MINUTES

**Mountrail County Planning & Zoning Commission**

**May 27, 2025**

The meeting of the Mountrail County Planning & Zoning Commission was called to order at 8:30 a.m. by Chairman Charlie Sorenson with Commissioners Kirk Johnson, Arlo Borud, Joan Hollekim, Cameron Tomjack, Jesse Weyrauch, Megan Fritel and Doug Bratvold present. Also present were Planning & Zoning Administrator Melissa Vachal, Planning & Zoning Assistant Malinda Gunderson, Mountrail County State’s Attorney Wade Enget with extern Samantha Ledahl, Mountrail County Property Assessors Lisa Wolla and Karen Brown and Mountrail County Auditor Stephanie Pappa. Absent were Commissioner Trudy Ruland and Mountrail County Tax Equalization Director Kim Savage.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Moved by Commissioner Hollekim, seconded by Commissioner Weyrauch, to approve the Planning & Zoning Commission minutes of the April 28, 2025 meeting as corrected. All present voted yes. Motion carried.

1. **8:35 a.m. George Jr & Bobbi Isakson-Applicant/Landowners; (PZ-2025-0104) Amendment**

Amendment to Zoning Request for the following described property: a tract of land 4.95 acres, more or less, known as Sublot B of Outlot 1 of the NE1/4NE1/4 of Section 29, Township 152 North, Range 92 West (Osborne Township) (Parcel# 46-0020702)

The applicant (represented by George & Bobbi Isakson) is seeking an Amendment to Zoning to re-zone land from Industrial to Agricultural. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Bratvold, seconded by Commissioner Tomjack, to make recommendation to the Mountrail County Commissioners to approve the zoning request filed by George Jr & Bobbi Isakson, for an amendment to re-zone land from Industrial to Agricultural on a tract of land 4.95 acres, more or less, known as Sublot B of Outlot 1 of the NE1/4NE1/4 of Section 29, Township 152 North, Range 92 West (Osborne Township) as George Jr & Bobbi Isakson have met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon George Jr & Bobbi Isakson complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:38 a.m. George & Tracy McNamara-Applicant/Landowners; (PZ-2025-0105) Amendment**

Amendment to Zoning Request for the following described property: a tract of land 2.00 acres, more or less, known as Sublot A of Outlot 3 of the W1/2NE1/4 of Section 31, Township 157 North, Range 90 West (Clearwater Township) (Parcel# 10-0014505)

The applicant (represented by George McNamara) is seeking an Amendment to Zoning to re-zone land from Agricultural to Rural Residential. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Hollekim, to make recommendation to the Mountrail County Commissioners to approve the zoning request filed by George & Tracy McNamara, for an amendment to re-zone land from Agricultural to Rural Residential on a tract of land 2.00 acres, more or less, known as Sublot A of Outlot 3 of the W1/2NE1/4 of Section 31, Township 157 North, Range 90 West (Clearwater Township) as George & Tracy McNamara have met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon George & Tracy McNamara complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:41 a.m. Montana-Dakota Utilities-Applicant/Landowner; Robert Western-Landowner; (PZ-2025-0019) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 8.74 acres more or less, 4.00 acres in the NW1/4 of Section 23, Township 157 North, Range 91 West & 4.74 acres to be known as Outlot 1 of the SW1/4NW1/4 of Section 23, Township 157 North, Range 91 West (James Hill Township) (Parcel#11-0010700 & 11-0010600)

The applicant (represented by Daniel Albrecht with Montana-Dakota Utilities) is seeking a Conditional Use Permit to use land zoned Agricultural for the upgrade & expansion of an existing electrical substation. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Weyrauch, to approve the zoning request filed by Montana-Dakota Utilities with concurrence from Robert Western-landowner, for a Conditional Use Permit to use land zoned Agricultural for the upgrade & expansion of an existing electrical substation on a tract of land 8.74 acres more or less, 4.00 acres in the NW1/4 of Section 23, Township 157 North, Range 91 West & 4.74 acres to be known as Outlot 1 of the SW1/4NW1/4 of Section 23, Township 157 North, Range 91 West (James Hill Township), as Montana-Dakota Utilities with concurrence from Robert Western-landowner, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Montana-Dakota Utilities with concurrence from Robert Western-landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:44 a.m. Farden Construction Inc.-Applicant; Badlands Power Fuels LLC-Landowner; (PZ-2020-0495) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 20 acres, more or less, located in the S½SE¼ lying South of U.S. Highway 2, of Section 16, Township 156 North, Range 90 West (Palermo Township) (Parcel# 17-0008000)

