MINUTES

**Mountrail County Planning & Zoning Commission**

**January 22, 2024**

The meeting of the Mountrail County Planning & Zoning Commission was called to order at 8:30 a.m. by Chairman Charlie Sorenson with Commissioners Megan Fritel, Trudy Ruland, Arlo Borud, Joan Hollekim, Cameron Tomjack, Douglas Braatvold, Kirk Johnson and Jessie Weyrauch present. Also present were Planning & Zoning Administrator Melissa Vachal, Planning & Zoning Assistant Malinda Gunderson, Mountrail County Tax Equalization Director Lori Hanson, Mountrail County Property Assessor Kim Savage, Mountrail County State’s Attorney Wade Enget, Mountrail County Weed Control Officer Jim Hennessy and Mountrail County Auditor Stephanie Pappa.

**APPROVAL OF AGENDA**

Moved by Commissioner Hollekim, seconded by Commissioner Ruland, to approve the agenda as amended. All present voted yes. Motion carried.

**APPROVAL OF MINUTES**

Moved by Commissioner Hollekim, seconded by Commissioner Johnson, to approve the Planning & Zoning Commission minutes of the December 27, 2023 meeting. All present voted yes. Motion carried.

**Mountrail County Planning & Zoning Elections (Chairman, Vice Chairman, Secretary)**

Chairman Sorenson began by opening the floor to nominations for Chairman. Moved by Commissioner Hollekim to nominate Charlie Sorenson as Chairman, seconded by Commissioner Ruland. A unanimous ballot was cast with a motion to cease nominations by Commissioner Borud, seconded by Commissioner Weyrauch. All present voted yes. Motion carried.

Chairman Sorenson then opened the floor to nominations for Vice Chairman. Moved by Commissioner Hollekim to nominate Cameron Tomjack as Vice Chairman, seconded by Commissioner Ruland. A unanimous ballot was cast with a motion to cease nominations by Commissioner Borud, seconded by Commissioner Weyrauch. All present voted yes. Motion carried.

Chairman Sorenson then opened the floor to nominations for Secretary. Moved by Commissioner Ruland to nominate the Planning & Zoning Office as Secretary. A unanimous ballot was cast with a motion to cease nominations by Commissioner Borud, seconded by Commissioner Hollekim. All present voted yes. Motion carried.

1. **8:35 a.m. Aggregate Construction Inc.-Applicant; Dallas & Deborah Moore-Landowners (PZ-2023-0429) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 80.00 acres more or less, located in the S1/2SE1/4 of Section 24, Township 156 North, Range 89 West (McGahan Township) (Parcel# 16-0012400)

The applicant (represented by Max Schriock with Aggregate Construction Inc.) is seeking a Conditional Use Permit for the purpose of mining gravel on land zoned Agricultural. Mr. Schriock states this a re-authorization of an existing pit. Mountrail County Weed Control Officer Jim Hennessy states that he failed the pit in his inspection for noxious weeds but he has approved the weed management plan as long as they continue to spray the pit for weeds and the gravel cannot be certified for use on county or township roads at this time. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Weyrauch, to approve the zoning request filed by Aggregate Construction Inc. with concurrence from Dallas & Deborah Moore-landowners, for a Conditional Use Permit for the purpose of mining gravel on land zoned Agricultural on a tract of land 80.00 acres more or less, located in the S1/2SE1/4 of Section 24, Township 156 North, Range 89 West (McGahan Township) expiring on 12-30-2025 as Aggregate Construction Inc. with concurrence from Dallas & Deborah Moore-landowners, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Aggregate Construction Inc. with concurrence from Dallas & Deborah Moore-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:38 a.m. Aggregate Construction Inc.-Applicant; Dallas & Deborah Moore-Landowners (PZ-2023-0429) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 27.44 acres more or less, described as the NE1/4SE1/4 less Outlot 1 of Section 24, Township 156 North, Range 89 West (McGahan Township) (Parcel# 16-0012400)

The applicant (represented by Max Schriock with Aggregate Construction Inc.) is seeking a Conditional Use Permit for the purpose of mining gravel on land zoned Agricultural. This application has the same use and weed issues as the previous application. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Ruland, seconded by Commissioner Tomjack, to approve the zoning request filed by Aggregate Construction Inc. with concurrence from Dallas & Deborah Moore-landowners, for a Conditional Use Permit for the purpose of mining gravel on land zoned Agricultural on a tract of land 27.44 acres more or less, described as the NE1/4SE1/4 less Outlot 1 of Section 24, Township 156 North, Range 89 West (McGahan Township) expiring on 12-30-2025 as Aggregate Construction Inc. with concurrence from Dallas & Deborah Moore-landowners, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Aggregate Construction Inc. with concurrence from Dallas & Deborah Moore-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

**Temporary Water Permits – New – For Board Information Only**

PZ-2023-0404 – Atlas Engineering – Applicant. Jason & Andrea Roise – Landowner. State Water Permit #ND2023-21984. Period of Authorized usage: 01/01/2024 through 12/14/2024. Pump placement on a tract of land 125.40 acres more or less located in the SE1/4NE1/4 & NE1/4SE1/4 (Gov’t Lot 4) & W1/2SE1/4 of Section 17, Township 157 North, Range 92 West (Cottonwood Township) (6) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 12/29/2023

PZ-2023-0405 – Quality Water Systems – Applicant. White Earth Saddle Club – Landowner. State Water Permit #ND2023-21954. Period of Authorized usage: 12/30/2023 through 10/01/2024. Pump placement on a tract of land 40.00 acres more or less located in the SE1/4NE1/4 of Section 16, Township 156 North, Range 94 West (Myrtle Township) (18) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 12/29/2023

PZ-2024-0003 – Atlas Engineering – Applicant. Jeffrey A Lapica Revocable Living Trust – Landowner. State Water Permit #ND2023-21953. Period of Authorized usage: 02/15/2024 through 12/31/2024. Pump placement on a tract of land 40.00 acres more or less located in the SE1/4SE1/4 of Section 23, Township 155 North, Range 93 West (Debing Township) (6) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 01/23/2024.

