MINUTES

**Mountrail County Planning & Zoning Commission**

**July 25, 2022**

The meeting of the Mountrail County Planning & Zoning Commission was called to order at 8:30 a.m. by Chairman Charlie Sorenson with Commissioners Joan Hollekim, Arlo Borud, Roger Hovda, Gary (Fritz) Weisenberger, Trudy Ruland, Zachary Gaaskjolen, and Megan Fritel present. Also present were Planning & Zoning Administrator Melissa Vachal, Planning & Zoning Assistant Malinda Gunderson, Mountrail County States Attorney Wade Enget, Mountrail County Tax Equalization Director Lori Hanson, Mountrail County Property Assessor Kim Savage, Mountrail County Weed Control Officer Jim Hennessy, and Mountrail County Engineer Jana Hennessy. Absent was Commissioner Thomas Nash.

**APPROVAL OF AGENDA**

Moved by Commissioner Hovda, seconded by Commissioner Ruland, to approve the agenda. All present voted yes. Motion carried.

**APPROVAL OF MINUTES**

Moved by Commissioner Hollekim, seconded by Commissioner Borud to approve the Planning and Zoning Commission minutes of the June 27, 2022 meeting as corrected. All present voted yes. Motion carried.

1. **8:35 a.m. West Dakota Water LLC-Applicant; Vernon L. Nelson Estate-Landowner (PZ-2022-0144) Temporary Fresh Water Industrial Use Point of Diversion**

Zoning Request/Temporary Fresh Water Industrial Use Point of Diversion for the following described property: a tract of land 155.04 acres more or less located in the NW1/4 of Section 33, Township 155 North, Range 94 West (Unorganized Township) (Parcel# 280014500)

The applicant (represented by Lauren Lutz with West Dakota Water LLC) is seeking a Temporary Fresh Water Industrial Use Point of Diversion for the purpose of pumping water via lay flat hose for industrial use. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Hovda, to approve the zoning request filed by West Dakota Water LLC with concurrence from Vernon L. Nelson Estate-landowner, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump water via lay flat hose for industrial use on a tract of land 155.04 acres more or less located in the NW1/4 of Section 33, Township 155 North, Range 94 West (Unorganized Township) contingent upon adhering to the ND State Temporary Water Permit ND2022-21090 valid 6/6/22 through 11/30/22, using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge and/or township(s) temporary ROW use requirements as West Dakota Water LLC with concurrence from Vernon L. Nelson Estate-landowner, has met all criteria as set forth in Article II, Section XVI, and Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon West Dakota Water LLC with concurrence from Vernon L. Nelson Estate-landowner, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:38 a.m. Earl R. & Janet A. Jensen Family Trust-Applicant/Landowner (PZ-2022-0147) Variance**

Variance Application request for the following described property: a tract of land 7.00 acres more or less located in Outlot 5 of a portion of Gov’t Lot 4 of Section 22, Township 157 North, Range 90 West (Clearwater Township) (Parcel# 100009900)

The applicant (represented by Jeff Jensen, Successor Trustee of the Earl R. & Janet A. Jensen Family Trust) is seeking a variance for the existing mobile homes located on land zoned Rural Recreational. This application is only for the 3 existing mobile homes on the property and if they are moved, a new permit will need to be applied for. Commissioner Hollekim would like the specific lot numbers for each mobile home added to the permit. Administrator Vachal states she believes they are on lots 6, 8, & 9 but will verify that before adding those lot numbers to the motion (after the meeting adjourned, lot numbers were verified as being lots 4, 6 & 8). Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Fritel to approve the zoning request filed by Earl R. & Janet A. Jensen Family Trust for a Variance for the existing mobile homes located on lots 4, 6 & 8 on land zoned Rural Recreational on a tract of land 7.00 acres more or less located in Outlot 5 of a portion of Gov’t Lot 4 of Section 22, Township 157 North, Range 90 West (Clearwater Township) as Earl R. & Janet A. Jensen Family Trust has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Earl R. & Janet A. Jensen Family Trust complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:41 a.m.** **Select Energy Services-Applicant; Kimberly D. Duchene & Karen C. Hubbard-Landowners (PZ-2022-0149) Temporary Fresh Water Industrial Use Point of Diversion**

Zoning Request/Temporary Fresh Water Industrial Use Point of Diversion for the following described property: a tract of land 40.00 acres more or less located the NE1/4SE1/4 of Section 21, Township 155 North, Range 92 West (Alger Township) (Parcel# 260009700)

