

## PLANNING AND ZONING ADVISORY COMMISSION AGENDA

**Date:** August 15, 2022

**Time:** Following the adjournment of the Nicollet County Board of Adjustments and Appeals Meeting (doors open at 6:45)

**Location:** Nicollet County Board Room, 501 S. Minnesota Ave, St. Peter, MN

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Copies of the meeting agenda and packet are available on the Nicollet County website at:

<https://mn-nicolletcounty.civicplus.com/AgendaCenter>

Questions or comments regarding the meeting can be directed to Spencer Crawford, Deputy Zoning Administrator, at 507-934-7071, or [spencer.crawford@co.nicollet.mn.us](mailto:spencer.crawford@co.nicollet.mn.us).

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1. Call to order
2. Roll call
3. Review of cancelations and additions
4. Approval of Minutes: *July 18, 2022*

5. **Public Hearing PLN22-08**

Applicant: Pentagon Materials, INC

Request: Three-year mineral extraction permit review

Parcel Number: 04.309.0803 and 04.309.0810

Location: Part of the Southeast ¼ of the Northwest ¼, and part of the Northeast ¼ of the Southwest ¼ of Section 9-109-29 in Courtland Township

6. Public Appearances
7. Review Permits
8. Old Business
9. Other Business- Discussion of the proposed Floodplain Ordinance and Map Amendment
10. Communications
11. Adjourn

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### Mission Statement

Providing efficient services with innovation and accountability.

### Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse

### Core Values

Leadership. Integrity.  
Accountability.  
Efficiency. Innovation.





## Planning & Zoning Advisory Commission

MINUTES

JULY 18, 2022

7:45 PM

NICOLLET COUNTY  
GOVERNMENT CENTER

|                  |                                                                                                    |                                                                    |                                                                                                                                                |
|------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| BOARD MEMBERS    | David Hermanson <input checked="" type="checkbox"/><br><b>Chair</b>                                | Dave Ubel <input checked="" type="checkbox"/><br><b>Vice Chair</b> | Marie Dranttel <input checked="" type="checkbox"/> <b>Commissioner</b><br>Terry Morrow <input type="checkbox"/> <b>Commissioner, Alternate</b> |
|                  | Justin Laven <input checked="" type="checkbox"/>                                                   | Lloyd Hoffmann <input checked="" type="checkbox"/>                 |                                                                                                                                                |
| ABSENT EXCUSED   | David Hermanson <input type="checkbox"/><br><b>Chair</b>                                           | Dave Ubel <input type="checkbox"/><br><b>Vice Chair</b>            | Marie Dranttel <input type="checkbox"/> <b>Commissioner</b><br>Terry Morrow <input type="checkbox"/> <b>Commissioner, Alternate</b>            |
|                  | Justin Laven <input type="checkbox"/>                                                              | Lloyd Hoffmann <input type="checkbox"/>                            |                                                                                                                                                |
| ABSENT UNEXCUSED | David Hermanson <input type="checkbox"/><br><b>Chair</b>                                           | Dave Ubel <input type="checkbox"/><br><b>Vice Chair</b>            | Marie Dranttel <input type="checkbox"/> <b>Commissioner</b><br>Terry Morrow <input type="checkbox"/> <b>Commissioner, Alternate</b>            |
|                  | Justin Laven <input type="checkbox"/>                                                              | Lloyd Hoffmann <input type="checkbox"/>                            |                                                                                                                                                |
| STAFF PRESENT    | Property and Public Services Assistant Director Pete Otterness <input checked="" type="checkbox"/> |                                                                    |                                                                                                                                                |
|                  | Deputy Zoning Administrator Spencer Crawford <input checked="" type="checkbox"/>                   |                                                                    |                                                                                                                                                |
|                  | County Attorney (CA) Michelle Zehnder Fischer <input checked="" type="checkbox"/>                  |                                                                    |                                                                                                                                                |
|                  | Other Staff <input type="checkbox"/>                                                               |                                                                    |                                                                                                                                                |

|                                               |                                                          |                                                         |                                                                                                                                     |
|-----------------------------------------------|----------------------------------------------------------|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| REVIEW OF CANCELLATIONS & ADDITIONS           |                                                          | None.                                                   |                                                                                                                                     |
| MOTION TO APPROVE MINUTES<br>OF JUNE 20, 2022 |                                                          | APPROVE <input checked="" type="checkbox"/>             | APPROVE WITH REVISIONS <input type="checkbox"/>                                                                                     |
| 1 <sup>ST</sup>                               | David Hermanson <input type="checkbox"/><br><b>Chair</b> | Dave Ubel <input type="checkbox"/><br><b>Vice Chair</b> | Marie Dranttel <input type="checkbox"/> <b>Commissioner</b><br>Terry Morrow <input type="checkbox"/> <b>Commissioner, Alternate</b> |
|                                               | Justin Laven <input type="checkbox"/>                    | Lloyd Hoffmann <input checked="" type="checkbox"/>      |                                                                                                                                     |
| 2 <sup>ND</sup>                               | David Hermanson <input type="checkbox"/><br><b>Chair</b> | Dave Ubel <input type="checkbox"/><br><b>Vice Chair</b> | Marie Dranttel <input type="checkbox"/> <b>Commissioner</b><br>Terry Morrow <input type="checkbox"/> <b>Commissioner, Alternate</b> |
|                                               | Justin Laven <input checked="" type="checkbox"/>         | Lloyd Hoffmann <input type="checkbox"/>                 |                                                                                                                                     |
| VOTE TO APPROVE MINUTES                       |                                                          | PASS <input checked="" type="checkbox"/>                | FAIL <input type="checkbox"/> VOTE: 4-0                                                                                             |
| PUBLIC APPEARANCES                            | None.                                                    |                                                         |                                                                                                                                     |

