

Joint Empire Planning Commission / Town Board Meeting Minutes December 1, 2020

The Joint Empire Township Planning Commission/Town Board Meeting was called to order by Commission Chair Tom Kaldunski and at 8:00 PM at the Empire Township Public Works Building.

Present were: Terry Holmes, Tom Kaldunski, Jared Sachs, Trent Larson, Bob Bjerke, Jane Kansier, Charles Seipel, and liaison Ed Gerten (via Zoom).

The Public Hearing to consider an amendment to the Conditional Use Permit to Allow Expansion of the MCES Wastewater Treatment Plan (Met Council) was opened. Ed Gerten read the public hearing notice.

It was reported that the Township has received a comment from the Minnesota DNR regarding the need for the Met Council to obtain a Water Appropriation Permit for this project. The Met Council should also be notified that the Vermillion River is a DNR designated trout stream.

Jane Kansier reported that the proposed amendment to the CUP includes the construction of a 37' X 35' expansion to the digester building; a new heat exchanger, recirculation pumps, and instrumentation equipment; a 50' X 40' expansion to the gas treatment building; a new gas storage tank, approximately 42' in diameter and 39' tall; and digester gas treatment facilities. The proposal meets the setbacks as stated in the zoning ordinance. The proposed findings of fact state that the project will be done in accordance with all ordinances and not negatively affect public health; truck route traffic for the project's construction should be routed through Highway 66 to Biscayne; the project must obtain proper building permits prior to construction.

Heidi Hutter with the Met Council provided a presentation that showed examples of what the new facilities will look like as well as their location in relation to the existing site. It is proposed that site work on the project, labeled as "Phase II Solids Improvements" will begin in Q4 of 2021 and go through Q4 of 2023. The Met Council will continue to work with the Kemps facility to procure whey to help break down solid waste. This allows the treatment plant to reduce the amount of biosolids produced. The resident at 2366 200th St. West had questions regarding incidents of leaks and location of the project. The facility has a leak detection system in place. If a leak does occur, the gas will go into an air space barrier. If it escapes the plant, it will go into the atmosphere at rates that do not combust. The project will be located in close proximity to the existing plant and will not extend south to the Vermillion River. The new digester will be composed of a strong rubber like material with a 10 to 20-year life span.

Dustin Montey had questions and concerns related to PFAS that are emitted from the plant through land applications. The Met Council is aware of PFAS and follows current guidelines. The Met Council is conducting research with the U of M to better understand the potency of PFAS and how-to best work with them in a way that does not negatively impact public health or

the environment. Rene Heflin with the Met Council will work with Dustin to get him in touch with their research division. It was recommended that the Town Board also correspond with Mr. Montey to seek additional information on PFAS and what kind of impact that they may have in Empire Township.

Trent Larson made a motion to close the public hearing to consider an amendment to the Met Council WWTP Conditional Use Permit. Tom Kaldunski seconded. Motion carried 4-0.

Bob Bjerke made a motion to recommend approval of the amendment to the Met Council WWTP Conditional Use Permit as proposed at the Public Hearing. Jared Sachs seconded. Motion carried 4-0.

It was reported that the possibility of permitting food trucks in Empire Township was discussed by the Town Board. The Town Board recommended that food trucks be permitted with several conditions, including the following: food trucks will need to be licensed and hours of operation should be established. Food trucks should also be required to provide proof of insurance and food license. Permits should be good for 30 days and include stipulations about garbage disposal and locations in relation to street right of way. Jane will do some research on how to best outline requirements for food trucks in the ordinances, with the hope of having something ready to consider before spring.

The Planning Commission reviewed the maps that are included in the updated Dakota County Transportation Plan. After review it was recommended that the Township make the following recommendations to Dakota County: the plan include the new roundabout at Highway 3 and 170th Street; the plan consider the potential use of the crossing under Highway 3 that currently houses the conveyor belt used for aggregate mining operations for a trail crossing corridor.

The Planning Commission reviewed a proposed amendment to the City of Lakeville's comprehensive plan that brings an additional parcel into MUSA. The Planning Commission had no comment on the proposed amendment.

The Township has received two applications for the Planning Commission vacancy. The Town Board has decided to hold off on interviewing the candidates until the situation with the pandemic improves.

The December 15th Planning Commission Meeting has been cancelled by the Town Board.

Tom Kaldunski made a motion to adjourn the Joint Planning Commission / Town Board Meeting. Jared Sachs Seconded. Meeting adjourned at 9:30 PM.