The applicant (represented by Tom Farden with Farden Construction Inc.) wishes to discuss an existing Conditional Use Permit between Farden Construction and Badlands Power Fuels LLC, expiring 6/22/2025, using land zoned agricultural for the purpose of mining gravel. Mr. Farden wishes to have the current application extended to 10/26/2025 because the ownership of the parcel is changing soon and they need to be able to crush the last of the gravel in the pit and haul out what needs to go to Purcell Township before the ownership changes. The applicant feels they should be done crushing gravel in August and plans to haul any stockpiles to their yard that are remaining after Purcell takes what they need. Reclamation of the pit will begin once they are done hauling gravel out. Commissioner Hollekim questioned if they had a weed management plan and if they have renewed their haul route agreement. The original application was approved before this board began requiring weed management plans for all gravel pits so the applicant does not have one. Chairman Sorenson inquired about their letter of credit which the applicant has. Commissioner Hollekim feels they should get a weed management plan if this is extended. Chairman Sorenson feels making the applicant wait for a weed management plan would make giving them an extension pointless due to the amount of time it could take to obtain that. After the motion was made to approve the extension to 10-26-2025, Commissioner Hollekim expressed a willingness to amend her motion to 12-31-2025 with one year after that to reclaim the pit. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Johnson, to approve the Extension request by Farden Construction Inc. with concurrence from Badlands Power Fuels LLC-landowner, for a Conditional Use Permit extension for the purpose of mining gravel on land zoned Agricultural on a tract of land 20 acres more or less, located in the S½SE¼ lying South of U.S. Highway 2, of Section 16, Township 156 North, Range 90 West (Palermo Township) expiring on 06-22-2025 with a new expiration date being 12-31-2025 along with reclamation of the pit required to be completed by 12-31-2026 subject to the applicant obtaining a weed management plan and an extension of their haul route agreement, and filling out extension paperwork with the Planning & Zoning office as Farden Construction Inc. with concurrence from Badlands Power Fuels LLC-landowner, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Farden Construction Inc. with concurrence from Badlands Power Fuels LLC-landowner, 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-2025-0099 – H2O Connections – Applicant. Gravel Products – Landowner. State Water Permit #ND2024-22600. Period of Authorized usage: 5/07/2025 through 10/17/2025. Pump placement on a tract of land 80.00 acres more or less located in the N1/2NW1/4 of Section 29, Township 156 North, Range 90 West (Palermo Township) (5) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator

PZ-2025-0100 – H2O Connections – Applicant. Clarence & Janice Kvamme – Landowner. State Water Permit #ND2025-22789. Period of Authorized usage: 5/07/2025 through 1/30/2026. Pump placement on a tract of land 80.00 acres more or less located in the E1/2SW1/4 of Section 5, Township 155 North, Range 90 West (Burke Township) (7) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator

PZ-2025-0102 – Central Specialties – Applicant. Michael & Deanna Ennis – Landowner. State Conditional Water Permit #ND2025-23009. Period of Authorized usage: 5/10/2025 through 9/01/2025. Pump placement on a tract of land 40.00 acres more or less located in the NE1/4SE1/4 of Section 23, Township 156 North, Range 88 West (Egan Township) (11) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator

PZ-2025-0110 – Select Water Solutions LLC – Applicant. J David Kulczyk Revocable Trust – Landowner. State Water Permit #ND2025-23000. Period of Authorized usage: 5/16/2025 through 4/30/2025. Pump placement on a tract of land 80.00 acres more or less located in the E1/2NE1/4 of Section 20, Township 154 North, Range 94 West (Unorganized Township) (7) CERTIFIED RECEIPTS RECEIVED. Denied by P&Z Administrator Denied due to the findings of the non-compliance with the board’s request on the June 2017 minutes

PZ-2025-0111 – Select Water Solutions LLC – Applicant. J David Kulczyk Revocable Trust – Landowner. State Water Permit #ND2025-23001. Period of Authorized usage: 5/16/2025 through 4/30/2025. Pump placement on a tract of land 40.00 acres more or less located in the NE1/4SE1/4 of Section 20, Township 154 North, Range 94 West (Unorganized Township) (7) CERTIFIED RECEIPTS RECEIVED. Denied by P&Z Administrator Denied due to the findings of the non-compliance with the board’s request on the June 2017 minutes

PZ-2025-0112 – ASWS LLC – Applicant. Clarence & E Mae Helling Family Trust – Landowner. State Water Permit #ND2025-22988. Period of Authorized usage: 5/16/2025 through 7/15/2025. Pump placement on a tract of land 80.00 acres more or less located in the S1/2NE1/4 of Section 15, Township 154 North, Range 94 West (Unorganized Township) (5) CERTIFIED RECEIPTS RECEIVED. Pending approval by P&Z Administrator (5/16)

