

**Lynden Township, Stearns County  
Monthly Meeting - Proposed Agenda**

**FACEBOOK LINK – View only  
Monday, May 1, 2023 7:00PM**

- A. **Call the Meeting to Order**
- B. **Pledge of Allegiance**
- C. **Review for Approval May 1, 2023 Meeting Agenda**
- D. **Review for Approval April 3, 2023 Board Minutes, April 11 LBEA minutes**
- E. **Review for Approval April Treasurer's Report**
- I. **Unfinished Business**
  - 1. Certificate of Compliance – Stier/Frederickson 641 Cascade Rd, PID #19.10377.0012, 19.10377.0004, 19.10377.0011
  - 2. Certificate of Compliance – John Matthees JRML Limited Partnership 16789 Co Rd 145, PID #19.10360.0000
  - 3. JK Landscape Jerry Konz PID #19.10748.0130
  - 4. Inquiry Tom Peterson Speed Zone Inquiry 4th Ave E
  - 5. ARPA Projects and ARPA Reporting
  - 6. Purchase of Land for Township use
- II. **New Business**
  - 1. Review of Building Permit Process with Nancy Scott, AllSpec
  - 2. Permit Refund Policy (Official Building Inspector recommends)
  - 3. MOU between Co of Stearns and Lynden Twp – Twp authority for permitting Accessory Dwelling Units
  - 4. Pilgrams Pride Hauling Permit
  - 5. City of Clearwater Fire Contract Invoice #1712
  - 6. Stearns County Emergency Mgmt Services Damage Assessment Tool
  - 7. Township Legal Seminar June 1
  - 8. Review Live stream meeting practice
- III. **Review Building Permits**
- IV. **Review Driveway and Right of Way Permits Issued**
- V. **Planning and Zoning Updates**
- VI. **Review Correspondence**
- VII. **Review Bills and Claims for Approval**
  - 1. **Review for Approval O'Konek claims**
  - 2. **Review for Approval Niemi claims**
  - 3. **Review for Approval Plaggerman claims**
  - 4. **Review for Approval All Other Bills and Claims**
- VIII. **Meeting Dates**
  - 1. Planning Commission – As needed
  - 2. Spring Road Tour –
  - 3. Public Hearing Pany Variance -May 8, 6:00 p.m.
  - 4. Public Hearing Fredrickson Variance and CUP -
  - 5. Monthly Meeting – Monday, June 5, 7:00 p.m.
- IX. **Adjourn** - \*Agenda is Subject to Change in Content and/or Sequence

**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 Hakanson 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 3<sup>rd</sup> 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,

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Jenny Schmidt, Clerk

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Thomas Plaggerman, Chair

**LYNDEN TOWNSHIP  
STEARNS COUNTY  
STATE OF MINNESOTA  
LOCAL BOARD OF APPEAL AND EQUALIZATION  
APRIL 11, 2023 6:00 P.M.**

Those present in addition to appellants were Supervisors Tom Plaggerman, Dennis Niemi and Scott O’Konek. Stearns County Appraiser for Agriculture, Residential and Shoreland properties in Lynden Township, Mitch Determan; and, Kathy Korte, Stearns County Appraiser for Commercial Industrial. Also present is Town Clerk Jenny Schmidt.

Chair Plaggerman called the meeting to order at 6:00 p.m. and led the pledge of allegiance. Plaggerman reviewed *Minnesota Statutes, Section 274.01, subdivision 1a* and guidelines regarding the meeting. The record should reflect two (2) Supervisors have been certified as having completed the State Dept. of Revenue required training, which was verified by Stearns County records. Specifically, Plaggerman and Niemi, whose certification expires 7-1-2023.

There were 2 scheduled appointments (2 total parcels), 0 walk-ins, and 0 written correspondence.

The 2023 Assessment Overview from the Assessor is based on the results of the assessment sales ratio study covering the period from October 1, 2021 through September 30, 2022. There were 21 qualified sales during this time period, 12 off water and 9 on water. The sales indicated a median ratio of 91.7% based on sales activities. There was \$2,148,000 of new construction. This is down from \$5,471,800 a year ago.

The results of the Local Board of Appeal for 2023 are as follows:

<b>NAME</b>	<b>PARCEL#</b>	<b>ACTION</b>
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1. Mark Wilkens	19.10999.0051	
<p>Wilkens appeared as per appointment, contesting the valuation of \$920,100 of this 1.03 acre parcel. Wilkens argues that Stearns Co uses excessive sales ratio to justify its numbers and suggests assessing land value and home separate. Rather than comparing his property to 433 Beachwood, they could use 1223 &amp; 1257 Basswood. Construction is not yet complete, with approximately \$100,000 worth of projects pending. Determan indicates in June 2022 the County Board heard his appeal and granted a 2.4% value reduction from \$942,200 to \$920,100 and that value was held flat for 2023. He recommends no adjustment. Niemi is not comfortable comparing Stearns vs Wright properties and lake homes on different lakes. O’Konek and Plaggerman believe the valuation is accurate and adjustments have already been made. Similar to 2022 LBEA, an appraisal is absent. Niemi makes a motion for no change in value, seconded by Plaggerman, all in favor, motion passed.</p>		

<b>NAME</b>	<b>PARCEL#</b>	<b>ACTION</b>
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2. Anthony Thole	19.10962.0000	
<p>Thole did not appear. No action taken.</p>		

The Board acknowledges receipt of Determan's 4-11-2023, 2023 Assessment Report and waives the reading of it, but will include it as part of these minutes.

Plaggerman made a motion to adjourn the Board of Appeal and Equalization meeting, seconded by Niemi, all in favor, motion passed. Meeting adjourned at 7:05 p.m.

Respectfully Submitted,

Jenny Schmidt  
Lynden Township Clerk  
Attached 2023 Local Board of Appeal & Equalization Record and Packet



# Local Board of Appeal and Equalization

LBAE 2023

## Jurisdiction Information

<b>County</b>	<b>Jurisdiction</b>	<b>County Mailing Address</b>	<b>County MN Tax ID</b>
Stearns	Lynden	3301 County Road 138	8027413
<b>City</b>	<b>State</b>	<b>ZIP Code</b>	
Waite Park	MIN	56387	

## Overview of All Board Activity

Parcels Appealed	Parcels Reduced	Parcels Increased	Class Changes	Parcels Not Changed	% Change Total EMV
1	0	0	0	1	0.00%
<b>Total Change in EMV</b>				<b>Jurisdiction Total EMV</b>	
				391,262,200	

## Meeting

**Meeting Date**  
4/11/2023



## Board Activities

<b>Property Owner</b> Mark Wilkins	<b>Assessor Land EMV</b> 235,200	<b>Assessor Improvement</b> 684,800	<b>Assessor Total EMV</b> 920,000	<b>Assessor Class</b> 1a Residential Hmstd
<b>Parcel Id</b> 19.109990.0051	<b>Board Land EMV</b> 235,200	<b>Board Improvement</b> 684,800	<b>Board Total EMV</b> 920,000	<b>Board Class</b> 1a Residential Hmstd
<b>Appeal Code</b> P = Property Owner	<b>Changes to EMV</b> 0	<b>Type Of Change</b> No Change	<b>Explanation Of Change</b> No change	

## Certification

**Name**

Kelly Lane

**Email**

kelly.lane@co.stearns.mn.us

**Phone Number**

132-065-6368

**Submission Date**

4/12/2023

For the Period : 4/1/2023 To 4/30/2023

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$69,562.03	\$3,637.66	\$11,930.28	\$61,269.41	\$0.00	\$676.90	\$61,946.31
Road and Bridge	\$336,084.00	\$0.00	\$66,161.86	\$269,922.14	\$0.00	\$0.00	\$269,922.14
Federal Grants - COVID	\$198,553.47	\$0.00	\$85,782.00	\$112,771.47	\$0.00	\$0.00	\$112,771.47
Annandale Fire Fund	\$4,047.98	\$0.00	\$0.00	\$4,047.98	\$0.00	\$0.00	\$4,047.98
Clearwater Fire Fund	\$73,335.22	\$0.00	\$0.00	\$73,335.22	\$0.00	\$0.00	\$73,335.22
<b>Total</b>	<b>\$681,582.70</b>	<b>\$3,637.66</b>	<b>\$163,874.14</b>	<b>\$521,346.22</b>	<b>\$0.00</b>	<b>\$676.90</b>	<b>\$522,023.12</b>

Dennis Edwin Niemi	Town Supervisor	Date
Scott M O'Konek	Town Supervisor	Date
Thomas Plaggerman	Town Supervisor	Date

For the payroll period ending: 05/31/2023

<u>Account #</u>	<u>Employee #</u>	<u>Employee Name</u>	<u>Amount</u>
100-41110-103	33		
	36		
100-41425-103	15		
100-41510-103	37		
100-41910-103	31		

100-41110-103

Unallocated (Due to rounding)

Total For Period

\$4,490.83

Dennis Edwin Niemi

Town Supervisor

Date

Scott M O'Konek

Town Supervisor

Date

Thomas Plaggerman

Town Supervisor

Date

*Jenny Simon*  
*3 sup*

Date Range : 4/21/2023 To 4/21/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
04/21/2023	Stearns County Abstract and Title	Vacant Land Purchase	2029	\$72,575.00	203-46590-510-	Economic Development-COVID	\$72,575.00

