

## **Regular Board of Supervisors Meeting Minutes** *Thursday January 07, 2021*

*Note: 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 Board of Supervisors Meeting to order at 6:35 pm and the Pledge of Allegiance was said. Those present at the meeting were Supervisors Greg Booth, Bob Johnson, Arlene Schmit, Yvette Adelman-Dullinger, Greg Bennett, and (Deputy) Clerk Jenna Ruggles & Clerk Faith Broberg. Residents that were present included John & Debbie Wulff, Sue Opsahl, Kaye Edgeton, Rose Nelson, Mike Frank, and those online through Zoom were Sherry Norton and Sally Volner no sign-in sheet attached due to COVID-19. Road Project Engineer Bryan Drown and PC Chair Dave Johnson were present online through Zoom as well.

**Agenda:** Supervisor Bennett **moved to approve the agenda as amended**, seconded by Supervisor Schmit and the motion carried.

### **Public Input:**

- Supervisor Booth recognized John Wulff for his many years of service on the Township Board and presented him a plaque from the Township Board and Staff.
- **Mike Frank** was present to ask the Board to accept his application for a Business Permit at his residence in Sylvan Township. There was a recommendation from the Planning Commission for the Board to deny the application from Mike Frank, the supporting documents that were presented included a Facts & Findings sheet that included the following. 1. Granting of the permit would allow a business that has changed the character of the neighborhood to continue. 2. The business may at times add traffic in excess of 10% of normal traffic. 3. The business noise levels may at times exceed 60 decibels. 4. The business at times has exceeded parking capacity of the property and right of way at the property. The Board also received a letter recommending the Board deny the application for Mr. Frank's business permit from Cass County's Environmental Services, Jessica Manifold. This recommendation listed how a business at Mr. Frank's residence does not comply with the DNR State Shoreland Ordinance. Supervisor Booth read through the requirements in Sylvan's Commercial Ordinance that would not be met if the Board were to approve Mr. Frank's application. After discussion it was determined that his residence did not meet the DNR, Cass County, or Sylvan Townships Ordinances and if he continues to run his business there, legal action will be taken by Sylvan Township and its attorney. Supervisor Bennett **moved to deny Mike Frank's application for a business permit at his residence in Sylvan Township**, seconded by Supervisor Schmit and the motion carried. The Board did let Mr. Frank know that he has the right to appeal this decision with Sylvan Township or with Cass County. Resident Sue Opsahl asked that the Board review the way it notifies the surrounding residents when an application is submitted; Supervisor Bennett replied that The Township is currently working with Cass County on this situation to determine a better way.
- **Sally Volner** was present and provided an email to the township prior to the meeting. Discussions were around how the township supervisor's positions are determined. Sally Volner did not agree with the format. Ms. Volner stated that there is never change in positions and that change is good and asked why the Board does not run for a position instead of a seat. She feels things have been very repetitive and that voters should be allowed to choose the positions for each Supervisor. Supervisor Booth indicated that Sylvan Township follows the State of Minnesota's laws regarding election and nominations of Supervisor's seats and positions. Supervisor Adelman-Dullinger stated to Ms. Volner

that the Board nominates Supervisors to positions which they know they have a good understanding of and knowledge in and that they do give some thought to who they are nominating, that it is not just random. Ms. Volner stated that things seem to be a status quo and that it is not bad within an organization to broaden your knowledge and take on new challenges and grow. Supervisor Adelman-Dullinger responded to Ms. Volner explaining more detailed on why a seasoned Supervisor should take certain positions and where a new Supervisor would better fit. She then stated that it appears the Board has not been doing a good job in their current positions. Ms. Volner replied no, that she thinks that it is possible that some of the Supervisors are getting lax or too comfortable in their positions or that they are unhappy in their position and that there are things that could be happening better. That things are being overlooked or set aside. She also stated that she came to the Town Board with an issue because she felt it was the right place to go and since then it has not been a well-defined, directed, or procedurally experienced situation. She has had other residents address her and tell her that the Board does what they want and that they don't listen to the residents. Ms. Volner believes that the Board is here to make things right for the residents of Sylvan Township. Supervisor Adelman-Dullinger continued to clarify when processes can seem to take a long time and that the Board only meets twice per month and that some of the Minnesota Statutes and laws require steps and processes that can take some time. Ms. Volner stated that she understands that, but she does feel that over 7-months' time is too long for one issue to be addressed.

### **Re-Organization Meeting started**

At this time Clerk Broberg called the **Reorganization meeting for 2021** to order. Nominations were taken for Chairperson of the Board.

- **Chairperson** -- Supervisor Bennett nominated Greg Booth, seconded by Supervisor Johnson, there weren't any other nominations and the nomination carried with all in favor and Supervisor Booth abstaining.

At this time Greg Booth took over as Chair.

