Proceedings Of The Mountrail County Planning Commission

MINUTES
MOUNTRAIL COUNTY PLANNING & ZONING COMMISSION
SEPTEMBER 28, 2026

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, Joan Hollekim, Arlo Borud, Tess Jarmin, Darren LeRohl, Jesse Weyrauch, Cameron Tomjack present and Doug Bratvold present online. Also present were Mountrail County Planning & Zoning Administrator Melissa Vachal, Mountrail County Planning & Zoning Assistant Malinda Gunderson, Mountrail County State's Attorney Wade Enget, Mountrail County Tax Equalization Director Kim Savage and Mountrail County Property Assessor Lisa Wolla.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Moved by Commissioner Hollekim, seconded by Commissioner Tomjack, to approve the Planning & Zoning Commission minutes of the August 24, 2026 meeting as corrected. All present voted yes. Motion carried.

1. 8:33 a.m. Nicholas Black-IYL Investments LLC

Discussion regarding the operation of an unauthorized man camp after a cease-and-desist letter has been served on a tract of land described as Lot 1 of Polly Acres Subdivision, located in Gov't Lot 4 (NW¼NW¼) of Section 5, Township 154 North, Range 93 West (Rat Lake Township) (Parcel# 34-0002510)

Mr. Black was notified of this hearing and was not present in person or online. Administrator Vachal most recently visited the site in question on September 25, 2026 and observed evidence that people are still living in at least two of the trailers on the property. Mr. Black has not communicated with Administration since the first time the issue was presented to the board.

Moved by Commissioner Jarmin, seconded by Commissioner Weyrauch, to turn this matter over to Planning & Zoning Administration and to authorize appropriate administrative sanctions with the assistance of the Mountrail County State's Attorney. All present voted yes. Motion carried.

2. 8:36 a.m. Landon Eskew-Highline Water LLC

Mr. Eskew asked for this time to discuss with the board the procedure for storage ponds and county permitting. Administration has advised Mr. Eskew that in order to re-zone a property to Industrial, it must be located along a paved road or railway and that Planning & Zoning will not authorize spot zoning. Mr. Eskew was not present for his requested hearing.

3. 8:39 a.m. 1st Reading of Revised Mountrail County Land Development Code

Scott Harmstead with SRF Consulting presented the board with the first reading of the revised Mountrail County Land Development Code (LDC). On February 23, 2026, the LDC was sent to the Mountrail County Board of Commissioners (Board of Commissioners) for review with a recommendation to approve from the Mountrail County Planning & Zoning Commission (Planning & Zoning). After three readings with the Board of Commissioners, the LDC was sent back to Planning & Zoning on May 19, 2026 and subsequently sent back to the subcommittee on May 26, 2026. Planning & Zoning has had two subcommittees working on updates to the LDC regarding data centers, battery storage facilities, animal feeding operations and other minor updates across the entire LDC. All of these updates have been condensed into this first reading. Various revisions were suggested surrounding animal feeding operations regarding the time limits of the Conditional Use Permits, the foreign ownership policy, and the wintering allowances. Commissioner Hollekim suggested a revision to the chart in Section 3-2 to include a note directing people to see the permitted use exceptions and limitations in each zoning district. SRF Consulting will implement the revisions suggested today and the second reading of the Revised Mountrail County Land Development Code will take place on October 26, 2026.

Moved by Commissioner Borud, seconded by Commissioner Ruland to approve the first reading of the Revised Mountrail County Land Development Code and to publish the second reading to take place on October 26, 2026. All present voted yes. Motion carried.

Temporary Water Permits – New – For Board Information Only

PZ-2026-0263 – Headwaters Inc – Applicant. Rice Ranch LLLP – Landowner. State Water Permit #ND2026-23929. Period of Authorized usage: 09/23/2026 through 11/15/2026. Pump placement on a tract of land 40.00 acres more or less located in the NW¼SE¼ of Section 34, Township 156 North, Range 94 West (Myrtle Township).

PZ-2026-0264 MWiley Resources Inc – Applicant. Ronald Rugland – Landowner. State Water Permit #ND2026-23891. Period of Authorized usage: 10/01/2026 through 8/31/2027. Pump placement on a tract of land 24.30 acres more or less located the NW¼NE¼ of Section 32, Township 157 North, Range 89 West (Redmond Township).

Lay Flat Hose Permits-For Board Information Only

EOG Resources Inc – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-23272/ PZ-2026-0239. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant. Curtis Footh – Landowner. SW¼SE¼ of Section 27, Township 158 North, Range 91 West (Lostwood Township) ending in the NW¼NE¼ of Section 34, Township 158 North, Range 91 West (Lostwood Township). Period of Authorized usage: 08/28/2026 through 10/21/2026. Approved by P&Z Administrator.

EOG Resources Inc – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-23364 / PZ-2026-0240. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant. Kelly & Denise Hanson – Landowners.

SW¼ of Section 20, Township 158 North, Range 91 West (Lostwood Township) ending the NW¼NE¼ of Section 34, Township 158 North, Range 91 West (Lostwood Township). Period of Authorized usage: 08/14/2026 through 11/01/2026. Approved by P&Z Administrator.