**OTHER:**

|                                                              |                                                                                                                                                                                                                                                                                                                                            |                                                                    |                                                                                                                                     |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <b>OLD BUSINESS</b>                                          | None.                                                                                                                                                                                                                                                                                                                                      |                                                                    |                                                                                                                                     |
| <b>OTHER BUSINESS</b>                                        | None.                                                                                                                                                                                                                                                                                                                                      |                                                                    |                                                                                                                                     |
| <b>REVIEW OF PERMITS</b>                                     | The Board had no comments after reviewing permits.                                                                                                                                                                                                                                                                                         |                                                                    |                                                                                                                                     |
| <b>COMMUNICATIONS</b>                                        | Chair Hermanson asked Zoning Administrator Crawford if the communications regarding the canceled Floodplain Ordinance Workshop that was communicated during the Board of Adjustment and Appeals meeting was intended for the Planning & Zoning Advisory Commission meeting. Zoning Administrator Crawford responded that this was correct. |                                                                    |                                                                                                                                     |
| <b>MOTION TO ADJOURN</b>                                     |                                                                                                                                                                                                                                                                                                                                            |                                                                    |                                                                                                                                     |
| <b>1<sup>ST</sup></b>                                        | David Hermanson <input type="checkbox"/><br><b>Chair</b>                                                                                                                                                                                                                                                                                   | Dave Ubel <input type="checkbox"/><br><b>Vice Chair</b>            | Marie Dranttel <input type="checkbox"/> <b>Commissioner</b><br>Terry Morrow <input type="checkbox"/> <b>Commissioner, Alternate</b> |
|                                                              | Justin Laven <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                           | Lloyd Hoffmann <input type="checkbox"/>                            |                                                                                                                                     |
| <b>2<sup>ND</sup></b>                                        | David Hermanson <input type="checkbox"/><br><b>Chair</b>                                                                                                                                                                                                                                                                                   | Dave Ubel <input checked="" type="checkbox"/><br><b>Vice Chair</b> | Marie Dranttel <input type="checkbox"/> <b>Commissioner</b><br>Terry Morrow <input type="checkbox"/> <b>Commissioner, Alternate</b> |
|                                                              | Justin Laven <input type="checkbox"/>                                                                                                                                                                                                                                                                                                      | Lloyd Hoffmann <input type="checkbox"/>                            |                                                                                                                                     |
| <b>DAVID HERMANSON,<br/>CHAIR</b>                            |                                                                                                                                                                                                                                                                                                                                            | <b>DATE</b>                                                        |                                                                                                                                     |
| <b>SPENCER CRAWFORD,<br/>DEPUTY ZONING<br/>ADMINISTRATOR</b> |                                                                                                                                                                                                                                                                                                                                            | <b>DATE</b>                                                        |                                                                                                                                     |



# **CONDITIONAL USE PERMIT**

## **MINERAL EXTRACTION**

### **PERMIT RENEWAL**

**Pentagon Materials/ Eveline Drill & Kenneth Drill**

**PLN22-08**

**NICOLLET COUNTY  
PLANNING & ZONING ADVISORY COMMISSION**

|                           |                                                                                                                                     |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <b>SUBJECT:</b>           | Three year review of a mineral extraction Conditional Use Permit, PLN22-08                                                          |
| <b>APPLICANT:</b>         | Pentagon Materials                                                                                                                  |
| <b>LANDOWNER:</b>         | Eveline Drill & Kenneth Drill                                                                                                       |
| <b>LOCATION:</b>          | Part of the Southeast ¼ of the Northwest ¼ and part of the Northeast ¼ of the Southwest ¼ of Section 9-109-29 in Courtland Township |
| <b>PARCEL NO:</b>         | 04.309.0803 & 04.309.0810                                                                                                           |
| <b>EXISTING ZONING:</b>   | Agricultural Preservation, Conservancy                                                                                              |
| <b>HEARING DATE:</b>      | 08/15/2022                                                                                                                          |
| <b>COUNTY BOARD DATE:</b> | 08/23/2022                                                                                                                          |

**REQUEST**

The applicant has submitted a request for a three-year review of a mineral extraction permit to mine, crush, and stockpile gravel, and locate a bituminous/concrete batch-plant and portable wash plant onsite.

**ORDINANCE:**

Mineral extraction operations are required to renew their Conditional Use Permit every three years per Nicollet County Zoning Ordinance 424.2 (3).

The renewal seems to meet all the requirements as listed in Nicollet County Zoning Ordinance Section 724 *Mineral Extraction*.

**EXISTING LAND USE**

The site consists of two properties with a total of roughly 26 acres. The northern property contains 13.24 acres and the southern 12.71 acres. About 5.5 acres of the western half is used for mining; the rest is agricultural land and bluff.

## **SURROUNDING LAND USE**

The surrounding land use is predominantly agricultural, with the Minnesota River located to the south and the City of Courtland to the west. There are multiple other mineral extraction operations in the vicinity.

