Regular Town Board Meeting Town of Gnesen

January 9, 2023

The bi-monthly meeting of the Town of Gnesen was held on Monday, January 9, 2023. The following officers were present:

Jon Nelson Chair

Ed Franckowiak Supervisor

Gary Juten Supervisor

Sarah Blix Clerk

Hannah Jurek Deputy Clerk

Mary Bjorklund Treasurer

The meeting was called to order at 7:00 p.m. by Chair Nelson. Board Members and six residents stood and recited the Pledge of Allegiance to the Flag. Motion to approve the agenda was moved by Chair Nelson, second by Supervisor Franckowiak. All voted in favor.

Minutes of the December 12, 2022 Bear Lane Road Vacate Public Hearing was unanimously approved, with the exception of changing the name from Jay Juten to Rob Juten, with a motion by Supervisor Juten, second by Supervisor Franckowiak.

Minutes of the December 12, 2022 Reconvened Short Term Rental Public Hearing was unanimously approved with a motion by Chair Nelson, second by Supervisor Juten.

Minutes of the December 12, 2022 Town Board Meeting was unanimously approved with a motion by Chair Nelson, second by Supervisor Juten.

Treasurer’s report:

Balance for November 2022 $589,156.02

Receipts for December 2022 +$5,005.54

$594,161.56

Disbursements for December 2022 -44,144.65

Balance for December 2022 $550,016.91

There were four outstanding checks for the month totaling $619.07. Motion by Chair Nelson, second by Supervisor Juten, all voted in favor to accept the Treasurer’s report.

**DISCUSSION**: There was discussion about what pay the Deputy Zoning Officer would get. Supervisor Juten made a motion to set the pay rate at the same amount that the Deputy Clerk receives, second by Supervisor Franckowiak. All vote in favor.

**OLD BUSINESS**:

Bear Lane Road Vacate Amendment to Description-Phil Smith said he wanted to reword the part of the road that was being vacated to better match the survey and also to make sure the survey sketch map was added to the packet prior to it being recorded with the County. Chair Nelson made a motion to accept the amended wording for the Bear Lane Road Vacate, second by Supervisor Franckowiak. All vote in favor.

Nuisance Ordinance- Nathan stated that the committee took what the attorney had provided them as a template and redlined it. Nathan said that the redlined version has been reviewed by both the subcommittee and the planning and zoning and now it is being presented to the Town Board for their

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review. Chair Nelson asked Carol, who was on the subcommittee, if she had any comments. Carol stated that she had an issue with the barking dog section and with letter I that states, “*Accumulations in the open of broken or unused metal, wood, lumber, cement, electrical fixtures, plumbing fixtures, building materials (but excluded building materials awaiting use and stored for a reasonable period of time for an improvement presently in progress on the same premises), discarded or unused machinery, household appliances, automobile bodies, trash, debris, rubbish or other material so accumulated, or items accumulated in a manner creating fire, health, or safety hazards.”* Carol said although she believes this section needs to be in the ordinance, she thinks the way it is currently written that nearly everybody in the township could be considered to be in violation. Supervisor Juten said he agrees with Carol but that letter I is what is really needed to be kept in the ordinance. Nathan said there is the Administrative Enforcement Ordinance which will help provide a process for complaints as they come in and should help pair down the complaints to only the serious ones. Carol suggested that when going to the public hearing that all parts of the ordinance should be together so they can be discussed at the same time. Nathan said there is the Administrative Enforcement Ordinance and also the Nuisance Ordinance so there would be one public hearing to discuss both of them at the same time. Chair Nelson asked for a recommendation to be sent from the Planning Commission that deals with the Administrative Enforcement Ordinance so this topic will be tabled until the January 23, 2023 Town Board Meeting.

Broadband Update- Chair Nelson has not gotten an update but said when he does, he will draft something up that can be placed in the newsletter.

Website Update- Sarah stated the website was supposed to be launched on January 2nd however there were a few issues that needed to be worked out first. Sarah said they are hopeful to get it up and running soon.

