



# CARVER COUNTY *minnesota*

Carver County Board of Commissioners  
June 23, 2020  
Special Session

**Under Minnesota Statute 13D.021 the County Board has made a determination that opening the Carver County Government Center is not practical or prudent because of a health pandemic and an emergency has been declared under chapter 12.**

**The physical meeting location (Board Room) is closed because it is not feasible to be open due to the health pandemic. Individuals who wish to provide public comments related to the meeting can do so by email at: [admin-contact@co.carver.mn.us](mailto:admin-contact@co.carver.mn.us) or by leaving a voicemail at (952) 361-1516.**

**The meeting will be webcast live  
at: <https://www.youtube.com/user/CarverCountyMN/live>**

**All five Commissioners will be attending the meeting in person with appropriate social distancing.**

- 10:00 a.m. 1. a) **CONVENE**
- b) **Pledge of allegiance**
- c) **Public comments submitted via email/voice mail**
- 2. Agenda review and adoption
- 3. Approve minutes of June 16, 2020, Regular Session ..... 1-3
- 4. Community Announcements
- 10:05 a.m. 5. **CONSENT AGENDA**
- Growth: Manage the challenges and opportunities resulting from growth*
- 5.1 Valley Paving - IUP for an Aggregate Mining Operation  
(Oswall Property) ..... 4-12
- 5.2 Valley Paving - IUP for an Aggregate Mining Operation  
(Heuer Property) ..... 13-21
- Finances: Improve the County's financial health and economic profile*
- 5.3 Review/Social/Commissioners' Warrants ..... NO ATT
- 10:10 a.m. **ADJOURN SPECIAL SESSION**

David Hemze  
County Administrator

## **UPCOMING MEETINGS**

June 30, 2020	No Meeting
July 7, 2020	9:00 a.m. Board Meeting
July 14, 2020	No Meeting
July 21, 2020	4:00 p.m. Board Meeting
July 28, 2020	9:00 a.m. Board Work Session

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on June 16, 2020. The building was closed due to the health pandemic but the meeting was webcast live. Chair James Ische convened the session at 4:00 p.m.

Members present: James Ische, Chair, Gayle Degler, Vice Chair, Randy Maluchnik, Tim Lynch and Tom Workman.

Members absent: None.

Chair Ische recognized all Board members were present but the Government Center remained closed to the public due the health pandemic. He explained public comments could be submitted via email or voice mail.

Under public comments, Chair Ische acknowledge the receipt of public comments from Karen Johnson Leuthner regarding issues in and around the Hollywood Township Tower.

Lynch moved, Workman seconded, to approve the agenda. Motion carried unanimously.

Degler moved, Maluchnik seconded, to approve the minutes of the June 9, 2020, Special Session. Motion carried unanimously.

Workman moved, Degler seconded, to approve the following consent agenda items:

Approved the Carver County Veterans Treatment Court grant agreement.

Authorized the County Engineer to submit and support the transportation project applications outlined to the MnDOT Metro District for consideration in the Highway Safety Improvement Program grant funding solicitation

Approve the following tobacco licenses:

License #10-513, Good Time Liquors

License #10-515, Holiday Stationstores, Inc dba Holiday Stationstore #199

License #10-523, Mid-County Coop

License #10-526, R E Smith Oil & Tire Co, Inc.

License #10-540, Bluff Creek Golf

License #10-566, Schonknecht, Inc. dba Lisa's Place

License #10-578, Kwik Trip, Inc dba Kwik Trip #402

License #10-594, Holiday Stationstores, Inc dba Holiday Stationstore #360

License #10-596 Champlin 2005 LLC dba Cub Foods #1644

License #10-604, Holiday Stationstores, Inc. dba Holiday Stationstore #371

License #10-605, Walgreen Co. dba Walgreens #09728

License #10-606, Harvey's Bar & Grill Inc

License #10-611, Last Call Too dba Last Call

License #10-613, Casey's Retail Company dba Casey's General Store #2655

License #10-619, B&B Hospitality dba HI-5 Market

License #10-624 Kleinprintz Liquors, LLC dba MGM Liquor Warehouse

License #10-627, Kwik Trip, Inc. dba Kwik Trip #492

License #10-628, Walgreen Co dba Walgreens #12434

License #10-633, Northern Tier Retail LLC dba SuperAmerica #4366  
License #10-634, GMB Enterprise, LLC dba Inn Town Wine & Spirits  
License #10-637, Fleet and Farm of Green Bay, dba Mills Gas Mart  
License #10-638, Family Dollar, Inc. #26540  
License #10-642, Chanhassen Stop, LLC  
License #10-643, Northern Tier Retail, LLC dba SuperAmerica #5001  
License #10-646, MLNG LLC dba The Vintage  
License #10-647 Huynh Inc LLC dba Carver Liquor  
License #10-648, Kwik Trip, Inc., dba Kwik Trip #854  
License #10-649, Churchills Quality Cigars & Gifts  
License #10-651, eCig Store of Shakopee, LLC  
License #10-652, Minnesota Fine Wine & Spirits, LLC dba Total Wine & More  
License #10-654, Fleet and Farm of Green Bay LLC dba Mills Fleet Farm  
License #10-655, Casey's Retail Company dba Casey's General Store #3591  
License #10-656, Big Stick's LLC  
License # 10-657, Greenleaf Tobacco & E Cigs dba Greenleaf Tobacco  
License # 10-658, Yayin Gado I, LLC dba Top Ten Liquors  
License # 10-660, Brian Charles Bar LLC dba Dog House Bar  
License # 10-661, FILLMEUP LLC dba FILLMEUP  
License # 10-662, FILLMEUP LLC dba FILLMEUP

Approved converting a part-time position at the Chaska location to a full-time position and related Property & Financial Services budget amendment.

Resolution #48-20, Performance Measurement Program, 2020 Report.

Reviewed June 16, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$\$270,978.41.

Motion carried unanimously.

Collen Carlson, Extension, appeared before the Board to recognize Tim and Amy Leonard as the Farm Family of the Year. She explained this program existed over twenty years and honors farm families for their contributions. She stated the Leonard farm had been in the family for 149 years and five generations. She reviewed Leonard's dairy operation, the contributions of their children and their promotion of the dairy industry.

Amy Leonard thanked the Board and Extension Committee for this recognition. She pointed out their involvement with 4H had provided their children with opportunities and recognized the support of other farm families in the industry.

The Board recognized the Leonard Family did a fantastic job with their dairy herd and were well deserving of this award.

Dave Hemze, County Administrator, requested the Board approve Covid-19 phase II reopening to allow in person absentee voting for the 2020 primary election. He indicated this was another step in the County's reopening plan and there were services that needed to be taken care of the way they had in the past. He explained the County was proposing in person absentee voting from June 26<sup>th</sup>

through August 10<sup>th</sup> at the Government Center and doors would be open for this function. He also noted the change to allow up to 25 participants at various park programs.

Maluchnik moved, Lynch seconded, to approve County election staff's recommendation to develop and implement COVID-19 Phase II protocols to allow in person absentee voting without any appointment. Motion carried unanimously.

