

PROCEEDINGS OF THE MOUNTRAIL COUNTY PLANNING & ZONING COMMISSION
Monday August 25, 2014

The Mountrail County Planning & Zoning Commission met on Monday, August 25, 2014 at the Mountrail County South Complex with the following voting members present: Arlo Borud, Roger Hovda, Chase Lindberg, Trudy Ruland, Gary Weisenberger, Charlie Sorenson, Linda Wienbar. Members absent were Rosemarie Bieri and Terry Mathson. Also present were Lori Hanson, Mountrail County Tax Equalization Director, Wade Enget, Mountrail County States Attorney, Teresa Captain, Mountrail County Auditor's Office, Don Longmuir, Mountrail County Zoning Administrator/Planner, Lisa Lee, and Judith Kleven of Planning and Zoning.

Chairman Hovda called the meeting to order at 8:30 a.m. The Planning and Zoning Administrator introduced Charlie Sorenson as a new member of the Planning and Zoning Board and Judith Kleven as the new administrative assistant for Planning and Zoning.

Chairman Hovda called the 8:30 a.m. public hearing to order regarding the subdivision review application filed by Fred W. and Joyce Evans for an 18.02 acre, more or less, plat to be known as Outlot 9 in Government Lot 2 of Section 3, Township 154 North, Range 91 West (Sikes Township). Present for this discussion was Fred Evans. Staff distributed a revised plat that was received on Friday, August 22nd. Mr. Evans did not have the certified mail return receipt cards from adjacent landowners but stated that he would bring them in. Discussion included concerns expressed by the plat review committee due to issues with Outlot 6 being subdivided, and Outlots 7 & 8 needed to be recorded. There also needs to be an access permit issued by the Road & Bridge department and the easement needs to be recorded. No other comments were received.

Moved by Commissioner Borud, seconded by Commissioner Ruland to table action on the subdivision review application filed by Fred W. and Joyce Evans for an 18.02 acre, more or less, plat to be known as Outlot 9 in Government Lot 2 of Section 3, Township 154 North, Range 91 West (Sikes Township) until the September meeting. Upon roll call, all voted yes, motion carried.

Chairman Hovda called the 8:35 a.m. public hearing to order regarding the subdivision review application filed by Fred W. and Joyce Evans for a 10.87 acre, more or less, plat to be known as Outlot 10 in Government Lots 1 & 2 of NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 154 North, Range 91 West (Sikes Township). Present for this discussion was Fred Evans. Staff distributed a revised plat that was received on Friday August 22nd. Mr. Evans did not have the certified mail return receipt cards from adjacent landowners but stated he would bring them in.

Moved by Commissioner Ruland, seconded by Commissioner Weisenberger to table the subdivision review application filed by Fred W. and Joyce Evans for a 10.87 acre, more or less, plat to be known as Outlot 10 in Government Lots 1 & 2 of NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 154 North, Range 91 West (Sikes Township) until the September meeting. Upon roll call, all voted yes, motion carried.

Chairman Hovda called the 8:40 a.m. public hearing to order regarding the subdivision review application filed by Wendy S. Keller of American Trust Center, Trustee of Mickelsen Lostwood Family Irrevocable Trust

for a 28.46 acre, more or less, plat to be known as Outlot 1 of the SW¼ of Section 14, Township 158 North, Range 91 West (Lostwood Township). Present for this discussion was Wendy S. Keller representing American Trust Center. Staff reported the receipt of three (3) certified mail return receipt cards from the adjacent landowners. Discussion included an affidavit for a name change for the titled owner from Trustee of Mickelsen Lostwood Family Revocable Trust to the Trustee of Mickelsen Lostwood Family Irrevocable Trust.

Moved by Commissioner Weisenberger, seconded by Commissioner Borud to approve the subdivision review application filed by American Trust Center Trustee for the Mickelsen Lostwood Family Irrevocable Trust for a 28.46 acre, more or less, plat to be known as Outlot 1 of the SW¼ of Section 14, Township 158 North, Range 91 West (Lostwood Township) as American Trust Center as Trustee of the Mickelsen Lostwood Family Irrevocable Trust has met all of the requirements of the Mountrail County Land Subdivision Resolution. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 8:45 a.m. public hearing to order to discuss the zoning request filed by Giles Radtke for an amendment to the Mountrail County Zoning Map to rezone a 5.40 acre, more or less, tract of land described as Lot 1 of Polly Acre Subdivision in the NW¼ of Section 5, Township 154 North, Range 93 West (Rat Lake Township) from agricultural to residential for the purpose of placing a mobile home. Present for this discussion was Giles Radtke. Mr. Radtke presented three (3) certified mail return receipt cards from adjacent landowners. Mr. Radtke stated that the trailer would be brand new and the size would be 80x14 ft.

