MINUTES

**Mountrail County Planning & Zoning Commission**

**July 26, 2021**

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

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

1. **8:35 a.m. Savage Water Solutions-Applicant; Fred Sorenson-Landowner (PZ-2021-0147) 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 acres more or less in the S1/2NE1/4 of Section 4, Township 154 North, Range 94 West (Unorganized Township) (Parcel# 350001900)

The applicant (represented by Holden Russell of Savage Water Solutions) is seeking a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose for fracking purposes. Discussion was had on whether there is enough water in the river to pump and it was clarified that the applicant knows there isn’t much water there but will try to get what they can without emptying it and added that this isn’t their primary source of water for this project. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hovda, seconded by Commissioner Weisenberger, to approve the zoning request filed by Savage Water Solutions with concurrence from Fred Sorenson-landowner, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose for fracking purposes on a tract of land 40 acres more or less in the S1/2NE1/4 of Section 4, Township 154 North, Range 94 West (Unorganized Township) contingent upon adhering to the ND State Temporary Water Permit ND2021-20620 valid 06/01/21 through 10/31/21 using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge/township(s) temporary ROW use requirements when applicable as Savage Water Solutions with concurrence from Fred Sorenson-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 Savage Water Solutions with concurrence Fred Sorenson-landowner, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion Carried.

1. **8:40 a.m. Penelope L. Berry, Trustee-Applicant; Arnold E. and Marjorie E. Postovit Irrevocable Adverse Claims Trust-Landowner (PZ-2021-0148) 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 acres more or less in the SE1/4 of Section 6, Township 157, Range 93 West (Sorkness Township) (Parcel# 130003200)

The applicant (represented by Garrett Lalim for Penelope L. Berry) is seeking a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose for fracking purposes. Discussion was had on why their application covers the entire SE1/4 and P&Z Administrator Melissa Vachal clarified that is due to how the State Water Permit is written. The same water level concerns were also brought up. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Ruland, to approve the zoning request filed by Penelope L. Berry, Trustee with concurrence from Arnold E. and Marjorie E. Postovit Irrevocable Adverse Claims Trust-landowner, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose for fracking purposes on a tract of land 160 acres more or less in the SE1/4 of Section 6, Township 157, Range 93 West (Sorkness Township) contingent upon adhering to the ND State Temporary Water Permit ND2020-20320 valid 6/16/21 through 11/16/21 using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge/township(s) temporary ROW use requirements when applicable as Penelope L. Berry, Trustee with concurrence from Arnold E. and Marjorie E. Postovit Irrevocable Adverse Claims Trust-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 Penelope L. Berry, Trustee with concurrence from Arnold E. and Marjorie E. Postovit Irrevocable Adverse Claims Trust-landowner, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion Carried.

1. **8:45 a.m. Dallas C. and Valarie C. Lalim, Trustees-Applicants; Dallas C. and Valarie C. Lalim Living Trust-Landowner (PZ-2021-0149) 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 acres more or less in the NW1/4SW1/4 (AKA Government Lot 3) of Section 7, Township 157 North, Range 93 West (Sorkness Township) (Parcel# 130003900)

The applicant (represented by Garrett Lalim for Dallas and Valarie Lalim) is seeking a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose for fracking purposes. It was suggested that their legal description should have (AKA Government Lot 3) added to it because the NW1/4SW1/4 is where Government Lot 3 is located. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Weisenberger, seconded by Commissioner Hovda, to approve the zoning request filed by Dallas C. and Valarie C. Lalim, Trustees with concurrence from Dallas C. and Valarie C. Lalim Living Trust -landowner, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose for fracking purposes on tract of land 40 acres more or less in the NW1/4SW1/4 (AKA Government Lot 3) of Section 7, Township 157 North, Range 93 West (Sorkness Township) contingent upon adhering to the ND State Temporary Water Permit ND2020-20266 valid 6/15/21 through 11/15/21 using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge/township(s) temporary ROW use requirements when applicable as Dallas C. and Valarie C. Lalim, Trustees with concurrence from Dallas C. and Valarie C. Lalim Living Trust -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 Dallas C. and Valarie C. Lalim, Trustees with concurrence from Dallas C. and Valarie C. Lalim Living Trust -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. Buoye Honey Company-Applicant; Brian Buoye-Landowner (PZ-2021-0154) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: A tract of land 60 acres more or less in Outlot 1 of Government Lots 1 & 2 and the S1/2NE1/4 of Section 1, Township 152 North, Range 90 West (Parshall Township) (Parcel# 440000101)

