

# Vermillion Township Regular Meeting

## April 20, 2021

### Opening

Supervisor Larry Ring opened the meeting with the Pledge of Allegiance at 7:29 p.m.

In attendance were:

Supervisor Larry Ring  
Supervisor Bruce Lohmann  
Supervisor Audrey Felty  
Clerk Cynthia Ladzun  
Treasurer Nick Rueger  
Attorney Dan Fluegel

Chairman Ring reminded all in attendance of the Covid-19 restrictions regarding meetings.

Clerk Ladzun read the minutes from the March 16, 2021 regular meeting. A motion was made by Lohmann to accept the minutes as read. Seconded by Felty. Motion carried.

Treasurer Rueger distributed and verbally summarized the Treasurer's Report.

Motion was made by Lohmann for payment on outstanding claims on the treasurer's report. Seconded by Felty. Motion carried.

Motion was made by Lohmann to accept the treasurer's report as presented. Seconded by Felty. Motion carried.

### Permits

Aaron Lundeen attended the meeting to discuss possible restrictions regarding the tear down and rebuild of the current shop/accessory building on his one-acre property. Attorney Fluegel commented that the township ordinance does not prohibit the construction of an additional accessory building on the property. It was noted that Lundeen would need to reach out to the building official to make sure he would not be interfering with the septic system, drain field or any possible secondary septic system options and also to abide by any setbacks and height requirements.

Michael Kulhanek attended the meeting to discuss a possible buildable lot at 19745 Coates Blvd. He provided the town board with a copy of a 2018 Property Map from Dakota County showing the property address along with the location of a current pole building located on the property and where he plans to build the home. Fluegel provided the Clerk with a copy of a letter dated January 9, 2009 addressed to Joseph Kulhanek from the Dakota County-Physical Development Division that was regarding the construction of a new home on this parcel. In this letter there are concerns of incremental filling of low-lying areas that had been completed over the years without a permit. It doesn't appear there was much action taken by the county at that time, however, it was noted that the entire parcel was located in the

flood plain of the Vermillion River and a portion of which is located within the floodway for the river. Due to the presence of the floodplain on the parcel any construction grading/filling activity would require a conditional use permit from the Dakota County Board. It does not appear that the possibility of a buildable lot on this parcel is prohibited, however it was noted that due to the significant amount of work required it may be somewhat challenging for the property owner. The Town Board suggests that Mr. Kulhanek contact Dee Jarvis at Dakota County regarding what further action may need to be taken to make this a buildable lot. It was also noted that any repairs to the outbuilding located on this parcel should be put on hold until communication has been made with Dakota County.

Michael Kulhanek also attended the meeting to address a possible permit for to replace a deck.

Motion was made by Lohmann to authorize a building permit to replace a deck located at 19739 Coates Blvd. Seconded by Felty. Motion carried.

James Norwig attended the meeting to discuss a possible building permit for a deck and covered porch, re-roofing of the barn and house, as well as siding on his house.

Motion was made by Lohmann to authorize a building permit for a deck and covered porch, re-roofing of the barn and house, and siding on the house located at 8757 220<sup>th</sup> Street East. Seconded by Felty. Motion carried.

Matthew Bohl attended the meeting to discuss a possible building permit for a shed (accessory) building.

The town board reviewed the plans and noted that the setback requirement of 80-feet has not been met for the placement of this shed. The setback currently shown on the plan is 40-feet from the road. Fluegel made note that a variance would have to be made in order to accept this permit with the smaller setback of 40-feet. This would require an application from the property owner along with a \$1,000 fee plus a possible \$500 escrow to be retained by the township. It also would require a public hearing to be held so that surrounding property owners could come and voice any concerns that they may have concerning the placement of this shed on the property. Bohl decided that he will look into building his shed on an alternate location on his property that would then meet the setback requirements.

Brian Werner attended the meeting to discuss the possible building permit for an accessory building.

Motion was made by Lohmann to authorize a building permit for an accessory building located at 7715 200th Street East. Seconded by Felty. Motion carried.

Toni Marie O'Daniel attended the meeting to discuss the possible building permits for two decks.

Motion was made by Ring to authorize a building permit to be issued for two decks located at 17690 Clayton Avenue contingent upon an inspection & approval by the building official along with payment of permit fees paid to the township. Seconded by Felty. Motion carried.

Adam Girgen attended the meeting to question what is the footage needed for the property easement on a parcel and also the minimum acre requirement to build an agricultural shed.

#### Property Easement

Fluegel read and explained the Road Frontage and Front Setback Requirements in Section 303 of the ordinance book which states: *A lot which does not abut a public road – this would be a lot in which is more than 300 feet from the nearest public road when measured from the closest point of that lot would not be required to have 225 feet of road frontage. Any such lot must satisfy the road frontage requirements by either a providing the town board with written documentation that the parcel is benefited by a permanent access easement of at least 33 feet in width or providing proof of ownership of a parcel of which would be at least 33 feet in width which would connect the lot to a public road.* It was also mentioned that you would want to make sure that fire safety (fire-trucks, etc.) would be able to get the home.

#### Minimum acres for agricultural shed

Fluegel noted that the Minnesota statute states that generally you would need 10 acres to put up an agricultural shed and it would have to be used for agricultural purposes.

