



Tioga



Date Sent to Township and Williams County Highway Department 4/29/15

Date of Township Meeting: _____

Date Missing

Township: Tioga / Lindahl / Sauk Valley

Applicant: Lindahl Wind Project, LLC - C-15-37; V-15-9

Location of Project:
Section 5 of Tioga Twp & Multiple Sections of Lindahl & Sauk Valley Townships

Brief Description of Project:
Lindahl Wind Farm Project: 150 Megawatt Wind Energy Facility

Comments from Township:

Approved: Disapproved: _____ Undecided: _____

Signatures of Township Board:

[Signature] _____ Joseph Bradley 7-11-15
(Chairman) (Print Name) (Date)

[Signature] _____ SAM SAGASER 7-11-15
(Supervisor) (Print Name) (Date)

[Signature] _____ Casey Alton 7-11-15
(Supervisor) (Print Name) (Date)

If the Township is going to e-mail this form back to the Planning Department, please send it to; planning@co.williams.nd.us

Williams County Development Services
Planning & Zoning Division
P.O. Box 2047 302 E. Broadway Williston, ND 58801 (701) 577-4565

WILLIAMS COUNTY
PLANNING & ZONING
JUN 17 2015

RECEIVED

51 PU-15-482 Exhibit 49 Filed: 10/8/2015 Pages: 18

Jodean Weflen



April 10, 2015

Tradewind Energy: Attn: Joe Arb
Lindhahl Wind Project, LLC
South Lake Technology Park
16105 West 113th Street Suite 105
Lexena, TX 66219

C-14-135; Lindahl Wind Project, LLC is requesting a Conditional Use Permit for a temporary meteorological tower. The property consists of a portion of 160.30 acres and is located as the NW¼ of Section 32, T158N R95W, off 73rd St. NW. The property is zoned Agricultural. Lindhahl Township

Dear Applicant:

On April 9, 2015, the Planning Commission recommended to grant your Conditional Use Permit request, provided you comply with but not limited to the following special conditions and restrictions:

1. A security fence shall be installed around the perimeter of the facility;
2. Building permits shall be required;
3. No permanent structures within 133' of section line;
4. Provide grading plan at the time of application of building permits;
5. Provide Easement Legal Descriptions prepared by North Dakota Land Surveyor, with exhibits;
6. Provide Road Plans (for access easement at this time);
7. Provide Track Out pad;
8. Obtain approach permit;
9. Lindahl Township will not be responsible for any part of this project now or in the future,
10. As per Lindahl Township request, reflectors shall be attached to all guy wires.
11. Restoration bond shall be submitted to Williams County Development Services

The Board of Commissioners will hear your request on April 14, 2015. The meeting will start at 8:00am in the Memorial Room of the county courthouse, located at 205 E. Broadway.

Please contact Planning and Zoning Division should you have any questions or concerns.

Thank you,

Simmon Logan
Planning Manager



April 10, 2015

Tradewind Energy: Attn: Joe Arb
Lindahl Wind Project, LLC
South Lake Technology Park
16105 West 113th Street Suite 105
Lexena, TX 66219

C-14-136; Lindahl Wind Project, LLC is requesting a Conditional Use Permit for a temporary meteorological tower. The property consists of a portion of 81.75 acres and is located as the N½ NW¼ of Section 8, T158N R95W, off 77th St. NW. The property is zoned Agricultural. Lindahl Township

Dear Applicant:

On April 9, 2015, the Planning Commission recommended to grant your Conditional Use Permit request, provided you comply with but not limited to the following special conditions and restrictions:

1. A security fence shall be installed around the perimeter of the facility;
2. Building permits shall be required;
3. No permanent structures within 133' of section line;
4. Provide grading plan at the time of application of building permits;
5. Provide Easement Legal Descriptions prepared by North Dakota Land Surveyor, with exhibits;
6. Provide Road Plans (for access easement at this time);
7. Provide Track Out pad;
8. Obtain approach permit;
9. Lindahl Township will not be responsible for any part of this project now or in the future,
10. As per Lindahl Township request, reflectors shall be attached to all guy wires.
11. Restoration bond shall be submitted to Williams County Development Services

The Board of Commissioners will hear your request on April 14, 2015. The meeting will start at 8:00am in the Memorial Room of the county courthouse, located at 205 E. Broadway.

Please contact Planning and Zoning Division should you have any questions or concerns.

Thank you,

Simmon Logan
Planning Manager

Development Services

P.O. Box 2047 302 E. Broadway Williston, ND 58801 (701) 577-4565 www.williamsnd.com



April 10, 2015

Tradewind Energy: Attn: Joe Arb
Lindhahl Wind Project, LLC
South Lake Technology Park
16105 West 113th Street Suite 105
Lexena, TX 66219

C-14-138; Lindahl Wind Project, LLC is requesting a Conditional Use Permit for a temporary meteorological tower. The property consists of a portion of 154.82 acres and is located as the NE $\frac{1}{4}$ of Section 3, T158N R95W, off Hwy 40. The property is zoned Agricultural. Lindhahl Township

Dear Applicant:

On April 9, 2015, the Planning Commission recommended to grant your Conditional Use Permit request, provided you comply with but not limited to the following special conditions and restrictions:

1. A security fence shall be installed around the perimeter of the facility;
2. Building permits shall be required;
3. No permanent structures within 133' of section line;
4. Provide grading plan at the time of application of building permits;
5. Provide Easement Legal Descriptions prepared by North Dakota Land Surveyor, with exhibits;
6. Provide Road Plans (for access easement at this time);
7. Provide Track Out pad;
8. Obtain approach permit;
9. Lindahl Township will not be responsible for any part of this project now or in the future,
10. As per Lindahl Township request, reflectors shall be attached to all guy wires.
11. Restoration bond shall be submitted to Williams County Development Services

The Board of Commissioners will hear your request on April 14, 2015. The meeting will start at 8:00am in the Memorial Room of the county courthouse, located at 205 E. Broadway.