Degler moved, Workman seconded, to go into closed session pursuant to Section MSA 13D.05 Subd 3(b) for confidential discussions regarding the Donald and Kara Amorosi vs Carver County pending litigation. Motion carried unanimously.

The Board adjourned the closed and Regular Session.

David Hemze  
County Administrator

(These proceedings contain summaries of resolutions/claims reviewed. The full text of the resolutions and claims reviewed are available for public inspection in the office of the county administrator.)

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Valley Paving - IUP for an Aggregate Mining Operation (Oswall Property)**

Primary Originating Division/Dept: <u>Public Services - Land Mgmt.</u>	Meeting Date: <u>6/23/2020</u>
Contact: <u>Jason Mielke</u> Title: <u>Land Use Manager</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

**Strategic Initiative:**

Growth: Manage the challenges and opportunities resulting from growth and development

**BACKGROUND/JUSTIFICATION:**

File #PZ20200023. The Planning Commission recommended approval of an Interim Use Permit (IUP) on Francine Oswall's property located in Section 16, Camden Township. The applicant, Valley Paving, is requesting an IUP for the creation of a sand & gravel mining operation pursuant to Section 152.081 and 152.082 of the Carver County Zoning Code.

Upon the issuance of the IUP, Valley Paving would lease a portion of the 40-acre property for the mining activity. The proposal would encompass an approximate 9 acres (active mining) for the extraction of sand and gravel resources which would be utilized to process Redi-Mix concrete, asphalt pavement, and as material based for private and public construction projects in the area over time. The maximum operational area would consist of 12 acres and include mining, processing, stockpiling, and stockpiling of topsoil for restoration. The project may operate at a minimum of 2-3 years; however, the final timeline of the mine would be dependent on market demand; therefore, Valley Paving has requested the IUP be allowed for up to 10 years. Mining activity would maintain a 50-foot setback from property lines and the road right-of way, and a minimum 500-foot setback from all homes, excluding any residence on the same property.

The proposed mine operation would utilize the existing field access on 86<sup>th</sup> Street. The Camden Town Board has agreed to this request; however, has asked that there be conditions attached to the permit with reference to dust control, road maintenance, traffic patterns from County Road 33 onto 86<sup>th</sup> Street. The Carver County Public Works Department is the road authority for Co Rd 33 and would also support the request. The Carver County Planning and Water Management Department is the regulatory authority for the Stormwater Management standards as well as erosion sediment control measures for the site. A financial security for erosion control/restoration will be maintained for the duration of the permit.

The Camden Town Board supports the request.

**ACTION REQUESTED:**

A motion to adopt Findings of Fact and issue Order #PZ20200023 for the issuance of the Interim Use Permit.

**FISCAL IMPACT:** None

*If "Other", specify:*

**FUNDING**

County Dollars =

<input type="text"/>	<input type="text"/>
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**Total**

**\$0.00**

**FTE IMPACT:** None

Related Financial/FTE Comments:

*Office use only:*

RBA 2020- 6957

**COUNTY OF CARVER**  
***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20200023**

**RESOLUTION #: 20-11**

**WHEREAS**, the following application for an Interim Use Permit has been submitted and accepted:

**FILE #:** PZ20200023

**APPLICANT:** Valley Paving, Inc. (John Wokasch)

**OWNER:** Francine L Oswald

**SITE ADDRESS:** 17450 86<sup>th</sup> Street, 55367

**PERMIT TYPE:** Mining and/or Land Reclamation

**PURSUANT TO:** County Code, Chapter 152, Section(s) 152.081 and 152.082

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 02-016-0800

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of June 16, 2020, and;

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Francine Oswald owns a 40-acre parcel in the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 16, Camden Township. The parcel is currently improved with a single-family dwelling and a detached accessory structure. The property consists of tillable acreage, a small wooded area, and a pond that was created as a result of a previous MNDOT mining project. This property is located in the Agricultural Zoning District and the CCWMO (Crow River watershed).
2. Valley Paving, Inc. is requesting an Interim Use Permit (IUP) for the creation of a sand & gravel mining operation pursuant to Sections 152.081 and 152.082 of the Carver County Zoning Code. The request would encompass an approximate 9 acres for the extraction of sand and gravel resources which would then be processed for use in Redi-Mix concrete, asphalt pavement, and as base material for private and public construction projects in the area over time. The project may operate at a minimum of 2-3 years; however, the final timeline of the mine would be dependent on market demand. The applicant has requested the IUP be allowed for up to 10 years.
3. Sections 152.081 and 152.082 of the Carver County Zoning Code allows for mining and/or land reclamation involving 10,000 cubic yards or more as an Interim Use Permit (IUP).
4. The applicant's engineer, Carlson McCain, Inc., has provided the Interim Use Permit (IUP) application, all supporting documentation, and site plans for the IUP request. The subject site is primarily agricultural production land. The applicant's request appears to meet standards for an IUP pursuant to Section 152.082 of the Carver County Zoning Code. Based on the permit application the operations would primarily involve mining, processing and stockpiling. The area impacted by the operations would not exceed 9 acres for active mining, and a total of 12 acres including stockpiling of topsoil for restoration. The hours of operation would be from 7:00 a.m. to 8:00 p.m. Monday through Saturday. No work would be done on Sundays or federal holidays, unless for emergency related purposes (i.e. flooding, etc.).
5. The estimated average daily trips (ADT) based on the anticipated production rates are 46 per day, with peak being 68 ADT. ADT generation was based on the average of 20 tons per load and with hauling occurring on 180 days per year. Actual production rates could fluctuate based on market demand.

6. Mining would be conducted in the northern portion of the property. The granular deposits are most prevalent within the upper 10 to 15 feet of the subsurface; therefore, the estimated average depth of excavation within the Oswall Mine is 15 feet. The actual depth of excavation may vary from that shown on the plan sheet; however, the excavation will not extend below the groundwater table. Excavation is anticipated to begin on the western edge of the mining area and work to the east
7. The processing area will be set up on the floor of the mine within the initial mining phase and will be moved around the floor of the mine as needed during mining operations. It is expected that VPI will also be operating another sand and gravel mine, referred to as the Heuer Mine, on the neighboring parcel to the east. The processing area may be set up within either the Heuer Mine or the Oswall Mine at various times throughout the duration of the mining. Construction equipment on-site would consist of front-end loaders, excavators, bulldozers, skid steers, mine trucks and water trucks. Processing equipment on-site may include: crushing and screening plants, wash plant, conveyors, stackers and other ancillary equipment, as well as other equipment as needed.
8. The applicant would also like to recycle concrete and asphalt aggregates. This will include transporting concrete and/or asphalt rubble to the site and subsequently crushing, screening, and stockpiling the materials within the processing area. At this time, the application does not include a request to operate an asphalt plant; therefore, if the future asphalt production is desired, a new Interim Use Permit and formal review would be required.
9. The pit would be a maximum of approximately 9 acres as shown on the mining site plan. The maximum operational area would consist of 12 acres for mining, processing and stockpiling, at any given time. Mining activity would maintain a 50-foot setback from property lines and the road right-of-way and a 500-foot setback from adjacent residential structures existing at the time of application of the IUP.
10. The operational area(s) would be screened with berms (i.e. topsoil material from the site) around the perimeter of the mining phase. Topsoil would be scraped off and utilized a part of the screening berms, and clean fill material would be hauled back to the site to help reclaim mined areas. Once reclamation is completed the topsoil material would be re-applied to create agricultural production land and at a depth required pursuant to the Zoning Code and/or CCWMO, whichever is more restrictive. The berms would be shaped, seeded and mulched to establish vegetation. SWCD would continue to provide technical assistance on these matters. The applicant included a reclamation plan which would include grading at a 5:1 slope for land which is similar topography to the neighboring parcels as well as standards for the reclamation.
11. The proposed mine operation requested to utilize the existing field access on 86<sup>th</sup> Street. The Township has agreed to this request; however, has asked that traffic related to this operation to use County Road 33 to access 86<sup>th</sup> Street. County Public Works staff provided written comments (dated: June 12, 2020) with regard to development/access review of the request. The Public Works comments and conditions included the following:

Please reference the Public Works Development Review Process document on the County's website for more detailed information and instructions.

1. The proposed interim use access onto 86th St. and routing onto County Highway 33 appears reasonable subject to the comments and conditions below:
  - a. Dust and debris from 86th St. onto County Highway 33 are required to be monitored and controlled. Prompt removal of tracked material onto County Highway 33 at the intersection of County Highway 33 and 86th St. is required during hauling operations.
  - b. Best management practices to minimize tracking should be utilized as applicable such as the installation of rubble strips at the property entrance onto 86th St.
  - c. Traffic control at the intersection of County Highway 33 and 86th St. will be required during high volume times due to the increased truck traffic entering and exiting the County Highway.
  - d. The details of the traffic control operations plan and dust control plan will need to be reviewed and approved by the County Engineer.



2. Prior to any work affecting or on County highways or in County right of way, the applicant shall coordinate plans with the County Engineer and obtain a Utility or Excavating/Filling/Grading Permit(s) from Carver County Public Works: <http://www.co.carver.mn.us/how-do-i/apply-for/a-permit>). Final details of locations, grades, and profiles affecting County roads as well as any utility connections will need to be reviewed and approved prior to any permits.
  3. Any damages, modifications, or changes incurred on County highways from current or approved conditions will need to be remedied or updated at applicant expense, including costs incurred by the County.
12. A Carver County Water Management Organization (CCWMO) Permit is required and Stormwater Management standards would need to be met for the reclamation of all aggregate mining areas. The applicant would need to secure a permit with the Planning and Water Management Department in order to establish an appropriate restoration phasing plan. Erosion control and stormwater permits have been submitted to the Carver County Water Management Organization (CCWMO). During the preliminary review of the application submitted, the CCWMO commented (full document is attached) on the financial security of \$25,000 (to cover both VPI projects), topsoil depth requirements for restoration and preservation, identification of potential wetland or surface water impacts, and links from the restoration plan to the water rules permit and topsoil management.
13. The applicant has indicated that white noise backup alarms would be utilized to help control equipment noise, as well as establishing circular traffic patterns for loading to reduce backup movements. The berming established around the west perimeter of the operational area would help reduce sound for the surrounding receptors.
14. Based on the anticipated operational timeframe, the IUP would terminate upon the following events, whichever occurs first: The permit shall terminate on July 7, 2030, or upon a change in ownership, or upon the exhaustion of the aggregate mining. However, Permit #PZ20200023 shall not be considered terminated until all reclamation areas have been completed to the satisfaction of the approved Carver County Water Management Organization (CCWMO) permit and Zoning Code standards, and release of the financial security if applicable.
15. The Camden Township Town Board reviewed and recommended approval with requested conditions for this request during their May 14, 2020, Town Board meeting. The requested conditions are as follows:
- Dust control must be applied as requested by the Township.
  - Any damage to 86<sup>th</sup> Street must be repaired to original or better condition.
  - Gravel will be applied yearly as recommended by the Township.
  - All truck traffic related to this request must travel from County Road 33 onto 86<sup>th</sup> Street.
16. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

**THEREFORE, BE IT RESOLVED,** THAT the Carver County Planning Commission hereby recommends the issuance of Interim Use Permit #PZ20200023 for a mining operation on the land described in Exhibit “A” of the permit application. The Planning Commission further recommends the following conditions be attached to the permit:

**GENERAL REQUIREMENTS:**

1. Permittee agrees to defend, indemnify and hold harmless the County, its officers and employees against any and all liability, loss, costs, damages and expenses which the County, its officers or employees may hereafter sustain, incur, or be required to pay arising out of the certificate holder’s performance or failure to adequately perform its obligations pursuant to this permit, or arising out of a dispute as to the ownership of the property.

2. The permit is subject to compliance review. The Interim Use Permit (IUP) is issued to Valley Paving, Inc. The permit allows for extraction limited by the approximate 9-acre operational area at any one time and it is not transferable to another property owner and/or allowed for leasing activity. The permit shall terminate on July 7, 2030, or upon a change in ownership, or upon the exhaustion of the aggregate mining, which occurs first. However, Permit #PZ20200023 shall not be considered terminated until all reclamation areas have been completed to the satisfaction of the approved Carver County Water Management Organization (CCWMO) permit and Zoning Code standards and the financial security has been released, if applicable.
3. The Permittee shall comply with all road authority access requirements. The Permittee may be required to maintain agreement for the mining access and required signage according to County Public Works' requirements. Mining and/or similar disturbance shall not occur within 40 feet of the public right-of-way.
4. The Permittee shall comply with any/all CCWMO rules and regulations including but not limited to, grading, vegetation (w/maintenance) and landscaping plan(s). An erosion/sediment control plan and stormwater management plan for site restoration, screening, vegetation and maintenance shall be prepared and implemented in accordance with the CCWMO Water Management guidelines and the Wetland Conservation Act (WCA) before mining commences, if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Permittee shall obtain a National Pollutant Discharge Elimination System (NPDES) permit as required by the Minnesota Pollution Control Agency (MPCA).
5. The Permittee shall always comply with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage of signage per property. Any proposed signage within public road right-of-way shall be approved by the local Road Authority.
6. Please notify SWCD and/or the Carver County Land Management Department 24 hours prior to beginning any processing activities. (The Carver SWCD will be monitoring the site and the County will be enforcing implementation of the erosion and sediment control measures.)
7. The permittee shall apply dust control as requested by the Township.
8. Any damage to 86<sup>th</sup> Street shall be repaired by the permittee, to original or better condition, and to the satisfaction of the Camden Town Board.
9. The permittee shall apply gravel on an annual basis, as requested by the Township.
10. All truck traffic related to this request shall travel from County Road 33 onto 86<sup>th</sup> Street.

