

**CITY OF RUSHFORD VILLAGE MINUTES OF AUGUST 6, 2024**  
**HANS ANDERSON ROAD VACATION PUBLIC HEARING AND**  
**REGULAR COUNCIL MEETING**  
**43038 State Hwy 30, Rushford Village, Minnesota 55971-5167**

**Hans Anderson Road Vacation Public Hearing**

That certain Town Road located in the Southeast Quarter of the Northeast Quarter of Section 18, Township 104 North, Range 8 West of the Fifth Principal Meridian legally described as:

That certain Town road heretofore laid out and established by the Village Council of the Village of Rushford in said County of Fillmore extending from a point on the North line of said forty acres subdivision about 41 rods and 5 feet West of the Northeast corner thereof Southeasterly to a point on the East line of said forty acres subdivision about 31 rods and 12 feet south of the Northeast corner thereof, the said Town road is located and established to control over the distances above recited.

The August 6, 2024 Hans Anderson Road Vacation Public Hearing was called to order by Mayor Dennis Overland at 6:30 p.m. in the Rushford Village Office. Council Members present: Mike Ebner, Robert Hart and Rick Ruberg; City Attorney Joseph O’Koren, Treasurer Judy Graham, Clerk Mary Miner

Absent: Council Member Travis Link, Planning/Zoning Administrator Jon Pettit

**Public Present:** Jim Woxland, Bill Grover and Steve Anderson

Discussion:

- Minutes from 12/2/1975 Council meeting and 1/13/1976 Public Hearing regarding the closure of the Hans Anderson Road were found. No one was present at the public hearing to oppose the closing of the road and the road was closed. No documentation was found regarding who received letters, if notice was published or posted and it was not recorded with Fillmore County
- The purpose of this public hearing is to clean things up and formally vacate the Hans Anderson Road
- Residents within approximately 3,000 feet of the road received letters informing them of the public hearing, notice was published in the Fillmore County Journal, notice was posted at the CRV Hall and designated public places
- Road has not been maintained by CRV for at least the last 40-45 years
- CRV will have no interest in the road once it is vacated
- Land will go back to the landowners, any easements/agreements are between landowners
- Once vacated the land/road would be private
- The road legal description is from the 1930’s-1940’s but has been on deeds as recent as 2012
- No one from the State of Minnesota has contacted CRV with questions on the road vacation. Jack Hedin stopped into the office with questions but had no issues with the road being vacated
- The public present, Woxland, Grover and Anderson did not have any issues with the road being vacated

**Motion** to close the Hans Anderson Road Vacation Public Hearing at 6:45 pm **Motion** by Hart, 2nd by Ebner. Carried.

**Regular Council Meeting**

Pledge of Allegiance to the Flag

The August 6, 2024 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; Public Works/Maintenance Supervisor Trenten Chiglo, Planning/Zoning Administrator Jon Pettit, City Attorney Joseph O’Koren, Treasurer Judy Graham, Clerk Mary Miner

Absent: Council Member Travis Link

**Motion** made to approve Resolution 2024-08-06-01 Vacating Hans Anderson Road **Motion** by Hart, 2nd by Ebner. Carried.

**AGENDA** was approved with the addition of Robert Brand, Animal Control **Motion** by Hart, 2<sup>nd</sup> by Ruberg, Carried.

**MINUTES** from the July 2, 2024 Regular Council Meeting were approved as presented **Motion** by Ebner, 2<sup>nd</sup> by Hart, Carried.

**CITIZENS/OTHERS PRESENT:** Kirsten Zoellner-Fillmore County Journal

**FINANCIALS:** Receipts as of July 15, 2024 \$2,772.92, Expenses as of July 15, 2024 \$30,098.35  
July Expenses \$73,731.19, July Receipts \$78,753.71, Outstanding Checks as of 7/31/2024 \$48,859.69,  
Bank Balance as of 7/31/2024 \$413,033.20  
Estimated August Receipts \$10,600.00/Estimated August Expenses \$52,000.00  
CD's renewing at current advertised rates

