

LeSauk Township Regular Meeting
May 23, 2017

The regular monthly meeting of the LeSauk Township Board of Supervisors was called to order by Chairman Dan Heim at 7:00 p.m. in the Town Hall.

PRESENT: Supervisors Dan Heim, Jeff Westerlund and Shawn Omann, Clerk Marlyce Plante, Treasurer Josh Bentley and 8 interested parties.

AGENDA APPROVAL: SUPV WESTERLUND MOTIONED TO ACCEPT THE AGENDA AS AMENDED WITH THE ADDITION OF JOHN PETERSON OF SIGN SOLUTIONS IN THE OLD BUSINESS, SECOND BY SUPV OMANN, MOTION CARRIED 3-0.

OPEN FORUM –

Stephen & Julie Muenchow – Rory Mrozek, developer of Monarch Meadows Plat 3, came before the Town Board with a site plan for Stephen & Julie Muenchow who purchased one of the new lots in Monarch Meadows Plat 3. The Town Board reviewed the site plan which met all necessary setbacks etc. SUPV HEIM MOTIONED TO ACCEPT THE MUENCHOW SITE PLAN AS PRESENTED, SECOND BY SUPV OMANN, MOTION CARRIED 3-0.

BRENT & NICOLE BURGARDT – PUBLIC HEARING – VARIANCE

Chairman Heim read the public hearing notice for Brent & Nicole Burgardt who filed an application for a variance to construct a second accessory building on their parcel located in BonHomie Valley Addition. The hearing was opened to the floor.

Nicole Burgardt – Ms. Burgardt stated they would like to construct an additional 40 X 40 square foot accessory building next to an existing 24 X 30 accessory building. An existing concrete slab will separate the two buildings. The combined square footage of the two buildings is well below the allowed square footage for an accessory building, but zoning ordinances do not allow suburban residential lots to have two accessory buildings. The Burgardt's would like to be able to store all their outdoor amenities within the buildings, they will remove the present utility shed on the property and stated both accessory building's siding will match color and kind of their present home.

Larry Teff, 372 Pine Ridge Road – Mr. Teff stated the Burgardt's are doing an excellent job of upgrading their property. As a neighbor, he is in favor of allowing the variance.

Benno Kuhl, 348 Pine Ridge Road – Mr. Kuhl questioned why the Burgardt's need a variance if they meet the square footage allowed. The Town Board stated it is due to being allowed only one accessory building and since they are not connecting the additional construction to the existing building, they are creating two accessory buildings.

Kurt Rasmussen, 389 Pine Ridge Road – Mr. Rasmussen stated he is in favor of the larger allowable accessory buildings, it was something he wanted years ago when constructing his accessory building. Even though his property is blocked by trees and they do not see the Burgardt's property, he is in favor of allowing the two accessory buildings.

Benno Kuhl – Mr. Kuhl felt that since the Burgardt's are well below the allowed 3600 square feet, he is in favor of approving the second accessory building.

Nate Zimmerman – Mr. Zimmerman stated he was for allowing the variance.

No further comments were heard from the floor and the public hearing was closed and discussion was held by the Town Board. Supv Omann stated he went to the Burgardt property to view the area where they would like to construct the new accessory building. It is in an area that is shielded from other

properties and felt it would be a benefit for the Burgardt's to have all their outdoor items inside a building to protect them from the elements.

The township meeting was recessed to allow for the Joint Planning Board meeting, then reconvened after the JPB meeting.

BURGARDT VARIANCE

SUPV OMANN MOTIONED TO ADOPT RESOLUTION 2017-12 GRANTING A VARIANCE TO BRENT & NICOLE BURGARDT ALLOWING AN ADDITIONAL 40 x 40 SQUARE FOOT ACCESSORY BUILDING CONSTRUCTED WITH LIKE KIND & COLOR SIDING OF THE CURRENT HOME RESIDENCE, SECOND BY SUPV WESTERLUND, MOTION CARRIED 3-0.

VOUCHERS

SUPV HEIM MOTIONED TO PAY ALL CHECKS IN THE AMOUNT OF \$98.45 (CHECK #12645 AND 12646), SECOND BY SUPV OMANN, MOTION CARRIED 3-0.

