

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** January 14, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:12 p.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor, Liz Messner- Supervisor;  
Frank Wergin-Township Supervisor; Bridget Renlund-Deputy Clerk  
Charlene Klemenhausen-Township Treasurer; Jane Dilley- Deputy Treasurer

**ABSENT:** Elizabeth Wheeler - Township Clerk

**OTHERS IN ATTENDANCE:** Deputy Reiners, Chad Olson, Monte Grainger, Bryan Nelson, Jerry Wicklund, Tom Devney, Andy Devney, Marie Struss, Jake Bentz, Justin Weber, Williard Wagner, Ted Thurnblad, Terry Gilomen, Bob Carel, Doug Lyons, Larry Vol, Jayne Pasternek, Larry Vorwerk, Aaron Willis, Erin Johnson, Jessica xxxxx (?),8

ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Chairperson/Supervisor Odegard called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge of Allegiance
Approval of Regular Agenda	Board members to add the following to the agenda: <ul style="list-style-type: none"> <li>• Castle Rock Store – Renter Prospect</li> </ul> Note: Chairperson Odegard added Castle Rock Store to agenda without motion or objection. <ul style="list-style-type: none"> <li>• Board of Audit</li> <li>• LHB Accounts Payable: 7754 &amp; 7755</li> </ul>	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to approve the <b>REGULAR</b> agenda for January 14, 2019 All in favor. Motion carried.
Approval of Consent Agenda	<ul style="list-style-type: none"> <li>• 11/29/2018 – Work Session Meeting Minutes</li> <li>• 12/04/2018 - Closed Door Session –</li> <li>• 12/19.2018 – Work Session Meeting Minutes</li> <li>• Clerk’s Monthly Claims &amp; Deposit report</li> </ul> Note: Clerk Wheeler prepared the Claims & Deposit Report prior to leaving on vacation on 12/26/18 – Treasurer & Deputy Treasurer presented additional claims received after 12/26/18.	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to approve the <b>CONSENT</b> agenda except for LHB checks #7754 and #7755 for discussion. All in favor. Motion carried.
<b>REPORTS &amp; PRESENTATIONS</b>		
Deputy Sheriff Rogers	<p>Deputy Roger reported that there has not been much going on in Waterford. Watch your snowmobiles, etc. – Don’t leave keys in sleds.</p> <p>Other Townships having thefts. Cooper thefts – stealing from irrigators, solar farms. Skid loader on 86 was stolen. One stolen in Eureka found in Rice County.</p> <p>Keep serials numbers on all your equipment – needed in case of theft.</p>	Report only – no action necessary

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p align="center"><b>PLANNING COMMISSION &amp; PUBLIC HEARING</b></p>		
<p><i>Bryan Nelson Planning Commission</i></p>	<p>Bryan Nelson, Chairperson of Planning Commission reported no Zoning reviews.</p>	<p>Report only – no action required.</p>
<p align="center"><b>REGULAR MEETING</b></p>		
<p>Motion (M2019-001) <i>Approve payment of LHB checks: #7754 &amp; #7755</i></p>	<p>Supervisors discussed holding the two LHB check until Grant Manager Elizabeth Wheeler returns from vacation. She can explain how the grant from Minnesota Historical Society works when do we get grant money and when do we pay the contractor bills.</p>	<p>Motion was made by Supervisor Wergin and seconded by Chairperson/Supervisor Odegard to hold LHB check #7754 &amp; check #7755 until Grant Manager Elizabeth Wheeler returns from vacation. All in favor. Motion carried.</p>
<p>Motion (M2019-002) <i>Approve “special” meeting for January 28, 2019 at 7:00 p.m. – Annexation lawsuit</i></p>	<p>Chairperson Odegard announced that a Special Meeting will be held on January 28, 2019 at 7:00 p.m. Attorney Mike Couri will be here to address all questions related to the recent district court decision regarding the Annexation lawsuit filed by the Township against the City of Northfield.</p> <p>Filed in District Court – State of Minnesota Court File #19HA-CU-18-2021 Order of Summary Judgment, Judgement &amp; Memorandum Arlene Perkkio – Judge of District Court</p> <p>On the advice of the Town Attorney, there will be no further discussion.</p>	<p>Motion was made by Supervisor Wergin and seconded by Supervisor Messner to hold a Special Meeting on January 28, 2019 at 7:00 p.m. to discuss the recent district court decision regarding the Annexation lawsuit by Township Attorney Mike Couri. All in favor. Motion carried.</p>
<p>Motion (M2019-003) <i>Approve Supervisor Wergin to contact Cannon River Tree Care to remove Mike Rutten lilacs.</i></p>	<p>Supervisor Wergin reported that Mike Rutten failed to remove his lilac bushes that are in the Township right of way before the December 31, 2018 deadline.</p> <p>Tom Davis, resident on Burma Avenue is concerned about the line of sight-visibility.</p>	<p>Motion was made by Supervisor Wergin and seconded by Supervisor Odegard to approve Supervisor Wergin to call Cannon River Tree Service regarding the removal of Mike Rutten’s lilacs. All in favor. Motion carried.</p>
<p>Motion (M2019-004) <i>Approve Resolution 2019-01 Designating Polling Place for 2019 elections.</i></p>	<p>Resolution designates 3847 321<sup>st</sup> Street as the Township’s Election Precinct for 2019 elections (only one election – March 12, 2019 – Annual Election).</p>	<p>Motion was made by Supervisor Messner and seconded by Supervisor Wergin to <b>HOLD</b> Resolution 2019-01 until February 2019 Board Meeting due to absent of Election Administrator Elizabeth Wheeler. All in favor. Motion carried.</p>
<p>Motion (M2019-xxx) <i>Approve transfer of \$402.00 Town Aid funds to savings per Resolution 2018-09.</i></p>	<p>No discussion on this agenda item.</p>	<p>No motion.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Approve Treasurer's reports.</i></p>	<p>Deputy Treasurer Jane Dilley provided handouts of financial reports. Dilley stated that the blue items are corrections. The green items are correct.</p> <p>Dilley reported that half dedicated road funds payments were put in savings account, earmarked for Dresden Ave., Barnard Ave. bridge, and contingency fund.</p>	<p>No motion</p>
<p><b>NON MOTION BUSINESS</b></p>		
<p>Monte Grainger-Castle Rock Mini Mall- Renter's idea</p>	<p>Monte Grainger, current owner of the Castle Rock Mini Mall introduced Chad Olson as a potential renter. Chad read a statement to the Town Board. Summarized below:</p> <p>Olson discussed his vision of the "Evil Olive" full-service restaurant, bar &amp; live music venue with both on-sale &amp; off-sale beer, wine, &amp; liquors and continued gas pump services. Would offer quick lunch option and freshly prepared high quality cuisine evening option. The Evil Olive would host live music, with other events like art shows, car &amp; bike rallies/shows, fund raising events, sand volleyball, bags leagues, etc. with ending times at reasonable hours.</p> <p>Olson stated he plans to rent the property for two to five years and then purchase. Anticipates expanding the building as event center hosting live music events, wedding receptions, reunions, community events and charity events.</p> <p>Supervisor Messner stated that the property is in the Ag- Preservation district with restrictions. Township is looking at incorporating Monte's property along with Benjamin Bus, Taylor Trucking, Ben Franklin, Olson Brothers Construction, Tony's Towing, etc. into the newly created Business District however it is a few months down the road.</p> <p>Messner stated Township would need to talk with Town Attorney to about the idea and find out from attorney what the next steps would need to be.</p> <p>Messner stated that the Township is waiting for the MET Council to review and pass the 2040 Comp Plan Evil Olive may not be an approved use in the 2040 Comp Plan.</p> <p>Chairperson Odegard stated it sounded like a nice idea. Township would need to check with Attorney. Bases covered. Set up a time to get to attorney. Give us your e-mail and phone number.</p> <p>952-240-6671 <a href="mailto:noslodahc@yahoo.com">noslodahc@yahoo.com</a></p>	<p>No Board action.</p>
<p><b>COMMITTEE REPORTS</b></p>		
<p>Budget Committee – Marie Struss</p>	<p>Struss reported had budget committee meeting on January 7, 2019. Went through everything. Need budget figures for Roads &amp; Projects by February 1<sup>st</sup>. Next meeting hasn't been scheduled yet.</p>	<p>None</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
Budget Committee – Deputy Treasurer Jane Dilley	Dilley reported she is working on FEMA issues. Goes back to 2012. Dan Millard estimates and invoices.	None
Road Steward Steve Wheeler - currently on vacation put report on agenda.	Currently on vacation – See Agenda Road Committee meeting to discuss budget on December 11, 2019. – next meeting January 27, 2019 to finalize budget.	None
Grant Manager Elizabeth Wheeler	Currently on vacation – See Agenda Wrote extension letter to MHS. Next report will be February 11, 2019 with a public hearing presentation by LHB highlighting the progress of the engineering study.	None
Clerk Wheeler – Zoning Ordinance Project update	Currently on vacation – See Agenda Zoning Ordinance Update meetings:  Joint Work Session – 1 <sup>st</sup> Work Group – 11/29/2018 Joint Work Session – 2 <sup>nd</sup> Work Group – 12/19/2018 Joint Work Session – 3 <sup>rd</sup> Work Group – 01/23/2019 Joint Work Session – 4 <sup>th</sup> Work Group – 02/03/2019 Public Hearing - 5 <sup>th</sup> Work Group – 03/04/2019	None
Website Administrator Elizabeth Wheeler	Currently on vacation – See Agenda Wheeler is building website using GovOffice template and design consults. Target launch date of March 1, 2019.	None
CITIZEN COMMENTS		
Tom Devney	<p>Devney stated he was is the messenger for sixty-eight voting residents of the Township signed the petition to show their dissatisfaction with the handling of the Township’s finances. Devney gave the petition to the Supervisors and stated that he didn’t collect all the signatures himself. He stated a few residents helped with the gathering of signatures.</p> <ul style="list-style-type: none"> <li>• Devney stated that petition participants are deeply concerned by the mis-management in the township finances.</li> <li>• <u>Request for financial information prior to March Annual Meeting:</u> <ul style="list-style-type: none"> <li>• Written justification for expenditures on Township Bridge</li> <li>• Amount budgeted for maintenance of Bridge</li> <li>• Exact cost for Gilomen lawsuit</li> <li>• Cost of maintenance for last two years in village versus township roads.</li> <li>• Total cost for losing court case on Annexation</li> </ul> </li> <li>• <u>Request following:</u> <ul style="list-style-type: none"> <li>• Committee of residents to advise on Annexation</li> <li>• Discussions on new sources of revenue</li> </ul> </li> </ul>	None

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<ul style="list-style-type: none"> <li>Discussions on how Township can do a better job of managing finances.</li> <li>Betterment, growth and general well-being of Township.</li> </ul>	
<b>TOWN BOARD REPORTS</b>		
	<p>Township Chairperson Larry Odegard reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>None</li> </ul> <p>Township Supervisor Frank Wergin reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>None</li> </ul> <p>Township Supervisor Liz Messner reported, followed up or questioned the following items:</p> <p>Township Treasurer Charlene Klemenhagen reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>None.</li> </ul> <p>Township Deputy Treasurer Jane Dilley reported, followed up or following items:</p> <ul style="list-style-type: none"> <li>None</li> </ul> <p>Township Clerk Elizabeth Wheeler reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>No meeting in January – next meeting February 11, 2019 at 5:30 p.m. at Town Hall</li> </ul>	<p>No report – no action required.</p> <p>No report – no action required.</p> <p>No report – no action required.</p> <p>No report – no action required.</p> <p>No report – no action required.</p> <p>None</p>
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to adjourn the meeting at 8:12 p.m. All in favor. Motion carried.

Transcribed:

Notes taken by Deputy Clerk Renlund  
 Clerk transcribed into meeting minutes template/format  
 Clerk added District Court Case information for readers that may want to look up the case.  
 Clerk included Agenda information on Zoning Ordinance Meetings

Transcribed by:



Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Joint Town Board & Planning Commission Meeting

**DATE & TIME:** January 23, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:32 p.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor, Liz Messner- Supervisor;  
Frank Wergin-Township Supervisor; Elizabeth Wheeler - Clerk  
Charlene Klemenhagen-Township Treasurer;

**PLANNING COMMISSION:** Bryan Nelson, Andy Devney, Marie Struss, Theresa Bentz, Paul Little

**OTHERS IN ATTENDANCE:** Erin Johnson

ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Chairperson/Supervisor Odegard called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge of Allegiance
Purpose	<p>Waterford Township received a grant to update the Waterford Zoning Ordinances for consistency with the Comprehensive Plan, codify the ordinance and update the current ordinances. Timeline as follows:</p> <p><b>11/29/18</b> – Introduction – group assigned to read the 65 pages of zoning ordinances &amp; come to 12/19/18 Joint Work Session with the top ten items that need updating.</p> <p><b>12/19/18</b> – Wheeler facilitated discussion &amp; wallpaper listings to narrow list of top ten items for delivery to Bolton &amp; Menk by 12/21/2018.</p> <p><b>01/23/19</b> – Wheeler facilitated discussion on the following items and then reported the following to Bolton &amp; Menk. Bolton &amp; Menk will attend February 4, 2019 meeting with solutions:</p> <ol style="list-style-type: none"> <li>1. Organic farming for public consumption including signs, parking, stands, etc.</li> <li>2. Farm hand or farm employee or seasonal farm employee housing units (farm dwellings).</li> <li>3. Pipelines</li> <li>4. Rebuild in village would not be able to meet current zoning.</li> <li>5. County Rd 47 – grandfathered houses too close to County Road 47 – what about a rebuild</li> <li>6. Check dimension page for gravel road set backs</li> <li>7. Tiny home – multigenerational homes</li> <li>8. Shared well</li> <li>9. Definitions are out of date</li> <li>10. Kennels</li> </ol>	<p>Wheeler will forward the items discussed for Alex Conzemius to come with suggestions on zoning language.</p> <p>Township had to cancel Bolton &amp; Menk for February 4, 2019 due to a public hearing.</p> <p>Wheeler will reschedule &amp; notify all members of the Board &amp; PC – will also post on website.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<b>02/04/19</b> – Wheeler announced next Joint Board & PC meeting to work on zoning will be on February 4, 2019 at 6:30 p.m. Meeting will recess to conduct a Public Hearing (one megawatt solar) at 7:30 p.m. and then reconvene following the Public Hearing.	
<b>REPORTS &amp; PRESENTATIONS</b>		
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
<b>REGULAR MEETING</b>		
<b>NON MOTION BUSINESS</b>		
<b>COMMITTEE REPORTS</b>		
<b>CITIZEN COMMENTS</b>		
<b>TOWN BOARD REPORTS</b>		
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to adjourn the meeting at 8:32 p.m. All in favor. Motion carried.

Recorded by Phillips Voice Tracer



Transcribed by:

Elizabeth Wheeler – Township Clerk

# WATERFORD IRON BRIDGE

“where the path from the past & the future meet”



Waterford Township-Northfield, MN-est. 18

## WATERFORD TOWNSHIP BOARD - SPECIAL MEETING – BOARD OF AUDIT

**Date:** January 28, 2019 **Location:** Township Hall – 3827 321st. St W – Northfield, MN 55057

**Start Time:** 5:30 p.m. **Adjourn Time:** 6:06 p.m.

**Members Present:** Larry Odegard -Township Supervisor/Chairperson; Liz Messner -Township Supervisor; Elizabeth Wheeler-Township Clerk; Frank Wergin-Township Supervisor; Charlene Klemenhagen – Township Treasurer; Jane Dilley – Deputy Treasurer; Marie Struss-Budget Committee Chair

**Others present:** None

Item	Discussion/Conclusions	Action
<p>Purpose of meeting is to perform an internal audit of the Township’s accounts/financial records, develop a statement of the fiscal affairs of the township and an estimate the sum necessary to be raised for the upcoming year.</p>	<p>Many of the duties required to be performed at the annual board of audit under Minn. Stat. § 366.21 are a culmination of the activities performed by the board at each regular meeting.</p> <p>When the board examines each account or claim presented for payment monthly at their regular board meetings, it is performing a part of the duties of the board of audit. It is then not necessary for the board to reexamine each claim in detail at the annual board of audit.</p> <p>The Board of Audit examines the full transaction from confirming the expenditure was a public purpose and properly authorized, through the record keeping of the transaction and accounts, to the returned check or statement reflecting the transaction.</p> <p>Each claim pulled randomly was reviewed from the initial claim to the bank reconciliation to ensure all relative claim documentation was in order, claim expenses were legitimate and all expense cleared prior to the end of 2018</p>	<p>Treasurer Klemenhagen and Deputy Treasurer Jane Dilley provided all twelve months (January – December 2018) of bank statements, CTAS reports and claim documentation to the Board of Supervisors for a randomly selected audit of claims.</p> <p>Each Supervisor (Wergin &amp; Messner &amp; Odegard) and the Budget Committee Chairperson Stuss pulled at random one claim per month from the monthly financial records for review.</p>

**WATERFORD IRON BRIDGE**  
 “where the path from the past & the future meet”

Item	Discussion/Conclusions					Action
Motion M2019-0xx Supervisor Odegard randomly selected one claim from the Township’s bank statement for the following months: January, May, and September 2018.	<b>Month</b>	<b>Chk</b>	<b>Amount</b>	<b>Claim</b>	<b>Purpose</b>	A motion(M2019-0xx) was made by Supervisor Messner and seconded by Supervisor Wergin to <b>ACCEPT THE RANDOMLY AUDITED CLAIMS FOR 2018 AS PULLED BY SUPERVISOR ODEGARD AS LEGITIMATE EXPENSES OF THE TOWNSHIP AND CERTIFY THAT THE SUPPORTING DOCUMENTATION SUBSTANTATED THE PAYMENT OF THE CLAIMS.</b> All in favor. Motion carried.
	Jan	7542	\$ 1047.50	Henry Excavating	Rural Road Snow Removal	
	May	7618	\$ 191.25	Charlene Klemenhagen	Supplies	
	Sept	7668	\$350.00	Len Schrader	Park Mowing	
Motion M2019-0xx Supervisor Wergin randomly selected one claim from the Township’s bank statement for the following months: February, June and October 2018.	<b>Month</b>	<b>Chk</b>	<b>Amount</b>	<b>Claim</b>	<b>Purpose</b>	A motion (M2019-0xx) was made by Supervisor Messner and seconded by Supervisor Odegard to <b>ACCEPT THE RANDOMLY AUDITED CLAIMS AS PULLED BY SUPERVISOR WERGIN FOR 2017 AS LEGITIMATE EXPENSES OF THE TOWNSHIP AND CERTIFY THAT THE SUPPORTING DOCUMENTATION SUBSTANTATED THE PAYMENT OF THE CLAIMS.</b> All in favor. Motion carried.
	Feb	7561	\$2857.81	MN Dept of Labor	Pass through State Surcharge	
	June	7625	\$504.05	Elizabeth Wheeler	Supplies & Projector Rental	
	Oct	7699	\$8,060	Attorney Couri	Legal Work	
Motion M2019-0xx Supervisor Messner randomly selected one claim from the Township’s bank statement for the following months: March, July and November 2018.	<b>Month</b>	<b>Chk</b>	<b>Amount</b>	<b>Claim</b>	<b>Purpose</b>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin to <b>ACCEPT THE RANDOMLY AUDITED CLAIMS AS PULLED BY SUPERVISOR MESSNER FOR 2017 AS LEGITIMATE EXPENSES OF THE TOWNSHIP AND CERTIFY THAT THE SUPPORTING DOCUMENTATION SUBSTANTATED THE PAYMENT OF THE CLAIMS.</b> All in favor. Motion carried.
	Mar	7570	\$6289.64	Randolph/Hampton Fire	Fire Service	
	July	7634	\$264.48	Charlene Klemenhagen	Payroll	
	Nov	7717	\$1665.31	MNSPE CT	Pass-Through Building Permits	

# WATERFORD IRON BRIDGE

“where the path from the past & the future meet”

Item	Discussion/Conclusions					Action
Motion M2019-0xx Budget Chairperson Struss randomly selected one claim from the Township’s bank statement for the following months: March, June, September, December 2017	<b>Month</b>	<b>Chk</b>	<b>Amount</b>	<b>Claim</b>	<b>Purpose</b>	A motion (M2019-0XX) was made by Supervisor Messner and seconded by Supervisor Wergin to <b>ACCEPT THE RANDOMLY AUDITED CLAIMS AS PULLED BY BUDGET CHAIRPERSON STRUSS FOR 2017 AS LEGITIMATE EXPENSES OF THE TOWNSHIP AND CERTIFY THAT THE SUPPORTING DOCUMENTATION SUBSTANTATED THE PAYMENT OF THE CLAIMS.</b> All in favor. Motion carried.
April	7580	\$1187.00	Henry Excavating	Rural Road Snow Removal		
August	7650	\$420.00	Len Schrader	Park Mowing		
Dec	7741	\$403.56	MN Dept of Labor	Pass-through State Surcharge		
<b>VOIDED CHECKS</b>						
#7536 #7576 #7595 #7641 #7700	Frank Gerdesmieir - \$21.40 – never got in mail. No claim - New printer alignment error – no amount Linda Blankenberger – wrong amount – reissued Frank Gerdesmieir- \$471.00 – never got in mail Frank Gerdesmieir – not approved by Board – check corrected, approved & reissued by Board					Reissued No reissue Reissued with correct amount Reissued Reissued with correct amount
<b>Audit Findings</b>						
<i>Unsigned Claim</i>	#7570 – Randolph/Hampton Fire Department claim was not signed by Board when the claim was approved. Check was cashed by department on 4/2/18.					Supervisor signed claim form during Board of Audit.
<b>Adjourn</b>						
Adjourn meeting						A motion was made by Supervisor Messner and seconded by Supervisor Odegard to <b>adjourn</b> the <b>Board of Audit</b> meeting at 6:06 P.M. All in favor. Motion carried.



Submitted by:

Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Closed Door – Attorney/Client Privilege – Recent District Court Decision on Annexation

**DATE & TIME:** February 4, 2019 **Start Time:** 1:00 p.m. **Adjourn Time:** 1:53 p.m.

**MEMBERS PRESENT:** Larry Odegard -Chairperson/Supervisor; Liz Messner- Supervisor; Frank Wergin-Supervisor; Elizabeth Wheeler - Township Clerk

**OTHERS IN ATTENDANCE:** Mike Couri – Township Attorney (via phone)

ITEM	DISCUSSION	ACTION
Purpose of Meeting	<p>Meeting is closed pursuant to Minnesota Statutes 13D.05, Subdivision 3(b) related to attorney-client privilege to discuss the December 17, 2018 Court decision by Judge Arlene Perkkio on the “breach of contract” of the 1980 Annexation agreement between the City of Northfield and the Township.</p> <p>The purpose of the February 4, 2019 Closed Session is for the Town Board to discuss whether to appeal the District Court Decision or not by the February 15, 2019 deadline (60 days from December 17th decision).</p>	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to Close the meeting at 10:00 a.m. All in favor. Motion carried.
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Supervisor Messner and seconded by Supervisor Wergin to adjourn the Closed meeting at 1:53 p.m. All in favor. Motion carried.

Recorded & Transcribed by:

Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Joint Town Board & Planning Commission Meeting

**DATE & TIME:** February 4, 2019 **Start Time:** 6:30 p.m. **Recessed Time:** 7:22 p.m.  
**Reconvened Time:** 8:24 p.m. **Adjourned Time:** 9:01 p.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor, Liz Messner- Supervisor;  
Frank Wergin-Township Supervisor; Elizabeth Wheeler - Clerk  
Charlene Klemenhagen-Township Treasurer;

**PLANNING COMMISSION:** Bryan Nelson, Andy Devney, Marie Struss, Theresa Bentz, Paul Little

**OTHERS IN ATTENDANCE:** Erin Johnson (CSA farming) Alex Conzemius – Bolton & Menk

ITEM	DISCUSSION	ACTION
Call to Order	<p>At 6:30 p.m. Chairperson/Supervisor Odegard called the meeting to order.</p> <p>Chairperson/Supervisor Odegard recessed the meeting at 7:22 p.m. to conduct a Public Hearing that started at 7:30 p.m. The Public Hearing concluded at 8:23 p.m. Odegard reconvened the Joint Board &amp; Planning Commission meeting to continue discussing items in the Township Zoning Ordinances that need updating.</p>	A roll call was taken of members present and a quorum was declared. Pledge of Allegiance
Purpose	<p>Wheeler announced meeting will recess at 7:25 p.m. to conduct a Public Hearing on one megawatt solar. Following the public hearing, the Joint Board &amp; PC will reconvene to continue discussion on any of the following items that the PC &amp; Board wishes to have Conzemius, Bolton &amp; Menk do some followup and bring back recommendations for consideration.</p> <ol style="list-style-type: none"> <li>1. Carport</li> <li>2. Adult Care</li> <li>3. Health Care - dwelling</li> <li>4. Long Term Care</li> <li>5. Mining</li> <li>6. Variances</li> <li>7. Definition of 40 acres eliminates CSA farmers the ability to get grants. – need better definition.</li> <li>8. Retail/Home Occupation – Commercial?</li> <li>9. Noise abatement – vibration – use MPCA definition</li> <li>10. Feedlots – use MPCA definition</li> <li>11. Glare – Shielded lights including yard lights</li> <li>12. Change definition of notification from 350 feet to?</li> <li>13. Change individual sewage treatment systems</li> <li>14. Change building permit section</li> </ol>	Discussion only.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>REPORTS &amp; PRESENTATIONS</b>		
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
<b>REGULAR MEETING</b>		
<b>NON MOTION BUSINESS</b>		
<b>COMMITTEE REPORTS</b>		
<b>CITIZEN COMMENTS</b>		
<b>TOWN BOARD REPORTS</b>		
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to adjourn the meeting at 9:01 p.m. All in favor. Motion carried.

Recorded by Phillips Voice Tracer

Transcribed by:



Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Larry Odegard – Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meet"*

**MEETING:** Public Hearing – Interim Use Permit – Wholesale Solar Electric  
Mazaska Garden LLC with Nokomis Energy LLC

**DATE & TIME:** February 4, 2019 **Start Time:** 7:30 p.m. **Adjourn Time:** 8:23 p.m.

**PLANNING COMMISSION:** Brian Nelson; Andy Devney; Marie Struss; Paul Little; Theresa Bentz;  
Elizabeth Wheeler-Board Liaison

**CONSULTANT:** Alex Conzemius (Bolton & Menk – Bolton & Menk)

**OTHERS IN ATTENDANCE:** Nate Bell; Nicole Vaughn; Liz Messner; Frank Wergin; Larry Odegard;  
Charlene Klemenhausen; Jane Dilley; Jon Wrolstad; Mike Fox;

ITEM	DISCUSSION	ACTION
Call to Order	At 7:30 p.m. Chairperson Brian Nelson	A roll call was taken of members present and a quorum was declared.
Purpose of Public Hearing Meeting	Take public comment on an Interim Use Permit for the installation and construction of a one megawatt wholesale solar electric system located on a 129-acre (parcel #41-02000-51-015) site that will encumber approximately 7 acres with solar panels.	Clerk Wheeler posted meeting notices on the Town Hall door (January 23, 2019), on the Township website (February 23, 2019) and in the Northfield News (January 24, 2019 edition) as required by State Statute.
FINDING OF FACTS		
Nokomis Partners -	<p>Nate Bell, Nokomis Partners gave a power point presentation on the proposed 1 megawatt solar garden located on the Kenneth Hille land.</p> <p>Highlights of the power point: solar energy is lean power, will generate electricity for 25+ years, fixed ground mount, community solar so energy owners can subscribe, need connection to three phase power, fencing design, six-foot wood agricultural fence surrounds the array, access from County Road 47.</p> <p>Alex Conzemius of Bolton &amp; Menk is the engineering firm reviewing the project on behalf of the Township.</p> <p>On 01/14/2019, Bolton &amp; Menk prepared an Interim Use permit with 21 conditions: grading plan, stormwater prevention plan, stormwater management plan final site plan, landscape plan, electric interconnection details, driveway access, security fencing, buried electrical lines, cash escrow, insurance, termination, etc.</p> <p>Wheeler stated that the Town Attorney hasn't reviewed the IUP – would need done before adopted by Town Board.</p>	<p>Commissioner Little made a motion to recommend to the Town Board the Solar Array on the Hille parcel provided Dakota County sends a letter to Clerk stating they have reviewed the setback from the Cannon River is adequate.</p> <p>Commissioner Struss seconded it. All in favor, motion carries.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	Wheeler stated that she received an email from Dee McDaniels on January 30, 2019 regarding Dakota County's Shoreline Ordinance #50. The setback from the Cannon River shoreline is 1,000 feet. Nokomis will need to work with the County regarding that setback. McDaniels stated that if the array is over the 1,000 feet but close, a survey will be required.	
<b>PUBLIC COMMENTS</b>		
Jon Wrolstad – 31853 Northfield Blvd, Northfield  Mike Fox – 30255 Northfield Blvd, Northfield, MN	Wrolstad stated he didn't want the solar array behind his house – he is concerned it will lower his property value.  Fox stated he built his home in 1989 on the northern section of his property. His home has mature trees around the home, but could have a view of the array – would request mature landscaping around the array.	Bell stated that both properties have mature trees on their parameters, however the landscaping of the array would be planned taking into account the two adjacent property owners.
<b>ADJOURN</b>		
Adjourn the meeting	Nelson requested a motion to adjourn the Public Hearing.	A motion was made by Struss and seconded by Little to adjourn the Public Hearing at 8:23 p.m. All in favor. Motion carried.



Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Public Meeting – Bridge Grant

**DATE & TIME:** February 11, 2019 **Start Time:** 7:15 p.m. **Adjourn Time:** 8:15 p.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor, Liz Messner- Supervisor;  
Frank Wergin-Township Supervisor; Elizabeth Wheeler – Town Clerk  
Charlene Klemenhausen-Township Treasurer; Jane Dilley- Deputy Treasurer

**PRESENTER:** Lisa Karlgaard – PE – LHB, Inc.

**OTHERS IN ATTENDANCE:** Jerry Wicklund, Tom Devney, Andy Devney, Marie Struss,

ITEM	DISCUSSION	ACTION
Call to Order	<p>At 7:15 p.m. Chairperson/Supervisor Odegard called the Public Meeting to Order.</p> <p>Bridge Grant Manager Elizabeth Wheeler explained that the reason for the Public Meeting was three-fold.</p> <ol style="list-style-type: none"> <li>1. Requirement of the grant.</li> <li>2. Report on the proposed bridge rehabilitation</li> <li>3. Solicit input.</li> </ol>	<p>Wheeler published the Public Meeting in the Northfield News on January 30, 2019.</p> <p>Wheeler published the Public Meeting in the December 2018 Newsletter</p> <p>Wheeler uploaded the Public Meeting notice to the Township Website on January 30, 2019.</p> <p>Wheeler posted the notice on the Town Hall Door on January 30, 2019</p> <p>Local historical organizations were notified by letter of the meeting including:</p> <ol style="list-style-type: none"> <li>1. Matthew Carter, Executive Director – Dakota County Historical Society</li> <li>2. Cathy Osterman, Executive Director – Northfield Historical Society</li> <li>3. Susan Garwood, Executive Director – Rice County Historical Society</li> <li>4. Eric Hillemann, Carleton College Archivist – Carlson College Archives.</li> </ol>
<b>REPORTS &amp; PRESENTATIONS</b>		
2018 Bridge Grant from the Minnesota Historical Society	Lisa M. Karlgaard, PE (MN) – Structural Senior Engineering for LHB prepared and delivered a seventy-page power point presentation during a Public Hearing. .	Seventy-page power point is available upon request.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>The preparation of the rehabilitation plan has been funded by a grant made possible due to the bridge's historic significance and listing on the National register</p> <p>In summary the power point presentation provided project background, general bridge description, historic significance, current bridge condition, proposed rehabilitation scope, and project next steps were reviewed.</p> <p>The condition of each element of the bridge as well as the decisions made during design to reach compromises between historic preservation and modern engineering and safety standards were highlighted.</p>	
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
<b>REGULAR MEETING</b>		
<b>NON MOTION BUSINESS</b>		
<b>COMMITTEE REPORTS</b>		
<b>CITIZEN COMMENTS</b>		
<p><i>Tom Devney</i></p> <p><i>Jerry Wicklund</i></p> <p><i>Andy Devney</i></p>	<p>After rehabilitation what will be the service life of the bridge?</p> <p>How long will the paint last before it will need painting again?</p> <p>What if we just left the bridge stand till it fell in the river?</p>	<p>The service life of the repair is estimated to be 40 – 50 years – because the bridge will not see vehicular traffic or de-icing salts, it is possible the service life would be much longer until the next major rehabilitation is anticipated.</p> <p>The paint system will last approximately 30 years, at which time the bridge could require a full or partial painting – maintenance of the new paint system (spot painting areas of corrosion on a regular cycle) would extend the life of the paint system.</p> <p>Grants/assistance will likely not be available for bridge removal, leaving the financial responsibility on the Township.</p> <p>The cost of removal of the bridge has been estimated locally at approximately \$250K.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
		<p>While the 2014 Bridge Grant of \$95,000 costs the tax payers \$73,000 over ten years, the 2018 grant of \$106,800 cost the tax payers \$5,000.</p> <p>It is anticipated that all future grants for rehabilitation will cost \$5,000 per grant. It is estimated that it might take two grant cycles to get the required \$1,000,000 plus.</p>
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to adjourn the meeting at 8:15 p.m. All in favor. Motion carried.

Recorded by Phillips Voice Tracer



Transcribed by:

Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** February 11, 2019    **Start Time:** 7:00 p.m.    **Recess Time:** 7:15 p.m.  
**Reconvene Time:** 8:15 p.m.    **Adjourn Time:** 10:32 p.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor, Liz Messner- Supervisor;  
 Frank Wergin-Township Supervisor; Elizabeth Wheeler - Clerk;  
 Charlene Klemenhagen-Township Treasurer; Jane Dilley- Deputy Treasurer

**OTHERS IN ATTENDANCE:** Liza Karlgaard – PE – LHB; Jerry Wicklund, Tom Devney, Andy Devney, Marie Struss

ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Chairperson/Supervisor Odegard called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge of Allegiance
Approval of Regular Agenda	Board members to add the following to the agenda: <ol style="list-style-type: none"> <li>Checks from January 14, 2019 meeting held until Grant Manager Wheeler returned from vacation. Check #7754 &amp; Check #7755</li> <li>Remove Resolution for Approving voting Precinct Was held from January 2019 meeting till Election Administrator got back from vacation. Holding the Resolution caused the Township to miss the deadline for declaring the Township's precinct. Dakota County retained the 3847 321<sup>st</sup> Street location – however, going forward the Township must pass the precinct designation resolution in December to ensure compliance with state law.</li> <li>Town Hall pressure tank</li> </ol>	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to approve the <b>REGULAR</b> agenda for February 11, 2019 with two additional items added. All in favor. Motion carried.
Approval of Consent Agenda	<ul style="list-style-type: none"> <li>Clerk's Monthly Claims &amp; Deposit report               <ul style="list-style-type: none"> <li>January 1, 2019 to January 31, 2019.</li> </ul> </li> </ul>	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to approve the <b>CONSENT</b> agenda. All in favor. Motion carried.
Motion (M2019-001) <i>Recess Regular Board meeting for Public Hearing scheduled for 7:15 p.m.</i>	Public hearing convened at 7:15 p.m. to enable Lisa Karlgaard, PE for LHB (Bridge Grant Engineering consultant) to present an update on the Waterford Bridge restoration. Note: minutes for Public Hearing are a separate set of minutes.	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to recess Regular Board meeting. All in favor. Motion carried.
<b>REPORTS &amp; PRESENTATIONS</b>		
None		

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>PLANNING COMMISSION</b>		
None		
<b>REGULAR MEETING</b>		
Motion (M2019-001) <i>Reconvene Regular Board at 8:15 p.m.</i>	Reconvene Regular Board Meeting.	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to reconvene the Regular Board meeting. All in favor. Motion carried.
Motion (M2019-001) <i>Approve mailing of LHB checks: #7754 &amp; #7755.</i>	<p>At the January 14, 2019 Regular Board meeting the Supervisors passed a motion to hold accounts payable checks #7754 &amp; 7755 until Bridge Grant Manager Elizabeth Wheeler returned to answer questions about the timing of the grant funds and the payment for engineering services on the Waterford Bridge restoration.</p> <p>Wheeler explained that the grants are not paid in full to an entity but in phases. As each phase (milestone) is done &amp; any requirements are met, then the phase amount is mailed to the Township.</p> <p>The Township will get all the grant money, but must engage the services of consultant and/or contractor first. Must pay the invoices timely and then the Minnesota Historical Society send the grant money.</p> <p>Wheeler stated that grant opportunities are available, but the Township needs funds to pay the cost up front and then be basically reimbursed.</p> <p>Wheeler stated that this grant is small thus the Township is covering the up front cost and then gets reimbursed. However, the next grants will be quite large and the Township will not be able to float the money, thus will need to ask Dakota County to be the fiscal agent. Dakota County will pay the invoices and then Waterford will reimburse Dakota County when Waterford receives the milestone</p>	Motion was made by Supervisor Wergin and seconded by Chairperson/Supervisor Odegard to mail LHB check #7754 & check #7755. All in favor. Motion carried.
Motion (M2019-001) <i>Approve notifying Mike Rutten, owner of Parcel #41-00800-76-012 to cut his lilac bushes that are in right of way to two feet above the ground by March 15, 2019.</i>	<p>Supervisor Messner stated that she had given Mr. Rutten until the end of December 2018 to cut down his lilac bushes or relocate them out of the right of way.</p> <p>Nothing has been done and Tom Davis on Burma has been writing monthly emails stating there have been near head on collisions on Burma because of the lilac bushes in the right of way.</p> <p>Clerk Wheeler suggests she writes a letter and have it reviewed by attorney to ensure the Township has the rights it thinks it has before hiring Cannon River Tree Service to remove and/or cut down Rutten's lilacs from the Township's right of way.</p>	Motion was made by Supervisor Wergin and seconded by Supervisor Messner to notify Mr. Rutten that he has until March 15, 2019 to cut his lilac bushes that are in right of way down to two feet tall or remove them entirely. All in favor. Motion carried.

# WATERFORD TOWNSHIP

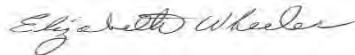
ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Approve the transfer of \$5,529.26 (from State of MN) to reserves per Resolution 2018-09</i></p>	<p>Road Steward Wheeler volunteered to contact Mr. Rutten and work with him a solution to the line-of-sight complaints.</p> <p>Board needs to approve the transfer of \$5,529.26 received from the State of Minnesota from general fund to reserves per Resolution 2018-09.</p>	<p>Motion was made by Supervisor Wergin and seconded by Supervisor Messner to transfer \$5,529.26 from general fund to reserves as per Resolution 2018-09. All in favor. Motion carried.</p>
<p>Motion (M2019-xxx) <i>Approve the transfer of \$6,005.97 (2018 Building Permit Fees to reserves per Resolution 2018-09</i></p>	<p>Clerk Wheeler provided spreadsheet detail on the audit of building permits for 2018. The township received 10% to 15% of every building permit by State law plus the Township charges a \$50.00 administrative fee for the handling and processing of the permit.</p> <p>In the past those fees were just absorbed in fund 100. Wheeler stated that those fees should be transfer each year into a fund that is used to pay Planning Commission meeting fee, updating and amending twenty-year-old Zoning Ordinance and save for the ten-year mandatory Comprehensive Plan Review.</p> <p>This fund will enable the Levy to remain stable.</p>	<p>Motion was made by Supervisor Messner and seconded by Supervisor Wergin to transfer \$6,005.97 from general fund to a revenue fund earmarked for Zoning only as per Resolution 2018-09. All in favor. Motion carried.</p>
<p>Motion (M2019-xxx) <i>Approve the purchase and installation of new pressure tank.</i></p>	<p>Pressure tank is continually cycling off and on – water logged – pressure tank depends on air pressure -if the inside air pressure drops, the tank will not trigger the pressure switch correctly, causing the pump to switch on and off erroneously.</p>	<p>Motion was made by Supervisor Messner and seconded by Supervisor Wergin to Project Coordinator Wheeler to get a new pressure tank installed by Kaderlick in Town Hall. All in favor. Motion carried.</p>
<p><b>NON MOTION BUSINESS</b></p>		
<p><b>COMMITTEE REPORTS</b></p>		
<p>Road Steward – Steve Wheeler</p> <p>Budget Committee Marie Struss</p> <p>Property Committee Elizabeth Wheeler</p>	<ul style="list-style-type: none"> <li>▪ January 23, 2019 - five-year proposed budget</li> <li>▪ February 21, 2019 – Road Maintenance Contract &amp; performance standards</li> <li>• February 05, 2019 – 7:00 p.m. – Preliminary budget &amp; Levy</li> <li>• March 5, 2019 – 7:00 p.m. - Prep for March 2019 Annual Meeting Presentation</li> <li>▪ January 28<sup>th</sup> &amp; February 11<sup>th</sup> meetings - Town Hall discussion on what to do with the Town Hall building – not handicap accessible for meetings and or voting.</li> <li>▪ March 11, 2019 – 5:30 p.m. at Town Hall – look at options including renovation, building, etc.</li> </ul>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
Grant Management Elizabeth Wheeler	<ul style="list-style-type: none"> <li>▪ L3275 Rehabilitation Project               <ul style="list-style-type: none"> <li>• 60% Goal – Comments received 01/25/19</li> <li>• 75% Goal - Bridge Grant Extension &amp; Grant Funding - February 21, 2019</li> </ul> </li> </ul>	
Zoning Ordinances Elizabeth Wheeler	<ul style="list-style-type: none"> <li>• 5<sup>th</sup> Work Group – April 1, 2019</li> </ul>	
Website Administrator – Elizabeth & Steve Wheeler	<ul style="list-style-type: none"> <li>• Wheelers reported that building the website on the GovOffice template has been a bit of a learning curve, but support is available if we need it. Required support to get the banner uploaded. Banner is the Township's brand – using the bridge and tag line. Headings are in place and Wheeler is populating the information. Plan is to launch and continue adding content.</li> </ul>	
Building Permits Elizabeth Wheeler	<ul style="list-style-type: none"> <li>• MNSPECT Permitting System &amp; Electronic Storage – Wheeler stated she would move this item to next agenda.</li> </ul>	
<b>CITIZEN COMMENTS</b>		
None		
<b>TOWN BOARD DISCUSSION</b>		
Annexation	Town Board engaged in a lengthy (8:15 p.m. until 9:20 p.m.) discussion on annexation, Ludescher letter in Northfield News, etc.	No action taken.
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to adjourn the meeting at 10:32 p.m. All in favor. Motion carried.

Recorded by Phillips Voice Tracer

Transcribed by:



Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – Zoning Reviews & Zoning Phase 3

**DATE & TIME:** February 25, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:32 p.m.

**MEMBERS PRESENT:** Bryan Nelson, Paul Little, Andy Devney, Marie Struss, Theresa Bentz,

**OTHERS IN ATTENDANCE:** Elizabeth Wheeler – Board Liaison, Luke Sexton, Andrew Ehrmann, Terry Mikulecky

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Planning Commission on the Town Hall door on February 13, 2019.  Notice was uploaded to the Township website at <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> on February 13, 2019.	No action necessary.
Call to Order	Chairperson Bryan Nelson called the meeting to order at 7:00 p.m.	
	<b>ZONING REVIEWS</b>	
Zoning Reviews  ANDREW EHRMANN POLE BARN PARCEL– 41-01900- 53-040.	<p>Three zoning reviews were conducted:</p> <ol style="list-style-type: none"> <li>1. Ehrmann Pole Barn</li> <li>2. Sexton Pole Barn</li> <li>3. Langer &amp; Estrem Commercial Addition</li> </ol> <p>Ehrmann presented a drawing of approximately where he wanted to locate a pole barn.</p> <p>Ehrmann report that he has been working with Dakota County to use port-a-potties and daylight his vegetable cleaning sink.</p> <p>Ehrmann is also working with the Building Official to eliminate a public bathroom requirement of his pole barn.</p> <p>Ehrmann stated that if he can work it out with the County for Port a potty and the Building Official for day lighting his vegetable cleaning sink, he will build the Pole Barn. It will not be an Ag-exempt building because the public will use the building eight months out of the year.</p> <p>It was unknown on the day of the Zoning Review as to whether he would be able to do what he needs to make the building affordable. Ehrmann wants to get the Zoning Review approved so if he is able to build his building the Zoning Review is done, and he can simply build.</p>	<p>Bryan stated that Ehrmann’s Pole Barn meets the setbacks. Motion to recommend to Town Board - All in favor – motion carries.</p>

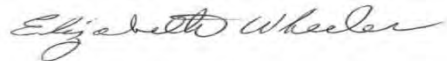
# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>LUKE SEXTON – POLE BARN – PARCEL #41-00800-03-060</p> <p>LANGER &amp; ESTREM – ADDITION TO CURRENT COMMERCIAL BUILDING PARCEL #41-03000-58-022</p>	<p>While Sexton resides in an ag-preservation district of the Township, his property is tax as residential because he only owns three acres.</p> <p>Sexton stated the building would be used for his personal use and not used for business.</p> <p>Terry Mitku;ecky – manager of Sema Equipment in the Langer &amp; Estrem building needs to expand. Proposing to add storage and stop to the west side of warehouse. Finish the interior for shop and shop space.</p> <p>Meets all the required setbacks. Property owners must get Dakota County to sign off the Dakota County Shoreline Ordinance #50.</p>	<p>Bryan stated that Sexton Pole Barn meets the setbacks and will be used for personal use only. Motion to recommend to Town Board - All in favor – motion carries.</p> <p>Bryan stated that Langer &amp; Estrem addition meets the setbacks – will require written release from Dakota County for Shoreline Ordinance #50. Motion to recommend to Town Board - All in favor – motion carries.</p>
ITEM	DISCUSSION	ACTION
<p>COMP PLAN</p> <p>PHASE 3</p>	<p><b>COMPREHENSIVE PLAN:</b> Wheeler reported that the Township had approved Resolution 2018-06 - April to submit to Metropolitan Council for review. Met Council makes sure Waterford’s plan conforms to the metropolitan system plans for transportation water resources, parks, etc. Bolton &amp; Menk &amp; Dean Johnson will monitor &amp; follow up with all Townships.</p> <p><b><u>Items for discussion:</u></b></p> <ul style="list-style-type: none"> <li>• Language to address what is written into ordinance and the process being utilized</li> <li>• Farm employee housing for CSA farms</li> <li>• Language for application for “re-zoning”</li> <li>• Multi-generational housing</li> <li>• Variance language clearer – by state law</li> <li>• Update sign permits</li> <li>• Tiny homes</li> <li>• Manufactured homes–single family dwelling</li> <li>• Shared well</li> <li>• Reference State &amp; County standards for regulating mining.</li> <li>• Clarify mining district and performance standards</li> <li>• Clarify build able sites transfers</li> <li>• Clarify clustering standards</li> <li>• Clarify request for re-zoning of property</li> <li>• Clarify mining operations</li> <li>• Clarify variance process and procedure</li> <li>• Mining district and performance standards</li> </ul> <p>Meeting discussion topic was “Mining district and performance standards”.</p> <p>Copies of Sciota Township Mining Ordinance, Castle Rock Mining Ordinance and Waterford Section 7.23 were distributed. Time was spent reviewing, comparing and discussing performance standards between the three mining ordinances.</p> <p>Wheeler will coordinate next Phase 3 meeting with Conzemius.</p>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
ADJOURN		
Adjourn the meeting		A motion was made by Chairperson Nelson to adjourn at 8:32 p.m. All in favor. Motion carried.

