

# Waterford Township Newsletter

## June 2018

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**WHAT'S THE DIFFERENCE? GOOD QUESTION!** In the last six months, I have been asked a few times the **difference** between a **Township Ordinance** and a **Zoning Ordinance**.

**Township Ordinance** – a municipal law, rule, or regulation that applies to the Township – does not regulate where activities occur within the township

**Zoning Ordinance** – regulates “use of land” – how the property or the land is used – master plan of land use



### [Ordinance 2018-01 Right of Way](#)

#### How does Ordinance 2018-01 impact the property owner?

A representative for a broadband installation company contacted the Township requesting the “Right-of-Way” policy, fees & application form in April for a project this summer. After seeking legal advice from the Township Attorney, the Town Board passed Ordinance 2018-01 on May 14, 2018.

In the case of the broadband installation this summer, the contractor supplied a signed application, drawings, insurance and a performance bond. The bond is only used in the event damage occurs and is not repaired.

#### Does the property owner need a right-of-way permit to do work in the right of way?

Going forward, property owners and contractors will need to contact the Township Clerk before a person (property owner or contractor) does any work or installs anything within the right-of-way. Nothing should be installed, placed or built within the right-of-way without prior approval of the Township.

A utility contractor must obtain a bond as their projects tend to be large scale and impact numerous property owners. A single property owner with a small project may not need a bond. The bond decision would be based on size and type of project. The Ordinance provides options for the Town Board.

If you don't know where the right-of-way line is or if you are not sure if your project requires a Right of Way permit, contact the Township Clerk.

This new ordinance protects the Township and the property owners of Waterford Township.



### GRAFFITI REMOVED

Bob Sellers & Jean Mary Hale of Northfield visit the 1909 Waterford Bridge periodically and found the graffiti on the bridge to be a distraction from the peacefulness and beauty of the area. This spring

Bob and Jean were able to remove the graffiti from the two entrance boulders seen in this picture and have plans to remove graffiti from the other two boulders this summer.

I asked Bob & Jean why did you do it? Without hesitation Jean shared “it was a labor of love for a family member that loved the Bridge & the surrounding area.” Bob & Jean, thank you so much for your hard work. People like you make a difference.



### ANNUAL TOWNSHIP PICNIC

Wednesday, July 4, 2018

Historic Waterford Town Hall starting at 11:30 a.m. with the “dinner bell” ringing at noon – eating inside the Town Hall rain or shine.

Bring friends & family, utensils, plates & a dish to pass.  
Note: no stove/refrigerator available – bring hot dishes in a crockpot - beverage, cups & napkins furnished by the Board.

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### Zoning Ordinances

#### 6.05 Rural Residential Permitted Uses

On October 2, 2017 the Township held a Public Hearing to take comments regarding a proposed “youth training” facility in the Rural Residential district of Waterford Township.

Hearing no objection from the surrounding neighbors, the Town Board on October 9, 2017 passed a resolution to amend Section 6.05 of the Township Zoning Ordinances to add a “music, dance and sports training facility for school age children in a residential accessory building” as a permitted use in the Rural Residential district of the Township.



The December 2017 newsletter contained an article about the Township’s decision to transfer the management of the septic system program to Dakota County after the Township failed a MPCA audit.

April 2018, the Town Board & thirteen property owners received notices that their septic systems may be at risk.

The Township’s Property Committee called and arranged a meeting at the Town Hall on May 24, 2018 with Dakota County Water Resource Specialists Dee McDaniels & Emily Gable. On that day due to lack of “as built” records, lack of pumping records and no apparent drainfield, the system was declared non-compliant.

On June 1, 2018 the Clerk acquired the “as built” records from 1997 from the original installer. The County immediately voided the non-compliance declaration. Instead of a new system, Dakota County will require that the system be pumped, checked for water tightness and bring the tank risers to the surface.

