

**LYNDEN TOWNSHIP BOARD
MONTHLY MEETING IN PERSON
April 3, 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. John Matthees, Joe Pany and Schendzielos Agreement were added. Plaggerman made a motion to approve the amended agenda, seconded by Niemi, all in favor, motion passed.

Board Meeting Minutes: The March 6, 2023, Twp. Board minutes, March 15 Board of Canvass, and March 27 Reorganizational meeting minutes were reviewed for approval. O’Konek made a motion to approve these meeting minutes, seconded by Niemi, all in favor, motion passed.

Treasurer’s report: The report prepared by Treasurer Schermer was reviewed. Receipts totaled \$48,472.04; Disbursements totaled \$24,426.80; Ending Balance \$681,582.70, which includes \$198,553.47 of ARPA Funds. Discussion included a request from resident David L Johnson that Draft minutes and Draft treasurer report be placed on web and that the public packet include treasurer claim list and cash control statement. The request will be reviewed. Plaggerman made a motion to accept the March 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 Niemi, all in favor, motion passed.

JK Landscape Jerry Konz PID #19.10748.0130 (PID#10220.0010/19.10748.0128/19.10748.0117): The Final billing for this easement action has been received from Couri. Invoicing to Konz is pending. Andrew Vistad of Hakenson Anderson Engineering Firm is present. He has started his review and will have a report submitted soon. If the findings from the Engineer reflect the impervious surface is not exceeded, Building Inspector Scott could then move forward with the construction site permits for the poured slab (stop work order issue), for the demolition of the house, and an after the fact building permit for the existing shed.

Township Engineer and 5 Year Road Plan Written Quote: The Hakenson Anderson Engineering Firm agreement has been executed. Vistad will review all the township roads once the frost is out and will work with Niemi for the development of a 5 year road plan. They will discuss the potential 2023 projects and determine if they can move forward this year.

American Rescue Plan Act (ARPA) Projects: Total funds received to date \$226,869.93, with \$185,346.47 remaining after the Clearwater-Clearlake Food Shelf \$11,207 donation and the Clearwater Library \$2000 donation

- The Purchase of Land for Township Use project expenses will have \$66,500 for land only; upon completion of purchase, all expenses drawn from American Rescue Plan Act (ARPA) funds and the tax supported budget will be replenished accordingly. Closing date tentative for April 14 or April 21

- Town Hall Foundation Repair

Purchase of Land for Township use: Plat was recorded on 3/30/2023 12:50 pm. Lynden Township Hall - S1406. Document number: 1650769. Tentative closing date in April.

Finalize Twp Cleanup Day: Explorer's have been contacted for their support again this year. Niemi made a motion to authorize expenditure of not more than \$40 for refreshments for the crew, seconded by Plaggerman, all in favor, motion passed.

Inquiry Property Use/Store Trucks Indoors 21018 Franklin Road, PID #19.10487.0000 & 19.10482.0000: Neither the Clerk nor the Planning Administrator received a submission. Strike.

Central Minnesota Dust Control: Niemi made a motion to accept the pricing estimate of not to exceed \$62,000 total cost, \$1.06/gallon, with an application date of May 16-17, seconded by O'Konek. This estimate does not include any fee for applying water if that is necessary. Resident David L Johnson suggests the water be drawn from ponds or rivers to keep costs down. The DNR Hydrologist says you can take up to 10,000 gallons per week without a permit. Resident Jerry Duncan indicates Clearwater tried this a few years ago and it did not go well and you also should consider the turn around time with the process. O'Konek prefers the process being all inclusive so we are not pulling permits. Niemi will review this with Schabel to keep the process as cost effective as possible. Motion called for vote: all in favor, motion passed.

Noxious Weed Meeting April 5, 2023: Plaggerman made a motion to authorize O'Konek to participate, attend this meeting in Waite Park and be reimbursed for expenditures, time and mileage, seconded by Niemi, all in favor, motion passed.

Schendzielos Summer Road Contractor Services Agreement: Exhibit A and Exhibit B rates, specification standards and performance deadlines for 2023 were approved last month. The Agreement has been signed by Schendzielos. Plaggerman made a motion to authorize Chair and Clerk to sign the agreement, updating the contact information to the current board members, seconded by Niemi, all in favor, motion passed.

Certificate of Compliance – Stier/Frederickson 641 Cascade Rd, PID #19.10377.0012, 19.10377.0004, 19.10377.0011: The \$325 Planning Commission Review fee has been paid. Kantor will arrange for a site visit and prepare findings for the Board. Tabled to May meeting.

Conditional/Interim Use Permit Application Stier/Frederickson 641 Cascade Rd, PID #19.10377.0012, 19.10377.0004, 19.10377.0011: The \$750 Application fee has been paid but the application has not yet been reviewed and accepted as complete. Kantor will review and follow up with applicant. A variance may also be needed. Tabled to May meeting.

