

LYNDEN TOWNSHIP BOARD
MONTHLY MEETING IN PERSON
January 9, 2023

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.

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

Board Meeting Minutes: The December 5, 2022, regular Twp. Board minutes and December 16, 2022 Special Meeting minutes were reviewed for approval. Johnson made a motion to approve meeting minutes, seconded by Plaggerman, all in favor, motion passed.

Treasurer's report: The report prepared by Treasurer Schermer was reviewed. Receipts totaled \$253,892.35; Disbursements totaled \$122,518.11; Ending Balance \$734,200.35, which includes \$198,553.47 of ARPA Funds. Johnson made a motion to accept the December 2022 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. Mileage rate for 2023 is set at \$0.655.

Anderson Trucking Appl for Rezoning 725 Opportunity Dr PID #19.10460.0020: It is noted an application was received on Nov 15 and the \$325 fee has been paid. The Planning Commission ("PC") performed a site visit on Nov 30, 2022, and met that same day to review the application. At that meeting, the planning commission unanimously recommended approval of the request to rezone from A-40 to Industrial. The adjacent properties lying within St. Augusta are zoned industrial. Scott Follett was present representing Anderson Trucking. Stearns County has the parcel zoned commercial/utility; Lynden sees it zoned as A-40. As the PC mentioned, the other adjacent properties are already zoned Industrial and this property would then fall in that same category, and taxes have been set as such also. Johnson made a motion to approve the application to rezone and to provide that recommendation to Stearns Co, as it is consistent with the comprehensive plan, future land use designation and future land use factors, 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 3 Parcels have been consolidated with a new assigned PID #19.10748.0130. Konz submitted a new Petition to vacate drainage and utility easement via US Mail on January 4, 2023. The Petition has 8 valid signatures along with a survey depicting which easement to be vacated. Konz also signed the Agreement to pay costs associated with this process, and provided the \$1,250.00 payment. Niemi makes a motion to have Official Building Inspector Nancy Scott double the permit fee under her authority so that Konz can obtain his needed building permits. Plaggerman indicated we need to complete the vacating of the easement process before any permits can be issued, noting that the property line issue has been resolved with the consolidation of the parcels. Niemi's motion dies for lack of a second. Johnson made a motion to accept the Petition and to authorize Clerk and Chair to sign the Agreement to pay costs, seconded by Plaggerman, all

in favor, motion passed. Johnson made a motion to approve a resolution setting a public hearing, as drafted by Twp Attorney Couri, for Thursday, February 2 at 6:00 p.m., seconded by Plaggerman, all in favor, motion passed. 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. Niemi has asked Scott to send the survey to Short Elliot Hendrickson (SEH) Engineering Firm to complete this review.

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. Niemi received pictures on Nov 5 showing majority compliance, and allowed an extension until December frost for them to complete removal/restoration. Niemi completed a site visit on Nov 28, noted the removal/restoration was not completed, explained the 66 foot ROW, and allowed another extension, with a compliance deadline of December 28, 2022. Clerk sent an Amended Administrative Notice. Niemi indicates everything is compliance other than the stumps in the ROW. He requests authorization to have Schendzielos remove them as this would be consistent with any other tree in the ROW. Johnson suggests an encroachment agreement as we should not have any liability for whatever may happen. Discussion held as to whether the trees are rooted or not. Niemi made a motion to table the matter until February, seconded by Plaggerman, Niemi and Johnson in favor, Plaggerman opposed, motion passed.

Township Engineer and 5 Year Road Plan Written Quote: Hakanson Anderson Engineering Firm submitted a proposal. Nothing received from Design Tree nor Westwood Professional Services. Hakanson would take all aspects of our engineering needs, plus create and maintain a 5 year road plan. Johnson made a motion for Hakanson Anderson to submit a proposed contract, and for this contract to reviewed by Twp Atty Couri, seconded by Niemi, all in favor, motion passed.

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

- Clearwater Clearlake Food Shelf Donation request is under review by Couri in re to compliance with state statutes regarding donations.

Purchase of Land for Township use: The Vacant Land Purchase Agreement is under review by the St. Cloud City Attorney. Any suggested changes are to be reviewed by Twp Atty. Ruppe.

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. Niemi and Plaggerman have contacted Annandale Fire and Clearwater Fire to obtain their respective support for the dry hydrant at Long Lake and/or whatever other location deemed appropriate. To date, only Annandale has responded in the affirmative. Johnson has already contacted the DNR which has preliminary approval about getting a de-watering permit for Long Lake. Tabled to Feb.

Tri County Humane Society Contract: Johnson made a motion to approve the contract and to authorize the Chair and Clerk to sign, with the modification of declining payment for seized animals and a \$350 CAP annually, seconded by Niemi, all in favor, motion passed.

SCORE Grant 2023: Johnson made a motion to authorize a designated board member to make application for the 2023 SCORE Grant, seconded by Plaggerman, all in favor, motion passed.
Planning Discussion on Twp Cleanup Day: Plaggerman presented 2023 pricing from West Central Sanitation and a comparison from Clearlake. Clearwater Twp has preliminarily approved a date of April 29. Johnson made a motion to grant preliminary approval of the April 29 date and facility for the effort, and to authorize Plaggerman to continue negotiations with West Central, seconded by Niemi, all in favor, motion passed.

Planning Discussion on Twp Newsletter: Leuthard submitted her estimate. Johnson made a motion to grant preliminary approval for Plaggerman to work with Leuthard on the newsletter and to authorize Chair, Clerk and Treasurer to issues any necessary checks outside of a regularly scheduled meeting, with a target date of publication being February 28, seconded by Plaggerman, all in favor, motion passed.

Building permits: 3 permits were reviewed from Building Inspector Nancy Scott. There are a total of 89 building permits issued in 2022; 3 new single family houses and overall 2022 valuation increase of permits of \$2,262,000.

Driveway Permits and Right of Way Work Permits: None

Correspondence: was reviewed which included MN Pollution Control Agency Ntc of Intent to adopt rules for Water Quality Standards and SCES Newsletter.

Review Bills and Claims for Approval

- Niemi made a motion to approve Johnson payroll & expense claim, seconded by Plaggerman, 2 in favor, Johnson abstained, motion passed.
- Johnson made a motion to approve Niemi payroll claim, seconded by Plaggerman, 2 in favor, Niemi abstained, motion passed.
- Johnson made a motion to approve Plaggerman payroll claim, seconded by Niemi, 2 in favor, Plaggerman abstained, motion passed.
- Johnson made a motion to approve all other bills and claims, utilizing check numbers 8468 through 8485, inclusive; motion seconded by Plaggerman, all in favor, motion passed.

Meeting Dates:

- Planning Commission – as needed.
- Audit Meeting – Tuesday, January 24, 2023, 6:00 pm
- Budget Meeting – Tuesday, January 24, 2023, 6:30 pm
- Public Hearing on Easement Vacation KONZ– February 2, 6:00 p.m.
- Monthly Meeting – February 6, 7:00 p.m.

Johnson made a motion to adjourn the meeting, seconded by Plaggerman, all in favor, motion passed. Meeting adjourned at 8:46 p.m.

Respectfully submitted,

Jenny Schmidt, Clerk

David L. Johnson, Chair