

APPLICATION FOR INTERIM USE PERMIT

CITY OF VERGAS
111 Main Street
Vergas, Minnesota 56587
218-342-2091

APPLICATION FOR INTERIM USE PERMIT

Application is hereby made for an Interim Use Permit for (description of Interim Use Permit)_____

Continued use of the existing gravel pit for extraction, stock piling and portable hot mix plant

Address of Property: 560 Pelican Ave S, Vergas, MN 56587

Owner: Mark Sand & Gravel Co.

Address: 525 Kennedy Park Rd, Fergus Falls, MN 56537

Phone: 218-736-7523

Applicant: Mark Sand & Gravel Co.

Address: 525 Kennedy Park Rd, Fergus Falls, MN 56537

Phone: 218-736-7523

The following information is submitted in support of this application.

- ☒ 1) Completed application for Interim Use Permit.
- ☒ 2) Cash fee \$400.00
- ☒ 3) Legal description of the property. See affirmation of sufficient interest form.
- ☒ 4) Acknowledgement of Responsibility form completed. See attachment
- ☒ 5) Affirmation of Sufficient Interest form completed. See attachment
- ☒ 6) A narrative explaining the purpose of the request, the exact nature of the Interim use, and the justification for the request. See attachment
- ☒ 7) Copies of all MPCA permits. See attachments
- ☒ 8) Other See attachments as required by the Sand & Gravel ordinance

APPLICATION FOR INTERIM USE PERMIT

I fully understand that all of the above required information must be submitted at least **28** days prior to a Planning Commission meeting to ensure review by that date.

Jeff Hollowick
Applicant's Signature

04/18/2024
Date

Comments/Revisions. _____

Received by:

City Clerk's Signature

Date

APPLICATION FOR INTERIM USE PERMIT

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I **am responsible for complying with all City requirements** with regard to this request. This application should be processed in my name and **I am the party whom the City should contact** regarding any matter pertaining to this application.

I have read and understand the instructions supplies for processing this application. The documents and/or information I have submitted are true and **correct** to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

If this is an application for **underground tank installation**, I understand that I must notify the Fire Marshall immediately in writing upon any change in required resident agent information.

I further understand that additional information, such as a traffic analysis or expert testimony, may be required for analysis of this request, and that upon my authorization the fees for such will be my responsibility.

I agree to allow access by City authorized persons in, on, or to the property for purposes of review of this application and any necessary inspections.



Applicant's Signature

04/18/2024

Date

Name of Applicant: Mark Sand & Gravel Co.

Address: 525 Kennedy Park Rd., Fergus Falls, MN 56537

Phone: 218-736-7523

Name and Address of Additional Contract(s): Jeff Hatlewick, Vice President of Administration

PO Box 458, Fergus Falls, MN 56538

Phone: 218-766-6977

APPLICATION FOR INTERIM USE PERMIT

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of Applicant: Mark Sand & Gravel Co.

Phone: 218-736-7523

Street address/legal description of subject project: _____

560 Pelican Ave S, Vergas, MN 56587

N1/2 SE1/4 EX 5 AC TR IN NE COR & NELY 1/2 SE1/4 SW1/4 & NE1/4 SW1/4


Signature

04/18/2024
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

MINUTES OF MEETING OF DIRECTORS

The meeting of the Board of Directors of MARK SAND & GRAVEL CO. was held at the offices of Mark Sand & Gravel Co., Fergus Falls, MN on February 22, 2024 at 11:30 am.

Present were Mark Thorson, the sole director, Justin Rodeman Vice President and Jeffrey Hatlewick, Vice President/Secretary.

The director and officers, discussed the business of the corporation as it relates to the Bunkowski Pit Conditional Use Permit thereafter, upon motion duly made, seconded and carried, adopted the following resolutions:

RESOLVED, That Mark Thorson as sole director did direct the following:

Mark Sand & Gravel Co. continues to have interest in mining and material production for aggregate supply and bituminous asphalt production. The company shall again apply for a conditional use permit as required on an annual basis to continue this production.

There being no further business to come before the meeting, the meeting adjourned.



Secretary, Mark Sand & Gravel Co.

Application for Interim Use Permit

Date: April 18, 2024

Application Fee: \$400.00

1. Applicant's Name: Mark Sand & Gravel Co. Phone: 218-736-7523
525 Kennedy Park Road
Fergus Falls, MN 56537 Fax: 218-736-2647
2. Owner of premises on which Mining and Reclamation is to take place:
Mark Sand & Gravel Co. Phone: 218-736-7523
525 Kennedy Park Rd
Fergus Falls, MN 56537 Fax: 218-736-2647
3. Legal description or other description of land:
 - Bunkowski Pit
 - - **N1/2 SE1/4 Ex 5 AC TR in NE corner & NELY1/2 SE1/4 SW1/4 & NE1/4 SW1/4**

Appendix I

Plan of Operation

Purpose

To continue the extraction of non-metallic minerals from this existing non-conforming use mine that was established in the late 1960's during the installation of the sewer system in the City of Vergas. Mark Sand & Gravel Co., under current ownership, has actively leased, mined aggregate materials and operated portable hot mix plants at this location since 1998. The aggregates from this mine are used for various road construction projects throughout the region. This particular mine has an extremely large aggregate deposit with hundreds of thousands of tons of aggregate materials still remaining to be mined. The rate of mining will depend on the local road construction projects offered for bid letting and the number of those projects awarded to Mark Sand & Gravel Co. At the current rate of mining there may be up to 20 years or more of aggregate materials remaining in this deposit.

Plan of Operation

Mining will continue an existing pit face to the north and away from Otter Tail County Highway 35 in the existing pit until resources are exhausted. Approximate depth of material to be mined is 25 to 40 feet. All entrances and exits will occur off of Otter Tail County Highway 35 from the existing approach. All materials will be transported by trucks on Otter Tail County Highway 35, Otter Tail County Highway 4 and/or Otter Tail County Highway 17. Any material that is hauled by Mark Sand & Gravel Co. authorized trucks and is spilled on these roadways will be removed as soon as reasonably possible.

