

**Hampton Township Board
Regular Meeting Minutes
January 27, 2015**

Attendance:

Chair: Bernie Pistner
Supervisor: Doug Wille
Treasurer; Leo Nicolai
Clerk: Jeanne Werner

Meeting was called to order at 7:30 P.M. by Bernie Pistner, Chair, with the pledge of allegiance, using the consent agenda with the exception of approving the claims.

Motion was made by Doug Wille to approve the routine items on the consent agenda, second by Bernie Pistner. Motion approved.

Motion made by Doug Wille to approve the 12/16/14 minutes, second by Bernie Pistner. Motion approved. Minutes were signed.

Motion made by Doug Wille to approve claims 5063-5076. Second by Bernie Pistner. Motion approved. Checks were signed.

Chair opened the floor to public comment. Jim Heiman spoke on behalf of the fire department. Made mention that upcoming payment for fire contract was not due until March. He has invited the Township staff to the March meeting at the Randolph Fire Dept. at which time the township reports will be presented, and also to invite staff to dinner at Randolph Fire Dept. the same evening, March 5. He thanks the township for the support through the years. This is his last year with the fire department.

Bill Tix spoke and questioned why property on 250th st., which at one time was the Phalen farm, currently the Halweg site, was approved as a buildable site, stating that this is a non-buildable site in accordance with the current ordinances. He states there is five homes on the quarter section now, Hampton is zoned for four. He also asked why there was no public hearing, which is required to change the ordinance; nor were the owners of surrounding properties informed. Bernie Pistner stated this was approved based on the advice from township attorney, that ordinance was so poorly written that it was advisable to issue a favorable ruling to the owner regarding the site. Doug Wille expressed concern as to that impact this could have down the road for the township. Shelly Kidd also spoke in agreement

With Bill Tix, questioning why this approval would be allowed, stating difficulties they experienced obtaining their own permit to build their home. She also wondered why there were no public hearings or notifications. Bernie states the meetings with the owners, realtors, and attorneys were in the minutes of all the meetings; permit had been denied many times before the approval issued. Bill Tix stated that permits can be placed on hold. Bill stated that Phalen farms plotted the land out long ago, but forgot to register the parcels at the courthouse. Land was sold to current owner in order to settle the Phalen estate per Bill. He states that the owner has tried to have this approved through many township and planning commission meetings, having been denied through the years. Bill states this opens a can of worms as others who now want a permit under similar circumstances could not easily be denied. He was puzzled as to why the attorney Troy Gilchrist would recommend approval. Doug Wille states he was not on the board at the time, but he also was puzzled also as to why this was approved. He states he has intentions to speak with the attorney to get clarification as to their reasoning. Jim Sipe held the conversations with the attorney, so he may have answers when he returns. Leo Nicolai spoke and acknowledged he does not have a vote, but has gone through the emails, and that the essence of them was that the ordinance was so poorly written that it was advisable to issue the permit. Shelly Kidd was concerned that proper protocol was not followed regarding special meetings or notifications stating that she herself would have attempted to buy the property long ago if she felt it could be a buildable site. Doug stated that if the ordinance needed shoring up it could have been done at the time to remedy the situation, and he does not understand why Gilchrist would have advised the board as he did. Bernie stated that township should talk to attorney again to see if there is anything that can be done. Doug states he would like to do further research. Bill Tix states that you can renege or stop a permit, or put a hold on it; Doug stated he hopes so, and states the ordinance itself was not changed. Bernie recommends we hold this until further information can be obtained. Leo states also that the ordinance was not changed. He relayed information from Township Officers meeting that one of the legal persons there said that there are times you can change or deviated from something, not necessarily setting a precedent, to cover one particular or unusual situation, as long as it is not in general harmful to anyone. Leo mentioned, and Bill agreed that he should have been asked to be put on the agenda so some advance research could have been done. Doug stated this could be put on the agenda for next month's meeting, but was not requested for now. Discussion is now on hold until a later date. Bernie asked if there was any further public discussion. There was none.

Bernie asked for road report. Doug mentioned email received from Bob Bryan regarding waterflow. Home situated where water runs both ways and ditch is filled and wet. Water possibly does not drain fast enough. Letter states there is no culvert, but Doug states that if water runs both ways that should not be an issue. Doug states it can be looked at in the spring when a road tour is done. Little else on road report—some sanding and plowing but nothing more. Bernie states he had a call regarding questioning road grading on an area on Hogan Ave; Bernie states he drove by the property and outside of a few small ruts, there was no major concerns, and the next day there was a snowfall.

Bernie asked if there was anything from the planning commission, and since there was no meeting, there were no issues.

Old business: Jim's talking to attorney regarding clarification or ordinances, and CapX. Since Jim was gone in January, this was tabled until next monthly meeting.


New Business: none

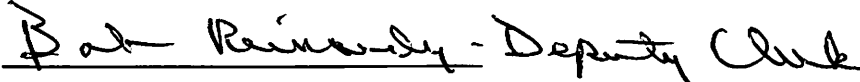
Leo brought up email regarding request from a firm named EcoPlex wanting to buy land and install a solar-panel facility that would be "beneficial" to the township. Board was not inclined to follow up as there was not enough information to pursue further.

Bernie mentioned watershed meetings; he asked that Jeanne let him know if any are scheduled. Doug will go to Cannon Falls. **Motion made to appoint Doug Wille as representative on Cannon Falls Watershed association, second by Doug. Approved.** Bernie states he has not been appointed to serve on Vermillion's, but that he was asked by Bob Leifeld if he would attend some meetings. They did not believe that Vermillion held regular meetings. There was some discussion covering the from-and to-route some water takes in the township. It was agreed representation was needed at those meetings. Bernie stated he would stay on as chairman for another month until reorganization, but that a motion was needed. **Doug thought that had been done at the last meeting, but he made a motion to appoint Bernie Pistner as chair. Seconded by Bernie Pistner. Approved.**

Motion made by Bernie Pistner to adjourn, seconded by Doug Wille. Approved.

DATE 3-17-15

CHAIR
Bernie Pistner 

CLERK
Jeanne Werner  - Deputy Clerk