The applicant (represented by Mike Wald with Select Energy Services) is seeking a Temporary Fresh Water Industrial Use Point of Diversion for the purpose of pumping water via lay flat hose for industrial use. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Weisenberger, to approve the zoning request filed by Select Energy Services with concurrence from Kimberly D. Duchene & Karen C. Hubbard-landowners, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump water via lay flat hose for industrial use on a tract of land 40.00 acres more or less located the NE1/4SE1/4 of Section 21, Township 155 North, Range 92 West (Alger Township) contingent upon adhering to the ND State Temporary Water Permit ND2022-21117 valid 6/16/22 through 6/15/23, using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge and/or township(s) temporary ROW use requirements as Select Energy Services with concurrence from Kimberly D. Duchene & Karen C. Hubbard-landowners, has met all criteria as set forth in Article II, Section XVI, and Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon Select Energy Services with concurrence from Kimberly D. Duchene & Karen C. Hubbard-landowners, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:44 a.m. Quality Water Systems LLC-Applicant; Curt & Leslie Trulson-Landowners (PZ-2022-0150) Temporary Fresh Water Industrial Use Point of Diversion**

Zoning Request/Temporary Fresh Water Industrial Use Point of Diversion for the following described property: a tract of land 160.00 acres more or less located in the NE1/4 of Section 20, Township 156 North, Range 92 West (Ross Township) (Parcel# 190009500)

The applicant (not represented at this hearing) is seeking a Temporary Fresh Water Industrial Use Point of Diversion for the purpose of pumping water via lay flat hose for industrial use. Mike Wald with Select Energy Services stated they will be utilizing this point of diversion. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Hovda, to approve the zoning request filed by Quality Water Systems LLC with concurrence from Curt & Leslie Trulson-landowners, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump water via lay flat hose for industrial use on a tract of land 160.00 acres more or less located in the NE1/4 of Section 20, Township 156 North, Range 92 West (Ross Township) contingent upon adhering to the ND State Temporary Water Permit ND2022-21098 valid 6/10/22 through 6/9/23, using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge and/or township(s) temporary ROW use requirements as Quality Water Systems LLC with concurrence from Curt & Leslie Trulson-landowners, has met all criteria as set forth in Article II, Section XVI, and Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon Quality Water Systems LLC with concurrence from Curt & Leslie Trulson-landowners, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:47 a.m. Tracy & Kim Hunter-Applicant; Mountrail County Park Board-Landowner (PZ-2022-0152) Variance**

Variance Application request for the following described property: a tract of land described as Lease Lot 7, Block 12 of Traynor Park also known as Lot 13, Block 9 of the Original Townsite of Van Hook in the NW1/4 of Section 32, Township 152 North, Range 91 West (Van Hook Township) (Parcel# 450014101)

The applicant (represented by Tracy & Kim Hunter) is seeking a variance to place a 2013 28’x56’ mobile home on a tract of land zoned Rural Recreational that is older than the 8 years allowed by ordinance. Applicant is replacing a 1977 mobile home with the 2013 mobile home. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Fritel to approve the zoning request filed by Tracy & Kim Hunter with concurrence from Mountrail County Park Board-landowner, for a Variance to place a 2013 28’x56’ mobile home on a tract of land zoned Rural Recreational that is older than the 8 years allowed by ordinance on a tract of land described as Lease Lot 7, Block 12 of Traynor Park also known as Lot 13, Block 9 of the Original Townsite of Van Hook in the NW1/4 of Section 32, Township 152 North, Range 91 West (Van Hook Township) as Tracy & Kim Hunter with concurrence from Mountrail County Park Board-landowner, has met all criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is further contingent upon Tracy & Kim Hunter with concurrence from Mountrail County Park Board-landowner, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:50 a.m. Maverick Water Resources LLC-Applicant; Lillian Meiers, Grace Lystad, & Diane Gustafson-Landowners (PZ-2022-0153) Temporary Fresh Water Industrial Use Point of Diversion**

Zoning Request/Temporary Fresh Water Industrial Use Point of Diversion for the following described property: a tract of land 80.00 acres more or less located in the E1/2SE1/4 of Section 18, Township 154 North, Range 90 West (Austin Township) (Parcel# 310007400)

