

**OFFICIAL PROCEEDINGS  
OF THE SPECIAL MEETING OF THE BOARD OF CITY COMMISSIONERS HELD  
SEPTEMBER 1, 2011 6:00 PM AT CITY HALL WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

COMMISSIONERS PRESENT: Brent Bogar, Brad Bekkedahl, Howard Klug,  
Tate Cymbaluk, E. Ward Koeser  
COMMISSIONERS ABSENT: None  
OTHERS PRESENT: Bob Hanson, Tom Rolfstad, John  
Kautzman, Steven Kjeergard, Jim Lokken,  
Kent Jarcik

2. Weatherford Issue and Traffic Study

Koeser informed those present there is one item on the agenda which is the proposed zone change from Agricultural/Mobile Home Court to Heavy Industrial in Stoney Creek Township. He stressed to those present this was not advertised as a public hearing, as this has taken place and been closed. The audience is welcome to be here, but cannot submit comments, unless addressed by a commissioner. This meeting is taking place for the commissioners to make their decision. Planning and Zoning has recommended this zone change be approved, with certain contingencies.

Koeser discussed the traffic study and asked if Bob Hanson or the engineering company who conducted this had any comments. Hanson reported the report is written by Epic Engineering who was commissioned by the Planning and Zoning Commission to look at the effects which Weatherford would have on the Stoney Creek School road (133<sup>rd</sup> Street), the intersection with 1804 and Hwy 1804. He reported the traffic counts were done on August 17<sup>th</sup>, which was before school started and there will be some difference in the traffic after this. These traffic counts are taken during peak hours; early morning, lunch, and around 5PM. They found as a base line on this date, during peak hours there were approximately 300 vehicles going east on 1804, approximately 300 vehicles going west on 1804, and only 8 vehicles going north at the intersection of 133<sup>rd</sup> and 1804. The number of vehicles turning onto 133<sup>rd</sup> and going southbound was 10. Epic Engineering spoke with Weatherford regarding how many people they have employed and were told there would be phase one and phase two in the development plan. Phase one, which they want to build now will have 250 employees, which will generate traffic. This was placed into a computer system to figure out how many trips this would generate and during peak traffic it would be 127 vehicles out bound in one hour, in bound traffic would be 32. There is a second scenario where Weatherford would expand their facility adding another 250 employees in the future and in this case, there would be 235 out bond vehicles and inbound would be 74 vehicles. These vehicles will be passenger vehicles, mainly pick-up trucks, with 30% of the traffic being trucks. Hanson explained this traffic compares to what a person would experience in town on a residential street at lunch hour or 5PM.

Jeffery Ames, Epic Engineering continued to explain the traffic study of this area. He corrected Hanson on the time of the 127 outbound vehicles as being all day, not just one hour, with the peak hours being 5PM-7PM. He pointed out in these studies they have to project the absolutely worse scenario and what ifs, with the whole area being zoned commercial.

Klug questioned Ames on how the road would be affected if there were more oil wells drilled in the area. Ames responded this would affect the road very minimally after they are developed.

Bekkedahl questioned why there is a difference between vehicles leaving the road and vehicles entering the road. Ames responded the residents of the area leave and come back, where Weatherford has products that go out and don't always come back in.

Cymbaluk questioned if the zone change was for the entire parcel up to the highway and Jarcik answered it was. He also questioned the impact for the rest of this being zoned heavy industrial. Koeser responded at the previous meeting, Weatherford explained they would be keeping this parcel and not selling it off, but there are no restrictions on this. Bogar responded when looking at the northern parcel which Weatherford is not acquiring, the access would not be on the Stoney Creek Road because they would have to come across the creek. The owners would have to go out on a different point on 1804, so this would not create the traffic impact on the school road, but will still add traffic to 1804. Bekkedahl reminded the commissioners one of the recommendations from the Planning and Zoning Commission was there would be another frontage road and access point.

Cymbaluk questioned the cost of the 40 acre opinion being reserved for a future city sewer plant and Kautzman responded we have land use basically zoned for possible governmental, but there is no option and price has not been determined.

