MINUTES

**Mountrail County Planning & Zoning Commission**

**August 27, 2024**

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

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Moved by Commissioner Ruland, seconded by Commissioner Hollekim, to approve the Planning & Zoning Commission minutes of the July 22, 2024 meeting as corrected. All present voted yes. Motion carried.

1. **8:33 a.m. Hunter Bear-Applicant/Landowner; (PZ-2024-0235) Amendment**

Amendment to Zoning Request for the following described property: a tract of land 2.50 acres more or less located in the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West, to be known as Outlot 3 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West (Crane Creek Township) (Parcel# 39-0017115)

The applicant (represented by Joe Bear) is seeking an Amendment to Zoning to re-zone a tract of land zoned Agricultural to Rural Residential for the purpose of selling the property. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Tomjack, to make recommendation to the Mountrail County Commissioners to approve the zoning request filed by Hunter Bear as applicant/landowner, for an amendment to change land zoned Agricultural to Industrial for the purpose of selling the property on a tract of land 2.50 acres more or less located in the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West, to be known as Outlot 3 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West (Crane Creek Township) as Hunter Bear applicant/landowner, has met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Hunter Bear applicant/landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:36 a.m. Hunter Bear-Applicant/Landowner; (PZ-2024-0236) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 2.50 acres more or less known as Outlot 3 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West (Crane Creek Township) (Parcel# 39-0017115)

The applicant (represented by Joe Bear) is seeking a Conditional Use Permit for the purpose of placing a mobile home on land zoned Rural Residential. 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 Hunter Bear applicant/landowner, for a Conditional Use Permit for the purpose of placing a mobile home on land zoned Rural Residential on a tract of land 2.50 acres more or less known as Outlot 3 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West (Crane Creek Township) as Hunter Bear applicant/landowner, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Hunter Bear applicant/landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:39 a.m. BWB Honey-Applicant; Michael & Linda Palmer-Landowners (PZ-2024-0269) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 40.00 acres more or less described as NW1/4NE1/4 of Section 20, Township 156 North, Range 89 West (McGahan Township) (Parcel# 16-0010100)

The applicant (represented by Brandon Buoye with BWB Honey) is seeking a Conditional Use Permit to use land zoned industrial for temporary workforce housing for seasonal employees. Allen Tillinghast approached the board with concerns regarding BWB Honey’s business practices and them having bees on properties without the landowner’s permission. Mr. Buoye assured Mr. Tillinghast that they didn’t put the bees on those properties without permission on purpose and that the issue Mr. Tillinghast brought up about the Deaver property was an accidental mix-up because they have so many different properties with the Deaver’s for the bees to be on and they accidentally got put on the wrong property. Roger Vesey also addressed the board stating that BWB has a history of putting bees on properties without landowner’s permission. Tammy Castro, a beekeeper from the Parshall area that also works with BWB Honey, addressed the board in defense of BWB Honey assuring them that Mr. Bouye does what he can to make sure he has landowner permission and corrects mistakes made as soon as possible. Commissioner Hollekim questioned how many skid shacks or how many employees this would be approved for. Ms. Castro stated that they weren’t asking for more skid shacks but they were asking for up to 12 employees in case they need to bring more people in than they currently have. Commissioner Borud would like this Conditional Use Permit to need to be renewed yearly to ensure things are running the way they’re supposed to be. 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 BWB Honey with concurrence from Michael & Linda Palmer-landowners, for a Conditional Use Permit to use land zoned industrial for temporary workforce housing for seasonal employees on a tract of land 40.00 acre more or less tract of land described as NW1/4NE1/4 of Section 20, Township 156 North, Range 89 West (McGahan Township) for 1 year, for 6 skid shacks, housing no more than 12 seasonal employees, as BWB Honey with concurrence from Michael & Linda Palmer-landowners, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon BWB Honey with concurrence from Michael & Linda Palmer-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:42 a.m. Farden Construction Inc.-Applicant;** **Jerimey & Nicohl Bruhn-Landowners (PZ-2024-0270) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 17.14 acres more or less, located in the SE1/4NW1/4 & Gov’t Lot 3 (NE1/4NW1/4) of Section 1, Township 156 North, Range 89 West (McGahan Township) (Parcel# 16-0000400)

