



**MINUTES**  
**BOARD OF SUPERVISORS MEETING**  
**July 16, 2019 7:00 PM**

Location: Town Hall 33155 Hemingway Ave., Stacy, MN 55079

**CALL MEETING TO ORDER**

***Pledge of Allegiance***

R. Keller called the meeting to order at 7:02 pm and the Pledge of Allegiance was recited.

**Members Present:** Chairperson R. Keller, Vice Chair B. Seekon, Supervisor C. Cagle, Supervisor T. Nelson

**Members Absent:** Supervisor L. Sinna

**Others Present:** Treasurer S. Aker, Town Clerk K. Wood, Maintenance Supervisor M. Fehrman, J. Pelawa 9 people (signed in).

**REVIEW & APPROVE THE AGENDA**

**B. Seekon made a motion to approve the agenda. Second by T. Nelson.** T. Nelson added: under roads 6. SLFD seal coat. Under Roads 7. Seal Tech Contract 8. Wood Sales Ivywood Trail. **All in favor, motion carried.**

**APPROVE BOARD MEETING MINUTES FROM JUNE 18, 2019**

**T. Nelson made a motion to approve the meeting minutes from June 18, 2019. B. Seekon seconds.** **All in favor, motion carried.**

**REVIEW & APPROVE CONSENT AGENDA**

**T. Nelson made a motion to approve the consent agenda. Second by B. Seekon.** R. Keller said \$139k was to Fahrner and \$46k to Seal Tech. \$13,900 was paid on the bond. **All in favor, motion carried.**

**TREASURER COMMENTS**

S. Aker said the June tax settlement of \$498,810.17 was received.

**COMMITTEE REPORTS**

**Planning & Zoning**

B. Seekon said it was an active month with lots of complaints most of which have been ongoing property complaint issues. Solar is back up and running.



## **Roads**

### **Road Project Update**

R. Keller said they are done double chipping and blacktopping.

#### **340th W of 61**

They mucked out 340<sup>th</sup> and brought it up to a 9-ton road by putting millings on it. They are getting a price to muck it out to the tracks. T. Nelson said they should pave what they wrecked. R. Keller said no, and that we should go after Knife River. T. Nelson said the residents should not have to pay for 340<sup>th</sup> to be redone. R. Keller stated that the Township did not get what we paid for. J. Pelawa asked if R. Keller talked to T. Lachinski about the final drive through. R. Keller said they have not gotten that far. T. Nelson said they cannot let this go another month. The road is less than an inch thick. We still have the 5 percent retainer. M. Fehrman would like to core the road. J. Pelawa said you need to do a road tour with T. Lachinski first. It is up to them to determine the parameters of the deficiencies. T. Nelson said we only put an inch and a half on it. It makes sense to put another layer over it.

**B. Seekon made a motion that the Chair does the tour of 340<sup>th</sup> Street with T. Lachinski of Knife River. T. Nelson seconds. All in favor, motion carried.**

M. Fehrman said we should have a road tour of the Township roads. R. Keller said he is excited about the hard surfacing. T. Nelson is happier this year than last.

C. Strand (302<sup>nd</sup> Street) asked about a grant to prep 302<sup>nd</sup> once the school is built. T. Nelson said it leads to the industrial park. R. Keller said there is a section that needs a lot of work by the swamp and has to be rebuilt. It is not ready due to sub soil problems and frost boils. They talked about agreements with other municipalities. They also discussed pricing to fix the road and determined it would be very expensive. The Township would like to see it paved, but need help with the cost. R. Keller said we are going to do some dust control. M. Fehrman said they have 2 tons in cold storage. M. Fehrman said that is going to be a through road and if it is paved it would only be 18 feet as is.

### **Pay Application**

J. Pelawa discussed the work completed to date and the amount owed to Valley Paving. \$669,013.99 does not include any driveways. Add \$46,632.00 for driveways over 3 feet. D. Goranson from Valley Paving is going to come out and look at them. T. Nelson asked if this includes last month's bill. J. Pelawa noticed there was a quantity that was off \$3263. It was actually high. With driveways: \$714,392.26 Total. Elmcrest is a 50/50 share. They owe \$35,901.60. Some quantities went down. \$669,013.99 has been done to date. Minus the retainage, the total is \$635,563.29. Lent will have to bill Oxford.

