

On Tuesday April 16, 2019 at 7:30 p.m. Town Board Chair Eugene Stoeckel called the regular monthly Town Board meeting to order. Other Supervisors present were Greg Anderson, Bill Whitcomb, Dave Persing and Thomas Duden.

The Pledge of Allegiance was given.

Approve Minutes

A motion was made by Greg Anderson and seconded by Bill Whitcomb to amend the minutes of the March 26, 2019 regular monthly meeting as follows: In paragraph 13, rather than read 'Motion failed for a lack of quorum', it should read 'Motion to table the matter', see attached Exhibit A. Also corrected was 'newspaper' was replaced with 'Depository' in Paragraph 25. Motion Carried.

Approve Financial Report

A motion was made by Greg Anderson and seconded by Dave Persing to approve the Financial Report for March 2019 as submitted. Beginning Balance of Township funds was \$788,890.50; total receipts of \$33,650.90; total disbursements of \$75,554.05; leaving a balance of \$746,987.35. Motion Carried Unanimously.

Old Business

The first item on the agenda under Old Business was Resolution 2019-4 Appeal of Zoning Administrator Decision. Township Attorney Adam Ripple explained the vote from last month, see also Exhibit A. Greg Anderson motioned to approve Resolution 2019-4. Eugene Stoeckel seconded the motion. The vote was 2 in favor, Greg Anderson and Eugene Stoeckel and 2 against, Bill Whitcomb and Tom Duden. Dave Persing abstained from the vote. Attorney Adam Ripple explained that unless the Board votes to overturn the Zoning Administrators decision, the original decision stands even though there are no findings of fact.

The next item under Old Business is Resolution 2019-3 Authorizing Contract with Interested Officer, for the Township to do repair work with Anderson Auto. Tom Duden motioned to approve Resolution 2019-3. Eugene Stoeckel seconded the motion. David Persing and Bill Whitcomb did not vote. Bill Whitcomb stated that he is abstaining from the vote. Adam Ripple stated that an abstention is a no vote if the individual is present. Motion failed for lack of unanimous vote.

The next item under Old Business was to discuss the Road Manager position. Bill Whitcomb invited the Road Maintenance Coordinator from Livonia Township to the meeting so he could explain his position. Greg Anderson recommended that Bill Whitcomb take over as Road Manager so he could take over all the coordinating and then possibly hiring someone part-time to do the actual road work. Chair Eugene Stoeckel stated that the issue needs to be thought over for future discussions. Dave Persing motioned to table the issue until next month. Tom Duden seconded the motion. Motion Carried.

New Business

The first item on the agenda was to review the Outdoor Event Application. Princeton Lanes and Lounge and Moonshine Bar asked about the process and what qualifies as an Outdoor Event. There was some more discussion about what qualifies as an Outdoor Event and if changes need to be made, it needs to happen through an Ordinance change. There was no action taken regarding the issue.

The next item was the discussion regarding the letter from the City of Princeton regarding 33rd St. and 82nd Ave. Chairman Stoeckel stated that this is an informational meeting to find out what the City is considering. It was decided that Mr. Stoeckel and Mr. Persing will be attending the meeting.

Tom Duden motioned to approve the Liquor License for Moonshine Bar & Grill. Bill Whitcomb seconded the motion. Motion Carried.

Tom Duden motioned to approve the Liquor License for Shooters. Dave Persing seconded the motion. Motion Carried.

Tom Duden motioned to approve the Liquor License for Princeton Lanes & Lounge. Bill Whitcomb seconded the motion. Motion Carried.

Tom Duden motioned to approve the Liquor License for Old Log Liquor. Bill Whitcomb seconded the motion. Motion Carried.

Tom Duden motioned to approve the Liquor License for Long Siding Bar & Grill. Dave Persing seconded the motion. Motion Carried.

Road Report

Todd McLouth stated that he had not been given any direction by the Board to do any kind of estimating but he can answer questions. Mr. McLouth stated that about 5 years ago, the Board requested a kind of maintenance program suggestion of the roads. He stated that in 2014, he put together a history of the bituminous roads which included the current conditions and future maintenance of those roads. Based on what needs to be done to the roads, the average amount the Township would need to have in the yearly budget would be \$382,000, rather than the current \$110,000. He stated that figure is just maintenance costs, not design time or inspection time or administrative costs, etc. The plan was meant to give the Board an idea of where they are at in regards to the bituminous roads. Eugene Stoeckel suggested that Mr. Persing and Mr. Whitcomb take a road tour to check the status of the roads and then they can get Todd involved in what needs to be done.

Open Forum

Curt Strombeck wanted to remind the residents that they elect a Board member to represent the people of the Township, not the developers, and he enjoys the quality of life living in a rural area.

Joe Minks stated that the legislature sets the length of terms, not a limit on the number of terms. He stated that he will be doing more research because he feels term limits are allowed.

Attorney Adam Ripple stated that term limits cannot be established locally. It is determined by the Attorney General and the Legislature has not authorized local governments to impose term limits.

Joel Minks stated that if the Township didn't have Ordinances, the County would take care of the Township and they could eliminate a lot of bookwork and one of the main thing that creates law suits.

Mike Magnuson stated that he does not feel he has been treated fairly. He has had the Sheriff called on him by the Clerk. He stated that he is also being sued by someone in the township because of a meet and greet he held and he feels the Clerk should not have notarized the paperwork. The Clerk stated that she notarizes for any township residents, free of charge.