Not everyone that gets a letter has a septic system that is failing – example is the Town Hall. Dakota County works with homeowners individually to make that determination. Some systems are compliant but lack records, some need pumping & inspection, some need compliance inspection, some may need repair & some may need replacing.

If you get a letter, don’t ignore the letter, “get help now” by calling Dee or Emily - maybe a lack of records or pumping, but if a repair or new system is required, there are two financial assistance programs available to help with the expense of repairing or installing a septic system.

1. **LOW INCOME GRANT PROGRAM** – get up to 50% of the cost to replace or repair a failing septic system (with a limit of \$10,000) -- has income requirements.
2. **TAX ASSESSMENT PROGRAM** – the cost of a septic system on the homeowner’s property taxes – has NO income requirements.

Contact: [emily.gable@co.dakota.mn.us](mailto:emily.gable@co.dakota.mn.us) – 952-891-7008  
[dee.mcdaniels@co.dakota.com.us](mailto:dee.mcdaniels@co.dakota.com.us) - 952-891-7024

### Annexation

Waterford Township Attorney Mike Couri filed a lawsuit in Dakota County District Court on April 26, 2018 against the City of Northfield for breach of contract and is seeking a declaratory judgement regarding the 1980 Annexation Agreement. City Attorney Chris Hood filed a response on May 16, 2018.

At the time of this newsletter Attorney Couri is waiting for the District Court to contact him regarding how the case will be managed going forward and when it might be scheduled to be heard by a judge.

Next update: December Newsletter or call Town Clerk



#### Special Homeowner's Homestead Credit Refund

**DEADLINE: 8/15/18**

Local levy decisions, such as the Waterford Township 2018 tax levy increase of approximately 64% and the 2018 school levy increase combined may qualify you for a “Special Property Tax Refund” under the Special Homeowner’s Homestead Credit Refund program.

#### Summarized qualifications:

1. Owned and lived in your home both on January 2, 2017 and on January 2, 2018
2. Net property tax on your homestead must have increase more than 12% from 2017 to 2018.
3. Net property tax increase must be at least \$100.
4. There is no income limit for the special tax refund.
5. You can file electronically for free and the maximum refund is \$1,000.

Download and complete Form M1PR, Homestead Credit Refund (for Homeowners) and Renter’s Property Tax Refund or ask the Minnesota Department of Revenue to mail forms to you by calling 651-296-3781.



#### DID YOU MISS IT?

If you missed the Annual Town Meeting on March 13, 2018 you can find a PDF file of the presentation; “How did we get here and how do we go forward?” on the website.

The presentation along with newsletter articles details reasons the Township experienced financial instability and explains what the Township is doing to work its way toward financial stability.

The presentation is truly worth your read. As always if anyone has questions – please do not hesitate to e-mail or call the Township Clerk.

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**THANK YOU:** to every person that has helped the Town Board in the last four years.

**QUESTION:** *With what?*

**ANSWER:** Meeting protocols & transparency!

Gradually, over the last four years, the Town Board has changed how it conducts business. Published agendas, meeting packets, administrative policies, consent agendas, citizen comment period, Roberts Rules of Order, etc. have been implemented with the goal of focused, efficient, effective, transparent, and respectful meetings.

**AGENDA ITEM:** Previous newsletters contained articles requesting residents call the "Town Clerk" to have an item listed on the agenda no later than the Wednesday before the second Monday of the month. Two reasons:

1. **Avoid delays:** Provides the time necessary for the Clerk to ensure all the documents/facts are available for the Town Board to vote/take action.
2. **Transparency:** For transparency to work (a goal of the Board) action items need to be listed on an agenda and posted 3 days prior to the meeting.

**CITIZEN COMMENT:** Items not on the agenda, can be reported, noted, remarked, mentioned or commented on during the citizen comment period. Three protocols:

1. **Comment time** - 3 minutes per person per topic.
2. **Asking a question** - Town Clerk will follow up.
3. **Board action** - No board action - item will be put on the next month's agenda for Board action.

