

**SCIOTA TOWNSHIP BOARD
MEETING MINUTES
Monday, March 12, 2012**

Call to Order @ 7pm

Pledge of Allegiance

Members Present:

Randy Volkert
Renee Otte
Mitch Penny
Shannon Olson
Tracie Roberge

Others Present:

Bryan Moore
Jim Gleason
Dean Taylor
Tyrel & Ashley Lembke
Jill Trescott
Duane Ness
JJ Grant
Jim Heiman
Paul Zumbusch

Approval of Minutes: February 13, 2012

Volkert makes motion to approve minutes, Penny seconds. All in favor.

Treasurer's Report: Tracie Roberge

Volkert makes motion to approve treasurer's report and pay bills.

Building Permits:

Dean Taylor

New Business:

- **Interim Use Permit Renewal for Cannon River Kennels, Incorporated.** James Grant was present to renew his interim use permit for Cannon River Kennels, Inc. Otte inquired about number of dogs. Grant stated that they have 28 in training. They have 64 runs, but they have taken 7 of these out to use for storage. Otte inquired about the main breed. Grant responded mostly labs, golden retrievers and other odd breeds. The township has not received any complaints about the Kennel. *Penny makes motion to approve the interim use permit, Volkert seconds. All in favor.*
- **Paul Zumbusch with Castle Rock Materials** was present to seek approval to pump water out of the pit into a swale in the mining area. Trescott made a motion @ the February Planning Commission meeting to move that we define a non-workable area in the context of de-watering as an area off-site or an impermeable area on site, and she would like to recommend to the board that they approve this permit for 2012 to be reviewed and renewed on an annual basis, also with the condition that if using a diesel pump it should be used during working hours only, and electric pumps can run as Castle Rock Materials sees fit. Also, any standing water would be managed for mosquito control in an environmentally sensible manner and that any necessary permits from the MN Dept. of Natural Resources will be obtained and maintained. Ness seconds. All in favor. Otte inquired about

how long the pumps will be running. Zumbusch responded about 1 month, depending how fast it takes to get the water down. Otte inquired about the hours that the pumps will be running. Diesel will run during normal business hours & the electric pumps can run at any time. Penny inquired about how this has been working down at their Jaynesville Pit. Zumbusch stated that it took a while to get the water out, but once it started it went fairly fast. Penny inquired about if they did something similar with the water or if they de-watered. Zumbusch stated that yes; the water was pumped to a location on their site. Volkert asked for input from the Planning Commission and the definition of de-watering. Ness responded with the definition from our ordinance. He stated that this could be argued that we shouldn't allow irrigators; we just wanted clarification that the water would not be moved to another area. Trescott read the definition from the ordinance. Trescott stated that the goal is to keep the water on site. We want the area to be permeable. Otte asked about the difference between workable to non-workable. Trescott stated that because the area that we are putting the water into will eventually be part of the area that will be mined it can be considered a workable area. The board was concerned about the noise from the diesel generators. Zumbusch stated that you probably wouldn't hear this over the other generators on the plant & there shouldn't be any noise with the electric pump. Otte asked if this was an amendment from their permit. Zumbusch stated that yes it is an amendment. Zumbusch stated that he would send the DNR's permit to the clerk. He stated that what they are doing should fit into their existing permit. *Volkert made a motion to approve the permit with the above stated conditions, and if there are any changes from what has been stated, the board requests that Castle Rock Materials come in for modifications with approval from the board. Penny seconds. All in favor.*

