

SAN FRANCISCO TOWNSHIP
MONTHLY MEETING MINUTES
April 18, 2022

Present: Supervisors Larry Schmidt, Scott Selkin, Andy Olson; Clerk Heidi Schmidt; Dept. Clerk Jeanne Aufderheide; Treasurer Denise Anderson. Also present was Jason Hill, Township attorney.

6:45pm Review and approve claims for payment.
7:00pm Pledge of Allegiance. Please rise and remove head wear.

Review Minutes from March:

Scott made a motion to approve the minutes, Andy seconded. Motion carried.

Treasurer's report: Township accounts

- Legacy \$47,246.12
- ARPA account 46,718.16
- CDs \$490,817.26
- Checking \$232,905.18
 - Old Escrow account balance paid.

Andy made a motion to approve treasurer's report. Scott seconded. Motion carried.

Planning and Zoning

Road & Bridge Report

- Dust Coating
 - The quote was submitted by the gallon so it can't be compared to last year's quote.
 - Larry stated that there aren't a lot of different choices to go with.
 - Larry made a motion to table this item until the road review meeting, Andy seconded. Motion Carried.
 - The road review meeting scheduled on Tuesday, April 26th 4:00PM. @ the township hall.
- Disking width concern brought up in the Annual Meeting:
 - Bob Olson made the observation that some years disking is not sufficient to drain water and is inconsistent from year to year. (Too much of a ridge.) The board will review during next Tuesday's road meeting.

Larry made a motion to table this until the road meeting, Andy seconded. Motion carried.

- Halsey Road corner visibility concern brought up in the Annual Meeting:
 - Issue is with a farmer plowing right up to the road, within the right of way resulting in poor visibility to oncoming traffic.
 - Per Jason Hill, SFT lawyer present – 2 options: first step is for the board talk to the resident and the second is for his office can send out a letter to the resident

Scott made a motion to have Larry work with Jason's office to draft a letter to the owner to resolve. Andy seconded. Motion carried.

- Per Larry, on 4/11/22 he received a text from Kevin Lebens, regarding the new culvert on Joyce Rd and the eroding of the banks next to it.

- Tim Thomas looked at the erosion problem also. It looks like newer erosion blends in with old erosion. A question was asked why it didn't blend at the time. "Was the vendor remiss or wasn't it planned ahead by the board." Per Larry, they needed to work within the road right of way otherwise it would need an easement. Scott said that due to the urgency of the existing one failing, the replacement was done "like for like" which was within the rules of the county. To go outside that boundary would delay the effort significantly.
- John Duawalter asked that when the road review is done that the board also look at where borings were done last year (there is dirt there now).
- Joyce and 159th – Scott took a call about dust coating from a resident who was wondering if they should wait to sign up or would the township reimburse them (if the Olson mine moves forward). No conclusion could be offered presently.
- The Kelly Lake Road culvert is failing. Andy reviewed it and it will need to be replaced.
 - The board will also look at it during the road review.

Citizens Committee

- Preconstruction meeting for phase 1 occurred. Contractor expects to finish most of the work in June.
- The township is responsible for stairs down to the landing and replacing the ramp.
- Phase II – bathrooms
- Need publicity about the town hall. i.e., Chaska Herald, special newsletter,
- \$175K – grant for the first phase of work.

Old Business:

- ARP Funds check
 - Spend Options
 - Township board/personnel PCs estimate
 - AT& T Is \$90/month for six phones per Heidi. The board agreed to table the discussion until next month when costing for iPads with cellular can be reviewed as an option.

New Business

- Agenda Items requested by township residents at the Annual Meeting on March 8th.
 - Philip and Claudine Sosang requested a 2nd opinion on requirements for an EIS for the proposed Olson mine.
 - Jason Hill SFT attorney said that the EAW has already passed. He cited that the appeal period is 30 days from approval (which was last year). He also stated that there is no authority in the ordinance that would allow the township to go through the process again and to do so would likely be a violation of the ordinance.
 - Philip Solsang read his statement submitted to the board on the EIS request and the need for one.
 - Jason Hill said an EIS is not required. Phil pointed out that in the ordinance one is specifically referenced as being required if a proposed mine is in a sensitive area, which SFT is deemed. Jason disagreed.
 - Phil requested an environmental attorney be engaged for a second opinion.
 - Philip and Claudine Solsang requested to increase Township Supervisors from 3 to 5.
 - Either the town board can pass a resolution to get this on the ballot in the next ballot in November 2022 or residents can petition to get on the next ballot. Further discussion needed.
 - SFT residents voted to increase hourly rate to \$30.00/hr. for the board/clerks.
 - Agreement was to have a Monday cutoff at noon for agenda items, to be posted on website by Wednesday.

Mining:

- Ron Olson mine status:
 - The final mine application was submitted on April 14th with the corrected PIDs, and the total escrow required.
 - The deadline for the board's decision is 60 days from this date which allows time to Publish a notice and hold a public meeting. Jason Hill, Lawyer, proposed mid-May.
 - A resident asked for clarity on what the entire process is. Per Jason, discussions about setbacks, variance, etc. happen during the public hearing.
 - A question from the resident was asked as to why weren't any variances discussed previously? Jason reiterated these would be addressed at the Public Hearing. Resident expressed concern about the 60 day "time crunch" for approval.
 - Per Jason, if variance, etc. are not resolved in the 60 days the decision will default to "approved".
 - Per Jason, the 60 days period from application submittal to approval/denial can be extended if something comes up that needs to be addressed further. i.e., Engineering expertise required or variances needed.
 - The board agreed to engage an independent Engineer for the Public meeting.
 - Discussion as to why Ron Olson was not required to present his permit application at the township meeting as is the case with other permit applications.
 - Jason stated that the state statute requiring response in 60 days trumps the ordinance stating that applicant should present at the next regular township meeting.
 - Resident looked for clarity on when a state statute would usurp a township ordinance.
 - Jason said that the 60-day time restriction in this case is a the factor.
 - Waiting for the applicant to present the next meeting would use 30 days of the 60 days allowed and not allow time for a public hearing. The application could be approved by response time default.

Larry made a motion to approve the township securing an independent Engineering firm, Andy seconded. Motion carried.

Larry made a motion to approve the public meeting at the Carver City Hall set for Thursday May 12th at 6:00 p.m. Andy seconded. Motion carried.

Notes from the Clerk

- Master Joint Powers Agreement and Court Amendment renewal.
 - Deferred until next month's meeting so the lawyer can review it.
- Ditch pickup. Heidi asked someone to look at the maps to ensure no doubling up.
 - The supervisors will review when they do the road review.

Larry made a motion to adjourn, Andy seconded. Motion carried.
Adjourned at 9:15 pm

Notes submitted by Jeanne Aufderheide, Dept. Clerk