



## Sylvan Township

12956 24<sup>th</sup> Avenue SW, Pillager, MN 56473 Phone: (218) 746-3652 Fax: (218) 746-3612  
E-mail: clerk@sylvantwp.com Web-site: www.sylvantwp.com

### Regular Board of Supervisors Meeting Minutes Thursday, May 7<sup>th</sup>, 2020

*Note: All motions were carried by a roll-call vote through the video conference meeting, this meeting was recorded and will be kept in electronic records with the minutes.*

**Call to Order/Pledge of Allegiance/Roll Call:** Chair Booth called the video conference Board Meeting to order at 7:00 pm and the Pledge of Allegiance was said. Those present at the video conference meeting were Supervisors Greg Booth, John Wulff, Greg Bennett, Arlene Schmit, Yvette Adelman-Dullinger, Deputy Clerk Jenna Ruggles, Clerk/Treasurer Faith Broberg, Residents Dave Johnson (PC Chair), Sally Volner, Rose Nelson, Kay Edgeton, and Suzanne Opsahl.

**Agenda:** Supervisor Adelman-Dullinger **moved to approve the agenda as presented**, seconded by Supervisor Wulff and the motion carried.

#### **Clerk/Treasurers Report:**

- **Minutes April 16<sup>th</sup>, 2020 Regular Board Meeting** – Supervisor Adelman-Dullinger **moved to approve the minutes as amended**, seconded by Supervisor Schmit and the motion carried.
- **Minutes April 20<sup>th</sup>, 2020 Board of Review Meeting with Cass County** – Supervisor Adelman-Dullinger **moved to approve the minutes as presented**, seconded by Supervisor Schmit and the motion carried with Supervisors Bennett and Wulff abstaining from the vote due to not being present at the meeting.
- **April 2020 Financials** – was tabled until next meeting. Printing of the Financial for future meetings was discussed and it was determined that we would print for those who would like them and emailed to those who do not want a paper copy, but to make sure that each Supervisor to review.

#### **Public Input:**

- **Suzanne Opsahl** – would like to see Mr. Frank's small business not be allowed. It is deterrent to the quality of life and welfare of surrounding residents, running business hours from 7:30 – 9:30. He has lawn mowers, chainsaws, etc. running all through the day. Vehicles are lined up with deliveries and pickups daily. His items are not screened to any roadways or waterways.
- **Rose Nelson** – has to stake off her garden, road right-a-way, and driveway because Mr. Frank's customers have been going into her yard and driveway areas. She does not like to look at all his junk all day, every day.
- **Kay Edgeton** – feels that Mr. Frank's small business has added to vehicle traffic, she feels that it is a hassle living in that area now and his business takes away from the tranquility.
- **Sally Volner** – has concerns with the Short-Term Rental at Sylvan Point LLC and how it doesn't meet the setback.

#### **Old Business/Reports:**

- **Roads (Bryan Drown, Road Project Engineer, Bolton & Menk)** not present and Supervisor Bennett had his update.
- **Road Supervisors Report** –
  - **Supervisor Bennett reported** that Bryan Drown, Road Engineer, had been in contact with BNSF Railroad and the 17<sup>th</sup> Avenue project is still in the works. Currently the question is



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where the south property line of the cemetery is located, and it looks as if Sylvan Township will need an easement from Ms. Peterson to proceed with paving to the south edge of the cemetery. The cost to pave to the south edge of the cemetery on 17<sup>th</sup> Avenue's road pavement project would be \$112,000 for only the township road. The residents after the cemetery on the road have decided they will not pay for and continue the paving to the end of the road and would like to see the Township take it over and pave it. If the township were to take over the rest of 17<sup>th</sup> Avenue it would add an additional \$37,230 to pave to the end of the road, however it would also need to have a public hearing for the road take over. Supervisor Bennett **moved to approve the preliminary information to move forward with getting a finalized contract with BNSF Railroad to go to the south edge of the cemetery**, seconded by Supervisor Adelman-Dullinger and the motion carried. Supervisor Bennett will follow up with Ms. Peterson and Bryan Drown, Road Engineer, to get the easement.

