

BOARD OF SUPERVISORS MONTHLY MEETING

April 12, 2016

The April Monthly Meeting of the Fairview Township Board of Supervisors was called to order at 6:30 PM in the Fairview Town Hall on Tuesday, April 12, 2016 by Chairman Jim Weizenegger with the Pledge of Allegiance. Other Board members in attendance were Supervisors Walt Richmond and Tom Dechmann, Clerk-Treasurer Marla Yoho and Deputy Clerk-Treasurer Sharon Owen.

Richmond/ Dechmann/ Unanimous: Motion to approve the **Minutes of the March Monthly Meeting**.

Treasurer's Report: Sharon reported the following month-end balances in the Township accounts: \$40,993.51 in Checking and \$252,496.91 in Money Market funds. **Revenues for March totaled \$297.38** (\$.38 interest, \$297.00 Electricity & Gas Reimbursement); **Expenditures totaled \$9,420.65** (\$5,756.25 Road & Bridge; \$288.00 Fire; and \$3,375.40 General Gov't expenses).

Dechmann/ Richmond/ Unanimous: Motion to approve the Treasurer's Report as presented.

Road Report:

On March 3rd Tom met with Gary Berning at a property he purchased off **Green Bass Lake Ln.** and gave him permission to create a driveway onto the road to be used by the logging trucks while clearing the downfall on his lots.

On March 7th Tom installed the **Road Weight Restriction signs** on township roads in anticipation of weight restrictions going into effect at midnight on March 8th. The restrictions are being lifted on the Central region this Friday. They will probably be lifted in this area (North-Central) next week.

On March 10th Tom was advised that water was running over the surface of **Gregory Drive**. He called Jeremy Fyle and had the culvert jetted out. This time it only took about 10 minutes to open the culvert.

On March 18th Tom noticed two logging skidders along **Gregory Drive**. They were actually cleaning up lots that front onto **Rookery Drive**. One skidder had been there all winter but the second one had been hauled in after **Weight Restrictions** were in place. The large truck parked along the road was owned by Lyle Sunne of Cloquet. Tom contacted the Sheriff's office and was told that the sheriff does not have a way to weigh the trucks, but that they would have a deputy check the status of the trucks. Tom has not heard back from the deputy. There are now two trucks parked there. (5 lots being cleared are owned by same person).

On April 8th Tom also noticed that loggers are working along the north end of Pinewood and near the Ken Rasinski property.

Mark Jensen of **1435 Ossego Rd** called Marla to question what could be done about runoff water that comes down his neighbor's concrete driveway and then flows onto his lot, causing a washout in his yard. Tom stopped at his house to discuss the problem but no one was home. He left his card but has not heard back.

Marla reported a Featherlite Trailer (Lic. T1728) is parked in the township turn-around at the end of Gull Lake Dr. Sgt. Rittgers will check the registration and advise.

There were reports of several mailboxes being hit by the township plow trucks this winter. The Board did not discuss this issue.

Fire Report:

Walt reported a total of 150 firefighters participated in the **Quarterdeck training burn** and created 75 separate burns. The firefighters had to have their vital signs (blood pressure, etc) checked by medical personnel before and after they entered the burns. A couple of firefighters were kept from participating due to high blood pressure. The event has been described as the best training event ever held in this area.

The Fire Dept. has ordered new SCBA (**Self-contained breathing apparatus**). The old units were identified as being defective, so the company is providing new units with a value of \$6,000 for only \$900 each.

The agreement between the **Quarterdeck** and the Fire Dept. for the **water storage tank** has not been signed yet due to some conditions the Quarterdeck attorneys have included, such as the right to move the tank in the event it interferes with their construction. The tank may actually end up being installed in our township road right-of-way on one of the surrounding roads.

There have been more discussions on the **fire assessment formula** since the May Township representative was not at the earlier meetings. They are hoping to have the formula integration schedule set before June so the city of Pillager can have it when they set their next budget/ levy.

The Fire Dept. received **grants** from the Minnesota Emergency Systems for new oxygen tanks.

There were 25 runs in March (none in Fairview), bringing the total runs for the year to 70, which is ahead of last year.

Planning Commission:

Randolph Larson CUP: On March 7th, the Fairview Planning Commission joined the Field Inspection at the property of Randolph Larson located along Cty. 77 (no address yet) in the Mastel First Addition (PID 140-404-0110). Larson submitted an “after the fact” application to allow for the excavation and removal of a historic ice ridge which exceeds more than 50 cubic yards of earthen material along with the removal of all existing vegetation. The Fairview PC recommended the CUP application be approved with conditions that assure the applicant adheres to the vegetation plan.

At a hearing on March 14th, the CCPC voted to approve the application.

Birch Bay RV Resort CUP: At their hearing on March 14th the CCPC reviewed the application of the Birch Bay RV Resort to expand and reconfigure the golf course/ resort for Phase 1, containing 55 RV sites and a waste water treatment system.

The letter sent last month by the Fairview Township Board was read into the proceedings. There were numerous written and verbal comments presented regarding potential threats, public health, safety, peace and excess density.

