MINUTES

**Mountrail County Planning & Zoning Commission**

**August 28, 2023**

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, Joan Hollekim, Cameron Tomjack, Doug Bratvold, and Lauren Frost present. Also present were Planning & Zoning Administrator Melissa Vachal, Planning & Zoning Assistant Malinda Gunderson, Mountrail County Tax Equalization Director Lori Hanson, Mountrail County Property Assessor Kim Savage, Mountrail County State’s Attorney Wade Enget, and Mountrail County Auditor Steph Pappa. Absent were Commissioners Trudy Ruland, Zack Gaaskjolen, and Arlo Borud.

**APPROVAL OF AGENDA**

Moved by Commissioner Hollekim, seconded by Commissioner Frost, to approve the Planning and Zoning Commission agenda as amended. All present voted yes. Motion carried.

**APPROVAL OF MINUTES**

Moved by Commissioner Hollekim, seconded by Commissioner Fritel, to approve the Planning and Zoning Commission minutes of the July 24, 2023 meeting as corrected. All present voted yes. Motion carried.

1. **8:35 a.m. Fisher Sand & Gravel Company-Applicant; Pronghorn LLC-Landowner (PZ-2023-0262) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 35.70 acres more or less, located in the N1/2SW1/4NW1/4, SE1/4NW1/4NW1/4, E1/2NE1/4NW1/4NW1/4, & E1/2SW1/4NW1/4NW1/4 of Section 33, Township 153, Range 92 West (Knife River Township) (Parcel# 40-0015100)

The applicant (represented by Vent Wallace with Fisher Sand & Gravel Company) is seeking a Conditional Use Permit for the purpose of using land zoned Agricultural to remove stock piles of gravel. Mr. Wallace states that no mining will be done on this because the pit has been depleted and the property has been sold to Pronghorn LLC so Fisher Sand & Gravel Company is just removing the current stock piles. Adjacent landowner Lilly Peterson wrote to the board stating that she wants the applicant to stay off of her property that is to the east of this parcel. Mr. Wallace has no issue with this. Applicant is missing an approved Weed Management Plan and the board’s approval will be contingent upon receiving this. Applicant has met all other requirements of the Planning & Zoning Board.

Moved by Commissioner Frost, seconded by Commissioner Tomjack, to approve the zoning request filed by Fisher Sand & Gravel Company, with concurrence from Pronghorn LLC-landowner, for a Conditional Use Permit for the purpose of using land zoned Agricultural to remove stock piles of gravel on a tract of land 35.70 acres more or less, located in the N1/2SW1/4NW1/4, SE1/4NW1/4NW1/4, E1/2NE1/4NW1/4NW1/4, & E1/2SW1/4NW1/4NW1/4 of Section 33, Township 153, Range 92 West (Knife River Township) contingent upon the applicant obtaining an approved Weed Management Plan as Fisher Sand & Gravel Company, with concurrence from Pronghorn LLC-landowner, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Fisher Sand & Gravel Company, with concurrence from Pronghorn LLC-landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

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

PZ-2023-0239 – Martin Construction Inc – Applicant. Mountrail County – Landowner. State Water Permit #ND2023-21557. Period of Authorized usage: 8/07/2023 through 12/29/2023. Pump placement in County Right of Way ditch on a tract of land 00.11 acres more or less located in the SW1/4NW1/4 of Section 3, Township 154 North, Range 94 West (Unorganized Township) (6 out of 6) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 8/01/2023

PZ-2023-0249 – Bryon Zacher – Applicant. Bryon & Lois Zacher Partnership LLP – Landowner. State Water Permit #ND2023-21791. Period of Authorized usage: 8/1/2023 through 7/15/2024. Parcel #38-0007100. Pump placement on a tract of land 40.00 acres more or less located in the SW1/4NW1/4 (Gov’t Lot 2) of Section 19, Township 153 North, Range 90 West (Wayzetta Township) (12 out of 12) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 8/02/2023

PZ-2023-0256 – JK Water Services – Applicant. Manitou Township – Landowner. State Water Permit #ND2023-21583. Period of Authorized usage: 5/14/2023 through 5/13/2024. Parcel #20-0005501. Pump placement on a tract of land 5.00 acres more or less located in the S1/2SE1/4 of Section 10, Township 156 North, Range 93 West (Manitou Township) (12 out of 12) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 6/06/2023