- **Supervisor Bennett also reported** that Holmwig Excavating has been out sweeping and all but the North end of West Sylvan Drive has been completed. They are also working on reclaiming the ditch on 37<sup>th</sup> Avenue. Supervisor Bennett let the Board know that the list of signs and post had been passed on to Supervisor Wulff. Supervisor Bennett also reported that we had some washouts in 3 spots around Hole-In-The-Day Lake on Upper Sylvan Rd that Holmwig Excavating will be adding some fill there.
- **Supervisor Wulff reported** that he has a couple other intersections that he would like to see swept and he will pass that information on to Supervisor Bennett to give to Holmwig Excavating. Supervisor Wulff also reported that the culvert on Lower Sylvan by Sylvan Lake needs some fill as well. Supervisor Wulff also reported that weight restriction signs need to be down tomorrow. Supervisor Wulff asked about crack sealing and Supervisor Bennett indicated that this would start this week on the south side. Supervisor Wulff indicated that last year there were several places on the north side where the seals did not stick well and advised that Supervisor Bennett pass that along to Holmwig Excavating.
- **Supervisor Schmit reported** that there was a new driveway on Golf Course Circle. Supervisor Schmit also asked about the reclaiming on 37<sup>th</sup> Avenue if it was going to cause us a problem that we took that road off of the Chloride list, Supervisor Bennett felt it would be okay without it.
- **Anderson Brothers** provided us with some estimates on different roads for us to consider for future projects. Supervisor Bennett would like to see us work on sooner rather than later.
- **Supervisor Booth** would like to schedule a Working Bond Meeting for roads when the COVID-19 pandemic quiets down.
- **Driveway Permit review** was done on the updated application. Supervisor Wulff added that he would like to see a line added to indicate that prior to a driveway being paved a review should be completed by a road supervisor.
- **Park Report** – Supervisor Schmit let the Board know that there was a park meeting and that they will receive a copy of the minutes. She also discussed that she was having trouble with Chris Camacho the contractor for the lawn at the park. She asked if the Board thought it would be okay to seek out a new contractor and the Board let her know that it was up to the Park Board to decide on that.
- **Fire Report** – Supervisor Adelman-Dullinger reported that the Fire Department had been practicing the CDC Guidelines for Social Distancing on calls and that they have had a couple COVID-19 related calls so far. The association is using the 50/50 grant for new helmets. They are still planning on the Agility test at the end of May with 6' social distancing. Sylvan had 11 calls out of 27 in April. Greg



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Ringler is waiting for one more class, hopefully the end of May, to complete his Certification for Level 1 Inspector. The association plans on doing Zoom meetings for the Radio training for the fire fighters.

- **Salt/Sand Shed Quote** – Supervisor Bennett **moved to accept the quote for the completion of the Salt/Sand Shed from Shingledecker Concrete & Construction, Inc**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Conflicting Ordinances with Cass County and Sylvan Township** was discussed, and Supervisor Bennett **moved to send up the letter of explanation to Cass County that Dave Johnson of the Planning Commission had written up**, seconded by Supervisor Wulff and the motion carried.

### New Business:

- **Personnel Committee, Supervisor Booth**, discussed with the Board what qualifies as a meeting versus what qualifies as working hours for payroll.
- **Elections/Mail-in Ballot** information was provided from Cass County. They are encouraging and providing Townships to do all Mail-In Ballots for the 2020 elections due to COVID-19. Supervisor Wulff **moved to have Sylvan Township residents go with the mail-in ballot option**, seconded by Supervisor Schmit and the motion was amended. Supervisor Wulff **moved to have Sylvan Township residents go with the mail-in ballot option for the 2020 primary and general elections**, seconded by Supervisor Schmit and the motion was passed with a split vote of 3 to 2. Supervisor Booth (Yes), Supervisor Schmit (Yes), Supervisor Wulff (Yes), Supervisor Bennett (No), and Supervisor Adelman-Dullinger (No). Supervisor Wulff **moved to have Sylvan Township use the sample resolution provided by Cass County for the 2020 mail-in ballot elections**, seconded by Supervisor Schmit and the motion was passed with a split vote of 3 to 2. Supervisor Booth (Yes), Supervisor Schmit (Yes), Supervisor Wulff (Yes), Supervisor Bennett (No), and Supervisor Adelman-Dullinger (No).
- **Resolution numbers 2020-03 to 2020-07 and 2020-09** authorizing the Town Board and Dave Johnson to perform services for Sylvan Township were presented to the Board. Supervisor Adelman-Dullinger **moved to accept Resolution Number 2020-03 for Arlene Schmit to perform services for Sylvan Township**, seconded by Supervisor Wulff and the motion carried with Supervisor Schmit abstaining from the vote. Supervisor Adelman-Dullinger **moved to accept Resolution Number 2020-04 for Greg Booth to perform services for Sylvan Township**, seconded by Supervisor Bennett and the motion carried with Supervisor Booth abstaining from the vote. Supervisor Wulff **moved to accept Resolution Number 2020-05 for Yvette Adelman-Dullinger to perform services for Sylvan Township**, seconded by Supervisor Bennett and the motion carried with Supervisor Adelman-Dullinger abstaining from the vote. Supervisor Adelman-Dullinger **moved to accept Resolution Number 2020-06 for Greg Bennett to perform services for Sylvan Township**, seconded by Supervisor Wulff and the motion carried with Supervisor Bennett abstaining from the vote. Supervisor Wulff **moved to accept Resolution Number 2020-07 for Dave Johnson to perform services for Sylvan Township**, seconded by Supervisor Adelman-Dullinger and the motion carried. Supervisor Schmit **moved to accept Resolution Number 2020-09 for John Wulff to perform services for Sylvan Township**, seconded by Supervisor Bennett and the motion carried with Supervisor Wulff abstaining from the vote.
- **Resolution number 2020-08, Off Sale Liquor License** for Knudson Management Inc at The Corner Store Liquor in Sylvan Township was presented to the Board. Supervisor Schmit **moved to accept the Resolution for the Off Sale Liquor License for The Corner Store Liquor**, seconded by Supervisor Adelman-Dullinger and the motion carried.



