

**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 sixth day of July, 2010 the regular monthly meeting was called to order at 7:30 p.m. All members were present along with Zoning Administrator Bridget Chard and Brad Wilkening from Duffy Engineering.

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

A motion to approve the June 1, 2010 regular meeting minutes was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

A motion to approve the June 10, 2010 weed inspection meeting minutes was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

A motion to approve Claims Nos. 2738 – 2790 was made by Supervisor Friedrich and it was seconded by Supervisor Stang; all in favor, motion carried. Zoning Administrator presented the letter from our attorney in which he states that we did receive a credit of \$930.00 in regards to the lawsuit.

Land use requests were next on the agenda. Zoning Administrator Chard presented all of the information for the Certificate of Conformity request from the Sowada property and explained what they were requesting. She let the board know that she did a site visit with Road Boss Pat Smoley. The planning commission met on June 28 and it was presented at that meeting. The Planning Commission recommended approval. A motion to approve to land split was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

Zoning Administrator Chard then presented the three different Certificate of Conformity requests for the Fiedler property and went through all the documentation and findings with the board. Zoning Administrator Chard reported that a site visit was done on June 26 and she went back on June 29 for more information and pictures. A motion to

approve all three Certificates of Conformity requests was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

Brad Wilkening from Duffy Engineering then appeared before the board. He presented the findings from Chosen Valley when they did our cores and sole borings. He then presented the recommendations for fixing these roads too. He felt that based on the findings they received from the six and ½ miles that they checked out, that we have a good idea about the shape of our roads and what it would take to get them fixed. He stated that he could work on getting us some estimates on what it would cost to fix our roads on a cost per mile basis. Chairman Lyon asked him to work on this for us and that it didn't need to be done right away.

Brad Wilkening then presented some cost estimates for Bitumous Patching and Pipe Replacement. He stated that he sent bids out to Knife River, JR Ferche and Hard Drives. He included their pricing that he received back from them in the information packet he gave to the board. He stated that our next step would be to go out and determine the exact locations for the patching and then we could figure out the quantity we would need. Chairman Lyon asked Brad to talk to the contractors about replacing the culvert on 115th too. Chairman Lyon suggested that the supervisors along with Road Boss Smoley get together with Brad and figure out all the spots that need to be addressed this year. A motion to do this next Tuesday, July 13, 2010 at 5:00 p.m. was made by Chairman Lyon and it was seconded by Supervisor Friedrich; all in favor, motion carried. Town Clerk Determan will be posting this meeting.

The new roads that were missed with the ditch cutting were discussed next. Road Boss Smoley will be talking to Chuck Ertl and let him know all of the new township roads.

Road Boss Smoley let the town board that there is going to be a delay getting the speed limit signs because the manufacturer is backed up because of all the sign orders that have been placed because of the new federal reflectivity laws. He will be putting up speed limit of 35 miles through Opole. He also ordered a reduced speed ahead signs and end of speed limit signs.

Supervisor Stang asked Road Boss Smoley to check on a missing 911 sign for one of the residents. A 911 sign for the new Eric Seitz property was discussed too. Road Boss Smoley stated that he would check out both of these.

Brad Wilkening let the township know that 2% was withheld from the 75th Avenue payment to Tri City. He said this was standard practice until everything is fixed and all the paperwork is turned in.

Zoning Administrator Chard presented the town board with a resolution to pass the speed limit zone in Opole on 125th Avenue. A motion to pass this resolution was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried.

Zoning Administrator Chard then presented the town board and with findings for the Lang property in Opatz One Estates. She explained that this was a rezoning request. They are asking to be rezoned from an R5 to an R10. A site visit was done by Zoning Administrator with Road Boss Smoley and Planning Commissioner Steve Vouk. She then went back and took pictures. The Planning Commission met on June 28 and discussed the issue. They recommended to the town board that we deny this request for the following reasons: the fact that they were located in a 3 parcel plat with lot sizes of 5 acres and that the Land Use District does not allow animals. A motion to deny this request because of the recommendation from the Planning Commission and the fact that it does not fit in with our future zoning was made by Chairman Lyon and it was seconded by Supervisor Friedrich; all in favor, motion carried. Chairman Lyon let them know that the town board has no problems with them having two horses on this property if they can come up to some kind of agreement with the county or to possibly purchase more property from neighbors. Zoning Administrator Chard let them know that she will give them the findings if they want to go to the county.

The Administrative Ordinance was discussed next. Zoning Administrator Chard let the town board know that she talked to Attorney Andy MacArthur about it and he suggested that we need a neutral party (lawyer) to review the complaints. She suggested that we take some time to review this and then decide.

The status of the Opole as-builts and survey work was discussed next. Zoning Administrator Chard reported that she has been receiving the information.

The repairs to the Opole sewer were discussed next. EcoCheck will be coming out sometime after July 10.

The cemetery was next on the agenda. Zoning Administrator reported that she has been working with Jon Perry. She then presented all of the information that they have put together to the board. She stated that they have all the records necessary to switch it over. We will have around \$950.00 left after the sign is paid for to take care of the maintenance. Jon Perry would like to stay on to continue to do the maintenance. He said that he would be put together a budget before our annual meeting and some of the things that need to be done to it in the future. Anderson Fabricating will be making the sign for around \$1000.00. The name will be Brockway Cemetery as is recorded on the deed. A motion to approve the resolution accepting Brockway Cemetery Associations' transfer of interests in Brockway Cemetery to Brockway Township was made by Chairman Lyon and it was seconded by Supervisor Stang.

Town Clerk Determan reported that we have received our letterhead and envelopes.

Town Clerk Determan then reported that we have received the final approval from the state to go ahead and install the automatic door openers. The work needs to be completed by August 1, 2010. Chairman Lyon will contact the installers to get it done.

The follow up to Mulberry Meadows was discussed next. Zoning Administrator Chard reported that she has been working with Angie at Stearns County who has been working with Terry from the MPCA. Angie wanted to know if she could contact Scott Reinert's attorney directly. It seems like everyone is having a difficult time getting a hold of Scott Reinert, including his attorney.

Public Input was next on the agenda.

Lyle Schefers then presented the town board with a personal invitation to all of the residents of Brockway Township to the Schefers Dairy Open House on August 17, 2010. He will be sending out a mailing to every property owner and we will be putting it out on our website too.

The annual MPCA report was next on the agenda. Deputy Town Clerk Weber reported that Zoning Administrator Chard worked with her on this report and that it has been completed.

Our budget was discussed next. When we look at our roads, we will be considering what we have left in our budget.

Zoning Administrator Chard reported that we currently have three copies of the new Stearns County Zoning Ordinance. She is currently reviewing it and would like to have a joint meeting with the Planning Commission and the town board on Tuesday, July 27th at 7:30 p.m. to review all the changes. A motion to approve meeting with the Planning Commission on July 27, 2010 at 7:30 p.m. was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried. Town Clerk Determan will be posting this meeting.

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 August 3, 2010 meeting
Joseph Lyon, Chairman