- **Dean Taylor.** *Ness made a motion at the February 20 Planning Commission meeting that we approve the request for agricultural buildings and recommend to the board to consider an access driveway with culvert as discussed. Hardy seconds. All in favor.* Taylor was present to apply for a building permit for 2 agricultural buildings for turkeys. Otte inquired about the driveway, Taylor responded that he would be putting in a separate driveway & he will put the culvert in. *Volkert made a motion to approve the request for a building permit and access driveway with culvert. Otte seconds. All in favor.* Taylor also commented that the corner by Leatrice Taylor's is eroding. Clerk will contact Otte's to have them take a look at this.
- **Jim Gleason** was present to talk about the work that was being done at the pit. He was laying down dirt, so that it could be farmed. The dirt was applied at about a 1 ½ feet thick. Ness talked about the new ordinance. He stated that the movement of dirt requires a permit unless it is for mining. Ag and mining is exempt from this permit. The reason that the board requested Gleason to attend the meeting was to clarify the intent. Gleason stated that they are not mining and that they laid the black dirt down so that David Errington could farm it. Gleason stated that the land where the beans were planted last year will be mined. This area is 29.7 acres. They own a 72 acre parcel. They reclaimed about 10 acres and this will be farmed this season. Volkert inquired about stock-piling materials and if he needed to have a permit for this. Gleason stated that they have taken materials from Erringtons over to their area. Trescott stated that if it is 5000 cubic yards a year or more that is being processed then you need a permit. Gleason stated that they were under the assumption that because Bakkens had

the permit they wouldn't need one. Ness explained the mining permit process. If there is more than 5000 cubic yards or more a year then you need an extraction permit. Extraction permits are only good for one year. The mining permit is just designating the land use of that area. The land owner can farm it or mine it, but it has to have a permit designating what the land is used for. It would be in his best interest to come in for a mining permit, which is good for 15 years. Ness stated that for any land disturbance over 1000 square feet, a Storm Water Management permit would need to be issued. Just pushing dirt around is probably a violation of this ordinance. Volkert stated that he would like to see Gleason come in and start the permitting process since they are planning on mining a portion of the land. Gleason stated that they are done moving the dirt. He will visit the website and print off the mining permit process.

- **Jim Heiman** with Randolph Fire Department was present with the Randolph-Hampton Fire District annual report and 2012 budget worksheet. Heiman updated the board on the training, response times, and activity over the past year.
- **Ryan Moore** (will be building a home @ 32457 Alta Ave and would like to see about holding a special meeting to get a building permit issued early). Otte inquired about the business. Trescott explained how it works to schedule a special meeting. Moore will be present at the March Planning Commission meeting with permit application and plans for the home.
- **Tyrel and Ashley Lembke** purchased Ed Bartlett's home @ 2515 320th Street. They have 5.45 acres. They would like to build a pole barn and put up a fence. They will attend the March Planning Commission Meeting with copies of their plan and setback information.
- Resolution for reestablishing precinct boundaries (resolution was drafted and signed, clerk will send copy to Dakota County).
- Board of Audit
The board reviewed the financial records, the schedule 1 was signed by board members.
- Bid on Rock from Anderson Trucking/Milestone Materials. Milestone Materials quoted \$5.00 a ton without trucking. Anderson Trucking quoted \$4.50/ton and \$2.25 ton for trucking. Clerk will contact Milestone Materials and others to see what they will charge for trucking.
- Dakota County (Aggregate Material Removed Tax)

Old Business:

- Update on building inspector (Clerk). Publish notice seeking building inspectors. Contact Hegner.
- Update on Bell Kennels (clerk). Clerk will send letter drafted by Morisette
- Update on Gleason's (clerk). Gleason was present
- Update on Non-Pump Report (Clerk).

Communications Received:

- MAT (Spring Short Course March 20th in Rochester)
- Technology Exchange Newsletter
- ISO (For Renee Otte)
- Dakota County (Noxious Weed Notice)

- Cannon River Watershed Newsletter
- MAT (Urban Short Course (Thursday, April 19th @ 8:00am in Otsego)

Public Comment

- Renee mentioned the communication sent out on frac mining. Clerk will bring this information to the Planning Commission
- Ness stated that the water management is looking for representation from each township for their comprehensive plan.

Adjourn @ 9:00pm