The open portion of this aggregate resource (currently 30 acres) has had the topsoil stripped and piled in berms at the edge of the excavation. This top soil will be spread over the areas that have been completely mined as they are reclaimed. If there is not sufficient top soil to cover the entire mined area to the desired depth it may be feasible to borrow topsoil from the eastern most lowland pasture area or import topsoil during the final reclamation process.

We will move in portable crushing/screening machines with several conveyors to stockpile the materials. These machines will be located in the area necessary to complete the mining of each phase. Stockpiles of aggregate materials will be located in each area of the mining phase. These stockpiles will be hauled to the end user as needed or used in the reclamation process. Our primary source of power will be a self-contained generator. Water during heavy rainfalls may be pooled in an approximate 1 acre area located at the lowest elevation. We will utilize front-end loaders, track excavators, skid steers, and dozers on this site to mine the land. Dump trucks and semi-trucks will be used to haul the equipment in as well as truck the finished product to the end-users. Dust control will be applied to ensure minimal disturbance for the neighbors near the pit.

Water resources are used for dust control as needed. In the past the water has been acquired through purchasing from the City of Vergas or by an approved Department of Natural Resources water appropriation permit for the pumping of water from nearby lakes. All of the water that is used for the mining operation, including dust control is allowed to pool and absorb into the soil at the lowest elevation of the pit. Dust control at the crusher is mainly attained by spraying water at the point of rock crushing. Dust

control for the gravel roads within the pit area is attained by spraying a mixture of calcium chloride and water onto the roadway. The pit entrance driveway has been paved to reduce the amount of fugitive dust created by vehicles entering and exiting.

The trees on this property are considered a valuable resource. It is our intention to avoid removing any trees if possible and especially those that are located near the property boundaries. Please see included maps for additional information on tree locations. The proposed direction of mining map impacts an extremely limited number of trees.

The on-site buildings will remain intact and are currently used for storage of personal belongings as related to the farming operation of Tom Bunkowski. Terry Bunkowski has agreed to rent the farmhouse. The hobby farm has great potential value and will remain as it is now and into the future as a rental property. Adjacent properties consist of seasonal storage garages, residential homes, vacant lots and agricultural land.

Mining Plan – Currently there are just under 30 acres that have been mined or have been stripped to prepare for mining or stockpiling. Once the areas are completely mined the sloping and backfilling will begin to a rough grade as the mining continues near that area. It is important that this sloped area be brought to finish grade before spreading the topsoil. The sloped area will need to be leveled again to fix any possible area of erosion before the land is seeded into grassland.

Hot Mix Asphalt Plant – This existing site includes approximately 7 acres of level ground at the pit bottom. Included in this 7-acre area will be at least two stockpiles of aggregate materials. The hot mix plant is portable and temporary. It will be placed only as long as is needed to complete the local road construction projects and removed promptly when completed. The existing paved approach will be the entrance and exit to the hot mix asphalt production area. Semi-trucks will be utilized to haul the equipment into the pit area and to truck the finished product to the construction sites.

Reclamation

Sloping of the boundaries of the mined area will occur at a ratio of four to one as the mining progresses. Reclamation of the mined site will continue to occur during the mining process. Sloped areas that have been rough graded after the completion of mining in that area are considered to be partially reclaimed. At the completion of a mining in each area the topsoil will be spread at the depth of the surrounding area or a minimum of 3 inches and it will be seeded with a MNDOT approved natural grass mixture. This mix is a general dry prairie mix for native roadsides, ecological restoration, or conservation program plantings. Our goal will be to leave the land mostly level with gently rolling hills and sloped borders near the mine boundaries. Any on-site water will be minimized into a temporary pond. 250 trees will be maintained and/or replaced as needed along the County Highway 35 property border for privacy and security until future development occurs.

Hot Mix Asphalt Plant – A seven-acre level stockpile area may be utilized throughout the permit period. The Hot Mix Asphalt Plant will be set in the pit bottom as the mining continues to the north. The plant site will follow the mining to the north to allow for future sloping along the south border of the pit.

Appendix II

151.72 PERMIT APPLICATION REQUIREMENTS.

An application for a permit required by this article shall contain the following:

- A. The legal description of the lands from which it is proposed to excavate, remove, process, store or handle minerals. **See affirmation of sufficient interest form.**
- B. The name and address of the applicant and the name and address of the owner of the land. **See application for interim use permit**
- C. Names and addresses of all adjacent landowners within one-half mile radius.
See attached list of property owners.
- D. Copies of any agreements pertaining to the operation including the duration of any lease, if applicable. **Not applicable**
- E. The purpose of the removal. **See attachment Appendix I**
- F. The estimated time required to complete removal. **See attachment Appendix I**
- G. The highways, streets or other public ways within the city upon and along which the material removed shall be transported. **See attachment Appendix I**
- H. The plan of operation, including, but not limited to:
 - 1. Soil processing (any operation other than direct mining and removal),
 - 2. Nature of the processing and equipment, **See attachment Appendix I**
 - 3. The area to be included in the operation, **See attached maps**
 - 4. Depth of topsoil and soil type, **See attached Soils Map and legend**
 - 5. The depth and grade of excavation, **See attachment Appendix I**
 - 6. The estimated quantity of material to be added to or removed from the premises, **See attachment Appendix I**
 - 7. Location of the plant, **all plants are portable, See attached map**
 - 8. Location of stock piles, **See attached maps**
 - 9. Source of water, disposal of water and reuse of water. In the event that water is used in the operation of a pit, approval from the state department of natural resources and other appropriate state or federal agencies shall be obtained as to the type, location and depth of such well and contained with such application. **See attachment Appendix I**
 - 10. The number and location of trees prior to excavation, **See attachment Appendix I and several maps**
 - 11. Adjacent and on-site buildings and land uses **See attachment Appendix I**

12. Map or plat of the proposed pit or excavation showing the confines or limits thereof, together with the proposed finished elevations based on sea level readings. See attached maps
 13. Elevations and percent slope within 100 feet beyond the perimeter of the excavation and other such information necessary to analyze the site shall be provided by the applicant. United States Geological Survey datum shall be used for all topographic mapping where feasible. See attached maps
 14. Phasing plan which provides no more than ten (10) acres of the site to be open to active mining at any one time. Before any additional land may be mined, the applicant must reclaim the site to the condition that is indicated on the approved reclamation plan. See attached maps
- I. The operation plan must also identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion and rising dust out of any sand or gravel pit. **See attachment Appendix I**
 - J. A reclamation plan including, but not limited to:
 1. Final grade of the property; **See attachment Appendix I**
 2. Depth of topsoil reclaimed; **See attachment Appendix I**
 3. Type of vegetation replanted; **See attachment Appendix I**
 4. Number of trees to be replanted, replacing the trees removed during excavation. **See attachment Appendix I and attached maps**

151.73 Bond

A. A cost bond of \$10,000.00 as determined by the city council will be placed in escrow once this permit application is approved.