The applicant (represented by Tom Farden with Farden Construction Inc.) is seeking a Conditional Use Permit for the purpose of using land zoned agricultural to mine gravel. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Johnson, to approve the zoning request filed by Farden Construction Inc. with concurrence from Jerimey & Nicohl Bruhn-landowners, for a Conditional Use Permit for the purpose of mining gravel on land zoned Agricultural on a tract of land 17.14 acres more or less, located in the SE1/4NW1/4 & Gov’t Lot 3 (NE1/4NW1/4) of Section 1, Township 156 North, Range 89 West (McGahan Township) for a period of 5 years, expiring on 8-27-2029, as Farden Construction Inc. with concurrence from Jerimey & Nicohl Bruhn-landowners, 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 Jerimey & Nicohl Bruhn-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:45 a.m. Sauber Engineering-Applicant; Mountrail County Park Commission-Landowner (PZ-2024-0276) Replat**

Replat Application for the following described property: a tract of land 70.50 acres more or less known as portion of Van Hook Original Townsite less Lots 5-7 of Block 4, Lots 1-8 of Blocks 5, 6 & 7, Lots 5-12 Block 8, a portion of Lot 6 and all of Lots 7-11 Block 9 and a portion of Lot 12 of Block 9, a portion of Lot 6 and all of Lots 7-10 and a portion of Lot 11 Block 10, portion of Block 11, Lots 7-10 Block 12, portion of Lots 9 and 10 Block 13, portion of Lot 2 and all of Lots 3-13 and a portion of Lot 14 Block 15, all of Blocks 16-42 of the original Townsite of Van Hook. Less portion of Lot 5 and all of Lots 6-14 and a portion of Lot 15 Block 5 Hodges First Addition to Van Hook, less a portion of Lot 4 and all of Lots 5-13 and a portion of Lot 14 Block 6 Hodges First Addition to Van Hook. All of Olson’s First Addition, Olsen’s Second Addition, portion of Hodges First Addition & Replat of Hodges First Addition, all located in the S1/2SW1/4 of Section 29 & N1/2N1/2 of Section 32, Township 152N, Range 91W to be known as Traynor Park Subdivision consisting of Lots 1-4 Block 1, Lots 1-17 Block 2, Lots 1-16 Block 3, Lots 1-20 Block 4, Lots 1-8 Block 5, Lots 1-12 Block 6, Lots 1-12 Block 7, Lots 1-6 and playground and Picnic Shelter Block 8, Lots 1-8 Block 9, Lots 1-8 Block 10, Lots 1-10 Block 11, Lots 1-12 Block 12, Lots 1-13 Block 13, Lots 1-14 Block 14, Lots 1-14 Block 15, Lots 1-15 Block 16, Lots 1-16 Block 17, Lots 1-12 Block 18, Lots 1-3 Block 19, Lots 1-7 Block 20, Lots 1-7 Block 21, Lot 1 Block 22, being a replat of a portion of the Van Hook Original Townsite, all of Olson’s First Addition, Olsen’s Second Addition, portion of Hodges First Addition to Van Hook & Replat of Hodges First Addition to Van Hook, located in the S1/2SW1/4 of Section 29 & N1/2N1/2 of Section 32, Township 152N, Range 91W (Van Hook Township) (Parcel# 45-0014101)

