Regular Town Board Meeting Town of Gnesen

June 26, 2023

The bi-monthly meeting of the Town of Gnesen was held on Monday, June 26, 2023. The following officers were present:

 Jon Nelson Chair

Nancy Poppenberg Supervisor

Gary Juten Supervisor

 Sarah Blix Clerk

The meeting was called to order at 7:00 pm by Chair Nelson.

Supervisor Juten asked to add update from Ulland regarding the tac oil spill to the agenda, Sarah asked if short term rentals could be added. Motion to approve the agenda with the two additions was moved by Supervisor Juten, second by Chair Nelson. All voted in favor.

Minutes of the May 22, 2023, Town Board Meeting were unanimously approved with a motion by Supervisor Juten, second by Supervisor Poppenberg.

**DISCUSSION**:

**OLD BUSINESS**:

Gravel/Calcium Chloride Update – 109 loads of gravel were put down on the township roads this year. 12,228 gallons of calcium chloride have been put down so far. Crescent, Turner, Lawnwood, Tarnowski, Church (from Normanna to old dump), and Tracey have not been done yet, but Darrin will work with Jake’s Companies to get on the schedule after the 4th of July. Supervisor Juten stated that the DOT changed the spec for class 5 which resulted in a coarser product then what was put down in the past. Supervisor Juten said once they saw the course product, they had Ulland switch over to a 1 inch minus gravel which contains smaller rocks.

Heated Maintenance Facility – Sarah stated the bug infestation in the garage was determined to be carpenter ants. Plunkett’s sprayed in hopes to get rid of the ants. Darrin suggested trying to create a temporary barrier to section off one bay in the garage at the GCC which could be heated to defrost the plow truck or snow blower when needed. Jody had reported at a past meeting that the drain in that garage was plugged. Chair Nelson said unplugging the drain would have to be investigated. Carter also suggested possibly spray foaming the existing garage doors rather than installing new ones. Darrin said he will have Beau contact someone to come out and investigate the plugged drain. Darrin also mentioned possibly adding on to the existing maintenance facility at the old town hall in the future. Darrin said adding a wing off one side and just heating that could provide a space for the grader in the winter and the rest could just remain as cold storage.

Culvert Steaming Bill – Sarah contacted St. Louis County and was told by Scott Olson that the county had come out and attempted to defrost the culvert on Crescent Drive so therefore the bill the township received was correct.

Ulland Class #5 Pricing for Future – Adam Thompson from Ulland provided the township with pricing if the township wanted to purchase a stockpile of gravel. $61,330.00 for 6000 yds for not loaded (Gnesen would have to provide a loader) and $69,720.00 for 6000 yds loaded. Chair Nelson questioned how many yds were put down this year to which Supervisor Juten said approximately 1500 yds so 6000 yds would secure the township four years’ worth of gravel at this year’s pricing. Supervisor Juten said gravel and hauling has consistently gone up every year so it would be a good move for the township to purchase a stockpile now. Chair Nelson made a motion to approve purchasing 6000 yds of gravel from Ulland for $61,330.00 with Gnesen providing the loader, second by Supervisor Juten. All vote in favor.

Update on Ulland’s tac oil spill – Supervisor Juten stated that two weeks ago the township was notified of a tac oil spill that occurred in the Ulland Oscar Pit. As soon as it was noticed, Ulland had contacted the MPCA, and the spill was immediately delt with. Supervisor Juten reported that none of the oil reached any wells or wetlands because it was tac oil, a heated oil, which solidifies as it cools and therefore limited the distance it traveled. The MPCA is still monitoring the spill and assisting with the remainder of the cleanup. Once the clean up is complete the MPCA will be providing the township a report of the actions that occurred. Carter said the Planning Commission is looking at adding some new conditions for all gravel pits such as the requirement of containment systems and immediate notification to the township in the event of spills, etc. Dave stated that tac oil is what is put on roads before surfacing and sprayed on roads when being resurfaced. Dave also said pits are required by the state of MN to have containment systems in place if they store over a certain amount of hazardous material. There was some discussion about upcoming gravel pit reviews and how the commission is going to be making some changes to the process.