Moved by Commissioner Borud, seconded by Commissioner Lindberg to present findings of fact from the August 25, 2014 public hearing and make a recommendation to the Mountrail County Commission for the approval of the zoning amendment filed by Giles Radtke to the Mountrail County Zoning Map to rezone a 5.40 acre, more or less, tract of land described as Lot 1 of Polly Acre Subdivision in the NW¼ of Section 5, Township 154 North, Range 93 West (Rat Lake Township) from agricultural to residential for the purpose of placing a mobile home as Giles Radtke has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Giles Radtke complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 8:50 a.m. public hearing to order to discuss the zoning request filed by Giles Radtke for a conditional use permit to use land zoned as residential to place a mobile home on a 5.40 acre, more or less, tract of land described as Lot 1 of Polly Acre Subdivision in the NW¼ of Section 5, Township 154 North, Range 93 West (Rat Lake Township). Present for this discussion was Giles Radtke.

Moved by Commissioner Borud, seconded by Commissioner Lindberg to approve the conditional use request filed by Giles Radtke for a conditional use permit to use land zoned residential to place a mobile home on a 5.40 acre, more or less, tract of land described as Lot 1 of Polly Acre Subdivision in the NW¼ of Section 5, Township 154 North, Range 93 West (Rat Lake Township) contingent upon the approval of the zoning amendment by the Mountrail County Commission as Giles Radtke has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon

Giles Radtke complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the minutes from the July 28, 2014 meeting as presented. Upon roll call all present voted yes, motion carried.

Chairman Hovda called the 8:55 a.m. public hearing to order to discuss the zoning request filed by Robert Western for a variance to draw slough water for fracking on a 160 acre, more or less, tract of land described as the SE $\frac{1}{4}$ of Section 36, Township 158 North, Range 92 West (Powers Township). Present for this discussion was Joe Bender of Oasis Petroleum. Zero (0) certified mail return receipt cards were received from the adjacent landowners. Motion to remove this item from the table was moved by Commissioner Weisenberger and seconded by Commissioner Borud. Upon roll call all voted yes, motion carried. Discussion included Oasis Petroleum laying pipelines in road ditches blocking field access, a water permit with a different legal description, and an expiration date of August 6, 2014. Mr. Bender stated he submitted a new application for a water permit to the North Dakota State Water Commission, a copy of which is included in the packet, but as of now there is no water permit.

Moved by Commissioner Borud, seconded by Commissioner Ruland to table this zoning request to the call of the chairman for a variance filed by Robert Western to draw slough water for fracking on a 160 acre, more or less, tract of land described as the SE $\frac{1}{4}$ of Section 36, Township 158 North, Range 92 West (Powers Township). Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 9:00 a.m. public hearing to order to discuss the zoning request filed by Chris Kautz of Knife River for a conditional use permit to use land zoned agricultural to mine gravel on an 80 acre, more or less, tract of land described as the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 157 North, Range 94 West (White Earth Township). No one was present representing Knife River. Staff reported no certified mail return receipt cards from adjacent landowners had been received. Concerns regarding the length of the haul roads were discussed.

Moved by Commissioner Weisenberger, seconded by Commissioner Borud to table action to the call of the chairman on the zoning request filed by Chris Kautz of Knife River for a conditional use permit to use land zoned agricultural to mine gravel on an 80 acre, more or less, tract of land described as the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 157 North, Range 94 West (White Earth Township) due to no one being present to answer questions. Upon roll call vote all present voted yes, motion carried.

Moved by Commissioner Weisenberger, seconded by Commissioner Sorenson to approve the building permits #1780 through #1789 and #1791 through #1794 (excluding #1790). Upon roll call all present voted yes motion carried.