**Temporary Water Permits – Non-Transferable Renewals – For Board Information Only**

Dallas Lalim – State Water Permit #ND2023-21975/PZ-2023-0421. Dallas Lalim – Applicant. Dallas C Lalim Living Trust & Valarie C Lalim Living Trust – Landowner. NW1/4SW1/4 (Gov’t Lot 3) of Section 7, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 12/10/2023 through 12/09/2024. Parcel #13-0003900. Approved by P&Z Administrator

Craig & Jeannette Anderson – State Water Permit #ND2023-21956/PZ-2023-0426. Craig & Jeannette Anderson – Applicant. Roger & Michelle Harstad – Landowner. E1/2SE1/4 of Section 29, Township 155 North, Range 90 West (Burke Township). Period of Authorized usage: 01/01/2024 through 12/31/2024. Parcel #24-0012700. Approved by P&Z Administrator

Craig & Jeannette Anderson – State Water Permit #ND2023-21955/PZ-2023-0427. Craig & Jeannette Anderson – Applicant. Roger & Michelle Harstad – Landowner. W1/2SW1/4 of Section 29, Township 155 North, Range 90 West (Burke Township). Period of Authorized usage: 01/01/2024 through 12/31/2024. Parcel #24-0013100. Approved by P&Z Administrator

Penelope Berry – State Water Permit #ND2023-21976/PZ-2023-0428. Penelope Berry – Applicant. Arnold E & Marjorie E Postovit Irrevocable Adverse Claims Trust – Landowner. SE1/4 of Section 6, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 12/10/2023 through 12/09/2024. Parcel #13-0003200. Approved by P&Z Administrator.

**Lay Flat Hose Permits – For Board Information Only**

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #720/PZ-2023-0403. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. Western Area Water Supply – Landowner. Outlot 2 located in the S1/2SW1/4 of Section 21, Township 156 North, Range 93 West (Manitou Township) ending in the NE1/4 of Section 19, Township 156 North, Range 93 West (Manitou Township). Period of Authorized usage: 12/08/2023 through 02/14/2024. Approved by P&Z Administrator

West Dakota Water – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2023-21782/PZ-2023-0422. Pumping of industrial water by lay flat hose: West Dakota Water – Applicant. Stanley Community Hospital Association – Landowner. S1/2SE1/4 of Section 28, Township 156 North, Range 92 West (Ross Township) ending in the NW1/4 of Section 14, Township 156 North, Range 92 West (Ross Township). Period of Authorized usage: 12/21/2023 through 02/21/2024. Approved by P&Z Administrator.

West Dakota Water – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2023-21782/PZ-2023-0423. Pumping of industrial water by lay flat hose: West Dakota Water – Applicant. Stanley Community Hospital Association – Landowner. S1/2SE1/4 of Section 28, Township 156 North, Range 92 West (Ross Township) ending in the NW1/4 of Section 14, Township 156 North, Range 92 West (Ross Township). Period of Authorized usage: 12/21/2023 through 02/21/2024. Approved by P&Z Administrator.

Northwest Water Transfer – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2023-21861/PZ-2024-0001. Pumping of industrial water by lay flat hose: Northwest Water Transfer – Applicant. Claude & Patricia Sem – Landowner. NE1/4 of Section 7, Township 158 North, Range 92 West (Powers Township) ending in the E1/2NE1/4 of Section 29, Township 158 North, Range 93 West (Powers Lake Township). Period of Authorized usage: 12/15/2023 through 02/15/2024. Approved by P&Z Administrator.

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2023-21958/PZ-2024-0002. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Point of Diversion starting in Williams County in the S1/2NE1/4 of Section 29, Township 157 North, Range 95 West ending in the NE1/4 of Section 30, Township 157 North, Range 94 West (White Earth Township). Period of Authorized usage: 01/05/2024 through 01/20/2024. Approved by P&Z Administrator.

**ONGOING BUSINESS**

Gravel Pits- Remains ongoing Administration working on Report

Green Acres Subdivision – No new activity; still no Letter of Credit

Subdivision Letter of Credit

**STAFF UPDATES**

* Administrator Vachal is seeking the approval of the board to change the date of the Planning & Zoning meeting in August from 8-26-2024 to 8-27-2024 due to a personal scheduling conflict.
  + Moved by Commissioner Ruland, seconded by Commissioner Tomjack to approve changing the August meeting date from 8-26-2024 to 8-27-2024. All present voted yes. Motion carried.
* Administrator Vachal gave the board an update on the Dan & Lenore Pausig situation from the last meeting. The Pausig’s have decided to move forward with developing the land into a subdivision. Mr. Pausig is planning on going forward with a seasonal campground within the development. The shop will be getting moved to meet the setback requirements as well.

**BOARD CONCERNS**

Commissioner Ruland brought up there is zoning issue of the Village of Sanish and that the Planning & Zoning Administrator and staff will look into what is needed.

The Board adjourned at 9:01 a.m. Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, February 26, 2024,** at 8:30 am via GOTOMEETING or in the Commissioners Room at the Mountrail County Courthouse.

Accepted and approved this 26th day of February, 2024.

Charlie Sorenson, Chairman Melissa Vachal, Administrator

Mountrail County Mountrail County

Planning & Zoning Commission Planning & Zoning

**\*Electronic recordings of full meetings are kept in the office per NDCC 44-04\***