

**WAKEFIELD TOWNSHIP MINUTES**  
**22295 FROSTVIEW ROAD COLD SPRING MINNESOTA**  
**REGULAR BOARD MEETING SEPTEMBER 1, 2016 8:00PM**

Chairman Cyril Erkens called the Town Board Meeting to order at 8:00 pm and lead the Pledge of Allegiance. Board Members Present: Cyril Erkens, John Willenbring, Shawn Garding, Jerry Frieler and Heidi Stalboerger Others Present: Maintenance Supervisor Todd Menke, Zoning Administrator Bridget Chard, Jon Lentz, Greg Henry, Dave Heinen, Mark Stalboerger, Brigid Murphy, Martin Gavin, Larry Lahr, Ron Terhaar, Ryan Bergeson, Todd Viere, Brian Junkemeyer and Erv Mueller.

**APPROVAL OF THE AGENDA AND CONSENT AGENDA**

**MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO APPROVE THE SEPTEMBER 1, 2016 AGENDA WITH ADDITIONS. MOTION CARRIED 3-0.**

**MOTION WAS MADE BY WILLENBRING AND SECONDED BY GARDING TO APPROVE THE SEPTEMBER 1, 2016 CONSENT AGENDA. MOTION CARRIED 3-0.**

Consent Agenda Items:

- A. Minutes August 4, 2016 **Recommendation:** TO APPROVE THE MINUTES OF THE AUGUST 4, 2016 MONTHLY MEETING MINUTES AS PRESENTED.
- B. Special Meeting Minutes August 25, 2016 **Recommendation:** TO APPROVE THE SPECIAL MEETING MINUTES OF THE AUGUST 25, 2016 MONTHLY MEETING MINUTES AS PRESENTED.

**LAW ENFORCMENT UPDATE**

Stearns County Sheriff Department Captain, Jon Lentz, was present to give an update of the August call activity.

**PLANNING AND ZONING**

Planning and Zoning Administrator, Bridget Chard, gave an update of the Planning and Zoning Activity Report. **A MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO RECESS THE MONTHLY BOARD MEETING AT 8:15 PM. MOTION CARRIED 3-0.**

**-BOARD OF ADJUSTMENT (BOA)**

Chairman Erkens called the Board of Adjustment to order at 8:15 pm. All members in attendance. The BOA reviewed a request from Todd & Angela Viere for a variance form the Wakefield Ordinance No. 4, Section 6.75, a residential setback from a feedlot, which requires 1320 feet when a feedlot has more than 100 animal unit. Viere is requesting relief of 157 feet to construct a 1716 sf home with a 1220 sf attached garage. Chard reviewed the ordinance and history of the affected section of the ordinance. The BOA reviewed the Planning Commissions documentation as well as Findings of Fact. **A MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO CONCUR WITH THE PLANNING COMMISSION TO APPROVE THE VARIANCE REQUEST WITH CONDITION FOR RELIEF FROM A FEEDLOT SETBACK; FURTHERMORE, TO APPROVE RESOLUTION NO. 2016-01.SEPTEMBER.16-0001. MOTION CARRIED 3-0.**

**A MOTION WAS MADE BY WILLENBRING AND SECONDED BY GARDING TO ADJOURN THE BOARD OF ADJUSTMENT AND RESUME THE MONTLY BOARD MEETING AT 8:35 PM. MOTION CARREID 3-0.**

Viere requested that the Board review the necessity for the variance and consider that the charges in the amount of \$750 for the variance be refunded (\$500 for the permit fee and \$250 escrow amount). Neighboring property owner, Ron Terhaar, was present to express concerns about the nearby feedlot. The Board discussed reviewing the Memorandum of Understanding to clarify this issue. **A MOTION WAS MADE BY WILLENBRING**

**SECONDED BY ERKENS TO RETURN \$250 TO VIERE OF FEEDLOT SETBACK VARIANCE RELATED EXPENSES. GARDING ABSTAINED. MOTION CARRIED 2-1.**