The CCPC approved the application for 55 sites in Phase I but the actual configuration of those sites will be changed from the proposal. Phase I was approved with 49 sites from the original Phase 2 and 6 riparian sites from original Tier #1. The 23 conditions put on the approval are attached to these minutes. Many of these conditions must be met before commencement of construction.

In addition to the conditions, the owners agreed to work with their septic installers to move the primary SSTS to an area that is not adjacent to existing homes, as possible.

The owners will enhance the vegetation border (trees) to create a visual and noise barrier between the resort and the existing homes.

The Planning Commission will not consider a CUP application for Phase 2 until sufficient time has passed to gauge the impact of Phase I. Before the next application Birch Bay RV Resort must submit reports to ESD on occupancy rate, water use, AIS inspections, lake access activity and Sheriff's Dept. calls. The owners must comply with all requirements and recommendations of the MN Dept of Agric. VIC program and provide verification to ESD.

OLD BUSINESS:

Tree Update: Marla spoke with John Ringle and Josh Stevenson about the Cass County Tree program. These trees are ordered from Canada and come with a root ball in a plastic wrap. They are delivered by the semi-load to Pine River or Backus at the end of April/ early May. John thought there was a way that the county or SWCD could help the township purchase bulk amounts of these trees on a cost-share basis.

Josh suggested that Marla contact Mike Wood at PRT directly. Per Wood, trees are normally ordered up to 4 years in advance. In the growth process, the trees are watered thoroughly in the containers then removed from

the containers, wrapped in plastic and then frozen. They are shipped in a refrigerated TCBX trailer. These trees are planted at a rate of about 700 to 800 per acre.

This year they only have Red Pine tree plugs available for 16 cents each. These plugs are approximately 4" wide and 6" tall.

If the township wants larger trees, they will have to order them in advance.

NEW BUSINESS:

2015 Sheriff's Office Annual Report: Sheriff Tom Burch presented a summary of the 21,390 calls for service received by the Cass County Sheriff's Office in 2015 (up from 1,823 in 2014), with 235 of them in Fairview Township, down from the last 5 years. (45 Alarms, 24 Medical Calls, 13 General Inquiries, 12 Thefts, 7 Road Conditions, 6 Each: Accident no injury, Suspicious Vehicle, Welfare check, Suspicious person, Balance are assorted).

They have an average response time of 4.5 minutes; Peak calls come in between 4 and 5 PM; the Peak month for calls is July.

In the county there were 253 serious crimes, including 20 assaults, 168 burglaries, 1 homicide, 1 kidnap, 53 criminal sexual contact and 10 criminal vehicular operation.

They completed 634 Predator checks (up to Level 3); issued 428 "Permits to Carry" and 372 "Permits to Purchase".

Frauds and scams are increasing, especially those aimed at older residents.

The STS crew completed \$77,815 worth of work. Services were valued at \$8 per hour in 2015 but that will increase to \$12 per hour in 2016.

Tom Dechmann questioned why the response time was over 35 minutes for a recent burglary on his road.

He also questioned why the Sheriff's office has no way of weighing/ responding when trucks suspected overweight trucks cross township roads during Weight Restrictions. (See notes under Road Report, above.) Burch assured Dechmann he would look into the issues and report back. He did indicate that there may have been a delay in response time on the burglary since the perpetrators were no longer on the scene and it was not an emergency.

Birch Bay RV Resort Road Issue: Dale "Shorty" Spohn, owner of the Birch Bay RV Resort, approached the Board about the possibility of the township abandoning the portion of S. Agate Shore Dr that lies within the RV Resort property. The Resort had proposed to gate the road off but that can't be done legally.

MN Statute 164.06 states that if a township hasn't spent any money on a road for 25 years, it is considered to be abandoned. That would be the case with the old Birch Drive as it is platted through the RV Resort.

The township has no interest in owning a public road within the RV resort since it will only serve the campers.

The resort owners petitioned to have the road vacated last year and the petition was denied, but the campground had not been proposed or approved at that time. The ensuing lawsuit was dismissed in July 2015. By law, the owners cannot petition again for 5 years.

At this point, it would be up to the township to start the process, but it would be the responsibility of the RV resort to pay the associated costs. They would also be responsible for creating a paved turnaround area for emergency vehicles, township road maintenance trucks and snow plows. Spohn said emergency vehicles will access the camp ground via the Sandy Point Rd entrance.

Weizenegger/ Richmond/ Unanimous: Motion to table the issue until next month so that we can get more information on how it should be handled. Marla will contact the MAT attorney, and possibly Troy Gilchrist, for guidance.

Lee Wangstad questioned if the road would be vacated all the way through the District Court. Marla will find out if that is necessary.

Ken LaPorte thinks it is a warranted request since the piece of road under discussion will no longer serve a public purpose.

Trees in R-O-W: There was additional discussion about the trees that have recently been planted inside the row of large trees that already growing in the R-O-W (from when the Brown's owned it).

Lee Wangstad said that one foot of the blacktop is actually on his property and that these new trees are still planted in the R-O-W. He suggested that Widseth, Smith & Nolting may have an old survey, or JKL since Jim Kreamer had done a survey for the RV Resort.