Total For Selected Claims

\$72,575.00

\$72,575.00

Dennis Niemi

Town Supervisor

Date

Scott O'Konek

Town Supervisor

Date

Thomas Ploggerman

Town Supervisor

Date

Date Range : 5/1/2023 To 5/31/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
05/01/2023	Schabel Enterprise of Central Mn	Invoice 1787 Snow removal salt sand and \$3000 monthly service fee	2030	\$11,851.02	201-43110-300-	Road Maintenance	\$11,851.02
05/01/2023	M.L. Schendzielos and Sons Inc	Invoice 10580 grading compactor import class 5	2031	\$8,370.00	201-43122-312-	Unpaved Streets	\$8,370.00
05/01/2023	Republic Services	Invoice 0891-xxxxxx - April 555 Units at \$6.76	2032	\$3,751.80	100-43230-384-	Waste (Refuse) Collection	\$3,751.80
05/01/2023	AllSpec Services, LLC	April	2033	\$9,670.45	100-42401-300-	Building Inspections Administration	\$9,670.45
05/01/2023	Patriot News MN	Invoice 8632 8721 LBEA and Pany PH	2034	\$182.60	100-41130-300-	Ordinances and Proceedings	\$182.60
05/01/2023	Rengel Printing	2023 Newsletter Invoice 156019 Acct 2575	2035	\$579.80	100-41920-300-	Data Processing	\$579.80
05/01/2023	Penny Leuthard	2023 Newsletter	2036	\$540.00	100-41920-300-	Data Processing	\$540.00
05/01/2023	Minnesota Association of Townships	Short Course training for SUPs	2037	\$225.00	100-41110-310-	Council/Town Board	\$225.00
05/01/2023	Couri & Ruppe PLLP	town hall plat and general	2038	\$562.50	100-41610-300-	City/Town Attorney	\$562.50
05/01/2023	Dennis Niemi	April mileage and thermostat for town hall	2039	\$191.63	100-41110-331- 100-41110-223-	Council/Town Board Council/Town Board	\$84.59 \$107.04
05/01/2023	Tom Plaggeman	April mileage	2040	\$49.12			

Date Range : 5/1/2023 To 5/31/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
05/01/2023	Jeff Westrum	April mileage	2041	\$58.96	100-41110-331-	Council/Town Board	\$49.12
05/01/2023	James Kantor	Beacon subscription .org domain and mileage	2042	\$108.78	100-41910-331-	Planning and Zoning	\$58.96
05/01/2023	Jenny Schmidt	mileage for training and vacant land purchase	2043	\$35.10	100-41910-433- 100-41910-331-	Planning and Zoning Planning and Zoning	\$14.00 \$94.78
					100-41425-331-	Clerk	\$35.10
<b>Total For Selected Claims</b>				<b>\$36,176.76</b>			<b>\$36,176.76</b>

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<b>Dennis Niemi</b>	<b>Town Supervisor</b>
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<b>Scott O'Konek</b>	<b>Town Supervisor</b>
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<b>Thomas Plaggerman</b>	<b>Town Supervisor</b>
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Public Packet

April 30, 2023

Lynden Township  
c/o Jenny Schmidt  
20517 Woodbine Road  
Clearwater, MN 55320

RE: Monthly Billing Statement – April 2023

### BUILDING PERMIT SUMMARY

PERMIT #	DATE	OWNER / LOCATION	PROJECT DESCRIPTION	VALUATION
13-23	4/7/23	Jacob Pridgeon 22184 Frankfurt Road	Reside	1,000.00
14-23	4/10/23	Janice Vierzba 133 Elderberry Road	Reshingle	1,000.00
15-23	4/10/23	David Fanger 1794 216 <sup>th</sup> ST,	Reshingle	1,000.00
16-23	4/15/22	Lisa Pridgeon 751 200 <sup>th</sup> St. E	Windows	1,000.00
17-23	4/10/23	Myron Vait 18822 CR 145	Reshingle	1,000.00
18-23	4/20/23	John Austin 3048 Fulton Circle	Reshingle	1,000.00
19-23	4/17/23	Kevin Matz 20728 Woodbine Rd.	Reshingle	1,000.00
20-23	4/10/23	Jim Klaverkamp 19004 Woolston Ct.	Reshingle	1,000.00
21-23	4/11/23	Mark Hoffarth 20445 Elmwood	Shed	200,000.00
22-23	4/10/23	Brad Meyer 18595 Eaglewood	Reshingle	1,000.00



23-23	4/10/23	Jeremy Voigt 18722 Eaglewood Rd	Reshingle	1,000.00
24-23	4/10/23	Jason Neuman 1812 Danforth	Reshingle	1,000.00
25-23	4/25/23	Kyle/Amanda Runingen 18993 CR 44	Dwelling & Garage	830,000.00
26-23	4/20/23	Marcus Anderson 1786 216 <sup>th</sup> ST. E.	Reshingle	1,000.00
27-23	4/30/23	Gary / Jenny Schmidt 20517 Woodbine Rd	Reshingle	1,000.00
28-23	4/30/23	Tom Orth 19134 Lake Maria Rd.	Reshingle	1,000.00
29-23	4/15/23	Andrea Pelowski 18542 Driftwood	Reshingle	1,000.00

<b>Total Permits This Month</b>	<b>4</b>
<b>Total Permits Year-To-Date</b>	<b>12</b>
<b>Total Single Family This Month</b>	<b>0</b>
<b>Total Single Family Year-To-Date</b>	<b>1</b>
<b>Total Valuation This Month</b>	<b>1,045,000.00</b>
<b>Total Valuation Year-To-Date</b>	<b>2,121,000.00</b>

## BUILDING PERMIT FEE SUMMARY

April 2023

PERMIT #	PERMIT FEE	PLAN REVIEW FEE	SURCHARGE	TOTAL
13-23	25.00	0.00	1.00	26.00
14-23	25.00	0.00	1.00	26.00
15-23	25.00	0.00	1.00	26.00
16-23	25.00	0.00	1.00	26.00
17-23	25.00	0.00	1.00	26.00
18-23	25.00	0.00	1.00	26.00
19-23	25.00	0.00	1.00	26.00
20-23	25.00	0.00	1.00	26.00
21-23	1,200.00	780.00	100.00	2,080.00
22-23	25.00	0.00	1.00	26.00

23-23	25.00	0.00	1.00	26.00
24-23	25.00	0.00	1.00	26.00
25-23	4,980.00	3,237.00	415.00	8,632.00
26-23	25.00	0.00	1.00	26.00
27-23	25.00	0.00	1.00	26.00
28-23	25.00	0.00	1.00	26.00
29-23	25.00	0.00	1.00	26.00
<b>TOTALS</b>	<b>6,555.00</b>	<b>4,017.00</b>	<b>530.00</b>	<b>11,102.00</b>

### PLUMBING PERMIT SUMMARY

April 2023

PERMIT #	DATE	APPLICANT / ADDRESS	SURCHARGE	AMOUNT
3-23p	4/30/23	Rudningen 18993 CR 44	1.00	290.00
		<b>TOTAL</b>	<b>1.00</b>	<b>290.00</b>

### MECHANICAL PERMIT SUMMARY

April 2023

PERMIT #	DATE	APPLICANT / ADDRESS	SURCHARGE	AMOUNT
3-23m	4/30/23	Geothermal 18993 CR 44	1.00	223.00
4-23m	4/30/23	Precise 18016 CR 145	1.00	40.00
		<b>TOTAL</b>	<b>2.00</b>	<b>263.00</b>

Public Packet

March 30, 2023

Lynden Township  
c/o Jenny Schmidt  
20517 Woodbine Road  
Clearwater, MN 55320

RE: Monthly Billing Statement – March 2023 - CORRECTED

### BUILDING PERMIT SUMMARY

PERMIT #	DATE	OWNER / LOCATION	PROJECT DESCRIPTION	VALUATION
9-23	3/20/23	Heather Parker 1490 Donaghue Drive	Windows	1,000.00
10-23	3/20/23	Heather Parker 1490 Donaghue Drive	Reshingle	1,000.00
11-23	3/18/23	Granite City Iron 2458 200 <sup>th</sup> St. E.	Commercial Reroof	126,000.00
12-23	3/21/23	Andy Koshiol 19827 CR 44	Reshingle	1,000.00

<b>Total Permits This Month</b>	<b>4</b>
<b>Total Permits Year-To-Date</b>	<b>12</b>
<b>Total Single Family This Month</b>	<b>0</b>
<b>Total Single Family Year-To-Date</b>	<b>1</b>
<b>Total Manufactured Homes This Month</b>	<b>0</b>
<b>Total Mf'd Homes Year-To-Date</b>	<b>0</b>
<b>Total Valuation This Month</b>	<b>129,000.00</b>
<b>Total Valuation Year-To-Date</b>	<b>1,076,000.00</b>

