

## Regular Board of Supervisors Meeting Minutes *Thursday, May 21<sup>st</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, and Suzanne Opsahl.

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

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

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- **approve the minutes as amended**, seconded by Supervisor Wulff and the motion carried.
- **April 2020 Financials** – Supervisor Schmit **moved to approve the April 2020 Financials as presented**, seconded by Supervisor Adelman-Dullinger and the motion carried.

### **Public Input:**

- **Mr. Frank's Application/Recommendation from the PC** – Supervisor Booth reported that he and Dave Johnson had gone out and visited with Mr. Frank earlier today. After some discussion Mr. Frank indicated that he would like to withdraw his application for a Home Business Permit. There was discussion on if he would be allowed to have garage sales, and Mr. Frank was told yes – only 3 per year up to 3 days each in accordance with the SCO. Supervisor Bennett discussed how he would like to see us move forward with either fines or a court case if Mr. Frank continues to conduct business, as we need to make sure to enforce our ordinances. Supervisor Wulff **moved to approve returning the application fee to Mr. Frank as he withdrew his application for Home Business**, seconded by Supervisor Adelman-Dullinger and the motion carried. Dave Johnson indicated that he would like to go back and talk to Mr. Frank again regarding what his intentions are going forward. Supervisor Bennett indicated that he would also be monitoring the property to make sure that the quantity of items is going down with the business being closed.
- **Suzanne Opsahl** – would like to know what can be done if Mr. Frank continues to do his business like he has been. Supervisor Booth discussed that he had talked to our township lawyer and he indicated that the next step would be to take Mr. Frank to court. Sue indicated that Mr. Frank sold a boat minutes after Dave Johnson and Supervisor Booth left his house and then bought another one 5 minutes after that.
- **Sally Volner** – here to listen to a later portion of the meeting, no input at this time.

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

- **Roads (Bryan Drown, Road Project Engineer, Bolton & Menk)** – There is not any new information at this time regarding 17<sup>th</sup> Avenue as it is in BNSF's hands. We submitted a couple

exhibits to them to review. Bryan Drown will be reviewing Camp Jim Road this next week to see how it is coming along, to release the 5% and finalize the Camp Jim Road project.

- **Road Supervisors Report –**

- **42<sup>nd</sup> Avenue** – Dave Johnson indicated that there was grading being done on 42<sup>nd</sup> Avenue and that at one time they did ask for the Township to take over the road. Supervisor Schmit will contact Mr. Etzler to see if they do still want to move forward with the township taking over the road. If that is their intentions, Supervisor Schmit will let them know to submit a new request/petition to the Town Board and ask them if we could have our road engineer come out to see the progress on the road so far. Supervisor Wulff **moved to have Bryan Drown, Bolton & Menk, go out and review the progress of 42<sup>nd</sup> Avenue**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Supervisor Bennett reported** that we are coming along nicely with Zebroski Acres Lane we are down to only waiting on 4 more residents. Holmwig Excavating has been out grading and crack sealing on the north side. Supervisor Bennett will be meeting with Holmwig Excavating to discuss all the road reports this next week. There is a driveway at the end of Happy Go Lucky where the resident has made a parking spot in the road right-a-way. Supervisor Booth said that we need to notify them in writing that this is not acceptable. Little Pine Road has some rodent issues, Supervisor Bennett will reach out to a few about trapping. Supervisor Adelman-Dullinger reported that there are also a lot of mounds on Arbor Lane.
- **Supervisor Wulff asked** about 17<sup>th</sup> Avenue on whether we have got the easement to go the full length of the cemetery yet. Supervisor Bennett and Bryan Drown indicated that it is in the works for the easement. Supervisor Wulff reported that the sign project is getting done, most of the Cass County items were completed but we are waiting on Cass County's order of new signs for them to finish their list. Steve Keranen, Cass County Highway Department, indicated that our Township signs and placement areas looked good and that if we have any questions to give him a call. Supervisor Wulff asked Steve Keranen about blue fire signs and if we could add the post if the resident was not keeping it up and Steve Keranen indicated that it was okay for us to do that.
- **Supervisor Booth asked** if anyone knows about a road project on 120<sup>th</sup> in East Gull Lake, he has seen a lot of markings on the road and Anderson's Brothers had been out there this week. Supervisor Adelman-Dullinger will give Marla Yoho a call this week to see.
- **Supervisor Schmit reported** that she was concerned about the 37<sup>th</sup> Avenue gravel road, Supervisor Bennett indicated that they had graded it today and have brought in Class 5 as well to bring it up. Supervisor Wulff is wondering if we can add this road to the Chloride list, Supervisor Schmit will contact Darrick Anderson, Cass County, to see if we can still add it.
- **Anderson Brothers Cost Analysis** Barnett Road, West Sylvan Road, and Little Pine Road – Supervisor Bennett would like to look at Barnett and Little Pine to work on this year and then with the Bonding project look at getting West Sylvan Drive and 43<sup>rd</sup> Avenue completed.
- **Bonding Meeting for Road Projects** – A working bond project meeting is set to be held from 6-7 prior to both of the July meetings. Supervisor Bennett **motioned that we hold a special meeting for bonding prior to both of the July 2<sup>nd</sup> and July 16<sup>th</sup> Board Meetings from 6-7pm**, seconded by Supervisor Wulff and the motion carried.



