

**TOWN OF BROCKWAY
COUNTY OF STEARNS
STATE OF MINNESOTA**

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Joseph Lyon, Chairman
Daniel Stang, Supervisor
Dave Friedrich, Supervisor
Debra Determan, Town Clerk
Patricia Weber, Town Deputy Clerk
Mary Wallenstein, Treasurer

MEETING MINUTES

On this 7th day of December 2010, the regular monthly meeting was called to order at 7:30 p.m. All members were present along with Zoning Administrator Bridget Chard.

A motion to approve the agenda as amended was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

A motion to approve the November 3, 2010 regular monthly meeting minutes was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

A motion to approve the Claim Nos. 2936-2981 was made by Supervisor Friedrich and it was seconded by Supervisor Stang; all in favor, motion carried.

Deputy Town Clerk Weber explained to the board the need for the two transfers for the Opole Subordinate Service District. One is the transfer of \$1,2020.00 from the Opole general fund to go to the debt reserve fund. We also had the automatic loan payment of \$1,278.00 that came out this month. A motion approve these transfers were made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried.

Zoning Administrator Chard reported that she spoke to Don Diehl because of the inactivity of his escrow account. He let her know that he will not have time to work on it anymore this year, so she suggested that we return his escrow to him. A motion to return his escrow was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried.

Zoning Administrator Chard presented the town board with the Boundary Line Adjustment/Certificate of Conformity request for Jon Perry. She presented the survey and findings of fact to the town board that explained the reason for the boundary line adjustment. She also stated that the Planning Commission recommends approval of this

request. A motion to approve the Certificate of Conformity for Jon Perry was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

Hugh Knox from the Avon City Council then appeared before the town board with a request for support to repair the Avon City Beach. He presented the town board with information and pictures of the beach and what they would like to do to repair it. He stated that he was asking for us to support this project by dedicating some of our park land fees that is set aside from the county to be donated to this project. He stated that they would appreciate a letter of support too, even if we cannot donate the money. The supervisors would like to run it through the Planning Commission first since they are already working on our park plan. Zoning Administrator Chard will be writing up the letter to present to the town board at our January meeting.

Mulberry Meadows was next on the agenda. Zoning Administrator Chard reported that she held an informational meeting for all of the residents in Mulberry Meadows on November 15, 2010. She presented information to the residents at the meeting on what exactly a subordinate service district is. She also passed out three petitions and received all of them back with 70% of the residents signing. At this point the verification has been completed and we since we have over 50%, we can move forward to hold a public hearing. A motion to receive the petition was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried. A motion to call a Public Hearing to Consider the Establishment of a Subordinate Service District on Wednesday, December 29th at 7:00 p.m. at the Brockway Town Hall was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried. Zoning Administrator Chard then presented the contract from Ryan Brandt from Eco Check for setting up a process of a Decentralized Wastewater Management Plan for our projects in Brockway Township. After discussion, a motion to move forward if the situation arises before our next meeting was made by Supervisor Friedrich and it was seconded by Supervisor Stang; all in favor, motion carried. Chairman Lyon asked if any of the Mulberry Meadows residents present had any questions about all of this. Zoning Administrator Chard was able to answer the questions from the residents. She then explained to everyone present that all of this is contingent upon him cleaning everything up.

The Planning Commission discussed the transfer of Development Rights and they have also attended a couple of meetings on this. Their suggestion was that at this point we do not sign up for this program because if we do, the county's new rules require that we would have to sign up to participate in the new TDR program. They want to wait to see how other townships work with it. Zoning Administrator Chard stated that they could discuss this when we meet with the county.

Zoning Administrator Chard gave the town board a copy of the draft of the Memorandum of Understanding for them to review. She stated that there was a suggestion that the Planning Commission and Town Board meet together on this and then she can meet with the County. We will look at setting up this combined work meeting at our January meeting.

Roads were next on the agenda. Chairman Lyon stated that he will be meeting with Brad Wilkening of Duffy Engineering to have him work on a proposal to evaluate our signs. Brad Wilkening suggested that we not pay for the up front leg work and let other townships do the leg work and then we just jump on board.

Road Boss Smoley reported that quite a few of our 911 signs got twisted during the August 13, 2010 storm. He stated that we will have to look at replacing the posts on a number of them this spring.

The contract for Jon Perry to manage the Brockway Township Cemetery was discussed next. Zoning Administrator Chard presented an updated maintenance agreement for the town board to review. She ran through the entire contract for the supervisors. There being no further discussion, a motion to approve this maintenance agreement was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried. A motion was also made by Chairman Lyon to approve up to \$500 that Jon Perry can use for expenses without needing prior approval from the town board. It was seconded by Supervisor Stang; all in favor, motion carried.

Zoning Administrator Chard let the town board know that Victor Legatt wanted to appear before the town board. Chairman Lyon explained to both Victor and Dennis Legatt that the best option for both of them, would be to work it out between them. He explained to them that if they go ahead with the cartway, the township will do the best we can do to be fair to both parties. He also stated that until we get the direction and the escrow money from Victor Legatt, the township cannot do anything.

Town Clerk Determan presented three town hall rental requests to the board. She stated that she had all the paperwork along with the deposit checks. A motion to approve town hall rental requests was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried.

Town Clerk Determan then presented the town board with a Gambling Permit request for a quilt raffle in February for the Opole Christian Mothers. A motion to approve this gambling permit request was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried.

Public Input was next on the agenda. There was none.

Zoning Administrator Chard reported on the second approach and road permit for the property in Zwach's Addition. She reported that because of the trees going down, they needed to put in a second entrance to clear them out. Zoning Administrator Chard stated that she informed the people that are purchasing the property that they will need to restore one of them and had them fill out a permit for the driveway they will be using. They are planning on building in the spring.

The mail was then reviewed.

There being nothing further to discuss, a motion to adjourn this meeting was made by Supervisor Stang and it was seconded by Supervisor Friedrich; all in favor, motion carried.

Debra Determan, Clerk

Approved at the January 4, 2011 regular monthly meeting.
Joseph Lyon, Chairman