- **Vice Chairperson** – Supervisor Adelman-Dullinger nominated Greg Bennett, seconded by Supervisor Schmit, there weren't any other nominations and the nomination carried with all in favor and Supervisor Bennett abstaining.
- **Road Supervisors** – Supervisor Bennett nominated Arlene Schmit as lead with Bob Johnson and Yvette Adelman-Dullinger, seconded by Supervisor Adelman-Dullinger and the nominations carried with all in favor.
- **Planning Commission Liaison** – Supervisor Adelman-Dullinger nominated Greg Bennet, seconded by Supervisor Schmit and the nomination carried with all in favor.
- **Pillager Lake Park Supervisor** – Supervisor Bennett nominated Arlene Schmit, seconded by Supervisor Adelman-Dullinger and the nomination carried with all in favor and Supervisor Schmit abstaining.
- **Fire Supervisor** – Supervisor Bennett nominated Bob Johnson, seconded by Supervisor Adelman-Dullinger and the nomination carried with all in favor.
- **Weed Supervisor** – Supervisor Schmit nominated Greg Booth, seconded by Supervisor Adelman-Dullinger; Supervisor Bennett nominated Yvette Adelman-Dullinger, seconded by Supervisor Johnson, Supervisor Booth withdraws and the nomination carried with all in favor of Supervisor Adelman-Dullinger with her abstaining.

#### Committees:

- **Personnel Committee**- Supervisors Schmit nominated Greg Booth and Greg Bennet with alternate Yvette Adelman-Dullinger, seconded by Supervisor Adelman-Dullinger and the nomination carried with all in favor.
- **Planning Commission Site Committee** - Supervisor Schmit nominates that we keep it open to all Supervisors; **one Supervisor and Dave Johnson will attend**, seconded by Supervisor Bennett and the nomination carried with all in favor.
- **Legal Committee** – Supervisor Bennett nominated Yvette Adelman-Dullinger and Bob Johnson with Greg Bennett as an alternative, seconded by Supervisor Adelman-Dullinger and the nomination carried with all in favor.
- **Special Projects** –
  - **Newsletters** – Supervisor Bennett nominated Greg Booth and Deputy Clerk, Colleen Putnam, seconded by Supervisor Schmit and the nomination carried with all in favor.
- **Emergency Management Quarterly Meetings** – Supervisor Bennett nominated Yvette Adelman-Dullinger, seconded by Supervisor Johnson and the nomination carried with all in favor and Supervisor Adelman-Dullinger abstaining.

#### Other:

- **Clerks Appointment** – Supervisor Bennett **moved to appoint Jenna Ruggles as Clerk in Transition**, seconded by Supervisor Johnson and the motion carried. Clerk Ruggles appointed Colleen Putnam as Deputy Clerk and Faith Broberg as Clerk. Appointment is made by the Clerk; however, the Board decides on their rate of pay.
- **Authorize Clerk to Throw Away Junk Mail** – Supervisor Schmit **moved to authorize the Clerk to throw away the junk mail**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Official Posting Places** – (Casey’s General Store, Pillager Post Office, Corner Store Express, Township Website and Outside Display Case at the Town Hall.) After discussion, Supervisor Bennett **moved to utilize Casey’s General Store, Pillager Post Office, Corner Store Express, Township Website and Outside Display Case at the Town Hall as Posting Places for 2021**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Official Depositories** – Pine River State Bank and Bremer Bank – Supervisor Bennett **moved to keep the depositories that we now have**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Official Legal Paper** – Supervisor Schmit **moved to use the Brainerd Dispatch as our legal paper**, seconded by Supervisor Bennett and the motion carried.
- **Set Board Meetings Schedule for 2020** – The Board meetings are on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month with the Planning Commission meeting held on the 2<sup>nd</sup> Thursday of the month. All meetings between November 1<sup>st</sup> and March 31<sup>st</sup> will start at 6:30 PM and all meetings between April 1<sup>st</sup> and October 31<sup>st</sup> will start at 7:00 PM. Supervisor Adelman-Dullinger **moved to keep the same Board Meeting schedule as 2020**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Compensation for Board Supervisors and Planning Committee, Meetings and Hours:**
  - **Town Board of Supervisors** – Supervisor Bennett **moved to keep the compensation for the Board of Supervisors (\$85/Meeting for Members \$70/Meeting for Chair and \$19/Hour)**, seconded by Supervisor Adelman-Dullinger and the motion carried.

- **Planning Commission** – Supervisor Bennett **moved to keep the compensation for the Planning Commission (\$70/Chair \$60/Member per Meeting and \$19/Hour)**, seconded by Supervisor Adelman-Dullinger and the motion carried. Supervisor Bennett **moved to keep the PC Education, Site Visits & Mileage the same as last year**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Life Insurance** – Supervisor Adelman-Dullinger **made a motion to keep the coverage for township staff at \$10,000**, seconded by Supervisor Johnson and the motion carried.
- **Mileage Reimbursement** – Supervisor Bennett **moved that the mileage reimbursement follow the Internal Revenue Rate for mileage reimbursement (.56 cents a mile currently)**, seconded by Supervisor Adelman-Dullinger and the motion carried.

#### **The Regular Board Meeting Resumed at this Time**

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

- **December 3<sup>rd</sup>, 2020 Meeting Minutes** – Supervisor Schmit **moved to approve the minutes as presented**, seconded by Supervisor Adelman-Dullinger and the motion carried.
- **November 2020 & December 2020 Financials** were reviewed and Supervisor Adelman-Dullinger **moved to approve them as presented**, seconded by Supervisor Bennett and the motion carried.

