

**Greenvale Town Board
Regular Monthly Meeting
Tuesday March 19, 2019**

Board Present: Treasurer Wayne Peterson, Clerk Linus Langer, Supervisor Darcy White, Chairman Gregory Langer, Supervisor Anthony Rowan

Guests Present: Maynard Bolton, Road Superintendent Jerry Bolton, Planning Commission Chair Bruce Paulson, Annette Gust, Eric and Karen Workman, Adam Royal, Phil White, Mike and Becky McNamara, Wendy Bolton, Jared Bolton, Dick Moore, Jerry Janda, Tom and Lori Robey, Mary Langer, Katey Langer, Jenn Welbaum, Ron Welbaum, Charles Anderson, Vince Propson, Sean Stevens, Victor Volkert, Linda Wasner

At 7:00 p.m. the meeting opened with the Pledge of Allegiance to the Flag

Approve minutes – Langer moved to approve the February 19 minutes. With a second from Rowan the minutes were approved.

Approve Board of Audit Minutes – White moved, Langer gave second and motion passed.

Agenda – White added permit discussion for Jerry Janda, under other permits. Langer added DC training report, MAT training report, Oath of Office, and comments at end on agriculture inspection meeting. Langer moved on approval of agenda with additions. Rowan gave second and motion carried.

Treasurer’s – Clerk read from the Treasurer’s monthly reports. Bank statements were in order and balanced with CTAS showing strong fiscal health with strong reserves. Langer moved to approve, White gave second and motion carried.

Clerk’s report – Shared a recap of elections and the annual town meeting discussions. Rowan moved to accept the annual meeting levies: \$225,000 for Roads and Bridges Fund, \$45,000 for the General Fund, and \$27,000 for the Fire Fund. Langer gave a second for the levies and the motion was unanimously approved.

Guests – Thanks for being here! And sign the attendance sheet please - printing legibly.

Road Work Concerns – Jerry Bolton shared we experienced a recent significant snowfall, roads gave pushback, pounding water out of potholes, few loads of rock to place on top to avoid problems if we do get more snow. Roads are inspected/driven at least once a week. Want to stay on top of potholes. White asked where are the worst spots? Easier to ask where they aren’t, as they are “all over.” Spot patching advised as cost would be low and repairs would be appreciated.

Langer circulated a copy of the road work report for 2018... dates, tons, lab reports, description of work approved last May, etc... to soon be available on website.

Open Aggregate Quotes – Of five send outs, we received three responses. Langer opened and passed quotes to Supervisors and Road Superintendent. Quotes arrived before 5:00 deadline and were for 1.) Class 5 Aggregate/Ton, 2.) Unwashed/Ton, and 3.) Without Fines/Ton:

Anderson Rock: \$10.45, \$13.50, \$15.95 | Castle Rock Material: \$11.52, \$15.26, \$16.84 | Kielmeyer: \$12.20, \$14.75, \$17.45 | Klingberger: NA | M&J: phone call, next year.

Vendors are required to provide the township proper insurance coverage. Langer moved to award to Anderson for 2019 season. With second from Rowan, motion carried.

7:30 other road work concerns? Road Tour usually in late April. Report will be used to recommend work for the 2019 season.

Citizen Business – Dick Moore asked if citizens can buy aggregate? Langer shared contractors have said they would sell same to residents at quoted price – delivered plus tax.

Jerry Janda – Inquired how to go about getting a shed permit? Open discussion was informative and helpful (permits are from township, not county) and directed to get application from Clerk.

Planning Commission – Chairman Bruce Paulson reported on March 4 meeting. We had special guest Alex Conzemius of the Bolton and Menk Planning firm, which was much appreciated. Discussed “Lots of record” and potential building rights where there could be historical circumstances. Had 2011 ordinance available and got good input from Mr. Conzemius. General notion is our current ordinance applies to all parcels unless certain circumstances prevail. TK properties had a request for a determination on an 8-acre parcel. Planning Commission recommends to the Board there is no buildable site on the parcel in question.

Right of Way Use ordinance is something missing from our zoning. We looked at neighboring townships. We’d need to hold a public hearing to make zoning changes. Alex mentioned it would be good that we review and make sure we address public right of way language. And we’d need to reference current state statutes. The Planning Commission recommends asking for funds to have Alex Conzemius study issue with possible cost estimate at around \$425.00

Discussed meeting frequency. It can take several weeks on zoning questions and we have a motion to recommend meeting more often. Set next meeting for 6:00 p.m. May 6.

Langer moved to deny request because the quarter-quarter section has multiple owners and because there is not conclusive proof there has been a home on the property. Rowan gave a second. In favor – White, Rowan, Langer, opposed - none. Motion carried.

Deputy Reiners – Don’t go around barricades. Charlie Anderson mentioned road restrictions... semi’s and grain trucks still have to stick to 5-ton restrictions... 3 to 5 a.m. violators. Reiner: we do now have enforcement. Gravel road and bridge could be compromised with 80,000 lb. trucks.

Right of Way – Langer visited with Ruth Simpson from MAT. Question was do we need to change ordinance on use of right-of-way? Asked because we have other permits that are not stated in ordinance as requirements... could we make it necessary for applicant to get permits without changing our ordinance? “that is a possibility but should to talk to attorney.”

Chair asked Clerk to write letter to TK Properties stating motion...

Board agreed for Langer to consult on open legal questions.