**Motion** made to approve the Financials as presented

**Motion** by Hart, 2nd by Ruberg. Carried.

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

**New Permits:**

- #1669-Branden Johnson 45'x60' Shed With Concrete Floor-Village Rd-Denied
- #1670-Tim & Brenda O'Hare-Reroof House & Detached Garage-Nordic Court
- #1671-Rod Morcomb-Replace Roof-Hillview Dr
- #1672-Jesse & Stephanie McNamer-Hunting Cabin-County Line Rd
- #1673-Larry Malmin-32'x84' Shed Extension w/Concrete Floor-Airport Rd
- #1674-Frank & Sandy Gowin-Replacing 3 Doors-Rush Creek Roe Rd
- #1675-Thad Kingsley-40'x50' Shed w/Concrete Floor-County Rd 27
- #1676-Branden Johnson-45'x65' Accessory Building w/14' Sidewalls & Concrete Floor-Village Rd-Denied
- #1677-Chad Rasmussen-Replace Concrete Driveway-State Highway 43 S
- #1678-James Overland-Deck Gazebo-Whitmore St
- #1679-Duane Duneman-Replace 7 House Windows-North Money Creek

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

• **Branden Johnson Shed Variance:**

- Pettit reported Branden Johnson's zoning permit for a 45'x60' shed was denied. Johnson has submitted two shed variance applications. One to build in front of the house and the other pertains to the sidewall height

**Motion** made to set the Branden Johnson shed variances public hearing for Tuesday, September 3, 2024 at 6:45 pm

**Motion** by Hart, 2nd by Ebner. Carried.

**ROADS/WATER/SEWER:**

• **Roads/Utilities Update:** Chiglo reported

- Maintenance shed tin and insulation installation has been completed
- He will be mowing road ditches this week
- Lift station had been having issues. Dialer was not working properly so Chiglo did not receive a high water call. Dialer from pump house was taken to the lift station and hooked up, Norman's electric was able to repair the dialer. Dialer was not the only issue, AcenTek had to replace a battery in their equipment so the dialer would work

• **Maintenance Shed Update:**

- Insulation and tin have been installed

• **June 21-23, 2024 Flood Damage Update:**

- Miner and Chiglo attended a HSEM meeting in Preston to get signed up for assistance for flood damage
- FEMA will be contacting CRV in about 3 weeks to start the process
- FEMA pays 75% and the State pays 25%. FEMA will pay the State and the State will disburse the money

**OTHER:**

• **Resolution 2024-08-06-02 Fillmore County Cannabinoids Ordinance:**

- Fillmore County adopted Ordinance No. 20240423 Public Use of Cannabinoids
- CRV Resolution 2024-08-06-02 is in support of Fillmore County Ordinance 20240423

**Motion** made to approve Resolution 2024-08-06-02 Supporting Fillmore County Ordinance 20240423 Public Use of Cannabinoids

**Motion** by Hart, 2nd by Ebner. Carried.

• **2025 Rushford Ambulance:**

- The 2025 contract amount is \$7,900.00 which increases the per capita fee from \$5.00 per capita to \$10.00 per capita
- The contract amount has been \$4,100.00 since 2017 when it was increased to \$5.00 per capita
- The ability to recruit new people with the current pay, increased training cost, and insurance reimbursements are making it difficult for all ambulance services

**Motion** made to approve the Rushford 2025 Ambulance Contract in the amount of \$7,900.00

**Motion** by Hart, 2nd by Ebner. Carried.

- Overland stated it would be nice if the ambulance had a yearly meeting informing everyone what is going on and what their plans are like the fire department does. Note will be sent with check asking if yearly meeting would be possible

- **RV Hall Wi-Fi:**

- AcenTek offers a wifi package at \$9.95 per month. This would provide two separate wifi areas so the community center could have guest wifi available without it affecting the office wifi. It would make the office wifi secure.
- An app can be added to a phone which allows the passwords to be changed as often and needed and also allows you to see who is using the wifi
- If their equipment is not able to provide wifi to the whole building they would have to add another piece of equipment at an additional cost of \$9.95 per month. If they need to move the location of the equipment a cat 5 cable would be needed at a cost of \$.20 per foot
- CRV currently has Linksys. Linksys systems costs range from \$39.00-\$249.00. CRV would be responsible for the equipment and AcenTek would not be able to monitor it
- If AcenTek equipment is used they are responsible to make sure it is working and would be able to monitor it from their office. AcenTek would also be there for support when needed

**Motion** made to approve AcenTek wifi installation in the amount of \$9.95 per month **Motion** by Hart, 2<sup>nd</sup> by Ruberg, Carried.