Spohn told the Board the **SSTS will be moved** to a different area on the resort so it will not be across from Lot 15 (Wangstad's).

Pillsbury Forest/ State Land Clean-Up: In response to questions posed by residents at the Annual Meeting in March, Curt Cogan, Area Forest Supervisor for the MN DNR, agreed to attend tonight's meeting to provide an update on the clean-up efforts within the Pillsbury Forest and on other state maintained land.

Cogan presented a letter dated November 23, 2015 which reported the township would be receiving \$1,589.79 from their share of the **Pillsbury Forest income from 2015**. That money, which goes into the Community Projects account, has never been credited to the township account. Cogan will check on it.

After the storm, the DNR took aerial photos showing over **1,400 acres of forest land was blown down**.

The DNR did offer **1,288 acres up for sale and 95% of the lots sold**...this estimates to 20,800 cord of wood. As of April 5th, 80% of those permits had been completely harvested.

Cogan left a map which shows the timber sales that have been completed

In the spring the **DNR will be replanting 406 acres** with 54,990 White Pine seedlings, 4,500 Oak seedlings and 167,460 Red Pine seedlings. They also plan to plant more in the spring of 2017.

The Rock Lake and Will Stark camp grounds were both closed for a good portion of the summer. Most everything will be back open this summer except for a few individual camp sites.

Ski Gull had a lot of damage on the land they lease from the DNR.

There are some **fuel wood permits** available, ranging from \$10 to \$30, depending on what the wood is.

Cogan spoke about the "Firewise Community Mitigation Grants", which can help on a cost-share basis to help people and communities who cannot afford to deal with cleaning up the storm blowdown, ultimately making the community safe from wildfire.

Donations: The Board reviewed the letters requesting donations. Weizenegger/ Dechmann/ Unanimous: Motion to approve donations in 2016 to: Note: Others will be considered as they come before the Board.

Cass County Ag Society – Pillager Fair \$500.00

Cass Cty Historical Society \$200

Lakes Area Dive Team \$500.00 (Check presented to Sheriff Burch)

Mount Ski Gull \$2,000

Nisswa Lake Park: Alex Hondl, Nisswa Parks & Recreation Director, has requested a letter from the township to support their Legacy Fund grant application for the proposed Nisswa Lake Park. Weizenegger/ Richmond/ Unanimous: Motion to approve the letter of support.

CLERK'S REPORT:

The Board received letter of gratitude from the Aitkin County Law Enforcement Benevolent Assn for the township's donation to the **Steve Sandberg memorial**.

There has been no response from "Helping Hands Dev." concerning the **abandoned trailer** on their property on Cty 77 and Sandy Point Rd.

Marla spoke with Tom Green at **Frontline Plus, Inc.** The next time someone is in the area doing maintenance on the sirens they will assess the situation with the warning siren and give us an estimate on raising it up.

The annual **Road Review** will start at 7:30 AM on Friday, April 15, 2016.

The **Board of Equalization** will start at 1:00 PM on Friday, April 15, 2016.

A **Weather Spotter's training class** will be held at the town hall on Wednesday, April 20th at 6:00 PM. All township residents are welcome to attend.

This is Weather Awareness Week and all weather warning sirens will be sounded at 1:45 PM and 6:45 PM on Thursday, April 14th as part of tornado drills.

Cass County Emergency Mgmt will be holding a **HazMat Incident- Regional Tabletop Exercise** on Thursday, April 28th from 1 – 4 PM in Backus. All township officials are welcome to attend.

Dechmann/ Weizenegger/ Unanimous: Motion to approve payment of all Claims as submitted. (Aye: Weizenegger/ Richmond/ Dechmann).

10416	CTC	Internet & Phone	98.59
20416	Xcel Energy	Natural Gas - Fire Hall	121.72
30416	Crow Wing Power	Electricity	218.00
40416	PERA	Retirement Fund	451.01
4018	Brainerd Dispatch	Annual Mtg Notice	184.12
4019	PERA	Late Payment Penalty	10.00
4020	Frontline Plus, Inc	Warning Siren Maint Contract	800.00
4021	Cass Cty Auditor-Treasurer	Solid Waste Service Fee	66.00
4022	Jeremy Fyle	Jetting Culvert	150.00
4023	Cass County Sheriff	Lakes Areas Dive Team Donation	500.00
4024	Tom Dechmann	Administration to 4/12/16	673.56
4025	Sharon Owen	Administration to 4/12/16	432.81
4026	Marla Yoho	Administration to 4/12/16	1,356.41
4027	Walt Richmond	Administration to 4/12/16	509.85
4028	Jim Weizenegger	Administration to 4/12/16	252.58
4029	Avenet LLC	Township Website Maintenance	425.00
4030	Ken LaPorte	Planning Commission	62.96
4031	Joe Fitterer	Planning Commission	68.90
4032	Herb Richmond	Planning Commission	59.72
50416	CenturyLink	Telephone	6.05
		Total	\$6,447.28

Richmond/ Dechmann/ Unanimous: Motion to adjourn the meeting at 8:00 PM.

Respectfully submitted,
Marla Yoho, Clerk

Jim Weizenegger, Chair