**A MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO DIRECT THE PLANNING COMMISSION TO RESEARCH AND REPORT TO THE BOARD CHANGES OF THE MEMORANDUM OF UNDERSTANDING LANGUAGE RELATED TO FEEDLOT SETBACKS. MOTION CARRIED 3-0.**

**-ADMINISTRATIVE UPDATE**

Larry Lahr, Lahr Heritage Acres, and Martin Gavin, Sun Edison, were present to review a status update of the conditions for the conditional use permit for the Lahr Community Solar Garden project. The Board discussed points including surety bonds versus a letter of credit, decommissioning cost and requesting an extension on the project. Lahr and Gavin requested the use of performance bonds rather than a letter of credit. Lahr and Gavin also requested a reduction in the engineer recommended bond for decommissioning, landscaping and erosion from \$690,000 to \$112,000. The group reviewed the plan for screening. Supervisors Erkens and Garding agreed that they are not in favor of reducing the decommissioning bond amount without additional information and staff review (Planning & Zoning Administrator, Attorney and Engineer). **MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO RECOMMEND RECEIVING A SURETY BOND FROM SUN EDISON INSTEAD OF A LETTER OF CREDIT. MOTION CARRIED 3-0.**

SunShare second billing has been sent. The project is set to begin on September 6, 2016 with the civil engineer. The erosion control plan will and construction plan review is set to take place in early October. The SunShare Solar Garden is projected to be complete by December, 2016.

Chard reviewed upcoming projects for October 2016.

The Board reviewed the final copy of the Nuisance Ordinance. **MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO ADOPT ORDINANCE NO 2016-09.01 PROHIBITING THE OCCURRENCE AND MAINTENANCE OF PUBLIC NUISANCES WITH RECOMMENDED CHANGES. MOTION CARRIED 3-0.**

**-MISCELLANEOUS:**

Chard and Willenbring will be meeting with a construction company interested in a commercial zone to discuss options for utilities. Chard will follow up with Midcontinent who placed an electrical utility post in the road right of way on 222<sup>nd</sup> Street without a permit. Chard will discuss an after the fact fee with Midcontinent.

**CLERK UPDATE**

Ray Schreiner is the owner of a residential lot on Firefly Road and is willing to give an easement to the township to enlarge the cul de sac on the south end of Firefly Road to meet the requirements of the bus company. Brian Junkemeyer was present to represent Ray Schreiner. The township will work with Schreiner on improvements to the road, sloping and drainage. Ryan Bergeson was present to state his opposition to improvements on Firefly Court. The group reviewed the Plat of Oak Heights Second Addition and surveys. The Clerk will work with the Dan Kron Surveyor to obtain a survey and legal description as well as the Township Attorney to obtain a road easement as well as a construction site easement. Maintenance Supervisor Menke will obtain estimates for the construction cost.

Erv Mueller was present to discuss a Drainage and Utility Easement that he received from the City of Cold Spring. Mueller discussed concerns he has with the document. Mueller obtained three estimates for construction to repair the ditch slope from the storm sewer east to the stop sign. The township will need a legal description of the area where the storm sewer is located that the City of Cold Spring will be repairing so that the

construction on the ditch east of the storm sewer can begin without damage to the storm sewer construction area. The Board authorized Bridget Chard to obtain a construction site easement from Erv Mueller as well as Road Right of Way Permits/Encroachment Easement Agreement with Erv Mueller as well as the City of Cold Spring. **MOTION WAS MADE BY GARDING SECONDED BY WILLENBRING TO ACCEPT ESTIMATE FROM STEVE HEINEN EXCAVATING FOR DITCH IMPROVEMENT FROM 163<sup>RD</sup> AVENUE ON 232<sup>ND</sup> STREET EAST OF THE STORM SEWER NOT TO EXCEED \$2,574. MOTION CARRIED 3-0.**

Greg Henry requested the use of the Town Hall for the Woodland Hills Homeowners Association meeting on September 11, 2016 for approximately 30 people. After discussion on renting the town hall, the Board denied Henry's request and stated that the town hall will be used for township meetings only.

