

May Township rescinds disputed ordinance on garden plots

By Mary Divine mdivine@pioneerpress.com TwinCities.com-Pioneer Press

Posted:

TwinCities.com

After eight years of growing vegetables in the metro area, Chong Ge Mua said he has learned that the best land for farming is in May Township, north of Stillwater.

Mua, of Brooklyn Park, came to the May Town Hall on Thursday night, Sept. 6, to ask township officials to let him and other Hmong farmers continue to work their rented farmland.

The town board agreed and voted 3-0 to rescind a controversial township ordinance regulating the use of agricultural garden plots.

"The fact that the ordinance that we drafted works for some, but not the biggest (farming operation), is not workable," said Town Board Chairman Bill Voedisch. "I am very positive we can go forward. I'm pleased you're here."

The ordinance had called for property owners to apply for a permit for plots larger than 5 acres, prohibited activity from a half hour after sunset until 7 a.m., required on-site toilets and stipulated buildings must be constructed according to code and removed during winter.

Susan Stokes, executive director of the Farmers' Legal Action Group, or FLAG, a St. Paul-based nonprofit legal service for family farmers, told the town board that the ordinance impeded Hmong-American farmers' ability to earn a living.

"Seven o'clock is actually late for a farmer to get started," Stokes said. "This is a labor-intensive process, and it's really difficult to be farming in the middle of a hot day. This summer we had a record heat, and the farmers need to get out there early or later in the day for their own health and safety."

The township's requirement to obtain an interim-use permit -- at a cost of \$1,200 -- was not possible to fulfill, she said.

"The financial burden is just too great," she said. "The farmers are mostly refugees or immigrants ... and they don't have \$1,200 for an application permit."

Agriculture is an allowed use in the township, Stokes said, so there "really is no basis for treating vegetable farmers any different from corn farmers or soybean farmers. I don't know why a permit would be required to raise vegetables when it's not required to raise corn or soybeans."

Township attorney Dave Snyder said the owner of the land principally in question, David Johnson, said he did not get proper notice of the ordinance when it was mailed to him earlier this year. As a result, Johnson's tenants did not know about the proposed ordinance, and it was passed without their input, Snyder said.

Township officials now plan to tour the garden plots and work with the farmers on a possible new ordinance regulating their operations.

"My vegetables are good," Mua said, speaking through interpreter Hli Xyooj of the Farmers' Legal Action Group. "They're nutritious, and they taste better."

Mua told the town board that he and other farmers made a promise to one another to "take really good care of the land" if the ordinance were repealed. "No trash. We're going to have a good relationship with the community because the land is very good."

Voedisch, who agreed to work as the liaison with the farmers, said he was confident that the town board "can engage and learn what you're doing."

"We would love to come for a tour and see your operation -- not just drive by," Voedisch said.

Farmer Neng Lor of St. Paul said he hoped that township residents would also come to the farm "and learn from us, too. I want the local governments to come and support us."

Lou Yang, of St. Paul, brought her 5-year-old son, Kong Meng Lee, to the meeting.

"I want the town board to know that we are here to farm, and it's not anything bad," Yang said through interpreter Xyooj. "We're here to help our children. (Farming) brings in more income for us to help our children. It helps keep our families together so we can support our children, so they'll grow up to be better citizens. I want you to consider repealing the ordinance, and let us farm. I want us all to love each other."

Mary Divine can be reached at 651-228-5443.