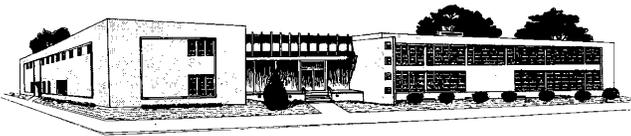


MOWER COUNTY

AUSTIN, MINNESOTA



April 26, 1983

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Conrad Stemson, Joe Monson, Ray Capelle, John Hill, Jen Ulwelling

Members Absent: Richard Cummings, Roger Peck

Others Present: David Olson, Julie Lewon, Bill Buckley

Vice-Chairman Capelle called the meeting to order at 8:05 p.m., Tuesday, April 26, 1983 in the Commissioners Room of the Mower County Courthouse. Minutes of the March 29, 1983 meeting were approved as mailed on a motion by Mr. Hill, seconded by Mr. Stemson and passed unanimously.

Conditional Use Permit #308 and #308A - Excavation of Aggregate and Demolition Landfill

- Ulland Brothers and Howard Carll: A petition from Ulland Brothers and Howard Carll, owner of the property, for conditional use permits for the extraction of aggregate and a demolition landfill, located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 6, Windom Township, was read to the commission. Ulland Brothers is proposing to remove gravel from this site and then fill the pit with concrete surfacing from the reconstruction of I-90. Mr. Monson asked where the access to the property would be. Mr. Johnson, representative of Ulland Brothers, said that access for the filling would be directly off I-90. Grace Dooley, resident of the area, was concerned that the pit would be right behind the Oak Grove Activity Center. She was concerned with the safety factor during the day when the clients were out in the yard. It was pointed out that the yard was fenced, so there should be no problem. Don Starry, resident of the area, asked what materials would be deposited in the pit. Mr. Olson, assistant planner, said that one of the recommended conditions to the permit was that only material from the I-90 reconstruction be placed in the landfill.

Ken Hertle, resident of the area, asked if the landfill would be policed to see that nothing else was placed in it. Mr. Buckley, County Sanitarian, said that it was known to Ullands that they are responsible to properly dispose of any illegal fill. Leo Smith, resident of the area, asked when Ullands would be operating and if it would be day and night. Mr. Johnson said that they would be working daily in that area. Mrs. Ulwelling was concerned with the minimum one foot of cover, and asked if that would be sufficient. Mr. Johnson explained that Ullands would bulldoze off the topsoil there, stockpile it and use it to cover the demolition material when the pit is filled. The property will be used for agricultural purposes after the landfill is closed. Following further discussion, a motion was made by Mr. Monson to recommend approval of the permit for extraction of aggregate with the following conditions:

1. The extraction of materials shall remain 100 feet from the stream bank.
2. The smallest amount of bare ground is exposed for as short a time as feasible.
3. Temporary ground cover, such as mulch, is used and permanent ground cover, such as sod, is planted.
4. Soil erosion and runoff shall be controlled in an acceptable fashion, approved by the Mower County Soil and Water Conservation District.

Page two
Mower County Planning Commission Minutes
April 26, 1983

5. The fill shall be stabilized to accepted engineering standards.
6. There shall be no temporary stockpiling of materials in the floodway.
7. A \$2,000 performance bond must be posted with the County Auditor.
8. This site shall no longer be used as a gravel pit, and shall be filled, covered and seeded down by the end of the 1983 construction season.

The motion was seconded by Mr. Hill and passed unanimously.

A motion was then made by Mr. Monson to recommend approval of the permit for a demolition landfill with the following conditions:

1. This site shall no longer be used as a demolition landfill and shall be covered and seeded down by the end of the 1983 construction season.
2. After the demolition material has been deposited, the site shall be landscaped properly and aesthetically, covered with a minimum of one foot of fill, and the area seeded down to control erosion in an acceptable fashion approved by the Mower County Soil and Water Conservation District.
3. A gate shall be located at the entrance and closed and locked when the landfill is not in operation.
4. An approved, authorized, reflectorized "No Trespassing" sign shall be posted at the entrance.
5. There shall be no temporary stockpiling of demolition material in the floodway.
6. Only demolition material from the reconstruction of I-90 shall be deposited in the landfill.

The motion was seconded by Mrs. Ulwelling and passed unanimously. Mr. Olson announced that the County Board would hear these requests at their May 10, 1983 meeting at 4:30 p.m. in the Commissioners Room in the courthouse.