Please contact Planning and Zoning Division should you have any questions or concerns.

Thank you,

Simmon Logan
Planning Manager

Development Services

P.O. Box 2047 302 E. Broadway Williston, ND 58801 (701) 577-4565 www.williamsnd.com

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STAFF REPORT
WILLIAMS COUNTY PLANNING & ZONING COMMISSION
MEETING DATE: June 25, 2015

Applicant: Lindahl Wind Project, LLC
Owner: multiple
Request: Conditional Use Permit and a Variance (for a setback) for a wind energy facility
Location: multiple (see attached map)
Existing Zoning: Agriculture
Area: 12941 acres
Township: Lindahl, Sauk Valley, Tioga

Overview:

The applicant is requesting a CUP for a Wind Farm farm, which will be approximately 150 megawatt wind energy facility.

The applicant is also requesting a Variance from setback requirements.

Williams County Ordinance: SECTION IX, 4, b:

"All wind turbines shall be set back from existing structures 1400 feet. A variance for setback may be granted provided the permittee and affected landowner sign a waiver agreement. "

The applicant is requesting a setback of 1400' from occupied residences.

Township Comments:

On June 3 Sauk Valley Township recommended approval of this request (see attached letter)

On June 17 Tioga Township recommended approval of this request (see attached letter)

On June 18 Lindahl Township recommended approval of this request (see attached letter)

Standard Conditions of the CUP – Section III, G(1);

1. No conditional use permit shall be granted by the County Commission unless the applicant shall have met all of the following criteria;
 - a. The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.

Staff comments: The proposed facility might be detrimental to or endanger the public health, safety, comfort or general welfare of the surrounding community due to such factors, as noise, vibration, safety. Noise study should be provided.

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- b. The conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

Staff comments: This facility is proposed to be located in rural Agricultural zone. This request might be detrimental to or endanger the public health, safety, comfort or general welfare of the surrounding rural community.

- c. The conditional use shall not impede the normal and orderly development of the surrounding property.

Staff comments: The proposed facility should not impede the normal development in the area.

- d. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided.

Staff comments: Easement Legal Descriptions prepared by North Dakota Land Surveyor, with exhibits should be provided. Road Plans (for access easement at this time) should be provided.

- e. Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street. The conditional use shall conform to all applicable regulations of the district within which it is located.

Staff comments: Access to the site will be off 73rd St NW.

2. The County Planning Commission shall review and may recommend to the County Commission conditions and restrictions upon the establishment, location, construction and operation of the proposed use in order to promote and protect public health, safety and general welfare. Prior to Planning Commission recommendations being submitted to the County Commission, the township shall have the opportunity to make comments and recommendations. The Planning Commission recommendation shall include township comments and recommendations. In all cases in which conditional uses are granted, the County Commission shall prior to issuance of a certificate of compliance, require evidence of compliance with these provisions and with the conditions set forth.
3. The County Commission, finding that the conditions or restrictions set forth are not being complied with, may revoke the conditional use permit after a Public Hearing.
4. In any case where a conditional use permit has not been instituted within one year of the date of approval, the permit shall be null and void.
5. Any use, for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use of the building or premises shall be in conformity with these regulations.

Williams County Highway Department comments:

- 1) All roads affected by this project, either Township or County, be inspected and filmed. After construction all roads be repaired equal to or better condition
- 2) Provide and maintain track out pads at all entrances to public access throughout the life of

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the project

- 3) All roadways and utility lines associated with the project shall have easements recorded against the individual properties that they cross prior to installation
- 4) Setback at a minimum along all section lines or centerlines of existing public access should be 75' plus overall height of structure/blades
- 5) Setback at a minimum of overhead power or telecommunications be at 25' plus the overall height
- 6) Obtain approach permits on all entrances

Planning and Zoning Division comments:

Per the Planning and Zoning Division's review the following, but not limited, conditions shall apply should the Board grant the applicants request for the conditional use permit and a variance to proceed:

1. Building permits shall be required for all structures;
2. No permanent structures within 133' of section line;
3. Provide grading plan at the time of application of building permits;
4. Restoration bond shall be submitted to Williams County Development Services
5. All roads affected by this project, either Township or County, be inspected and filmed. After construction all roads be repaired equal to or better condition
6. Provide and maintain track out pads at all entrances to public access throughout the life of the project
7. All roadways and utility lines associated with the project shall have easements recorded against the individual properties that they cross prior to installation
8. Setback at a minimum along all section lines or centerlines of existing public access should be 75' plus overall height of structure/blades
9. Setback at a minimum of overhead power or telecommunications be at 25' plus the overall height
10. Obtain approach permits on all entrances

Note: the above regulations are provided to both the Planning and Zoning Commission and the Board of County Commissioners as required regulations should the Board grant the applicants request for the conditional use permit and a variance to proceed.

July 7, 2015

The Williams County Commission met this 7th day of July 2015, beginning at 8:00 AM in the Memorial Room of the Williams County Courthouse.

Chairman Montgomery called the meeting to order. Innis took roll call: Ramberg-here, Aberle-here, Hanson-here, and Kalil-here.

There being a quorum, Chairman Montgomery proceeded.

Chairman Montgomery opened the public hearing for the 2nd reading of Resolution #2015-1- A Resolution dedicating fifty percent (50%) of the net County sales tax proceeds of the Williams County Sales and Use Tax to the City of Williston. There being no comments for or against said resolution Chairman Montgomery closed the public hearing. Kalil moved Aberle seconded adoption of Resolution #2015-1. Motion carried. (Copy included in minutes)

Askim introduced Mike Smith, Emergency Manager.