Cymbaluk asked Pat Allard, who teaches on oilfield safety to explain the H<sub>2</sub>S factor in this area. Allard explained H<sub>2</sub>S is a natural process of decaying organic matter in the atmosphere associated with oil drilling and bringing out of the ground. In today's market, some oil companies have been refining this and taking the H<sub>2</sub>S gas out and not every oil location produces this gas. The bad thing about this gas is it is 1.8 times heavy as the atmosphere, which means it will sink. Bekkedahl clarified this is a separate issue from Weatherford and they do not produce H<sub>2</sub>S gas in their business.

Klug asked Wagley to explain the Weatherford site plan to him. He questioned what area would be paved by them and Wagley explained they would pave the whole road of 133<sup>rd</sup> to the corner. This area will be compacted to 95% with stabilization with 8 inch on top.

Bekkedahl questioned if the access would be kept on the northern part of the property and Wagley responded along with keeping this access there will be secondary access half way down the road.

Cymbaluk questioned if there are flow egeements with the Corp on the property to the north where there is a oil well at this time off 1804 near Red River which we need to be concerned with or identified and Hanson assume there may be some. Klug asked Cymbaluk to explain how this would affect the property and he responded this should be answered due to it being zoned heavy industrial and if there are flow egeements with the corp. Bekkedahl informed those present when a flow egeement is issued, there is no construction allowed in this area, based on a contract between the Corp. and the federal government. This drainage is from Stoney Creek, not from the Corp. who buys property to the 1854 mark on every drainage. The Corp will either acquire the land or an easement to occasionally have water on this land. Bekkedahl asked the existing property owner, Wade Sundby, if there were any easements from the Corp on this low lying property. Sundby responded all he knows is there cannot be a house on it, but a shop can be built there and he can't collect any money from the corp. Bogar explained if there are easements, they are going to follow whatever the property is zoned.

Bogar questioned if after the last city commission meeting, anything has been discussed by the school or Weatherford to provide more off street parking to prevent parents from parking along the road. McNary responded they have not met at this time, but there is talk of a meeting in the future with Weatherford.

Koeser stated an issue regarding this in the future is possibly moving the school. There will be issues with having this school so close to the city limits and eventually there may be a rural school annexed into the city.

Bogar questioned what would be Weatherford's construction schedule if this was approved. Wayley responded they will first need to close on the property and their hope is to start stabilization before winter and preparing the pads this year to get ready for concrete next year, along with erecting the structure. Next winter, their plan is start the interior work of the structure and the building will be utilized starting sometime in 2013.

Klug asked when the paving of the roads would take place and Wayley responded she needed to talk to the contractor and the construction team before she could answer this. She believes 133<sup>rd</sup> will be stabilized first and then develop the road system. Koeser questioned when the paving would take place and Wayley said this would be addressed at the same time as stabilizing of their property and would not probably not happen this year. Klug also questioned if Weatherford was going to bring sewer and water to this site and Wayley responded they were and it would be tied back into the City system. Hanson informed those present there are some capacity issues with the sewer system that will be connected into which are being addressed. Koeser replied Meiers had talked about rather he had a solution or not to this issue.

**MOTION BY KLUG, 2<sup>ND</sup> BY BOGAR to follow the recommendation of Planning and Zoning and allow the zone change with the stipulations stated.**

Bogar asked Klug if there could be a stipulation added with a request that District 8, Weatherford, and City Engineer work toward looking at the traffic around the school and Klug answered this would be okay and would be added to his motion.

Cymbaluk questioned the recommendations from Planning and Zoning who said they would consider with the plat, a development agreement for access of right of way on the northern part of the property (the one coming off the approach between Vestals and Sundbys) if they were going to do this and who makes the determination. Jarcik responded with this is platting of the property and they are platting the property to look at access, driveways, easements, etc. so they require at platting stage subdivision agreement with the property. During the plat process, these items will be taken care of.

**AYE: Bogar, Bekkedahl, Klug, Koeser**

**NAY: Cymbaluk**

**ABSENT & NOT VOTING: None**

**CARRIED: 4-1**

Koeser thanked everyone for being at the meeting tonight and listening to this. He also thanked the commissioners for allowing this special meeting to let people know one way or the other how this would turn out. He stressed the safety of the kids is their main concern and he trusts Weatherford, the school and the city will work together to minimize risks and do what they can to make this a safe situation.

**MOTION BY BEKKEDAH, 2<sup>ND</sup> BY BOGAR to adjourn.  
MOTION CARRIED UNANIMOUSLY.**

3. Adjourn