

CASCADE TOWNSHIP

OLMSTED COUNTY – MINNESOTA BOARD MINUTES

DECEMBER 7, 2009

Members present were: Chairman Lenny Laures, Supervisor Arlen Heathman, Supervisor Harold Atkinson and Clerk/Treasurer Joe Vroman.

Call to order at 6:00 pm at The Calvary Evangelical Free Church Meeting Room. All in attendance recited the Pledge of Allegiance.

Guest present: Brenda DeCook, Adam DeCook, Bryce DeCook, Deputy Val Coe, Mike Fritz, Lori Bosanko, Michael Brown, Roger Ihrke, Haddon Carryer, D. Carryer, Betsy Cradic, Cedric Schutz, Daren Sikkink, Greg Floryance, Dave Pesch, Michael Sheehan and Michael Tierney.

Sheriff Deputy's Report:

Deputy Val Coe updated the Board on her patrol activities and 44 calls for service for the past month.

Township Board Continuing Business.

- A motion by Heathman to approve the minutes from the November 2nd meeting as presented, seconded by Laures, motion approved.
- Supervisor Atkinson made a motion to pay the December Joint Powers bill of \$23,983.97, seconded by Heathman, motion approved.
- A motion to pay the remaining Cascade bills was made by Atkinson, seconded by Heathman, all voted in favor to pay the total bills of \$156,479.88, motion approved.
- Treasurer Vroman gave the financial report at the meeting. The checkbook balance at the end of the November 2nd, 2009 meeting was \$217,485.58. Added to that total were the deposits in November, checking interest of \$49.47 for an end of November checking balance of \$217,535.05. Checks written at this meeting totaled \$156,479.88 for an ending checking balance on December 2nd, 2009 of \$61,055.17. Motion to approve the treasurers report was made by Laures, seconded by Atkinson, motion passed.

Township Board New Business

At 6:30PM, Haddon Carryer of 5493 St. Mary Drive NW came before the Board with concerns about the smoke generated by the outdoor wood heater of his neighbor Chris Boyce. Mr. Carryer presented information from Minnesota Pollution Control Agency and the U.S. Environmental Protection Agency on strategies for reducing residential wood smoke. Discussion followed on this subject. Because Mr. Boyce could not be at this meeting, this subject will be continued at the January 4th, 2010 meeting at 7:00pm where both parties and the Board can further discuss these concerns.

At 7:00PM, Adam DeCook, developer of the Salley Hill Development, came before the Board seeking approval of the preliminary plat and developer's agreement. Roger Ihrke, Zoning Administrator for TCPA, gave the staff report stating the continuing discussion on the preliminary plat and developer's agreement and the several extensions of time to complete this work. The Board asked Mr. Michael Tierney, attorney for the Township in attendance, does Chairman Lenny Laures have any conflict of interest in voting on any motions in regard to the Salley Hill Development? Mr. Tierney answered that Chairman Laures has no conflict of interest in any matter of the Salley Hill Development project. Bryce DeCook challenged the conflict of interest statement because of Chairman Laures prior interest in purchasing the Salley property. Adam DeCook stated the same conflict issue.

The issue the DeCooks were requesting is whether the Township will require the river access and the environmental corridor. Discussion followed on this and the Olmsted County Land Use Plan and Cascade and Olmsted County Subdivision Ordinance said that the Township shall require the river access and should require the Environmental Corridor as a Township.

Motion by Atkinson to require the Environmental Corridor, seconded by Laures, all voted in favor.

The DeCooks are asking for approval of the preliminary plat dated 11-23-09 that is on the table. The preliminary plat is intended to be the most important step in obtaining approval of the subdivision per the Township attorney. The Board made comment that the staff report and the engineers report have a long list of items to be completed. The preliminary plat and associated documents should be complete and details should not be pushed back for the resolution at a later date.

A motion by Atkinson to deny the approval of the preliminary plat dated 11-23-09 for the reasons listed above, Laures seconded the motion. Atkinson and Laures voted in favor of said motion to deny the preliminary plat approval. Heathman voted against the motion. Motion passed. A decision was warranted because the extension of time for decision on this matter expires on December 31, 2009, which is before the next scheduled Township meeting. No formal request for extension of time was presented at this meeting by the DeCook Development.

The DeCooks asked what the appeal process was and staff was going to contact them on what the process is.

At 8:00PM, Greg Floryance of 6680 Crestview Lane NW came before the Board to request a second driveway to service a well on his property. After some discussion with the Board, he was asked if a well agreement exists between the users of the well. He was not sure, so he will check and come back to the Board in January.

At 8:30PM, Mike Sheehan, Olmsted County Highway Engineer and Dave Pesch of Olmsted County Planning Department came before the Board to discuss County Road 104 Official Map process/background and then ask for County resolution to enter into a corridor management agreement at a follow-up meeting. After much discussion, both parties agreed to continue the discussion next month and Mr. Pesch will get an updated resolution to the Board after the City of Rochester and the County attorney's have reviewed the resolution first.

Meeting adjourned at 9:15 PM

Motion by Laures, Seconded by Heathman, motion passed.
Submitted: Joseph Vroman, Clerk