## **PROJECT DESCRIPTION**

The property owners, Eveline & Kenneth Drill, have leased the site to various mineral extraction companies over the past 24 years. The original mineral extraction permit was granted to Loveall Construction on May 26, 1998. Extraction rights then transferred to Southern Minnesota Construction, then to Dirt Merchants INC, and are now with Pentagon Materials. Aggregate is mined, crushed, screened, washed, and stockpiled as needed. The applicant is also allowed to establish a temporary concrete batch plant and/or asphalt plant on the property.

5.5 acres are currently being mined and are not yet reclaimed, with the original permit allowing up to 26.8 acres to be mined. 95,669 tons of material have been removed over the past three years.

### **Access:**

The property has an existing access onto 506th Street. The road authority is Courtland Township.

### **Appearance:**

The mine is generally not visible from U.S. Highway 14, County Road 25, or 506th Street. The north and east edges of the mine area are screened by existing vegetated berms.

### **Blasting:**

No blasting occurs at the site.

### **Bond Requirements:**

The applicant submitted an updated bond for \$13,750 to cover the actively mined and the not yet reclaimed 5.5 acres. The bond amount is \$2,500 per acre due to the pit pre-existing the 2014 Mineral Extraction Zoning Ordinance amendment requiring a bond of \$5,000 per acre.

### **Hours of Operation:**

The pit typically adheres to the operating hours of 7 AM to 6 PM. The Zoning Ordinance allows for work after 7 PM for emergencies and equipment repair, provided Nicollet County Property Services is notified.

**Dust, Noise, & Odor Control:**

The application of water or soybean oil is used for dust control as needed.

**Reclamation Plan:**

Pentagon Materials confirmed that no changes have been made to the Reclamation Plan and it was reissued on company letterhead. Slopes will be graded to 3:1 using topsoil from the existing berms. Slopes will be seeded and mulched for erosion control and to filtrate water.

**Waste Disposal:**

No hazardous substances, such as engine oil, hydraulic oil, anti-freeze, or other maintenance fluids, are stored onsite. All garbage is removed on a daily basis.

**MINNESOTA POLLUTION CONTROL AGENCY STANDARDS**

The National Pollutant Discharge Elimination System (NPDES) permit for this site expired on May 31<sup>st</sup>, 2022. Pentagon Materials is currently working with the Minnesota Pollution Control Agency to obtain a new permit, and may continue to work under the old permit until a new one is issued. The existing Stormwater Pollution Prevention Plan will be updated when the new NPDES permit is issued.

Staff recommends as a condition of approval that a valid NPDES permit is submitted before the zoning permit is issued. We are also recommending that a copy of the updated NPDES permit is provided to Property Services when it is issued.

**NEIGHBOR NOTIFICATION**

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

**CONDITIONAL USE PERMIT CRITERIA**

1. **Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.**
  - Mineral extraction is a conditionally permitted use in the Agricultural Preservation and Conservancy Zoning Districts.
  - The use is similar to other mineral extraction operations within the County.

- The operation has a valid, although expired, NPDES permit. The applicant is working on a new NPDES permit.
  - The applicant is not using explosives or storing hazardous waste.
2. **The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**
- The size and function of the facility is not unreasonable for the location.
  - The site located along County Road 25 and U.S. Highway 14, both of which have a 10 ton weight limit.
  - It appears the burden on public infrastructure will be minimal.
3. **The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**
- The proposed use is in close proximity to other mineral extraction operations.
  - The facility's hours of operation adhere to Zoning Ordinance Sections 724.5(7).
  - The applicant is not using explosives or storing hazardous waste.
4. **The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**
- The operation appears to be typical for mineral extraction within the County.
  - The proposal meets the required setbacks for the Agricultural Preservation and Conservancy Zoning Districts.
  - There are screening berms located along the northern and eastern edges of the mine.
  - The use adheres to the applicable standards of Sections 724.5(3) and 724.5(16) of the Zoning Ordinance for the appearance and screening of mineral extraction facilities.
5. **The requested use is consistent with the Nicollet County Land Use Ordinances.**
- The request meets the applicable standards and requirements found in Sections 505, 602, 603, and 724 of the Zoning Ordinance for conditional use permits, the Agricultural Preservation Zone, the Conservancy Zone, and mineral extraction facilities.

**6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.**

- The Comprehensive Plan states that the aggregate industry provides vital jobs for residents and revenue for local businesses.
- The Comprehensive Plan states that Nicollet County will continue to work with aggregate businesses, such as this one, to ensure that these operations can continue in a sustainable and environmentally friendly manner.

**7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**

- The use adheres to the standards of Sections 724.5(7), 724.5(9), and 724.5(13-14) of the Zoning Ordinance for dust control and air quality; hours of operation; noise and vibrations; and road dust and debris.
- Roads are treated to control dust, as needed.
- To help screen activities from the public and reduce nuisance noise, berms are maintained on the north and east sides of the facility.
- No blasting takes place onsite.

**8. The requested use is reasonably related to the existing land use and environment.**

- The site is not adjacent to a Residential Zoning District.
- Sections 602.3 and 603.3 of the Zoning Ordinance list mineral extraction as a conditional use in the Agricultural Preservation and Conservancy Districts.
- The operation appears to be typical for mines within the county.
- There are several other mines within one mile of the site.