The applicant (represented by John Walsh with Maverick Water Resources LLC) is seeking a Temporary Fresh Water Industrial Use Point of Diversion for the purpose of pumping water via lay flat hose for industrial use. Commissioner Hollekim stated the parcel number on the agenda is incorrect and will need to be corrected. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hovda, seconded by Commissioner Borud, to approve the zoning request filed by Maverick Water Resources LLC with concurrence from Lillian Meiers, Grace Lystad, & Diane Gustafson-landowners, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump water via lay flat hose for industrial use on a tract of land 80.00 acres more or less located in the E1/2SE1/4 of Section 18, Township 154 North, Range 90 West (Austin Township) contingent upon adhering to the ND State Temporary Water Permit ND2022-21107 valid 6/10/22 through 6/9/23, using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge and/or township(s) temporary ROW use requirements as Maverick Water Resources LLC with concurrence from Lillian Meiers, Grace Lystad, & Diane Gustafson-landowners, has met all criteria as set forth in Article II, Section XVI, and Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon Maverick Water Resources LLC with concurrence from Lillian Meiers, Grace Lystad, & Diane Gustafson-landowners, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:53 a.m. Maverick Water Resources LLC-Applicant; Doug Kinnoin-Landowner (PZ-2022-0154) Temporary Fresh Water Industrial Use Point of Diversion**

Zoning Request/Temporary Fresh Water Industrial Use Point of Diversion for the following described property: a tract of land 21.19 acres more or less located in the SW1/4SW1/4 of Section 12, Township 154 North, Range 91 West (Sikes Township) (Parcel# 320007010)

The applicant (represented by represented by John Walsh with Maverick Water Resources LLC) is seeking a Temporary Fresh Water Industrial Use Point of Diversion for the purpose of pumping water via lay flat hose for industrial use Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Weisenberger, to approve the zoning request filed by Maverick Water Resources LLC with concurrence from Doug Kinnoin-landowner, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump water via lay flat hose for industrial use on a tract of land 21.19 acres more or less located in the SW1/4SW1/4 of Section 12, Township 154 North, Range 91 West (Sikes Township) contingent upon adhering to the ND State Temporary Water Permit ND2022-21123 valid 6/27/22 through 6/26/23, using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge and/or township(s) temporary ROW use requirements as Maverick Water Resources LLC with concurrence from Doug Kinnoin-landowner, has met all criteria as set forth in Article II, Section XVI, and Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon Maverick Water Resources LLC with concurrence from Doug Kinnoin-landowner, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:54 a.m. Powers Lake Sportsman’s Club-Applicant; Phillip Eugene & Judy Hegstad-Landowners (PZ-2022-0059) Amendment**

Amendment to Zoning Request for the following described property: a tract of land 9.37 acres more or less located in Gov’t Lot 8 and the SE1/4SW1/4 of Section 6, Township 158 North, Range 92 West (Powers Township) (Parcel# 050002900)

Chairman Sorenson un-tabled the agenda item that was tabled to the call of the chair at the April 25, 2022 meeting.

The applicant (represented by Bethany Letch & Jeremy Gibson with Powers Lake Sportsman’s Club) is seeking an Amendment to Zoning to re-zone a tract of land from Agricultural to Commercial for the purpose of constructing a member only gun range. Commissioner Hovda inquired about what materials the backstops are made out of and Mr. Gibson stated they will be constructed using gravel and will be 16’ tall on the pistol range and 50’ tall on the rifle range but they are still short of that so gravel will need to be added to heighten and widen them. Commissioner Hollekim questioned if the gravel has been purchased so that it will never be removed. Mr. Gibson stated the pit had been abandoned by the company that had been operating it so the landowner now owns the gravel. Sandra Crawford was present by Go To Meeting to voice her opposition to this project because she doesn’t want there to be people with guns coming into town and shooting those guns so close to her residence. Dorothy Hegstad was present to voice her opposition to this project because she is concerned about her nephew’s cattle across the lake as well as her own property. Commissioner Fritel inquired about the hours of operation and if it will be open to the public. Mr. Gibson stated it will be 7 days a week and that while they haven’t discussed hours of operation, the legal hours for hunting in the state are sun-up to sun-down and they have thought about setting the operating hours as 8:00 a.m. to 7:00 p.m. They have also decided rather than being members-only that they will be open to the public. Tax Director Hanson inquired if there will be someone there to monitor the range. Mr. Gibson stated that typically there is no one stationed at ranges that are open to the public. States Attorney Enget brought up the Stanley range and what they did as far as implementing No Blue Sky and a monitored gate due to landowner concerns. Commissioner Hollekim questioned how people will know where and with what guns they can shoot and Mr. Gibson stated there will be signs directing people to the proper locations and will have signs stating “no rifles” on the pistol range. Commissioners Hollekim and Ruland questioned how they will ensure unsupervised children aren’t on the range if no one is monitoring it. Mrs. Crawford stepped forward to express another concern about the area not being monitored as well as a concern for wildlife in the area. Nathan Sem was present to express concern over the layout of the range because he has cattle to the south of the property. Mr. Gibson assured Mr. Sem that the berms should keep his pasture blocked off from the range. Commissioner Weisenberger would like them to implement No Blue Sky and put in something like the culverts that the Stanley gun range has done just to ensure no one accidentally shoots too high especially because it will be unsupervised. Mr. Gibson stated that they aren’t against doing that and that their decision to be open to the public was so that they could qualify for state grants. Commissioner Hollekim questioned if the applicant has spoken with the Mountrail County Sheriff’s Department concerning a plan of action and Mr. Gibson stated there was a letter with their application from Mountrail County Sheriff Corey Bristol that outlines an action plan which Administrator Vachal confirmed they have in the file. The board as a whole feels that the range should be fenced to ensure someone doesn’t accidentally wander through the range which Mr. Gibson stated he isn’t opposed to and he informed the board that they plan on using signs to inform people that there is a live shooting range there as well. This will be tabled until the applicant can bring forth more information.