If you have **QUESTIONS, MISSED DEADLINE** or need an **ITEM ON THE AGENDA**, call (651-346-8467) or e-mail the Town Clerk ([waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com))



### ROAD/BRIDGE COMMITTEE

Steve Wheeler, Township resident since 1983 and retired since 2013, heard Supervisor Messner's call for someone to join the Road Committee and build a "road, bridge and sign inventory database." Wheeler has over 40 years of experience in engineering, technology, project management and budgeting. He volunteered & was appointed March 14, 2018.

Wheeler is using Google Earth, Excel software & the Dakota County Interactive GIS mapping system to create the database. Wheeler thanks Dakota Cty for their help!

Wheeler's goal, "to build a database that is user friendly, supports current & future Road Committees when developing the annual road budget (41.5% of 2018 Township budget), forecasting/planning road projects, monthly road budget reconciliation, monthly reporting to the Town Board and transparency for the taxpayers."

Wheeler stated, "we are not going to live forever, it is our responsibility to maintain records for the future."



### BRIDGE GRANT PROGRESS REPORT

A lot has happened since June 1, 2017 when the Town Board met on the 1909 Waterford Bridge with State, County, DNR, Mill Towns Trail & Carleton College representatives (hereafter called stakeholders) regarding the continual deterioration of the bridge. (minutes on Township website)

#### Summarized progress report:

1. Dakota County grant program paid for a Grant writer to write the Bridge Grant – submitted September 2017.
2. December 2017, the Township received notice of a \$106,800 award from the "State of Minnesota from the Arts & Cultural Heritage fund through the Minnesota Historical Society."
3. January, February, March & April 2018, stakeholders e-mailed and met to define roles, responsibilities, goals, scope, next steps, etc.
4. April & May 2018 Dakota County wrote the draft "Request for Proposal" (RFP). The RFP is for a detailed design, bridge rehabilitation plan, preparation of bridge rehabilitation specifications, and detailed construction cost estimates.
5. May 23, 2018 County & Township finalized RFP.

#### Summarized time line:

1. RFP issue date – May 23, 2018
  - a. RFP e-mailed to eight (8) Minnesota Engineering Consultants
  - b. RFP uploaded to Township website
2. Proposal due date - July 2, 2018
3. Evaluation of proposals - July 6, 2018
4. Town Board approval - July 9, 2018
5. Work to be completed no later than April 4, 2019.
6. Township finalizes grant paperwork–June 1, 2019

A debt of gratitude to Dakota County personnel (Planner Lil Leatham & Engineer Todd Howard) for hosting all the stakeholder meetings and for writing the RFP. Thank you!



### BROADBAND INTERNET

Broadband internet cabling will be installed this summer in the following right-of-way locations:

- 302nd St W from County Rd 47 to Arkansas Ave
- Arkansas Ave from 302nd St W to 300th St W
- 300th St W from Arkansas Ave to Canada Ave
- Canada Ave from 300th St W to 313<sup>th</sup> St W
- 313<sup>th</sup> St W from County Rd 47 to State Highway 3

According to the Engineering Consultant for Century Link, the cable installation has started south of Faribault and will travel north ending just north of Waterford Township.

During this project if you have questions or concerns, call 651-346-8467 – leave a message – Clerk will call you back or e-mail ([waterfordtownship@gmail.com](mailto:waterfordtownship@gmail.com))



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Acquiring financial stability is hard work and requires discipline as the Town Board and the Budget Committee found out when they set about tackling the financial instability of the Township.

Prior to 2018, the Township was frequently “cash-strapped”, unable to pay its creditors and borrowing money to make it until the next tax payment from the County (twice per year in July & December). The Township’s financial difficulties were out of control and required a solution.

