

**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 September, 2010 the regular monthly meeting was called to order at 7:30 p.m. All members were present with exception of Deputy Clerk Pat Weber. Also present was Zoning Administrator Bridget Chard.

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 August 8th, 2010 regular monthly meeting minutes was made by Supervisor Stang and it was seconded by Supervisor Friedrich; all in favor, motion carried.

Zoning Administrator Chard presented the board with a check from Jon Perry to establish our cemetery fund. She also stated that she has a book of all the documentation of the cemetery. Jon Perry then reported on the damage that was done by the storm. He stated that he had plenty of residents that volunteered their time in cleaning up the downed trees after the storm. He then presented the board with the names and addresses of all the volunteers and also a bill for the fuel used, black dirt and grass seed. A motion to send a thank you to all the volunteers was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried. The town board then asked Zoning Administrator Chard to draft up a contract for him to present at our next meeting.

A motion to approve Claim Nos. 2831 – 2868 was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

Land Use Requests were next on the agenda. Zoning Administrator Chard presented the information to the board for the request for a Certificate of Conformity for an administrative subdivision for Marilyn Winter. She reported that she went out on a site visit with Commissioner Steve Vouk. The Planning Commission reviewed the request at their meeting on August 31, 2010. The Planning Commission approved the request with the following conditions: Parcel B is to be restricted from using as a future building site and we will need new parcel identification numbers when completed. A

motion to approve this Certificate of Conformity with the conditions stated above was made by Supervisor Stang and it was seconded Chairman Lyon; all in favor, motion carried.

Zoning Administrator Chard then presented the next request for a Preliminary Plat for Rick and Margaret Stang. She explained to the board what was involved with the request and presented the findings of fact. She stated that she did a site visit along with Commissioner Pat Smoley on August 30, 2010. The Planning Commission met on August 31, 2010 to review this request. The property does not abut a public road way but uses a private road. After considerable discussion the Planning Commission approved the request with the following conditions: That the Town Board consider that the road coming in from the east to the new property conform to the Brockway Township Road and Access Ordinance and its standards. After presenting the findings, she presented the town board with a copy of the road standards and access ordinance that would apply to this request. After discussion a motion to approve this request upon the condition of a new maintenance agreement for the road coming in from the east and a notice needs to be attached to the plat was made by Chairman Lyon. It was seconded by Supervisor Friedrich; all in favor, motion carried. Supervisor Stang abstained from all the discussion and voting on this request.

The Planning Commission discussed the issue of taking over the shoreland at their last meeting. They would like to hold off on it at this time.

Mining/Extraction properties was discussed next. A listing of all residents with mining/extraction was passed out to the town board to verify that the listing is correct.

Zoning Administrator Chard reported that she has received a rather large preliminary plat request from Dan Diehl. Because of the size of this request, a sub committee was put together to work on this.

Zoning Administrator Chard then presented the two requests she received for land rezoning. One was from Don Diehl to rezone to R5 and the second one was from Ron & LaVern Justin to rezone to R5. They are both currently in a T20 according to the County zoning. Since their requests conform to our zoning map, the Planning Commission just passed these requests onto the town board. A motion to approve these requests and forward onto the county was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried.

The signed contracts from JR Ferche were just received back. They are supposed to have the work done in early September. Road Boss Smoley will follow up with them.

Road Boss Smoley then presented the board with estimates to have the brush removed from the road right a ways. They thought it would take seven days at ten hours a day to complete it. After discussion, it was decided to hold off for another month and we will allow anyone who would like the wood, to go ahead and get it.

Road Boss Smoley reported that he talked to Tom Huls about filling the crack in the middle of 55th.

Duffy Engineering sent Tri-City Paving a punch list for 75th Avenue. It is all minor, but they are holding them to the warranty.

Chuck Ertl presented the town board with a bid to top cut the weeds like he did last year for \$1,250.00. After discussion, it was decided to hold off until our next meeting.

CapX 2020 transmission line was next on the agenda. Zoning Administrator Chard presented the town board with information from our attorney. The committee is asking the three townships to present evidence/documents to them in a form of a resolution. Zoning Administrator Chard will work with our attorney to get the resolution together. Supervisor Stang and Zoning Administrator Chard will be receiving the information from the committee.

A motion to approve the gambling request from Our Lady of Mt Carmel was made by Chairman Lyon and it was seconded by Supervisor Stang; all in favor, motion carried.

Zoning Administrator Chard presented the Halonen easement request along with a bill for repair work he had done years ago. A motion that we do not pay the bill because he did not contact any of us and also that the language be inserted into the easement was made by Chairman Lyon and it was seconded by Supervisor Friedrich; all in favor, motion carried.

Mulberry Meadows was discussed next. Zoning Administrator Chard gave the town board a status of what has transpired since the last meeting. She also stated that Stearns County was looking for information from us on when the first resident in Mulberry Meadows came before the board with a complaint of their sewer backing up. Zoning Administrator Chard will be providing Stearns County with a copy of the December 1, 2009 minutes.

Next on the agenda was Public Input. A resident wanted to know if he could get a building permit for a pole shed. It was explained to him that he needed to go to the county to get it and that we sign off on it. He also stated that he needed to get a burning permit and what did he need to do to get one of those. The supervisors gave him the names of fire wardens in the township that can issue him one.

Zoning Administrator Chard reported that she spoken to two attorneys on our Administrative Ordinance. The first attorney she contacted was interested and asked her to send him information on it and he will be getting back to her.

Zoning Administrator Chard let the supervisors know that we have been invited to the legal seminar on September 9, 2010 in Albertville.

Zoning Administrator Chard reported that we still have two letters of credit out there. The Don Anderson letter of credit runs out in October so we will need to review his road before our October meeting.

The mail was reviewed next.

Zoning Administrator Chard reported that she is making the final changes to our planning and zoning in regards to the ordinance, including our goals and updating the Memorandum of Understanding. She is planning on having everything together for the Planning Commission to review at the end of the month.

There being no further items to discuss a motion to adjourn was made by Supervisor Stang and it was seconded by Chairman Lyon; all in favor, motion carried.

Debra Determan, Clerk

(Approved at the October 5, 2010 regular meeting)
Joseph Lyon, Chairman