

**SALEM TOWNSHIP  
TOWN BOARD MEETING  
www.salemmn.org  
November 7, 2018**

**Members Present:**           **Rick Lutz**  
   **Gail Fritts**  
   **Sharon Petersen**  
   **Drew Moessner**  
   **Brian Connelly**

The meeting was called to order at 7:30 p.m. by Brian Connelly with the pledge of allegiance.

Brian Connelly asked if the board members had any changes to the printed agenda. A motion was made by Rick Lutz and seconded by Drew Moessner to approve the agenda as printed. The motion passed unanimously.

The board reviewed and signed claims for payment as presented. The claims and payroll are as follows:

The claims presented for payment tonight are as follows:  
    **Claim No. 10002 to 10015 and 10021 and 10022**  
    **Payroll Checks 10016 to 10020**

A motion was made by Drew Moessner and seconded by Rick Lutz to approve the total for claims and payroll checks submitted tonight for payment of \$14,820.66. The motion passed unanimously.

The mail was reviewed by board members.

**Secretary's Report**

The minutes for the October 3 meeting will be approved at the December meeting due to the two continued meetings that finished up today.

**Treasurer's Report**

Gail Fritts reported the following:

<b>Beginning Balance</b>	<b>\$52,337.61</b>
<b>Total Receipts</b>	<b>\$ 4,588.64</b>
<b>Total Disbursed</b>	<b>\$17,330.50</b>
<b>Ending Balance</b>	<b>\$39,595.75</b>

We have the following Certificates of Deposit:

58237-1	1.35%	4/8/2019	\$38,443.42
58851	1.25%	3/8/2019	\$42,331.87
70062	1.35%	10/8/2019	\$28,572.46
70271	1.25%	1/8/2019	\$ 8,077.67
Total.....			\$117,425.42

Total available funds are \$157,021.17.

We received Market Value Credits in the amount of \$3,582.14.

The insurer for additional funds at First Security Bank will be changing. It was US Bank and is now HBO & Sheridan in Wisconsin. The approval for this must be made by the town board.

A motion was made by Brian Connelly and seconded by Rick Lutzi to approve the treasurer's report and give permission to sign the settlement agreement for excess funds. The motion passed unanimously.

Olmsted County Sheriff Deputy was not present.

**OLD BUSINESS**

**TCPA Meeting**

Rick Lutzi reported on the last meeting. The options for additional space are on the table for expansion of the facilities. All options are also being considered. Brian Connelly will attend the November meeting.

**Roads**

The clerks report was reviewed by board members.

Questions were asked about the sand we may be purchasing for sanding roads. Rick will follow up with Eric DeCook on whether the salt/sand mix will be stored covered. Rick will have that information at our December meeting.

Road issues that have been authorized were discussed and approvals granted for some additional work.

Signs—No action on this item.

**Town Hall Roof Repairs**

The re-inspection did not provide any additional coverage for the hail claim from the May storm.

## **Rochester Asphalt Inspection Result**

**Brian Connelly gave a report on the inspection we did today at 3:30 p.m. Overall, there were many improvements since August. The major share of the work is done and there are still some compliance areas that need to be improved.**

**Roger Ihrke was asked for additional information from the inspection. A large portion of the items are done. A large portion of the uncompleted items we have been told will be complete by the end of the month. While a complete bill of health can't be done at this time, I feel we need to go ahead and give them some time on some issues. The seeding issues need to be taken care of before we can see that all issues are taken care of. Your attorney supplied a revocation resolution and the staff worked on a resolutions for approval with conditions. At this time, we are recommending that you move with the approval with the conditions that we talked about earlier.**

**Brian Connelly gave some additional summary. The reclamation on the north end of the sand pit has been reclaimed. The north berms have been removed and reclaimed. The slopes look good. At this time, they are seeded with oats and they will be seeded with the DNR recommended mix this fall. We need to see emergence in the spring to fulfill this requirement. The blanketed area in August seems to be growing. The west and south portion are being left open and are not being reclaimed at this time in order to access the sand there for job requests. The dredge has been removed. Other equipment, including the classifier, has been sold and will be leaving soon. All mining in the future will be done with a backhoe. The fuel storage tanks have been sold and will be removed from the site. The containment around those tanks will be demolished by the end of the month. The DNR seed mix will be coming in next week. The new plan calls for the water to flow to the north and east to the pit. The changes that need to be made will be done, and it will be returned to Mark Welch for approval. That plan then will be returned to Roger for approval. After the grading plan is approved, they will have to apply for an amendment for their conditional use permits to include the new grading plan. Additional conditions may be added at the time the new permits are opened.**

## **Conditional Use Permit 10-01**

**A motion was made by Drew Moessner and seconded by Rick Lutzi to not revoke this permit at this time and adopt Resolution 2018-8 Resolution and Order Conditional Use Permit 10-01. The motion passed unanimously.**

## **Conditional Use Permit 14-01**

**A motion was made by Rick Lutzi and seconded by Brian Connelly to not revoke this permit at this time and adopt Resolution 2018-9 Resolution and Order Conditional Use Permit 14-01. The motion passed unanimously.**

The copies of these documents were handed to the applicant and all board members for review. The documents were reviewed and the issues that are still outstanding as of November 7, 2018.

#### **Resolution 2018-8**

##### **Resolution and Order Conditional Use Permit 10-01**

Item 1 refers to Section 1 (c)(2) of the Zoning Compliance Agreement. This requires a new grading permit to be reviewed. Upon approval the applicant shall apply for an amended conditional use permit replacing Permit ZST 13-05 with the updated plan. The deadline for this will be 11/30/2018.

