

New Haven Township

OLMSTED COUNTY, MINNESOTA – ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes January 13, 2015

1. Call to Order: The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 7:00 PM by Chair Mary Andrist. Quorum requirements were met with Supervisor Brian Hervey also present. Supervisor Denny Beyer was absent with notice. Also in attendance were Treasurer Bob Figy, Road Maintenance Contractor Mike Wood, Planning and Zoning Administrator Ann Fahy-Gust, and Clerk Dale Thomforde.

2. Set Meeting Agenda and Order: Hervey moved to approve the agenda as written, seconded by Andrist. The motion carried 2-0.

3. Comments from the Chair: Chair Andrist thanked Dale for shoveling the town hall sidewalks.

4. Public Comment Time:

LaMoyne Bruce (9474 County Rd 105 NW) said they got a letter from the County about 2 weeks ago that said they should get to together with the Town Board and discuss Plum Creek. Andrist said received the letter and we sent it to our attorney for review. Our attorney said there was nothing new since the letter in August.

Dave Klann (7143 75th Street NW) wanted to check to see if there is anything they need to do for the cemeteries for the March Annual Meeting. He brought a report letter for the Center Grove Cemetery. Hervey noted we did away with the requirement for a report a few years ago but thanked him for the nice report and all the work they do keeping up the cemetery. Mr. Klann thanked the township for the financial help the township gives them since they couldn't make it without the help. Andrist also thanked him for his work since if they didn't do it, the responsibility would fall back on the township.

5. Minutes for Approval:

December 9, 2014 Regular Town Board meeting written minutes – Hervey moved to approve, seconded by Andrist. The motion carried 2-0.

6. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for December 2014.

The December month-ending account balances are:

General Fund / Road and Bridge Account	\$7,301.54
Money Market Deposit Account (MMDA)	\$174,756.75
Reserves in 1/2/3-year Laddered CDs	\$603,747.98
Total	\$785,806.27

Figy said he will roll over a 12-month CD that matures next month into a 3-year CD. Hervey moved to approve the Treasurer's Report, seconded by Andrist. The motion carried 2-0.

7. Review and Pay Bills: Claims were presented to the Board by the Clerk. Hervey moved to pay all bills, seconded by Andrist. The motion carried 2-0.

Old Business

8. 60th Ave Town-Line Road Agreement: Thomforde presented a second draft of the agreement to the Oronoco Town Board on January 5th. In this draft, each township will handle their side of the road for driveways, field entrances, and tree removal, so that residents will not have to deal with a township they are not a resident of. Chloride will continue to be handled by each township separately. There was a discussion of the language for driveway removals, and decided it was fine as written. Hervey moved to approve the agreement, seconded by Andrist. With no further discussion the motion carried 2-0.

New Business

9. Annexation of 831 County Rd 3 SW property: Ann Fahy-Gust was contacted by Jon Eickhoff, Pine Island City Clerk, regarding the annexation by ordinance of the property. They did follow all of the statute guidelines. They proposed to pay the Township 100% of the tax receipts from the property for two years. By statute, they only have to do that for the current year. If the Town Board agrees with the annexation under these terms, Fahy-Gust will construct a letter to be signed by the Town Board Chair and include a copy of the Town Board meeting minutes approving the annexation. Andrist moved to accept the annexation proposition with 100% of the tax receipts from the property for two years, seconded by Hervey. The motion carried 2-0.

10. Hunting in Keller Quarry / Township property: Andrist has had two people request to hunt in the quarry, neither living in the township, although they have hunted there for many years. There is a concern with hunting in the quarry since work is often going on there. She would prefer to only allow township residents and tax payers to hunt on township land. Hervey said that in the past the policy was the chair person is the key for giving hunting permission and it is at the chair person's discretion to give permission. If we are going to make any change to this policy, he would like to do it when the third supervisor is present.

11. Appoint election judges for March 10, 2015 election: Thomforde presented a list of potential election judges. Hervey moved to approve the list of election judges with the Clerk

selecting those to serve, seconded by Andrisc. The motion carried 2-0. We need resolutions for the supervisors serving as election judges, which will be considered at the February Town Board meeting.

12. Consider resolution to appoint Absentee Ballot Board: Andrisc moved to approve Absentee Ballot Board Resolution #2015-01 appointing Brian Hervey, Denny Beyer, Ann Fahy-Gust, and Dale Thomforde as members of the Absentee Ballot Board. The motion was seconded by Hervey. The motion carried 2-0.

13. Set date for Board of Audit: The Board of Audit was set to be held at 5:30 PM on February 10, 2015, before the February Town Board meeting at 7:00 PM.

14. Miscellaneous Mail – Clerk:

- We did receive a letter from the Olmsted County Attorney regarding Plum Creek, as previously discussed in the Public Comment Time. A copy was sent to the township attorney for review and he said this letter doesn't change anything from the previous letter from the Township to the Corps of Engineers, dated July 20, 2012, notifying them of the termination of the previous agreement with the Corps.
- The candidacy filing period closed today at 5:00 PM. The two incumbents, Mary Andrisc and Robert Figy, filed for the positions of supervisor and treasurer, respectively. No other candidates filed to have their name on the ballots. The election will be on March 10th. The Clerk will order 100 ballots.
- Thomforde has published and posted a call for quotes for road and town hall maintenance. Courtesy copies of the notice have been distributed to the current contractors. All quotes are due by 7:00 PM February 10, 2015.
- Five fire sign applications have been received from residents that expressed an interest in getting signs too late for the 2014 installation. Letters will go out sometime after the annual meeting to all residents that didn't get signs and haven't submitted applications. All applications must be in by July 1 so we can place one order for signs.
- At our request, the County installed a street sign at the corner of 120th Street and 68th Avenue along with a yield sign for those entering from 68th Avenue.
- There is an Olmsted County Association of Townships meeting on January 22 in Oronoco.
- There is a Community Planning Team (CPT) meeting in Pine Island on January 14. The City of Oronoco is now participating in these meetings.
- Thomforde will be filing the annual Workers Compensation Audit with MATIT, including all wages for workers for the township, due by the end of January.

15. Road Report – Mike Wood:

Mike Wood has been plowing snow. He noticed they have been cutting logs along Riverheights Court. He is hoping this time they don't leave the log ends in the ditch. One of the

construction signs on New Haven Road has been side-swiped and Ann will notify the school. Mr. Wood also picked up a TV from the ditch on 110th Ave and brought to the county dump for disposal.

16. Planning & Zoning Report – Ann Fahy Gust:

There were no building permits in December, and one this month for a new house.

No variances requested. There have been a lot of conversations about splits. In a couple of cases the properties have been advertised for sale before the split, which must be finalized before the property can be purchased.

There have been a couple of conversations about Conditional Use Permits (CUPs) for home businesses.

CMS has sent out their new rate structure for inspections. Fahy-Gust didn't think we need to change our rate structure at this time.

New state building codes will coming into place soon, anticipated on January 24th. Changes include sprinklers on homes over 4,200 square feet and unfinished basements must have the ceilings sheet rocked.

The saddle club reported the town hall kitchen curtain is stuck in the up position. Thomforde volunteered to look at fixing it. The saddle club no longer has a key to the town hall since the saddle club member that was a board member is no longer a member of either group. For now they will get a key from Ann or Denny.

Next month Fahy-Gust will have the new burning permits.

17. Adjournment: With no further business before the Board, Chair Andrist adjourned the meeting at about 8:00 PM.

Approved by the Board,

Attest,

Mary Andrist – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

MARK A. OSTREM
OLMSTED COUNTY ATTORNEY
151 4TH STREET SE
ROCHESTER MN 55904-3710



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WITNESS LINE 507.328.7610
EMAIL: COUNTY.ATTORNEY@CO.OLMSTED.MN.US

December 19, 2014

Lamoyne Bruce
Rt. 1, Box 772
Pine Island, MN 55963

Re: Clearing of Culvert Installed Over Plum Creek Causing Flooding and
Damage to County Road 105 Right of Way

Dear Mr. Bruce:

I have been asked by the Olmsted County Public Works Department to contact you concerning the above described matter. Olmsted County is aware that in 1988, you requested and were granted permission by the Minnesota Department of Natural Resources Department to install a culvert in the bed of Plum Creek underneath a driveway to access a homestead which you owned at that time. I am enclosing a copy of the Protected Waters Permit which you were issued at that time, No. 88-5059. The purpose of this permit was for a "stream crossing and erosion control". The permit also clearly indicates that it does not release the permittee from any liability imposed by federal or state law or local ordinances. It goes on to provide that the permit may be terminated by the Commissioner of the DNR if the Commissioner "deems it necessary...in the interest of public health and welfare, or for a violation of any of the provisions of this permit". The permit goes on to state that it is not intended to estop or limit any legal claim or right of action of any person other than the state against the permittee, for any damage or injury resulting from any act or omission...for violation or failure to comply with the permit or applicable provisions of law".

Since the permit was issued in 1988, the area in front of the upstream end of the culvert which you installed has become repeatedly and thoroughly plugged with dead trees and other vegetation. I am enclosing copies of photos of the area in question which were taken on December 2, 2015 as Exhibit A. The County has previously brought to your attention and you are aware that in times of heavy rains and runoff particularly in the spring of each year since that time, the presence of these dead trees and other vegetation has caused water to back up in front of the culvert. This has meant that the water from Plum Creek has risen high enough to overflow the driveway to the residence on the far side of the creek. Since this is the only access into and out of that homestead when this flooding occurs, it makes it impossible for the current homeowner, Terry Glidden, and his family to exit the property in a vehicle as well as making it difficult for fire department and ambulance personnel to enter onto the property in the event of a



fire or an urgent medical emergency. This places the health and safety of the current property owner at risk.

In addition, this flooding caused by this plugged culvert is causing the water at times to overflow County Road 105. This flooding is washing away the slopes supporting the roadway adjacent to the creek and each year, the County is paying \$8,000 - \$10,000 to repair the damage caused to the roadway, damage which is entirely preventable and which causes taxpayer funds to be spent on repairs which could better spent elsewhere in the County.

It is clear under both existing Minnesota state statutes and case law that as the installer of this culvert, you have a continuing obligation to insure that it remains unobstructed so that the waters of Plum Creek do not back up and flood the land of adjoining property owners causing damage to them. Minnesota Statutes Section 561.01, Greenwood v. Evergreen Mines Co. 19 N.W.2d 726 (Minn. 1945), Edling v. Stanford Township, 381 N.W.2d 881 (Minn. Ct. 1986), Stoehr v. City of St. Paul, 54 Minn. 549 (Minn. 1893); Op. Atty. Gen., 273-A-23, Nov. 28, 1949. The owners of the properties damaged by the flooding may pursue an action in court against the owner of the culvert and ask the court to find the lack of maintenance of the culvert to be a public nuisance. The court may also order the owner of the culvert to remove the obstructions and pay monetary damages to affected property owners to repair the damage caused.

In addition, Minnesota Statute Section 160.18 Subd. 3 provides that while “the owner or occupant of property abutting upon a public highway, having a right of direct private access thereto, may provide such other or additional means of ingress from and egress to the highway as will facilitate the efficient use of the property for a particular lawful purpose....”, this right is “ **subject to reasonable regulation by and permit from the road authority as is necessary to prevent interference with the construction, maintenance and safe use of the highway and its appurtenances and the public use thereof**”. Since this blocked culvert which you installed is an integral part of a driveway connection to County Road 105, the County as the owner and maintainer of the highway has the right to take steps needed to insure that this blocked culvert does not “interfere...with the maintenance and safe use of the highway...and the public use thereof” as it has in the past when it has flooded and damaged the roadway nearby. As a result, this situation needs to be addressed as soon as possible.

The County Public Works Department is willing to put you in contact with other organizations that may be willing to assist you with getting this culvert cleaned out along with the support and participation of New Haven Township. Conservation Corps Minnesota works with the Board of Soil and Water Resources to provide work crews that complete projects intended to protect, enhance and restore water quality in streams, rivers and lakes. The work crews are funded through Minnesota Clean Water funding but the property owner still needs to provide a 25% match (cash/in-kind) which is \$290.00 per day for a crew of 3-5 corps members. I am enclosing additional information about CCM as Exhibit B to this letter. Dustin Loomis is the CCM SE Area Manager and would be the person to speak with to see if CCM is able and willing to

provide a work crew for you and for the Township to get the trees and brush cleared out of the area upstream of the culvert.

Another possible option would be to contract directly with the County to have staff from the Public Works Department bring in the necessary equipment and manpower to get these trees and brush cut up and removed. If you want to pursue this option, the County would be paid at its typical hourly rate for use of its heavy equipment and operators consistent with the terms contained in the current right of way maintenance agreement between the County and the Township, a copy of which is enclosed as

Exhibit C. If the County does this work, it will expect that you will also agree to a future maintenance agreement wherein you promise to remove obstructions around the culvert. The County would have the right to complete the work if you fail to within a reasonable period of time, with the right to pursue a civil judgment in court including any attorney's fees and costs incurred by the County if you fail to pay the County for the work done in a timely manner.

Of course, you are free to hire your own contractor to complete the clearing work needed. Under any option, you should arrange to complete the work while the ground is frozen and flooding is not an imminent concern. In addition, if the trees and brush will be burned near the removal site, you will need to obtain a burning permit from the DNR and I am enclosing a copy of the link to the DNR website where you can seek approval for this activity. <http://www.dnr.state.mn.us/forestry/fire/questions.html> Please also keep in mind that for any clearing which takes place along the banks of the creek, Olmsted County Zoning Ordinance 9.10(H)(2) requires that an area extending out 50 feet in width from the ordinary high water level on each side of the creek must be maintained in permanent vegetation or operated under an approved conservation plan from the Olmsted County Soil and Water Conservation District.