Williston Water Management LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-23664 / PZ-2026-0242. Pumping of industrial water by lay flat hose: Williston Water Management LLC – Applicant. Nielsen Trust et al – Landowners. SE¼SE¼ (Gov't Lot 1) of Section 8, Township 156 North, Range 90 West (Palermo Township) ending in the SE¼NE¼ of Section 31, Township 157 North, Range 90 West (Clearwater Township). Period of Authorized usage: 08/15/2026 through 10/15/2026. Approved by P&Z Administrator.

Streamline Water Services LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2026-23664 / PZ-2026-0241. Pumping of industrial water by lay flat hose: Streamline Water Services LLC – Applicant. Cory A Nielsen Trust Share et al – Landowners. SE¼SE¼ (Gov't Lot 1) of Section 8, Township 156 North, Range 90 West (Palermo Township) ending in the NE¼NE¼ of Section 8, Township 156 North, Range 90 West (Palermo Township). Period of Authorized usage: 08/14/2026 through 08/30/2026. Approved by P&Z Administrator.

Streamline Water Services LLC – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2026-23664 / PZ-2026-0244. Pumping of industrial water by lay flat hose: Streamline Water Services LLC – Applicant. Cory A Nielsen Trust Share et al – Landowners. SE¼SE¼ (Gov't Lot 1) of Section 8, Township 156 North, Range 90 West (Palermo Township) ending in the NE¼NE¼ of Section 8, Township 156 North, Range 90 West (Palermo Township). Period of Authorized usage: 09/01/2026 through 10/01/2026. Approved by P&Z Administrator.

ND Energy Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-23412 / PZ-2026-0248. Pumping of industrial water by lay flat hose: ND Energy Services – Applicant. Derrick Erie & Payton Erie – Landowners. SW¼SE¼ of Section 2, Township 157 North, Range 93 West (Sorkness Township) ending the SE¼ of Section 12, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 08/25/2026 through 10/15/2026. Approved by P&Z Administrator.

ND Energy Services – Lay Flat Hose Permit only Permit Number State Water Permit #ND2025-23412 / PZ-2026-0249. Pumping of industrial water by lay flat hose: ND Energy Services – Applicant. Corrine Grove – Landowner. SE¼ of Section 12, Township 157 North, Range 93 West (Sorkness Township) ending the NE¼ of Section 13, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 08/27/2026 through 10/15/2026. Approved by P&Z Administrator. Ties in with previous permit.

ND Energy Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2026-23425 / PZ-2026-0250. Pumping of industrial water by lay flat hose: ND Energy Services – Applicant. Derrick & Shayla Erie – Landowners. SE¼SE¼ (Gov/t Lot 8) of Section 7, Township 157 North, Range 92 West (Cottonwood Township) ending the SE¼ of Section 12, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 08/27/2026 through 10/15/2026. Approved by P&Z Administrator.

ND Energy Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2026-23412 & ND2025-23425 / PZ-2026-0251. Pumping of industrial water by lay flat hose: ND Energy Services – Applicant. Corrine Grove – Landowner. SE¼ of Section 12, Township 157 North, Range 93 West (Sorkness Township) ending the NE¼ of Section 13, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 08/27/2026 through 10/15/2026. Approved by P&Z Administrator. Ties in with previous permits.

ND Energy Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2026-23425 / PZ-2026-0252. Pumping of industrial water by lay flat hose: ND Energy Services – Applicant. Derrick & Shayla Erie – Landowners. SE¼SE¼ (Gov't Lot 8) of Section 7, Township 157 North, Range 92 West (Cottonwood Township) ending the SE¼ of Section 12, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 08/27/2026 through 10/15/2026. Approved by P&Z Administrator.

ND Energy Services – Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2026-23412 / PZ-2026-0253. Pumping of industrial water by lay flat hose: ND Energy Services – Applicant. Corrine Grove – Landowner. SE¼ of Section 12, Township 157 North, Range 93 West (Sorkness Township) ending the NW¼SW¼ (Gov't Lot 6) of Section 12, Township 157 North, Range 93 West (Sorkness Township). Period of Authorized usage: 08/27/2026 through 10/15/2026. Approved by P&Z Administrator. Ties in with previous permits.

EOG Resources Inc – Lay Flat Hose Permit only – Permit Number – State Water Permit #6979 & 7015 / PZ-2026-0254. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant/ Landowner. Outlot 3 of the NW¼ of Section 10, Township 152 North, Range 90 West (Parshall Township) ending in the S½NW¼, NW¼NW¼ (Gov't Lot 4) & NE¼NW¼ (Gov't Lot 3) of Section 2, Township 152 North, Range 90 West (Parshall Township). Period of Authorized usage: 09/02/2026 through 09/30/2026. Approved by P&Z Administrator.

EOG Resources Inc– Lay Flat Hose Permit only – Permit Number – State Water Permit #ND2025-23376 / PZ-2026-0257. Pumping of industrial water by lay flat hose: EOG Resources Inc – Applicant. Curt & Summer Meyer – Landowners. SE¼NE¼ & NE¼SE¼ (Gov't Lot 5) of Section 19, Township 155 North, Range 89 West (McAlmond Township) ending the NE¼ of Section 34, Township 155 North, Range 90 West (Burke Township). Period of Authorized usage: 09/15/2026 through 09/30/2026. Approved by P&Z Administrator.

