

**CITY OF RUSHFORD VILLAGE MINUTES OF August 1, 2023**  
**REGULAR COUNCIL MEETING**  
**43038 State Hwy 30, Rushford Village, Minnesota 55971-5167**

Pledge of Allegiance to the Flag

The August 1, 2023 Council Meeting was called to order by Mayor Dennis Overland at 7:00 p.m. in the Rushford Village Office. Council Members present: Mike Ebner, Robert Hart and Rick Ruberg; Planning/Zoning Administrator Jon Pettit, City Attorney Joseph O'Koren, Treasurer Judy Graham and Clerk Mary Miner.

Absent: Council Member Travis Link, Public Works/Maintenance Supervisor Trenten Chiglo

**AGENDA** was approved with the addition of Village Road Bridge Motion by Ebner, 2<sup>nd</sup> by Hart, Carried.

**MINUTES** from the July 11, 2023 Regular Council Meeting were approved as presented  
Motion by Hart, 2<sup>nd</sup> by Ebner, Carried.

**CITIZENS/OTHERS PRESENT:** Corey Guyer, Wanda Hanson-Fillmore County Journal

•**Corey Guyer**

- Guyer was present to discuss a zoning permit application for a shed on Village Road
- Guyer reported the septic permit is supposed to be completed, he needs to pick it up
- Guyer stated the building that are there will not be in front of the house he plans to build and Pettit questioned if the shed could be built for \$10,000.00, Guyer has receipts for materials to show the cost is under \$10,000.00
- Overland stated this is a Planning and Zoning matter and should be brought to them. Pettit stated he will be bringing the shed zoning permit application to the Planning and Zoning Board on August 15, 2023 at 5:30 pm. Pettit stated if Guyer plans to attend the meeting he should have Pretasky, the land owner and person making the zoning application, also attend
- Guyer asked if he put that building up without a signed permit if it would just be another fine because he needs that building up and will just pay the fine. Overland told Guyer nothing should be done until this is brought to Planning and Zoning on August 15, 2023
- Mark Pertasky is the landowner, Guyer will be purchasing the land. Guyer will have a power of attorney papers drawn up as it pertains to this property so Guyer can make application for zoning permits and be able to discuss items associated with this property

**FINANCIALS:** July Expenses \$74,400.89, July Receipts \$46,503.46 (\$32,549.50 LGA received), Bank Balance as of 7/31/2023 \$227,257.54, Outstanding Checks as of 7/31/2023 \$42,979.58,  
Estimated August Receipts \$9,500.00/Estimated August Expenses \$38,000.00 (could increase by approximately \$53,000.00 if chipsealing invoice is received in August)  
CD's renewing at current advertised rates

**Motion** made to approve the Financials as presented Motion by Ruberg, 2<sup>nd</sup> by Hart. Carried.

•**2023 Receipts & Expenses through June 30, 2023:**

- Receipts and expenses through June 30<sup>th</sup> were provided to the Council for review
- 2024 CRV LGA (local government aid) \$75,216.00
- Miner reminded the Council the proposed budget is due in September, they need to make it known if there are any items they want included

**PLANNING/ZONING:** Pettit: New Permits/Inquiries/Updates:

**New Permits:**

- #1599-Todd James-House Re-Roof-Goodrich St
- #1600-Glen Kopperud-House Re-Roof-State Hwy 43 S
- #1601-Tom Kopperud-House Re-Roof-State Hwy 43 S

**Permit Status / Projects in Process / Inquiries:**

•**Mark Pertasky-Village Road Property:**

- 2 structures were placed without permits. Guyer filled out a permit for each structure, paid the late fee of \$250.00 per permit and double the permit fee.
- One is a dwelling which requires a septic permit from Fillmore County must be obtained before it can be in compliance the other is a shed which has to be placed behind the dwelling per CRV subdivision ordinance, which it is not so it is non-conforming. Water has been brought to the property but the septic system has not been done

- Pettit received a zoning permit application from Mark Pertasky, property owner, for a 32'x48' shed with a cost estimate of \$10,000.00. Pettit questions if a shed this size can be constructed for \$10,000.00
- Pettit visited the proposed site for the new shed and the location will be ok
- Pettit will not issue another permit for this location until the other 2 structures already there become conforming which they can by obtaining a septic permit for the dwelling and by moving the existing shed behind the existing dwelling
- When the house is built the existing dwelling will either need to be removed or attached to the new dwelling because you cannot have two dwellings on one parcel
- This will be discussed at the August 15, 2023 Planning and Zoning meeting