Moved by Commissioner Hovda, seconded by Commissioner Borud to table to the call of the chair the zoning request filed by Powers Lake Sportsman’s Club with concurrence from Philip Eugene & Judy Hegstad-landowners, for an Amendment to Zoning request to re-zone a tract of land from Agricultural to Commercial for the purpose of constructing a member only gun range on a tract of land 41.08 acres more or less located in Gov’t Lot 8 and the SE1/4SW1/4 Section 6 Township 158 North Range 92 West (Powers Township) until all the information requested by the board has been gathered. All present voted yes. Motion carried.

1. **8:54 a.m. Powers Lake Sportsman’s Club-Applicant; Phillip Eugene & Judy Hegstad-Landowners (PZ-2022-0060) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 9.37 acres more or less located in Gov’t Lot 8 and the SE1/4SW1/4 of Section 6, Township 158 North, Range 92 West (Powers Township) (Parcel# 050002900)

The applicant (represented by Bethany Letch and Jeremy Gibson with Powers Lake Sportsman’s Club) is seeking a Conditional Use Permit for the purpose of operating a member only gun range. This discussion will be tabled due to the amendment being tabled.

1. **8:57 a.m. Farren Wold-Applicant; Alan Leon Estate-Landowner (PZ-2022-0156) Outlot Plat**

Outlot Plat Review Application for the following described property: a tract of land 57.51 acres more or less located in the NW1/4 of Section 34, Township 152 North, Range 90 West to be known as Outlot 2 of the NW1/4 (Parshall Township) (Parcel# 440015700)

The applicant (represented by Farren Wold) is seeking an outlot plat for an irregular tract of land. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hovda, seconded by Commissioner Gaaskjolen to approve the zoning request platting an outlot of land over 15 acres filed by Farren Wold with concurrence from Alan Leon Estate-landowner, for a tract of land 57.51 acres more or less located in the NW1/4 of Section 34, Township 152 North, Range 90 West to be known as Outlot 2 of the NW1/4 (Parshall Township). Farren Wold with concurrence from Alan Leon Estate-landowner have met all criteria as set forth in Mountrail County Subdivision Resolution. All present voted yes. Motion carried.

1. **9:00 a.m. Mountrail County Land Development Code**

Discussion was held to review Sections 5.6 (Wind Energy) and 5.9 (Temporary Fresh Water Point of Diversion) of the Mountrail County Land Development Code as requested by the Mountrail County Commissioners.