Linda Lenard- Nathan said that in Suburban Residential Zones commercial properties are not allowed, however athletic facilities are. Nathan said a home business would be the closest thing but since the property is the Old Town Hall, there wouldn’t be a home so therefore a home business would not be relevant. Chair Nelson asked then if it is agreed that a gymnastic program is considered athletic then it could be permitted to which Nathan said yes. Supervisor Juten said that Linda would not be owning the facility only renting it which is the same thing that happens at the Community Center. Supervisor Franckowiak said he has concerns about traffic and noise and would like to see a written proposal including hours, number of participants, stress on the infrastructure, and how much they are willing to pay to use the facility. There was some discussion on pricing and specifics from Linda regarding hours/days she was interested in using the facility. Chair nelson suggested Linda come to the January 23, 2023 Town Board Meeting with specifics so that can be discussed more. Chair Nelson asked Carter and Pete if they had any comments from a P&Z aspect. Pete said if the Lenard’s come to the next meeting with more details, then it can be discussed. Supervisor Juten said that he won’t be at the next meeting but wanted to mention that with the equipment garage and the fueling tank right next to the Old Town Hall he has concerns about using the facility for something that involves children as it could create a liability to have children coming and going. Supervisor Juten said he supports the business end of it but is concerned about the proximity of the old town hall with the maintenance garage, fuel tank, and use of large equipment.

**NEW BUSINESS:**

Road Report- Jody stated other than the banks being high that the roads all look great. Needle Lane was an issue during the windstorms and will continue to be an issue every time there is a northwestern wind. Jody said that the residents of Needle Lane were really understanding of not being able to be plowed out right away. Supervisor Juten thanked Darin and Beau for stepping up and helping out during the snow

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and wind. Supervisor Juten said that a solution such as snow fence or planting trees needs to be figured out for Needle Lane. Supervisor Juten stated that the County has been out pushing back snowbanks

even on township roads. Jody let the Supervisors know that he will be moving in June and his last day of working for the township will be June 12, 2023. There was a lot of discussion on what kind of time Jody commits to the GCC and to the roads. Chair Nelson thanked Jody for the notice and said that the township will hate to lose him.

Gnesen Community Center Report – Sarah said that the cookie fundraiser raised $734.00. Sarah is currently working on the Membership Letter and will provide it at the January 23, 2023 meeting for approval before sending it out. Sarah said looking at past years approximately $8,000 - $10,000 had been raised every year as donations. Sarah said that she feels it would be beneficial to provide residents with a goal the township has in mind for where the donated money would go such as the gym floor. Sarah said that unless the donors state where the money is meant to go, it just gets put in the general fund. Sarah said the gym is utilized a lot and a new floor would be a great goal to work towards. Supervisor Juten stated there is money in the bank account to do this project and that we should just proceed in getting quotes to see what the project would cost. There was discussion on the gym floor and what needs to be done such as abating the existing tile, looking into the crack that runs down the middle of the floor, and what kind of flooring to get quotes on.

Resolution 23-01 Appointing Election Judges for 2023- Sarah stated that on the past resolutions it is stated that the Clerk and Deputy Clerk get their regular hourly wage to work as an election judge. Sarah asked since Mary, Gnesen’s Treasurer, is an election judge could see get paid her regular hourly wage too. Supervisor Juten made a motion to approve Resolution 23-01 with the addition of a line stating that Mary should get paid her regular hourly wage to work as an election judge, second by Chair Nelson. All vote in favor.

Resolution 23-02 Appointing Absentee Ballot Board for March Elections- Chair Nelson made a motion to approve Resolution 23-02 second by Supervisor Juten. All vote in favor.

Resolution 23-03 Accepting the Remainder of the 2022 Donations- Supervisor Juten made a motion to approve Resolution 23-03 second by Supervisor Franckowiak. All vote in favor.