The applicant (represented by John Sauber with Sauber Engineering) is seeking a replat of portions of the Original Townsite of Van Hook, Hodges First Addition to Van Hook, Olson’s First Addition to Van Hook and Olson’s Second Addition to Van Hook to unify the area under one subdivision known as Traynor Park Subdivision. This re-plat will eliminate the need for lease holders to have a surveyor prepare a boundary survey for the Mountrail County Park Board before they can build on their lot along with allowing all county offices to have the same legal description for the use of Planning and Zoning, Auditor’s Office, Recorder’s Office and Tax Director’s Office use. Access points are also being added and removed on the new plat so that access is no longer happening across the lands still owned by the Army Corps of Engineers. Lots that were not platted on the original plat, Sauber Engineering will later be placing new lot line pins for each lot this fall. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Tomjack to make recommendation to the Mountrail County Commissioners to approve the zoning request to replat portions of the Original Townsite of Van Hook, Hodges First Addition to Van Hook, Olson’s First Addition to Van Hook and Olson’s Second Addition to Van Hook filed by Sauber Engineering with concurrence from Mountrail County Park Commission-landowner, for a tract of land 70.50 acres more or less known as portion of Van Hook Original Townsite less Lots 5-7 of Block 4, Lots 1-8 of Blocks 5, 6 & 7, Lots 5-12 Block 8, a portion of Lot 6 and all of Lots 7-11 Block 9 and a portion of Lot 12 of Block 9, a portion of Lot 6 and all of Lots 7-10 and a portion of Lot 11 Block 10, portion of Block 11, Lots 7-10 Block 12, portion of Lots 9 and 10 Block 13, portion of Lot 2 and all of Lots 3-13 and a portion of Lot 14 Block 15, all of Blocks 16-42 of the original Townsite of Van Hook. Less portion of Lot 5 and all of Lots 6-14 and a portion of Lot 15 Block 5 Hodges First Addition to Van Hook, less a portion of Lot 4 and all of Lots 5-13 and a portion of Lot 14 Block 6 Hodges First Addition to Van Hook. All of Olson’s First Addition, Olsen’s Second Addition, portion of Hodges First Addition & Replat of Hodges First Addition, all located in the S1/2SW1/4 of Section 29 & N1/2N1/2 of Section 32, Township 152N, Range 91W to be known as Traynor Park Subdivision consisting of Lots 1-4 Block 1, Lots 1-17 Block 2, Lots 1-16 block 3, Lots 1-20 Block 4, Lots 1-8 Block 5, Lots 1-12 Block 6, Lots 1-12 Block 7, Lots 1-6 and playground and Picnic Shelter Block 8, Lots 1-8 Block 9, Lots 1-8 Block 10, Lots 1-10 Block 11, Lots 1-12 Block 12, Lots 1-13 Block 13, Lots 1-14 Block 14, Lots 1-14 Block 15, Lots 1-15 Block 16, Lots 1-16 Block 17, Lots 1-12 Block 18, Lots 1-3 Block 19, Lots 1-7 Block 20, Lots 1-7 Block 21, Lot 1 Block 22, being a replat of a portion of the Van Hook Original Townsite, all of Olson’s First Addition, Olsen’s Second Addition, portion of Hodges First Addition to Van Hook & Replat of Hodges First Addition to Van Hook, located in the S1/2SW1/4 of Section 29 & N1/2N1/2 of Section 32, Township 152N, Range 91W (Van Hook Township). Sauber Engineering with concurrence from Mountrail County Park Commission-landowner, has met all criteria as set forth in Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:48 a.m. Taylor Ramsdell-Applicant; Daniel & Lenore Pausig-Landowners (PZ-2024-0278) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 3.00 acres more or less in Outlot 1 of Gov’t lots 6 (SW1/4SW1/4), & 7 (NW1/4SW1/4) & E1/2SE1/4 of Section 6, Township 154 North, Range 91 West to be known as Sublot A of Outlot 1 of Gov’t Lot 7 of Section 6, Township 154, Range 91 West (Sikes Township) (Parcel# 32-0003000)

