

Planning & Zoning Commission Proceedings
Monday, November 20, 2017

Chairperson Richard Hultberg opened the meeting at 1:31 p.m. Present were Commissioners Hultberg, Roger Britton, John Matthews, Don Flinn, Noelle Kroll, and Doug Krebsbach. Also present were Donald Wall and Larry Gessele of Mercer; Vent Wallace of Fisher Sand & Gravel Company, Dickinson; Lynn Oberg of the McLean County Water Resource Board; Jeremy Eckroth and Steve Cottingham of Falkirk Mining Company, Underwood; States Attorney Ladd Erickson; Land Use Administrator Todd Schreiner; Land Use Administrative Assistant Cassie Goetz; and Secretary Nancy Leidholm. Absent was Commissioner Darwin Saari.

Moved by Krebsbach, seconded by Britton, to approve the minutes from the previous meeting as submitted. Roll Call Vote: Aye: Kroll, Flinn, Saari, Britton, Krebsbach and Hultberg. Nay: None. Absent and not voting: Saari. Motion carried.

Jeremy Eckroth and Steve Cottingham of Falkirk Mining Company were present to request approval of a conditional use permit for land described as portions of Sections 3, 4, 5, 8, 9 and 10, Township 146 North, Range 82 West to conduct surface mining operations. Eckroth explained that the conditional use permit will continue mining operations west of Underwood adding about 1,680 additional acres to the existing permit. Discussion followed regarding road closures with the hearing scheduled for 10:00 a.m., December 5, during the regularly scheduled Commission meeting.

Moved by Krebsbach, seconded by Flinn, to recommend approval to the Board of County Commissioners the request from Falkirk Mining Company for a conditional use permit for land described as portions of Sections 3, 4, 5, 8, 9 and 10, Township 146 North, Range 82 West, to conduct surface coal mining, subject to the approval and regulations of mining operations by the North Dakota Public Service Commission. Roll Call Vote: Aye: Kroll, Flinn, Saari, Britton, Krebsbach and Hultberg. Nay: None. Absent and not voting: Saari. Motion carried.

Vent Wallace of Fisher Sand & Gravel Company of Dickinson was present to request approval of a conditional use permit for land described as the NE¼ of Section 24, Township 145 North, Range 79 West, including 25 acres, to operate a sand and gravel pit for mining, processing and selling of sand and gravel products; Donald Wall is the land owner. Krebsbach questioned dust control on the haul road. Wallace stated that a Haul Road Agreement (HRA) has been drawn up between Fisher Sand & Gravel Company and JMAC Resources that will address dust control and maintenance.

Larry Gessele expressed his concern over a cattle crossing that crosses beneath the haul road and gives him access to water needed especially during the dry years. Wallace responded that they plan to build up the road and Schreiner added that it is in writing in the HRA, saying that Fisher Sand & Gravel Company will be responsible if damaged. Schreiner also recommended Wallace and Gessele do a dual inspection, taking pictures for future reference.

Donald Wall voiced his concern regarding road maintenance, dust control and speed limits. Discussion followed. Krebsbach stated that Highway Superintendent Jim Grey has spoken with JMAC regarding these issues.

Moved by Krebsbach, seconded by Matthews, to recommend approval to the Board of County Commissioners the request from Fisher Sand & Gravel Company for a conditional use permit for land described as the NE¼ of Section 24, Township 145 North, Range 79 West, including 25 acres, to operate a sand and gravel pit for mining, processing and selling of sand and gravel products. Roll Call Vote: Aye: Kroll, Flinn, Saari, Britton, Krebsbach and Hultberg. Nay: None. Absent and not voting: Saari. Motion carried.

There being no further business the chairperson declared the meeting adjourned at 1:53 pm.

Chairperson, Richard Hultberg

Secretary, Nancy Leidholm