## BUILDING PERMIT FEE SUMMARY

March 2023

PERMIT #	PERMIT FEE	PLAN REVIEW FEE	SURCHARGE	TOTAL
9-23	25.00	0.00	1.00	26.00
10-23	25.00	0.00	1.00	26.00
11-23	756.00	491.40	63.00	1,310.40
12-23	25.00	0.00	1.00	26.00
<b>TOTALS</b>	<b>831.00</b>	<b>491.40</b>	<b>66.00</b>	<b>1,388.40</b>

## PLUMBING PERMIT SUMMARY

March 2023

PERMIT #	DATE	APPLICANT / ADDRESS	SURCHARGE	AMOUNT
2-23p	3/31/23	Augusta 2638 Fulton Circle	1.00	40.00
		<b>TOTAL</b>	<b>1.00</b>	<b>40.00</b>

## MECHANICAL PERMIT SUMMARY

March 2023

PERMIT #	DATE	APPLICANT / ADDRESS	SURCHARGE	AMOUNT
3-23m				
		<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>

March 30, 2023

Lynden Township  
c/o Jenny Schmidt  
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12-23	3/21/23	Andy Koshiol 19827 CR 44	Reshingle	1,000.00

<b>Total Permits This Month</b>	<b>4</b>
<b>Total Permits Year-To-Date</b>	<b>12</b>
<b>Total Single Family This Month</b>	<b>0</b>
<b>Total Single Family Year-To-Date</b>	<b>1</b>
<b>Total Manufactured Homes This Month</b>	<b>0</b>
<b>Total Mf'd Homes Year-To-Date</b>	<b>0</b>
<b>Total Valuation This Month</b>	<del>\$ 129,000.00</del> 1,076,000.00
<b>Total Valuation Year-To-Date</b>	<del>\$ 1,074,000.00</del> 2,023,000.00

## BUILDING PERMIT FEE SUMMARY

March 2023

PERMIT #	PERMIT FEE	PLAN REVIEW FEE	SURCHARGE	TOTAL
9-23	25.00	0.00	1.00	26.00
10-23	25.00	0.00	1.00	26.00
11-23	756.00	491.40	63.00	1,310.40
12-23	25.00	0.00	1.00	26.00
<b>TOTALS</b>	<b>831.00</b>	<b>491.40</b>	<b>66.00</b>	<b>1,388.40</b>

## PLUMBING PERMIT SUMMARY

March 2023

PERMIT #	DATE	APPLICANT / ADDRESS	SURCHARGE	AMOUNT
2-23p	3/31/23	Augusta 2638 Fulton Circle	1.00	40.00
		<b>TOTAL</b>	<b>1.00</b>	<b>40.00</b>

## MECHANICAL PERMIT SUMMARY

March 2023

PERMIT #	DATE	APPLICANT / ADDRESS	SURCHARGE	AMOUNT
3-23m				
		<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>

# LYNDEN TOWNSHIP CERTIFICATE OF COMPLIANCE

The undersigned, being the duly authorized and acting Clerk of the Township of Lynden, County of Stearns, Minnesota, does hereby certify that on the 1st day of May, 2023 the Township Board did review a proposed document conveying to Brent Stier and Krista Stier, the real estate described below which is located in the Township of Lynden, County of Stearns, Minnesota.

This Certificate of Compliance certifies that the parcel split and subdivision resulting from the proposed conveyance described above complies as of this date with the Lynden Township Subdivision Ordinance 8 and Zoning Ordinances 7 regarding such split or subdivision. This Certificate of Compliance relates exclusively to the split or subdivision of the property described herein and is not intended and shall not be construed to be a consent or representation as to the compliance of the property with any other portion of the Lynden Township Ordinances, which compliance is the responsibility of and obligation of the owner of the property.

Name of Property Owner(s): Brent Stier, Krista Stier Lee Frederickson

Parcel Number(s): 19.10377.0012

Property Address: Cascade Rd, South Haven, MN 55382

Legal description of parcel(s) being subdivided: 5 Acres, That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27 which lies South of the following described line: beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet; thence Southwesterly for a distance of 882.90 feet to the Southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet and there terminating, containing 5.17 acres, together with and subject to a non-exclusive easement for roadway purposes over that part of said South Half of the Southeast Quarter which lies within 33 feet on either side of the following described line and within 66 feet of the following described point of termination: beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of termination; said roadway easement and rights therein and thereto as more fully contained in a roadway easement agreement entered into by the parties as owners of lands adjacent thereto; and subject to the declaration of restrictive covenants dated November 11, 1974, filed for record November 13, 1974 and recorded in Book 123 of Miscellaneous Records, page 557.

Description of request: Administrative Split by the Parties as per Stearns County

Resultant acreage, ownership and legal descriptions:

**Area to be transfered to PID: 19.10377.0011:**

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

**Area to be transfered to PID: 19.10377.0004:**

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, which lies South of the following described line: Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet; thence Southwesterly for a distance of 882.90 feet to the Southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet and there terminating,

EXCEPT

That part of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

**Proposed Parcel A Description:**

That part of the West 548.00 feet of the East 1162.00 feet of the North 1013.00 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, which lies South of the following described line: Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 82.64 feet to the West line of said East 1162.00 feet and there terminating, containing 5.02 acres; together with and subject to, a perpetual easement for roadway purposes over that part of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, which lies within 33 feet on either side of the following described line and within 66 feet of the following



described point of termination: Beginning at the point of intersection the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of termination, all in Stearns County, Minnesota

AND

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, which lies South of the following described line: Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet; thence Southwesterly for a distance of 882.90 feet to the Southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet and there terminating,

EXCEPT

That part of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

**Proposed Parcel B Description:**

That part of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the east line of said South Half of the Southeast Quarter and the south line of the North 617.00 feet thereof; thence West, parallel with the north line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence northwesterly, deflecting 28 degrees 05 minutes 53 seconds to the right for a distance of 624.67 feet more or less to the north line of said South Half of the Southeast Quarter; thence West along said north line for a distance of 343.39 feet more or less to the west line of said East 1980.48 feet; thence South along said West line of said East 1980.48 feet for a distance of 365.00 feet; thence southeasterly for a distance of 721.72 feet more or less to the point of beginning.

AND:

That part of the North 1013.00 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence Northwesterly for a distance of 721.72 feet more or less to a point on the West line of said East 1980.48 feet distant 365.00 feet South of the North line of said South Half of the Southeast Quarter; thence South along said West line of the East 1980.48 feet for a distance of 648.98 feet more or less to the South line of the North 1013.00 feet of said South Half of the Southeast Quarter; thence Northeasterly for a distance of 882.90 feet more or less to the point of beginning. Together with and subject to a non-exclusive easement for roadway purposes over that part of the said South Half of the Southeast Quarter which lies within 33 feet on either side of the following described line and within 66 feet of the following described point of termination. Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.07 feet; thence Northwesterly deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of termination; said roadway easement and rights therein and thereto as more fully contained in a roadway easement agreement entered into by the parties as owners of lands adjacent thereto, recorded in Book 66 of Assignments and Agreements, page 404 and subject to the declaration of restrictive covenants dated November 11, 1974, filed for record November 13, 1974, and recorded in Book 123 of Miscellaneous Records, page 557.

AND

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

**See Attachment 1**

Date: \_\_\_\_\_

\_\_\_\_\_  
Tom Plaggerman  
Chair, Lynden Township Board of Supervisors

Attest: \_\_\_\_\_

Jenny Schmidt  
Clerk, Lynden Township

Township Seal:

**Lynden Township Certificate of Compliance Attachment 1**

**Tract A:**

5 Acres owned by Lee Frederickson with a legal description as follows:

**Existing Frederickson Description (Trustee's Deed - Doc. No. A1421337):**  
(PID: 19.10377.0004)

That part of the West 548.00 feet of the East 1162.00 feet of the North 1013.00 feet of the S1/2 of the SE1/4 of Section 20, Township 122, Range 27, which lies South of the following described line: Beginning at the point of intersection of the East line of said S1/2 of the SE1/4 and the South line of the North 617.00 feet thereof; thence West parallel with the North line of said S1/2 of the SE1/4 for a distance of 1088.70 feet; thence Northwesterly deflecting 28°22'40" to the right for a distance of 82.64 feet to the West line of said East 1162.00 feet and there terminating, containing 5.02 acres; reserving, however, a perpetual easement for roadway purposes over that part of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, which lies within 33 feet on either side of the following described line and within 66 feet of the following described point of termination: Beginning at the point of intersection the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28°22'40" to the right for a distance of 202.50 feet to the point of termination, to be used in common by the grantees herein and others having like right, all in Stearns County, Minnesota.