**9. There are no apparent unreasonable health risks posed to neighbors or the public in general.**

- The operation has a valid, although expired, NPDES permit. The applicant is working on a new NPDES permit.
- The applicant is not using explosives or storing hazardous waste.
- Any changes to the operation will require an amended conditional use permit.

**10. The requested use will/will not have an adverse effect upon public health, safety and welfare due to the following other factors:**

- The request as proposed to meet County standards, with no apparent adverse effects to public health, safety, and welfare.

**RECOMMENDATIONS**

1. The applicant shall undertake the project according to the plans and specifications submitted to the County with the application.
2. The permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.
3. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions, and all other applicable statutes, rules, and ordinances.
4. The conditional use permit to mine, crush, and stockpile gravel and locate a bituminous asphalt plant and a portable wash plant onsite will be reviewed August 2025.
5. The bond shall be amended as needed to cover the amount of actively mined acres and not yet reclaimed acres. The bond must be kept in force during the time of operation.
6. A continuation certificate of the bond shall be sent to the Property Services Division with no lapse in time during the course of this permit.
7. Future placement of a temporary bituminous asphalt or concrete batch plant onsite during a construction season shall require a zoning permit.
8. The contractor shall take the appropriate action to minimize the dust on the road from hauling.
9. The applicant shall submit verification the site has a valid National Pollutant Discharge Elimination System Permit from the Minnesota Pollution Control Agency prior to issuance of this conditional use permit.
10. The applicant shall submit an updated copy of their National Pollutant Discharge Elimination System Permit to Property Services when it is issued.

**Applicant: Pentagon Materials**  
**Landowner: Eveline Drill & Kenneth Drill**

**PLN22-08**

|                     |                                            |
|---------------------|--------------------------------------------|
| <b>ATTACHMENT A</b> | <b>Application</b>                         |
| <b>ATTACHMENT B</b> | <b>Criteria for Conditional Use Permit</b> |
| <b>ATTACHMENT C</b> | <b>Location Map</b>                        |
| <b>ATTACHMENT D</b> | <b>Aerial Map</b>                          |
| <b>ATTACHMENT E</b> | <b>Neighbor Notification List</b>          |
| <b>ATTACHMENT F</b> | <b>Submitted by Applicant</b>              |



PROPERTY SERVICES DIVISION  
501 SOUTH MINNESOTA AVENUE, SAINT PETER MN 56082  
507-934-7070

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PLANNING & ZONING ADVISORY COMMISSION  
APPLICATION

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Total Fees: \$496.00

Map#: 1609300005, 1609300010

Parcel#: 043090803, 043090810

Permit#: PLN22-08

Date: July 19, 2022

Applicant: Dean Portner, Pentagon Materials, 3301 3rd Ave, Mankato MN 56001

Phone: 507-389-9127

Owner: Eveline Drill, Kenneth Drill

Property Address: 0,

Abbreviated Legal Description: PT SE 1/4 OF NW 1/4 AKA TRACT 3-B ACRES 6.85 PT NE 1/4 OF SW 1/4 AKA TRACT 4 ACRES 6.39, COMM NW COR SW 1/4, E 1325.97' TO BEG, SE 1395.04 S 407', NW 1391.07, N 427' TO POB = 12.71 AC

Township: Courtland Township

Record Type: Conditional Use

Category: Mineral Extraction

Project Description: 3 year review of the Drill Pitt mineral extraction Conditional Use Permit.

Planning Commission Hearing Date: 08/15/2022

Board of Commissioners Date: 08/18/2022

 CEO  
APPLICANT SIGNATURE

7/20/2022  
DATE

Attachment A  
Application



**NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION  
CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT**

**Name of Applicant/** Pentagon Materials  
**Property Owner:** Eveline Drill & Kenneth Drill

**Date:** August 15, 2022

**File #:** PLN22-08

**PC Name:** \_\_\_\_\_

**Use Requested:** Three year review of a mineral extraction Conditional Use Permit

**FINDINGS OF FACT**

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.

☐ YES   ☐ NO   **WHY:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

☐ YES   ☐ NO   **WHY:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

☐ YES   ☐ NO   **WHY:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

☐ YES   ☐ NO   **WHY:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attachment B**  
Criteria for Conditional Use Permit

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

☐ YES    ☐ NO    **WHY:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

☐ YES    ☐ NO    **WHY:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

☐ YES    ☐ NO    **WHY:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. The requested use is reasonably related to the existing land use and environment.

☐ YES    ☐ NO    **WHY:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

☐ YES    ☐ NO    **WHY:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. The requested use **will / will not** (Circle One) have an adverse effect upon public health, safety and welfare due to the following other factors:

☐ YES    ☐ NO    **WHY:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE PERMIT AND IN THE RECORD**

**THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION:**  
**( ☐ APPROVES ) ( ☐ DENIES )**  
**THE REQUESTED CONDITIONAL USE PERMIT**

This decision is based on:

