

**LYNDEN TOWNSHIP BOARD
MONTHLY MEETING IN PERSON
May 1, 2023**

Those present at the Lynden Township Hall were Supervisors Tom Plaggerman, Dennis Niemi and Scott O’Konek, Clerk Jenny Schmidt, Deputy Clerk Kelli Schuh, 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. Minor Plat for Anderson Trucking was added. O’Konek made a motion to approve the amended agenda, seconded by Niemi, all in favor, motion passed.

Board Meeting Minutes: The April 3, 2023, Twp. Board minutes and April 11, 2023 LBEA meeting minutes 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 \$3,637.66; Disbursements totaled \$163,874.14; Ending Balance \$521,346.22, which includes \$112,771.47 of ARPA Funds. Niemi made a motion to accept the April 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.

Certificate of Compliance – Stier/Frederickson 641 Cascade Rd, PID #19.10377.0012, 19.10377.0004, 19.10377.0011: It is noted an application was received and the \$325 fee has been paid. The Planning Commission performed a site visit on April 24, 2023, and met that same day to review the application. At that meeting, the planning commission unanimously recommended approval of the administrative subdivision and to issue a Certificate of Compliance. Plaggerman made a motion to approve the Certificate of Compliance, seconded by O’Konek, all in favor, motion passed.

Conditional Use Permit and Variance Applications Stier/Frederickson 641 Cascade Rd, PID # 19.10377.0004: The following public hearings have been set for these matters:

- Variance: May 18, 2023 6:00 p.m.
- Conditional Use Permit: May 18, 2023 6:15 p.m.

Certificate of Compliance – John Matthees 16789 Co Rd 145 PID #19.10360.0000: It is noted an application was received and the \$325 fee has been paid. The Planning Commission performed a site visit on April 20, 2023, and met that same day to review the application. At that meeting, the planning commission unanimously recommended approval of the administrative subdivision and to issue a Certificate of Compliance. Plaggerman made a motion to approve the Certificate of Compliance, 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 Twp Engineer, Andrew Vistad, received and reviewed a lot survey dated November 2, 2022

for the JK Landscaping site and his findings regarding impervious surface coverage were reviewed. The Engineer would like to do a site visit to verify there have been no changes to the property since the lot survey was completed in November of 2022. Niemi will work with Jerry Konz and the Engineer to set up a site visit.

Tom Peterson Speed Zone Inquiry 4th Ave E: Peterson was present at the meetings to share his concerns about the set speed limit of 55 mph along 4th Ave E. 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. Supervisor O’Konek did research to see if the road qualifies under rural residential district and enforcement and presented his findings. Planning Administrator Kantor suggested sending the information to the Twp Engineer to review. O’Konek will follow-up. Niemi made a motion to table item to June, seconded by Plaggerman, all in favor, motion passed.

Minor Plat - Anderson Trucking PID #19.10460.0020: Scott Follett, representing Anderson Trucking, was informed told by Stearns County that when the property was split in 2005 no minor plat was done so one is required now. Kantor indicates the PC recently reviewed this property for the rezoning review and recommends a single lot plat review by the Board, waive the \$350 fee, waive the PC review. The Board reviewed a map of the property. Niemi made a motion for the Board to approve the minor plat, and since there are no changes being made to the property, waive the \$350 fee and waive the review of the Planning Commission, O’Konek seconded, all in favor, motion passed. Follett met with Kantor to begin the CUP process for the billboard.

Review of Building Permit Process with Nancy Scott, Allspec: Building Inspector Nancy Scott came before the Board to speak on multiple matters:

- A rebuttal to comments made about her performance and the building permit process by township resident, Dave Johnson, at the March 2023 Board meeting.
- The Lynden form for applying for a construction site permit was reviewed. The form is the same, or similar, to what is used by Stearns County. Scott brought up concerns that the language on the form can be somewhat confusing and as a result, the form is sometimes submitted incomplete and/or incorrect. The Board will compare the form to applications used by neighboring townships to see where improvements can be made.
- Scott had a question about subdivisions where over an acre of land will be disturbed. The current ordinance is not clear whether this rule applies to each individual permit or if it applies to the project as a whole. Plaggerman will check with the County and the Twp Engineer and get back to Scott with an answer.

Permit Refund Policy: Building Inspector Nancy Scott made a recommendation to the board to discuss and formalize a permit refund policy. The matter will be tabled until the June meeting to give Plaggerman time to check with the Twp Attorney and to speak with surrounding townships to see how they handle refunds.

MOU between County of Stearns and Lynden Township in re the authority for permitting Accessory Dwelling Units.: Currently Stearns County requires a Conditional Use Permit and the Township requires a variance. In hopes of simplifying the process, Planning Administrator Kantor

is asking the Board if Lynden Township can eliminate the variance requirement. A workshop with the Planning Commission has been scheduled for May 15, 6:00 p.m. to discuss potential changes.

American Rescue Plan Act (ARPA) Projects: Total funds received to date \$226,869.93, with \$112,771.47 remaining after the Purchase of Land for Township Use which totaled \$72,575.00

- Town Hall Foundation Repair: Niemi spoke with Concrete Concepts and their bid from fall of 2022 has not changed. Since the amount has not changed, the motion made in November 2022 approving the cost of the repair still stands. Niemi will work with Concrete Concepts to get the repair scheduled.

Purchase of Land for Township use: The closing was April 20, 2023. Board Chair Plaggerman and Clerk Schmidt were present to sign. A volunteer subgroup may be formed.

Pilgrim Pride Hauling Permit: The annual permit for hauling on 155th Street was reviewed. The permit fee of \$100.00 has been paid. The condition of the road was discussed and will be monitored, and the Township reserves the right to have their Engineer come look at it if they feel it is necessary. Niemi made a motion to approve the permit, seconded by O’Konek, all in favor, motion passed.

City of Clearwater Fire Contract – Invoice #1712: An invoice for the 2023 fire contract with the City of Clearwater was reviewed. The invoice included a deficit from 2022. Plaggerman reached out to the City of Clearwater for details on the deficit and was told it was due to increasing costs, the expense of training new members along with the fact that CWFD income was less than expected due to the credit issued in 2022 because in 2021 they came in under budget. Our contract with the fire department allows for an annual credit or deficit.

Stearns Co Emergency Management (SCEM) Services Damage Assessment Tool: SCEM now has a mobile tool that can be used to document and submit photos of any damage experienced in the area. The user guide was reviewed.

Township Legal Seminar: A township legal seminar will be presented by Couri & Ruppe Law Office on June 1, 2023 at the Albertville City Hall. James Kantor, Planning Administrator, would like to attend. Plaggerman made a motion for Kantor to attend the June 1st seminar and be reimbursed for expenditures, time and mileage, seconded by Neimi, all in favor, motion passed.

Review Live Stream Meeting Practice: Per advice from the Twp Attorney, a change to the way the township monthly meeting is broadcast was discussed. The Attorney recommends discontinuing the live stream on Facebook and finding either a live stream that is view only or recording the meetings, and then posting a link on the township website for anyone that would like to view the meeting. This would replace the livestream on the township Facebook page. James Kantor presented two options for video storage and access to the board, YouTube and Vimeo. Kantor recommends Vimeo because there are no ads. Plaggerman made a motion to discontinue livestreaming of the monthly meeting on Facebook. Going forward, meetings will be recorded, uploaded to Vimeo for storage, and a link to the video posted on the township website. Niemi seconded, all in favor, motion passed.

Township Maintenance – Bobcat Rental for Sign Repair: The board discussed renting a bobcat to assist with sign removal and repair in the township. O’Konek made a motion to approve rental of a bobcat not to exceed \$700, Niemi seconded, all in favor, motion passed.

Building permits: 17 permits were reviewed from Building Inspector Nancy Scott for the month of April. There are a total of 29 building permits issued in 2023; 2 new single family houses and overall 2023 valuation of \$2,121,000 per her report.

Driveway Permits and Right of Way Work Permits: 2 Driveway request pending, 0 ROW permits.

Correspondence: was reviewed which included:

- SCES – Notification of the Stearns County Board of Commissioners approving a rezoning request for Anderson Trucking PID #19.10460.0020
- SCES – Notification of a public hearing to consider enactment of Ordinance Number 653, related to minor and major subdivisions
- Ingestion Pathway Regional Training to be held May 24, 2023 in Kimball MN
- A letter of thanks from Great River Regional Library for Lynden Twp’s support in 2022
- State of Minnesota – Order approving annexation ordinance Re: OAH 71-0331-39151 / MBAU A-8438 Clearwater/Lynden Township

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 & expense 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 8542 through 8565, inclusive; motion seconded by O’Konek, all in favor, motion passed.

Meeting Dates 2023:

- Public Hearing Pany Variance – May 8, 6:00 p.m.
- Planning Commission – May 15, 6:00 p.m.
- Spring Road Tour – May 18, 1:00 p.m.
- Public Hearing Fredrickson Variance – May 18, 6:00 p.m.
- Public Hearing Fredrickson CUP – May 18, 6:15 p.m.
- Couri & Ruppe Legal Seminar – June 1, 9:00 a.m. Albertville City Hall
- Monthly Meeting – June 5, 7:00 p.m.

O’Konek made a motion to adjourn the meeting, seconded by Niemi, all in favor, motion passed. Meeting adjourned at 10:04 p.m.

Respectfully submitted,

Kelli Schuh, Deputy Clerk

Thomas Plaggerman, Chair