

**LYNDEN TOWNSHIP BOARD  
MONTHLY MEETING IN PERSON  
November 7, 2022**

Those present at the Lynden Township Hall were Supervisors Dave Johnson, Dennis Niemi and Tom Plaggerman, Clerk Jenny Schmidt and Treasurer Jean Schermer. James Kantor, Planning Administrator, was also present. Johnson called the meeting to order at 7:00 p.m. and led the pledge of allegiance. Johnson then asked for a moment of silence in remembrance of all Veterans in recognition of Veterans Day on Friday, Nov. 11, 2022.

Agenda: Johnson asked if there were any additions to the agenda from the Board or public. Niemi made a motion to approve the agenda, seconded by Plaggerman, all in favor, motion passed.

Board Meeting Minutes: The October 3, 2022, regular Twp. Board minutes were reviewed for approval. Plaggerman made a motion to approve meeting minutes, seconded by Niemi, all in favor, motion passed.

Treasurer's report: The report prepared by Treasurer Schermer was reviewed. Receipts totaled \$13,989.79; Disbursements totaled \$13,987.64; Ending Balance \$620,710.02, which includes \$198,553.47 of ARPA Funds. Johnson made a motion to accept the Oct treasurer's report and authorize the board to sign the CTAS forms including the Claims list, Net pay account distribution, and cash control statements; motion seconded by Plaggerman, all in favor, motion passed.

Planning Commission Appointment: Johnson made a motion to appoint Monte Helget to the Planning Commission for a five year term, seconded by Niemi, all in favor, motion passed. His term will expire in 2027.

JK Landscape Jerry Konz PID #19.10748.0130 (PID#10220.0010/19.10748.0128/19.10748.0117): The 3 Parcels have been consolidated with a new PID # 19.10748.0130. The inquiry in re vacating an easement was reviewed by Couri and he has provided the process. Plaggerman and Kantor will contact Konz. Official Building Inspector Nancy Scott received an updated certificate of survey and water/erosion analysis/plan and recommends our township Engineer review for land disturbance and MPCA implications. The Board indicates Stearns Co would work with MPCA. They question why/for what purpose would the survey go to our engineer? What opinion do we need from the engineer? Tabled to December.

Stearns Deputy Cole Thoma Calls for Service Updates: 58 calls from October 1 to present date. Calls include many thefts, break-ins, a fatal crash, and teaming up with co-responders for mental health calls. Thank you for your service Deputy Cole.

Kim Norlien sprinkler heads in right-of-way 20171 Lake Maria Rd PID #19.10543.0000: The administrative issue was resolved without the need for an administrative citation. The Board approved the settlement agreement drafted by Niemi. Clerk will mail the agreement to Norlien for signature and return.

Administrative Notice Thelen 295 Elderberry Rd PID #19.11054.0021: An administrative notice was issued on October 7 with a compliance deadline of November 5, 2022. Thelen did contact the clerk on Oct 25 and arranged for Supervisor Niemi to inspect the property on Nov 5. Niemi received pictures on Nov 5 showing majority compliance. Niemi allowed an extension until December frost for them to complete removal/restoration. Table to December.

Katheryn Lange – 21832 Co Rd 44 PID #1919.10515.0002: The matter is placed back on the agenda due to Johnson’s concerns that Lange was not truthful during the October meeting. An email from SCES indicates she needs an administrative split to get rid of the building restriction that is on this parcel. The previous owner states this was known when they closed on the property, no changes were made after closing, it was all within the confines of the sale. Johnson previously spoke with Twp Attorney Mike Couri and Couri recommended the Board not approve the request to move a building on the parcel. Plaggerman requests time to consult Couri. Niemi made a motion to table the review to the December meeting, seconded by Plaggerman, two in favor, Johnson abstains, motion passed.

SEH 5 Year Road Plan Written Quote: Niemi will contact two other firms. Tabled to Dec meeting.

American Rescue Plan Act (ARPA) Projects: Total funds received to date \$226,869.93. \$198,553.47 remaining.

- Rebate pending from Stearns Electric.
- Town Hall foundation repair: Niemi received an estimate bid from V. Garding & Sons Concrete Construction at \$7,960. Concrete Concepts estimate was previously received. Niemi made a motion to proceed with Concrete Concepts estimate in the amount of \$7,500 and to request completion in 2022. If work cannot be done in 2022, he will request the price be good for work in 2023, seconded by Plaggerman, all in favor, motion passed.

Purchase of Land for Township use: Twp Attorney Robert Ruppe provided a draft vacant land purchase agreement and draft resolution authorizing purchase of property from the City of St. Cloud, a six point nine four (6.94) acre parcel with a purchase price of \$66,500. Johnson made a motion to approve the purchase of the property, consistent with the advice of the attorney, with the funds being from ARPA, with costs such as survey, platting fees, title work, water, etc being further negotiated by Ruppe, seconded by Niemi, all in favor, motion passed. Johnson made a motion to approve Resolution 2022-04 and withhold the signature on the purchase agreement pending negotiations, seconded by Plaggerman, all in favor, motion passed.

