**STILLWATER TOWNSHIP**
**WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. ____**

**RESOLUTION APPROVING THE 2022 ANNUAL OPERATING PERMIT FOR M.J. RALEIGH TRUCKIN', INC. FOR AGGREGATE MINING AT THE RALEIGH MINE SITE**

**WHEREAS,** M.J. Raleigh Truckin', Inc. operates an aggregate mining operation at 15250 100th Street North, on property legally described as:

That part of the Southwest Quarter of the Northwest Quarter of Section 15, Township 30 North, Range 20 West, Washington County, Minnesota, lying southerly of the North 495.80 feet thereof.

Also, that part of Government Lot 5 of said Section 15 lying westerly of the west line of Pawnee Avenue and lying northerly of the north lines of the tracts described in Book 41 of Deeds, page 236 and Book 31 of Deeds, page 467, of record and on file in the office of the County Recorder, Washington County, Minnesota. [PID No. 15.030.20.23.0001]

The Northeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northwest Quarter and the North 495.80 feet of the Southwest Quarter of the Northwest Quarter, all in Section 15, Township 30 North, Range 20 West, Washington County, Minnesota. [PID No. 15.030.20.22.0002]

**WHEREAS**, In April 2020, the Town Board approved an Interim Use Permit (IUP) for mine operations at the MJ Raleigh mine at 15250 100th Street North. The IUP covers a 5-year operating period. Washington County's Planning Commission considered and approved the renewal of the Conditional Use Permit (CUP) for the mine operation in September 2020; and

**WHEREAS,** The Township's Mining Ordinance specifies that mining operations must have a valid IUP and Annual Operating Permit (AOP) in order to operate within the Township. The ordinance requires that AOP applications be filed each year, and specifies the information that must be submitted with the AOP application; and

**WHEREAS,** M.J. Raleigh Trucking, Inc. submitted an application for an Annual Operating Permit to Stillwater Township on May 3, 2021, which was found to be complete; and

**WHEREAS,** Stillwater Township reviewed the application at its regular meeting on July 8, 2021;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY STILLWATER TOWNSHIP, WASHINGTON COUNTY, MINNESOTA**, that the 2022 Annual Operating Permit for M.J. Raleigh Trucking, Inc. for aggregate mining at 15250 110th Street North is approved, subject to the following conditions:

1. All site operations shall comply with Washington County's Conditional Use Permit and the Township's Interim Use Permit for the mine operation, per the revised plans submitted to the County and Township in January 2020.

2. The applicant shall obtain and maintain all required permits for mine operations, including from the Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, and the Carnelian-Marine-St. Croix Watershed District. The applicant shall provide copies of approved permits to the Township.

3. Corrective action shall be conducted to prevent soil erosion from going off site during heavy rain events. Meteorological data shows a pattern of increasing frequency for heavy rain events. Corrective measures should prevent off-site erosion based on predicted rain events, not on historical data.

4. Mining operations consisting of excavating, stockpiling, processing, or hauling shall occur during hours of operation, which are limited to 7am to 7pm on Monday through Friday, with retail hours of 7am to 4:45pm on Monday through Friday.

5. As a guideline, the mine operator should seek to operate so that the average number of haul trips during the 2022 mining season shall not exceed 200 one-way trips to and from the mine per weekday during the mining season.

6. As a guideline, the mine operator should seek to operate so that the maximum number of trips to and from the mine shall not exceed 600 one-way trips on any single day.

7. As a guideline, the mine operator should seek to operate so that the applicant shall use all authorized haul routes for hauling on weekdays: Stonebridge Trail, Otchipwe Avenue, Pawnee Avenue, and State Highways 95 and 96.

8. As a guideline, the mine operator should seek to operate so that it shall limit the number of trips on Stonebridge Trail to an average of 120 per day when hauling is occurring, and a maximum number of 300 per day.

9. The use of the east haul road leading to 100th Street North is prohibited. Use of this road may be permitted on rare occasions provided the applicant obtains approval from the County Zoning Administrator and Stillwater Township.

10. Mining operations on Saturdays may only occur between the hours of 8am and 2pm. The mine operator shall not use Stonebridge Trail to haul material to or from the mine on Saturday, unless required for a local delivery on Stonebridge.

11. The mine operator shall keep accurate records of hauling that occurs on all hauling days including the number of trips and distribution among haul routes during the 2022 mining season and provide the hauling records to the Town with the 2023 AOP application.

12. If the Town Board determines that traffic counts are needed, the Board may order video traffic counts on designed haul routes, at the expense of the mine operator.

13. Processing and storage of street sweepings on the site is prohibited.

14. The applicant shall pay all fees and escrow associated with the AOP application.

**FURTHER, BE IT RESOLVED,** that any significant variation from these plans and conditions of approval shall require an application to amend this Annual Operating Permit.

**DECISION:**

The Applicant's request an Annual Operating Permit is hereby approved.

**PASSED AND ADOPTED** by the Town Board of Stillwater Township, Minnesota this 24th day of March, 2022.

**STILLWATER TOWNSHIP**

By: _____
Sheila-Marie Untiedt, Town Board Chair

ATTEST:

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Barbara Riehle, Township Clerk