MINUTES

**Mountrail County Planning & Zoning Commission**

**November 25, 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 Joan Hollekim, Cameron Tomjack, Jesse Weyrauch, Megan Fritel and Kirk Johnson 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 and Mountrail County Auditor Stephanie Pappa. Absent were Commissioners Trudy Ruland, and Arlo Borud with Commissioner Doug Bratvold attending at 9:00 A.M.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Moved by Commissioner Fritel, seconded by Commissioner Tomjack, to approve the Planning & Zoning Commission minutes of the October 28, 2024 meeting as corrected. All present voted yes. Motion carried.

1. **8:35 a.m. LeRoy Anderson-Applicant/Landowner; (PZ-2024-0387) Outlot Plat**

Outlot Plat Review Application for the following described property: tract of land 52.94 acres more or less located in the NW1/4 of Section 35, Township 157 North, Range 89 West to be known as Outlot 3 of the NW1/4 of Section 35, Township 157 North, Range 89 West (Redmond Township) (Parcel# 09-0016800)

The applicant (represented by Susan and LeRoy Anderson) is seeking an outlot plat for an irregular tract of land in order to be able to sell the parcel. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Tomjack to approve the zoning request of platting an outlot of land 35.01 acres or more filed by LeRoy Anderson for a tract of land 52.94 acres more or less located in the NW1/4 of Section 35, Township 157 North, Range 89 West to be known as Outlot 3 of the NW1/4 of Section 35, Township 157 North, Range 89 West (Redmond Township) as LeRoy Anderson has met all criteria as set forth in Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:38 a.m. Sundre Sand & Gravel Inc.-Applicant; Brian D. Patterson Irrevocable Trust, et. al.-Landowners; (PZ-2024-0390) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 60.00 acres, more or less, in the S1/2SW1/4 & a tract of land 20.00 acres, more or less, SW1/4SE1/4 of Section 30, Township 153 North, Range 92 West (Knife River Township) (Parcel# 40-0013900)

The applicant (represented by Dave Abel with Sundre Sand & Gravel Inc.) is seeking a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel. This application is to renew the Bartelson pit. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Weyrauch, seconded by Commissioner Johnson, to approve the zoning request filed by Sundre Sand & Gravel Inc. with concurrence from Brian D. Patterson Irrevocable Trust, et. al.-landowners, for a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel on a tract of land 60.00 acres, more or less, in the S1/2SW1/4 & a tract of land 20.00 acres, more or less, SW1/4SE1/4 of Section 30, Township 153 North, Range 92 West (Knife River Township) as Sundre Sand & Gravel Inc. with concurrence from Brian D. Patterson Irrevocable Trust, et. al.-landowners, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Sundre Sand & Gravel Inc. with concurrence from Brian D. Patterson Irrevocable Trust, et. al.-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-2024-0385 – Mwiley Resources Inc – Applicant. Leta Sachse et al – Landowners. State Water Permit #ND2024-22656. Period of Authorized usage: 11/13/2024 through 01/31/2025. Pump placement on a tract of land 40.00 acres more or less located in NE1/4SW1/4 of Section 19, Township 157 North, Range 93 West (Sorkness Township) (5) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0386 – Mwiley Resources Inc – Applicant. Leta Sachse et al – Landowners. State Water Permit #ND2024-22658. Period of Authorized usage: 11/13/2024 through 01/31/2025. Pump placement on a tract of land 40.00 acres more or less located in SE1/4SE1/4 of Section 19, Township 157 North, Range 93 West (Sorkness Township) (5) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0393 – H2O Connections LLC – Applicant. Kenneth Halvorson et al – Landowners. State Water Permit #ND2024-22146. Period of Authorized usage: 11/15/2024 through 12/31/2024. Pump placement on a tract of land 40.00 acres more or less located in NE1/4SW1/4 of Section 14, Township 157 North, Range 90 West (Clearwater Township) (10) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0394 – H2O Connections LLC – Applicant. James Enge – Landowner. State Water Permit #ND2024-22689. Period of Authorized usage: 11/21/2024 through 10/30/2025. Pump placement on a tract of land 40.00 acres more or less located in NW1/4NW1/4 of Section 12, Township 155 North, Range 91 West (Purcell Township) (11) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0397 – NorthStar Resources LLC – Applicant. Jane Rismon et al – Landowner. State Water Permit #ND2024-22621. Period of Authorized usage: 11/20/2024 through 09/18/2025. Pump placement on a tract of land 40.00 acres more or less located in SE1/4NE1/4 (Gov’t Lot 6) of Section 6, Township 157 North, Range 92 West (Cottonwood Township) (11) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