Certificate of Compliance – John Matthees 16789 Co Rd 145 PID #19.10360.0000: Administrative Subdivision inquiry. Matties presented a brief explanation to the Board and was referred to James Kantor, Planning Administrator for the process. No application or fee was received.

Tom Peterson Speed Zone Inquiry 4th Ave E: Peterson not present. The Board reviewed the information received from Stearns Co Engineer Jodi Teich which included the speed limit/zone

statute 169.14, 169.011 and options for this process. Discussion included whether the road qualifies under rural residential district and enforcement. Niemi made a motion to table item to May meeting to allow additional research, seconded by Plaggerman, all in favor, motion passed.

Stearns Co Clerk/Treasurer Training April 18: Niemi made a motion to authorize Clerk and Treasurer to participate, attend this training and be reimbursed for expenditures, time and mileage, seconded by Plaggerman, all in favor, motion passed.

Variance Application Joe Pany 21206 Franklin Rd PID #19.10723.0016: The \$750 Application fee has been paid. Kantor will arrange for a site visit and prepare findings for the Board. Public hearing set for May 8, 6:00 p.m. Resident David L Johnson raises concern in re the previous 3rd driveway permit that was denied and suggested review by Attorney Alsop. Niemi will follow up.

Official Building Inspector Nancy Scott Review: Resident David L Johnson requests the Board advertise for potential building officials. Scott was hired as part of an RFP process and the time is right to go thru that same process again. He has not been satisfied with her performance and others have expressed the same to him. Examples include a permit application from May 2022 still reflects processed on her spreadsheet, and a siding permit in Woodsedge has been outstanding for 5 years. He states there is no follow up on permits. Sherburne Co gets an inspection done within a week. Resident Julie Duncan indicates her shed was inspected 1 time rather than the 3 she expected. Johnson reviewed the March permit report and there appears to be an error in calculating the valuations.

Building permits: 4 permits were reviewed from Building Inspector Nancy Scott. There are a total of 12 building permits issued in 2023; 1 new single family houses and overall 2023 valuation of \$2,023,000 per her report. Clerk and Treasurer also noticed the error in calculations and did have a verbal conversation with Scott in re this number. Scott verbally modified her valuation to \$1,076,000 and will file a corrected report. Clerk will invite Scott to the May monthly meeting to discuss the issues raised. Approval of building permits tabled to May meeting.

Driveway Permits and Right of Way Work Permits: 1 Driveway request Pany 21206 Franklin Rd PID #19.10723.0016. Variance Application pending. 0 ROW permits.

Correspondence: was reviewed which included:

- Stearns Co Land Services 2023 Road Construction Projects - Niemi
- Couri & Ruppe Legal Seminar June 1, Albertville City Hall. Niemi makes a motion to authorize Supervisors to participate, attend and be reimbursed for expenditures, seconded by Plaggerman, all in favor, motion passed.
- City of St Cloud BioSolids Management Program
- 2014 Interim Use Permit Ergen Annual medical statement – PID #19.10898.0000

Review Bills and Claims for Approval:

Resident David L Johnson states his dissatisfaction with the reorganizational meeting decisions in re rate increases and expresses that this should have been discussed at the annual meeting, in an open forum, with the taxpayers. There should have been a targeted goal. Now the next opportunity to adjust this is at the 2024 annual meeting. Chair Plaggerman indicates research was done and the recent MAT Training supported compensation at no less than minimum wage.

- Plaggerman made a motion to approve Johnson payroll claim, seconded by Niemi, all in favor, 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 O’Konek payroll claim, seconded by Niemi, 2 in favor, O’Konek abstained, motion passed.
- Plaggerman made a motion to approve all other bills and claims, utilizing check numbers 8515 through 8541, inclusive; motion seconded by Niemi, all in favor, motion passed.

Meeting Dates 2023:

- Local Board of Equalization and Appeal – April 11, 6:00 p.m.
- Planning Commission – April 20, 3:00 p.m. See Separate notice
- Land Use and Zoning Training – April 20, 5:30 p.m. Stearns Co Service Center
- Township Cleanup Day – April 29, 8:00 – 11:00 a.m. Clearwater Twp Hall on MN Hwy 24.
- Monthly Meeting – May 1, 7:00 p.m.
- Public Hearing Pany Variance – May 8, 6:00 p.m.
- Couri & Ruppe Legal Seminar – June 1, 9:00 a.m. Albertville City Hall

Niemi made a motion to adjourn the meeting, seconded by O’Konek, all in favor, motion passed.
Meeting adjourned at 9:28 p.m.

Respectfully submitted,

Jenny Schmidt, Clerk

Thomas Plaggerman, Chair