**OPERATIONAL REQUIREMENTS:**

*These requirements combined with the most current Site and Operational Plans shall govern the mining operation.*

1. The mining activity shall operate in accordance with the submitted application and supporting documentation (dated: May 22, 2020 and June 8, 2020), any/all CCWMO permit approval(s) (i.e. stormwater infiltration, BMPs, site vegetation and plantings, and site reclamation), and any/all Camden Township conditions, Carver County Public Works access requirements/right-of-way standards. If there are any inconsistencies between previously submitted versions, the terms of the most recent shall prevail and shall be considered requirements of this permit. The mining activity shall be operated and maintained in accordance with the Carver County Zoning Code (i.e. screening, noise mitigation, etc.) These plans shall be attached to and be considered part of this permit.
2. The hours of operation shall be from 7:00 a.m. to 8:00 p.m. Monday through Saturday. Mining and processing shall not occur on Sundays or Federally observed holidays, unless for emergency related purposes (i.e. flooding, etc.).

3. The construction equipment located on-site includes, but is not limited to: front-end loaders, backhoes, excavators, scrapers, bulldozers, skid steers, mine trucks and water trucks. Other processing equipment may include: crushing and screening plants, wash plant, conveyors, stackers and other ancillary equipment.
4. The operations shall be conducted so that the required material can be removed while disturbing a minimal area and to permit restoration at the earliest possible time. The operational area for mining, processing, and stockpiling shall not exceed 12 acres at any time.
5. The Permittee shall confine mining operations as much as possible to one area at a time or to minimum areas required to obtain the proper materials required for blending. Exploration may be conducted in unmined areas, but actual mining shall consist only under the conditions of this permit. Exploration shall consist only of boring or excavation required to determine extent and quality of the resource; material disturbed during exploration shall not be processed or removed until actual mining has begun.
6. Existing drainage patterns shall not be altered if possible; if alteration is unavoidable, the alteration shall not adversely affect surrounding properties and/or cause erosion or sedimentation. Any existing drain tile(s) on the site must be maintained and/or re-routed, such that flow through the property is not hindered or adversely altered.
7. Permittee shall submit to the Land Management Department quarterly tonnage calculations, in order to document all aggregate material(s) removed from the site.
8. Vertical faces shall be kept to a minimum except during the actual mining operation and pursuant to the County Zoning Code. Mining below the water table shall only be allowed pursuant to Minnesota Pollution Control Agency (PCA), Minnesota Department of Natural Resources (DNR), and/or any other State or Federal regulations.
9. Perimeter berms, stockpiles and restored areas must be seeded, and disc mulched within 72 hours of final grading. Weeds and other unsightly vegetation shall be cut and/or sprayed as necessary to present a neat appearance and to prevent seeding of adjacent properties.
10. If internal access roads are used to the extent that dust becomes a problem for surrounding properties, the access roads shall be treated with water or other similar dust control measures. Waste oil SHALL NOT be used.
11. All storage of equipment and materials used in the operation shall be kept within the interior of the mining area to minimize visual exposure to areas outside the mining area. Screening shall be implemented according to the approved operational plan and site plan(s) as pursuant to this application.
12. The Permittee shall comply with the noise pollution requirements/standards of the Minnesota State Rules Chapter 7030. White noise backup alarms shall be installed and maintained on all Permittee owned mining equipment operating at the site, as well as establishing circular traffic patterns for loading to reduce backup movements.
13. No trash, garbage, waste, construction debris, or other similar materials shall be deposited in or near the permitted area.
14. Permittee shall obtain and maintain a Non-generator's Certificate or contact the Environmental Services (E.S.) Department to obtain a Hazardous Waste Generator's License, if required.

**RESTORATION REQUIREMENTS:**

1. The design of the restored areas must be according to standards of the Zoning Code and the CCWMO Water Management Rules. To the extent possible, restoration shall be staged such that the exhausted phases of the operation are stabilized and have established turf. Said design may be subject to revisions and modifications by the Land Management Department and Carver SWCD.

2. The Permittee must maintain existing vegetation wherever possible and implement erosion control as required by the CCWMO Rules permit. The Permittee is responsible for obtaining a CCWMO Permit regarding stormwater management and site reclamation of all aggregate mining areas. If a CCWMO Permit is not obtained within six (6) months of the County Board's approval, File #PZ20200023 shall be suspended until the appropriate permit is obtained. A financial security of \$25,000.00 (to cover both projects) for erosion control/restoration shall be held by the County for the duration of the project/permit.
3. Topsoil and overburden required for restoration shall be maintained and shall be preserved from erosion or other loss. Only material necessary for restoration may be hauled to the site. Said material shall be incorporated into site restoration immediately or stockpiled according to the site plan.

**PERFORMANCE SECURITIES & INSURANCE REQUIREMENTS:**

1. Permittee shall provide a performance security in a form acceptable to the County, naming the County as obligee. The security shall be drafted to be effective for at least 3 months after the annual anniversary dated of this point.
2. PERFORMANCE SECURITY REQUIRED FOR THIS PERMIT - **\$25,000** (CCWMO surety to cover this project).
3. The conditions of the surety shall be that if the Permittee fails to conform to any of the conditions or requirements of this permit or for any reason ceases to operate the facility in accordance with the provisions of this permit and the County is required to expend monies, labor, or material to bring the operation into conformance with the permit or to perform restoration as provided in this permit due to non-performance by the Permittee, the County may utilize the performance security for reimbursement for any and all expenses incurred to remedy such failure of the Permittee.
4. The obligor and its sureties hereby indemnify and save the County harmless from all losses, costs, and charges that may occur to the County because of default.
5. Permittee shall submit a Certificate of Insurance with coverage provided by an insurance company duly licensed by the State of Minnesota indicating that the Permittee has in force coverage for General Liability, Automobile Liability, Loading and Unloading, Completed Operations Liability, Explosion and Collapse of Underground Operations Liability including a minimum limits of liability in the amount of \$2,000,000 for any one occurrence. The Certificate of Insurance shall include Workers' Compensation Insurance or Permittee shall sign an appropriate affidavit regarding employee status and submit it to the Land Management Department. The Insurance Certificate(s) described above shall carry an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
6. Insurance coverage required above shall be kept in effect for the duration of the permit. If the permit is to be terminated, insurance shall be maintained until the completion of restoration and return of the performance security.
7. The Permittee shall submit a copy of Worker's Compensation Insurance to the Carver County Land Management Department annually.

