

LeSauk Township Regular Meeting - Via Virtual GoToMeeting
August 25, 2020

The regular meeting of the LeSauk Township Board of Supervisors was called to order by Chairman Dan Heim at 7:45 p.m. via electronically per Minnesota Governor Tim Walz's Stay Safe Minnesota order due to the COVID-19 virus pandemic.

PRESENT: Supervisors Jeff Westerlund, Dan Heim and Shawn Omann and Treasurer Vikki Dullinger were present at their respective homes and Clerk Marlyce Plante was at the Town Hall meeting room and five interested parties called in virtually.

AGENDA APPROVAL: SUPV HEIM MOTIONED TO APPROVE THE AGENDA AS AMENDED, ADDING FEE SCHEDULE, SITE PLAN AMENDMENT AND POGATCHNIK VARIANCE TO NEW BUSINESS, SECOND BY SUPV WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

OPEN FORUM:

Andy Swartout - Rezone– The public hearing for Andrew Swartout's rezoning application was held during the Joint Planning Board meeting held prior to the township meeting. SUPV HEIM MOTIONED TO APPROVE RESOLUTION 2020-11 TO REZONE THE ANDREW SWARTOUT PROPERTY FROM A20-AGRICULTURAL TO RO-5 RESIDENTIAL OVERLAY DISTRICT, SECOND BY SUPV WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

Andrew Swartout – Preliminary & Final Plat – Celestial Acres

Supv Heim noted a couple of changes that needed to be made on the preliminary plat; he asked surveyor Sam DeLeo, who was attending the virtual meeting, to indicate on the plat, Lot 1 and Lot 2 and change the street name from 375th Street to 35th Street. Supv Heim also received an email from David Blommel, township engineer, which stated he reviewed the plat and other than the changes on the lots and street, it was good. Attorney Troy Gilchrist, township attorney, will draft a new development agreement and the Town Board will need to calculate the park fee for the development.

SUPV HEIM MOTIONED TO APPROVE RESOLUTION 2020-12 APPROVING THE PLAT NAMED CELESTIAL ACRES PRESENTED BY ANDREW SWARTOUT, CONTINGENT ON A NEW DEVELOPMENT AGREEMENT BEING DRAFTED AND PAYMENT OF THE PARK FEE DEDICATION, SECOND BY SUPV WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

Taggart, Tammie & Bella Downare – Airbnb Star Gazing Bubble – The Downare's attending the meeting virtually to discuss the rental of their Airbnb Star Gazing Bubble. They received a letter from John Tracy, Stearns County Environmental Services, outlining several steps they will need to take in order to continue the rental of the star gazing bubble. The first is to receive zoning approval from the township. Supv Heim did have Attorney Gilchrist review the township ordinances which do not have any particular regulations for rentals. Attorney Gilchrist stated the bubble would constitute an accessory building under Section 560.04 and it does not prohibit using an accessory building for human habitation. The Downare's would be allowed an accessory building and the bubble meets the side yard setbacks

regulations. The Downare's did state they will be removing the use of the swimming pool and spa in order to meet requirements set by the county.

SUPV WESTERLUND MOTIONED TO APPROVE THE ZONING FOR THE DOWNARE STAR GAZING BUBBLE AIRBNB, SECOND BY SUPV OMANN, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

Supv Heim will email David Barsody regarding the zoning approval for Taggart & Tammie Downare.

MINUTES:

SUPV OMANN MOTIONED TO APPROVE AS AMENDED THE MINUTES OF THE AUGUST 10, 2020 REGULAR MEETING, SECOND BY SUPV WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

ATTORNEY REPORT:

Fee Schedule Ordinance – Attorney Gilchrist stated the fee schedule will need to have a public hearing at a Joint Planning Board meeting. This will be scheduled for September 22, 2020. Supv Omann discussed the need to include who and how much of a fee should be charged to mark high water areas when building permits are applied for within the shoreland overlay. Supv Heim will include the verbiage in the fee schedule which would state a fee is required when building a new structure within the shoreland setback.

Zoning Ordinance Amendments – Supv Heim noted changes he will ask Attorney Gilchrist to make within the zoning ordinances. They will be the A20 zoning changes in the Urban Service District area of the township, site plan review amendments and the removal all references to a comprehensive plan in the zoning ordinances.

Supv Heim will email Steven Gritman from Northwest Associated Consultants questioning whether the \$250 fee for reviewing necessary shoreland applications for the township is the maximum amount that would be charged as well as a contract to hire Mr. Gritman to handle these permits. This will be placed on the next meeting's agenda.

BUILDING INSPECTOR REPORT:

Deb Bryant-Winkelman – Horse Barn Building Permit – Building Inspector David Barsody was in contact with Supv Heim regarding the building permit for the horse barn Ms. Bryant will be constructing on her parcel.

JULY TREASURERS REPORT: Treasurer Dullinger gave updated balances of the township revenues and expenses. The Town Board discussed the late fee and interest charged on the townships credit card invoice. Treasurer Dullinger will contact the credit card company checking whether on-line access could be received so the invoice can be downloaded in order to have the invoice in time for payment.

Invoices/Vouchers – SUPV WESTERLUND MOTIONED TO PAY ALL VOUCHERS IN THE AMOUNT OF \$15863.04 (CHECK #13405 thru 13417), SECOND BY SUPV OMANN, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

SUPERVISORS REPORTS

Jeff Westerlund –

Ron Naber, 3155 321st Street – Supv Westerlund spoke with Ron Naber who owns a home on 321st Street. Mr. Naber was inquiring the process for tearing down his home and constructing a new one on the same site. He would like to attend a meeting when the Board begins in-person meetings.

Joe Salaski – 3826 Riviera Road – Supv Westerlund spoke with Mr. Salaski who wanted to know the process of receiving a permit to construct a 16 X 32 in-ground swimming pool.

Dan Heim –

Keith Heinen, 2755 35th St. No. – Supv Heim was contacted by Mr. Heinen who inquired whether his driveway would be overlaid at the same time 35th Street was being overlaid. Supv Heim informed him the driveways will remain the same with approaches to 35th Street put back the same way they were prior to the overlay project. Knife River was expected to fill any dips in driveways to the asphalt as well as completing the shouldering within the next couple of days.

Bob Landwehr – 32512 County Road 1 – Supv Heim reported that Mr. Landwehr had purchased the property located at 32512 County Road 1 and is replacing windows and siding, receiving the proper building permits. He would also like to construct a deck. Supv Heim informed him he will need a site plan when he is ready for a permit, plus he may need to upgrade the septic on the parcel.

David Pogatchnik – 3996 Riviera Road – Home Construction – Supv Heim spoke with Mr. Pogatchnik who would like to construct a new home on his property but will be within 100 feet of the Mississippi River. Mr. Pogatchnik decided to apply for a variance from the setback allowed on the river which is 100 feet.

Dillan Weinand – 2612 7th Ave. No. - Junk Cars - The Town Board has received complaints regarding several junk cars located at the Weinand address. It was the consensus of the Town Board to have Clerk Plante send Mr. Weinand a letter regarding the junk cars.

Shawn Omann –

Joe Lahr – 17th Street Grading – Supv Omann reported Mr. Lahr has completed the grading on 17th Street North, both the section on the east (Pinecone Road) and the west sides (Udermann).

Derek Hentges – Supv Omann spoke with Mr. Hentges regarding the possibility of getting broadband along 40th Street. Mr. Hentges had been in contact with CenturyLink, but no definitive answers as of yet. Mr. Hentges plans to speak with Brockway Township regarding the possibility of funding from them also. Supv Omann also answered questions Mr. Hentges had regarding the placement of a “ready-built” utility building Mr. Hentges would like on his property.

Joe Salaski – Swimming Pool – Mr. Salaski also contacted Supv Omann regarding the placement of a swimming pool on his property which is located on the river. Mr. Salaski was informed he will need to have a site plan noting where the swimming pool will be located. He will also need the pool’s dimensions, setbacks from the side yard along with dimensions of his home, where his current septic & drain field are located. The site plan will need to be reviewed by and recommended for approval by the Joint Planning Board, then by the Town Board.

OLD BUSINESS:

Shady Oaks – No information or applications have been received.

Town Hall – No information has been received to date.

Annual Road Inspection, 17th Street Culvert – This will remain on the agenda until an annual road inspection can be scheduled.

Fee Schedule – The fee schedule was discussed earlier in the meeting with a public hearing to be scheduled for September 22nd during the Joint Planning Board meeting.

Grebinoski Property – Clerk Plante will check with Ms. Grebinoski regarding the progress of repair of the windows etc. on the property and report at the next scheduled meeting.

COVID-19 CARES Act – Clerk Plante will listen in on a webinar that is being presented on August 26th regarding how to be reimbursed for expenses relating to COVID and how to request the reimbursement. The Town Board will discuss at the next scheduled meeting.

A-20 Zoned Township Parcels – Supv Heim reviewed all A-20 zoned areas in the township, printed the maps of the parcels, and measured how large each parcel is that may meet the acre requirements for RO-2, RO-5 or RO-10. Clerk Plante will draft a spreadsheet of all the parcels listed. A special meeting will be scheduled when the Town Board begins in-person meetings to review each parcel.

NEW BUSINESS:

Fee Schedule Ordinance Amendments – This was discussed earlier in the meeting. A public hearing will be set for September 22, 2020 during a scheduled Joint Planning Board meeting.

A20 Zoning Amendments – Supv Heim discussed this during the Old Business portion of the meeting. It was the consensus of the Town Board the rezoning of the parcels should be reviewed by the Town Board when in-person meetings are to be resumed.

David Pogatchnik – Variance – Supv Heim reported on Mr. Pogatchnik's application for a variance during his supervisor's report.

The following site plans were recommended for approval during the Joint Planning Board meeting prior to the township meeting.

Jamie Blommel, 402 21st St. No. – Deck Site Plan – SUPV HEIM MOTIONED TO APPROVE THE SITE PLAN FOR A DECK SUBMITTED BY JAMIE BLOMMEL, SECOND BY SUPV WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

David Traut, 29 19th Ave. No. – Barn Demolition & New Barn Construction Site Plan – SUPV HEIM MOTIONED TO APPROVE THE SITE PLAN FOR THE DEMOLITION OF A BARN AND CONSTRUCTION OF A NEW BARN FOR DAVID TRAUT, SECOND BY SUPV OMANN, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

Derek Hentges, 2510 40th St. No. – Accessory Building Site Plan – SUPV OMANN MOTIONED TO APPROVE THE SITE PLAN FOR A "READY MADE" UTILITY/ACCESSORY BUILDING FOR DEREK HENTGES, SECOND BY SUPV WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

Deb Bryant-Winkelman, 1640 40th St. No. – Horse Barn Site Plan – SUPV HEIM MOTIONED TO APPROVE THE SITE PLAN PRESENTED BY MORTON BUILDERS ON BEHALF OF DEB BRYANT-WINKELMAN FOR AN ADDITION TO A HORSE BARN ON HER PROPERTY, SECOND BY SUPV OMANN, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

Anna Gruber, 301 21st St. No. – Swimming Pool Site Plan – SUPV OMANN MOTIONED TO APPROVE THE SITE PLAN PRESENTED BY ANNA GRUBER FOR A SWIMMING POOL WHICH MEETS ALL SETBACKS, SECOND BY SUPV WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

AUGUST ROAD REPORT

Supv Westerlund emailed his August Road Report to Board members prior to the meeting. He discussed several areas within the township that may need attention, which are:

- Cars at 271 27th St No. – Clerk Plante will send another letter.
- Winnebago road sign is missing – Supv Omann will check and order a new one if necessary.
- Weeds by the “End of Road” sign located on Rodeo Road.
- Striping had not been completed on 35th Street when Supv Westerlund did his road inspection.
- Thomas property on County Road 1 has accumulated a lot of junk again. It was the consensus of the Town Board to have Clerk Plante send a letter.

He did report that all the roads within the township are in the best shape they have been for quite some time. Also stating that 35th Street, which has just been overlaid, looks very nice and is our best road.

CLERK REPORT & CORRESPONDENCE:

In Person Meetings – SUPV HEIM MOTIONED TO BEGIN IN-PERSON TOWNSHIP MEETINGS BEGINNING SEPTEMBER 8, 2020 AND WILL UPDATE THE TOWNSHIPS COVID-19 PREPAREDNESS PLAN WHICH WILL INCLUDE ALL ATTENDEES BEING REQUIRED TO WEAR A MASK, SOCIAL DISTANCE AND FOLLOWING THE CDC (CENTER FOR DISEASE CONTROL) & MDH (MINNESOTA DEPARTMENT OF HEALTH) GUIDELINES, SECOND BY SUPV OMANN, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion passed.

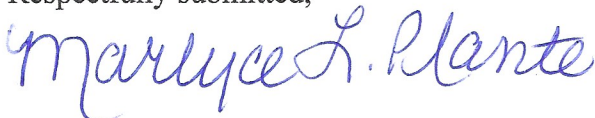
HP Instant Ink Plan Upgrade – Clerk Plante reported to the Town Board she will monitor the use of the HP Instant Ink Plan for the last year and may need to possibly upgrade to the next plan. Currently the plan the township has is \$4.99 per month with a limit of 100 printed sheets with a \$1.00 charge for printing 15 more pages. The next plan available is \$9.99 per month with a limit of 300 printed sheets per month. The price of both plans includes ink cartridges that are automatically sent when needed. She noted the last several months she has done a lot of printing due to the revised zoning regulations and assorted public hearings.

ADJOURNMENT:

There being no further business, SUPV HEIM MOTIONED TO ADJOURN, SECOND BY SUPV WESTERLUND, UPON ROLL CALL BEING TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, the motion carried.

Respectfully submitted,



Marlyce L. Plante
LeSauk Township Clerk