However, reversing the vicious cycle wasn’t easy. The Township’s financial instability wasn’t caused by one factor but many factors. The top ten factors included:

- 1) lack of detailed line item budgeting;
- 2) lack of five-year proposed budgets;
- 3) unexpected revenue losses;
- 4) deferred maintenance (building-bridge-ditches-roads)
- 5) failure to account for increases in operating costs;
- 6) “line of credit”
- 7) loans to cover unbudgeted expenses;
- 8) lack of budget reconciliations;
- 9) lack of monthly reporting;
- 10) lack of savings or operating reserves;

Once it was clear what caused the instability then it was necessary to develop plans to reach and maintain financial stability. Five steps to reversing instability:

The first step was form a Road Committee, a Budget Committee and a Property Committee.

The second step was to implement “generally accepted government accounting standards.”

Government accounting is the process of recording, analyzing, classifying, summarizing, communicating and interpreting financial information about government in aggregate and in detail reflecting transactions and other economic events involving the receipt, spending, transfer, usability and disposition of assets and liabilities.

The third step was the 64% increase in the 2018 Tax Levy (\$170,000 to \$280,500). This tax increase was painful for everyone and no one wants to ever incur this type of increase again!

The fourth step was to develop and commit to detailed line item budgeting. At the 2019 Annual Meeting, the Board, the Budget Committee and the Road/Bridge Committee are committed to presenting a detailed line item budget and a detailed five-year budget projection.

The fifth step was to develop and adopt financial management policies (**Resolution 2018-09**) to ensure the lessons learned are never repeated and the Township does not **BACK SLIDE** into financial instability.

### Resolution 2018-09 – May 14, 2018

To avoid the consequences of financial instability in the future, financial policies were established on May 14, 2018 in Resolution 2018-09 to ensure courage, direction, discipline and transparency for the Town Board, the Budget Committee, the Road Committee & the Taxpayers.

**SET THE TAX LEVY** - A line by line detailed Budget and purposed Levy will be adopted at the March Annual Township meeting each year and re-affirmed at the August Re-convened Annual meeting. A detailed budget eliminates surprises that causes the vicious cycle of deferred maintenance which in turn causes financial instability.

*Resolution 2018-09 states that the Levy is set at the March Annual Meeting and it will only be amended at the August Re-convened Annual Meeting in the event of a major unknown expense or emergency.*

**COST OF LIVING:** Government data from 1975 forward shows a cost of living increase in all but three of the forty-three years. Ignoring the impact of the cost of living on the Township’s basic operating expenses, was a major contributing factor to the Township’s financial instability and the recent tax levy increase.

*Resolution 2018-09 states that the Township is committed to including the “cost of living” in the budget process until a reserve fund necessary for managing cash flow between Tax Levy payments reaches \$100,000.*

After experiencing a 64% increase in one year several taxpayers stated they would “rather have a small adjustment (cost of living) every year than a significant “catch up” adjustment every few years.”

**ELIMINATE LINE-OF-CREDIT AND BORROWING** – A major contributor to financial instability is the vicious “cycle” of borrowing and repaying with interest to cover expenses. The “cycle” cost more and more until financial instability is the norm. Interest is not the best use of tax-payers money.

*Resolution 2018-09 commits to discontinuing the use of line-of-credit and or borrowing.*

**OPERATING RESERVES:** Another major cause of financial instability was “cash flow.” The Township was continually “cash-strapped” and often had to borrow money to pay the claims between the semi-annual tax payments from the County. This resulted in a vicious cycle of borrowing and repaying.

To discontinue this cash-strapped practice, the Township is committed to realistic budgeting including “operating reserves.”

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### OPERATING RESERVES: continued from page 4

The next question is how much “operating reserves” is adequate and or how much is too much? There are no hard and fast rules nor is there a magic number, however the [Minnesota Township Association](#) recommends at least one year’s tax levy set aside as an “operating reserve.”

The Budget Committee polled surrounding Townships to determine if Townships have “operating reserve.” It was discovered other Townships do have “operating reserves” (can also be called savings) often exceeding a one-year of tax levy amount. Currently Waterford has \$700 in savings.

Waterford Supervisors wrestled with “too” little savings/reserves as being irresponsible – “too” much savings/reserves as also being irresponsible. Finally, a compromise was reached to have a goal of \$100,000.