•**Bjorlo/Peterson State Highway 30 Property:**

- Pettit was contacted by Rich Bjorlo in regards to selling the Peterson property on State Highway 30
- Pettit stated this does not need to come before the Planning and Zoning Board unless there is going to be a change in the use of the property. Example: The new owner wants to subdivide the property then it would need to be brought to Planning and Zoning as a potential subdivision by the new owner
- Pettit did let the realtor know bluff protection will come into play so anyone looking to do anything with the property should be made aware of this
- Bjorlo will have it surveyed and recorded at Fillmore County

**ROADS/WATER/SEWER:**

•**Roads/Utilities Update-Chiglo:** Chiglo provided a report stating

- Culvert markers have been placed on Airport Drive & Road, Vogan and Dunn. More markers have been ordered
- Ditch work is underway on Crimson
- Received an quote from Norman's Electric to install a phone dialer in the well house and tie it into the existing alarm system in the amount of \$1,516.00. The quote does not include bringing phone service into the building. Chiglo has a call into AcenTek to see if fiber optics was brought to the pump house. Once the dialer is installed in the pump house the phone numbers at the lift station will be changed also
- Ebner reported the 2023 chipsealing project has been completed

•**Maintenance Shed Update:**

- Ebner reported he spoke today with STS Plumbing and they will be starting work on the maintenance shed in approximately 2 weeks
- Ebner stated to be able to know what needs to set a side for the proposed 2024 budget the 2023 work has to be completed to know what is left to do and he will need to contact Derek Colbenson to see if the original materials quote will be good. Ebner told Chiglo he and Michel need to get their budget stuff together

•**Village Road Bridge:**

- CRV signed a contract with Fillmore County to replace the bridge. Fillmore County required 3 right of way easements. Two easements were signed, the third property owner refused to sign the easement
- CRV called Fillmore County to see if removing the bridge would be an option and if there would be any money available to help pay for removal. Fillmore County stated removal of the bridge would be covered 100%
- Options available to CRV: Close and remove the bridge or start legal proceedings on the land owner that would not sign the easement
- The size of the easement for the property that refused to sign is 0.03 acres. Concerns of this resident: He wanted to make sure road would remain blacktop and the amount of traffic. Council cannot guarantee road will remain blacktop
- Public hearing would be needed to close Village Road Bridge

**Motion** made to set a Public Hearing to discuss the possible closure and removal of Village Road Bridge was set for Tuesday, September 5, 2023 at 6:15 pm in the CRV Office/Community Center **Motion** by Hart, 2<sup>nd</sup> by Ebner, Carried.

**OTHER:**

•**MN Energy Ordinance #14 Renewal:**

- MN Energy, Ordinance #14, expires September 25, 2023. This needs to be renewed every 25 years
- Miner asked for maps of where the gas lines run throughout CRV, maps of Rushford and South Rushford were sent, asked for maps of other areas in CRV, maps not received by meeting time
- O'Koren provided a model ordinance from LMC which favors Cities. There have not been any issues with the current ordinance which was written by the gas company other than where the gas main was placed along Airport Rd, it is right along the road, crosses from side to side and is not buried very deep which makes ditch work hard
- O'Koren reviewed the proposed MN Energy Ordinance and provided a few items CRV could ask be included in the renewal which include language regarding where the lines can be placed, the franchise fee, stronger hold harmless agreement, insurance obligation and dispute resolution. O'Koren stated some of the language should be cleaned up to make it more definitive

**Motion** made to have O'Koren contact Paul O'Sullivan, Senior Account Manager-External Affairs to discuss proposed CRV changes to the renewal **Motion** by Hart, 2<sup>nd</sup> by Ruberg, Carried.

•**Consolidate Energy Propane Pre-Pay 2023-2024 Contract:**

- 2023-2024 prepay propane contract price is \$1.54 per gallon if contract is signed and paid in full by August 11, 2023
- CRV could use more than the recommended 590 gallons if the maintenance shed project is completed and the whole maintenance building is heated

**Motion** made to sign and pay in full the 2023-2024 prepay contract for 700 gallons of propane at \$1.54 per gallon  
**Motion** by Ebner, 2<sup>nd</sup> by Ruberg, Carried.

**OTHER UPDATES / MEETINGS:**

- August 26 thru September 2, 2023-Chiglo on Vacation

**Next Meetings: Council:** August 15 and September 5, 2023 Village Rd Bridge Public Hearing @ 6:15 pm, Regular Council meeting @ 7:00 pm at CRV Hall Office

**Zoning:** August 15, 2023 @ 5:30 pm at CRV Hall Office

**Motion made to Adjourn** Regular Council Meeting at 7:46 pm by Hart, 2<sup>nd</sup> by Ruberg. Carried