B. A performance bond of \$100,000.00 will be provided for upon approval of this permit. This property is owned by Mark Sand & Gravel Co. and will be maintained at a high level during the future of this operation. We want this property to maintain the high value that it has for future sales and development once the area has been completely mined.

151.74 Agreement to hold city harmless

Mark Sand & Gravel Co. will provide the city with a certificate of current insurance upon approval of this permit which will name the city as an additional insured. We will hold the city harmless as required.

151.75.002 Inspection and Review Permit Fee

Upon approval of this permit application Mark Sand & Gravel Co. agrees to provide the City of Vergas with the established inspection and review permit fee. This fee is to be held in escrow account and used strictly for the engineering fees that are required due to the ordinance. An accounting for all expenses charged to the escrow account will be provided to the applicant annually by February 15th of each year.

151.76 Inspections

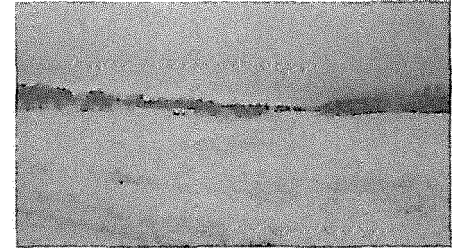
Mark Sand & Gravel Co. wishes to be notified of each inspection by the city engineer so that we may accompany him on site during the inspection.

151.77.03 Screening

Mark Sand & Gravel Co. will continue to maintain and or upgrade the trees as necessary during the 2024 season.



Parcel Number: 82-000-50-0022-000
Deed Holder: MARK SAND & GRAVEL COMPANY
Property Address: 560 PELICAN AVE S
 VERGAS, MN 56587-0000 [MAP THIS ADDRESS](#)
Mailing Address: PO BOX 458
 FERGUS FALLS, MN 56538-0458 USA
PDF Name: VERGAS-VILLAGE
Subdivision: N/A
Sec-Twp-Rng: 25-137-041
Legal Description: N1/2 SE1/4 EX 5 AC TR IN NE COR & NELY 1/2 SE1/4 SW1/4 & NE1/4 SW1/4 EX TRS



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024	\$423,700	\$237,400	\$35,100	\$696,200
2023	\$384,600	\$205,100	\$35,100	\$624,800
2022	\$312,100	\$150,300	\$35,100	\$497,500

Land Information

Lot Type	Square Feet	Acres
Acres x Rate	43,560	1.000
Acres x Rate	130,680	3.000
Total	174,240	4.000

Agricultural Land Information

Description	Acres
000318 - TILL-CE NONPROD	58.000
001200 - HIGH PAST NON PROD	5.660
001000 - HIGH WOODS NON-PROD	30.000
001300 - WASTELAND	5.000
001203 - GRAVEL	20.000
003000 - ROAD - 2A	3.680
001200 - HIGH PAST NON PROD	6.000

Residential Building Information

Occupancy	Style	Year Built
Single-Family / Owner Occupied	1 Story Frame	1919

Agricultural Building Information

Building Type	Building Count	Year Built
Barn - Pole	1	1969
Barn - Pole	1	1962
Machine or Utility Building	1	1963
Barn - Pole	1	1974
Steel Utility Building	1	1969
Barn - Pole	1	1984
Barn - Dairy	1	1925
Barn - Dairy	1	1967
Barn - Dairy	1	1983
Silo - Concrete	1	1969
Silo - Concrete	1	1971



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us

June 9, 2009

Mr. Jeff Hatlewick
Director of Safety and Compliance
525 Kennedy Park Road
Fergus Falls, MN 56537

RE: Air Emission Permit No. 11100082-001 and Voiding Air Emission Registration Permit
Nos. 99000305-001, 99000234-002, 99000264-001, 99000263-001, and 99000306-001

Dear Mr. Hatlewick:

The enclosed permit, Air Emission Permit No. 11100082-001, authorizes operation of your nonmetallic mineral processing facilities.

Please read through the permit and review its conditions and requirements. Distribute the permit to staff members responsible for ensuring compliance with the conditions and limitations in the permit.

Minn. R. 7007.1110, subp. 2b requires facilities that hold a registration permit and are eligible for a nonmetallic mineral processing general permit to apply for the general permit. This letter also serves as your notice that the MPCA has voided, effective the date of this letter, the following Air Emission Permits in accordance with Minn. R. 7007.1110, subp. 17 (see below):

<u>Permit No.</u>	<u>Name of Facility</u>	<u>Date Permit Issued</u>
99000305-001	Mark Sand & Gravel Acquisition – Plant 2	April 25, 2002
99000234-002	Mark Sand & Gravel Acquisition – Plant 3	January 17, 2003
99000264-001	Mark Sand & Gravel Acquisition – Plant 4	August 8, 1997
99000263-001	Mark Sand & Gravel Acquisition – Plant 5	August 8, 1997
99000306-001	Mark Sand & Gravel Acquisition – Plant 6	April 25, 2002

Minn. R. 7007.1110

Subp. 17. Voiding an existing permit. The commissioner shall void a part 70, capped, or state permit for a stationary source which is issued a registration permit. A stationary source which is covered under the terms of a general permit is no longer covered by the general permit when it is issued a registration permit. The commissioner shall void a registration permit issued under one registration permit option for a stationary source that is issued a registration permit for a different registration permit option. The commissioner shall void a registration permit for a stationary source that is issued a part 70, state, capped, or general permit.