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

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22371/PZ-2024-0375. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Terry Anderson – Landowner. SE1/4NE1/4 of Section 9, Township 154 North, Range 93 West (Rat Lake Township) ending in S1/2SW1/4 of Section 10, Township 154 North, Range 93 (Rat Lake Township).

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22371/PZ-2024-0376. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Terry Anderson – Landowner. S1/2SW1/4 of Section 10, Township 154 North, Range 93 West (Rat Lake Township) ending in SW1/4SE1/4 of Section 9, Township 154 North, Range 93 (Rat Lake Township). (Ties in with PZ-2024-0375)

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22371/PZ-2024-0377. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Terry Anderson – Landowner. S1/2SW1/4 of Section 10, Township 154 North, Range 93 West (Rat Lake Township) ending in SW1/4SE1/4 of Section 9, Township 154 North, Range 93 (Rat Lake Township). (Ties in with PZ-2024-0375)

ASWS LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22613/PZ-2024-0379. Pumping of industrial water by lay flat hose: ASWS LLC – Applicant. Heinle-Raan Family Trust – Landowner. S1/2SW1/4 of Section 15, Township 156 North, Range 94 West (Myrtle Township) ending in the SE1/4SW1/4 of Section 7, Township 156 North, Range 94 (Myrtle Township).

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22371 & ND2024-22320/PZ-2024-0374. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Terry Anderson & Beverly Fretheim Trust – Landowners. NE1/4 NE1/4 (Gov’t Lot 1) of Section 3, Township 154 North, Range 93 West (Rat Lake Township) ending in the S1/2SW1/4 of Section 10, Township 154 North, Range 93 (Rat Lake Township).

Magnus Services LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22450/PZ-2024-0388. Pumping of industrial water by lay flat hose: Magnus Services LLC – Applicant. Robert & Deborah Clark – Landowner. NE/14SW1/4 (Gov’t Lot 7) of Section 5, Township 157 North, Range 92 West (Cottonwood Township) ending in the S1/2S1/2S1/2SW1/4 less Outlot 1 of Section 34, Township 158 North, Range 91 (Lostwood Township).

Magnus Services LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND CUP 6224/PZ-2024-0389. Point of Diversion is Industrial. Pumping of industrial water by lay flat hose: Magnus Services LLC – Applicant. GJ Investments LLLP – Landowner. S1/2S1/2S1/2SW1/4 less Outlot 1 of Section 34, Township 158 North, Range 91 (Lostwood Township) ending in the NE1/4NW1/4 (Gov’t Lot 3) & NW1/4NW1/4 (Gov’t Lot 4) of Section 4, Township 157 North, Range 91 (James Hill Township).

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22658/PZ-2024-0395. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. Leta Sachse et al – Landowner. SE1/4SE1/4 of Section 19, Township 157 North, Range 93 West (Sorkness Township) ending in the NW1/4NW1/4 (Gov’t Lot 4) of Section 6, Township 156 North, Range 93 (Manitou Township).

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22656/PZ-2024-0396. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. Leta Sachse et al – Landowner. NE1/4SW1/4 of Section 19, Township 157 North, Range 93 West (Sorkness Township) ending in the NW1/4NW1/4 (Gov’t Lot 4) of Section 6, Township 156 North, Range 93 (Manitou Township).

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22238/PZ-2024-0398. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. Wayne & Karen Wangerud – Landowner. NW1/4SE1/4 of Section 2, Township 156 North, Range 94 West (Myrtle Township) ending in the NW1/4NW1/4 (Gov’t Lot 4) of Section 6, Township 156 North, Range 93 (Manitou Township).

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22680/PZ-2024-0402- POD in White Earth City. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. D & L Family Farm & Mineral Trust – Landowner. S1/2SW1/4 (Part of) of Section 36, Township 157 North, Range 94 West (Myrtle Township) ending in the NW1/4NW1/4 (Gov’t Lot 4) of Section 6, Township 156 North, Range 93 (Manitou Township).