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

- **Roads (Bryan Drown, Road Project Engineer, Bolton & Menk)** – was present and discussed the possible grant option from MNDOT for Local Road Improvement Program.
- **Road Supervisors reported** –
  - **Supervisor Bennett** talked about continuing to move forward with Shady Hollow Road and how the residents mostly do not want to move the road but instead look at the options for paving and still getting it to have better drainage. Also possibly look at 26<sup>th</sup> Avenue and how we can possibly do some work to that road.
  - **Supervisor Schmit** provided a report of roads that were graded since we applied calcium chloride. Discussions took place and it was determined that we would send out a request to Holmvig Excavating to provide us with names of each road on each date. She also reported that we are still reviewing the shared road agreement with Pillager. Supervisor Schmit also reported that we had a damaged mailbox last week.
  - **Hwy 210 Lights** email with quotes from Jeff Wohlert, Crow Wing Power, was discussed and it was decided to add to the agenda for the Annual Meeting for the residents to vote on.
- **PC Report** – Most of the meeting was about Mr. Frank's business permit application. They also discussed the 3 letters that went out to the possible businesses in the area and one was no response, one was liquidating, and the last was supposed to come to the January meeting. Sylvan Lake Park grant writing has started to look for funding for seeding and trees. The Right-of-Way Permit Ordinance was discussed and what fees they felt would be good to remove, more to come at the January meeting. A resident, Jana Keefe, who is looking at doing a 2-3 stall garage for auto repair with living quarters attached in our commercial park was discussed. An email was sent back to Ms. Keefe letting her know that the Planning Commission thought it would be permissible but it could have added conditions and restrictions to the permit.
  - **Recommendations – Short-term Rental Ordinance** was provided, they recommended was denied to leave the 75% setback for shoreline properties. The PC also would like to add the wording about having the MN Department of Health do an annual inspection to the STR Checklist as well as keeping it in the Ordinance. Supervisor Bennett **moved to change the**

**shoreline setback to 100% of the required setback by Cass County Land Use Ordinance**, seconded by Supervisor Adelman-Dullinger and the motion carried. Discussion on when we can have a Public Hearing for the changes of our Ordinances was had and a tentative timeframe of March 2021 was discussed. Supervisor Schmit **moved to approve the Planning Commission's recommendations for 2.3.10 Guest Records and 2.3.4 adding the verbiage to the STR Checklist**, seconded by Supervisor Adelman-Dullinger and the motion carried.

- **Fire Reports** for December 2020 & January 2021 were provided and discussed. Sylvan had 14 out of 33 runs in Nov 2020 and 13 out of 23 runs in Dec 2020.
- **MNHS Grant Project update** is that the RFP is coming together for approval at the next meeting and that the fact sheet is now available for viewing on our website and bulletin board.

#### **New Business:**

- Supervisor Bennett **moved to set a working budget meeting for February 4<sup>th</sup>, 2021 at 5pm with the Regular Board of Supervisors Meeting to immediately follow**, seconded by Supervisor Johnson and the motion carried.

#### **Other Township Business:**

- **Correspondence** – has been being forwarded to emails.
  - **Ottertail Power Co.** – not sure why we received, we do not have them in the Township.
  - **ROW request** – Jane Brown, Telecom Construction asked about our permit. The Board asked Clerk Ruggles to let her know that she will have to check when her project is closer as we are working on a permit.
- **Public Input** – **Sally Volner** stated that Agendas are too vague and that the meeting minutes are not available in a timely manner. Supervisor Booth responded to explain that minutes cannot be posted until approved at the next meeting and then posted. Ms. Volner wants to know if Zoom will be offered for future meetings as well.
- **Review Claims** – Supervisor Schmit **moved to approve claim numbers 24458 to 24466 and EFT claim numbers 010721.1 to 010721.9 in the amount of \$77,552.96 and the payroll numbers 24446 to 24457 in the amount of \$4,066.60 for a total of \$81,619.56** seconded by Supervisor Adelman-Dullinger and the motion carried.
- **Other Business** –
  - The Personnel Committee set the Annual Review date for the Clerks to January 19, 2021 starting at 9:00 AM.
  - The Board also updated their contacts for the Security Company to include Supervisor Bennett and Clerk Ruggles with Supervisor Booth.
- **Announcements** – Next meeting will be Zoom and in person.

**Adjournment:** Supervisor Bennett **moved to adjourn**, seconded by Supervisor Adelman-Dullinger and the motion carried with the meeting adjourning at 9:15 pm.

Minutes submitted by,

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Jenna Ruggles, Clerk/Treasurer

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Greg Booth, Chair

These minutes were approved as amended on January 21, 2021 by Supervisor Schmit, seconded by Supervisor Adelman-Dullinger and the motion carried with Supervisors Bennett, Adelman-Dullinger, Johnson, Schmit and Booth.

Amendments: Add Planning Commission chair meeting pay.

Date: 1.21.2021