Recorded & Transcribed by:



Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** CLOSED SESSION – Attorney/Client Privilege – Appellate Case #A19-234 – Settlement Offer

**DATE & TIME:** March 11, 2019 **Start Time:** 9:00 a.m. **Adjourn Time:** 9:54 a.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor; Frank Wergin - Supervisor; Liz Messner - Supervisor, Elizabeth Wheeler - Township Clerk

**OTHERS IN ATTENDANCE:** Mike Couri – Township Attorney (via phone)

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted on the Town Hall door on March 7, 2019.  Notice was uploaded to the <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> website on March 7, 2019.	No action required.
Call to Order	Chairperson/Supervisor Larry Odegard called the meeting to order at 9:00 a.m.	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to close the meeting pursuant to Minnesota Statutes 13D.05, Subdivision 3(b) related to attorney-client privilege to discuss Appellate Case #A19-0234 and the City of Northfield's offer to settle.
	Discussion of the Board with the Attorney are privileged and not written in a public document.	Clerk Wheeler was directed to post a Closed Session at 9:00 a.m. on Friday, March 15, 2019 with a Special Meeting to convene following the Closed Session.
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Supervisor Messner and seconded by Supervisor Wergin to adjourn the Closed Meeting at 9:54 a.m. All in favor. Motion carried.

Recorded & Transcribed by:

\_\_\_\_\_  
Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Larry Odegard - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meet"*

**MEETING:** Public Hearing – Zoning Ordinance #2001-5

**DATE & TIME:** March 11, 2019 **Start Time:** 6:00 p.m. **Adjourn Time:** 6:53 p.m.

**PLANNING COMMISSION:** Brian Nelson; Andy Devney; Marie Struss; Paul Little; Theresa Bentz


**CONSULTANT:** Alex Conzemius (Bolton & Menk)

**OTHERS IN ATTENDANCE:** Liz Messner; Frank Wergin; Larry Odegard; Charlene Klemenhagen; Jane Dilley;

ITEM	DISCUSSION	ACTION
Call to Order	At 6:00 p.m. Chairperson Brian Nelson	A roll call was taken of members present and a quorum was declared.
Purpose of Public Hearing Meeting	Take public comment on zoning ordinance updates as printed in the Northfield News.	Clerk Wheeler posted meeting notices on the Town Hall door (February 25, 2019), on the Township website (February 25, 2019) and in the Northfield News (February 27, 2010 edition) as required by State Statute.
FINDING OF FACTS		
Zoning Ordinance Updates – Phase 2	<ul style="list-style-type: none"> <li>• Make ordinance definitions clearer and to add terms necessary to enforce the zoning ordinance or delete terms that are not needed.</li> <li>• Clarify the purpose and activities that can take place within home occupations.</li> <li>• Clarify procedures for processing and noticing public hearings.</li> <li>• Allow “one-year borrow pits” for short term excavation on a property.</li> <li>• Clarify uses allowed in the business district.</li> <li>• Revise the dimensional standards for zoning districts.</li> <li>• Add a definition for the village district.</li> <li>• Minimal lot size for a property in agricultural use</li> <li>• Performance standards for waste.</li> <li>• Performance standards for noise and vibrations.</li> <li>• Performance standards for glare.</li> <li>• Clarify wholesale and retail solar terminology.</li> <li>• Reference State and County standards for regulating feedlots.</li> </ul>	<ul style="list-style-type: none"> <li>• Conzemius lead a discussion and answered all questions of those present on each item.</li> <li>• Conzemius to prepare the Ordinances for the Regular Meeting of the Town Board on April 8, 2019.</li> </ul>
TOWN BOARD REPORTS		
	N/A	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>ADJOURN</b>		
Adjourn the meeting	Nelson requested a motion to adjourn the Public Hearing.	A motion was made by Struss and seconded by Little to adjourn the Public Hearing at 6:53 p.m. All in favor. Motion carried.



Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** March 11, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:54 p.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor, Liz Messner- Supervisor;  
Frank Wergin-Supervisor; Elizabeth Wheeler-Town Clerk  
Charlene Klemenhausen- Treasurer; Jane Dilley- Deputy Treasurer

**OTHERS IN ATTENDANCE:** Deputy Reiners, Chad Olson, Bryan Nelson, Jerry Wicklund, Tom Devney, Andy Devney, Marie Struss, Jake Bentz, Larry Vorwerk, Steve Wheeler, Mark Henry

ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Chairperson/Supervisor Odegard called the meeting to order.	A roll call was taken of members present and a quorum was declared. Odegard lead Pledge of Allegiance
Approval of Regular Agenda	Board members to add the following to the agenda: <ul style="list-style-type: none"> <li>• None</li> </ul>	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to approve the <b>REGULAR</b> agenda for March 11, 2019 All in favor. Motion carried.
Approval of Consent Agenda	<ul style="list-style-type: none"> <li>• Clerk's Monthly Claims &amp; Deposit Report (2/1/19 – 2/28/19)</li> <li>• Treasurer's Report for month of February 2019</li> <li>• Minutes – Annual Board of Audit for 2018 Meeting date: 01/28/19</li> </ul>	A motion was made by Supervisor Wergin and seconded by Supervisor Messner to approve the <b>CONSENT</b> agenda for March 11, 2019. All in favor. Motion carried.
<b>REPORTS &amp; PRESENTATIONS</b>		
Deputy Sheriff Reiners	Deputy Reiners reported that there has not been much going on in Waterford.	Report only – no action necessary
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
Commission Report	Bryan Nelson, Chairperson of Planning Commission reported that the Planning Commission met on February 25, 2019. Three zoning reviews were conducted: <ol style="list-style-type: none"> <li>1. Ehrmann Pole Barn</li> <li>2. Sexton Pole Barn</li> <li>3. Langer &amp; Estrem Commercial Addition</li> </ol>	No action necessary

March 11, 2019 - REGULAR BOARD MEETING

3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057 – 651-346-8467 – [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Approve Zoning Review for Ehrmann Pole Barn</i></p>	<p>Nelson reported that Andrew Ehrmann presented a drawing of approximately where he wanted to locate a pole barn on Parcel 41-01900-53-040.</p> <p>Ehrmann report that he has been working with Dakota County to use port-a-potties and daylight his vegetable cleaning sink.</p> <p>Ehrmann is also working with the Building Official to eliminate a public bathroom requirement of his pole barn.</p> <p>Ehrmann stated that if he can work it out with the County for Port a potty and the Building Official for day lighting his vegetable cleaning sink he will build the Pole Barn. It will not be an Ag-exempt building because the public will use the building eight months out of the year.</p> <p>It was unknown on the day of the Zoning Review as to whether he would be able to do what he needs to make the building affordable. Ehrmann wants to get the Zoning Review approved so if he is able to build his building the Zoning Review is done, and he can simply build.</p>	<p>A motion (M2019-0xx) was made by Supervisor Messner and seconded by Supervisor Wergin TO APPROVE ZONING REVIEW FOR ANDREW EHRMANN COMMERCIAL POLE BARN ON PARCEL #41-01900-53-040 AS MEETING THE ZONING SETBACKS WITH THE USE TO BE DECIDED BY DAKOTA COUNTY &amp; BUILDING OFFICIAL All in favor. Motion carried</p>
<p>Motion (M2019-xxx) <i>Approve Zoning Review for Sexton Pole Barn</i></p>	<p>Nelson reported that Luke Sexton requested a Zoning Review for a non-ag pole barn on Parcel #41-00800-03-060. When questioned, Sexton stated the building would be used for his personal use. Nelson stated that the Planning Commission approved the Zoning Review as meeting all zoning setbacks.</p>	<p>A motion (M2019-0xx) was made by Chairperson Odegard and seconded by Supervisor Wergin TO APPROVE ZONING REVIEW FOR LUKE SEXTON POLE BARN ON PARCEL #41-00800-03-060 AS MEETING THE ZONING SETBACKS WITH THE USE AS <u>NON-AG-EXEMPT</u> PERSONAL STORAGE All in favor. Motion carried</p>
<p>Motion (M2019-xxx) <i>Approve Zoning Review for Langer &amp; Estrem Commercial Addition</i></p>	<p>Nelson reported that the Langer &amp; Estrem Commercial addition on Parcel #41-03000-589-022 meets all the required zoning setbacks. Nelson stated the Planning Commission recommends the project with the caveat that the property owners must get a written release from Dakota County in regards to the Dakota County Shoreline Ordinance #50.</p>	<p>A motion (M2019-0xx) was made by Supervisor Messner and seconded by Supervisor Wergin TO APPROVE ZONING REVIEW FOR LANGER &amp; ESTREM COMMERCIAL ADDITION ON PARCEL #41-03000-58-022 AS MEETING THE ZONING SETBACKS WITH THE USE AS COMMERCIAL SUBJECT TO DAKOTA COUNTY ORDINANCE #50 APPROVAL. All in favor. Motion carried</p>
<p>Motion (M2019-xxx) <i>Approve Phase 2 Zoning Ordinance Updates as funded by \$5,000 Grant</i></p>	<p>Clerk Wheeler reported that since June 2018 the Township has been working on updating their Zoning Ordinances – last adopted 2001. Zoning Ordinances should be reviewed at least every ten years when the Comprehensive Plan is reviewed &amp; submitted to the MET Council.</p>	<p>A motion (M2019-0xx) was made by Chairperson Odegard and seconded by Supervisor Wergin TO APPROVE ZONING ORDINANCE UPDATES AS PUBLISHED IN A PUBLIC HEARING NOTICE IN THE NORTHFIELD NEWS ON FEBRUARY 26, 2019 AND LISTED</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p><u>The Zoning Update project schedule:</u></p> <p><b>Phase 1</b> – Carve out Business District from Rural Residential – allowing for additional uses and flexibility for owners when they retire and or sell their properties – Completed in September 2018 – <u>paid for by the Revenue Fee account.</u></p> <p><b>Phase 2</b> – Started November concluded March 11, 2019 – multiple changes that included bringing the zoning ordinances up to current legal language. – <u>Paid for by \$5,000 grant.</u> Listed below was published in the Northfield News – Public Hearing on 3/11/19.</p> <p>Wheeler explained that a motion from the Board approving the list of Zoning Ordinance changes would allow Bolton &amp; Menk to submit a bill for their services to Margaret M. Dykes, AICP- Assistant Director of Community and Economic Development – Dakota County Community Development Agency by the March 31, 2019 grant deadline. Without a motion the Township would not meet the deadline and thus not get the grant funds.</p> <p>Wheeler stated that Alex Conzemius, Bolton &amp; Menk consultant attended the Public Hearing to answer any questions. Wheeler stated she read off each zoning item that was listed in the Public Notice and the Planning Commission either agreed or requested an item be placed on the Phase 3 list. (example: mining district)</p> <p>Wheeler is requesting that the Town Board make a motion to approve the list of changes as presented.</p> <p>Zoning Ordinance Updates – Phase 2</p> <ul style="list-style-type: none"> <li>• Make ordinance definitions clearer and to add terms necessary to enforce the zoning ordinance or delete terms that are not needed.</li> <li>• Clarify the purpose and activities that can take place within home occupations.</li> <li>• Clarify procedures for processing and noticing public hearings.</li> <li>• Allow “one-year borrow pits” for short term excavation on a property.</li> <li>• Clarify uses allowed in the business district.</li> <li>• Revise the dimensional standards for zoning districts.</li> <li>• Add a definition for the village district.</li> <li>• Minimal lot size for a property in agricultural use</li> <li>• Performance standards for waste.</li> <li>• Performance standards for noise and vibrations.</li> <li>• Performance standards for glare.</li> <li>• Clarify wholesale and retail solar terminology.</li> <li>• Reference State and County standards for regulating feedlots.</li> </ul>	<p>IN THESE MINUTES AND TO AUTHORIZE BOLTON &amp; MENK TO SUBMITTED THE NECESSARY PAPERWORK AND BILLING TO DAKOTA COUNTY COMMUNITY DEVELOPMENT AGENCY PRIOR TO MARCH 31, 2019 FOR THE \$5,000 GRANT. All in favor. Motion carried</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Alex Conzemius – Planner Consultant - Bolton &amp; Menk will prepare Ordinance #2019-01 with amendments to Ordinance #2001-5. Wheeler will prepare a resolution for the April 8, 2019 Board meeting.</p> <p>Wheeler stated that this motion allows the Township to receive the grant money before the deadline of March 31, 2019. Wheeler will prepare a “summary” of the amendments following the April 8, 2019 Board meeting and will have it published before the end of April. Once published the amendments are effective.</p> <p><b><u>Phase 3</u></b> - 2<sup>nd</sup> half of Bolton &amp; Menk proposal - \$4,953 This work will be more complicated requiring presentations, discussion, etc. Current list of items:</p> <p><u>Work remaining to be done:</u></p> <ul style="list-style-type: none"> <li>• Language to address what is written into ordinance and the process being utilized</li> <li>• Farm employee housing for CSA farms</li> <li>• Language for application for “re-zoning”</li> <li>• Multi-generational housing</li> <li>• Variance language clearer – by state law</li> <li>• Update sign permits</li> <li>• Tiny homes</li> <li>• Manufactured homes–single family dwelling</li> <li>• Shared well</li> <li>• Reference State &amp; County standards for regulating mining.</li> <li>• Clarify mining district and performance standards</li> <li>• Clarify build able sites transfers</li> <li>• Clarify clustering standards</li> <li>• Clarify request for re-zoning of property</li> <li>• Clarify mining operations</li> <li>• Clarify variance process and procedure</li> <li>• Mining district and performance standards</li> </ul> <p><b><u>Phase 4 - Non-conforming grandfathered business district</u></b></p> <p>Wheeler explained that phase 4 will begin this summer once the Township has its 2040 Comprehensive Plan back from the MET Council. The first order of business will be to request an amendment to the 2040 Comp Plan to place approximately ten non-conforming grandfathered (prior to 1981) businesses scattered throughout the Rural Residential and Ag Preservation districts. The properties will never return to housing and or farming thus having a district with clear performance standards will eliminate zoning errors and clarify permitted uses.</p> <ol style="list-style-type: none"> <li>1. Mini Mall</li> <li>2. Castle Rock Storage</li> <li>3. SDM storage</li> <li>4. MKS Properties LLC</li> <li>5. Taylor Trucking</li> </ol>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>6. Tony's Towing 7. Langer Bldg (prior Olsen Brothers Construction) 8. Benjamin Franklin 9. Benjamin Bus 10. Lloyd Christianson</p> <p>Wheeler explained that to save costs of publishing a new Zoning Ordinance book the Township will wait until all four phases of the Zoning Ordinance Update are completed. Merge all amendments into one document for publication. Target date for publication is December 2019.</p>	
<b>REGULAR AGENDA</b>		
<p>Motion (M2019-001) <i>Verify buildable sites for Conservation Easement program with Dakota County for six parcels in Waterford Township.</i></p>	<p>JB Dudley emailed Supervisor Messner requesting a letter confirming seven build able sites on the following parcels:</p> <p>41-0280026020 41-0280026030 41-0280026012 41-0280001010</p> <p>Messner stated that JB Dudley was in negotiations with Dakota County regarding putting all the parcels in to a conservation program. The program would not allow any building on the parcels into perpetuity. The parcel owner receives compensation for each buildable site thus the need for a letter from the Township.</p> <p>JB Dudley send a copy of <b>Work Session</b> minutes dated October 7, 2006 as proof that the Dudley's had seven buildable lots. One sentence on the Work Session minutes states: "John Dudley has 7 more building sites on the home farm of 320 acres." The Work Session minutes do not contain any motions nor an explanation as to how seven sites were determined.</p> <p>The Board reviewed all parcels and verified that on the 320 contiguous acres (known as the Dudley farm) the property owner had eight buildable sites. However, two home are located on the 320 contiguous acres thus reducing the buildable sites to six.</p> <p>The Board determined that the 39.72-acre parcel located near Burma Avenue does not have a buildable site because it does not have at least 100 feet of frontage on a Township road.</p> <p>The Board determined that the 20.74 acres located adjacent to the Cannon River just off Canada Avenue is in the Dakota County Shoreline. According to the Dakota County GIS system the parcel is in a flood plain and wetland area adjacent to the Cannon River.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Odegard <b>VERIFYING THE REMAINING BUILDABLE SITES ON 320 ACRES CONTINGUOUS PARCELS (41-280026020, 41-0280026030, 41-0280026012, 41-0280025010, 41-0280001010) AS SIX (6) AND RULING THAT THE BURMA AVENUE PARCEL #41-0080002010 DOES NOT HAVE AT LEAST ONE HUNDRED (100) FEET OF FRONTAGE ALONG A PUBLIC ROAD (2001-5 ZONING ORINANCE 6.04.B6.1) TO QUALIFY AS A BUILDABLE SITE AND PARCEL #41-0200081010 IS WITHIN THE DAKOTA COUNTY SHORELINE AND THUS NOT A BUILDABLE SITE. All in favor. Motion carried.</b></p> <p>Clerk Wheeler was given direction to write a letter to JB Dudley.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-001) <i>Move two buildable sites from parcel #41-0190026010 to parcel #41-007005011.</i></p>	<p>Clerk Wheeler stated that she got a call from Bolton &amp; Menk Planner Alex Conzemius regarding two parcels belonging to Jerry Wicklund: 41-0180026010 &amp; 41-0070051011</p> <p>Conzemius stated that he got a call from an appraiser of the two parcels regarding buildable sites because Jerry Wicklund the property owner was putting parcel #41-0180026010 into the Dakota County Conservation Easement program.</p> <p>The appraiser wanted to verify buildable sites and whether they could be moved to Wicklund's adjacent parcel and or if they could be sold to an adjacent and or non-contiguous Waterford land owner.</p> <p>Wheeler told Conzemius that Wicklund could transfer his two buildable sites from Parcel # 41-0180026010 to Parcel # 41-0070051011 because Parcel #41-0070051011 has greater than the 200 feet of frontage on a Township road required to build two houses.</p> <p>Wicklund had two buildable sites on Parcel #41-0070051011 but sold one site and he has one site, so no buildable sites remain. However, Wickund can move his two buildable sites from his adjacent parcel #41-0080026010 to parcel #41-0070051011.</p> <p>Wheeler called Supervisor Messner on the question of selling buildable sites to adjacent or other Waterford Township property owners. Messner told Wheeler that while the Zoning Ordinance does not address the question, Messner stated the Township has never allowed the selling of buildable sites.</p> <p>Wicklund has decided that he will retain his two buildable sites and move those sites to Parcel #41-0070051011 thus he does not need a letter to the County for negotiating an easement value.</p>	<p>A motion (M2019-0xx) was made by Supervisor Messner and seconded by Supervisor Wergin THE MOVING OF TWO (2) BUILDABLE SITES FROM PARCEL 41-0180026010 TO CONTIGIOUS PARCEL 41-0070051011 BECAUSE THE CURRENT OWNER JERRY WICKLUND IS PUTTING PARCEL #41-0180026010 INTO THE DAKOTA COUNTY CONSERVATION EASEMENT PROGRAM AND PARCEL 41-0070051011 HAS SUFFICIENT ROAD FRONTAGE TO ACCOMODATE THE TRANSFER OF TWO BUILDABLE SITES. All in favor. Motion carries.</p>
<p>Motion (M2019-001) <i>Approve the transfer of the 2018 Town Road Allotment of \$9,383.67 from checking to the Road &amp; Bridge savings account..</i></p>	<p>Road Committee Chairperson Steve Wheeler investigated the funds received from Dakota County via electronic transfer in February 2019 of \$9,383.67 as an annual Town Road Allotment that can only be used for Town Road expenses.</p> <p>Wheeler stated that he worked with Stacy Reilly from the Dakota County Transportation department. She stated that the money that is designated by the State, paid by the County to each Township within Dakota County is to help offset roadway costs. It is determined by the miles certified within the Township and the total population from the census.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Messner TO APPROVE THE TRANSFER OF THE 2018 TOWN ROAD ALLOTMENT OF \$9,383.67 FROM CHECKING TO THE ROAD AND BRIDGE SAVINGS ACCOUNT. All in favor. Motion carries.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-001) <i>Approve the transfer of the 2017 Town Road Allotment of \$9,467.97 from checking to the Road &amp; Bridge savings account..</i></p>	<p>Wheeler stated that the transfer from general checking to Road &amp; Bridge savings has never been a practice before in the Township (at least according to the minutes since 2014) , but Wheeler is requesting that the practice begin with the 2017 Town Road Allotment of \$9,467.97 received in February 2018 and the 2018 Town Road Allotment of \$9,383.67 to build a savings/reserve for road projects that are up coming and need funding.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Messner TO APPROVE THE TRANSFER OF THE 2017 TOWN ROAD ALLOTMENT OF \$9,467.97 FROM CHECKING TO THE ROAD AND BRIDGE SAVINGS ACCOUNT. All in favor. Motion carries.</p>
<p>Motion (M2019-001) <i>Approve a Reese Winter consultation for Treasurer &amp; Deputy Treasurer</i></p>	<p>Treasurer Klemenhagen and Deputy Treasurer Dilley stated that during their recent Minnesota Association of Township (MAT) CTAS audit and training it was suggested the Treasurer &amp; Deputy Treasurer spend a little time with an Accounting firm for federal, state and PERA form compliance.</p> <p>Klemenhagen &amp; Dilley stated that the time spent in late February with MAT was an eye opener as to the various requirements for Township accounting and financial management. Once everything is implemented that was learned, the State Auditor will be satisfied, and the Township will benefit.</p> <p>Some changes include how things are coded for the CTAS system for the State Auditor. Some changes in how invoices are reviewed and approved. Some changes in payroll including various forms that must be on file. Etc.</p>	<p>A motion (M2019-0x) was made by Supervisor Wergin and seconded by Supervisor Messner TO APPROVE A REESE WINTER CONSULTATION FOR THE TREASURER &amp; DEPUTY TREASURER AS SUGGESTED BY THE MINNESOTA ASSOCIATION OF TOWNSHIPS TO ENSURE ALL FEDERAL, STATE &amp; PERA FORMS ARE COMPLIANT WITH THE VARIOUS LAWS. All in favor. Motion carries.</p>
<p>Motion (M2019-001) <i>Approve the Spring, Summer &amp; Fall Road Maintenance Contract and send out for quotes</i></p>	<p>Road &amp; Bridge Chairperson Steve Wheeler reported that the Road &amp; Bridge Committee, at the recommendation of the Minnesota Association of Townships attorney and the Township Attorney has been working on a Spring, Summer &amp; Fall Road Maintenance Contract. The contract is modeled after the Snow &amp; Ice Control Contract that was approved by the Township Attorney last fall.</p> <p>Wheeler reported that once the contract is approved the Clerk will send four contractors a packet containing the contract, a self-addressed stamped envelope and a quote form. Wheeler stated that the quotes would need to be post marked no later than April 2<sup>nd</sup> to allow for the Road &amp; Bridge Committee to open the quotes at their next committee meeting on April 4, 2019.</p> <p>The criteria for selecting a contractor will be based on the “lowest responsible quote”. Wheeler stated he would bring forward a committee recommendation at the April 8, 2019 Board meeting for approval. The contract period will be from May 1, 2019 through October 31, 2019.</p> <p>Wheeler stated quotes would be sent to Mark Henry-Henry Excavating, Bryce Otte - Otte Excavating, T.J Grossman-Northland Grading &amp; Excavating and Tim Rud-Rud Construction.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Messner TO APPROVE THE SPRING, SUMMER &amp; FALL ROAD MAINTENANCE CONTRACT AND AUTHORIZE CLERK TO SEND OUT FOR QUOTES TO FOUR CONTRACTORS. All in favor. Motion carries.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p><b>NON MOTION BUSINESS</b></p>		
<p><i>Chad Olsen – Request for letter from Town Board on zoning ordinance</i></p>	<p>Chad Olsen stated that he came before the Town Board on January 14, 2019 to discuss his idea of a restaurant (Evil Olive) at the Mini Mall/Convenience Store/Off Sale liquor location in Castle Rock. Olsen stated he signed a lease with Monty Grinager (owner of the property) because Grinager stated that the liquor license was still in effect and that the building already had a Mexican restaurant that served lunch.</p> <p>Olsen stated that the Board said in January that they would need to call the attorney. In late January Olsen stated he talked with Clerk Wheeler about the call to the attorney. Wheeler stated that she had just returned from vacation and had not been directed by the Board to call the Attorney.</p> <p>Olsen said that Wheeler did some research and called back and explained the lengthy process for re-zoning the property. Olsen stated that Wheeler said it would be late fall at the earliest.</p> <p>Olsen said he went back to Grinager to get some relief from the lease, but Grinager stated according to Olsen that liquor and a restaurant were already in the building so the Board could approve Olsen's idea.</p> <p>The Board &amp; Wheeler explained the process and time line for the "re-zoning" of the property along with nine other properties to Olsen for the record.</p> <p>Wheeler stated that according to Bolton &amp; Menk, Planning Consultants – the property is not zoned for on sale liquor or any kind of restaurant. While the Board appreciates the Olsen concept of a restaurant, it is not zoned such.</p> <p>Off sale liquor was allowed as a "convenience" store product. The food served was part of the convenience store (like Super America &amp;/or Kwik Trip) product, not a restaurant or cafe.</p> <p>Wheeler stated that the Township is awaiting the 2040 Comprehensive Plan to be returned to the Township from the MET Council. That is anticipated to happen in April.</p> <p>Once the Township receives the 2040 Comp Plan, they will then need to request an "amendment" from the MET Council for a "non-compliant business district" that will incorporate approximately ten non-conforming business since before 1981 that are currently in the Rural Residential and the Ag-Preservation districts.</p> <p>If the MET Council approves the "non-compliant business district" concept, then the Township will need</p>	<p>Wheeler will send the approved minutes via e-mail to Chad Olsen after they are approved at the April 8, 2019 Regular Board Meeting.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>to develop performance standards that then will be an amendment to the Zoning Ordinances of the Township. The performance standards will need to be developed then a public hearing to allow comments as to the standards.</p> <p>The purpose for the “non-conforming business district” is to allow greater flexibility in the performance standards of those properties. However, until the legal requirements to change the performance standards for those properties occurs the Township must follow the 2001 Zoning Ordinances. Thus, a restaurant and on sale liquor are not allowed.</p> <p>Wheeler stated that the time line of the completion of this project is not before late fall, but hopefully before December 2019. MET Council approval time line is unknown so an exact timeline cannot be committed to thus the end of the year goal. Plus developing the concept to send to the MET Council and then developing the performance standards will take several joint Planning Commission &amp; Board meetings over a period of months.</p> <p>Olsen is requesting something in writing from the Board that he can take to Grinager to be relieved from the lease. The Board stated they would not provide a letter but would provide the minutes of this meeting to Olsen upon their approval at the April 8<sup>th</sup> meeting.</p>	
<b>COMMITTEE REPORTS</b>		
<i>Road &amp; Bridge Committee</i>	Chairperson Steve Wheeler stated that the only item to report on was the Spring, Summer & Fall Road Maintenance contract. Next Road Committee will be April 4, 2019	Motion for contract approval made in regular business section of minutes.
<i>Budget Committee</i>	<p>Chairperson Marie Struss stated that the Budget Committee will be taking a break after having numerous meeting to prepare for the Annual Meeting.</p> <p>Struss reminded the Board that the Budget Committee meetings are now on the Township Website. Meetings for 2019: June 24, 2019 at 7:00 p.m., July 22, 2019 at 7:00 p.m., August 26, 2019 at 7:00 p.m., October 12, 2019 at 1:00 p.m., November 9, 2019 at 1:00 p.m. and December 14, 2019 at 1:00 p.m.</p>	No action necessary
<i>Project &amp; Property Committee</i>	<p>Chairperson Elizabeth Wheeler reported that the Committee visited the Sciota Town Hall on February 27, 2019. Supervisor Randy Volkert gave a tour of the building. The Building is approximately 3,200 square feet.</p> <p>Sciota Township has scheduled a motion on their agenda for April 8, 2019 to formally commit to allowing Waterford Township to conduct their elections in 2020 at their Town Hall because the</p>	No action necessary

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<i>Bridge Grant – 75% report</i>	<p>Waterford Town Hall does not meet handicap accessibility requirements.</p> <p>The next Town Hall tour is at Greenvale Town Hall on March 11, 2019 at 4:00 p.m. The next tour is at Eureka Town Hall on Thursday, May 9<sup>th</sup> at 11:00 a.m. The dates for May, June &amp; July tours have not been finalized.</p> <p>The 75% Bridge Grant meeting was held at the Minnesota Historical Society in St. Paul with LHB on a conference call. Both Minnesota Historical Society and State Historical Preservation Organization were present and asked multiple questions. The meeting was held February 21, 2019.</p> <p>All comments from the Minnesota Historical Society and State Historical Preservation Organization have been addressed. The 90% meeting is March 14, 2019 at the Dakota County Government Center in Apple Valley.</p> <p>The engineering report is due no later May 30, 2019 and my final report is due June 30, 2019. The last 20% of the grant will be distributed sometime after that date.</p> <p>Wheeler announced she will be working with Dakota County starting in April for the next grant which has a preliminary due date of July 26, 2019 with a final grant application due September 13, 2019.</p>	No action necessary
<i>Zoning Ordinance Update</i>	<p>The four phase Zoning Ordinance review and update is continually moving forward. Phase 1 – Business District was completed September 2018, Phase 2 – Grant funded was completed March 11, 2019, Phase 3 will begin on April 2, 2019 and Phase 4 – Non-conforming Business district will begin late summer or early fall.</p>	No action necessary
<i>Website</i>	<p>The new website officially launched March 1, 2019. Most everything has been removed from the old website except for some wording re-directing anyone with the old website in their browser to the new website.</p> <p>The new website has numerous features that the old website did not have. A Calendar feature, on the first page is probably the most helpful feature. Wheeler stated she would be providing a five-minute presentation on the website during the Annual Meeting.</p>	No action necessary
<i>Permitting System</i>	<p>Wheeler reported that she and her husband were trained February 13, 2019 on the new “CITYFORCE” permitting system MNSPECT launched for 2019.</p>	No action necessary

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>The system is web based and has permitting features that will make the Clerk work a little easier. In addition, after a few months of getting comfortable with the software, MNSPECT will meet with Clerk to build a reporting system that will eventually eliminate the need for a separate spreadsheet that the Clerk currently has to maintain in order to reconcile each month. The Clerk will ask for reports that can satisfy the County &amp; State reporting requirements as well.</p>	
<p><b>CITIZEN COMMENTS</b></p>		
<p><b>TOWN BOARD REPORTS</b></p>		
	<p>Township Chairperson Larry Odegard reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>• None</li> </ul> <p>Township Supervisor Frank Wergin reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>• None</li> </ul> <p>Township Supervisor Liz Messner reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>• None</li> </ul> <p>Township Treasurer Charlene Klemenhagen reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>• None.</li> </ul> <p>Township Deputy Treasurer Jane Dilley reported, followed up or following items:</p> <ul style="list-style-type: none"> <li>• None</li> </ul> <p>Township Clerk Elizabeth Wheeler reported, followed up or questioned the following items:</p> <ul style="list-style-type: none"> <li>• None</li> </ul>	<p>No report – no action required.</p> <p>No report – no action required.</p> <p>No report – no action required.</p> <p>No report – no action required.</p> <p>No report – no action required.</p>
<p><b>ADJOURN</b></p>		
<p>Adjourn the meeting</p>	<p>Chairperson requested a motion to adjourn the meeting.</p>	<p>A motion was made by Supervisor Wergin and seconded by Supervisor Messner to adjourn the meeting at 8:54 p.m. All in favor. Motion carried.</p>

Recorded by Phillips Voice Tracer

Transcribed by:



Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

## ANNUAL MEETING MARCH 12, 2019

**IN ATTENDANCE** – Mike Fox, Larry Odegard, Linda Blankenberg, Bridget Renlund, Marie Struss, Andy Devney, Jerry Wicklund, Steve Wheeler, Charlene Klemenhausen, Jane Dilley, Frank Wergin, Paul Little, Rein Lemke, Lorraine Lemke, Jackie Swenson, Ray Ozmun, Brent Johnson, Mike Malecha, Tom Devney, Jeff Ostberg, Larry Vorwerk, Steve Wheeler, Elizabeth Wheeler, Theresa Bentz, Doug Bakken

1. **CALL TO ORDER by Clerk Elizabeth Wheeler at 8:15 p.m.**
2. **PLEDGE OF ALLIGENCE by Chairperson Larry Odegard**
3. **MOTION REQUIRED: Elect Moderator - Clerk Elizabeth Wheeler**
  - Wheeler asked for a motion to elect a Moderator
  - **Motion made by Larry Odegard to elect Theresa Bentz as moderator – no second - all in favor – motion carried**
4. **MOTION REQUIRED: Approve the 2018 Annual Meeting Minutes - Moderator Bentz**
  - 2018 Annual Meeting Minutes were distributed & read – 5 minutes of silence.
  - Bentz asked if any amendments to minutes? Hearing none, Bentz asked for a motion to approve.
  - **Motion made by Larry Odegard, 2<sup>nd</sup> by Frank Wergin, all in favor – motion carried**
5. **MOTION REQUIRED: Set location, & time of 2020 Annual Township Meeting - Moderator Bentz**
  - Minn. Stat. § 365.54 – a time must be set by the electors at the annual meeting
  - **Motion was made by Steve Wheeler to confirm the 8:15 p.m. start time for the March 10, 2020 Annual Township Meeting at the Waterford Township Hall at 3847 321<sup>st</sup> St. W., Northfield, MN 55057, 2<sup>nd</sup> by Larry Odegard, all in favor – motion carried.**
6. **PAST, PRESENT & FUTURE – Elizabeth Wheeler – Town Clerk**
  - Clerk Wheeler started the night's presentations with a focus on financial management resulting from a data request from 68 taxpayers requesting a summary of financial data from the past including the Gilomen lawsuit, Village Streets, Waterford Iron Bridge and Annexation. Clerk offered to send data to anyone requesting the data.
7. **2018 ACCOMPLISHMENTS – Elizabeth Wheeler – Town Clerk**
  - Wheeler stated numerous volunteers and Board members had a very busy year with multiple meetings, multiple projects and multiple changes. Tonight's 40 slide power point presentation was created to highlight the work done since March of 2018 to address re-zoning, annexation decisions, tax payer notifications, communication, transparency, pro-active planning and financial management. Wheeler shared that every accomplishment this past year was for the purpose of financial management & greater accountability to the Township tax payers.

# WATERFORD TOWNSHIP



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## ANNUAL MEETING MARCH 12, 2019

### 8. WHY WE ARE HERE? – Elizabeth Wheeler – Town Clerk

- Wheeler referenced the “Why are we here?” slide. Taxpayers in attendance will vote on the three levies that make up the 2020 budget. In prior years the Township presented one levy, but upon recommendation from the Minnesota Association of Townships (MAT) the Township will be breaking out the levies as General, Fire & Road & Bridge.
- Wheeler explained that during the presentation the presenters will refer to “buckets”: and “reserves”. “Buckets” refer to the money needed to operate the Township within the year while “reserves” refers to the money that needs to be accumulated for future projects.

### 9. PLANNING COMMISSION REPORT – Paul Little – Planning Commission Co-Chairperson

- Little talked through six slides highlighting the activities of the Planning Commission:
  - “On Demand” meetings enhancing service to the tax payers while saving money on scheduled meetings.
  - The Commission is conducting a in depth review of the 2001 Zoning Ordinances in four phases.
    1. The first phase started in the summer of 2018 when the Business district was established (carved out of the Rural Residential district) increasing permitted uses.
    2. The second phase ended last night following a Public Hearing by adopting updated definitions, clarifying numerous ordinances and adding a Village District.
    3. The third phase begins on April 2, 2019 when the Commission tackles language and ordinances that are either new to the Township and or adding additional regulations.
    4. The fourth phase will start sometime this summer when the 2040 Comprehensive Plan is returned to the Township via the Met Council. The Township will request an amendment from the Met Council to add a “grandfathered” Business District to clearly define and regulate ten properties that are scattered throughout the Rural Residential & Ag-Preservation District that don’t fit either zoning and never will.
  - Little explained that the Clerk wrote a grant to help defray the cost of Phase 2 zoning ordinance updates. The Township received a \$5,000 to help with the Zoning ordin The other three phases are funded by the Revenue Fees – Wheeler will explain Revenue Fees in Building Permits.

### 10. 2018 BUILDING PERMITS – Clerk Elizabeth Wheeler – Building Permit Administrator

- Clerk Wheeler reported that she managed & issued 39 building permits in 2018. Total valuation for tax purposes was \$2,433,438.00.
- Wheeler stated some permits require plan review by MNSPECT and some are issued without needing plan review. Wheeler stated that when someone calls she determines what permit to issue.
- Wheeler announced that starting this year MNSPECT (Township’s Building Official) has a web-based permit system that will save the Clerk time, expedite the permitting process, improve Township/MNSPECT account reconciliation, and generate data for the mandatory State & County reports.
- Wheeler explained that for every building permit issued, the Township gets approximately 40% of the permit fee. The Township does not get any portion of the plan review fee, state surcharge, etc. Wheeler

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## ANNUAL MEETING MARCH 12, 2019

explained that Minnesota Rule 1300.0160 requires that the percentage of the permit fee the Township gets must be placed in an account and can only be used for Planning & Zoning expenses.

- For clarity purposes, the permit fees collected are accounted for monthly and moved periodically to the "revenue fee" fund to allow the Clerk the necessary visibility to complete the required State report.
- The Township received \$6,086.19 in permit fees for 2017 and \$6,015.97 in permit fees for 2018. Wheeler stated that the Township did not account for permit fees prior to 2017.
- Township is using the revenue fees to pay the annual website invoice of \$995 and the phase 3 & phase 4 of the Zoning Ordinance update work using Bolton & Menk as the Zoning consultant.

### 11. ELECTIONS - 2020 – Clerk Elizabeth Wheeler – Elections Administrator

- Wheeler reported that Dakota County announced two years ago that they could no longer sign off the Town Hall as a handicap accessible precinct because the Town Hall does not meet the 2015 Minnesota Accessibility Code. (ADA compliance survey)
- Wheeler also reported that in October 2018 all Town Clerks received a notice that the Office of the Secretary of State was coordinating with the Minnesota Disability Law Center to conduct polling accessibility surveys. The Americans with Disabilities Act became law in 1990, thus the Township's failure to comply with the Accessibility Code since 1990 would be difficult to defend.
- Wheeler announced that the four elections (March 3<sup>rd</sup>, March 10<sup>th</sup>, August 11<sup>th</sup> & November 3<sup>rd</sup>) in 2020 will be held at the Sciota Town Hall. Everyone will get a post card each election reminding them of the polling place change as well as signage on the Town Hall door with a map to re-direct those that might show up at the Town Hall out of habit. Wheeler also stated that the June 2019 & the December 2019 newsletter will have an article on voting at Sciota Township instead of at the Town Hall. Wheeler also stated that anyone can vote "absentee" by calling Dakota County and requesting an absentee ballot.
- Wheeler stated that it is hoped that the Town Hall (either rehab or new) will be the Township voting precinct in 2022. However, the Township will do its due diligence by doing a through cost analysis regarding the decision on the Town Hall.
- Cost of elections for judges, training, equipment, advertising, mileage, supplies, etc. will cost approximately \$5,000 in 2020 regardless of the precinct location.

### 12. PROJECT & PROPERTY COMMITTEE –Elizabeth Wheeler – Chairperson

- Wheeler reported that the Project & Property Committee has started to visit Town Halls that have faced the same dilemma as Waterford in that the Town Hall is deteriorating and doesn't meet any of the standards associated with government buildings and handicap accessibility.
- Wheeler stated that moving the voting precinct to Sciota for the next two years gives the Township time to conduct a "cost benefit analysis (CBA)." Weight the positives or benefits and the negatives or costs to building a new Town Hall or restoring the 1885 Town Hall. The analysis will be costed out for the next fifty years.
- Wheeler stated that one organization has expressed interest in moving the Town Hall to an antique village.

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## ANNUAL MEETING MARCH 12, 2019

- Wheeler reported that the committee has been on one tour (Sciota Town Hall) and have plans to visit at least three other Town Halls in April/May. A road trip to the Florence Town Hall near Frontenac (45 miles one way) to talk with the "Friends of the Town Hall" sometime in the summer.

### 13. WATERFORD IRON BRIDGE GRANT –Elizabeth Wheeler – Grant Manager

- Wheeler reported that the engineering study started in the spring of 2018 is approximately 90% complete. The Bridge was closed on December 25, 2018 on the advice of LHB, an engineering firm studying the integrity of the structure.
- Wheeler reported that the City of Northfield has received grant funding and will be applying for additional grant funding to engineer and build the four to five miles of trail necessary to bring the Mill Towns Trail to the south end of the Waterford Bridge.
- Wheeler also reported that according to Scott Haugen, Acquisition & Development Specialist for the Parks & Trails Division of the Minnesota Department of Natural Resources once the Waterford Iron Bridge is "rehabbed" and the Mill Towns Trail connects to the Bridge, Bridge maintenance becomes the responsibility of the State Trail systems. The Township will sign an agreement that the Bridge remains Waterford's, but the maintenance will be the responsibility of the trail system for perpetuity.
- Wheeler also reported that Dakota County will provide the Township with a grant writer through the "Active Living Dakota County Program." The grant writer is available for 2019 and 2020. The cost of the grant writer is approximately \$3,500 per grant but will be paid by the County program.
- Wheeler reported that plans are in place to begin the grant writing in June as soon as the engineering report is complete. Wheeler stated that the restoration will most likely be done in phases as it is difficult to get a million plus dollar grant.
- Wheeler also reported that Dakota County has indicated that they would be open to be the "fiscal sponsor" for the Township during the million-dollar construction/rehab project. The Township applies for the grant because we own the bridge, but the County pays the construction bills as they arrive and are reimbursed by the grant when the Township meets the various thresholds of completion.

### 14. ANNEXATION LAWSUIT – Chairperson Larry Odegard

- Odegard stated the 1980 Annexation Agreement with the City of Northfield for the Sheldahl property has been in contention since the City breached the contract in 2010.
- Odegard stated that the Township filed a lawsuit in the Fifth District Court in April 2018.
- Odegard reported that the Township received an "Order for Summary Judgement" on December 17, 2018 that was a decision against Waterford Township in favor of the City of Northfield.
- Odegard reported that the Town Board after a meeting with the public on February 25, 2019 filed with the Minnesota Court of Appeals.
- Odegard reported that the Township received an "offer to settle from the City of Northfield" on March 8, 2019. The Town Board met on March 11, 2019 in Closed Session and will be meeting on Friday, March 15, 2019 at 9:00 a.m. in a Closed Session to discuss a counteroffer. A Special

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## ANNUAL MEETING MARCH 12, 2019

Meeting will follow the Closed Session if the Town Board needs to file a motion to respond to the City of Northfield.

### 15. NEW WEBSITE – Elizabeth & Steven Wheeler – Joint Webmasters

- Wheeler reported that the new website launched as scheduled on March 1, 2019.
- Wheeler demonstrated some of the features on the website
  1. The new website contains a **“news”** section on the front page. The Town Clerk will upload news and information as it becomes available. For instance, updates on the Bridge, the Annexation, etc.
  2. The **“calendar”** is one of the most exciting features of website. Hover and click the red star. The type of meeting, the time of the meeting and in case of the Regular Board meeting the Agenda and Supporting Documentation will be available. The Clerk will endeavor to upload the Agenda and Supporting Documentation three days before the meeting.
  3. The **“easy look up”** feature for motions and resolution is found under “Government – Meetings Minutes”. Each year has a spreadsheet that summarizes the motion and resolutions. Scan the spreadsheet to locate the topic you are looking for. Note the date of the meeting and the motion number. Go to the corresponding minutes and click to read the information corresponding to the motion. Waterford Township is the only Township with numbered motions and resolutions with an “easy look up” option on the Township website.
  4. Wheeler stated the website contains lots of valuable information. A couple of areas are still under construction because of time constraints, but hopefully will be complete by end of summer. Check back often for the latest information.

### 16. BOARD OF AUDIT - by Clerk Elizabeth Wheeler

- Minn. Stat. § 366.21 & Minn. Stat. § 366.22 The town board meets as the board of audit between the close of the fiscal year (December 31) and one week before the annual meeting to examine and audit the town’s accounts. One of the purposes of this audit is to make sure there are no discrepancies in the records of the accounts. This review serves as a safeguard to help assure public funds are not being misappropriated.
- Wheeler reported that the report need not be a listing of every check written for the year because the Town Clerk & the Treasurer/Deputy Treasurer run parallel claims reconciliations each month. Part of the reconciliation process is a through review of the claims for documentation and initialed as payable.
- The Clerk’s reconciliation is part of the agenda and posted on the website three days prior to the Regular Board meeting. The Town Board reviews the reconciliation prior to the meeting and make motions to pay the claims as appropriate.
- On February 25, 2019 at 5:30 p.m. the Board and the Budget Committee Chairperson met to randomly select one claim per month to audit in detail. All voided checks were audited.
- Township clerk required to report detailed list of claims audited and provide such report at the Annual Township Meeting. Wheeler stated the minutes were approved by the Board on March 11, 2019.

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## ANNUAL MEETING MARCH 12, 2019

Anyone wishing to review the minutes for the Board of Audit should request and the Clerk will provide those minutes, or the minutes can be found on the new website after the April 8, 2019 Regular Meeting.

### 17. **FINANCIAL REPORTING – Treasurer Charlene Klemenhagen & Deputy Treasurer Jane Dilley**

- Treasurer Klemenhagen explained the greatest accomplishment has been the Township's ability to pay all its claims on time without borrowing money, using line of credit and or asking claimants to wait for payment.
- Resolution 2018-09, policies, procedures, internal and external controls, financial reporting, GAAP, GASB & CTAS will ensure the Township does not return to financial instability.
- Klemenhagen stated that when she became Treasurer the Township had \$700 in the savings account. The Minnesota Township Association (MAT) recommends that all Townships maintain a year's tax levy as a "reserve" to mitigate current & future risks & ensure stable tax rates. MAT's recommendation would mean the Township should have approximately \$300,000 in savings. Klemenhagen reported that the Board has targeted a balance of \$100,000 in savings instead of the recommended one-year levy.
- Klemenhagen explained that the savings account would be built using miscellaneous revenues not the tax levy. Since implementing R2018-09, the Township has transferred approximately \$4,000 into savings, only \$96,000 to go to meet the goal of \$100,000.
- Dilley stated that she & Klemenhagen meet with the Minnesota Township Association (MAT) regarding CTAS in February 2019. The program is designed to maintain accounting records and assist in bookkeeping tasks. CTAS also facilitates the submission of financial records to the Office of the State Auditor.
- Dilley explained that that CTAS (Cities & Small Towns Accounting System) does what the State Auditor needs it to do, not necessarily what we need it to do. Dilley reported that the Office of State Auditor requires standardized "coding" of financial transactions to increase compliance with required annual reporting.
- Dilley explained that to figure out the Township's financial status, all CTAS records from 2014 and beyond were downloaded into Excel, and financial statements were run – by line item, by month and by year. It was a time-consuming effort but necessary to help the Treasurer and Deputy Treasurer figure out the state of the Township's finances and easily see where the Township's money was being spent.
- Dilley stated the MAT review of the Township's CTAS system resulted in some changes the State Auditor requires in reporting debt, etc.
- Dilley stated that the Township has implemented "internal controls" since April 2018 to reduce the risk of theft and increase the chance of detection:
  - CTAS system requires the use of strong passwords known only to the Treasurer & Deputy Treasurer.
  - Budget Committee establishes the budget.



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## ANNUAL MEETING MARCH 12, 2019

- Clerk & Treasurer separately review and approve claims (started April 2018 after the Clerk took MAT training and learned that the Clerk was responsible for a separate reconciliation of claims).
- Clerk & Treasurer run parallel but separate financial records each month claims (started April 2018 after the Clerk took MAT training and learned that the Clerk was responsible for a separate reconciliation of claims).
- Clerk uploads the agenda, supporting documentation including claims on the website for each monthly Regular Board meeting to ensure transparency.
- Supervisors approve reviewed & approved claims by motion each meeting prior to any payment of claims.
- Dilley stated that a full set of financial reports are available at the Town Hall for review. Reports include a list of all 2018 receipts, a full list of all 2018 disbursements and a reconciliation of the financial records. The items will be

### **18. FIRE LEVY by Northfield Rural Fire Protection District Representative Mike Fox**

- Fox handed out the 66<sup>th</sup> Annual Report of the Northfield Rural Fire Protection District, the Northfield Area Fire & Rescue Service – Past Year report and the 2019-2020 Capital Equipment Plan.
- Fox stated that the renovation of the fire station is expected to be completed in late spring 2019, The project was completed within budget.
- Fox explained that a replacement for the 1987 lime green city pumper was a \$607,000 expense with delivery due in Summer of 2019. Trucks are replaced based on usage. The Front-Line pumper is used almost everyday thus will most likely be the next vehicle to be replaced.
- Fox announced that the NSFRRS finances are in good shape with a surplus for 2018 used to pay the construction period interest on the bond.
- The percentage for the Rural Fire District is expected to decrease from its current 22.88% to 20.0%. The 2019 cost will remain \$13,300 for Waterford Township with a slight increase expected in 2020 (cost of living increase).

