

SALEM TOWN BOARD MEETING
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May 1, 2024

Members Present: Brian Connelly Drew Moessner
 Diana Connelly Sonya Mansfield
 Rick Lutzi Sharon Petersen

The meeting was called to order at 7:09pm by Brian Connelly with the pledge of allegiance.

Drew Moessner made a motion to approve the agenda. Rick Lutzi seconded the motion. The motion passed unanimously.

The claims presented for payment tonight are as follows:

- Claim No. 11706 to 11720
- Payroll Checks 11572 to 11577
- The total for claims presented tonight is \$13,259.07

Rick Lutzi made a motion to approve the claims as presented. Drew Moessner seconded the motion. The motion passed unanimously.

The mail was reviewed.

SECRETARY’S REPORT

Drew Moessner made a motion to approve the secretary minutes as presented. Rick Lutzi seconded the motion. The motion passed unanimously.

Rick Lutzi made a motion to approve the Board of Appeals and Equalization meeting minutes. Brian Connelly seconded the motion. The motion passed unanimously.

TREASURER’S REPORT

Diana Connelly read the treasurer’s report:

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|--------------------------|--------------|
| Beginning Balance | \$368,806.99 |
| Total Receipts | \$ 164.93 |
| Total Disbursed | \$ 25,389.68 |
| Ending Balance | \$343,583.24 |
| Outstanding Balance | \$ 4,831.50 |
| Total Per Bank Statement | \$348,413.74 |

Certificates of Deposit

| | | |
|-------|--------|--------------|
| 70945 | 2.000% | \$122,625.00 |
| 70946 | 1.500% | \$ 25,660.09 |
| 71232 | 4.050% | \$152,565.58 |
| 71233 | 4.050% | \$ 51,717.15 |
| 71266 | 4.500% | \$102,268.49 |
| 71267 | 4.500% | \$150,846.03 |
| 71321 | 5.250% | \$ 26,011.87 |

Total \$631,694.21

Diana Connelly reported CD 71266 and CD 71267 which matured on 4/25/2024 have been renewed for 9-months at 4.75%. The presented report does not reflect the new CD maturity date or rate.

Rick Lutzi Inquired on APRA funds to be used for gravel on Township roads and the Fire Department which was determined in Resolution 20204-6. Funds should be dispersed into appropriate accounts to cover the cost of rock and fire service when CD matures and receipts for road rock have been received.

Rick Lutzi made a motion to approve the treasurers report as presented. Drew Moessner seconded the motion. The motion passed unanimously.

OLMSTED COUNTY SHERIFF

Deputy Zach Wagner did not attend.

OLD BUSINESS

TCPA MEETING

Rick Lutzi attended the TCPA April meeting. The Flood Plain Ordinance is finished and sent around for review and comment to the Townships. Hopeful to have the Flood Plain Ordinance on the Olmsted County agenda for approval. The TCPA Board was elected; John Johnson, Chair and Rick Lutzi, Vice Chair. The TCPA board is reviewing the bylaws and Brian Connelly, Rick Lutzi and Drew Moessner discussed some bylaw language issues which they would prefer to be discussed and modified.

Drew Moessner will attend the May TCPA meeting.

ROADS

CLERK’S REPORT – No Report.

Road Projects for Todd Bucknell are: 95th Avenue SW and South of 35th Street SW, 109th Avenue SW and 10th Street SW intersection, culvert, and earthwork at 10th Street SW east of County Road 5. Also, fix roadway curves on 60th Street SW and 90th Avenue SW, and 50th Street SW east end near Rud’s. Grade 63rd Avenue SW before chloride is applied. Re-grade the cul-de-sac on Lilac Lane SW and at 110th Avenue SW pull back rock under guardrail and grade into roadway. Rick Lutzi will assist with seeding and mulching of disturbed grading areas. Township road grading for second round should begin around May 7, depending on weather. The second application of road rock for chicken farm needs to be completed before May 21, 2024.

All township roads have rocked including the township line 60th Avenue SW agreement with Rochester Township.

Drew Moessner talked with Canisteo Township about box culvert on township line road and Dodge/Olmsted County line road which needs an inspection and repair. Possibly look at having four entities (Salem Township, Canisteo Township, Dodge County and Olmsted County) look at the box culvert and develop a plan to repair or replace with cost sharing.

Brian Connelly is on Roads for May.

NUISANCE ORDINANCE

Brian Connelly will continue to work on recommendations from the attorney to prepare a version for the June meeting.