The applicant (represented by Brian Buoye of Buoye Honey Company) is seeking a Conditional Use Permit to use land zoned agricultural for the purpose of temporary workforce housing of seasonal employees. Administrator Vachal informed the board that the applicant is missing a few things from the checklist but most of it is done. Discussion was had on how many people will be staying on the property and Mr. Buoye stated that they have been through and passed all of the H-2A program’s inspections and have been approved for 38 people but only have 23 people coming right now. Administrator Vachal would like the H-2A inspection report turned into the P&Z office each year. Applicant has met all requirements of the Planning & Zoning Board pending the completion of the application checklist items: correspondence from the ND Dept. of Health stating the sewer plan has been approved, payment of all fees to P&Z office, submission of the storm water drainage plan, and the required letter from Parshall Township.

Moved by Commissioner Weisenberger, seconded by Commissioner Hovda to approve the zoning request filed by Buoye Honey Company with concurrence from Brian Buoye, landowner for a Conditional Use Permit to use land zoned agricultural for the purpose of temporary workforce housing of seasonal employees on a tract of land 60 acres more or less in Outlot 1 of Government Lots 1 & 2 and the S1/2NE1/4 of Section 1, Township 152 North, Range 90 West (Parshall Township), contingent upon meeting all requirements of the State of ND, approval from the Parshal Township Board, receipt of crew housing fees, and submittal of H-2A inspection report on an annual basis as Buoye Honey Company with concurrence from Brian Buoye, landowner has met all other criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and Buoye Honey Company with concurrence from Brian Buoye, landowner complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **8:55 a.m. John Cory-Applicant; Gary Johnson-Landowner (PZ-2021-0158) Amendment**

Amendment to Zoning request for the following described property: A tract of land 5.30 acres more or less in Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West to be known as Sublot B of Outlot 1 of the NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township) (Parcel# 440015101)

The applicant (represented by John Cory) is seeking an Amendment to Zoning to re-zone a tract of land from Commercial to Rural Recreational for the development of an RV Park. Kari Christenson (adjacent landowner) addressed the board about a concern with the trash in the area dating back to when the temporary housing was first allowed even though Mr. Cory has assured them he will keep it clean. Ms. Christenson is also concerned with the people driving around out there to pick up the trash because the trails they create could encourage others to drive through their fields. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Weisenberger, seconded by Commissioner Hollekim to make recommendation to the Mountrail County Commissioners to approve the zoning request filed by John Cory with concurrence from Gary Johnson, landowner for an amendment to change land zoned Commercial to Rural Recreational for the development of an RV Park subject to the approval of a Conditional Use application on a tract of land 5.30 acres more or less described as Sublot B of Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township) as John Cory with concurrence from Gary Johnson, landowner has met all criteria as set forth in Article IV, Section III of the Mountrail County Zoning Ordinance and is further contingent upon John Cory with concurrence from Gary Johnson, landowner complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **9:00 a.m. John Cory-Applicant; Gary Johnson-Landowner (PZ-2021-0159) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: A tract of land 5.30 acres more or less in Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West to be known as Sublot B of Outlot 1 of the NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township) (Parcel# 440015101)

The applicant (represented by John Cory) is seeking a Conditional Use Permit to use land zoned Rural Recreational for the purpose of an RV Park. Discussion was held on what to do about the trash issue brought up in the previous hearing and Mr. Cory stated they have a dumpster and that most of the trash that’s found blowing around is coming from oilfield traffic on the road. Kari Christenson (adjacent landowner) stated she would like to see fencing around the area or at least on one side of it as well as fencing around the dumpsters. All present agreed on getting another dumpster on the property to help contain trash and installing an 8’ chain link fence around 3 sides of the dumpsters and a 6’ chain link fence along the east property line adjacent the west side of the road. Applicant has met all requirements of the Planning & Zoning Board pending the additional dumpster and fencing being installed.