Conditional Use Permit #309 - Demolition Landfill - Ulland Brothers and Clarence Mentel:

A petition from Ulland Brothers and Clarence Mentel, owner of the property, for a conditional use permit for a demolition landfill located in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 5, Windom Township, was read to the commission. Ulland Brothers is proposing to deposit approximately 25,000 cubic yards of demolition landfill material at this site. The material will be concrete surfacing from the reconstruction of I-90 in 1983 and 1984. This site is a depleted gravel pit that has not been restored. Mr. Buckley was concerned that material be covered between the two deposit times so as not to invite illegal dumping. Mr. Johnson said that Ullands would have no problem with this. Access will be off I-90 to the landfill. There was some discussion with residents of the area concerning the vehicles around the edge and the material currently in the pit. Mr. Buckley explained that the material there now that is appropriate to a demolition landfill will remain, the wrong material will be removed. The vehicles are parked around the edge of the pit and not in the pit. Mr. Capelle asked where the cover would come from. Mr. Johnson answered that Ullands would get it either from the bottom of the pit or by widening the pit a bit. Mr. Buckley said that if they did not have enough cover at the site, they would have to bring it in. After further discussion, Mrs. Ulwelling made a motion to recommend approval of the permit for a demolition landfill with the following conditions:

Page three
Mower County Planning Commission Minutes
April 26, 1983

1. This site shall no longer be used as a demolition landfill and shall be covered and seeded down by December 31, 1984.
2. After the demolition material has been deposited, the site shall be landscaped properly and aesthetically, covered with a minimum of one foot of fill and the area seeded down to control erosion in an acceptable fashion approved by the Mower County Soil and Water Conservation District.
3. A gate shall be located at the entrance and closed and locked when the landfill is not in operation.
4. An approved, authorized, reflectorized "No Trespassing" sign shall be posted at the entrance.
5. Only demolition material from the reconstruction of I-90 shall be deposited in the landfill.
6. The material deposited within one construction season must be covered by the end of that season.

The motion was seconded by Mr. Hill and passed unanimously. Mr. Olson announced that the county board would hear this request at their May 10, 1983 meeting at 4:30 p.m. in the Commissioner's Room in the Courthouse.

Conditional Use Permit #310 - Demolition Landfill - Ulland Brothers and E. M. Rugg:

A petition from Ulland Brothers and E. M. Rugg, owner of the property, for a conditional use permit for a demolition landfill located in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 3, Windom Township, was read to the commission. Ulland Brothers is proposing to deposit approximately 6,000 cubic yards of demolition landfill material at this site. The material will be concrete surfacing from the reconstruction of I-90 in 1983. This site is a depleted gravel pit that has been restored and returned to agricultural use as a pasture. Don Starry asked where the entrance would be. Mr. Johnson said it would be by the Cenex station. Phyllis Starry was concerned with safety at this corner with the Ulland trucks coming out onto Highway 56 here. Mr. Johnson said that a stop sign would be at the exit onto 56 so there shouldn't be a problem. Mr. Starry asked why Ullands didn't come off of I-90, and Mr. Johnson answered that the pit doesn't go that far north, and they would go to the end of the I-90 ramp. There was more discussion among residents concerning the trucks on Highway 56, and it was suggested that signs about moving trucks or dumping be placed on either side of the bridge. Mr. Johnson said that this site would be filled in about a week and a half and that the state would have signs up about the trucks. There was concern about the visibility of the landfill from 56 and the possibility of people throwing garbage and refuse in. Mr. Buckley suggested that a condition be placed on the permit stating that the dumping of garbage and refuse shall be controlled and removed from the site as necessary by Ullands. After further discussion, a motion was made by Mr. Stenson to recommend approval of the permit for a demolition landfill with the following conditions:

1. This site shall no longer be used as a demolition landfill and shall be covered and seeded down by the end of the 1983 construction season.
2. After the demolition material has been deposited, the site shall be landscaped properly and aesthetically, covered with a minimum of one foot of fill and the area seeded down to control erosion in an acceptable fashion approved by the Mower County Soil and Water Conservation District.
3. A gate shall be located at the entrance and closed and locked when the landfill is not in operation.

Page four
Mower County Planning Commission Minutes
April 26, 1983

4. An approved, authorized, reflectorized "No Trespassing" sign shall be posted at the entrance.
5. Only demolition material from the reconstruction of I-90 shall be deposited in the landfill.
6. Dumping of garbage and refuse shall be controlled and removed from the site by Ullands as necessary.

