BRUNSWICK TOWNSHIP **APPROVED** MEETING MINUTES
April 14, 2008

The regular meeting of the Brunswick Town Board of Supervisors was held at the Town Hall on Monday, April 14, 2008 at 8:00 p.m. The following were in attendance: Rick Kawalek, Paul Kollar; Craig Peterson; Susan Alderink; Arlett Mizer and Gladys Nelson. A sign-in sheet was provided for those attending the meeting. The meeting was called to order by Chairman, Rick Kawalek and the flag pledge was said.

M/S/C by Kawalek and Peterson to approve the agenda. M/S/C by Kollar and Peterson to approve the minutes of the March 10, 2008 meeting. The treasurer reported total funds available on March 31, 2008 of $ 72,071.00. M/S/C by Peterson and Kawalek to approve the treasurer report. M/S/C by Kawalek and Peterson to approve the bills.

BUSINESS FROM FLOOR: Tom Jones, Zoning Administrator of Arthur Township, stated he was present at the request of those at Arthur Town Hall meeting; town contacted their legal council re: Bergren mitigation area. Mr. Jones presented a letter for the Supervisors to review from their town attorney, Troy Gilchrist, regarding the CUP amendment application of Mike Bergren. Board reviewed the letter; Paul explained the 2005 laws – strengths of the law and how the DNR works with enforcement. Rick stated the same fact finding that Brunswick used to issue the CUP applies also to Arthur Township. The Board discussed the request; it is noted that no action was taken by the Board.

OLD BUSINESS: **Bergren Amendments to CUP:** The Board reviewed all material presented at March meeting; information from Town Attorney Hofstad; Susan Alderink; and Clerk prior to the meeting. Rick stated would proceed on each request individually.

A: *amend Condition # 5 – "500' set back from dwelling ; instead of the current 600' from the property lines*` Motion by Kollar, Kawalek to accept the recommendation of Susan Alderink as stated in April report of Zoning Administrator – "if granted, the amendments to CUP # 28 will not affect either Brunswick or Arthur Township residents. The legal boundaries of the shooting preserve are not changing from what they were in September of 2005 when the original CUP was issued by Brunswick Township." During discussion of the proposed amendment the following was noted as referenced in the March 18, 2008 email attachment from Town Attorney Hofstad (attachment titled "Minnesota's Shooting Range Protection Act – FAQ Sheet, House Research Bill Summary and 2005 Chapter 105):

a) The DNR has the most power – they can enforce for any exception created
b) 500' from a dwelling is a DNR rule
c) Original CUP Condition # 5 – done originally to define property line; there are also signs noting property line
d) Mr. Bergren needs to be sure all pellets fall within the shooting preserve; DNR rulings in place for dogs and bird retrieval on adjoining property of the preserve

Rick called for a vote: Kawalek; Kollar and Peterson voted yes; motion carried.

B: *amend Condition # 10 – hunters do not need to wear ID #'s.* Motion by Kawalek, Peterson that hunters do not need to wear ID #'s for 1 year period. At end of one year, Mr. Bergren and the Supervisors will decide if numbers are needed again. Discussion held – Mike state this is a Brunswick Township ruling and is not needed anywhere else in the state of MN. It was noted that hunters must be close to road to accurately see the number. Rick called for a vote: Kawalek, Kollar and Peterson voted yes; motion carried.

C: *Condition # 8 - monthly inspections -- Are they necessary?* Motion by Kawalek; Kollar to discontinue monthly inspections. Random spot checks may be done by the Supervisors or Zoning Administrator. Discussion held – it was noted by Mike in his application; Susan in her February staff report and by the Supervisors there have been no violation noted in the monthly inspections done by the Zoning Administrator over the past 2 years. Rick called for a vote: Kawalek, Kollar and Peterson voted yes; motion carried.

D: *Condition # 4 - open to hunting every Sunday in September.* Motion by Peterson, Kollar to allow hunting on the first two Sundays in September on restricted fields only. Discussion held. Mike stated most other preserves open all during September. It was noted that the current Condition allows for hunting on Sundays after September 15th. Mike was OK with hunting on restricted fields. Motion amended by Peterson, Kollar to define restricted fields as:

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#1 – East of Imperial Street to the swamp; South of 155th Avenue along Imperial Street to Ruud driveway
#2 – East of Holly Street to preserve boundary; North of 155th Avenue to preserve boundary. Rick called for a vote: Kawalek, Kollar and Peterson voted yes; motion carried.

