

**FREDENBERG TOWNSHIP**

***Application for Service of the Study Committee for Extractive Use Ordinance***

NAME	
ADDRESS	
PHONE NUMBER	
EMAIL ADDRESS	
SIGNATURE	

**Schedule**

Meetings will be held Monday and Thursday nights from 6:30 PM starting December 7, 2020 and will terminate upon expiration or termination of this Ordinance.

**Description of Study Committee**

The Town Board hereby establishes a study committee to assist the Town to further study the issue of extractive uses in the Town and whether the Town should adopt land use regulations regarding extractive uses or other uses. The work of the study committee shall be in addition to the work ARDC has done and will continue to do under the existing contract with the Town. The study conducted by the study committee shall consider the following:

- (a) Whether the existing regulations within the County Ordinance are sufficient to protect the interests of the Town and its residents concerning extractive uses;
- (b) The state statutes and rules regarding extractive uses;
- (c) The steps taken, and the regulations adopted, by other communities to avoid or reduce the potential negative impacts of extractive uses on neighboring properties, public infrastructure, other uses, and the community generally;
- (d) Whether the Town should impose regulations on extractive uses that are stricter than those imposed by the County Ordinance in order to better protect the Town and its residents.

The Town Board shall appoint members to the study committee, which may contain one or more Town supervisors. The committee members serve at the pleasure of the Town Board, without compensation, and a majority of the members shall constitute a quorum. The study committee shall appoint a chairperson and secretary from among its members. The study committee shall hold its meetings in compliance with the Minnesota Open Meeting Law (Minnesota Statutes, chapter 13D) and shall keep minutes of its proceedings. The study committee is not authorized to enter into contracts, expend any public funds, or to make any representations or take any actions on behalf of the Town beyond conducting the study and making the report authorized herein. The study committee is ad hoc in nature and shall terminate upon the expiration or termination of this

Ordinance. The study committee shall: (i) file a report with its findings and recommendations to the Town Board with sufficient time for the Town Board to consider and act on the recommendations; (ii) provide the Town Board its approved minutes; and (iii) turn its materials and any remaining minutes over to the Town upon its termination.

**Statement of Qualification**

Please include a statement describing your qualifications and any other information that would be helpful to the Fredenberg Township Study Committee. This may include employment, community service and education.

All Applications Due by TUESDAY, DECEMBER 1, 2020

PLEASE RETURN THIS APPLICATION TO:

[fredenbergtwp@gmail.com](mailto:fredenbergtwp@gmail.com) (no later than 5:30PM, TUESDAY, DECEMBER 1, 2020) OR DROP OFF at the Fredenberg Town Hall Office, just call 218-721-3991 and clerks will meet you at the door.

OR

Bring to the Fredenberg Community Center, Town Board Meeting on Wednesday, DECEMBER 2, 2020 @ 7PM

## Additional Information from ARDC regarding Study Committee

Identify specific concerns and develop standards to mitigate those concerns. The Town can regulate:

- Location (in township and on the parcel)
- Number of pits, proximity of pits to each other
- Setbacks (from property lines, residences, waterbodies, wetlands, etc.)
- Structures
- Access road placement
- Screening and security
- Environmental issues (groundwater, dust, erosion, stormwater, etc.)
- Accessory uses (crushing, hot mix, etc.)
- Hours and days of operations
- Length of operation
- Size
- Remediation
- Other

## Regulatory Tools

- Planning Commission (Board can act as PC but not recommended)
- Conditional Use Permit recorded with County
- EAW requirements (can require for all pits, use a guide to set specific conditions addressing specific concerns)
- Remediation plan approved concurrently
- At least annual inspections
- Financial Assurances (escrow or bonds) for project requirements (stormwater control, dust control, screening, remediation) and for application review to be released at completion of each stage
- Extraction tax or another fee
- Enforcement procedures (developed concurrently or as part of the ordinance)

## Administration and Costs

- Ordinance and application development
- Zoning Officer (can be existing town staff, new employee, or contractor)
- Coordination with other permitting agencies (County, ACOE, Soil and Water, DNR, etc.) (admin)
- Application review and approval (admin staff, engineers, attorneys) (an application escrow can be used to cover these costs)
- Public notice for public hearing (mailings and newspaper announcement)
- Inspections (admin staff)
- Enforcement (admin staff, attorneys, engineers, public works if corrective matters like dust control or screening are required)
- An extraction tax and financial assurances can be assessed to cover regulatory costs and impact to roads