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- **Lisa Fletcher, Cass County Ag**, emailed the Board and asked if they would consider allowing them to use the donation funds that Sylvan Township would be providing to them for the 2020 fair be used to help with the upkeep of the Community Center and grounds in place of the fair, as the fair has been canceled due to the COVID-19 pandemic. The Board discussed that the \$4,000 was being donated to them without restrictions on how it was used and they saw no issues with them using it for these expenses; and that they hoped they would still use the \$1,000 donation for cameras.
- **Mike Frank application Home Business** was received with payment. There was a petition that was presented to the Board on May 7<sup>th</sup>, 2020 regarding this business. Mr. Frank is planning on attending the PC Meeting next week. Supervisor Bennet **moved to send a letter of cease and desist until his application is approved to Mr. Frank**, seconded by Supervisor Schmit and the motion carried.
- **Short-Term Rentals** were discussed regarding the Sylvan Point LLC. The setback for the lake does not meet the requirements set in the Ordinance or the County's Variance. Dave Johnson and Supervisor Bennett are going to visit Sylvan Point LLC and measure the setback and then review the Ordinance and the application for the Short-Term Rentals. It was noted that neither of the 2 Short-Term Rentals in Sylvan Township have been finalized by Sylvan Township.

### Other Township Business:

- **Correspondence** –
  - Kim Berns-Melhus emailed and let us know that the Kramer Lake land is going through approval from the MN PUC (Public Utilities Commission).
  - Cass Co. Association of Townships let us know that the Census could use some advertising from us and that we currently have total returns of 55.7% with 46.6% of them being online.
  - Cass Co Sheriff's office sent over the April report for the Board to review. 60 calls
  - Region Five asked us to take a survey regarding ongoing stress related to COVID-19 for the Federal Reserve Bank of Minneapolis to continue to gauge economic efforts.
  - Association of Cass Co Lakes gave us a May 29<sup>th</sup> update and let us know about their upcoming meeting.
  - MN Association of Townships sent an email regarding support for MAT's proposal for township transportation funding.
- **Public Input** – **Dave Johnson** gave an update on Sylvan Lake Park, that the trails are marked, and topsoil was brought in. He has some burning to do and the trees came in to be planted. He will send out an email for volunteers to help plant this next week. Dave also added that he put up the last 2 delineators up last week and someone took them.
- **Review Claims** – Supervisor Wulff **moved to approve claim numbers 24040 to 24060 in the amount of \$28,952.87 and the payroll numbers 24008 to 24018 in the amount of \$4,560.21 for a total of \$33,513.08**, seconded by Supervisor Bennett and the motion carried.
- **Other Business** –
  - **Cass County Property Tax Resolution** was presented to the Board for their review. It was mentioned that we have already added this information to our website for our residents as well.
  - **Unemployment Insurance** notices were received for two township employees. They were both under the threshold for the Township.

**Adjournment:** Supervisor Adelman-Dullinger **moved to adjourn**, seconded by Supervisor Bennett and the motion carried with the meeting adjourning at 9:51 pm.



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Minutes submitted by,

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Jenna Ruggles, Deputy Clerk

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Greg Booth, Chair

Amendments: Page 2: corrected project description, added West Sylvan Drive, corrected spelling of Golf Course Circle, reworded Driveway Permit sentence, fixed the 50/50 spelling, Page 3: corrected personnel committee sentence, added abstained to all Supervisor's resolution's motions, Page 4: removed terminology about grandfather clause from Short-Term Rental section, and removed employee names from Unemployment section.

Date: 5.21.2020