The reason to void the registration permits is the issuance of Air Emission Permit No. 11100082-001.



AIR EMISSION PERMIT NO. 99000150 - 002

'OPTION D' REGISTRATION PERMIT

FOR A

HOT MIX ASPHALT FACILITY

According to Minnesota Statutes Chapter 115 and 116, Minnesota Rules Chapters 7001 and 7007, and 40 CFR part 52, subp. Y:

Mark Sand & Gravel Acquisition Co
PO Box 458
Fergus Falls, MN 565380458

(hereinafter Permittee) is issued an Air Emission Registration Permit by the Minnesota Pollution Control Agency for its Mark Sand & Gravel Acquisition - Plant 9 facility located at various locations throughout the state of Minnesota.

The permit authorizes modification, construction, reconstruction, and operation of the stationary source under the conditions set forth below.

Issue Date: 09/26/2002

Expiration: Pursuant to Minn. Rules pt. 7007.1050, subp. 3a, the permit shall be considered not to expire until a new permit is issued.

Compliance Requirements: The Permittee shall comply with Minn. Rules pts. 7007.1110 (Registration Permit General Requirements) and 7007.1130 (Option D Requirements) and all applicable requirements.

A handwritten signature in black ink, appearing to read "Karen A. Studders", is written over a horizontal line.

for Karen A. Studders
Commissioner
Minnesota Pollution Control Agency



National Pollutant Discharge Elimination System/State Disposal System
MNG490000

Permittee: Multiple
Facility name: Nonmetallic Mining/Associated Activities General Permit
Issuance date: June 10, 2022
Expiration date: May 31, 2027

The Permittee is an owner or operator of facilities within the boundary of the state of Minnesota that:

- a. Discharge stormwater to waters of the state, including groundwater, from the construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, crushed and broken stone (not elsewhere classified) mining and quarrying areas, asphalt production areas, (including portable asphalt plants), concrete block and brick, concrete products (other than block and brick), and ready-mix concrete, as well as aggregate dredging operations and uncontaminated asphalt and concrete rubble recycling at sites already listed.
- b. Discharge mine site dewatering to waters of the state, including groundwater, from construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, and crushed and broken stone (not elsewhere classified) mining and quarrying areas.
- c. Non-stormwater discharges that meet the requirements of this permit and occur at the above-mentioned facilities.

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to construct, install and operate a disposal system at the facilities named above and to discharge to a receiving water of the state of Minnesota in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: *Elise M. Doucette*

This document has been electronically signed.

Elise M. Doucette, Supervisor
Water Section
Industrial Division

for the Minnesota Pollution Control Agency

Submit eDMRs

Submit via the MPCA e-Services at

https://rsp.pca.state.mn.us/TEMPO_RSP/Orchestrate.do?initiate=true

Submit WQ reports to:

Electronically: wq.submittals.mPCA@state.mn.us

Include *Water quality submittals form*:

<https://www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx>

Questions on this permit?

For eDMR and other permit reporting issues, use the directory listed at the bottom of the DMR page:

<https://www.pca.state.mn.us/water/discharge-monitoring-reports>

For specific permit requirements, contact your compliance staff:

<https://www.pca.state.mn.us/water/wastewater-compliance->

LICENSE AND PERMIT BOND

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Mark Sand & Gravel Co., PO Box 458, Fergus Falls, MN 56538 as Principal, and Liberty Mutual Insurance Company, a Massachusetts Corporation, as Surety, are held and firmly bound unto City of Vergas, PO Box 32, 111 Main St., Vergas, MN 56587 in the sum of One Hundred Thousand and 00/100 DOLLARS (\$100,000.00) for the payment of which sum, well and truly to be made, we bind ourselves, our personal representatives, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION of this bond is such that the Principal has applied for an Interim Use Permit for Reclamation of Aggregate Mining at 560 Pelican Ave S, Vergas, MN 56587, Vergas, Minnesota; Plat or Addition 82000500022000 in accordance with the requirements of ordinances of said Obligee, and has agreed to hold said Obligee harmless from suffering and loss or damage occasioned by said Principal's failing to comply with any provisions of any ordinances applicable to the work performed by said Principal.

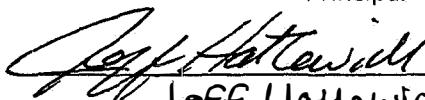
NOW, THEREFORE, if the Principal shall, during the period commencing on the aforesaid date, faithfully perform all the duties according to the requirement of the Ordinances regulating said license, and protect said Obligee from and damage as hereinbefore stated, then this obligation shall become void and of no effect, otherwise to be and remain in full force and virtue.

This bond may be terminated as to future acts of the Principal upon thirty (30) days written notice by the Surety. Otherwise, this bond expires at midnight May 19, 2024. All claims must be made before the expiration date.

Dated this 16th day of March, 2023.

Mark Sand & Gravel Co.

Principal


Jeff Hattewick, VP

Liberty Mutual Insurance Company

Surety


Attorney-in-Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: **8207173 - 190054**

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brian J. Oestreich; C. White; Emily White; Joshua R. Loftis; Lin Ulven; Melinda C. Blodgett; Nathan Weaver; Nicole Stillings; R. C. Bowman; R. W. Frank; Rachel Thomas; Ross S. Squires; Sandra M. Engstrom; Ted Jorgensen; Tina L. Domask

all of the city of Minneapolis state of MN each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 24th day of January, 2022.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By:

David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 24th day of January, 2022 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1128244
Member, Pennsylvania Association of Notaries

By:

Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of March, 2023.



By:

Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

CORPORATE ACKNOWLEDGMENT

State of Minnesota)
) ss
County of Otter Tail)

On this 16 day of March, before me appeared Jeff Hattewick
to me personally known, who, being by me duly sworn, did say that he/she is the Vice President
of Mark Sand & Gravel Co., a corporation, that the seal affixed to the
foregoing instrument is the corporate seal of said corporation, and that said instrument was executed in
behalf of said corporation by authority of its Board of Directors, and that said Jeff Hattewick
acknowledged said instrument to be the free act and deed of said corporation.