The important thing to take away from this letter is that the status quo, which continues to threaten the health and safety of the adjoining property owner, and the public travelling on County Road 105, and threatens the financial interests of the County in continued repairs to the roadway when the area around the culvert floods, will not be permitted to continue. Please make arrangements to pursue and complete one of these options to remove the trees and brush blocking the culvert on or before March 1, 2015. If the County determines you have not remedied this problem by that date, it will review its legal options at that point which may include pursuing a nuisance claim against you seeking a court order to remove the nuisance and an award of any damages caused by continued flooding to its adjacent right of way. It may also include a request to the DNR asking it to terminate your permit to maintain a culvert at that location due to your failure to properly maintain it causing a threat to public health and welfare.

The County is also aware that a failure by New Haven Township to take action to properly maintain Plum Creek upstream and downstream of this culvert has also contributed to the flooding problems which have occurred. I am enclosing a copy of a

similar letter which is being sent to the Township today to seek their cooperation in addressing this problem. The County would encourage you to work with the Township and the County on a joint solution which will benefit all 3 interested parties as well as the public in the area around Plum Creek.

We look forward to your voluntary compliance with the requests made in this letter so that the County does not have to contemplate taking the steps outlined above to impose a solution to this problem. Thank you very much.

Sincerely,



THOMAS M. CANAN
Senior Assistant County Attorney

cc: Michael Sheehan, Director Olmsted County Public Works
Minnesota Department of Natural Resources
US Army Corps of Engineers
New Haven Township
Terry Glidden



Department of Natural Resources
Division of Waters

PROTECTED WATERS

P.A. Number
88-5059

PERMIT

Pursuant to Minnesota Statutes, Chapter 105, and on the basis of statements and information contained in the permit application, letters, maps and plans submitted by the applicant and others supporting data, all of which are made a part hereof by reference, PERMISSION IS HEREBY GRANTED to the applicant named below to change the course, current, or cross section of the following:

Protected Water Plum Creek	County Olmsted
Name of Applicant LaMoyne Bruce	Telephone Number (include Area Code) (507) 356-8608
Address (No. & Street, RFD, Box No., City, State, Zip Code) Rt. 1, Box 772, Pine Island, MN 55963	
Authorized to: Install a culvert with a diameter of 9 feet and a length of 21 feet, and construct a 20 ft. long high flow channel with a bottom at least 2 feet above existing channel bottom, a bottom width of 10 feet and 2:1 side slopes.	
Purpose of Permit: stream crossing and erosion control	Expiration Date of Permit November 30, 1989
Property Described as: SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 21, T 108N, R 15W	County Olmsted
As Indicated: (8) Does Not Apply	As Indicated: (11) Ordinary High Water Level

This permit is granted subject to the following GENERAL and SPECIAL PROVISIONS:

GENERAL PROVISIONS

1. This permit is permissive only and shall not release the permittee from any liability or obligation imposed by Minnesota Statutes, Federal Law or local ordinances relating thereto and shall remain in force subject to all conditions and limitations now or hereafter imposed by law.
2. This permit is not assignable except with the written consent of the Commissioner of Natural Resources.
3. The Regional Hydrologist shall be notified at least five days in advance of the commencement of the work authorized hereunder and shall be notified of its completion within five days thereafter. The notice of permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. No change shall be made, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This Permit may be terminated by the Commissioner of Natural Resources at any time he deems it necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the provisions of this permit, unless otherwise provided in the Special Provisions.
7. Construction work authorized under this permit shall be completed on or before date specified above. Upon written request to the Commissioner by the Permittee, stating the reason therefore, an extension of time may be obtained.
8. The excavation of soil authorized herein shall not be construed to include the removal of organic matter (as indicated above) unless the area from which such organic matter is removed, is impervious, or is sealed by the application of bentonite after excavation.
9. In all cases where the doing by the permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights and interests necessary therefore.


10. This permit is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law.
1. No material excavated by authority of this permit nor material from any other source, except as specified herein, shall be placed on any portion of the bed of said waters which lies below (as indicated above).
2. Any extension of the surface of said waters resulting from work authorized by this permit shall become protected waters and left open and unobstructed for use by the public.
3. This permit does not obviate any requirement for federal assent from the U.S. Corps of Engineers, 1135 U.S. Post Office and Custom House, St. Paul, Minnesota 55101.

SPECIAL PROVISIONS

1. The permittee shall comply with all rules, regulations, requirements, or standards of the Minnesota Pollution Control Agency and other applicable federal, state or local agencies.
2. The permittee shall cover or protect all exposed soil resulting from the construction authorized by placing riprap, sod, and/or seed on banks and slopes of said construction for the prevention of soil erosion, sedimentation and lake/stream discoloration.
3. All sideslopes which contribute direct surface runoff into the authorized altered watercourse, and a strip of land along both sides of the watercourse, one rod (16 1/2 feet) wide or to the top of the spoil bank, whichever is the greater, shall be seeded and maintained in permanent grasses. These strips shall not be mowed prior to July 31 of any year.
4. Construction shall be phased and implemented so as to minimize sediments or other pollutants entering stream during excavation and filling.
5. Excavated materials shall not be deposited or stored along side the protected water in a manner where the materials can be redeposited into the proted water by reasonably expected high water or storm runoff.
6. Permittee shall riprap the ends of the high flow channel to prevent erosion.

JG:BH:jp

cc: Olmsted County SWCD
 Olmsted County Zoning
 Chuck Schwartz, C. O.
 Mike Hayes, Lake City
 Waters - St. Paul
 Army Corps of Engineers

Authorized Signature  JAMES F. COOPER	Title Regional Hydrologist	Date 5/13/88
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New Haven Township

OLMSTED COUNTY, MINNESOTA – ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes February 10, 2015

- 1. Call to Order:** The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 7:00 PM by Chair Mary Andrist. Quorum requirements were met with Supervisor Brian Hervey and Supervisor Denny Beyer also present. Also in attendance were Treasurer Bob Figy, Road Maintenance Contractor Mike Wood, Planning and Zoning Administrator Ann Fahy-Gust, and Clerk Dale Thomforde.
- 2. Set Meeting Agenda and Order:** Beyer moved to approve the agenda as written, seconded by Hervey. The motion carried 3-0.
- 3. Review Maintenance Quotes Received:** Legal advertisements and postings were made requesting quotes for summer road/ROW maintenance and winter road maintenance/town hall parking snow removal for two years, beginning April 15, 2015. Quotes for equipment and hourly rates were received from Michael Wood LLC for summer road/ROW maintenance and winter road maintenance/town hall parking snow removal. Quotes were received from Forgarty's Outdoor Service for town hall parking snow removal and lawn mowing at \$50 per time. Beyer made a motion to accept the hourly rate quote for summer road/ROW maintenance from Michael Wood LLC, seconded by Hervey. The motion carried 3-0. Hervey made a motion to accept the hourly rate quote for winter road maintenance from Michael Wood LLC, seconded by Beyer. The motion carried 3-0. Beyer made a motion to accept the hourly rate quote for town hall parking snow removal from Michael Wood LLC, seconded by Hervey. The motion carried 3-0. Beyer made a motion to accept Forgarty's Outdoor Service quote for 2015 and 2016 town hall lawn mowing at \$50 per time, seconded by Hervey. The motion carried 3-0.
- 4. Comments from the Chair:** Chair Andrist welcomed Denny Beyer back after his recent gall bladder surgery.
- 5. Public Comment Time:** No one from the public came forward to speak.
- 6. Minutes for Approval:**

January 13, 2015 Regular Town Board meeting written minutes – Beyer moved to approve, seconded by Hervey. The motion carried 3-0.
- 7. Treasurer's Report:** Bob Figy presented a written treasurer's report detailing all receipts and debits for January 2015. Income for January was \$10,735.47 in the General Fund and debits were 13,531.42.

The January month-ending account balances were:

General Fund / Road and Bridge Account	\$4,505.59
Money Market Deposit Account (MMDA)	\$167,744.84
Reserves in 1/2/3-year Laddered CDs	\$603,747.98
Total	\$755,998.41

Hervey moved to approve the Treasurer's Report, seconded by Beyer. The motion carried 3-0.

8. Review and Pay Bills: Claims were presented to the Board by the Clerk. Thomforde checked with Godaddy.com to see if we could get a break by paying for a longer term for township website support. There wasn't much of a price break for a 3-year or 5-year contract, so we will continue to pay them \$8.99 monthly. Beyer moved to pay all bills, seconded by Hervey. The motion carried 3-0.

Old Business

9. Appoint election judges for March 10, 2015 election: Thomforde presented a finalized list of election judges for the March election. There will be a total of five judges. Hervey moved to approve the final list of election judges, seconded by Beyer. The motion carried 3-0. Beyer moved to approve a resolution (#2015-03) authorizing Brian Hervey to work as an election judge, seconded by Andrist. The motion carried 2-0, with Hervey abstaining. Hervey moved to approve a resolution (#2015-02) authorizing Denny Beyer to work as an election judge, seconded by Andrist. The motion carried 2-0, with Beyer abstaining. The resolutions were signed and attested to by the Town Clerk.

10. Annexation of 831 County Rd 3 SW property: Ann Fahy-Gust reported the annexation is done. The Township letter was delivered to Jon Eickhoff, Pine Island City Clerk, and accepted.

New Business

11. Set date for March Town Board meeting: The date for March Town Board meeting has to be moved due to the Annual Meeting and election on the regular date for the meeting. Andrist made a motion to hold the March Regular Town Board meeting on Thursday, March 5th, 2015, at 7:00 PM, seconded by Beyer. The motion carried 3-0.

12. Review proposed 2015 Budget: Thomforde presented a proposed budget for 2015. Hervey moved to approve the proposed 2015 Hervey budget, seconded by Beyer. With no further discussion the motion carried 3-0.

13. Fire Association Report: Hervey reported they had a meeting last week. New Haven Township's share of the dues will be \$33,782 for 2015, down from \$35,122 in 2014. The decrease is due to the smaller increase in property values in the township relative to the other townships in the association. The total operating budget is up 2.08% for 2015. The City of Pine Island is currently considering an ordinance change regarding appointment of the Fire Chief.

14. Olmsted County Association of Townships meeting feedback: Andrist, Beyer, and Thomforde attended the Olmsted County Association of Townships meeting on January 22nd, 2015, at the Oronoco Community Center. Most of the discussion at the meeting was on the proposed new county subsoil septic treatment system (SSTS) ordinance. The county will be holding a public hearing and all interested parties are encouraged to attend. The state has set guidelines and the county requirements have to be at least as strict as the state requirements. The county has backed off some on their proposed requirements and are now closer to the state requirements. (There is additional discussion about the proposed SSTS ordinance below under the Planning & Zoning report.) Future Board of Appeal and Equalization training will now be online and supervisors will not have to attend a class. A lot of the county people were missing at this meeting due to another real estate tax meeting being held at the same time.

15. Disposal / recycle old office computer equipment: Thomforde asked if we could dispose or recycle the unused computer equipment, printers, and scanners we have sitting in the office. Ann Fahy-Gust stated ABC (Ability Building Center) takes old computers and reworks them and ships them to other nonprofits. Thomforde will remove the hard drives and keep those before disposal, and he will work with Ann to determine what we don't need. Beyer made a motion to dispose of the unused equipment reporting back where it was disposed with a receipt if possible, seconded by Hervey. The motion carried 3-0.

16. Miscellaneous Mail Etc. – Clerk:

- We received a letter from the Pine Island Bank and calendar thanking us for our business.
- The annual outstanding indebtedness report was filed with the county. We have no outstanding debts.
- There is a TCPA (Township Cooperative Planning Association) meeting on February 11th. SSTS will probably be a major topic of discussion.
- There is a Community Planning Team (CPT) meeting in Pine Island on February 11th. Thomforde will be attending.
- We received a letter informing us that the Zip Rail Final Scoping Document is available, with two general routes from the Twin Cities to downtown Rochester.

17. Road Report – Mike Wood:

Mike Wood reported plowing snow and cutting brush on 110th Avenue. Mike introduced his nephew, Rob Wood, who is working for him doing a lot of the snow plowing in the township and filling in when Mike is gone. Andrist reported 125th Street is holding up well with all the new school construction traffic. She also reported a lot of work in Devil's Kitchen on 110th Avenue and said it looked nice. Mike will be removing the logs that were cut down in the area. He did pick up some road rock from Paulson to use on the roads with salt, since the Keller quarry is closed for the winter. The supply for spreading on roads for ice control was getting low.

18. Planning & Zoning Report – Ann Fahy Gust:

We had another building permit for a new house. We had two house permits previously submitted due the building code changes going in on January 24th.

No variances requested. There is a Conditional Use Permits (CUPs) for a home auto repair business that she hopes to have in order for the March town board meeting so a special meeting will not be needed. She has also had a lot of conversations about possible splits.

She presented a proposed form for the new burning permits. Multi-copy forms will be printed up. It will cost about \$330 to have 1000 forms printed. There are about 250 permits issued each year. The Board gave her the go ahead to get the forms as proposed. She will look into methods for numbering the permits.

She received an email from Trevor Scrabek about trash dumped in the township ditches. He has reported it to the County Sheriff's office. It is all taken care of. Mr. Scrabek also had concerns about piles of brush on his land from the road cutting. The brush is currently not on his land and she will tell him the work isn't finished yet.