Moved by Commissioner Weisenberger, seconded by Commissioner Nash to approve the zoning request filed by John Cory with concurrence from Gary Johnson, landowner for a Conditional Use Permit to use land zoned Rural Recreational for an RV Park contingent upon the approval by the Mountrail County Commissioners of the amendment to zoning request and subject to the installation of another dumpster and a 8’ chain link fence around three sides of the dumpster and a 6’ chain link fence along the east property line with CUP valid for a period of 5 years on a tract of land 5.30 acres more or less described as Sublot B of Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township), as John Cory with concurrence from Gary Johnson, landowner has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and John Cory with concurrence from Gary Johnson, landowner complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **9:05 a.m. John Cory-Applicant; Gary Johnson-Landowner (PZ-2021-0160) Amendment**

Amendment to Zoning request for the following described property: A tract of land 4.36 acres more or less in Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West to be known as Sublot C of Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township) (Parcel# 440015101)

The applicant (represented by John Cory) is seeking an Amendment to Zoning to re-zone a tract of land from Commercial to Residential. Commissioner Hollekim asked what their access into the property will be and Administrator Vachal clarified that the access easement is on the plat. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Hovda to make recommendation to the Mountrail County Commissioners to approve the zoning request filed by John Cory with concurrence from Gary Johnson, landowner for an amendment to change land zoned Commercial to Residential subject to the approval of a Conditional Use application on a tract of land 4.36 acres more or less in described as Sublot C of Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township) as John Cory with concurrence from Gary Johnson, landowner has met all criteria as set forth in Article IV, Section III of the Mountrail County Zoning Ordinance and is further contingent upon John Cory with concurrence from Gary Johnson, landowner complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **9:10 a.m. John Cory-Applicant; Gary Johnson-Landowner (PZ-2021-0161) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: A tract of land 4.36 acres more or less in Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West to be known as Sublot C of Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township) (Parcel# 440015101)

The applicant (represented by John Cory) is seeking a Conditional Use Permit to use residential land for the purpose of placement of two mobile homes. Discussion was held on what the age of the mobile homes is based on the ordinance stating they can’t be older than 8 years. The age of the mobile homes is unknown at the moment but the board will allow the mobile homes to remain regardless of their age as they’ve been on the property for years already and this process is only being done to bring the property into compliance. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Borud to approve the zoning request filed by John Cory with concurrence from Gary Johnson, landowner for a Conditional Use Permit to use land zoned Residential to place 2 mobile homes on the sublot contingent upon the approval by the Mountrail County Commissioners of the amendment to zoning request on a tract of land 4.36 acres more or less described as Sublot C of Outlot 1 of NE1/4SE1/4 of Section 32, Township 152 North, Range 90 West (Parshall Township), as John Cory with concurrence from Gary Johnson, landowner has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and John Cory with concurrence from Gary Johnson, landowner complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion carried.

1. **9:15 a.m. Northwest Water Transfer-Applicant; Roy Jensen-Landowner (PZ-2021-0162) 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 acres more or less in the SE1/4SE1/4 of Section 7, Township 154, Range 89 West (Oakland Township) (Parcel# 300002900)

The applicant (represented by Molly Reinhardt of Northwest Water Transfer) is seeking a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Gaaskjolen, to approve the zoning request filed by Northwest Water Transfer with concurrence from Roy Jensen -landowner, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose on a tract of land 40 acres more or less in the SE1/4SE1/4 of Section 7, Township 154, Range 89 West (Oakland Township) contingent upon adhering to the ND State Temporary Water Permit ND2021-20675 valid 8/01/21 through 11/1/21 using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge/township(s) temporary ROW use requirements when applicable as Northwest Water Transfer with concurrence from Roy Jensen -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 Northwest Water Transfer with concurrence from Roy Jensen-landowner, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. All present voted yes. Motion Carried.