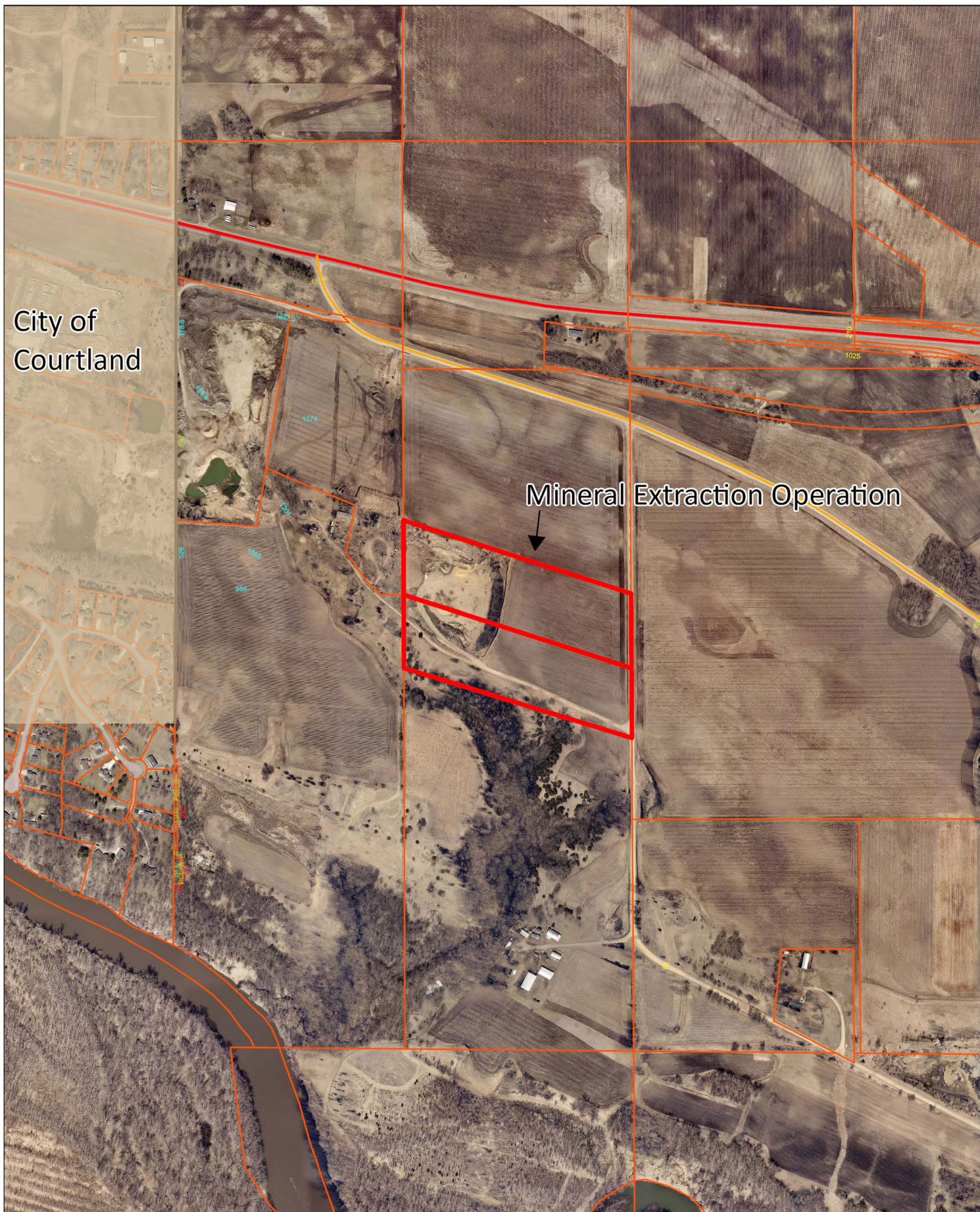
- ☐ Application
- ☐ Staff Report
- ☐ Pictures
- ☐ Information received at public hearing

Viewed by Members of Board:

- ☐ Hermanson
- ☐ Ubel
- ☐ Laven
- ☐ Hoffmann
- ☐ Dranttel
- ☐

Facts supporting the answer to each question above are hereby certified as the Findings of the Nicollet County Planning and Zoning Advisory Commission.

Date: \_\_\_\_\_ Chair: \_\_\_\_\_





Mineral Extraction Operation

| Name                           | Mailing Address      | Mailing City Zip   |
|--------------------------------|----------------------|--------------------|
| Sheri Hulke                    | 51771 County Road 21 | Courtland MN 56021 |
| Kenneth Drill                  | 28 Fiemeyer Dr       | Courtland MN 56021 |
| Eveline Drill                  | 52497 Us Highway 14  | Courtland MN 56021 |
| Carol Folsom                   | 53038 Us Highway 14  | Courtland MN 56021 |
| Ralph & Carol Bents            | 116 High View Ct     | Courtland MN 56021 |
| Dale & Betty Braun             | 113 High View Ct     | Courtland MN 56021 |
| Debera & Bryan Pierson         | 109 High View Ct     | Courtland MN 56021 |
| Darin & Kristen Drill          | 52605 506Th St       | Courtland MN 56021 |
| River Valley Enterprises Llc   | 54 RosylN Rd         | New Ulm MN 56073   |
| Marvin & Lisa Drill            | 54 RosylN Rd         | New Ulm MN 56073   |
| Ulland Brothers Inc            | 1634 Hwy 210         | Carlton MN 55718   |
| Mn Valley Forest Products, Inc | Po Box 10            | Courtland MN 56021 |
| Janice Drill                   | 28 Fiemeyer Dr       | Courtland MN 56021 |
| Corey Hulke                    | 51377 460th St       | Courtland MN 56021 |



**MINERAL EXTRACTION CHECKLIST**

The following information is required to be provided for a conditional use permit application. Additional information may be required, as determined necessary by the Zoning Administrator and per Section 724 of the Zoning Ordinance.