She will be convening the Planning Advisory Commission, hopefully before the end of the month, to consider Beforts changing the other side of Genoa to RSD zoning. The county may have a concern since they haven't sold the current RSD land.

Regarding the proposed new county SSTS ordinance, she has reviewed the entire 49 page draft. There are specific requirements for pre-1985 and post-1985 lots of record. If there is any new building permit issued, a septic system inspection is required. They have gone to a 3 foot separation requirement as the state the requires. Any multi-family system requires an operating permit, which will require the campground to have an operating permit, good for 3 years. All septic systems must have a management plan. Older systems without a management plan must be pumped every 3 years, if needed. The township may have to designate a person to be the compliance officer to monitor the systems. Changes may occur in the proposed ordinance before it is approved by the county.

19. Adjournment: With no further business before the Board, Chair Andrist adjourned the meeting at about 8:07 PM.

Approved by the Board,

Attest,

Mary Andrist – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA — ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes March 5, 2015

- 1. Call to Order:** The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 7:00 PM by Chair Mary Andrist. Quorum requirements were met with Supervisor Brian Hervey and Supervisor Denny Beyer also present. Also in attendance were Treasurer Bob Figy, Road Maintenance Contractor Mike Wood, Planning and Zoning Administrator Ann Fahy-Gust, and Clerk Dale Thomforde.
- 2. Set Meeting Agenda and Order:** Beyer moved to approve the agenda as written, seconded by Hervey. The motion carried 3-0.
- 3. CUP Public Hearing for Kory Weis (7741 100th St NW):**

Chair Andrist reviewed the ground rules for the public hearing. Andrist opened the public hearing for the Conditional Use Permit (CUP) public hearing allowing a home business as an automotive repair, trailer repair, and small engine repair at 7741 100th St NW. Kory Weis spoke in favor of his CUP. He stated he bought the property about a year ago and has been a mechanic for about 18 years. He wants to work at home so he can be at home when his children leave for school and return home. Andrist asked three times if there was anyone else speaking in favor of the CUP, with no takers. Andrist then asked if anyone wanted to speak against the CUP. John Zemke (7703 100th St NW) asked how the trash would be taken care of and would like not to see cars sitting there. He would like to see a fence put up so he doesn't have to see it all the time. Kevin Ellingson (7880 100th St NW) expressed his concerns on what it would look like on a day-to-day basis. If it is kept neat and proper, he has no problem with it. Andrist asked three times if there was anyone else speaking against the CUP with no takers.

Planning & Zoning Administrator Ann Fahy Gust reviewed her Zoning Analysis which was included in a printed packet (included by reference in the minutes) that was distributed. She then reviewed her six recommended conditions for the CUP. In summary, the conditions include 1) following the MPCA requirements, 2) hours of operation, 3) an interim use permit attached to Kory Weis for his use, 4) not preventing neighboring properties from normal A2 zoned activities, 5) storage multiple vehicles which would become a nuisance, and 6) no automotive parts, tires, scrap etc. stored outside. She would recommend the approval of the CUP based on 1) the use is consistent for an A2 zoning home business, 2) the use is consistent with the requirements for a home business, and 3) the MPCA in the ultimate regulator for spent oil. She did receive a notice from Olmsted County Public Works stating they have no issues with the CUP.

Hervey asked what kind of term Fahy-Gust was proposing. She proposed 10-years since an Interim Use Permit (IUP) has to have a defined term, and an annual review.

Kory Weis spoke and said the garbage would be taken care of by a refuse hauler. Scrap metal will be recycled and stored inside north of the shop. He won't be doing tires for customers at the shop. Unlicensed vehicles won't be sitting there. Customer vehicles will be there while being worked on.

Hervey asked if the operating times of 8 AM to 5 PM would be a problem. Mr. Weis said there would need to be some leeway for drop-off and pick-up, but he will only be working in the shop 8-5. Fahy-Gust said the hours of 8-5 were set to alleviate the concern for noise.

LaMoyne Bruce (9474 Co Rd 105 NW) requested that applications require a legible signature. Beyer replied that is the way he signs his name.

Andrist asked if there were any other concerns before closing the public hearing. Mr. Zemke said as long as stuff isn't sitting around, he has no problem. Mr. Weis replied he likes the way Zemke's property looked. With no additional speakers, Beyer moved to close the public hearing, seconded by Hervey. The motion carried 3-0.

Andrist reviewed the requirements for approving a CUP. Beyer made a motion to approve the application as a 10-year Interim Use Permit with the 6 conditions proposed by the Planning and Zoning Administrator, seconded by Hervey. The motion carried 3-0.

4. Comments from the Chair: Andrist called the meeting of the Town Board to order. Chair Andrist thanked the Clerk for fixing the flag pole light and the kitchen roll-down curtain.

5. Public Comment Time: No one from the public came forward to speak.

6. Consent Agenda:

February 10th Board of Audit written minutes – Hervey moved to approve, seconded by Beyer. The motion carried 3-0.

February 10th Regular Town Board meeting minutes – Beyer moved to approve, seconded by Hervey. The motion carried 3-0.

7. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for February 2015. The February month-ending account balances were:

General Fund / Road and Bridge Account	\$4,580.71
Money Market Deposit Account (MMDA)	\$152,781.35
Cash Reserves in 1/2/3-year Laddered CDs	\$605,016.62
Total	\$762,378.68

Figy reported the 12-month CD that matured in February was rolled over into a 36-month CD with an interest rate of 0.96%. The Township has a ladder of CDs with one maturing each year over the next 3 years. Hervey moved to approve the Treasurer's Report, seconded by Beyer. The motion carried 3-0.

8. Review and Pay Bills: Claims were presented to the Board by the Clerk. Thomforde pointed out the bills included an invoice for 4 “Road Closed” signs that will be added to each of the 4 barricades to be ready if we need to close some roads. Beyer moved to pay all bills, seconded by Hervey. The motion carried 3-0.

Old Business

9. None.

New Business

10. Annual Meeting / Election Preparations: The tentative agenda for the March 10th Annual Meeting. The Board recommendation for the 2016 levy was set at \$113,782 which is a 1.2% decrease from 2015. Beyer moved to recommend the next Annual Meeting be held on Tuesday March 8, 2016, at 3:00 PM, at the New Haven Town Hall, with a bad weather date of March 15, seconded by Hervey. The motion carried 3-0. Discussion turned to Town Board officials’ salaries. All agreed they were currently fine with their current wages and salaries. Hervey moved to set the non-Board member moderator wages for the Annual Meeting at \$20 per hour, seconded by Beyer. The motion carried 3-0. Thomforde is preparing the handout packet for the Annual Meeting. The Clerk’s office will be open Saturday March 7 from 10:00 AM to Noon for anyone wishing to come in and vote absentee. Absentee ballots are available from the Clerk through March 9th at 5:00 PM.

11. Set date for Town Board Reorganization Meeting: Andrism moved to have the reorganization meeting Thursday April 2, 2015, at 7:00 PM, seconded by Hervey. The motion carried 3-0.

12. SSTS Public Hearing recap: Hervey and Thomforde attended the Olmsted County Board of Commissioners public hearing regarding the proposed SubSoil Treatment System (SSTS) ordinance. Hervey reported that, as proposed, the home owners can inspect their own septic systems every three years and pump if needed. Hervey suggested at the meeting that the County should adopt the state rules, and if anything, push back against some of the state rules instead of adding more stringent regulations than other counties. Thomforde reported that Chris Priebe from G-Cubed spoke and presented a list of changes TCPA townships would like to see incorporated in the ordinance. The County Commissioners adopted the ordinance with Priebe proposed changes. No effective date was set.

13. Noxious Weed Control Meeting recap: Andrism, Beyer, and Thomforde attended the meeting on noxious weed control on February 26, 2015, at the Cascade Town Hall. Tony Cortilet from the Minnesota Department of Agriculture presented 2015 noxious weed list. Township have precedence over mowing restriction and the DNR in controlling noxious weeds. We received a list of noxious weeds and the different categories of control required. Olmsted County is the only county in the state that doesn’t have a designated person for noxious weed control.

14. Miscellaneous Mail Etc. – Clerk:

- We received a letter from the Olmsted County Attorney's office regarding Plum Creek. A copy was forwarded to the township attorney for review. Andrist talked with the township attorney and he said there are no changes and no actions that need to be taken.
- A letter was received from the county that the Board of Appeal and Equalization will be held Wednesday April 22, 2015, from 10:00 AM to 10:30 AM. The Clerk will post and publish.
- There was a TCPA (Township Cooperative Planning Association) meeting on February 11th. SSTS was discussed along with raising their P&Z rates by 10% to build up reserves.
- A letter was received from the county regarding bridge inspections. Two bridges in the township were noted as needing attention. One is the bridge on New Haven Road in Pine Island which is in the city. I notified the county so they can correct their records. The other is a culvert on New Haven Road north of 125th St that needs the inlets and outlets cleaned out. We can check it out on the spring road inspection.
- The Clerk talked to Pam Fuller in the Olmsted County elections office about the early voting proposal in the legislature. It wouldn't affect the township elections.
- The MAT Spring Short Course will be on March 17th at the Rochester Event Center.
- The 2014 CTAS annual report has been submitted to the State Auditor.
- We received a copy of the Order from Chief Administrative Law Judge that the annexation of the property on Co Rd 3 (across from Willow Circle) is approved. The township will receive a 100% of the tax receipts for the first two years.
- Freeborn Oil Company sent us a letter offering chloride services.
- At the request of the renter of the township farmland, I filed a request with the FSA office to update the yield numbers to the county average, and didn't reallocate any acres.
- There is an updated version of CTAS v8 available. The township is still running our accounting on CTAS v7 and don't plan to switch over anytime soon.

15. Road Report – Mike Wood:

Mike Wood reported that he hoped to be done cutting brush on 110th Avenue in Devil's Kitchen by the weekend. With the weather warming up, he may go out and try to touchup some of the potholes. The contract for road maintenance for the next two years was signed. Riverheights Ct has log ends left behind from a logger. Hervey will give the contractor a call about cleaning it up. Fahy-Gust said we could require a road-use permit for logging so we would have more control.

16. Planning & Zoning Report – Ann Fahy Gust:

No new building permits or variances. We have had one split which was recorded.

There was the CUP that was approved earlier tonight. She will bring the resolution for the CUP to the April meeting.

She has filed the building surcharge report with the state.

She has the new burning permits are ready. 300 will be numbered for this year.

A realtor gave her a \$25 Quick Trip card for helping him. The Board approved letting Ann keep the card.

A Planning Advisory Commission (PAC) meeting was held to consider adding about 11 acres to RSD zoning in Genoa on the north side of 75th St. The PAC determined conceptually it was good, and they could proceed to the next steps, including a survey. The lots have to be at least 2 acres. There may be another PAC meeting down the road.

17. Adjournment: With no further business before the Board, Chair Andrist adjourned the meeting at about 8:21 PM.

Approved by the Board,

Attest,

Mary Andrist – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA – ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes April 14, 2015

1. Call to Order: The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisors Mary Andrist and Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, and Clerk Dale Thomforde. Road Maintenance Contractor Mike Wood arrived later.

2. Set Meeting Agenda and Order: Mary Andrist moved to approve the agenda as written, seconded by Brian Hervey. The motion carried 3-0.

3. Comments from the Chair: Chair Denny Beyer commented the weather was nice and he cannot wait until he gets his first mosquito bite.

4. Public Comment Time: No one from the public came forward to speak on items that were not otherwise included in this agenda.

5. Consent Agenda:

April 2nd Special/Reorganization Town Board meeting minutes – Andrist moved to approve, seconded by Beyer. The motion carried.

April 11th Spring Road Inspection meeting minutes – Beyer moved to approve, seconded by Hervey. The motion carried.

6. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for March 2015. The March month-ending account balances were:

General Fund / Road and Bridge Account	\$5,746.53
Money Market Deposit Account (MMDA)	\$145,461.11
Cash Reserves in 1/2/3-year Laddered CDs	\$605,016.62
Total	\$756,224.26

Hervey moved to approve the Treasurer's Report, seconded by Andrist. The motion carried.

7. Review and Pay Bills: Claims were presented to the Board by the Clerk. The invoice from Braaten Sand and Gravel for 125th Street is being sent to PI Public Schools under our agreement. Hemann Grover has raised their monthly rate to \$100 a month from \$85 a month for payroll/tax accounting. Hervey moved to pay all bills, seconded by Andrist. The motion carried.