Sheriff Busching reported on the Oil Impact Committee Grant awards. Williams County should be getting approximately \$297,000.00 for salaries, cars, and miscellaneous items. He will include the 10% match in his budget. Sheriff Busching stated that reportable crimes are up considerably and they see no slow down.

Tax Director Anderson stated she is fully staffed and introduced Brandon Bolton and Dirk Langseth. Hanson moved Kalil seconded approval of the Abatements for 2014 Brad/Ardith Bingeman Truax Township Long Creek Cottage Sites L51; 2014 Disabled Veterans Credit for Edward G Ennis Park Addition N 8' of L8 & All L9, 10 B15 in the City of Ray; and 2014 Steve Hutchins T155 R100 Section 33 E2SENWNW mobile home; Assessor's Errors for 2015 Christopher/Lisa Bean Williston City Bruegger's 3rd Addition Lot 2 Block 31 from 305,400 to 275,000; 2015 Thomas/Cindy Brevik City of Williston Beacon Lights Subdivision L4 from 289,400 to 167,700; 2014 Arthur/Lance Glasoe Wildrose City Unplatted Wildrose former GN Lease Site in N2NW Section 2 from 82,100 to 29,200 and 2015 from 97,700 to 34,400; 2013 Dorland/Viola Melland Wheelock Township Tract in N2NESE Section 30 from 11,800 to 600 and 2014 from 11,800 to 600 and 2015 from 13,000 to 650; 2013 Kevin J Mieling Williston Township Tract in S2E2SENE Section 9 from 118,900 to 108,900; 2015 Steve/Lois Mortenson Judson Township Mortenson Commercial Sub L2 B3 from 1,973,402 to 227,602; 2013 Kenneth Munson Ray City Barman Rearrangement Lot 2 Block 2 from 82,700 to 25,600 and 2014 from 86,600 to 30,700; 2014 Nesson SD #2 Ray City North Addition Lot 13 S2 Lot 14 Block 12 from 165,200 to 27,500; 2015 Cody Olson/Amber Deering Big Stone Township Section 12 S2SW from 124,800 to 0; 2015 Neil Allan Olson Tioga City Hoseth 2nd Addition Amended Lot 3 Block 4 from 121,000 to 92,500; 2014 Ray Farmers Union Elevator Co Wheelock Township Section 9 Tract in SESE from 340,800 to 293,600; 2015 Randy/Wanda Swenson/Matthew/Penny Mcatee (CFD) Grenora City Grenora OT Lot 7 Block 1 from 6,000 to 5,000; 2013 Dale Trowbridge Springbrook City East Springbrook Lot 6, 7 Block 6 from 52,500 to 6,200; and 2015 WK Bail LLC Tioga City Elwood Olson Subdivision Lot 4 Block 3 from 58,000 to 0; Prorates 2015 Nesson SD #2 Ray City Viall Addition L2 Ex N 40' L3 and L4 Ex S 10' B2 from 145,800 to 36,500; 2015 City of Ray Park Addition Rearrangement L 2 B 12 from 32,800 to 0; and Williston City Williston SD #1 Orville Erickson Subdivision from 14,536 to 13,325. Motion carried.

Aberle moved Ramberg seconded approval of the Duplicate Warrants as follows:

Check #	Date	Name	For	Amount
61698	11/20/2013	Kathleen Key Imes	2013 Mobile Home Abatement	\$350.30
60551	9/10/2013	Community Action Partners	Blinds Townhouses	\$ 35.00
60732	9/11/2013	Wms Co Water Board	Camping Fees	\$ 15.00
62607	1/14/2014	Grenora Ambulance	January, February, March Rent	\$150.00
64337	4/8/2014	Lora Johnson	Invoice #3808	\$775.50
66726	9/9/2014	William Owan	Easement	\$760.00
67585	11/6/2014	Janice Johnston	General Election	\$212.50
67744	11/12/2014	Mon-Dak Portables	Portables Final Payment	\$160.50
71090	6/9/2015	ProMed Medical Supplies	Jail/Medical	\$950.00

Motion carried.

Hanson moved Aberle seconded approval of Transfer Order #270 in the amount of \$983,570.86 from HTD to Road/Bridge. Motion carried.

Kalil moved Hanson seconded the use of Older Person mill levy tax money to be used to purchase vans as requested. Motion carried.

Kalil moved Aberle seconded authorizing Innis to sign the loan agreement with the Bank of North Dakota for the 2 loans totaling \$35,000,000.00 for construction and permanent financing for remodeling of County facilities including detention, Law Enforcement Center, and remodeling overruns. Motion carried. **(Copy in the Auditor's Office)**

Kristin Hanson, Auditor's Office CFO will be on a committee with the 2 finance Commissioners, Innis, and Evenson to discuss finances prior to the 2016 budgeting.

No Commissioners were interested on sitting on any ND County Commissioners Association Committees.

Yana Ness presented Planning/Zoning items.