**NUMBER OF ACRES AS FOLLOWS:**

5.5 Acres being mined or used for mining purposes (stockpiles, equipment storage, haul roads, etc).

\_\_\_\_\_ Acres permitted and remaining to be mined in future phases.

\_\_\_\_\_ Acres where land reclamation has occurred.

21.3 Acres not permitted to be mined (non-mining related acres).

26.80 Total acreage of property.

**TONNAGE OF MATERIAL REMOVED:**

95,669 Tons of material removed from site over the past three (3) years, or since last permit renewal date.

Include a copy of the renewed **BOND** or **LETTER OF CREDIT** for the site. Continuation letters must to be sent to the Property Services Office on years when the permit is not scheduled for renewal.

**PLEASE PRINT:**

Property Owner: Evie Drill Kenneth & Janice Drill

Owner's Address: 52497 Hwy 14 Courtland, MN 52605 506th St., Courtland, MN

Contractor working the site: Dirt Merchant, Inc. Pentagon Materials, Inc. Holtmeier Construction, Inc.

Contractor's address: 3301 3rd Avenue Mankato, MN 56001

Contractor's phone number: 507-327-5037

Date: June 30, 2022

Applicant (Landowner or Contractor) Signature: [Signature]

Parcel No. \_\_\_\_\_ Map No. \_\_\_\_\_ Revised 11-29-18 JH

Attachment F  
Submitted by Applicant

Mission Statement  
Providing efficient services  
with innovation and accountability.

**Leadership. Efficiency.**  
**Accountability. Innovation.**  
**Integrity.**

Vision Statement  
Setting the standard for providing superior and  
efficient county government services through  
leadership, accountability and innovation to a  
growing and diverse society.



# Pentagon Materials, Inc.

## Producers and Suppliers of Aggregate and Construction Materials

Evie Drill

52497 Hwy 14

Courtland, MN 56021

RE: Gravel Lease Agreement

This agreement between Evie Drill, owner/lessor and Pentagon Materials Inc. (PMI), lessee covers sand & gravel located in:

That part of the Northeast Quarter (NE 1/4), of Section Nine (9), Township One Hundred Nine (109) North, Range Twenty Nine (29) West, Nicollet County, Minnesota, described as follows: Commencing at the center of said Section Nine (9); thence South along the center line of said Section Nine (9), a distance of 402.12 feet, to a point on said center line of Section Nine (9); thence North 71 degrees 56 minutes West to the West Quarter corner of said Section Nine (9); thence North a distance of 434.64 feet along the West line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Section Nine (9); thence in a southeasterly direction a distance of 1392.52 feet to the point of beginning, the center of said Section Nine (9). 13.5 acres.

PMI shall pay to owner/lessor, as royalties \$1.20 per ton, or \$1.68 per cubic yard for all sand & gravel material removed from the premises. PMI will pay all County Gravel Taxes that apply to the sales of mined material that leaves the site.

This lease shall be in effect for a period of 3 years beginning April 1, 2021 and ending on March 31, 2024 at which time a new agreement and royalty will be negotiated.

Owners/Lessors agree to provide PMI exclusive access to gravel pit site during this agreement. PMI will work with owners on removing gravel from under present road and the establishment of a new road when conditions warrant.

If owners/lessors wish to sell any portions of land included with this lease an option of first right of is granted to PMI.

A handwritten signature in cursive script, appearing to read "Evie Drill".

Evie Drill

A handwritten signature in cursive script, appearing to read "Ken D...".

Pentagon Materials Inc.

4-6-21

Date

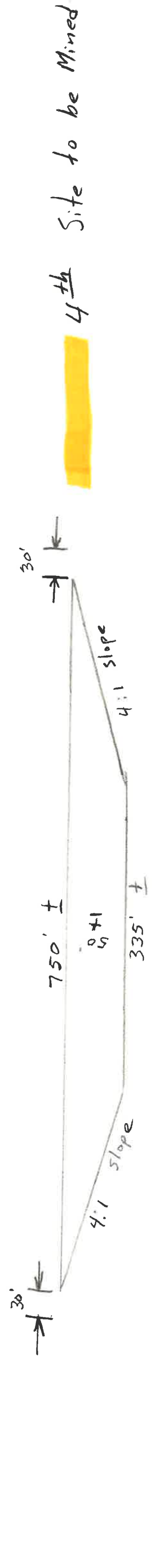
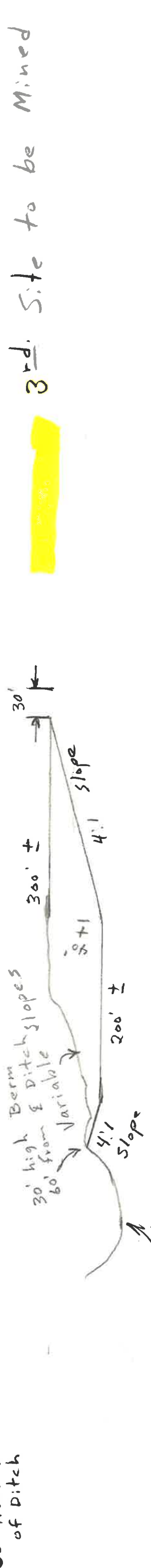
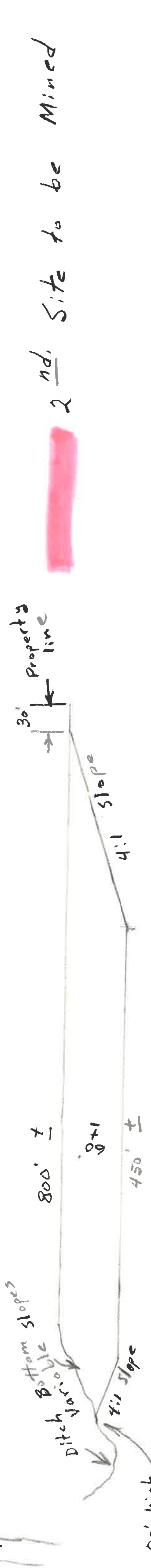
4  
X-6-21

