MiNUTES

**Mountrail County Planning & Zoning Commission**

**December 28, 2020**

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| **Mountrail County Courthouse, 101 North Main Street, Stanley, ND 58784** |

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

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| **In Attendance** |

**Board members present**: Charlie Sorenson, Gary (Fritz) Weisenberger, Arlo Borud, Joan Hollekim, Roger Hovda, Trudy Ruland, Thomas Bieri, and Thomas Nash

**Also present:** Lori Hanson, Mountrail County Tax Director; Melissa Vachal, Planning & Zoning Administrator; Linda Wienbar, Planning & Zoning Assistant; Wade Enget, Mountrail County States Attorney; and Stephanie Pappa, Mountrail County Auditor.

**Absent:** Board member Zachary Gaaskjolen

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| **Approval of Agenda** |

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

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| 8:35 a.m.  *Plat Review* | Harrison and Joan Myers - Landowner |

**Location:** Legal Description: A Tract 336.51 acres more or less in the SW1/4, NW1/4 and NE1/4 Section 11, Township 155 North, Range 88 West to be known as Outlot 1.

**Parcel #: 22-0005300, 22-0005200, 22-0005000**

**PZ-2020-0060**

**All certified mailing receipts were provided.**

**Purpose**: Discuss an Outlot 1 Plat Review Application 35+ acres filed by Harrison and Joan Myers

**Present:** Jessica Merchant, Olson & Burns Attorney on behalf for Marlin and June Myers, who were also present.

**Discussion:** Attorney Jessica Merchant discussed an agreement between Marlin and June Myers and Harrison and Joan Myers to split the ownership of the property resulting in a need to a subdivide into two outlots.

Discussion was held on the size of the plat and concern that it contained a full quarter within the plat.

**Motion:** Moved by Commissioner Borud, seconded by Commissioner Hollekim, to approve the zoning request of platting an outlot as filed by Harrison and Joan Myers landowners for a Tract 336.51 acres more or less, located in the SW1/4, NW1/4 and NE1/4 Section 11, Township 155 North, Range 88 West to be known as Outlot 1. This request meets all criteria as set forth in Mountrail County Subdivision Resolution. All present voted yes. Motion carried.

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| 8:40 a.m.  *Plat Review* | Marlin and June Myers, Landowner |

**Location:** Legal Description: A Tract 263.46 acres more or less in the NE1/4 and SE1/4 Section 11, Township 155 North, Range 88 West to be known as Outlot 2.

**Parcel #: 22-0005100 & 22-0005000**

**PZ-2020-0059**

**All certified mailing receipts were provided.**

**Purpose**: Discuss a Plat Review Application filed by Marlin and June Myers

**Present:** Jessica Merchant, Olson & Burns Attorney on behalf of Marlin and June Myers, who were also present.

**Discussion:** Discussion for this outlot was also part of the discussion from the 8:35 hearing.

**Motion:** Moved by Commissioner Ruland, seconded by Commissioner Nash, to approve the zoning request of platting an outlot of land as filed by Marlin and June Myers landowners for a tract 263.46 acres more or less in the NE1/4 and SE1/4 Section 11, Township 155 North, Range 88 West to be known as Outlot 2. This request meets all criteria as set forth in Mountrail County Subdivision Resolution. All present voted yes. Motion carried.

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| 8:45 a.m.  *Variance* | EOG Resources Inc. - Applicants  Jerry, Rachel and Richard Jr. Wurtz- Landowners |

**Location:** Legal Description: SE1/4 Section 24, Township 152 North, Range 91 West.

**Parcel #: 45-0012300**

**PZ-2020-0064**

**All Certified mailing receipts were provided.**

**Purpose**: Discuss a Zoning Request for a Water Variance pump from Wurtz ground water source (permit 6656) to an EOG well site.

**Present:** Cally Wescoat, EOG Regulatory Administrator

**Discussion:** Cally Wescoat, EOG Regulatory Administrator explained that EOG will be taking fresh water from the Wurtz ground water source and pumping into an existing water pipelines going to an EOG well sites.

Further discussion was held regarding advertising and whether a variance is normally used in this type of case.