### **Old Business**

Town Hall Locks - Felty will have the current locks re-keyed and have keys made for all township officers.

CTAS Adoption - Rueger attended a training session that was held online via-zoom on March 30<sup>th</sup> with Lucinda at MAT. It was done fairly fast so it was hard to get much out of it. He will make contact with the Clerk of Coates to schedule a work/training session.

Yearly Cash Basis Audit – Clerk Ladzun reached out to that State Auditor and she agreed that since we do not have the township laptop it would be near impossible to complete an audit at this time. The State Auditor’s office put a delay on the township audit until the end of July in hopes that the laptop will be returned by then. They completely understand our situation and knows that all both parties can do at this time is wait.

Interchange Project located at Hwy 66 & US 52 – Ring was not able to attend the Zoom Meeting, but talked to Doug on the phone. Dakota County still needs approval from MNDOT and letters will need to be sent out to residents that may be affected. Ring reiterated that Doug still wants township representation for this project even though it’s in the preliminary stages.

PACE Hall – Ring had a meeting with Jim Huffman and was told that has PACE Hall has no reservations about Vermillion Township holding our monthly meetings at the PACE Hall. The township plans to compensate the PACE Hall for the use of their facility by reimbursing them to some extent for their monthly utility costs, cleaning and possibly garbage removal. These expenses would be paid on an annual basis. Rueger will reach out to Jim Huffman to work out the final details. Rueger to check on insurance through MAT to see if our insurance coverage extends to the PACE Hall. Clerk Ladzun to post notice on the fence itself, the three township posting locations as well as the website regarding the new meeting location.

Motion was made by Lohmann to move the township meetings to the Pace Hall at 18990 Goodwin Avenue starting on May 18, 2021. Seconded by Felty. Motion carried

Napper Project - Rueger called the township engineer and they suggested a replenishment of the escrow account and in turn, Napper sent a check for \$2,500.00. Rueger also read an email from Greg Halling the Township engineer stating that a permit can be approved pending some conditions set forth by the engineer. Darrel Gilmer, the Septic Inspector issued the permit on behalf of the township. Rueger to reach out to Greg to see if a checklist of things will need to be completed for this project. Ring to reach out to Darrel Gilmer to make sure that the Napper knows of the conditions required for this permit.

Green Fire Signs - Rueger contacted the county and found out that years ago the county supplied the signs. Once the county got saturated with new homes, they discontinued the program. Ring will look into where to these signs can be purchased.

### **New Business**

Road and Bridge – Ring requested Kimmes (township contractor) to attend all future meetings.

Chairman Ring verbally summarized the different sizes of gravel being used in the township and that it does indeed meet the specifications after testing was completed by American Engineering & Testing.

Chairman Ring received communication from Kimmes that a township resident was working on a bridge in the township. Ring requested the resident, Cliff Larson, attend the meeting to discuss what he was doing. Cliff explained that he was not working on the bridge, he was working in the ditch. It was noted that if any re-working needs to be done by Kimmes within the easement, it's possible that the township would than back-charge Larson for the costs incurred. Felty explained to Larson, that if anything in the future is in need of repairs, he should reach out to the township so Kimmes can be notified.

Dust Control is currently planned for May 10<sup>th</sup> – May 15<sup>th</sup> .

19731 Coates Blvd – The Township received a complaint regarding this address. Ring requested the Clerk write a letter requesting the property owner's presence at the next town meeting.

Rosemount Proposed Comprehensive Plan Amendment UMore Park Mixed Use Residential - Supervisors have no issues. Clerk to respond to the City of Rosemount stating that the Plan was received and we have no comment regarding the plan.

Township Permit Applications – An alternate permit application was presented that Beaver Creek Companies would like us to use in place of current permit being used.

Motion was made by Felty to switch from the current permit applications to the new proposed building and maintenance permit applications as presented. Seconded by Lohmann. Motion carried.

Power pole notice box – Felty to research where these boxes could be purchased from.

Supervisors agreed that the Clerk can give the Building Inspector, Mark Ceminsky, a key to the town hall to drop off invoices, plans, etc.

#### Agricultural Preserve Re-Enrollment Applications

Motion was made by Lohmann to accept the application submitted for the parcels of land owned by the Bradley & Gail Saueressig Trust to re-enroll in the Agricultural Preserve Program. Seconded by Felty. Motion carried.

Motion was made by Lohmann to accept the application submitted for the parcels of land owned by Jeremy & Tiffanie Saueressig to re-enroll in the Agricultural Preserve Program. Seconded by Felty. Motion carried.

Motion was made by Lohmann to accept the application submitted for the parcels of land owned by Bradley & Gail Saueressig to re-enroll in the Agricultural Preserve Program. Seconded by Felty. Motion carried.

#### **Other topics**

A township resident attended the meeting to make a complaint for an excessive number of cars and/or other vehicles coming and going from 20160 Doffing Avenue. Ring requested the Clerk write a letter requesting the property owner's presence at the next town meeting.

A township resident attended the meeting to make a complaint about 4-Wheelers running around on the street and the drivers are not of age to drive. Lohmann suggested the resident call 911 to report these issues at let the Dakota County handle it.

At 10:12 pm Lohmann made a motion to adjourn the meeting. Felty seconded the motion. All were in favor and the motion was carried.

Cynthia Ladzun  
Vermillion Township Clerk