**ADOPTED** by the Carver County Planning Commission this 16<sup>th</sup> day of June, 2020.

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John Fahey, Chair  
Carver County Planning Commission

**EXHIBIT "A" – LEGAL DESCRIPTION**

**PID NUMBER: 02-016-0800**

**File# PZ20200023**

**APPLICANT: Valley Paving, Inc.**

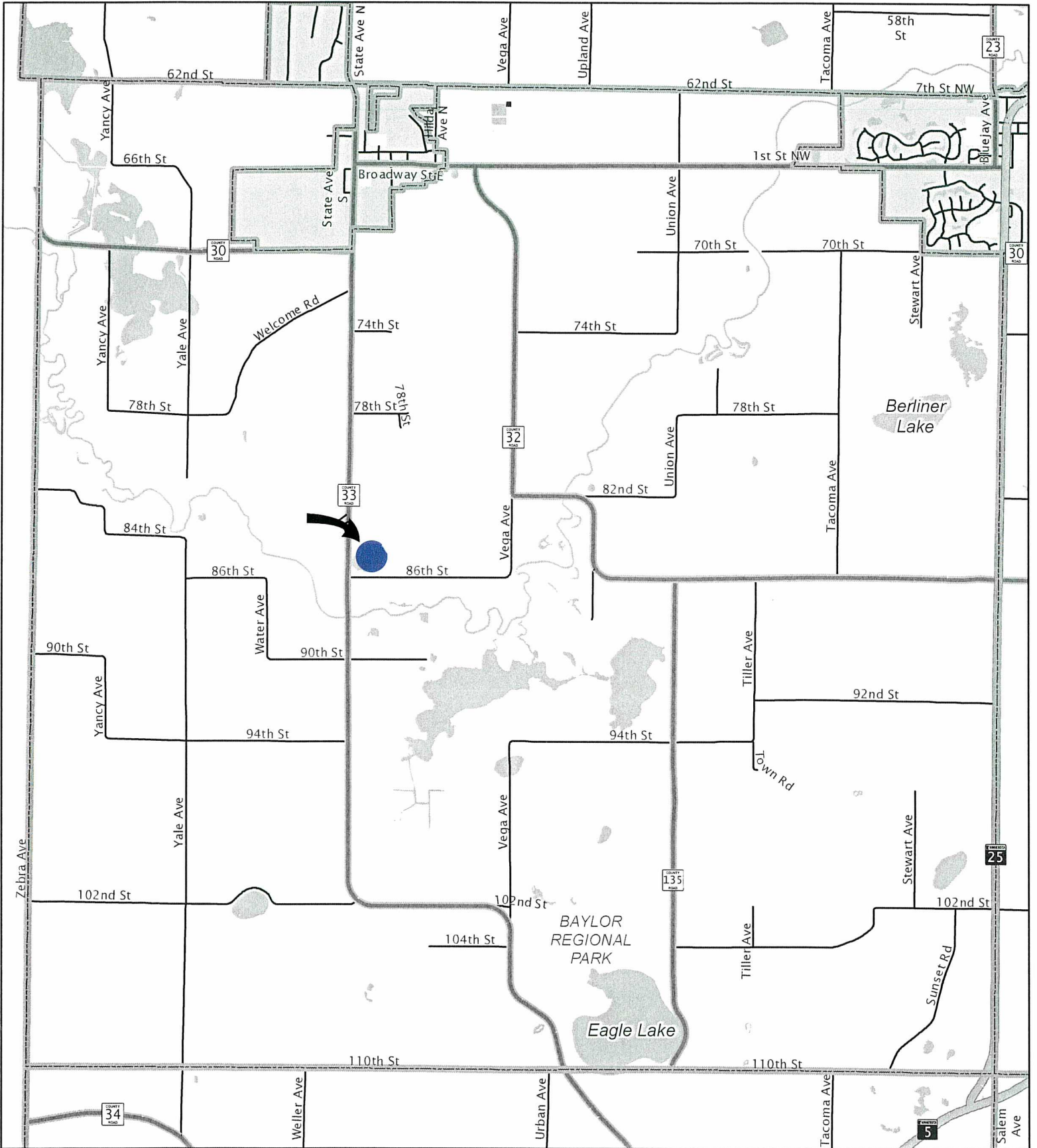
**OWNER: Francine L Oswald Revocable Trust  
Francine L Oswald, Trustee**

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The Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) of Section 16, Township 116 North, Range 26 West, containing 40 acres of land, more or less, according to the Government Survey thereof.

DRAFTED BY: Carver County Land Management Department

# CAMDEN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Valley Paving - IUP for an Aggregate Mining Operation (Heuer Property)**

Primary Originating Division/Dept: <u>Public Services - Land Mgmt.</u>	Meeting Date: <u>6/23/2020</u>
Contact: <u>Jason Mielke</u> Title: <u>Land Use Manager</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

**Strategic Initiative:**

Growth: Manage the challenges and opportunities resulting from growth and development

**BACKGROUND/JUSTIFICATION:**

File #PZ20200022. The Planning Commission recommended approval of an Interim Use Permit (IUP) on Donald Heuer's property located in Section 16, Camden Township. The applicant, Valley Paving, Inc., is requesting an IUP for the creation of a sand & gravel mining operation pursuant to Section 152.081 and 152.082 of the Carver County Zoning Code.

Upon the issuance of the IUP, Valley Paving would lease a portion of the 160-acre property for the mining activity. The proposal would encompass an approximate 16 acres (active mining) for the extraction of sand and gravel resources which would be utilized to process Redi-Mix concrete, asphalt pavement, and as material based for private and public construction projects in the area over time. The maximum operational area would consist of 19 acres and include mining, processing, stockpiling, and stockpiling of topsoil for restoration. The project may operate at a minimum of 3-5 years; however, the final timeline of the mine would be dependent on market demand; therefore, Valley Paving has requested the IUP be allowed for up to 10 years. Mining activity would maintain a 50-foot setback from property lines and the road right-of way, and a minimum 500-foot setback from all homes, excluding any residence on the same property.

The proposed mine operation would utilize the existing field access on 86<sup>th</sup> Street. The Camden Town Board has agreed to this request; however, has asked that there be conditions attached to the permit with reference to dust control, road maintenance, traffic patterns from County Road 33 onto 86<sup>th</sup> Street. The Carver County Public Works Department is the road authority for Co Rd 33 and would also support the request. The Carver County Planning and Water Management Department is the regulatory authority for the Stormwater Management standards as well as erosion sediment control measures for the site. A financial security for erosion control/restoration will be maintained for the duration of the permit.

The Camden Town Board supports the request.

**ACTION REQUESTED:**

A motion to adopt Findings of Fact and issue Order #PZ20200022 for the issuance of the Interim Use Permit.

**FISCAL IMPACT:** None

*If "Other", specify:*

**FUNDING**

County Dollars =

<input type="text"/>	<input type="text"/>
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**Total**

**\$0.00**

**FTE IMPACT:** None

Related Financial/FTE Comments:

*Office use only:*

RBA 2020-. 6958

**COUNTY OF CARVER**  
***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20200022**

**RESOLUTION #: 20-12**

**WHEREAS**, the following application for an Interim Use Permit has been submitted and accepted:

**FILE #:** PZ20200022

**APPLICANT:** Valley Paving, Inc. (John Wokasch)

**OWNER:** Donald Heuer

**SITE ADDRESS:** 17XXX 86<sup>th</sup> Street, 55367

**PERMIT TYPE:** Mining and/or Land Reclamation

**PURSUANT TO:** County Code, Chapter 152, Section(s) 152.081 and 152.082

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 02-016-0300

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of June 16, 2020, and;