Chairman Hovda called the 9:05 a.m. public hearing to order to discuss the zoning request filed by Curtis Trulson of Trulson Farms for a variance to draw slough water for fracking on a 136.10 acre, more or less, tract of land described as the NW $\frac{1}{4}$ including Outlot 1 of the NW $\frac{1}{4}$, of Section 25, Township 156, Range 92 West (Ross Township). No one was present for this discussion to represent Trulson Farms. No certified mail return receipt cards have been received from adjacent landowners. No further comments received.

Moved by Commissioner Borud, seconded by Commissioner Wienbar to table action on the zoning request filed by Curtis Trulson of Trulson Farms for a variance to draw slough water for fracking on a 136.10 acre, more or less, tract of land described as the NW¹/₄ including Outlot 1 of the NW¹/₄, of Section 25, Township 156, Range 92 West (Ross Township) to the call of the Chairman as no one was present representing Trulson Farms and no return receipt cards had been received from the adjacent landowners. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:10 a.m. public hearing to order to discuss the zoning request filed by Glacier Energy Services with concurrence from David Hilleren, landowner, for an amendment to the Mountrail County Zoning Map to rezone a 10 acre more or less tract of land described as the NW¹/₄ of Government Lot 4 of Section 2, Township 150 North, Range 92 West (Unorganized Township) from agriculture to industrial for the purpose of building a water depot pad. Present for this discussion was Robert Thayer of Glacier Energy, Tony Hill, King Schmelzer, Shirley Pennington, Jerry Pennington, Shelly Ventsch, and Lorna Elton. Two (2) certified mail return receipt cards were received. No additional comments were received. Discussion included the pad has already been built, the tank already having been completed, water will be piped (above ground) from Musk Rat Lake, needing a road haul agreement with the county for up to 100 trucks per day, signed agreements with landowners, the water permit is on its way. Shelly Ventsch of Howie Township Planning and Zoning spoke about not having a copy of the water permit, the pipeline is down already and no permits for water crossings have been issued by Howie Township. Jerry Pennington spoke about the need to pump water out from Muskrat Lake due to high levels. Robert Thayer also stated volunteer fire departments and county dust control can also use the water for free. Shirley Pennington stated they hope to bring the water down to a normal level, not drain it.

Moved by Commissioner Ruland, seconded by Commissioner Sorenson to present findings of fact from the August 25, 2014 public hearing and make a recommendation to the Mountrail County Commission for approval of the zoning amendment filed by Glacier Energy Services with concurrence from David Hilleren, landowner, for an amendment to the Mountrail County Zoning Map to rezone a 10 acre more or less tract of land described as the NW¹/₄ of Government Lot 4 of Section 2, Township 150 North, Range 92 West (Unorganized Township) from agricultural to industrial for the purpose of building a water depot pad contingent upon a road haul agreement with the Mountrail County Road & Bridge Department, as Glacier Energy Services has met all criteria as set forth in Article IV, Section III, Subsection E of the Mountrail County Zoning Ordinance and is further contingent upon Glacier Energy Services complying will all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:15 a.m. public hearing to order regarding the zoning request filed by Glacier Energy Services with concurrence from David Hilleren, landowner, for a conditional use permit to use land zoned industrial to build a water depot pad on a 10 acre, more or less, tract of land described as the NW¹/₄ of Government Lot 4 of Section 2, Township 150 North, Range 92 West (Unorganized Township). Present for this discussion was Robert Thayer of Glacier Energy, Tony Hill, King Schmelzer, Shirley Pennington, Jerry Pennington, Shelly Ventsch, and Lorna Elton.

Moved by Commissioner Borud, seconded by Commissioner Weisenberger to approve the conditional use permit filed by Glacier Energy Services with concurrence from David Hilleren, landowner, to use land zoned industrial to build a water depot pad on a 10 acre, more or less, tract of land described as the NW $\frac{1}{4}$ of Government Lot 4 of Section 2, Township 150 North, Range 92 West (Unorganized Township) contingent upon the approval of the zoning amendment by the Mountrail County Commission and a road haul agreement with the Mountrail County Road & Bridge Department, as Glacier Energy Services has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Glacier Energy Services complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 9:20 a.m. public hearing to order regarding the zoning request filed by I. Jay & Kier Jackson for a conditional use permit to use land zoned residential to place two double wide mobile homes on a 4.79 acre, more or less, tract of land, described as Sublot A of Outlot 4 of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 4 of Section 34, Township 157 North, Range 91 West (James Hill Township). Present for this discussion was Kier Jackson. Four (4) certified mail return receipt cards were presented. Discussion included updating the ND State Health Department's website which had an outdated copy of the Mountrail County Zoning Ordinances on the website missing the age requirement for mobile homes adopted in 2012. No other comments received.

