

## **Planning Commission Meeting / Continuation of Town Board Minutes March 3, 2020**

The Empire Township Planning Commission meeting was called to order by Tom Kaldunski at 8:00 PM.

Present were: Tom Kaldunski, Trent Larson, Jared Sachs, Jane Kansier, Charles Seipel, and liaison Ed Gerten. Also present were Town Board Supervisors Terry Holmes and Jamie Elvestad and Township Attorney, Mike Couri.

Mike Couri presented information on the adoption of predatory offender ordinances by cities and townships in Minnesota, including recent court cases in which cities are being challenged for having such ordinances. The City of Dayton recently lost a court case regarding its ordinance because the judgement ruled that State law already covers the relocation of predatory offenders. Municipal ordinances cannot contradict State law. More recent lawsuits are challenging the limitation of constitutional rights of released offenders by local ordinances. In these instances, if the case is lost by the City, the City will be responsible for covering all attorney fees and these fees will likely will not be covered by insurance. Because of these recent challenges and past court cases, Mike Couri is not recommending the adoption of a predatory offender ordinance.

Residents present at the meeting discussed their concerns with not having anything in Township ordinance to address the relocation of predatory offenders as well as concerns about how the process of relocating an offender is handled. Residents had questions on how it is determined where offenders will locate upon release and if there is any way to address proximity to parks, daycares, etc. Mike Couri could not find information in Minnesota Statute addressing proximity to specific areas. It was recommended that the Township contact state representatives as well as someone from the Minnesota Department of Corrections to get clarification on how relocation is handled.

It was reported that there has been a request for the construction of a salt storage building at the Rock Hard Landscaping property. The Planning Commission recommended that this proposed structure be considered an outdoor storage facility, which would require a Conditional Use Permit.

The Planning Commission reviewed information about the disposal of waste from decommissioned solar panels.

Trent Larson reported that there will be someone coming to a future Planning Commission Meeting requesting information about in-home care facilities.

The next meeting date for the EFPAC Meeting is tentatively scheduled for Thursday, March 19th at Farmington City Hall.

Meeting adjourned at 9:45 PM.