**C. Cagle made a motion to pay the \$635,563.29 to Valley Paving. T. Nelson seconded. All in favor, motion carried.**





### **Oxford Township Agreement**

R. Keller said the Oxford Lawyers generated an agreement for the Board to sign. We are going to bill \$120 for plowing and other road work. T. Nelson said we should be billing for shouldering too. B. Seekon read the agreement. There was a question regarding getting signed documentation prior to roadwork. R. Keller is going to talk to Oxford. **R. Keller made a motion to approve the Township agreement. B. Seekon seconds.** B. Seekon said he wants to make sure we get the signed agreement. B. Seekon said this is as of today. T. Nelson said we still need a written agreement. **All in favor, motion carried.**

### **Driveway Tie-ins**

J. Pelawa is waiting to have a meeting with Valley Paving. The Township has not paid for them yet.

### **Road Maintenance (Report)**

R. Keller said Maintenance has been shouldering. Mailboxes have been getting moved.

### **Seal Coat SLFD**

T. Nelson confirmed everything was approved for the seal coating at the Fire Department. Todd and N. Peltier are going to coordinate it.

### **Seal Tech Contract**

T. Nelson said they are a good company and asked if we should enter a contract for them to do a few miles per year. R. Keller asked about having Maintenance Staff get a grinder attachment and do it. T. Nelson said it is more cost effective to pay someone else to do it. They did it quickly and we do not want to play catch up. He just wants the Board to think about it. He likes that they are local. Maintenance is not going to have time with all of the shouldering. M. Fehrman said you cannot do it safely with two people. B. Seekon said we are not equipped for it. T. Nelson does not want to lose the ground we gained this year. There was discussion as to how often it should be done. J. Pelawa said you will base it off your road tour. C. Cagle said it should be a budget item at the Annual Meeting. B. Seekon agreed. T. Nelson said we are past gravel and somewhat caught up. C. Cagle said the next Board will see that something is set up. T. Nelson said he wants to keep what we have maintained.

### **Wood Sales Ivywood Trail**

T. Nelson said the DNR is going to have 3 major wood sales on Ivywood Trail which are supposed to start next fall and maybe this spring. There are no road restrictions. J. Pelawa said the Township should be able to pass a road restriction. He said he would have to read more into the MAT rules. It would fall into MnDOT road requirements. B. Seekon said we have core samples. Joe said MnDOT is a minimum of 3". T. Nelson asked if we should send them a notice stating that the road is deficient and asked the Board if J. Pelawa should write a certified letter. J. Pelawa said it is substandard for MnDOT's road standards. Some of the terrain is marginal and some is not. J. Pelawa suggested updating the road restriction policy.

R. Keller made a motion to move forward with a 7-ton policy on Ivywood Trail. B. Seekon seconds. T. Nelson asked if that is too high. J. Pelawa said you are deficient based on MnDOT. B. Seekon asked,



with this motion who is patrolling this. We have to go to the DNR and say this is our road and it is deficient and they have to tell their contractor you cannot do this. T. Nelson knows a guy to contact. He is not local.

R. Keller rescinds his motion. B. Seekon rescinds his second.

**B. Seekon made a motion for J. Pelawa to write a letter for the DNR logging for Ivywood Trail and other roads that may be affected. R. Keller seconds. All in favor, motion carried.**

### **Parks**

T. Nelson said the lime rock is done.

Maintenance is going to put a picnic table off 315<sup>th</sup> on the park Lent owns. R. Keller said to mow a knob off of the bike path to place it on. M. Fehrman noted he will be chaining it down.

### **Building**

#### **Building Plans**

C. Cagle got the final plans. She asked that the wall to be cut down from 4 feet to 2 feet. She can now submit the plans to get quotes.

**R. Keller made a motion for C. Cagle to proceed with the process. B. Seekon seconded.** T. Nelson asked about the doors in the hall. C. Cagle said they are fine and only the entrance doors on the office side are required to have the handicap buttons. T. Nelson likes the look of it. Maintenance talked to her about the fridge being fixed. She is still waiting to hear from D&G. The garbage screening will be up soon.

M. Fehrman said he, B. Schule and K. Wood were at a hostile safety training. He said there may be some needed changes to the office. C. Cagle said we need to sit down and look at the plans.

C. Cagle is going to submit this to 3 different contractors. T. Nelson said she should talk to J. Kramer and ask why we need foundation. We just have a slab right now. It should be poled structured as it is now. T. Nelson said talk to J. Kramer to see if we can get by with a pole style. We have bearing points already. **All in favor, motion carried.**

### **Broadband Report**

C. Cagle said L. Sinna does not feel we need to spend the money to survey the whole area. Just the outlined area that needs coverage. C. Cagle said it will cost \$1k.