The motion was seconded by Mr. Monson and passed unanimously. Mr. Olson announced that the County Board would hear this request at their meeting on May 10, 1983 at 4:30 p.m. in the Commissioners Room at the Courthouse.

Conditional Use Permit #311 - Demolition Landfill - Ulland Brothers and Cliff Wold:

A petition from Ulland Brothers and Cliff Wold, owner of the property, for a conditional use permit for a demolition landfill, located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 33, Dexter Township, was read to the Commission. Ulland Brothers is proposing to deposit approximately 45,000 cubic yards of demolition landfill material at this site. The material will be concrete surfacing from the reconstruction of I-90. This site is a depleted gravel pit that has not been restored. Mr. Capelle asked why Ullands was asking for a five year permit. Mr. Johnson said that the reconstruction of I-90 will be continuing and the site is large enough to hold material from five years. Bill Sherman, resident of the area, asked where access would be from. Mr. Johnson said they didn't know yet, but probably from the township road. Several residents of the area and township officials were concerned about the township roads being used as they are bad now and they wouldn't want them ripped up from now until 1988. Those concerned included John Malone, Phil Bernetz, Vern Bergstrom, Bill Sherman, and Duane Skoe. They asked why access couldn't come from I-90, and Mr. Johnson explained that this site, unlike the others, would not be right off the job and I-90 wouldn't be close. He also said that if Ullands uses the township road, it would have to be designated a haul route and Ullands would be required to maintain the road and keep the dust down. The planning commission asked if the residents would be in favor of having the permit go for the 1983 season only, to be renewed in 1984 only if Ullands was meeting the conditions of maintaining the road and controlling dust. It was asked who would enforce the conditions and Mr. Olson said that anyone who felt the conditions were not being met could call the planning office and the staff would get in touch with Ullands. The County Board could stop the hauling by revoking the permit and the town board could prohibit them from using the road. After further discussion, a motion was made by Mr. Hill to recommend approval of the permit with the following conditions:

1. This site shall no longer be used as a demolition landfill and shall be covered by December 31, 1984. The permit is renewable for the next construction season after this date.
2. After the demolition material has been deposited, the site shall be landscaped properly and aesthetically, covered with a minimum of one foot of fill and the area seeded down to control erosion in an acceptable fashion approved by the Mower County Soil and Water Conservation District if the permit is not renewed for another year.
3. A gate shall be located at the entrance and closed and locked when the landfill is not in operation.
4. An approved, authorized, reflectorized "No Trespassing" sign shall be posted at the entrance.

Page five
Mower County Planning Commission Minutes
April 26, 1983

5. The township ditch along the west edge of the demolition landfill shall be reconstructed.
6. Only demolition material from the reconstruction of I-90 shall be deposited in the landfill.
7. Road maintenance and dust control on the township road shall be the responsibility of Ulland Brothers during the time the landfill is being used.

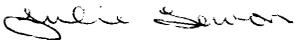
The motion was seconded by Mr. Stenson and passed unanimously. Mr. Monson then made a motion to amend the initial motion by changing the date the landfill shall be covered from December 31, 1984 to December 31, 1983. This motion was seconded by Mrs. Ulwelling and passed unanimously. Mr. Olson announced that the County Board would hear this request at their meeting on May 10, 1983 at 4:30 p.m. in the Commissioners Room in the courthouse.

Sanitarians Report: Mr. Buckley said he had received three complaints and would place them on the May agenda for action. They were: 1) a sewer outletting to County Road 3. This is coming from the septic tank and violates the ordinance; 2) Reports on outlets in the Cedar River and Turtle Creek; and 3) the Sunset Motel has a problem again. The ground is drying out now, so the owner should be able to get the problem taken care of. T

Other Business: Ms. Lewon announced that the zoning ordinance review was tabled until the May agenda. Mr. Buckley addressed the smell problem associated with Ron Roth's operation and the steps being taken to clear up the problem. Mrs. Ulwelling said she felt that no longer having an investigation committee go look at the sites was a mistake. Even though the staff looks at the site, she felt that a planning commission member should also go. It was decided to try this again next month.

There being no further business, a motion to adjourn was made by Mr. Monson, seconded by Mr. Hill and passed unanimously. The meeting adjourned at 10:28 p.m.

Respectfully submitted,



Julie Lewon, Secretary
Mower County Planning Commission