**Area to be transferred to PID: 19.10377.0004:**

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, which lies South of the following described line: Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West, parallel with the North line of said South Half of the

Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet; thence Southwesterly for a distance of 882.90 feet to the Southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet and there terminating,

EXCEPT

That part of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

**Proposed Parcel A Description:**

That part of the West 548.00 feet of the East 1162.00 feet of the North 1013.00 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, which lies South of the following described line: Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 82.64 feet to the West line of said East 1162.00 feet and there terminating, containing 5.02 acres; together with and subject to, a perpetual easement for roadway purposes over that part of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, which lies within 33 feet on either side of the following described line and within 66 feet of the following described point of termination: Beginning at the point of intersection the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of termination, all in Stearns County, Minnesota

AND

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, which lies South of the following described line: Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet; thence Southwesterly for a distance of 882.90 feet to the Southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet and there terminating,

EXCEPT

That part of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

**Tract B:**

5 Acres owned by Brent Stier and Krista Stier with a legal description as follows:

Existing Stier Description (Trustee's Deed - Doc. No. A1641642):  
(PID: 19.10377.0012)

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27 which lies South of the following described line: beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet; thence Southwesterly for a distance of 882.90 feet to the Southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet and there terminating, containing 5.17 acres, together with and subject to a non-exclusive easement for roadway purposes over that part of said South Half of the Southeast Quarter which lies within 33 feet on either side of the following described line and within 66 feet of the following described point of termination: beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of termination; said roadway easement and rights therein and thereto as more fully contained in a roadway easement agreement entered into by the parties as owners of lands adjacent thereto; and subject to the declaration of restrictive covenants dated November 11, 1974, filed for record November 13, 1974 and recorded in Book 123 of Miscellaneous Records, page 557.

**Tract C:**

10 Acres owned by Brent Stier and Krista Stier with a legal description as follows:

**Existing Stier Description (Trustee's Deed - Doc. No. A1606502):**

(PID: 19.10377.0011)

That part of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the east line of said South Half of the Southeast Quarter and the south line of the North 617.00 feet thereof; thence West, parallel with the north line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence northwesterly, deflecting 28 degrees 05 minutes 53 seconds to the right for a distance of 624.67 feet more or less to the north line of said South Half of the Southeast Quarter; thence West along said north line for a distance of 343.39 feet more or less to the west line of said East 1980.48 feet; thence South along said West line of the East 1,980.48 feet for a distance of 365.00 feet; thence southeasterly for a distance of 721.72 feet more or less to the point of beginning.

AND:

That part of the North 1013.00 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence Northwesterly for a distance of 721.72 feet more or less to a point on the West line of said East 1980.48 feet distant 365.00 feet South of the North line of said South Half of the Southeast Quarter; thence South along said West line of the East 1980.48 feet for a distance of 648.98 feet more or less to the South line of the North 1013.00 feet of said South Half of the Southeast Quarter; thence Northeasterly for a distance of 882.90 feet more or less to the point of beginning. Together with and subject to a non-exclusive easement for roadway purposes over that part of the said South Half of the Southeast Quarter which lies within 33 feet on either side of the following described line and within 66 feet of the following described point of termination. Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.07 feet; thence Northwesterly deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of termination; said roadway easement and rights therein and thereto as more fully contained in a roadway easement agreement entered into by the parties as owners of lands adjacent thereto, recorded in Book 66 of Assignments and Agreements, page 404 and subject to the declaration of restrictive covenants dated November 11, 1974, filed for record November 13, 1974, and recorded in Book 123 of Miscellaneous Records, page 557

**Area to be transferred to PID: 19.10377.0011:**

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

**Proposed Parcel B Description:**

That part of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the east line of said South Half of the Southeast Quarter and the south line of the North 617.00 feet thereof; thence West, parallel with the north line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence northwesterly, deflecting 28 degrees 05 minutes 53 seconds to the right for a distance of 624.67 feet more or less to the north line of said South Half of the Southeast Quarter; thence West along said north line for a distance of 343.39 feet more or less to the west line of said East 1980.48 feet; thence South along said West line of said East 1980.48 feet for a distance of 365.00 feet; thence southeasterly for a distance of 721.72 feet more or less to the point of beginning.

AND:

That part of the North 1013.00 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence Northwesterly for a distance of 721.72 feet more or less to a point on the West line of said East 1980.48 feet distant 365.00 feet South of the North line of said South Half of the Southeast Quarter; thence South along said West line of the East 1980.48 feet for a distance of 648.98 feet more or less to the South line of the North 1013.00 feet of said South Half of the Southeast Quarter; thence Northeasterly for a distance of 882.90 feet more or less to the point of beginning. Together with and subject to a non-exclusive easement for roadway purposes over that part of the said South Half of the Southeast Quarter which lies within 33 feet on either side of the following described line and within 66 feet of the following described point of termination. Beginning at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617 feet thereof; thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.07 feet; thence Northwesterly deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of termination; said

roadway easement and rights therein and thereto as more fully contained in a roadway easement agreement entered into by the parties as owners of lands adjacent thereto, recorded in Book 66 of Assignments and Agreements, page 404 and subject to the declaration of restrictive covenants dated November 11, 1974, filed for record November 13, 1974, and recorded in Book 123 of Miscellaneous Records, page 557.

AND

That part of the North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet of the South Half of the Southeast Quarter of Section 20, Township 122, Range 27, Stearns County, Minnesota, described as follows: Commencing at the point of intersection of the East line of said South Half of the Southeast Quarter and the South line of the North 617.00 feet thereof, thence West, parallel with the North line of said South Half of the Southeast Quarter for a distance of 1088.70 feet; thence Northwesterly, deflecting 28 degrees 22 minutes 40 seconds to the right for a distance of 202.50 feet to the point of beginning of the land to be described; thence southwesterly for a distance of 882.90 feet to the southwest corner of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 feet; thence easterly along the south line of said North 1013.00 feet of the West 818.48 feet of the East 1980.48 for a distance of 186.57 feet; thence northeasterly for a distance of 735.59 feet more or less to the point of beginning.

DRAFT



# LYNDEN TOWNSHIP CERTIFICATE OF COMPLIANCE

The undersigned, being the duly authorized and acting Clerk of the Township of Lynden, County of Stearns, Minnesota, does hereby certify that on the 1<sup>st</sup> day of May, 2023 the Township Board did review a proposed document conveying to JRML Limited Partnership, the real estate described below which is located in the Township of Lynden, County of Stearns, Minnesota.

This Certificate of Compliance certifies that the parcel split and subdivision resulting from the proposed conveyance described above complies as of this date with the Lynden Township Subdivision Ordinance 8 and Zoning Ordinances 7 regarding such split or subdivision. This Certificate of Compliance relates exclusively to the split or subdivision of the property described herein and is not intended and shall not be construed to be a consent or representation as to the compliance of the property with any other portion of the Lynden Township Ordinances, which compliance is the responsibility of and obligation of the owner of the property.

Name of Property Owner(s): JRML Limited Partnership

Parcel Number(s): 19.10360.0000

Property Address: 16789 County Road 145 South Haven MN 55382

Legal description of parcel(s) being subdivided: 160 Acres, W 1/2 of NE 1/4 & E 1/2 NW 1/4 Section 19, Township 122, Range 027

Description of request: Administrative Split by the Parties as per Stearns County

Resultant acreage, ownership and legal descriptions:

**See Attachment 1**

Date: \_\_\_\_\_

\_\_\_\_\_  
Tom Plaggerman  
Chair, Lynden Township Board of Supervisors

Attest: \_\_\_\_\_  
Jenny Schmidt  
Clerk, Lynden Township

*Township Seal:*

**Lynden Township Certificate of Compliance Attachment 1**

**Tract A:**

10.19 Acres owned by JRML Limited Partnership with a legal description as follows:

**LEGAL DESCRIPTION FOR PARCEL A:**

Those parts of Northwest Quarter of the Northeast Quarter and of the Northeast Quarter of the Northwest Quarter of Section 19, Township 122 North, Range 27 West, Stearns County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence southerly on an assumed bearing of South 00 degrees 28 minutes 25 seconds East, along the west line of said Northwest Quarter of the Northeast Quarter, a distance of 649.25 feet to the point of beginning of land to be described; thence North 90 degrees 00 minutes 00 seconds East, a distance of 993.28 feet; thence South 00 degrees 00 minutes 00 seconds East to the intersection with the centerline of County Road Number 145; thence westerly and northwesterly, along said centerline, to the intersection with a line which bears South 90 degrees 00 minutes 00 seconds West from the point of beginning; thence easterly to the point of beginning.

The centerline of County Road Number 145 is more particularly described as commencing at the northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 19; thence southerly, along the east line of said Northeast Quarter of the Northeast Quarter, a distance of 48.10 feet; thence southwesterly, deflecting to the right 51 degrees 35 minutes 11 seconds, a distance of 1211.53 feet; thence westerly a distance of 1981.02 feet along a tangential curve, concave to the north, having a radius of 1442.30 feet and central angle of 78 degrees 41 minutes 48 seconds; thence northwesterly, tangent to said curve, a distance of 553.76 feet; thence northwesterly along a tangential curve, concave to the southwest, having a radius of 1803.82 feet to the west line of said Northeast Quarter of the Northwest Quarter and said centerline there terminating.

