



Regular Board Meeting Minutes April 16, 2019 7:30pm

Supervisor	Jim Sipe
Supervisor	Dan Peine
Supervisor	Doug Wille
Treasurer	Leo Nicolai
Clerk	Molly Weber

This meeting was called to order by Jim Sipe, Chair at 7:28pm with the Pledge of Allegiance to the flag and using the consent agenda. **Doug Wille made a motion to approve the consent agenda except the claims and to approve the balance of the agenda. Dan Peine seconded it. Motion carried.**

PUBLIC COMMENT

Deputy John Reiners was present & said it has been kind of quiet lately. They have been to a couple residents homes. He recommends locking cars and not leaving valuables in there.

Dave Hartung of Dan's Bar is wanting to purchase some land on the south side of highway 50. He wants to get an easement about a septic system from Gene and Judy Kimmes. For this they will need to work with Darrel Gilmer, the septic inspector. Dave is thinking it may not happen until the first frost but he needs to ensure he has everything in place with the Kimmes's in case they sell their property. An easement doesn't have anything to do with the township. Dave has already gotten verbal approval from the state. His next step is Darrel Gilmer. Jim advised that Dave Hartung and the Kimmes's work with Darrel Gilmer to get it all figured out.

ROAD REPORT

Jason Otte was present and stated 250th and 260th washed out but are fixed now. There was nothing to report for the Bridge Safety Inspection.

New contract with Otte Excavating – up 2% across the board. Contract will now be 4/16/19 to 4/16/2020. Jim Sipe will make a new contract form with rates to sign. **Doug Wille made a motion to accept the contract amending the form with new rates they have for this year. Jim Sipe seconded. Motion carried.**

Ditch by Nancy Radman – this waterway needs to be fixed so Jason Otte recommended looking at it when they do the road tour.

Set Road Tour Date – Road Tour set for Friday April 26, 2019 at 8am provided the weather cooperates. Clerk will have Mark post it on the website right away.

Email Complaint – Otte Excavating waited out the first snowfall then got behind the eight ball due to a breakdown. The Board will take this under advisement and do something about it.

PLANNING COMMISSION SYNOPSIS

Jim Heiman

- 612-221-4999
- On behalf of Elerie Iverson
- AG shed 40x100
- Heated for growing plants
- 22550 Dark Horse Lane, Hampton, MN

This has been pushed off until later in the summer. **Jim Sipe made a motion to deny this permit since Jim Heiman did not attend the Board meeting. Doug Wille seconded. Motion carried.** When Jim Heiman is ready he will just need to come before the Board.

Libby Montrel

- 651-775-5401
- Accessory building - 88' x 80'
- 4386 260th Street East, Randolph, MN (142 acres)

Libby Montrel and her husband plan to put up an accessory building on her mom. Olive Hupf land. They permit will need to be in Olive's name since she owns the property. Libby said the accessory building will not have a show room and they will not be selling out of this building. It is to store and fix their machinery for their Landscaping Company that is part of the MN Nursery & Landscape Association. **Doug Wille made a motion to approve an 80' x 88' accessory building for Olive Hupf that will not be used as a commercial sales location. Dan Peine seconded. Motion carried.** The Montrel's were advised to work with Benny Svien.

PUBLIC HEARINGS

1. Mike Kampmeyer

- o: [651-789-5305](tel:651-789-5305)/c: [651-246-6091](tel:651-246-6091)
- www.ips-solar.com
- 1 MegaWatt Solar Project for PID# [17-01500-75-013](#) to be built in the summer of 2019
- 21175 Northfield Blvd, William and Diane Nelson
- Encompass about 8 acres of land