Moved by Commissioner Borud, seconded by Commissioner Ruland to approve zoning request filed by I. Jay & Kier Jackson for a conditional use permit to use land zoned residential to place two double wide mobile homes on a 4.79 acre, more or less, tract of land, described as Sublot A of Outlot 4 of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 4 of Section 34, Township 157 North, Range 91 West (James Hill Township) as I. Jay and Kier Jackson has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon I. Jay and Kier Jackson complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:25 a.m. public hearing to order regarding the zoning request filed by I. Jay & Kier Jackson for a variance to place two mobile homes built in 2001 on a 4.79 acre more or less, tract of land described as Sublot A of Outlot 4 of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 4 of Section 34, Township 157 North, Range 91 West (James Hill Township) which exceeds the maximum age for mobile homes allowable in Mountrail County. Four (4) certified mail return receipt cards were presented. No other comments were received.

Moved by Commissioner Weisenberger, seconded by Commissioner Borud to approve the variance filed by I. Jay & Kier Jackson for a variance to place two mobile homes built in 2001 on a 4.79 acre more or less, tract of land described as Sublot A of Outlot 4 of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 4 of Section 34, Township 157 North, Range 91 West (James Hill Township) which exceeds the maximum age allowable in Mountrail County as I. Jay & Kier Jackson has met the criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is contingent upon I. Jay & Kier Jackson complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:30 a.m. public hearing to order regarding the zoning request filed by Reservoir Silicates LC with concurrence from Roger A. & Bonnie Lynne, landowners for an amendment to the Mountrail County Zoning Map to rezone 148.8 acres, more or less, tract of land described NE¼ less Outlot 1 of the NW¼NE¼ & railroad right of way Section 14, Township 152 North, Range 88 West (Plaza Township) from agricultural to industrial to allow for the construction & operation of multi-modal industrial rail park for transport of crude oil, fracking sand, drill pipe & other materials related to the oil & gas industry. Present for this discussion was Pat Reissour of Interstate Engineering, Mike Schiebelbein of Reservoir Silicates, Michelle Rogers, Bette Wold, Bob Kok, Mark Kok, Cody Moe, and Ole Lynne.

Moved by Commissioner Ruland, seconded by Commissioner Lindberg to remove this application from the table from last month's agenda. Upon roll call all voted yes, motion carried.

Discussion included a letter from Bette Wold, and an email received from the Minot Air Force Base in regards to truck traffic and the height variance. Also Herg Jones of Canadian Pacific Railway called Friday afternoon 8/22/14 to state Canadian Pacific Railway has no plans to move the main rail line, there are no plans to change the crossings and they have had no conversations with Reservoir Silicates. Pat Reissour spoke about Reservoir Silicates owning frack sand mines which would be the main product transported by rail, and adding turn lanes on highway 23. Mike Schiebelbein stated that Reservoir Silicates is headquartered in Alberta, Canada, frack sand will be the primary transport then crude, and agricultural products later, spoke about improvements for townships, a Canadian Pacific Railway construction agreement, township and NDDOT agreements for road improvements, 30-50 new jobs, increase in tax base for county, dust is taken out of the sand prior to transport, product is contained. Reservoir Silicates is a new company (combination of two companies – Superior Sands is four years old, and Reservoir Silicates is a newer company). Mike Schiebelbein stated the company was open to relocating landowners if they felt it was necessary. A traffic study is in the works and would be done in a couple weeks. Pat Reissour stated the original estimated 400 trucks per day was a maximum number, but in reality it may only be 60 trucks per day. Bette Wold spoke about the safety of students traveling to and from school, the changing landscape of her home, Minot Air Force Base concerns, truck traffic, dust, water, weeds, and noise affecting her horses and home life created from this type of facility. Ms. Wold also stated she has not been contacted by Reservoir Silicates at all. Mark Kok spoke about his concern for truck traffic on Highway 23 creating an unsafe area near his business, adding turn lanes, and the strain on the volunteer fire services. Discussion also included the safety issue created from the substantial increase in trucks on Highway 23, the amount of dust created, rail crossings, the proposed site is on the eastern edge of the oil field creating more trucks heading westbound for farther distances, the longer the product can stay on rail, the better for the community, the necessity of a four lane highway to accommodate the number of trucks this business would create, and the ability of a volunteer fire department to handle an emergency at this type of facility.

