

Stutsman County Planning & Zoning Commission Minutes – August 7, 2025

Meeting was called to order at 8:15 AM by chairman Brian Amundson. Roll call taken. Present were Brian Amundson, Duane Andersen, David Steele, Pam Phillips, Levi Taylor, Joseph Heupel, and Tyler Perleberg, Zoning Administrator. Absent was Amanda Hastings

Others in attendance that signed in on the attendee's sheet: Todd Langston, Jamie Schmidt, Kris Koch, Leon Westerhausen, Tim Leppert, Darron Orr, Larry Burkle, Cindy Burkle, Corry Shevlin, Barb Orr, Gage Orr, Claire Vigesaa, Steve Fisher, Jackie Fisher, Tony Fisher, Jeanne Berntson, Diane Carlson, & Stephen Schwarzrock.

Mr. Andersen motioned, Ms. Phillips seconded, to approve the July 23, 2025 meeting minutes. Motion approved.

Chairman Amundson made an introduction, explained the role of the zoning committee and which townships we preside over, & briefed the committee and audience on the proposed amendment in regard to high voltage transmission lines. He opened floor up for public comments.

Leon Westerhausen, resident of Corwin Township, spoke about his concerns and what he believes the transmission line is going to be used for. He stated that he would like to see the committee adopt a 2,640 foot (1/2 mile) setback.

Larry Burkle, resident of Homer Township, spoke about his concerns relating to health, sound, & devalue of land and believes the setback should be a half mile.

Cindy Burkle, resident of Homer Township, asked for clarification if the project has been confirmed yet and also confirmed that the Stutsman County Zoning does not have jurisdiction over a township, specifically mentioning Homer & Corwin Townships.

Darron Orr, resident of Corwin Township, spoke about his concerns and asked the committee how the proposal of 1,200 feet came about. Commissioner Taylor responded that he came up with the 1,200 foot setback by looking at his own residence and what he thought would be a comfortable distance for him. Mr. Orr continued with concerns regarding research, century code, graveling of roads, generational farmers, & how the current proposal was obtained. Mr. Amundson explained that the PSC has a 500 foot setback so if this committee is going to go with a distance more than that, he states that it needs to be defendable. He further states that he looks at this that he wants to prevent the devaluation of land but at the same time recognize that private property owners have the opportunity to develop their land and that he wants to get all the parties brought together at the same table by having a hearing process. Mr. Orr concluded by stating he got information from the PSC that the JetX line is basically double the 345 kv that they initially thought, it's 4,000 megawatts. He recommended that the board visit some of the property owners that are being impacted.

Stephen Schwarzrock, resident of Homer Township, spoke of his concerns about the lack of communication from the company dealing with the JetX project. He stated the proposed route is 800 feet from his house. Mr. Taylor asked if Mr. Schwarzrock is in favor of the 1,200 foot setback that's being proposed. Mr. Schwarzrock answered that he believes it should be more.

Colin Wegenast, resident of Homer Township, also spoke about lack of communication. He had no idea where the JetX line was being proposed. He stated that he wants the county to adopt a 2,640 foot setback because he feels comfortable that he won't hear it at that distance and that potential fires would be stopped before getting to his house. He would like to see the county's help on this because he feels the township is a little guy fighting a big giant corporation.

Mr. Schwarzrock came back to the podium and added that he has concerns for interference with his cell phone service.

Claire Vigesaa, executive director of the North Dakota Transmission Authority, gave some input on MISO and the need for power. He stated there are more transmission lines coming in the near future because of the need. He explained power flows and stated that since August of 2022, the power that flows into this region from the east are a bit greater than the power that flows out. The power that flows on the transmission grid changes every hour, stating that roughly 12,000 hours of power were flowing into North Dakota and about 11,700 hours were flowing out. Mr. Andersen asked where the generating source from the east is coming from. Mr. Vigesaa stated various ways including nuclear plants, wind, gas, & coal plants. Mr. Amundson clarified that we're essentially a net neutral transmission on the MISO system and that with more development there will be a strong possibility that there will be more transmission lines coming through our area. Mr. Vigesaa verified that and said that the current line in Minnesota along I94 was designed for double circuit so that they don't have to take more land and that is how the JetX project is going to be set up, saying that there isn't the need for the transmission today, but can double the transmission later without interrupting more land. Mr. Steele stated that he thinks it would be good to have a seminar to show how the electric system all works. Mr. Vigesaa said if someone wants to reach out to him and set something up, he'd be willing to do that.

Diane Carlson, resident & board member of Homer Township, stated that their township acknowledged that a mile setback would be unreasonable which is why their township chose a half mile for their setback which they believe would be reasonable. She said that Homer Township would like our county to strongly consider a half mile setback, especially since the 500 foot setback was established back in 1973 by the PSC.