Old Business

8. None.

New Business

9. Olmsted Co. Attorney's Office letter to landowners re Plum Creek: A letter "Re: Clearing of Tree and Brush Obstruction in Plum Creek Causing Flooding and Damage to County Road 105 Right of Way", dated March 18, 2015, was sent by Senior Assistant County Attorney Thomas M. Canan to several property owners around Plum Creek. The New Haven Town Board Chair was also copied on the letter. A packet was distributed containing copies of the original agreement with the Corps of Engineers, the letter of termination to the Corps of Engineers dated July 20, 2012, and various other correspondence. Andrist said she had received several calls regarding the letter and had invited them to the Town Board meeting. Jack Weichert (9742 Plum Creed Rd) asked how the township is able to back away from the agreement with the Corps of Engineers? Beyer explained that neither side had lived up to the terms of the agreement and the Township sent a letter of termination to the Corps of Engineers. Cathy Glidden (9459 Co Rd 105) said every time it floods it is costing the County \$8,000 to \$10,000 to repair the road, and that it might be cheaper in the long run to do what the agreement originally stated. Beyer replied that it is a county road and we have to repair our own township roads when they are damaged. Hervey said we have been advised by the Township attorney to not take any action. Andrist said we have received the same advice from our attorney on many occasions. Hervey explained each time we receive a letter or something comes up, it is forwarded to the Township attorney and he has responded saying no action is required. LaMoyne Bruce (9474 Co Rd 105) said he cannot believe 4 attorneys can be wrong and the Township attorney can be right. Richard Buckwalter (9740 Co Rd 105) said he uses County Rd 105 every day and is concerned when he gets a threatening letter from the County. He considers what they are asking the township to do to be totally unreasonable, since there are many miles of Plum Creek, including up through Devil's Kitchen. Andrist said there are many miles of other creeks in New Haven Township. Mr. Buckwalter said he feels threatened by Olmsted County. He encouraged everyone to see if they can fix the situation since if the road is closed he would fight to keep the road open. Mike Frost (10101 85th St) said he received a letter and if attorneys are involved it costs a lot of money and urged everybody to just fix the problem. Jesse Lee (9611 Co Rd 105) agrees that County Rd 105 needs to remain open and in the winter time it would be hard to get up the hill. Ann Fahy-Gust (12851 Co Rd 5) asked if the township has considered sharing the expense and accessing those living along the creek the costs of maintenance so that it could be maintained by the township. She has to remove trees in the Zumbro River on her property so it doesn't flood. Cathy Glidden said that floods like in 2010 washed probably 30 yards of trees in the creek behind the their culvert, and she didn't feel as homeowners they can be expected to take care of a public waterway. She thought her taxes should cover everything and they shouldn't be assessed additional to clean the creek. LaMoyne Bruce said they don't get any break on their taxes and with the 1982 agreement the township accepted money and signed the agreement. He said the DNR approved the culvert. Chair Beyer said a Subordinate Service District that can be set up. Clerk Thomforde explained that if a supermajority of landowners in the area wanted to set up a

Subordinate Service District (pursuant to Minn. Stat. §365A) then the township could maintain the defined district and assess the charges back to the landowners in the district. It was asked why the culvert on 88 Ave is cleaned out as needed. Beyer explained that culvert is on a township road and the township maintains all the bridges and culverts on township roads. Beyer said nothing has changed as to the position of the Town Board.

10. Spring road inspection:

Jeff Busch from Olmsted County was present to talk about the culvert (R0069) on New Haven Road in the bridge report received from Olmsted County. He said the report was on the triple culvert and he hadn't noticed the additional small culvert. He said there was a problem with the brush on the outlet and build up of sediment backing up into the culvert. He didn't see any problem with the township filling in the small culvert.

Mr. Bush said the bridge (55547) in Pine Island will be included in the Pine Island bridge report.

Beyer said the steep slope NE of the bridge in Devil's Kitchen on 110th Ave should be one of top priorities to fix. Mike Wood will talk to the landowner to see if the ditch can be sloped further out from the road. It was agreed to work on the other items as time is available. The Town Board agreed with Mr. Wood's plans for roads to add road rock this year.

Planning and Zoning Administrator Fahy-Gust has a forthcoming meeting with the city, school, and County about access for the new school. The meeting in early May will start a process of people talking about 125th Street, including the transportation plan, rocking, etc.

11. Dangerous Dog(s): Andrisc received a complaint from Ray Salvo about being attacked by a neighbor's dog, but didn't want to file a complaint. Hervey brought in a letter he received from the Sheriff's Office regarding another incident with the same dog of a dangerous or potentially dangerous dog.

12. MAT Spring Short Course recap: Andrisc said she had training on how to install culverts and the problems townships are having with fire departments. Fahy-Gust has received a survey from a student working for MAT on the township fire departments. Thomforde said he received a legislative update. This year thousands of bills have been introduced, most going no where. The second and third versions of CTASv8 have been released, so it doesn't appear to be very stable yet. CTASv7 is still working well for us and he doesn't see a need to rush into the new version. MATIT explained where they are spending money covering claims against townships. We do have insurance certificates for our contractors filed with MATIT.

13. Olmsted Co. Assoc of Townships meeting recap: The new SSTS (subsoil sewer treatment system) ordinance has been adopted by the County, going into effect May 1. Fahy-Gust is checking into if the township wants to modify and adopt the new ordinance. We currently fall under the County ordinance. Also, farm property sales values have gone up about another 15% in the last year.

14. Road Report – Mike Wood:

Mike Wood reported that he has been cleaning up brush and trees on 110th Avenue in Devil’s Kitchen. He has been trimming shoulders trying to stay ahead of the this year.

Beyer said 125th Street is firming up pretty good. Mr. Wood said the biggest problems are the ditches are filled in and it doesn’t drain well.

15. Planning & Zoning Report – Ann Fahy Gust:

No new building permits. The Board of Adjustment is meeting on April 22 to consider a variance regarding setbacks for the Methodist Church in Douglas. We have had one split with one additional split pending.

She had two interim use permit (IUP) resolutions to be signed. They will be filed in the township office and not with the County, as is done with a condition use permit (CUP), since they have a review date.

The IUP resolution for Trevor Scrabek for a personal-use landing air strip, expiring September 7, 2024, was read. Andrist moved to approve the IUP resolution as recited, seconded by Hervey. The motion carried.

The IUP resolution for Kory Weis for an automotive shop, expiring March 5, 2025, was read. Andrist moved to approve the IUP resolution as recited, seconded by Hervey. The motion carried.

16. Miscellaneous Mail Etc. – Clerk:

- We received our property tax statement from the Olmsted County showing \$0 in taxes. The Clerk contacted them and they sent a corrected statement for \$3,254 for 2015.
- We received a couple of letters from vendors that would like to sell us chloride for the roads. We usually buy it through the County. Beyer said we bought chloride from a vendor one year and we got lots of complaints about it not working well.
- We received an invitation to the Peoples Energy Coop 78th annual meeting. Beyer and Thomforde will be attending so if nobody else wants the ticket, they will turn it in and get a \$10 credit for the township.

17. Adjournment: With no further business before the Board, Chair Andrist adjourned the meeting at about 8:02 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA – ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes May 12, 2015

1. Call to Order: The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisors Mary Andrist and Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, and Clerk Dale Thomforde. Road Maintenance Contractor Mike Wood arrived later.

2. Set Meeting Agenda and Order: Mary Andrist moved to approve the agenda as written, seconded by Brian Hervey. The motion carried 3-0.

3. Comments from the Chair: Chair Denny Beyer commented that rocking the roads has been completed. The roads were closed this year for safety while spreading road rock. It saved Mike machine time and went easy. Andrist said we had never done this before and wondered if we should be working for the contractor. Beyer said we would review with the township attorneys at the legal seminar this fall. (This issue was addressed further under “15. Other Miscellaneous Business” below.)

4. Public Comment Time: No one from the public came forward to speak on items that were not otherwise included in this agenda.

5. Consent Agenda:

April 14th Regular Town Board meeting written minutes – Andrist moved to approve, seconded by Hervey. The motion carried 3-0.

Approval of April 22nd Board of Appeal and Equalization meeting written minutes – Andrist moved to approve, seconded by Hervey. The motion carried 3-0.

Approval of April 22nd Special Town Board meeting written minutes – Beyer moved to approve, seconded by Hervey. The motion carried.

6. Treasurer’s Report: Bob Figy presented a written treasurer’s report detailing all receipts and debits for April 2015. The April month-ending account balances were:

General Fund / Road and Bridge Account	\$9,002.10
Money Market Deposit Account (MMDA)	\$127,494.46
Cash Reserves in 1/2/3-year Laddered CDs	\$605,016.62
Total	\$741,513.18

Hervey moved to approve the Treasurer’s Report, seconded by Andrist. The motion carried.

7. Review and Pay Bills: Claims were presented to the Board by the Clerk. Andrist and Beyer commented that they liked receiving a summary of the claims before the meeting. We did get a \$10 credit for attending the Peoples Coop Electric annual meeting. We also got a credit for last months bill from Culligan since they messed up with the new drivers. Hervey moved to pay all bills, seconded by Andrist. The motion carried 3-0.

Old Business

8. None.

New Business

9. Chloride pricing and plans: Thomforde reviewed last year's chloride costs and receipts. Ann Fahy-Gust said the costs estimates looked a little high. Thomforde suggested we hold the resident cost at \$85 again this year even though the chloride cost has gone up from \$1.12 to \$1.17 per gallon. Andrist moved to leave the resident cost at \$85 for the first 300 feet, seconded by Hervey. The motion carried 3-0. Thomforde was given permission to offer sharing the cost for with the DNR for the 7 trail crossing, doing 150 feet at each crossing. Thomforde will also contact the PI Public Schools to offer chloride on all or part of 125th Street. The cost to the school would be about \$5,000 for the 1.92 miles of 125th Street.

10. Roof leak on township shed: The roof on the town hall shed is leaking. It needs to be reshingled or covered with steel. Beyer offered to get quotes for the next meeting.

11. Road Report – Mike Wood:

The road rock is down on all roads that the township is rocking this year.

He plans to starting working on 110th Avenue in the Devil's Kitchen area. Denny will meet with Mike to get permission from the land owner to make a gentler slope on the shoulder of the road NE of the bridge.

12. Planning & Zoning Report – Ann Fahy Gust:

The Board of Adjustment passed a variance for the Methodist Church in Douglas to put in an ADA complaint ramp. The Board of Adjustment has another variance pending on May 27th on a set-back for a pole shed.

We have had 2 splits, and will be doing a condition use permit (CUP) review for the Bergs for some modifications.

There are about 5 pending building permits where paperwork has not been returned.

13. Other Business:

Robin Heim from Braaten Sand and Gravel was present to see how they were doing meeting the township's needs. Beyer brought up that it was probably time to spray the weeds around the pit before they mature and go to seed. The township will pay for the chemicals and Braaten Sand and Gravel will apply.

Leon Plantz was present representing the Byron Snow Bears. He had a permit to be signed for the raffle at their event on September 27th, 2015. He submitted a check for \$100 for the Conditional Use Permit for the use of the Cady farm for the event. Mr. Plantz said to be sure to let him know if there were any concerns. Beyer said we haven't had any complaints.

14. Miscellaneous Mail Etc. – Clerk:

- The notice of a potentially dangerous dog was mailed to the dog owner as determined at the April 22nd special meeting of the Town Board. The letter was received and signed for the owner on April 23, 2015. A copy of the letter was also delivered to the Sheriff's office. No appeal was requested by the dog owner during the 14-day appeal period.
- We received a copy of the 1988 DNR permit from Olmsted County that LaMoyné Bruce received for putting a culvert in Plum Creek. The permit requires a 20 foot long and a bottom width 10 foot wide high-flow channel around the culvert.
- We received a site-specific hazardous awareness training form. Since Mike Wood is the only one that might be in the quarry while crushing or loading is going on, none of township officers need to sign the form. We also received a price list for Braaten Sand and Gravel materials and delivery.
- There is a Community Planning Team (CPT) meeting in Pine Island on May 13. The big news last meeting was that the Pine Island EDA Director, Karen Doll, is retiring at the end of July.
- There is a Township Cooperative Planning Association (TCPA) meeting at the Rochester Township Town Hall on May 13. On the agenda is the SSTS ordinance for the townships and G-Cubed fees for individual septic systems.
- There is an Olmsted County Township Officers Association meeting on May 28 at the Cascade Town Hall.
- We received an email note for Thomas Suther (7212 117th St) regarding County Road 31, suggesting the township not take over the road from the County. He expressed some of the township's concerns. By law, the township can be forced to take over the road from the County as long as the road meets the township's standards for roads. Ann Fahy-Gust explained any transfer of the road will not be in the near future due to issues with 125th Street. The upgrade of 125th Street (extension of County Road 5) isn't planned until 2017-2018 at the earliest.
- The Couri and Ruppe LLC Township Legal Seminar is scheduled for October 10th at the New Haven Town Hall.
- The address for the New Haven Town Hall has finally been fixed in the Bevcomm phone book. The Clerk has been working on this for several years.

- We received an informational list of the annual road payments to the townships in Olmsted County listing the populations, road mileage, and payment to each township.
- Thomforde attended the ROCOG open house for the 2045 transportation plan. It was disappointing since they haven't really updated the plan in the last 5 years.

15. Other Miscellaneous Business:

Hervey asked if the Board should invite the Sheriff to come explain why our road contractor is responsible for damage to a patrol car when the Deputy drove around a tree work ahead sign. Beyer said we could do it either of two ways, 1) invite the Sheriff to a meeting, or 2) take it up at an OCAT meeting. Mike Wood said the Deputy thought the road should have been closed, which resulted in the decision to close the roads while spreading new road rock. Kalmar Township has done this for the last several years. Andrist expressed concern about township people working for the road contractor closing the roads. Beyer explained that the supervisors are the road authority and can act in a road supervisory capacity for closing roads as needed, similar to what is done for spreading chloride. The road contractor could hire people to handle the road closings but it would cost the township \$45 per hour at his hourly rate instead of \$20 per hour since Mike Wood has to cover insurance and benefits. The issue will be reviewed with the attorneys at the coming Legal Seminar in October and discussed before next years road-rock spreading.

16. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 7:26 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA — ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes June 9, 2015

1. Call to Order: The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisors Mary Andrist and Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, Road Maintenance Contractor Mike Wood, and Clerk Dale Thomforde.

2. Set Meeting Agenda and Order: Brian Hervey moved to approve the agenda as written, seconded by Mary Andrist. The motion carried 3-0.

