



SYLVAN TOWNSHIP

REGULAR BOARD OF SUPERVISORS MEETING MINUTES

AUGUST 01, 2019

(Recorded for Transcription Purposes Only)

Call to Order/Pledge of Allegiance/Roll Call: Chair Booth called the meeting to order and the Pledge of Allegiance was said. Those present: Supervisor Greg Bennett, John Wulff, Arlene Schmit, Greg Booth, Yvette Adelman-Dullinger and Faith Broberg, Clerk/Treasurer. Sign – In Sheet Attached.

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

Clerk/Treasurer's Report –

Minutes Public Hearing on 42nd Avenue SW – 7-18-2019 - Supervisor Schmit **moved to approve the amended minutes of 7-18-2019**, seconded by Supervisor Wulff and the motion carried.

Minutes Regular Board of Supervisors Meeting – 07-18-2019 – Supervisor Schmit **moved to approve the amended minutes of 07-18-2019**, seconded by Supervisor Wulff and the motion carried.

July 2019 Financial Balances – tabled to the 2nd meeting August 15, 2019.

Public Input –

Residents, Beth Peters, Mary Ann Burns, Sally Volner, and Laurel Reese – are here for the discussion on short term-rentals further down in the agenda.

Old Business/Reports

Road – Bryan Drown Road Projects Engineer

Camp Jim – bids were opened on July 30th here at the Town Hall. Bids were received from Anderson Brothers Construction and Knife River. Anderson Brothers are the apparent low bidder at \$ 263,243.75. If the Board wanted to move forward, they could award the bid to Anderson Brothers contingent on securing the necessary easements. Supervisor Bennett informed the Board that we have just about all of the necessary signatures on the easements. The bid is good for 60 days and as a courtesy to Camp Jim, work won't start until after Labor Day. It was decided to wait until our next meeting on August 15, 2019 to make a motion to award the bid.

Gregory Drive SW – regarding the portion located in Sylvan Township. Bryan Drown informed the Board that Sylvan's portion for overlaying this would cost about \$30,000. Bryan had talked with Knife River and they will probably start prep work on the road the second week in August and starting construction the third week in August. Bryan suggested the Board talk with Fairview Township regarding this project to see if Sylvan could piggyback with them. The Road Supervisor for Fairview is Tom Dechmann.

Supervisor Wulff **moved to proceed with the overlay project on Sylvan's portion of Gregory Drive SW**, seconded by Supervisor Adelman-Dullinger and the motion carried. Supervisor Wulff will contact Tom Dechmann from Fairview.

42nd Avenue SW – The residents on this road have petitioned the Township to take over the road as a Township road. The residents had survey work completed on the portion of 42nd Avenue SW that goes from the platted portion of 42nd Avenue SW south to 132nd Street SW. Some residents on this portion of the road will need to have their road easements dedicated to the public and recorded with Cass County.

Camp Jim Road SW – Tera Tech is seeking a permit from the Township for Century Link to work in the Township's Road Right of Way for the road improvement project. After discussion, Supervisor Schmit **moved to approve Tera Tech filling out the necessary forms for Century Link to work in the Township road ROW**, seconded by Supervisor Bennett and the motion carried.

Road Supervisors Report -

17th Avenue SW – the residents on 17th Avenue SW are very interested in getting their road tarred. The Board will be looking at the beginning of 2020 the Road and Bridge budget funds to see what is available.

Barnett Road SW/Marigold - discussion on bus using this road and where the turnaround would be. Arlene will check with Eric Fornshell and have him look at it.

Nelson Lake Road – discussion on driveways in this area – number of horses would be regulated by Cass County.

Cutting and Patching – Supervisor Wulff said that looks good.

122nd Street SW – the blacktop- washout - on the edge of the road at the southwest corner of Gull River Bridge. Chair Booth had pictures showing the damage. Could have Brad Holmvig look at it and get an idea of what to do.

Calcium chloride – did not do Beaver Dam Road and the Township's parking lot. City of Pillager did Pillager Dam Road and will bill us. Total Calcium Chloride used was 7,051 gallons.

Paper Roads - Supervisor Bennett has been looking into the paper roads that show up on plats. He is wondering if we can have Bryan Drown look at these areas and have up-to-date surveys done. There was discussion on who can use them as they don't belong to anyone resident. If they aren't Township roads can the Township have a survey done. This would be a good question to ask on August 21, 2019 at the District 11 Minnesota Associations of Townships Meeting. Supervisor Bennett will attend this meeting and see what information he can find out.

Delineators – Dave Johnson, Planning Commission Chair had brought in a delineator that he made, for the Board members to inspect.

Grading Issue – several of the gravel roads were graded after the calcium chloride was applied.

Archeological Study – a requirement for a permit that is needed for Sylvan Lake Park.

Planning Commission -

Resolution #2019-08 Approving the Moratorium Ordinance 2019-01 to conduct a study on short term rentals in Sylvan Township. Supervisor Adelman-Dullinger **moved to approve Resolution #2019-08 accepting Moratorium Ordinance #2019-01 to conduct a study on short term rentals in Sylvan Township**, seconded by Supervisor Bennett and the motion carried.

