

**SALEM TOWNSHIP
TOWN BOARD MEETING
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OCTOBER 31, 2015**

Members Present: Rick Lutzi
Sharon Petersen
Gail Fritts.
Brian Connelly
Jim Evans

Residents Present: David Sackett
Sonya Mansfield
Mike Coats

Staff Present: Roger Ihrke

The meeting was called to order at 9:00 a.m. by Brian Connelly with the pledge of allegiance.

A motion was made by Rick Lutzi and seconded by Jim Evans to approve the written agenda for this meeting as written. The motion passed unanimously.

Brian Connelly asked Roger Ihrke to give the board members additional information about this fuel sales issue.

Roger Ihrke stated that Buy Rite Fuels existed prior to Rochester Asphalt moving to Salem Township location. It was previously located at Enterprise Drive behind the old Fleet Farm store location. He was not sure about how the transfer was made. They have applied for a conditional use permit for the fuel sales. The application has been denied and returned. The process for getting a conditional use permit approved for this use will be very difficult. They would have to have their property approved for the urban service district of Byron or Rochester. There is currently no plan to provide to sewer and water in this area. The most likely outcome for properties in this area is that they will eventually be classified as a suburban sub-division. The resource protection is still in effect so that the resources located within this township are fully developed prior to them allowing any development in this area. The result of this classification will be that you probably won't see a suburban sub-division for a long time. The long range plan is for the use of all the resources in this area and after that the lakes that have been created will have homes built around the lake, or some recreational activity. Their application to enter into an urban service area will probably not be approved. The county's long range plan specifically states that in order to re-zone a parcel in the rural area, it has to be included in the urban service area. They were told that they could talk to the county, and that is where this process should have started. At this point in time, it is a waiting game to see if they contact the county.

It was noted that Buy Rite Fuels has joined the Rochester Chamber of Commerce. TCPA has found out that they have complained about Salem Township to the chamber as being very anti-business. They also have told chamber members that Salem Township is making it very difficult to

operate. The Chamber has called the Olmsted County Township Association to get more information about the situation.

Roger Ihrke stated that we are still in a waiting game and we need to continue to gather information about the fuel operation.

The board and residents present discussed the issues relating to these fuel sales and what course of action we will proceed with at an appropriate time in the future.

Jim Evans asked how the Rochester Chamber of Commerce can accept an application from a company that does not have a Conditional Use Permit in place and they are in violation of our Salem Township Ordinance.

Brian Connelly asked why they didn't erect these fuel tanks at the Enterprise Drive location where the original business was set up because that would have been zoned correctly.

Roger Ihrke stated that he did not know if they purchased that property, but only the name of the company. There are several businesses in this area that have changed hands.

They have filed with the Secretary of State in January or February of 2015. The Buy Rite Fuels was originally registered with the State in 1997.

Some of the communication from Rochester Asphalt fuel sales from their attorney has not been forwarded to our attorney. The clerk will forward this material.

The next review for them will be in January, 2016. It was discussed that they have not called for a final inspection for the grading plan. There are possible issues that will need to be discussed at Planning and Zoning because there may be additional violations.

The determination that was made by TCPA was reviewed by our attorney before it was sent. The letter was sent on Friday. A copy of the letter will be attached to the original minutes of the meeting.

There was discussion about how to proceed. At this time, the board decided that the best course of action is to continue gathering information. Our attorney will be kept informed of any additional information we receive.

A motion was made by Rick Lutzi and seconded by Jim Evans to adjourn the meeting at 9:40 a.m. The motion passed unanimously.

Respectfully submitted,

Brian Connelly
Chairman

Sharon Petersen
Clerk