CHLORIDE

- Post Cards mailed April 19 (mailed 210 post cards)
- Chloride Payments are due Friday, May 10
- Flags must be in place by Monday, May 20 (Bucket at Town Hall)
- Upcoming Office Hours:

| | |
|--------|----------------|
| 5/4/24 | 9:00am-12:00pm |
| 5/6/24 | 1:00pm-4:00pm |

| | |
|---------|----------------|
| 5/8/24 | 4:00pm-6:00pm |
| 5/11/24 | 9:00am-12:00pm |
| 5/20/24 | 1:00pm-4:00pm |

Chloride scheduled to be applied on Tuesday, May 21, 2024.

2024-2025 VENDOR CONTRACTS

Need signatures on returned Contracts. Need contracts from DeCook Landscaping, Farmer's Top Soil, Orth Farms, and Clint Larsen.

Rick Lutzi inquired about the Town Hall mowing contract. Sonya Mansfield verified Farmer's Top Soil is the primary contractor and DeCook Landscaping is the secondary contractor. The 2024-2025 contracts went into effect on May 1, 2024, Rick Lutzi will reach out to DeCook Landscaping to inform them of the contracts.

Brian Connelly asked Sonya Mansfield about the Clint Larsen contract for services. Sonya Mansfield confirmed the contract has been sent to Clint Larsen and the status of the contract is awaiting signature. Clint Larsen's liability form has been received.

NEW BUSINESS

DANIEL DECOOK

Brian Connelly began the discussion of non-mining/non-ag business operating on the site in the shop of a Daniel DeCook CUP. The matter was brought to the Town Board's attention of a secondary business operating out of the shop at the sand pit on County Road 104. The Town Board wants to address the issue with Daniel DeCook and determine if this violation is true. The Town Board was informed Brian Mueller is working out of the shop and this would not be allowed as a permitted use due to the operation not being a mining or agriculture activity. Mr. Mueller's business as a mechanic or equipment repair business would not meet the criteria or conditions of the CUP. Daniel DeCook stated Brian Mueller is working on Daniel DeCook's equipment and has a service truck parked at the building to go off site to complete repairs. Mr. DeCook sees Mr. Mueller approximately once per week at the building. No outside customer work or business is operating in the building. No rent is being made to Daniel DeCook for using the building. Mr. DeCook allows a neighbor to park his truck in the building due the neighbor not having a space large enough to park the truck. The board determined that Mr. Mueller's activity on the site is not in violation of the CUP based on Mr. DeCook's feedback and explanation.

PLANNING AND ZONING

Sonya Mansfield presented the CUPs with bonds in a spreadsheet to review the scope and identify the sand pits with bonds. This information for sand pits determines the location and bond criteria for the bond report in reference to language on the CUP. Rick Lutzi asked Daniel DeCook about combining his bond into one large bond for his sand pits. Mr. DeCook stated TCPA suggested having the sand pit bonds combined as it would benefit the Township as there would be more funds available to reclaim as needed. The CUPs with bond amount determined by \$1000 for each open acre have never been recalculated or bond amount determined. Drew Moessner will contact GGG to have the calculate areas for six sand pit bonds and the open acre sand pits to determine bond amounts.

The Board is still working on finding alternate and full-time Board members to serve on Planning and Zoning.

STEVE & HEATHER TLOUGAN CUP 97-11 (247 63RD AVENUE SW)

Discussion of complaint of CUP violation. The CUP was issued by Olmsted County and has three conditions. The uncertainty of how to move forward with pursuing the violations which have been a consistent issue for some time in how to address violations of Olmsted County issued CUPs. There is no clear path or determination on how to proceed. TCPA, Couri & Ruppe, and Peter Teide, Attorney, all recognize the issue of how to enforce the conditions of the CUP and which entity needs to address the issues. The Board discussed with the neighbors attending the meeting the condition of the property, the business traffic, employees reporting to the property to work and leave

with a work truck, parked campers, number of trailers, multiple vehicles, the storage of equipment and burning on the property. Numerous amounts of material is being stored on the property. Brian Connelly specified a process of how to proceed with the complaints and issues going forward:

1. The Board will request TCPA to address who should be responsible for enforcing the conditions of the CUP.
2. The Board will request Steve Tlougan to attend the July meeting to discuss CUP violations and update on business activities.
3. The Board will determine if an amended CUP is needed due to a change in business, which could be complicated, but it could be useful in requesting a new CUP. Drew Moessner will talk to Olmsted County about how to handle County issued CUPs and get some information for the future.