Moved by Commissioner Borud, seconded by Commissioner Wienbar to present findings of fact from the August 25, 2014 public hearing and recommend to the Mountrail County Commission to deny the zoning request filed by Reservoir Silicates LC with concurrence from Roger A. & Bonnie Lynne, landowners for a zoning amendment to change from agricultural to industrial to allow for the construction & operation of multi-modal industrial rail park for transport of crude oil, fracking sand, drill pipe & other materials related to the oil & gas industry on a 148.8 acres, more or less, tract of land described NE¼ less Outlot 1 of the NW¼NE¼ & railroad right of way Section 14, Township 152 North, Range 88 West (Plaza Township) due

to the safety concerns caused by the increased truck traffic, the increased rail traffic and the height of the structures in the park. Upon roll call, all voted yes, motion carried.

Attorney Enget informed the Board the 9:35 a.m. public hearing for a conditional use permit and the 9:40 a.m. public hearing for a variance would not need to be conducted because the denial of the zoning amendment would effectively deny them.

Chairman Hovda called the 9:45 a.m. public hearing to order regarding the zoning request filed by Reservoir Silicates LC with concurrence from Robert & Nita J. Kok, landowners for an amendment to the Mountrail County Zoning Map to rezone 160 acres, more or less, tract of land described as the NW¼ Section 13, Township 152 North, Range 88 West (Plaza Township) from agricultural to industrial to allow for the construction & operation of multi-modal industrial rail park for transport of crude oil, fracking sand, drill pipe & other materials related to the oil & gas industry. Present for this discussion was Pat Reissour of Interstate Engineering, Mike Schiebelbein of Reservoir Silicates, Michelle Rogers, Bette Wold, Bob Kok, Mark Kok, Cody Moe, and Ole Lynne.

Moved by Commissioner Borud, seconded by Commissioner Ruland to remove from the zoning request filed by Reservoir Silicates LC with concurrence from Robert & Nita J. Kok, landowners for an amendment to the Mountrail County Zoning Map to rezone 160 acres, more or less, tract of land described as the NW¼ Section 13, Township 152 North, Range 88 West (Plaza Township) from agricultural to industrial to allow for the construction & operation of multi-modal industrial rail park for transport of crude oil, fracking sand, drill pipe & other materials related to the oil & gas industry.

Moved by Commissioner Borud, seconded by Commissioner Weisenberger to present findings of fact from the August 25, 2014 public hearing and recommend to the Mountrail County Commission to deny the zoning request filed by Reservoir Silicates LC with concurrence from Robert & Nita J. Kok, landowners for a zoning amendment to change from agriculture to allow for the construction & operation of multi-modal industrial rail park for transport of crude oil, fracking sand, drill pipe & other materials related to the oil & gas industry on a 160 acres, more or less, tract of land described as the NW¼ Section 13, Township 152 North, Range 88 West (Plaza Township) due to the safety concerns caused by the increased truck traffic, the increased rail traffic and the height of the structures in the park. Upon roll call, all voted yes, motion carried.

Attorney Enget informed the Board the 9:50 a.m. public hearing for a conditional use permit and the 9:55 a.m. public hearing for a variance would not need to be conducted because the denial of the zoning amendment would effectively deny them.

Chairman Hovda called the 10:00 a.m. public hearing to order regarding the withdrawal of a zoning request filed by Hess Bakken Investments II with concurrence from Brian & Nancy Rice, and Jerome E. & Ardis Rice, landowners, for a conditional use permit to use land zoned agricultural to place a 260' self-supporting communications tower on a 2 acre, more or less, tract of land located in the SW¼SE¼SW¼ Section 10, Township 156 North, Range 94 West (Myrtle Township) due to a change in the tower location and placement after addressing North Dakota Game & Fish Department concerns.

