig mat charge.

Board Concerns

Vice Chairman Weisenberger stated more information was needed for a clearer understanding on what Mountrail County Planning & Zoning can do about Powers Lake use. Wade Enget, Mountrail County States Attorney stated he will follow up with the committee and get more information on what we can do.

Commissioner Hollekim asked for more clarification on the Temporary Use Application Ordinance.

Commissioner Wienbar asked about Stanley Blaisdell RV Park and if any was heard from the ND State Health Department. Wade Enget, Mountrail County States Attorney stated not yet and he will follow up with them.

Next Meeting

Next regular meeting of the Mountrail County Planning & Zoning Board is **Tuesday May 28, 2019** at 8:30 am at the Mountrail County South Complex, 8103 61st St. NW Stanley, ND 58784.

Meeting adjourned at 10:53 a.m.

Approval

Accepted and approved this 28th day of May 2019

Charlie Sorenson, Chairman
Mountrail County
Planning & Zoning Commission

Liz Hollowell, Assistant Planner
Mountrail County
Planning & Zoning