

# MINUTES

## Mountrail County Planning and Zoning Commission December 27, 2017

---

Mountrail County South Complex 8103 61<sup>st</sup> St NW Stanley, ND 58784

---

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

---

### In Attendance

---

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

Also present were Wade Enget, Mountrail County States Attorney, Don Longmuir, Interim Planning & Zoning Administrator, Nate Sem, Planning & Zoning Administrator, Heather Greenlee, Mountrail County Deputy Auditor, and Liz Hollowell, Planning & Zoning Administrative Assistant.

Public attending were Fred and Joyce Evans

Absent were Linda Wienbar, Bill Klug, Jana Heberlie, Mountrail County Road & Bridge Engineer, Lori Hanson, Mountrail County Tax Director and Teresa Captain, Mountrail County Deputy Tax Director.

### Approval of Agenda

---

Vice Chairman Sorenson moved to accept the agenda as is. Commissioner Borud seconded. Upon roll call, all present voted yes. Motion carried.

---

<b>8:30 Public Hearing</b>	<b>Outlot Review</b>	<b>Fred and Joyce Evans</b>
----------------------------	----------------------	-----------------------------

---

**Applicant/Landowner:** Fred and Joyce Evans, landowners

**Location:** 355.45 acre, more or less, plat to be known as Outlot 1 of part of the NW $\frac{1}{4}$ , NE $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 35, Township 154 North, Range 92 West  
**(Brookbank Township)**

**Number of certified mailing receipts provided:** 5

**Purpose:** To gift the land to their children.

**Present:** Fred and Joyce Evans

**Discussion:** Wade Enget, Mountrail County States Attorney recommended since all three hearings are for Mr. and Mrs. Evans that they are acted on together. Chairman Hovda agreed. Mr. Evans stated they are breaking up their land for their children and due to the road dividing their land; they had to get it surveyed. Wade Enget, Mountrail County States Attorney explained the difference between an Outlot review and a subdivision review. Don Longmuir, Interim Planning & Zoning Administrator explained the new requirements regarding getting Outlots surveyed.

**Outcome: Approved**

**Motion:** Moved by Commissioner Borud, seconded by Vice Chairman Sorenson to approve the Outlot review request filed by Fred and Joyce Evans, landowners, for a 355.45 acre, more or less, plat to be known as Outlot 1 of part of the NW¼, NE¼ and SE¼ of Section 35, Township 154 North, Range 92 West (**Brookbank Township**) as Fred and Joyce Evans have met all the criteria as set forth in the *Mountrail County Subdivision Resolution* and is further contingent upon Fred and Joyce Evans complying with all other regulations as set forth in the Mountrail County Zoning Ordinances. Upon roll call, all present voted yes. Motion carried.

---

**8:33 Public Hearing                      Outlot Review    Fred and Joyce Evans**

---

**Applicant/Landowner:** Fred and Joyce Evans, landowners

**Location:** 49.05 acre, more or less, plat to be known as Outlot 2 of the NW¼ of Section 35, Township 154 North, Range 92 West (**Brookbank Township**).

**Number of certified mailing receipts provided:** 5

**Purpose:** To gift the land to their children.

**Present:** Fred and Joyce Evans

**Discussion:** Discussed at the 8:30 am hearing.

**Outcome: Approved**

**Motion:** Moved by Commissioner Borud, seconded by Vice Chairman Sorenson to approve the Outlot review request filed by Fred and Joyce Evans, landowners, for a 49.05 acre, more or less, plat to be known as Outlot 2 of the NW¼ of Section 35, Township 154 North, Range 92 West (**Brookbank Township**) as Fred and Joyce

Evans have met all the criteria as set forth in the *Mountrail County Subdivision Resolution* and is further contingent upon Fred and Joyce Evans complying with all other regulations as set forth in the Mountrail County Zoning Ordinances. Upon roll call, all present voted yes. Motion carried.

---

**8:36 Public Hearing      Outlot Review      Fred and Joyce Evans**

---

**Applicant/Landowner:** Fred and Joyce Evans, landowners

**Location:** 234.31 acre, more or less, plat to be known as Outlot 3 of part of the NW¼, SW¼, and SE¼ of Section 35, Township 154 North, Range 92 West (**Brookbank Township**).

**Number of certified mailing receipts provided:** 5

**Purpose:** To gift the land to their children.

**Present:** Fred and Joyce Evans

**Discussion:** Discussed at the 8:30 hearing

**Outcome:** **Approved**

**Motion:** Moved by Commissioner Borud, seconded by Vice Chairman Sorenson to approve the Outlot review request filed by Fred and Joyce Evans, landowners, for a 234.31 acre, more or less, plat to be known as Outlot 3 of part of the NW¼, SW¼, and SE¼ of Section 35, Township 154 North, Range 92 West (**Brookbank Township**) as Fred and Joyce Evans have met all the criteria as set forth in the *Mountrail County Subdivision Resolution* and is further contingent upon Fred and Joyce Evans complying with all other regulations as set forth in the Mountrail County Zoning Ordinances. Upon roll call, all present voted yes. Motion carried.