The applicant (represented by Daniel Pausig) is seeking a Conditional Use Permit to place a mobile home on land zoned Agricultural. Mr. Pausig informed the board that his daughter and her family are currently living in the mobile home in Minot and there have been significant upgrades to the interior. Commissioner Hollekim asked if there were plans to update the siding and the roof which Mr. Pausig responded they do plan to improve the exterior. This permit will be approved subject to a new roof and siding being installed within one year of placing the mobile home on the property. Applicant has met all other requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Ruland, to approve the zoning request filed by Taylor Ramsdell with concurrence from Daniel & Lenore Pausig-landowners, for a Conditional Use Permit to place a mobile home on land zoned Agricultural on a tract of land 3.00 acres more or less in Outlot 1 of Gov’t lots 6 (SW1/4SW1/4), & 7 (NW1/4SW1/4) & E1/2SE1/4 of Section 6, Township 154 North, Range 91 West to be known as Sublot A of Outlot 1 of Gov’t Lot 7 of Section 6, Township 154, Range 91 West (Sikes Township) contingent upon improvements consisting of a new roof and new siding being installed within one year of placing the mobile home on the property as Taylor Ramsdell with concurrence from Daniel & Lenore Pausig-landowners, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Taylor Ramsdell with concurrence from Daniel & Lenore Pausig-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:51 a.m. Daniel Pausig Sr.-Applicant; Daniel & Lenore Pausig-Landowners (PZ-2024-0200) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 3.00 acres more or less in Outlot 1 of Gov’t lots 6 (SW1/4SW1/4), & 7 (NW1/4SW1/4) & E1/2SE1/4 of Section 6, Township 154 North, Range 91 West to be known as Sublot B of Outlot 1 of Gov’t Lot 7 and part of the SE1/4SW1/4 of Section 6, Township 154, Range 91 West (Sikes Township) (Parcel# 32-0003000)

The applicant (represented by Daniel Pausig) is seeking a Conditional Use Permit to place a mobile home on land zoned Agricultural. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Ruland, seconded by Commissioner Tomjack, to approve the zoning request filed by Daniel Pausig Sr. with concurrence from Daniel & Lenore Pausig-landowners, for a Conditional Use Permit to place a mobile home on land zoned Agricultural on a tract of land 3.00 acres more or less in Outlot 1 of Gov’t lots 6 (SW1/4SW1/4), & 7 (NW1/4SW1/4) & E1/2SE1/4 of Section 6, Township 154 North, Range 91 West to be known as Sublot B of Outlot 1 of Gov’t Lot 7 and part of the SE1/4SW1/4 of Section 6, Township 154, Range 91 West (Sikes Township) as Daniel Pausig Sr. with concurrence from Daniel & Lenore Pausig-landowners, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Daniel Pausig Sr. with concurrence from Daniel & Lenore Pausig-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:54 a.m.** **JDE Holdings LLC-Applicant; Curtis Frey, et. al.-Landowners (PZ-2024-0146) Amendment**

Amendment to Zoning Request for the following described property a tract of land 3.00 acres more or less, located in the NE1/4 of Section 21, Township 154 North, Range 90 West (Austin Township) (Parcel# 31-0008400)

Chairman Sorenson un-tabled this discussion.

This discussion will include discussion on the Conditional Use Permit application that follows this hearing but any motions made here are for the Amendment to Zoning application only.

