

**LYNDEN TOWNSHIP BOARD
MONTHLY MEETING IN PERSON
AUGUST 7, 2023**

Those present at the Lynden Township Hall were Supervisors Tom Plaggerman, Dennis Niemi and Scott O’Konek, Clerk Jenny Schmidt, and Treasurer Jean Schermer. James Kantor, Planning Administrator, was also present. Plaggerman called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

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

Board Meeting Minutes: The July 3, 2023 Board minutes and July 19, 2023 Special Meeting minutes were reviewed for approval. O’Konek made a motion to approve the meeting minutes, seconded by Niemi, all in favor, motion passed.

Treasurer’s report: The report prepared by Treasurer Schermer was reviewed. Receipts totaled \$19,524.72; Disbursements totaled \$29,930.69; Ending Balance \$525,143.42, which includes \$112,771.47 of ARPA Funds. Niemi made a motion to accept the July 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.

Speed Zone Inquiry 4th Ave E: Vistad of Hakanson Anderson Engineering Firm submitted a 4th Ave E Rural Residential Speed Zone memo indicating the township may work with our Twp Attorney to adopt the speed limit over the rural residential district if we want to move forward on this. O’Konek will follow up with Couri for a recommended resolution.

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

- Town Hall Foundation Repair: Repair is scheduled for August
- O’Konek and Clerk Schmidt to prepare estimate for sign and post purchases
- Street Capital Improvement Plan (CIP) pending with Hakanson Anderson Engineering

City of Clearwater request for joint meeting in re orderly annexation agreement (OAA): On July 19 at a Special meeting, Twp Attorney Couri provided general information regarding OAA’s. A Special Meeting will be held on September 12 at the Lynden Town Hall with the City of Clearwater. Plaggerman made a motion to authorize expenditure of approximately \$650.00 for a 4x6 postcard mailing notifying residents of this special meeting, and to allow the issuance of a check for postage outside of a regularly scheduled meeting, seconded by O’Konek, all in favor, motion passed.

Twp Hall Study Group: 1 resident signed up to participate in the study group. Niemi informed.

Clean Up Day SCORE Grant: The grant supporting documents have been submitted by O’Konek.

Review Retention Schedule (RRS) for Website (Audio/Video): Lynden Township adopted the Minnesota Association of Townships (MAT) Record Retention Schedule in 2006. Once adopted, it automatically includes any updates approved by the state, meaning that the most recent version approved by the state (2021) is now the version that is effective for the Township. There is no need for the Township to adopt the most recent version. Per Twp Attorney Couri, the MN League of Cities Record Retention Schedule is not an option for townships but we can adopt an amendment to the standard schedule and this amendment allows audio/video recordings to be deleted 3 months after the minutes are approved. Plaggerman made a motion to adopt an amendment to the standard retention schedule to for recordings – audio and video, to be destroyed 3 months after the minutes are approved, seconded by Niemi, all in favor, motion passed. Clerk will submit the amendment to Couri for processing.

Draft Letter of recommendation to Stearns Co regarding Off-Premise Signs (billboards): During review of ordinances, and more specifically Stearns County Ordinance #439 7.25.7 A, Off-premise Signs (billboards) in regards to the size in relation to speed, the Lynden Planning Commission suggested the Lynden Board send a letter to SCES recommending that the total sign surface be increased along highways in speeds greater than 60 miles per hour for safety. A standard size billboard that is recommend is 14 feet by 48 feet. The ordinance should allow 672 square feet per sign face limiting each location / sign to two faces. Both O’Konek and Kantor have researched for additional facts, scenarios and studies to support any request that may be made and found nothing. Remove from agenda.

Ordinance #7 Review and Ordinance Fee Schedule: A public hearing was held June 28 and changes to Lynden Twp Ordinance #7 were discussed which included correctly aligning the duties of Planning and Zoning with other government organizations in the area, aligning headings of the ordinance with Stearns County Ordinance #439 and removing the need for a variance for a detached accessory dwelling, but keeping the requirement for a conditional use permit. Permits and permit fees were also reviewed. The final version was reviewed by the Board and Ordinance #7 revisions from the June 28th public hearing were accepted. Twp Attorney Couri performed a review and made recommendations for changes to the ordinance fee schedule. Those changes included in part escrow deposits for a CUP/IUP, VAR, Zoning. Discussions included varying escrow amounts, how to determine escrow amount, and local costs increasing too much. Tabled to September to allow research on fees over the last 2 years.