Evan Carlson was representing IPS Solar. There were concerns about visuals so IPS committed to a tree line on the west edge. It is screened on the south and east side quite well. There is just farmland to the north. You can't really see it from 250th Street. There were 3 issues per David Peine: 1 was the west line, 2 was the access road to get there that they need to work out with Rodney and Bryce Kimmes. And the 3rd thing was the tile line. IPS is working with the Kimmes and have a number in mind they are close to being in agreement on. So IPS is just leasing the land and not purchasing it. Jim Sipe talked to our lawyer Troy Gilchrist and he said an easement would be suffice for the road frontage. Evan stated they only have bigger trucks when the build or decommission it. The tree line on was recommended by the Planning Commission on the west side with 4 foot conifer trees that grow up to 7 foot trees were recommended in the motion by the Planning Commission. This will stay AG property. Definitely need an easement for the access road. This is a condition to building it. The next step would be for the Town Board to approve it and then direct it to our Attorney to draft up a Conditional Use Permit for it. The owner of the land and IPS would be parties to the Conditional Use Permit. So our 60 day window started on Friday April 5th for us to act upon IPS request or else we need to inform them that we need another 60 days via letter to them. We are not sure how long it will take the attorney to draft up the Conditional Use document. One issue that was a hang up for us on the last one was the removal of it at the end of it. We would ask the attorney to draft up the wording that IPS contracts with the landowner and they have to furnish us the lease that that condition is there and it would have to be satisfied before issuing a building permit along with a lot of other stuff. Then the township if all else fails and IPS or the landowner fails in their duties 25 years from now the township would have the right to remove it and put a lien against the property, whoever owns the land at that time. The landowner has to get the bond from IPS. **Jim Sipe made a motion to approve the request for a Conditional Use Permit and direct our attorney to draft a Conditional Use Permit for the Nelson 2 IPS Solar project. Doug Wille seconded. Motion carried.**

Attorney fees will be charged back to IPS Solar and no construction can start until the Conditional Use Permit is drafted and signed off on. The Conditional Use Permit will also have William and Diane Nelson on it along with IPS Solar.

Zoning Ordinance Amendment Regarding Clustering – Gene and Judy Kimmes and Kevin & Katie Weatherly were present at the meeting.

There were concerns at the Public Hearing that the amendment was not tight enough. Planning Commission agreed with the ordinance change but don't agree with the term "sole discretion." They were concerned that down the road using sole discretion could be an issue. They think the ordinance needs to be amended. Jim Sipe and Troy Gilchrist talked about "at sole discretion" that no one else can nit pick the words, that only the Board can interpret it, someone else cannot. The Board can approve it if it forsure fits the 4 categories mentioned. The Board can interpret how they think case by case but have the strict requirements to follow. It is meant for the Board to take away the power from someone else interpreting it their own way. The Planning Commission had concerns. Jim Sipe recommends we adopt this amendment knowing full well that the Planning Commission had some concerns that we will address in the near future with our attorney, the Board and the Planning Commission. It would have been best if Kimmes's did the variance like was recommended and they would be done by now. Jim does respect the Planning Commissions concerns and we will look at it again when we have more ordinance changes to look at. **Jim Sipe made a motion that knowing that the Planning Commission has concerns that we approve this zoning ordinance amendment**

Ordinance number 2019-01 approve that ordinance with the intention of revisiting the wording of it at the earliest possible date when we have other changes to make. Doug Wille seconded. Motion carried. This is for clustering within a quarter section.

Jim Sipe made a motion to adopt Resolution 2019-01 and Resolution 2019-02. Doug Wille seconded. Motion carried. Ordinances were signed by Jim Sipe and Molly Weber. Molly will follow directions on how to file them.

Kimmes's were advised we can't issue a permit until we know what the land will be like. Jason Otte has approved where the driveway will go. The Kimmes's will need to take to the county to record the split and will ask if the Township has approved it.

Gene & Judy presented the survey with the property split. They have the minimum lot area of 1.5 acres. Frontage is good and setback of 300 feet or more. The Weatherly's are buying 7.1 acres. **Doug Wille made a motion to approve property split for Gene & Judy Kimmes to split off of PID#17-01400-50-011 (154.95 acres). Dan Peine seconded. Motion carried.**

Doug Wille made a motion that 7.19 acres split off of PID#17-01400-50-011 has a buildable. Dan Peine seconded. Motion carried. A copy of the survey was made after Jim Sipe signed it. Kimmes's were advised to file it with Dakota County.

OLD BUSINESS

- *Gene & Judy Kimmes* – 651-480-2293 - Question about a buildable lot off of 250th Street (17-01400-50-011) {154.95 acres} – see Zoning Ordinance Amendment above
- *Blake Otte* 507-291-0196 - AG permit to remodel one of his AG buildings as per the minutes of the Planning Commission recommendation on 05082017

Blake Otte presented an AG permit for 312'x 114' Air conditioned addition. 110' from center to edge of the barn. **Doug Wille made a motion to approve the AG Permit for Blake Otte. Dan Peine seconded it. Motion carried.** Jim signed off on permit. Blake paid \$75.00 permit fee.