In regards to Section 5.6, and the setbacks that were originally set forth in the Mountrail County Land Development Code, Chairman Sorenson expressed a concern with ensuring that those farmers that utilize aerial spraying can continue to do so and that the wind turbines don’t create such an issue that sprayers are unable to do their work. Jay Regnier with Enel Green Power was present to express his concerns about what the proposed setbacks would do to hinder possible future wind energy projects as well as his thoughts and findings regarding the effects the turbines have on aerial spraying. Mr. Regnier suggests implementing a communication plan between aerial sprayers and future wind farms which his company has successfully used in other areas so that they can communicate with sprayers and be able to shut down the turbines in the direction that they’re flying so that the turbines don’t cause turbulence for them. Chairman Sorenson also suggested that turbines should be put into rows instead of scattered all over a property because it can hinder the flight path of the aerial sprayers. Mr. Regnier stated that the proposed setbacks make it even harder to keep them in those rows. After discussion, the board will change the setbacks listed in Table 5.3 of Section 5.6 of the Mountrail County Land Development Code on participating residences, non-participating residences and other habitable structures, public facilities, recreation areas, and non-participating property lines from 1 mile to 1/2 mile, remove unoccupied structures from the table, change public rights of way and utility easements from 1/4 mile to 1/8 mile, and change adjoining property (site perimeter) to 1/2 mile. All other setbacks will remain unchanged. Public rights of way and utility easements will be specified as being both above and below ground. The board also decided to change the maximum allowed height of the towers to 1/8 mile (660’). Mr. Regnier asked if the board would consider changing the term of the Conditional Use Permit to reflect the usable life of the turbine which is considered to be 30 years. Chairman Sorenson and Commissioner Ruland feel that the CUP can stay at the current 25 years with the possibility of being renewed.

In regards to Section 5.9, discussion was held on first time applications being approved or denied by Administration rather than having to come in front of the board. Administrator Vachal stated that applications will have a 15 day grace period where Administration will wait for any comments, concerns, or opposition from adjoining property owners and if no opposition comes before Administration, the application will be approved without having to be heard in front of the board. Administrator Vachal assured the board that townships will continue to receive notification as they do now and Road & Bridge will continue to be notified and permits will still be acquired as necessary. Administrator Vachal felt that maybe part of the checklist for the application should include proof that the applicant has provided the township and/or Road & Bridge notification if they will be crossing a right of way.

**TEMPORARY WATER PERMIT – NON-TRANSFERABLE RENEWALS**

**Quality Water Systems** – Permit Number – State Water Permit ND2022-21097/PZ-2022-0151 Pumping of industrial water by lay flat hose: Quality Water Systems LLC-Applicant. Christopher Mahnke, Rebecca Evans & Angela Mahnke-Canovi-Landowners. NW1/4 less Outlot 1 of Section 26, Township 156 North, Range 92 West (Ross Township) Period of Authorized usage: 06/10/2022 through 06/09/2023. Parcel # 19-0012600 (Ref# PZ-2021-0291).

**BUILDING PERMITS 2244-2254**

2244 – PZ-2022-0145 – Terry Sivertson – Applicant/Landowner. Parcel #45-0014050 – Sublot P of Outlot 1 in the NE1/4NE1/4 of Section 30, Township 152 North, Range 91 West **(Van Hook Township)** 40’x32’ Pole Barn.

2245 – PZ-2022-0146 – Jason & Andrea Stone – Applicant/Landowners. Parcel #26-0000300 – Sublot B of Outlot 1 of Government Lot 1 in Section 1, Township 155 North, Range 92 West **(Alger Township)** 16’x24’ Deck.

2246 - PZ-2022-0157 – Tom & Lisa Schenfisch – Applicant/Landowners. Parcel #51-0000662 – Lot 13 of Brendle’s Third Subdivision located in the S1/2NE1/4 of Section 10, Township 151 North, Range 91 West **(Liberty Township)** 10’x110’ Home. Requested use of a camper while in construction.

2247 – PZ-2022-0163 – Tracy & Kim Hunter – Applicant. Mountrail County Park Board –Landowner. Parcel #45-0014101 – Lease Lot 7 Block 12 Traynor Park also known as Lot 13 Block 9 of the Original Townsite of Van Hook in the NW1/4 of Section 32, Township 152 North, Range 91 West **(Van Hook Township)** 28’x56’ 2013 Mobile Home.

2248 – PZ-2022-0164 – Dakota Stammen & Hillary Ducherer – Applicant. Jon & Dawn Locken –Landowners. Parcel #19-0014100 – Tract of land located in the S1/2SW1/4 of Section 29, Township 156 North, Range 92 West, to be known as Outlot 6 of the S1/2SW1/4 of Section 29, Township 156 North, Range 92 West **(Ross Township)** 28’x74’8” 2009 Modular Home.

2249 – PZ-2022-0166 – Cynthia Lyell – Applicant/Landowner. Parcel #45-0014068 – Lot 3 of Sublot A-F of Outlot 1 of the NE1/4NE1/4 of Section 30, Township 152 North, Range 92 West **(Van Hook Township)** 28’x60’ Mobile Home.