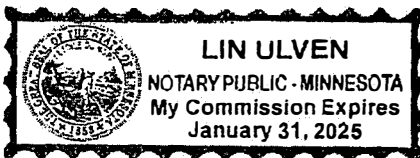


Susan Rund
Notary Public Grant County, MN
My commission expires 1-31-2026

SURETY ACKNOWLEDGMENT

State of Minnesota)
) ss
County of Hennepin)

On this 16th day of March 2023, before me appeared Joshua R. Loftis,
to me personally know, who being by me duly sworn, did say that (s)he is the Attorney-in-Fact of
Liberty Mutual Insurance Company, a corporation, that the seal
affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was
executed in behalf of said corporation by authority of its Board of Directors; and that said
Joshua R. Loftis acknowledged said instrument to be the free act and deed of said corporation.

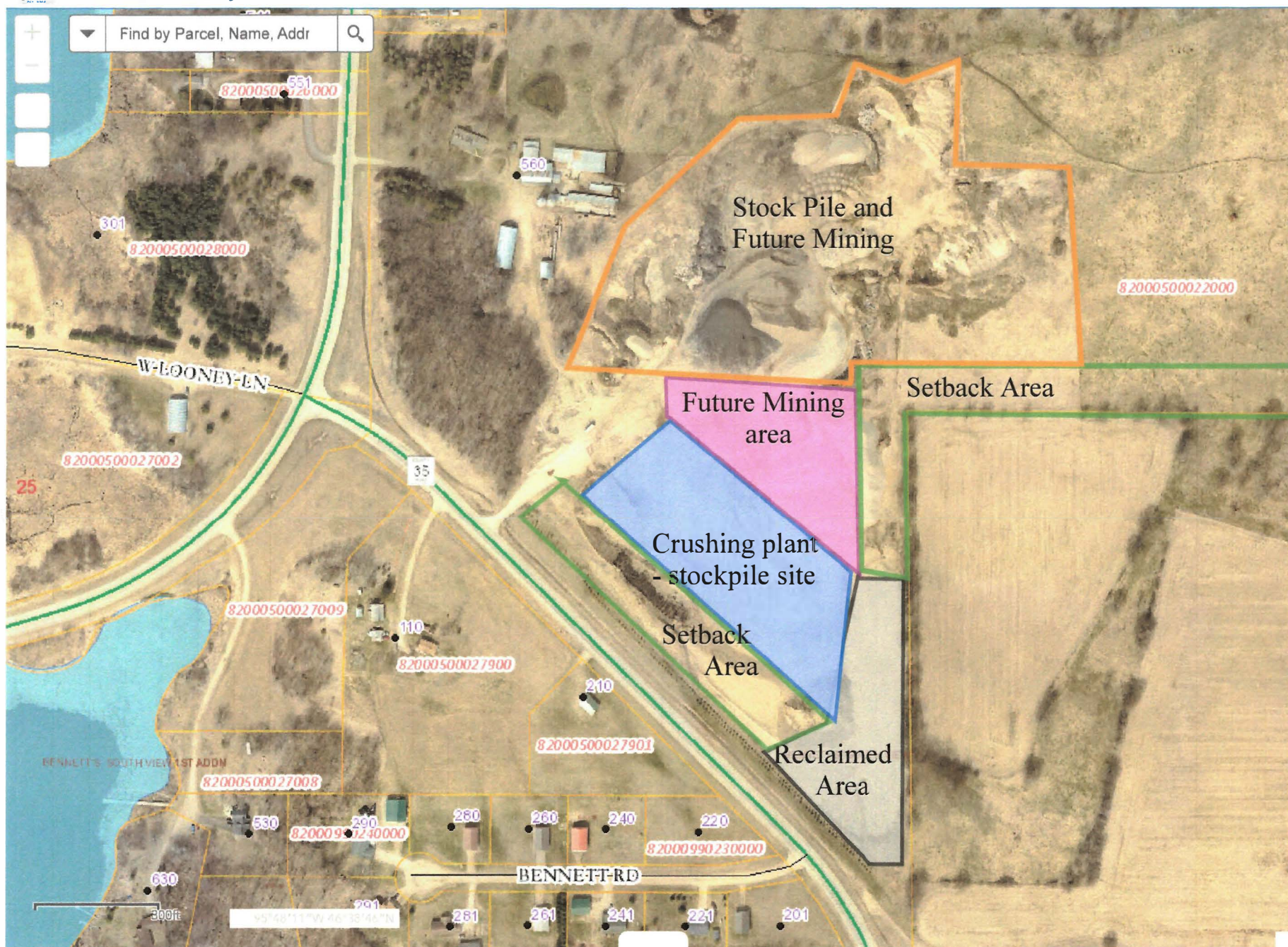


[Signature]
Notary Public Ramsay County, MN
My commission expires 1/31/2025



Otter Tail County

Bunkowski Pit 2024 Mining Plan



Bunkowski Wetlands map 2024



Soil Map—Otter Tail County, Minnesota
(Bunkowski Pit Vergas MN)



Natural Resources
Conservation Service


Web Soil Survey
National Cooperative Soil Survey

2/19/2021
Page 1 of 3

Soil Map—Otter Tail County, Minnesota
(Bunkowski Pit Vergas MN)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features

Streams and Canals

Transportation



Rails



Interstate Highways



US Routes

Major Roads

Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Otter Tail County, Minnesota

Survey Area Data: Version 16, Jun 10, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 25, 2014—Oct 23, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
441B	Almora loam, 2 to 6 percent slopes	4.9	13.8%
1196B	Lida-Two Inlets complex, 1 to 8 percent slopes	26.8	76.2%
1196C	Lida-Two Inlets complex, 8 to 15 percent slopes	3.5	10.0%
Totals for Area of Interest		35.2	100.0%