**Tract B:**

34.05 Acres owned by JRML Limited Partnership with a legal description as follows:

**LEGAL DESCRIPTION FOR PARCEL B:**

Those parts of the Northwest Quarter of the Northeast Quarter and of the Northeast Quarter of the Northwest Quarter of Section 19, Township 122 North, Range 27 West, Stearns County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence southerly on an assumed bearing of South 00 degrees 28 minutes 25 seconds East, along the west line of said Northwest Quarter of the Northeast Quarter, a distance of 649.25 feet to the point of beginning of land to be described; thence North 90 degrees 00 minutes 00 seconds East, a distance of 993.28 feet; thence South 00 degrees 00 minutes 00 seconds East to the intersection with the centerline of County Road Number 145; thence northeasterly, along said centerline, to the east line of said Northwest Quarter of the Northeast Quarter; thence northerly, along said east line, to the northeast corner of said Northwest Quarter of the Northeast Quarter; thence westerly, along the north lines of said Northwest Quarter of the Northeast Quarter and of said

Northeast Quarter of the Northwest Quarter, to the northwest corner of said Northeast Quarter of the Northwest Quarter; thence southerly, along the west line of said Northeast Quarter of the Northwest Quarter, to the intersection with the centerline of said County Road Number 145; thence southeasterly, along said centerline, to the intersection with a line which bears South 90 degrees 00 minutes 00 seconds West from the point of beginning; thence easterly to the point of beginning.

The centerline of County Road Number 145 is more particularly described as commencing at the northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 19; thence southerly, along the east line of said Northeast Quarter of the Northeast Quarter, a distance of 48.10 feet; thence southwesterly, deflecting to the right 51 degrees 35 minutes 11 seconds, a distance of 1211.53 feet; thence westerly a distance of 1981.02 feet along a tangential curve, concave to the north, having a radius of 1442.30 feet and central angle of 78 degrees 41 minutes 48 seconds; thence northwesterly, tangent to said curve, a distance of 553.76 feet; thence northwesterly along a tangential curve, concave to the southwest, having a radius of 1803.82 feet to the west line of said Northeast Quarter of the Northwest Quarter and said centerline there terminating.

**Tract C:**

117.84 Acres owned by JRML Limited Partnership with a legal description as follows:

**PROPOSED LEGAL DESCRIPTION FOR PARCEL C**

Those parts of the West Half of the Northeast Quarter and of the East Half of the Northwest Quarter of Section 19, Township 122 North, Range 27 West, Stearns County, Minnesota, described as follows:

Beginning at the southeast corner of said West Half of the Northeast Quarter; thence northerly, along the east line of said West Half of the Northeast Quarter, to the intersection with the centerline of County Road Number 145; thence westerly and northwesterly, along said centerline, to the west line of said East Half of the Northwest Quarter; thence southerly, along the west line of said East Half of the Northwest Quarter, to the southwest corner of said East Half of the Northwest Quarter; thence easterly, along the south lines of said East Half of the Northwest Quarter and of said West Half of the Northeast Quarter, to the point of beginning.

The centerline of County Road Number 145 is more particularly described as commencing at the northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 19; thence southerly, along the east line of said Northeast Quarter of the Northeast Quarter, a distance of 48.10 feet; thence southwesterly, deflecting to the right 51 degrees 35 minutes 11 seconds, a distance of 1211.53 feet; thence westerly, a distance of 1981.02 feet along a tangential curve, concave to the north, having a radius of 1442.30 feet and central angle of 78 degrees 41 minutes 48 seconds; thence northwesterly, tangent to said curve, a distance of 553.76 feet; thence northwesterly along a tangential curve, concave to the southwest, having a radius of 1803.82 feet to the west line of said East Half of the Northwest Quarter and said centerline there terminating.

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE COUNTY OF STEARNS  
AND THE TOWN OF LYNDEN**

**WHEREAS**, Stearns County Land Use and Zoning Ordinance, Number 439 was effective June 22, 2010; and

**WHEREAS**, Town of Lynden has adopted a zoning ordinance, entitled "Lynden Township Land Use and Zoning Ordinance Number 7" which is duly recorded in the Office of the Stearns County Recorder; and

**WHEREAS**, Minnesota Statutes, Section 394.33 provides that after the adoption of official controls for a county by the Board of County Commissioners, "Board", no town shall enact or enforce official controls inconsistent with or less restrictive than the standards prescribed in the official controls adopted by the Board; and

**WHEREAS**, It has been determined that specified provisions of the Town of Lynden's zoning ordinance entitled "Lynden Township Land Use and Zoning Ordinance Number 7" or successor ordinances are consistent with, as restrictive or more restrictive than Stearns County Land Use and Zoning Ordinance Number 439; and

**WHEREAS**, the County of Stearns ("County") and Town of Lynden ("Town") recognize the importance of cooperating on land use issues in order to: promote and protect the public health, safety, welfare and morals; promote and provide for the orderly development of agricultural, residential, commercial, industrial, recreational and public areas and land uses; preserve agricultural land and animal agriculture; conserve natural and scenic areas of the County; conserve natural resources and open space; and provide official controls to implement the goals and policies included in the respective comprehensive plans of the respective units of government; and

**WHEREAS**, the County and Town desire to enter into a Memorandum of Understanding in order to provide an opportunity to cooperate in administering zoning within the County for the purpose of ensuring better consistency in land use regulations and in the implementation of those regulations; and

**WHEREAS**, the County and Town desire to enter into a Memorandum of Understanding to ensure mutual understanding of each party to this Memorandum of their respective duties and responsibilities related to land use issues; and

**WHEREAS**, the permitting process may involve provisions enforced by the County and provisions enforced by the Town; and

**WHEREAS**, this Memorandum of Understanding is intended to replace the previous Memorandum of Understanding signed by the Town of Lynden on 8/6/18 and the County Board on 8/21/18.

**NOW THEREFORE IT IS AGREED**, by the County of Stearns and the Town of Lynden that those sections of Stearns County Land Use and Zoning Ordinance Number 439; or successor ordinance enacted by reference as a part of Lynden Township Land Use and Zoning Ordinance Number 7 shall apply within the Town of Lynden.

**IT IS FURTHER AGREED**, by the County of Stearns and the Town of Lynden to cooperate in administering their land use controls as set out in Attachment 1 of this Memorandum of Understanding and the Land Use and Zoning Ordinance.

**IT IS FURTHER AGREED**, this Memorandum of Understanding may be terminated by mutual agreement, however, if the parties are unable to mutually agree, then any party can unilaterally without cause terminate the Memorandum of Understanding on ninety (90) days' written notice.

County of Stearns

Date: \_\_\_\_\_

By: \_\_\_\_\_

Steven L. Notch, Chair  
Stearns County Board of Commissioners

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Randy R. Schreifels  
Stearns County Auditor-Treasurer  
Clerk  
Stearns County Board of Commissioners

Town of Lynden

Date: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_, Chair

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Jenny Schmidt, Clerk

## ATTACHMENT 1

### A. *Administrative Provisions*

1. The Town shall have jurisdiction over the following *permitted uses* outside of any Shoreland Overlay, Floodplain Overlay or Scenic River District of the Town:

#### Agricultural and Residential Districts

- A. Agricultural operations
- B. Limited agricultural uses
- C. Public and private forest and game management areas
- D. Signs – non-commercial, on premise, subject to the conditions of Section 7.25 of this Ordinance
- E. Single family residential dwelling units
- F. Single family residential dwelling unit subject to the conditions of Section 7.33 of this Ordinance
- G. Wind Energy Conversion Systems (less than or equal to 40KW)

#### Commercial and Industrial Districts

- A. Bait shops
- B. Beauty shops
- C. Bowling alleys
- D. Brick and tile manufacturing
- E. Cement production
- F. Community buildings
- G. Financial institutions
- H. Funeral homes, mortuaries
- I. General manufacturing
- J. Golf courses and club houses
- K. Grain and seed sales and storage
- L. Grocery stores
- M. Health clubs
- N. Landscape, nursery, greenhouse or garden sales
- O. Laundromats
- P. Light manufacturing
- Q. Motor vehicle repair
- R. Offices, clinics
- S. Retail uses conducted entirely within a building
- T. Self service storage facilities
- U. Stone milling
- V. Theatres, amusement parks
- W. Truck terminal - small
- X. Veterinary clinics
- Y. Warehousing and distribution facilities
- Z. Wholesale and storage establishments
- AA. Wind energy conversion systems (up to 40KW)

2. The Town shall have jurisdiction over the following *permitted accessory uses* outside of any Shoreland Overlay, Floodplain Overlay or Scenic River District of the Town:

Agricultural and Residential Districts

- A. Agricultural buildings that are accessory to a limited agricultural use
- B. Accessory agricultural buildings subject to the conditions of Sections 6.1 and 7.33 of this Ordinance
- C. Residential accessory buildings
- D. Residential accessory buildings subject to the conditions of Sections 6.2 and 7.33 of this Ordinance
- E. Seasonal produce sales stands
- F. Structures related to public airports
- G. Swimming pools

Commercial and Industrial Districts

- A. Accessory uses and structures that are incidental to the principal use
- B. Outdoor display
- C. Outdoor storage
- D. Signs – non-commercial, on-premise

3. All *provisional uses* shall be registered through the County, except for **Accessory Dwelling Units**.

4. The Town shall conduct public hearings and act on the following *conditional use permits* outside of any Shoreland Overlay, Floodplain Overlay or Scenic River District:

Agricultural and Residential districts:

**A. Accessory Dwelling Units**

- B. Accessory structures subject to the conditions of *Section 6.1, 6.2 and 7.33 of this Ordinance*
- C. Agriculturally oriented businesses
- D. Attached single family dwelling units
- E. Bed and Breakfast Inns
- F. Community buildings
- G. Kennels – commercial, breeding, boarding
- H. Limited rural businesses
- I. Limited rural manufacturing
- J. Outdoor sales lot – accessory to motor vehicle repair
- K. Motor vehicle repair – accessory
- L. Recreational vehicle parks
- M. Truck terminal – small
- N. Wind Energy Conversion Systems (6KW-40KW)

Commercial and Industrial Districts

- A. Drive in businesses
- B. Food processing
- C. Gasoline stations and/or convenience stores
- D. Kennels – commercial, boarding
- E. Kennels – commercial, breeding
- F. Motor vehicle repair
- G. Multi-family residential dwellings
- H. Off-premise signs (billboards)
- I. Outdoor sales lots, including used cars, trucks, trailers and farm implements
- J. Recreational vehicle parks or campgrounds
- K. Truck terminals- large
- L. Warehousing and distribution facilities
- M. Wholesale and storage establishments
- N. Wind energy conversion system (greater than 6KW)
- O. Any use of land that is consistent with the purpose of the Commercial District that is not expressly prohibited or provided for which creates employment and economic advantage.
- P. Any use of land that is consistent with the purpose of the Industrial District which is not expressly prohibited or provided for in the Industrial District and which, by its nature, does not constitute either a public or private nuisance because of noise, dirt, soot, offensive odor, secondary characteristics or unsanitary conditions.

5. The Town shall conduct public hearings and act on the following *interim use permits* outside of any Shoreland Overlay, Floodplain Overlay or Scenic River District:

Agricultural and Residential districts:

- A. One (1) temporary single family dwelling unit that is to be located in the existing farmyard
  - B. One (1) temporary single family residential dwelling unit for supportive care
  - C. Migrant and/or seasonal worker housing
  - D. Single family dwelling unit less than 20 feet in width or 20 feet in length
6. The Town shall issue all permits and conduct site inspections for each permit issued for any structure or any use allowed in items 1 through 5 above and provide the County with copies of permits and inspection reports for any permit issued therefore on a monthly basis.
7. The Town shall conduct public hearings and act on all variances for all structures for which the Town issues permits, unless otherwise noted in this memorandum of understanding.



8. The Town shall conduct public hearings and act on all variances from Township roads.
9. The Town shall not act on any variance within the Shoreland Overlay District unless the sewage system has first been certified.
10. The Town shall license commercial kennels annually.
11. The County shall conduct public hearings and act on all variances for the purposes of considering variance applications relating to setbacks from County highways where the structure will be less than 100 feet to the centerline.
12. The Town shall sign all construction site permit applications for construction site permits issued by the County, prior to the County issuing the permit.
13. The County shall issue all permits and act on all variances not specifically enumerated in sub-items 1 through 12 herein. Additionally, the County shall administer and enforce all provisions of Stearns County Ordinance Number 439; or successor ordinances that are not specifically administered or enforced by the Town through this memorandum of understanding.

**B. *Respective Duties and Responsibilities***

1. The Town shall provide the County with written notice of any public hearing regarding a conditional use permit, interim use permit or variance and a copy of the conditional use permit, interim use permit or variance application at least 7 days prior to the public hearing.
2. The County shall provide the Town with written notice of any public hearings regarding a conditional use permit, interim use permit, rezoning request or variance and a copy of the conditional use permit, interim use permit, rezoning request or variance application at least 7 days prior to the public hearing.
3. The Town shall provide the County with copies of variances, conditional use permits, or interim use permits granted pursuant to Lynden Township Land Use and Zoning Ordinance Number 7 and the related findings of fact at the time the applicable document is recorded with the County Recorder.
4. The County shall provide the Town with copies of all construction site permits, variances, conditional use permits or interim use permits granted pursuant to Stearns County Land Use and Zoning Ordinance Number 439; or successor ordinance, including related findings of fact, on a monthly basis.

5. The Town shall provide the County with copies of all construction site permits, along with the inspection report, issued pursuant to Lynden Township Land Use and Zoning Ordinance Number 7; or successor ordinance on a monthly basis.
6. The County shall provide the Town with copies of all Provisional Uses registered by the County on a monthly basis.
7. The Town shall notify the County of all proposed ordinance changes prior to holding a public hearing.
8. The County shall notify the Town of all proposed ordinance changes prior to holding a public hearing.
9. If an ordinance change or rezoning occurs, the County and Town shall review this memorandum of understanding for potential changes.

DRAFT



# Lynden Township

21367 Co. Rd. 44, Clearwater, MN 55320  
[www.lydentownship.net](http://www.lydentownship.net)

**SUPERVISORS**  
Dave Johnson, Chair  
Dennis Niemi  
Tom Plaggerman  
**CLERK** Jenny Schmidt  
320-774-8507

**TREASURER** Dan Torgersen  
**PLANNING COMMISSION**  
Jeff Westrum, Chair  
320-274-6067  
James Kantor, Administrator  
320-281-9339

## Minnesota Annual Agricultural PERMIT

Lynden Township hereby agrees to allow Pilgrims Pride Corporation, 6070 Lark Rd NW, Sauk Rapids, MN 56379 ("Pilgrims Pride"), to haul agricultural products on 155<sup>th</sup> Street, a road within Lynden Township.

This permit allows Pilgrims Pride to haul loads from Stearns County Road 44 West on 155<sup>th</sup> Street to Ray Gregoire's chicken barn, PID 19.10423.0020, a distance of .87 miles. These loads must meet Minnesota Annual Agricultural Permit standards for axle spacing and axle weights and must not exceed 97,000 pounds gross weight. This permit is valid only on the route noted.


The approved route has been inspected by Lynden Townships Engineering Firm and will be inspected periodically to ensure the integrity of the road. Any damages the Engineer reports will be the responsibility of Pilgrims Pride to repair to the Engineer's and Township's satisfaction, as well as the townships specifications.

**INDEMNIFICATION.** Pilgrims Pride shall save, defend, indemnify and hold harmless Lynden Township and its agents and employees from and against all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from this permit provided that any such claim, damage, loss or expense:

- (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the said property itself) including the loss of the use resulting there from, and
- (b) is caused in whole or in part by any negligent act or omission of the Pilgrims Pride or anyone directly employed by Pilgrims Pride or anyone for whose acts Pilgrims Pride may be liable, for injury or damage arising out of the action of the Pilgrims Pride or its sub contractor(s) or agents in the performance of the work, or any expense whatsoever incurred by the Town incident to a claim or action brought or commenced by any person arising there from.

Lynden Township reserves the right to revoke this permit at any time. This permit will expire on November 1, 2023. The administrative fee is \$100.00 paid annually.

Approved by: \_\_\_\_\_  
Thomas Plaggerman, Chair  
\_\_\_\_\_  
Jenny Schmidt, Clerk

  
\_\_\_\_\_  
Representative-Pilgrims Pride  
Dated: 4-6-23

**To:** Brezinka, Robert  
**Subject:** RE: Damage Assessment Tool

**From:** Brezinka, Robert <Robert.Brezinka@stearnscountymn.gov>  
**Sent:** Monday, April 17, 2023 1:27 PM  
**Subject:** Damage Assessment Tool

I have attached our damage assessment tool for you to share with your staff. Please have them use this tool to document any damage you are experiencing in your area.

Thank you

<https://arcg.is/1rzTjKO>

Robert Brezinka  
Emergency Management Specialist  
[robert.brezinka@stearnscountymn.gov](mailto:robert.brezinka@stearnscountymn.gov)  
320-259-3941



**Mission:** Provide exceptional services to assure a safe, healthy, vibrant county for all  
**Values:** Professional, Approachable, Responsive, Collaborative, Fair & Equitable

# Township Legal Seminar <sup>Post</sup>

Presented by:

**Couri & Ruppe Law Office**

Inquiring Minds Want to Know:



- TOWNSHIP ROADS (CARTWAYS; TOWN LINE ROAD AGREEMENTS)
- CEMETERIES
- FIRE CONTRACTS
- TOWNSHIP JEOPARDY
- CLERK & TREASURER DUTIES; REORGANIZATION MEETINGS
- TECHNOLOGY
- OPEN MEETING LAW
- STUMP THE CHUMPS- Answers to any and all legal questions you may have.

