

Greenvale Town Board Meeting Minutes May 19, 2015

Present: Supervisor David Roehl, Supervisor Duane Fredrickson, Clerk Linus Langer, Treasurer Wayne Peterson, Chair Gregory Langer, Attorney John Ophaug

Meeting started at 7:00 pm with Pledge of Allegiance.

Review minutes: Langer moved to approve the minutes from April meeting. Roehl made second and motion passed.

Agenda: Fredrickson added Randy Kubes and Gardens of Eagan on new business. Fredrickson moved to approve Agenda and Roehl made second. Motion passed.

Review claims and bank statement balances: Fredrickson moved to approve bills except pending MATIT building insurance item. Roehl gave second, motion passed.

Discussion with Freiermuths on septic agreement. Clerk Langer spoke about informal agreement from recent communications. Explained things stay the same with transition from Robert Sr. to Robert Jr. taking on responsibilities for septic (Sub Surface Treatment Systems SSTS) inspections. Clerk will follow up on insurance certificate. Fredrickson moved to extend contract Roehl made second and motion carried. Clerk thanked Freiermuths for excellent quality of service delivered so far; especially with many inquiries and with State MPCA reporting assistance. Chair Langer spoke about recent conversation with Darrel Gilmer.

Clerk asked about appointing a deputy clerk... moved to new business.

Building Site Transfers Continuation: Langer invited Township Attorney John Ophaug & Planner Dean Johnson to help in discussion of building site transfers. Langer addressed past practices (Craig Braun, Quincy Moore, and others) some were understood but not written down or recorded. Explained we either accept fact we can't do it or pursue a change in ordinance. Some of procedures for changing ordinances were explained and that voters will be able to decide. Langer asked Johnson and Ophaug what cost might be involved. Johnson explained statute guides requirements but types of policies will drive the costs and the processes to engage. May want or may not want consensus. Empire Township did something in the past in their case they identified areas (urban service, sewer, mining, ag, etc...) they had long discussions and planning commission spent year and half working on it. Now, ten years later, there hasn't been any transfers. Fredrickson asked: 1st step public meeting then resolution? Johnson explained merits of getting public input. Hearing is not same as public meeting. Langer asked would we be doing it for a few people in the township. Fredrickson said we need to do it for one person if it is right thing to do. Langer spoke with Jeff Otto of Eureka Township, who was principle author, and he explained met-council and county involvement in process. Eureka Township website has an example. Fredrickson mentioned last meeting that any that were

recorded would be honored. Terry Mulligan asked if the ordinance was broke? Langer said we had some practices he believes because we thought they were the right thing. "What do we do now?" was question we each had at last meeting. Roehl and Fredrickson agreed to that assessment. Darcy White recapped amendment Johnson spoke about. Johnson explained format of document is not a problem but the policy questions get busy. Public meeting process and public debate is complicated. Ophaug suggested we focus on three things: 1) decide if we want to change ordinance at all. 2) What do we intend to do with previous actions by prior Town Boards. 3) How are Split QQ sections determined. Langer cited maps from study and each time new information is added to binder he keeps. Johnson made set of policy questions that were made available to participants at January open house and previous meetings for review. One was added to allow rebuilding home on a site where loss occurred. Copies are still available but we have not heard back from people on them. One question is what to do when there are multiple party owners.

Fredrickson asked about buying 60 acres and wanting to know about building rights? Langer mentioned we have given out 4 letters stating the Board's finding. On the ten policy's, Terry Mulligan asked about item 4. Johnson addressed question and explained usual policies where townships do floodplain restrictions... wetland maps stay stable but floodplain boundaries change often... Langer brought back focus on boards task of deciding how to bring closure or state how we would respect site rights that have been recorded. Fredrickson said he thinks it should be maintained. Langer asked if Ophaug recommended... Roehl asked what to do if there was already a home built on it. Bigger question is where were they transferred from and is there a method of correcting those issues. Langer sited example of Ackermann site where it would be foolish to do anything other than recognizing it. Fredrickson said he would be for honoring previous actions of the board. Roehl agreed. Ophaug asked for clarification on what the standard is: in the minutes and or recorded. Fredrickson said he doesn't think we have a right to change that. Ophaug would rather Johnson wrote up "standard of recognition" for Board to use. A resolution would be better according to Ophaug and Johnson. Fredrickson clarified Ophaug's comment by saying there would be two criteria of being in minutes and also recorded at the county.

Johnson asked if a part of this validation is also to say where lot came from so that right is not reissued again? Ophaug suggests we have Johnson draft a resolution for next meeting to help with past transfers. Mulligan asked when will map be done. Johnson they will always be plagued by policy questions. Langer mentioned he had three dozen hours in study so far. FNAP was looked at in second set of maps. Mulligan said we could go up to \$20000. So far out of pocket cost is about \$330 dollars to Township. Cost would be staggering if we tried to make it perfect. Fredrickson said what we are doing is bringing things to the surface... Ophaug and Johnson had to leave at 8:00.

Talk about road concerns: Dresden avenue project and cost share with Waterford Township. Quotes were shared with Fredrickson and Roehl. Since \$35000 proposal

was considered another repair was proposed (an overlay) that will cost more money. Waterford Township will hold a special meeting to try to match our approval if overlay project is approved. Fredrickson asked Jerry Bolton if he had other opinions. Both Jerry and Dick Moore said they were in favor of overlay plan.

Langer moved to approve funding for quote from McNamara (about \$81000) contingent on Waterford approval. Roehl made second and motion passed with all in favor.

Spot loads: May 12th loads went very well, almost as planned. Good rock was delivered... Bryce Otte agreed on good material.

Road Improvement Committee meeting was held on the 15th. Copies of discussions are available. Langer asked Otte when we expect to do frost boils and Otte said June 1st with weather permitting. Langer had report on work done in 2014 and same is available for citizen review on website.

292nd Street from Reisingers to Swenson property: We talked about what's required. Kyle Hartnet from Minnesota Association of Townships (MAT) said there is not a state statute that says how we should do road. Dakota County engineer said if State Aid road it must be 22 feet. Dick Moore said minimum requirement in the past was to allow a fire truck. Langer explained it's up to us what we do. Jerry Bolton spoke with Don Swenson about his thoughts. Bolton covered the possibilities on shaping the ditch. Todd Howard, Dakota County Assistant Engineer, said it sounds like we have a ¼ mile driveway to maintain. Mulligan asked about possibly giving road to owners? Langer said road is platted, so we need to post it as a minimum maintenance road and we need to keep it up. Langer moved Board approve funding to improve 292th Street at a width of 16 ft of aggregate surface and be maintained as minimum maintenance road. (not snow plowed). Fredrickson made second and motion passed. Road needs to be safe and support emergency vehicles.

Building Permits: Ken Malecha presented plans for a new house permit. Langer had a letter from neighbor. Roehl asked what County found. County had no idea how PID could be there without a building description. Langer shared what he found. He showed map w 2 QQ's. Dvorak got double-wide permit in 1971.... Lot was split in past. Roehl moved to approve and Fredrickson made second. Langer abstained from vote as he would like more information on site history. Motion carried.

Discussion for Erwin Ulrich's permit extensions: Langer and Qualle have made efforts to stay in touch on expired permits. Ulrich is ready to install a holding tank for septic. Roehl said he would go talk to Irwin about paying for inspection. Langer moved to approve permit extension for 90 days if Ulrich agrees to pay \$300 inspection fees. Roehl made second. Motion carried.

Randy Kubes was in attendance (re: Garden's of Eagan) but did not have request.

Victor Volkert had property division request. Dan Sheridan, estate attorney for Clarence Volkert, had some papers prepared for estate subdivision. Lyllian Broske was with Victor. Langer moved to approve subdivision, Roehl made second and motion passed. Roehl and Langer signed and clerk notarized Subdivision papers.

Langer spoke about letter from Dakota County on FNAP comments on Wirtzfeld request. Langer made a motion we deny request to transfer sites from John Fink to Beverly Wirtzfeld because the request is not compliant with the township ordinance requirement of contiguous QQ sections under single ownership. Roehl made second and motion passed with all in favor. Wirtzfelds were not in attendance at 9:10 pm... Clerk will send or deliver letter.

Tabled looking at revised document from Ophaug...

Available buildable site project: Langer shared out of pocket cost so far at \$330.

Visited with Lisa Alfson and shared grant was approved by County and in June we can look for Federal approval. Clerk asked board if we should expect a bill from Johnson for tonight's attendance and assistance. All agreed we would expect bill.

Langer opened lawn care quote from Nelson. Clerk thought one came from Angie Minar too. Quotes were tabled as Minar quote was missing from docket. Langer will sign waiver and do lawn until next month.

Randy Kubes (Realtor) had documents on future sale of Gardens of Eagan. Request for tonight is what can be done with buildings across the road? Property may get sold separately and if so is there enough acreage available? Langer said minimum is 2 acres, and setbacks are 50 ft. There was discussion about zoning questions. Septic records were presented and copied for township files. Fredrickson notes Randy seems like a likable chap.

Insurance discussion: Langer shared background on insurance information. Steve Quint (hired by MATIT) took pictures and made notes and a proposal. Building quote is as fully occupied government building. Steve Hanks from Castle Rock Agency said he could not likely match MATIT quote. We had been paying \$508 and new proposal is \$1447. Langer shared 3 premium choices. Today got call and new figures calculated as "government building with occasional use." The valuation of \$259481 would have a premium of \$752. Langer moved to accept new proposal. Fredrickson made second. Motion passed with all in favor. Clerk signed and dated papers. Resolution was signed by Supervisors and Clerk notarized.

City of Northfield has things regarding neighboring townships. City has Framework Planning Document.

Dust control was brought up by Jerry Bolton. Roehl asked about cost of product. Bolton said about 83 cents per gallon. Langer moved to approve funding for dust control per road improvement committee. Second by Roehl and Motion passed.

Jackel's driveway work is being done with lots of truck traffic... Culvert permit was not received...

Fredrickson moved to approve pay for Deputy Clerk and Langer made second. Motion passed with all in favor.

Otte said solar light would be higher cost than thought... 1200-1400 dollars.

Bills paid and Meeting Adjourned.

Respectfully, Linus Langer/Clerk