2250 – PZ-2022-0167 – Sacagawea Pipeline Company LLC – Applicant. Galen V Fox Trust –Landowner. Parcel #46-0020200 – Located in the NE1/4NW1/4 of Section 28, Township 152 North, Range 92 West **(Osborne Township)** 8.5’X8.5’ Storage Building.

2251 – PZ-2022-0169 – Lucas & Crystal Hysjulien – Applicant. H C Holdings – Landowner. Parcel #51-0000801 – Located in Outlot 1 of the NW1/4 of Section 11, Township 151 North, Range 91 West **(Liberty Township)** 13’x58’ Bedroom/Garage Addition.

2252 – PZ-2022-0171 – Andeavor Field Services – Applicant/Landowner. Parcel # 40-0016605 – Outlot 2 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 92 West **(Knife River Township)** 13’x80’ Electrical Building.

2253 – PZ-2022-0172 – Andeavor Field Services – Applicant/Landowner. Parcel # 40-0016605 – Outlot 2 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 92 West **(Knife River Township)** 26’2”x15’3 ½” Air Compressor & Component Housing.

2254 – PZ-2022-0173 – Andeavor Field Services – Applicant/Landowner. Parcel # 40-0016605 – Outlot 2 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 92 West **(Knife River Township)** 33’7”x22’ Gas Compressor Building.

Moved by Commissioner Hollekim, seconded by Commissioner Hovda to approve building permits 2244-2254 subject to meeting all setbacks and to approve the requested camper use for the length of the permit of 2246. All present voted yes. Motion carried.

**ONGOING BUSINESS**

Gravel Pits- Remains ongoing Administration working on Report

White Earth Bay- Waiting for State’s Attorney Enget’s report for Court Cases

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

Stanley Blaisdell RV Park – New entrance gate put up as of 9-14-21-States Attorney Enget informed the board that there is a hearing 7/25/22 at 3:00 p.m. about the eviction process and will hopefully be the beginning of officially getting the property cleaned up.

**STAFF UPDATES**

* States Attorney Enget addressed the board about a joint powers agreement that has been proposed regarding the area of Arrowhead Point Subdivision, Bridgeview Subdivision, Riverview Subdivision and a new proposed subdivision (tentatively named Hidatsa Hills Subdivision). Regarding Hidatsa Hills Subdivision, the property is just outside of the City of New Town’s extraterritorial jurisdiction and if the city were to annex the golf course as they have been planning to, it will still leave a small portion of it under the Mountrail County Planning & Zoning’s jurisdiction. Administrator Vachal feels it makes more sense to allow the city to have jurisdiction over all of it rather than the county being responsible for one small portion of it. Moved by Commissioner Borud, seconded by Commissioner Weisenberger to approve the signing of the joint powers agreement between the Mountrail County Planning & Zoning Board and the City of New Town to allow the city to have planning & zoning jurisdiction over the portion of the proposed Hidatsa Hills Subdivision that will lie outside of the extraterritorial jurisdiction of the City of New Town. All present voted yes. Motion carried.
* Administration has noticed during compliance checks that there are a lot of campers sitting on residential lots as well as on Ag land. Staff is unsure if the campers are being lived in (some do look like they might be being used as the slides are out and they appear to be hooked up to electricity). Some residences have several campers on them and the board feels according to the zoning ordinance that one per residence is appropriate and anything more than that needs to be looked into. Administration has also noticed quite a few building violations as well. Letters will be sent out in the following week to those non-compliant areas.

**BOARD CONCERNS**

* Commissioners Hovda and Ruland have received information about a planned Basin power line that will be being built soon across Mountrail County.
* Commissioner Hollekim expressed a concern about Commissioner Nash’s inactivity on the board and that staff should write a letter to the City of New Town about it since they appointed him to the board.
* Chairman Sorenson expressed concern about the Powers Lake Sportsman’s Club planned gun club. States Attorney Enget feels the fence they’re planning won’t be adequate. Administrator Vachal is concerned about people driving into the area between the shooting benches. States Attorney Enget is concerned about the gravel berm and it possibly being removed because the lease is for the land and doesn’t restrict the removal of the gravel. Commissioner Hollekim suggested that Administration compile a list of all staff and board concerns and have that sent to the applicant. Commissioner Ruland is very concerned about the possibility of underage persons making their way into the range because it is not going to be supervised.

The Board adjourned at 11:40am. Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, August 22, 2022,** at 8:30 am via GOTOMEETING or in the Commissioners room at the courthouse.

Accepted and approved this 22nd day of August 2022.

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\***