July 2023 MATIT Newsletter for Property Appraisals: Niemi assigned.

Request for tree trimming: Beachwood Rd and Dover Rd: Dover Rd tree had been identified during the spring road tour. Niemi has notified Schendzielos of this. He has also notified Schendzielos to remove the stumps in the road ROW on Elderberry (Thelen). Republic Services has requested trees be trimmed on Beachwood. This is a private road, not maintained by the township. Clerk will notify Republic they need to reach out to the residents themselves.

Astech Bid for Sealcoat 200 Str E to Co Rd 145, Edison Cir, 202nd Str, 21st Ave: Niemi requests approval of this proposal. The \$73,780 would come out of the general road and bridge fund since the 200 Str and 6th Ave project that was budgeted for in 2022 and 2023 is not moving forward at this time. Plaggerman made a motion to approve the sealcoat expenditure, not to exceed \$73,780, seconded by Niemi, all in favor, motion passed. Plaggerman also makes a motion to

authorize Niemi to attend the LRIP seminars and to work with Jodi Teich, Stearns Co Highway to submit road project grants, seconded by O’Konek, all in favor, motion passed.

Fall Road Tour: September 26, 1:00 p.m.

Barry Hample Moratorium Request: Hample requests the Board reconsider enacting a moratorium to impose limitations on accessory building square footage in platted residential developments on lot sizes of three acres or less. This same request was raised in Nov, 2021, with a special meeting being held that same month. No moratorium or ordinance was enacted at that time. Today residents raised concerns Woodsedge Addition is seeing buildings such as shouse’s, pole sheds, rentals, storage units, and machinery stored outside. They state there were covenants in place when the plat was approved by the Lynden Board and everyone should still follow them. Liebelt, the owner of the shed at 323 Craigway Rd, confirms the covenants were provided to him, which he followed. The shed will be used for storage and is set back far enough to allow for any future home to be within the covenant guidelines. Niemi states covenants are between the landowners and the developer, the Township is not involved. He suggests a home owners association be formed to address concerns. Plaggerman reviewed Woodsedge Addition as well as other additions within the township and found that there are several properties within these developments that are larger than the 3 acre benchmark proposed for the moratorium, that would not be restricted more than what is currently allowed. In short, large sheds would still be allowed in the development even with the proposed moratorium. While the Twp does issue a permit for a structure, it does not get involved with covenants. Plaggerman also confirmed with the Stearns Co Assessor, in relation to valuations, that their office has not seen a downward trend in valuation due to pole sheds. Everything is still selling. He does not believe it is in the best interests of the Board to create a rule for 1 addition that would encompass the entire township. The Lynden Planning Commission is aware of this request and will review it at their next meeting on August 21 and provide any recommendations they may have to the Lynden Board. SCES is also reviewing Ordinance #439 in re accessory buildings and is looking for individuals to attend their workshop.

Building permits: 17 permits were reviewed from Building Inspector Nancy Scott for the month of July. There are a total of 81 building permits issued in 2023; 6 new single family houses, 1 billboard and overall 2023 valuation of \$7,041,800 per her report. An email address of building@lydentownship.net will be a portal for building inquiries to comply with retention.

Driveway Permits and Right of Way Work Permits: None

Planning and Zoning Updates: 1 request for rezoning and 1 TDR inquiry

Correspondence: was reviewed which included:

- SCES Draft Ordinance #654 Ordinance Regulating the Use of Cannabis
- MAT District 5 meeting notice
- Certificate of Liability Insurance Republic Services
- Xcel Energy Transmission Line (Niemi will invite them to the Sept meeting)

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 and expense claims, seconded by O’Konek, 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 8618 through 8634, inclusive; motion seconded by O’Konek, all in favor, motion passed.

Meeting Dates 2023:

- Planning Commission – August 21, 6:00 p.m.
- Monthly Meeting – September 5, 7:00 p.m.
- Special Meeting – September 12, 6:00 p.m.
 - Preliminary joint meeting to discuss and gauge interest in re an Orderly Annexation Agreement with the City of Clearwater
- Fall Road Tour – September 26, 1:00 p.m.

Plaggerman made a motion to adjourn the meeting, seconded by O’Konek, all in favor, motion passed. Meeting adjourned at 9:59 p.m.

Respectfully submitted,

Jenny Schmidt, Clerk

Thomas Plaggerman, Chair