PZ-2025-0115 – Highline Water LLC – Applicant. Boyd & Connie Anderson – Landowner. State Water Permit #ND2025-22773. Period of Authorized usage: 5/21/2025 through 11/30/2025. Pump placement on a tract of land 150.34 acres more or less located in the SW1/4 of Section 25, Township 157 North, Range 94 West (White Earth Township) (55) CERTIFIED RECEIPTS RECEIVED. Pending approval by P&Z Administrator (5/21)

PZ-2025-0116 – Highline Water LLC – Applicant. The Jeffrey Ranch Trust – Landowner. State Water Permit #ND2025-22701. Period of Authorized usage: 5/21/2025 through 11/30/2025. Pump placement on a tract of land 160.00 acres more or less located in the W1/2NW1/4 & W1/2SW1/4 of Section 22, Township 155 North, Range 94 West (Unorganized Township) (6) CERTIFIED RECEIPTS RECEIVED. Pending approval by P&Z Administrator (5/21)

PZ-2025-0117 – Highline Water LLC – Applicant. Boyd & Connie Anderson – Landowner. State Water Permit #ND2025-22772. Period of Authorized usage: 5/21/2025 through 11/30/2025. Pump placement on a tract of land 40.00 acres more or less located in the NW1/4SE1/4 of Section 16, Township 156 North, Range 94 West (Myrtle Township) (13) CERTIFIED RECEIPTS RECEIVED. Pending approval by P&Z Administrator (5/21)

PZ-2025-0118– Highline Water LLC – Applicant. Thomas & Jackie Heinle – Landowner. State Water Permit #ND2024-22774. Period of Authorized usage: 5/21/2025 through 11/30/2025. Pump placement on a tract of land 40.00 acres more or less located in the NW1/4NE1/4 of Section 22, Township 156 North, Range 94 West (Myrtle Township) (15) CERTIFIED RECEIPTS RECEIVED. Pending approval by P&Z Administrator (5/21)

PZ-2025-0135 – H2O Connections LLC – Applicant. Robert J Grinolds Family Testamentary Trust – Landowner. State Water Permit #ND2025-22794. Period of Authorized usage: 5/28/2025 through 1/31/2026. Pump placement on a tract of land 40.00 acres more or less located in the SW1/4SE1/4 of Section 12, Township 156 North, Range 90 West (Palermo Township) (14) CERTIFIED RECEIPTS RECEIVED. Pending approval by P&Z Administrator (5/28)

**Temporary Water Permit – Non-Transferable Renewals– For Board Information Only**

Craig H Anderson – State Water Permit #ND2025-22906 / PZ-2025-0101. Craig H Anderson – Applicant. Craig & Jennette Anderson, Marleen Price, Donette Arndt & Larry Arndt – Landowners. N1/2NE1/4 of Section 35, Township 154 North, Range 91 West (Sikes Township). Period of Authorized usage: 5/1/2025 through 4/30/2026. Parcel #32-0019400. Approved by P&Z Administrator

Beverly Fretheim Trust – State Water Permit #ND2025-22953 / PZ-2025-0109. Beverly Fretheim Trust – Applicant/Landowner. Gov’t Lots 4 (NW1/4NW1/4) of Section 3, Township 154 North, Range 93 West (Rat Lake Township). Period of Authorized usage: 5/01/2025 through 4/30/2026. Parcel #34-0001000. Approved by P&Z Administrator

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

ASWS LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-22988 / PZ-2025-0113. Pumping of industrial water by lay flat hose: ASWS LLC – Applicant. Clarence & E Mae Helling Trust – Landowner. S1/2NE1/4 of Section 15, Township 154 North, Range 94 West (Unorganized Township) ending in the NE1/4NE1/4 of Section 27, Township 154 North, Range 94 West (Unorganized Township). Period of Authorized usage: 5/16/2025 through 7/15/2025. Pending approval by P&Z Administrator (5/16)

ASWS LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #6459 / PZ-2025-0119. Pumping of industrial water by lay flat hose: ASWS LLC – Applicant. Point of Diversion is in Williams County. SW1/4NW1/4 (Gov’t Lot 4) of Section 7, Township 154 North, Range 94 West (Unorganized Township) ending in the NE1/4NE1/4 of Section 27, Township 154 North, Range 94 West (Unorganized Township). Period of Authorized usage: 5/06/2025 through 8/05/2025. Approved by P&Z Administrator