Old business presented for Conditional use permit for Dakota Access LLC/Micah Rorie/Ken Martin (present speaking on behalf of Dakota Access LLC were Attorney Kent Reiersen and Chuck Fry) for a crude oil facility consisting of aboveground storage tanks connecting a pipe manifolding , incoming pipeline connections to the manifold measurement, pumps, and a substation connection to the utility with electric building, RIE/Instrument building with non-continuous occupancy office space and future truck unloading facility. Dakota Access original location fir the facility was located in the W2SW4SE4 Section 35 T154 R102 and was a total of 19.98A in Judson Township. The applicant initially applied for a rezone, conditional use permit and Comprehensive Plan Amendment and now due to the new location in the industrial zone the applicant is requesting a conditional use permit. Hanson moved Aberle

seconded approval located in E2SE4SW4 Section 35 T154 R102 Judson Township with the conditions that a drainage plan, on-site dust control plan, stormwater management plan, grading plan, and road improvement plans shall be submitted for review and approval to the County Building Division as part of the building permit process, building permits and inspections shall be required for all structures on site, approval and recording of a minor subdivision, Public Service Commission approval shall be provided and if a truck unloading facility is constructed provide and maintain a track out pad. Roll call vote: Ramberg-yes, Aberle-yes, Montgomery-yes, Hanson-yes and Kalil-yes. Motion carried. (Dakota Access LLC/Micah Rorie/Ken Martin)

Conditional use permit presented for Michael McLean/Dale Moline (no one present) for a Verizon Wireless cell tower. The overall structural height will be 370 feet. This is an already existing cell tower. Kalil moved Hanson seconded approval located in the NE4NE4 EX ST Section 26 T156 R101 Tyrone Township with the conditions to provide positive drainage, provide and maintain trackout pad, a security fence shall be installed around the perimeter of the property, no permanent structures within 133' of the section line, and building permits, inspections shall be required for all structures on site. Motion carried. (Michael McLean/Dale Moline)

Conditional use permit presented for Dale Branson (present) for a caretaker's residence to provide security for the trucking business. The residence will be an existing structure. Aberle questioned the time frame of 1 year recommended by Planning/Zoning. Kalil moved Aberle seconded approval located as Lot 1 Poison Springs Subdivision Section 33 T156 R101 Tyrone Township with the conditions to allow only one caretaker on site, regardless of shift work, the CUP shall not be transferable at the time of the sale of the property and/or business, approval for 5 years, no children shall be allowed to live within the facility, building permits, inspections shall be required for all structures on site, and provide and maintain trackout pad. Motion carried. (Dale Branson)

Conditional use permit presented for Fred Huppert (present)/Mark Brunelle for renewal of temporary housing. He was approved by the Board on December 2, 2014 until May 1, 2015 for 30 units/campers. His past fees are up to date. He has been phasing down and is at 4 units. Ramberg moved Aberle seconded approval located in the NW4 EX TWP Section 34 T154 R100 Stony Creek Township with the conditions of up to 4 RV's, restoration bond will need to be submitted to Development Services before CUP can be issued, all past and present temporary housing fees must be paid before CUP can be issued, site must be clean and maintained at all time, and only until May 1, 2016. Roll call vote: Aberle-yes, Montgomery-yes, Hanson-yes, Kalil-yes, and Ramberg-yes. Motion carried. (Fred Huppert/Mark Brunelle)

Sizemore, Planning/Zoning will be presenting a resolution dealing with temporary housing with a proposed ending date of May 1, 2016.

Conditional use permit presented for Ron Houskeeper/Steve Buchmiller (present) for renewal of temporary housing units. The applicant wants to reduce the number of beds from 20 to 10 with only 2 modular units on the property. The applicant was originally approved on October 1, 2014 until May 1, 2015 and is current on all his past bed fees. Aberle moved Ramberg seconded approval located on a Tract in E2SE4NE4 Section 20 T154 R102 Judson Township with the conditions to provide and maintain trackout pad, a restoration bond will need to be submitted to Development Services before CUP can be issued, all past and present temporary housing fees must be paid before CUP can be issued, site must be clean and maintained at all times, and approval for up to 10 beds until May 1, 2016. Motion carried. (Ron Houskeeper/Steve Buchmiller)

Variance presented for Hugh LeFranc/Trenton Properties LLC (Gary Baldwin representing Trenton Properties present) to allow reduced lot width (in range 36-50.41 feet) and vacation of alleyway of 1st Ave S and 2nd Ave S for the residential development of 6 twin homes, 12 total units in Trenton. The applicant is rearranging already platted 6 lots to make 12 lots. Kalil moved Hanson seconded approval located as Lots 1, 2, 3, 13, 14,, 15 Block 1 of First Addition Subdivision in Trenton Section 17 T153 R102 Trenton Township with the conditions of relinquishment of utility company for alleyway in the middle of the project, in writing any and all rights to the alleyway, work with County Highway Department/Engineering on roadway standards and widths, 2nd Ave should be improved to 3rd St, maintain access for lots to south from alleyway, any permanent facilities constructed within the area will require a permanent easement or right of way, adhere to Williams County design standards and setback requirements, full civil plans for the project should be provided to Development Services, adhere to Williams County Water Resources District Storm Water Management/Rules and Regulations, Water Resource Board approval required, a drainage plan, storm water management plan, grading plan should be submitted for review and approval to the County Building Division as part of the building permit process, building permits, inspections shall be required for all structures on site, site plans and development details shall be submitted to Williams County Development Services for review prior to approval of building permits, this will ensure that all buildings and structures and all public improvements therein are constructed and maintained in a manner that provides consistency and uniformity within the development, development agreement between the County and the Developer shall be approved, and 20' alley in the middle of the property –vacate. Motion carried. (Hugh LeFranc/Trenton Properties LLC)