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Donald Heuer owns a 160-acre parcel in both the Western Half (W<sup>1</sup>/<sub>2</sub>) of the Southeast Quarter (SE<sup>1</sup>/<sub>4</sub>) and the Eastern Half (E<sup>1</sup>/<sub>2</sub>) of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>) of Section 16, Camden Township. The parcel is currently undeveloped, it consists mostly of tillable acreage and also includes a small wooded area. This property is located in the Agricultural Zoning District and the CCWMO (Crow River watershed).
2. Valley Paving, Inc. is requesting an Interim Use Permit (IUP) for the creation of a sand & gravel mining operation pursuant to Sections 152.081 and 152.082 of the Carver County Zoning Code. The request would encompass an approximate 16.4 acres for the extraction of sand and gravel resources which will then be processed for use in Redi-Mix concrete, asphalt pavement, and as base material for private and public construction projects in the area over time. The project may operate at a minimum of 3-5 years; however, the final timeline of the mine would be dependent on market demand. The applicant has requested the IUP be allowed for up to 10 years.
3. Sections 152.081 and 152.082 of the Carver County Zoning Code allows for mining and/or land reclamation involving 10,000 cubic yards or more as an Interim Use Permit (IUP).
4. The applicant's engineer, Carlson McCain, Inc., has provided the Interim Use Permit (IUP) application, all supporting documentation, and site plans for the IUP request. The subject site is primarily agricultural production land. The applicant's request appears to meet standards for an IUP pursuant to Section 152.082 of the Carver County Zoning Code. Based on the permit application the operations would primarily involve mining, processing and stockpiling. The area impacted by the operations would not exceed an approximate 16 acres for active mining, and a total of approximately 19 acres including stockpiling of topsoil for restoration. The hours of operation would be from 7:00 a.m. to 8:00 p.m. Monday through Saturday. No work would be done on Sundays or federal holidays, unless for emergency related purposes (i.e. flooding, etc.).
5. The estimated average daily trips (ADT) based on the anticipated production rates are 58 per day, with peak being 93 ADT. ADT generation was based on the average of 20 tons per load and with hauling occurring on 180 days per year. Actual production rates could fluctuate based on market demand.



6. The mining area is divided into two phases. Mining is expected to begin in Phase 1, located in the southern portion of the mining area. The granular deposits are most prevalent within the upper 10 to 15 feet of the subsurface, and the estimated average depth of the excavation within the Heuer Mine is 12 feet. The actual depth of excavation may vary from that shown on the plan sheet; however, the excavation will not extend below the groundwater table. Phase II mining would follow once material has been exhausted as part of Phase I.
7. The pit would be expanded in two phases expanding from approximately 9 acres to the maximum of approximately 16 acres as shown on the mining site plan. The maximum operational area would consist of approximately 19 acres for mining, processing and stockpiling, at any given time. Mining activity would maintain a 50-foot setback from property lines and the road right-of-way and a 500-foot setback from residential structures existing at the time of application of the IUP.
8. The processing area will be set up on the floor of the mine within the initial mining phase and will be moved around the floor of the mine as needed during mining operations. It is expected that VPI will also be operating another sand and gravel mine, referred to as the Oswald Mine, on the neighboring parcel to the west. The processing area may be set up within either the Heuer Mine or the Oswald Mine at various times throughout the duration of the mining. Construction equipment on-site would consist of front-end loaders, excavators, bulldozers, skid steers, mine trucks and water trucks. Processing equipment on-site may include: crushing and screening plants, wash plant, conveyors, stackers and other ancillary equipment, as well as other equipment as needed.
9. The applicant would also like to recycle concrete and asphalt aggregates. This will include transporting concrete and/or asphalt rubble to the site and subsequently crushing, screening, and stockpiling the materials within the processing area. At this time, the application does not include a request to operate an asphalt plant; therefore, if the future asphalt production is desired, an amendment and formal review would be required.
10. The operational area(s) would be screened with berms (i.e. topsoil material from the site) around the perimeter of the mining phase. Topsoil would be scraped off and utilized a part of the screening berms, and clean fill material would be hauled back to the site to help reclaim mined areas. Once reclamation is completed the topsoil material would be re-applied to create agricultural production land and at a depth required pursuant to the Zoning Code and/or CCWMO, whichever is more restrictive. The berms would be shaped, seeded and mulched to establish vegetation. SWCD would continue to provide technical assistance on these matters. The applicant included a reclamation plan which would include grading at a 5:1 slope for land which is similar topography to the neighboring parcels as well as standards for the reclamation.
11. The proposed mine operation requested to utilize the existing field access on 86<sup>th</sup> Street. The Township has agreed to this request; however, has asked that traffic related to this operation to use County Road 33 to access 86<sup>th</sup> Street. County Public Works staff provided written comments (dated: June 12, 2020) with regard to development/access review of the request. The Public Works comments and conditions included the following:

Please reference the Public Works Development Review Process document on the County's website for more detailed information and instructions.

1. The proposed interim use access onto 86th St. and routing onto County Highway 33 appears reasonable subject to the comments and conditions below:
  - a. Dust and debris from 86th St. onto County Highway 33 are required to be monitored and controlled. Prompt removal of tracked material onto County Highway 33 at the intersection of County Highway 33 and 86th St. is required during hauling operations.
  - b. Best management practices to minimize tracking should be utilized as applicable such as the installation of rubble strips at the property entrance onto 86th St.
  - c. Traffic control at the intersection of County Highway 33 and 86th St. will be required during high volume times due to the increased truck traffic entering and exiting the County Highway.

- d. The details of the traffic control operations plan and dust control plan will need to be reviewed and approved by the County Engineer.
  2. Prior to any work affecting or on County highways or in County right of way, the applicant shall coordinate plans with the County Engineer and obtain a Utility or Excavating/Filling/Grading Permit(s) from Carver County Public Works: <http://www.co.carver.mn.us/how-do-i/apply-for-a-permit>. Final details of locations, grades, and profiles affecting County roads as well as any utility connections will need to be reviewed and approved prior to any permits.
  3. Any damages, modifications, or changes incurred on County highways from current or approved conditions will need to be remedied or updated at applicant expense, including costs incurred by the County.
12. A Carver County Water Management Organization (CCWMO) Permit is required and Stormwater Management standards would need to be met for the reclamation of all aggregate mining areas. The applicant would need to secure a permit with the Planning and Water Management Department in order to establish an appropriate restoration phasing plan. Erosion control and stormwater permits have been submitted to the Carver County Water Management Organization (CCWMO). During the preliminary review of the application submitted, the CCWMO commented (full document is attached) on the financial security of \$25,000 (to cover both VPI projects), topsoil depth requirements for restoration and preservation, identification of potential wetland or surface water impacts, and links from the restoration plan to the water rules permit and topsoil management.
13. The applicant has indicated that white noise backup alarms would be utilized to help control equipment noise, as well as establishing circular traffic patterns for loading to reduce backup movements. The berming established around the west perimeter of the operational area would help reduce sound for the surrounding receptors.
14. Based on the anticipated operational timeframe, the IUP would terminate upon the following events, whichever occurs first: The permit shall terminate on July 7, 2030, or upon a change in ownership, or upon the exhaustion of the aggregate mining. However, Permit #PZ20200022 shall not be considered terminated until all reclamation areas have been completed to the satisfaction of the approved Carver County Water Management Organization (CCWMO) permit and Zoning Code standards, and release of the financial security if applicable.
15. The Camden Township Town Board reviewed and recommended approval with requested conditions for this request during their May 14, 2020, Town Board meeting. The requested conditions are as follows:
- Dust control must be applied as requested by the Township.
  - Any damage to 86<sup>th</sup> Street must be repaired to original or better condition.
  - Gravel will be applied yearly as recommended by the Township.
  - All truck traffic related to this request must travel from County Road 33 onto 86<sup>th</sup> Street.
16. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