STR Fees/Response from Mike Couri/Email from Carol Jacobson- Chair Nelson went through the changes that Mike Couri suggested regarding the STR Ordinance. In Section B10 - Mike suggested removing the line that states, *“The Town Board shall vote on whether to increase the number of permits based on feedback from the public hearing.”* Section C regarding grandfathering in Mike stated the date (which was a typo) needs to be changed from June 5, 2024 to June 5, 2023 and the word CAP needs to be defined. Nathan stated that CAP can be defined in the definition section. Section F3 Mike suggested lowering the nighttime noise decibel. Nathan said it is already covered by MN State Statutes and would suggest leaving it as is. Carol Jacobson stated that while familiarizing herself with the ordinance she noticed the definition for non-riparian is *“a parcel of land without shore frontage but is within a shoreland district.”* Shoreland is defined as, *“1000ft from high water mark of lakes and 300ft from high water mark of streams and rivers.”* Carol said the way non-riparian was defined at the public hearing was very general and conflicts with the ordinance. Nathan said that for STR the verbiage can be changed to read, non-riparian in shoreland and non-shoreland districts. Carol questioned B&B’s and if they fall under STR rules to which she was told no because they are owner occupied. Carol asked why B&Bs are more stringent because they are only allowed in rural residential and shoreland commercial zones unlike STR’s which are allowed in all zones. Nathan said that although STR’s are allowed in all areas there are more rules regulating them. Sarah will make the changes and provide at the Town Board meeting on January 23, 2023. STR fees - Carter said it was discussed during a subcommittee meeting to set the fee at $500 per permit with a renewal every 3 years. Chair Nelson made the motion to accept the proposed fee, second by Supervisor Juten. All vote in favor.

Scheduling Board of Audit Meeting- This was scheduled for Monday, February 13, 2023 at 6:00 pm.

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Filing for Town Office- Filing runs from Tuesday, January 3, 2023 through Tuesday, January 17, 2023.

7031&7047 Rezone Request- Dan DeArmond is requesting that both his lots get zoned so they are entirely shoreland commercial as currently they are zoned part shoreland commercial and part suburban residential. Supervisor Juten stated that he wants to make sure there is good justification for going through a rezone and since they are already zoned part shoreland commercial he believes there is but doesn’t want to see other landowners along the lake ask to be rezoned as well. Carter stated he wanted to make sure

that the rezone request has nothing to do with the property owners future development plans. Chair Nelson asked if the lot lines will determine what gets rezoned. To which Carter said yes, the rezone would follow the lot lines for the parcels that the old Boondocks and Porky’s Gas Station are on. Chair Nelson asked how soon Dan was looking to have a public hearing and suggested February 27, 2023. Dan suggested moving it to March because he was not going to be in town for the February 27th meeting. There was discussion about holding the public hearing on January 23rd instead but since Dan would not be able to be present that night either he said that the March 27, 2023 meeting would be fine for holding the public hearing. The public hearing for the rezone was scheduled for Monday, March 27, 2023 at 6:00 pm.

**ZONING OFFICERS REPORT**- MN Power is moving forward with their phase 2 of platting. They have changed the name from plat 11 to Carey Cove. Nathan said there was discussion with P&Z about what kind of permit they need to submit and it was decided at the last Planning and Zoning Meeting to have MN Power fill out a subdivision application.

**CORRESPONDENCE-**

Disbursement #15717 thru #15740 and 5 EFT’s were read, approved, and signed for payment for a total of $48,522.72 with a motion by Chair Nelson, second by Supervisor Franckowiak all in favor to pay the disbursements.

No further business, the meeting adjourned at 8:47 p.m. with a motion by Supervisor Franckowiak, second by Supervisor Juten. No objections, meeting adjourned. (This meeting is taped for transcribing purposes only.)

Visitors attending the meeting: Carol Jacobson, Dennis Campbell, Linda Lenard, Joe Lenard, Dan DeArmond, Phil Smith, Pete Bergman (arrived late), Carter Williams (arrived late), Mike Polzin (arrived late)

Employees present: Jody Cooke, Nathan Horyza. Employees absent: None

**Upcoming meetings:**

Planning Commission Meeting-January 18, 2023-7:30 pm

Town Board Meeting-January 23, 2023

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sarah Blix, Clerk Mary Bjorklund, Treasurer

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Jon Nelson, Chair