Ordinance #2019-02 - Short Term Rentals in Sylvan Township - Brad Person –

Attorney – Recommendations:

- 1) Permit Application should have clause where owners agree that Township staff may enter premises to confirm compliance as a condition of getting a permit.
- 2) Give a reasonable amount of time for people to become compliant OR pass now and say doesn't take effect until 1/1/20.
- 3) Some will try to do without a permit – could consider if they are discovered they can't apply for 6 months OR more—as a penalty for not following the rules.
- 4) Violation of the ordinance – can't declare a violation without due process (“notice, hearing, and a chance for them to dispute your findings). Probably best to stick with misdemeanor/or obtain court order to force compliance but they pay lawyer fees. Be sure to keep revocation of permit after three warnings or whatever as a remedy but then, as you have in draft, need to give them a chance of hearing before revocation so you have legal process. Warnings and notice of hearing needs to specifically address what they did wrong.

Supervisor Wulff will not be at the public hearing and has a few comments:

- 1) Property lines need to be identified – site plan.
- 2) Renewal process – needs to have a timeline regarding expiration date of permit and filing a new application and effective date.
- 3) Wording regarding length of rental – start and stop date.

Other discussion items:

- 1) Wake boats – damage to shoreline- use by renters, or not allowed?
- 2) Ask Attorney – can Township limit types of boats or anything?

Chair Booth mentioned that on page three under 2.3.2 second paragraph it says “properties may not be leased or rented to more than one separate party in a seven-day period” this would answer #3 of Supervisor Wulff's comment.

Supervisor Bennett **moved to have the changes discussed added to the draft ordinance and available for the Public Hearing on August 8, 2019 at 7:05 PM.**, seconded by Supervisor Adelman-Dullinger and the motion carried.

Fire Report – Supervisor Adelman-Dullinger gave this report.

July 27th, 2019 mud run at Ski Gull.

August 31, 2019 – Safari North – Hanging with a Hero (want a truck).

After October 5, 2019 – structure burn for training.

Squad 1 is in for repairs.

New uniforms came.

Runs –

June Year to Date 137 runs

Last year – Year to Date 143 runs

Copy of Hackensack – calendar cost would be around \$3,000 - \$4,000 for what they would need. The calendar is free, but the Fire Association asks for donations.

Cass County Emergency Management Meeting – report given by Supervisor Adelman-Dullinger.

Chad Emery gave a workshop on Personal Preparedness in the event of a disaster.

Regarding what a resident would need to do within the first 72 hours of a disaster.

Tier 2 – Jess Watts is working on this. It is a building that has hazardous materials in it and this would be to let First Responders know about it and what kind of hazardous materials.

Moon Dance – went well. They were checking ages before allowing access to the campground.

Motorola – need 145 radios, 83 portables and 60 some mobiles,

Skywarn – Chad Emery is certified to teach this class.

New App – wear little chip – Social Service got a grant and individual wears a pendant and when within 80 feet of this person info would be transmitted to the First Responders.

Drone – have a new drone around \$5,000. Showed how a drone could be used in search and rescue.

County Association of Township Meeting – Workshop being offered on snow removal and we can invite anyone – should invite Brad Holmwig's crew.

District 11 – meeting scheduled for August 21, 2019 in Walker with a Weed Seminar prior to the District 11 meeting.

Marla Yoho, Fairview Township is scanning information into a drop box in the Cloud. Suggestion that the Township could hire an intern and have that person working on this project.

New Business

Subordinate Service District Process - if residents on Zebroski Acres or 42nd Avenue SW get to the point of asking the Board to form a SSD we would need to have legal assistance in following the correct process of doing so. We could check with Minnesota of Townships to see if they could recommend someone we could contact. Supervisor Bennett will also check with Brad Person to see if he would be interested.

Other Township Business

Correspondence –

Building permits –

Town Aid for 2020-

Quote on Gregory Drive Overlay-

Cass County Sheriff Incident Report –

Cass Economic Development Corporation Annual Meeting Oct. 3, 2019

MAT District 11 Meeting on August 21, 2019 in Walker

Noxious Weeds Meeting prior to the District 11 meeting

Township CD will mature on August 6, 2019 – Supervisor Bennett **moved to not renew the CD's at this time and put money into our Money Market at Bremer Bank**, seconded by Supervisor Wulff and the motion carried.

Review Claims –

Supervisor Wulff **moved to approve the claims check #23552 thru #23576 in the amount of \$30,144.58 and the payroll check # 23544 to 23551 in the amount of \$4,731.97 for a total of \$34,876.55**, seconded by Supervisor Adelman-Dullinger and the motion carried.

Other Business to Come Before the Board -

Colleen Putnam – Deputy Clerk Annual Job Review – After discussion of Colleen's Job Review in which she was highly commended for her quality of work, Supervisor Wulff **moved to increase her wages by \$.60/hour and will continue receiving her vacation, sick days, holidays, and be retroactive to her anniversary date of June 15**, seconded by Supervisor Adelman-Dullinger and the motion carried.

Township Insurance Policy – there was discussion on the Township insurance coverage. After discussion, it was decided that the Board will go through the policy and see what we need covered. MATIT (present insurance company) – has dropped coverage for bridges and piers.

Adjournment – Supervisor Bennett **moved to adjourn**, seconded by Supervisor Adelman-Dullinger and the motion carried with the meeting adjourning at 9:42 PM.

Minutes submitted by,

Faith C. Broberg, Clerk/Treasurer

Chair, Greg Booth

Supervisor Schmit moved to approve the minutes as presented/as amended, seconded by Supervisor Wulff and the motion carried.

Amendments: Page 1 on the July 2019 Financial Balances change the word July to August. Same page under Camp Jim change the spelling of curtesy to courtesy. Page 2 on 122nd Street insert after the edge of the road at the southwest corner of Gull River Bridge. Page 3 on the 4th bullet add the parentheses after the word findings)

Date: August 15, 2019