

**LYNDEN TWP BOARD
MONTHLY MEETING IN PERSON
June 5, 2023**

Those present at the Lynden Twp Hall were Supervisors Tom Plaggerman, Dennis Niemi and Scott O’Konek, Deputy Clerk Kelli Schuh, and Treasurer Jean Schermer. James Kantor, Planning Administrator, was also present. Plaggerman called the meeting to order at 7:01 p.m. and led the pledge of allegiance.

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

Board Meeting Minutes: The May 1, 2023, Twp. Board minutes, May 8, 2023 Pany Public Hearing minutes, May 18, 2023 Road Tour, and May 18, 2023 Frederickson Public Hearings were reviewed for approval. Niemi made a motion to approve the meeting minutes, seconded by O’Konek, all in favor, motion passed.

Treasurer’s report: The report prepared by Treasurer Schermer was reviewed. Receipts totaled \$15,779.85; Disbursements totaled \$42,169.14; Ending Balance \$494,956.93, which includes \$112,771.47 of ARPA Funds. Plaggerman made a motion to accept the May 2023 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 O’Konek, all in favor, motion passed.

Stearns County Deputy Tyler Thunstedt: 70 service calls in May, 54 in April. No consistent issues that show a pattern emerging. Thank you for your service Deputy Thunstedt.

Anderson Trucking Variance and Conditional Use Permit Application 725 Opportunity Drive PID #19.10460.0020: Public Hearings for these matters are scheduled for the following date and times:

- Variance: June 28, 6:00 pm
- CUP: June 28, 6:15 pm

Anderson Trucking Minor Plat PID #19.10460.0020: The single lot plat was reviewed by the board. Plaggerman made a motion for the Board Chair and Deputy Clerk to sign the final plat for Anderson Trucking; motion seconded by O’Konek, all in favor, motion passed. The Twp will need a copy of the final plat for recording after all signatures have been collected.

Frederickson Variance 641 Cascade Rd, PID #19.10377.0004: The Lynden Twp Board of Supervisors held a public hearing on May 18, 2023 at 6:00 pm to consider a variance application submitted by Lee Frederickson for a detached accessory dwelling structure. At that meeting supervisor Plaggerman made a motion to table the matter to the June 5, 2023 monthly meeting to allow for review of the application and allow Supervisor Niemi to be present. The matter was recalled at the June 5 meeting and the findings of facts submitted by the planning commission were reviewed. After discussion, Plaggerman made a motion for the board to accept the

planning commission findings of fact for the Frederickson variance with a change to question #3 and the addition of the following three conditions; motion seconded by O’Konek, all in favor, motion passed.

1. Make proper application for construction site permit, building permits, electrical permits, as well as all county permits as required for any and all structures.
2. The detached accessory dwelling should not be a rental property without obtaining the legal permits by Stearns County and Lynden Twp.
3. The property owners of PID #19.10377.0004 shall indemnify, save, defend and hold harmless from any demands, claims or suits, Lynden Twp, it's officials, and employees from any liability for any injury or damage arising out of the actions or omissions of the Variance applicant, it's agents or sub-contractors, in performance of the work; or arising out of the granting of the Variance; or, any expense whatsoever incurred by the Town, incident to a claim or action brought or commenced by any person or entity arising there from.

O’Konek then made a motion to grant variance 7.23.2 for Frederickson with the conditions which were added to the findings of fact; motion seconded by Niemi, all in favor, motion passed.

JK Landscape Jerry Konz PID #19.10748.0130 : A second notice for cost of easement process will be sent by the clerk.

Tom Peterson Speed Zone Inquiry 4th Ave E: O’Konek will continue to research. Tabled to July meeting.

American Rescue Plan Act (ARPA) Projects: Total funds received to date \$226,869.93, with \$112,771.47 remaining.

- Town Hall Foundation Repair: Niemi has contracted Concrete Concepts to do the repairs.

Ordinance #7 Review: A public hearing has been scheduled for June 28, 7:00 pm to discuss changes to Lynden Twp Ordinance #7.

Permit Refund Policy: O’Konek and Plaggerman have checked with nearby Twps and the county and could not find any that have policies regarding permit refunds. Lynden Twp will review individual cases as needed.

Thelen Admin Notice Review 295 Elderberry Rd stumps in ROW: Niemi has asked Schendzielos to remove the stumps from the ROW.