NOKOMIS ENERGY – SOLAR GARDEN

TCPA corresponded with the Township on a proposed application for a Solar Garden in the Township. TCPA interprets the Salem Township Ordinance does not warrant this application for consideration. The Board agrees with TCPA's clarification the application would not be approved due to our Ordinance.

STATUS OF ITEMS DISCUSSED LAST MONTH

APRIL 2024 CORONAVIRUS SLFRF PROGRAM Report; submitted and completed project report on 4/22/24. Diana Connelly and Sonya Mansfield do not anticipate any further action on the report.

ITEMS BROUGHT FORWARD BY BOARD MEMBERS

Sharon Petersen – Nothing.

Sonya Mansfield – Chloride measurements and calculations. Brian Connelly has been working with Sonya Mansfield on chloride calculations. Brian Connelly gave background information on four Township roads in which the roads have been historically paid to have chloride applied on the whole road. In the past some of the calculations, measurements and amounts were done informally or best guess. This is a good time to verify lineal foot measurements for roadways, and calculation to fact check our information. Drew Moessner asked how the road length is determined. Sonya Mansfield provided the documents to verify the length of roadway by the roadway plat, GIS, and verifying objectively with two other sources. Brian Connelly checked the calculations, and they are correct. Drew Moessner wanted clarification on the terminology on how the calculations are determined. Brian Connelly and Sonya Mansfield, stated the "first 300 feet is \$100" and "additional up to 100 feet is \$60." There is no sliding scale for an additional up to 100 feet or the first 300 feet. This is a great way to have the calculations determined in order to apply the proper calculations moving forward. Brian Connelly proposed having a footage amount deducted for intersections to be paid for by the Township. The Board determined to use 100 feet in either direction at all intersections to be deducted from roadways and will be paid for by the Township.

Brian Connelly – Road sign tipped down in the ditch on the Olmsted County line was re-installed. Possibly discuss with Olmsted County about the ditch and drainage issue at the intersection of County Road 3 and 10th Street; we will work for a solution with the County.

Drew Moessner – Nothing.

Rick Lutzi – KBS information for new Town Hall, and information from Key Builders will be submitted.

Diana Connelly – The hot spot for the internet is working at the Town Hall. Diana Connelly stated people who came to pay for chloride in-person were appreciative of the lower price for chloride. The Town Hall hours for Sonya Mansfield and Diana Connelly is under salary and not billed as additional hours.

CITIZEN COMMENT

John Donovan presented information about Daniel DeCook doing a land swap with the Township to save the Town Hall. Mr. Donovan talked with CMS and passed on information discussed with adding bathroom facilities and meeting space to the Town Hall without doing extensive renovation. If there is public meetings in the basement

then this would change the drastically increase the amount of building renovation. The Board stated this information brought forward conflicts with the information Drew Moessner and Rick Lutzi received from CMS during the site visit of the Town Hall and discussion with CMS on renovation details of the building. Mr. Donovan inquired about the scheduled meeting on May 6 for Town Hall planning; if this was a public meeting, public hearing, or closed meeting. The Board informed John Donovan the meeting is a public meeting to discuss necessary details for the Town Hall. Mr. Donovan asked how the public in notified of the meeting, the Board stated the meeting is noted the website and the posting board. The Board indicated it would like Daniel DeCook to make his land swap offer to the Board.

Brenda DeCook updated the Town Board Evan Koehler is out of the building. The building will be used for personal storage. Pursuing a possible IUP with Snow Contracting; depends on flood issue with FEMA and the DNR. Anonymous complaints from neighbors have been a concern; suggest the complaints be presented by the resident to the Town Board to communicate issues openly. The Board stated there has been an increase in anonymous complaints to the Board as well as complaints about CUP violations. The Board is proceeding with addressing the applicable complaints openly with the CUP applicants. Brenda DeCook is looking for residents to serve on the Planning and Zoning Board.

Sharon Petersen gave a reminder to transfer funds from Federal Grant-COVID Funds with final report completed. Dallas Neville on 10th Street SW (west of County Road 5) has a culvert marker missing a reflector.

Rick Lutzi made a motion to adjourn the meeting at 10:19pm. Drew Moessner seconded the motion. The motion passed unanimously.

Respectfully submitted,

Brian Connelly
Chairman

Sonya Mansfield
Clerk