

Sandstone Township

Regular Meeting Agenda

Sandstone Town Hall – 55044 Poplar Rd.

July 2, 2024, 7 p.m.

Open meeting - followed by pledge

Public Comment - Please hold your comments to 3 minutes. **Board members will not respond to questions during public comment** but may add issues to the current agenda or schedule them for a future meeting. The board will not take questions or comments during the meeting.

Minutes – Minutes of 6.20.24 regular meeting

Treasurer's report –

Affidavits -

Pay bills –

Clerk updates –

Unfinished business

1. Help for Planning Comm on cannabis from MAT attorney
2. Order garbage service. Keep in town hall, put out on garbage day.
3. Cannabis moratorium
4. Revised IUP/CUP app

Zoning/building site permit reports

1. Kukuk site permit
2. Ed Melzark

Roads

1. Road reports Jon, Linda, Matt
 - a. Road conditions - Jon, Matt

New business

1. Schedule performance evaluations
2. Swear in deputy clerk, set pay
3. Motion to approve election judges for primary and general election. Head judges, Theresa Dawson, Jan Yaste, Gary Thomson, Election judges, Don Eaton, Cookie Hansen, Judy Magnuson, Nancy Peterson, Barbara Benjaminson any judge approved by clerk.

Planning Committee – Cannabis ordinance work?

Supervisors – 5 min. each if time allows

Adjourn

Upcoming meetings

July 2, 2024, Tuesday – Regular meeting was changed from due to the July 4th holiday

July 11, 2024, Thursday – Planning Committee Meeting

July 18, 2024, Thursday – Regular meeting

Supervisors

Linda Thomson, Chair – 320-515-1734

Jon Dorau – 320-630-1231

Matt Gebhart – 612-390-2067

Website: sandstonetownship.com

Staff

Ailene (Gussie) Croup, clerk 320-279-3513

Jeannie Rausch, treasurer 320-515-0389

Township email sandstonetownship@gmail.com

Sandstone Township
55044 Poplar Rd.
Sandstone, MN 55072

Regular Meeting Minutes, June 20, 2024

Chair Linda Thomson opened the meeting at 7 p.m. followed by the pledge.

Present were Supervisors Linda Thomson, Jon Dorau and Matt Gebhart and Clerk Ailene Croup.

Dorau made a motion to accept the minutes from 6.6.24, seconded by Gebhart and unanimously approved.

The board reviewed the costs for hiring a zoning officer and the cost of insuring that person. Insurance through MATIT would be about 11-12 cents per hundred dollars paid the officer. There would be the usual FICA taxes for employees.

Thomson said she had spoken with the candidate and he did not want to carry insurance and be a vendor. She said he would be satisfied to start at \$22 /hour. Thomson, the current zoning supervisor, also said she thought it was too partial if a supervisor as a zoning officer would have the decision about approval of the property from beginning to end including an appeal.

Thomson made a motion to hire Ed Melzark at \$22/hour on a trial basis and review the position in 6 months. It was seconded by Gebhart and unanimously approved.

Croup provided information on the actual costs for the recent interim use permit and said it was about 50 percent more to complete all parts required by law than the current fee of \$500. She had created a basic instruction and cost for interim, conditional use permits and variances. She also suggested an escrowed amount to cover overruns. The fee would be non-refundable and the unused escrow would be returned.

Dorau asked about the cost of reissuance of an interim use permit. He said it should probably be less the original permit.

Gebhart made a motion to increase the interim and conditional use permit fee to \$650 with a \$500 escrow fee with the unused escrow fee to be refunded. The applicant would be responsible for all costs including those above the escrow fee and permit fee. It was seconded by Thomson and unanimously approved.

The Wildcat Sanctuary donated \$4,000 to Sandstone Township for gravel improvements on Little Sand Creek Road.

Thomson made a motion to approve Resolution 2024-06 accepting the Donation to Make Gravel Improvements on Little Sand Creek (LSC) Road. It was seconded by Gebhart and unanimously approved.

Gebhart said the township would have to return the culvert replacement funds issue by FEMA to replace two culverts damaged during the 2023 flooding. He said he had spoken to the FEMA representative who said the board should contact the DNR and mitigate every culvert that was submitted and not approved.

He added that the DNR should be involved on culverts on creeks. The two culverts on Little Sand Creek Road need to be replaced by three 48-inch culverts. Gebhart said there was money in the Upper St. Croix and Kettle River Watershed districts.

Gebhart said the DNR needs to be involved on the LSC and Government Road culverts and Danforth Twp. needs to be involved on the LSC road culvert because the road is shared.

The board approved holding a public hearing for a moratorium on cannabis businesses in the township.

Dorau made a motion to adjourn at 8:41 p.m., seconded by Gebhart and unanimously approved.

Respectfully submitted by Ailene Croup on June 20, 2024.