The applicant (represented by Travis Sauber with JDE Holdings LLC) is seeking an Amendment to Zoning to re-zone a tract of land zoned Agricultural to Industrial for the purpose of building a data center. Mr. Sauber has emailed the board an engineered site plan that shows the footprint and impacted area of the planned project and presented information and pictures of the interior of the building showing their plan for immersion cooling and assured the board it will be an unmanned facility so there won’t be any traffic moving around it once it’s built. Mr. Sauber claims the facility will purchase stranded (surplus) power from the Mountrail-Williams Electric Cooperative (MWEC) substation next to it which will benefit members of the co-op because the profit from that purchase will get divvied out to the members. JDE Holdings has received an email from MWEC about a rate agreement that is being drafted specifically for data centers that says the data center will curtail their use of electricity in the event of an outage and if something catastrophic happens, the data centers will be the first to have their power shut off and will be the last to be turned back on. Mr. Sauber states that JDE is fine with this and that the facility will not use backup generators in the event the power is shut off as JDE isn’t operating on a huge massive scale and are good with being shut off. As far as public goes Mr. Sauber states, they are in the hands of MWEC. Chairman Hollekim asked if the checklist has been completed and Administrator Vachal stated that not all items have been submitted. The electric agreement with MWEC has not been provided only an email. State’s Attorney Enget feels that Mountrail County needs to be a third-party beneficiary of the cryptocurrency rate agreement with MWEC so that the county has the right to enforce shutting down the power if it is negatively impacting the residents of Mountrail County. Public concerns were brought forward by Noelle Nesheim of Palermo, Kelly Woessner of Parshall, and Wayne Johnson of Palermo. Applicant still has some checklist items for the Conditional Use Permit to complete.

Moved by Commissioner Ruland, seconded by Commissioner Hollekim to make recommendation to the Mountrail County Commissioners to table the zoning request filed by JDE Holdings LLC with concurrence from Curtis Frey, et. al.-landowners, for an amendment to re-zone a tract of land zoned Agricultural to Industrial for the purpose of building a data center on a tract of land 3.00 acres more or less, located in the NE1/4 of Section 21, Township 154 North, Range 90 (Austin Township) until the applicant completes the Conditional Use checklist that coincides with this application. All present voted yes. Motion carried.

1. **9:03 a.m. JDE Holdings LLC-Applicant; Curtis Frey, et. al.-Landowners (PZ-2024-0147) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 3.00 acres more or less, located in the NE1/4 of Section 21, Township 154 North, Range 90 West (Austin Township) (Parcel# 31-0008400)

This matter will remain tabled until the applicant has the required checklist completed.

**Temporary Water Permits – New – For Board Information Only**

PZ-2024-0240 – Garrett Lalim – Applicant/Landowner. State Water Permit #ND2024-22466. Period of Authorized usage: 7/23/2024 through 7/01/2025. Pump placement on a tract of land 40.00 acres more or less located in Gov’t Lot 3 (NW1/4SW1/4) of Section 7, Township 157 North, Range 93 West (Sorkness Township) (8) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0281 – Flo Pro Inc – Applicant. Robert & Deborah Clark – Landowner. State Water Permit #ND2024-22450. Period of Authorized usage: 8/16/2024 through 7/03/2025. Pump placement on a tract of land 28.00 acres more or less located in Gov’t Lot 7 (NE1/4SW1/4) of Section 5, Township 157 North, Range 92 West (Cottonwood Township) (11) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0285 – Waypoint Water Solutions LLC – Applicant. Danielle Nelson – Landowner. State Water Permit #ND2024-22411. Period of Authorized usage: 8/22/2024 through 10/15/2025. Pump placement 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) (5) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0289 – Quality Water Systems LLC – Applicant. Curtis & Leslie Trulson – Landowner. State Water Permit #ND2024-22558. Period of Authorized usage: 8/23/2024 through 7/31/2025. Pump placement on a tract of land 120.80 acres more or less located in the SW1/4 of Section 21, Township 156 North, Range 92 West (Ross Township) (11) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

PZ-2024-0291 – West Dakota Water – Applicant. Clarence & E Mae Helling Family Trust – Landowner. State Water Permit #ND2024-22457. Period of Authorized usage: 8/20/2024 through 10/19/2024. Pump placement on a tract of land 40.00 acres more or less located in the SE1/4NE1/4 of Section 15, Township 154 North, Range 94 West (Unorganized Township) (6) CERTIFIED RECEIPTS RECEIVED. Approved by P&Z Administrator.