1. **9:20 a.m. Northwest Water Transfer-Applicant; Clayton Howell-Landowner (PZ-2021-0163) 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 acres more or less in the NE1/4NW1/4 of Section 13, Township 156 North, Range 91 West (Idaho Township) (Parcel# 180006300)

The applicant (represented by Molly Reinhardt of Northwest Water Transfer) is seeking a Temporary Fresh Water Industrial Use Point of Diversion to pump fresh water via lay flat hose. Discussion was held on whether this is an alkali lake and what its current water level is due to the issues caused from draining an alkali lake too far. It was stated the applicant won’t be taking much from it because it’s only going to be supplying one well site. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Nash, to approve the zoning request filed by Northwest Water Transfer with concurrence from Clayton Howell-landowner, for a temporary conditional use permit for a Temporary Fresh Water Industrial Use Point of Diversion which will not automatically renew to pump fresh water via lay flat hose on a tract of land 40 acres more or less in the NE1/4NW1/4 of Section 13, Township 156 North, Range 91 West (Idaho Township) contingent upon adhering to the ND State Temporary Water Permit ND2021-20681 valid 07/15/21 through 7/14/22 using lay flat hose, all landowners being contacted regarding any hose placement and adhering to Mountrail County Road & Bridge/township(s) temporary ROW use requirements when applicable as Northwest Water Transfer with concurrence from Clayton Howell-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 Northwest Water Transfer with concurrence from Clayton Howell-landowner, complying with all other terms and conditions of the Mountrail County Zoning Ordinance. The motion carried with Commissioners Ruland, Hovda, Nash, Borud, Bieri, Hollekim, Gaaskjolen, and Sorenson voting in favor, and Chairman Weisenberger voting against.

**White Earth Bay Cottage Site Discussion**

Discussion was had amongst the board on how safety issues and compliance should be handled since no action was taken at the previous meeting. States Attorney Enget will look into some Supreme Court rulings and put together a presentation for the board at the next meeting.

**Scott Harmstead – SRF Consulting Group**

\*Article 2 (Definitions updates to include new/changes listed uses)

\*Article 3 (Use table and each zoning district section update per steering committee comment)

\*Article 6 (Administrative section changes per steering committee comment)

**Minutes**

Moved by Commissioner Hovda, seconded by Commissioner Borud to approve the Planning and Zoning Commission minutes of the June 28, 2021 meeting contingent on the suggested corrections being made. All present voted yes. Motion carried.

**Building Permits**

2186 – PZ-2021-0151 – Rona Roggenbuck – Applicant/Landowner. Outlot 3 in the W1/2NE1/4 less Outlot 1 and the NE1/4NE1/4 less Outlot 2 and Highway 1804 Right of Way of Section 26, Township 153 North, Range 93 West (Unorganized Township) 28’ x 72’ single family home with attached garage, deck and fence.

2187 – PZ-2021-0152 – Ecliptic Builders LLC – Applicant, Creighton Gardner – Landowner. Outlot 1 of Government Lot 3 of the SE1/2 and SE1/4NE1/4 Section 11, Township 152 North, Range 93 West and the SW1/4NW1/4 of Section 12, Township 152 North, Range 93 West (Unorganized Township) New concrete patio and new deck.

2188 – PZ-2021-0153 – Ecliptic Builders LLC – Applicant, Ron Malson and Cordelia Gardner – Landowners. Riverview Estates Subdivision, Block 1, Lot 2 of Section 12, Township 152 North, Range 93 West (Unorganized Township) New concrete patio and deck.

2189 – PZ-2021-0181 – Tim Smith – Applicant/Landowner. Lakeview Subdivision, Lots 6,7,8 & 9 located in the NW1/4NW1/4 of Section 12, Township 151 North, Range 91 West (Liberty Township) 48’ x 16’ Deck.