NATE ZIMMERMAN – CLEAN UP OF THE JOYCE ZIMMERMAN PROPERTY

Mr. Zimmerman came before the Town Board to discuss the clean-up of his mother's property (Joyce Zimmerman) located between 35th & 40th Street. This clean-up has been an ongoing situation for quite some time and the Town Board has given the Zimmerman's many opportunities to complete the clean-up. Pictures taken by Supv Heim on May 16th, 2017, were reviewed with Mr. Zimmerman and the following items must be completed in 30 days. If not completed to the Town Board's satisfaction, the case will be sent to the prosecutor hired by LeSauk Township to file criminal charges. The items to be completed are:

1. All pallets on the property must be stacked neatly.
2. Couches, chairs & debris piles must be removed.
3. Truck/Pick-up topper must be removed.
4. Fishing and or hunting shack must be removed.
5. Trailer with broken axle must be removed.
6. Weight set & bench must be removed.

The Town Board reviewed these items specifically with Mr. Zimmerman so there was no confusion or missed information as to what exactly the Town Board has requested of the Zimmerman's.

SUPV HEIM MOTIONED TO HAVE CLERK PLANTE SEND A CERTIFIED LETTER TO JOYCE ZIMMERMAN OUTLINING THE ITEMS TO BE COMPLETED WITHIN 30 DAYS OR THE CASE WILL BE SENT TO THE PROSECUTOR, SECOND BY SUPV WESTERLUND, MOTION CARRIED 3-0.

Kari Nelson – Swimming Pool Fencing

Ms. Nelson came before the Town Board to discuss whether a variance is needed for fencing around an above ground swimming pool they will be constructing on her township parcel. Ms. Nelson provided pictures of the swimming pool which is approximately 4 feet high and has an attached safety fence on the top portion of the swimming pool which is another 3 – 4 feet high. After viewing the safety fencing on the swimming pool, along with the height of the pool, it was the consensus of the Town Board a variance for the 6-foot high pool fencing would not be needed since the combination of the fencing on the pool and height of the pool would meet the necessary 6-foot height.

The Nelson's are also constructing a 6-foot fence on the property line which is in agreement with their neighbor. She provided a signed letter from her neighbor stating they agree in placing the 6-foot high, 75% opaque fence on the property line and it will be maintained by both property owners if deemed necessary. The Town Board suggested the agreement letter be recorded with their property deed to avoid any future issues if either parcel should be sold.

MINUTES:

SUPV WESTERLUND MOTIONED TO ACCEPT AS AMENDED THE MINUTES OF THE REGULAR MEETING HELD ON MAY 9, 2017, SECOND BY SUPV OMANN, MOTION CARRIED 3-0.

ATTORNEY REPORT:

Solar Ordinance – Supv Heim reported the solar farm ordinance would be addressed in the zoning ordinances and controlled by a conditional use process.

Right-of-Way Ordinance – It was the consensus of the Town Board to opt out of permitting process for utilities in the right of way.

Swimming Pool Fencing – Supv Heim will inform Attorney Gilchrist to change the fencing requirements for swimming pools from 4 feet to 6 feet.

Town Code & Town Ordinance – Attorney Gilchrist has both of these almost completed and will forward to Chairman Heim when completed for review by the Town Board. Discussion was held by the Town Board how to review these lengthy items which could be done at a work session meeting and not a regular meeting.

BUILDING INSPECTOR REPORT: No building inspector report.

SUPERVISORS REPORTS

Jeff Westerlund –

Joe Perske-Divine Grace Mobile Home Park – Supv Westerlund has been in touch with Joe Perske, Stearns County Commissioner, who has stated there have been less police calls to the Divine Grace Mobile Home Park. The owner of the mobile home park is in the process of evicting several residents.

Thomas Property Clean-Up – Supv Westerlund received a complaint regarding the Shirley Thomas property located on County Road 1. He told the caller they would need to contact Stearns County Environmental Services since it falls within the Shoreland Ordinance.

Dan Heim –

Alex Udermann – Supv Heim spoke with Alex Udermann regarding the grading of 17th St. No (West). The grading of this road may be considered each month during the monthly supervisor road inspections.

Pinecone Road & 40th Street Sign – Supv Heim reported he took care of removing Brockway's road sign at this intersection.

Tim Clement – Supv Heim received a call regarding a septic inspection from Tim Clement.

Julie Fischer – Ms. Fischer contacted Supv Heim regarding the current plans Mr. Kellor has for the old Ferber property located on 321st Street. Mr. Kellor has suggested he will be building a three-story apartment complex instead of the patio homes he first discussed. Mr. Kellor is working with 3 Mill Creek Pond residents who are insisting they be given compensation for the right-of-way easement that was vacated by the township.