Mr. Westerhausen came back to the podium pleading to protect the people & citizens of Stutsman County. He stated that there are other preferable ways to put the transmission lines underground. He said you can put the wire through a pipe filled with oil underground or you can put it through a concrete duct underground. He said that way you wouldn't hear it, see it, it's more reliable, & it'd be protected from weather. He warned of past instances like the ice

storm and the fire out west caused by a distribution line that killed people, cattle, & burned thousands of acres. He speculated that when there were long term power outages the data center north of Jamestown stayed up and running. He stated that he's a Corwin Township board member and when they had a meeting, he contacted everyone of their citizens and not one was in favor of the project.

Mr. Andersen stated that he is on the zoning board because he believes the primary purpose & intent is to promote the health, safety, and welfare of the people of Stutsman County. He encouraged the townships that have their own zoning setbacks to stick to their guns and mentioned that maybe one person in the room is from an area that this committee oversees. His concern is why there is nobody else in the room from the areas of the county that the county zoning oversees.

With no further public comment, Chairman Amundson closed the public comment period.

Mr. Taylor explained a timeframe for the route permit process through the PSC, stating that after 30 days or so, they'll schedule a public hearing, likely one in Jamestown and another down south. He stated due to the lengthy period for implementing something in ordinance, we're running out of time because he believes the route permit will be submitted to the PSC soon for the JetX project. He believes the 2,600 foot setback is not going to fly with the PSC, so he believes that a 1,200 is a distance that he believes would not get superseded by the PSC and therefore knocking the setback down to 500 feet.

Timelines were discussed and Mr. Amundson stated that if a motion is not made at this point, the meeting will adjourn. Mr. Taylor asked Mr. Perleberg about the process if our committee sent a recommendation to the Stutsman County Commission and the commission denies the recommendation; would the commission be able to bring up a different setback distance on their own without coming back to the zoning committee. Mr. Perleberg & Mr. Amundson stated yes that we don't have to be involved if the commission chooses so. Mr. Andersen asked for clarification that if the commission tabled the recommendation back in February, are we still acting on that same recommendation from before. Mr. Perleberg clarified that back in September of 2024 when Mark Klose was still on the commission, the topic was tabled at that point for further research and public input. Mr. Perleberg stated then there was another public hearing in early January that the commission held at night and then in February it was acted on at a regular commission meeting and that the commission rejected the proposal at that time and referred the topic back to the zoning committee. Mr. Taylor looked up the minutes from the February 18th commission meeting and stated the motion was to reject the proposed changes recommended by the zoning board so that tells him the proposal failed and was not tabled.

Mr. Taylor made a motion to recommend a 1,200 foot setback, Mr. Andersen seconded the motion. Clarification was made that this pertains to electric transmissions lines in excess of 115 kilovolts. Mr. Andersen commented that he would rather see 2,600 feet, but he'd rather see

1,200 stick than 2,600 getting thrown out by the PSC and then be stuck with a 500 foot setback. He states that the lines definitely don't add property value and that they cause all sorts of problems for farming, spraying, building, planting trees and further stated the only good that comes from these is the person who signed the easement that got a check. Mr. Steele asked if anyone within the 1,200 would get any compensation even if the line doesn't go across their property. Mr. Amundson stated that it would trigger a conditional use public hearing, but as far as negotiations and compensation, our committee is not involved in that. Mr. Amundson relinquished the Chairman gavel to Mr. Andersen. Mr. Amundson commented that he has a transmission line that goes right over his feedlot in his yard. He understands the need for protecting property rights and also the need for development for power for our community to prosper. He feels we need to have something in place but doesn't know what the magic number for the setback should be, something that is more than 500 feet but something that is reasonable and will bring all parties involved to the table. He feels 1,200 feet is something he can defend and justify it so he is in favor of a 1,200 foot setback. Mr. Steele commented that he understands that progress has to be made and that there are sacrifices. He stated he's heard the year 1973 several times today and said that we wouldn't want to go back to 1973 because we wouldn't have cell phones and a lot of other technology that we have today. He states that the future of technology is unpredictable but if we shouldn't stop progress. He also states he doesn't know what the magic setback number should be and that, for some, any number is going to be wrong because they don't want any project. He then questions what happens if our setback gets rejected by the PSC. Mr. Andersen relinquished the chairman gavel back to Mr. Amundson & stated he's all for economic development, but he doesn't believe it should be on the backs of the average citizen, and he had a question for Mr. Perleberg on how power lines are taxed. Mr. Perleberg stated that transmission lines are centrally assessed properties that are taxed by the State of North Dakota and that our county & townships does get revenue from them. Mr. Heupel gave a comment on Mr. Steele's question on what happens if the PSC rejects the setback. Mr. Heupel stated that until rules are challenged, you won't know what the fallout is and he states that isn't a basis on any of our voting abilities and that we're here to set a guideline and that we're here to protect the citizens of Stutsman County. He feels more jurisdictions will pick up on this and will be a first step on change if the PSC starts to be challenged. Vote was taken on the motion, all committee members voted in favor, nobody was opposed. Motion carried.

Discussion about the next meeting took place. Mr. Amundson will work with Mr. Perleberg to figure out a timeline and next steps for agenda items so we're not having meetings just to have a meeting. Board agreed that the early morning meetings are the preferred timeframe, especially with harvest coming up.

With no further business, Mr. Amundson adjourned the meeting at 9:55 AM.