**NEW BUSINESS:**

Midlife Investment Group Building Violation Fines – Carter stated the Planning Commission is making a recommendation to fine MIG one time for each building violation. MIG had constructed both the front entry on the Lake Effect Restaurant and the deck before getting permit approval. Carter said Nathan disagreed with fining MIG but the Planning Commission took a roll call vote and majority agreed there needs to be consistency and voted to fine MIG. Chair Nelson agreed that there needs to be consistency with fining. Sarah stated the fine would be three times the price of the permit. Supervisor Poppenberg made a motion to approve the recommendation and proceed with the fines that were presented, second by Supervisor Juten. All vote in favor. Sarah questioned who would write the letter. Chair Nelson stated the letter should come from the zoning officer. Sarah will let Nathan know. Carter said another issue was with the setback of the deck from Rice Lake Road. Carter said Nathan stated that the setback from Rice Lake Road was not clear so therefore he allowed the permits with an 85ft setback. Carter said the Planning Commission asked Nathan to reach out to St. Louis County and get some clarification on setbacks.

Building Violations – Nathan sent out two building violations, one for 6551 Rice Lake Road and one for 4054 Normanna Road. The administrative fine ordinance was implemented for both properties resulting in a fine for both. Each landowner has until the beginning of July to request a public hearing if they want to explain themselves. Chair Nelson said we will revisit these issues at the next meeting and see if there were any responses from the landowners.

Planning and Zoning Fees/tracking staff time when working on permits – In 2022 Planning and Zoning took in $12,512.36 and spent $10,522.97. There was discussion on staff tracking their time and allocating which department their time in the office should be put towards to get a more accurate idea of how much money is being spent on planning and zoning. Chair Nelson asked Sarah to discuss it with Hannah and come up with a process for allocating their time. Supervisor Poppenberg said there was discussion at the Planning Commission meeting on subdivisions and how there is time spent reviewing the permits from St. Louis County but no fee on our fee schedule to cover the township’s costs. Dave questioned some lawyer expenses and asked why we don’t have a local lawyer. Chair Nelson said the township looked into hiring Gunnar Johnson, but his rates were higher and since Couri and Ruppe were familiar with our issues the township decided to go back to them when Nate LaCoursiere left.

National Night Out – Sarah asked the Supervisors if they were all planning on attending National Night Out this year as she has started planning and would be working on staff job assignments soon. All three supervisors stated they would be attending.

Diesel Tank at the Old Town Hall – The diesel tank at the old town hall has a broken gauge. Sarah said she contacted Como and had them look into pricing for a new tank and one for just replacing the gauge. Sarah said a new 500-gallon tank would cost $6000.00. The contact from Como said he thought he could replace the glass on our current gauge and then they could put a monitor on our tank similar to the ones they put on propane tanks at no cost. Sarah said the question would be if we wanted to be left on will call or changed to keep fill. The decision was made to stick with will call and the road crew will be responsible for monitoring the tank and letting Sarah know when it needs a fill.

Short Term Rentals – Sarah stated a resident had turned in an application for a STR. The septic certificate came back as non-conforming which states there can be no substantial increase in water use. Sarah said she contacted St. Louis County to see what their definition of substantial increase in water use was and was told that St. Louis County’s rule for this septic would be only 2 people allowed per bedroom whereas Gnesen’s ordinance states that 2 people plus 2 are allowed per bedroom. Sarah questioned if we must be as strict or stricter as St. Louis County how do we proceed with this permit? Carter questioned if our rules state they can have two people per bedroom plus two and it is a two-bedroom house then do we need to require a septic compliance certificate for six people? Chair Nelson stated that would be easiest, otherwise we say if they are non-conforming, they are not allowed to have the plus two. Sarah stated she is waiting on a call back from St. Louis County for more clarification and will bring more information back to the July 10, 2023 town board meeting.

**ZONING OFFICERS REPORT:** Not in attendance at tonight’s meeting.

**CORRESPONDENCE:** None

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

Visitors attending the meeting: Jay and Marcia Haller, Carol Jacobson, Dave Opack, Pete Bergman, Carter Williams

Employees present: Darrin Franckowiak Employees absent: None

**Upcoming Meetings:**

Town Board Meeting – July 10, 2023 – 7:00pm

P&Z Meeting – July 17, 2023 - 7:30pm

Town Board Meeting – July 24, 2023 - 7:00pm

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

 Sarah Blix, Clerk Jon Nelson, Chair

 Date approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_