Planning Commission Recommendations re: Preservation of Road Right of Way: The Planning Commission recommends this should be placed in the subdivision ordinance. Matter was tabled to December meeting as no response from 10-4-22 email to Couri regarding Couri providing language examples and/or template.

Planning Commission Review of Solar Energy Systems and Accessory Application Process: The Planning Commission recommends amending the MOU and giving the process back to Stearns County. Reference 2 F of the MOU. Johnson made a motion to amend the MOU to delete 2 F, seconded by Plaggerman, all in favor, motion passed. Clerk will notify SCES. Tabled to December.

Notice of Interest Hazard Mitigation Plan: Johnson was previously approved to pursue 2 projects identified in the hazard mitigation plan, those being sirens and dry hydrants, and to submit the Notice of Intent forms. Johnson requests Niemi and Plaggerman contact Annandale Fire and Clearwater Fire to obtain their respective support for the dry hydrant at Long Lake and/or whatever other location deemed appropriate. Johnson has already contacted the DNR which has preliminary approval about getting a de-watering permit for Long Lake.

Revisions to Ordinance #12 on Insurance request for Right of Way Permits: A motion to amend Ordinance #12 to update the current language in re insurance requirements relating to non homeowners for ROW permits was approved in Oct. meeting. Clerk Schmidt is to update the document and submit it for recording.

State Park Road Account Application (SPRA): Johnson submitted the application on Oct 30, 2022 with the expectation a decision will be made in April, 2023.

Rezoning Inquiry Carol Jones 18564 Lake Maria Rd PID #19.10290.0000: Jones submitted the application and \$325 Planning Commission Review fee. She is requesting her parcel be rezoned from A40 to R10. Planning Administrator James Kantor will convene Twp Planning Commission meeting and report back at December meeting.

Resolution 2022-03 Resolution Designating Annual Polling Place: Johnson made a motion to approve Resolution 2022-03, seconded by Niemi, all in favor, motion passed.

Management of Meetings: Recording, Publication and Retention: Johnson made a motion to follow the guidance and recommendations from Twp Atty Mike Couri, and adopt those recommendations as our Policy, seconded by Niemi, all in favor, motion passed.

Dept. of Transportation Strengthening Mobility Revolutionizing Transportation (SMART) Grants: Niemi made a motion to authorize Johnson to talk with vendor in email and Jodi Teich, targeting portable signs for 200 Str and Franklin Rd among other possible locations, seconded by Plaggerman, all in favor, motion passed.

Township Zoom Account Renewal: Johnson made a motion to renew our zoom account for a 12 month period, with funds (approximately \$150.00) being from the ARPA account, seconded by Niemi, all in favor, motion passed.

Building permits: 26 permits were reviewed from Building Inspector Nancy Scott. There are a total of 83 building permits in 2022; 3 new single family houses and overall 2022 valuation increase of permits of \$2,256,000.

Driveway Permits: None

Right of Way Work Permits: 2 Frontier permits are now in compliance with a new subcontractor identified (MAJ) to do the work to complete the job. (284 Craigway and 20824 Franklin). The \$900 penalty invoice has been paid by Frontier.

Correspondence: was reviewed which included:

- MATIT CLC (Comprehensive Liability Coverage) Change. Johnson will review
- Certificate of Liability Insurance – Central Minnesota Dust Control
- Certificate of Liability Insurance – Short Elliot Hendrickson (SEH)
- Progressive Policy Nov 2022 to Nov 2023 - Schabel Enterprises
- Notice of Approval by Stearns of Ordinance 640 amending Vacation Short Term Rentals
- Letter from City of Clearwater Ordinance 2022-08 Annexing Land owned by City in Lynden Township (Sportsman’s Park)
- SCES Notice PH Ordinance 646 Feedlot Setback and open air swine basin provision
- MN Dept of Revenue LBEA training
- TextMyGov Flyer

Review Bills and Claims for Approval

- Plaggerman made a motion to approve Johnson payroll & expense claim, seconded by Niemi, 2 in favor, Johnson abstained, motion passed.
- Johnson made a motion to approve Niemi payroll & expense claim, seconded by Plaggerman, 2 in favor, Niemi abstained, motion passed.
- Johnson made a motion to approve all other bills and claims, utilizing check numbers 8404 through 8428, inclusive; motion seconded by Niemi, all in favor, motion passed.

Meeting Dates:

- Planning Commission – as needed.
- Monthly Meeting – Monday, December 5, 7:00 PM

Johnson made a motion to adjourn the meeting, seconded by Niemi, all in favor, motion passed.  
Meeting adjourned at 9:00 p.m.

Respectfully submitted,

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Jenny Schmidt, Clerk

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David L. Johnson, Chair