- If second piece of equipment at a cost of an additional \$9.95 per month is needed it will need to be brought back to the Council

- **Rebecca Charles Monthly CEDA Update:**

- The monthly report was reviewed
- Miner reminded the Council Charles will be at the August 20th meeting and Charles expects everyone to be ready to discuss the Comp Plan information she provided earlier

- **Robert Brand-Animal Control:**

- Brand is currently being paid \$175.00 per month/\$525.00 per quarter as of July 2021 and \$15.00 per cat/\$20.00 all other animals trapped
- Brand is requesting an additional \$75.00 per month bringing the monthly charge to \$250.00 per month/ \$750.00 per quarter and \$30.00 for all trapped animals
- Overland stated there are not many people willing to do this job

**Motion** made to approve Brands pay increase request of \$250.00 per month/\$750.00 per quarter and \$30.00 per animal trapped effective August 1, 2024 **Motion** by Hart, 2<sup>nd</sup> by Ebner. Carried.

- 3<sup>rd</sup> Quarter pay will be \$175.00 for July/\$250.00 for August and September. Any animals trapped before August 1, 2024 will be paid at the old rate of \$15.00 per cat/\$20.00 all other animals

- **2025 Budget:** Items to be included in budget

- 2025 LGA \$67,196.00 down from \$75,216.00 in 2024.
- Transportation Advancement Account (TAA)/Small City Assistance comes from the tax on auto parts. The 2024 payment was \$31,679 (TAA \$6,360.00, Small City Assistance \$28,499.00), 2025 TAA is estimated to be \$46,383.00. This money is to be used for roads
- Maintenance shed overhead doors Beaver Builders \$11,387.03 and electrical work Norman's Electric \$11,648.00. Mike will talk with Norman's to see if some of the items can be removed from their quote
- Derek from Bolton & Menk provided a chip sealing estimate, he would like to come and look at the roads before he gives a final assessment. He does not feel N Money Creek and Oak View Loop will benefit from chip sealing. He does not recommend putting chip sealing off another year
- Employee health insurance-\$1,000.00 per month-MN Public Employers Insurance
- F450, plow, sander replacement: F450-\$102,000.00-107,000.00/F550 \$107,000.00-\$112,000.00/Diesel not needed
- COLA-3% with step advancement, suggested by Overland
- Part-Time Employee?
- Ebner suggested if the 2024 year end looks good to get the maintenance shed doors and electrical done using 2024 budget money and budget to get the heat installed in the 2025 budget
- Ebner suggested have a sewer rate study done
- Ebner has been in contact with Norman's electric to get a quote for an automatic generator for the lift station. It is single phase and there is a natural gas line there it could be hooked up to. He figures the quote will be \$10,000.00-\$12,000.00
- Use \$535,000.00 for levy starting amount

**OTHER UPDATES / MEETINGS:**

- CRV Filing Dates July 30 thru August 13, 2024/Seats to be filled: (1) Mayor 2-year term & (2) 4-year Council term
- Primary Election-August 13, 2024-CRV Community Center-7:00 am – 8:00 pm
- August 19-23, 2024-Miner on Vacation
- September 26-October 1, 2024-Chiglo on Vacation

**Next Meetings: Council:** August 20, 2024 @ 7:00 pm and September 3, 2024 Branden Johnson Shed Variance Public Hearing @ 6:45 pm, Regular Council Meeting @ 7:00 pm at CRV Hall Office

**Zoning:** August 20, 2024 @ 5:30 pm at CRV Hall Office

**Motion made to Adjourn** Regular Council Meeting at 7:45 pm by Hart, 2<sup>nd</sup> by Ruberg. Carried