The Board reviewed two estimates for a monitor and sound system for the town hall from Security Safeguard and Touch Point Logic. The Board directed Stalboerger to clarify the estimates on both systems.

The Board reviewed estimates from Westwind Woodworkers and Prior Cabinets for framing laminated township maps. No decision was made.

The Board reviewed the meeting schedule for the Planning Commission. Clarification was made regarding the meeting fee for the Planning Commission Members. Attendance to a Planning Commission meeting on one date is calculated at the rate for one meeting, regardless of if the Planning Commission also holds a Public Hearing(s) on that same date at the same meeting.

The Board reviewed the Riverfield Homeowners Association. One delinquent account remains for 2016. **A MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO CERTIFY THE DELINQUENT UTILITY PAYMENT TO THE 2017 HOMEOWNERS TAXES WITH STEARNS COUNTY AND TO PASS THROUGH ALL EXPENSES RELATED TO THE CERTIFICATION OF DELIQUENCY. MOTION CARRIED 3-0.** The Board directed Stalboerger and Chard to meet with the Stearns County Auditor's Office to discuss the certification of the Riverfield Homeowners Association Subordinate Service District to the individual property taxes on an ongoing basis as was the original intention of the Homeowner's request.

#### **MAINTENANCE UPDATE**

Menke reviewed two estimates for gutters for the front of the town hall. **MOTION WAS MADE BY WILLENBRING AND SECONDED BY GARDING TO ACCEPT THE ESTIMATE FOR GUTTERS FOR THE EAST SIDE OF THE TOWN HALL FROM BRAUN CONTRACTING IN THE AMOUNT OF \$595. MOTION CARRIED 3-0.**

Menke purchased pine mulch for landscaping in the flag area in the front of the town hall building once the gutters are installed.

Menke reviewed two estimates for the Salt Sand Shed. The Board discussed the size of the shed as well as the materials used for construction of the shed. **MOTION WAS MADE BY GARDING SECONDED BY WILLENBRING TO ACCEPT THE QUOTE FROM SCOTT MUELLER AND LIFESTYLE LUMBER FOR THE CONSTRUCTION OF THE SALT SAND SHED AS PRESENTED. MOTION CARRIED 3-0.**

Menke reviewed 3 patches on 200<sup>th</sup> Street in need of repair. Menke met with Rick Utecht from Luxemburg Township who agreed to work with Hardrives for patching material. **MOTION WAS MADE BY GARDING**

**SECONDED BY WILLENBRING TO REPAIR THREE PATCHES ON 200<sup>TH</sup> STREET EAST AND DIVIDE COST EVENLY BETWEEN WAKEFIELD TOWNSHIP AND LUXEMBURG TOWNSHIP. MOTION CARRIED 3-0.**

Menke will be attending the MN Dot Fall Maintenance Expo on October 5 and 6, 2016 in St. Cloud. Menke reviewed the crack filling project from Astech, invoices and payments. Menke stated that ditch mowing will take place in mid-September. Paving of Turtle Creek will begin September 2, 2016.

The Board authorized the Planning Commission to research waste water and water services for township residents in need.

**TREASURER'S REPORT**

Stalboerger reviewed the Building Inspector checks and stated that although they are listed on the list of bills, they are pending. The Board directed the Treasurer to process the checks upon receipt. The Treasurer's report and list of bills was reviewed. **MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO APPROVE THE SEPTEMBER 1, 2016 TREASURER'S REPORT AS PRESENTED; FURTHERMORE, TO APPROVE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST AND SUPPLEMENTAL LIST AS PRESENTED BY THE CLERK AND TREASURER. MOTION CARRIED 3-0.**

**ADJOURN/RECESS**

**MOTION WAS MADE BY WILLENBRING SECONDED BY GARDING TO ADJOURN THE MEETING AT 1:02 AM. MOTION CARRIED 3-0.**

Date Approved: \_\_\_\_\_

Respectfully submitted,

**WAKEFIELD TOWNSHIP**

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Heidi M. Stalboerger, Clerk

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Cyril Erkens, Chairman

Amendments: \_\_\_\_\_