**T. Nelson made a motion to move forward with the survey in the deficient areas. B. Seekon seconds. All in favor, motion carried.**





## **OLD BUSINESS**

### **ARMER User Agreement**

C. Cagle has been watching emails between different officials. We have the interim agreement and are not paying for it. B. Seekon said it was discussed the last CCATO meeting. The County said they did not want to cover it. C. Cagle said they are already getting reimbursed for them. There was a discussion regarding how the Commissioners will vote on this topic. T. Nelson said they are going to be told they will not have coverage. B. Seekon said west of us and across the river have VHF. C. Cagle said North Branch is still refusing to sign it.

N. Peltier said they have to have 800 megahertz radios. It needs to be divvied up correctly. The Sheriff uses them more than the Fire Department. We need to put our foot down and see what we are stuck with. We are using 18 percent of the air time. It all goes back to the tax payers regardless. C. Cagle said the County does not want their name attached to the tax raise. N. Peltier said we need to come to an agreement we just do not know when. N. Peltier said everyone who goes on a fire needs a radio. He said we need a lot of radios. T. Nelson said it should go by the call volumes. Usage was discussed. T. Nelson said they already spent 2 million dollars of public money. N. Peltier said there are a lot of people who are pushing back. There is a Chief meeting going on in Center City right now and they are trying to figure out how to remedy this.

C. Cagle said the Mayors and the Townships have been getting together. C. Cagle said we have the agreement stating that it should be billed through the County. She said we are not going to pay for them. R. Keller said if we have to pay for them, he is going to raise the taxes to pay for the radios. He is going to make sure the SLFD has radios.

N. Peltier said the SLFD is not going to give up any of their radios. Some departments are willing to give up some of their radios, but not them. R. Keller said absolutely.

### **SLFD Pole Barn – Bond**

T. Nelson said he and K. Wood have been talking to P. Tiede who put them in touch with a bond person. N. Peltier said there is almost enough in the LG555 to pay for it. It is a fund coming out of our bank account. It is in the Township's account so we need a payment schedule. There needs to be steps. T. Nelson does not want to wait a month for payments. He wants it pre-approved. N. Peltier said there is a \$6500 down payment. N. Peltier said they are not planning to buy a vehicle out of this fund. They would be able to start building in October. It will be a cold storage building. \$37,500 for the building and around \$20k for concrete. There is \$53,206 in the LG555.

**T. Nelson made a motion to approve the \$6500 for the down payment. C. Cagle seconded. All in favor motion carried.**

**T. Nelson voted to approve up to \$40k to be paid as invoiced. B. Seekon seconded. All in favor, motion carried.**



### **Shouldering Machine**

M. Fehrman asked if they would like the machine. B. Seekon said he is still torn on it. T. Nelson said it is a two-person operation if we contract gravel. M. Fehrman said Chris from RDO just wants a signed PO and if we do not like the equipment, we are not required to keep it. T. Nelson said he would like him to put something in there that we can demo it. M. Fehrman said we can.

**T. Nelson made a motion to sign the PO and move forward with the shouldering machine. B. Seekon seconds. All in favor, motion carried.**

### **NEW BUSINESS**

#### **Cornillie 2 Solar CUP and Variance (Resolution 2019-16)**

E. Maass explained this is an IUP for a 1 mw solar garden. North of the two solar projects that went in last year. The application required a variance due to a 50' side yard setback requirement. The property to the south has solar. He said Staff feels the variance should be approved. The site plan shows they would construct a new access. The building permit comes before the Town Board and was reviewed by the Engineer. Solar is typically screened by evergreens and they are going to wait on the screening at this time. It will require the standard requirements such as the decommissioning escrow which is \$41k. Staff is supportive of the permit. E. Maass explained the difference between solar farms and solar gardens per the Township ordinance in section one. This situation would not occur anywhere else in the Township.