*Resolution 2018-09 commits to methodically building “operating reserves” over time by transferring the following types of revenue into the “operating reserves” account until the balance reaches \$100,000.*

- Production Tax (from solar farm operations)
- Annexation Payments (when re-established)
- Market Value Tax – variable - calculated by state
- Aggregate Tax–Township doesn’t have gravel pits
- Town Aid Tax – variable - calculated by state

The amounts from these revenue sources are unpredictable and not a reliable source of revenue when budgeting. However, unpredictable revenue sources methodically deposited in an “operating reserve” fund will eventually grow over time until the Township has at least \$100,000.

These unpredictable revenues can vary significantly from year to year. Because of the unpredictable nature of the fund there is no way to project how long it will take to reach the “operating reserve” goal of \$100,000.

Finally, Resolution 2018-09 was the result of over two years of hard work, discussion, determination, discipline, research, planning, and courage to ensure the Township never returns to financial instability.



### ROAD CONSTRUCTION IN THE TOWNSHIP

Last year Highway 3 & County Road 86 construction made for a long summer, an unofficial detour and a township road closure.

County Road 86 will be reconstructed from just east of State Highway 3 to approximately 1/8<sup>th</sup> of a mile west of County Road 47.

The reconstructed roadway will still be two lanes. However, the road will be wider and include paved shoulders and turn lanes or bypass lanes at intersections.

Visit [www.dakotacounty.us](http://www.dakotacounty.us) – updated weekly – select Current Road Construction on the transportation tab.



**“ASK NOT WHAT YOUR COUNTRY CAN DO FOR YOU, ASK WHAT YOU CAN DO FOR YOUR COUNTRY.”**  
John F. Kennedy’s Inaugural Address – January 20, 1961

In March 2018, Ray Ozmun after 38 years as Waterford’s representative on the Rural Fire District Board announced his retirement and turned over the responsibilities to Waterford resident Mike Fox. Ray deserves his retirement at age 85. “Thank you, Ray” for your years of service!!

BUT a simple “thank you” is inadequate as I quickly discovered during my two-hour visit with Ray. Ray has been serving country and mankind since he was 17 years old. How can you write a one column article about 69 years of civic service in various capacities when it should be a book? How do you thank him?

Below is a summary of the military and civic service Ray has performed with obvious pride, humility and graciousness. Did I mentioned he somehow found time to marry his wife Mary of almost 60 years, raise three children, own a supper club and a construction company?

ARMY	1950 - 1956
VOLUNTEER FIREFIGHTER	1954 - 1961
POLICE OFFICER	1959 - 1959
RESCUE SQUAD (1 of 4 Original Founders)	1958 - 1961
TOWNSHIP SUPERVISOR	1970 - 1976
RURAL FIRE DISTRICT BOARD REPRESENTATIVE	1980 - 2018
VETERANS MEMORIAL PARK BOARD	2000 - present
BEYOND THE YELLOW RIBBON	2016 - present

Ray shared many stories with me during our interview, but the “Shades of Jesse James” as the newspaper called it was my favorite.

In March 1959, a couple of weeks after starting his job as a Northfield Police Officer, Ray was dispatched to a robbery in progress in the middle of the night.

The suspect was armed, and a gun battle ensued. Neither Ray nor the suspect were hit by the hail of bullets, but one of Ray’s bullets hit the former Northfield National Bank building and one of the suspect’s bullets hit the former Bob’s Shoe Building. The bank building was demolished years ago, but the bullet hole in the Shoe building is still visible today. Suspect eventually was brought to justice.

It is obvious that Ray never asked what his country could do for him, he simply did 69 years of service for his country and township. Next time you see Ray, shake his hand and thank him for his selfless service. What a Guy!!

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### NEW PROCESS & TIMELINE

The Planning Commission has a new process of zoning review for a building permit and it is working well, but we need everyone's help.