**THEREFORE, BE IT RESOLVED,** THAT the Carver County Planning Commission hereby recommends the issuance of Interim Use Permit #PZ20200022 for a mining operation on the land described in Exhibit “A” of the permit application. The Planning Commission further recommends the following conditions be attached to the permit:

**GENERAL REQUIREMENTS:**

1. Permittee agrees to defend, indemnify and hold harmless the County, its officers and employees against any and all liability, loss, costs, damages and expenses which the County, its officers or employees may hereafter sustain, incur, or be required to pay arising out of the certificate holder’s performance or failure to adequately perform its obligations pursuant to this permit, or arising out of a dispute as to the ownership of the property.

2. The permit is subject to compliance review. The Interim Use Permit (IUP) is issued to Valley Paving, Inc. The permit allows for extraction limited by the approximate 16-acre operational area at any one time and it is not transferable to another property owner and/or allowed for leasing activity. The permit shall terminate on July 7, 2030, or upon a change in ownership, or upon the exhaustion of the aggregate mining, which occurs first. However, Permit #PZ20200022 shall not be considered terminated until all reclamation areas have been completed to the satisfaction of the approved Carver County Water Management Organization (CCWMO) permit and Zoning Code standards and the financial security has been released, if applicable.
3. The Permittee shall comply with all road authority access requirements. The Permittee may be required to maintain agreement for the mining access and required signage according to County Public Works' requirements. Mining and/or similar disturbance shall not occur within 40 feet of the public right-of-way.
4. The Permittee shall comply with any/all CCWMO rules and regulations including but not limited to, grading, vegetation (w/maintenance) and landscaping plan(s). An erosion/sediment control plan and stormwater management plan for site restoration, screening, vegetation and maintenance shall be prepared and implemented in accordance with the CCWMO Water Management guidelines and the Wetland Conservation Act (WCA) before mining commences, if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Permittee shall obtain a National Pollutant Discharge Elimination System (NPDES) permit as required by the Minnesota Pollution Control Agency (MPCA).
5. The Permittee shall always comply with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage of signage per property. Any proposed signage within public road right-of-way shall be approved by the local Road Authority.
6. Please notify SWCD and/or the Carver County Land Management Department 24 hours prior to beginning any processing activities. (The Carver SWCD will be monitoring the site and the County will be enforcing implementation of the erosion and sediment control measures.)
7. The permittee shall apply Dust control as requested by the Township.
8. Any damage to 86<sup>th</sup> Street shall be repaired by the permittee, to original or better condition, and to the satisfaction of the Camden Town Board.
9. The permittee shall apply gravel yearly as requested by the Township.
10. All truck traffic related to this request shall travel from County Road 33 onto 86<sup>th</sup> Street.

**OPERATIONAL REQUIREMENTS:**

*These requirements combined with the most current Site and Operational Plans shall govern the mining operation.*

1. The mining activity shall operate in accordance with the submitted application and supporting documentation (dated: May 22, 2020 and June 8, 2020), any/all CCWMO permit approval(s) (i.e. stormwater infiltration, BMPs, site vegetation and plantings, and site reclamation), and any/all Camden Township conditions, Carver County Public Works access requirements/right-of-way standards. If there are any inconsistencies between previously submitted versions, the terms of the most recent shall prevail and shall be considered requirements of this permit. The mining activity shall be operated and maintained in accordance with the Carver County Zoning Code (i.e. screening, noise mitigation, etc.) These plans shall be attached to and be considered part of this permit.
2. The hours of operation shall be from 7:00 a.m. to 8:00 p.m. Monday through Saturday. Mining and processing shall not occur on Sundays or Federally observed holidays, unless for emergency related purposes (i.e. flooding, etc.).

3. The construction equipment located on-site includes, but is not limited to: front-end loaders, backhoes, excavators, scrapers, bulldozers, skid steers, mine trucks and water trucks. Other processing equipment may include: crushing and screening plants, wash plant, conveyors, stackers and other ancillary equipment.
4. The operations shall be conducted so that the required material can be removed while disturbing a minimal area and to permit restoration at the earliest possible time. The operational area for mining, processing, and stockpiling shall not exceed 19 acres at any time.
5. The Permittee shall confine mining operations as much as possible to one area at a time or to minimum areas required to obtain the proper materials required for blending. Exploration may be conducted in unmined areas, but actual mining shall consist only under the conditions of this permit. Exploration shall consist only of boring or excavation required to determine extent and quality of the resource; material disturbed during exploration shall not be processed or removed until actual mining has begun.
6. Existing drainage patterns shall not be altered if possible; if alteration is unavoidable, the alteration shall not adversely affect surrounding properties and/or cause erosion or sedimentation. Any existing drain tile(s) on the site must be maintained and/or re-routed, such that flow through the property is not hindered or adversely altered.
7. Permittee shall submit to the Land Management Department quarterly tonnage calculations, in order to document all aggregate material(s) removed from the site.
8. Vertical faces shall be kept to a minimum except during the actual mining operation and pursuant to the County Zoning Code. Mining below the water table shall only be allowed pursuant to Minnesota Pollution Control Agency (PCA), Minnesota Department of Natural Resources (DNR), and/or any other State or Federal regulations.
9. Perimeter berms, stockpiles and restored areas must be seeded, and disc mulched within 72 hours of final grading. Weeds and other unsightly vegetation shall be cut and/or sprayed as necessary to present a neat appearance and to prevent seeding of adjacent properties.
10. If internal access roads are used to the extent that dust becomes a problem for surrounding properties, the access roads shall be treated with water or other similar dust control measures. Waste oil SHALL NOT be used.
11. All storage of equipment and materials used in the operation shall be kept within the interior of the mining area to minimize visual exposure to areas outside the mining area. Screening shall be implemented according to the approved operational plan and site plan(s) as pursuant to this application.
12. The Permittee shall comply with the noise pollution requirements/standards of the Minnesota State Rules Chapter 7030. White noise backup alarms shall be installed and maintained on all Permittee owned mining equipment operating at the site, as well as establishing circular traffic patterns for loading to reduce backup movements.
13. No trash, garbage, waste, construction debris, or other similar materials shall be deposited in or near the permitted area.
14. Permittee shall obtain and maintain a Non-generator's Certificate or contact the Environmental Services (E.S.) Department to obtain a Hazardous Waste Generator's License, if required.

**RESTORATION REQUIREMENTS:**

1. The design of the restored areas must be according to standards of the Zoning Code and the CCWMO Water Management Rules. To the extent possible, restoration shall be staged such that the exhausted phases of the operation are stabilized and have established turf. Said design may be subject to revisions and modifications by the Land Management Department and Carver SWCD.

