

New Haven Township

OLMSTED COUNTY, MINNESOTA — ESTABLISHED 1858
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9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Regular Monthly Town Board Meeting Minutes September 12, 2017

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: Beyer commented that after all the hurricane devastation, we have many things to be thankful for.

4. County public hearing on revocation of Co Rd 113 and reversion to township:

Beyer temporarily recessed the regular Town Board meeting and turned the meeting over to Michael Sheehan, Olmsted County Public Works Director, to conduct the public hearing.

Michael Sheehan called the public hearing to order and gave some background for the revocation of Co Rd 113 and reversion to township. On August 8, the New Haven Township Board approved the jurisdictional transfer agreement with the County. On August 22, Olmsted County Board of Commissioners approved the same jurisdictional transfer agreement. The date of the transfer will be September 19, 2017, after the County Board adopts a resolution transferring jurisdiction of the road to the Township. Pursuant to Minn. Stat. § 163.11, Subd. 5a, the County Board is required to hold a public hearing in regard to revocation of any county road. The public hearing was scheduled to be held at this time, the Township officers were notified by certified mail, and it was publicly advertised on August 9, 2017. On August 22, the County Board assigned the responsibility to conduct the public hearing to Michael Sheehan, Director of Public Works, pursuant to Minn. Stat. § 394.26, Subd. 3a. Mr. Sheehan opened the public hearing for any comments or concerns from the public or Town Board.

A question was asked how the decision was made to transfer Co Rd 113 rather than other county roads? Mr. Sheehan responded that it was chosen after discussions with the Township and they thought Co Rd 113 was the fairest road to transfer in exchange for the transfer of 125th Street NW to the County. Co Rd 31 was considered but it includes bridge and has other grade issues. Mr. Sheehan was asked if the quality of service will remain same on the road? Mr. Sheehan says the Township does a good job maintaining their roads. Instead of no charge for road chloride, the Township has residents pay half of the cost for the first 300 feet, which was \$81 in 2017. Vince Fangman (11724 Co Rd 113 NW) asked why the phone company was locating and marking their lines near the culverts. Mr. Sheehan said the County agreed to pay the Township contractor to clean out the culverts as needed. Mr. Fangman also asked if the

township the Right-Of-Way (ROW) could be narrowed to 33 feet from 50 feet on some property he owns. Mr. Sheehan said that is a question the town board would have to address. A resident asked when the street addresses will change for mail delivery? Mr. Sheehan said the Planning Department staff has started the address changes, and is in the process of changing the street signs. Mr. Sheehan said the transfer of the road to the Township will occur officially on September 19, and he was told earlier in the day that the address changes had already been taken care of. A resident said his new mailbox post was loose. Mr. Sheehan said to give him the address and the County will fix it. A resident asked if the Township maintenance contractor could handle the extra road. Beyer responded saying this adds about an additional 2 miles, adjusting for the loss of part of 125th Street, and it shouldn't be a problem since many times he has to travel county roads to get to township roads. Mr. Sheehan asked three times if anyone else had any comments before closing the public hearing. No one came forward to speak. Mr. Sheehan then closed the public hearing. Mr. Sheehan said the Olmsted County Board is prepared to pass a resolution of revocation of county road status of Co Rd 113 and reversion to township, at the 3:00 PM County Board meeting on September 19, 2017.

Beyer reconvened the regular Town Board meeting.

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

6. Consent Agenda: Andrist moved to approve the August 8, 2017, regular Town Board meeting minutes as printed, seconded by Hervey. The motion carried 3-0.

Old Business

7. Co Rd 5 Connection / 125th Street construction and agreement:

Thomforde included in the handout packet a copy of the resolution the County Board adopted on August 22nd to temporarily take over jurisdiction of Town Road B / 125th Street NW.

Thomforde stated the County Board also adopted a resolution on September 5th renaming Town Road B to 125th Street NW, as specified in the agreement the between the Township and the County.

Mike Wood said the replacement culverts for 125th Street have been ordered. He will be installing these on a section of the road that will eventually be transferred back to the Township.

8. Co Rd 113 Jurisdiction transfer to Township agreement:

Thomforde included in the handout packet a copy of the resolution the County Board adopted on August 22nd to approve the agreement between the County and the Township to transfer jurisdiction of CR 113 to the Township.

Thomforde stated the County Board also adopted a resolution on September 5th renaming CR 113 to 100th Street NW and 110th Avenue NW, as specified in the agreement the between the Township and the County.

*New Business***9. New Haven Road traffic:**

Chair Beyer said he thought the New Haven Road traffic was an emergency situation. It is not very safe for anyone with one continuous cloud of the dust. Andrist said the road could be chlorided, but that will not stop the speeding or reduce the traffic, and if the road is closed, it will cure the whole problem. Jerry Berg (13040 New Haven Road) said closing the road to through traffic would solve the problem. He has seen Byron and Stewartville busses using the road, along with other busses and deliveries. Tammy Berg, Pine Island Public Schools Superintendent, said the school has communicated with busses that they should use the other route. A resident said coming home tonight she could not see the car in front of her, which means she could not see anyone coming at her, which is very dangerous. Tom Berg (13102 New Haven Road NW) said he has to cross the road to get to the other part of his farm. He tries to schedule work it times when it is not so busy, but the track and soccer kids use the road and they travel quite fast. Mr. Sheehan said the County did chloride 125th Street and it has helped the dust, but it won't help the speeds. Vince Fangman (11724 Co Rd 113) asked how he could get to his farm if the road is closed. Beyer said he could get to it through town. Mr. Fangman suggested chloriding and signage instead of closing the road. Carolyn Berg (13040 New Haven Road) said the deputy sheriff goes through there a lot, so they do have traffic control. She said they also chloride but it is not working and she would like to see the road closed. Ron Peterson-Rucker (11930 Co Rd 113) said they have different gravel on Co Rd 113 with chloride and they don't have a dust problem. Bill McNallan (12246 Co Rd 113) said he is against closing the road and thought the problem could be fixed with chloride. He thought when the new road was completed and paved, there would be 1/10th the traffic currently on New Haven Road. Tammy Berg-Beniak said the school would help with the cost if the Township decided to chloride the road, and requested that if the road is closed, she be given advance notice so she can notify the families. Dean Kukson (12883 New Haven Road) asked about signage if the road was closed. Signage would be added at both ends and any closing would be temporary. Mr. Sheehan added that the County would be willing to help share the cost of chloride if that was what the Town Board decided to do. Tom Berg added that chloriding the road isn't going to change the traffic, and until the new road is complete, the road could be closed. He said the traffic is very heavy after a game or event. Hervey asked if residents on the road would be receptive to closing the road on a trial basis and then later reopening. Tom Berg said he thought they would soon figure out the road was reopened and it wouldn't help much. Ann Fahy-Gust received an email from the Murches (13049 New Haven Road) that said they were not able to attend the meeting, but requested the road not be closed since it is the only way to get in and out from their home. It was pointed out that if the road was closed, they would still have access through Pine Island. Chair Beyer closed the meeting to further public comments.

The Town Board discussed road closing options. Andrist made a motion to close New Haven Road NW at 125th Street NW, seconded by Hervey. The motion passed with Andrist

voting aye, Hervey voting aye, and Beyer abstaining. Thomforde questioned if a resolution is required to close a road, and he will check into it. If a resolution is needed, a special town board meeting can be held to consider it. The road will not be physically closed for at least a week while the signage and gate are installed.

10. August 10 MAT District 1 meeting recap:

Thomforde attended the Minnesota Association of Townships (MAT) District 1 annual meeting in St. Charles.

149 township officers, 60 townships, and 8 counties attended the meeting.

Nate Redalen ran unopposed to be reelected as the District 1 representative. He was reelected by unanimous motion. Nate is the current MAT President.

We received a law book that includes all the Minnesota statutes relating to townships.

They discussed changes to the election laws and other changes that the legislature made during the last year.

11. Treasurer’s Report: Bob Figy presented a written treasurer’s report detailing all bank accounts receipts and debits for August 2017. The August month-ending bank account balances were:

General Fund / Road and Bridge Account	\$7,003.43
Money Market Deposit Account (MMDA)	\$126,096.49
Cash Reserves in 1/2/3-year Laddered CDs	\$407,928.68
Total	\$541,028.60

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

12. Review and Pay Bills:

Thomforde reviewed the current Schedule 1 report from CTAS (City and Township Accounting System) showing the balances in each of the different township fund accounts, which matches the Treasurer's totals in the township bank accounts.

All claims received through September 11th were presented for payment consideration to the Board of Supervisors by the Clerk. Claims totaling \$13,164.61, plus payroll, were submitted for approval. The final payroll number for August, including PERA, was \$1,705.18.

Hervey made a motion to pay all bills, seconded by Andrist. The motion carried 3-0.

13. Water Cooler:

Beyer said the water cooler is leaking and the current water supplier does not want to fix it. He will check with Culligan to see if they can fix it, and supply water bottles when they service the water softener. Andrist moved to have Beyer make the decision how best to handle the bottled water, seconded by Hervey. Motion carried 3-0.

14. Road Maintenance Report – Mike Wood:

Mr. Wood reported completing mowing, including Co Rd 113. .

His goal is to get road rock and salt stockpiled for this winter. He plans to get a little more this year than last year.

Of the 13 culverts on Co Rd 113, 11 culverts need some work cleaning and repairing. The County will pay for the work done before November 1.

He doesn't want to put in the new culverts on 125th Street until the construction is done running over it to prevent damage to the new culverts.

His is going to trying to get the 88th Avenue ditch, near Pressnall, cleaned out.

He said he will install the signs and gate for closing New Haven Road.

There is some stuff the needs to be fixed on Mechanic Street in Genoa, and will be checked during road inspection.

It was agreed to do the fall road inspection on Friday September 15, beginning at 8:00 AM. (It was later rescheduled to September 22, to allow for posting the required 3-day notice of a meeting.)

15. Planning & Zoning Report – Ann Fahy-Gust

Fahy-Gust reported:

- There is an unpermitted septic system being installed in Douglas. She has sent a letter and tried to contact them with no success. This is a MPCA violation. We are going to have to get our own attorney to draw up legal proceedings.
- There is unpermitted construction taking place on a dwelling in Genoa. She had a cease-and-desist notice posted, which is being ignored.
- Issued permits for 2 homes, a garage, and a shed. Working on a split.
- The resolution for the second-dwelling CUP approved last month was signed.
- A zoning resolution to complete the RSD rezoning in Genoa was signed.
- Tom Lee (10544 105th Street) asked if he needed a public hearing for landing strip for an ultralight aircraft. Since it is a recreational aircraft, the Board didn't feel a hearing or permit is needed.
- Dan Jewell would like to rezone his 10 acres so it can be split into 2 parcels. A special meeting for a public hearing will be held September 26, at 6:30 PM.
- The Planning Advisory Commission met to review the land use plan and proposed changes. Fahy-Gust met with David Todd, Pine Island Administrator, to discuss the proposed changes. She wants to have some maps made to show the proposed boundaries, with overlays of existing and proposed orderly annexation agreements. Andrist moved to spend up to \$600 on maps, seconded by Hervey. The motion carried 3-0.

16. Miscellaneous Mail Etc. – Clerk:

Our attorneys send us a notice that they are raising their hourly rates slightly.

Received an insurance invoice from MATIT for our commercial package, which is due November 1. The check will be made out for the next meeting.

Ag Partners was contacted about prepaying propane for this winter, since we didn't receive any notice in the mail. They will give us a price \$1.25 per gallon if we prepay. Any unused amount is refunded at the end of the season. Beyer made a motion to prepay for a 1000 gallons of propane, seconded by Andrist. The motion carried 3-0.

Thomforde attended a Oronoco Town Board meeting to listen to a noxious weed presentation. They said mowing usually will not control wild parsnip, and spraying Escort can control it, but there will be complaints about spraying. Mike Wood said he won't do spraying and mowing multiple times can control it.

We received an updated copy of the election laws from the MN Secretary of State. It is a couple of inches thick if anyone wants to read it.

17. Adjournment: With no further business before the Board, Chair Beyer adjourned the meeting at about 8:31 PM.

Approved by the Board,
Date:

Attest,
Date:

Denny Beyer – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk