

La Crescent Township  
Monthly Meeting Minutes  
November 10, 2014

**Final Approved**

Township Board Members Present:

Bob Cummings	DeWayne Severson	Tom Wright
Dan Brodigan	William Beckman	Larry Hafner
Larry Jankowski	Karen Schuldt	

Chairman DeWayne Severson called the November monthly meeting to order at 7:00 PM. The Pledge of Allegiance was recited by all present. Clerk Schuldt took the roll call.

4. Approval of Agenda: **Tom Wright made a motion to approve the agenda as presented, Dan Brodigan seconded, motion carried.**

5. Minutes of October 13, 2014 Regular Meeting: **Bill Beckman made a motion to approve the minutes as presented, Dan Brodigan seconded, motion carried.** Minutes of October 28, 2014 Special Meeting: **Bob Cummings made a motion to approve the minutes as presented, Tom Wright seconded, motion carried.**

6. Visitors/Speakers to Address the Board: Tom Weibel 867 Selke Road addressed the board that his neighbor Derek Kasten has been hauling in fill for about four weeks now and one of his concerns is if he has the proper permits and the other concern is that he has a road below his and with any rain the run off will plug the culvert and block his road. Mr. Weibel presented pictures to the board. Larry added the township ordinance allows residents to move up to 5,000 yards in an agricultural district without obtaining a permit but he does need a soil erosion plan in place. Following discussion with the township attorney, **Bill Beckman made a motion to authorize a stop work order until an erosion plan is submitted and approved, Dan Brodigan seconded, motion carried.**

Richard from Hammell Equipment gave the board a price of \$1,670.00 for an 84 inch bucket versus the 72 that was ordered with the new tractor. Dewey advised the board the tractor and loader was delivered to the shop last week. Last month they looked at purchasing the 84 inch bucket with the tractor and the feeling at the time was that it was too big so they went with the 72 not realizing the width of the front wheels. Discussion was held on having two buckets. **Bill Beckman made a motion to get the 84 inch bucket as a second bucket, Dan Brodigan seconded, motion carried.**

7. Treasurers Report: **Tom Wright made a motion to approve the Treasurers reports as presented, Bill Beckman, motion carried.**

8. Zoning Report: Larry reported the Planning Commission held a special meeting on November 3<sup>rd</sup> to consider a request by Mark Kramer to rezone two parcels of land that he expects to purchase from agriculture zoning to residential zoning. The property is located next to 1554 Town Hall Road. Notices were sent to the residences within a ¼ mile and published in the Houston County News and the findings were completed. The Planning

Commission made a motion to recommend the Supervisors grant the Kramer request to rezone the indicated parcels to residential. Following discussion; **Bill Beckman made a motion to accept the recommendation of the Planning Commission to rezone the parcels, Tom Wright seconded, motion carried.**

The following permits were issued for the month: Permit number 1259 was issued to Steve Bollo at 1345 CR6 to install a mound sewer system. Permit number 1258 was issued to Sue Heuselein 1689 County 6 to install a mound sewer system. Permit number 1260 was issued to Martha Theiler 1520 Old Hickory Drive to install a sewer system. Permit number 1257 was issued to Tom Ready 1364 CR6 for a \$1,000 deposit. Permit number 1256 was issued to William Dworschak for a public meeting payment for Mark Kramer. Permit number 1255 was issued to Steve Thompson at 1265 Golfview Court to build a garage. Permit number 1261 was issued to Tom Weibel 867 Selke Road to install an above ground pool.

Bob reported the Planning Commission met on November 3<sup>rd</sup> and an update was given by the ZA on the progress at 2520 County 6 reference the unlicensed vehicles and the burned out trailer. Also the Ready permit to fill on his property has been issued and discussion was held on the proposed annexation by the city of La Crescent.

9. Clerks Report: Karen reported Primary election went very smooth with no issues.

10. Supervisor's Report: Bill advised the board that the garbage bags have been delivered to town hall and the tractor is in. Dewey reported they hauled five sweepings out to town hall and he and Bill are currently working on getting extra snow plow operators. Tom, Dan and Bob no report this month.

11. Other/Old Business: A. Discussion with Twp Attorney on Annexation and Hafner issue. Attorney Chiglo advised the objections have been filed with the state. The State of Minnesota Office of Administrative Hearings sent notice that a public hearing will be held on December 2, 2014 at 10:00 a.m. in the Council Chambers at City Hall. Attorney Chiglo suggested the Township sent out a notice of the hearing to the affected parties and they should give testimony at this hearing as this will be their only chance to be heard. Dewey directed Karen to send out a letter advising of the hearing. Dewey, Dan and Attorney Chiglo will meet with the City at the Wieser Law Office on November 18<sup>th</sup> at 2:00pm.

Attorney Chiglo gave his findings on the Hafner issue on County 25. Dewey noted they met a couple weeks ago and discussed the issues. Attorney Chiglo advised they reviewed the ordinances and looked back at how things happened in the past and how it was used. When you convert something like this with a farm dwelling at one point on this acreage when that is converted to something other than a farm dwelling that was used in agricultural use then it must comply with part 1303 of the township ordinance which has some very specific details of required conditional uses. 1303 number 11 talks about dwelling and it can not have more than one per quarter mile and other requirements which it is clear this didn't meet those requirements so it is not a conditional use. The

ordinance goes on to clarify that dwelling converted to a non farm use that do not meet the standards of 1303 subdivision 1 paragraph 11 shall be classified as a non conforming use shall be subject to provision 8 of the ordinance. The ordinance clearly puts it through the non conforming use of section 800 and 801 of the ordinances and it needs to comply with all those elements under section 0801 non conforming uses and it complies with those it is allowed to stay there but then there are rules on maintaining and proving and everything else. So it does fall under section 801 as a non conforming use so if they comply with section 801 it can remain and if they don't comply with the provisions listed it will cease. No action is needed by the board.

12. Bills for Audit: **Bob Cummings made a motion to accept the bills as presented, Dan Brodigan, motion carried.**

13. Adjournment: **Bill Beckman made a motion to adjourn at 8:25pm, Tom Wright, motion carried.**

Respectfully Submitted,  
Karen Schuldt, La Crescent Township Clerk