2. The Permittee must maintain existing vegetation wherever possible and implement erosion control as required by the CCWMO Rules permit. The Permittee is responsible for obtaining a CCWMO Permit regarding stormwater management and site reclamation of all aggregate mining areas. If a CCWMO Permit is not obtained within six (6) months of the County Board's approval, PZ20200022 shall be suspended until the appropriate permit is obtained. A financial security of \$25,000.00 (to cover both projects) for erosion control/restoration shall be held by the County for the duration of the project/permit.
3. Topsoil and overburden required for restoration shall be maintained and shall be preserved from erosion or other loss. Only material necessary for restoration may be hauled to the site. Said material shall be incorporated into site restoration immediately or stockpiled according to the site plan.

**PERFORMANCE SECURITIES & INSURANCE REQUIREMENTS:**

1. Permittee shall provide a performance security in a form acceptable to the County, naming the County as obligee. The security shall be drafted to be effective for at least 3 months after the annual anniversary dated of this point.
2. PERFORMANCE SECURITY REQUIRED FOR THIS PERMIT - **\$25,000** (CCWMO surety to cover this project).
3. The conditions of the surety shall be that if the Permittee fails to conform to any of the conditions or requirements of this permit or for any reason ceases to operate the facility in accordance with the provisions of this permit and the County is required to expend monies, labor, or material to bring the operation into conformance with the permit or to perform restoration as provided in this permit due to non-performance by the Permittee, the County may utilize the performance security for reimbursement for any and all expenses incurred to remedy such failure of the Permittee.
4. The obligor and its sureties hereby indemnify and save the County harmless from all losses, costs, and charges that may occur to the County because of default.
5. Permittee shall submit a Certificate of Insurance with coverage provided by an insurance company duly licensed by the State of Minnesota indicating that the Permittee has in force coverage for General Liability, Automobile Liability, Loading and Unloading, Completed Operations Liability, Explosion and Collapse of Underground Operations Liability including a minimum limits of liability in the amount of \$2,000,000 for any one occurrence. The Certificate of Insurance shall include Workers' Compensation Insurance or Permittee shall sign an appropriate affidavit regarding employee status and submit it to the Land Management Department. The Insurance Certificate(s) described above shall carry an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
6. Insurance coverage required above shall be kept in effect for the duration of the permit. If the permit is to be terminated, insurance shall be maintained until the completion of restoration and return of the performance security.
7. The Permittee shall submit a copy of Worker's Compensation Insurance to the Carver County Land Management Department annually.

**ADOPTED** by the Carver County Planning Commission this 16<sup>th</sup> day of June, 2020.

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John Fahey, Chair  
Carver County Planning Commission

**EXHIBIT "A" – LEGAL DESCRIPTION**

**PID NUMBER: 02-016-0300/partial**

**File# PZ20200022**

**APPLICANT/OWNER: Donald Heuer**

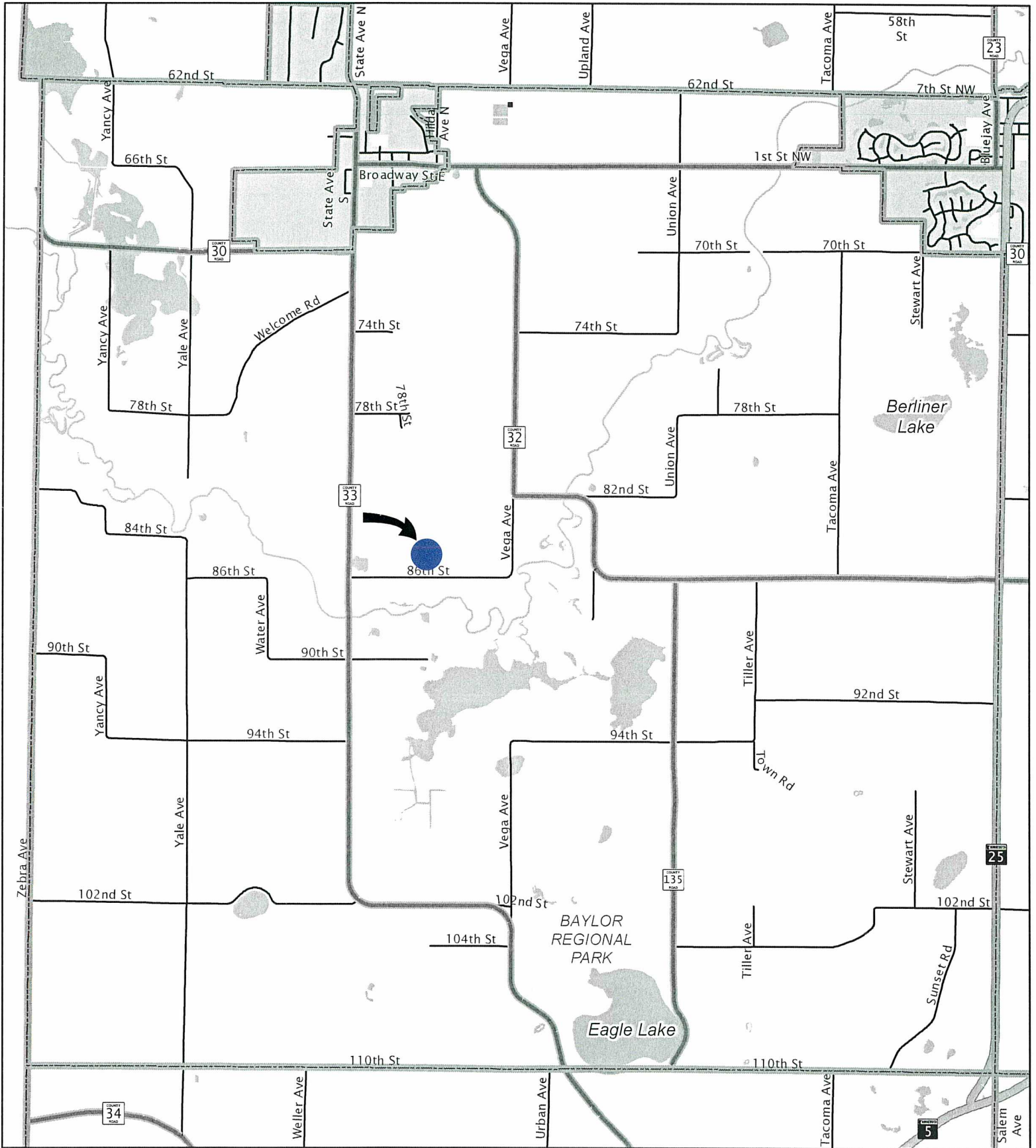
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The Southeast Quarter of the Southwest Quarter in Section 16, Township 116, Range 26, Carver County, Minnesota.

(Operational Area for Mining/Land Reclamation as described in Conditional Use Permit PZ20200022, issued to Valley Paving, Inc.)

DRAFTED BY: Carver County Land Management Department

# CAMDEN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