Bunkowski Topographical Map 2024

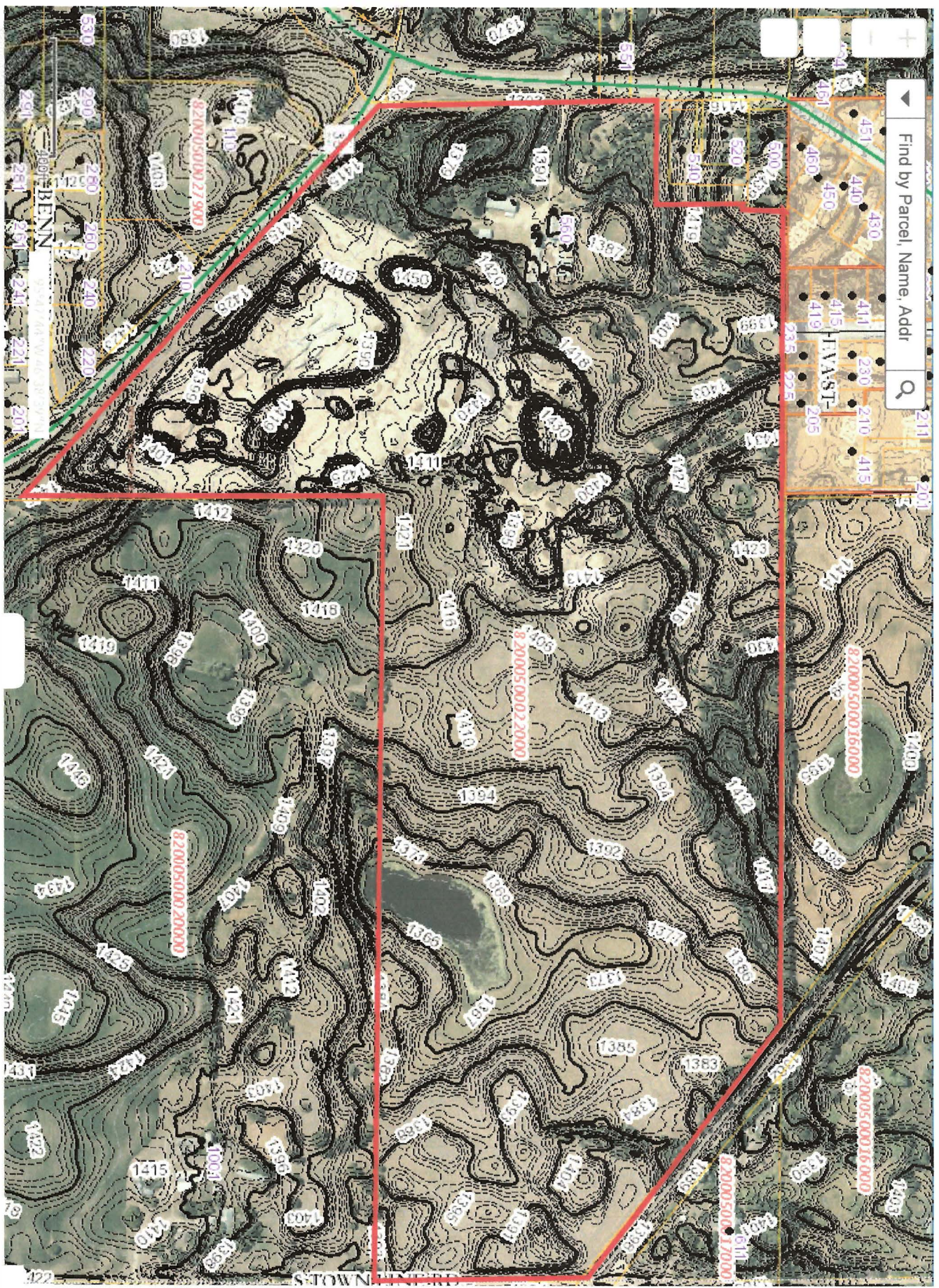


Otter Tail County

Visit the County Website

Give Feedback

Report an Error



Property Owners within 1/2 mile of the Bunkowski Pit - Vergas, MN

Name	Mailing address	MADDR2	City	State	Zip code	ZIP4
AMANDA GRONHOVD & T TUMBERG	220 9TH AVE S		SOUTH SAINT PAUL	MN	55075	2212
AMBER DAHLGREN & ADAM BRISTLIN		PO BOX 67	VERGAS	MN	56587	67
ANDERSON,DENNIS D & JANICE A		PO BOX 171	VERGAS	MN	56587	171
ANDERSON,MARK & MARY	11000 XYLON LN N		CHAMPLIN	MN	55316	3713
ANDREW PETERSON REV TST	80343 ERICSON SCOTIA AVE		SCOTIA	NE	68875	5126
AUSTAN SCHMIDT & ZOE M SCHWAB	815 SCHARF AVE E		VERGAS	MN	56587	4209
BAUMGART,MICHAEL J	520 PELICAN AVE S		VERGAS	MN	56587	4109
BELLEFEUILLE,DARCY L & BONNIE	221 BENNETT RD		VERGAS	MN	56587	4121
BENNETT,DONALD	32257 COUNTY HIGHWAY 4		VERGAS	MN	56587	9400
BERVEN,DWIGHT & STACY A	450 PELICAN AVE S		VERGAS	MN	56587	4107
BJ'S REAL ESTATE INC	3200 11TH ST S UNIT 113		FARGO	ND	58104	4609
BLIXT,SANDRA K	225 CHAFFEE AVE		AMENIA	ND	58004	4018
BOBBIE SCHRUPP JORGENSEN ET AL	380 PELICAN AVE S		VERGAS	MN	56587	4105
BOOGAARD,JAMES C & HANNAH	160 ELM ST E	PO BOX 6	VERGAS	MN	56587	
BOSCH,KELLY & MICKIE	822 246TH ST S		HAWLEY	MN	56549	9601
BOWLES,LAURA M & BEAR R	2801 23RD ST S		FARGO	ND	58103	5805
BOYD,ANTHONY E	601 4TH ST W		PARK RAPIDS	MN	56470	1333
BREMER,DENNIS C & CYNTHIA A	1030 TONKAWA RD		LONG LAKE	MN	55356	9238
BROWN,SHARI & CHRISTOPHER	1130 TOWN LINE RD S		VERGAS	MN	56587	
BRUHN,PAUL E & CARMEN I	955 GABRIEL CIR		DETROIT LAKES	MN	56501	4835
BUEIDE,DANIEL A & MICHELLE M	3214 45TH AVE S		FARGO	ND	58104	6650
BUERMANN,KODY M	381 PELICAN AVE S		VERGAS	MN	56587	4106
BUGBEE FAMILY REV LIV TST	46917 BIG OWL TRL		VERGAS	MN	56587	9570
BUNKOWSKE,ANDREW & JACQUELINE	44571 MOSQUITO HEIGHTS RD		PERHAM	MN	56573	8807
BUNKOWSKE,KEITH M & SHELLEY R	202 TOWN LINE RD S		VERGAS	MN	56587	4223
BURG,RONALD J	46851 BIG OWL LOOP		VERGAS	MN	56587	9500
BURLINGTON NORTHERN RR CO		PO BOX 961089	FORT WORTH	TX	76161	89
CALVIN MILLER & D FRATTERELLI	311 SCHARF AVE E		VERGAS	MN	56587	4202
CATTAIL COVEY LLP		PO BOX 335	FARGO	ND	58107	335
CHRISTOPHER G EIDEN ET AL	281 BENNETT RD		VERGAS	MN	56587	4121
CITY OF VERGAS		PO BOX 32	VERGAS	MN	56587	32
CITY OF VERGAS HRA		PO BOX 32	VERGAS	MN	56587	32

GOEDDERTZ,DAVID E & MARY A	46956 BIG OWL TRL		VERGAS	MN	56587	9570
GOLKOWSKI,LARRY F	12288 353RD AVE		FRAZEE	MN	56544	8507
GROSSMAN,SETH & JORDAN A	220 HILL ST W		VERGAS	MN	56587	4116
GW LARSON COMPANIES LLC	1209 KENNETH ST		DETROIT LAKES	MN	56501	4306
HAAG,DANIEL P & PATTI J	46965 BIG OWL LP		VERGAS	MN	56587	9500
HAARSTICK,DEAN W		PO BOX 160	VERGAS	MN	56587	160
HAGLUND,ERWIN THORAS & BRIAN	351 PELICAN AVE S		VERGAS	MN	56587	4106
HALVERSON,JOHN D & SUE K	401 6TH AVE N APT 117		FARGO	ND	58102	4501
HANSON,JEFFREY R & TERRIE L	451 PELICAN AVE S		VERGAS	MN	56587	4108
HANSON,JEFFRY R & ROBIN D		PO BOX 301	PERHAM	MN	56573	301
HANSON,JOHN E & MARY L	19532 232ND ST		AUDUBON	MN	56511	9511
HANSON,MATTHEW C	45750 310TH AVE		VERGAS	MN	56587	9101
HANSON,ROBIN D & JEFFRY R	646 3RD AVE SE		PERHAM	MN	56573	1744
HARILUK,LOGAN L	281 HILL ST W		VERGAS	MN	56587	4117
HASSE,REBECCA & SHANE	231 HILL ST W		VERGAS	MN	56587	4117
HEEMSTRA,DELBERT G	15872 RIDGEVIEW LN E		DETROIT LAKES	MN	56501	7152
HILL,KAREN LEE	3514 HUNTERS DEW		SAN ANTONIO	TX	78230	2860
HILLSTROM,CHARLES W & KATHRYN	32267 COUNTY HIGHWAY 4	PO BOX 88	VERGAS	MN	56587	9400
HOARD,DANIEL	390 PELICAN AVE S		VERGAS	MN	56587	4105
HODNEFIELD,PATRICK E	441 PELICAN AVE S		VERGAS	MN	56587	4108
HOFFMAN,JILL		PO BOX 7	VERGAS	MN	56587	7
HOFFMANN,CARL W & CONNIE L	106 ELM ST E		VERGAS	MN	56587	4017
HOFFMANN,JAMES & MELAINE JOYCE	440 PELICAN AVE S		VERGAS	MN	56587	4107
HOWE,JEREMIAH	370 PELICAN AVE S	PO BOX 191	VERGAS	MN	56587	4105
HUCK,JASON A & BERET E	5509 15TH ST S		FARGO	ND	58104	6395
HUDDLESTON HARDWARE INC		PO BOX 204	VERGAS	MN	56587	204
HUDDLESTON,BRADLEY & MALLORY	34226 SYBIL LAKE RD		VERGAS	MN	56587	9550
INGBERG,JULIE		PO BOX 101	VERGAS	MN	56587	101
JACOBY,ROBERT & DEBRA	1030 SCHARF AVE E		VERGAS	MN	56587	4214
JACQUELINE BUERMANN & J AXTON	220 HILL ST W		VERGAS	MN	56587	4116
JAMES A BONHAM REV TST	1306 BAY VIEW DR		DEVILS LAKE	ND	58301	8628
JEANETTE C BRUHN TST		PO BOX 116	VERGAS	MN	56587	116
JEANETTE CARRELL ET AL	3187 PARK OVERLOOK DR		SHOREVIEW	MN	55126	4113
JEFFREY DOSTAL ET AL	5070 PROSPERITY WAY S		FARGO	ND	58104	7567

