

Wright County NWQ Aggregate Resources Committee Meeting #10
March 13, 2009

Committee Members: Ken Scadden, Tim Ferrell, Phyllis Latour, Joe Holthaus, John Jones, Brad Arntson

Staff: Stacy Marquardt, Scott Deckert, Tom Salkowski

Audience: Ralph Douglas, Franklin Denn, Lawrence Bauman, Jack Russek, David Pederson

Deckert started the meeting at 11:05 a.m. with a recap of a phone conversation with member Tommy Thompson who is out of state. Thompson was generally supportive of the summary mailed out. He is skeptical about the data on metro resources and why we should save our gravel for them. Thompson has supported greater restrictions or elimination of mining in shoreland areas and would prefer that gravel mined here stay inside the County.

Salkowski asked that the Committee focus this meeting on the summary language previously mailed, and reviewed a history of the Committee's work. He reinforced that it is his job now to come up with a recommendation to the Planning Commission (PC) and ultimately the County Board. The committee was called together as a forum of interest groups to assist staff in generating a recommendation, and not necessarily as a voting group. However, if at the end of this meeting we cannot come to consensus and the group prefers to vote, Salkowski asks that anyone opposed to the recommendation be clear as to why, so we can all understand where the disagreements lie. Salkowski believes that Deckert did an excellent job summarizing the work of the committee, including "unresolved" issues, in the mailing.

Jones agreed with Deckert's summary and that it represents what we have done over the last year. If the unresolved issues are why we cannot have a consensus then we should get those issues out on the table. He asked if mining within 1000 feet of any lake is the problem issue. He would like to zero in on why the committee does not want to accept this proposal and concentrate on those issues. Be honest and lay it on the line so we can have something to show for our efforts.

Latour stated that the 1000 foot buffer was a recommendation from the coalition of lakes association. It also came up in Southside Township meetings, since a majority of their tax base is lakeshore. They brought it to her and she feels she should represent them on this Committee. Latour also felt that the Committee made concessions on the borrow pits and that an entitlement is not needed for mining inside the Aggregate Resource Areas (ARA), but then we should not allow any other mining outside the designated areas.

Arntson voiced concern that, without some option outside the ARA, there will be ever increasing pressure to expand the ARA's, and that such strict limits will greatly increase the costs of road jobs in the south part of the County or anywhere away from the ARA. Referring to the temporary pits outside the ARA, Latour asked if they would be able to go back after the two years and reopen them. Jones stated yes but you would have to reclaim it and then reopen it and then reclaim it. There would be more cost to that and it would be reclaimed in the meantime. Arntson stated that there are very few projects that will last more than two years. Salkowski reviewed the proposed policies again. Latour would like an actual distance listed from a road job otherwise mining is still wide-open in the County. Scadden was concerned that owners outside the ARA could underbid road jobs and hurt those who invested to open pits inside the ARA. Why have an ARA if anyone can still open a temporary pit? Jones stated you cannot limit the competition but we can put restrictions on them. They are going to have to reclaim it and that cost will be figured in and will end up being more costly to keep reclaiming a pit. Jones thinks that those restrictions will automatically make most of the operations operate inside those lines due to the costs and timeline restrictions we are putting outside the lines. Arntson agreed. Latour stated that there is general agreement on the

ARA in Southside, but it is the regulations that are proposed outside the ARA that is a problem for those she represents.

Holthaus stated that he leases to gravel companies and paid a lot for some of his land and mining was nearly his only option. He is concerned that the ARA will be locked up by the major operators, who will rule out all the smaller companies and limit the competition. Ferrell noted it is easier and cheaper to get a two year permit; there are no EAW's involved (most would probably be under 40 acres) and there is limited opposition from the public since it is only two years. He is also concerned about small operators, which he considers himself. There are only about five companies that will be bidding on road jobs, and be allowed to open temporary pits. They will run other small jobs (parking lots, driveways, etc.) from the same pit while in the neighborhood, and beat out any small operators left.