## Sylvan Township

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- **Driveway Permit review** was provided. Supervisor Bennett would like to see a permit placed out at the resident's property. Discussions on if the residents will place it out or the road supervisor was had, with decision that a road supervisor will place the permit when they review if a culvert is needed or not.
- **Private Roads**, Supervisor Bennett would like to know if there is anything we can do about all the private roads out there. He is indicating that some are pretty bad and they are all paying the same taxes as everyone else and he is wondering about the safety of the roads. Supervisor Booth indicated that it is the developer's responsibility to bring the road up to standards before they sell it to the residents. It is up to the residents to bring it up to township standards if they wish for the township to take the road over as a township road.
- **Planning Commission** – Supervisor Adelman-Dullinger reported that they discussed a possible junk ordinance which is on the agenda. She also reported that they also discussed the Sylvan Lake Park. Dave Johnson reported that they planted the trees and did some burning. He is waiting on the seeds he ordered for the hillside and then that is the limit of the work that they are planning on doing until they hear back about the grants.
- **Short-Term Rentals** were discussed by Supervisor Bennett, he has gone out to do the reviews. David Voges' Hardy Lake Road Short-Term Rental is not going to be operating as a short-term rental this year due to the COVID-19. They will be having a long-term renting family in there instead and Supervisor Bennett did talk to some of the neighbors who do like that and feel this family is nice to have there. This short-term rental did meet the requirements for the Short-Term Rental permit. Supervisor Bennett **moved to approve the STR Permit for David Voges**, seconded by Supervisor Wulff and the motion was withdrawn by Supervisor Bennett due to the Fire Inspection not being completed as of now. Scott Aberson's Sylvan Point LLC did not meet the setback requirements for the Short-Term Rental Permit, Supervisor Bennett **moved to send a letter to Sylvan Point, LLC letting them know Sylvan Township will not be issuing a STR Permit to them due to not meeting the shoreline setback requirements**, seconded by Supervisor Schmit and the motion carried.

### New Business:

- **Town Hall update** – Supervisor Bennett discussed clerk training and how Deputy Clerk Ruggles and Clerk Broberg should be in the same area. Clerk Broberg is back in the office Tuesday through Thursday since working from home with the COVID-19 pandemic. The Town Hall building will continue to be closed to the public during business hours for now, but the Board meetings will open back up to be held in person in the Town Hall now that the COVID-19 pandemic restrictions are opening up a little bit.

### Other Township Business:

- **Correspondence** –
  - Kim Berns-Melhus emailed us an updated on the Kramer Lake parcel Supervisor Adelman-Dullinger **moved to have Supervisor Bennett sign the agreement for the Kramer Lake parcel and return it to Kim Berns-Melhus**, seconded by Supervisor Wulff and the motion carried.
  - TelCom Construction/Century Link contacted us to see about putting in an internet line in the road right-of-way. Supervisor Wulff **moved to allow for TelCom/Century Link to put in an**



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**internet line in our road right-of-way as long as they repair any portions of road right-of-way that they disrupt**, seconded by Supervisor Adelman-Dullinger and the motion carried.

- A possible Nuisance Ordinance was discussed by Supervisor Bennett as he has been getting contacted by the residents and he asked our attorney, Brad Persons of Breen & Persons, to see what other townships have. Supervisor Bennett will also contact the Sheriff’s Department to see if they would be willing to go with a Supervisor if/when they need to go out to a resident’s place to discuss any issues if we move forward with having an Ordinance.
- Election packets for CTC & Crow Wing Power were received and it was decided that the Board will opt out of voting due to having more than one person’s opinion.
- Border to Border Adventure Trail proposal in northern Cass County for a 4-wheel drive vehicles/ATVs was received, the Board has decided that they will not take action at this time.
- **Review Claims** – Supervisor Wulff **moved to approve claim numbers 24064 to 24083 in the amount of \$30,231.45 and the payroll numbers 24061 to 24063 in the amount of \$2,643.79 for a total of \$32,875.24**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Other Business** –
  - Supervisor Wulff would like to see updated budgets provided to the Board each month.
  - Online training classes offered through MN Association of Townships - Supervisor Booth **moved to approve the optional online training courses for those interested**, seconded by Supervisor Wulff and the motion carried.

**Adjournment:** Supervisor Wulff **moved to adjourn**, seconded by Supervisor Adelman-Dullinger and the motion carried with the meeting adjourning at 9:27 pm.

Minutes submitted by,

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Jenna Ruggles, Deputy Clerk

\_\_\_\_\_  
Greg Booth, Chair

Amendments: Spelling and grammar errors corrected with a sentence clarification under private roads section.

Date: 6/4/2020