Zone change from agriculture to industrial, conditional use permit, and major Comprehensive Plan Amendment presented for Darren Snow/Ryan Davidson (Dan Hedrington present) for a receipt point for a crude oil pipeline. The facility will receive, store, pump crude oil to other pipeline interconnections and customers. The facility will include receiving by truck and pipeline, 6-400 barrel oil storage tanks, 2 truck offload islands, one 100,000 barrel oil storage tank, various pump and meter skids and meter storage building with restroom, electrical room, office, light maintenance facility and storage space. Future development may include additional tanks and truck offload islands. Less than 60 tanker trucks are expected to serve the facility per day. Ramberg moved Aberle seconded to follow the recommendation of Planning/Zoning of approval located in SW3SE4 & W2SE4SE4 Section 31 T156 R95 Pleasant Valley Township with the conditions that a drainage plan, on-site dust control plan, stormwater management plan, traffic study, grading plan and road improvement plans shall be submitted for review and approval to the County Building Division as part of the building permit process, improvements to County Road #8 may be required , work with County Highway Department for roadway criteria, building permits and inspections shall be required for all structure on site, approval and recording of a minor subdivision, Public Service Commission approval shall be provided, adhere to Water Resource Board requirements, provide and maintain trackout pad on all approaches, provide easements for pipelines per NDCC, any new structures needs to be at least 133' away from section line, and obtain approach permits from the County. Motion carried. (Darren Snow/Ryan Davidson)

Conditional use permit and variance presented for Lindahl Wind Project LLC (Brice Barton and other members of his team present) for a wind farm, which will be approximately 150 megawatt wind energy facility. Innis presented a letter from Senator David Rust, from Tioga writing in support of the Tradewind Energy wind farm north of Tioga, stating various reasons for his support. Barton gave a point power slide show on the project. Barton stated that the townships have approved but Planning/zoning denied the project. Rob Freeman spoke on behalf of Tradewind Energy/Enel Green Power North America (EGPNA) with an explanation of their business. Tim Knutson gave an overview of the wind

operation and safety operations. Barton explained there is a need and demand for energy. They have a power purchase agreement with Basin Electric. They went through the MET campaign and permitting process, now this is the next logical step, which will have local and state economic benefits. They will be hiring locally. There will be no towers in Tioga Township or SE Lindahl Township. There are no non-participating owners, as they are all in the project. The setbacks from the non-participating residences will be from 1,400' to 3,500' or more. They have done the proper FAA studies and have received approval and clearance. Variances are being sought from all participating landowners and they have all signed the waiver agreements. The new proposed setbacks are detailed in their variance request. They have looked into the coordination with oil/gas industry, environmental analysis, sound analysis (Rod O'Neil present but did not speak on the sound analysis), permits/approvals, decommissioning the towers and the site restoration which are they will be willing to put up a restoration bond. The CUP criteria they feel they have met with the public health/safety, value/enjoyment of others property, economic benefits, no impediment to development of surrounding property, adequate utilities and access roads, other site improvements will be made, adequate ingress/egress, and notices to surrounding landowners. Chairman Montgomery opened the floor for public comments for or against application: Corrine Redmond in opposition of the project stated that she has land in all 3 Townships and she was not notified for the MET meetings, so it has not been good from the beginning, there is a lot of oil activity in Lindahl Township with inflated prices due to the oil industry. She feels they have given a lot due to the energy development. Safety, lightening, and aerial spraying of crops are other added concerns. Why add more, we don't need any more economic development. Kathy Hove who has a small family farm spoke with Ramberg and Kalil on this project. She read a letter from her husband Brian in opposition to the project and voicing concerns with the variance requested for the setbacks as they are in place to provide protection/safety of residents within the Township. He also stated that the individuals involved in this project are not the majority property owners within the township. Susan Weflan stated opposition to the variance changes, effects of the wind turbines have on health and well-being, disruption of the view due to shadows of the wind turbines, beautiful scenery may have been affected by the oil industry but that was another's decision not hers, different stories told by Tradewind. She states that there is much to think about before saying yes and promises have been made and broken with some oil companies, health issues caused by individuals saying yes to good fortune. JoDeen Bergstrom in opposition wanted the Commission to think of the next generation, beauty of the county side, and health concerns. Todd Beasley voiced concerns with the variance changes, oilfield concerns to the location of the towers, blades being broken off and being thrown, loss of life, production tax credit from government for 10 years that they received. In May 2015 Stark County denied wind farm towers in the western part of their county as they feel they have given enough. Bruce Golvik, Lindahl/Tioga Townships stated that he has been to every meeting, with the MET Towers it was said that there would be a year for the wind farm, but now here it is, Tradewind has not spoken to the oil companies, will they abide by the State regulations. He is opposed due to the variance change request and they change the rules on everything from the beginning. Dan McGinnity, part of Lindahl township project stated that he has very few mineral acres and he will benefit from the income from the wind towers for his retirement. He stated that EMS responds to oilfield fires all the time and was surprised by a comment from Brian Hove about wind tower fires. There is no smell to wind farms either. He is requesting a vote in favor of the project. Jerol Gohrick is on the Township Board and is a rancher and farmer and he explained that 3 Townships and 28 landowners got together for the utilization of wind energy. There have been many meetings with not many against the project and they have not received many subsidies as farmers and ranchers. Jodie Sagaser stated that she is in all support of the wind tower project for her grandkids. The taxes for the Tioga School will increase. She stated that she will have no problems with her horses by the wind towers. They do not have any minerals like the Hove's but will have 1 tower on their property, does it seem fair? She stated that she was confused of the statement raised by Commissioner Kalil at