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-22771/ PZ-2025-0120. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. CO Hanson Trust – Landowner. NW1/4SW1/4 of Section 21, Township 156 North, Range 90 West (Palermo Township) ending in the E1/2SE1/4 of Section 21, Township 156 North, Range 90 West (Palermo Township). Period of Authorized usage: 5/15/2025 through 8/15/2025. Approved by P&Z Administrator

ASWS LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-22469 / PZ-2025-0126. Pumping of industrial water by lay flat hose: ASWS LLC – Applicant. Sunshine Valley Ranch LLLP – Landowner. S1/2SE1/4 of Section 6, Township 157 North, Range 93 West (Sorkness Township) ending in the Gov’t Lot 4 (SW1/4SW1/4) & SE1/4SW1/4 of Section 31, Township 158 North, Range 94 West (Bicker Township), continuing into Williams County. Period of Authorized usage: 4/26/2025 through 10/20/2025. Approved by P&Z Administrator

**Building Permits 2414-2419**

2414 – PZ-2025-0103 – Larry Gullickson – Applicant/Landowner. Parcel #51-0000629. Lot 10 of Brendle’s Second Subdivision located in the S1/2NE1/4 of Section 10, Township 151 North, Range 91 West. (Liberty Township) 36’x44’ garage addition.

2415 – PZ-2025-0107 – George & Tracy McNamara – Applicant/Landowner. Parcel #10-0014505. Sublot A of Outlot 3 of the W1/2NE1/4 of Section 31, Township 157 North, Range 90 West (Clearwater Township) 28’x36’ home.

2416 – PZ-2025-0108 – Jason Schnaible – Applicant. Mountrail County Park Commission – Landowner. Parcel #45-0019213. Lot 6, Block 18 of Traynor Park Subdivision located in the S1/2SW1/4 of Section 29 & N1/2N1/2 of Section 32, Township 152 North, Range 91 West. (Van Hook Township) 10’x34’ Deck.

2417 – PZ-2025-0121 – Scott Gillespie – Applicant/Landowner. Parcel #51-0000672. Lot 33 of Brendle’s Third Subdivision located in the S1/2NE1/4 of Section 10, Township 151 North, Range 91 West. (Liberty Township) 12’x20’ storage building.

2418 – PZ-2025-0123 – Revertical Inc – Applicant. Dale & Tammy Fredrickson – Landowner. Parcel #35-0012200. Lot 7 of White Earth Cottage Site located in the NE1/4NW1/4 of Section 35, Township 154 North, Range 94 West. (Unorganized Township) 30’x37’ cabin with 10’x30’ deck.

2419 – PZ-2024-0133 – Brian & Lynn Rosencrans – Applicant/Landowner. Parcel #13-0001000. S1/2NW1/4 of Section 2, Township 157 North, Range 93 West. (Sorkness Township) 51’x84’x18’ shop (Ag use).

Moved by Commissioner Hollekim, seconded by Commissioner Tomjack, to approve building permits 2414-2419. All present voted yes. Motion carried.

**Demolition Permit**

PZ-2025-0122 – Revertical Inc – Applicant. Dale & Tammy Fredrickson – Landowner. Parcel #35-0012200. Lot 7 of White Earth Cottage Site located in the NE1/4NW1/4 of Section 35, Township 154 North, Range 94 West. (Unorganized Township) demolishing existing cabin.

Moved by Commissioner Borud, seconded by Commissioner Weyrauch, to approve demolition permit PZ-2025-0122. All present voted yes. Motion carried.

**ONGOING BUSINESS**

Gravel Pits- Remains ongoing Administration working on Report

Green Acres Subdivision – No new activity still no Letter of Credit-no activity happening

Hyrum Zetting Plan of action for Green Acres Subdivision

Subdivision Letter of Credit

Data Centers

Battery Storage Facilities

**STAFF UPDATES**

* Administrator Vachal presented an update on the May 20, 2025 meeting of the Mountrail County Land Development Code Committee. The next meeting of the committee will be August 4, 2025.
* Administrator Vachal asked the board for any input on the upcoming budget before she turns it in. Administration will be budgeting more towards the GIS for the upcoming year than they did last year because they fell a little short last budget year. Commissioner Hollekim feels those that are on special committees outside the regular duties of the board that they should get something extra for that. The rest of the board feels that isn’t necessary. No increases were given to board members to be budgeted for the upcoming 2026 budget year.

**PUBLIC COMMENTS**

None.

**BOARD CONCERNS**

None.

The Board adjourned at 9:22 a.m. Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, June 23rd, 2025,** at 8:30 a.m. via GOTOMEETING or in the Commissioners Room at the Mountrail County Courthouse.

Accepted and approved this 23rd day of June, 2025.

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\***