**Registration and All Materials are FREE!**  
**Complimentary Lunch Provided!**

**CHOOSE THE DATE AND LOCATION THAT WORKS BEST FOR YOU:**

THURSDAY, JUNE 1, 2023 (9:00am to 4:00 pm)- **Albertville City Hall (Wright County)** ←

DATE: SATURDAY, SEPT. 16, 2023 (9:00am to 4:00 pm)- **Rutledge City Hall (Pine County)**

DATE: SATURDAY, SEPT. 30, 2023 (9:00am to 4:00 pm)- **Glen-Kimberly Town Hall (Aitkin County)**

SATURDAY, OCTOBER 7, 2023 (9:00am to 4:00 pm)- **Cotton Town Hall (St. Louis County)**

**Register directly from our website:**

**[www.couriruppe.com](http://www.couriruppe.com)** (click on the "Township Legal Seminar" tab)  
or call Kathy at (763) 497-1930



# COUNTY OF STEARNS

## *Environmental Services Department*

Stearns County Service Center • 3301 County Road 138 • Waite Park, MN 56387  
320-656-3613 • 1-800-450-0852

April 4, 2023

Anderson Trucking Service Inc.  
Scott Follett  
PO Box 1377  
St. Cloud, MN 56302

Dear Applicant:

19,10460.0020  
This letter is to notify you of the decision of the Stearns County Board of Commissioners on April 4, 2023. The County Board concurred with the Planning Commission's recommendation to **approve** the Rezoning request to rezone 10.5 acres from the Agricultural 40 (A-40) zoning district to the Industrial zoning district in accordance with Section 4.10 of Stearns County Land Use and Zoning Ordinance #439.

The Stearns County Board of Commissioners concurred with the Planning Commission finding of fact are as follows:

1. The rezoning is consistent with the county zoning ordinance as the intent of this area is to be industrial.
2. The rezoning is consistent with the county comprehensive plan, specifically with Business Pillar, Rural Business Policy: "Encourage rural businesses seeking expansion in agricultural areas to locate near Major Transportation Corridors, Townsite Mixed Use areas, or Transitional Areas."
3. The proposal is compatible with the existing neighborhood. There are existing industrial uses and businesses in this area.
4. The applicant has demonstrated the standards and criteria stated in the ordinance will be satisfied, as they have thought through their long-range plan for their company in light of how it fits the ordinance.
5. Other issues pertinent to this matter:
  - a. Lynden Township unanimously recommended approval of the rezoning.

Feel free to contact our office if you have any questions.

Sincerely,

Jennifer Buckentine  
Environmental Specialist

CC: Clerk, Lynden Township



# COUNTY OF STEARNS

## *Environmental Services Department*

Stearns County Service Center • 3301 County Road 138 • Waite Park, MN 56387  
320-656-3613 • 1-800-450-0852

TO: Township Clerks and Supervisors, City Clerks/Administrators

FROM: Angie Berg, Land Use Division Supervisor

DATE: April 18, 2023

RE: Public Hearing – May 9<sup>th</sup>, 2023

### Stearns County Board of Commissioners Notice of Public Hearing

Notice is hereby given that the Stearns County Board of Commissioners, in and for the County of Stearns, will conduct a public hearing to consider enactment of **Ordinance Number 653**, an Ordinance amending Stearns County Ordinance #230 related minor and major subdivisions. The proposed language: 5.4.1. The submittal of more than one Minor Subdivision per Lot, Parcel or Tract in a twelve (12) month period shall be considered a Major Subdivision and follow the standards contained in Section 5.3 of this Ordinance; or successor ordinance.

Notice is further given that the above hearing will be held on Tuesday, May 9, 2023 beginning at 9:00 a.m. or soon thereafter in the County Board Room of the Stearns County Administration Center, located at 705 Courthouse Square, St. Cloud, MN 56303.

If you would like to participate in public testimony by telephone or other electronic means, please contact Deborah Heim at (320) 656-3613.

You may submit written testimony by emailing [angie.berg@stearnscountymn.gov](mailto:angie.berg@stearnscountymn.gov) by 4:30pm by Tuesday, May 2, 2023. Written testimony may also be mailed to the Stearns County Environmental Services Department, Service Center, 3301 County Road 138, Waite Park, MN 56387.

**clerk@lyndentownship.net**

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**To:** Brezinka, Robert  
**Subject:** RE: Ingestion Pathway Training/Exercise

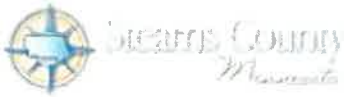
**From:** Brezinka, Robert <Robert.Brezinka@stearnscountymn.gov>  
**Sent:** Monday, April 17, 2023 12:25 PM  
**Subject:** Ingestion Pathway Training/Exercise

Good afternoon,

Please see the attached flyer about our Ingestion Pathway training and exercise on May 24<sup>th</sup> from 11am-2pm in Kimball. Lunch will be provided; we ask that you please RSVP by May 10<sup>th</sup>. If you have any questions, please let me know.

Thank you,

Robert Brezinka  
Emergency Management Specialist  
[robert.brezinka@stearnscountymn.gov](mailto:robert.brezinka@stearnscountymn.gov)  
320-259-3941



Mission: Provide exceptional services to assure a safe, healthy, vibrant county for all  
Values: Professional, Approachable, Responsive, Collaborative, Fair & Equitable



**Training & Exercise**

# **INGESTION PATHWAY REGIONAL TRAINING**

**May 24, 2023**

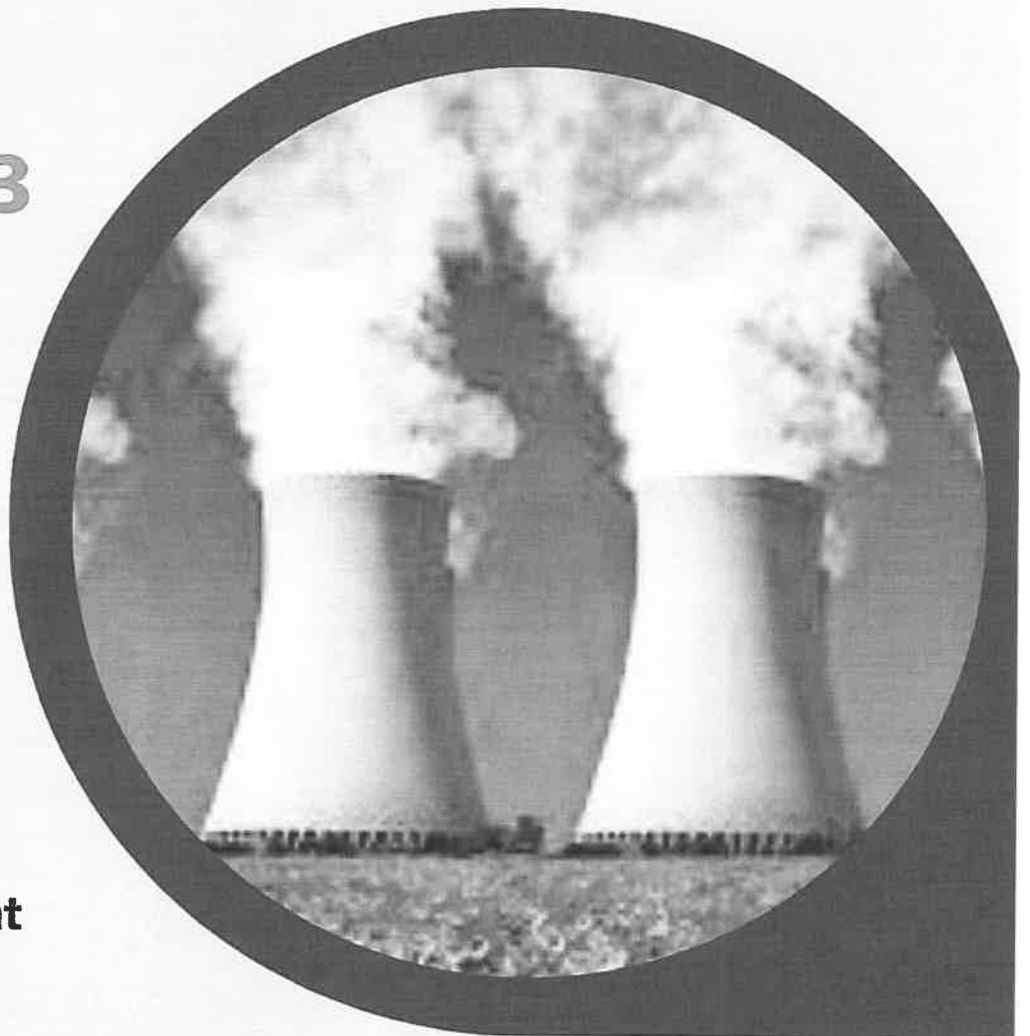
**11am - 2pm**

**11 a.m. -1 p. m.  
Training & Lunch**

**1 p.m. -2 p.m.  
Exercise**

**Hosted By:**

**Stearns County  
Emergency Management**



**PLEASE RSVP  
BY MAY 10TH**

**Training & Exercise held at:**

**Triple R Grill & Bar  
37 Maus Drive  
Kimball, MN 55353**



**320-259-3940**



**Emergency.Management@stearnscountymn.gov**

Great River Regional Library, Clearwater  
740 Clearwater Center  
Clearwater, MN 55320

April 6, 2023

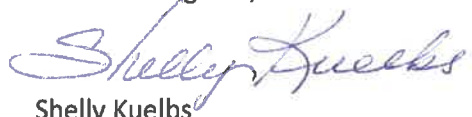
Lynden Township  
20517 Woodbine Rd.  
Clearwater, MN 55320

Residents of Lynden Township,

Thank you for your continued support of the Clearwater Library. 2022 has been a year the Clearwater Library focused on expanding our connection to families in our service area. Welcome packets for new residents, provided by the Clear Valley Business Connection, now include a library card application and information. We have worked with the Clearview Elementary to bring authors, Mary Casanova and Kevin Lovegreen, to the school. The students enjoyed hearing about their favorite books and what inspired the author's love of reading. In May, we visited the school again to talk about our Summer Reading Program and how everyone can participate. This was also a chance to show students how they could use Great River's digital library even if they were unable to visit a library in person. This visit was the perfect time to share our summer programming schedule which included puppet shows, polkas, flamenco dancers, reptiles and the Raptor Center along with multiple opportunities to explore art. The library has made a greater effort to diversify the programming offered to patrons and get the word out by sharing the events through social media. This effort has been effective and participation in programming is increasing. In addition, registration for new library cards is up 50% over that in 2021.