PZ-2023-0263 – Williston Water Management – Applicant. Annie G Reynolds Trust (Sherri Reynolds) and Tara Salute -Landowner. State Water Permit #7114. Period of Authorized usage: 8/18/2023 through 08/18/2024 Parcel #460022800. Water Depot on a tract of land located in the NE1/4NW1/4 of Section 34, Township 152 North, Range 92 West (Osborne Township) (6 out of 6) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 8-18-2023

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

Northwest Water Transfer – State Water Permit #ND2023-21425 / PZ-2023-0251. Northwest Water Transfer – Applicant. Sydney & Carol Craft by Warren Craft POA – Landowner. SE1/4 of Section 16, Township 155 North, Range 91 West (Purcell Township). Period of Authorized usage: 7/04/2023 through 7/03/2024. Parcel #25-0007200. Approved by P&Z Administrator

Quality Water Systems LLC – State Water Permit #ND2023-21799 / PZ-2023-0257. Quality Water Systems LLC – Applicant. Jane Rismon LE, Melissa Johnson, Amy Farhart & Chad Rismon – Landowners. N1/2SE1/4 (Gov’t Lot 7) of Section 6, Township 157 North, Range 92 West (Cottonwood Township). Period of Authorized usage: 9/16/2023 through 7/25/2024. Parcel #12-0003300. Approved by P&Z Administrator

Schenk LLC – State Water Permits #ND2022-21331 & #ND2023-21790 / PZ-2023-0260. Schenk LLC – Applicant. Bartelson Investments LLLP – Landowner. SW1/4 of Section 4, Township 152 North, Range 90 West (Parshall Township). Period of Authorized usage: (ND2022-21331) 2/15/2023 through 7/31/2023 & (ND2023-21790) 8/01/2023 through 7/31/2024. Parcel #44-0001600. Approved by P&Z Administrator

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

Martin Construction Inc – Permit Number – State Water Permit #ND2023-21557 / PZ-2023-0240. Pumping of industrial water by lay flat hose: Martin Construction Inc – Applicant. Mountrail County – Landowner. SW1/4NW1/4 of Section 3, Township 154 North, Range 94 West ending in the SW1/4NW1/4 of Section 3, Township 154 North, Range 94 West (Unorganized Township). Period of Authorized usage: 8/07/2023 through 12/29/2023. Approved by P&Z Administrator

ASWS LLC – State Water Permit #6459 / PZ-2023-0250. Pumping of industrial water by lay flat hose: ASWS LLC – Applicant. Point of beginning is Williams County; Section 11 and Section 13, Township 154 North, Range 96 West ending at SW1/4NW1/4 (Gov’t Lot 4) of Section 31, Township 157 North, Range 94 West (White Earth Township) going back into Williams County. Period of Authorized usage: 7/15/2023 through 11/15/2023. Approved by P&Z Administrator

Northwest Water Transfer – Permit Number – State Water Permit #ND2023-21456 / PZ-2022-0253. Pumping of industrial water by lay flat hose: Northwest Water Transfer –Applicant. Pumping of industrial water by lay flat hose point of beginning in Burke County; NW1/4 of Section 27, Township 159 North, Range 93 West, ending in Mountrail County N1/2NW1/4 Section 28, Township 158 North, Range 93 West (Powers Lake Township). Period of Authorized usage: 7/24/2023 through 11/01/2023. – Approved by P&Z Administrator

Herman Energy Services – Permit Number – State Water Permit #ND2023-21425 / PZ-2023-0254. Renewal from PZ-2023-0251 Pumping of industrial water by lay flat hose: Herman Energy Services –Applicant. Pumping of industrial water by lay flat hose point of beginning SE1/4 of Section 16, Township 155 North, Range 91 West ending at NE1/4NE1/4 of Section 29, Township 155 North, Range 91 West (Purcell Township). Period of Authorized usage: 7/24/2023 through 9/21/2023. – Approved by P&Z Administrator

Herman Energy Services – Permit Number – State Water Permit #ND2023-21425 / PZ-2023-0255. Renewal from PZ-2023-0251 Pumping of industrial water by lay flat hose: Herman Energy Services –Applicant. Pumping of industrial water by lay flat hose point of beginning SE1/4 of Section 16, Township 155 North, Range 91 West ending at NE1/4 of Section 30, Township 155 North, Range 91 West (Purcell Township). Period of Authorized usage: 7/24/2023 through 9/21/2023. – Approved by P&Z Administrator

Select Energy Services LLC – Permit Number – State Water Permit #ND2023-21730 / PZ-2023-0259. Pumping of industrial water by lay flat hose: Select Energy Services LLC – Applicant. Pumping of industrial water by lay flat hose point of beginning W1/2NE1/4 of Section 11, Township 157 North, Range 93 West ending at N1/2NE1/4 of Section 15, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 8/01/2023 through 2/10/2024. – Approved by P&Z Administrator

Williston Water Management – Permit Number – State Water Permit #7114 / PZ-2023-0264. Pumping of industrial water by lay flat hose: Williston Water Management –Applicant. Pumping of industrial water by lay flat hose point of beginning NW1/4 of Section 34, Township 152 North, Range 92 West ending at SE1/4 of Section 6, Township 151 North, Range 92 West (Howie Township). Period of Authorized usage: 8/18/2023 through 11/02/2023. – Approved by P&Z Administrator

Select Energy Services LLC – Permit Number – State Water Permit #ND2023-21730 / PZ-2023-0277. Pumping of industrial water by lay flat hose: Select Energy Services LLC – Applicant. Pumping of industrial water by lay flat hose point of beginning N1/2NE1/4 of Section 15, Township 157 North, Range 93 West ending at SE1/4SW1/4 of Section 10, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 7/09/2023 through 11/09/2023. – Approved by P&Z Administrator

**Building Permits 2331-2333**

2331 – PZ-2023-0252 – James Hedwall – Applicant/Landowner. Parcel #26-0000301. Lot 1 of Knife River Valley Estates located in Outlot 2 of Gov’t Lot 1 and the SE1/4NE1/4 of Section 1, Township 155 North, Range 92 West (Alger Township) 12’x22’ Lean To addition to existing Quonset.

2332 – PZ-2023-0258 – Adam Jarmin – Applicant/Landowner. Parcel #35-0015000. Lot 35 of White Earth Cottage Site located in the SW1/4SE1/4 of Section 26, Township 154 North, Range 94 West (Unorganized Township) 36’x54’ cement slab for future garage. Amendment to PZ-2023-0114 Increase of size 30’x50’ originally applied for.

2333 – PZ-2023-0268 – Kyle & Tarcie Carter – Applicant/Landowner. Parcel #47-0027504. Lot 2, Block 2 of Riverview Estates Subdivision located in the E1/2 of Section 11 & W1/2 of Section 12, Township 152 North, Range 93 West (Unorganized Township) Foundation and a 26’8”x48’modular home.

Moved by Commissioner Fritel, seconded by Commissioner Frost, to approve building permits 2331-2333. All present voted yes. Motion carried.

Chairman Sorenson informed the board and Administration that Agricultural used buildings on land zoned Agricultural, aside from residences, are exempt from building permits per the new regulations in the Mountrail County Land Development Code. Administration will refund the fee for building permit 2329 which was approved on July 24, 2023 because the barn being built is on land zoned Agricultural and is used for agricultural purposes.

**ONGOING BUSINESS**

Gravel Pits- Remains ongoing Administration working on Report

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

Subdivision Letter of Credit

**STAFF UPDATES**

* Administrator Vachal presented the board with a report of the Planning & Zoning fees collected from October 2022 to July 31, 2023. She will be recommending to the Mountrail County Board of Commissioners that the Planning & Zoning fee structure stay the same going forward.

**BOARD CONCERNS**

None.

The Board adjourned at 8:50 a.m. Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, September 25th, 2023,** at 8:30 am via GOTOMEETING and in the Commissioners Room at the Mountrail County Courthouse.

Accepted and approved this 25th day of September, 2023.

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\***