

# MINUTES

## Mountrail County Planning & Zoning Commission

December 27, 2018

---

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

---

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

---

### In Attendance

**Board members present:** Charlie Sorenson, Roger Hovda, Gary Weisenberger, Arlo Borud, Linda Wienbar, Thomas Bieri, Bill Klug, Trudy Ruland and Joan Hollekim.

**Also present:** Jana Hennessy, Road & Bridge Engineer and Stephanie Pappa, Mountrail County Auditor

**Public attending:** John Anderson with Bakken Water and Dakota Energy Resources

**Absent:** Wade Enget, Mountrail County States Attorney, Lori Hanson, Mountrail County Tax Director, Teresa Captain, Mountrail County Deputy Tax Director, Heather Greenlee, Mountrail County Deputy Auditor, and Liz Hollowell, Planning & Zoning Administrative Assistant.

---

### Approval of Agenda

Chairman Sorenson requested a motion to review and approve the meeting agenda.

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

---

### 8:36 Public Hearing

*Variance*                      *Dakota Energy*  
*Resources /Scott & Nancy Meier*

---

**Applicant:** Dakota Energy Resources  
Landowners: Scott and Nancy Meier

**Location:** 160 acre tract of land described as the SW<sup>1</sup>/<sub>4</sub> of Section 28, Township 156 North, Range 92 West (**Ross Township**).

**Number of certified mailing receipts provided:** 2

**Purpose:** Water for fracking using a flat hose

**Present:** John Anderson with Bakken Water and Dakota Energy Resources

**Discussion:** Mr. Anderson stated this is a renewal for the same source with a new ND water permit. They have not received the ND water permit yet and would like this variance to be contingent on getting the ND water permit to Planning & Zoning. Commissioner Borud asked if this was for the same location as last month. Mr. Anderson stated yes. Commissioner Hovda asked if any pumping was going on now. Mr. Anderson stated no. Commissioner Borud made the motion to approve the variance once the ND Water Permit was received by Planning & Zoning.

**Outcome:** Approved with contingencies.

**Motion:** Moved by Commissioner Borud, seconded by Commissioner Hovda to approve the zoning request filed by Dakota Energy Resources Corp., with concurrence from Scott & Nancy Meier, landowners, for a variance to pump water from an unnamed slough for fracking on a 160 acre tract of land described as the SW¼ of Section 28, Township 156 North, Range 92 West (**Ross Township**) contingent upon the terms and conditions of the ND State Temporary Water Permit ND2018-19167 valid January 4, 2019 through December 31, 2019, only using flat hose, all landowners being contacted regarding hose placement, and adhering to Mountrail County Road & Bridge temporary ROW Use requirements when applicable as Dakota Energy Resources Corp. has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent on Dakota Energy Resources Corp. complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Upon roll call, all present voted yes. Motion carried.

---

### Building Permit

Permit No.	Name/Address of applicant	Legal Description	Sec	TownShip	Range	Township Name	Building Type and Zoning
<a href="#">2038</a>	Scott E Lawson 1809 35 <sup>th</sup> Ave SE Minot, ND 58701 701-720-4077 <a href="mailto:lippslawson@gmail.com">lippslawson@gmail.com</a>	Brendles Sub. Lot 12	10	151	91	Liberty	Zoned: RES  Lake Home

Commissioner Hollekim asked the direction of the picture as it was hard to tell where the setbacks were. Commissioner Hovda asked if this was the 1<sup>st</sup> building permit. Commissioner Hollekim stated it looks like they are too close to the boundary per Mountrail County Zoning Ordinance. Commissioner Weisenberger asked about the age of structures being moved in. Commissioner Hollekim stated the Mountrail County Ordinance only address mobile homes in residential district. Commissioner Wienbar made a motion to table the building permit to get more information about it.

**Motion:** Moved by Commissioner Wienbar, seconded by Commissioner Hollekim to table building permit #2038 and invite Mr. Lawson to the January meeting to get more information. Upon roll call, all present voted yes. Motion carried

---

### Approval of Minutes

---

**Motion:** Moved by Commissioner Borud, seconded by Commissioner Weisenberger to approve the November 26, 2018 minutes as presented. Upon roll call, all present voted yes. Motion carried.

---

### Staff Concerns

---

- A discussion was held on the upcoming Planning & Zoning Board elections that will be held at the January 28, 2019 Planning and Zoning meeting.
- Mountrail County Temporary Use Permit application (TUP), and checklists – Chairman Sorenson stated the application was pretty much complete and could be used for other temporary uses. Commissioner Hollekim stated the importance of being clear about the legal description requirements. Commissioner Hollekim stated the amendment change to the ordinances still needs to be done.

**Motion:** Moved by Commissioner Hovda, seconded by Commissioner Weisenberger to approved Mountrail County Temporary Use Application with final approval to be granted by the Mountrail County Commissioners. Upon roll call, all present voted yes. Motion carried

---

### Board Concerns

---

A discussion was held on the Planning and Zoning department.

---

### Next Meeting

---

Next regular meeting of the Mountrail County Planning & Zoning Board is ***Monday January 28, 2019*** at 8:30 am at the Mountrail County South Complex, 8103 61<sup>st</sup> St. NW Stanley, ND 58784.

Meeting adjourned at 8:55 a.m.

---

### Approval

---

Accepted and approved this 28<sup>th</sup> day of January 2019

---

Charlie Sorenson, Chairman  
Mountrail County  
Planning & Zoning Commission

---

Liz Hollowell  
Administrative Assistant  
Planning & Zoning