**Motion:** Moved by Commissioner Borud, seconded by Commissioner Weisenberger, to approve the zoning request filed by EOG Resources Inc. with concurrence from Jerry, Rachel and Richard Jr. Wurtz, landowners for a water variance to pump fresh water from Wurtz ground water source (permit 6656). Located in SE1/4 Section 24, Township 152 North, Range 91 West. Having met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon compliance with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

**Approval of Minutes of the October26, 2020 and November 23, 2020 Meetings**

Commissioner Hollekim suggested discussions could be summarized in the minutes and suggested instead of typing everything said during a meeting verbatim, some verbiage such as “audio recording of meeting will be kept for ‘x’ amount of time” could be placed at the end of the typed meeting minutes.

**Motion:** Moved by Commissioner Borud, seconded by Commissioner Nash to approve the corrected minutes of the October 26, 2020 and November 23, 2020 meetings. All present voted yes. Motion carried.

**Temporary Water Applications – Non-Transferable**

**Gary Krieger (PZ-2020-0061)**, Permit Number – ND2020-20336

Pumping of industrial water by lay flat hose; Edward S. Krieger Estate, Landowner. NW1/4 Section 10, Township 154 North, Range 94 West **(Unorganized Township)**

**EOG Resources, Inc (PZ-2021-0003),** Permit Number – 6656

Transferring of fresh water via lay flat hose, Wurtz underground water source **(Van Hook Township)** to EOG’s well pad, **(Fertile Township)**; Wurtz, Landowner.

SE1/4 Section 24, Township 152 North, Range 91 West to Fertile Well Site; Fertile 5-04. NW1/4NW1/4 Section 4, Township 151 North, Range 90 West **(Fertile Township) (Easements included with application)**

**Building Permits**

**2154-**Adam Jarmin, Applicant/Landowner (PZ-2020-0056)-Parcel#350015000 – Lot 35 White Earth Cottage Site located SW1/4SE1/4 Section 26, Township 154 North, Range 94 West - Mobile Home

**Motion:** Moved by Commissioner Hollekim, seconded by Commissioner Nash, to approve building permit #2154. All present voted yes. Motion carried.

**ONGOING BUSINESS:**

Gravel Pits

J&J Oilfield

White Earth Bay

Terry Jones

Green Acres

Blaisdell RV Park

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| **Staff Concerns** |

**2021 meeting dates & deadlines:** Planning & Zoning Administrator Vachal discussed proposed meeting dates and deadlines for 2021.

**Motion:** moved by Commissioner Wiesenberger to approve the 2021 meeting dates and deadlines, seconded by Commissioner Borud. All present voted yes. Motion carried.

**Board contact information:** Administrator Vachal discussed contact information for all commissioner and staff and would like everyone to review the information and submit any necessary changes.

**Green Acres Subdivision:** Administrator Vachal began discussion on the current status of Green Acres Subdivision. Tioga Properties has submitted 2 quotes for drainage correction and asked for a reduction in their letter of credit amount. The board decided to stay at the amount of $135,000.00 for the letter of credit as they moved in October’s meeting. Hyrum Zitting with Green Acres attended the meeting and was asked to submit a letter of credit to bring the property into compliance.

**Stanley/Blaisdell RV Park:** Administrator Vachal stated that States Attorney Enget asked the P&Z office to go to the RV Park and take pictures of the area and the images taken were e-mailed to the board. They found people still living in RV’s. They have provided the States Attorney’s office with an affidavit of probable cause to go forward with action pursuant to Article 4 Section 8 of Planning & Zoning Ordinance. Administrator Vachal states that States Attorney Enget has been in contact with the landowner’s attorney and has instructed them to clean up the area before the county takes action, but nothing has come of it.

**BOARD CONCERNS:**

Commissioner Wiesenberger expressed concern over the letter of credit and the amounts. Wants to keep the amounts as is until projects are complete.

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| **Next Meeting** |

Next regular meeting of the Mountrail County Planning & Zoning Board is ***Monday January 25, 2021*** at 8:30 am via GOTOMEETING or in the Commissioners room at the courthouse.

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| **Approval** |

\*Electronic Recorded copy of minutes are kept in the office per NDCC 44-04

Accepted and approved this 25th day of January 2021.

Charlie Sorenson, Chairman Melissa Vachal, Administrator

Mountrail County Mountrail County

Planning & Zoning Commission Planning & Zoning