Clean Up Day Review: 97 residents were served. Approximate income was \$1,123, minus \$325 to Explorers, so \$798. Approximate expenses were \$5,655. Potential SCORE Grant \$3000.

Spring Road Tour review and assignments: Gary Schmidt will cover signage; Niemi will cover roads, brush clearing and potholes; O’Konek will cover garbage.

Hakanson Anderson Proposal for Street Evaluation and Capital Improvement Plan (CIP)

Recommendation: Plaggerman made a motion to authorize the chair to sign the acceptance letter from Hakanson Anderson to develop a five-year road plan for the Twp, at a cost of \$10,000, which will be paid with ARPA funds; motion seconded by Niemi, all in favor, motion passed.

City of Clearwater request for joint meeting in re orderly annexation agreement: Due to the schedules of the Supervisors and the importance of the topic, O’Konek will write a letter inviting the City of Clearwater to come meet with the Town Board of Supervisors in September.

Twp Hall Study Group: A link to sign up to participate in the study group has been posted on the Twp website.

Lynden Twp Shelter in Place and Emergency Executive Order Review: Plaggerman made a motion to rescind resolution 2020-01: Resolution Establishing the Ability to Conduct Open Meetings by Telephone and 2020-02: Resolution Declaring an Emergency as a result of the Minnesota Governor’s emergency order being expired; motion seconded by O’Konek, all in favor, motion passed.

Planning Commission Reappointment: Niemi made a motion to appoint Jeff Westrum to the Planning Commission for a five-year term; seconded by Plaggerman, all in favor, motion passed. His term will expire in 2028.

Vimeo Review: Plaggerman made a motion to utilize YouTube instead of Vimeo to store Twp videos for public viewing because it is a free service; seconded by O’Konek, all in favor, motion passed.

Review pay schedule for multiple meetings in one day: Plaggerman made a motion that in situations where there are multiple meetings on the same date, and the start time of the meetings are an hour or less apart, and the total meeting time does not exceed four hours, for payroll purposes this will be paid out as one meeting. When the combined total of the meetings exceeds four hours, each meeting will be billed separately; seconded by Niemi, all in favor, motion passed.

Review Retention Schedule for Website: O’Konek made a motion to edit the website Treasurer’s Report, removing everything prior to January of 2023; seconded by Plaggerman, all in favor, motion passed. Plaggerman made a motion that videos uploaded to YouTube will be available until the next scheduled monthly meeting; seconded by O’Konek, all in favor, motion passed.

Building permits: 19 permits were reviewed from Building Inspector Nancy Scott for the month of May. There are a total of 48 building permits issued in 2023; 4 new single family houses and overall 2023 valuation of \$4,252,000 per her report.

Driveway Permits and Right of Way Work Permits: 1 Driveway request pending, 0 ROW permits.

Correspondence: was reviewed which included:

- City of Clearwater – Resolution 2023-23: Accepting Donation for Library from Lynden Twp
- Stearns Co Board of Commissioners – Notification of a public hearing to consider enactment of ordinance #651, an ordinance amending ordinance #230
- Townhall meeting with Local Representatives at Albany Senior Center on June 20, 6:30 pm
- Comments to the Board, submitted by Building Inspector Nancy Scott
- Minnesota Association of Twps – Re: Membership Cards

Review Bills and Claims for Approval:

- Plaggerman made a motion to approve O’Konek payroll claim, seconded by Niemi, 2 in favor, O’Konek abstained, motion passed.
- Plaggerman made a motion to approve Niemi payroll & expense claim, seconded by O’Konek, 2 in favor, Niemi abstained, motion passed
- Niemi made a motion to approve Plaggerman payroll claim, seconded by O’Konek, 2 in favor, Plaggerman abstained, motion passed.
- Plaggerman made a motion to approve all other bills and claims, utilizing check numbers 8566 through 8596, inclusive; motion seconded by O’Konek, all in favor, motion passed.

Meeting Dates 2023:

- Planning Commission – as needed
- Public Hearing Anderson Trucking – June 28, 6:00 p.m.
- Public Hearing Anderson Trucking – June 28, 6:15 p.m.
- Public Hearing Ordinance #7 – June 28, 7:00 p.m.
- Monthly Meeting – July 3, 7:00 p.m.

Plaggerman made a motion to adjourn the meeting, seconded by O’Konek, all in favor, motion passed. Meeting adjourned at 10:39 p.m.

Respectfully submitted,

Kelli Schuh, Deputy Clerk

Thomas Plaggerman, Chair