Building Permits 2501-2506

2507 – PZ-2026-0243 – Nicolas Salgado – Applicant. Maria Salgado –Landowner. Parcel #18-0004214. Lot D of the Replat of Lots 2 thru 27 of Schmidt's Country Estates now known as Lots A thru I of Schmidt's Country Estates, located in Outlot 3 of the S½NE¼ of Section 9, Township 156 North, Range 91 West (Idaho Township). 40'x50' garage/shop.

2508 – PZ-2026-0245 – Steven Martens –Applicant. Steven & Tamara Martens – Landowners. Parcel #24-0006500. NW¼ of Section 15, Township 155 North, Range 90 West (Burke Township). 40'x100' shop. Ag building, no charge.

2509 – PZ-2026-0247 – Basin Electric Power Cooperative – Applicant/Landowner. Parcel #39-0012105. Outlot 1 of the W½SW¼ of Section 26, Township 153 North, Range 91 West (Crane Creek Township). 190' tower upgrades. CUP &

Variance approved in April of 2026.

2510 – PZ-2026-0256 – Tanner Johnson – Applicant/Landowner. Parcel #32-0008202. Outlot 2 of the SW¼SE¼ of Section 15, Township 154 North, Range 91 West (Sikes Township). 30'x40' garage.

2511 – PZ-2026-0261 – Chadwick Colegrove – Applicant/Landowner. Parcel #16-0000110. Outlot 2 of the SW¼SE¼ of Section 1, Township 156 North, Range 89 West (McGahan Township) 1260 sq ft garage. Extension of previously approved permit PZ-2025-029.

2512 – PZ-2026-0262 – Tom & Donna Haustveit – Applicant. Thomas & Donna Haustveit Family Trust – Landowner. Parcel #35-0013900. Lot 24 of White Earth Cottage Site located in S½ of Section 26 & N½ of Section 35, Township 154 North, Range 94 West (Unorganized Township). 35'x40' pole building.

2513 – PZ-2026-0260 – Michael Gunderson – Applicant. Michael & Danae Gunderson – Landowners. Parcel #27-0006705. Outlot 2 of the E½E½NW¼NE¼ & NE¼NE¼ Section 15, Township 155 North, Range 93 West (Debing Township). 42'x52' home.

Moved by Commissioner Borud, seconded by Commissioner LeRohl, to approve building permits 2507-2513. All present voted yes. Motion carried.

ONGOING BUSINESS

Gravel Pits-remains ongoing-CUP checklist has been updated

Data Centers-currently under moratorium

Battery Storage Facilities-currently under moratorium

Animal Feeding Ordinance-currently under moratorium

STAFF UPDATES

* Administration is continuing zoning inspections as the weather continues to cooperate.

* Administrator Vachal gave the board an update on the Data Center Forum that took place September 14th, 2026 in Tioga put on by Senator Mark Enget. Information on upcoming related forums was provided to members of the board.

* Administrator Vachal provided the board with the response received from Representative Warrey regarding the email sent to him concerning the Artificial Intelligence and Data Center Special Session.

* On September 2nd, 2026, Administration received email communication from Holly Micheletto concerning Green Acres Subdivision. Ms. Micheletto was provided with the information that had been given to Hyrum Zetting previously.

Approval of 2027 Planning & Zoning Application Fees

Administrator Vachal presented the board with a revised fee schedule for their approval. Discussion was had regarding the various proposed changes.

Moved by Commissioner Jarmin, seconded by Commissioner Tomjack to make recommendation to the Mountrail County Commissioners to approve the 2027 fee schedule of the Mountrail County Planning & Zoning Board. All present voted yes. Motion carried.

PUBLIC COMMENTS

* Todd Farden missed the application deadline to get his Conditional Use Permit on today's meeting and asked if his expired permit could be extended until his new application is reviewed at the October 26, 2026 meeting because he is working on a job for Mountrail County in Osborn Township.

Moved by Commissioner Borud, seconded by Commissioner Bratvold, to grant an extension to an expired Conditional Use Permit for Todd Farden until October 26, 2026. All present voted yes. Motion carried.

BOARD CONCERNS

* Commissioner Hollekim wanted to clarify that the fines and fees associated with the IYL Investments issue will follow the procedures set by Section 6.10 in the Mountrail County Land Development Code.

* Commissioner LeRohl inquired about the BWB Honey clean up. Administrator Vachal is keeping an eye on the situation.

The Board adjourned at 10:23 a.m. The next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, October 26, 2026**, at 8:30 a.m. in the Commissioners Room at the Mountrail County Courthouse and via GOTOMEETING.

Accepted and approved this 26th day of October, 2026.

Charlie Sorenson, Chairman
Mountrail County
Planning & Zoning Commission

Melissa Vachal, Administrator
Mountrail County
Planning & Zoning

Electronic recordings of full meetings are kept in the office per NDCC 44-04