Date

3301 Third Avenue, Mankato, MN 56001

Phone: 507-389-9129

Fax: 507-389-9703



End Use Plan Map Scale 1" = 100'





Proposed Quarry Map

No Structures to be Excavated  
 Site to be mined surface in blue 60' deep ±  
 Tailings Deposits - None  
 Machinery will be located around Existing Pit  
 Mixed Materials will be in Existing Pit  
 Vehicle parking will be in Existing Pit  
 and an existing 45' Access  
 Access Road Driveway to Top Rd. to G. No. 25  
 to U.S. Hwy. at 14



# ***Pentagon Materials, Inc.***

## **Producers and Suppliers of Aggregate and Construction Materials**

3301 Third Ave. Mankato, MN. 56001 Phone: 952.463.6590/507.389.9112

July 19, 2022

Reclamation Plan for Drill Sand and Gravel Pit

SE ¼ of NW ¼ Tract 3-B and NE ¼ of SW ¼ Tract 4 of Section 09, Twp 109, Rng 029, Nicollet County, MN

### **Description**

East and North property Line will be finished at a minimum 3:1 slope with the intent to import as much fill as possible to lessen the steepness.

South boundary to be finished from the existing driveway at a minimum 3:1 slope with the intent to import as much fill as possible to lessen the steepness.

West slope to maintain as is to match the adjacent property, but no where to be steeper than a 3:1 slope when finished.

All existing Topsoil stripped to be salvaged for reuse and placed in berms around the perimeter.

Once the mining is completed and the slopes are built the salvaged topsoil around the perimeter will be placed on the reclaimed slopes before the final seeding is placed.

All slopes will be seeded and mulched when completed.

All surface water to be contained within the site and surface drained by design and dissipate through natural infiltration and vegetation methods.

The intended use of the site will be for agricultural and/or wildlife use.

All areas to be final graded to eliminate the mining berms and setup for agricultural use.