3. Comments from the Chair: Chair Denny Beyer commented that chloride has been applied and the stakes picked up, except for a half dozen places on dead ends that they couldn't get with the semi truck. The smaller truck will be available shortly.

4. Public Comment Time: No one from the public came forward to speak on items that were not otherwise included in this agenda.

5. Consent Agenda:

May 12th Regular Town Board meeting written minutes – Andrist moved to approve, seconded by Hervey. The motion carried 3-0.

6. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for May 2015. The May month-ending account balances were:

General Fund / Road and Bridge Account	\$8,661.76
Money Market Deposit Account (MMDA)	\$80,514.81
Cash Reserves in 1/2/3-year Laddered CDs	\$606,423.23
Total	\$695,599.80

Hervey moved to approve the Treasurer's Report, seconded by Andrist. The motion carried.

7. Review and Pay Bills: Claims were presented to the Board by the Clerk. Thomforde stated he learned at the MAT Spring Short Course that under IRS regulations expenses have to be reimbursed within 60 days or it is considered income. Andrist moved to pay all bills, seconded by Hervey. Andrist later amended the motion to include 2 payments for gopher feet. The amended motion carried 3-0.

Old Business

8. Roof leak on township shed: Beyer hadn't gotten any quotes yet so this item was tabled until next month.

9. Road Closings: Andrist checked with the MAT Attorney about working while Mike is graveling the roads. According to him that has to be approved by the Board with a conflict-of-interest resolution and affidavit. Since this type of work could be hired out, in the future this should be preapproved by the Board.

New Business

10. Town hall security: Enhancements for town hall security and temperature monitoring were discussed.

11. 125th Street ditches, 85th Street culvert, and 110th Avenue:

Beyer suggested cleaning out the 125th Street ditches to help with the soft spots in the road. Mike Wood estimated about a weeks worth of work to clean out the ditches and haul the dirt away. Tabled any action until a later meeting.

Mike Wood installed a new culvert on 110th Avenue near the 85th Street intersection. Another culvert on 85th Street near 9834 needs to be replaced and the ditches cleaned out on the south side. Mike Wood suggested extending the culvert to the north and using the fill from the south side to fill in the north side since it drops off pretty sharply. Go ahead was approved.

Good progress has been made on 110th Avenue in the Devil's Kitchen area.

12. Exchange Avenue Genoa pothole: Beyer suggested digging out the pothole on Exchange Avenue and filling in with crush blacktop. Go ahead was approved.

13. Chloride program status and review: Beyer said everything went well even though we just had one truck for application. Thomforde reported a number of late callers for chloride but we were able to accommodate them making good use of Denny's new cell phone. Ann Fahy-Gust thanked Andrist and Thomforde for filling in to take chloride orders while she was out of town. We received a copy of the letter the Pine Island Schools sent to the residents along 125th Street about the school putting chloride on the road to help them out with the school traffic.

13. Olmsted Co. Assoc of Townships meeting recap: The County Sheriff reported a number of recent break-ins. The state is now holding back payments to townships that don't file their financial reports with the State Auditor. New Haven filed on time. A local MAT scholarship winner spoke and was impressive. The County is doing 36 miles of asphalt overlay this year. We received a County map of bridges proposed for future reconstruction. The two bridges on the list from New Haven Township have the best ratings and don't appear to need replacement at this time.

14. Road Report – Mike Wood:

Finished blading last Sunday for the chloride application on Monday.

He plans to finish 110th Avenue in the Devil’s Kitchen area with 2-3 days more work. The ditch cleaning material removed is being used to fill in the north side and will be sloped off.

He will start mowing this week.

Figy reported Pearl Street in Genoa is potholed. Go ahead was given to add crushed blacktop to the streets in Genoa and Douglas.

Mike will be out on vacation June 19-27. Rob will be filling in for him as needed.

15. Planning & Zoning Report – Ann Fahy Gust:

There were 3 shed permits and 1 driveway permit were issued this month.

The Board of Adjustment approved a variance on a set-back for a pole shed on County Rd 31. Another variance is pending for a larger-than-allowed shed.

There is a review for increasing the number of dogs allowed to be boarded under an existing conditional use permit (CUP). Beyer thought a public hearing would be needed to increase the maximum number of dogs to 50. The existing CUP is transferrable due to changes in state law. The Board thought a public hearing would be needed to increase the number of dogs and it would be desirable to make any new permit an interim use permit. Ann Fahy-Gust will check further into making changes to the CUP.

16. Miscellaneous Mail Etc. – Clerk:

- Motion was made by Andrist to approve a 3.2 beer permit for the Snow Bears event, seconded by Hervey. Motion carried.
- Motion was made by Hervey to approve the quote from the County to provide backup road maintenance, seconded by Andrist. Motion carried 3-0.
- We received a thank-you note from the 4H club for the contribution for the 2015 volunteer cemetery-cleanup work they performed.
- We timely received all the required papers from the potentially-dangerous dog owner.
- There is a rabies vaccination clinic in the County on June 10th.
- There is a MAT Summer Short Course on June 18th that Andrist and Thomforde will be attending. MAT township officer cards were received and distributed.
- Thomforde attended the May 13th Township Cooperative Planning Association meeting. Discussion included the new SSTS ordinance.
- Thomforde attended the Community Planning Team meeting in Pine Island on May 13th. The next meeting will be in August at the new school.

16. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 7:30 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA — ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes July 14, 2015

1. Call to Order: The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisors Mary Andrist and Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, Road Maintenance Contractor Mike Wood, and Clerk Dale Thomforde.

2. Set Meeting Agenda and Order: Brian Hervey moved to approve the agenda as written, seconded by Mary Andrist. The motion carried 3-0.

3. Comments from the Chair: Chair Denny Beyer commented that we are almost half way through summer.

4. Public Comment Time: Marita Olson (6825 Co Rd 3) and Kay Beacom (10542 Co Rd 5) spoke on behalf of the Douglas Methodist Church. They are planning on an addition to their building to make it totally handicapped accessible. They expect it to be under construction and this may make it difficult to hold their fall fund raisers at the church. They would like to use the town hall on October 17th and November 7th, if needed. As a nonprofit, they requested the normal fees be lowered or waived. Andrist made a motion to waive the fees for the Church for those two dates if they need a place to hold their events, seconded by Beyer. The motion carried 3-0.

5. Review for Approval – June 9th Regular Town Board meeting minutes:

Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.

6. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for June 2015. The June month-ending account balances were:

General Fund / Road and Bridge Account	\$8,892.44
Money Market Deposit Account (MMDA)	\$80,528.05
Cash Reserves in 1/2/3-year Laddered CDs	\$606,423.23
Total	\$695,843.72

Hervey moved to approve the Treasurer's Report, seconded by Andrist. The motion carried.

Thomforde has been working on CTAS to update account codes so that the Cash Basis Reporting Form is more understandable. The State Auditor uses the information on this form for their review. A copy of the form for mid-year 2015 was presented with a summary of income

and expenses. Planning and Zoning income and expenses are now broken out as separate line items instead of being intermixed with other line items.

7. Review and Pay Bills: All received claims were presented to the Board by the Clerk. Hervey made a motion to pay all bills and for the Clerk and Treasurer to transfer funds from the Money Market Fund to the General Fund and Road and Bridge Fund as necessary to pay the bills, seconded by Andrist. The amended motion carried 3-0.

Old Business

8. Road-work resolution: Beyer contacted the township attorney regarding the question of supervisors working to close roads for safety during the spreading of road rock and supervising chloride application. It was recommended that a resolution and affidavit be used for these activities. In the future, the resolution and affidavit needs to be preapproved before the work is performed. Hervey moved to approve Resolution 2015-05, as amended, to approve the work done by Beyer this last April, May, and June. Andrist seconded the motion. The amended motion carried 2-0 with Beyer abstaining.

9. Roof leak on township shed: Beyer hasn't been able to get any quotes yet so this item was tabled for now.

10. Town hall security: Enhancements for town hall security monitoring were discussed.

New Business

11. New School bus routes: Ann Fahy-Gust and Mike Wood met with the school regarding the school bus routes for the new school. All students will be bussed to the main school in town and then the preK-4 students will be bussed to the new school via County Road 3 and 125th Street. Free breakfast will be served at the main school to help encourage parents to drop students off at the main school. Another meeting is scheduled on June 10th to talk about the driveways which were not approved before installation.

12. 125th Street ditches, 85th Street culvert, and 110th Avenue:

Andrist commented that the work on the 85th Street culvert and 110th Avenue in Devil's Kitchen looks outstanding.

125th Street is just starting to heal up from the construction traffic. The Board agreed to have the worst spots fixed and to clean up the material rolled into ditches.

13. MAT Summer Short Course recap:

Andrist commented that the MAT Summer Short Course covered audit reports (which we are doing correctly), how to handle cartways, etc. The best thing learned is that state law now prohibits schools from holding elections on a township meeting day, so we won't have that problem again.

Thomforde commented that in the clerk sessions they covered laws and regulations. Lots of payroll information was covered making him happy that Hemann Grover handles that for our township. Thomforde talked to the State Auditor representative and found out that the township financial reports are available online. Thomforde presented a spreadsheet he put together with numbers for 2013 that show New Haven Township is in great financial position being #1 with the highest reserves for any township in Olmsted County. After the levy was reduced in 2014, New Haven Township is also #1 with the lowest real estate taxes for any township in the County.

14. Road Report – Mike Wood:

He finished replacing the culvert on 85th Avenue.

Mowing has begun, but having trouble getting stuck in the ditches due to all the rain. Now mowing as much as they can reach from the road.

He would like to clean out some of the ditches they haven't gotten to yet.

He will fix the pot hole in Genoa on Exchange Avenue and use recycled asphalt there and in Douglas. Genoa Road could use some road rock.

There is a new soft spot on 85th Ave near Mark Holmes.

Thomforde suggested putting new markers on the bridge on 85th Street over Plum Creek and on 88th Avenue over Plum Creek. Andrist moved to approve adding the markers, seconded by Hervey. The motion carried 3-0.

Thomforde will talk to Mike Brogan about moving his electric fence so that the ditches can be mowed on 110th Avenue and 85th Street.

15. Planning & Zoning Report – Ann Fahy Gust:

There were 5 permits issued this past month, mostly roofs and sheds.

The Board of Adjustment has a variance meeting coming up next week. The CUP talked about last month will not be pursued.

The State is reducing the building permit surcharge fees for flat fee permits.

16. Miscellaneous Mail Etc. – Clerk:

- Thomforde suggested the Township should cover the cost to replace the right-curve sign damaged by mowing on 85th Avenue. It was an old sign that was scheduled for replacement. The Board agreed.
- Thomforde attended the Township Cooperative Planning Association (TPCA) meeting last month. New Haven doesn't plan on doing a separate Subsoil Septic Treatment System (SSTS) ordinance since we are covered under the County ordinance.
- We got a District 1 meeting notice for the meeting in Albert Lea. Currently, no one is planning to attend.

17. Miscellaneous:

Ray Salvo (8745 75th Ave) reported that there have been no further problems with the neighbor's dog after the notification of a potentially dangerous dog.

Mike Wood said Paul Axelson (9320 110th Ave) would like to reuse some of the salvaged smaller concrete culverts that Braaten Sand and Gravel has dropped off for disposal in the New Haven quarry. Since Mr. Axelson has been so generous with Township, the Board agreed that he can pick up and have some of the culverts.

16. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 7:45 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA — ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes August 11, 2015

1. Call to Order: The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisors Mary Andrist and Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, Road Maintenance Contractor Mike Wood, and Clerk Dale Thomforde.

2. Set Meeting Agenda and Order: Mary Andrist motioned to approve the agenda as written with the amendment to move the New School driveways / 125th Street item up after the Public Comment Time, seconded by Hervey. The motion carried 3-0.

3. Comments from the Chair: Chair Denny Beyer commented that today is his wedding anniversary and they are going on a fishing trip tomorrow.

4. Public Comment Time: Bonnie Kosmicki (8802 115th St NW) spoke representing RideAbility (10038 County Road 5 NW). They would like to add a tack room to their barn composed of a slab and three walls. Ann Fahy-Gust said that the RideAbility buildings are on an acreage that is classified residential and not farm. New construction will have to be code compliant under residential rules unless a variance is granted. Beyer made a motion to issue the permit for township costs since RideAbility is a nonprofit organization. The township would donate Ann's time and will only charge RideAbility the permit and inspection fees that the township pays for outside services. Hervey seconded the motion. The motion carried 3-0.

5. New School driveways / 125th Street NW:

Fahy-Gust reported last week there was a meeting to address traffic issues with the new elementary public school access driveways on 125th Street NW. One proposed solution for the line-of-sight issues with the new school access driveways is to close the intersection of 85th Avenue NW and 125th Street NW east of the school driveways. According to the township attorney, the Town Board can close township roads through a resolution and installing barricades and signs. There are two residences on 85th Avenue. Joel Friedrich (12314 85th Ave NW) was present and spoke in favor of closing the intersection. Beyer has attempted to contact the other residence owners on the corner, Morris and Betty Andrist (12501 85th Ave NW), but has been unable to discuss with them if they would rather remain on 85th Avenue or 125th Street. If they choose to remain 125th Street, Andrist's would probably have to change their postal address.