2190 – PZ-2021-0182 – Tim Smith – Applicant/Landowner. Lakeview Subdivision, Lots 6,7,8 & 9 located in the NW1/4NW1/4 of Section 12, Township 151 North, Range 91 West (Liberty Township) 44’ x 44’ Attached Garage.

2191 – PZ-2021-0183 – Tim Smith – Applicant/Landowner. Lakeview Subdivision, Lots 6,7,8 & 9 located in the NW1/4NW1/4 of Section 12, Township 151 North, Range 91 West (Liberty Township) 35’ x 76’ Manufactured Home.

Moved by Commissioner Hovda, seconded by Commissioner Ruland to approve building permits 2186 through 2191. All present voted yes. Motion carried.

**ONGOING BUSINESS:**

Gravel Pits

White Earth Bay

Green Acres Subdivision

Stanley Blaisdell RV Park

**STAFF CONCERNS**

1. Staff has received a formal complaint regarding campers being placed on lots in Brendle’s Bay Subdivision. After doing compliance checks, staff pulled files to see what had been done to handle this in the past and the following building permits need attention to allow extensions as some are expiring and also need board permission for campers to be used on site during construction:
* Larry Gullickson and Randy Taylor requesting permission to have a camper on each of their lots located at Brendle’s Bay Subdivision. Larry Gullickson and Randy Taylor own Lot 10 – Building Permit 2132. This building permit will be expiring 7/27/2021. They did have a request for a camper with Building Permit 2132. Commissioner Hollekim feels that permits should need to be renewed after a year or given an extension by the board rather than being allowed to continue as long as construction starts within the 1 year timeframe. The board feels actual building progress needs to be seen as well. Moved by Commissioner Hollekim, seconded by Commissioner Borud to extend the expiration date of Building Permit 2132 to 12/31/2021 and to allow the use of a camper on site during construction. All present voted yes. Motion carried.
* Larry Gullickson Lot 7 – Building Permit 2163 approved 4/26/2021 with no request for a camper. Moved by Commissioner Hovda seconded by Commissioner Borud to allow the use of a camper on site during construction for Building Permit 2163. All present voted yes. Motion carried.
* Dan Jost Lot 8 Brendle’s Bay 3rd Subdivision – Building permit 2133. This building permit will be expiring 7/27/2021. They do have an email on file for permission for a camper to be placed onto the lot while in construction. Sewer and water have been installed but no work on the structure due to a delay by Mountrail Builders. P&Z staff has been told by Mountrail Builders that the footings and rebar are in and should be beginning work soon. The camper has a platform patio attached to it right now and Mr. Jost has been informed that he did not have permission for the platform patio and it will need to be removed. Moved by Commissioner Ruland seconded by Commissioner Hovda to extend the expiration date of Building Permit 2133 to 12/31/2021 and to allow the use of a camper on site during construction. All present voted yes. Motion carried
1. Discussion was had on how the board would like the legal description written on a Temporary Fresh Water Industrial Use Point of Diversion. Chairman Sorenson says they can’t ask for anything broader than the State Permit allows and the board would like the most restrictive description but still in line with what the State Permit says.
2. Discussion was had on a call P&Z staff received regarding WBI Energy Transmission and the conditional use permit that was approved during the March 22, 2021 meeting for a pipe storage yard. Commissioner Jason Rice called the office to let staff know there is an office trailer on the site and was wondering if it was allowed. The board feels WBI will need to come in for another conditional use permit or remove the office trailer.

**BOARD CONCERNS**

Commissioner Ruland brought up a pipeline put in by ONEOK that is being dug up a year after it was put in due to substandard materials being used. The pipeline is creating a large mess but isn’t sure what authority the board has over the situation.

No other board members addressed any other concerns.

Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday August 23, 2021** at 8:30 am via GOTOMEETING or in the Commissioners room at the courthouse.

Accepted and approved this 23rd day of August 2021.

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\***