Dave Persing asked who would be in charge of Zoning since he contacted Metro West and was told that Loren will be out of the office for a while. Adam Ripple stated that the contract is with Metro West so they will have another individual there take care of the zoning.

Dave Persing stated that his building is considered an Ag building and therefore exempt from building requirements and he received a letter from Zoning stating that he cannot have more than 10 people in his building. Adam Ripple stated that he is allowed to make personal use of it. If it is put into a different occupancy, that is a determination of the Zoning Administrator. Greg Anderson stated that it is determined by the use and he changed the use when he started advertising it as a business.

Marcia Anderson asked Todd McLouth if it is more costly when roads are not maintained properly to bring them back into the proper condition. Mr. McLouth stated that it depends on the condition and as roads get older it costs more because they obviously deteriorate. Ms. Anderson asked if a higher use gravel road should be maintained more frequently than a lower use gravel. Mr. McLouth stated that he thinks it would wear out quicker. Ms. Anderson asked, based on the chart from 2014, have the township roads have been maintained adequately. Todd McLouth stated that based on the theoretical life cycle of a road, no, because sometimes the roads last longer. Ms. Anderson stated that she feels the taxpayers keep paying more for services that are abysmal.

Jennie Brown Peterson was concerned with the way the grader did her road and that he left piles of gravel.

Supervisor's Report

David Persing gave an update on the Township Planning Commission meeting.

Open Forum

Bill Whitcomb motioned to go back to Open Forum. Dave Persing seconded the motion. Motion Carried with Greg Anderson opposing.

Bill Whitcomb stated that he went out and measured 19 cul-de-sacs in the Township and not one meets the current standards. He thinks that before they eliminate cul-de-sacs, they start building them up to standards. He stated there are other options than just removing cul-de-sacs. Bill Whitcomb also stated that he is not sure why the road frontage is changing from 200 feet to 300 feet and he feels that changing both items will essentially prevent developments.

Bonnie Nelson asked if there were any plats or new developments in the process at this time. Greg Anderson said not that he is aware of. Ms. Nelson stated that it seems imperative to hammer out what the Township wants before anyone comes in to develop, and if they come in today they should follow current rules, like the Moratorium already in place.

Dan Whitcomb stated that he feels the Moratorium was arbitrary and capricious.

Supervisor's Report

Bill Whitcomb gave an update on the Fire Advisory Board.

Thomas Duden stated that he thinks their meetings should follow some rules and have some structure.

Dave Persing stated that he thinks the Board should review the contract with Metro West Inspection.

Eugene Stoeckel gave an update on the Airport Advisory Board.

Clerk's Business

The Clerk stated that she does not appreciate all the inaccurate statements that were made tonight directly against her. She also stated that when someone comes in for a Notary, she does not read through their personal information. She verifies that they are who they say they are and she verifies their signature, that's it.

Approve Payment of the Bills

A motion was made by Greg Anderson and seconded by Bill Whitcomb to approve payment of the bills, Check numbers 12404-12436. Motion Carried.

Adjourn

A motion was made by Bill Whitcomb and seconded by Tom Duden to adjourn the meeting at 9:38 p.m.
Motion Carried.

Respectfully submitted,

Connie Wubben
Clerk/Treasurer

Attendees: John Roxbury, Jr., Mille Lacs County Deputy Tokar, Marcia Anderson, Nancy Moan, Tari Zortman, Cyndi & John MacDonald, Jim Kusler, Mike & Callie Magnuson, Curt & Doris Strombeck, Joel Minks, Tom Andersen, Dan Whitcomb, Jennie Brown Peterson, Stephanie Johnston, Bonnie Nelson, Tim Wilhelm

Exhibit A



1015 W. St. Germain St., Ste. 300, P.O. Box 1497
St. Cloud, Minnesota 56302-1497
Telephone 320-251-6700, Fax 320-656-3500

Memorandum

To: Princeton Township
From: Adam A. Ripple
Direct Dial: 320-257-3868
Re: Vote on Appeal
Our File: 11679-0032
Date: April 12, 2019

At the March 26, 2019 Board of Adjustment hearing, proposed findings of fact were presented to the Board as directed at the March 7, 2019 hearing. At the March 26, 2019 meeting, Supervisor Duden was absent, Supervisor Whitcomb abstained for unstated reasons, and Supervisor Persing abstained because he was the subject of the matter and had an official conflict of interest. I have reviewed the audio recording and a motion was made by Supervisor Stoeckel and seconded by Supervisor Anderson to adopt the findings of fact, but a formal vote was never taken. Instead the matter was tabled to the following meeting, based on erroneous advice that I provided at the time. Supervisor Persing's required abstention and Supervisor Duden's absence served to reduce the Board to three members for that matter and the quorum down to two. The vote should have proceeded and the findings could have been adopted with two yes votes at that meeting.

At the April 16, 2019 meeting, the matter will be before the Board again. Supervisor Persing will still have to abstain, so there will be four votes to count assuming full attendance without additional abstentions. It will take three votes to adopt the findings and sustain the Zoning Administrator's determination. Similarly, it will take three votes overrule the Zoning Administrator's determination. A two-two vote will leave the Zoning Administrator's decision in place, but without written findings by the Board.