

# *New Haven Township*

OLMSTED COUNTY, MINNESOTA – EST. 1858

PHONE: 507.356.8330 EMAIL: NHTOWNSHIP@BEVCOMM.NET

9024 COUNTY ROAD 3 NW, OROCOCO, MN 55960

---

## New Haven Township Regular Meeting Minutes

June 11, 2024

Following the Pledge of Allegiance, the meeting was called to order by Chair Ann Fahy-Gust at 6:30 PM. Supervisors David Andrist and Dale Thomforde were present to constitute a quorum. Also present were Treasurer Robert Figy, and Clerk Bonnie Kosmicki.

**Set Agenda and Order** – Thomforde made a motion to approve the agenda as printed, seconded by Andrist. Motion carried 3-0.

**Comments from Chair** – None.

**Comments from Public** – None.

**Public Hearing - Canterbury Farm Special District** – Dave Meir, Township Cooperative Planning Association (TCPA) Administrator, provided a recap of what has previously occurred relative to the Otto's applying for a CUP last year to operate a wedding venue event business on their property on 85<sup>th</sup> St. The Planning and Zoning Advisory Commission reviewed the Conditional Use Permit (CUP). The township board held a public hearing and ultimately CUP was approved. Throughout the planning and development of their business, the Otto's were hoping to utilize an existing barn structure to hold ceremonies. Additionally, because of one of the conditions in the CUP they were required to have more parking area than their engineer could fit in the area available after the accessory structure was in place. The Otto's approached to seek variances to be able to utilize the barn structure, to utilize additional square footage for accessory structure and more than 15,000 square feet of surface area for their home-based business. After review by the Board of Adjustments and the township board, the conclusion was reached that these were not things that the ordinance allowed to be varied. Previously Meir and Otto had discussed the possibility of special districting for their property, but at that time New Haven Township did not have special district language in their Zoning Ordinance. Several months ago, the Planning Commission considered special district language, the township board held a public hearing and adopted Section 8.1 in the New Haven Ordinance which allows the board to create special districts. The Otto's are now applying to create the Canterbury Farm special district. The only thing that is allowed in the Canterbury Farm special district is a wedding event business. The board was directed to the resolutions drafted by TCPA and amendments to the original CUP. Chris Hawkins, Chair of Planning and Zoning Advisory Commission, commented that the Planning Commission thoroughly reviewed each provision with input from the Otto's. He has no recommendations for any changes or revisions beyond what is being presented.

The public hearing was opened. Chair Fahy-Gust asked for any public comment in favor for approval of the amended CUP and language added for the Canterbury Farm special district. Bert Otto (6425 85th St NW) addressed the board and public by acknowledging that people often will think of the worst-case scenario that could or might occur relative to a business such as theirs. The Otto's have been busy over the last several

years as DJ's. They have been to many wedding venues of various sizes in several states. The max occupancy of their venue is 300. From their experience, weddings of this size are rare. Otto continued to explain their interest in utilizing more than one building on the property as the size of the barn is not sufficient for receptions necessitating expanding use of the pole shed for an event center. The special district is the only way for them to be allowed to utilize two buildings on the property and resolve parking issues. Rollie Postier (6434 85th St NW) commented that he has no objections to amendment. After three calls for those in favor, no other comments were made.

Fahy-Gust asked for anyone to speak against the amended CUP and language added for the Canterbury Farm special district. Dan Kohlmeyer (8511 Co Rd 3 NW) commented that he was not speaking for or against. He wanted to comment that noise may be an issue, was curious about potential decibel level and if there are any regulations for that. Fahy-Gust indicated that what is stated in the CUP is that all music will be indoors. Otto has discussed with neighbors that he will make every effort to deaden the sound as much as possible through the use of insulation. Fahy-Gust commented that as with all CUP's, if there is any complaint about the CUP, residents are encouraged to speak to any of the board members. The Otto's are to reappear before the board 11 months after the paperwork is signed to discuss their progress which would also be a time to address any concerns. After a third call for comments against, no other comments were made.

No comments were made to speak about the proposal.

Andrist made a motion to close the public hearing, Thomforde seconded, motion carried 3-0.

A discussion was held by the supervisors. Olmsted County has no issues, CUP fits within the land use plan. Discussion regarding fireworks was held, the term illegal fireworks was included so that sparklers could be utilized during wedding send off. No changes were recommended by supervisors.

Andrist made a motion to approve special districting for Canterbury Farms, Thomforde seconded. Motion passed 3-0.

Thomforde made a motion to approve the amended CUP, Andrist seconded. Motion carried 3-0.