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the Planning/Zoning meeting and she is wondering if he was trying to tell them that mineral owners have more rights than surface owners, when he stated that it was too busy in that area. She stated that they are the 3rd generation farmers in the area for over 100 years and they are planning on staying here for more generations to come. Her father-in-law was the first one to have the first wind tower in the area and was proud that he was able to make electricity from the bountiful wind we have. Kevin McGinnity moved to Valley City from Minnesota with over 100 years of lineage on Section 5 Lindahl Township and he believes that the project will be an excellent opportunity. He is sold on wind power and has no concerns and is fully in favor of the project. Leonard McGinnity stated that this is an opportunity to help out the younger farmers for sufficient compensation from other resources to continue farming. This is an opportunity our land has provided. Tim Sundhagen is in the project and you can farm around the turbines and can exist together. He stated that the landscape has been ruined a long time ago. Sam Sagaser stated that his land is in the project. During the dirty 30's the wind blew families out of the Dakotas, so now the wind is paying us back. He said to not let the opportunity slip away. Larena McGinnity stated that this is an alternate energy source. There are MET Towers in Lindahl Township already. She discussed the safety of the blades and who produces them. The blades have fire hazard automatic sensors and icing sensors built into them to prevent hazards. Think of the project that will generate tax money back to the taxing entities. Sheri Bruneshil is in favor of the project and there will be an increase in money to the school district, airport, and park. This project will be a good aspect to the Tioga area in support of their businesses. She presented a letter of support from Harlan Germundson stating that the Lindahl Wind Project is a smart, economical opportunity to diversify the City of Tioga. Wind is predictable and there will be a life long term contract. It is a wise counter-balance to the fluctuations in the oil/gas industry. He stated that when considering the Lindahl Wind Project the Williams County Board of Commissioners should remember how badly the region needs power and that power must be generated somewhere. The Lindahl project is an excellent opportunity to serve our community based on an idea that started right here in Williams County.

The Commission took a break at 10:08 AM.

The Commission reconvened at 10:22 AM.

Dallas Lalim who is one of the original landowners in the group stated that they looked for good developers to take on the project. They did a lot of research on Tradewind and they have done a good job so far. The group is very happy with then. He stated that he is very surprised with all of the concerns voiced by landowners on the variance changes. All owners in the group have signed agreements. He stated that surface owners are more protective of the land. A time table of the project was given to Commissioner Aberle, which is off the internet and the project should be done by December 2016. Gordon Lalim is in favor of the project and is a landowner in the project. Marian Hoseth is a co-owner of land and she is looking for the future of the next generation. She read a letter from Linda (Hoseth) Aisenbrey who states that she and her husband Tom are in favor of the project. Juli Strid stated she is in favor of the project as well as a landowner in the project and submitted a letter. RayDean Strid stated he had concerns living around the wind towers, but he has friends living around them near Max and there is no noise and the wildlife has no problems with the turbines. He presented an email from his friend in Max stating his favor of wind farms. The community will benefit from them. This will be extra income for the ranchers and farmers and is requesting that the Commission votes in favor of the project. Anton Strid from McGregor and he has land outside the boundaries of the project and is in full support of the wind farm project and would appreciate the support of the Commission. Laverne Strid is in favor of the wind farm project and states that it is good for all in the community. Stephanie Vagts who is a resident of Lindahl Township is asking the Commission to deny the CUP and variance. She stated that according to the Williams County Ordinance a variance shall be granted if the

literal enforcement of the provision would result in unnecessary hardship and if it was contrary to public interest. Denying the variance will not result in a hardship to the Lindahl Wind Project LLC. They have promised lease holders their retirement knowing the setbacks. Granting the variance would be contrary to the public's interest. The main purpose of the setbacks is safety. The PSC recommends 1,400' setbacks. That decision was made with the idea that a wind farm would be located on agriculture zoned property. Not in the heart of the Bakken Shale. According to nd.gov the official portal for the ND State Government, Lindahl Townships has 285 oil wells. For safety reasons, please do not allow wind turbines closer to oil wells. Please consider the many landowners, residence, and families who do not want the setbacks changed. And she would appreciate the Commission upholding the Williams County Planning/Zoning Boards recommendation to deny the variance. Joel Vagts a resident of Lindahl Township is against the wind project for the future of his family. This reliable source may not succeed down the road. Lila Lalim from Lindahl Township is in favor of the wind farm. Jeff Nelson with his sister Jill representing the Nelson Land Holding LLP are strongly in support of this project. This project was not imposed on the area by outsiders or developers, but it was developed by locals to make their lives better. Tradewind have bent over backwards to address their concerns. There were problems in the eastern part of the State, but this area is the right place and time for this project. It is clean renewable green energy. Local landowners (surface owners) will benefit not like the mineral owners. They are seeking to develop and have strong support. Attorney Bob Harms, representing Tradewind Energy stated that all of the landowners and Tradewind have worked together. This is an organic project by the landowners. Basin Electric has a purchase power agreement for 25 years. This is a private property and an economic development project. This is the American way and has a good location. We need the power and KLJ did a study on the project. Wind is part of the energy mix in North Dakota and this project makes sense. There is broad support from three Township Boards (8-9 supervisors' support), public support, and Senator David Rust in favor. This project meets the criteria under the law/ordinances. The variance has been narrowed to 500' of oil/gas wells and the remainder stays the same. The timing of the MET towers needs one year data will be used in the continuous help in placement of the towers and types of towers to be used. He is requesting support of the CUP and variance. Kelly Anderson 3rd generation landowners in Lindahl Township along with his brothers did due diligence on the pros and cons of the project, with their final decision made by their mother, who is now deceased to support the project. Knowing that the income would help with the nursing home costs and someday be passed on to her children and grandchildren. So to honor their mothers' wishes he and his brothers are here to support the project as a landowner and hope the Commission will vote yes on the Lindahl Wind Farm Project. Kathy Hove stated that they are an ambitious community in Lindahl Township and their people make the Township. She feels that there is nothing to gain from this decision today. Joe Arb, with Tradewind Energy voiced concerns addressed here today that Tradewind Energy has not covered in their discussion as to their production tax credit which will not go into effect until production then the credit will be available, but only 1/2 of the 22M at the beginning. This credit will help the project but it is a pass through. The setbacks they are proposing is 500' from oil/gas wells. The variance is not applicable to anything outside the project area. Arb responded to the ice throw outs from the turbines. He presented a letter of support from other Commissioners in other areas. Chairman Montgomery closed the public comments. (All letters and information presented today will be included in the minutes) Ramberg stated that he spoke with the Chairman of Sauk Valley Township and they are in full support. Kalil stated that there are 2 issues today being the CUP and variance they need to act on. Barton stated that in order to have the turbines in agriculture they need the CUP and went through a discussion on the variance and their reasoning for the setback change request. Discussion was held on the roads. Ramberg reported on the royalties that the landowners will receive that opted into the project. Aberle stated that all landowners were given the chance to participate in the project. Barton stated that he will work with Nelson and the Townships on the road/maintenance

