

San Francisco Township Public Hearing  
RE: Ordinance 8  
May 18, 2020

The San Francisco Township planning commission held a public hearing regarding changes to Township Ordinance 8 / Mineral Extraction. Because of the Covid-19 restrictions the meeting was held at the townhall with a capacity restriction of 10 and available via Zoom. Present at the town hall were township officers: Doug Weber, Larry Schmidt, Kevin Lundquist, Heidi Schmidt and Denise Andersen. 21 people attended via zoom.

Doug Weber called the hearing to order at 6PM. He explained the need for changes to the Ordinance resulted in a new IUP application from Chard Grading & Excavation. They have been operating under the existing IUP issued 5 years ago, but IUP was for 35 acres and that is just about depleted. While the Township Board has worked with the current Ordinance over the last few years they have realized that it contradicts itself in several places, there are errors and omissions and takes on false authority over water management.

The Ordinance is the big picture for any mine in the township. The guidelines for each mine are then set forth in an IUP specific to a particular site. An Operations Agreement then further defines items of operation within the IUP. The OA can be more restrictive than the IUP and the IUP can be more restrictive than the ordinance but it cannot be the other way around. All documents must be well thought out.

The township attorney has recommended several changes in languages and definitions to the Ordinance. The board will also consider some other changes to truck numbers and bonds held.

Changes considered:

Article I: Better definitions of areas to be used consistently throughout the Ordinance. 10 acres for extraction, 10 acres under restoration and 15 acres for equipment operations. Maximum total of 35 acres open at one time. But the entire area should be "the mine" so they don't need a new IUP every 35 acres.

Article II: The IUP has authority to be more restrictive on the usual number of trucks but the Ordinance needs a higher limit so they can go to that many in an emergency. Currently suggesting 40/hour/each way.

Article III: Bond calculation needs to be better explained. It should be for 35 acres. An abandon mine would take a lot to restore.

Article IV & V: Water management is done by the county.

Article VI: Fencing requirements need to be appropriate for the situation. Maybe it just needs a berm and trees? Jake Brakes and Tarping loads is enforced by the county not the township. Hours of operation need a better definition. Exceptions to

the IUP but within the Ordinance can be made by a Town Supervisor for an emergency not to be solely financial gain. It could be public safety.

Article VII: Reimbursement of cost to township needs better definition.

Questions:

Is there a time limit? The time is set by the IUP. The last one was 10 years. A CUP is forever with the property.

Does the type of mining need to be defined? Not likely there is any mining in township except gravel. It is still a mineral extraction ordinance.

Why isn't the road better at the existing pit? This is a county road. They need to add lanes if needed. The township has no jurisdiction.

Comment from operators that two new Belle Plaine pits are also putting traffic on County Rd 11. Not all trucks are from the Hanson pit.

Larry and Kevin agree that these changes need to be made. Because of the limited participation format the hearing was continued to June 11 @ 7PM. Ten people (including board) can be in the town hall at one time. The meeting will be presented via zoom again. We will have a rotation system for those who attend in person, so everyone can be heard. Residents are encouraged to write letters voicing their opinions as well. Letters will be read at the continued hearing. It may be possible to take comments from those on zoom if the connection is good enough.

Meeting to be continued June 11.