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

Quality Water Systems LLC – Permit Number – State Water Permit ND2024-22494/ PZ-2024-0239. Pumping of industrial water by lay flat hose: Quality Water Systems LLC–Applicant. Thomas & Jackie Heinle–Landowner. S1/2SE1/4 of Section 15, Township 156 North, Range 94 West (Myrtle Township) Period of Authorized usage: 7/08/2024 through 8/1/2024. Parcel #21-0007800 (Ref# PZ-2024-0093)

Sunshine Valley Ranch LLLP – Permit Number – State Water Permit ND2024-22469 /PZ-2024-0243. Pumping of industrial water by lay flat hose: Sunshine Valley Ranch LLLC–Applicant. Arnold E & Marjorie Postovit Trust–Landowner. SE1/4 of Section 6, Township 157 North, Range 93 West (Sorkness Township) Period of Authorized usage: 7/02/2024 through 7/01/2025. Parcel #13-0003200 (Ref# PZ-2023-0428)

Waypoint Water Solutions LLC – Permit Number – State Water Permit ND2024-22495/ PZ-2024-0255. Pumping of industrial water by lay flat hose: Waypoint Water Solutions LLC–Applicant. Danielle Nelson–Landowner. SE1/4NE1/4 of Section 33, Township 155 North, Range 94 West (Unorganized Township) Period of Authorized usage: 7/03/2024 through 10/15/2024. Parcel #28-0014600 (Ref# PZ-2024-0065)

Bryon Zacher – Permit Number – State Water Permit ND2024-22327/PZ-2024-0268. Pumping of industrial water by lay flat hose: Bryon Zacher–Applicant/Landowner. Gov’t Lot 2 (SW1/4NW1/4) of Section 19, Township 153 North, Range 90 West (Wayzetta Township) Period of Authorized usage: 7/16/2024 through 7/31/2025. Parcel #38-0007100 (Ref# PZ-2023-0281)

Waypoint Water Solutions LLC – Permit Number – State Water Permit ND2024-22495/ PZ-2024-0286. Pumping of industrial water by lay flat hose: Waypoint Water Solutions LLC–Applicant. Danielle Nelson–Landowner. SE1/4NE1/4 of Section 33, Township 155 North, Range 94 West (Unorganized Township) Period of Authorized usage: 7/03/2024 through 10/15/2024. Parcel #28-0014600 (Ref# PZ-2024-0065)

Headwaters Inc – Permit Number – State Water Permit ND2024-22473/PZ-2024-0288. Pumping of industrial water by lay flat hose: Headwaters Inc–Applicant. Rice Ranch LLLP–Landowner. NW1/4SE1/4 of Section 34, Township 156 North, Range 94 West (Myrtle Township) Period of Authorized usage: 7/06/2024 through 10/15/2024. Parcel #21-0007700 (Ref# PZ-2024-0030)

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

EOG Resources Inc – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22271/PZ-2024-0256. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant. Roger & Darlene Vesey – Landowner. Transported by underground line to NE1/4 of Section 13, Township 153 North, Range 90 West (Van Hook Township) ending in Outlot 2 of the NW1/4NW1/4 of Section 23, Township 153 North, Range 90 (Van Hook Township).

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-2237/PZ-2024-0263. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Terry Anderson – Landowner. SE1/4NE1/4 of Section 9, Township 154 North, Range 93 West (Rat Lake Township) ending in the S1/2SE1/4 of Section 11, Township 154 North, Range 93 West (Rat Lake Township).

EOG Resources Inc – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2023-21864/PZ-2024-0241. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant. Brent & Kayla Wollschlager – Landowner. SE1/4 of Section 36, Township 152 North, Range 91 West (Van Hook Township) ending in the E1/2NW1/4 of Section 26, Township 151 North, Range 93 (Liberty Township).