- *Andy Endres* – Permit for shed to be approved. **Doug Wille made a motion to approve permit for an accessory building on Andy Endres PID#17-02000-01-012 Dan Peine seconded. Motion carried.**

NEW BUSINESS

- Kent Otte – tiling in ditch along 225th and Lewiston by the Badard property. Want to bring a trencher in to pipe it down the ditch at least 2 feet minimum with a slight slope. It will need to surface once it gets to the waterway. Ellingson will do it and do it as close to the fence as they can. They will do all the line locating and everything for it. **Doug Wille made a motion to approve the request for tiling as long as Jason and Bryce Otte approve it as far off the road as they can get it. Jim Sipe seconded it. Motion carried.** Kent Otte will contact Jason Otte.
- Dan Peine Oath of Office was conducted on March 25, 2019 for another 3 year term - FYI
- Chloride Date Set for June 24, 2019 unless something sooner opens up – this was the best they could do even after contacting them a month earlier this year.
- AG Preserve-Molly Weber will meet with individuals so paperwork can be approved and signed at the May meeting
- Anderson Invitation to Quote Quote – Same as last year. **Jim Sipe made a motion to select Anderson to provide rock related services from Spring Garden Quarry. Doug Wille seconded. Motion carried.**
- Tire recycling – no one else volunteered per the county – we choose not to do it too.
- Solid Waste Master Plan Letter – be aware the county might need help on this in the future.
- Couri & Ruppe Legal Seminars - FYI
- Law Notice Posting Letter – N/A

OTHER BUSINESS-Board Members Only

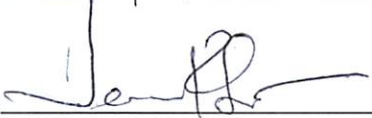
Doug Wille made a motion to approve signing of checks 5853 to 5863 and a motion to approve the claims list. Dan Peine seconded it. Motion carried. Checks were signed.


Township Letters of Information: The supervisors will go through this while the Chair, Treasurer and Clerk sign checks. They will let the clerk know if there is anything we need to address. Pera emails are to continue to be forwarded to the Supervisors and they can delete them if they so choose. Molly Weber should file these and drop them off of site after a year.

ADJOURNING OF MEETING

Jim Sipe made a motion to adjourn the meeting at 9:30pm. Dan Peine seconded. Motion carried.

Date Signed: 5/21/19

Supervisor: 

Clerk: 

HAMPTON TOWNSHIP TREASURER'S REPORT

April, 2019 (May 21, 2019 Meeting)

BEGINNING BALANCE:

\$261,366.50

RECEIPTS:

A. Endres – Permit	\$3751.05
A. Endres – Permit	763.71
B. Otte – Permit	75.00
L. Endres – Permit	50.50
IPS – Solar Hearing	100.00
A. Endres – Septic Permit	351.00
Account Interest	16.70
ICS Account Interest	57.13
TOTAL RECEIPTS:	\$5165.09

DISBURSEMENTS:

M. Weber – Clerk Salary	\$1639.89
B. Svien – Inspections	2373.52
Otte Excavating – Road Work	8272.43
Graphic Design – Ballots	81.00
North Cannon River WMO – Dues	4434.30
Earl Anderson – Address Markers	68.75
Dakota County Assoc. of Twنش ps. – 2019 Dues	855.24
Cannon Falls Beacon- Legal Notices	45.00
Kennedy & Graven – Legal Fees	58.50
Post Master – Stamps	55.00
Janet Otte – April Rent	500.00
Century Link- Phone	88.34
TOTAL DISBURSEMENTS:	\$18,471.97

CHECKBOOK BALANCE:

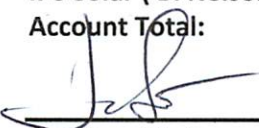
\$248,059.62

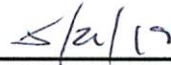
Checks Not In: (2) \$226.54 + \$248,059.62 = \$248,286.16


Account #*****04	\$ 56,984.07
ICS Account#*****04	\$191,302.09
Accounts Totals:	\$248,286.16

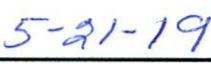
ESCROW ACCOUNT PREVIOUS BALANCE: \$38,732.00

IPS Solar (B. Nelson)	2,000.00
Account Total:	\$40,732.00


Jim Sipe, Chair


05/21/2019


Leo Nicolai, Treasurer


05/21/2019