Moved by Commissioner Sorenson, seconded by Commissioner Weisenberger to deny the application of a

zoning request filed by Hess Bakken Investments II with concurrence from Brian & Nancy Rice, and Jerome E. & Ardis Rice, landowners, for a conditional use permit to use land zoned agricultural to place a 260' self-supporting communications tower on a 2 acre, more or less, tract of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 156 North, Range 94 West (Myrtle Township) due to a change in the tower location and placement after addressing North Dakota Game & Fish Departments concerns. Upon roll call, all present voted yes, motion carried.

Chairman Hovda called the 10:05 a.m. public hearing to order regarding the withdrawal of a zoning request filed by Hess Bakken Investments II with concurrence from Brian & Nancy Rice, and Jerome E. & Ardis Rice, landowners, for a variance to use land zoned agricultural to place a 260' self-supporting communications tower which exceeds the 90' maximum height allowable in Mountrail County on a 2 acre, more or less, tract of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 156 North, Range 94 West (Myrtle Township) due to a change in the tower location and placement after addressing North Dakota Game & Fish concerns.

Moved by Commissioner Sorenson, seconded by Commissioner Weisenberger to deny the zoning request filed by Hess Bakken Investments II with concurrence from Brian & Nancy Rice, and Jerome E. & Ardis Rice, landowners, for a variance to use land zoned agricultural to place a 260' self-supporting communications tower which exceeds the 90' maximum height allowable in Mountrail County on a 2 acre, more or less, tract of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 156 North, Range 94 West (Myrtle Township) due to a change in the tower location and placement after addressing North Dakota Game & Fish Department concerns. Upon roll call, all present voted yes, motion carried.

Mr. Taryn Lumley appeared to discuss the proposal of a light industrial park in the northwest section of the city of Stanley. Present for this discussion was Taryn Lumley, Denis Kesterson, Blair Hamilton, and Wayne Evans of Planning and Zoning for the City of Stanley, Byron Kleven of the City of Stanley Public Works, and Derald Hoover, Idaho Township Chairman. Discussion included joint jurisdiction for zoning authority between the city and county, access, annexation, emergency services, use of the property and infrastructure. Mr. Lumley has requested that the township make application with the county for a NW bypass in the city of Stanley. There will be road issues that affect both city and county. The city of Stanley's main concern is the infrastructure on the roads north of Highway 2 and west of Highway 8. Paul Long from WH Pacific presented an early concept drawing displaying of the 125 acre site and what the area could look like around the bypass. He plans to do a more thorough topography and hydrology study before development. Mr. Lumley spoke about increasing the tax base for the area and his desire to provide long term employment and growth in the area so that more families choose to stay in town. This item was for discussion purposes only for county awareness and no action was taken.

Moved by Commissioner Borud, seconded by Commissioner Lindberg to take off the table the application for a zoning request filed by Chris Kautz of Knife River, with concurrence from Marty Jorstad, landowner, for a conditional use permit to use land zoned agricultural to mine gravel on an 80 acre, more or less, tract of land described as the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 157 North, Range 94 West (White Earth Township). Present for this discussion was Chris Kautz representing Knife River. Mr. Kautz presented two (2) certified mail return receipt cards from adjacent landowners. Discussion included the term of the conditional use permit to coincide with the gravel and reclamation

agreement of three (3) years. No further comments received.

Moved by Borud, seconded by Commissioner Ruland to approve this zoning request filed by Chris Kautz of Knife River, with concurrence from Marty Jorstad, landowner, for a conditional use permit to use land zoned agricultural to mine gravel on an 80 acre, more or less, tract of land described as the SE¼SE¼ of Section 9, and the SW¼SW¼ of Section 10, Township 157 North, Range 94 West (White Earth Township) for a three (3) year term, requiring road maintenance, dust control of the road, a reclamation plan and bond as Knife River has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Knife River complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Board concerns included Chairman Hovda requesting a signature stamp for ease of approving applications. Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the purchase of a signature stamp. Commissioner Borud also stated in regards to the Reservoir Silicates application, these facilities are necessary but they must be placed appropriately in order to keep citizens safe.

No staff concerns were noted.

Having no further business Chairman Hovda adjourned the meeting.

The next regular meeting of the Mountrail County Planning & Zoning Board is to be held on Monday, September 22, 2014 at 8:30 a.m. at the Mountrail County South Complex, 8103 61st Street NW, Stanley, ND.

Accepted and approved this 22nd day of September, 2014

Roger Hovda, Chairman
Mountrail County Planning & Zoning Commission

Lisa Lee
Assistant Zoning Administrator