MANEVAL,MICHAEL F		PO BOX 37	VERGAS	MN	56587	37
MANEVAL,ROBIN & BARBARA		PO BOX 93	VERGAS	MN	56587	93
MARIE E SCHULTZ REV TST	640 TOWN LINE RD S		VERGAS	MN	56587	4225
MARK SAND & GRAVEL COMPANY		PO BOX 458	FERGUS FALLS	MN	56538	458
MCCORQUODALE,KATIE M		PO BOX 50	VERGAS	MN	56587	50
MELBYE,TYLER J & KATELYNN E	225 MAIN ST W		VERGAS	MN	56587	
MENZ,LOREN K & DIANE K		PO BOX 17	VERGAS	MN	56587	17
METHODIST CHURCH OF VERGAS		PO BOX 243	VERGAS	MN	56587	243
METZGER,GLENN M & PAT A	46859 BIG OWL TRL		VERGAS	MN	56587	9509
MITCHELL B & B J GOLDSTEIN TST	1000 SCHARF AVE E		VERGAS	MN	56587	4214
MITCHELL,GERALD S & AUDREY D		PO BOX 294	FRAZEE	MN	56544	294
MOE,CLIFFORD D		PO BOX 242	VERGAS	MN	56587	242
MOE,JANE ESTHER		PO BOX 44	VERGAS	MN	56587	44
MOLTZAN,RICKY A & MELISSA A		PO BOX 148	VERGAS	MN	56587	148
NATALIES SERENDIPITY LLC		PO BOX 85	VERGAS	MN	56587	85
NEIL J & D STRAWHORN REV TSTS		PO BOX 173	VERGAS	MN	56587	173
NELSON,AMBER & RYAN	610 KROSHUS DR		DILWORTH	MN	56529	1638
NELSON,RICHARD A & MARGARET J	2551 66TH AVE S		FARGO	ND	58102	7960
NERESON,BRUCE A & JANICE K	4132 ARTHUR DR		FARGO	ND	58104	4574
NESEMEIER,AMY		PO BOX 10723	FARGO	ND	58103	723
NIEMANN,KEVIN LEE	1232 LINCOLN AVE		DETROIT LAKES	MN	56501	4015
NUSTAD,RACHEL K	151 LINDEN ST E		VERGAS	MN	56587	4013
OHMAN,ALEXANDER G & ALYSSA J	208 MAIN ST W		VERGAS	MN	56587	
OLDS,NOAH J	14680 LAKE SALLIE DR W		DETROIT LAKES	MN	56501	7114
OLSON OIL CO INC	1425 LINCOLN AVE W		FERGUS FALLS	MN	56537	1005
OSBORN,LAURA	110 ELM ST		VERGAS	MN	56587	4016
OTTER TAIL CO HRA	500 FIR AVE W		FERGUS FALLS	MN	56537	
PALMER,ELAINE E	1025 SCHARF AVE E		VERGAS	MN	56587	4230
PATRICK T SKELLY ET AL	4279 HAWKSURRY CIR		EAGAN	MN	55123	3062
PEIL,TIMOTHY S & KATHRYN A	46949 BIG OWL TRL	PO BOX 252	VERGAS	MN	56587	252
PENNEY,JOYCE A		PO BOX 161	VERGAS	MN	56587	161
PERHAM COOP CREAMERY ASSOC		PO BOX 247	PERHAM	MN	56573	247
PERRY,BRYAN & VANESSA	49186 COUNTY HIGHWAY 31		VERGAS	MN	56587	9421
PETERSON,RICHARD L & MICHELE J	1827 26TH AVE NW		NEW BRIGHTON	MN	55112	1744

STONE,SUSAN R	551 PELICAN AVE S		VERGAS	MN	56587	4110
STRAND,KERRY & MICHELLE	100 TOWNLINE RD S		VERGAS	MN	56587	4218
STRAND,PATRICIA A		PO BOX 71	VERGAS	MN	56587	71
STROM,TIMOTHY W & CHERYL L		PO BOX 208	VERGAS	MN	56587	208
SUMMERS HOLDINGS LLC	300 OLD DETROIT RD		VERGAS	MN	56587	4032
TANGEN,BRIAN A & BRENDA K	604 2ND ST SW		FRAZEE	MN	56544	4318
TEGTMEIER,AUSTIN C		PO BOX 171	VERGAS	MN	56587	171
THEISEN,KYLE	275 RAILWAY AVE S		VERGAS	MN	56587	4006
THOMAS J & PATRICIA HENG TST	46821 BIG OWL LOOP		VERGAS	MN	56587	9500
THOMAS,HELEN M	819 SCHARF AVE E		VERGAS	MN	56587	
TINA EISCHENS & CAROLYN HARRIS	221 HILL ST W		VERGAS	MN	56587	4117
TJADEN,LORI K	33178 SYBLING HILLS RD		VERGAS	MN	56587	9506
TUTTLE,ROBERT J & JEANINE	39878 298TH ST		ROSEAU	MN	56751	8327
UEKE,DONALD R & RHONDA D	371 PELICAN AVE S		VERGAS	MN	56587	4106
VANESSA PERRY & JORDAN SLEEN	49186 COUNTY HIGHWAY 31		VERGAS	MN	56587	9421
VAUN R BRUHN REV TST ET AL	45531 385TH AVE		FRAZEE	MN	56544	8928
VERGAS STATE BANK		PO BOX 67	VERGAS	MN	56587	67
WACKER,THOMAS J C & SARAH N	35224 FREEDOM FLYER RD		VERGAS	MN	56587	9559
WALLACE FAMILY LIVING TST	1040 PASTURE CANYON DR E		SAN TAN VALLEY	AZ	85143	5846
WALLACE,LEIGHTON & BRYCE	530 PELICAN AVE S		VERGAS	MN	56587	
WATSON,DARREN & MICHELLE	813 UNIVERSITY DR N		FARGO	ND	58102	3544
WELDON,BENJAMIN J & NICOLE		PO BOX 215	VERGAS	MN	56587	215
WIEBEN,TIMOTHY E & MARY A	2627 ITHICA DR		BISMARCK	ND	58503	945
WILLIAM ESSER TST	810 WOODCREEK RANCH RD		WIMBERLEY	TX	78676	5524
WOODS,CORY D & CASSANDRA	304 PELICAN AVE S		VERGAS	MN	56587	4105
WOUTERS,KATHLEEN	180 3RD AVE S	PO BOX 124	VERGAS	MN	56587	124
YGGDRASIL LLC	219 FRAZEE AVE E		VERGAS	MN	56587	
ZITZOW,BYRON P & CONNIE S	46828 BIG OWL LOOP		VERGAS	MN	56587	9500
ZITZOW,KEVIN R	240 HILL ST W	PO BOX 73	VERGAS	MN	56587	4116