### 7/01/2022 - 7/31/2022 Permit Report

| RECORD ID                   | RECORD TYPE                | DESCRIPTION                                                                                                                                                                                                                                         | ADDRESS                                   | OWNER NAME                                             |
|-----------------------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------|
| <a href="#">BLD22-00147</a> | SSTS Permit                | Emergency SSTS replacement system                                                                                                                                                                                                                   | 56610 FORT RD NEW ULM, MN 56073           | FLUEGGE BRIAN S                                        |
| <a href="#">BLD22-00148</a> | Structure Permit           | New 60" diameter, 150,000 bushels grain bin and 15' diameter, 3307 bushels grain bin.                                                                                                                                                               | 0                                         | GIESEKE ROBBY B                                        |
| <a href="#">BLD22-00149</a> | Structure Permit           | New 10' x 12' personal storage shed.                                                                                                                                                                                                                | 38146 HONEYSUCKLE LN N MANKATO, MN 56003  | FEDSON JAMES N & SHERI FEDSON                          |
| <a href="#">BLD22-00150</a> | Structure Permit           | Build an attached deck on southwest side of house. 370 sq feet                                                                                                                                                                                      | 50791 BIRCH BLUFF DR N MANKATO, MN 56003  | SCHOENER JORDAN M                                      |
| <a href="#">BLD22-00151</a> | Structure Permit           | New 42' x 63' shed. Variance PLN21-40 approved to allow the shed to be closer to the front property line than the principal building.                                                                                                               | 35545 398TH LN ST PETER, MN 56082         | CARLBLOM TORREY C & JULIE A CARLBLOM                   |
| <a href="#">BLD22-00152</a> | SSTS Compliance Inspection | Compliance Inspection for Property Transfer                                                                                                                                                                                                         | 40678 PURRIER CT N MANKATO, MN 56003      | HOLZ DANIEL & WHITNEY HOLZ                             |
| <a href="#">BLD22-00153</a> | SSTS Compliance Inspection | Compliance inspection for Property Transfer                                                                                                                                                                                                         | 52130 350TH ST LAFAYETTE, MN 56054        | MILLER MICHAEL L & SANDRA R MILLER                     |
| <a href="#">BLD22-00154</a> | Structure Permit           | New 92' x 100' addition to an existing dairy barn.                                                                                                                                                                                                  | MN                                        | Paul & Cynthia Swenson                                 |
| <a href="#">BLD22-00155</a> | SSTS Compliance Inspection | Compliance inspection required for property transfer. Replacing in lieu of inspection.                                                                                                                                                              | 38349 COUNTY ROAD 15 ST PETER, MN 56082   | PANKRATZ COLE                                          |
| <a href="#">BLD22-00157</a> | SSTS Permit                |                                                                                                                                                                                                                                                     | 38373 COUNTY ROAD 15 ST PETER, MN 56082   | PANKRATZ COLE                                          |
| <a href="#">BLD22-00158</a> | SSTS Compliance Inspection | Compliance inspection for zoning permit                                                                                                                                                                                                             | 44446 STATE HIGHWAY 99 NICOLLET, MN 56074 | SCHOEVERS RUDOLPH A & JAYME J SCHOEVERS                |
| <a href="#">BLD22-00159</a> | Structure Permit           | New 12' x 24' personal storage shed.                                                                                                                                                                                                                | 44446 STATE HIGHWAY 99 NICOLLET, MN 56074 | SCHOEVERS RUDOLPH A & JAYME J SCHOEVERS                |
| <a href="#">BLD22-00160</a> | SSTS Permit                | New Septic system for hog buying station - Non residential. One Toilet, one sink and a possible shower.                                                                                                                                             | 48595 US HIGHWAY 14 NICOLLET, MN 56074    | BODE GARY L & KAREN M LE                               |
| <a href="#">BLD22-00161</a> | Structure Permit           | New 30' X 40' business office. This falls within the scope of Conditional Use Permit C-18-14, which identified 2000 sq ft of expansion area for a level 2 home occupation. 800 sq ft of expansion area is remaining.                                | 47780 451ST AVE NICOLLET, MN 56074        | NETZKE BENJAMIN H                                      |
| <a href="#">BLD22-00162</a> | Structure Permit           | New 26' x 72' x 12' sheep barn.                                                                                                                                                                                                                     | 61064 350TH ST LAFAYETTE, MN 56054        | PORTNER STEVEN L - LE                                  |
| <a href="#">BLD22-00163</a> | SSTS Permit                | Septic system for a 3bedroom replacement house on newly split parcel. New 2250/ septic pump combination tank and new mound 12 inch sand elevation                                                                                                   | 37468 571ST AVE LAFAYETTE, MN 56054       | YOUNGBLOM CHARLES M                                    |
| <a href="#">BLD22-00164</a> | Structure Permit           | 16' x 16' sunroom home addition.                                                                                                                                                                                                                    | 35134 STATE HIGHWAY 22 GAYLORD, MN 55334  | SCHMIDT DENNIS A & JOANN C SCHMIDT                     |
| <a href="#">BLD22-00165</a> | Structure Permit           | Construct a replacement 3 bedroom house with attached garage and covered porch. 3685.5 sq ft                                                                                                                                                        | 37468 571ST AVE LAFAYETTE, MN 56054       | YOUNGBLOM CHARLES M                                    |
| <a href="#">BLD22-00166</a> | SSTS Compliance Inspection | Compliance Inspection for Building Permit                                                                                                                                                                                                           | 35134 STATE HIGHWAY 22 GAYLORD, MN 55334  | SCHMIDT DENNIS A & JOANN C SCHMIDT                     |
| <a href="#">BLD22-00167</a> | Sign Permit                | Erect Sign for level one home occupation. Sign to be 3 foot x 5 foot 15 sq feet - Sign must be less than 10 feet above ground                                                                                                                       | 47052 435TH AVE NICOLLET, MN 56074        | THOMPSON STEPHANIE & TYLER THOMPSON                    |
| <a href="#">BLD22-00168</a> | SSTS Permit                |                                                                                                                                                                                                                                                     | 42874 STATE HIGHWAY 99 NICOLLET, MN 56074 | MARTENS FAMILY TRUST & T MARTENS & S COLLINS & S BUSER |
| <a href="#">BLD22-00169</a> | SSTS Permit                | Replacement septic for 4 bedroom house                                                                                                                                                                                                              | 34285 348TH ST LE SUEUR, MN 56058         | ERNSTING CECIL W & RUBY Z                              |
| <a href="#">BLD22-00170</a> | Structure Permit           | New 8 x 8 well house shed.                                                                                                                                                                                                                          | 44349 400TH ST NICOLLET, MN 56074         | KIENLEN CHARLES E LIVING TRUST                         |
| <a href="#">BLD22-00171</a> | Structure Permit           | Rebuilding of house destroyed by fire per statue 394.36, same footprint in same location. Septic plan submitted by CSWD. House to be a 4 bedroom with an attached garage and finished basement. 1986 Sq Feet footprint. Owner acting as contractor. | 50059 461ST AVE NICOLLET, MN 56074        | MARY BETH SOOST                                        |
| <a href="#">BLD22-00172</a> | SSTS Permit                |                                                                                                                                                                                                                                                     | 46271 FORT RD NICOLLET, MN 56074          | DORN DANIEL J & KIMBERLEY D DORN                       |
| <a href="#">BLD22-00173</a> | Structure Permit           | New 42' x 60' personal storage shed.                                                                                                                                                                                                                | 43526 COUNTY ROAD 13 ST PETER, MN 56082   | MACDONALD KIMBERLY M                                   |