Williston Water Management – Lay Flat Hose Permit only – Permit Number – State Water Permit #7114/PZ-2024-0403. Pumping of industrial water by lay flat hose: Williston Water Management – Applicant. Sherri Reynolds & Tara Salute – Landowners. W1/2NW1/4 & W1/2E1/2NW1/4 of Section 34, Township 152 North, Range 92 West (Osborn Township) ending in the SE1/4 of Section 16, Township 152 North, Range 92 West (Osborn Township). Period of Authorized usage: 11/15/2024 through 12/15/2024. Approved by P&Z Administrator.

**Building Permits 2399-2402**

2399 – PZ-2024-0392 – Brett Feiring – Applicant/ Landowner. Parcel #13-0013800. NW1/4SW1/4 of Section 28, Township 157 North, Range 93 West. (Sorkness Township) 5208 sq ft house with 2700 sq ft garage.

2400 – PZ-2024-0399 – Jim Wznick – Applicant. Jim & Jennifer Wznick – Landowner. Parcel #18-0023200. W1/2SW1/4NW1/4 of Section 36, Township 156 North, Range 91 West (Idaho Township) 50’x60’ barn.

2401 – PZ-2024-0400 – Justin Nielsen – Applicant. Justin & Heidi Nielsen – Lease Holder. Mountrail County Park – Landowner. Parcel #45-0014101. Lease Lot 11, Block 14 Traynor Park Subdivision located in the S1/2SW of Section 29 & N1/2N1/2 of Section 32, Townshiup152 North, Range 91 West (Van Hook Township) 12’x40’ mobile home, 12’x10’ deck with 18’x50’ garage.

2402 – PZ-2024-0401 – Jon Grundstrom – Applicant/Lease Holder. Mountrail County Park – Landowner. Parcel #45-0014101. Lease Lot 1, Block 17 Traynor Park Subdivision located in the S1/2SW of Section 29 & N1/2N1/2 of Section 32, Townshiup152 North, Range 91 West (Van Hook Township) 42’x36’ garage.

Moved by Commissioner Hollekim, seconded by Commissioner Tomjack, to approve building permits 2399-2402. All present voted yes. Motion carried.

**Land Development Code Committee Update**

Administrator Vachal provided the board with an update on the special meeting held November 19, 2024 to address the moratorium on data centers and battery storage facilities and the minor update to the Land Development Code. SRF had a presentation on data centers which will be provided to the board members that weren’t in attendance for the meeting. The committee gets 4 meetings with SRF in attendance but they can hold other meetings without them to discuss what needs to be done and the whole process can take up to a year. Stakeholder concerns, electricity concerns and emergency response concerns were all discussed at the meeting. Chairman Sorenson presented the board with some of the facts regarding electricity usage and cost of operation for data centers. Commissioner Hollekim feels that Mountrail County Engineer Jana Hennessey should be included in the upcoming meetings of the subcommittee.

**ONGOING BUSINESS**

* Gravel Pits-remains ongoing; Administration working on report
* Green Acres Subdivision-no new activity; no new Letter of Credit; no activity regarding plan of action
* Subdivision Letter of Credit
* Data Centers
* Battery Storage Facilities

**STAFF UPDATES**

* + Administrator Vachal presented the board with the proposed 2025 schedule of deadlines and meeting dates for the Planning & Zoning Board. The proposed meeting schedule will keep the same 4th Monday of each month with the exception of two meetings. The May 2025 meeting will need to be moved to Tuesday, May 27th due to the county offices being closed in observance of Memorial Day and the October 2025 meeting which will need to be moved to Thursday, October 30th due to the NDACo Conference being held in Bismarck that week.
		- Moved by Commissioner Tomjack, seconded by Commissioner Weyrauch, to approve the 2025 Mountrail County Planning & Zoning deadlines and meeting dates as presented. All present voted yes. Motion carried.

**BOARD CONCERNS**

* + Commissioner Hollekim would like calendar invites sent out through Outlook for meeting dates.

The Board adjourned at 9:05 a.m. Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, December 23, 2024,** at 8:30 am via GOTOMEETING and in the Commissioners Room at the Mountrail County Courthouse.

Accepted and approved this 23rd day of December, 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\***