Item 2 refers to Section 1 (c)(4) of the Zoning Compliance Agreement. This section requires the berms and slopes to be finished and seeded. The seeding is not completely done and will not be viewed as complete. The deadline for this is 11/30/2018.

Item 3 refers to Section 1 (c)(6) of the Zoning Compliance Agreement. This item was checked because the owner needs to obtain the required updated permits and that copies will need to be submitted to the Minnesota Pollution Control Agency related to the business and copies submitted to the Town. The deadline for this is 12/31/2018.

Item 5 refers to Section 1 (d)(7) of the Zoning Compliance Agreement. This provides the ongoing activities outlined in this section, the Owner shall remain in compliance with all conditions imposed in the CUP.

Item 9 refers to Condition 17 of the CUP. This provides for a revised erosion control plan signed by a licensed engineer which must be submitted to show that run off is being directed to the pond. Also, the seeding must be completed and growing. The deadline for this is 4/30/2019.

All checked items must be followed up on and the owner must apply for amended Conditional Use Permit 10-01 and it must be applied for by January 2, 2019.

The document was signed, and a copy was given to Matt Johnson and Jeff Broberg.

#### **Resolution 2018-9**

##### **Resolution and Order Conditional Use Permit 14-01**

Number 1 refers to Section 3 of the CUP. The section refers to the new grading plan, if approved, resolves the issues outlined above with stormwater and slopes. The berms have been repaired and the channeling repaired. Surface trash and debris has been removed.

Number 2 refers to Section 5 of the CUP. This section refers to the sign that has been removed.

**Number 3 refers to Section 14 of the CUP. This section states that all non-mobile equipment/items must be removed by 11/16/2018.**

**Number 4 refers to Section 16 of the CUP. The section deals with the portions completed until new grading plan approved.**

**Number 5 states that the fuel storage removed by 12/1/2018 and the applicant has given assurance that no additional painting or sandblasting will happen on this property. Owner will notify us if delays are encountered on shipping.**

**Number 6 states that the floor drains will be a continuing non-conforming use. Bottled water is present.**

**NOW THEREFORE, the Town Board hereby finds that Owner has significantly complied with the Zoning Compliance Agreement and related CUP except as follows:**

- 1. Items checked (see aforementioned dates for completion deadlines)**
- 2. Conditional Use Permit 14-01 must be amended to accommodate the new grading plan for said permit. Application for amended conditional use permit is due by 01/02/2019.**
- 3. As built for the grading plan once fuel storage structures have been removed.**

**Based on all the foregoing, the Town Board finds that Conditional Use Permit 14-01 is hereby in compliance except any issues listed above. The owner is responsible to provide proof that the non-compliant issues have been resolved in the time frame allowed. If unresolved the township may revoke said CUP at their next regular meeting following the number of days allowed for compliance.**

**The document was signed, and a copy was given to Matt Johnson and Jeff Broberg.**

**A copy of these resolutions is attached to the original minutes of this meeting.**

#### **Nicole Strain Property**

**We have not received any response to our letters. The options for follow-up were discussed and Drew Moessner will contact David Strain about this issue to see if we can get more information on how to proceed.**

#### **Definition of Open Acres**

**The board reviewed the definition for open acres that was provided by Roger Ihrke to have the Planning and Zoning Board add this definition to our ordinance. A motion was made by Brian Connelly and seconded by Drew Moessner to recommend that the Planning and Zoning Board work to add the following definition to our ordinance.**

**The total disturbed acres will be based on the most recent aerial photos provided by the Agricultural Soil and Water Conservation Service and includes the mining areas, stockpile areas and haul roads which have NOT been graded and reseeded according to the reclamation plan. Thirty percent (30%) of any open water within the mining area shall be considered as a part of the total disturbed area.**

**The motion passed unanimously. The board also discussed recommending adding this definition to our conditional use permits as a new condition on new permits.**

### **Web Site for Township**

**The web site report was reviewed by the board members.**

### **Chris DeCook Resolution Resolution 2018-10**

**The board reviewed the Resolution 2018-10. Chris DeCook has been notified about this resolution and he has not expressed any reservation about this action. A motion was made by Drew Moessner seconded by Brian Connelly to adopt Resolution 2018-10. The motion passed unanimously.**

### **NEW BUSINESS**

#### **Annual Polling Place Resolution Resolution 2018-6**

**This is a required resolution that must be passed every year. A motion was made by Brian Connelly and seconded by Drew Moessner to approve Resolution 2018-6. The motion passed unanimously.**

#### **Northern Natural Gas Pipeline Minnesota Energy New Era Wind Project**

**Any information that has been received was reviewed by board members.**

#### **Access Committee Report**

**This was postponed to our December meeting.**

#### **Items brought up by board members**

**Sharon Petersen thanked the election judges for their hard work on November 6.**

**Board members will be picking up garbage that has been reported being dumped in our ditches.**

**Leitzen will be on the agenda for the Planning and Zoning Commission on November 21.**

**Citizen Comment**

**No comments**

**A motion was made by Rick Lutzi and seconded by Drew Moessner to adjourn the meeting at 9:35 p.m. The motion passed unanimously.**

**Respectfully submitted,**

**Brian Connelly  
Chairman**

**Sharon Petersen  
Clerk**

APPROVED

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