

**Wright County NWQ Aggregate Resources Committee Meeting #9**  
**November 13, 2008**

**Committee Members:** Ken Scadden, Tim Ferrell, Phyllis Latour, Joe Holthaus, John Jones, John Quade (representing Knife River)

**Staff:** Stacy Marquardt, Scott Deckert, Tom Salkowski, Virgil Hawkins (Asst. County Engineer)

**Audience:** Ralph Douglas, Charlotte Quiggle, Franklin Denn

Deckert started off with a recap of the previous meeting. One need is to define the difference between borrow pits and seasonal operations (see handout with definitions). In addition, much of the discussion at the last meeting included Highway jobs, which is why Virgil Hawkins was asked to attend. Virgil was asked if there is a standard depth for a borrow pit. He noted it depends on the job and opportunities to find borrow nearby; sometimes it is just a knoll that is cut down. Sometimes the owner wants a pond. Usually it is cut down to match the existing terrain.

Deckert asked the group if anyone sees any changes or have ideas on the definitions on the handout. Latour wanted to see some criteria on depth and acreage; there is concern that it will end up being a huge hole so there needs to be depth standards. Salkowski stated that the ordinance has a short section that provides permit exemptions for road projects (he reviewed the ordinance language), but it is not perfectly clear. It is used for minor construction projects or road maintenance. We do not require mining or land alteration permits for these, but they need to be an integral part of a road project, not material mined hundreds of feet away. "Borrow pits" could be approved administratively if the pit is right next to the job and we can agree on the right conditions. Some rules refer to a maximum depth of 10 feet and a maximum acreage of 10 acres. Hawkins believes "10 feet deep" might be too restrictive in some instances. It may make sense to go deeper if the resource is there and reclamation can still match the terrain. He suggested using language "to match the surrounding terrain. Salkowski said we need some concrete terms to define if it needs a Conditional Use Permit or can be issued administratively. Quade suggested a 20 foot depth and then define it further, because some people want ponds or other uses that would be deeper than 10 feet. Hawkins stated that landowners may want to create wetlands and get credits for them.

Holthaus asked if bids for road jobs identify the source of material? Hawkins answered no. Holthaus asked if bidders should be required to do this? Now they hold the County hostage because they do not have gravel lined up for the job and they need to get their permit right away once they get the bid. Quade answered that most jobs have at least six bidders and to go through the approval process for six sources would cost the County a lot of money and time when only one may end up being used. The approval process may be rushed when the job starts shortly after the bids are let, but in the long run it would save the tax payers and staff money and time if bidders do not have to always pinpoint their source. Salkowski noted for Hawkins that it would seem to help everyone if bids were let with more advance time before the work is to begin. Hawkins noted that budget limitations, federal and state rules and other factors have all pushed the bids closer to the work periods, and nobody seems to like it.

Jones stated we have at least 1500 acres in this County on these lists of open gravel pits; why should we allow any more pits when we already have this much available? Quade answered on paper the number of acres seems like a lot, but it is not all accessible. Many have exclusive contractor's contracts. This could drive the costs of projects up if there are not "options" of where to get gravel. Latour agreed that we have too many pits open and we either need to use it or reclaim it before opening any more.

Salkowski went over borrow sites and that they would only be able to use these in conjunction with a road project. The pit would need to be located adjacent to the project. There was discussion on differences between the definitions, which led to discussion on available pits, location of pits to jobs, and costs. Quade stated that limiting the number of sources will this raise the cost for taxpayers but would also require the trucks to possibly drive from 45 miles away through cities and towns. This would now cause a safety issue and that is usually one of the biggest concerns with the public. Quade also stated that he is in favor of a designated gravel area, however, especially for the location of "commercial pits".

There was further discussion on road projects and what is an acceptable distance from the project. Latour is against the borrow pits or short term pits being "extended" or reopened time and again. Quade noted that one of our goals should be that we want to fund the most amount of roads for the least amount of money. Latour stated that if people know they have to limit it to two years and then they are done, most can usually live with that, but if they think the pit can be open longer or reopened later they are not going to approve. Salkowski stated we are struggling with how to limit the pit to two years as the landowner may have a right to at least ask for an extension. Holthaus asked what if there is good material in there? Latour responded that there has to be a meaningful and enforceable timeline, or no one will trust the system.

Ferrell interjected that he represents a long term commercial operator and he is concerned that they are only going to be allowed to work within the aggregate zoned. Are we here to preserve the aggregate resource for the future or are we here to limit the area for long term pit operators? What do we (long-term pit operators) do when we run out of gravel? We have to start traveling all over to get our gravel using short term pits? Are we gaining anything by preserving the aggregate or are we just trying to put the operators in a box where we want them? Jones asked if we ever got anywhere with finding the "good" aggregate? Deckert answered that Arntson brought in the borings and it essentially confirmed our mapping, but the companies are protective of their data.

Deckert asked if the group is ready to present at least some general principles (see handout) to the public?

Ferrell is not entirely comfortable limiting long term pits outside the mapped areas. Can a seasonal pit can only be used for public highway construction jobs or could we have a seasonal pit to do Wal-Mart's parking lot (or similar). For commercial operators who are limited to operate inside the aggregate area, it may be impossible to compete with "seasonal" operators. Latour is not convinced that any mining should be allowed outside the mapped areas. Ferrell would like to have longer term pits outside the box, so maybe a long-term pit operator could run the two years and reclaim what was open until we need to extract again. Salkowski's concern is that people may say "how is that any different than what we have now." We are trying to limit a long term pit (even if reclaimed) to inside the mapped areas. General consensus to leave in the language outside the mapped areas to only allow short term pits only for road construction projects (Ferrell did not agree).

Deckert stated we needed to set public meeting dates. He will send out some dates for the group to decide on. After those meetings, staff can proceed to finalize the land use plan. After that (which will take several months) this group could work on ordinance amendments to implement these changes, if interested. General consensus is that the group wanted to stay together to work on ordinance amendments.