

CONDITIONAL USE PERMIT

A conditional use permit is hereby granted to Beltrami County – County Highway Dept. and County Natural Resource Management Dept., their heirs and assigns of the County of Beltrami, State of Minnesota, hereafter referred to as a permittee, for conditional use of the following described property in accordance with the following described conditions:

Section 7, Twp 147 Range 32

NW ¼ of SE ¼

This conditional use permit is granted so as to enable the permittee, their heirs and assigns to use the property for the following purposes:

Excavation of mineral material

The use of the above-described property pursuant to this permit shall be subject to the following conditions:

1. That all uses of the above described premises shall be in accordance with the applicable state and county statutes and ordinances and applicable provisions of the Turtle River Township Zoning.
2. That this conditional use permit shall be non-transferable for a period of 18 months from the date hereof unless provided otherwise below.
3. Hours and duration of Operation:

Pit Operation/Crushing limited to 7:00 am to 6:00 pm, Monday through Friday with no crushing on Saturdays or Sundays or legal holidays.

Pit Operation/Hauling allowed 7:00 am to 7:00 pm Monday through Friday with no hauling on Saturdays or Sundays or legal holidays.

Pit Operation/Portable Asphalt plant allowed 7:00 am to 6:00 pm Monday through Friday with no Saturday or Sunday or legal holidays.

4. Township and county roads will be kept in good repair.
5. Dust Control: Reasonable efforts to control dust must be implemented including watering and or calcium chloride, this also applies to township roads that trucks are used to transport

material used for county road projects.

6. Owner of pit agrees to work with law enforcement where applicable to prevent trespassing.
7. Reclamation: At no time will there be more than 15 acres being mined at one time. If at any time up to 5 acres has been completely mined, it must be reclaimed with no more than 3:1 slopes. Area reclaimed to be reforested with a minimum of 300 seedlings per acre. Topsoil will be salvaged for pit reclamation.
8. Beltrami County is prepared to provide a performance bond to ensure rehabilitation of the site in accordance with the plan in the amount of \$25,000.
9. A buffer zone of trees to be maintained within 25 feet of the property identified as the Hoffman property R48.00104.00.
10. No foreign materials other than asphalt and concrete which will be recycled into new pavements and aggregates will be deposited in the permitted area.

The following documents are incorporated by reference in this conditional use permit and are attached hereto:

The administrative authority of Turtle River Township may inspect the above described premises at all reasonable times for purposes of insuring compliance with the conditions of its conditional use permit. The permittee shall correct all defects in the above described premises which result in the failure of the above described premises to meet the above listed conditions within 30 days of receipt of notice from the administrative authority indicating the defect in the above premises which is causing the noncompliance.

A waiver by the administrative authority or the failure of the administrative authority to take action with respect to any violation of any condition, covenant, or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.

A violation of any of the above conditions shall constitute a violation of the Turtle River Township Zoning Ordinance and shall constitute grounds for revocation of this conditional use permit.

This conditional use permit shall be recorded with the County Recorder of Beltrami County.