Salkowski noted another reason for the ARA was to specify and prioritize planning efforts and funding for these areas. He used Maple Grove as an example. Jones thought that money from the County fund should be geared towards Townships that need this money to improve roads and reclaim old pits. Salkowski went over how money is currently spent and suggested money should be directed back into the ARA.

Salkowski noted it seems that the remaining issue is mining outside the ARA. Members of the PC are here, a joint meeting could be arranged if necessary. He also suggested that we could add a five-year review to these proposals to view them as a first step in an ongoing effort.

Scadden informed the committee that he is aware of property owners that want out of the ARA. They may have low quality gravel or sand, or simply do not want to be included. Salkowski stated we do have some letters that requested their land to be removed and we will review those with the PC. He is concerned that misleading rumors may have influenced some people, and others claim they were promised they could get out if they just asked. No such promises were made, and for the Monticello area the area on the map has already been reduced by nearly half. Scadden wanted to be sure that the PC would get a chance to review those owners' request, and Salkowski agreed to do so.

Salkowski asked if the Committee is close to agreement on the summary if a five-year review timeframe were to be added. He does not want to proceed if members of the committee are going to be lobbying in opposition. Ferrell would like more specific language stating that temporary pits must be tied to a specific road job so it does not take from some of the smaller operators. Otherwise an operator could have 25 different projects within two years out of one "temporary" pit. Jones agrees this should be presented to the PC and the County Board with the addition that we will be revisiting it in five years. Holthaus has mixed feelings and is concerned about the small operator being able to mine outside the ARA. Ferrell shares that concern and wonders if the intent of this plan is to preserve the aggregate, that we may only be preserving some of it. Holthaus asked about the discussion on property taxes, and Salkowski reviewed current policies of the Wright County Assessor (who does not add any value for the presence of gravel) and changes in state law.

Scadden can support the summary if it has the five year review. Ferrell believes that the 1000 foot lakeshore issue is mostly political as there are no environmental reasons to ban gravel mining within 1000 feet of a lake. He would like to be certain the 1000 foot requirement is not in this proposal. Salkowski verified that is it not in the actual proposal just under the area that states unresolved issues. Ferrell is also still concerned about the impact on small operators. Latour still believes that there should be no mining outside the ARA. She also asked for confirmation that any mining outside the ARA will still require an "entitlement". Salkowski and Deckert that mining would still not be allowed on restricted lands outside the ARA

Salkowski asked for a vote on the motion: **This document (as mailed, “Wright County Northwest Quadrant Plan- Aggregate Committee Meeting # 10”) is a fair representation of the work of the committee with the addition that a review of the plan should be completed in five years?**

Salkowski asked that Committee members be specific with reasons if they are opposed to the motion, and remember that we are asking if the summary is accurate, including the notation that there are two major “unresolved” issues. Salkowski polled the members.

Ferrell initially was opposed, but upon discussion of his reasons could agree with the understanding that the limits on mining outside the ARA need further work. He wants the temporary mining allowed outside the ARA tied to very specific description of jobs. With the understanding that there will be an opportunity for more work on specific regulations, Ferrell could support the motion.

Jones supported the motion.

Latour will not support the motion. She is opposed to any new mining outside the ARA, due to the concessions granted inside the ARA.

Scadden has reservations about mining outside the ARA and may want to see a more specific distance between job locations and pit location and wants to be assured that landowners who want out will get reviewed by the PC. After discussion and noting that it will be reviewed in five years, Scadden supported the motion.

Holthaus has similar reservations and is not sure he wants to be portrayed as supporting the policies. With the understanding that this is just a summary of the work of the committee, and includes notes that the committee is not in full agreement on all items, he can support the motion.

(In conversations subsequent to the meeting, Mr. Holthaus asked to make it clear that he does not support the establishment of the mapped Aggregate Resource Area in Monticello Township.)

Arntson supported the motion.

Summary:

Five members supported the motion, some with the understanding that not all the proposed policies have their full support, but that the report is a fair summary of the extensive work of the Committee.

One member opposed the motion as noted.

Salkowski wanted the record to show his gratitude to the members for their time and efforts.

Meeting adjourned at 1:15 p.m.