Starting July 2018 your building projects will require completed and signed applications, Dakota County parcel information, google map images, contractor info, etc. a week before the Planning Commission meets.

DON'T WORRY - a call to the Township Clerk by the 26<sup>th</sup> of the month prior to a first Monday of the month Planning Commission meeting gives the Clerk time to work with you to get the various documents ready for the Planning Commission zoning review.

GOOD NEWS - the new process started in April 2018. Applicants called the Town Clerk and worked through all the requirements; the Clerk & applicant prepared all required documents prior to the Planning Commission Meeting.

GREAT NEWS - four building permits have been issued thus far using this new method including a new home, two pole buildings (AG & Non-AG) and two greenhouses. No delays, zoning review & board approval was quick

MAKE IT HAPPEN - call or e-mail the Town Clerk as soon as you are thinking about or realize you are going to embark on a building project. The Clerk will provide you with all the documents & checklists to ensure your building project doesn't get delayed in a zoning review or board approval process because not all information or paperwork is complete.



### DON'T MOW THE DITCH UNTIL??

MN State Statue 160.232 states Right-of-Way (ditches) are to be maintained in permanent vegetative cover to enhance wildlife habitat, improve water quality & provide for safe line of site distance.

Since 1985, the law prohibits roadside mowing before August 1<sup>st</sup> and after August 31<sup>st</sup> to protect nesting pheasants, manage honeybees, wild insects and perhaps most critically of all, monarch butterflies, that can only reproduce on milkweed which is rapidly disappearing.

Two rules to remember:

- 1) The first eight feet away from the road surface, or shoulder if one exists, may be mowed at any time.
- 2) The entire right-of-way may be mowed from August 1<sup>st</sup> through August 31<sup>st</sup>.

Landowners not actively farming their own lands will be expected to contact their renters concerning the policy.



### BURNING GARBAGE IS ILLEGAL!!!

### RESIDENT ISSUED LETTER OF WARNING FOR ILLEGAL BURNING

Dakota County just notified the Township that a resident has been issued a Letter of Warning for violation of Dakota County Ordinance # 110, Solid Waste Management. Violators can face fines up to \$1,000 & 90 days in jail.

The County wants to remind people that it has been against the law to burn garbage since the 1980s. [Open Burning Prohibitions \(Minn. Stat. 88.171\)](#)

If you wish to burn anything, you must fill out a Minnesota Open Burning Permit. It can be obtained at the Northfield Area Fire & Rescue Service building located at 301 5<sup>th</sup> Street West, Northfield, MN 55057 (on the right-hand wall of the entrance) or by printing the PDF from the Northfield Area Fire & Rescue Service website at: <http://www.nafrrs.org>

Leave the completed permit at the Fire Station or e-mail it to [admin@nafrrs.org](mailto:admin@nafrrs.org) Permit must be approved & signed by the Fire Chief for it to be effective. Will be mailed to you after approval.



### THANKS FOR TWENTY YEARS OF CIVIC SERVICE & TOWNSHIP COMMITMENT

Doug Bakken resigned from the Planning Commission after almost twenty years of "the first Monday night of the month" meetings effective March 2018.

Doug resigned because he has taken on additional volunteer projects including his church council and something simply had to give. Doug's resignation, as he stated, "gives someone else an opportunity to learn about zoning and Township government."

Doug has lived and raised his family in Waterford for over fifty-one years. Doug will continue to serve on the Red Rose Cemetery Association and continue to enjoy Waterford for its beauty and its friendly neighbors.

Twenty years is a major commitment to Waterford and we thank you. Good luck on the church council.

**Please Note:** Every effort is made to provide accurate & complete information in this newsletter. Cannot guarantee that there will be no errors. Township Clerk makes no claims, promises or guarantees about the accuracy, completeness, or adequacy of the contents of the newsletters & expressly disclaims liability for errors & omissions in the contents. *Newsletter Creator, Editor & Publisher-Elizabeth Wheeler*