### **19. ROAD & BRIDGE COMMITTEE – Steve Wheeler - Chairperson**

- Wheeler stated the primary responsibility of a Township is to maintain local roads & bridges. The Township Roads are the responsibility of the Township tax payers not the road contractor, thus the tax payers need to make the decisions on road maintenance. Road maintenance is not “just gravel & grading” but planning and maintenance with the largest emphasis on drainage in the ditches and on the roads.
- Wheeler reported that Roads & Bridge expenses make up approximately 40% of the Township budget.
- Wheeler stated that the Road & Bridge Committee is preparing a five-year road maintenance plan which will include rehabilitating the roads with emphasis on the correct shape of the entire road within the road’s right-of-way including road drainage & ditches. If the road is not shaped correctly the water does not drain in the ditches and water standing on the road softens the roads and traffic causes damage.

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- Wheeler reported that some of the challenges are created by various types of traffic as well as traffic volume. Examples include grain and ag product hauling. Construction detours and bypasses cause damage to the roads by increasing all manner of vehicular traffic. More and heavier traffic causes an increase in road maintenance.
- Wheeler reported that the goal was to rehabilitate the roads and make the roads like Dakota County's gravel roads. It will take some work and money for the next five years but eventually gravel road costs should stabilize. The goal is to grade once in the spring and once in the fall instead of every month all summer long.
- Wheeler reported that at the recommendation of the Township Attorney and the Minnesota Association of Townships (MAT), the Road Committee prepared a Service Agreement Contract for the Spring, Summer & Fall Road Maintenance which the Board approved on 3/11/19. The Township has never had a spring, summer, fall road maintenance contract with a Road Contractor before.
- Wheeler reported that the contract will be sent to four local contractors for a quote. The lowest responsible quote will be hired. The Township has never gone out on a quote for Road contracting.
- Wheeler reported that he has been working with other contractors, the Dakota County Engineer, Dakota County Maintenance Personnel as well as neighboring township road committees to understand their road maintenance practices.
- Wheeler reported that according to MAT a road committee develops and maintains a five-year plan for road maintenance and directs the maintenance of the roads to ensure the Board does not abrogate its responsibilities. Records are necessary for accounting and for liability.
- Wheeler reported that there are four major road projects including Dresden Avenue overlay, Barnard Avenue Bridge replacement with culverts, village road rehabilitation and high traffic road rehabilitation (Canada & 300<sup>th</sup>).
- Wheeler explained the various road funding sources: Levy, State Gas Tax Fund & Town Road Allotment fund. The Town Road Allotment fund is available after a Road Project has been completed. The County will reimburse the Township for 50% of a road project. A balance of \$9,996 is currently available and grows a small amount each year.
- Wheeler announced that last year the Township was able to get the same pricing for Chloride as the County and this year the Township will get the same gravel prices as the County. No quoting, no testing and save money too.
- Wheeler announced that Dakota County Engineering has offered their services to engineer the Barnard Bridge replacement as well as the drainage issues in the Village.
- Wheeler announced that the Township will chloride roads to stabilize the road bed with the side benefit of controlling the dust.
- Wheeler announced that Danbury & 290<sup>th</sup> will have work done this year in preparation for closing and construction work on County Road 86 through Castle Rock in 2020. Dakota County Engineering stated that they would chloride the Danbury & 290<sup>th</sup> but they won't rehab the roads unless the Township can show that the roads had been in good shape prior to the detour.

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## ANNUAL MEETING MARCH 12, 2019

### **20. BUDGET COMMITTEE – Marie Struss - Chairperson**

- Struss explained that in prior years the Township voted on one levy, but as advised by MAT, the Township will now clearly define three levies for the tax payers to vote on. The three levies are: Fire, Road & Bridge and General.
- The Fire Levy was determined by the need to have adequate money for the costs of the re-modeled Fire Hall in Northfield. Because the Hall was under construction, it was unknown the exact costs that would be passed onto the seven Townships to pay equally. The levy was set based on 2019's actual invoice plus at \$15,000 to a reserve account. Fire services is a major responsibility of the Township and thus the Township must have adequate money to pay whatever the cost of fire service might be.
- The Road & Bridge levy is the responsibility of the Road & Bridge Committee.
- The Budget Committee is responsible for the General Levy – which is about 48% of the Levy as a whole. The Committee meet several times since January to get ready for tonight's meeting.
- Struss stated that the Committee used the financial management policies (Resolution R2018-09) that was adopted by the Board as a rule book and guide when preparing the General Levy.
- The total levy increase from 2019 to 2020 is 1.5% plus 2.8% Cost of Living or 4.3%. Resolution R2018-09 requires a cost of living increase that is placed in a reserve to be used to cover any increases in services, etc. due to cost of living that the Budget Committee can't predict a year in advance. The Cost of Living will be charged each budget cycle until the Township has \$100,000 in a savings per the resolution.
- Treasurer Klemenhagen & Deputy Treasurer Jane Dillely stated that the \$100,000 savings account was not part of the Levy. The funding of the savings account comes from miscellaneous monies that come in from the county and state as well as a production tax from the Solar Gardens. Production tax from 2017 was just received in February 2019. The solar array had just started production in late December 2017. New production end of December is not a good measure of what the production tax will be.
- Struss stated that the Budget Committee welcomed a new member: Jake Bentz.
- Struss requested that tax payers consider serving on the Budget Committee.
- Struss reported that Budget Meetings are now on the website calendar for all of 2019.

### **21. MOTION REQUIRED - Recess & Reconvene the Annual Meeting by Moderator Theresa Bentz**

22. **Minn. Stat. § 13D.01** - Meeting may be continued to any other day to conduct any business allowed to be conducted at the annual meeting. Requires the date, time, place, and purpose of the meeting should be stated and recorded in the minutes before recessed.
23. **Motion made to recess the 2019 Annual Township Meeting until September 9, 2019 at 7:15 p.m. to vote on the 2020 Fire, General, Road & Bridge Tax Levies to ensure the tax levies are certified to Dakota County by September 30, 2019 and reflects all necessary budgetary items.**

# WATERFORD TOWNSHIP



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## ANNUAL MEETING MARCH 12, 2019

- Motion made by Larry Odegard, 2<sup>nd</sup> by Steve Wheeler – all in favor – motion carried.

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Theresa Bentz – Moderator

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Elizabeth Wheeler – Township Clerk

*Draft - to be approved at Annual Meeting 3/10/20*

# WATERFORD TOWNSHIP



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**MEETING:** CLOSED SESSION – Attorney/Client Privilege – Appellate Case #A19-234 – Settlement Offer

**DATE & TIME:** March 15, 2019 **Start Time:** 9:04 a.m. **Adjourn Time:** 9:26 a.m.

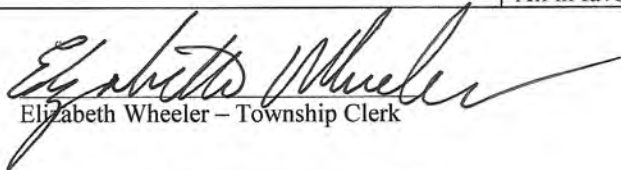
**MEMBERS PRESENT:** Frank Wergin - Supervisor; Larry Odegard - Supervisor, Elizabeth Wheeler - Township Clerk

**BOARD MEMBER BY TELECONFERENCE:** Chairperson/Supervisor Liz Messner - Minn. Stat. § 13D.021, subd. 2

**OTHERS IN ATTENDANCE:** Mike Couri – Township Attorney (via phone)

ITEM	DISCUSSION	ACTION
Published Notice	<p>The Special Session was announced at the March 11, 2019 Regular Board Meeting.</p> <p>Notice was posted on the Town Hall door on March 11, 2019.</p> <p>Notice was uploaded to the <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> website on March 11, 2019.</p>	<p>Note: Minn. Stat. § 13D.021, subd. 2. Each member of the body participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.</p> <p>Chairperson/Supervisor Messner conducted the meeting via cell phone.</p>
Call to Order	<p>Chairperson/Supervisor Liz Messner called the meeting to order at 9:04 a.m. following cell phone connects to Attorney Couri and Chairperson/Supervisor Messner.</p>	<p>A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to close the meeting pursuant to Minnesota Statutes 13D.05, Subdivision 3(b) related to attorney-client privilege to discuss Appellate Case #A19-0234 and the City of Northfield's offer to settle.</p>
	<p>Discussions with the Attorney are privileged and not written in a public document.</p>	<p>No action taken – SPECIAL MEETING followed to act on CLOSED SESSION discussion.</p>
<b>ADJOURN</b>		
Adjourn the meeting		<p>A motion was made by Supervisor Messner and seconded by Supervisor Wergin to adjourn the Closed Meeting at 9:26 a.m. All in favor. Motion carried.</p>

Recorded & Transcribed by:

  
Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Liz Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



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**MEETING:** SPECIAL MEETING – Appellate Case #A19-234 – Settlement Offer

**DATE & TIME:** March 15, 2019 **Start Time:** 9:27 a.m. **Adjourn Time:** 9:39 a.m.

**MEMBERS PRESENT:** Larry Odegard - Supervisor; Frank Wergin-Supervisor; Elizabeth Wheeler - Township Clerk

**MEMBER PRESENT VIA CELL PHONE:** Liz Messner – Chairperson/Supervisor – see Minn. Stat. § 13D.021, subd. 2.

**TOWNSHIP ATTORNEY VIA CELL PHONE:** Mike Couri of Couri & Ruppe

ITEM	DISCUSSION	ACTION
Published Notice	<p>The Special Session was announced at the March 11, 2019 Regular Board Meeting.</p> <p>Notice was posted on the Town Hall door on March 11, 2019.</p> <p>Notice was uploaded to the <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> website on March 11, 2019.</p>	<p>Note: Minn. Stat. § 13D.021, subd. 2. Each member of the body participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.</p> <p>Chairperson/Supervisor Messner conducted the meeting via cell phone.</p> <p>Messner <u>abstained</u> from voting on any motion as she was not physically present nor was she present via way of video conferencing (Skype) as required by State Statutes and advised by Township Attorney Mike Couri.</p>
Call to Order	<p>Chairperson/Supervisor Liz Messner called the Special Meeting to order at 9:27 a.m. following the Closed Session that ended at 9:26 a.m.</p>	<p>A motion was made by Supervisor Odegard and seconded by Supervisor Wergin</p> <p>Messner abstained – Odegard &amp; Wergin voted to approve</p>
Motion (M2019-xxx) <i>Response to City of Northfield's offer to settle Annexation dispute.</i>	<p>The Township received a settlement offer from the City of Northfield on March 6, 2019. The city offered to pay \$47,000 to the Township in exchange the Township would discontinue its Appellate Case #A19-10-0234 and allow Court File #19HA-CV-18-2021 to stand as the final disposition of the 1980 Joint Resolution for Orderly Annexation.</p> <p>Supervisors all agreed that the dispute is about the Township's ability to remain a viable unit of government given it is unusually small size.</p> <p>Every property/parcel annexed puts additional burden on the remaining taxpayers to continue to maintain</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO AUTHORIZE TOWNSHIP ATTORNEY MIKE COURI TO SUBMIT A COUNTEROFFER TO THE CITY OF NORTHFIELD FOR SETTLEMENT PURPOSES ONLY TO SETTLE THE CURRENT LAWSUIT UNDER SPECIFIC TERMS AND PARAMETERS.</p> <p>Messner abstained – Wergin &amp; Odegard voted yes</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>roads (16 miles – all of which are outside the suggested annexation area), provided services to 500+ residents and conduct Township business. Continued annexation (taking of properties) will cause the Township not to be able to sustain itself.</p> <p>In addition, the Supervisors are currently able to say no to Annexation which does protect Township property owners from annexation into the City without their consent.</p> <p>Supervisors requested that Attorney Mike Couri compose a letter to the City of Northfield's Attorney Robert Scott (Flaherty &amp; Hood) declining the City's offer to settle under the following terms:</p> <ol style="list-style-type: none"> <li>1. Waterford would drop its claim against Northfield for past payments owed.</li> <li>2. Consent of the Town Board to annexation would remain in force in perpetuity or until mutual agreement to modify.</li> <li>3. Township would remain willing to discuss specific annexations in the future based on the following nine parameters:               <ol style="list-style-type: none"> <li>a. Is annexation in the best interest of the subject area?</li> <li>b. Is annexation necessary to protect the health, safety, and welfare of subject area?</li> <li>c. Will annexation result in a significant increase in services to the subject area?</li> <li>d. Will agricultural land and the environment be protected in the subject area?</li> <li>e. Will the value of benefits to the subject area exceed the increase in property taxes and fees?</li> <li>f. Will the annexation result in undue hardship to the citizens of the subject area?</li> <li>g. Does the proposed annexation fit within the comprehensive plan for the subject area?</li> <li>h. Does the proposed annexation benefit both the City and the Township?</li> <li>i. Does the proposed annexation result in any negative impacts to the Township or the other lands remaining in the Township?</li> </ol> </li> </ol>	
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to adjourn the Special Meeting at 9:39 a.m. All in favor. Motion carried.

Recorded & Transcribed by:



Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Liz Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – Zoning Discussion

**DATE & TIME:** April 2, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:17 p.m.

**MEMBERS PRESENT:** Bryan Nelson, Paul Little, Andy Devney, Marie Struss,

**MEMBERS ABSENT:** Theresa Bentz,

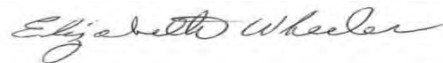
**OTHERS IN ATTENDANCE:** Alex Consemius – Bolton & Menk; Elizabeth Wheeler – Board Liaison,

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Planning Commission on the Town Hall door on March 20, 2019.  Notice was uploaded to the Township website at waterfordtownshipmn.org on March 20, 2019.	No action necessary.
Call to Order	Chairperson Bryan Nelson called the meeting to order at 7:00 p.m.	
	<b>ZONING REVIEWS</b>	
PHASE 3 – Zoning amendments	<p>Wheeler stated she scheduled a short Planning Commission meeting following the Public Hearing to jump start Phase 3.</p> <ul style="list-style-type: none"> <li>• June 2018 – started</li> <li>• Phase 1 – September 2018 – Carve out – Business</li> <li>• Phase 2 - Multiple updates – adopted 3/12/19</li> <li>• Phase 3 - Additional updates – start 04/02/19 See list below</li> <li>• Phase 4 - Non-Conforming – date to be determined See list below</li> </ul> <p><b>Phase 3</b> – List of items</p> <ol style="list-style-type: none"> <li>1. Language to address what is written into ordinance and the process being utilized</li> <li>2. Farm employee housing for CSA farms</li> <li>3. Language for application for “re-zoning”</li> <li>4. Multi-general housing</li> <li>5. Variance language clearer – by state law</li> <li>6. Update sign permits</li> <li>7. Tiny homes</li> <li>8. Manufactured homes – single family dwelling</li> <li>9. Shared Well</li> <li>10. Reference State &amp; County standards for regulating</li> <li>11. Clarify mining district and performance standards</li> <li>12. Clarify mining operations</li> <li>13. Clarify variance process and procedure</li> <li>14. Mining district and performance standards</li> </ol>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p><b>Phase 3</b> – after discussion, the following items were selected to focus on adding and/or updating definitions:</p> <ul style="list-style-type: none"> <li>• Feedlot language as regulated by the MPCA, State &amp; County</li> <li>• CSA Farm Employee Housing</li> <li>• Farm Employee Housing for all other farming</li> <li>• Visiting Recreational Vehicle Performance Standards</li> <li>• Multi-Generational Housing Permit &amp; Performance Standards to avoid possible duplex residences</li> <li>• Medically infirm housing Permit &amp; Performance Standards to avoid possible duplex residences</li> <li>• Mining Overlay</li> <li>• Mining Performance Standards based on Federal, State, County permitting processes</li> </ul> <p>Wheeler stated she has had residents request options for “mother-in-law housing” and “CSA employee housing”</p> <p>Conzemius suggested that Shared Well would be better handled with a Shared Well agreement – not an zoning ordinance as it only affects those connected to the Township well.</p>	
ITEM	DISCUSSION	ACTION
Elizabeth Wheeler-Board Liaison		
ADJOURN		
Adjourn the meeting		A motion was made by Chairperson Nelson to adjourn at 8:17 p.m. All in favor. Motion carried.

Recorded & Transcribed by:



Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Public Hearing – Amendment for IUP to Continue after non-conforming &

**DATE & TIME:** April 2, 2019 **Start Time:** 6:00 p.m. **Adjourn Time:** 6:43 p.m.

**MEMBERS PRESENT:** Bryan Nelson, Marie Struss, Paul Little, Andy Devney, Elizabeth Wheeler (Board Liaison)

**MEMBERS ABSENT:** Theresa Bentz

**OTHERS IN ATTENDANCE:** Alex Conzemius – Planning Consultant, Liz Messner, Larry Odegard, Frank Wergin, Charlene Klemenhagen, Jennifer Rud, Judy Grumdahl, Mike Grumdahl, Karen Sellers, Karen Holz, Nate Bell (Nokomis Partners)

ITEM	DISCUSSION	ACTION
Call to Order	At 6:00 p.m. Planning Commissioner Bryan Nelson called the meeting to order.	A roll call was taken of members present and a quorum was declared. Nelson lead Pledge of Allegiance
Purpose of Public Hearing Meeting	The purpose of the hearing is to consider Zoning Ordinance revisions and amendments to allow permitted land uses that receive an interim use permit to continue operations even after a zoning ordinance amendment would render it a nonconforming use.	Clerk Wheeler posted meeting notices on the Town Hall door (March 20, 2019), on the Township website (March 20, 2019).
FINDING OF FACTS		
Amendment for the termination of an Interim Use Permit	<p>Alex Conzemius, Bolton &amp; Menk Planning Consultant &amp; Nate Bell, Nokomis Partners explained the need for the proposed zoning amendment change for not only the protection of the one-megawatt solar array on Parcel #41-02000-51-015 (Hille), but also on future projects that might require an Interim Use Permit .</p> <p>Bell, updated the Planning Commission &amp; Town Board since the Hille Public Hearing. The solar garden is on hold until a redesign to move the array to at least 1,000 feet from the Cannon River to comply with Dakota County's Shoreline Ordinance #50.</p> <p>Xcel Energy and Nokomis are working on the redesign which will take at least a couple of months. While that is being done, Nokomis wants to move forward on getting a Zoning Amendment that will protect the project into the future (36 years), should the Township change their Zoning Ordinances in those 36 years that would cause the Solar Array to be non-conforming.</p> <p>Conzemius wrote and recommends the following amendment. Conzemius had the amendment viewed by Attorney Bob Ruppe. Ruppe has no issue with the amendment.</p>	Motion was made by Planning Commissioner Marie Struss and seconded by Planning Commissioner Bryan Nelson to recommend the performance standards for terminating a Interium Use Permit.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Re-location of the Nokomis Community Solar Garden on the Hille parcel.</p>	<p><b>SECTION V</b> Section 5.06 Interim Use Permits subsection C is amended to offer the following performance standard revisions:</p> <p><b>C. Termination</b> All Interim Use Permits shall terminate on the happening of any of the following events, whichever first occurs:</p> <ol style="list-style-type: none"> <li>1. The date of termination stated in the permit.</li> <li>2. Upon violation of the condition under which the permit was issued.</li> <li>3. Upon a change in the Township's zoning regulations that renders a use nonconforming, a lawfully existing interim use permit may continue until it is terminated in accordance with the terms of the interim use permit issued for the use, or until the use is discontinued for at least twelve (12) months, whichever occurs first.</li> </ol> <p><b>SECTION VIII</b> Zoning Ordinance No. 2001-5 Amendment No. 2019-2 was adopted by the Waterford Township Board of Supervisors on _____, _____ 2019 and shall become effective upon its publication.</p> <p>Bell stated he was hoping to have a re-design to show the new placement of the Solar Array, but the resign outside the 1,000' shoreline requirement has caused some power challenges with connecting to an Excel three-phase line.</p> <p>The project remains the same, but the setbacks will change, so Bell stated he will contact Wheeler to schedule a meeting to review setbacks. Anticipate at least two to three months.</p>	
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Nelson requested a motion to adjourn the meeting.	A motion was made by Marie Struss and seconded by Bryan Nelson to adjourn the meeting at 6:43 p.m. All in favor. Motion carried.



Elizabeth Wheeler – Township Clerk

Bryan Nelson – Planning Commission

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** April 8, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:57 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor, Larry Odegard - Supervisor;  
Elizabeth Wheeler-Town Clerk, Charlene Klemenhagen- Treasurer;  
Jane Dilley- Deputy Treasurer

**MEMBERS ABSENT:** Frank Wergin-Supervisor (family leave)

**OTHERS IN ATTENDANCE:** Deputy Schmidt, Bryan Nelson, Jerry Wicklund, Tom Devney, Andy Devney, Marie Struss, Steve Wheeler, JB Dudley, Mike Dudley,

ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Chairperson/Supervisor Messner called the meeting to order.	A roll call was taken of members present and a quorum was declared. Messner lead Pledge of Allegiance
Approval of Regular Agenda	Board members to add the following to the agenda: <ul style="list-style-type: none"> <li>• None</li> </ul>	A motion was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner to approve the <b>REGULAR</b> agenda for April 8, 2019  Supervisor Wergin absent Supervisors Odegard & Messner - Yes Motion carried.
Approval of Consent Agenda	<ul style="list-style-type: none"> <li>• Clerk's Monthly Claims &amp; Deposit Report (3/1/19 – 3/31/19)</li> <li>• Treasurer's Report for month of March 2019</li> <li>• Minutes – February 4, 2019 – Closed Session – Discussion on Action - District Court Decision on Annexation</li> <li>• Minutes – February 4, 2019 – Special Meeting – Motion Recent District Court Decision on Annexation</li> <li>• Minutes – February 11, 2019 – Public Meeting – Bridge Grant – Engineering Study</li> <li>• Minutes – March 11, 2019 – Closed Session – Appellate Case #A19-0234 – Settlement Offer</li> <li>• Minutes – March 11, 2019 – Regular Board Meeting</li> <li>• Minutes – March 15, 2019 – Closed Session – Appellate Case #A19-0234 – Settlement Offer</li> <li>• Minutes – March 15, 2019 – Special Meeting – Appellate Case #A19-0234 – Settlement Offer</li> </ul>	A motion was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner to approve the <b>CONSENT</b> agenda for April 8, 2019.  Supervisor Wergin absent Supervisors Odegard & Messner - Yes Motion carried.

**April 8, 2019 - REGULAR BOARD MEETING**

3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057 – 651-346-8467 – [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)

# WATERFORD TOWNSHIP

REPORTS & PRESENTATIONS		
Deputy Sheriff Schmidt	Deputy Schmidt reported that there has not been much going on in Waterford.	Report only – no action necessary
PLANNING COMMISSION & PUBLIC HEARING		
Commission Report	Bryan Nelson, Chairperson of Planning Commission reported that the Planning Commission did not meet for any zoning reviews.	No action necessary
REGULAR AGENDA		
<p>Motion (M2019-001) <i>Add additional buildable site to four contiguous parcels currently owned by John Benedict Dudley</i></p>	<p>JB Dudley and Mike Dudley (sons of John Dudley-deceased) attended the meeting to request that the Board add one more buildable site to the following parcels:</p> <p>41-0280026020 41-0280026030 41-0280026012 41-0280001010</p> <p>JB Dudley &amp; Mike Dudley addressed the Board on four issues:</p> <ol style="list-style-type: none"> <li>1. JB Dudley stated he did not ask for board action on the building sites, he had asked for a letter from the Township confirming the buildable sites based on Work Session minutes dated October 7, 2006.</li> <li>2. JB Dudley stated that the Board should invite people to the meetings when action is taken on their property.</li> <li>3. JB Dudley stated that the Township is known to not have good records and must rely on memory. JB Dudley stated he talked with Supervisor Wergin and Wergin told JB Dudley that he clearly remembers a vote on the buildable sites.</li> <li>4. JB Dudley stated that Mary Ellen Frame has taken advantage of her buildable sites from the Work Session minutes, so the Township can't renege on the Work Session minutes as someone has benefited from the Work Session minutes.</li> </ol>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner TO ADD ONE MORE BUILDABLE SITE TO THE 320 ACRES CONTIGUOUS PARCELS (41-280026020, 41-0280026030, 41-0280026012, 41-0280025010, 41-0280001010) CHANGING THE REMAINING BUILDABLE SITES FROM SIX TO SEVEN BASED ON OCTOBER 7, 2006 WORK SESSION MINUTES AS SIGNED BY CLERK MARY ELLEN FRAME AS PRESENTED TO THE BOARD BY THE CURRENT PROPERTY OWNER JOHN BENEDICT DUDLEY.</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p> <p>Clerk Wheeler was given direction to write a letter to JB Dudley stating motion of the Board.</p>
<p>Motion (M2019-001) <i>Letter to property owner Michael Rutten for trees and bushes in the right of way obstructing line of site.</i></p>	<p>Chairperson/Supervisor Messner stated this all started back in May 2018 when neighbor Tom Davis (XXXXX Burma Avenue) emailed the Clerk regarding the "line of site."</p> <p>Messner reported she met with property owner Michael Rutten (29669 Burma Avenue) back in June 2018 requesting Rutten remove the lilac trees.</p> <p>Rutten requested that the Town Board allow him until the end of December to move the lilac bushes stating that transplanting shrubs in the fall than in the summer. gives the plant a better chance of survival.</p> <p>The Town Board approved a motion to allow Rutten until December 31, 2018 to move the shrubs.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner APPROVING LETTER, AS REQUIRED BY MN STATE STATUE 160.22, TO MICHEAL RUTTEN, 29669 BURMA AVENUE PROVIDING WITH HIM NOTICE THAT HIS PINE TREES AND HIS LILAC BUSHES ARE IN THE RIGHT OF WAY AND MUST BE REMOVED. PROPERTY OWNER JOHN BENEDICT DUDLEY.</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p>

# WATERFORD TOWNSHIP

	<p>However, as of this date, the shrubs have not been removed.</p> <p>Since that time the Clerk has received additional e-mails from Tom Davis with concerns for those driving the road.</p> <p>Clerk Wheeler printed property maps from the Dakota County GIS site and wrote Rutten a letter. The letter and the maps were reviewed by Township Attorney Couri for the legal issues related to Minnesota Statute 160.22.</p> <p>Wheeler is asking the Supervisors to approve the letter. Wheeler is required then to sign the letter and take it to the post office. The letter must be sent certified mail with return signature required. The date the property owner signs for the letter starts the 14-day clock.</p> <p>If the property owner writes or e-mails requesting a public hearing, the Clerk will schedule the Public Hearing and make the necessary notifications as required by law.</p> <p>If the property owner is silent and or doesn't request a public hearing in writing, the Township is able to remove and or trim as necessary.</p>	<p>Clerk Wheeler was given direction to send letter to Micheal Rutten.</p>
<p>Motion (M2019-xxx) <i>Letter to property owner Michael Rutten for trees and bushes in the right of way obstructing line of site.</i></p>	<p>Clerk Wheeler received an email ballot from John Exner, Rural Solid Waste Commission requesting the Town Board approve of or disapprove of the reappointment of Barbara Lange to the Rural Solid Waste Commission for a term of April 1, 2019 through March 31, 2021.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner TO APPROVE THE REAPPOINTMENT OF BARBARA LANG FOR A TWO YEAR TERM REPRESENTING DISTRICT III OF THE RURAL SOLID WASTE COMMISSION.</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p> <p>Clerk Wheeler was given direction to sign and return notice.</p>
<p>Motion (M2019-xxx) <i>Move FEMA deposit to Savings – R2018-09</i></p>	<p>The Township received \$533.39 from FEMA signifying that all work has been completed for pre-application number PA-05=MN-4069-RPA-0018. Subgrant Applications.</p> <p>R2018-09 states that all moneys received by the Township that are incidental are moved from Checking to Savings in order to build a savings account for purposes of financial stability.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner TO APPROVE THE MOVING OF \$533.39 FROM CHECKING TO SAVINGS PER RESOLUTION 2018-09.</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p>

# WATERFORD TOWNSHIP

<p>Motion (M2019-xxx) <i>Move Solar Production Tax of 34.35 from checking to savings – R2018-09</i></p>	<p>The Township received \$34.35 from Solar Production Tax. A solar energy generating system (SEGS) is a set of devices whose primary purpose is to produce electricity by means of collecting, transferring, or converting solar generated energy.</p> <p>The Solar Energy Production Tax rate is \$1.20 per megawatt hour produced for SEGS with an alternating current (AC) nameplate capacity exceeding 1 megawatt.</p> <p>The Solar Energy Production Tax report is due annually to the Department of Revenue prior to January 15<sup>th</sup>. The department determines the tax due and notifies the county where the system (s) are located by February 28<sup>th</sup>.</p> <p>The county where the system (s) are located send the SEG a billing. The tax is paid to the County by May 15<sup>th</sup>. The county then retains 80% of the tax and the remaining 20% is sent to the Township.</p> <p>Waterford Township had one 5-megawatt system come on line the end of 2017, thus the \$34.35 paid by the County to the Township in December 2018. December 2019 the Township will receive a full year's production tax for the twelve months in 2018.</p> <p>R2018-09 states that production tax received by the Township is moved from Checking to Savings in order to build a savings account for purposes of financial stability.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner TO APPROVE THE MOVING OF \$34.35 FROM CHECKING TO SAVINGS PER RESOLUTION 2018-09.</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p>
<p>Motion (M2019-xxx) <i>Accept documented design exceptions of railing height &amp; openings for the 1909 Waterford Bridge rehabilitation project.</i></p>	<p>Bridge Grant Manager Elizabeth Wheeler distributed a letter from LHB, the Engineers doing the rehabilitation and historic preservation study of the 1909 Waterford Bridge that explained in detail the reasons and justifications for the final Bridge railing exceptions.</p> <p>A railing study was completed with a goal of upgrading the railings to meet appropriate guidelines for both Minnesota Department of Transportation (MnDOT) standards and Secretary of the Interior's standards (SOI).</p> <p>The study concluded that the railing height and railing openings (geometrics) of the new pedestrian railing would meet or exceed the SOI standards but would not meet the more stringent MnDOT standards.</p> <p>A compromise had to be met to avoid compromising the grant funding secured to prepare the bridge rehabilitation plans while at the same time meeting the standards required for a biking-walking trail in Minnesota..</p> <p>Conforming to MnDOT design standards would make the railing more pronounced and visually obtrusive</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner TO ACCEPT THE DOCUMENTED DESIGN EXCEPTIONS FOR THE RAILING HEIGHT AND RAILING OPENINGS FOR THE HISTORIC REHABILITATION OF THE 1909 WATERFORD BRIDGE AS PRESENTED IN A LETTER DATED APRIL 5, 2019 BY LHB.</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p>

# WATERFORD TOWNSHIP

<p>Resolution R2019-01 <i>Amending Zoning Ordinance 2001-5</i></p>	<p>which would not meet the SOI standards of historic preservation.</p> <p>Meeting SOI Standards is a requirement of the grant funding secured to prepare the bridge rehabilitation plans. LHB wrote that “conforming to the National design standards in lieu of the State design standards is considered a necessary trade-off to ensure the project can move forward and meet historic standards.”</p> <p>Wheeler stated that the Minnesota Department of Natural Resources (DNR) currently managing the State Mill Towns Trail agreed to and signed off the railing heights of 48 inches instead of the strict MnDOT standards of 54 inches.</p> <p>Wheeler requested a formal motion of the Board accepting the documented design exceptions. Wheeler will prepare a letter on the Board behalf prior to the project deadline of June 30, 2019.</p> <p><b>WHEREAS</b>, the Township has been working on updating the 2001-5 Zoning Ordinances in phases since July of 2018; and</p> <p><b>WHEREAS</b>, the Township completed the carve out of the Business District from the Rural Residential District (Phase 1) in September 2018; and</p> <p><b>WHEREAS</b>, the Township received a \$5,000 grant from the Dakota County Community Development Agency and signed an agreement with Bolton &amp; Menk as Planning Consultants on November 27, 2018 to work with the Township on Phase 2 of the Zoning Ordinance update project; and</p> <p><b>WHEREAS</b>, the Township held multiple work session (11/29/18, 12/19/18, 01/23/19, 02/04/19) of the Planning Commission and the Town Board to work on updating Section III - Definitions (add, delete, update); Section IV - Home Occupations; Section V - Zoning Amendments &amp; Conditional Use Permits; Section VI - Zoning Districts; Section VII – Performance Standards; and</p> <p><b>WHEREAS</b>, the Township Planning Commission held a Public Hearing on March 11, 2019 to take comment on the updated Zoning Ordinances; and</p> <p><b>WHEREAS</b>, the Town Board passed a motion to approve the Zoning Ordinance updates during the March 11, 2019 Board Meeting to satisfy the Dakota County Community Development Agency grant requirement of completing the Zoning Ordinance updates in Phase 2 by no later than March 30, 2019; and</p>	<p>A Reslution R2019-01 was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner AMENDING ZONING ORDINANCE 2001-5</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p>
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# WATERFORD TOWNSHIP

	<p><b>WHEREAS</b>, the Township Planning Consultant Alex Conzemius of Bolton and Menk prepared a document of the Zoning Ordinance updates approved in the motion from the March 11, 2019 Public Hearing and titled the document ORDINANCE NO. 2019-1 (see attached); and</p> <p><b>WHEREAS</b>, the Township now must pass a resolution to adopt ORDINANCE NO. 2019-1 and publish a summary of ORDINANCE NO. 2019-1 in the Northfield News before it can become effective; and</p> <p><b>NOW, THEREFORE, BE IT RESOLVED, THAT THE Township Board of Supervisors of Waterford Township in Dakota County, Minnesota hereby adopts ORDINANCE NO. 2019-1 and directs the Town Clerk to publish a summary of ORDINANCE NO. 2019-1 in the Northfield News; and</b></p> <p><b>BE IT FINALLY RESOLVED, that the Town Clerk will publish the summary of ORDINANCE NO. 2019-1 on April 24, 2019 thus making ORDINANCE NO 2019-1 effective April 24, 2019.</b></p>	
<b>NON MOTION BUSINESS</b>		
<b>COMMITTEE REPORTS</b>		
<i>Road &amp; Bridge Committee</i>	Chairperson Steve Wheeler stated that the April 4, 2019 meeting to open Spring/Summer/Fall Road Maintenance quotes was cancelled and rescheduled for April 15, 2019 at 7:00 p.m. due to an emergency leave of Supervisor Wergin.	Motion for contract approval made in regular business section of minutes.
<i>Budget Committee</i>	Chairperson Marie Struss next meeting will be June 24, 2019 – meetings posted on the website.	No action necessary
<i>Project &amp; Property Committee</i>	<p>Chairperson Elizabeth Wheeler reported that the Committee visited the Greenvale Town Hall on April 8, 2019. Chairperson Greg Langer gave a tour of the building. The Building is approximately 3,200 square feet.</p> <p>The next Town Hall tour is at Eureka Town Hall on Thursday, May 9<sup>th</sup> at 11:00 a.m. The dates for June &amp; July tours have not been finalized.</p> <p>Wheeler reported that ADA Compliant Public Address Equipment was discussed at the Project &amp; Property Committee meeting and tabled for additional research.</p>	No action necessary

# WATERFORD TOWNSHIP

<p>Bridge Grant – 90% report</p>	<p>The 90% meeting was held on March 14, 2019 at the Dakota County Government Center in Apple Valley resulting in letter to SHPO &amp; MNHS..</p> <p>The engineering report is due no later May 30, 2019 and my final report is due June 30, 2019. The last 20% of the grant will be distributed sometime after that date.</p> <p>Wheeler announced she will be working with Dakota County for the next grant which has a preliminary due date of July 26, 2019 with a final grant application due September 13, 2019.</p>	<p>No action necessary</p>
<p>Zoning Ordinance Update</p>	<p>The four phase Zoning Ordinance review and update is continually moving forward. Phase 1 – Business District was completed September 2018, Phase 2 – Grant funded was completed March 11, 2019, Phase 3 will begin on April 2, 2019 and Phase 4 – Non-conforming Business district will begin late summer or early fall. ‘</p> <p>Wheeler reported that a Public Hearing was held on April 2, 2019 to hear any public comment on a language change to allow permitted land uses that receive an interim use permit to continue operations even after a zoning ordinance amendment would render it a nonconforming use. Wheeler reported there were no objections to the language change.</p> <p>Wheeler reported that Kirsten Pauly of Sunde Engineering gave a very informative talk on April 2, 2019 at a Work Session of the Town Board and the Planning Commission on mining and dewatering.</p> <p>Wheeler reported another work session is scheduled on April 23, 2019 at 7:00 p.m. The goal is to complete phase 3 of the Zoning Ordinance updates and schedule a June Public Hearing.</p> <p>Wheeler updated the Board on the Nokomis Hille Solar Garden application. The April 2, 2019 Public Hearing to consider the re-location of the Nokomis Community Solar Garden to just outside the Dakota County Shoreline boundary (1,000 feet from the Canon River) was postponed due to on-going negotiations with Xcel Energy to supply three phase power from Highway 3 to the proposed Solar Garden location.</p>	<p>No action necessary</p>
<p><b>CITIZEN COMMENTS</b></p>		
<p><b>TOWN BOARD REPORTS</b></p>		
<p><b>ADJOURN</b></p>		
<p>Adjourn the meeting</p>	<p>Chairperson requested a motion to adjourn the meeting.</p>	<p>A motion was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner to</p>

# WATERFORD TOWNSHIP

		adjourn the meeting at 8:57 p.m. All in favor. Motion carried.
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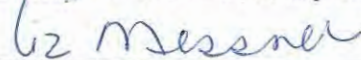
Recorded by Phillips Voice Tracer

Transcribed by:



Elizabeth Wheeler – Township Clerk

Attest:



Liz Messner – Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** CLOSED SESSION—Attorney/Client Privilege—City of Northfield's Counter Offer


**DATE & TIME:** April 23, 2019 **Start Time:** 6:00 p.m. **Adjourn Time:** 6:41 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Larry Odegard-Supervisor, Frank Wergin-Supervisor  
Elizabeth Wheeler - Township Clerk

**OTHERS IN ATTENDANCE:** Mike Couri – Township Attorney (via phone)

ITEM	DISCUSSION	ACTION
Published Notice	<p><b>NOTICE IS HEREBY GIVEN</b>, the Waterford Township Board of Supervisors is scheduled to conduct a <b>CLOSED SESSION</b> on <b>Tuesday, April 23, 2019 at 6:00 p.m.</b> at the Waterford Township Hall located at 3847 321<sup>st</sup> Street W., Northfield, MN 55057.</p> <p><b>PURPOSE:</b> The meeting will be closed pursuant to Minnesota Statutes § 13D.05, Subdivision 3(b) related to attorney-client privilege to follow up on the <b>City of Northfield's counter offer to end the appeal in the MN Court of Appeals over the 1980 annexation agreement.</b></p>	<p>Notice was posted for the Closed Session on the Town Hall door on April 6, 2019</p> <p>Notice was uploaded to the Township website at waterfordtownshipmn.org on April 6, 2019.</p>
Call to Order	Chairperson/Supervisor Liz Messner called the meeting to order at 6:00 P.M.	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to close the meeting pursuant to Minnesota Statutes 13D.05, Subdivision 3(b) related to attorney-client privilege to discuss matters related to the City of Northfield's counter offer.
	Discussion with the Board and the Attorney are privileged and not written in a public document.	No action taken.
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin to adjourn the Closed Meeting at 6:41 p.m. All in favor. Motion carried.

Attest: \_\_\_\_\_  
Liz Messner - Chairperson/Supervisor

Transcribed by:   
Elizabeth Wheeler – Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Work Session of Planning Commission & Town Board – Zoning Discussion

**DATE & TIME:** April 23, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:03 .c p.m.

**MEMBERS PRESENT:** Bryan Nelson, Paul Little, Andy Devney, Marie Struss, Theresa Bent, Elizabeth Wheeler – Board Liaison,

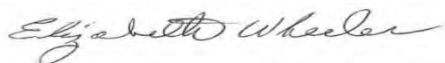
**OTHERS IN ATTENDANCE:** Scott Qualle—Building Official; Liz Messner; Larry Odegard; Frank Wergin:

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Planning Commission on the Town Hall door on April 6, 2019.  Notice was uploaded to the Township website at waterfordtownshipmn.org on April 6, 2019.	No action necessary.
Call to Order	Chairperson Bryan Nelson called the meeting to order at 7:00 p.m.	
	<b>ZONING REVIEWS</b>	
PHASE 3 – Zoning amendments	<p>Wheeler stated that at the April 2, 2019 Planning Commission meeting several building code questions came up when talking. introduced MNSPECT Building Official Scott Qualle.</p> <p>Wheeler introduced Scott Qualle, the Township’s Building Official since 2014. Qualle provides code review and inspections for both residential and commercial construction. Qualle also teaches continuing education courses for the MN Department of Labor &amp; Industry.</p> <p>Qualle answered numerous building code questions related to about tiny houses, multi-general, temporary housing, trailers, mobile homes, farm employee housing, RV (visit the family), bunking in the Pole Barn, bed &amp; Breakfast, etc.</p> <p><b>Phase 3</b> – List of items</p> <ol style="list-style-type: none"> <li>1. Language to address what is written into ordinance and the process being utilized</li> <li>2. Farm employee housing for CSA farms</li> <li>3. Language for application for “re-zoning”</li> <li>4. Multii-general housing</li> <li>5. Variance lanague clearer – by state law</li> <li>6. Update sign permits</li> <li>7. Tiny homes</li> <li>8. Manufactured homes – single family dwelling</li> <li>9. Shared Well</li> <li>10. Reference State &amp; cpunty standards for egulating</li> </ol>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	11. Clarify mining district and performance standards 12. Clarify mining operations 13. Clarify variance process and procedure 14. Mining district and performance standards	
ADJOURN		
Adjourn the meeting		A motion was made by Chairperson Nelson to adjourn at 8:03 p.m. All in favor. Motion carried.

Recorded & Transcribed by:



Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Public Hearing – Re-zoning of Lloyd Christenson Property

**DATE & TIME:** May 13, 2019 **Start Time:** 6:00 p.m. **Adjourn Time:** 7:55 p.m.

**MEMBERS PRESENT:** Bryan Nelson, Marie Struss, Elizabeth Wheeler (Board Liaison)

**MEMBERS ABSENT:** Andy Devney, Paul Little, Theresa Bentz

**OTHERS IN ATTENDANCE:** Alex Conzemius – Planning Consultant, Liz Messner, Larry Odegard, Frank Wergin, Charlene Klemenhagen, Jennifer Rud, Judy Grumdahl, Mike Grumdahl, Karen Sellers, Karen Holz, Dan Rogers (Nokomis Partners)

ITEM	DISCUSSION	ACTION
Call to Order	At 6:00 p.m. Planning Commissioner Bryan Nelson called the meeting to order.	A roll call was taken of members present and a quorum was declared. Nelson lead Pledge of Allegiance
Purpose of Public Hearing Meeting	<p>The purpose of the hearing is to consider Zoning Ordinance map amendments for PID 410300052010 owned by Lloyd Christenson and located off Northfield Blvd in Section 30, Township 112 and Range 19.</p> <p>The revision would rezone and re-guide the property from Rural Residential to Agricultural Preserve. The agricultural preserve zoning district would allow the applicant to proceed with a 1 MW solar garden application.</p>	<p>Clerk Wheeler posted meeting notices on the Town Hall door (May 1, 2019), on the Township website (May 1, 2019).</p> <p>Alex Conzemius of Bolton &amp; Menk posted a public notice in the Northfield News (May 1, 2019 edition) as required by State Statute.</p>
<b>FINDING OF FACTS</b>		
Motion (M2019-xxx) <i>Recommend the Town Board deny the re-zoning application of the Lloyd Christenson Parcel 41-03000-52-010</i>	<p>Dan Rogers representing Nokomis Partners gave a power point presentation to introduce Nokomis Partners as well as provide information on community solar gardens, the proposed system, system design, fencing design and phases of the build.</p> <p>Rogers answered numerous questions from Waterford residents that live near the proposed re-zoning property.</p> <ul style="list-style-type: none"> <li>• Nokomis Partners has been building Community Gardens for over ten years with five currently in existence in Minnesota and thirteen currently in various stages of approval or build.</li> <li>• Property Values – Rogers sited a Chisago County (2MV – 100 MV property value study that indicated community solar gardens do not affect property values.</li> <li>• De-Commissioning – Nokomis Partners would adhere to whatever de-commissioning requirements</li> </ul>	<p>Motion was made by Planning Commissioner Marie Struss and seconded by Planning Commissioner Bryan Nelson TO RECOMMEND TO TOWN BOARD THAT THE TOWNSHIP DENY THE RE-ZONING APPLICATION OF LLOYD CHRISTENSON'S PARCEL #41-03000-52-010 FROM RURAL RESIDENTIAL TO AG-PRESERVE ZONING AND CONSIDER ALLOWING COMMUNITY SOLAR TO THE RURAL RESIDENTIAL DISTRICT.</p> <p>All in favor – motion carried.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>including posting a bond, a cash up front deposit, insurance, etc.</p> <ul style="list-style-type: none"> <li>• Township Road – Rogers stated that the Community Solar Garden would share costs of maintaining the Township Road to ensure access to the Garden.</li> <li>• Traffic – Rogers stated that the build would take less than three months and during that time a few semi - trucks would deliver solar panels and parts. Thereafter, an employee with a pickup truck would check the solar system annually.</li> <li>• Pollinator Pledge– Rodgers stated that the project would be seeded with pollinators to encourage bees &amp; butterflies. Pollinators will absorb water not cause it to run off. The first five years the pollinators are mowed periodically, but once established no further need to mow.</li> <li>• Drainage – property owners stated they already have drainage/run off through their properties and at times in their basements from the Christenson property and have concerns that this will only get worse unless some “drainage” design is a high priority. Alex Conzemius from Bolton &amp; Menk stated that a Storm Water study is one of the required components of the project. Possible solutions would be culverts, ditch enhancements, berms, etc.</li> <li>• Landscaping – Rodgers stated that trees would be planned along the west boundary line but not along the access road.</li> <li>• Fencing – Ag fencing not chain link fence to keep rural setting.</li> <li>• Health Risks – nothing documented since the early 2000’s.</li> <li>• Glare – Rodgers shared that Solar Systems are installed at airports, municipalities, hospitals and schools where glare would be an issue --not an issue.</li> <li>• Site on non-productive land – after pollinators for 30+ years will leave soil in a much better place.</li> <li>• Underground installation – no pole configuration as other Community Gardens utilize</li> <li>• Invertors – electrical devices – string invertors, placed under the array – no single invertor</li> </ul> <p><u>Discussion:</u></p> <ul style="list-style-type: none"> <li>• Chairperson/Supervisor Messner – re-zoning one property will lead to other re-zoning – can’t allow one to re-zone and deny another.</li> </ul> <p>Alex Conzemius, Bolton &amp; Menk Planner stated that each re-zoning application is “stand alone”. Allowing one re-zoning doesn’t require Town Board to approve all re-zoning applications. Each application is approved or denied on its own merits.</p> <ul style="list-style-type: none"> <li>• Resident Jesse Graber stated being in real estate he can speak to the fact that nothing remains the same. Land so close to the City, should the City annex the</li> </ul>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Rural Residential District of Waterford, what might be built on the Christiansen property might be worse than a quiet Solar Garden. The land could be developed with housing and or business/commercial causing traffic, noise and undesirable scenery. Graber stated he would rather have something like a Solar Garden with landscaping than a business district with asphalt/concrete, noise and traffic.</p> <ul style="list-style-type: none"> <li>Residents in attendance stated that if the drainage issue could be resolved as part of the Solar Garden project, the pollinator pledge, rural fencing, non-existent traffic and control over zoning prior to possible annexation makes it a win-win.</li> </ul> <p><u>TWO OPTIONS:</u></p> <ol style="list-style-type: none"> <li>Zoning Amendment &amp; Map – Rural Residential to Ag-Preserve – allowing wholesale solar</li> <li>Allow wholesale solar in the Rural Residential</li> </ol> <p><u>RECOMMENDATIONS:</u></p> <ol style="list-style-type: none"> <li>Deny re-zoning of Lloyd Christenson’s property from Rural Residential to Ag-Preserve</li> <li>Amend Rural Residential Zoning permitted uses to include wholesale solar with performance standards via way of an IUP (interim use permit).</li> </ol>	
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Devney requested a motion to adjourn the meeting.	A motion was made by Marie Struss and seconded by Bryan Nelson to adjourn the meeting at 7:55 p.m. All in favor. Motion carried.



Elizabeth Wheeler – Township Clerk

Bryan Nelson – Planning Commission

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** May 13, 2019 **Start Time:** 7:55 p.m. **Adjourn Time:** 10:03 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor, Larry Odegard - Supervisor;  
Frank Wergin – Supervisor; Elizabeth Wheeler-Town Clerk, Charlene Klemenhagen- Treasurer;

**MEMBERS ABSENT:** Jane Dilley, Deputy Treasurer

**OTHERS IN ATTENDANCE:** Bryan Nelson, Jerry Wicklund, Marie Struss, Steve Wheeler,

ITEM	DISCUSSION	ACTION
Call to Order	At 7:55 p.m. Chairperson/Supervisor Messner called the meeting to order. <b>Meeting started late due to Public Hearing scheduled at 6:00 p.m., lasting until 7:55 p.m.</b>	A roll call was taken of members present and a quorum was declared. Pledge was recited at the Public Hearing that convened at 6:00 p.m.
Approval of Regular Agenda	Board members to add the following to the agenda: <ul style="list-style-type: none"> <li>Rezoning application for Lloyd Christenson – Parcel # 41-03000-52-010 from Rural residential to Ag-Preservation.</li> <li>Work Order Form</li> <li>Participation in Dakota County Chloride Price</li> </ul>	A motion was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner to approve the <b>REGULAR</b> agenda for May 13, 2019. All in favor – motion carried.
Approval of Consent Agenda	<ul style="list-style-type: none"> <li>Clerk's Monthly Claims &amp; Deposit Report (04/01/19 – 04/30/19)</li> <li>Treasurer's Report (04/01/19 – 04/30/19)</li> <li>Minutes – April 8, 2019 - Regular Board Meeting ** Supervisor Wergin was on emergency leave during the April 8, 2019 meeting thus did not vote on minutes of that meeting.</li> </ul>	<p>A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to approve the <b>CONSENT</b> (Clerk's Claim &amp; Deposit &amp; Treasurer's Report) agenda for May 13, 2019.</p> <p>A motion was made by Chairperson /Supervisor Messner and seconded by Supervisor Odegard to approve the <b>CONSENT</b> (Minutes for 4/8/19) agenda for May 13, 2019.</p> <p>Supervisor Wergin absent Supervisors Odegard &amp; Messner - Yes Motion carried.</p>
<b>REPORTS &amp; PRESENTATIONS</b>		
Deputy Sheriff Schmidt	Deputy Schmidt arrived during Public Hearing – wasn't able stay until Regular Meeting convened.	No action necessary

May 13, 2019 - REGULAR BOARD MEETING

3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057 – 651-346-8467 – [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
<i>Planning Commission reports on 05/13/2019 Public Hearing – Rezoning</i>	<p>Bryan Nelson, Chairperson of Planning Commission reported that the Planning Commission meet in a Public Hearing at 6:00 p.m. – 7:55 p.m. (just prior to Regular Board Meeting) to take public comment on Lloyd Christenson’s rezoning application.</p> <p>The application asked for re-zoning from current Rural Residential District to Ag Preserve District. Re-zoning this property to Ag Preserve would allow a permitted “wholesale” solar of one megawatt (Lyman Garden LLC) on the property.</p> <p>Nelson reported that the meeting was attended by twelve Waterford residents, the Planning Consultant and a representative for Nokomis Solar.</p>	<p>None</p>
<b>REGULAR AGENDA</b>		
<p>Motion (M2019-xxx) <i>Deny re-zoning application of the Lloyd Christenson property.</i></p>	<p>After a two-hour meeting, the Planning Commission members in attendance recommended the following:</p> <ol style="list-style-type: none"> <li>1. Deny re-zoning of Lloyd Christenson’s property from Rural Residential to Ag-Preserve</li> <li>2. Amend Rural Residential Zoning permitted uses to include wholesale solar with performance standards via way of an IUP (interim use permit)</li> </ol> <p><u>Finding of Facts</u> minutes of Public Hearing were taken by Board Liaison Elizabeth Wheeler and will be transcribed for inclusion in the June 10, 2019 Regular Meeting Board Packet.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION IN DENYING THE RE-ZONING APPLICATION FOR LLOYD CHRISTENSON PARCEL # 41-03000-52-010 FROM RURAL RESIDENTIAL TO AG-PRESERVE AND REQUESTING THE PLANNING COMMISSION CONSIDER WHOLESAL SOLAR IN THE RURAL RESIDENTIAL DISTRICT AS A PERMITTED USE IN PHASE FOUR OF THE ZONING ORDINANCE REVIEW PROCESS. All in favor – motion carried</p>
<p>Motion (M2019-xxx) <i>Approve Michael Rutten’s Right-of-Way Tree &amp; Shrub Re-location Plan</i></p>	<p>Clerk Wheeler reported that the Board approved a “Notice of Tree &amp; Shrub Removal from Right of Way” letter as approved by the Town Board on April 8, 2019. Ms. Rutten signed for the certified letter on April 22, 2019.</p> <p>Clerk Wheeler reported that Rutten called her to ask to work with someone from the Township on the “right-of-way” issue. Clerk Wheeler set up a meeting between the Township’s Road Committee Chairperson Steve Wheeler &amp; Rutten onsite on May 1, 2019.</p> <p>Following the onsite meeting, Rutten emailed the Town Clerk on May 8, 2019 with a proposal for the Town Board to consider that will resolve the right of way line of site issue on parcel # 41-00800-76-012. Clerk included email in Agenda Packet.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO APPROVE MICHEAL RUTTEN’S RIGHT-OF-WAY TREE &amp; SHRUB RE-LOCATION PLAN &amp; REQUEST THAT RUTTEN KEEP WHEELER INFORMED AS TO PROGRESS PRIOR TO THE JUNE 2019 BOARD MEETING. All in favor – motion carried.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Resolution R2019-0x <i>Appointing Steve Wheeler as Road Steward</i></p>	<p>Rutten also stated that he will be putting in a field entrance to his property that is over 100 feet from his driveway and over 100 feet to the Burma Bridge. Once the trees &amp; lilacs are removed, the field entrance will have adequate line of sight.</p> <p>Clerk Wheeler reminded the Board that there is nothing in the Zoning Ordinance that prohibits Rutten from constructing a field entrance nor does it provide any guidance as to how the field entrance must be constructed. Wheeler suggested that the Phase 4 of the Zoning Ordinance review might be a good time to address field entrance and drive-way requirements to avoid possible drainage issues, line of site issues, etc.</p> <p>Rutten notified Clerk via email that should the re-location plan not be acceptable to the Town Board, Rutten is requesting a Public Hearing as stated in Minnesota State Statute 160.22.</p> <p>Clerk Wheeler stated that this was a ‘win-win’ for the Township. Rutten saves his trees/shrubs and the taxpayers will not be responsible for the costs of removing trees/shrubs from the right-of-way.</p> <p>Supervisors thanked Rutten &amp; Wheeler.</p> <p>Chairperson/Supervisor Messner stated her motto is <b>“rethink, let go, move forward”</b> thus she called Township Attorney Mike Couri for advice on the legalities of the “Road Authority”.</p> <p>Current and past practice was to have one Supervisor work directly with the Road Contractor authorizing the expenditure of taxpayer’s money without the vote of all three supervisors. However, the Road Authority is all three Supervisors, not just one Supervisor authorizing expenditures.</p> <p>According to Couri, it is impractical for the Township to legally post and call a meeting of the “Road Authority” (defined as all three supervisors) every time money needs to be spent on the Township Roads.</p> <p>The solution is to appoint a Road Steward (may or may not be the Road Committee Chairperson), such as they have in Greenvale Township that manages the day to day road, ditch, right of way and bridge issues with the Road Contractor.</p> <p>The Road Steward would be required to present a report each month to the Town Board and could only authorize Road Maintenance with the contractor that is contained within the prior approved Road Plan and Road budget by the Road Authority (all three Supervisors).</p>	<p>Resolution R2019-0x was made by Supervisor Odegard and seconded by Supervisor Wergin APPOINTING STEVE WHEELER AS ROAD STEWARD. All in favor – motion carried.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Messner recommend the current Road Committee Chairperson Steve Wheeler as Road Steward. Messner stated that Wheeler is currently working on a five-year Road Maintenance Plan that will enhance decision making and transparency.</p> <p><b>WHEREAS</b>, the Township, at the recommendation of the Township Attorney, has written service agreements with contractors; and</p> <p><b>WHEREAS</b>, the Township has a Road &amp; Bridge Committee (current appointed members include Chairperson Steve Wheeler, Andy Devney, Paul Little, Jerry Wicklund) that is responsible for the management of the services agreements, as well as an annual budget approved by the Town Board, a road maintenance plan, a computerized data base of expenditures per road, competitive quotes, work orders, reconciliation of contractor invoices, taxpayer complaints, management of the day to day road activities: and</p> <p><b>WHEREAS</b>, according to the Township Attorney it is not practical to call a meeting of the Town Board (Road Authority) every time a decision on a road issue needs to be made, particularly when there is a weather-related emergency thus the need for a Road Steward; and</p> <p><b>WHEREAS</b>, according to the Township Attorney the Road Steward (Steward &amp; Chairperson may be same person) manages the day to day interactions with the contractor (s) to minimize any confusion as to direction; and</p> <p><b>WHEREAS</b>, the Road Steward can make a recommendation to the Town Board to pay the contractor invoices, however only the Town Board can approve the payment of claims at their Regular Board meeting; and</p> <p><b>WHEREAS</b>, according to the Township Attorney the Town Board can at any time can take formal action to appoint a Road Committee member and/or Road Steward, remove a Road Committee Member and/or Road Steward and/or disband the Road Committee and take on all the responsibilities of a Road Committee themselves; and</p> <p><b>NOW, THEREFORE, BE IT RESOLVED, THAT THE Town Board of Supervisors of Waterford Township in Dakota County, Minnesota hereby appoints Steven Wheeler as Road Steward to management the day-to-day interactions with the contractor (s); and</b></p> <p><b>BE IT FINALLY RESOLVED, all contractors as part of the Service Agreement they</b></p>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-0xx) <i>Approve 2019 Spring, Summer &amp; Fall Road Maintenance Agreement</i></p>	<p><b>sign will work with and take direction from -the Road Steward as named in this Resolution.</b></p> <p>Road Committee Chairperson presented the 2019 Spring, Summer &amp; Fall Road Maintenance Agreement for approval by the Town Board.</p> <p>Wheeler stated the 2018/2019 Snow &amp; Ice Control Agreement was used by the Road Committee to model the 2019 Spring, Summer &amp; Fall Road Maintenance Agreement.</p> <p>The Snow &amp; Ice Control Agreement had been reviewed by the Township’s Attorney Mike Couri, so the Road Committee only made the terminology changes (not legal) necessary for a Spring, Summer &amp; Fall Road Maintenance Agreement.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin APPROVING THE 2019 SPRING, SUMMER &amp; FALL ROAD MAINTENANCE AGREEMENT. All in favor – motion carried.</p>
<p>Motion (M2019-0xx) <i>Award Mark Henry of Henry Excavating the 2019 Spring, Summer and Fall Road Maintenance contract.</i></p>	<p>Road Steward Wheeler explained that the Road Committee selected Mark Henry of Henry Excavating as the contractor following the review of three contractors’ quotes on April 15, 2019. Reasons for selection: Township’s prior Road Contractor and lowest quote.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin APPROVING MARK HENRY OF HENRY EXCAVATING AS THE 2019 SPRING, SUMMER AND FALL ROAD MAINTENANCE CONTRACTOR. All in favor – motion carried</p> <p>Town Board directed Road Steward Wheeler to contact Mark Henry to obtain his signature on the contract and to schedule the “Annual Ride Along Road Assessment” as soon as possible.</p>
<p>Motion (M2019-0xx) <i>Award Gravel Contractors</i></p>	<p>Road Steward Wheeler reported that Castle Rock Gravel emailed a quote for gravel before any request for gravel quotes were sent out by the Town Clerk – unsolicited quote.</p> <p>Wheeler requested a quote from Anderson Rock.</p> <ol style="list-style-type: none"> <li>1. Castle Rock Materials <ul style="list-style-type: none"> <li>- Class 5 limestone</li> <li>- \$9.50 per ton delivered</li> </ul> </li> <li>2. Anderson Trucking Rock &amp; Lime <ul style="list-style-type: none"> <li>- Class 5 limestone</li> <li>- \$10.00 per ton delivered.</li> </ul> </li> </ol> <p>Wheeler supplied both quotes to the Board and recommended that the Board consider approving both quotes to allow greater flexibility for obtaining gravel for different reasons at different times of the year.</p> <p>Anderson Gravel is open year around while Castle Rock Gravel is only open from mid-April to mid-October.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard APPROVING BOTH CASTLE ROCK MATERIALS (PRIMARY) AND ANDERSON TRUCKING ROCK &amp; LIME (SECONDARY) GRAVEL CONTRACTORS PROVIDING GREATER FLEXIBILITY IN DELIVERY OF CLASS 5 LIMESTONE FOR THE TOWNSHIP’S GRAVEL ROADS. All in favor – motion carried</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-0xx) <i>Approve Dakota County Chloride pricing of \$.84 cents per gallon</i></p>	<p>Road Steward Wheeler reported that in 2018 the Township received chloride under the Dakota County pricing with Enviro-Tech. Todd Howard confirmed that the Township can once again use the County pricing with Envirotech for 2019.</p> <p>Wheeler reported he would contact Enirotech with calculations and GIS mapping. Wheeler stated he would ride along when Chloride applied to help driver as well as confirm applications based on GIS mapping.</p> <p>Wheeler stated he has already calculated the necessary gallons necessary to spot apply (300 feet in front of residence), apply 100 feet on all four corners of an intersection and chloride all of Canada Avenue (between County Road 47 &amp; State Highway 19).</p> <p>Chloride for Canada Avenue will only be applied after the shoulder to shoulder “refurb” of the road between County Road 47 &amp; State Highway 19.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin APPROVE TOWNSHIP’S PARTICIPATION IN THE DAKOTA COUNTY’S 2019 CHLORIDE BID OF \$.84 PER GALLON WITH ENVIROTECH. All in favor – motion carried</p>
<p>Motion (M2019-0xx) <i>Approve Work Order form for Road Maintenance</i></p>	<p>Road Steward Wheeler introduced a “Work Order” form. Wheeler stated he created the form and added CTAS (accounting system) requirements as requested by Deputy Treasurer Jane Dilley.</p> <p>Wheeler stated he utilized work order forms for his entire 40-year career. A project didn’t move forward without the proper documentation and sign off.</p> <p>The Township needs to use work order forms for taxpayer accountability, contractor accountability, the five-year road maintenance database, five-year budget, etc.</p> <p>Example Wheeler used was the complete “refurb” of Canada Avenue between County Road 37 and State Highway 19. In prior years the project would be done without prior written estimates and or approval.</p> <p>Wheeler stated that the Township would ask the contractor to estimate all costs for a project on the Work Order form, the Road Committee would review Work Order form for budget purposes and the Town Board would approve or disapprove the project based on the Work Order form. The Road Committee would compare the Work Order form to the Contractor’s invoice before making recommendation to the Town Board to pay the invoice.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin APPROVING AND REQUIRING THE UTILIZATION OF A ROAD MAINTENANCE WORK ORDER FORM FOR PURPOSES OF ACCOUNTABILITY AND RECORDKEEPING. All in favor – motion carried</p>
<p><b>NON MOTION BUSINESS</b></p>		
	N/A	
<p><b>COMMITTEE REPORTS</b></p>		
<p><i>Road &amp; Bridge Committee</i></p>	<p><b><u>TRAFFIC COUNTER:</u></b> Road Steward Wheeler reported the PicoCount 2500 is an automatic traffic counter used to collect vehicle traffic data (volume,</p>	<p>No action necessary</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>speed and/or vehicle classification) on gravel roads. It collects data from two hoses stretched across the road</p> <p>The “2500” is manufactured in the U.S., uses the latest technologies, has no batteries that need replacement or repairs. The unit comes completely sealed and cannot be opened, making it extremely weather resistant. The counter operates on a windows software used to download and create reports.</p> <p>Wheeler reported that he had called Kevin Collins, Dakota County Transportation to check if a “loaner” traffic counter was available, but none are available. Collins did evaluate the “2500” and found it worked well and compared favorably with more expensive counters.</p> <p>Wheeler reported “traffic data” is essential in any five-year Road Maintenance plan. Data saved and analyzed over the years will cause taxpayers dollars spent on roads to be done more effectively and efficiently.</p> <p>Collecting traffic data on high traffic areas such as Canada Avenue between two major asphalt roads (State Highway 19 &amp; County Road 47) might be shared with the State &amp; County for possible assistance.</p> <p>Wheeler reminded the Board of the fact that the County has stated they will not build out gravel roads after a detour such as was done by the State following the State Highway 3 detour last year. The Township must have maintenance records and Wheeler suggested that having “prior” and “after” detour traffic analysis and will ensure damage done to the Township roads because of the County Road 86 detour will be compensated, saving the taxpayers more than the cost of the counter alone.</p> <p><b><u>BARRICADES:</u></b> Road Steward Wheeler reported the need for the repair of barricades and the purchase of new barricades acquiring the barricades from the JB Dudley barn where they had been stored.</p> <p>Wheeler reported he used the barricades for the spring flooding on 320<sup>th</sup> &amp; Canada Avenue.</p> <p>Wheeler reported that after checking with Earl F Anderson, the sign company, the wooden barricades are illegal and must be replaced.</p> <p>Wheeler reported that the metal barricades are legal but require straightening, painting and the flashers are not working. Wheeler stated he acquired a special tool to open the “flasher” component in order to replace the “flasher”. Wheeler recommends replacing with LED bulbs for more light and longer life.</p>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<i>Budget Committee</i>	Wheeler stated he put money in the 2020 budget for barricades.  Chairperson Marie Struss stated the next Budget Committee meeting is June 24, 2019. During that meeting the Budget Committee will assess the "health of the Township".	No action necessary
<i>Project &amp; Property Committee</i>	Chairperson Elizabeth Wheeler reported that due to lateness of hour she will report progress on computer and projector, sound system and Town Hall visits at the June Board Meeting.	No action necessary
<i>Bridge Grant</i>	Grant Manager Elizabeth Wheeler reported that due to lateness of hour she will report Bridge Grant progress at the next meeting in June.	No action necessary
<i>Zoning Ordinance Update</i>	Clerk Wheeler reported that Phase 3 of the Zoning Ordinance Update project is on schedule with a Public Hearing scheduled for June 6, 2019.	No action necessary
<b>DISCUSSION ITEMS</b>		
<i>Clerk Wheeler</i>	Due to lateness of the hour – discussion items postponed.	
<b>TOWN BOARD REPORTS</b>		
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Chairperson/Supervisor Messner and Supervisor Odegard to adjourn the meeting at 10:03 p.m. All in favor. Motion carried.

Recorded by Phillips Voice Tracer



Transcribed by:

Elizabeth Wheeler – Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Special Meeting of Town Board & Road Committee

**DATE & TIME:** **May 20, 2019** **Start Time:** 7:00 p.m. **Adjourn Time:** 8:13 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor, Larry Odegard - Supervisor;  
Frank Wergin – **Supervisor**, Elizabeth Wheeler-Town Clerk  
Charlene Klemenhagen- Treasurer;

**OTHERS IN ATTENDANCE:** Steve Wheeler – Chairperson/Road Steward, Andy Devney, Paul Little, Mark Henry,

ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Chairperson/Supervisor Messner called the meeting to order.	A roll call was taken of members present and a quorum was declared. Klemenhagen lead Pledge of Allegiance
Purpose of Special Meeting	<p><u>Spring, Summer &amp; Fall Road Maintenance Contract</u></p> <p>On May 13, 2019 the Town Board passed a Spring, Summer &amp; Fall Road Maintenance Contract and Resolution R2019-0x naming the Road Committee Chairperson as Road Steward.</p> <p>At that same meeting the Town Board gave Steve Wheeler, recently named Road Steward direction to call Mark Henry of Henry Excavating on Tuesday morning to set up a time to get Henry's signature on the contract and coordinate an "Annual Ride Along Road Assessment" as soon as possible.</p> <p>Wheeler called Henry as directed on the morning of Tuesday 5/14/19 to get the contract signed and arrange for a Ride Along Road Assessment. Henry did not return the phone call to Wheeler for twenty-four hours. When Henry returned Wheeler's call, Henry stated that "I won't sign the contract until I know what you are going to be doing with the Roads – call next week, Monday."</p> <p>Wheeler had concerns regarding the delay because of the late start the Township got in selecting a contractor due to an unexpected delay (out of state emergency of Supervisor) in reviewing the contractor quotes, then a delay (not all Supervisors available to vote)getting the Road Committee's contractor selection to the Board for approval on May 13<sup>th</sup>. Henry was at the "contractor quote" openings on 4/15/19, knew that the Road Committee had selected Henry as the Spring, Summer &amp; Fall Road Maintenance Contractor and the contract would be approved at the May 13<sup>th</sup> Board Meeting.</p>	Clerk posted the meeting on the website and on the Town Hall door on May 17, 2019.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Wheeler called Chairperson Messner to request that the Town Board and the Road Committee meet to discuss options in case the Township was unable to get Henry to sign the contract. Clerk posted Special Meeting for 5/20/19 as directed by Chairperson Messner.</p> <p><u>WCA/SWCD Contact</u></p> <p>Brian Watson of Dakota County Soil &amp; Water is requesting the Board appoint a Township Representative to attend a meeting regarding wetland violations at Danbury &amp; 280<sup>th</sup>.</p>	
<b>REGULAR MEETING</b>		
<p>Motion (M2019-xxx) <i>Resignation of Road Steward Steve Wheeler</i></p>	<p>Chairperson Messner opened the Special Meeting and Road Steward Steve Wheeler requested to speak. Wheeler announced his resignation from the Road Committee.</p> <p>For the record, Wheeler was appointed to the Road Committee in the spring of 2018 and immediately volunteered to develop a database of roads, signs, culverts, bridges, right of way easements, drainage, ditch maintenance, etc.in preparation for a five-year road maintenance plan with the goal of improving the roads, resolving problems, finding resources such as technical, engineering and financial help with the goal of eventually lowering the cost of such maintenance.</p> <p>Wheeler researched Road Maintenance methods extensively, developed/established outside technical, engineering and financial resources, resolved taxpayer complaints, problem solved county and state road issues including a bridge railing, developed a road inventory, contractor contracts, a Annual Meeting Road Committee Report as required by State Statute, ditch clean up, storm damage clean up and most recently a “work order” system for financial accountability and project management.</p> <p>Wheeler reported that he has been told by Henry directly and in meetings that “you’re an engineer and you don’t know anything about roads”. Wheeler asked Henry on 11/14/18 (when Henry signed the Snow &amp; Ice Removal Contract) to talk about and hopefully resolve the communication issues, but Henry told Wheeler that “he would not work with Wheeler, he would only work with the Road Authority” and abruptly walked away. Henry communicated with Supervisor Frank Wergin during the duration of the Snow &amp; Ice Removal Contract.</p> <p>After the Town Board appointed Wheeler as Road Steward on 5/13/19 and awarded the Spring, Summer &amp; Fall Road Maintenance to Henry Excavating, Wheeler called Henry for a signature on the contract.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner TO ACCEPT THE RESIGNATION OF ROAD STEWARD STEVE WHEELER.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx)  <i>Approve amended  Spring, Summer &amp;  Fall Road  Maintenance Contract</i></p>	<p>After the 05/15/19 phone call from Henry and before the 05/20/19 phone call from Henry, Wheeler reported he was planning to recommend to the Town Board that they consider offering the contract to another local contractor that was <u>available immediately</u> and was highly recommended by other Townships. The new Road Contractor had already offered some suggestions as to what could be done to resolve recurring road problems during the interview process.</p> <p>However, after the 05/20/19 phone call from Henry, Wheeler stated he realized that signing a new contractor was not going to resolve the issue for the Township nor for Wheeler. During the phone conversation Henry stated that he talks with Wheeler's resources (contractors, gravel/chloride suppliers, county personnel, other townships personnel, etc.) frequently. The message was clear.</p> <p>Wheeler stated that in the beginning his Road Maintenance resources (contractors, county personnel, other Townships) had all stated they wanted to help and work with the Township, but they must be careful, avoid trouble, walk a fine line and not step on toes. Recently a valuable resource that had offered to "ride along" stated he was just too busy. After the call from Henry on 5/20/19 when Henry mentioned the "ride along" resource by name it was clear what would happen going forward. Wheeler stated people don't want to get involved in conflict, so they withdraw their offer to help.</p> <p>Wheeler stated that after retiring from 40+ year career, he had time to volunteer, utilize his project development/management experience and do his civic duty, however Henry has demonstrated his unwillingness or inability to ever speak and act in a respectful manner toward Wheeler, thus it is wise for Wheeler to resign from the Road Committee for the sake of the taxpayers and those resources (technical, engineering &amp; financial) that the Township will need in the future.</p> <p>Town Board members expressed their appreciation for what Wheeler has accomplished and asked Wheeler if he would be willing to work on other projects for the Township.</p> <p>Wheeler stated that he would be willing to work on other projects and possibly sometime in the future the Township might be ready to take up the five-year road maintenance plan again.</p> <p>Upon the Board's acceptance of Steve Wheeler's resignation from the Road Committee, Wheeler recommended that the Township amend the Spring, Summer &amp; Fall Road Maintenance Contract, obtain</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Chairperson/Supervisor Messner TO APPROVE THE AMENDED SPRING, SUMMER &amp; FALL ROAD</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Henry's signature and schedule a "Ride Along Road Assessment within the week.</p> <p>Clerk Wheeler reported to the Town Board that in anticipation of the Road Steward resignation, she amended the Spring, Summer &amp; Fall Road Maintenance Contract by removing Steve Wheeler's name. Clerk Wheeler stated that was the only change made to the contract that was mailed to four different contractors requesting a quote.</p> <p><u>Once the Town Board passed the motion to approve the amended Spring, Summer and Fall Road Maintenance Contract, Mark Henry of Henry Excavating signed the contract and cleared his calendar for a Ride Along Road Assessment for Thursday, May 23, 2019 with Supervisor Frank Wergin, Road Committee members Andy Devney &amp; Paul Little.</u></p> <p>Jerry Wicklund resigned his position on the Road Committee.</p>	<p>MAINTENANCE CONTRACT BY ELIMINATING STEVE WHEELER'S NAME AS THE CONTRACTOR CONTACT FROM THE CONTRACT.</p> <p>Clerk Wheeler acquired signatures (Chairperson, Clerk &amp; Contractor) on amended contract at close of meeting.</p>
<p>Motion (M2019-xxx) <i>Appoint Steve Wheeler as Townships' Wetland Conservation Representative</i></p>	<p>Brian Watson, Dakota County Soil and Water Conservation District Manager requested that the Township appoint a WCA (Wetland Conservation Act) Township representative to attend hearings that will be scheduled in May for the Lawrence Schweich property (PID #41-00600-02-010) located at the corner of County Road 86 &amp; Danbury Avenue. WCA regulates filling, draining and excavation activities of wetlands.</p> <p>Watson stated that Mr. Schweich provided paperwork (Federal USDA form AD-1026) that he was going to clean drainage ditches but that led to much more work than what he identified and allowable without a permit, thus the need for a scheduled meeting. Grading activity exceeded stump removal and maintaining existing drainage ditches.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPOINT WATERFORD RESIDENT STEVE WHEELER AS THE TOWNSHIP'S WETLAND CONSERVATION REPRESENTATIVE AND REQUEST WHEELER ATTEND THE SCHWEICH HEARING REGARDING POTENTIAL WETLAND VIOLATIONS.</p>
<p>Motion (M2019-xxx) <i>APPROVE THE PURCHASE OF RURAL PICOCOUNT 2500 VEHICLE COUNTER</i></p>	<p>Supervisor Frank Wergin requested the Township approve a traffic counter that had been presented for consideration during a Town Board meeting on May 13, 2019 by then Road Committee Chairperson Steve Wheeler.</p> <p><u>Justification copied from May 13, 2019 Board Meeting Minutes:</u> Wheeler reported the PicoCount 2500 is an automatic traffic counter used to collect vehicle traffic data (volume, speed and/or vehicle classification) on gravel roads. It collects data from two hoses stretched across the road</p> <p>The "2500" is manufactured in the U.S., uses the latest technologies, has no batteries that need replacement or repairs. The unit comes completely sealed and cannot be opened, making it extremely weather resistant. The</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE THE PURCHASE OF A RURAL PICOCOUNT 2500 VEHICLE COUNTER FOR \$815.93 PLUS SHIPPING.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>counter operates on a windows software used to download and create reports.</p> <p>Wheeler reported that he had called Kevin Collins, Dakota County Transportation to check if a “loaner” traffic counter was available, but none are available. Collins did evaluate the “2500” and found it worked well and compared favorably with more expensive counters.</p> <p>Wheeler reported “traffic data” is essential in any five-year Road Maintenance plan. Data saved and analyzed over the years will cause taxpayers dollars spent on roads to be done more effectively and efficiently.</p> <p>Collecting traffic data on high traffic areas such as Canada Avenue between two major asphalt roads (State Highway 19 &amp; County Road 47) might be shared with the State &amp; County for possible assistance.</p> <p>Wheeler reminded the Board of the fact that the County has stated they will not build out gravel roads after a detour such as was done by the State following the State Highway 3 detour last year. The Township must have maintenance records and Wheeler suggested that having “prior” and “after” detour traffic analysis and will ensure damage done to the Township roads because of the County Road 86 detour will be compensated, saving the taxpayers more than the cost of the counter alone.</p>	
<b>TOWN BOARD REPORTS</b>		
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin to adjourn the meeting at 8:13 p.m. All in favor. Motion carried.



Elizabeth Wheeler – Township Clerk

Liz Messner – Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – 2 Zoning Reviews

**DATE & TIME:** June 6, 2019 **Start Time:** 6:00 p.m. **Adjourn Time:** 6:34 p.m.

**MEMBERS PRESENT:** Andy Devney, Marie Struss, Theresa Bentz,

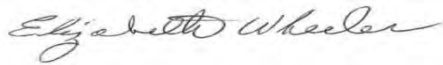
**OTHERS IN ATTENDANCE:** Elizabeth Wheeler – Board Liaison, Knight Stanley, John & Laura Devney

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Planning Commission on the Town Hall door on May 16, 2019.  Notice was uploaded to the Township website at waterfordtownshipmn.org on May 16, 2019.	No action necessary.
Call to Order	Co-Chairperson Andy Devney called the meeting to order at 6:00 p.m.	
	<b>ZONING REVIEWS</b>	
Zoning Reviews	Two zoning reviews were conducted:	
	<ol style="list-style-type: none"> <li>1. Knight D. Stanley – addition to House</li> <li>2. Mike Schroeder</li> <li>3. Terry Gilomen</li> </ol>	
Knight Stanley 32800 Dresden Ave PARCEL– 41-03000-57-110	<p><b>MEETING NOTE:</b> Mr. Stanley called Clerk to request the Planning Commission review his Zoning Review without him as his wife is ill.</p> <p>Planning Commission reviewed the addition and remodel. Uncertain as to frontage setback. Can recommend project condition on MNSPECT measuring the frontage setback for compliance to the 75-foot setback from center of Dresden Aven.</p>	Motion to recommend Stanley addition with condition MNSPECT measures frontage setback. All in favor – motion carries.
Mike Schroeder 4446 280 <sup>th</sup> St. W. Parcel #41-01600-27-060	Planning Commission reviewed Zoning Review documents – meets all setbacks.	Motion to recommend Schroeder storage building – meets all setbacks. All in favor – motion carries.
Terry Gilomen 30563 Dahomey Avenue 41-01800-75-012 Personal Storage Building – Not Ag	Gilomen told Planning Commission he would be removing a small storage building and replace with the 40 feet x 60 feet building. Gilomen stated it was personal storage (boat, pontoon, snowmobile, vehicles, etc.) not related to his business.	Motion to recommend 40 x 60-foot storage building as meeting all setbacks. Personal storage does not qualify for Ag-Exempt permit. All in favor – motion carries.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	NOTE: Paul Nelson and Bryan Nelson absent- plan review only.	
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Co-Chair Devney to adjourn at 6:34 p.m. All in favor. Motion carried.

Recorded & Transcribed by:



Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Public Hearing – Phase 3 of Zoning Ordinance Updates

**DATE & TIME:** June 6, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 8:23 p.m.

**MEMBERS PRESENT:** Andy Devney, Marie Struss, Theresa Bentz, Elizabeth Wheeler (Board Liaison)

**MEMBERS ABSCENT:** Bryan Nelson, Paul Little

**OTHERS IN ATTENDANCE:** Alex Conzemius – Planning Consultant Larry Odegard, Charlene Klemenhagen, Frank Wergin, Jane Dilley, Tom Devney, Brent Caaron (Valley Paving), John Wokasch (Valley Paving)

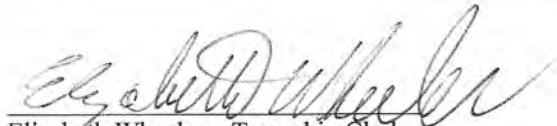
ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Planning Commissioner Andy Devney called the meeting to order.	A roll call was taken of members present and a quorum was declared. Devney lead Pledge of Allegiance
Purpose of Public Hearing Meeting	<p>The following items were part of the Phase 3 Zoning Ordinance review discussed during work sessions (<u>April 6, 2019 – Geologist/Engineer Presentation, April 23, 2019 &amp; May 6, 2019</u>) of the Planning Commission and the Town Board.</p> <p>The public hearing was a final review of “Ordinance 2019-03” by the Planning Commission and the Town Board and to take public comment as to the anticipated changes.</p> <ul style="list-style-type: none"> <li>• Feedlot language as regulated by the MPCA, State &amp; County</li> <li>• CSA Farm Employee Housing</li> <li>• Farm Employee Housing for all other farming</li> <li>• Visiting Recreational Vehicle Performance Standards</li> <li>• Multi-Generational Housing Permit &amp; Performance Standards to avoid possible duplex residences</li> <li>• Medically infirm housing Permit &amp; Performance Standards to avoid possible duplex residences</li> <li>• Mining Overlay</li> <li>• Mining Performance Standards based on Federal, State, County permitting processes</li> </ul> <p>Alex Conzemius, Planner for Bolton &amp; Menk prepared Ordinance 2019-03 and Clerk Wheeler printed a hard copy for everyone’s review at the meeting.</p>	Clerk Wheeler posted meeting notices on the Town Hall door (May 16, 2019), on the Township website (May 16, 2019) and in the Northfield News (May 22, 2019 edition) as required by State Statute.

# WATERFORD TOWNSHIP

FINDING OF FACTS		
	<p>Items for Employee Housing, Visiting Recreational Vehicle, Multi-generational Housing, medically informed housing and the Mining Overlay were reviewed and agreed as written.</p> <p><u>Two items of discussion and changed were “Feedlot” and “Mining” Performance Standards</u></p> <p><u>Mining discussion &amp; changes:</u></p> <p><u>Recycling</u> – notice, dust, secondary business to limestone mining</p> <p>According to Valley Paving representatives:</p> <ul style="list-style-type: none"> <li>• Recycling of concrete &amp; asphalt is about 20% of the business. 80% of business is crushing limestone.</li> <li>• The same crushing machines that crush limestone also crush concrete &amp; asphalt. The same number of limestone crushers will be required regardless of recycling. No additional equipment required for the recycling.</li> <li>• Asphalt does not have any dust because of the oil components of asphalt.</li> <li>• Concrete crushing processing isn't different than limestone crushing processing – both use misters and sprayers during the crushing process to keep the dust down.</li> <li>• Noise during crushing is buffered by the berms surrounding the pit as well sound is minimized the deeper the pit. Berms will be built using the topsoil removed to get access to the limestone.</li> </ul> <p><u>Township Roads</u> – Section VII – C.c. Mineral Extraction Performance Standards</p> <ul style="list-style-type: none"> <li>• Township has limited resources to request and or enforce “restoration” of damaged Township Roads thus the preferred Performance Standard is to require that access to the quarry/mining property must be use County Roads and or a State Highway.</li> <li>• Township does not want to require paving of a Township Road because once the quarry/mine closes the Township is left to maintain a paved road.</li> </ul>	

# WATERFORD TOWNSHIP

	<p><u>Feedlots – Section VII – D, F, G, H</u></p> <p>Andy Devney stated that Dakota County no longer had a “Feed Lot Officer” – Dakota County refers feedlot issues to the MPCA – current ordinance language needs to be changed.</p> <ul style="list-style-type: none"> <li>• Change Dakota County Feedlot Officer to “Feedlot Official”</li> <li>• Feedlots not owned by resident requires animal units and minimum distances changed from five increments to two increments: <ul style="list-style-type: none"> <li>*51 – 500 requires 250 feet</li> <li>*501 – 999 requires 500 feet</li> </ul> </li> <li>• Injection &amp; incorporation – add “liquid” to manure for clarification of liquid versus dry.</li> </ul>	
<b>TOWN BOARD REPORTS</b>		
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Devney requested a motion to adjourn the meeting.	A motion was made by Theresa Bentz and seconded by Marie Struss to adjourn the meeting at 8:23 p.m. All in favor. Motion carried.

  
Elizabeth Wheeler – Township Clerk

Andy Devney – Planning Commission

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** June 10, 2019 **Start Time:** 7:05 p.m. **Adjourn Time:** 9:08 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor, Larry Odegard - Supervisor;  
Frank Wergin – Supervisor; Elizabeth Wheeler-Town Clerk, Charlene Klemenhagen- Treasurer;  
Jane Dilley, Deputy Treasurer

**OTHERS IN ATTENDANCE:** Tom Devney, Andy Devney, Jerry Wicklund, Marie Struss, Nancy Braker, Mike Schroeder, Ruth Schroeder, Terry Gilomen

ITEM	DISCUSSION	ACTION
Call to Order	At 7:05 p.m. Chairperson/Supervisor Messner called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge was recited by Nancy Braker – Carleton College Arboretum Director
Approval of Regular Agenda	Board members to add the following to the agenda: <ul style="list-style-type: none"> <li>• None</li> </ul>	A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to approve the <b>REGULAR</b> agenda for June 20, 2019. All in favor – motion carried.
Approval of Consent Agenda	<ul style="list-style-type: none"> <li>• Clerk’s Monthly Claims &amp; Deposit Report (05/01/19 – 05/31/19)</li> <li>• Treasurer’s Report (05/01/19 – 05/31/19)</li> </ul> <p>Clerk Wheeler explained the “Lawn Guy” mowing bill was higher than anticipated. The reason was the Mowing Contract had “spring clean-up” in the contract.</p> <p>Wheeler stated that Steve Wheeler talked with the contractor and indicated that the budget has been impacted by the spring clean up and thus there will be no fall clean up. Mowing will not be done less than 14 days frequency and only when Wheeler calls and or texts the need for lawn mowing. Once the contractor has been notified, the contractor will mow as his schedule permits but within a five-day period.</p> <p>Clerk Wheeler stated that the 2020 contract should have the “spring and fall clean-up” language <u>removed</u> – instead assign Charlene Klemenhagen (employee of the Township) both the spring and fall clean-up – contractor charges \$65.00 per hour for clean-up and Klemenhagen charges \$25.00 per hour.</p>	<p>A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to approve the <b>CONSENT AGENDA</b> –</p> <p>Clerk’s Claim &amp; Deposit Treasurer’s Report Minutes – May 13, 2019 – Public Hearing Minutes – May 13, 2019 – Regular Minutes – May 20, 2019 – Special Minutes – June 6, 2019 – Planning Com Minutes – June 6, 2019 – Public Hearing All in favor – motion carried.</p>

## JUNE 10, 2019 - REGULAR BOARD MEETING

3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057 – 651-346-8467 – [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>REPORTS &amp; PRESENTATIONS</b>		
Deputy Sheriff Hosking	<p>Deputy Hosking stated that he had just come back onto evenings in the Waterford area thus didn't have too much to report.</p> <p>Hosking reported that people are leaving their garage doors open and encouraging theft.</p> <p>Hosking reported that Dakota County is putting on extra patrol on County Road 86 near the Castle Rock Mini Mall.</p> <p>Hosking was asked about a sheriff stop at 313<sup>th</sup> &amp; Canada Avenue, but wasn't on duty so did not have any details.</p>	No action necessary
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
Motion (M2019-xxx) <i>Approve Addition &amp; re-model of home at 32800 Dresden Avenue.</i>	<p>Andy Devney, Planning Commissioner reported that the Planning Commission (Devney, Bentz, Struss) meet on June 6, 2019 from 6:00 p.m. to 6:55 p.m. to review three building projects:</p> <ol style="list-style-type: none"> <li>1. Knight Stanley – 32800 Dresden Avenue Parcel #41-03000-57-110 Addition &amp; re-model of home</li> </ol> <p>Note: Devney told Board that the Commission recommends the addition and re-model but requires that MNSPECT measure the setbacks to ensure that the addition does not violate the 75-foot frontage setback. The drawings <u>were not clear</u>, and the property owner was absent from the meeting due to his wife's illness.</p>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE AN ADDITION AND RE-MODEL OF A HOME AT 32800 DRESDEN AVENUE PROVIDED THE ADDITION DOES NOT ENCROACH ON THE 75 FOOT FRONTAGE SETBACK – PARCEL #41-03000-57-110. All in favor – motion carried
Motion (M2019-xxx) <i>Approve personal storage building (not ag) at 4446 280<sup>th</sup> St. W.</i>	<ol style="list-style-type: none"> <li>2. Mike &amp; Ruth Schroeder – 4446 280<sup>th</sup> St. W Parcel #41-01600-27-060 Personal Storage Building – Not Ag</li> </ol>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE A PERSONAL STORAGE BUILDING (NON-AG) AT 4446 280 <sup>th</sup> ST. W. – PARCEL #41-016000-27-060. All in favor – motion carried
Motion (M2019-xxx) <i>Approve personal storage building (not ag) at 30563 Dahomey Avenue</i>	<ol style="list-style-type: none"> <li>3. Terry Gilomen – 30563 Dahomey Avenue 41-01800-75-012 Personal Storage Building – Not Ag Note: Devney stated that Gilomen stated that he would be removing a small storage building and replace with the 40 feet x 60 feet building. Gilomen stated it was personal storage (boat, pontoon, snowmobile, vehicles, etc.) not related to his business.</li> </ol>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE A PERSONAL STORAGE BUILDING (NON-AG) AT 30563 DAHOMEY AVENUE – PARCEL #41-01800-75-012. All in favor – motion carried

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p><b>REGULAR AGENDA</b></p>		
<p>Motion (M2019-xxx) <i>TABLE transfer the “rock” parcel from Carleton College ownership to Township ownership.</i></p>	<p>Nancy Braker, Puzak Family Director of the Cowling Arboretum – Carleton College stated that she and the College were unaware of the ownership of the “rock” parcel adjacent to County Highway 47 in the village of Waterford until the College was doing some land inventory research.</p> <p>The College does not have a use for the “rock” parcel and would be willing to transfer the “rock” parcel and the “Michael J. Brown” parcel to the Township.</p> <p>Braker stated that the College will require that the Township reimburse the College for the \$500 in attorney fees that will be incurred for the legal review of the Township’s Quick Claim Deed.</p> <p>Braker stated that the Township will need to have the Township Attorney draw up a quick claim deed for both parcels and present the quick claim deed to the College for legal review.</p> <p>Braker stated the College would not share any costs associated with the Township’s legal costs to acquire the parcels.</p> <p>Clerk Wheeler asked the Board to TABLE any action on acquiring the parcels until Wheeler has time to research the actual costs. Wheeler stated she was sure a survey of the two parcels would be necessary in order to transfer the parcels to the Township.</p> <p>Wheeler stated that Carleton College most likely has never mowed the “rock” parcel as Braker stated Carleton did not know they owned the property until just recently. The Township has always maintained the property and didn’t know if belonged to Carleton College.</p> <p>Wheeler stated the parcel is so small that it can’t be used for anything either by the Township and or Carleton College, thus has no monetary value. Without monetary value it would be impossible to justify to the taxpayers the legal costs to obtain the land.</p> <p>Braker said she was going on a medical leave and would not be returning until late summer. Wheeler stated there is no hurry to respond to Carleton’s offer as Carleton has always owned the property and the Township has always maintained the property. The Township needs time to research the situation.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO TABLE THE TRANSFER OF THE “ROCK” PARCEL FROM CARLETON COLLEGE OWNERSHIP TO TOWNSHIP OWNERSHIP UNTIL CLERK WHEELER CAN RESEARCH THE LEGALITIES AND COSTS OF SUCH A TRANSFER. All in favor – motion carried.</p>
<p>Motion (2019-xxx) <i>TABLE a decision on Zoning Ordinance</i></p>	<p>Andy Devney, Planning Commissioner reported that the Planning Commission meet on June 6, from 7:00 p.m. to 8:23 p.m. in a Public Hearing to take public</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner TO TABLE A BOARD DECISION ON</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>2001-5 until July 8, 2019</p>	<p>comment on Phase 3 of the Zoning Ordinance Updates including the following:</p> <ul style="list-style-type: none"> <li>• Feedlot language as regulated by the MPCA, State &amp; County</li> <li>• CSA Farm Employee Housing</li> <li>• Farm Employee Housing for all other farming</li> <li>• Visiting Recreational Vehicle Performance Standards</li> <li>• Multi-Generational Housing Permit &amp; Performance Standards to avoid possible duplex residences</li> <li>• Medically infirm housing Permit &amp; Performance Standards to avoid possible duplex residences</li> <li>• Mining Overlay</li> <li>• Mining Performance Standards based on Federal, State, County permitting processes</li> </ul> <p><u>Finding of Facts</u> – the public hearing was posted in the Northfield News, on the Township website and on the Town Hall door as required by State Statute.</p> <p>Minutes were taken by Board Liaison Elizabeth Wheeler and approved by Board on 06/13/19</p> <p>The meeting was attended by Frank Wergin, Larry Odegard, Marie Struss, Andy Devney, Tom Devney, Theresa Bentz, Charlene Klemenhagen, Elizabeth Wheeler, Jerry Wicklund, Alex Conzemius, Jane Dilley, Brent Caaron (Valley Paving), John Wokasch (Valley Paving)</p> <p>Absent were Planning Commissioner Bryan Nelson and Supervisor Liz Messner</p> <p>Devney reported that the Planning Commission recommends the Board approve via resolution the Phase 3 Zoning Ordinance amendments.</p> <p>Chairperson/Supervisor Messner stated that she missed the Public Hearing on June 6, 2019 because she was out of state. She received the Ordinance with revisions via email from Alex Conzemius at 11:27 a.m. on June 7<sup>th</sup> however she didn't always have dependable internet while she was traveling.</p> <p>Messner stated she arrived back in Northfield on Sunday, June 9<sup>th</sup> and had to work on Monday June 10<sup>th</sup> thus she did not have time to review the changes that were made during the Public Hearing on the 6<sup>th</sup>. Without adequate time to review the Ordinance, she recommended that the Board "TABLE" any action until the July 8, 2019 Board meeting</p>	<p>ZONING ORDINANCE 2001-5 UNTIL JULY 8, 2019. All in favor – motion carried</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Resolution (R2019-xx) <i>Approve updates to Fee Schedule</i></p>	<p>Clerk Wheeler reported that the Township Fee Schedule should be reviewed at least once per year and whenever changes are necessary.</p> <p>Wheeler reviewed the following with the Town Board and requested approval on changes:</p> <ol style="list-style-type: none"> <li> <p><u>Building, Plumbing, Mechanical, Remodel, Replace section:</u> remove Plumbing and Mechanical permit “one inspection trip charge”.</p> <p>Retain \$75.00 fee + surcharge  <u>Reason:</u> Township follows MN Building Code charges &amp; does not charge a trip charge.  <u>Change:</u> Deck Fee from \$300 to \$500  <u>Reason:</u> Decks, either replacement or new takes plan review as well as permit fees and thus most times the cost exceeds the minimal charge of \$300. Excess will be after issuing permit will be returned to applicant.</p> </li> <li> <p><u>Escrows section:</u> increase all escrows processing fees</p> <p><u>Reason:</u> Wheeler stated since the fees were initially established the “actual” costs of consultants (Planner, Engineer &amp; Lawyer) have exceeded the “fee or deposit”.</p> <p>Wheeler explained that the consultants invoice the Township and she then invoices the applicant, but the lag time between the Township’s payments to the consultants and the applicant reimbursements, the Township is using Township tax money which has the potential of causing financial hardship for the Township.</p> <p>Wheeler stated the current fees of \$1,000 are inadequate. Wheeler reported that the bills for Commercial Solar often exceed \$5,000. Wheeler recommended the Town Board consider setting the following Escrow Fee/Deposit at a minimum:</p> <p>Variance/Appeal - \$2,000            Conditional Use Permit - \$2,000            Interim Use Permit - \$2,000            IUP – Commercial Solar - \$5,000            Rezoning/Ordinance Amendment - \$5,000            Comprehensive Plan Amendment - \$5,000</p> <p>Chairperson/Supervisor Messner stated she was okay with raising the Escrow Fees as recommended by Wheeler except for the IUP – Commercial Solar escrow fee. Messner stated that if the Commercial</p> </li> </ol>	<p>Resolution R2019-0xx was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE RESOLUTION R2019-XX UPDATING THE FEE SCHEDULE AS RECOMMENDED BY CLERK WHEELER INCLUDING INCREASED ESCROW FEES, ADDING EIGHT MINERAL EXTRACTION PERMIT FEES, AND DELETE TRIP CHARGE FOR PLUMBING AND MECHANICAL. All in favor – motion carried</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Solar often exceeds \$5,000 then the Escrow Fee/deposit should be set at \$10,000.</p> <p>3. <u>New Section:</u> Mineral Extraction</p> <p><u>Reason:</u> Wheeler reported that the Township has been considering adding “Mining” to the Township Zoning Ordinances. Should the Township add Mining to the Zoning Ordinances, they will need to add a Mineral Extraction fee schedule.</p> <p>Wheeler explained that she received eight recommended fees from Alex Conzemius, Township Planning Consultant via an email. Wheeler reviewed the fees with the Town Board.</p> <p><b>WHEREAS,</b> Waterford Township Board of Supervisors has determined that it is prudent to create a Fee Schedule and review the Fee Schedule annually to provide efficiency, economy and uniformity in establishing and adjusting the fees charged by Waterford Township, and</p> <p><b>WHEREAS,</b> Waterford Township charges applicants a Filing Fee for all Permits and License applications to offset the administrative/clerical costs that the Township incurs to process the application, and</p> <p><b>WHEREAS,</b> Waterford Township charges applicants an initial Escrow/Processing Fee for Planning and Zoning applications to cover all costs (attorney, planning consultant, engineering, administrative, clerical, publication, recording, etc.) the Township incurs in processing the application, and</p> <p><b>WHEREAS,</b> Waterford Township will reconcile the Township’s costs and the applicant’s Escrow/Processing Fee throughout the application and decision-making process to ensure adequate funds are available to cover cost, and</p> <p><b>WHEREAS,</b> Waterford Township may require the applicant to increase the amount of the required Escrow/Processing deposit at any time if the Township’s costs are reasonably expected to exceed the minimum amount, and</p> <p><b>WHEREAS,</b> Waterford Township requires the applicant to make reimbursement to the Township within 30 days of the date of the Township’s invoice of Escrow/Processing fees exceeding the initial Escrow/Processing fees, and</p>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p><b>WHEREAS</b>, Waterford Township will certify the uncollected charges to the County Auditor pursuant to Minn. Stat. § 366.012 (Collection of Unpaid Services), and</p> <p><b>WHEREAS</b>, Waterford Township will return excess fees (if any) to the applicant after all costs are accounted for and reconciled, and</p> <p><b>WHEREAS</b>, the Fees set forth in the Fee Schedule may be added to or amended from time to time by adoption of a Resolution, and</p> <p><b>WHEREAS</b>, the Township Board shall review the Fee Schedule on at least an annual basis for the purposes of adjusting and updating the Fees charged by the Township and any amendments or additions thereto may be made by Resolution, and</p> <p><b>WHEREAS</b>, the Fees set forth in the Fee Schedule shall supersede any Fee established elsewhere in the Township’s Ordinance for the same charge. If a Fee is set forth elsewhere in the Township’s Ordinance or via a Resolution, and there is no corresponding Fee set forth in the attached Fee Schedule, the Fee set forth elsewhere in the Ordinance or the Resolution shall control until such time as a Fee for the same charge is established in the Fee Schedule, and</p> <p><b>NOW THEREFORE BE IT RESOLVED</b>, that Waterford Township Board of Supervisors approves the following Fee Schedule as defined in the attached schedule and be effective upon passage of this resolution and posting of this resolution.</p>	
<p><b>NON MOTION BUSINESS</b></p>		
<p>Century Link – Fiber Installation – right of way restoration</p>	<p>Clerk Wheeler reported after numerous phone calls, she was able to track down a name and number of the person responsible for “repairing” the damage done by the installation of fiber optics in residents’ yards.</p> <p>Wheeler reported she has given the following information to a few residents to call and register a complaint:</p> <p>Spencer Pannhoff TD &amp; I 612-332-0033 <a href="mailto:spencier@tdicable.com">spencier@tdicable.com</a></p> <p>Wheeler reported that Spencer stated that the wet weather has made repairs untimely. Spencer stated that his restoration crews should be on site in Waterford during the week of June 17<sup>th</sup>.</p>	<p>No action required</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
JB Dudley letter	<p>The Supervisors discussed JB Dudley’s verbal commitment on the phone and at the April 8, 2019 meeting to put his buildable sites in the Conservation Program.</p> <p>Board discussed the Work Session minutes (October 9, 2006) JB Dudley offered as proof of an additional buildable site was not a formal motion and or voted action of the Board but Dudley’s commitment to the conservation program was the reason for adding the buildable site without formal Board action.</p> <p>Chairperson/Supervisor Messner stated that as time passes and possibly the Board Supervisors change, verbal commitments are forgotten and or lost. A letter from JB Dudley stating what he told Board members on the phone and at the meeting should be part of Township records.</p>	Board directed Clerk Elizabeth Wheeler to send an email or letter to JB Dudley regarding conservation & buildable sites.
<b>COMMITTEE REPORTS</b>		
<i>Road &amp; Bridge Committee</i>	<p>Road Authority Frank Wergin reported the following:</p> <ol style="list-style-type: none"> <li>1. Gravel has been applied to Township Roads – 161 truckloads @ 23 tons per load.</li> <li>2. Canada Avenue curve has been graveled and graded.</li> <li>3. Chloride in front of property owner homes has been done.</li> <li>4. Build up of curve on Danbury will be done sometime in July.</li> <li>5. School road needs gravel &amp; chloride.</li> </ol> <p>Wergin requested Clerk Wheeler to get a supply of “Work Orders” forms that Steve Wheeler designed and leave them at the Town Hall.</p> <p>Wergin reported that Dakota County will be closing Foliage Avenue from 280<sup>th</sup> W south to 320<sup>th</sup> starting June 17<sup>th</sup>.</p> <p>Chairperson/Supervisor Messner requested that the Road Committee and the Town Board meet on July 1, 2019 to discuss in detail the Road Budget including the Dresden reserve, the Barnard reserve, the right of way tree removal, appointment of Road Steward, etc.</p> <p>Chairperson/Supervisor Messner stated that the Barnard Bridge is narrow and old and needs to be replaced or closed to traffic.</p>	No action necessary
<i>Budget Committee</i>	Budget Committee Chairperson Marie Struss stated that there would be a Budget Committee meeting on June 24, 2019 to review the first six months of revenue and expenses in preparation for making a 2020 Levy	No action necessary

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<i>Project &amp; Property Committee</i>	<p>recommendation to the Board at the September 9, 2019 “Reconvened Annual Meeting”.</p> <p>Chairperson Elizabeth Wheeler stated that the Project &amp; Property Committee was taking the summer off and would resume meeting on September 9, 2019 at 5:30 p.m.</p>	No action necessary
<i>Bridge Grant</i>	<p>Bridge Grant Manager Elizabeth Wheeler reported that she is working on the final report that is due by no later than July 30, 2019.</p> <p>Wheeler reported that she requested the final invoice from LHB and will present that bill for payment at the July 8, 2019 Board Meeting.</p> <p>Wheeler stated that she has gotten the final Engineering Drawings and Engineering Report but is waiting on the final Cost report. Verbal cost figure exceeds 1.5 million dollars and does not include a Construction Administrator figure.</p> <p>Wheeler reported she will send out an email and post the reports on the website when all reports have been received.</p> <p>Wheeler reported that a Grant Writer furnished by Dakota County is preparing a “Pre-Application” for a Grant that is due by July 26, 2019. The final application is due in September 2019.</p>	No action necessary
<i>Zoning Ordinance Update</i>	<p>Wheeler reported that Phase 3 of the Zoning Ordinance updates was heard via Public Hearing.</p> <p>Wheeler reported that Phase 4 of the Zoning Ordinance updates will begin via joint Board &amp; Planning Commission meetings on September 23, 2019 at 7:00 p.m.</p>	No action necessary
<b>CITIZEN COMMENTS</b>		
	N/A	
<b>TOWN BOARD REPORTS</b>		
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Chairperson/Supervisor Messner and Supervisor Odegard to adjourn the meeting at 10:03 p.m. All in favor. Motion carried.

# WATERFORD TOWNSHIP

Recorded by Phillips Voice Tracer



Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Liz Messner – Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – One Zoning Reviews

**DATE & TIME:** July 8, 2019 **Start Time:** 6:30 p.m. **Adjourn Time:** 6:44 p.m.

**MEMBERS PRESENT:** Bryan Nelson, Andy Devney, Marie Struss, Theresa Bentz,

**OTHERS IN ATTENDANCE:** Elizabeth Wheeler – Board Liaison, John & Laura Devney

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Planning Commission on the Town Hall door on June 20, 2019.  Notice was uploaded to the Township website at <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> on June 20, 2019.	No action necessary.
Call to Order	Chairperson Nelson called the meeting to order at 6:30 p.m.	
	<b>ZONING REVIEWS</b>	
Zoning Reviews  John & Laura Devney 2465 300 <sup>th</sup> St. W. PARCEL– 41-00900-50-013	One zoning reviews were conducted:  1. John & Larua Devney - Garage  Planning Commission reviewed Zoning Review documents for setbacks of a detached three-car garage – not attached to primary dwelling. Meets all setbacks.	Motion to recommend Stanley addition with condition MNSPECT measures frontage setback. All in favor – motion carries.  Note: Andy Devney – Planning Commissioner abstained from recommendation - brother of applicant.
ITEM	DISCUSSION	ACTION
ADJOURN		
Adjourn the meeting		A motion was made by Co-Chair Devney to adjourn at 6:44 p.m. All in favor. Motion carried.

Recorded & Transcribed by:

Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** July 8, 2019 **Start Time:** 7:03 p.m. **Adjourn Time:** 9:23 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor, Larry Odegard - Supervisor;  
Frank Wergin – Supervisor; Elizabeth Wheeler-Town Clerk, Charlene Klemenhagen- Treasurer;  
Jane Dilley, Deputy Treasurer

**OTHERS IN ATTENDANCE:** Tom Devney, Andy Devney, Jerry Wicklund, Marie Struss, Mike Dudley, JB Dudley,  
Theresa Bentz, Bryan Nelson, John Wokasch

ITEM	DISCUSSION	ACTION
Call to Order	At 7:04 p.m. Chairperson/Supervisor Messner called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge was recited by Mike Dudley.
Approval of Regular Agenda	Board members to add the following to the agenda: <ul style="list-style-type: none"> <li>Barnard Bridge – Project Manager</li> <li>Transfer Solar Production Tax to savings per Resolution 2018-09</li> </ul>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO ACCEPT REGULAR AGENDA AS PRESENTED AND ADD BARNARD BRIDGE & SOLAR TAX TRANSFER. All in favor – motion carried.
Approval of Consent Agenda	Chairperson/Supervisor Messner requested that two bills be pulled from consent agenda for discussion: <ul style="list-style-type: none"> <li>Clerk's Monthly Claims &amp; Deposit Report (06/01/19 – 06/30/19)</li> <li>Treasurer's Report (06/01/19 – 06/30/19)</li> </ul>	A motion (M2019-0xx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Odegard TO ACCEPT THE CONSENT AGENDA AS PRESENTED BUT PULL LAWN GUY & ENVIROTECH CLAIMS FOR DISCUSSION. All in favor – motion carried.
Motion (M2019-xxx) <i>Pay Lawn Guy claim and send Certificate of Exemption Form.</i>	Chairperson/Supervisor Messner stated that Townships are exempt from sales tax for certain services. Messner stated she would authorize payment of the claim but request that the Town Clerk notify the Lawn Guy of the Township's exemption status.  <b>Post Meeting Note: Clerk signed &amp; sent MN Dept of Revenue ST3 Certificate of Exemption form to contractor.</b>	A motion (M2019-0xx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Odegard TO AUTHORIZE PAYMENT OF THE LAWN GUY CLAIM BUT TO NOTIFY CONTRACTOR OF TOWNSHIP EXEMPT STATUS. All in favor – motion carried.
Motion (M2019-xxx) <i>Without payment to Envirotech for Chloride application until corrected bill is received.</i>	Chairperson/Supervisor Messner stated that according to Todd Howard, Dakota County Engineer the Township can participate in the County's Chloride contract with Envirotech thus getting the price per gallon for \$.84 per gallon instead of the \$.93 per gallon charted on the current billing. A savings of \$832.41	A motion (M2019-0xx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin TO WITHHOLD PAYMENT FROM ENVIROTECH FOR CHLORIDE APPLICATIONS UNTIL A

## JULY 8, 2019 - REGULAR BOARD MEETING

3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057 – 651-346-8467 – [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Clerk Wheeler stated that in April &amp; May prior Road Committee Chair Steve Wheeler had email notifications from Todd Howard that the Township could participate in the County's pricing. Wheeler stated that when Steve resigned from the Road Committee he told Road Authority Frank Wergin to make sure when he ordered the chloride he told Envirotech about the County contract pricing of \$.84 per gallon. Wheeler stated she could provide the emails if Wergin needed them when talking with the contractor.</p> <p>Road Authority Wergin stated he did inform Envirotech at the time he ordered the chloride about the County contract. Wergin stated he would contact Envirotech and request a corrected billing be sent by e-mail to the Town Clerk for immediate payment.</p>	<p>CORRECTED BILL IS RECEIVED. ONCE THE CORRECTED BILL IS RECEIVED THE BILL CAN BE PAID INSTEAD OF WAITING UNTIL THE NEXT REGULAR BOARD MEETING All in favor – motion carried.</p> <p>Road Authority Wergin will contact Envirotech and request a corrected billing using the County contracted price of \$.84 per gallon.</p>
<b>REPORTS &amp; PRESENTATIONS</b>		
Deputy Sheriff Smidt	<p>Deputy Smidt reported two fatalities – one on County Road 47 on June 21<sup>st</sup> and on near Randolph. Watch speed, don't text and drive.</p> <p>Hosking reported phone scams and thefts at construction sites continues.</p> <p>Smidt was asked about a sheriff stop at 313<sup>th</sup> &amp; Canada Avenue. Smidt stated it was a driver that wasn't easily identified and possible drugs.</p>	No action necessary
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
Motion (M2019-xxx) <i>Approve Garage for 2465 300<sup>th</sup> St. W - Devney</i>	<p>Bryan Nelson, Planning Commissioner reported that the Planning Commission (Nelson, Devney, Bentz, Struss) meet on July 8, 2019 from 6:30 p.m. to 6:55 p.m. to review a building project:</p> <p>Applicant: John &amp; Laura Devney – 2465 300<sup>th</sup> St. W Parcel #41-00900-50-013 Detached three-car garage adjacent</p> <p>Note: Andy Devney Planning Commission <b>abstained</b> as he is relative (brother) to the applicant.</p>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE THE ZONING TO BUILD A DETACHED THREE CAR GARAGE BUILD – PARCEL #41-00900-50-013. All in favor – motion carried
<b>REGULAR AGENDA</b>		
Motion (M2019-xxx) <i>Accept "intent" letter from JB Dudley</i>	<p>JB Dudley, 2500 320<sup>th</sup> St. stated he received an email dated July 1, 2019 from Clerk Wheeler that read:</p> <p>"The Board asked me to send you a request for a letter for Township documentation purposes. The letter from you would state what you said in your phone calls to Board members and at the Board meeting that you are putting your seven buildable sites in the land conservation program over time."</p> <p>Dudley stated that the June Meeting minutes stated, "The Supervisors discussed JB Dudley's verbal commitment on the phone and at the April 8, 2019 meeting to put his buildable sites in the Conservation</p>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO ACCEPT A LETTER FROM JB DUDLEY STATING THAT HE " <u>INTENDS</u> " TO PUT HIS SEVEN BUILDABLE LOTS INTO A LAND CONSERVATION PROGRAM TO PROTECT THE LAND FROM DEVELOPMENT BUT <u>CAN'T COMMIT</u> TO NEVER DEVELOPING THE BUILDABLE SITES. All in favor – motion carried.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Decline Carleton College's land transfer proposal.</i></p>	<p>Program” and “... Dudley’s commitment to the conservation program.....”</p> <p>Dudley stated that he never “committed” to not selling and or building on his seven buildable sites when talking to each Board member individually in March &amp; April. Dudley stated that he can’t predict the future and may need to sell buildable sites to care for himself and/or manage his obligations to his siblings.</p> <p>Dudley stated that at the time he talked with each individual Board members in March and April he and his siblings were working with Dakota County personnel (Al Singer) regarding Land Conservation options and opportunities to protect the land from development. Since that time, the talks with Dakota County have been less than encouraging. Dudley stated he and his siblings are now exploring other options and opportunities to protect the land from development.</p> <p>Dudley stated he can provide a letter to the Town Board stating that he “intents” to put his property in a land conservation program over time to protect the land from development but can’t “commit” to never developing one or more of the buildable sites.</p> <p>JB Dudley concluded by informing the Board that he has sold his mobile home at 2500 320<sup>th</sup> Street. The mobile home will be moving from the property later in the week. Dudley will be moving into his sisters at 2418 320<sup>th</sup> Street until such time as he builds a new home at the 2500 320<sup>th</sup> Street location.</p> <p>Clerk Wheeler, as directed by the Town Board, contacted the Township’s Attorney Mike Couri to discuss the Carleton’s land transfer proposal as presented by Nancy Braker, Carleton College Arboretum Director at the June 10, 2019 Board meeting.</p> <p>Wheeler reviewed the proposal and the Attorney’s Recommendation. The proposal offered a transfer of a triangular piece of land approximately 08 acres or 3,681 square feet from Carleton College to the Township. The .08 acres is vacant land except for a historic marker (large rock with plaque). The triangular piece of land is surrounded by three roads, County Road 47, Colorado Avenue and Upper 321<sup>st</sup> St.</p> <p>The land transfer proposal consisted of the Township having their Attorney prepare the necessary documents for the land transfer for both the historic marker parcel and a tiny triangle of land just east of the historic marker parcel (as highlighted on attached Dakota County property information search for PID #41-85400-11-031).</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO <b><u>DECLINE</u></b> CARLETON COLLEGE’S LAND TRANSFER PROPOSAL FOR THE .08 ACRES OF TRIANGULAR SHAPED LAND ON THE SOUTH BOUNDARY OF THE VILLAGE ADJACENT TO COUNTY ROAD 47 AS PER THE TOWNSHIP ATTORNEY’S RECOMMENDATION. All in favor – motion carried.</p> <p>The Board directed Clerk to write letter to Ms. Braker declining the land transfer proposal and hold the letter until Ms. Braker returns from medical leave in late August when the letter is to be delivered in person by the Clerk.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Accept Otte's Ditch Mowing Quote</i></p>	<p>The land transfer would include the .08 acres as well as a tiny triangle east of the historic marker. The tiny triangle is adjacent to a private owner's property. According to Braker the College cannot give land to a private owner but can transfer the land to a government entity.</p> <p>The College's Attorney would <u>review</u> the documents and work with the Township Attorney if changes are necessary.</p> <p>Once the documents are legally acceptable, the College would sign the land transfer documents in exchange for \$500. The College would require \$500 to reimburse the College for the legal fees associated with the transfer.</p> <p>The Township Attorney stated that the Township has maintained the historic marker parcel for at least thirty plus years, mowing in the summer months and right of way for snow removal in the winter months, thus the need to transfer the land is unnecessary.</p> <p>Snow removal maintenance (right-of-way) by the Township and the County requires at least 33 feet from the middle of the surrounding roads on each road adjacent to the parcel.</p> <p>The historic marker parcel is a small (.08 acres) triangularly shaped piece of land with two Township roads (Colorado &amp; Upper 321<sup>st</sup> St.) adjacent to the parcel and County Road 47 adjacent to the parcel. The right-of-way on the three sides surrounding the parcel leaves little land that isn't a right-of-way. Thus, the need to transfer the land to the Township is unnecessary.</p> <p>Clerk Wheeler reported that the Township received two quotes for ditch mowing.</p> <ol style="list-style-type: none"> <li>1. Dale Kuchinka – Wheeler reported that she called Kuchinka for a quote – he gave a “verbal quote” of the “same price as last year.” - \$675 per mowing or approximately \$45 per mile. <u>NOTE:</u> Wheeler referenced the November 2018 ditch mowing bill from Kuchinka</li> <li>2. Otte Excavating – Written quote - \$105.00 per mile – 14-foot width</li> </ol> <p>Board discussed the two reasons for mowing the right of way (ditches) of the Township: visibility and noxious weeds management.</p> <p>Wheeler reported that the Township Association Attorney stated that “visibility” is a liability for the Township, thus the Association recommends the</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO ACCEPT OTTE'S EXCAVATING DITCH MOWING QUOTE AND REQUEST THAT STEVE WHEELER CONTACT OTTE'S AND SCHEDULE THE DITCH MOWING AS SOON AS POSSIBLE. All in favor – motion carried.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Township mow the ditches every year to ensure visibility.</p> <p>Board discussed the Township’s responsibility to control noxious weeds in the right of ways. As part of a sound noxious weed management plan the Minnesota Department of Agriculture recommendation: <a href="http://www.mda.state.mn.us/plants/pestmanagement/weedcontrol/noxiouslist/wildparsnip">www.mda.state.mn.us/plants/pestmanagement/weedcontrol/noxiouslist/wildparsnip</a>  “mowing or cutting stands of wild parsnip prior to flowering. Cutting the wild parsnip will kill most mature plants and significantly reduce seed production. Repeated mowing for several subsequent years to prevent re-sprouting and to cut newly bolted plants.”</p> <p>The decision to accept the Otte Excavating quote was due to the “wider mowing width.” Mowing this year and subsequent years with a fourteen-foot width will eventually control and or eradicate a greater area of wild parsnip than a five-foot width.</p>	
<p>Motion (M2019-xxx)  <i>Transfer \$5,000 (½ of 2018 &amp; 2019) as budgeted from checking to Barnard Bridge Reserve Fund</i></p>	<p>Board requested that the Barnard Bridge “reserves” approved for the 2018 &amp; 2019 budget needs to be taken from the checking account and placed in the savings account to more accurately reflect the true general fund balance available.</p> <p>Messner stated that the 2018 Barnard Bridge reserve was not transferred at year end and thus must be transfer now to accurately reflect the “reserve” balance for the Barnard Bridge.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO TRANSFER ½ THE 2018 (\$2,500) &amp; ½ THE 2019 (\$2,500) BUDGETED LEVY AMOUNT FROM CHECKING TO THE BARNARD BRIDGE RESERVE FUND. All in favor – motion carried.</p>
<p>Motion (M2019-xxx)  <i>Re-name the Barnard Bridge Reserve Fund to Road &amp; Bridge Capital Improvement Reserve Fund</i></p>	<p>Supervisor &amp; Road Authority Frank Wergin stated he was uncomfortable with named reserve accounts because it doesn’t allow the Board discretion to spend the funds for general expenses that may or may not be planned and or anticipated.</p> <p>Wergin also stated that Budgeting should be done with less money designated in the Road &amp; Bridge fund. According to State Statute Road &amp; Bridge funds can only be spent on Roads and Bridges, thus not allowing the Board the discretion to spend the money for general expenses. Having some money in the Road and Bridge fund and the remaining in the General Fund gives the Board more discretion as to general expenses.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO CHANGE THE NAME OF THE BARNARD BRIDGE RESERVE FUND TO THE ROAD &amp; BRIDGE CAPITAL IMPROVEMENT RESERVE FUND PROVIDING THE BOARD WITH MORE FLEXIBILITY TO SPEND FUNDS ON ANY ROAD &amp; BRIDGE PROJECT. All in favor – motion carried.</p>
<p>Motion (M2019-xxx)  <i>Transfer \$10,000 (remaining \$5,000 from 2018 &amp; \$5,000 from the first half of 2019) as budgeted from checking to the</i></p>	<p>Dresden Avenue has a southern portion that is asphalted and a northern portion that is gravel. The asphalted portion is maintained by three entities: City of Northfield, Greenvale Township and Waterford Township.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO TRANSFER \$10,000 (REMAINING \$5,000 FROM 2018 AND \$5,000 FROM THE FIRST HALF OF 2019) FROM CHECKING TO THE DRESDEN ROAD</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p><i>Dresden Reserve Fund</i></p> <p>.</p> <p>Motion (M2019-xxx) <i>Retain the Dresden Road Maintenance Fund as a stand-alone reserve fund.</i></p>	<p>Township has set up a Reserve Fund that is funded (\$10,000) in each Annual Budget as part of the tax levy to ensure that when asphalt maintenance is necessary the Township can pay the expense without borrowing money.</p> <p>Chairperson/Supervisor Messner stated that asphalt roads require preventive maintenance activities, which are performed while the roadway is still in good condition with only minimal distress, before the pavement requires major milling or reclaiming.</p> <p>The Township's portion of Dresden maintenance must be available when the three entities (Greenvale, City of Northfield &amp; Waterford) decides it is time to perform preventive maintenance on the asphalted portion of Dresden. Therefore, the need for a reserve fund that is funded over several years to avoid what happened in 2015 when the Township had to borrow money to pay their portion of the maintenance.</p> <p>Messner recommended that because "asphalt" maintenance is a reoccurring expense instead of a capital improvement, the Township should keep the Dresden Funds in a stand-alone fund instead of incorporating the funds into the Road &amp; Bridge Capital Improvement Fund.</p>	<p>MAINTENANCE FUND. All in favor – motion carried.</p> <p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO RETAIN THE DRESDEN ROAD MAINTENANCE FUND AS A STAND-ALONE FUND AND NOT INCORPORATE THE FUNDS INTO THE ROAD &amp; BRIDGE CAPITAL IMPROVEMENT RESERVE FUND. All in favor – motion carried.</p>
<p>Motion (M2019-xxx) <i>Transfer \$1,010.70 (first ½ of the 2019 Building Permit Fees) from checking to the Revenue Fees Fund.</i></p>	<p>Clerk Wheeler requested that the Board approve the transfer of \$1,010.70 from the checking account to the Revenue Fees fund. The amount is the fees obtained from building permit fees that can only by State Statute be spent by the Township on Planning &amp; Zoning activities.</p> <p>Wheeler reminded the Board that the Township is required to file a MUNICIPAL CONSTRUCTION and DEVELOPMENT FEE REVENUE and EXPENSES ANNUAL REPORT documenting the fee revenue and the Planning &amp; Zoning expenses.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO TRANSFER \$1,010.70 BUILDING PERMIT FEES FROM CHECKING TO A REVENUE FEES FUND. All in favor – motion carried.</p>
<p>Motion (M2019-xxx) <i>Transfer \$3,492.80 2018 Solar Production Tax from checking to savings as required by Resolution R2018-09</i></p>	<p>Treasurer Klemenhausen and Deputy Treasurer Dilley reported that \$3,492.80 was included in the July 5, 2019 Dakota County CCD payment. The payment included the first ½ of the 2019 tax levy as well as the solar production tax for the Holden Farm Solar Gardens.</p> <p>Klemenhausen &amp; Dilley stated that per Resolution R2018-09 the Solar Production Tax will be applied to the \$100,000 savings account goal.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO TRANSFER \$3,492.80 2018 SOLAR PRODUCTION TAX FROM CHECKING TO SAVINGS PER RESOLUTION R2018-09. All in favor – motion carried.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Approve Resolution R2019-xx Amending Zoning Ordinance</i></p>	<p>Clerk Wheeler presented the third of four phase zoning ordinance amendments and updates the Township (Town Board, Planning Commission, Bolton &amp; Menk) has been meeting over the last three months for approval via resolution. The four phases are explained in a power point that was presented at the March Annual Meeting. The power point is uploaded to the Township website for reference.</p> <p><b>WHEREAS</b>, the Township has been working on updating the 2001-5 Zoning Ordinances in phases since July of 2018 (Phase 1, 2, 3 &amp; 4); and</p> <p><b>WHEREAS</b>, the Township completed the carve out of the Business District from the Rural Residential District (Phase 1) in September 2018; and</p> <p><b>WHEREAS</b>, the Township completed Phase 2 (Section III - Definitions (add, delete, update); Section IV - Home Occupations; Section V - Zoning Amendments &amp; Conditional Use Permits; Section VI - Zoning Districts; Section VII – Performance Standards on March 11, 2019; and</p> <p><b>WHEREAS</b>, the Township held joint Planning Commission &amp; Town Board Work Session Meetings on April 6, 2019 (geologist/engineer presentation), April 23, 2019 and May 6, 2019 to work on various performance standards; and</p> <p><b>WHEREAS</b>, the Planning Commission held a Public Hearing on June 6, 2019 to take public comment on performance standards for Farm Employee Housing; Visiting RV or Camper; Feedlots; Multi-generational Housing; Medically Infirmed Housing; Mining Overlay; Mining; and</p> <p><b>WHEREAS</b>, the Township Planning Consultant Alex Conzemius of Bolton and Menk prepared a document of the Zoning Ordinance updates following the Public Hearing and titled the document ORDINANCE NO. 2019-3 (see attached); and</p> <p><b>WHEREAS</b>, the Township now must pass a resolution to adopt ORDINANCE NO. 2019-3 and publish a summary of ORDINANCE NO. 2019-3 in the Northfield News before it can become effective; and</p> <p><b>NOW, THEREFORE, BE IT RESOLVED, THAT THE Township Board of Supervisors of Waterford Township in Dakota County, Minnesota hereby adopts ORDINANCE NO. 2019-3 and directs the Town Clerk to publish a summary of ORDINANCE NO. 2019-3 in the Northfield News; and</b></p> <p><b>BE IT FINALLY RESOLVED, that the Town Clerk will publish the summary of ORDINANCE NO. 2019-3 on June 19, 2019 thus making ORDINANCE NO 2019-3 effective June 19, 2019.</b></p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE RESOLUTION R2019-XX AMENDING AND UPDATING ZONING ORDINANCES All in favor – motion carried.</p> <p>Clerk Wheeler will summarize the fourteen page document for official publication in the Northfield News July 17, 2019 edition of the Northfield News.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Approve Resolution R2019-xx Designating Polling Place</i></p>	<p>Clerk Wheeler shared with the Board that since becoming Clerk and Election Administrator in March of 2014 she has been unable to complete the sixteen page “Polling Place Accessibility Diagnostic Tool document published by the State of Minnesota because the 1885 Town Hall (precinct) does not meet the accessibility requirements of the ADA for government buildings.</p> <p>The document is designed to identify gaps in full accessibility which is required under the State Building Code and the ADAAG.</p> <p>The document states that polling places are, by their nature, temporary, but the standards for temporary facilities are the same as for other facilities.</p> <p>Clerk Wheeler reported that as Election Administrator she has been working with Dakota County, Sciota Township and the Township Attorney to find an ADA compliant facility for the Township to rent to hold the four 2020 elections (March 3<sup>rd</sup>, March 10<sup>th</sup>, August 11<sup>th</sup> and November 3<sup>rd</sup>). The resolution is self- explanatory.</p> <p><b>WHEREAS</b>, Minnesota Statutes 204B.16, subd. 1 requires the Town Board, by resolution, to designate the polling place for the upcoming year (2020); and</p> <p><b>WHEREAS</b>, the Presidential Primary Election is March 3, 2020, the Annual Township Election is March 10, 2020, the Primary Election is August 11, 2020, and the General Election is November 3, 2020; and</p> <p><b>WHEREAS</b>, the current Town Hall (1885 School Building) does not comply with the 1990 Americans with Disabilities Act (ADA) addressing the needs of people with disabilities prohibiting discrimination in employment, <b>public services, public accommodations</b>, and telecommunications and thus does not meet the requirements of the Minnesota Election Law 204B.16 subd. 5 a-f; and</p> <p><b>WHEREAS</b>, the Town Clerk, Administrator of Elections, has verified with Dakota County and the Township Attorney the need to designate a polling place for the four 2020 elections to a building that is compliant with the 1990 American with Disability Act and meets the requirements of the Minnesota Election Law for polling places; and</p> <p><b>WHEREAS</b>, the Town Clerk, Administrator of Elections, verified with the Township Attorney that Sciota Town Hall meets the requirements of the Minnesota Election Law for polling places for Waterford residents; and</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE RESOLUTION R2019-XX DESIGNATING THE TOWNSHIP 2020 POLLING PLACE All in favor – motion carried.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p><b>WHEREAS</b>, the Town Clerk, Administrator of Elections, requested and received a motion from the Sciota Township Board of Supervisors allowing Waterford Township to use the Sciota Town Hall as the 2020 Waterford Township Polling Place; and</p> <p><b>WHEREAS</b>, Dakota County Rebecca Kiernan, Election Specialist on June 18, 2019 requested the “Designated Polling Place” resolution as soon as possible to comply with Minnesota Election Law 204B.16 subd. 3. ninety-day rule; and</p> <p><b>NOW THEREFORE BE IT RESOLVED</b>, that Waterford Township Supervisors hereby designates Sciota Town Hall at 30038 Alta Avenue, Northfield, MN 55057 as the polling place for all elections held in 2020.</p> <p><b>AND BE IT FURTHER RESOLVED</b>, the Town Clerk will send per Minnesota Elections Law 204B.16 subd. 1a to every affected household with at least one registered voter in the precinct a non-forwardable mailed notice stating the location of the new polling place at least 25 days before the March 3, 2020 election; and</p> <p><b>AND BE IT FURTHER RESOLVED</b>, that the Town Clerk is hereby authorized to designate a replacement polling place meeting the requirements of the Minnesota Election Law for the polling place designated in this Resolution that becomes unavailable for use by the Township;</p> <p><b>AND BE IT FURTHER RESOLVED</b>, that the Town Clerk is hereby authorized to designate an emergency replacement polling place meeting the requirements of the Minnesota Election Law for the polling place designated in this Resolution when necessary to ensure a safe and secure location for voting;</p> <p><b>AND BE IT FURTHER RESOLVED</b>, that the Town Clerk is hereby directed to send a copy of this resolution and any subsequent polling place designations to the Dakota County Elections Office.</p> <p><b>Adopted by the Town Board on this 8<sup>th</sup> day of July 2019.</b></p> <p>Wheeler informed the Town Board that Sciota Township charges a rental fee for anyone that is not a Sciota Township taxpayer of \$250.00 per day.</p>	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx)  <i>Appoint Township Resident Steve Wheeler to Manage Road &amp; Bridge Improvement Projects</i></p>	<p>Wheeler told the Budget Committee Chair Struss that an additional \$1,000 will need to be levied for 2020 to cover the rental expense.</p> <p>Wheeler stated that the Waterford voters will be notified of the “designated polling place” by Dakota County as required by law as well as in the December Township Newsletter as well as a February post card. The Town Hall will have signs &amp; a map posted on the day of each election to direct people to Sciota Township to vote.</p> <p>Wheeler reported that the Project &amp; Property Committee will after a summer break, meet on October 14<sup>th</sup> at 5:30 p.m. to resume the “Town Hall” project to find a solution to the “non-compliant ADA” Town Hall. The work including a cost analysis will be presented to the voters of the Township at the Annual Meeting on March 10, 2020.</p> <p>Chairperson/Supervisor Messner stated that she has concerns regarding the Barnard Bridge. The Bridge had been slated for replacement with a culvert system either late this year or early next year. Messner suggested that maybe the Bridge be closed enabling the Township time to develop engineering plans, get estimates, schedule construction, etc.</p> <p>Wergin stated that Waterford resident Steve Wheeler had been developing a road improvement plan prior to his resignation in May 2019. Wergin suggested that the Town Board appoint Wheeler to manage Road Improvement Projects such as the Barnard Bridge. Wheeler was working with Todd Howard, Dakota County Road &amp; Bridge Engineer prior to his May resignation on the Barnard Bridge, the Village drainage issues, etc.</p> <p>Wergin stated that if Wheeler would accept the appointment, Wheeler’s first project would be to determine traffic counts on Barnard Avenue at the Bridge using the recently acquire Traffic Counter and report back to the Board in August</p> <p>Clerk Wheeler stated that Steve Wheeler would be willing to manage Road &amp; Bridge Improvement Projects. Clerk Wheeler stated that Steve has the Traffic Counter and will set it up at the Barnard Bridge this week. Clerk Wheeler stated that the Wheeler’s will be on vacation from the 19<sup>th</sup> of July and not returning until August 3<sup>rd</sup>, thus limiting the amount of work that can be done on the Barnard Bridge project in the next month.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO APPOINT TOWNSHIP RESIDENT STEVE WHEELER TO MANAGE ROAD &amp; BRIDGE IMPROVEMENT PROJECTS  All in favor – motion carried.</p>
<p><b>NON MOTION BUSINESS</b></p>		
<p>Playground Equipment</p>	<p>Charlene Klemenhausen stated that she retired from a career working for a large school district where Playground equipment and safety were a top priority to avoid injures to unsuspecting students.</p> <p>Klemenhausen stated that the Town Hall playground equipment is old and a danger to unsuspecting children.</p>	<p>Board directed Klemenhausen to get quotes to remove the various pieces of equipment and discuss with the Project &amp; Property Committee when they are starting meeting again in the fall.</p>

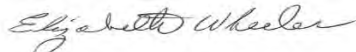
# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Elizabeth Wheeler spent 23 years working for the City of Northfield as Risk Manager and confirmed that the Town Hall playground equipment is old and non-compliant with today's standards. Wheeler stated that she called the Minnesota Township Association (MAT) to check on the "playground immunity" that the Board stated the Township has.</p> <p>According to MAT there is no immunity for the Township if the playground equipment is not maintained, inspected and replaced when outdated. In addition, the Township does not have the necessary playground surfaces as required in today's standards.</p>	
<b>COMMITTEE REPORTS</b>		
<i>Road &amp; Bridge Committee</i>	Road Authority Frank Wergin reported the Road Committee will be meeting on Thursday, July 18, 2019.	No action necessary
<i>Budget Committee</i>	Budget Committee Chairperson Marie Struss stated that there would be a Budget Committee meeting on July 22, 2019 to review the first six months of revenue and expenses in preparation for making a 2020 Levy recommendation to the Board at the September 9, 2019 "Reconvened Annual Meeting".	No action necessary
<i>Project &amp; Property Committee</i>	Chairperson Elizabeth Wheeler stated that the Project & Property Committee was taking the summer off and would resume meeting on October 14, 2019 at 5:30 p.m. at the Town Hall.	No action necessary
<i>Bridge Grant</i>	<p>Bridge Grant Manager Elizabeth Wheeler reported she is working on the final Bridge Grant report and plans to upload the final report within the week with the drop-dead deadline due by no later than July 30, 2019.</p> <p>Once the final report is reviewed and approved by the Grantor - Minnesota Historical Society, the Grant will be closed. Once the Grant is closed, the remaining Grant funds - \$21,360- will be mailed to the Township.</p> <p>Wheeler reported her final report will be in the August Board packet.</p> <p>Wheeler reported that a Grant Writer furnished by Dakota County is preparing a "Pre-Application" for a Grant that is due by July 26, 2019. The final application is due in September 2019.</p>	No action necessary
<i>Zoning Ordinance Update</i>	Wheeler reported that Phase 4 of the Zoning Ordinance updates will begin via joint Board & Planning Commission meetings on September 23, 2019. 7 p.m.	No action necessary
<b>CITIZEN COMMENTS</b>		
	N/A	

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>TOWN BOARD REPORTS</b>		
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Supervisor Wergin and Supervisor Odegard to adjourn the meeting at 9:26 p.m. All in favor. Motion carried.

Transcribed by:



Elizabeth Wheeler – Township Clerk

Liz Messner – Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** CLOSED SESSION–Attorney/Client Privilege–District Court Decision-File #19HA-CV-18-2021

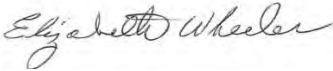
**DATE & TIME:** July 18, 2019 **Start Time:** 9:00 a.m. **Adjourn Time:** 9:37 a.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Frank Wergin-Supervisor; Larry Odegard-Supervisor, Elizabeth Wheeler - Township Clerk

**OTHERS IN ATTENDANCE:** Mike Couri – Township Attorney (via phone)

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Closed Session on the Town Hall door on July 10, 2019  Notice was uploaded to the Township website at waterfordtownshipmn.org on July 10, 2019.	No action necessary.
Call to Order	Chairperson/Supervisor Liz Messner called the meeting to order	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to close the meeting pursuant to Minnesota Statutes 13D.05, Subdivision 3(b) related to attorney-client privilege to discuss matters related to the District Court Decision for File #19HA-CV-18-2021
	Discussion with the Board and the Attorney are privileged and not written in a public document.	No action taken.
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin to adjourn the Closed Meeting at 9:37 a.m. All in favor. Motion carried.

Recorded & Transcribed by:

  
Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Liz Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** WORK SESSION

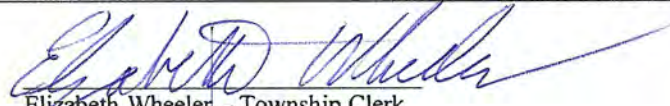
**DATE & TIME:** August 1, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** xx:xx p.m.

**MEMBERS PRESENT:** Larry Odegard – Chairperson/Supervisor; Frank Wergin-Supervisor; Liz Messner-Supervisor,

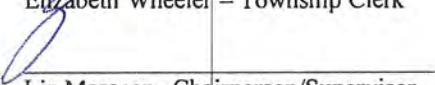
**OTHERS IN ATTENDANCE:** Gary Ebling - Chairperson - Bridgewater Township &  
Anthony Rowan – Supervisor – Greenvale Township

ITEM	DISCUSSION	ACTION
Published Notice	<p><b>NOTICE IS HEREBY GIVEN</b>, the Waterford Township Board of Supervisors is scheduled to conduct a <b>Work Session</b> on <b>Thursday, August 1, 2019 at 7:00 p.m.</b> at the Waterford Township Hall located at 3847 321<sup>st</sup> Street W., Northfield, MN 55057.</p> <p><b>PURPOSE:</b> The meeting is a round table discussion with other Township Board members regarding the Annexation issues that Townships are currently managing.</p>	Notice was posted for the Work Session on the Town Hall door on July 25, 2019 by Chairperson/Messner – Clerk on vacation
Call to Order	Chairperson/Supervisor Liz Messner called the meeting to order at 7:00 p.m.	Pledge of Allegiance lead by Messner.
	Round table discussion – no notes taken. These minutes records that the event took place.	No action taken.
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin to adjourn the Work Session at xx:xx p.m. All in favor. Motion carried.

Transcribed by:

  
Elizabeth Wheeler – Township Clerk

Attest:

  
Liz Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – Zoning Reviews

**DATE & TIME:** August 12, 2019 **Start Time:** 6:30 p.m. **Adjourn Time:** 6:55 p.m.

**MEMBERS PRESENT:** Andy Devney, Marie Struss, Paul Little

**OTHERS IN ATTENDANCE:** Elizabeth Wheeler – Board Liaison, Beth Holmes

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Planning Commission on the Town Hall door on August 8, 2019.  Notice was uploaded to the Township website at <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> on August 8, 2019	No action necessary.
Call to Order	Vice-Chairperson Andy Devney called the meeting to order at 6:30 p.m.	
<b>ZONING REVIEWS</b>		
Zoning Reviews  BETH HOLMES - PARCEL– 41-03000-07-010	One zoning review was conducted:  Applicant: Beth Holmes & Don Bratland 4152 320 <sup>th</sup> St. W Parcel #41-03000-07-010 Storage Building for personal property 19.98 Acres Rural Residential District Not farming  Review the Ag-Exempt form – does Holmes meet the criteria for an Ag-exempt form?  Ms. Holmes stated that she was unable to sign the AG-EXEMPT form thus understands that the building will be built with MNSPECT plan review and inspections.	Little made a motion to recommend an NON-AG-EXEMPT pole barn to the Town Board; Struss 2 <sup>nd</sup> the recommendation; all in favor-motion carries.
ITEM	DISCUSSION	ACTION
ADJOURN		
Adjourn the meeting		A motion was made by Co-Chair Andy Devney to adjourn at 6:55 p.m. All in favor. Motion carried.

Recorded & Transcribed by:

Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** August 12, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 9:26 p.m.

**MEMBERS PRESENT:** Larry Odegard - Supervisor; **Frank** Wergin – Supervisor; **Elizabeth** Wheeler-Town Clerk, Charlene Klemenhausen- Treasurer; Jane Dilley, Deputy Treasurer

**MEMBERS ABSENT:** Liz Messner – Chairperson/Supervisor - Vacation

**OTHERS IN ATTENDANCE:** Tom Devney, Andy Devney, Paul Little, Jerry Wicklund, Marie Struss, JB Dudley, Beth Holmes

ITEM	DISCUSSION	ACTION
Call to Order	At 7:00 p.m. Co-Chairperson/Supervisor Wergin called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge was recited by Frank Wergin
Approval of Regular Agenda	Board members to add the following to the agenda: <ul style="list-style-type: none"> <li>• JB Dudley – Minutes</li> </ul>	A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Co-Chairperson/Supervisor Wergin TO ACCEPT REGULAR AGENDA AS PRESENTED AND ADD JB DUDLEY-MINUTES. All in favor – motion carried.
Approval of Consent Agenda	Co-Chairperson/Supervisor Wergin requested that two bills be pulled from consent agenda for discussion: <ul style="list-style-type: none"> <li>• Clerk’s Monthly Claims &amp; Deposit Report (06/01/19 – 06/30/19)</li> <li>• Treasurer’s Report (06/01/19 – 06/30/19)</li> <li>• Clerk Minutes <ul style="list-style-type: none"> <li>• Closed Session – 07-18-19 – Correction</li> <li>• Regular Board Meeting Minutes – 07-08-19</li> </ul> </li> </ul>	A motion (M2019-0xx) was made by Co-Chairperson/Supervisor Wergin and seconded by Supervisor Odegard TO ACCEPT THE CONSENT AGENDA AS PRESENTED BUT CORRECT CLOSED SESSION CHAIRPERSON ODEGARD TO CHAIRPERSON MESSNER. All in favor – motion carried.
<b>REPORTS &amp; PRESENTATIONS</b>		
Deputy Sheriff Gottfredson	Deputy Gottfredson reported the Township has been quiet. Request that Township remind folks about Burn Permits.  Clerk Wheeler stated that Burn Permits are gotten from the Northfield Area Fire & Rescue website: <a href="https://nafrs.org/burn-permits/">https://nafrs.org/burn-permits/</a>	No action necessary

## AUGUST 12, 2019 - REGULAR BOARD MEETING

3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057 – 651-346-8467 – [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Township Clerk Elizabeth Wheeler</p>	<p>Print off and fill out Burning Permit form. Scan and email to: <a href="mailto:admin@nafrs.org">admin@nafrs.org</a> Permit will be returned to you via email</p> <p>Gottfredson was asked about a sheriff stop at 313<sup>th</sup> &amp; Canada Avenue. Gottfredson stated he would need to research.</p> <p>Clerk Wheeler addressed the Board &amp; the attendees regarding an accusation regarding criminal behavior of the Clerk at the 07-08-19 Board Meeting by JB Dudley.</p> <p>Wheeler distributed the Township's Administrative Policy that was adopted by Resolution R2018-008 on May 14, 2018.</p> <p>Page 3 – 9.1 of the Policy addresses the “Tape Recording” policy of the Township. The policy states that the taping of the meetings is solely for the purpose of assisting in the development of accurate minutes. In addition, the tapes are not official records and are recycled after the minutes are approved.</p> <p>Wheeler explained that she requested this policy because as Clerk she was having a very difficult time hearing Supervisor Messner as she has a very soft voice and the Township does not have a sound system. Wheeler shared that since that time, she had her hearing tested and discovered that she was hard of hearing and needed hearing aids. Wheeler started wearing hearing aids in February 2019 and doesn't routinely record the minutes since.</p> <p>JB Dudley during the July meeting stated that the June meeting minutes were inaccurate and needed to be corrected. Dudley requested the “recorded” minutes and when Wheeler stated that the June recording was destroyed. Dudley responded “how convenient”.</p> <p>Wheeler stated that having worked for government for 23 years the Dudley response was an accusation of criminal activity – unauthorized destroying of government documents. Wheeler called the Township Attorney the next day to discuss the accusation.</p> <p>The “accusation” cannot be allowed to stand both for the integrity of the Clerk, the Township and for Wheeler personally. Thus, the need to review the Administrative Policy at the next schedule Board Meeting. Based on policy no criminal activity occurred and the minutes need to reflect such.</p> <p>Dudley acknowledge that he did state “how convenient” but that he was upset over the situation regarding his request for an additional buildable site, the Township's failure to be notified Dudley of the</p>	<p>No action requested.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>June meeting, the inaccurate June minutes and the Board's request to have a letter from Dudley stating he would commit to putting all buildable sites in a Land Conservation Program.</p> <p>Wheeler stated Dudley <u>did not attend</u> the June meeting and thus can't state the minutes are inaccurate. The Attorney stated that the Board cannot change the minutes because a resident request the minutes be changed.</p> <p>Per the attorney, the Clerk is elected by the people and is not an employee. The Clerk is responsible for the minutes. The Board can amend a "motion or resolution" if the action of the motion or resolution needs clarification.</p>	
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
<p>Motion (M2019-xxx) <i>Approves Zoning Permit for storage building on Parcel # 41-00300-07-010</i></p>	<p>Andy Devney, Co-Chair of Planning Commissioner reported that the Planning Commission (Little, Devney, Struss) met on August 12, 2019 from 6:30 p.m. to 6:55 p.m. to review a building project:</p> <p>Applicant: Beth Holmes &amp; Don Bratland 4152 320<sup>th</sup> St. W Parcel #41-00300-07-010 Storage Building for personal property</p> <p>Planning Commission recommends the Non-Ag Storage Building for Parcel #41-00300-07-010.</p> <p>Ms. Holmes stated that she was unable to sign the AG-EXEMPT form thus understands that the building will be built with MNSPECT plan review and inspections.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Co-Chairperson/Supervisor Wergin TO APPROVE THE ZONING PERMIT TO BUILD A NON-AG EXEMPT STORAGE BUILDING - PARCEL #41-03000-07-010 All in favor – motion carried</p>
<b>REGULAR AGENDA</b>		
<p>Motion (M2019-xxx) <i>Rescind Motion M2019-xxx- 07/08/19 accepting a letter from JB Dudley on "intent" of buildable sites</i></p>	<p>JB Dudley, 2500 320<sup>th</sup> St. stated the Board took action at the April 8, 2019 at a Regular Board meeting to accept the :2006 Work Session vote" as a vote for seven buildable sites with his Chairperson Dudley abstaining from the vote. Dudley stated he thought the April motion was official and final.</p> <p>Dudley stated that he was surprised when he got an email from Clerk Wheeler requesting a "commitment" letter to put all seven lots into a land conservation program. In addition, Dudley stated that he was unaware that the April motion was on the June agenda for discussion otherwise he would have attended the June meeting.</p> <p>Dudley ask the Clerk to put him on the July Agenda to discuss the "commitment" letter and requested that the June meeting minutes be corrected.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Co-Chairperson/Supervisor Wergin TO RESCIND MOTION M2019-XXX AS PASSED BY THE BOARD ON JULY 18, 2019. All in favor – motion carried.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>Transfer Town Aid fund of \$351.50 to savings per R2018-09.</i></p>	<p>Dudley stated that during the July Board meeting he explained why he never “committed” but agreed to write a letter for the Board regarding his “intent” to put the buildable sites into a land conservation program. He also requested the June meeting minutes be corrected.</p> <p>Dudley stated the fact that the Board failed to notify him of the June meeting allowing him to attend, requested a “commitment” letter after the fact, and the Boards failure to correct the June meeting minutes has caused the Dudley a great deal of stress.</p> <p>Supervisor Odegard suggested that the Town Board rescind the July motion requesting an “intent” letter from Dudley to resolve the matter. Dudley agreed it would resolve the matter.</p> <p>Treasurer Klemenhausen reported that the Township received a semi-annual check from the State of Minnesota for the Township’s 2019 Town Aid. The funds per Resolution R2019-09 needs to be transferred from checking to savings.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Co-Chairperson/Supervisor Wergin TO AUTHORIZE THE TRANSFER OF THE TOWN AID FUNDS FROM CHECKING TO SAVINGS PER R2018-09. All in favor – motion carried.</p>
<p>Motion (M2019-xxx) <i>Sign the 2020 – 2022 Cooperation Agreement for the Dakota County Community Development Block Grant Program</i></p>	<p>Clerk Wheeler explained that the “Cooperation Agreement” allows participation in Grant programs. The most recent Grant the Township applied for and got (\$5,000) for offsetting some of the costs related to the four Phase Zoning Ordinance review the Township has been working on for almost a year.</p> <p>Wheeler indicated that she plans to apply for an additional Grant to either offset some of the cost of the Phase Four Zoning Ordinance review and or a “Buildable Sites” database of all building sites utilizing the “grid”. Wheeler stated that she had talked with Greenvale and Chairperson/Supervisor Langer stated they got a Grant for their buildable sites project.</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Co-Chairperson/Supervisor Wergin TO SIGN THE 2020 – 2022 COOPERATION AGREEMENT FOR THE DAKOTA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. All in favor – motion carried.</p>
<p>Motion (M2019-xxx) <i>Sign the North Cannon River Watershed Management Organization Joint Powers Agreement.</i></p>	<p>Co-Chairperson/Supervisor Wergin stated that he represents the Township on the North Cannon River Watershed Board. The Joint Powers agreement is signed by units of government to jointly and cooperatively develop a surface water management plan to protect and manage the natural and artificial water conveyance systems of the Northern Cannon River Watershed.</p> <p>The Township participates and thus must pay an annual amount toward the joint powers agreement.</p>	<p>A motion (M2019-0xx) was made by Co-Chairperson/Supervisor Wergin and seconded by Supervisor Odegard TO SIGN THE NORTH CANNON RIVER WATERSHED MANAGEMENT ORGANIZATION JOINT POWERS AGREEMENT. All in favor – motion carried.</p>
<p>Motion (M2019-xxx) <i>TABLE Millersburg Construction Zoning request to Pave the Business’s Parking Lot</i></p>	<p>Clerk Wheeler reported that she got a call from Shawn Butterfield, Owner of Millersburg Construction regarding paving his parking lot.</p> <p><b>Two issues</b></p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Co-Chairperson/Supervisor Wergin TO TABLE THE MILLERSBURG CONSTRUCTION ZONING REQUEST</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) <i>TABLE Schnell permitted use request for commercial storage</i></p>	<p>1. Butterfield had the property surveyed after taking ownership from Pavek. It was discovered that the Mr. Easvolt's building (32975 Northfield Blvd) is sitting on the property line of Butterfield's boundary line.</p> <p>2. Butterfield wishes to pave his parking lot including his property between the two buildings. Butterfield wants to know if there are any zoning ordinances that would forbid paving the parking lot in the business district.</p> <p>Wheeler stated that the "business" district was a carve out of the Rural Residential and will need to check with the attorney and Bolton/Menk on the impervious surface performance standards.</p> <p>Clerk Wheeler reported that she got a call from Joe Schnell, owner of the old Tony's Towing Building. Schnell reports he had put on a new roof and cleaned up the inside by hauling truck loads of garbage from the site.</p> <p>After the cleanup, Mr. Schell realized that his personal property will not fill the building and thus wishes to "rent" space to someone. If he can "rent" to someone then he can get additional funds to further clean up the building by painting (\$2,500), replace the doors, install security lighting and pave the parking lot.</p> <p>Wheeler reported that the owner wishes to put up a temporary sign to advertise "storage space for rent" and then when rented take the sign down.</p> <p>Co-Chairperson/Supervisor stated that the place does look much better already. Since Schnell has taken ownership, the Township has not had trouble with the property as has been a periodic problem when the building was vacant.</p> <p>However, the Township cannot allow any "commercial" business without Dakota County signing ruling on Dakota County Ordinance 50 because the property is "zoning" controlled due to it's location adjacent to the Cannon River.</p>	<p>TO PAVE THE BUSINESS'S PARKING LOT. All in favor – motion carried.</p> <p>Wheeler will follow up with Bolton &amp; Menk regarding impervious surfaces in the new Business District and report back to the Board in September.</p> <p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO TABLE THE SCHNELL PERMITTED USE REQUEST UNTIL DAKOTA COUNTY HAS RULED ON ORDINANCE 50. All in favor – motion carried.</p> <p>Wheeler is to contact the County for a ruling and report back to the Board in September.</p>
<p>Motion (M2019-xxx) <i>TABLE Holden replacement of storm damaged turkey building – PID # 41-01800-77 -012</i></p>	<p>Clerk Wheeler reported that Barry Holden called to replace a turkey barn that was damaged in a storm some years back. Holden stated he would use the footprint of the damage barn to rebuild.</p> <p>Wheeler reported that she had to address the matter with the Town Board and would get back to him.</p> <p>Co-Chairperson Wergin stated that he was certain that if a building is not replaced within one year of its destruction or demolition that it could not be rebuilt if it did not comply with all <u>current</u> Zoning Ordinances.</p>	<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO TABLE HOLDEN'S ZONING REQUEST TO REPLACE THE STORM DAMAGED TURKEY BARN. All in favor – motion carried.</p> <p>Wheeler will follow up with the Township Attorney regarding the "primary" resident that has been removed and the failure to replace the damaged building within one year. Wheeler to</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<p>Motion (M2019-xxx) PID #41-00600-26-015 – <i>Boudreau Farms does not have any buildable sites remaining on the parcel.</i></p>	<p>Because the “primary residence” has been removed from the parcel, she will need to check the Zoning Ordinance regarding primary residence. Clerk Wheeler stated that Chairperson Messner some months ago stated that on a previous occasion that a “primary residence” would be necessary to put up a building on a parcel. Wheeler needs time to check on that ruling as it may or may not apply in this situation. Clerk Wheeler stated that she got a call from Nate Wareham of Patchin Messner Valuation Counselors requesting the remaining “buildable sites” on the Boudreau Farms parcel PID #41-00600-26-015.</p> <p>Wheeler reported that she has been fielding multiple calls from multiple agencies requesting Zoning information related to all properties along County Road 86. Dakota County has hired multiple agencies to determine the appraisal value of the properties for use in negotiating with the property owners if the County needs to acquire land from property owners for the road project slated for 2020.</p> <p>Wheeler stated that buildable sites have been an issue in the past and Wheeler is not comfortable reading the map and providing that information to the appraisers. Wheeler stated that sometimes the Board’s memory can be different than a map or document.</p> <p>Co-Chairperson/Supervisor Wergin and Planning Commission members Andy Devney and Paul Little studied the map and determined that the Boudreau Farms parcel in question does not have any buildable sites remaining.</p>	<p>report back to the Town Board in September.</p> <p>A motion (M2019-0xx) was made by Co-Chairperson Supervisor Wergin and seconded by Supervisor Odegard STATING THAT PARCEL PID #41-0600-26-015 – CURRENTLY OWNED BY BOUDREAU FARMS <u>DOES NOT HAVE ANY BUILDABLE SITES REMAINING ON THE PARCEL.</u> All in favor – motion carried.</p> <p>Clerk Wheeler will contact Patchin Messner Valuation Counselors the Board decision as made by a motion stating that the Boudreau parcel does not have any buildable sites remaining.</p>
<p>Motion (M2019-xxx) PID #41-02900-04-011 – <i>Michael Peterson has two buildable sites remaining.</i></p>	<p>Clerk Wheeler stated that she got a call from Mike Peterson requesting the number of buildable sites available on Peterson’s property – Parcel # 41-02900-04-011. Peterson told the Clerk that he is working with Dakota County on a “land conservation” program.</p> <p>Peterson stated that Little and Hoey are also considering “land conservation” programs as well.</p> <p>Wheeler stated that buildable sites have been an issue in the past and Wheeler is not comfortable reading the map and providing that information to the appraisers. Wheeler stated that sometimes the Board’s memory can be different than a map or document.</p> <p>Co-Chairperson/Supervisor Wergin and Planning Commission members Andy Devney and Paul Little studied the map and determined that the Mike Peterson parcel his two buildable sites remaining.</p>	<p>A motion (M2019-0xx) was made by Co-Chairperson/Supervisor Wergin and seconded by Supervisor Odegard STATING THAT PID #41-02900-04-011 CURRENTLY OWNED BY MICHAEL PETERSON <u>HAS TWO BUILDABLE SITES REMAINING.</u> All in favor – motion carried.</p> <p>Clerk Wheeler is to contract Peterson that the Board passed a motion stating that Peterson has two remaining buildable sites on his parcel.</p>
<p><b>NON MOTION BUSINESS</b></p>		

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>COMMITTEE REPORTS</b>		
<i>Road &amp; Bridge Committee</i>	<p>Road Authority Frank Wergin reported that Cannon River Tree Service will be trimming trees in the Right of Way based on the next priority as established by the Township Road Committee last year and approved by the Board.</p> <p>Cannon River Tree Service was given a budget of \$8,000 and needs to get the job done before "harvest". Roads include north Canada Avenue, 313<sup>th</sup> Street, and the recent Dresden complaint of low hanging branches in front of Parcel ID #41-03000-57-110.</p> <p>Wergin requested that Steve Wheeler contact Todd Howard at the County and talk with him about the closing of the Barnard Bridge.</p> <p>Wergin requested that Steve Wheeler put the traffic counter out for Barnard again to catch if there is an up tick in traffic related to the opening of school</p> <p>Wergin requested that Steve Wheeler put the traffic counter out on 290<sup>th</sup> &amp; Danbury as well as Canada Avenue &amp; County Road 47 sometime this fall.</p>	<p>Clerk Wheeler to ask Steve Wheeler to talk with the County and manage the traffic counter for Barnard, 290<sup>th</sup> &amp; Danbury, Canada Avenue &amp; County Road 47.</p>
<i>Budget Committee</i>	<p>Budget Committee Chairperson Marie Struss reported on the July 22, 2019 Work Session between the Budget Committee and the Board. Supervisor was not in attendance at the July 22<sup>nd</sup> meeting as she was on vacation.</p> <p>The 2020 Budget &amp; Levy final figures remains as stated at the March Annual Meeting with three changes:</p> <ol style="list-style-type: none"> <li>1. In March the Township was waiting for figures from the Northfield Area Fire &amp; Rescue. The Township received the good news that the annual charge for Fire Service will not increase for the next two years. The money budgeted in anticipation of an increase will now be used to pay down the Bridge Loan.</li> <li>2. Since the March meeting it became evident that additional money was needed for the extra election costs for 2020 including a recommended increase in pay for Election Judges, an additional Election (Presidential Primary) and the rental of Sciota Town Hall for a polling place.</li> </ol> <p>Struss reported that the Budget Committee conducted a survey of Election Judge wages and determined that the Township at \$8.00 is very low. The survey revealed that other Townships and the School district pay \$15 per hour for an election judge. Head judges make upwards of \$25.00 per hour.</p>	<p>No action necessary</p>

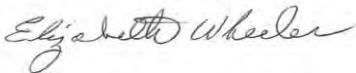
# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>Clerk Wheeler, Election Administrator, stated that the last increase of wages for Election Judges came in 2015 when it was raised to \$8.00 for a Judge and \$10.00 for a Head Judge.</p> <p>Wheeler stated that unlike twenty years ago, today's Election Judges have duties that are highly scrutinized and the Township is subject to scrutiny as well. In addition, the elections laws are more complex and Judges must be comfortable with technology as paper ballot elections are a thing of the past.</p> <p>It is no longer a civic duty that is done as a volunteer stated Wheeler. It is difficult to get Judges with such a low rate of pay. Judges can work anywhere in the State, so why should Judges work for the Township at \$8.00 an hour when they can get \$15.00 per hour for the same responsibilities.</p> <p>Clerk Wheeler stated the Election Judge wage is subject for discussion at the August 26, 2019 Work Session</p> <p>Struss also stated that the Town Hall is not handicap accessible and thus must rent a polling place that is accessible costing the Township an additional \$1,000 for 2020.</p> <p>3. Struss reported that the Budget Committee conducted a survey of Townships to determine Board Meeting Compensation.</p> <p>Waterford Township pays \$50.00 per meeting and has for thirty years. Surrounding Townships: Eureka - \$90/meeting, Greenvale - \$100/meeting, Castle Rock - \$90/meeting.</p> <p>Based upon the survey, the Budget Committee recommends the Board raise the Township meeting pay to at least \$75.00/meeting.</p> <p>Struss stated that getting the younger generations to serve on the Board will be difficult when \$50.00 won't cover the cost of a babysitter.</p> <p>Budget Committee will present 2020 Budget &amp; Levy amount recommendations at the Re-Convened Annual Township meeting on September 9, 2019. The Board will consider the recommendation and vote on the recommendation at the Regular Town Board meeting on September 8, 2019</p> <p>Struss stated that the Township Final Levy Certification will be completed and delivered to the County before the September 30, 2019 deadline by the Township Treasurer &amp; Deputy Treasurer.</p>	<p>No action necessary</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<i>Project &amp; Property Committee</i>	Project & Property Committee Chairperson reported that the next Project & Property Committee meeting will be October 14, 2019 at 5:30 p.m. First order of business will be the Cost Analysis relating to the Town Hall.	No action necessary
<i>Bridge Grant</i>	Clerk Wheeler reported that the preliminary Grant is in for review and she hopes to hear yet this month as to any comments MHS has that need tweaking before the final is submitted on September 12, 2019.	No action necessary.
<i>Zoning Ordinance Update</i>	Wheeler reported that Phase 4 of the Zoning Ordinance updates will begin via joint Board & Planning Commission meetings on September 23, 2019. 7 p.m.	No action necessary.
<b>CITIZEN COMMENTS</b>		
	N/A	
<b>TOWN BOARD REPORTS</b>		
	N/A	
<b>ADJOURN</b>		
Adjourn the meeting	Chairperson requested a motion to adjourn the meeting.	A motion was made by Co-Chairperson/Supervisor Wergin and Supervisor Odegard to adjourn the meeting at 9:26 p.m. All in favor. Motion carried.

Transcribed by:

  
Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Frank Wergin – Co-Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** CLOSED SESSION–Attorney/Client Privilege–District Court Decision-File #19HA-CV-18-2021

**DATE & TIME:** August 26, 2019 **Start Time:** 12:00 p.m (noon) **Adjourn Time:** 12:15 p.m.

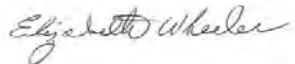
**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Larry Odegard-Supervisor, Elizabeth Wheeler - Township Clerk

**MEMBERS ABSENT:** Frank Wergin – Supervisor

**OTHERS IN ATTENDANCE:** Mike Couri – Township Attorney (via phone)

ITEM	DISCUSSION	ACTION
Published Notice	<p><b>NOTICE IS HEREBY GIVEN,</b> the Waterford Township Board of Supervisors is scheduled to conduct a <b>CLOSED SESSION</b> on <b>Monday, August 26, 2019 at 12:00 p.m. - NOON</b> at the Waterford Township Hall located at 3847 321<sup>st</sup> Street W., Northfield, MN 55057.</p> <p><b>PURPOSE:</b> The meeting will be closed pursuant to Minnesota Statutes § 13D.05, Subdivision 3(b) related to attorney-client privilege to follow up on <b>District Court Decision-File #19HA-CV-18-2021 and the COURT OF APPEALS A19-0234 unpublished opinion of August 12, 2019</b> relative to the 1980 Orderly Annexation agreement between the City of Northfield and the Township.</p>	<p>Notice was posted for the Closed Session on the Town Hall door on August 13, 2019</p> <p>Notice was uploaded to the Township website at waterfordtownshipmn.org on August 13, 2019</p>
Call to Order	Chairperson/Supervisor Liz Messner called the meeting to order at 12:00 noon	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to close the meeting pursuant to Minnesota Statutes 13D.05, Subdivision 3(b) related to attorney-client privilege to discuss matters related to the December 17, 2018 District Court Decision for File #19HA-CV-18-2021 – Court of Appeals A19-0234 unpublished opinion – August 12, 2019
	Discussion with the Board and the Attorney are privileged and not written in a public document.	No action taken.
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin to adjourn the Closed Meeting at 12:15 p.m. All in favor. Motion carried.

Attest: \_\_\_\_\_  
Liz Messner - Chairperson/Supervisor

Transcribed by:   
Elizabeth Wheeler – Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Work Session

**DATE & TIME:** August 26, 2019 **Start Time:** 12:16 p.m. **Adjourn Time:** 2:30 p.m.

**MEMBERS PRESENT:** Liz Messner -Chairperson/Supervisor; Larry Odegard - Supervisor;  
Elizabeth Wheeler - Township Clerk; Charlene Klemenhagen-Township Treasurer;  
Jane Dilley- Deputy Treasurer

**MEMBERS ABSENT:** Frank Wergin - Supervisor

**OTHERS IN ATTENDANCE:** Marie Struss

ITEM	DISCUSSION	ACTION
Call to Order	At 12:16 p.m. Chairperson Messner called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge of Allegiance lead by Chairperson Messner.
Purpose of Meeting Discuss each item	Discussion on items: <ol style="list-style-type: none"> <li>1. Committee Bylaws Planning Commission, Budget Committee, Road Committee, Project Committee, Term limits, attendance &amp; absences, purpose statement, paid or not paid, etc. Each committee chairperson will talk with their committee members.</li> <li>2. Administrative Policy Recommended to be reviewed and updated each year (MN Township Association) – includes meeting management – Wheeler will prepare for a 2020 policy.</li> <li>3. Agenda items versus Speaking at Meeting Public comment period – items not on the agenda – haven't keep to the Speaking at Meetings rules – gotten lax – makes meetings efficient</li> <li>4. Election Judge Pay Election Administrator stated that the Election Judge pay is below surrounding Townships and needs to be raised – Wheeler will bring forward a recommendation for next levy year.</li> <li>5. Board Meeting Pay \$50/meeting is below what surrounding Townships are paying – Wheeler will bring forward a recommendation for next levy year.</li> </ol>	Supervisor Wergin was not present to participate in the discussion, thus Special Meeting – no decision on any of the items – clerk will put the various items on future agendas.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>6. R2018-009 – Comp Plan – will be adopting in September/October – as soon as Dean Johnson &amp; Bolton &amp; Menk give Clerk the sample resolution.</p> <p>7. Open Meeting Law - questions or serial meetings Wheeler talked about serial meetings – review periodically to avoid bad habits.</p> <p>8. Playground Equipment Clerk Wheeler stated that the equipment doesn't meet any kind of safety standard – must be removed.</p> <p>9. Microphone Need to get a microphone – complaints from hearing impaired – ADA requirement – Wheeler will check out prices.</p> <p>10. Projector Would save paper, ink and time if the agenda &amp; supporting documentation was on a screen – everyone could follow along.</p> <p>11. Town Hall Rice County Steam &amp; Gas are interested in the 1882 School Building-Town Hall – need to start thinking about the preservation of the building.</p> <p>12. Grant – Electronic Buildable Sites Clerk Wheeler stated that it would be most helpful to acquire an electronic buildable site database – grant money – database followed by “buildable site” meetings to determine who has a site and who does not.</p>	
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Supervisor Messner and seconded by Supervisor Wergin to adjourn the meeting at 2:30 p.m. All in favor. Motion carried.

Recorded & Transcribed by:



Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Liz Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – One Zoning Reviews

**DATE & TIME:** September 9, 2019 **Start Time:** 6:30 p.m. **Adjourn Time:** 6:54 p.m.

**MEMBERS PRESENT:** Bryan Nelson, Andy Devney, Marie Struss, Theresa Bentz,

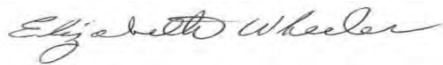
**OTHERS IN ATTENDANCE:** Elizabeth Wheeler – Board Liaison, John & Laura Devney

ITEM	DISCUSSION	ACTION
Published Notice	Notice was posted for the Planning Commission on the Town Hall door on June 20, 2019.  Notice was uploaded to the Township website at waterfordtownshipmn.org on June 20, 2019.	No action necessary.
Call to Order	Chairperson Nelson called the meeting to order at 6:30 p.m.	
<b>ZONING REVIEWS</b>		
Zoning Reviews	Chairperson Bryan Nelson reported the Planning Commission met on Monday, September 9, 2019 to review two zoning permits.	
Motion M2019-xxx <i>Approve Barry Holden turkey building (parcel #41-01800-77-012)</i>	Holden Zoning permit was reviewed by Township Attorney following the Town Board's meeting last month due to question regarding the replacement of a farm building after a storm and the fact that no dwelling exist on the parcel. Attorney Couri wrote:  1. Holden can rebuild his turkey building regardless of the length of time since his building was taken down because of storm damage.  2. Holden can build the turkey building without a house on the parcel because AG building use is allowed as a stand-alone building.  Wheeler stated that Holden will start his building late fall or early next years. Holden will apply for an AG-exempt Building Permit when he is ready to build.	Motion to recommend the Holden Ag-Exempt building for turkey operation without having to have a primary dwelling on parcel per attorney. All in favor – motion carries.
Motion M2019-xxx <i>Approve Curtis Valek garage additon (parcel #41-03000-04-021)</i>	Nelson requested the Valek Zoning Permit for an addition to the garage be approved by the Board.  Nelson explained that the Planning Commission recommends the Zoning Permit be approved provided the Clerk can get a ruling from Dakota County on the Ordinance 50 regulation of building within 1,000 feet of the Cannon River.	Motion to recommend the Holden Ag-Exempt building for turkey operation without having to have a primary dwelling on parcel per attorney. All in favor – motion carries.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
ITEM	DISCUSSION	ACTION
ADJOURN		
Adjourn the meeting		A motion was made by Devney to adjourn at 6:54 p.m. All in favor. Motion carried.

Recorded & Transcribed by:



Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



“where the path from the past & the future meet”

**Meeting: Waterford Township Monthly Meeting & Reconvened Annual Township Meeting**

**Date:** September 9, 2019 **Location:** Township Hall – 3847 321st St W – Northfield, MN 55057

<b>Regular Board Meeting -</b>	<b>Start Time:</b>	7:01 p.m.	<b>Recess Time:</b>	7:23 p.m.
<b>Reconvened Annual Township Meeting:</b>	<b>Start Time:</b>	7:24 p.m.	<b>Adjourn Time:</b>	7:49 p.m.
<b>Re-convene Board Meeting:</b>	<b>Re-convene Time:</b>	7:49 p.m.	<b>Adjourn Time:</b>	9:06 p.m.

**Board Members Present:** Chairperson/Supervisor Liz Messner; Frank Wergin – Township Supervisor;  
 Larry Odegard – Supervisor; Charlene Klemenhagen-Township Treasurer;  
 Jane Dilley – Deputy Treasurer; Elizabeth Wheeler -Township Clerk

**Others present:** Marie Struss, Bryan Nelson, Jerry Wicklund, Andy Devney, Deputy Sheriff Jim O’Meara, Glenn Fischbach, Debbie Fischbach, Jesse Graber

Item	Discussion/Conclusions	Action
Call to Order	At 7:01 p.m. Chairperson/Supervisor Liz Messner called the meeting to order.	A roll call was taken of members present and a quorum was declared. Pledge of Allegiance led by Deputy Sheriff Jim O’Meara.
Approve or Amend Agenda	Chairperson/Supervisor amended the agenda by moving the Compensation & Payroll policy from the Reconvened Annual Meeting to the Regular Board Meeting.	A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to approve the <b>REGULAR</b> agenda for September 9, 2019 as amended. All in favor. Motion carried.
<b>Consent Agenda</b>		
Approval of Consent Agenda	Town Clerk <ul style="list-style-type: none"> <li>Clerk’s Monthly Claims &amp; Deposit Reconciliation</li> <li>08-01-19 Work Session – Annexation</li> <li>08-12-19 Regular Board Meeting</li> <li>08-26-19 Closed Session – Annexation</li> </ul> Treasurer <ul style="list-style-type: none"> <li>Treasurer’s Report - August</li> <li>Treasurer’s Distributions - September</li> </ul>	A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to approve the <b>CONSENT</b> agenda for September 9, 2019. All in favor. Motion carried.
<b>Recess Regular Board Meeting</b>		
<b>Recess</b> the Regular September 9, 2019 Board Meeting	Township Board recesses the Regular Township Board Meeting to reconvene the March 12, 2019 Annual Township Meeting. Regular Township Board meeting will re-convene at the adjournment of the Annual Township Meeting.	A motion was made by Supervisor Messner and seconded by Supervisor Wergin to <b>RECESS THE REGULAR TOWNSHIP BOARD MEETING AT 7:15 P.M.</b> All in favor. Motion carried

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Item	Discussion/Conclusions	Action								
<b>Reconvened Annual Township Meeting</b>										
<b>Reconvene</b> the March 12, 2019 Annual Township Meeting	Clerk Wheeler stated that a motion was made at the March 12, 2019 Annual Township meeting to recess the meeting until September 9, 2019.	A motion was made by Waterford resident Steve Wheeler and seconded by Waterford resident Liz Messner to <b><u>RECONVENE</u></b> THE MARCH 12, 2019 ANNUAL TOWNSHIP MEETING AT 7:23 p.m. All in favor. Motion carried								
Nominate Moderator <i>Liz Messner</i>	Clerk Wheeler asked for nominations from the floor to elect a Moderator for the re-convened Annual Township Meeting.	A motion was made by Waterford resident Larry Odegard and seconded by resident Frank Wergin to NOMINATE RESIDENT LIZ MESSNER AS MODERATOR. All in favor. Motion carried								
Budget Committee - <i>Chairperson Marie Struss</i>	<p>Struss stated that the Budget Committee recommends a \$311,000 tax levy for 2020. This amount is the same as was proposed at the March 12, 2019 Annual Meeting.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="width: 15%;">\$ 297,000</td> <td>Base – 2019 Budget &amp; Tax Levy</td> </tr> <tr> <td>\$ 8,316</td> <td>2.8 % Inflation – Resolution 2018-09</td> </tr> <tr> <td>\$ 5,684</td> <td>1.914% Budget Line Item Increases</td> </tr> <tr> <td>\$ 311,000</td> <td>Total – 2020 Budget &amp; Tax Levy</td> </tr> </table> <p>Struss thanked the Budget Committee (Marie Struss- Chairperson, Char Klemenhagen – Treasurer, Jane Dilley – Deputy Treasurer, Larry Odegard – Board Liaison, Jake Bentz – taxpayer representatives) for the hard work and dedication including meetings in the past 12 months to prepare a 2020 proposed budget and 2020 proposed levy.</p> <p>Struss explained that the committee worked to develop proposed budgets and proposed levies for last four years now and the result is that the committee works from a spreadsheet that includes 2016, 2017 &amp; 2018 &amp; 2019 budgets. Using the spreadsheet, the committee continually monitors the current budget and the current claims and reports to the Board monthly.</p> <p>Using the “working” spreadsheet, the committee worked to develop a 2020 proposed budget and a 2020 proposed levy. Each line item on the budget was discussed. Each line item was adjusted as necessary resulting in the proposed budget and levy.</p> <p>Several factors resulted in the proposed levy:</p> <ol style="list-style-type: none"> <li>1. The Township received word from Waterford’s representative on the Northfield Area Fire &amp; Rescue Joint Powers Board at the March Annual Meeting that</li> </ol>	\$ 297,000	Base – 2019 Budget & Tax Levy	\$ 8,316	2.8 % Inflation – Resolution 2018-09	\$ 5,684	1.914% Budget Line Item Increases	\$ 311,000	Total – 2020 Budget & Tax Levy	
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Item	Discussion/Conclusions	Action
<p><i>Vote to recommend the Budget Committee's proposed 2020 Budget and Tax Levy to Town Board for adoption.</i></p> <p><b>Adjourn</b> the Reconvened 2019 Annual Township Meeting</p>	<p>the Fire Station (301 5<sup>th</sup> Street in Northfield) remodel was completed and renewal rates have been determined. The Township will not receive any substantial increase as was anticipated for the foreseeable future. Because the "fire service costs" appear to be stable there is no a need to "reserve" money to cover increases in fire service.</p> <p>2. Last February the Minnesota Township Association (MAT) recommended that all Townships delay voting on the 2020 Proposed Budget &amp; Levy until September due to the "extreme" winter conditions that was causing Township to overspend their Road Maintenance budget.</p> <p>3. The Cost of Living (COLA) was taken from the Social Security Administration website: <a href="http://www.ssa.gov/cola">www.ssa.gov/cola</a> to ensure a consistent resource from year to year. The 2.8% increase was what Social Security recipients got in their 2019 monthly benefits.</p> <p>4. To ensure the Township remains financially sound, reserve funds are part of the annual budget process. The Township, based on resolution R2018-09 must discontinue use of line of credit and borrowing by setting up reserves to anticipate costs in the future.</p> <p>5. Capital improvement reserves and major operating reserves are preparing for the future when the projects and or the costs come due. Barnard Bridge, Dresden Avenue, Town Hall, legal, etc.</p> <p>6. Adequate reserves allow for unexpected expenses that the Township did not foresee.</p> <p>Moderator Messner called for a vote from the residents present to recommend the Budget Committee's proposed 2020 Budget and 2020 Tax Levy to the Town Board for adoption.</p> <p>Clerk Wheeler called for a motion to adjourn the Annual Township Meeting,</p>	<p>Motion by Taxpayers in attendance was made by Waterford Resident Frank Wergin and seconded by Waterford Resident Steve Wheeler to ACCEPT THE RECOMMENDATIONS OF THE BUDGET COMMITTEE FOR THE 2020 BUDGET AND THE 2020 TAX LEVY OF \$311,000 All in favor -</p> <p>A motion was made by Waterford Resident Marie Struss and seconded by Waterford Resident Larry Odegard to <b>ADJOURN THE RECONVENED ANNUAL TOWNSHIP MEETING AT 7:48 P.M.</b> All in favor. Motion carried.</p>

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<p><b>Reconvene the September 9, 2019 Regular Board Meeting</b></p>	<p>Supervisor Wergin requests a motion to reconvene the Regular Township Board meeting.</p>	<p>A motion was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner to RECONVENE THE RECESSED REGULAR TOWNSHIP BOARD MEETING OF SEPTEMBER 9, 2019 AT 7:49 P.M. All in favor. Motion carried.</p>
<p><b>Presentations – Reports - Updates</b></p>		
<p><b>Sheriff Report</b></p>	<p>Deputy Sheriff Jim O’Meara introduced himself. Stated he will be the new afternoon/evening shift Deputy on duty and visiting the Town Halls. Stated he has been a Deputy for five years.</p> <p>Reported not much going on in Waterford. Extra patrols during the Defeat of Jesse James Days.</p> <p>Supervisor Odegard questioned the speed limit on Highway 3. Deputy stated that it is typical for drivers to exceed speed limit by 10 miles per hour. Highway 3 is a State Highway and residents would need to complain to State Patrol.</p>	<p>Report only – no action required.</p>
<p><b>Planning Commission</b></p>		
<p>Commission report</p> <p>Motion M2019-xxx Approve Barry Holden turkey building (parcel #41-01800-77-012)</p> <p>Motion M2019-xxx Approve Curtis Valek garage additon (parcel #41-03000-04-021)</p>	<p>Planning Commission was Chairperson Bryan Nelson reported the Planning Commission met on Monday, September 9, 2019 to review two zoning permits.</p> <p>Nelson requested the Holden Zoning permit was reviewed by Township Attorney to questions from last month’s Board Meeting were answered. Attorney Couri wrote:</p> <ol style="list-style-type: none"> <li>1. Holden can rebuild his turkey building regardless of the length of time since his building was taken down because of storm damage.</li> <li>2. Holden can build the turkey building without a house on the parcel because AG building use is allowed as a stand-alone building.</li> </ol> <p>Wheeler stated that Holden will start his building late fall or early next years. Holden will apply for an AG-exempt Building Permit when he is ready to build.</p> <p>Nelson requested the Valek Zoning Permit for an addition to the garage be approved by the Board.</p> <p>Nelson explained that the Planning Commission recommends the Zoning Permit be approved provided the Clerk can get a ruling from Dakota County on the Ordinance 50 regulation of building within 1,000 feet of the Cannon River.</p>	<p>Report only - No action necessary</p> <p>Motion M2019-xxx was made by Supervisor Odegard and seconded by Supervisor Wergin to APPROVE THE HOLDEN TURKEY BUILDING ON PARCEL #41-01800-77-021. All in favor. Motion carries.</p> <p>Clerk Wheeler will notify Holden that the Township will be conducting an inventory of all animal units as part of the Zoning Ordinance updates sometime in the future.</p> <p>Motion M2019-xxx was made by Supervisor Wergin and seconded by Supervisor Odegard to APPROVE THE ADDITION TO THE CURTIS VALEK GARAGE ON PARCEL #41-03000-04-021 PROVIDED THAT THE TOWNSHIP GETS APPROVAL FROM</p>

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		<p>DAKOTA COUNTY ON ORDINANCE 50.- 1,000 FEET FROM THE CANNON RIVER. All in favor. Motion carries.</p> <p>Clerk Wheeler will call Dakota County and get a ruling on Ordinance 50. Wheeler will call Valek to explain the Ordinance 50 requirement.</p>																																				
<b>Regular Agenda</b>																																						
<p>Motion M2019-xxx <i>Approve Resolution 2019-xx approving the 2020 Budget &amp; Levy</i></p>	<p><b>WHEREAS</b>, the Township’s Budget Committee began developing the 2020 proposed budget and levy in late 2018 and presented a propose 2020 budget and tax levy to taxpayers at the Annual Township Meeting on March 12, 2019; and</p> <p><b>WHEREAS</b>, the Township’s Budget Committee continued to monitor and report to the Town Board the actual receipts and payments against the 2019 budget each month; and</p> <p><b>WHEREAS</b>, the Township’s Budget Committee met with the Town Board on July 22, 2019 to review the 2020 proposed budget and levy; and</p> <p><b>WHEREAS</b>, the Township’s Budget Committee presented their final recommendation for the 2020 Budget and Levy to the Taxpayers at the Reconvened Annual Meeting held on September 9, 2019 as shown below; and</p> <table border="1" data-bbox="358 1182 966 1881"> <thead> <tr> <th colspan="3" style="background-color: yellow;">OPERATING FUNDS</th> </tr> </thead> <tbody> <tr> <td style="text-align: right;">\$ 129,396</td> <td>General</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 104,004</td> <td>Roads</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 21,600</td> <td>Fire</td> <td></td> </tr> <tr> <td></td> <td></td> <td style="text-align: right;"><b>\$ 255,000</b></td> </tr> <tr> <th colspan="3" style="background-color: yellow;">MAJOR CAPITAL</th> </tr> <tr> <td style="text-align: right;">\$ 18,000</td> <td>Roads</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 28,000</td> <td>Town Hall</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 5,000</td> <td>Iron Bridge</td> <td></td> </tr> <tr> <td></td> <td></td> <td style="text-align: right;"><b>\$ 51,000</b></td> </tr> <tr> <th colspan="3" style="background-color: yellow;">RESERVES</th> </tr> <tr> <td style="text-align: right;">\$ -0-</td> <td>Fire</td> <td></td> </tr> </tbody> </table>	OPERATING FUNDS			\$ 129,396	General		\$ 104,004	Roads		\$ 21,600	Fire				<b>\$ 255,000</b>	MAJOR CAPITAL			\$ 18,000	Roads		\$ 28,000	Town Hall		\$ 5,000	Iron Bridge				<b>\$ 51,000</b>	RESERVES			\$ -0-	Fire		<p>Motion M2019-xxx was made by Supervisor Odegard and seconded by Supervisor Wergin to APPROVE RESOLUTION 2019-XX APPROVING THE 2020 BUDGET &amp; LEVY. All in favor. Motion carries.</p> <p>Clerk Wheeler will prepare the Township Final Levy Certification form on line, print off, have Treasurer sign form, scan and send via email to Dakota County prior to the end of the month.</p>
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	\$ 5,000	Le	ga	l	
					\$ 5,000
	<b>GRAND TOTAL</b>				\$ 311,000
<p>Motion M2019-xxx Approve Resolution 2019-xx approving the Compensation &amp; Payroll Policy</p>	<p><b>WHEREAS</b>, the Township, as requested by Dakota County Property Taxation &amp; Records, must submit a Resolution along with a Final Levy Certification. form showing Revenue, Debt Service, Road &amp; Bridge, Fire Service and Miscellaneous with a total certified final Levy by no later than September 30, 2019; and</p> <p><b>NOW, THEREFORE, BE IT RESOLVED, THAT THE Town Board of Supervisors of Waterford Township in Dakota County, Minnesota hereby adopts the 2020 Budget &amp; Levy as shown; and</b></p> <p><b>BE IT FINALLY RESOLVED, the Township Treasurer &amp; Township Deputy Treasurer will file the required Form D to Dakota County prior to September 30, 2019.</b></p> <p>WHEREAS, Minn. Stat. 367.05 directs the Town Board to set the compensation of supervisors, treasurer, clerk, deputy clerk, deputy treasurer;</p> <p>WHEREAS, Minn. Stat. 367.05 indicates the above-mentioned persons are entitled to mileage for the use of their own automobile at a rate determined by the Town Board for necessary travel on official Town business;</p> <p>NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Waterford Township, Dakota County, Minnesota hereby adopts the following policy regarding the compensation and reimbursement of the Town Board members and establishing a payroll system for appointed and/or part time employees:</p> <hr/> <p style="text-align: center;">WATERFORD TOWNSHIP COMPENSATION AND PAYROLL POLICY</p> <p>1. <b><u>Definitions.</u></b> For the purposes of this policy, the following terms shall have the meaning given them in this section.</p> <ul style="list-style-type: none"> <li>• "<b><u>Town</u></b>" means Waterford Township, Dakota County, Minnesota.</li> </ul>				<p>Motion M2019-xxx was made by Supervisor Odegard and seconded by Supervisor Wergin to APPROVE RESOLUTION 2019-XX APPROVING THE COMPENSATION &amp; PAYROLL POLICY. All in favor. Motion carries.</p>

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	<ul style="list-style-type: none"> <li>• "<b><u>Town Board</u></b>" or "Board" means the Town Board of supervisors, Town Board Clerk and the Town Board Treasurer of Waterford Township, Dakota County, Minnesota. <u>All Town Board positions are elected.</u></li> <li>• "<b><u>Town Officers</u></b>" mean the supervisors of Waterford Township, Dakota County, Minnesota. <u>Town Board Supervisors are the only voting members of the Town Board.</u></li> <li>• "<b><u>Appointed</u></b>" means <u>appointed</u> by <u>motion/resolution</u> by the Town Board including Deputy Clerk, Deputy Treasurer, Election Judges, Planning Commission members, Committee Members (Budget &amp; Road/Bridge), Ad Hoc Committees (temporary for specific project) of Waterford Township, Dakota County, Minnesota. Commission &amp; Committees are advisory only. Volunteer position or compensated via resolution.</li> <li>• "<b><u>Employee</u></b>" means those persons <u>hired</u> by the Town Board to perform services for the Town for a set wage. Receives 1099 or W2</li> <li>• "<b><u>Independent Contractor</u></b>" means person, business, or corporation that provides goods or services to another entity under terms specified in a contract, written quote or bid. Independent contractors must provide proof of insurance.</li> <li>• "<b><u>Meeting</u></b>" means regular board meetings, special board meetings, emergency board meetings, work session meetings, Town Board conducted hearings, annual Town meetings, and special Town meetings.</li> </ul> <p>2. <b><u>Town Board</u></b> Compensation. The following establishes the basis on which Town Board and certain Employees shall be compensated for performing services within the scope of their duties for the Township.</p> <ul style="list-style-type: none"> <li>• Town Board members (Supervisors, Clerk, Treasurer) are required to submit a written claim form detailing the activities supporting his or her claim for compensation. Compensation requests are encouraged to be submitted at least quarterly.</li> <li>• If the Town Officers find a claim form does not contain sufficient detail to allow for</li> </ul>	

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	<p>adequate review and audit it shall be returned to the respective member unpaid.</p> <ul style="list-style-type: none"> <li>• The Town Board member may resubmit the claim for with additional detail for consideration at a future Town Board meeting.</li> <li>• The Town Board member may resubmit the claim form with additional detail for consideration at a future Town Board meeting.</li> <li>• The Town Board members (Supervisor, Clerk, Treasurer) are <u>not</u> compensated for a meeting outside Waterford Township meetings (example: Dakota County Officers Association, Intergovernmental Meetings, Cannon River Watershed Committee, Bridge Grant Meetings, etc.).</li> <li>• The Town Board members may be compensated for training sessions (\$75.00 for a 2 – 4 hours session or \$150.00 for a 5-8-hour session) with pre-authorization and if the Board member reports at the next Regular Board meeting what was learned and useful for the Township.</li> <li>• The Town Board members may be compensated for training and meals for training sessions if not included in the training fee however, the training must exceed a five-hour meeting to qualify for reimbursement.</li> <li>• <u>Meeting Compensation</u> <ul style="list-style-type: none"> <li><b>i</b> Town Board Supervisors &amp; Clerk shall be compensated at a rate of \$75 per meeting.</li> <li><b>ii</b> Treasurer shall be compensated at a rate of \$75.00 for Regular Board meetings.</li> <li><b>iii</b> Treasurer shall be compensated at a rate of \$75.00 per Work Session and/or Special meeting if Supervisors request the Treasurer’s attendance.</li> <li><b>iv</b> Town Board Committee Liaisons – volunteer</li> </ul> </li> </ul>	