who maintains.

agreement, upgrade the roads to be useable to public traffic. They will abide by the load limits. Kalil questioned the moving in of the turbines and the amount of space they will need to get trucked into the site. Tim Knutson answered questions concerning the capacity of the power the turbines can store. Hanson questioned a letter that was sent out to the Mountrail/Williams Electric concerning \$3.00 per year plus other subsidies. Arb stated that the program concerning that has gone away as the price of the wind power has gone come down. Aberle stated that it is no longer in effect. Ramberg moved Aberle seconded to approve the local landowners based project supported by three Townships with benefits to the local entities located in multiple locations within Sauk Valley, Lindahl, and Tioga Townships with conditions that building permits shall be required for all structures, provide grading plan at the time of application of building permits, all roads affected by this project either Township or County be inspected and filmed, after construction all roads be repaired equal to or better condition, provide and maintain trackout pads at all entrances to public access throughout the life of the project, all roadways and utility lines associated with the project shall have easements recorded against the individual properties that they cross prior to installation, and obtain approach permits on all entrances. Roll call vote: Montgomery-yes, Hanson-no, Kalil-no, Ramberg-yes, and Aberle-yes. Motion carried. (Lindahl Wind Project LLC) Kalil expressed concerns with the variance and roadway access. Barton stated that they will assume all costs of the roads as to not burden the Townships or County.

The Commission took a break at 11:28 AM.

The Commission reconvened at 11:40 AM.

Sizemore reported on the meeting with Novak, Chairman Montgomery, Commissioner Kalil, Lima, Logan, and Prout regarding his building. There will be an affidavit to sign in order for Novak to proceed with his project. The building will be for his use and will be a private arena. The variance will exclude the need for a SWMP review and will be allowed to proceed. Novak did provide grading and drainage plans. Kalil moved Ramberg seconded to grant a variance as requested by Novak located T154 R101 Section 30 and to proceed with construction. Motion carried. (Bill Novak variance)

Discussion was held with Attorney Kent Reiersen concerning the process modifications for underground pipeline(s) process. Attorney Reiersen stated that the currently pipelines are to receive CUP's and this may be redundant to State law. There are no requirements for a CUP for any pipelines above ground as that falls on the landowner. Why is the County requiring this condition when it is already being regulated the PSC or the Industrial Commission or the landowners? Planning/Zoning jurisdiction should be for buildings/structures. May be when it comes to the petroleum industry which is regulated by the PSC there should be modifications to the County process. Chairman Montgomery questioned why we are regulating something that is already regulated by the State. Ramberg asked if all lines are regulated. Attorney Reiersen stated that lines the State has oversight already all the rest will still need CUP, but should be grandfathered in. All pipelines now have to be mapped per the Industrial Commission, old and new ones. Kalil stated that he doesn't think it is redundant as people with problems still call the County not the PSC or the Industrial Commission. The County still has leverage here. Chairman Montgomery stated for Attorney Reiersen and Sizemore to get together and come up with a plan of action.

Sizemore presented his 2015 Williams County Building Permit report... Permits are down this year, but they are still dealing with permits from prior year projects.

Representatives from Sheridan Electric requesting a variance on setbacks for a transmission line they placed and the County is requesting them to relocate the line. Those in attendance were Attorney Chris

McShane, Mike Stefonowicz, Rick Knick, and Landowner Bob Horab. When Knick took over the project he thought that everything was in order. The lines were designed at 53' in the fence line of one of the adjacent landowners and he would not agree for that to happen as he didn't want it on his land. There were no easements filed by the County for 6 miles and they asked for a road crossing permit which was denied. The County has more lines outside the 75' setback requirements. They will not be able to provide for landowners if they have to go to the 75'. The landowners do not want it on their land as it will disturb their farmable property. They are reluctant to do any more construction on the line at this time. The Commissions' request will affect business and citizens as they are trying to provide Grenora with power. If it becomes necessary for the expansion of the road they agree to move the line, but this line is important for the Stateline to Grenora substation loop. Jim Radle expressed his concerns if he is without power to move the line. Horab expressed his concerns if the line has to be relocated from the 53' to 75' then he will have to farm around the poles. It will cause a burden to the landowner and he doesn't see that much of an easement difference. This will have a large impact on the landowners and Sheridan Electric. Road easements are getting burdensome to the landowners as farming equipment is much larger today. Kalil brought up the liability issue if not moved out to the 75'. Attorney McShane does not know of any State statute requiring the setback. Chairman Montgomery questioned as to whether Sheridan Electric will take on any and all liability. Attorney McShane stated that there should not be any, but they are looking into it. He has never heard of any type of possible liability. He will check into the liability of someone hitting the poles. Hanson said this would be the same as someone hitting a house due to the permanent placement of the poles. Radle stated that the power is necessary to the residents of Grenora and Zahl and their power will be disrupted if the lines have to be moved, but they can work something out. Chairman Montgomery stated that it was their responsibility to know where the lines should be placed and not to put the burden back on the County. Attorney McShane stated that there is no secondary power to Grenora. Prout advised that there is a State statute concerning this which is 24-04-01 and it states that it is their obligation to pay expenses and there is another code 24-04-14(2) concerning this. They were told the easement requirements. Liability issues were discussed. Ramberg was under the understanding that they were going to move them prior to the June 2015 deadline. Chairman Montgomery stated that if this gets granted there will be more to follow. Knick stated that he has been with Sheridan Electric for 20 years and he is sorry as they are good neighbors to landowners, but this route was laid out before he took over the project. They can't shut this line down until the new liner is re-done. Sheridan Electric was not told about the 75', but engineers and landowners knew. He apologized and will try to get it fixed if they could, but they can't take people off power. Kalil moved Ramberg seconded to accept their request to allow the line to stay until the road has to be re-built. Roll call vote: Kalil-yes, Ramberg-yes, Aberle-yes, Montgomery-no, and Hanson-no. Motion carried. Knick apologized again.