EOG Resources Inc – Lay Flat Hose Permit only – Permit Number – State Water Permit #6656/PZ-2024-0242. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant. Jerry Wurtz et al – Landowners. SE1/4 of Section 24, Township 152 North, Range 91 West (Van Hook Township) ending in the E1/2NW1/4 of Section 26, Township 151 North, Range 93 (Liberty Township).

ASWS LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #6923/PZ-2024-0267. Pumping of industrial water by lay flat hose: ASWS LLC – Applicant. Scott & Trudy Ruland – Landowner. NW1/4 of Section 16, Township 151 North, Range 93 West (Big Bend Township) ending in the SW1/4 of Section 4, Township 151 North, Range 93 (Big Bend Township).

Williston Water Management LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #7114/PZ-2024-0271. Pumping of industrial water by lay flat hose: Williston Water Management LLC – Applicant. Sherri Reynolds & Tara Salute – Landowners. NW1/4 of Section 34, Township 152 North, Range 92 West (Osborne Township) ending in the NW1/4NW1/4 of Section 21, Township 152 North, Range 91 (Van Hook Township).

EOG Resources Inc – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22271/PZ-2024-0275. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant. Roger & Darlene Vesey – Landowner. Transported by underground line to NW1/4 of Section 3, Township 153 North, Range 90 West (Wayzetta Township) ending in Outlot 1 of the SE1/4 of Section 34, Township 154 North, Range 90 (Austin Township).

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22033/PZ-2024-0290. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. Ronald Rugland – Landowner. Gov’t Lot 2 (NE1/4NW1/4) of Section 32, Township 157 North, Range 89 West (Redmond Township) ending in the NW1/4, less Outlot 1 of Section 11, Township 156 North, Range 90 (Palermo Township).

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22371/PZ-2024-0292. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Terry Anderson – Landowner. SE1/4NE1/4 of Section 9, Township 154 North, Range 93 West (Rat Lake Township) ending in SE1/4 of Section 19, Township 154 North, Range 93 (Rat Lake Township).

Select Water Solutions LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2024-22371/PZ-2024-0293. Pumping of industrial water by lay flat hose: Select Water Solutions LLC – Applicant. Terry Anderson – Landowner. NE1/4NE1/4 of Section 17, Township 154 North, Range 93 West (Rat Lake Township) ending in the SE1/4SW1/4 of Section 8, Township 154 North, Range 93 (Rat Lake Township).

Streamline Water Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #6285/PZ-2024-0294. Pumping of industrial water by lay flat hose: Streamline Water Services – Applicant. Earl R & Janet A Jensen Family Trust – Landowner. SE less Outlot 1 of SW/14SE1/4 of Section 35, Township 157 North, Range 90 West (Clearwater Township) ending in the Gov’t Lot 2 (NW1/4NE1/4) of Section 32, Township 157 North, Range 89 (Redmond Township).

**Building Permits 2376-2384**

2376 – PZ-2024-0237 – Hunter Bear – Applicant/ Landowner. Parcel #39-0017100. Outlot 3 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West. (Crane Creek Township) 16’ x 80’ home. Contingent on CUP approval.

2377 – PZ-2024-0238 – Kim & Wesley Reynolds – Applicant/Landowner. Parcel #32-0010001. Outlot 1 of the SE1/4NW1/4, SW1/4NE1/4, NW1/4SE1/4, NE1/4SW1/4 of Gov’t Lot 2 of Section 19, Township 154 North, Range 91 West. (Sikes Township) 50’ x 80’ Shouse.

2378 – PZ-2024-0260 – Erick & Kristin Lindstrom – Applicant/Landowner. Parcel #51-0000655. Lot 16 of Brendle’s Third Subdivision located in the S1/2NE1/4 of Section 10, Township 151 North, Range 91 West. (Liberty Township) 38’ x 46’ house including deck & porch storage building.