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	<ul style="list-style-type: none"> <li>• <u>Non-Township Meeting Compensation</u> <ul style="list-style-type: none"> <li>i Town Clerk, Town Treasurer, Deputy Clerk and Deputy Treasurer shall be compensated at a rate of \$25 per hour to perform work outside of a Township meeting.</li> <li>ii Town Clerk, Town Treasurer, Deputy Clerk and Deputy Treasurer shall be compensated for required meetings (example: meeting with State Auditor, meeting with Dakota County, meeting with MAT, meeting with other government entities, etc.) because of the position at a rate of \$75.00 for up to 5 hours and \$150 for a up to 8 hours. Deputy Clerk &amp; Deputy Treasurer work must be pre-authorized by Clerk or Treasurer and pre-authorized by the Board. A detailed explanation of work performed must be submitted on a claim form for approval and payment.</li> <li>iii Town Officers shall be compensated at a rate of \$25 per hour to perform work outside of a meeting that is authorized/assigned by a majority vote of the Town Officers. A detailed explanation of work performed must be submitted on a claim form for approval and payment.</li> </ul> </li> </ul> <p>3. <u>Appointed</u> Compensation. The following establishes the basis on which appointed position shall be compensated for performing services within the scope of their duties for the Township. The Town Board shall fix, by resolution at a Board meeting, the compensation for appointed positions. Two or more meetings on the same day that are conducted back to back are compensated as one meeting.</p> <ul style="list-style-type: none"> <li>i <u>Deputy Clerk &amp; Deputy Treasurer</u> - \$75 per meeting - absence of Clerk or Treasurer</li> <li>i <u>Head Election Judge</u> - \$12.00 per hour</li> <li>ii <u>Election Judge</u> - \$10.00 per hour</li> <li>iii <u>Planning Commission Chairperson</u> - \$50.00 for Planning Commission meetings &amp; joint meetings between the Planning</li> </ul>	

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	<p>Commission &amp; Town Board - No compensation for attending the Regular Board meeting if attendance should be necessary on a case by case basis by a vote of the Planning Commission.</p> <p>iv <u>Planning Commission Co-Chairperson</u> - \$50.00 for Planning Commission meetings &amp; joint meetings between Planning Commission &amp; Town Board if - Chairperson absent.</p> <p>v <u>Planning Commissioner</u> - \$25.00 for Planning Commission meetings &amp; joint meetings between the Planning Commission &amp; Town Board.</p> <p>vi <u>Planning Commission Clerical Support</u> - \$50.00 for Planning Commission meetings for clerical work (coordination, meeting notices, creation of zoning review form (s), research meeting time and meeting records)</p> <p>vii <u>Budget Committee Members</u> – volunteer</p> <p>viii <u>Road Committee Members</u> – volunteer</p> <p>ix <u>Project &amp; Property Committee Members</u> – volunteer</p> <p>x <u>Ad Hoc Committee</u> – authorized by Board by motion - volunteer</p> <p>4. <b><u>Employee</u></b> Compensation &amp; Hours. Part time employees are hired as needed. Job description, hourly wage and number of hours established via resolution at the time of hire.</p> <p>5. <b><u>Payroll System</u></b>. The Town Board hereby establishes a payroll system for the payment of compensation on a monthly basis. The pay period is the month prior to a regular Board meeting.</p> <ul style="list-style-type: none"> <li>● Payment Dates. Payroll checks will be issued following Board approval for either pickup from the Town Board Treasurer or via U.S. mail.</li> <li>● Payment Procedures. Employees must submit a <u>completed claim form (adopted by Board) along with detail to the Clerk by noon on the first day of the month.</u> The claim form must provide a description of the work the person</li> </ul>	

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	<p>performed for the Town for each day compensation is claimed. If the claim form appears complete, the Clerk will include the claim form in the monthly Town Board meeting for approval.</p> <p>6. <b><u>Reimbursement of Expenses.</u></b> The following establishes the rates at which Town Officers, Appointed and Employees shall be reimbursed for expenses they are authorized by the Board to incur and actually incur on behalf of, and within the scope of their duties for, the Town. Only expenses authorized by the Board are eligible for reimbursement. To be eligible for reimbursement, each expense item must be set out in detail on a claim form and be supported by an original receipt. If an original receipt is not available, the person submitting the expense for reimbursement must provide a written explanation for the lack of an original receipt together with any documentation that does exist to support the claim for reimbursement.</p> <ul style="list-style-type: none"> <li>• Mileage. When it is necessary and authorized by the Board to use private automobiles to perform their duties on behalf of the Town, Town Board, Appointed and Employees shall be eligible to have their mileage reimbursed for the actual miles traveled at the established IRS approved reimbursement rate for the use of privately owned vehicles in effect at the time of travel. No one is eligible for mileage reimbursement for attending Town Meetings or for travel to or from their place of work. The mileage reimbursement is inclusive of all direct and indirect automobile related expenses and no other reimbursement for the use of a private automobile shall be allowed.</li> <li>• Other Expenses. Any other expenses actually incurred by Town Board, Appointed or Employees in the performance of their duties for the Town, but which are not addressed in this policy, shall only be eligible for reimbursement if the Board authorized the activity and the expenses were necessary to and arose out of properly conducting Town business. Any questions regarding whether a particular expense is eligible for reimbursement should be directed to the Town Board <u>prior to incurring the expense.</u></li> </ul>	

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<p>Motion M2019-xxx Discontinue further legal action on Court of Appeals A19-0234</p>	<p>7. <b>Intent.</b> While the provisions of this Policy are meant to supplement other policies, practices, or decisions the Board may have adopted, to the extent there are any inconsistencies this Policy shall control. Furthermore, the terms and definitions set out in the Policy are limited to this Policy and are not intended to in anyway affect a person's status as an employee for any other purpose including, but not limited to taxation or social security..</p> <p>8. <b>Yearly Review:</b> The Township Board will review the Compensation and Payroll policy each year in preparation for the March Annual Township Meeting budget and levy.</p> <p>9. <b>Amendments:</b> A resolution will be adopted to amend the policy if necessary. If no amendments are required, the Township Board will adopt a resolution with no changes thus indicating that the policy was reviewed. Resolution will be required to be made no later than the regular Board meeting prior to the Township Annual Meeting. The Annual Compensation &amp; Payroll Policy Resolution will be effective the date of the Annual Meeting each year.</p> <p>Adopted this 9th day of September 2019 with the effective date of January 1, 2020.</p> <p>Clerk Wheeler reported that the Township Attorney is requesting a motion on the recent Court of Appeals A19-0234 court case.</p> <p>Does the Township want to continue to the Supreme Court or discontinue all legal action on the Annexation law-suit?</p> <p>If the Township wants to take the case to the Supreme Court the Attorney needs to know immediately because the filing dead line is 60 days from the date of the affirmation by Judge Reyes which was on August 12, 2019.</p> <p>Clerk Wheeler reported that the Attorney explained that an “unpublished” opinion made it less likely that the Township would be able to get the Supreme Court to take the case as “unpublished opinions” means that the opinion doesn’t have legal significance.</p> <p>Three reasons attorney would not recommend going to the Supreme Court:</p> <ol style="list-style-type: none"> <li>1. Unpublished opinion means that the opinion doesn’t have legal significance.</li> </ol>	<p>Motion M2019-xxx was made by Supervisor Odegard and seconded by Supervisor Wergin to DISCONTINUE ANY FURTHER LEGAL ACTION ON COURT OF APPEALS A19-0234 All in favor. Motion carries.</p> <p>Clerk Wheeler will notify the Township Attorney of the Board’s decision.</p>

# WATERFORD TOWNSHIP

Item	Discussion/Conclusions	Action
<p>Motion M2019-xxx  <i>Approve Resolution 2019-xx approving the Bylaws for the Planning Commission</i></p>	<p>2. The Supreme Court only takes about 10% of the cases submitted.</p> <p>3. An annexation case was heard by the Supreme Court just last year thus unlikely the Court would revisit annexation for a few years or unless something was “published”.</p> <p>Attorney stated that he would file to the Supreme Court only if the Township directed by motion.</p> <p>WHEREAS, the Town Board has the responsibility to ensure the Planning Commission can perform effectively and efficiently; and</p> <p>WHEREAS, the Town Board asked the Commission and Committees serving the Township to prepare bylaws for Town Board review and adoption; and</p> <p>WHEREAS, the Planning Commission on March 11, 2019 brought before the Town Board “Planning Commission Bylaws” for discussion; and</p> <p>WHEREAS, the Planning Commission on March 11, 2019 brought before the Town Board “As Needed Meeting Protocols” for discussion; and</p> <p>WHEREAS, the Planning Commission Bylaws clearly and concisely lay out the purpose and the requirements necessary to perform effectively and efficiently; and</p> <p>WHEREAS, the “As Needed Meeting Protocols” is a “win-win” for the Planning Commission members, the applicants and the taxpayers by enhancing customer service delivery and saving tax dollars; and</p> <p>WHEREAS, the Planning Commission and the Town Board came to consensus on both the “Planning Commission Bylaws” and the “As Needed Meeting Schedule;” and</p> <p>NOW THEREFORE BE IT RESOLVED, the Town Board adopts the “Planning Commission Bylaws” and the “As Needed Meeting Protocols” with periodic review for effectiveness and efficiency.</p> <p style="text-align: center;"><b>Planning Commission Bylaws &amp; As Needed Meeting Protocols</b></p> <p><b><u>PURPOSE:</u></b></p> <p>1. The Commission assists with the periodic review, update and or amendments of the Zoning Ordinances (Ordinances) and make recommendation to the Town Board.</p>	<p>Motion M2019-xxx was made by Supervisor Odegard and seconded by Supervisor Wergin to APPROVE RESOLUTION 2019-XX APPROVING THE BYLAWS OF THE PLANNING COMMISSION. All in favor. Motion carries.</p>

# WATERFORD TOWNSHIP

Item	Discussion/Conclusions	Action
	<p>2. The Commission works with the Township’s Planner to review all interim use permits, conditional use permits and amendments.</p> <p>3. The Commission holds all public hearings (except Board of Variance &amp; Adjustments) related to Zoning Ordinances and make recommendation to the Town Board.</p> <p>4. The Commission reviews individual projects for consistency with the Zoning Ordinances and makes recommendation to the Town Board.</p> <p>5. The Town Board retains authority to adopt the Ordinances, amendments and individual projects.</p> <p><b><u>APPOINTMENTS:</u></b></p> <p>1. Advisory Planning Commission (Commission) shall be appointed by the Town Board.</p> <p>2. The Advisory Planning Commission shall consist of five (5) members</p> <p><b><u>MEMBERS:</u></b></p> <p>1. A member must own property and live within the Township limits to serve on the Commission.</p> <p>2. A member can’t be a currently serving as a Supervisor of the Township.</p> <p><b><u>TERMS:</u></b></p> <p>1. No terms limit.</p> <p>2. Member must attend at least 80% of meetings convened annually to remain in good standing.</p> <p>3. Town Board may call for the removal of a Commission member for non-performance of duty or misconduct in office.</p> <p><b><u>COMPENSATION:</u></b></p> <p>1. Meeting Compensation – R2019-06 Compensation &amp; Payroll Policy as amended.</p> <p>a. Planning &amp; Zoning meetings as scheduled by the Town Clerk.</p> <p>b. Public Hearings as scheduled by the Town Clerk,</p> <p>c. Work Session with Town Board as scheduled by the Town Clerk.</p> <p>d. Special Meetings with Town Board as scheduled by the Town Clerk.</p> <p>e. Regular Board meetings – <u>no compensation</u> (\$50 compensation covers both Planning Commission meeting and Regular Board meeting whether on the same day or on two different days.</p> <p>f. Meetings occurring adjacent to each other on the same day are</p>	

# WATERFORD TOWNSHIP

Item	Discussion/Conclusions	Action
	<p style="text-align: center;">compensated as one meeting not two meetings.</p> <p>2. Training Compensation – R2019-06 Compensation &amp; Payroll Policy as amended.</p> <ul style="list-style-type: none"> <li>a. Training pre-approved by the Town Board.</li> <li>b. Mileage to and from training location.</li> <li>c. Meals (receipts required – no alcohol) when training exceeds five hours and meal not included in the registration fee</li> <li>d. Registration fee</li> <li>e. No hotel costs.</li> </ul> <p><b><u>CURRENT COMMISSIONERS – as of September 1, 2019:</u></b></p> <ul style="list-style-type: none"> <li>1. Bryan Nelson – unknown - at least 20 years of service - 18 years as Chair</li> <li>2. Paul Little – Appointed 7/11/16</li> <li>3. Andy Devney – Appointed 04/10/17</li> <li>4. Maria Struss – Appointed 10/02/17</li> <li>5. Theresa Bentz – Appointed 08/13/18</li> </ul> <p><b><u>CHAIRPERSON &amp; VICE CHAIRPERSON:</u></b></p> <ul style="list-style-type: none"> <li>1. Rotation of Chairperson <ul style="list-style-type: none"> <li>a. Purpose - Establish a policy of annual Commission Chairperson and Vice Chairperson rotation for purposes of transparent governance, sharing leadership responsibilities and provide leadership opportunities for all Commission members.</li> </ul> </li> <li>2. Initial Rotation <ul style="list-style-type: none"> <li>a. Longest serving Commissioner shall serve as Chairperson until April 1, 2020.</li> <li>b. 2<sup>nd</sup> longest serving Commissioner shall serve as Vice Chairperson until April 1, 2020 <ul style="list-style-type: none"> <li>i. Longest Serving – Bryan Nelson – Chairperson until April 1, 2020</li> <li>ii. 2<sup>nd</sup> Longest Serving – Paul Little – Vice Chairperson until April 1, 2020</li> </ul> </li> </ul> </li> <li>3. Rotation as of April 1, 2020 <ul style="list-style-type: none"> <li>a. Chairperson – Paul Little till April 1, 2021</li> <li>b. Vice Chairperson – Andy Devney – till April 1, 2021</li> </ul> </li> </ul>	

# WATERFORD TOWNSHIP

Item	Discussion/Conclusions	Action
	<p>4. Rotation as of April 1, 2021</p> <ul style="list-style-type: none"> <li>a. Chairperson – Andy Devney till April 1, 2022</li> <li>b. Vice Chairperson – Marie Struss – till April 1, 2022</li> </ul> <p>5. Rotation as of April 1, 2022</p> <ul style="list-style-type: none"> <li>a. Chairperson – Marie Struss till April 1, 2023</li> <li>b. Vice Chairperson – Theresa Bentz – till April 1, 2023</li> </ul> <p><b><u>ROLES &amp; RESPONSIBILITIES &amp; EXPECTATIONS:</u></b></p> <ol style="list-style-type: none"> <li>1. Make decisions based on the adopted zoning ordinances.</li> <li>2. Listen, keep an open mind and treat your fellow commission members and everyone who comes before you with respect.</li> <li>3. Display good ethical behavior and always seek to ascertain the public interest and how best to further the interest of the township.</li> <li>4. When reviewing an individual project application, avoid discussing the project with the applicant or any interested party outside the public hearing. It is important to maintain impartiality until all evidence has been heard.</li> <li>5. Contribute to meetings in a constructive manner.</li> </ol> <p><b><u>BOARD LIAISON:</u></b></p> <ol style="list-style-type: none"> <li>1. The Town Clerk shall serve as the Board Liaison to the Advisory Planning Commission to provide for continuity between the Commission and the Town Board.</li> <li>2. The Town Clerk shall take minutes of the Commission for approval by the Commission. The Town Clerk will upload the approved minutes to the website.</li> <li>3. The Town Clerk will schedule Commission meetings based on requests from residents.</li> <li>4. The Town Clerk will post meeting notices (Commission meetings and public hearings) at the Town Hall and on the “Calendar” section of the website.</li> <li>5. The Town Clerk will act as a voting member of the Commission should the Commission not have a “quorum” at either a Commission meeting and or a Public Hearing.</li> <li>6. The Town Clerk will prepare all “individual project paperwork” for the Commission’s review.</li> <li>7. The Town Clerk will include individual project paperwork in the Board Packet and will answer</li> </ol>	

# WATERFORD TOWNSHIP

Item	Discussion/Conclusions	Action
	<p>questions at the Regular Board meeting on the “signed” individual project paperwork.</p> <p>8. The Planning Commission will vote at each Planning Commission meeting to require the Chair to appear at the Regular Board meeting if the Planning Commission believes the “signed” individual project paperwork is not adequate for Board review.</p> <p style="text-align: center;"><b>As Needed Meeting Protocols</b></p> <p><b><u>POLICY:</u></b> Beginning <u>January 1, 2019</u>, the Planning Commission will meet on an “as needed”.</p> <p><b><u>CALL THE CLERK:</u></b> Resident will call the Clerk when wanting a building permit or an interim use permit or conditional use permit or just to ask a question.</p> <p><b><u>CLERK WILL ASSIST:</u></b> Clerk will help the resident with applications, documents, and the process to ensure that the Zoning Review is done as quickly as possible.</p> <p><b><u>CLERK WILL COORDINATE &amp; SCHEUDLE:</u></b></p> <ul style="list-style-type: none"> <li>a. Clerk will <u>endeavor</u> to schedule a Planning Commission meeting within two weeks of the initial request.</li> <li>b. Clerk will <u>endeavor</u> to schedule a Public Hearing as soon as possible while adhering to the State Statutes and publication requirements.</li> <li>c. Clerk will post appropriated meeting and publication notices based on State Statutes.</li> </ul>	
<b>DISCUSSION ITEMS</b>		
Graber IUP 4.04 B	<p>Jesse Graber discussed with Board his two-year old IUP. At the time he applied for the IUP he had a concept not a building nor the legal ramifications of the project. Graber wasn’t aware when he agreed to combine his house parcel with his wrestling facility parcel that that was going to be any kind of an issue.</p> <p>Once he started working with an attorney, mortgage companies and insurance companies changed what he though he could do. The attorney advised against it due to legal liability, the mortgage companies wouldn’t combine the mortgages and the insurance companies wouldn’t insurance the combined home and the business.</p> <p>Graber is requesting a change in the IUP to have the Wrestling building as a stand alone building in the Rural Residential District.</p>	Wheeler to email meeting times to Graber.

# WATERFORD TOWNSHIP


Item	Discussion/Conclusions	Action
<p>Envirotech Billing</p>	<p>Wheeler explained that the Township was going to begin Phase 4 of the Zoning Ordinance Updates which will include all non-conforming properties within the Township. A joint Planning Commission and Board meeting is scheduled for September 23, 2019. Graber's parcels are on the meeting notice.</p> <p>Clerk Wheeler shared with the Board the letter that she wrote to Envirotech on August 13, 2019 to dispute the per gallon price of chloride and the various email correspondence with Envirotech. The Township paid Envirotech \$12,525.24 in August at a rate \$.84 per gallon. Envirotech invoiced the difference of \$1,341.99 as the difference owed between \$.84 per gallon (Dakota County pricing) and \$.93 per gallon (Township Quote before going with County pricing).</p> <p>In response to the letter, Envirotech provided the Township with a copy of the April 2019 Bid document as signed by Dakota County Engineer Todd Howard that political subdivisions can enter into a joint powers agreement with Dakota County and get the Liquid Dust Control at Dakota County prices. See page 2 – 5-6.2.</p> <p>Clerk Wheeler indicated that she could not find a signed joint powers agreement with the Township and contacted Todd Howard. Howard stated he would look for a signed joint power from the Township and then contact Envirotech on the Township's behalf.</p> <p>Wheeler reminded the Board that if a joint power can't be found the Township will need to pay the balance of the Envirotech invoice. Envirotech sent another invoice with a balance due of \$1,341.99.</p> <p>Wheeler stated that she will be working with Howard to acquire the required paperwork to be included under the Chloride contract for 2020. Wheeler suggested that the Board stop getting quotes for chloride as the County has the volume necessary to get better pricing. Getting a Township quote only causes confusion.</p>	<p>Wheeler will follow up with Dakota County and report back in October.</p>
<p>Complaint - Parcel ID # 41-03000-57-070</p>	<p>Clerk Wheeler reported that Leonard Fischbach called to report a "line of sight" problem in the right of way for parcel # 41-03000-57-070. The parcel is owned by Edward Mack and he according to Fischbach is unable to trim his bushes to clear the line of sight, thus Fischbach is requesting the Township clear the right of way as it is the Township's responsibility.</p> <p>Wheeler explained that clearing the right of way requires notification (14 days in advance of clearing) to the property owner and the Township only has the right to clear the right of way if the property owner agrees. If the property owner does not agree, the property owner</p>	<p>Supervisor Wergin arranged to meet Fischbach at his property on Dresden on Tuesday, September 10, 2019. Wergin will report back to the Board.</p> <p>Township Clerk will notify Mack via required letter before ordering any right of way work done.</p>

# WATERFORD TOWNSHIP

Item	Discussion/Conclusions	Action
<p>2019/2020 Snow/Ice Road Maintenance Contract</p>	<p>has a right to a public hearing per State Statute before the Board makes a decision.</p> <p>Dresden is a Township road so the distance that is considered right of way in general is 33 feet from the center line of the road. Wheeler explained that the Township can only maintain what is necessary of the right of way for snow removal purposes per the Township attorney. How far does the snowplow throw the snow?</p> <p>Fischbach stated that he can't see when pulling out onto Dresden. Fischbach reported that he has trimmed Mack's shrubs in years past with Mack's permission but Fischbach reported that he now has some health issues that don't allow him to trim the shrubs.</p> <p>Clerk Wheeler reminded the Board that if the Board wishes to get quotes for the upcoming winter season for Road Maintenance, she must begin the quote process immediately providing time for the contractors to respond to "quote" requests.</p> <p>Clerk Wheeler stated that if the Board's only criteria for selecting a contractor is the lowest quote, then she would recommend not getting quotes this season but simply give the contract to last year's contractor as he is always the lowest quote.</p> <p>Wheeler stated that State Statute 471.345 Subd. 5: Contracts \$25,000 or less – if the amount of the contract is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the governing body. Thus. the Board needs at least two quotes if selecting from quotes or simply select a contractor in the open market.</p> <p>Wheeler cautioned that asking contractors to quote and always going with the lowest quote will eventually cause the contractors to "pass" on the quote process. Contractors don't want to spend the time required to prepare quotes when the Board only looks at the lowest cost and nothing else. At some point in the future the current contractor may not be available and the Town Board will need quotes to select a contractor – save the quoting process for that eventuality.</p> <p>Town Board stated they don't know the lowest price unless they get quotes.</p>	<p>Town Board directed Clerk Wheeler to update the contract, prepare a quote letter and send a request for quotes from Henry Excavating, Northland Grading &amp; Excavating and Otte Excavating. Quotes to be opened at the October 14, 2019 Board Meeting.</p>
<p><b>Committee and or Board Reports</b></p>		
<p>BUDGET COMMITTEE</p>	<p>Reporting done during the Reconvened Annual Meeting. Next meeting is October 12, 2019 at 1:00 p.m.</p>	<p>Report only – no action required.</p>

# WATERFORD TOWNSHIP

Item	Discussion/Conclusions	Action
ROAD COMMITTEE	No report – no meetings planned.	Report only – not action required.
PROPERTY COMMITTEE GRANTS	Next Meeting is Monday, October 14, 2019 at 5:30 p.m.  Wheeler reported that the Township received comments from the Minnesota Historical Society on the MHS Grant pre-application. MHS stated that they would not be able to consider a \$1.7 million grant application. The Township would need to phase the project over multiple years. LHB (engineering company) prepared phase implementation of restoration and that will be submitted by the final Grant deadline of September 12, 2019. The first phase is estimated at approximately \$400,000.  Wheeler stated that the Bridge will be restored over a few years of grant cycles.	Report only – no action required.  Report only – no action required
ZONING ORDINANCE UPDATE PROJECT	Wheeler reminded everyone the Phase 4 Zoning Ordinance Update meetings will resume on September 23, 2019 with the goal of completing the Zoning Update project by year end.	Report only – no action required
<b>Adjourn</b>		
Adjourn the meeting		A motion was made by Supervisor Wergin and seconded by Chairperson/ Supervisor Messner to <b>adjourn</b> the meeting at 9:06 p.m. All in favor. Motion carried.

Submitted by:   
Elizabeth Wheeler – Township Clerk

Attest: \_\_\_\_\_  
Liz Messner, Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

DATE: October 7, 2019  
TO: Waterford Township Supervisors  
FROM: Waterford Planning Commission  
RE: **Finding of Facts from Public Hearing on Ordinance Amendment**

- **6.05.B 10 – Permitted Use – Wholesale Solar**

This memo is intended to provide a summary of the Public Hearing including the Findings of Fact, Public Comment and Suggested Conditions from the Planning Commission on permitting Wholesale Solar in the Rural Residential District.

## **PUBLIC HEARING:**

1. The Township received a signed application dated September xx, 2019 for an Zoning Ordinance amendment via e-mail from Nokomis on September xx, 2019 for adding Wholesale Solar to the Rural Residential District of Waterford Township.
2. The Township published a Public Hearing notice:
  - a. Northfield News on Wednesday, September 25, 2019
  - b. Township Hall on Wednesday, September 25, 2019
  - c. Township Website on Wednesday, September 25, 2019
  - d. Individual notification was not necessary due to adding a permitted use to an entire district instead of an individual parcel.
3. The Planning Commission held a public hearing on October 7, 2019  
Start time: 7:07 p.m. Adjourn: 7:31 p.m.  
Planning Commission: Bryan Nelson, Paul Little, Theresa Bentz, Andy Devney, Marie Struss  
Elizabeth Wheeler-Liaison/Clerk  
Attendees: Alex Conzemius, Larry Odegard, Liz Messner, Frank Wergin, Charlene Klemenhagen  
Nate Bell (Nokomis Partners – Minneapolis, MN)  
E-mail: None received by 10/07/19 at 5:30 p.m.  
U.S. Post Office: None received by 10/07/19 at 1:00 p.m.  
Voice mail: None received by 10/07/19 at 5:30 p.m.

# WATERFORD TOWNSHIP



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## **PUBLIC COMMENTS:**

- Alex Conzemius – Bolton & Menk – Planning Consultant
  - Stated that the reason for the Public Hearing was to consider adding Wholesale Solar as a permitted use under 6.05 B of the Township's Zoning Ordinances.
  - The Town Board may attach conditions to the approval of a wholesale solar permit to mitigate anticipated adverse impacts associated with the use, to ensure compliance with the standards of approval, to protect the value of other property, and to achieve the goals and objectives of the Comprehensive Plan.
- Liz Messner – 31076 Canada Avenue – Northfield, MN
  - Since implementing wholesale solar in the AG District, the State passed legislation limiting the size of wholesale solar to one mega-watt in size. Instead of needing upwards of forty acres for a 5 megawatt system, a one megawatt system can be installed on considerably less acreage.
  - Wholesale solar needs close proximity of three phase power thus not every property in the AG district and or the Rural Residential district would be suitable for a Wholesale Solar project.
- Elizabeth Wheeler – 2445 313<sup>th</sup> Street W – Northfield, MN
  - Wholesale solar in the AG District has been part of the Township since 2016 resulting in four applications.
  - Two 5 megawatt systems began producing power in December 2017 without any complaints.
  - Applications to build a 3.75 megawatt system (Barnard & 320<sup>th</sup>) and a one megawatt system (Canada Avenue & County Road 47) has been abandoned due to the expense of getting three phase power to the site. Three phase power must be in close proximity of the system in order to make the project financially viable according to solar garden consultants.
- Paul Little - 32115 Canada Avenue – Northfield, MN
  - The need for three phase power and acreage seems to be self-eliminating factors for how many Solar Gardens are possible within the Rural Residential district. If they aren't close enough to reach three phase power without expensive installation, the project is not financially viable.

## **PLANNING COMMISSION VOTE:**

The Planning Commission recommends adding Wholesale Solar as a permitted use to the Rural Residential District Zoning Ordinances. Andy Devney made motion, Paul Little seconded, all in favor, motion carried.

## **TOWN BOARD DECISION:**

Clerk Wheeler reminded everyone that the Township Board may or may not approve the Planning Commission recommendation at the October 14, 2019 Board meeting. If more time is needed to make the decision, the Board will TABLE the item until the November 11, 2019 Board Meeting.

The Board may need time to check with the Township Planning Consultant and or the Township Attorney before making a final decision.

Elizabeth Wheeler – Waterford Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** SPECIAL SESSION – CASTLE ROCK STORE PARCEL SURVEY

**DATE & TIME:** October 7, 2019 **Start Time:** 10:08 a.m. **Adjourn Time** 11:02 a.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Larry Odegard - Supervisor; Frank Wergin-Supervisor; Elizabeth Wheeler - Township Clerk

**ATTENDEES:** Joe Mueller – Prospective Buyer of the Castle Rock Store, Steve Wheeler - Resident

ITEM	DISCUSSION	ACTION
Published Notice	Meeting Notice was posted on the Town Hall door on October 2, 2019  Notice was uploaded to the <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> website on October 2, 2019.	No action necessary.
Call to Order	Chairperson/Supervisor Liz Messner called the Special Session to order at 10:08 a.m.	A motion was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin to open the Special Session. No Pledge of Allegiance All in favor. Motion carried.
	<p>Joe Mueller, Founder of “The Move Group” presented Johnson &amp; Scofield Surveying &amp; Engineering drawing #S-6510 for parcel #41-00600-27-081 &amp; parcel #41-00600-27-082 (Castle Rock Storage &amp; the Castle Rock Store) with proposed boundary line changes for the Town Board’s approval.</p> <p>Mueller explained that he a Business Owner and Entrepreneur. He has been working with Monty Grainager for the last four months to purchase the property. He was scheduled to close Friday, but has been moved to Wednesday due to deadlines on the 1051 exchange. An updated survey is needed for the closing.</p> <p>Mueller explained that the current survey has the well and the septic system for the Store within the Storage parcel. The proposed survey would put the well and the septic within the Store parcel. Mueller will provide the Storage parcel with a permanent easement to allow access to the Storage parcel.</p> <p>Mueller stated that he has been working with Dakota County on the well and septic. He stated he will be putting in a new well and septic in the future.</p> <p>Mueller stated that the gas tanks have been “leak tested” and will continue to be leak tested (weekly). Mueller</p>	<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE NEW BOUNDARY LINES ON JOHNSON &amp; SCOFIELD SURVEYING &amp; ENGINEERING DRAWING #S-6510 FOR PARCEL # 41-0060027082 (CONVENIENCE STORE &amp; GAS PUMP BUSINESS) AND PARCEL #41-0060027081 (STORAGE BUSINESS) TO INCLUDE SEPTIC SYSTEM &amp; WELL INTO PARCEL #41-0060027082 (CONVENIENCE STORE &amp; GAS PUMP BUSINESS). All in favor. Motion carries.</p>


# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>anticipates putting new tanks in the future. Will use current tanks as long as safe. He also plans to offer diesel. Doesn't envision changing the size of the tanks which are currently 26,000-gallon capacity.</p> <p>Mueller stated that he plans to open the Store as it was when Grainager owned it including convenience store, off sale liquor, cigarettes, café, small office and gas pumps.</p> <p>Mueller stated he realizes that Dakota County will be doing road construction on County Road 86 and that will impact his getting the store to its full potential, but he has plans to upgrade the building and sometime in the future maybe add services like a car wash, etc.</p> <p>Mueller stated that his mother will be managing the store for him, his father will be helping and his children will eventually be working at the store when they are old enough.</p> <p>Clerk Wheeler talked about the conditional use application and process. A Public Hearing could be schedule by the end of the month if Mueller completed the application and made a \$2,000 deposit to cover Township expenses. Expenses include post cards to all parcel owners within ¼ mile of the store, publication of notice int the Northfield News, Clerk time and attorney review of the "Finding of Facts". Any money not required to cover expenses will be returned to applicant.</p> <p>The public hearing would include off sale liquor – but the issuance of the Off-Sale Liquor License is done by the Dakota County Sheriff's department requiring a background check.</p> <p>Clerk Wheeler stated the cigarette license is an application with the Township for \$125 per year.</p> <p>Mueller stated he has had the store inspected. The Store needs upgrading which he plans to roll out in phases. Plans to repave the lot during the road construction.</p> <p>Mueller stated he plans to use the same sign (s) but to change the name, etc. Mueller stated he will be changing the name of the Store as branding is important to the success of the store. Maybe something like "Station 86".</p> <p>The abandoned truck was discussed as abandoned vehicles are not permitted by Zoning Ordinance. Mueller stated he was hoping to use it and offered to put it on some sort of platform to make it look like a display instead of an abandoned vehicle.</p>	
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
		adjourn the Special Session at 11:02 a.m. All in favor. Motion carried.

Recorded & Transcribed by:

  
Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Liz Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – Zoning Reviews

**DATE & TIME:** October 14, 2019 **Start Time:** 6:30 p.m. **Adjourn Time:** 6:51 p.m.

**MEMBERS PRESENT:** Paul Little, Andy Devney, Marie Struss, Theresa Bentz,

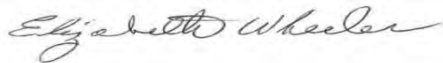
**OTHERS IN ATTENDANCE:** Elizabeth Wheeler – Board Liaison, Karl & Christy Brockton,

ITEM	DISCUSSION	ACTION
Notifications	<p>Notice was posted for the Planning Commission on the Town Hall door on October 7, 2019</p> <p>Notice was uploaded to the Township website at <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> on October 7, 2019.</p>	No action necessary.
Call to Order	Co-Chairperson Paul Little called the meeting to order at 6:30 p.m.	
	<b>ZONING REVIEWS</b>	
Zoning Reviews  TERRY GILOMEN Storage building	<p>One zoning reviews were conducted:</p> <p>Applicant: Terry Gilomen            30563 Dahomey Avenue            Parcel #41-01800-75-012</p> <p>Wheeler reported that Terry Gilomen submitted a building application with a post frame building size of 80 ft x 80 ft instead of the size originally approved on June 10, 2019 by the Town Board. The original building size was 40 ft by 60 ft. Nearly doubling the original approved permit. Thus, the need for a Zoning Review to check setbacks.</p> <p>Devney stated that Planning Commission reviewed the increased building size and recommends the new building size of 80 ft by 80 ft on Parcel #41-01800-75-012 with two conditions:</p> <ul style="list-style-type: none"> <li>• Gilomen property is next to Chub Creek and has wetlands north of the proposed building site. Gilomen must have location of new building reviewed by Dakota County Soil &amp; Water.</li> <li>•</li> <li>• Clerk Wheeler get a written approval from Brian Watson, Soil &amp; Water before issuing Building permit.</li> </ul>	<p>Little as for a motion to recommend Gilomen's 80 x80 post frame building be approved as a non-ag-exempt building. Devney – 1<sup>st</sup> &amp; Bentz 2<sup>nd</sup> – all in favor – motion carries.</p>
ITEM	DISCUSSION	ACTION

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>ADJOURN</b>		
Adjourn the meeting		A motion was made by Co- Chairperson Little to adjourn at 6:51 p.m. All in favor. Motion carried.

Transcribed by:



Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** October 14, 2019 **Start Time:** 7:04 p.m. **Adjourn Time:** 8:38 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Frank Wergin – Supervisor; Elizabeth Wheeler-Town Clerk; Charlene Klemenhagen- Treasurer; Jane Dilley – Deputy Treasurer

**MEMBERS ABSENT:** Larry Odegard - Supervisor

**OTHERS IN ATTENDANCE:** Jerry Wicklund, Marie Struss, Andy Devney, Jesse & Deb Graber

ITEM	DISCUSSION
Call to Order – Pledge of Allegiance	At 7:04 p.m. Chairperson/Supervisor Messner called the meeting to order.
A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner TO ACCEPT REGULAR AGENDA AS PRESENTED. All in favor – motion carried.	Board members to add the following to the agenda: None
A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner TO ACCEPT THE CONSENT AGENDA AS PRESENTED. All in favor – motion carried.	A consent agenda groups the routine, procedural, informational and self-explanatory non-controversial items typically found in an agenda. These items are then presented to the board in a single motion for an up or down vote after allowing anyone to request that a specific item be moved to the full agenda for individual attention. Other items, particularly those requiring strategic thought, decision making or action, are handled as usual.
<b>REPORTS &amp; PRESENTATIONS</b>	
Dakota County Commissioner – Mike Slavik	Slavik stated the County wants input from each Township for their 2030 Long Range Transportation Plan. A letter was sent to Town Clerk to schedule a meeting.  Clerk Wheeler stated the Township is schedule for 01/27/19 – 9:30 a.m. at the County for the 2030 Long Range Transportation Plan
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>	
A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner TO APPROVE THE AMENDED POST FRAME BUILDING SIZE FROM 40' BY 60' TO AN 80' X 80' ON PARCEL #41-01800-75-012 CONDITIONAL ON REVIEW BY	Andy Devney-Co-Chair of Planning Commission reported that the Planning Commission (Devney, Little, Struss, Bentz & Wheeler) met on October 14, 2019 from 6:30 p.m. to 7:00 p.m. to review building project.  1. Applicant: Terry Gilomen 30563 Dahomey Avenue Parcel #41-01800-75-012 Amend June 6 <sup>th</sup> Post Frame Building Size

**WEBSITE:** [waterfordtownshipmn.org](http://waterfordtownshipmn.org) **EMAIL:** [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)  
**3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057**  
**PHONE: 651-346-8467 (leave a message – clerk will return your call)**  
**REGULAR BOARD MEETING – OCTOBER 14, 2019**

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p>DAKOTA COUNTY SOIL &amp; WATER AS TO WETLAND DELINATION. All in favor – motion carried</p> <p>Motion (M2019-xxx) Resolution R2019-xxx was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin TO APPROVE RESOLUTION R2019-XXX AMENDING ZONING ORDINANCE 2001-5, SECTION VI 6.05 SUBSECTION B &amp; E BY ADDING WHOLESALE SOLAR ELECTRIC SYSTEM IN THE RURAL RESIDENTIAL DISTRICT. All in favor – motion carried</p>	<p>Wheeler reported that Terry Gilomen submitted a building application with a post frame building size of 80 ft x 80 ft instead of the size originally approved on June 10, 2019 by the Town Board. The original building size was 40 ft by 60 ft. Nearly doubling the original approved permit.</p> <p>Devney stated that Planning Commission reviewed the increased building size and recommends the new building size of 80 ft by 80 ft on Parcel #41-01800-75-012 with two conditions:</p> <ul style="list-style-type: none"> <li>• Property owner must either move the proposed building site away from the adjacent wetlands or must get Dakota County Soil &amp; Water approval due to the adjacent wetlands.</li> <li>• Clerk Wheeler must contact Brian Watson, Dakota County Soil &amp; Water to discuss the wetland concerns before the building permit is issued.</li> </ul> <p>Devney, Co-Chair of Planning Commission held a Public Hearing on October 7, 2019 to take comment on amending Zoning Ordinance No. 2001-5 to add wholesale solar within the Rural Residential District.</p> <ul style="list-style-type: none"> <li>• Clerk Wheeler stated that because this was an amendment to the ordinance in general not an amendment to a specific parcel, the only notification required is a Public Hearing notice in the Northfield News. The notice was published 09/25/19.</li> <li>• Alex Conzemius, Township Planner lead the Public Hearing. Both Conzemius and the Township Attorney Bob Ruppe reviewed the amendment.</li> </ul>
<b>REGULAR AGENDA</b>	
<p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner TO <b>TABLE</b> THE GRABER IUP REVIEW REGARDING CONDITION B 4.04C UNTIL RESEARCH CAN BE DONE BY THE TOWN CLERK AND A WORK SESSION CAN BE SCHEDULED. All in favor, motion carried.</p> <p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by</p>	<p>Chairperson/Supervisor Messner stated the Town Board periodically reviews IUP issued to ensure adherence to all conditions of the permit. Dakota County on line property information shows that Parcel #41-03000-54-021 continues to remain separate from Parcel #41-03000-53-020 even though Condition B 4.04C – Lot Provisions of the Graber IUP stated “a property survey to incorporate the wrestling practice facility parcel and the residence parcel listed as one property.”</p> <p>Jesse Graber stated that he has a property survey incorporating the parcels as required by the IUP. Graber stated that he is unable to record the property survey for three reasons:</p> <ol style="list-style-type: none"> <li>1. Graber’s attorney recommended keeping his primary residence and his business property separate because of liability concerns.</li> <li>2. Graber was unable to add his wrestling building to his home owners insurance.</li> <li>3. Graber stated to get a loan on the wrestling building required it was the wrestling building only.</li> </ol> <p>Graber suggested he could build a small home on the wrestling property and rent it out to not only supplement his income for the wrestling project but also meet the Zoning Ordinance by having a primary residence with any accessory building.</p> <p>Messner stated that she wasn’t sure there were any building sites available in that area. Would require research to determine.</p> <p>Messner suggested that the Board table the discussion and resume discussion in a Work Session. Clerk is to set up a Work Session to continue the review.</p>

WEBSITE: [waterfordtownshipmn.org](http://waterfordtownshipmn.org) EMAIL: [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)

3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057

PHONE: 651-346-8467 (leave a message – clerk will return your call)

REGULAR BOARD MEETING – OCTOBER 14, 2019

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p>Chairperson/Supervisor Messner TO APPROVE RESOLUTION 2019-09 ADOPTING THE 2040 DAKOTA COUNTY RURAL COLLABORATIVE COMPREHENSIVE PLAN UPDATES INCLUDING POLICY STATEMENTS, GOALS, STANDARDS &amp; MAPS. All in favor, motion carried.</p>	<p>Clerk Wheeler reported that the 2040 Comprehensive Plan which a collaborative of most Dakota County governing entities has finally been approved by the Metropolitan Council. According to the Bolton &amp; Menk, the Collaborative's Planner, the Township must adopt the final plan.</p>
<p>A motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin TO APPROVE RESOLUTION 2019-10 TERMINATING THE RURAL SOLID WASTE COMMISSION (RSWC). All in favor, motion carried.</p>	<p>Clerk Wheeler reported that she received a letter from the Rural Solid Waste Commission (RSWC), a joint powers board established between the 13 townships and six rural cities in Dakota County to develop a common solid waste abatement program. The RSWC is now requesting the Township approve a resolution terminating the RSWC because a preferred option has been identified eliminating the current administrative structure.</p>
<p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner TO CERTIFY BY SIGNATURE OF THE MILEAGE CERTIFICATE FORM FOR MAINTENANCE OF 16.329 MILES OF ROAD FOR THE TOWNSHIP FOR AT LEAST EIGHT MONTHS OF THE YEAR FOR 2019. All in favor, motion carried.</p>	<p>Annual form required by Dakota County. Township has not had any change in road mileage in 2019.</p>
<p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by Chairperson/Supervisor Messner TO SIGN THE LIVESTOCK LOCAL AUTHORITY FORM AS PRESENTED. All in favor, motion carried.</p>	<p>Andy Devney as owner/operator of a local feedlot located at 28951 Arkansas requested the Board sign a Livestock Local Authority form for his submission to the MPCA as part of the licensing process regulated by the State of Minnesota.</p>
<p>A motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin TO ACCEPT A \$250.00 DONATION FROM DAKOTA ELECTRIC TO BE USED FOR BRIDGE RESTORATION. BOARD AUTHORIZES TRANSFERING THE \$250 FROM CHECKING TO SAVINGS. All in favor, motion carried.</p>	<p>Clerk Wheeler stated that the Board had adopted numerous amendments to the Zoning Ordinance 2001-5 on July 8, 2019 effective July 17, 2019. Amendments related to feedlots requires the continual compliance with rules and regulations of all pertinent governing authorities, including but not limited to: the Dakota County SWCD, the MPCA, and the Waterford Township Zoning Ordinances.</p> <p>Dakota Electric donated \$250.00 to be used for Bridge Restoration in recognition of the Clerk's Outstanding Leader of the Year award.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p>A motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin TO <b>TABLE SELECTING A ROAD CONTRACTOR FROM THE TWO QUOTES RECEIVED UNTIL THE FULL BOARD IS IN SESSION.</b> All in favor, motion carried.</p> <p>A motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin <b>AUTHORIZING DEPUTY TREASURER TO PREPARE REPORTS ON STATUS OF ALL RESERVES FUNDS PRIOR TO THE END OF THE YEAR AND HOURS REQUIRED TO PREPARE REPORTS WILL BE PAID AT THE STANDARD \$25.00 PER HOUR.</b> All in favor, motion carried.</p>	<p>Clerk Wheeler stated that on 09/20/19 she mailed out three letters soliciting quotes for the Road Maintenance Service Agreement (11/01/19 – 04/30/20). Quotes were due 10/11/19). Bryce Otte Excavating; Mark Henry Excavating; TJ Grossman (Grossman Companies)</p> <p>Clerk received two quotes. Received an email from Otte Excavating declining the offer until the Township has a twelve-month contract versus a six-month contract.</p> <p>Supervisor Wergin opened the two quotes, read the costs for from both quotes. Chairperson/Supervisor Messner stated it is customary to have all three Supervisors available when selecting contractors thus Messner wishes to TABLE the decision and have the Town Clerk coordinate a Special Meeting before the end of October to ensure a contract is signed prior to November 1, 2019 when the current contract terminates.</p> <p>R2018- as part of the goal of financial health, stability and accountability has established a <b>non-earmarked general reserve fund</b> requiring the Township to deposit all funds received by the Township from the State, County and City (examples: production tax, annexation payments, local government aid, market value, aggregate tax, town aid), into the non-earmarked general reserve fund, until the non-earmarked general reserve fund equals at least \$100,000 – May 14, 2018</p> <p>Chairperson Messner stated she needs to see a report each month of the actual bank balance available for paying claims. Currently the bank balance may or may not include reserves. Messner requested that the Deputy Treasurer prepare a calendar showing when budgeted reserves and their semi-annual transfer from checking to savings. Messner included all reserves; attorney, town hall, road, fire, R2018-09, etc. A monthly report to the board of all reserves should include the in's and out's since inception of the reserve. The report should contain all reserves regardless if any activity occurred that month or not.</p> <p>The actual funds available for making decisions each month should be available to the Board, not just a bank balance which may or may not include reserves. In addition, the taxpayer looks at the bank balance and thinks we have more money available than is available for monthly operating.</p>
<b>BOARD DISCUSSIONS– non action</b>	
<p>Brush Cutting</p> <p>Ditch Maintenance – Ed Mack property</p> <p>Envirotech – Joint Powers</p>	<p>Clerk Wheeler stated that she had talked with Dale Kuchinka and requested that Kuchinka call Wergin to talk about fall brush cutting. Wergin stated that Dale Kuchinka has not called him and it is getting too late in the year. Will need to wait until next summer to get brush cutting done.</p> <p>Wergin reported he that after measuring the shrubs/brush at the Ed Mack property on Dresden, the shrubs/brush are well within the thirty-three feet from the center of the road rights of way and causing a line of sight issue as the complaint stated. Will need to get a hold of Cannon River Tree Care and get a quote for Board approval.</p> <p>Clerk Wheeler reported to the Board that unless Todd Howard, Dakota County Engineer can find a Joint Powers agreement signed by the Board regarding Chloride, the Township will need to pay the difference in price from \$.84 versus \$.94 or \$1,341.99 next month.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
	<p>Wheeler will get Joint Powers agreement from Todd Howard so the Township can participate in next year's agreement. However, there will be a price for chloride the entire road or just spot chloride. The cost is greater per gallon if the Township spot chlorides because it takes as much time to do the entire road as it does to do spot chloride the roads. The cost to do the roads is based on the per gallon price. Spot chloride uses less gallons but the same amount of driver/equipment time, thus the need to charge more for spot chloride.</p>
<b>COMMITTEE REPORTS</b>	
<i>Budget Committee – Marie Struss</i>	<p>Struss reported four items:</p> <ol style="list-style-type: none"> <li>1. Budget meeting was October 12, 2019</li> <li>2. Next Budget meeting is December 13, 2019 at 1:00 p.m.</li> <li>3. Copy of Final Levy Certification filed 09/23/19 in Board Packet</li> <li>4. Joint Work Session – scheduled – 10/12/19 – several items: Board of Audit, year-end, Accounting Module, Annual Meeting, 2021 Budget &amp; Tax Levy.</li> </ol>
<i>Road Committee – Frank Wergin</i>	<p>Wergin reported on three items</p> <ol style="list-style-type: none"> <li>1. Wheeler – special road projects – completed &amp; passed exam - certification for Smart Salting included in Board packet.</li> <li>2. Wheeler – in Board packet – Traffic counter report on bridge in Greenvale - needs traffic counts for possible grant</li> <li>3. Coleman property on Danbury will need trees removed next year – require State Statute letter.</li> </ol>
<i>Project &amp; Property Committee – Elizabeth Wheeler</i>	<p>Planning Commission zoning reviews and public hearings are now scheduled as much as possible during the Project &amp; Property Committee time slot, thus the Committee has not been meeting regularly. Wheeler suggests it may be necessary to find another date and time so as to work on the Town Hall project.</p> <p>Wheeler will talk to all committee members to find an alternate time and date.</p>
<i>Clerk Reports – Elizabeth Wheeler</i>	<p>Clerk briefly explained the various reports including the State required “revenue fee” report. Failure to report can result in a \$10,000 fine. The revenue fees collected from Building Permits can only be used for Planning &amp; Zoning, thus the Zoning Ordinance amendments the Planning Commission has been working on in 2019 is an acceptable use of the fees.</p>
<i>Elections – Elizabeth Wheeler</i>	<p>Wheeler reported Dakota County and the State will be require Super Tuesday training for all judges. Without the training the judges will not be able to work on March 3<sup>rd</sup>. Several training dates will be set up for January. As soon as Wheeler knows the dates, she will contact all judges.</p>
<i>Bridge Grant – Elizabeth Wheeler</i>	<p>The Bridge Grant was submitted in September – copy is included in Board packet as well as posted under News on the website.</p> <p>Grant is in review, MHS Committee recommendations will be in November and the Township will get a letter in mid-December should we get the Grant for phase one - \$343,818.</p>
<i>Zoning Amendments – Elizabeth Wheeler</i>	<p>Wheeler reported that the Planning Commission meet 09/23/10 to work on a list of items in anticipation of the Comp Plan approval which the Board approved today. Once all Townships have approved the Comp Plan the Township will then apply for an amendment for the Met Council to approve. Commission will need to wait to meet pending amendment approval. Unknown schedule at this time. Wheeler suggested waiting until next year to start the process.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
	The October 7, 2019 public hearing was for adding “wholesale solar” to the Rural Residential District. Approved by Board this evening.
CITIZEN COMMENTS	
	N/A
TOWN BOARD REPORTS	
	N/A
ADJOURN	
Adjourn the meeting – 8:38 p.m.	All in favor

Transcribed by:

\_\_\_\_\_  
Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
Elizabeth Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

DATE: October 29, 2019  
TO: Waterford Township Supervisors  
FROM: Waterford Planning Commission  
RE: **Finding of Facts from Public Hearing on Conditional Use Permit for Castle Rock Convenience Store**

This memo is intended to provide a summary of the Public Hearing including the Findings of Fact, Public Comment and Suggested Conditions from the Planning Commission on the Conditional Use Permit for the Castle Rock Convenience Store.