**Floodplain, Shoreland, & MOU Discussion** – Jered Staton, TCPA Administrator, presented an update to the board regarding a flood information study done by Olmsted County to reassess the flood hazard which impacts whether flood insurance could be required by mortgage holders or not. In September 2023 it became required that the county has an approved flood plain and shoreland ordinance with ultimate approval from the DNR. Presently none of the townships have an approved, enforceable ordinance. The county drafted a county wide ordinance that dictates floodplain and shoreland districts. Prior to the DNR issuing approval for any finalized ordinance, there was a requirement that a Memo of Understanding (MOU) be drafted and signed by all townships who are participating members in TCPA. Options being presented to the township are as follows:

- 1) Accept ordinance and MOU as written;
- 2) Request revisions to the MOU and possibly the ordinance before accepting the terms and conditions;
- 3) Begin the process of adopting a new floodplain and shoreland ordinance as outlined in the documents provided.

Staton provided a summary regarding the impact the ordinances would have relative to CUPs, variances, and rezoning map amendments since the county has become the final authority in approving these in mapped FEMA floodplains. New Haven does have some public waters that will create some shoreland districts. A CUP would be required to work in flood prone soils. This could be of concern for example in the instance of a

landowner wanting to install a driveway and culvert to access their property in these districts as this would now require a county public hearing and the county issuing the permit. In this instance, Staton would recommend an option where this would be a technical review by the county as opposed to the CUP being attached to the property. Townships, are all being visited and updated by TCPA. A common concern of township leadership was the lack of consideration for them to be involved in the process of authority changing and authority being taken away without discussion. Some CUPs processes will now require dual approval at township and county level. Visits to remaining townships will continue through August. Staton indicated that several townships are leaning toward option 3. He recommends taking time to read through documents, possibly have the Planning and Zoning Advisory Commission read through and make their recommendations. If townships were to adopt their own ordinance utilizing the DNR's suggestion as a template, Staton recommends having one that fits all 14 townships that TCPA would administer. This is probably the only approach the DNR would agree with. This issue will be added to the July Township Board meeting and any further concerns forwarded to TCPA.

**Consent Agenda** – Andrist made a motion to approve May 14<sup>th</sup> meeting minutes as written, Thomforde seconded, motion carried 3-0.

### **Old Business**

**Silting on 100<sup>th</sup> Street** – Andrist called Hodgman Drain Company twice to discuss a quote. He did not receive a return call. Andrist will get a sketch for work needing to be done. Andrist and Thomforde will meet at the site prior to the July meeting so that Andrist can explain what is being recommended.

**Spring Road Inspection** – A letter was sent to May Yang (1731 Center St W) requesting the telephone poles be removed from the ditch Right-of-way (ROW). They have not all been removed as of yet. May did call Fahy-Gust indicating they could not make it to the meeting today and to inform that they plan to have them removed by the end of the week.

Mike Wood has cleaned out the culverts on 88<sup>th</sup> Ave and Plum Creek. Trees have been removed from 69<sup>th</sup> St and 110<sup>th</sup> Ave. Andrist addressed a culvert concern from resident Trevor Scrobeck (9455 110 Ave NW).

**TCPA Meeting Recap** – There was no meeting held since the last town board meeting.

**Olmsted County Township Officers Association Meeting Recap** – Sen. Karla Nelson spoke bills that have been passed, and the sheriff spoke on the current state of illegal drugs. Andrist and Thomforde attended the meeting in Chatfield, at the Elmira Town Hall.

**Solar Farms** – Fahy-Gust requested this item be on the agenda as she was approached by a land owner who is interested in solar farms. Ryan Finnegan (22098 Canton CT, Farmington MN) addressed the board regarding New Haven's lack of any ordinance laying out guidance for solar farms. Finnegan is interested in the possibility of installing a solar farm. Interest in solar farms in general is growing. A recommendation was made for the Planning and Zoning Advisory Commission to begin researching solar farm ordinances and bring information back to the township board.

**Election Judge Slate** – Currently those signed up for training are Bonnie Kosmicki, Ginger Roberts Carson, Dave Andrist, Ann Fahy-Gust and Dale Thomforde. Larry Matson plans to sign up. Donna Hockberger is not available. Donna Beyer is also available. Four judges including the head judge are needed to cover the

August primary, with additional judges for split shifts. For the November election, a minimum of 5 is recommended on each shift. The resolution to appoint judges will be presented at the next meeting. A resolution needs to be passed 25 days prior to the election.