Should the Planning Commission meet more often? White: they seem to know what they need to get things done. Rowan: they haven't been able to get all the things done with limited time so far. White moved to support meetings held every other month and as needed. Rowan gave second and motion passed. White moved for funds to hire someone for typing Planning Commission meeting minutes. Rowan gave second and motion passed.

Building Permits – Reviewed Tom and Lori Robey house permit application. Langer moved to approve application, White gave second and motion passed.

Welbaum Family's Barn as event center – is not a permitted use in our township. Invited to tell us plans... Board looked at images from website. Rowan invited them to come to table and talk.

Ron and Jennifer shared they've had it for 13 years, and are building it up cosmetically. Held events for family and expanded it a bit. Langer: We have concerns neighbors are having their peace disturbed. Langer suggests Board asks the Welbaums to refrain from activities.

Langer asked if were there any engineering inspections with modifications? Ron: no, cosmetic basically. White had spent afternoon reading Dean Johnson's letter on non-conforming properties. I personally feel greatly mislead on what it could be... it clearly is for profit. You were well aware of the ordinance... We have to figure out how to address all of the nonconforming/noncompliance. Langer asked if future events were scheduled? Ans: 4 events. Clerk: we should be in listening mode. Ron asked on submitting proposal next month? Ans: right. Jennifer: We feel strongly about the township... we thought question was diffused, we sent letter, neighbors seemed to be receptive... came as surprise it was brought up last month. Aware of ordinance and no malice intended. Langer: thanks for joining us. We look forward to hearing from you.

Karen Workman: not clear... they are actively doing website, is that addressed in the ordinance? Langer: we may not have a say in the website. White: there is no crime until it is delivered.

Workman continued nonconforming use... there's no teeth here... nonconforming, so what?

White: 7 page letter and statutes on illegal uses... wink or nod prior practice not good for the township. Opinion it's easier to start now with newer incidents than with established ones. We want people to limit their business... read off alternatives... these do take time and money.

9:00 How do we enforce these? Read approved ordinance again... where Clerk is directed by the town board to enforce... any person who violates shall be guilty of misdemeanor... each constitutes separate offence... What would the action be? Langer would like to suggest 1st action send letter and ask for response, if no response ask attorney to send letter, if none ask attorney for advice... zoning laws were approved several times by previous town boards. We took Oath of office and I take it seriously.

Rowan asked about Corey Montgomery's request. Paulson: planning commission studied the questions several months ago. Has a state license form to be signed for online sales; and does not have lot with inventory outside on property. White: ordinance says on page 26 you can have a home business. Also states all uses not permitted are considered prohibited. Read within structure. No alterations on building or yard that alternates character... occupation shall not be visible or audible... no vehicles parked stored... White: this already brought to the Planning Commission and okayed, so we just need to see document and sign. Langer moved we approve his request. Rowan gave second and motion carried.

St Olaf College – Mark Gelle was invited to join us on question of coordinating some work cutting trees in their ditch... didn't make it. Rowan asked if Bolton had met with them? Bolton expressed they need to tell me they will pay for it... Rowan advised leave it for April.

Treasurer – Peterson had presentation and led discussion on our savings and investments, including how they relate to operating funds in standard government accounting.

We have \$320,000 in bank insured to \$250,000. We should have bank provide bond or change relationship. We can buy more cd's at good rates. Called Dan Nicolai and he said we could be secure with regular savings account.

In meantime found Minnesota Money Market Mutual Fund 4M program. It looks pretty interesting. In 4m we could get better returns. PMA operates fund for Minnesota League of Cities. MAT offered training brochure... may take in the course.

White expressed we need to diversify with all kinds of weather and other surprises. White moved to approve resolution to allow 4M application to proceed. Rowan gave second and motion carried. White recommended asking bank for like terms.

Peterson shared every year we need to select a bank. White moved for Castle Rock Bank. Langer gave second and motion was approved.

Peterson gave report on missing claim numbers. Everything was fine. Claim number was for three checks 2370 2371 2374 out of order where date was wrong. Date was misplaced. When I went

back, I went back to 6/19 and the original report didn't pick it up. Looking forward we could do something similar next year to Avon township's audit report.

Langer planning to attend upcoming NCRWMO meeting.

Picnic – At Annual Meeting citizens passed spending resolution to approve \$2,000 for annual township picnic. Board motion also required... White moved for third annual picnic to be held September 21 2019, second by Rowan, carried.

Dakota County Township Officers training was held Saturday the 16th in Farmington . Road projects, law, septic, environmental, etc... informative and positive all the morning.

Rowan and Langer went to meeting on "county ag weed inspector program." Rowan said county is trying to get funds for mapping and will keep in touch with our needs and challenges.

February 28th CRWM plan meeting on One-Watershed-One-Plan. Langer attended and shared it was Informative and interesting...

In newspaper announcements community development block grants are being awarded and neighbors have applied for grant to do a sites study like the one we did. We were first... hurray for Greenvale Township, as it was quite a lot of difficult path-setting work.

Rochester Minnesota Association of Townships annual "spring training short courses" were much worth our while. We'd be glad to share what we went through. Legislative updates, drainage laws, beavers, etc... Rowan claimed he had a lot to take in.

Oath of office. 7 day period to contest elections, where today is day 6. We can meet tomorrow or we can wait until April. It depends. Clerk said April is best bet. Langer spoke about taking the Oath seriously... I believe it's a promise to you, and it's a promise to God.

Bills - reviewed claims and approved as presented. Checks were signed making payments to payroll and vendors who submitted accurate invoices.

10:30 meeting was adjourned with a motion from Langer.

Respectfully submitted,

Attest,

Linus Langer | Clerk