Chair

To
Vendor ID: 0000200370
Vendor Location: 001
Vendor Name: SANDSTONE TOWNSHIP
Vendor Address: 55044 POPLAR RD
 PO BOX 564
 SANDSTONE, MN 55072

Reference Information
Pay Cycle: DLYEFT
Pay Cycle Seq Number: 3270

Payment Information

Payment Reference: 0008916622
Payment Date: 06/25/2024
Payment Method: Automated Clearing House

Agency Code / Description	Contact Phone	Voucher ID / Payment Message	Invoice Date	Invoice Number	Customer Account	Paid Amt
G53 / SEC OF STATE	651/296-2803	00 00061164	06/09/2024	2024 PNP REIMB SANDSTONE TOWNS		1,483.33
P07 / EMER MGMT - PA	651/201-7400	22 01016460	06/24/2024	EMGP-20240624- 7444		77,502.26
Total:						78,985.59 USD

Sandstone Township Planning Committee

55044 Poplar Road, PO Box 564, Sandstone, MN 55072

Phone: 320-279-3513 Email: Zoning Supervisor - sandstonesupb@gmail.com

General email: - sandstonetownship@gmail.com

CONDITIONAL or INTERIM USE APPLICATION

Property Owner _____ Mailing Address _____

Are you a resident of Sandstone Township? _____

Will you be residing on the property? ____ Will you be responsible for maintaining the property? ____

City _____ State _____ Zip Code _____ Email _____

Daytime Phone _____ Other Phone _____

Agent/Attorney _____ Agent/Attorney phone _____

Please answer the following questions. Additional paper may be used if needed.

1. Proposed Use _____
2. How will the property maintain safe and healthful conditions? _____

3. Is the proposed use listed as a conditional use according to Sandstone Twp Zoning? _____

4. Will side-by-side or UTV vehicles be used? During what hours? _____

5. Will animals be living or be brought onto the property? How many? ____ What kind?

6. Describe whether the proposed use is compatible with uses on adjacent lands _____

7. How many bedrooms will the structure have? _____
8. What evidence can be provided that the property will have an adequately sized sewage treatment system? _____

Conditional or Interim Use Application Checklist

1. _____ Completed Application Form
2. _____ \$650 Application Non-refundable Fee, \$500 escrow fee payable, unused portion refunded, to Sandstone Township. Applicant is responsible for all fees above the escrow fee.
3. _____ Proof of Ownership (Deed or Title Insurance Policy)
4. _____ A beneficiary disclosure statement for property, if held in trust.
5. _____ Certificate of Survey or Site Plans for the property Involved showing the following items:
 - a. _____ Title
 - b. _____ Scale of drawing
 - c. _____ "North Arrow" showing north at top of the drawing
 - d. _____ Any structure on the property
 - e. _____ Topography at 1 or 2 foot contours
 - f. _____ Wooded areas (if present)
 - g. _____ Natural drainage to, from, and on the property
 - h. _____ Base Flood Elevation (if present on the property)
 - i. _____ Wetlands on the property (if present)
 - j. _____ Location map
 - k. _____ Developer/owner
 - l. _____ Date of drawing
 - m. _____ Designer/Surveyor

Interim Use Permit (IUP) - To maintain an Interim Use Permit, all conditions must be met and the permit must be renewed every **three (3) years**. Once the property changes hands, the permit is no longer valid.

Conditions specific to the Interim Use Permit will be determined by the planning committee and board and will be included with the permit.

Application for renewal of the permit must be received at least **60 days** prior to renewal and will be subject to review and changes upon renewal.

Must provide copy of the legal description from the deed.

Conditional Use Permit (CUP) – Conditions for the Conditional Use Permit will be set by the town board with recommendations from the planning committee. Violations of the conditions warrant immediate cancellation of the permit.

Must provide copy of the legal description from the deed.

I understand that by signing this form that the property in question may be visited by township staff and/or board/commission members during normal business hours throughout the petition process. I certify that the information and exhibits submitted are true and correct to the best of my knowledge.

Signature of Property Owner: _____ **Date:** _____

FEE PAID: _____ CHECK #: _____ RECEIPT #: _____

Guidance from MAT attorney on Cannabis rules/statute

Hi Gussie,

The townships will have little to no control over cannabis business even if you administer the local controls described in the law. The intent of the legislative is to grow a cannabis market in every part of the state so local control has been preempted.

A town moratorium can last only until January 1, 2025. So a moratorium is a very short term solution. After that, the intent of the state is to fill the available licenses with retail stores. Once the retailers are open and operating, the townships have very little control over them.

Registration: the town may participate in the registration process, but this likely amounts to ensuring the retailer has completed the registration process. There isn't authority to deny permits, unless the applicant has not complied with the state's registration process.

Compliance Checks: If the town carries out the licensing obligations of the statute, the town needs to hold periodic compliance checks of the business. This requires periodic underage purchase checks. The town may need the help of the sheriff's office to carry out these checks. The town does not get any funding for performing the work, so this would be a town subsidized process. The county may even ask you to pay them for their work on this.

The town will also need to do the compliance and products checks. The town will need to know what products are allowed and not, and ensure the retailer is following the rules. The town would have limited powers to stop the business operating, but the Office of Cannabis Management has powers to override the local decision.

Zoning powers: Even if the town does not do the licensing, the town may have some controls in its zoning law.

The long-term restrictions that are likely to be allowed will be time, place, and manner restrictions, as allowed by Minn. Stat. 342.13. So, for example, it says the local government can prohibit cannabis businesses within 1000 feet of a school, 500 feet of a daycare, residential treatment facility, or attraction within a public park regularly used by minors. We expect that a "no smoking" rule within the public parks or facilities is still going to be allowed. There may be other zoning restrictions allowed, but its not clear what they may be.

The law says the local governments must allow at least one cannabis business license per 12500 people, but the county is correct that if the minimum number of licensed retailers has been met, then the cities and towns in the county are not obligated to register a cannabis business. See Minn. Stat. 342.13(j).

Keep in mind that very few townships will have a cannabis business in their town because the owners of these stores want to be in an area where there is high traffic. That's not usually the townships, so you're unlikely to see a retailer in the town (unless you have a commercial area in the town).

Steve M. Fenske | General Counsel
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