MiNUTES

**Mountrail County Planning & Zoning Commission**

**December 23, 2019**

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

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

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| **In Attendance** |

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

**Also present:** Lori Hanson, Mountrail County Tax Director, Stephanie Pappa, Mountrail County Auditor/Planning and Zoning Administrator, Wade Enget, Mountrail County States Attorney, and Heidi Kory, Planning & Zoning Assistant Administrator

**Public attending:** Hayley Jung and Yvonne Storlie

**Absent:** Board member absent was Bill Klug. Also absent were Teresa Captain, Mountrail County Deputy Tax Director and Jana Hennessy, Road & Bridge Engineer.

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| **Approval of Agenda** |

Moved by Commissioner Wienbar, seconded by Commissioner Ruland, to approve the agenda. Upon roll call, all present voted yes. Motion carried.

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| 8:33 a.m. Public Hearing –  *Variance* | Highline Water LLC/ Lloyd & Wendy Sorenson Trust, Landowners |

**Applicant**: Highline Water LLC, with concurrence from Lloyd & Wendy Sorenson Trust, Landowners

**Location**: 40 acre, more or less, tract of land described as the NE¼SE¼ of Section 20, Township 155 North, Range 92 West (**Alger Township**).

**Number of certified mailing receipts provided**: 0

**Purpose**: Pump water from unnamed slough for fracking using a flat hose

**Present:** Yvonne Storlie

**Motion**: Moved by Commissioner Hovda, seconded by Commissioner Borud, to approve the zoning request filed by Highline Water LLC with concurrence from Lloyd & Wendy Sorenson Trust, landowners for a variance to pump water from an unnamed slough for fracking on a 40 acre more or less, tract of land described as NE¼SE¼ of Section 20, Township 155 North, Range 92 West (**Alger Township)** contingent on adhering to the ND State Water Permit ND2019-19794 valid December 31, 2019 through November 30, 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 applicableas Highline Water LLC with concurrence from Lloyd & Wendy Sorenson Trust, landowners 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 with concurrence from Lloyd & Wendy Sorenson Trust, landowners complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Said approval is also subject to receiving the required proof of mailing to adjacent property owners as required by applicant(s). Upon roll call, all present voted yes. Motion carried.

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| 8:36 a.m. Public Hearing –  *Amendment* | Curtis & Lesley Trulson, Landowners / |

**Applicant**: Curtis & Lesley Trulson, landowners

**Location**: 21 acre, more or less, tract of land described as the SW¼ less Railroad Right-of-Way & Outlot 1 of the SW¼SW¼ & less Outlot 2 of the SW¼ of Section 21, Township 156 North, Range 92 West (**Ross Township**).

**Number of certified mailing receipts provided**: 4

**Purpose**: Storage for wind farm equipment

**Present:** Haley Jung was present and Curtis Trulson was present via phone.

**Discussion:** Discussion was held on the zoning requirements. The board agreed the property needs to be surveyed and an outlot be completed as the farm residence is within this parcel of land to be rezoned. Discussion was held on how the material was going to be moved onto the property.

**Outcome:** Tabled to the Call of the Chairman

**Motion**: Moved by Commissioner Borud seconded by Commissioner Ruland to table to the “Call of the Chairman” the zoning request filed by Curtis & Lesley Trulson, landowners for an amendment to change land zoned agricultural to industrial for the purpose of storage for wind farm equipment on a 21 acre, more or less, tract of land described as the SW¼ less Railroad Right-of-Way & Outlot 1 of the SW¼SW¼ & less Outlot 2 of the SW¼ of Section 21, Township 156 North, Range 92 West (**Ross Township)**. Upon roll call, all present voted yes. Motion carried.

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| 8:39 a.m. Public Hearing –  *Conditional Use* | Curtis & Lesley Trulson, Landowners / |

**Applicant**: Curtis & Lesley Trulson, landowners

**Location**: 21 acre, more or less, tract of land described as the SW¼ less Railroad Right-of-Way & Outlot 1 of the SW¼SW¼ & less Outlot 2 of the SW¼ of Section 21, Township 156 North, Range 92 West (**Ross Township**).

**Number of certified mailing receipts provided**: 4

**Purpose**: Storage for wind farm equipment

**Present:** Haley Jung was present and Curtis Trulson was present via phone.

**Outcome:** Tabled to the Call of the Chairman

**Motion**: Moved by Commissioner Ruland seconded by Commissioner Hollekim to table to the “Call of the Chairman” the zoning request filed by Curtis & Lesley Trulson, landowners for a conditional use permit to use land zoned industrial for the purpose of storage for wind farm equipment on a 21 acre, more or less, tract of land described as the SW¼ less Railroad Right-of-Way & Outlot 1 of the SW¼SW¼ & less Outlot 2 of the SW¼ of Section 21, Township 156 North, Range 92 West (**Ross Township)**. Upon roll call, all present voted yes. Motion carried.

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| **Approval of Building Permits** |

**Motion:** Moved by Commissioner Ruland, seconded by Commissioner Wienbar, to approve building permit 2091. Upon roll call, all present voted yes. Motion carried.

**Building Permit-2091**

2091-Whiting Oil & Gas, Landowner-Parcel #390006602, Outlot 2 of the SW¼SW¼ of Section 14, Township 153 North, Range 91 West, **(Crane Creek Township)** Oil conditioner equipment.

**Temporary Use Applications:** Approved

**Temporary Use Applications**

Highline Water LLC, Applicant & Fred Sorenson, Landowner-ND2019-19840-Expires 1/31/20-Parcel #350001500.

Eugene & Penny Moe & Ben Miller, Landowners-ND2019-19477-Expires 8/22/20-Parcel #210015800.

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| **Approval of Minutes** |

**Motion**: Moved by Commissioner Hollekim, seconded by Commissioner Borud, to approve the November 25, 2019 minutes as corrected. Upon roll call, all present voted yes. Motion carried.

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| **Staff Concerns** |

Wade Enget, State’s Attorney discussed the Oilfield Rentals applications that was tabled on the November 26, 2019 meeting. The buildings on the property are used for industrial, residential and temporary housing. The property would need to be platted out and rezoned to meet zoning regulations.

Wade Enget, State’s Attorney stated that Sylvia Fladeland will receive an affidavit of probable cause.

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| **Board Concerns** |

Commissioner Trudy Ruland was concerned on the building permit on Slawson and if zoned correctly. Questions arose on the Comprehensive Plan; public meetings will be held on January 22 and February 26 in Stanley, January 23 and February 27 in New Town.

State’s Attorney Wade Enget discussed the Van Hook Township Planning and Zoning regarding Mountrail County taking over zoning on January 1st, 2020.

Commissioner Ruland gave an update on the findings of the Williams County Tenorm with the Western Dakota Energy Association.

State’s Attorney Wade Enget discussed the Green Group hiring an Environmental Scientist/Site Inspector.

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| **Next Meeting** |

Next regular meeting of the Mountrail County Planning & Zoning Board is ***Monday January 27, 2020*** at 8:30 am at the Mountrail County Courthouse, 101 North Main Street Stanley, ND 58784.

Meeting adjourned at 9:25 a.m.

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| **Approval** |

Accepted and approved this 27th day of January 2020.

Charlie Sorenson, Chairman Stephanie A Pappa, Administrator

Mountrail County Mountrail County

Planning & Zoning Commission Planning & Zoning