**B. Seekon made a motion to approve resolution 2019-16. R. Keller seconds.** T. Nelson said he is concerned with the narrowing of the access and asked who is responsible for it. E. Maass said the same property owners own it. E. Maass said solar gardens do not have requirements for road frontage. E. Maass said the plans are subject to Engineer approval. **All in favor, motion carried.**

#### **Subdivision Ordinance Amendment (Ordinance 2019-04)**

E. Maass said it is an ordinance allowing for the owner to subdivide five acres by metes and bounds. The original has to be a minimum of 20 acres. This eliminates formal platting. **B. Seekon made a motion to approve Ordinance 2019-04. T. Nelson seconds. All in favor, motion carried.**

#### **Lions LG555 - \$500 – Reiger Field Lighting (Resolution 2019-17)**

**B. Seekon made a motion to approve resolution 2019-17 approving the Lions LG555 for \$500 for Reiger Field Lighting. T. Nelson seconds. All in favor, motion carried.**

#### **LG220 Wild River Deer Hunter Gambling Form (Resolution 2019-18)**

**T. Nelson made a motion to approve the LG220 Wild River Deer Hunter Gambling form – Resolution 2019-18. B. Seekon seconds. All in favor, motion carried.**

#### **Inspection Services Agreement by and Between the City of Wyoming and the Town of Lent**

**B. Seekon made a motion to approve the Inspection Services Agreement by and Between the City of Wyoming and the Town of Lent. T. Nelson seconds. All in favor, motion carried.**





### **Building Permit Violation – Lincoln Rd**

B. Seekon said they put an addition on without a permit. The Board consensus was for J. Kramer to send a letter to the property owner. K. Wood is going to let him know.

### **S. Aker Review**

R. Keller said they meet with S. Aker. She has almost twice the employees when she started and is doing great. They recommend a \$1.00 per hour raise. **B. Seekon made a motion to give S. Aker a \$1 per hour raise retroactive July 13<sup>th</sup>. T. Nelson seconded. All in favor, motion carried.**

R. Keller called a recess at 9:11 pm

R. Keller called the meeting back to order at 9:14 pm

### **PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)**

D. Milles said he sent a memo to the Planning Commission Chair. He talked to someone who told him the property owner at the 9008 Lent Trail complaint and his family are living in a trailer on the property. There is no septic and garbage. He is not allowed to be living out there. He wants to go criminal for this violation and go to the Sheriff for child endangerment. He talked to the deputy assessor and there is nothing stopping J. Kramer from knocking on the door. This is been going on for four years. In his opinion, we have been cutting him too much slack. The residence is not allowed, the Sheriff can go out there and the county attorney can prosecute him. He keeps bringing more stuff in from auctions and violating the outdoor storage ordinance. He said we need to do criminal prosecution.

T. Nelson said Peter should draft a letter and send it to child protective services. D. Milles said we need J. Kramer to go knock on the door and ask, “are you living here?”. C. Cagle asked if E. Maass would like to weigh in on this. He said no. E. Maass said they sent it up to the County to seek a search warrant. They said the info is too old. The letter was sent to the home owner. They did an inspection that the homeowner was aware of. After, boats were brought back on the property. Whether or not they are living on the RV, he does not know. D. Milles said we are not dealing with the judge; we are dealing with the Sheriff. The Sheriff will investigate. If he determines they are living there, it will be a new violation. We are responsible for enforcement.

**B. Seekon made a motion that we instruct our building inspector to inspect the property and bring his findings to the Township and ensue P. Tiede to write a letter to the County Attorney. T. Nelson seconds.** R. Keller asked that D. Milles give K. Wood the information. C. Cagle has been out there and has had conversations with him. She went on to explain his conversations with him. T. Nelson said they are at a point where enough is enough. B. Seekon had a conversation with M. Willcoxon who wanted to be nice and now he admits that this has to be done.

A demo permit was discussed.

E. Maass said assuming he is kicked off of the property, the stuff is still on there. E. Maass said it could be abated. It would be difficult to sell.



**All in favor, motion carried.**

B. Woods asked if anyone else has a bear problem. C. Cagle raised her hand. B. Woods said they even came out in the rain last night. She asked if it helps to call the DNR. D. Milles told her to call the wildlife manager.

**CLERK COMMENTS**

None

**SUPERVISOR COMMENTS**

None

**UPCOMING MEETINGS**

- ❖ Parks Meeting – July 30, 2019 – 6:00 pm
- ❖ CCATO Meeting – July 31, 2019 – 7:00 pm
- ❖ District 7 Meeting – August 8, 2019 – 7:00 pm
- ❖ Broadband Meeting – August 12, 2019 – 7:00 pm
- ❖ Planning Commission – August 14, 2019- 7:00 pm
- ❖ Board Meeting – August 20, 2019- 7:00 pm
- ❖ Joint Powers – September 9, 2019 – 7:00 pm

**ADJOURN**

No parks meeting this month.

**B. Seekon made a motion to adjourn the meeting at 9:34 pm. Second by T. Nelson. All in favor, motion carried.**

Board Chair Signature

Clerk Signature