Alex Udermann – Mr. Udermann has contacted Supv Heim regarding the inconsistency of the property lines that appear on the county's zoning map. Supv Heim informed him he would need to have his own

Shawn Omann –

Property Complaints – Supv Omann received two complaints regarding the Hernandez property at 32632 River Vista Lane and the Zander property at 271 27th St. No. The complaints included grass not being cut, unleashed dogs & junk that was moved to the back. It was the consensus of the Town Board to have Clerk Plante send letters to these property owners requesting the clean-up of their property and include a copy of the Abandoned Vehicle & Property Ordinance as well as the Dog & Cat – Animals at Large Ordinance.

Area Planning Organization Meeting – Supv Omann attended the APO meeting at which Supv Westerlund was nominated for Vice-Chairman of the APO.

Lori Kelzenberg – Fence Complaint – Supv Omann received a call from Lori Kelzenberg, adjacent neighbor to the Tim Broda parcel. She voiced her concern that Mr. Broda exceeded the allowed height for a fence. Supv Omann viewed the Broda lattice piece from the roadway. Mr. Broda had attached a lattice piece between single poles and placed it next to the Kelzenberg fence. The lattice served as a slighter higher barrier between the two property owners. It was the consensus of the Town Board this would not be considered a fence and it is only there to maintain the privacy between these two property owners who have been at odds with each other for quite some time and there is no harm in allowing the lattice piece to remain.

Obtaining a Building Permit Instruction Sheet – Supv Omann will complete the instruction sheet he has been working on, email it to Clerk Plante who will forward it to other Town Board members for review. This will be placed on the next meeting's agenda.

OLD BUSINESS

Then Property Clean Up – Supv Westerlund will discuss during his road report.

30th Avenue Bridge – Bolt Tightening

Striping of Township Roads – Remove from Old Business. 30th Avenue has been striped.

Zimmerman Property – Discussed earlier in the meeting with Nate Zimmerman.

Sign Solutions – SUPV HEIM MOTIONED TO ACCEPT OPTION #2 FOR THE TELESAR POSTS FOR REPLACEMENT OF TOWNSHIP ROAD SIGNS & POSTS PLUS THE INCLUSION OF THE SIGN INVENTORY BOOK IF THE COST DOES NOT EXCEED \$1000, SECOND BY SUPV OMANN, MOTION CARRIED 3-0. Clerk Plante will contact John Peterson of Sign Solutions requesting the inclusion of the sign inventory book is his estimate.

MAY ROAD REPORT

Supv Westerlund provided copies of his May road report for Town Board members. He noted that he met with Doug Welk of ASTECH Inc. who drove the township roads with Supv Westerlund. Mr. Welk suggested blow patching for 35th & 40th Street. Supv Westerlund noted that a manhole cover was lifted on 20th St. No., but is extremely heavy to return to its correct position. Supv Omann will look at it and contact Supv Westerlund to see if can be moved by the two of them.

Supv Westerlund discussed the condition of 17th St. No. (West) which needs both some fill and grading as suggested by Mr. Welk. It was the consensus of the Town Board to have Supv Westerlund contact Mr. Welk to have ASTECH fill necessary low areas on 17th St. No. as well as grade it as soon as possible.

Supv Westerlund spoke with Ron Naber, former township supervisor, about what he used to tighten the bolts on the 30th Avenue Bridge. Mr. Naber used a pipe wrench. Supv Omann will look at the bolts that need tightening since he does have access to several different size wrenches.

Supv Westerlund viewed the Then property and suggested taking this off the Old Business section of our agenda since it has been cleaned up and the only remaining piles are some wood which they are trying to sell. Most items have been placed in the "Lean-to" building on the property. It was the consensus of the Town Board the Then's have cleaned up sufficiently and will be removed from Old Business.

NEW, MISCELLANEOUS BUSINESS AND CORRESPONDENCE –

Township Resolution Regarding Fines & Fees – Clerk Plante will retype this to include a resolution number and LeSauk Township information and it will be reviewed at the next scheduled meeting.

Minnesota Association of Township Summer Short Course – SUPV WESTERLUND MOTIONED TO ALLOW ALL TOWN BOARD MEMBERS TO ATTEND THE MAT SUMMER SHORT COURSE IN ST. CLOUD ON JUNE 19TH AT THE REGULAR RATE OF PAY, SECOND BY SUPV HEIM, MOTION CARRIED 3-0.

There being no further business, SUPV WESTERLUND MOTIONED TO ADJOURN, SECOND BY SUPV OMANN, MOTION CARRIED 3-0.

Respectfully submitted,

Marlyce L. Plante (s)

Marlyce L. Plante
LeSauk Township Clerk