## **PUBLIC HEARING:**

1. The Township met Joe Meuller from Lakeville, Mn at a Special Meeting on October 7, 2019 at 10:00 a.m. At that time Meuller was considering signing a purchase agreement for the Castle Rock Mini Mall and gas pumps located at 4476 280<sup>th</sup> St. – Parcel # 41-00600-27-082.
2. The Township published a Public Hearing notice:
  - a. Northfield News on Wednesday, October 16, 2019
  - b. Township Hall on Tuesday, October 15, 2019
  - c. Township Website on Tuesday, October 15, 2019
  - d. Town Clerk sent post card notices to all residents and business within a 350-foot radius of the Mini Mall.
3. The Planning Commission held a public hearing on October 29, 2019  
Start time: 7:00 p.m. Adjourn: 8:01 p.m.  
Planning Commission: Bryan Nelson, Paul Little, Theresa Bentz, Andy Devney, Marie Struss  
Elizabeth Wheeler-Liaison/Clerk  
Attendees: Larry Odegard, Liz Messner, Frank Wergin, Charlene Klemenhagen, Mary Collins,  
Michael & Ruth Schroeder  
E-mail: None received by 10/29/19 at 5:30 p.m.  
U.S. Post Office: None received by 10/29/19 at 4:30 p.m.  
Voice mail: None received by 10/29/19 at 6:30 p.m.

## **ZONING REQUIREMENTS**

- The mini mall and gas pumps have a conditional use permit. This means that when it changes owners, the new owner and the Town Board needs to determine the conditions for the operation under a new owner.

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

- Mueller introduced himself as an Associate with Re/Max results. He is the owner/founder of The Move Group.
- Mueller stated he is buying the Mini Mall as an investment. He will be renaming the store "Station 86 – Fuel & Spirits."
- He has big plans for the remodeling of the mini mall and 24-hour gas pumps. He will apply with Dakota County to sell off-site wine and spirits. He will apply for a cigarette license if he decides he is going to sell cigarettes.
- Mueller stated that he will have a little lunch counter that his mother will manage.
- Mueller stated he is aware that the County will be doing a total reclamation of County Road 86, thus it may not make sense to remodel and re-open the store when the road will be torn up for a couple of years. He believes having a new road, will increase traffic thus increase sales at the mini mall.
- Mueller stated he wanted to have a public hearing now, so he gets a sense of what the neighbors and the Town Board want to see in that location.
- Mueller stated he will continue to keep the gas pumps operational, even though the store will remain closed for the foreseeable future.
- Mueller stated he doesn't plan to apply for a new conditional use permit until he is ready to open the store, maybe two or three years in the future. Depends on road construction and unforeseen circumstances. .
- Micheal Schoeder - 32115 Canada Avenue – Northfield, MN
  - Micheal stated that a convenience store in the village of Castle Rock is wanted and needed by the local property owners, otherwise a gallon of milk or carton of eggs requires a ten-mile tip to the nearest grocery store. Prior owners had difficulty with staffing, so often times it was closed, so the locals got so that they could not depend on the store to be open.
  - Gas pumps are appreciated and used by the locals including the local farmers and/or those using the grain elevator.

## **PLANNING COMMISSION VOTE:**

The Planning Commission recommends Station 86 Gas & Spirits vision, but request Mr. Mueller return to the Township when he is has details as to the operation of Station 86. Conditionals will be determined at that time.

## **TOWN BOARD DECISION:**

When Mr. Meuller is read to open Station 85, he should contact the Town Clerk set up a work session to set conditions.

Elizabeth Wheeler – Waterford Township Clerk

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** WORK SESSION – Off-Site Graber Wrestling Academy

**DATE & TIME:** October 29, 2019 **Start Time:** 4:30 p.m. **Adjourn Time** 5:23 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Larry Odegard - Supervisor; Frank Wergin-Supervisor; Elizabeth Wheeler - Township Clerk

**ATTENDEES:** Jesse & Deb Graber

ITEM	DISCUSSION	ACTION
	Meeting Notice was posted on the Town Hall door on October 23, 2019  Notice was uploaded to the <a href="http://waterfordtownshipmn.org">waterfordtownshipmn.org</a> website on October 23, 2019.	No action necessary.
Call to Order	Chairperson/Supervisor Liz Messner called the Work Session Meeting to order at 4:30 p.m.	A motion was made by Supervisor Odegard and seconded by Supervisor Wergin to open the Work Session. All in favor. Motion carried.
Tour of Building  Interim Use Permit from October 2017	Jesse & Deb Graber gave the Town Board a tour of the building including the wrestling area, weight lifting area, second floor meeting room, first floor office and lounge.  Chairperson/Supervisor Messner stated the Town Board has not received any complaints. The only item Messner had a concern about was the surveying of the two parcels into one parcel as required by the IUP.  Jesse & Deb explained they are unable to survey the two parcels into one parcel due to insurance coverage.  Wrestling Academy is a commercial business thus requires a commercial business policy.  The Graber's primary dwelling requires a homeowner's policy.  Messner stated that the IUP would need to be amended – contact Wheeler to schedule.  Messner stated a buildable site would need to be determined by the Planning Commission.  Clerk Wheeler stated she has been scouting out locations in Waterford Township that the Township	Report only – no action required.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>could hold their Township meetings should the 1882 School/Town Hall building be donated.</p> <p>Graber's stated that some nights are not wrestling nights, thus if the Township is able to change their meeting night, the Township could use the Wrestling Academy building for meetings.</p> <p>Wheeler stated that the stairs to the meeting rooms on the 2<sup>nd</sup> floor would rule out that option for the Township.</p>	
ADJOURN		
Adjourn the meeting		<p>A motion was made by Chairperson/Supervisor Messner and seconded by Supervisor Odegard to adjourn the Work Session at 5:23 p.m. All in favor. Motion carried.</p>

Recorded & Transcribed by:



Elizabeth Wheeler – Township Clerk

Attest:

Liz Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** November 12, 2019 **Start Time:** 7:00 p.m. **Adjourn Time:** 9:03 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Frank Wergin – Supervisor; Elizabeth Wheeler-Town Clerk; Charlene Klemenhausen- Treasurer; Jane Dilley – Deputy Treasurer

**MEMBERS ABSENT:** Commissioner Slavik was scheduled but unable to make the meeting.

**OTHERS IN ATTENDANCE:** Jerry Wicklund, Marie Struss, Jake Chapek–Dakota County, Scott Qualle - MNSPECT

ITEM	DISCUSSION
Call to Order – Pledge of Allegiance	At 7:00 p.m. Chairperson/Supervisor Messner called the meeting to order.
<p>A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO ACCEPT REGULAR AGENDA AS PRESENTED. All in favor – motion carried.</p> <p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO ACCEPT THE CONSENT AGENDA AS PRESENTED. All in favor – motion carried.</p>	<p>Board members to add the following to the agenda: None</p> <p>A consent agenda groups the routine, procedural, informational and self-explanatory non-controversial items typically found in an agenda. These items are then presented to the board in a single motion for an up or down vote after allowing anyone to request that a specific item be moved to the full agenda for individual attention. Other items, particularly those requiring strategic thought, decision making or action, are handled as usual.</p>
<b>REPORTS &amp; PRESENTATIONS</b>	
Dakota County Jake Chapek – Project Manager	<p>Chapek provided an update on the progress for the County Road 86 reconstruction project. The focus of the presentation was the Castle Rock Village area along the south side of County Road 86. The exhibits showed the intended design and the anticipated construction phasing/detours.</p> <p>Up until recently the County had intended on including include sidewalks in the design to help facilitate residents safely within this area. Due to constrained rights of way, challenging grades, neighboring impacts, and the lack of pedestrian destinations, the sidewalks were removed from the design. Removing the sidewalks from the project will decrease impacts to residents and decrease (or eliminate) the need for right-of-way acquisition for some in-town parcels.</p> <p>Chapek reported that the County is at approximately 60% design status and will be hosting a late fall open house to provide an update to the community.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
	<p>Additional updates include:</p> <ul style="list-style-type: none"> <li>• Dakota County is continuing to work with CP Rail regarding the replacement of the existing trestle bridge. Intent is to continue to replace the bridge with the CR 86 reconstruction.</li> <li>• Right-of-way and appraisals are ongoing. Appraiser has been meeting with corridor parcel owners regarding the necessary acquisitions. The in-town parcels were delayed due to the design change. Intent is to go to County board on December 17, 2019 to approve first offers.</li> <li>• Construction is still scheduled for 2021-2022</li> <li>• County will barricade all Township roads during construction and detour traffic.</li> <li>• Fall 2020 – Bid</li> <li>• Start 2021</li> <li>• The environmental review is ongoing and potential for field reviews this fall. Consultant, HDR, are doing field research along the corridor.</li> </ul>
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>	
<p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO DENY THE CONDITIONAL USE PERMIT FROM JOSEPH MUELLER, NEW OWNER OF THE CASTLE ROCK MINI MALL AND ISSUE A LETTER OF UNDERSTANDING DRAWN UP BY THE TOWNSHIP ATTORNEY AND RETURN ALL FUNDS EXCEPT FOR THE ATTORNEY FEES INCURRED BY THE TOWNSHIP. All in favor – motion carried</p>	<p>Clerk Wheeler reported that on October 7, 2019 the Board meet with Mr. Joseph Mueller, soon to be new owner of the Castle Rock Convenience Store from 10:00 am to 11:00 a.m. The Board told Mueller that he would need to submit a Conditional Use Permit application and a deposit of \$2,000 to schedule a public hearing before he could re-open the store.</p> <p>Mueller submitted application and deposit October 14, 2019. Wheeler published the public hearing on October 16, 2019 in the Northfield News and notified all property owners within ¼ mile of the Convenience Store – 44 post cards were sent – included both Waterford &amp; Castle Rock property owners.</p> <p>Public Hearing was held on October 29, 2019 at 7:00 p.m. Wheeler checked the post office box at 4:15 p.m. on day of hearing – no mail. Wheeler checked email just before meeting, no emails received to be read at public hearing.</p> <p>Attendance: Marie Struss, Paul Little, Liz Wheeler, Joseph Mueller, Charlene Klemenhagen, Jane Dilley, Liz Messner, Frank Wergin &amp; Larry Odegard plus one couple from Castle Rock village ( ) – did not get the name.</p> <p>Mueller presented information:</p> <ul style="list-style-type: none"> <li>• The store will be a family affair utilizing relatives and family members to keep the store open and services available. His mother will manage the store and his kids will have future jobs.</li> <li>• Plan is to open in phases as soon as possible starting with the pumps. Cost \$75,000 to fill the tanks, so no small investment.</li> <li>• Liquor and cigarettes will be part of the products sold. Liquor, cigarettes and gas will ensure viability. Groceries will be standard convenience store products.</li> <li>• Branding – changing the name of the store to “Station 86”. Mueller was born in 1986 and the road in front of the store is County Road 86. All signage will reflect the new name.</li> <li>• Property will be maintained in better condition than in the past with security systems, lights on awnings, landscaping, etc.</li> <li>• Aware of road construction for the next two years so the opening will be done in phases until the road construction is complete sometime in 2022.</li> <li>• Small kitchen will allow for fast food type convenience for customers.</li> <li>• Office space will be used to manage the store and pumps.</li> </ul>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p>Motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin TO HAVE DAKOTA COUNTY ISSUE ALL CIGARATEE LICENSES JUST AS THEY DO ON-SALE AND OFF - SALE LIQUOR LICENSES. All in favor – motion carried</p>	<p>On property owner ( _____ ) attended the public hearing. They supported the store re-opening and stated Castle Rock needs the convenience store and gas pumps. However, the last owner was not reliable in store hours, products, gas, etc. making it frustrating. Wants this new owner to have consistent hours and have a supply of gas at all times.</p> <p><u>Paul Little, co-chair of the Planning Commission</u> discussed the results of the public hearing and finding nothing negative, all positive, the Planning Commission voted to recommend the issuance of a Conditional Use Permit at their next meeting on November 12, 2019.</p> <p>Wheeler reported on November 7, 2019 she emailed the conditional use permit to the Town Attorney for review. Township Attorney responded on November 12, 2019 – the day of this meeting. Attorney stated that the Town Board can not require a Conditional Use Permit for this property because the first owner and the second owner did not have Conditional Use Permits. Therefore, regardless of the timeline between owners, the Township cannot make the property other than what it was prior to the 2001 Zoning Ordinances.</p> <p>The Attorney recommends the Township decline the application, return all money to the applicant. Reason is that the Township told Mueller that in order to open the Store he would need to apply for a Conditional Use Permit and have a Public Hearing. Applicant did as he was asked, but the new store owner is allowed to buy the property and operate as the previous owners operated without seeking Board approval or required to have a Conditional Use Permit (CUP) when the prior two owners did not have a CUP.</p> <p>The Attorney drafted a Letter of Understanding and recommends sending Mr. Mueller the letter. The letter clearly states that Mr. Mueller can operate his store in the same fashion as the prior owners, but if any changes in operation are desired Mr. Mueller must come to the Board to discuss before implementing any changes.</p> <p>Chairperson/Supervisor Messner is recommending that the Township discontinue issuing Cigarette Licenses. The Township cannot afford to issue the license and conduct periodic sting operations dealing with tobacco to confirm retailers in the area are doing their part to prevent minors' access.</p> <p>Messner stated that the County is staffed with Sheriff to perform such sting operations – the Township would have to hire the sting operations to ensure legality and enforceability.</p> <p>Clerk Wheeler will follow up with County and the Attorney to ensure the hand off to the County is completed. May require addition Board action to complete.</p>
<p><b>REGULAR AGENDA</b></p>	
<p>A motion (M2019-xxx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO ADOPT RESOLUTION 2019-XXX FOR BUILDING OFFICIAL AND INSPECTIONS SERVICES AGREEMENT AND CONTRACT FROM 01/01/2020 THRU 12/31/2022. All in favor, motion carried.</p>	<p>Scott Qualle, Building Official for the Township since March of 2014 discussed the following:</p> <ul style="list-style-type: none"> <li>• MNSPECT provides both commercial and residential building inspection services. With a business district and solar gardens, it is necessary to have commercial credentials.</li> <li>• MNSPECT offers full services including comprehensive plan review, inspections ensuring code compliance, efficient service delivery, software to streamline Township administration, technical code support, mandated State compliance reporting.</li> </ul>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p>A motion (M2019-xxx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO ADOPT RESOLUTION 2019-0X APPOINTING WATERFORD RESIDENT STEVE WHEELER AS ROAD STEWARD EFFECTIVE IMMEDIATELY. All in favor, motion carried.</p> <p>A motion (M2019-xxx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPOINT JERRY WICKLUND TO THE ROAD COMMITTEE. All in favor, motion carried.</p> <p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO APPROVE RESOLUTION 2019-XXX ADOPTING A SNOW AND ICE CONTROL POLICY EFFECTIVE IMMEDIATELY. All in favor, motion carried.</p> <p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO SIGN THE MEMORANDUM OF UNDERSTANDING FOR THE NOXIOUS WEED AND INVASIVE PLANT GRANT AS REQUIRED AS PART OF THE GRANT APPLICATION. All in favor, motion carried.</p>	<ul style="list-style-type: none"> <li>• The current three-year contract with MNSPECT is due to expire December 31, 2019.</li> <li>• Permit fee schedule will continue as adopted by the Township on April 1, 2014.</li> </ul> <p>Clerk Wheeler stated that she works with MNSPECT frequently. MNSPECT staffing is extremely responsive and helpful. The software system implemented this year has been a time saver.</p> <p>Waterford resident Steve Wheeler will be responsible for the following:</p> <ul style="list-style-type: none"> <li>• Management of all services agreements for the Township</li> <li>• Road Budget</li> <li>• Prepare five-year road budget</li> <li>• Prepare five-year road maintenance plan</li> <li>• Computerized data base of expenditures per road</li> <li>• Competitive quotes</li> <li>• Work orders</li> <li>• Reconciliation of contractor invoices,</li> <li>• Taxpayer complaints,</li> <li>• Management of the day to day road activities</li> </ul> <p>Road Steward Wheeler recommends appointing Jerry Wicklund to the Road Committee. Wheeler stated that Wicklund had served on the committee in past and wishes to be re-appointed.</p> <p>Road Steward Wheeler stated it is in the best interest of the Town to develop a policy to set out how snow and ice control activities will be conducted on town roads considering the limited maintenance budget. Wheeler stated he utilized the Minnesota Township Association recommended sample policy to prepare the policy for adoption by the Board.</p> <p>Wheeler stated the policy will be helpful for the taxpayers to understand when snowplowing will begin (snow accumulation of three inches or more), mailbox standards and when the contractor will replace/repair a damaged mailbox, objects in the rights of way, depositing snow in the rights of way, complaint, requests and comments, etc.</p> <p>Road Steward Wheeler reported that early in November he was made aware of an opportunity to participate in a Minnesota Department of Agricultural (MOA) Grant program by way of a Collaborative with Bridgewater, Greenvale, and Northfield Townships. The first meeting was November 8, 2019. A Memorandum of Understanding signed by all four Townships is required to make a Grant Application. Wheeler recommends the Board signs the Memorandum as presented.</p> <p>Wheeler stated that the Grant is due by November 25, 2019. The tight time line to write a grant for \$50,000 for four Townships will be challenging, but should the Townships receive the grant, Waterford Township will be able to establish a Noxious Weed Program, establish a database of Wild Parsnip in the 16 miles of Town Road Rights of Way and treat Wild Parsnip for two years. The grant</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p>A motion (M2019-xxx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE THE PURCHASE OF A VIEWSONIC 3600 LUMENS SVGA HIGH BRIGHTNESS PROJECTOR FOR THE TOWN HALL TO BE USED FOR ALL BOARD MEETINGS All in favor, motion carried.</p> <p>+</p>	<p>requires the Township to incur the expenses and submit receipts and justification at the end of two years for grant reimbursement.</p> <p>Property &amp; Project Committee member Steve Wheeler researched at the Boards direction an overhead projector to be used by the Town Board for all meetings.</p> <p>Benefits to purchase of a projector</p> <ul style="list-style-type: none"> <li>• The Township spends staff time, paper and ink to prepare multiple Board packets, only to be shredded at the end of the meetings.</li> <li>• Audience can follow along. Everyone will be looking at the same material at the same time.</li> <li>• Projector can be used to present the Annual Power Point at the Annual Meeting in March.</li> </ul> <p>Wheeler researched options and recommends a Viewsonic 3600 Lumens SVGA High Brightness projector. Wheeler stated you can certainly spend more, but without knowing whether the Board and audience will find the overhead projector during a Board meeting helpful or not, Wheeler would not recommend spending more money. If the project is successful, the Board can always authorize an upgrade.</p> <p>Wheeler also stated that he held off purchasing a computer to run the projector until the projector is determined to be useful. Wheeler will bring his personal computer to the Board meetings for a few months. If the project is a success, the Board can authorize a purchase of a computer specific for the projector.</p>
<p>A motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Odegard TO AUTHORIZE ROAD STEWARD WHEELER TO MEET WITH THE MACK &amp; FISCHBACK TO RESOLVE LINE OF SIGHT COMPLAINT, GET QUOTE FROM CANNON VALLEY TREE SERVICE FOR TRIMMING AND OR REMOVE OF SHRUBS/BRUSH IN THE RIGHT OF WAY. All in favor, motion carried.</p>	<p>Supervisor Wergin reported that the complaint from Fischback has not been resolved because Dale Kuchinka (prior brush cutting contractor) has not called. Wergin believes it has become too late in the season for Kuchinka to do brush cutting and or removal.</p> <p>Wergin reported that when the Fischbacks came to the Board on September 9, 2019 stating that the Mack's shrubs were causing a line of sight issue when he backs out of his driveway. Wergin went to the Mack property and measured the right of way. The shrubs are in the right of way. The shrubs need to be trimmed and or removed.</p> <p>Wergin is requesting that Road Steward Wheeler meets with Fischback regarding the complaint and call Cannon Valley Tree Service to get a quote to have the shrubs/brush on the Mack property trimmed back and or removed.</p>
<p>A motion (M2019-xxx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO ACCEPT THE \$2,500 DONATION FROM WATERFORD RESIDENT MARIE STRUSS TO BE USED TO PAY EXPENSES TO HOLD A TOWNSHIP CELEBRATION AND DIRECT THE TREASURER TO TRANSFER THE FUNDS FROM CHECKING TO SAVINGS. All in favor, Motion carries.</p>	<p>Treasurer Klemenhagen reported to the Board that Waterford resident Marie Struss gave her a check for \$2,500 to be used to pay expenses for a social celebration sometime in the future. Perhaps after the Township resolves the Town Hall remodeling and or building question.</p> <p>Everyone in the room thank Struss for her generosity and all are looking forward to a party.</p>




# WATERFORD TOWNSHIP

ITEM	DISCUSSION
	<p>Wheeler suggested the Board consider a three contract with Bryce Otte of Otte Excavating for Ditch Mowing for multiple reasons:</p> <ul style="list-style-type: none"> <li>• Otte mowed the Township right of ways last year and did a good job.</li> <li>• Otte is the only contractor in the area with equipment that can mow fourteen-foot swath in one pass instead of two passes.</li> <li>• The Noxious Weed Grant, should the Collaborative receive the award, will cover some or all of the cost of mowing the ditches twice per year for the next two years as part of the Wild Parsnip weed management program.</li> </ul> <p>Road Steward Wheeler suggested to the Board they consider a three-year contract with Otte Excavating for ditch mowing twice per year.</p> <p>Board authorized Wheeler to negotiate on behalf of the Board and bring a contract back to the Board for review and approval.</p>
COMMITTEE REPORTS	
<i>Budget Committee – Marie Struss</i>	<p>Budget Chairperson Struss reported three items:</p> <ul style="list-style-type: none"> <li>• Budget meeting was November 9, 2019</li> <li>• Next Budget meeting is December 14, 2019 at 1:00 p.m.</li> <li>• Joint Work Session – scheduled – 12/14/19 – several items: Board of Audit, year-end, Accounting Module, Annual Meeting, 2021 Budget &amp; Tax Levy.</li> </ul>
<i>Road Committee – Steve Wheeler</i>	<p>Road Steward Wheeler reported on two items:</p> <ul style="list-style-type: none"> <li>• Wheeler reported he met with TJ Grossman, the new Road Maintenance contractor on November 1, 2019 to drive the roads and discuss snow plowing etc.</li> <li>• Wheeler reported the Board had asked Wheeler at the October 29, 2019 Special Meeting to have the new contractor grade south Canada Avenue, North Dresden Avenue and Burma Avenue as soon as possible before the ground freezes. Wheeler reported he talked with the Grader operator about the depth of the teeth used to get under the pot holes. Wheeler watched the process. Reports have been positive from residents. The work was done on the 4<sup>th</sup> and the pot holes have yet to return as of today.</li> </ul>
<i>Project &amp; Property Committee – Elizabeth Wheeler</i>	<p>Project Chair Wheeler reported that the Planning Commission zoning reviews and public hearings are now scheduled as much as possible during the Project &amp; Property Committee time slot, thus the Committee has not been meeting regularly. Wheeler suggests it may be necessary to find another date and time so as to work on the Town Hall project.</p> <p>Wheeler will talk to all committee members to find an alternate time and date.</p>
<i>Elections – Elizabeth Wheeler</i>	<p>Wheeler reported that she and four other election judges attended a November 17, 2019 meeting at Dakota County on the upcoming 2020 elections. Training for all election's judges for the March 3, 2020 Super Tuesday Presidential Primary election will be mandatory. Training will be announced by the County in January.</p>
<i>Bridge Grant – Elizabeth Wheeler</i>	<p>Wheeler reported that the MHS Committee will be reviewing grant applications on November 15<sup>th</sup> and 16<sup>th</sup>. The Committee is charged with making recommendations for grant funding. The grant process is very competitive and there are more requests than there is money available. Wheeler stated she plans to live stream the Committee review to hear what the committee might have to say about the Township Grant. Wheeler will</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<i>Zoning Amendments – Elizabeth Wheeler</i>	report to the Board in December. The Township will get a letter in mid-December should we get the Grant for phase one - \$343,818.  Wheeler recommends that the Phase 4 Zoning Ordinance amendments for the non-conforming businesses in the Township be deferred till fourth quarter of 2020.
<b>CITIZEN COMMENTS</b>	
	N/A
<b>TOWN BOARD REPORTS</b>	
	N/A
<b>ADJOURN</b>	
Adjourn the meeting – 8:38 p.m.	All in favor

Transcribed by:

  
 Elizabeth Wheeler – Township Clerk

Attest:

\_\_\_\_\_  
 Elizabeth Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Waterford Township Monthly Meeting

**DATE & TIME:** December 9, 2019 **Start Time:** 7:03 p.m. **Adjourn Time:** 9:12 p.m.

**MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Frank Wergin – Supervisor; Larry Odegard – Supervisor; Elizabeth Wheeler-Town Clerk; Charlene Klemenhagen- Treasurer;

**MEMBERS ABSENT:** Jane Dilley – Deputy Treasurer

**OTHERS IN ATTENDANCE:** Jerry Wicklund, Marie Struss, Paul Little, Karl & Christy Brockton, Rebecca Lippert of Edina Realty

ITEM	DISCUSSION
Call to Order – Pledge of Allegiance	At 7:03 p.m. Chairperson/Supervisor Messner called the meeting to order.
A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO ACCEPT REGULAR AGENDA AS PRESENTED. All in favor – motion carried.  A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO ACCEPT THE CONSENT AGENDA AS PRESENTED. All in favor – motion carried.	Board members to add the following to the agenda: None  A consent agenda groups the routine, procedural, informational and self-explanatory non-controversial items typically found in an agenda. These items are then presented to the board in a single motion for an up or down vote after allowing anyone to request that a specific item be moved to the full agenda for individual attention. Other items, particularly those requiring strategic thought, decision making or action, are handled as usual.
<b>REPORTS &amp; PRESENTATIONS</b>	
None	
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>	
A motion (M2019-0xx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO APPROVE A NEW HOME ON PARCEL #41-01600-52-010 FOR KARL & CHRISTY BROCKTON ON THE CONDITIONS THAT BOTH DAKOTA COUNTY SOIL & WATER AND DAKOTA COUNTY ENVIROMENTAL RESOURCES APPROVES THE NEW HOME PROJECT BASED ON	Paul Little – Co-Chair of the Planning Commission reported that the Planning Commission met on December 9, 2019 from 5:00 p.m. to 5:30 p.m. to review two building projects.  1. Applicant: Karl & Christy Brockton 29120 Chippendale Parcel #41-01600-52-010 Zoning Ordinance compliance for new home  Little stated that Planning Commission reviewed the building permit application documents (found in Board packet) to build a new home with conditions. Conditions include: approval from the Dakota County Soil & Water

**WEBSITE:** [waterfordtownshipmn.org](http://waterfordtownshipmn.org) **EMAIL:** [waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com)  
**3847 321<sup>ST</sup> St. W. – P.O. Box 531 - Northfield, MN 55057**  
**PHONE: 651-346-8467 (leave a message – clerk will return your call)**  
**REGULAR BOARD MEETING – DECEMBER 9, 2019**

# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p>WETLAND/FLOODPLAIN DELINATION AND SEPTIC-WELL DESIGN AND PLACEMENT. FINAL PLACEMENT OF THE HOME MUST BE WITHIN THE SETBACK REQUIREMENTS OF THE TOWNSHIP ZONING ORDINANCE BEFORE THE TOWN CLERK CAN ISSUE A BUILDING PERMIT. All in favor – motion carried</p> <p>A motion (M2019-0xx) was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE A 24' x 32' POST FRAME BUILDING ON PARCEL #41-01900-76-030 FOR DALE &amp; KATHLEEN SILKEY-LARSEN TO BE USED AS A GARAGE AND PERSONAL STORAGE. All in favor – motion carried.</p> <p>Motion (M2019-xxx) Resolution R2019-xxx was made by Supervisor Odegard and seconded by Supervisor Wergin TO APPROVE RESOLUTION R2019-XXX AMENDING ZONING ORDINANCE AMENDMENT 2001-5C, SECTION VII 7.25 SUBSECTION E BY ADDING A SEVENTY-FIVE FOOT SETBACK FROM THE MIDDLE OF A TOWN ROAD TO THE ZONING ORDINANCE. All in favor – motion carried</p> <p>Motion (M2019-xxx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO <b>TABLE</b> THE LYMAN SOLAR APPLICATION UNTIL DECEMBER 27, 2019 AT 9:00 A.M. SPECIAL SESSION TO ALLOW THE TOWNSHIP ATTORNEY AN OPPORTUNITY TO REVIEW THE INTERIM USE PERMIT AND THE ESCROW AGREEMENT. All in favor – motion carried</p>	<p>department due to wetland and floodplain issues associated with the parcel and approval from Dakota County Environmental Resources for design and placement of both the well and septic systems. Final placement of the home must still meet the Township Zoning setbacks before a building permit can be issued by the Township.</p> <p>2. Applicant: Dale &amp; Kathleen Silkey-Larsen 31948 Dahomey Parcel #41-01900-76-030 Zoning Ordinance compliance for post frame building</p> <p>Little stated that Planning Commission reviewed the building permit application documents (found in Board packet) to build a 24' x 32' post frame building to be used as a garage and personal storage. Commission recommends the building project as it meets all Zoning Ordinance setbacks and requirements.</p> <p>Little, Co-Chair of the Planning Commission reported that the Planning Commission met on December 9, 2019 from 5:30 p.m. to 7:00 p.m. to review Zoning Amendment and an application for a Solar Garden.</p> <p>1. Amendment to Zoning Amendment 2001-5C passed May 15, 2015 to be consistent with building/structure setbacks within the Township. 2. Add a 75-foot setback from a Town Road</p> <p>Clerk Wheeler reported that she published the Public Hearing for the amendment in the Northfield News on November 27<sup>th</sup>. Because this was a district wide amendment not a property specific amendment, the publication in the Northfield News meets the legal requirements.</p> <p>Little reported that there was no public comment against making the frontage setback to a Town Road consistent with other frontage setback language in the Zoning Ordinances, thus the Planning Commission recommends the amendment.</p> <p>Clerk Wheeler reported that she published the Public Hearing for the Interim Use Permit to build a 1MW Wholesale Solar Electric System on Parcel # 41-03000-52-010 (Lloyd Christenson property). Wheeler reported that she sent out 28 postcards to surrounding property owners as well as advertised in the Northfield News on 11/27/19 meeting the legal notification requirements.</p> <p>Wheeler reported she did not get any phone calls nor U.S. mail regarding the project. Wheeler read the email from Jesse &amp; Deb Graber as they were unable to attend the public hearing. "My only thoughts are they are to maintain the ditches, trees, shrubs, etc. along the entire road. It needs to look presentable."</p> <p>Wheeler reported attendance at the hearing included Karl &amp; Christy Brockton, Rebecca Lippert, Liz Messner, Larry Odegard, Frank Wergin, Alex Conzemius, Dan Rogers (Lyman Solar), Nick Bell (Lyman Solar), Marie Struss, Paul Little, Andy Devney, Theresa Bentz, Elizabeth Wheeler.</p>

# WATERFORD TOWNSHIP

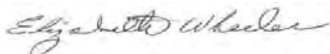
ITEM	DISCUSSION
	<p>Little reported that Alex Conzemius, Bolton &amp; Menk Planner has reviewed all the documents in the Board packet and recommends they meet the requirements for building a one-megawatt Solar Garden. Bolton &amp; Menk prepared the Interim Use Permit for Board approval. Decommissioning terms, amount and type are at the Boards discretion.</p> <p>Little reported that the Public Hearing yielded no public comment against the project and the project meets all Zoning Ordinances. The Commission recommends the project as meeting all Zoning Ordinances with a 36-year term with an escrow for de-commissioning.</p> <p>The Board discussion resulted in tabling the application until December 27, 2019 at 9:00 a.m. to allow the Township Attorney time to review and recommend any changes to the Interim Use Permit and the escrow agreement.</p>
REGULAR AGENDA	
<p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO SIGN THE AMENDMENT TO THE JOINT POWERS AGREEMENT TO PROTECT AND MANAGE THE NORTHERN CANNON RIVER WATERSHED. All in favor, motion carried.</p>	<p>Clerk Wheeler reported that she received Joint Powers Agreement #2000 from Brian Watson of the Dakota County Soil &amp; Water. The original agreement was signed by eleven townships including Waterford back in 2000. The agreement will end the end of December unless an amendment signed by all eleven Township to extend the agreement another year giving the Townships time to determine the future of the joint powers.</p>
<p>A motion (M2019-xxx) was made by Supervisor Wergin and seconded by Supervisor Odegard TO APPOINT BRETT STADLER TO THE ROAD COMMITTEE. All in favor, motion carried.</p>	<p>Both Road Steward Wheeler and Supervisor Wergin talked to Brett Stadler about joining the Road Committee to represent the Village. Stadler agreed to join the committee. Wheeler recommends the appointment.</p>
<p>A motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin TO ACCEPT A \$100.00 DONATION FROM CARLSON CAPITAL MANAGEMENT TO BE USED FOR BRIDGE RESTORATION. BOARD AUTHORIZES TRANSFERING THE \$100 FROM CHECKING TO SAVINGS. All in favor, motion carried.</p>	<p>Carlson Capital Management (Northfield firm) donated \$100.00 to be used for Bridge Restoration in recognition of the Town Clerk's recent Leadership Award.</p>
<p>A motion (M2019-xxx) was made by Chairperson/Supervisor Messner and seconded by Supervisor Wergin AUTHORIZES TRANSFERING \$2,883.45 (MARKET VALUE CREDIT – AGRICULTURE) FUNDS RECEIVED FROM THE STATE OF MINNESOTA FROM CHECKING TO SAVINGS PER RESOLUTION R2018-09. All in favor, motion carried.</p>	<p>R2018- as part of the goal of financial health, stability and accountability has established a <b><u>non-earmarked general reserve fund</u></b> requiring the Township to deposit all funds received by the Township from the State, County and City (examples: production tax, annexation payments, local government aid, market value, aggregate tax, town aid), into the non-earmarked general reserve fund, until the non-earmarked general reserve fund equals at least \$100,000 – May 14, 2018.</p>



# WATERFORD TOWNSHIP

ITEM	DISCUSSION
<p><i>Project &amp; Property Committee – Elizabeth Wheeler</i></p> <p><i>Elections – Elizabeth Wheeler</i></p> <p><i>Bridge Grant – Elizabeth Wheeler</i></p> <p><i>Zoning Amendments – Elizabeth Wheeler</i></p>	<p>amounts are small and the work done by the contractors has been more than satisfactory. Board agreed.</p> <p>Planning Commission zoning reviews and public hearings are now scheduled as much as possible during the Project &amp; Property Committee time slot, thus the Committee has not been meeting regularly. Wheeler suggests it may be necessary to find another date and time so as to work on the Town Hall project.</p> <p>Wheeler will talk to all committee members to find an alternate time and date. The meetings will be necessary to prepare a Cost Benefit Analysis as well as prepare for the power point presentation for the March Annual Meeting.</p> <p>Wheeler reported Dakota County and the State will be require Super Tuesday training for all judges. Without the training the judges will not be able to work on March 3<sup>rd</sup>. Several training dates will be set up for January. As soon as Wheeler knows the dates, she will contact all judges.</p> <p>MHS Committee review and recommendations happened on November 14<sup>th</sup>. Wheeler was able to listen to a recording when the Committee discussed the Township’s grant application for \$342,818. A couple of committee members had concerns that the Township was not contributing cash toward their own bridge, just in-kind of \$52,500 but otherwise the review was positive and the committee recommended the grant be awarded to the Township. Not official until the Township gets a letter in mid-December. Grants are very competitive and this was a large grant for MHS. Will need to more clearly address the “cash” issue by more clearly citing the “loan” and past contributions in future grant applications. If Township gets grant, Wheeler will be meeting with the County to find additional grants and possible funding sources to help move the project along. In addition, the next MHS grant may hinge on “other” grant efforts.</p> <p>Wheeler is requesting that the Township take a break from the Zoning Ordinance amendments project until sometime in 2020. Phase four, taking care of loose ends and non-conforming properties can wait for a few months. The four-phase project was necessary because the last Zoning Ordinance was written twenty years ago and was in need of updating to address several outdated issues that occur over the course of time. Phase four can wait till next year and the next budget cycle.</p>
<b>CITIZEN COMMENTS</b>	
	N/A
<b>TOWN BOARD REPORTS</b>	
	N/A
<b>ADJOURN</b>	
Adjourn the meeting – 9:12 p.m.	All in favor

Transcribed by:



Elizabeth Wheeler – Township Clerk

Attest:

Elizabeth Messner - Chairperson/Supervisor

# WATERFORD TOWNSHIP



*"where the path from the past and the future meets"*

**MEETING:** Planning Commission – Zoning Reviews

**DATE & TIME:** December 9, 2019 **Start Time:** 5:00 p.m. **Adjourn Time:** 5:26 p.m.

**MEMBERS PRESENT:** Paul Little, Andy Devney, Marie Struss, Theresa Bentz,

**OTHERS IN ATTENDANCE:** Elizabeth Wheeler – Board Liaison, Karl & Christy Brockton,

ITEM	DISCUSSION	ACTION
Notifications	Notice was posted for the Planning Commission on the Town Hall door on December 2, 2019.  Notice was uploaded to the Township website at waterfordtownshipmn.org on December 2, 2019.	No action necessary.
Call to Order	Co-Chairperson Paul Little called the meeting to order at 5:00 p.m.	
	<b>ZONING REVIEWS</b>	
Zoning Reviews	Two zoning reviews were conducted:	
KARL BROCKTON PARCEL– 41-00800-26-010	1. Applicant: Karl & Christy Brockton 29120 Chippendale Parcel #41-01600-52-010 Zoning Ordinance compliance for new home  Review & discussion of wetland and floodplain challenges with a new well and new septic system design. Planning Commission can recommend the new home, but setbacks from wetland and floodplain must be determined by Dakota County Environmental Resources for design and placement.  Once those setbacks are determined, then the house must meet Township zoning setbacks.	Little stated that stated that Brockton's new home is approved but a letter from Dakota County approving the well and septic must be received by Town Clerk before permit can be issued.  Little stated that once the Clerk receives the letter from Dakota County she must review the house setbacks to be sure they meet the Township setbacks before Clerk can issue permit. Motion to recommend to Town Board - All in favor – motion carries.
KATHLEEN SILKEY-LARSEN – PARCEL #41-01900-76-030	2. Applicant: Dale & Kathleen Silkey-Larsen 31948 Dahomey Parcel #41-01900-76-030 Zoning Ordinance compliance for post frame building  Review and discussion on a building permit for a 24' x 32' post frame building to be used as a garage and personal storage. Commission recommends the building project as it meets all Zoning Ordinance setbacks and requirements.	Little stated that Silkey-Larsen post frame building meets the setbacks and will be used for personal use only. Motion to recommend to Town Board - All in favor – motion carries.

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
ITEM	DISCUSSION	ACTION
ADJOURN		
Adjourn the meeting		A motion was made by Vice Chairperson Little to adjourn at 5:26 p.m. All in favor. Motion carried.

Transcribed by:



Elizabeth Wheeler – Town Board Liaison

# WATERFORD TOWNSHIP



*"Where the path from the past and the future meets"*

**MEETING:** Public Hearing – Amend Ordinance 2001-5C Section 7.25 E – Wholesale solar setbacks

**DATE & TIME:** December 9, 2019 **Start Time:** 5:30 p.m. **Adjourn Time:** 6:50 p.m.

**PLANNING COMMISSION PRESENT:** Marie Struss, Andy Devney, Paul Little, Theresa Bentz

**BOARD MEMBERS PRESENT:** Liz Messner – Chairperson/Supervisor; Larry Odegard - Supervisor;  
Frank Wergin – Supervisor; Elizabeth Wheeler-Town Clerk;  
Charlene Klemenhagen- Treasurer;

**CONSULTANTS:** Alex Conzemius – Bolton & Menk

**OTHERS IN ATTENDANCE:** Nate Bell (Nokomis Partners for Lyman Solar), Daniel Rogers (Nokomis Partners for Lyman Solar), Jerry Wicklund, Karl & Christy Brockton, Rebecca Lippert, Karen Holz, Ann Schulz, Judy Gumdahl, Steve Wheeler

**Email:** Jesse & Deb Graber

ITEM	DISCUSSION	ACTION
Call to Order	<p>At 5:30 p.m. Vice- Chairperson Paul Little called the Public Hearing to order. Public Comments on two items:</p> <ol style="list-style-type: none"> <li><u>5:30 p.m.</u> -- Amend Ordinance 2001-5C Section 7.25E to be consistent with building/structure setbacks within the Township.</li> <li><u>Immediately following item #1</u> -- Interim Use Permit to build a 1MW Wholesale Solar Electric System on PID# 41-03000-52-010 by Lyman Garden LLC on behalf of Lloyd Christenson.</li> </ol>	Little, Struss, Devney, Bentz and - a quorum was declared.
Clerk Wheeler published the Public Hearing notice in the Northfield News on 11/27/2019.	<p>Clerk Wheeler reported that she published the Public Hearing for the amendment in the Northfield News on November 27<sup>th</sup>. Because this was a <u>district wide amendment not a property specific amendment</u>, the publication in the Northfield News meets the legal requirements.</p> <p>Wheeler reported that for the Interim Use Permit (IUP) she mailed out 28 post cards to surrounding parcels as required in Township Zoning Ordinan on November 27, 2019.</p> <p>Wheeler reported she did not receive any phone calls nor U./S. mail regarding. Wheeler reported she received one email from Jesse &amp; Deb Graber.</p>	None

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
<b>PLANNING COMMISSION &amp; PUBLIC HEARING</b>		
<p>Amend Ordinance 2001-5C Section 7.25E to be consistent with building/structure setbacks within the Township.</p> <p><i>Interim Use Permit - One megawatt Solar Array – Parcel #41-03000-52-010</i></p>	<p>Board Liaison Wheeler reported that the Township received a Zoning Ordinance Amendment application signed on November 12, 2019 by Waterford Township land owner Lloyd Christenson and by Nate Bell of Nokomis Partners to amend Zoning Ordinance 2001-5C Section VII 7.25 E Wholesale Solar Electric Systems setbacks.</p> <p>Zoning Ordinance 2001-5C Section VII 7.25 Section E was adopted on 5/11/15 and published on 5/16/15. The current language was established for <u>two wholesale solar farms that were built adjacent to State Highway 19</u> requiring a 130-foot setback.</p> <p>Alex Conzemius, Bolton &amp; Menk recommended that an amendment be made to Section 7.25 Section E to update the wholesale setbacks to be more consistent with the Township’s setbacks in dimensional standards to 130 from State/County Road and 75 feet from Township roads.</p> <p>No public comment objecting to consistent setbacks.</p> <p>Nate Bell provided an overview of the one megawatt system as well as drainage/stormwater, landscaping, decommissioning documents, etc.</p> <p>Bell stated he has had multiple visit with adjacent property owners regarding the project and concerns they might have.</p> <p>Discussion on drainage during heavy rains. Homeowners stated they have water issues in the subdivision during heavy rains so concern that the solar array has adequate drainage to ensure the drainage problem isn’t made worse.</p> <p>Discussion on changing from a agricultural landscape to a solar array – concerned about their property values. Was suggested better a solar array than a housing project that might be built if the City of Northfield should annex.</p> <p>Clerk read Jesse &amp; Deb Graber’s email: “my only thoughts are they are to maintain the ditches, trees, shrubs, etc. along the entire road. It needs to look presentable”.</p> <p>Discussion on road: Old School Bus road is minimally maintained as it is used by on property owner only. Old School Bus road was a driveway for the original owners of the Graber property. The arrangement was that the township road contractor</p>	<p>Little asked for a motion to recommend an amendment to Zoning Ordinance 2001-5C, Section VII 7.25 E wholesale solar electric system setbacks as drafted by Alex Conzemius, Bolton &amp; Menk. Devney moved; Struss seconded – motion carries.</p> <p>Little asked for a motion to recommend a 36 year Interium Use Permit for a One Megawatt Solar Array with escrow deposi on Parcel #41-03000-52-010 Devney moved; Struss seconded – motion carries.</p>

# WATERFORD TOWNSHIP

ITEM	DISCUSSION	ACTION
	<p>would maintain the driveway to be able to store the road grader there. Thus the driveway became a road the Township maintains even after the road contractor no longer stored the grader there.</p> <p>Discussion on Township needing to continue to maintain the driveway-road. Driveway-road needs upgrading if the Solar Array is built as it will now have traffic other than the one property owner. Bell stated that the road must be snowplowed during the winter so crews can get to the array for normal operations and maintenance.</p> <p>Conzemius stated the he reviewed the application and all documents, found the project to meet Zoning requirements. Conzemius prepared the Interim Use Permit for the project.</p> <p>Discussion on length of IUP. Conzemius stated solar array permits are generally between 35 and 40 years. Conzemius stated that the 36-year request is not unreasonable.</p> <p>Conzemius stated that the Town Board has the sole discretion of setting the decommissioning terms, amount and terms are at Board's discretion.</p> <p>Supervisor Messner stated a \$35,000 escrow that the Township managed would be what she recommends</p> <p>Conzemius of Bolton &amp; Menk prepared the IUP permit for adoption by the Town Board.</p> <p>Clerk Wheeler suggested that the Town Attorney review the IUP before Board adopts.</p>	
<b>ADJOURN</b>		
Adjourn the meeting	Little requested a motion to adjourn the meeting.	A motion was made by Devney, 2 <sup>nd</sup> by Struss meeting at 6:35 p.m. All in favor. Motion carried.

Transcribed by:



Elizabeth Wheeler – Township Clerk