2379 – PZ-2024-0296 – Melissa & Mark Vachal – Applicant/landowner. Parcel #27-0001902. Outlot 1 of Gov’t Lot 1 (NE1/4NE1/4) & SE1/4NE1/4 of Section 5, Township 155 North, Range 93 West. (Debing Township) 36’ x 54’ barn with 16’ lean-to. Ag use-no fee.

2380 – PZ-2024-0297 – Daniel & Lenore Pausig – Applicant/Landowner. Parcel #32-0003000. Outlot 1 of Gov’t Lot 6 (NW1/4SW1/4) & Gov’t Lot 7 (SW1/4SW1/4) & E1/2SW1/4 of Section 6, Township 154 North, Range 91 West. (Sikes Township) 24’ x 48’ storage building. Ag use-no fee.

2381 – PZ-2024-0279 – Taylor Ramsdell – Applicant. Daniel & Lenore Pausig – Landowner. Parcel #32-0003000. Sublot A of Outlot 1 of Gov’t Lot 6 (NW1/4SW1/4) & Gov’t Lot 7 (SW1/4SW1/4) & E1/2SW1/4 of Section 6, Township 154 North, Range 91 West. (Sikes Township) 14’ x 68’ mobile home. Requesting camper for one year while building. Contingent on CUP approval.

2382 – PZ-2024-0201 – Daniel Pausig Sr – Applicant. Daniel & Lenore Pausig – Landowner. Parcel #32-0003000. Outlot 1 of Gov’t Lot 6 (NW1/4SW1/4) & Gov’t Lot 7 (SW1/4SW1/4) & E1/2SW1/4 of Section 6, Township 154 North, Range 91 West. (Sikes Township) 28’ x 68’ mobile home with fence. Contingent on CUP approval.

2383 – PZ-2024-0284 – Future Builders Inc – Applicant. Duane Estvold – Landowner. Parcel #47-0003805. Outlot 1 of SE1/4SE1/4 of Section 27, Township 152 North, Range 93 West. (Unorganized Township) 30’ x 40’ detached garage.

2384 – PZ-2024-0295 (RENEWAL of PZ-2023-0131)– Jesse & Jayden Bear – Applicant. Paula Bear et al – Landowner. Parcel #39-0017105. Outlot 1 of the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West. (Crane Creek Township) 1728 sq ft home.

Moved by Commissioner Hollekim, seconded by Commissioner Ruland, approve building permit 2381 and to allow 1 camper to be on the property for 1 year, subject to the conditions of the previously approved Conditional Use Permit (PZ-2024-0278). All present voted yes. Motion carried.

Moved by Commissioner Ruland, seconded by Commissioner Tomjack, to approve building permits 2376-2380 & 2382-2384. 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 regarding Hyrum Zitting’s plan of action
* Subdivision Letter of Credit
* Data Centers
* -Enerfore Digital Plaza LLC are now looking at a different location north of the Wabek area and may not be utilizing the original location and want their applications to stay tabled for now.

**STAFF UPDATES**

* + Administrator Vachal would like to know what the board would like administration to require regarding battery storage facilities (zoning to industrial, CUP and building permit and fees). Commissioner Ruland feels they should do a moratorium on data centers and battery storage facilities in order to have time to fully research these types of facilities. Commissioner Hollekim agreed the board should consider. State’s Attorney Enget suggested making the moratorium an agenda item for the September 23rd meeting and discuss it then.
  + State’s Attorney Enget received a call from Ross Township concerning them signing off on the hose placements in right of ways because they aren’t sure they want to be doing so anymore. It was explained to the township that Planning & Zoning was having the township sign off on them as this gave the township knowledge that the water companies were using their right of ways. Mr. Enget just wanted to keep the board informed.

**BOARD CONCERNS**

* + None

The Board adjourned at 12:11 p.m. Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, September 23, 2024,** at 8:30 am via GOTOMEETING or in the Commissioners Room at the Mountrail County Courthouse.

Accepted and approved this 23rd day of September, 2024.

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\***