Motion by Peterson; Kollar to have Town Attorney Kevin Hofstad prepare the wording of the amendments to Bergren CUP # 28. Motion carried.

Road Issues: Groundhouse River project – Paul has been in contact with Richard Larsen and Kelly Osterdyk regarding action to be taken to correct the road near Groundhouse River. Any and all grants available would total about $ 43,000 which is a long way from the $ 186,000 needed to raise the road bed 4 feet. The Board will explore the option of maintainence as in prior years. Kelly Osterdyk of the Kanabec Soil & Water office will do a survey and draw a plan for rip rap; decision tabled until information received.

Paul mention about the wood chips in the road ditch on the corner of Mahogany Street and 120th Avenue – near the Pearl Harbor area. Paul asked the Clerk to contact Attorney Hofstad to see who is responsible for the action – the landowner or the renter. After direction of Attorney Hofstad, the Clerk is to write a letter stating they must clean the ditch as requested or if the town does the cleaning, the costs will added to property taxes.

NEW BUSINESS: **Zoning Administrator report** – Janousek matter: Susan reviewed information regarding licensing, inspections and liability issues. A copy of the current license from the State of MN was received. Attorney Hofstad responded with an email that discussed indemnification agreement between the Town and Mr. Janousek. Motion by Kollar and Peterson to send all information to Attorney Hofstad and ask him to draw up an indemnification agreement between the town and Mr. Janousek. Motion carried.

Susan discussed her concerns with lot splits within the Town – at present there is no record at the Town and she therefore does not know what lots have happened over the years. Susan suggested a process and fee be connected with a split. Motion by Kollar and Peterson to set a $ 25.00 fee for a permit application for a land split. Said application must contain a legal description. Motion carried.

Annual Meeting: It was noted the decisions made at the Annual Town Meeting re: 150-year anniversary of the Township; recessed meeting; election date changes.

Gravel Quote: The only quote for gravel received by the Clerk was from KCR Construction. Richard noted that the prices were the same as 2007. M/S/C by Kollar and Peterson to accept the 2008 rates of KCR Construction for gravel, grading and snow removal.

Spring Road Check was set for Monday, April 21st at 4 pm starting at the Town Hall. Board approved Clerk to attend the Urban Shortcourse on April 24th.

Board Reorganization:

1. M/S/C by Kollar, Peterson to appoint Rick as Board Chair; M/S/C by Kollar and Kawalek to appoint Craig as Vice Chair; M/S/C to accept Connie Kawalek as Deputy Clerk; M/S/C to accept Shari Hartog as Deputy Treasurer
2. M/S/C by Peterson and Kollar to keep the Town depository – Kanabec State Bank & Greater MN Credit Union of Mora the same; legal notice to be placed one time in Kanabec County Times and Mora Advertiser.
3. M/S/C by Kollar and Peterson to set the wages for elected officers at $ 15.00 per hour and $ 75.00 per meeting; election judges wage set at $ 12.00 per hour; Town Clerk to receive $ 550.00 per month.
4. M/S/C by Peterson and Kawalek to set the wages for Planning Commission members at $ 15.00 per hour and $ 75.00 per hour.
5. M/S/C by Kollar and Peterson to allow the Clerk $ 85.00 per month and the Treasurer $ 25.00 per month for personal equipment reimbursement.
6. M/S/C by Kollar and Kawalek to not carry life insurance coverage.
7. M/S/C by Kollar and Kawalek to appoint Craig as the weed chair; M/S/C by Kawalek and Kollar to appoint Paul as road chair; M/S/C by Peterson, Kawalek to appoint Paul as Hwy 65 Corridor representative

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8. M/S/C by Kawalek, Peterson to not have a retainer for the Town Attorney.
9. M/S/C by Peterson, Kollar to amend the Administrative Policy section 4.2 as follows: "The Board Chair and Town Clerk shall be allowed to contact the Town Attorney, if needed, between meetings without Board approval."
10. M/S/C by Kawalek, Peterson to appoint Ed Beck to the Planning Commission for a two year term to replace Craig Peterson.
11. M/S/C by Kollar, Peterson to allow members of the Planning Commission and Zoning Administrator to sign up for one class with Government Training Services. Township will pay cost of workshop and $ 75.00 for the meeting.
12. Supervisors met with Susan in back room for an employee review.

M/S/C by Kawalek, Kollar to adjourn the meeting at 10:40 pm.

Gladys Nelson

Gladys Nelson, Clerk
Brunswick Township

Rick Kawalek