Russell Bandemer, Vantage Pipeline Project before the Board today to explain their pipeline project plans before their paperwork goes into the PSC.

Adam Landstrom, HESS present to explain their request for a section line closure in Dry Fork Township due to liability reasons with it being open. They are putting a well pad on the section line. The Township wants to close the section line as well as the landowners. They are in the process of reconstructing the Iverson Dam and building the pad. The terrain is rough, heavy traffic, and the section line dead ends. Kalil moved Ramberg seconded authorizing Innis to set up a public hearing for section line closure for the August 4th meeting at 8:00 AM. Motion carried.

At 1:20 PM, Chairman Montgomery left the meeting leaving Vice-Chairman Aberle chairing the meeting.

Kalil moved Ramberg seconded authorizing Innis to sign the acceptance of the EDIO award for County Road #10 for grading, gravel, stabilization/chip seal in the amount of \$205,378.00. Motion carried. This is an additional award due to excess funds.

At 1:21 PM Chairman Montgomery returned to the meeting.

Aberle presented proposals from RDO and Bobcat for a mini excavator. Nelson (not in attendance) recommended the one from Bobcat. Kalil moved Abele seconded to follow the recommendation of Nelson and purchase from Bobcat for \$50,471.00. Motion carried.

Aberle presented the bids for widen and overlay for County Road #COIB-5341(054) as follows:

Contractor	Total Bid
Central Specialties Inc.	\$14,781,169.14
Knife River Corp.- North Central	\$15,594,719.28
Mayo Construction	\$14,114,146.51
Northern Improvement	\$17,524,041.76
Engineers Estimate	\$18,300,000.00

Kalil moved Ramberg seconded to award the bid to Mayo Construction in the amount of \$14,114,146.51. Motion carried. (Copy included in minutes)

Kalil moved Aberle seconded after review of the rent analysis for the Law Enforcement Center tenants to authorize Innis to sign the lease with the ND Highway Patrol. Motion carried. With the rent analysis submitted all leases will be reviewed. (Copy included in minutes)

Kalil moved Aberle seconded the appointment of Commissioner Hanson to the City of Williston Emergency Planning Committee. Motion carried. The term is indefinite.

Aberle moved Ramberg seconded the re-appointment of Chairman Montgomery and Commissioner Kalil to the Social Services Board for a three year term. Motion carried.

Discussion was held on the re-organization of Golden Valley Township. Ramberg was approached by residents of the Township. Innis will get in contact with Attorney Thomas Moe on the correct procedure of re-organization.

Dave Leftwich gave the Commission an update on the local NDDOT construction projects.

Emergency Manager Mike Smith gave an update of activities over the weekend. His objective for the office is to be pro-active in the emergency world. Smith stated that he is very happy with associate Andrea Cross.

Ryan Stepan gave an update on the Microsoft licensing that they had problems with and reported that the City of Williston will be paying the amount requested for the licensing. Kalil moved Ramberg seconded authorizing to enter into the agreement with Microsoft for licensing. Motion carried.

Stepan gave a Steering Committee update. Stepan reported that they hired Elert.

Ramberg moved Aberle seconded to advertise and hire a desktop position. Motion carried.

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Askim gave a hiring update.

Kalil moved Aberle seconded to appoint Rich Stewart as the interim Weed Control officer to end October 31, 2015. Motion carried.

Innis was instructed to work with the Planning/Zoning Department on agenda items before scheduling this long of a meeting.

On July 13th the Project Manager will be returning. (Deanna Senior)

Askim reported that she has posted the Williston Rural Fire Department Fire Chief position.

Sizemore is requesting to hire a Plan Review Technician, Staff Planner to replace the position vacated by Taylor Corbett and to fill the position of Katie Lima, due to her promotion to head of the Building Division. Kalil asked to whether it is necessary to fill the Staff Planner position. Sizemore stated yes. Discussion was held on the Fire Marshall Position and Engineer to perform the SWMP reviews under the supervision of Nelson, reporting to Engineer Flowers. Kalil moved Aberle seconded to advertise for the engineer position. Motion carried.

Sizemore reported on the Ponzi scam involving Ames Engineering.

Gurajpal Sangha, news reporter with KUMV-TV was introduced.

Pederson was instructed to speak with Nelson or Sheriff Busching regarding his need of an additional vehicle.

Aberle moved Ramberg seconded authorizing the Chairman to sign the contract with Knife River Corp-North Central for Roadway Rehabilitation No. 15-2-12. Motion carried. **(Copy included in minutes)**

There being no further business the meeting recessed at 2:03 PM.