John Champa, Chair of the Pine Island Public School Board, presented an aerial photograph showing their preference of closing the 125th Street from the east school driveway up to 85th Avenue. The top priority for the school, the township, and the city, is safety. He said

they felt having a barricade just past the east driveway, making the east driveway enter only to the school, and a second barricade up by the tree line with a turnaround by the Andrist driveway, would accomplish three things:

1. It would cut the speeds down on 125th Street by the new school;
2. It would be very appealing for the residents on 85th Avenue by keeping traffic from continuously driving past their houses; and
3. By not having traffic going west from the east entrance, this option would eliminate the need to cut the hill down and thus would save taxpayer money.

Beyer said another part of the road closing would be for the school to assume the liability for traffic on the road in front of the 40 acre school property. The township attorney will be working with the school attorney to resolve this liability issue which would only last until the County takes over the road and rebuilds 125th Street into the new County Road 5 extension.

Superintendent Tammy Berg-Beniak said she was thankful this option is on the table and is appreciative for the alternative to cutting down the hill.

Copies of a proposed resolution temporarily closing 125th Street at the intersection with 85th Avenue were handed out. After Thomforde read the proposed resolution, John Champa reiterated that they would like to close 125th Street just past the east access to the school. The Town Board agreed to wait on action on any resolution until the liability issue is resolved and the Andrists have been contacted to determine which road they would prefer to remain connected. Since the ribbon cutting and open house at the new school are on September 9th with school beginning on September 10th, a special town board meeting may be needed to deal with this issue before the next regular monthly town board meeting on September 8th.

Beyer asked if the school planned to connect the Douglas Trail to the school since he would hate to see kids ride bicycles or be walking down the township road. Superintendent Tammy Berg-Beniak said they are looking into it.

6. Review for Approval – July 14th Regular Town Board meeting minutes:

Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.

7. Treasurer’s Report: Bob Figy presented a written treasurer’s report detailing all receipts and debits for July 2015. The July month-ending account balances were:

General Fund / Road and Bridge Account	\$9,186.34
Money Market Deposit Account (MMDA)	\$123,686.99
Cash Reserves in 1/2/3-year Laddered CDs	\$606,423.23
Total	\$739,296.56

Hervey moved to approve the Treasurer’s Report, seconded by Andrist. The motion carried 3-0.

8. Review and Pay Bills: All received claims were presented to the Board by the Clerk. Thomforde reported the net cost to township was \$7,427.42 for chloride this year, after payments by Pine Island Schools, DNR, and patrons. This came out to just a little less than half of the cost for chloride to cover the residents. Andrist made a motion to pay all bills and for the Clerk and Treasurer to transfer funds from the Money Market Fund to the General Fund and Road and Bridge Fund as necessary to pay the bills, seconded by Beyer. The motion carried 3-0.

Old Business

9. Roof leak on township shed: Nothing new to report.

10. Town hall security: Nothing new to report.

New Business

11. November 3rd Rochester School Referendum: Thomforde presented a list of proposed election judges including Andrist, Beyer, and Thomforde. Andrist moved to approve the proposed election judges, seconded by Hervey. Motion carried 3-0. Beyer made motion to approve a conflict of interest resolution (#2015-06) for Mary Andrist to serve as an election judge, seconded by Hervey. Motion carried 2-0 with Andrist abstaining. Andrist made motion to approve a conflict of interest resolution (#2015-07) for Denny Beyer to serve as an election judge, seconded by Hervey. Motion carried 2-0 with Beyer abstaining.

12. Fire sign status update – Thomforde:

Thomforde reported that he sent out about 252 letters for fire signs this year and received orders for 110 signs. The signs have been ordered and Mike Wood will pick them up once they are ready. Thomforde has been getting some calls about when the signs will be installed. We still plan to have all signs that were ordered installed by this fall.

Thomforde presented a proposed fire sign policy and follow on ordering option for new or replacement signs. After some discussion, the Town Board agreed that they would delay any action and bring it up at the next March Annual Meeting.

13. July 23rd OCAT meeting recap – Beyer, Thomforde:

Beyer commented this was the most boring Olmsted County Association of Townships meeting he had ever attended. We had a tour of the training center; burn tower, driving course, and shooting range. The County Commissioners discussed the financing for the dredging of Lake Zumbro.

Thomforde commented that we are not the only township with a dangerous dog problem. It is a problem for a lot of townships. Commissioner Jim Bier talked about the noxious weed problem in the County and they would like to know if anyone knows of a spray that works. State Senator Carla Nelson talked about the state budget issues.

14. Road Maintenance Report – Mike Wood:

He has dug out and repaired the soft wet spots on 125th Street and cleaned up some of the ditches. He has some additional work to do. Some of the extra dirt has been hauled over to Riverheights Ct and the Devil’s Kitchen area of 110th Ave.

He fixed the pot hole in Genoa on Exchange Avenue and use recycled asphalt there and in on the streets in Douglas.

He extended a culvert on 117th Street near Schettl’s.

Cleaned up some trees in the kitchen that had fallen down.

After checking with the County and Thomforde, he has ordered some needed replacement signs from EF Anderson. He will add some new culvert markers on 115th Street and 117th Street.

He plans to start mowing next week. Still have a few ditches left to clean out.

Bob Figy reported the stop sign on Pearl Street in Genoa is blocked by bushes again. Another letter will be sent to the land owner.

The Board approved grading the parking lot.

15. Planning & Zoning Report – Ann Fahy Gust:

There were a couple of shed permits, with the potential of a house permit.

Lynn Kelly has been calling about the potential of splitting a 22 acre parcel in A2 zoning, which isn’t allowed. She told him he could apply for a variance but it probably would not be granted.

There is a potential conditional use permit (CUP) for a trailer that appears to meet the criteria for a CUP.

16. Miscellaneous Mail Etc. – Clerk:

- Thomforde is on the jury duty panel for 2 weeks beginning the end of the month. He doesn’t anticipate it will interfere with any clerk duties.
- There were 10 E911 and 6 property records and licensing (PRL) issues found while doing the fire signs letters. All issues have been resolved with the County except one E911 issue and one PRL issue. The County is working on the E911 issue.
- Thomforde bought on approval 2 flashing yellow warning lights for road inspections and road work. The Town Board approved the purchase.
- We received a notice from the state that we will receive \$3536 next year in township aid. We normally allocate this money to the road and bridge account to help cover road maintenance expenses.

- We received a letter from an old law firm, and we will have our old files transferred to our current attorney.
- We received a 2-inch thick copy of the 2015 Minnesota Election Laws from the County.

17. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 8:05 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA — ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes September 8, 2015

1. Call to Order: The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisors Mary Andrist and Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, Road Maintenance Contractor Mike Wood, and Clerk Dale Thomforde.

2. Set Meeting Agenda and Order: Hervey moved to approve the agenda as written, seconded by Andrist. The motion carried 3-0.

3. Comments from the Chair: Chair Denny Beyer commented that Jerry Postier passed away yesterday. Jerry served 24 years as supervisor in New Haven Township, with 23 of those years serving as chair. He was a good friend and business partner with Denny Beyer for 48 years. Beyer asked all to stand and have a moment of silence and remember the good things Jerry did for the township. Jerry was also very active in the American Legion and Boy's State.

4. Public Comment Time: No one from the public came forward to speak on items that were not otherwise included in this agenda.

5. Review for Approval – August 11th Regular Town Board meeting minutes: Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.

6. Review for Approval – September 1st Special Town Board meeting minutes:

Ann Fahy-Gust commented that she was not at the special meeting but found it interesting that nobody mentioned that at a previous meeting, Pine Island City Clerk Jon Eickhoff was in favor of closing the road. She didn't think that anybody would have come to the Town Board recommending closing the road if it hadn't been thought through and representatives from the school and city hadn't agreed that it was a good idea. Fahy-Gust had a number of people calling her about the potential road closing and she explained to them what was really going on and that tearing up the road and putting in a big cul-de-sac was not discussed and nothing was final since it hadn't yet gone to the Town Board. The concept of closing the road is all that had been discussed, which all parties had supported.

Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.

*Old Business***7. New School driveways / 125th Street / 85th Avenue:**

Brian Hervey said he thought the road should be closed. The township cannot do much about the driveways since they are within the City of Pine Island. The township attorney assured him that closing the road is the most that can be done to protect the interests of the township. It also serves to help protect township patrons on 85th Avenue from having gravel dust from traffic by their houses.

Mary said that there were two driveways that the school put in that are not permanent, neither of which are safe. Both driveways are on the Pine Island side of the road so the township has no authority over those driveways, although we do have authority over the roads. At first blush she was naturally against closing a road. However, she doesn't see any other things that the township can do to make the road safe other than by closing the road. There are lots of things that could be done by others that are not being done. She doesn't like the idea of closing the road, but at this point the township is left with no other alternative for safety.

Fahy-Gust said that at the meeting where City Clerk Jon Eickhoff was present, who was on the Pine Island Fire Team, they talked about emergency responders. He thought at that time that they would not come down 85th Avenue because of all the gravel roads to get there. They had the conversation about emergency responders using 85th Avenue and his position was that would be unlikely.

Beyer said that the people on the road going to the new school with kids is a safety priority, plus the township residents with additional traffic and dust. We have had a lot of people say, including the county engineer, that signs are not going to do the job with the sightlines. Closing the road could also help reduce traffic on the south end of New Haven Road. He thought they had to stick with fixing the safety issues. If the school wants to set up a traffic pattern on the school property, they can. In either case, the road will be safer with the closure.

We received a letter from Judy Leqve (10648 New Haven Rd NW) agreeing that closing 85th Avenue is a wise idea since it may help reduce to traffic at their end of New Haven Road.

The Clerk received a letter from Elk Farm Four LLC to be entered into the record. They are against closing the road since they want to have two access routes into their lands and thought closing the road was an unwarranted and expensive construction project. Thomforde responded to them explaining that emergency vehicle access would be maintained and the safety sightline issues prompted the consideration of the road closure. They were notified to contact the Board Chair by phone or email the Clerk if they had any more questions comments before this meeting. Nothing further was heard or received from them. It should be pointed out that they will still have at least two access routes into their properties through 85th Avenue, 125th Street and New Haven Road even after any road closure.

Mike Wood pointed out that the City of Pine Island housing divisions east of the golf course (Greens View and Hassler Additions) only have one road in and out. He said if the City is concerned about our roads, they should also be concerned about their roads. He also said a movable gate would allow him to open the gate for snow plowing.

Joel Friedrich (12314 85th Ave NW) said they approve of the road closing since it is the only way to make it safer. He is going to have to drive the extra distance at least twice every day, so he is one those most inconvenienced, but the closing is needed to be positively safe.

Thomforde talked again to Morris Andrist (12501 85th Ave NW) after the last meeting and asked him if he would rather have the road closed or stay open. His response was clear that it had to be closed due to the traffic that could be 50 cars a day. It sounded according to him that Betty Andrist was not in favor of the road closing.

Beyer made a motion to adopt the Resolution #2015-08 Temporarily Closing 125th Street NW at the Intersection with 85th Avenue NW, seconded by Hervey. The motion carried 3-0 and the resolution was adopted.

Beyer said we will work with Roger Idem at Olmsted County Public Works to get the proper signs installed for the road closing.

Andrist moved to make the New Haven Road / 125th Street intersection a 4-way Stop to improve safety, seconded by Hervey. The motion carried 3-0.

New Business

8. August 19th CPT meeting recap:

Thomforde said they got a tour of new school, which wasn't quite finished at that time. The City has a new EDA Administrator – Nate Carlson, and the new City Administrator is Dave Todd. Mary Andrist said the Mayor wanted to ask the town boards their position on a new swimming pool in Pine Island. There may be a pool referendum next year.

9. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for August 2015. The August month-ending account balances were:

General Fund / Road and Bridge Account	\$6,204.02
Money Market Deposit Account (MMDA)	\$96,850.70
Cash Reserves in 1/2/3-year Laddered CDs	\$607,880.70
Total	\$710,935.42

Hervey moved to approve the Treasurer's Report, seconded by Andrist. The motion carried 3-0.

10. Review and Pay Bills: All received claims were presented to the Board by the Clerk. Beyer made a motion to pay all bills and for the Clerk and Treasurer to transfer funds from the Money Market Fund to the General Fund and Road and Bridge Fund as necessary to pay the bills, seconded by Andrist. The motion carried 3-0.

11. Road Maintenance Report – Mike Wood:

Wood reported the ditch mowing was completed last Saturday. If there is anything else that needs mowing just let him know.

The new school road was graded last Monday.

Beyer mentioned the trees need to be cut back at the intersection of 115th St and New Haven Road to improve the sightline.

Mowing back the corner of the intersection of 125th St and New Haven Road to improve the sightline was discussed. Wood will contact Mr. Ormsby before mowing back further.

12. Planning & Zoning Report – Ann Fahy-Gust:

Fahy-Gust reported that she has probably spent 3 hours so far on the RideAbility building permit.

There were no variances or splits this month. The potential CUP discussed last meeting is not being pursued.

The state building permit surcharge report for last quarter has been completed and paid.

13. Miscellaneous Mail Etc. – Clerk:

- Thomforde received a draft letter from our attorneys regarding the improper speed limit signs by the new school. The Board approved sending the letter to have it on record.
- We received a bill for insurance from MATIT for \$2564 to cover the building and contents. The bill is due November 1.
- There is a monthly TCPA (Township Cooperative Planning Association) meeting tomorrow. Nobody is planning to attend.
- There is a monthly CPT (Cooperative Planning Team) coming up in Pine Island. Andrist is planning to attend.
- We received a state PERA aid notice for next year. It was sent to the home address of three clerks ago, where he no longer lives. Fortunately, the mail delivery person found the correct mailbox. Thomforde contacted them to change the address to the town hall for future notices.
- In November, the Clerk will advertise for bids for a 3-year lease on the ag land beginning next year. The bids will be opened at the December 8th regular Town Board meeting.
- We received a notice of the Olmsted County solid waste public hearing.
- October 17th was set as the tentative date for the fall road inspection.
- The Couri and Ruppe legal seminar is October 10th at the town hall.