**Office – Organization, Furnishings & Cleaning** – Clerk Kosmicki requested latitude in organizing files and furniture. The hall is also in need of regular cleaning. Thomforde made a motion to authorize the Clerk to spend up to 10 hours a month at the regular pay rate for cleaning, Fahy-Gust seconded. Motion passed 3-0.

As to reorganization of files, Thomforde indicated that meeting minutes need to stay in the file room as it has fireproofing and access to the minutes is restricted. Kosmicki proposed removing almost all file cabinets and desks that are not being used. Fahy-Gust made a motion to authorized up to \$300 for the purchase of bookcases. Andrist seconded. Motion carried 3-0.

The unneeded furnishings can be removed and donated to a non-profit.

**Road Report** – Trees have been removed. Mike asked if he should wait to mow the top cut before spraying. Andrist directed him to go ahead and mow. Andrist has an estimate on the road in Genoa, 10 x 41 ft. patch and a 5x5 patch by Cty Rd 14. There is also a portion that is 8-9 ft that is very broken up. The estimated cost to repair is \$3600.00 from Rochester Sweeping Service. The township cannot afford to blacktop the road at a cost of over \$250,000.00. Andrist made motion to approve Rochester Sweeping Service to repair the road. Thomforde seconded; motion carried 3-0.

**Treasurer Report** – Figy provided a detailed report for the financial transactions for the month of June.

Frandsen Bank -	Checking Account	\$3206.70
	Money Market Account	\$8873.13
	Less Outstanding Checks (2)	\$100.00
	Total Deposits	\$11,979.83
Merchants Bank of Indiana – 5.3% 6/04/24		\$50,000.00
JP Morgan Chase , 5.02% (semi-annual) 1/6/2025		\$100,000.00
Wells Fargo of South Dakota 5.2% 2/26/2025		\$50,000.00
Flagstar Bank 4.7% (semi-annual) 7/25/2025		\$100,000.00
Total Investments		\$300,000.00
Total Deposits		\$311,979.83

Andrist made a motion to approve the treasurer’s report, Thomforde seconded, motion carried 3-0.

**Review/Pay Bills** - Kosmicki presented a Schedule 1 which concurs with the treasurer’s report. All funds are positive. Total bills are \$31,686.10, including \$13,056 for dust-mitigation chloride, \$5,120 for road maintenance, and \$2,920 for an additional payment for fire and EMS. Andrist made a motion to pay all bills, Thomforde seconded. Motion passed 3-0.

**Correspondence** – Estimates for a 2023 population of 1,285 and 507 households was received from MN State Demographer were reviewed. Township MAT membership cards were distributed. Former Clerk Beyer stated

that she did receive communication from the state that they approved reimbursement for the Presidential Primary except for food that was provided or the mileage for classes.

**Adjournment** – Thomforde made a motion to adjourn, Andrist seconded. Motion carried 3-0. Meeting adjourned at 8:20 PM

Approved by the Board

Signed:

Signed:

*/Signed Copy on File/*

Date:

Ann Fahy-Gust, Chair  
For the New Haven Town Board

Date:

Bonnie Kosmicki  
Township Clerk

TOWNSHIP MONTHLY FINANCIAL REPORT

7

Ending Balance of April, 2024 statement

13736.47

Income

Checking Account

5/3 Chloride	162.30
5/10 Chloride	62.00
5/16 Wood Turners	150.00
5/30 Hall Rent	275.00
5/15 Online Banking Transfer From MMDA	8500.00
5/31 Paper Statement Refund	5.00
5/31 Interest	2.30

Total Deposits

87148.30

Debits

4639 (PAC Mtg) Kory Weis	50.00
4660 Ginger Carson (Election Judge)	90.00
4661 Rock Lime & Rock (Crashed Rock)	78,075.00
4662 Fogarty's Outdoor Services LLC (Snow Removal)	160.00
4663 Michael Wood (Road Maint)	15,005.00
4664 Hemann Grover & Co. LTD (Payroll)	142.00
4665 Adams Pest Control	50.00
4666 Ann Fahg - GATE (Mileage)	133.62
4667 David Andrist (Mileage)	49.72
4669 Gary Anderson (Mileage)	50.00
4671 Dale Thomforde (Chloride Stakes)	22.49
20666 Wages	503.31
20667 Wages	766.50
20668 Wages	1397.46
20669 Wages	20.00
20670 Wages	466.37
Bevcomm	78.03
Culligan	63.95
PEC	157.53
Paper Statement Refund	

Total Debits

97,678.07

New Ending Balance of May, 2024 statement

3206.70

