

Proceedings of the Mountrail County Commissioners

1. OPENING & ROLL CALL

The Board met in special session on Monday, July 25, 2022 at 9:00 A.M. at the Emergency/Community Room, Mountrail County Courthouse, Stanley ND with Commissioners Joan Hollekim, Jason Rice, Wayne Olson , Trudy Ruland, and Daniel Uran present in conjunction with Mountrail County Planning & Zoning (P&Z) Board members Roger Hovda, Gary Weisenberger, Zachary Gaaskjolen, Charlie Sorenson, Arlo Borud, Megan Fritel, Trudy Ruland and Joan Hollekim. Others in attendance were Melissa Vachal, P&Z Administrator; Malinda Gunderson, P&Z Assistant; State’s Attorney, Wade Enget; Scott Harmstead, SRF Consulting Group; Kim Savage, Tax Assessor; Lori Hanson, Tax Director; and Jay Regnier, Austin Collins and Brad Peterson with Enel Green Power North America Inc.

Chairman Ruland called the joint meeting to order.

2. APPOINTMENT SCHEDULED

9:00 A.M.

Discussion was held on the Land Development Code to discuss 5.6 Wind Energy Facility, Utility Scale. State’s Attorney Enget stated the setback requirements for the 5.6 Wind Energy Facility, Utility Scale were referred back to the P&Z Commissioner by the County Commissioners. Chairman Ruland stated a lot of research has been gathered from other counties on the setback requirements. Chairman Sorenson stated we need to protect the Ag community on what is in existence. Comm. Hollekim stated in the 2030 Comprehensive Plan the County is in support of wind energy development. The current proposed setback requirements are as follows:

- Participating residences – 1/3 mile
- Non-participating residences and other habitable structures, public facilities, and recreation areas – ½ mile
- All nonparticipating property lines – 1 mile
- Unoccupied structures – ½ mile
- Airstrips – 1 mile
- Public right of way and utility easements – ¼ mile
- Section lines – ¼ mile
- Adjoining property (site perimeter) – 1 mile
- Military Facility – 2 miles

Jay Regnier with Enel Green Power North America stated that the one-mile setback shouldn’t be a requirement for all nonparticipating property lines. The boards reviewed the setback category and the setback distances for each. The suggested changes for the participating residences, non-participating residences and other habitable structures, public facilities and recreation areas be moved to ½ mile. The unoccupied structures would be taken off. Airstrips will stay 1 mile setback. Public right of way and above utility easements and section lines will change to 1/8 of mile with maximum tower height not to exceed 660’. All nonparticipating property lines and adjoining property lines (site perimeter will change to ½ mile). Jay Regnier also requested the conditional use permit to expire in 3 years of the issuance. The Board stated it would stay the same and can be renewed after the 25 years. Jay Regnier also discussed the financial assurance with the cost of a letter of credit and would like that removed. The board stated it would stay the same.

Discussion was held on 5.9 Temporary Freshwater Industrial Use Point of Diversion. The requirements would change to give approval for the P&Z Administrator instead of the P&Z Board.

The board will wait until the P&Z board makes the recommendations for the September 6th, 2022 Commissioner meeting.

3. ADJOURN

The Board adjourned at 11:14 A.M. to meet in regular session on Tuesday, August 2, 2022 at 9:00 A.M. Accepted and approved this 2nd day of July, 2022.

Trudy Ruland, Chairman
Mountrail County Commissioner

Stephanie A. Pappa
Mountrail County Auditor