

**SCIOTA TOWNSHIP BOARD  
MEETING MINUTES  
Monday, August 13, 2012  
7:00pm**

**Call to Order @ 7pm**

**Pledge of Allegiance**

**Members Present:**

Renee Otte  
Randy Volkert  
Mitch Penny  
Shannon Olson  
Tracie Roberge

**Members Absent:**

**Others Present:**

Jim Gleason  
Bernie Hollinger  
Don Marthaler  
Jill Trescott  
Duane Ness  
Bob Hegner

**Approval of Minutes:** July 9, 2012

Otte approves minutes with correction to her last name. Penny seconds. All in favor.

**Treasurer's Report:** Tracie Roberge

Otte makes motion to approve treasurers report and pay bills, Penny seconds. All in favor.

**Building Permits:**

- None

**Other Business:**

- Review & approval of Charles R. Gleason mining permit. A motion was made by Jill Trescott at the July 16, 2012 Planning Commission Meeting.

*Trescott makes a motion that the planning commission recommends to the board that they approve the Gleason Company application for a new mining permit, with the conditions that were expressed at the previous Planning Commission meeting; to provide a mailing address, signage on the property for resolving complaints and the completion of the missing language from the application itself. Trescott further moves that the Planning Commission recommend the minimal financial assurance be acquired because the owner and operator are the same. Hardy seconds. All in favor.*

Volkert inquired about how long the pit was owned. Gleason stated since about 1984. Volkert inquired about the reclamation plan. Gleason stated that the plan will be to have all of what's mined put back into farmland. The mining application was completed and the mailing address was added to the last page. Trescott stated that signage will not need to be put on the property until an extraction permit is needed. Volkert inquired about the minimum financial assurance. Financial assurance is required on an extraction permit, not a mining permit. *Otte makes a motion to approve the mining permit for Charles R. Gleason. Volkert seconds. All in favor.*

- *Bernie Hollinger was present to talk to us about a fence that his neighbor (Wayne Roehl) may be constructing. It appears that he will be using pieces of sheet metal in various sizes and colors. Volkert inquired about a fence ordinance. Trescott stated that we do not have a fence ordinance. Hollinger also stated that it appears that he is scrapping metal again. Volkert stated that we don't allow any commercial business and it appears from the information that Hollinger is providing that this is a commercial business. Trescott will talk to someone at the County to have them look at the amount of scrap metal on the property. Hollinger would like to see that a fencing ordinance be put in place. Trescott stated that she would like to see an attorney write a letter to him that he is in violation of the refuse and nuisance ordinances. Trescott read the refuse ordinance, and also the misc. nuisance ordinance. Hollinger stated that he will get pictures taken. Volkert suggested that we meet with the attorney. Ness stated that before we incur the cost of having our attorney, he would like the board to go ahead and write the letter stating that he is in violation of our ordinances. Volkert would like to see a copy be sent to Morisette so that he is familiar with what is going on. Penny stated that since he has already been in violation with the EPA, the township can go directly to the EPA to let them know that he is in violation again. Hollinger stated that he has hauled in gas lines and other materials as well. It was decided by the board to draft a letter stating that it appears he is in violation of township ordinances and invite him to the September board meeting for explanation. A copy of the letter will also be sent to Tim Morisette with Lampe Law Group, LLC.*
- *Don Marthaler was present to request that Castle Rock Materials put a tile line directly into chub creek. Volkert stated that we don't allow de-watering. Marthaler stated that another alternative would be to put up a permanent dam that won't blow out. Volkert called soil and water and they told him they want to stay out of it because they don't want to be responsible when something goes wrong. Zumbusch is going to be contacting an engineer. Trescott explained that Castle Rock Materials needs to have an engineer design a storm water management system that is separate from what they currently have. Clerk will check with Paul to see how things are coming along with the engineer and ask them to attend the September board meeting. Clerk will invite Don Marthaler to the board meeting as well.*
- *Bob Hegner was present to bring in a copy of his insurance. Clerk will contact Pat Andreas Agency if they have not mailed a copy of insurance by September meeting.*
- *Duane Ness will replace the fixture that is not working with LED fixtures as well as the other 2 fixtures. He will let the board know before purchasing.*
- *Aid from FEMA for flooding in June (Randy Volkert)  
Randy has been attending the FEMA meetings. Larry Lowe will meet with us to go over all of the receipts from the damage. Penny moves that Randy Volkert and Shannon Olson meet with Larry Lowe with FEMA to discuss the damage to our township roads from the June 2012 rain storm. Otte seconds. All in favor.*

**Communications Received:**

- Liberty Mutual (Continuation Certificate for continued coverage for Lee Volkert Pit)
- Dakota County (2<sup>nd</sup> Qtr Aggregate Material Removed Record)
- Couri & Ruppe, P.L.L.P. (Township Legal Seminar to be held in Wright County, Olmsted County, St. Louis County and Cass County During the month of September and into October) Send Mitch an email with the Olmstead dates.
- District 4 Meeting Notice (Thursday, August 23 @ 7pm. Johnson Hall, nicollet County Fairgrounds. St Peter)
- USDA (Consideration of financial assistance for Dairyland Power Cooperative).
- Dakota Electric (Township Outstanding Leader of the Year Award Nomination forms)
- Certificate of Liability Insurance for Bob Freiermuth Sanitation LLC

- Dee McDaniels (Grant funds available to fix failing septic systems)
- AMC's Minnesota State Aggregate Mining Conference (October 26 in St. Cloud) Duane Ness will attend this conference.

**Public Comment**

Ness will be attending the NCRWM meeting on Wednesday at 6pm at the Dakota Cty Extension and Conservation Center. Development of the new comprehensive for the next 10 years.

**Adjourn @ 8:45**