We consider the past year's efforts as a great beginning and look forward to forging stronger connections to our community. Your support has helped many people find information, improve literacy, take care of essential needs and lead better lives. From turning a page to printing a page, you make a difference.

With kind regards,



Shelly Kuelbs  
Library Services Coordinator  
Great River Regional Library, Clearwater

# Stickney Crossing Library Clearwater Area Library

Month: January-December Year: 2022

## Statistics

Internet Stations – 405 uses

Wireless Use – 402 uses

Items checked out to our patrons – 25,718

\*Noting total does not include check out of e-books or e-audiobooks.

Adult Print 10,816

Adult Media 1,483

Juvenile Print 9,680

Juvenile Media 286

DVD's 3,453

Checkout sessions with a patron in the building – 4,979

## Borrowers

Clearwater registered borrowers – 871

New borrowers registered in 2022 – 140

**Programs:** Total of 30 programs with 814 attendees

**Legacy Programs:** (funded with Minnesota Arts & Cultural Heritage funds)

Musician Andrew Walesch, Quilling with Marilyn Dirkswager, Gee's Bend Quilt

with Joan Jacobsen, Author Mary Cassanova, Author Kevin Lovegreen,

Block Printing, Kumihimo and Bookbinding with Megan Larson,

Pint-sized Polkas, Toro Puppet Show with Flamenco Dance Theater,

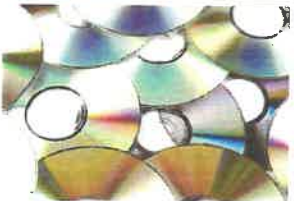
Bruce the Bug Guy, Creative Cart Studio, Mobile Sign Shop,

Remarkable Reptiles, Singleton Street Trio and Historian Arn Kind's Vikings

**Other Programs:** Summer Reading Program / Winter Reading Program

Storytimes / Wonder Wednesdays / Technology Help / Photography Workshop

Coffee Exploration and the University of MN Raptor Program



April 19, 2023

David Anderson  
Kennedy & Graven, Chartered  
Fifth Street Towers  
150 S Fifth St Ste 700  
Minneapolis, MN 55402-1299

Lynden Town Board  
c/o Jenny Schmidt, Township Clerk  
20517 Woodbine Rd  
Clearwater, MN 55320

City of Clearwater  
c/o Annita Smythe, Administrator  
Clearwater City Hall  
PO Box 9  
Clearwater, MN 55320-0009

Re: OAH 71-0331-39151 (MBAU A-8438 Clearwater/Lynden Township)

Dear Mr. Anderson, Ms. Schmidt, and Ms. Smythe:

Attached and served upon you is the **ORDER APPROVING ANNEXATION ORDINANCE** in the above-entitled matter. The Office of Administrative Hearings' file in this matter is now closed.

Please contact me at [star.holman@state.mn.us](mailto:star.holman@state.mn.us) or 651-361-7909 if you have any questions.

Sincerely,



STARLENE J. HOLMAN  
MBAU Administrator

Attachment

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Clearwater from Lynden Township  
(MBAU Docket A-8438)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

On November 14, 2022, the City of Clearwater (City) adopted Ordinance No. 2022-08 (Ordinance) annexing certain real property (Property) from Lynden Township (Township) legally described as follows:

Block 94, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota;

AND

That part of the Northeast Quarter of the Northeast Quarter of Section 34, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southeasterly of the centerline of Hazel Street, as dedicated and delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northerly of a line run parallel with and distant 100 feet southerly of the following described line:

From a point on the East line of said Section 34, distant 422.70 feet south of the northeast corner thereof; run southeasterly at an angle of 64 degrees 28 minutes with said east section line for a distance of 418.8 feet, to the point of beginning of line to be described; thence run northwesterly along last described course a distance of 100 feet; thence deflect to the left on a 2 degree 00 minutes curve, delta angle 30 degrees 59 minutes, for a distance of 1549.20 feet; thence on tangent to said curve for a distance of 200 feet and there terminating.

AND

That part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying northerly and northwesterly of the Clearwater River, and lying southeasterly of the south line of Block 108 and its northeasterly extension to the southwest corner of Block 109, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying westerly of a line being the southwesterly line of said Block 109 extended southeasterly to the centerline of said river.

AND

Lots 1 and 2, Block 109, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and the southwesterly half of High Street being adjacent to the northeast line of said Block 109, as dedicated and delineated on said plat of CLEARWATER, and the southeasterly half of Mill Street being adjacent to the northwest line of said Block 109, as dedicated and delineated on said plat of CLEARWATER.

AND

That part of Government Lot 5 of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southwesterly of the center line of High Street, as dedicated and delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northwesterly of the centerline of Mill Street, as dedicated and delineated on said plat of CLEARWATER.

AND

The Northwesterly half of Mill Street being adjacent to the southwest lines of Blocks 87 and 88, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, within the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota.

Based upon a review of the Ordinance, the Administrative Law Judge makes the following:

#### ORDER

1. Pursuant to Minn. Stat. § 414.033 (2022), the Ordinance is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Ordinance and this Order, the Property is **ANNEXED** to the City.
3. As there is no taxable property within the Property, the provisions of Minn. Stat. § 414.036 (2022) are not applicable.
4. The City must file a copy of the Annexation Ordinance with the Township, the appropriate county auditor(s), and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: April 19, 2023

  
JESSICA A. PALMER-DENIG  
Administrative Law Judge

## NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .07, .09, .12 (2022). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Stearns County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2021). However, no request for amendment shall extend the time of appeal from this Order.

**CITY COUNCIL  
CITY OF CLEARWATER**

**ORDINANCE NO. 2022-08**

**AN ORDINANCE ANNEXING LAND  
OWNED BY THE CITY IN LYNDEN TOWNSHIP**

THE CITY OF CLEARWATER HEREBY ORDAINS AS FOLLOWS:

**SECTION 1. Legislative Findings.** The City Council of the City of Clearwater finds and determines as follows:

- a. The City owns the property legally described in the attached Exhibit A and shown on the map attached as Exhibit B ("City Property").
- b. The City is authorized by Minnesota Statutes, section 414.033, subdivision 2(1) to annex by ordinance unincorporated land that it owns.
- c. The notice and hearing requirements in Minnesota Statutes, section 414.033, subdivision 2a do not apply to the annexation of City-owned land.
- d. The floodplain, shoreland, and electric utility notice requirements of Minnesota Statutes, section 414.033, subdivisions 11 and 12 do not apply to this annexation.
- e. The City Property:
  - (1) Includes property in Lynden Township ("Town") containing approximately 14 acres identified in Stearns County records as PIN #19.10994.0030 and legally described in the attached Exhibit A;
  - (2) Is currently used as a city park and has a population of zero;
  - (3) Is not subject to real estate taxes and so the City is not required to pay any tax reimbursement to the Town under Minnesota Statutes, section 414.036 related to this annexation;
  - (4) Is not subject to any special assessments and there is no Town debt attributable to the City Property;
  - (5) Is not immediately adjacent to any Town roads; and
  - (6) Is not part of an orderly annexation agreement.

**SECTION 2. Annexation.** Per Minnesota Statutes, section 414.033, subdivision 2(1), the City Council hereby declares the City Property, as legally described in Exhibit A and shown on Exhibit B, to be annexed to the City of Clearwater effective as of the date approved by the Office of Administrative Hearings.

**SECTION 3. Filing.** The City Administrator is authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Stearns County Auditor, and the Town Clerk.



## Exhibit A

Block 94, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota;

AND

That part of the Northeast Quarter of the Northeast Quarter of Section 34, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southeasterly of the centerline of Hazel Street, as dedicated and delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northerly of a line run parallel with and distant 100 feet southerly of the following described line:

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AND

That part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying northerly and northwesterly of the Clearwater River, and lying southeasterly of the south line of Block 108 and its northeasterly extension to the southwest corner of Block 109, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying westerly of a line being the southwesterly line of said Block 109 extended southeasterly to the centerline of said river.

AND

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AND

That part of Government Lot 5 of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southwesterly of the center line of High Street, as dedicated and

delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northwesterly of the centerline of Mill Street, as dedicated and delineated on said plat of CLEARWATER.

AND

The Northwesterly half of Mill Street being adjacent to the southwest lines of Blocks 87 and 88, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, within the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota.