---

**Approval of Minutes**

---

**Motion:** Moved by Commissioner Hollekim, seconded by Commissioner Ruland to approve the November 27, 2017 minutes as correct. Upon roll call, all present voted yes. Motion carried.

---

## Staff Concerns

---

- Ordinance Change Suggestion – each board member received a copy of the suggestion. Nate Sem, Planning & Zoning Administrator read the ordinance as it stands now and what the change would be. Wade Enget, Mountrail County States Attorney stated this is to clarify specifications for the water pipeline being installed in the south. These type of projects would require a conditional use permit as defined in Section 6, page 2 of the Mountrail County Ordinance. The Ordinance also require each pumping station to have a conditional use permit and the requirements of any conditional use permit are set by the Planning & Zoning Board. Commissioner Ruland advised of the Roggenbuck water depot and the possible upcoming changes there. Commissioner Hollekim asked about the taxing structure and how that was handled on these projects.

**Motion:** Moved by Commissioner Borud, seconded by Commissioner Hollekim to approve publishing the ordinance change and bring it back for the Board to hear it at the January 22, 2018 meeting. Upon roll call, all present voted yes. Motion carried.

- Mountrail County Land Use Plan –Storing nuclear waste. Wade Enget, Mountrail County States Attorney stated he was looking at this and thought about Mountrail County’s Land Use Plan. The costs to have someone write a plan was more than \$50,000.00. Mountrail County States Attorney Enget stated he would be willing to look at different land use plans and come up with a plan for Mountrail County instead of spending \$50,000.00 for someone else to write it. He stated himself, Nate Sem, Planning & Zoning Administrator, Liz Hollowell, Planning & Zoning Administrative Assistant, Don Longmuir, Interim Planning & Zoning Administrator and perhaps Commissioner Hollekim can work together to write Mountrail County’s land use plan. Commissioner Ruland stated the reason for concern regarding nuclear waste is due to what is going on in Pierce County. More discussion was held on the need for an updated land use plan. Vice Chairman Sorenson reminded the Board there is more to a good land use plan than just gleaming from others. Land use plans require input from the community as well as charts/checklists that help identify what can be done where. Vice Chairman Sorenson stated it is important to identify every parcel where zoning had changed. Wade Enget, Mountrail County States Attorney stated Mountrail County is updating their GIS map to include all zoning as well as other aspects with each being colored different to help with identification and actual use. Vice Chairman Sorenson stated that not all parcels are taxed as they are zoned. Commissioner Hollekim stated property is taxed based on usage. Don Longmuir, Interim Planning & Zoning Administrator advised the Board that interviews and meetings would be held with the citizens of Mountrail County to help develop the land use plan as opinions vary throughout the County. Vice Chairman Sorenson asked if a motion was needed to start the work

on the land use plan. Wade Enget, Mountrail County States Attorney stated the board could just appoint a subcommittee to work on the plan. The subcommittee would consist of himself, Planning & Zoning staff and Commissioner Hollekim, if she would agree. Commissioner Hollekim and Don Longmuir, Interim Planning & Zoning Administrator both agreed to assist. Chairman Hovda appointed the subcommittee.

- MBI and Manitou Township – 91<sup>st</sup> avenue is part of Manitou Township certified miles. Each Board member received a copy of the certification. Don Longmuir, Interim Planning & Zoning Administrator reminded the Board that in 2008 MBI agreed to apply dust control on approximately a mile of 91<sup>st</sup> avenue between US 2 and old Highway 2 since MBI was the only company there. MBI recently sent a letter asking since there are other companies on 91<sup>st</sup> Ave NW, could they possibly be required to help with the cost. Commissioner Hollekim reminded the Board that Manitou Township was to be contacted about this and invited to attend a meeting. Don Longmuir, Interim Planning & Zoning Administrator stated P&Z will reach out to Manitou Township and this could be moved to January’s meeting. Commissioner Hollekim explained that certified miles only require townships to maintain a road, it does not require the township’s to apply dust control. Vice Chairman Sorenson stated a permanent maintenance requirement should not have been included in an amendment as there are no other amendments that have such a requirement. It was agreed that this request would be moved to the January 22, 2018 meeting and Manitou Township would be invited for their input.

---

## **Board Concerns**

---

Commissioner Ruland asked if Gary Satterthwaite had been contacted regarding the Knife River – North Dakota Division LOC release. Nate Sem, Planning & Zoning Administrator stated he will follow up on the request.

Commissioner Wiesenberger informed the board how the City of Stanley handles selling industrial water however the Savage-Ames water pipeline have no such requirements and can charge whatever they want. Commissioner Wiesenberger stated it’s important the Board keeps on top of this project.

---

## **Next Meeting**

---

Next regular meeting of the Mountrail County Planning & Zoning Board is ***Monday, January 22, 2018*** at 8:30 am at the Mountrail County South Complex, 8103 61<sup>st</sup> St. NW Stanley, ND 58784.

Meeting was adjourned at 9:29 a.m.

---

**Approval**

---

Accepted and approved this 22<sup>nd</sup> day of January 2018

---

Roger Hovda, Chairman  
Mountrail County  
Planning & Zoning Commission

---

Liz Hollowell  
Administrative Assistant  
Planning & Zoning