- We received a letter from Tom and Becky Berg (13102 New Haven Rd NW) with concerns about the increased traffic on New Haven Road with the new school and their operating farm machinery on the road. It was suggested at the meeting that they may want to use yellow flashing warning lights on their equipment while on the road. The Board agreed to have the Clerk contact Roger Idem at Olmsted County Public Works and have him put in whatever signs he recommends. He can install them while putting up the new signs for the new school and road closing.
- The Board agreed to have Fahy-Gust send flowers for the Jerry Postier funeral.

14. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 7:31 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA — ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes October 13, 2015

- 1. Call to Order:** The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisor Mary Andrist and Supervisor Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, Road-Maintenance Contractor Mike Wood, and Clerk Dale Thomforde.
- 2. Set Meeting Agenda and Order:** Andrist moved to approve the agenda as printed, seconded by Hervey. The motion carried 3-0.
- 3. Comments from the Chair:** Chair Denny Beyer commented that it is time for the fall road inspection, and the date will be set later in this meeting.
- 4. Public Comment Time:** No one from the public came forward to speak on items that were not otherwise included in this agenda.
- 5. Review for Approval – September 8th Regular Town Board meeting minutes:** Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.

Old Business

6. New School driveways / 125th Street / 85th Avenue / New Haven Road:

Thomforde reviewed that at the last regular meeting on September 8, the Town Board passed a resolution closing 125th Street at 85th Avenue. The next day, signs were put up and the road was closed, with help from the County. The 4-way stop signs have been installed at the intersection of 125th Street and New Haven Road. The farm machinery signs have been installed by the Berg farm on New Haven Road. Beyer and Mike Wood are working on installing a gate to replace the temporary sand-bagged road-closed signs on 125th Street. There was a problem with drive-arounds at the road closing, so Mike Wood installed some posts with reflectors in the ROW blocking the path. After Thomforde talked to the School Superintendent, the large rock in the right-of-way (ROW) has been moved out of the ROW.

Thomforde said that the Township Attorney sent the letter, that the Town Board reviewed at the last meeting, to the City of Pine Island regarding the speed limit signs the City installed near the school. The City Attorney responded back disagreeing and saying that it is a school zone and the speed limit signs are proper. The Township plans to take no further action.

Thomforde proposed replacing the Morris Andrist mailbox post to help with the snow problem piling up in front of his mailbox. Beyer is donating the swing-away post and Mike Wood will install for the township. Because the road-closure turnaround is near the mailbox,

this should help since the snow plow will now be able to plow under the mailbox. The idea to move the mailbox by his house didn't work out due the postal restrictions.

Mike Wood talked about the gate to replace the sand-bagged road-closed signs. He is going to buy one gate and cut it in half to make two shorter gates, each coming out from the road shoulder with a latch in the middle. The County thought we should have road closed signs on each side of the gate along with 4 diamond road closed signs on each side. Beyer instructed Mike Wood to go ahead as planned with purchasing and installing the gate and signs.

Hervey received a complaint of heavy traffic and dust on New Haven Road north of the school. They reported counting 172 cars going by in 1 hour. They were wondering if the Township could do something, like putting chloride on the road. Beyer commented that it is the wrong time of year to put on chloride since it would result in the road being icy all winter. They were also concerned about the vehicle speeds, but the road is a 55 MPH road which the Township cannot easily change. Andrist said she would bring up the traffic at the next CPT meeting with the City and School.

7. Set date for fall road inspection:

The road inspection date was set for Tuesday October 20th at 8:00 AM. Ann Fahy-Gust will not be able to attend since she has to work at her primary job on that day.

New Business

8. Rochester Post Bulletin road closing article:

Thomforde distributed a draft resolution expressing the Town Board's displeasure with the front-page article in the Post Bulletin about the road closure, and all the things that were inaccurate and misleading in the article. Thomforde sent a copy of the draft resolution and article markups with footnotes to the author of the article and invited him to the Town Board meeting. The author said he would talk to his editors and get back to us. Thomforde said he believed the paper did a disservice to the residents of the township by publishing an inaccurate and misleading article. Thomforde passed the resolution by the Township Attorney at the legal seminar. Thomforde proposed that if the Town Board adopts the resolution, putting a copy on the Township website along with the article markups with footnotes.

Ann Fahy-Gust suggested the Board think about what they are doing. She has worked with the school and City for the last two years, and nobody talked to her for the article. Hervey questioned what we stand to gain by adopting the resolution. Thomforde said this is one way to let the residents know where the Town Board stands relative to the article.

Beyer made a motion to adopt the resolution with a modification to the title to use the word "Regarding" instead of "Condemning", seconded by Andrist. Andrist and Beyer voted for the resolution, with Hervey abstaining. Resolution 2015-09 was adopted by a majority vote.

9. Review Snow Removal Policy:

Thomforde said there was a section in the township Snow Removal Policy on emergency calls that was confusing to the Pine Island City Council because it said plows would not be dispatched at night. Since that section didn't really add anything and Mike Wood usually tries to do snow plowing at night, weather permitting, it has been removed. The remainder of the Snow Removal Policy is unchanged. Andrist moved to approve the new Snow Removal Policy, seconded by Hervey. The motion carried 3-0.

10. Joint Road Agreement with City of Pine Island:

Beyer said he reviewed the proposed Joint Road Agreement for 125th Street. He found several problems with it including giving priority to plowing 125th Street. Thomforde said that it is about 0.2 miles of shared road, or the equivalent to 0.1 miles of City road, and any agreement is only for about 2 years until the new county road is built. Beyer cited several problems in the proposed agreement including payment terms and liability. The Board agreed to take no action on the proposed road agreement and to continue maintaining 125th Street.

11. September 16th CPT meeting recap:

At the Community Planning Team (CPT) meeting, Andrist said she got grilled again by the Mayor about getting the snow plowed in front of the new school. Fahy-Gust said that in the whole time she has been working with the school as the Planning and Zoning Administrator, she has only received positive comments about the New Haven snow removal, and that they wished other townships did as well. Andrist said Thomforde distributed his markups on the Post Bulletin article, and we heard apologies from the School Superintendent and School Board Chair on how they got misquoted. Andrist told them she was glad they cleared that up. Mark Thein, Oronoco Township Supervisor, has expressed concern that New Haven had two representatives at CPT meetings. Thomforde said that won't be a problem in the future.

Thomforde said the reason for CPT meetings is to have communication channels between the City, the school, and the surrounding townships. If they are going to go outside of the CPT meeting to the Post Bulletin to publish these articles, he cannot see any reason to waste his time attending CPT meetings. Thomforde said he won't be going to any future meetings. Andrist said she would be going to one more meeting to deliver the resolution and that the reason for the meetings isn't for going after members for plowing snow when it hasn't been a problem. Thomforde reported that at the last CPT meeting the Mayor announced the Pine Island levy is going up 20% next year. Thomforde explained that just the increase in the Pine Island mill rate for their levy will be double the total mill rate for the entire New Haven Township levy.

12. September 24th OCTOA meeting recap:

Andrist, Beyer, and Thomforde attended the semi-monthly Olmsted County Township Officers Association (OCTOA) meeting in Eyota.

Andrist reported that township officers attending the new officer MAT spring education training will receive \$50 off on MAT insurance, making the training tuition free. Some townships aren't attending any training and they may raise their MAT insurance rates.

Beyer reported townships that do not file annual reports with the State Auditor will lose their state road money plus 15%. Some townships have not been filing annual reports. New Haven Township uses the auditor's CTAS program which makes it very easy to file annual reports. Beyer also reported that all OCTOA officers up for election were reelected.

Thomforde said the best part of the meeting for him was talking to Olmsted Public Works Director Mike Sheehan regarding the road closure and rock in the township ROW.

13. October 10th Legal Seminar recap:

Andrist said that in a discussion after the Legal Seminar with the attorneys, we found out that supervisors cannot receive free rental of the town hall since they are voting members on the town board. The Board can waive fees in some cases. Fahy-Gust said she will check into the rental policy.

Beyer said he learned that we should have an ordinance for assessments for unpaid zoning fees to make it easier to collect unpaid fees.

Thomforde reviewed the proposed resolution on the Post Bulletin article with the attorneys at the seminar and received a few suggestions.

14. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for September 2015. The September month-ending account balances were:

General Fund / Road and Bridge Account	\$6,882.19
Money Market Deposit Account (MMDA)	\$76,866.11
Cash Reserves in 1/2/3-year Laddered CDs	\$607,880.70
Total	\$691,629.00

Andrist moved to approve the Treasurer's Report, seconded by Beyer. The motion carried 3-0.

15. Review and Pay Bills: All received claims were presented to the Board by the Clerk. The gopher feet claims will be paid next month because they came in late after checks were printed for this month. Andrist made a motion to pay all bills and for the Clerk and Treasurer to transfer funds from the Money Market Fund to the General Fund and Road and Bridge Fund as necessary to pay the bills, seconded by Hervey. The motion carried 3-0.

16. Road Maintenance Report – Mike Wood:

Wood reported all but one of the house-address fire signs have been installed.

Some road grading has been done, including all of New Haven Road. About 20 cars passed him between 125th Street and Pine Island on New Haven Road.

Beyer reported a First Student school bus got stuck in front of the town hall crossing the ditch. The bus driver told Fahy-Gust that he missed his turn.

Wood and Beyer met with Zumbrota Telephone to review the routing of the fiber optic line beside 120th Street. They will go deep below most culverts so there isn't a problem if the culvert needs to be replaced. Fahy-Gust reported that Zumbrota Telephone got Pine Island and Oronoco to agree to let her manage the permitting for the whole project.

Wood reported cutting the trees on New Haven Road to improve the sight line at the corner with 115th Street, and removed some fallen trees in Devil's Kitchen. The only thing not done is cleaning the waterway by the culverts on New Haven Road north of 125th Street. Waiting for the utility locate to be completed.

17. Planning & Zoning Report – Ann Fahy-Gust:

Fahy-Gust reported issuing a number of permits, including a new house permit and a number of fixed-fee permits.

She has had a number of inquiries about splitting properties.

A potential conditional use permit (CUP) for a nursery is being discussed, which is complicated since there currently is no house on the property.

There was a temporary construction permit issued for the telephone company work on 120th Street that was previously discussed.

18. Miscellaneous Mail Etc. – Clerk:

- Thomforde sent an obituary notice for Jerry Postier to the Minnesota Association of Townships (MAT) newspaper, and it was printed in the latest edition.
- We received an email about a potentially dangerous dog on the road at 6535 117th Street NW. A jogger on the road was bitten on the back side, but the bite did not break the skin. I contacted the bite victim and asked if he would like to handle formally and file a report with the sheriff's office, or handle informally. He chose to handle informally so I contacted the dog owners and explained what had happened and if something happened again the implications of the Town Board, acting as the local animal control authority, declaring a dangerous or potentially dangerous dog.
- Thomforde checked into getting assistance from the DNR for fire signs as mentioned at the OCTOA meeting. The DNR FireWise grants appear to be only for NE Minnesota.
- We received a certificate of insurance from the Rochester School District for the November 3rd election that is being held at the Town Hall.
- We received a notice for energy assistance for this winter based on household income. This notice will be posted on the door and website.

- Hervey reported that they will be having a fire district meeting on October 15, and they will be discussing attaching a past-due fire service bill to a property. This will be attached to the property as an assessment.

19. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 7:52 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA — ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes November 10, 2015

- 1. Call to Order:** The Pledge of Allegiance was recited and a regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisor Mary Andrist and Supervisor Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Planning and Zoning Administrator Ann Fahy-Gust, Road-Maintenance Contractor Mike Wood, and Clerk Dale Thomforde.
- 2. Set Meeting Agenda and Order:** Hervey moved to approve the agenda as printed, seconded by Andrist. The motion carried.
- 3. Comments from the Chair:** Chair Denny Beyer commented that after the fall road inspection, he believes the roads are in the best shape they have been in the 12 years that he has been on the board, thanks to our road maintenance contractor. Andrist confirmed. Beyer said most projects are complete and there is hardly any work left to check off the list any more. Andrist confirmed. Beyer also commented that we had a total of 16 voters at the town hall for the Rochester school referendum on November 3.
- 4. Public Comment Time:** Ann Fahy-Gust introduced Matt Starkson (6222 85 St NW) and his daughter. Ann works with his wife Lorri and they recently became New Haven residents. The Starkson family were welcomed to New Haven Township.
- 5. Review for Approval – October 13th Regular Town Board meeting minutes:** Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.
- 6. Review for Approval – October 20th Town Board road inspection meeting minutes:** Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.

Old Business

7. Road-closure gate on 125th Street:

Mike Wood installed the gate on 125th Street for the road closure. This gate can be opened to allow emergency traffic and road maintenance work when needed. Mike is going to modify the gate poles to they won't rotate when the gates are opened. The new mailbox post for Andrist has been installed which will allow snow plowing under the box.

8. New roof on township shed:

Beyer proposed that he would pick up shingles for the township shed and we could reshingle it with volunteer labor. Some of the roof waferboard will need to be replaced since it is

rotting. Andrist made a motion to purchase the materials needed to reshingle the shed, seconded by Hervey. The motion carried 3-0.

New Business

9. Review fall road inspection action items:

Fall road inspection action item #4 – 60th Avenue: Fahy-Gust said she would send a letter to Oronoco Township and Denny said he would get in contact with an Oronoco Supervisor. The issue of trimming of overhanging trees on the Oronoco side of the New Haven half of the road needs to be resolved.

Fall road inspection action item #11 – Genoa bushes in right of way (ROW) on Pearl Ave: Fahy-Gust said she will send another letter reminding them to trim the bushes again.

Fall road inspection action item #12 – Demolition pile of debris in Douglas : Fahy-Gust said she will a letter to start a conversation.

Andrist moved to approve the road inspection, seconded by Hervey. The motion carried 3-0.

10. Review road maintenance policy:

The Snow Removal Policy was reviewed and approved last month. The existing Road Grading Policy was reviewed this month. No changes were made. Beyer moved to approve the Road Grading Policy, seconded by Hervey. The motion carried 3-0.

11. Review town hall rental policy:

Fahy-Gust talked to the township attorney at Couri and Ruppe. He advised that the rental rate policy can be set at the purview of the Town Board. He recommended that rental rate deviations be handled by the Board on a case-by-case basis. The annual meeting approved waiving the rental fee for past and present Town Board members. Andrist said she thought Town Board members should pay the standard rental rates. Andrist also said she looked at Milton's and Cascade's rental rates and she thought our rates are a little high for residents. Hervey said he would like to see the rate set at \$0 for residents. Fahy-Gust explained that the rentals do involve her time with walk throughs, distributing keys, stocking bathrooms, etc. Also there are expenses for pumping the septic, electric, and heat. Discussion proceeded on what the rental rates should be set at. Andrist made a motion to table and changes until next month, seconded by Hervey. The motion carried 3-0.

12. October 14th TCPA meeting recap:

Thomforde attended the Township Cooperative Planning Association meeting. Sprinklers are no longer required in new houses over 4,500 square feet. The appeals court dropped that requirement as being arbitrary. Townships can have a solicitors/peddlers ordinance if they hire their own deputy. Some townships are considering such an ordinance.

13. October 15th fire district meeting recap – Hervey:

Hervey attended the meeting. They are looking at buying another pump truck. Research is being done on the cost. It probably won't happen for a few years. The next meeting will have more information on the fees for the townships for 2016.

14. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for October 2015. The October month-ending account balances were:

General Fund / Road and Bridge Account	\$5,945.78
Money Market Deposit Account (MMDA)	\$67,879.19
Cash Reserves in 1/2/3-year Laddered CDs	\$607,880.70
Total	\$681,705.67

Andrist moved to approve the Treasurer's Report, seconded by Beyer. The motion carried 3-0.

15. Review and Pay Bills: All received claims were presented to the Board by the Clerk. Claims for a total of \$16,267.27, plus payroll, were submitted for approval. Andrist made a motion to pay all bills and for the Clerk and Treasurer to transfer funds from the Money Market Fund to the General Fund and Road and Bridge Fund as necessary to pay the bills, seconded by Beyer. The motion carried 3-0.

16. Road Maintenance Report – Mike Wood:

Mr. Wood reported the gate has been installed on 125th Street as previously discussed.

He has been blading road trying to pull everything back into the middle before winter. He will continue doing this as long as things are decent.

He plans to start going around doing some tree work.

He reported Peoples Coop is putting poles up in Genoa. Fahy-Gust said they previously had a construction permit to do some work in the ROW, but it wasn't in Genoa and it wasn't this year. Fahy-Gust said she will call them to see what they are doing.

Thomforde reported he received an email from Thomas Suther (7212 117th St NW) regarding the pothole on the inside corner of 117th Street and 65th Avenue. Mr. Wood said he recently put some rock there. He tries to fill the pothole before winter but uses it in the summer to try to keep people from further cutting that corner.

Mr. Wood reported the ditches are getting filled in by Thomas Berg's and will need to be cleaned out at some point. There is a pothole on the inside corner on the last curve going into town from people cutting that corner.

17. Planning & Zoning Report – Ann Fahy-Gust:

Fahy-Gust reported issuing permits for a couple of small sheds and things like that.

She did a lot-line adjustment for the Starksons of about ¼ of an acre.

We do not have the zoning fees in an ordinance, but they are attached to every application. Our attorney recommended that they be in an ordinance as well as on all the applications. She would propose attaching a table of fees to the ordinance with approval at the Annual Town Meeting, to avoid having a separate public hearing. She is reviewing with the attorney. The other way to do it as to amend the applications to include the fees. The Town Board agreed that the latter proposal would be simplest way to handle it.

18. Miscellaneous Mail Etc. – Clerk:

- Thomforde received an email saying we hadn't filed our road mileage certification for 2015. After two corrections, we end up with 31.23 miles of township roads instead of 31.45 miles. Thomforde said we spend over \$5,000 per mile each year for road maintenance, and receive about 1/10th of that back from the state.
- We received an email stating that it is time again in January to file a pay equity report, which is required by the state every three years. We will do the report for our one employee.
- Thomforde did publish and post advertisements for the 3- year cropland lease. Bids will be opened at the December meeting.
- We didn't receive any LP prepay contract for this heating season. The Board agreed we forget about any prepay contract this year.
- The clerk is filing a form with Hemann Grover so they will now file our quarterly payroll taxes electronically.

19. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 7:37 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk

New Haven Township

OLMSTED COUNTY, MINNESOTA – ORGANIZED IN 1858
PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET
9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes December 8, 2015

1. Call to Order: The Pledge of Allegiance was recited and the regular-monthly meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Denny Beyer. Quorum requirements were met with Supervisor Mary Andrist and Supervisor Brian Hervey also present. Also in attendance were Treasurer Bob Figy, Road-Maintenance Contractor Mike Wood, and Clerk Dale Thomforde. Planning and Zoning Administrator Ann Fahy-Gust was absent with notice, submitting her report in written form.

2. Set Meeting Agenda and Order: Andrist moved to approve the agenda as printed, seconded by Hervey. The motion carried 3-0.

3. Comments from the Chair: Chair Denny Beyer commented that the township has had a good year, with no disasters and no terrible expenses anywhere.

4. Review sealed bids for 35-acre cropland 3-year rental contract: The Clerk received 3 sealed bids which were opening at the meeting. The bids were:

1. \$166 per acre, \$5810 per year – Bryce Moon;
2. \$125 per acre, \$4375 per year – Reed Clementson;
3. \$3700 per year – Jim McNamara.

Hervey moved to accept Bryce Moon's bid for a \$166 per acre, \$5810 per year, seconded by Andrist. The motion carried 3-0.

5. Public Comment Time:

Dave Klann (7143 75th St NW) said he wanted to thank the Town Board for supporting the cemeteries again this year, and really thank the 4-H club for the job they did this year. Mr. Klann also submitted an annual report on the annual finances for Center Grove Cemetery.

Tom Bramble (6533 75th St NW) reported a water problem with the house to the east of him (6519 75th St NW). They have been draining sump pump water out into the street and it is running into his yard, freezing in winter and smells during the summer. Beyer said we will check into it.

6. Review for Approval – November 10th Regular Town Board meeting minutes: Andrist moved to approve the minutes as printed, seconded by Hervey. The motion carried 3-0.

Old Business

7. Fall Road Inspection follow-up items:

Ann Fahy-Gust submitted her written report stating:

The trees in Genoa are removed – they needed to leave some to protect their septic and will be considering doing something else to have that protection.

The tree on 85th has been removed

Mark Thein – Oronoco Township responded to our letter and said he would be in contact with Denny Beyer to discuss the concerns on 60th and devise a plan to address them.

Letter to the owner in Douglas has had no response, I know that it's undergoing sale so it might be down to the new owner, who I have talked to about other topics already.

Peoples Coop - believes that the work in the ROW is covered under their earlier 2015 agreement because they didn't finish the work that was intended in that request. I do see where they are working on the same areas that were covered in the permit. I stressed that we would have appreciated a call and shared my cell phone with them so that they could call and let us know that they were not complete and would need a permit extension. I believe that this is in good faith and not a deliberate attempt to be a "problem child" so I let them go.

Beyer confirmed that Mark Thein did talk to him and they said they would take care both problems on 60th Street.

Thomforde said he checked the contract we have with Oronoco Township on the shared road, and overhanging trees are dealt with like brush and are the responsibility of the township responsible for that section of road.

8. New roof on township storage shed:

Beyer said the volunteers completed installing the new roof. We ended up using 6 sheets of new plywood to replace deteriorated fiber board. It was too cold to install the ridge cap so that will be done later. It is well covered for now. Four volunteers (Beyer, his son, Dave Andrist, and Thomforde) finished the project in about 1½ days.

9. Review/revise town hall rental policy:

Ann Fahy-Gust submitted her written report stating:

We are actually doing well with the rates we have set. There is work that I do for the rentals being sure that the lavs are clean and stocked, kitchen is clean and stocked. I do the laundry for the towels etc after the meeting. I check that the hall is left in good order and that the keys are in place. I review with every rental person what the requirements are and have them sign the rental agreement. The website has the requirements, rates and the sizes of rooms as well as what's included in the rental. When I do the walk through with the renters, they have the opportunity to ask questions and review any concerns. As I stated

last time we are meeting all requirements legally and as long as you are satisfied with the rental rates I don't really see a need to make a change in how we do what we do.

Beyer said he is inclined to not change the rental rates. Andrist said it is a good deal at the current rates. Andrist moved to leave the rates the same, seconded by Hervey. The motion carried 3-0.

Andrist added that she would like to see the regular renters, such as the saddle club and wood turners, come to the Town Board after the annual reorganization meeting each year to discuss their rental rates. It would be nice if they would contact the Town Board once a year to renew their rates.

New Business

10. Election calendar:

Thomforde presented a condensed 2-page election calendar for the March 8, 2016, Township election, based on the 78-page Secretary of State calendar and the MAT calendar.

Andrist moved to hold the Board of Audit on Tuesday February 9th, at 5:30 PM, before the regular Town Board meeting, seconded by Hervey. The motion carried 3-0.

Andrist moved to hold the regular March Town Board meeting on Friday March 4th, at 6:30 PM, seconded by Hervey. The motion carried 3-0.

11. November 24th OCTOA meeting recap:

Beyer said the County Attorney reported an older person that had been neglected. He urged that if anyone knows somebody that is neglected, that they contact the County and they will check into it.

Thomforde reported that about 350 township officials attended the MAT annual conference. The MAT Insurance Trust will be returning \$1.9 million to the townships as a dividend due to lower than expected workers comp claims. The County Attorney expressed a concern about the Feds releasing 6,000 "low level" drug offenders. Commissioner Flynn said the County budget is going up from \$85 million to \$90 million next year. State Senator Carla Nelson said the Rochester International Airport customs area needs \$15 million in upgrades for the airport to maintain its international status.

12. Treasurer's Report: Bob Figy presented a written treasurer's report detailing all receipts and debits for November 2015. The November month-ending account balances were:

General Fund / Road and Bridge Account	\$5,494.26
Money Market Deposit Account (MMDA)	\$53,891.11
Cash Reserves in 1/2/3-year Laddered CDs	\$609,341.73
Total	\$668,727.10

Hervey moved to approve the Treasurer's Report, seconded by Andrist. The motion carried 3-0.

13. Review and Pay Bills: All claims received by December 7th were presented for consideration to the Board of Supervisors by the Clerk. Claims for a total of \$6,944.79, plus payroll, were submitted for approval. Andrist made a motion to pay all bills and for the Clerk and Treasurer to transfer funds from the Money Market Fund to the General Fund and Road and Bridge Fund as necessary to pay the bills, seconded by Hervey. The motion carried 3-0.

14. Road Maintenance Report – Mike Wood:

Mr. Wood reported he has recently been plowing snow.

He has been blading roads trying to pull everything back into the middle before winter.

He said due to the traffic, next spring we need to rerock 125th Street and New Haven Road north of 125th Street. These roads are in addition to the regular-rotation of roads to be rocked next spring. The budget for rock will need to be adjusted.

Loggers by Jan Fisher want to put logs on the turn around in the trees. Mr. Wood said they wouldn't be in his way.

While it remains nice, he is going to continue road grading and brushing ditches.

15. Planning & Zoning Report – Ann Fahy-Gust:

Ann Fahy-Gust submitted her written report stating:

I'm in the process of creating a half sheet zoning fee schedule to attach to all zoning applications so when we have applications folks starting in 2016 will have that information up front when they apply. This is short, sweet and meets the legal needs.

Permits – 2 septic, 1 furnace

16. Miscellaneous Mail Etc. – Clerk:

- Thomforde received the proposed taxes for 2016 for the township property, which are up 2% next year. The township portion is down 6%, which is based on the same marker valuation as 2015.
- The Minnesota State Auditor published the township financial reports for 2014. New Haven Township has the lowest mill rates in Olmsted County. New Haven Township also has the highest reserves of any township in Olmsted County. Thomforde recommended that the reserves ideally should be at about 1.0 times the annual expenses. Currently, New Haven Township has reserves at 2.23 times the annual expenses. The current property tax rates will reduce these reserves over the next 5-10 years.
- Thomforde presented a summary of his monthly hours and wages for 2015. For the hours logged, it came out to an average \$11.24 per hour, which he is happy with.
- The township received a letter about the fire chief election.

- The clerk asked for and was given permission to work on updating the traffic sign inventory list and to get quotes for new signs where needed.

17. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 7:37 PM.

Approved by the Board,

Attest,

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk