

Pursuant to due call and notice the Southside Township Board of Supervisors met for the regular Board meeting on Tuesday June 6, 2023, at 7:00 p.m. at Southside Township Hall. The following members were present: Chairman Jim Hallstrom, Supervisor Eric Marty Ferguson, Supervisor Dan Berg, Clerk/Treasurer Carmen Merrill. Also present: Steve & Terri Loch, Jeremy Kaskinen, Ryan & Leah Huikko, Shane & Kim Vollrath, Jeff Hunt, Dianne & Mark Barthel, Cam Marklowitz, Sharon Keil, tim Lohse, Brian Partridge, Scott Kuehn, Richard Brown, Mike Couri.

Chairman Hallstrom opened the meeting and led the pledge of allegiance.

Supervisor Berg made a motion to approve the May 2, 2023, regular meeting minutes with a second by Supervisor Ferguson. Motion carried.

No one was present for the open forum.

The public hearing for the vacation of Reardon Ave NW was called to order. Chairman Hallstrom asked if anyone had found a prescriptive easement in their property documents. No one present had one.

Mike Couri went over the area of Reardon Ave NW that will be vacated if the Board decides to do that tonight. The road property will go back to the property from which it came which is now owned by Ryan and Leah Huikko. The portion of the road for vacation is black on beacon map and goes into the pond. The portion of the road that is driven is on private land. The platted right of way is what we're dealing with tonight. If the road is vacated the platted area becomes private. Chairman Hallstrom stated at the meeting on 5/18/23 with the DNR the DNR suggested putting up a gate and letting the road return to its natural state which would help with erosion.

Chairman Hallstrom asked for comments regarding the road vacation from those present. No one had comments. The Board read an email they received regarding the road. Mike Couri stated once the road is vacated it goes back to private. Steve Loch stated the DNR is worried about erosion from ATV use on the unplatted road area. They offered to put up fences to keep them out. Supervisor Ferguson asked if the road is private or public now. Mike stated is is public for the sense of road easement but if vacated the public easement goes away and the land goes back to the property it came from. The Board just needs to pass Resolution 2023-01.

Chairman Hallstrom made a motion to pass the following resolution and moved for its approval:

**RESOLUTION NO. 2023-01**

**RESOLUTION APPROVING VACATION OF ROAD IN THE  
TOWN OF SOUTHSIDE, COUNTY OF WRIGHT**

WHEREAS, the Town of Southside has received a Petition to Vacate a Road easement, and said petition has been signed by landowners, all of whom are voters residing in Southside Township and who own property within a three-mile radius of the road and easements to be vacated described as follows:

That part of the public road as dedicated on the recorded plat of Breezy Ridge, Wright County, Minnesota, according to the recorded plat thereof, that lies South of the North

line of the South 613.46 feet of the Southeast Quarter of the Northeast Quarter of Section 7, Township 121, Range 28, Wright County, Minnesota.

WHEREAS, the Town Board has determined that vacating said road would be in the public interest;  
and

WHEREAS, the Town of Southside having considered the petition to vacate the road so described; and

WHEREAS, each Supervisor has separately viewed the subject road and easements proposed to be vacated prior to the date of the public hearing; and

WHEREAS, the Town Board ordered a public hearing to hear all interested parties and to act upon said vacation petition at 7:00 p.m. on the 7<sup>th</sup> day of March 2022, at the Southside Town Hall and continued such hearing to 7:00 p.m. on the 6<sup>th</sup> day of June, 2023;

WHEREAS, all legal requirements regarding giving notice have been satisfied, including the mailing of notice to the DNR at least 60 days before the public hearing; and

WHEREAS, it now appears to the Town Board of the Town of Southside that such town road serves no useful purpose;

NOW, THEREFORE, the Town Board of the Town of Southside, Wright County, Minnesota, hereby orders:

1. The Town road easement located in the Town of Southside, Wright County, Minnesota, described as follows is hereby vacated:

That part of the public road as dedicated on the recorded plat of Breezy Ridge, Wright County, Minnesota, according to the recorded plat thereof, that lies South of the North line of the South 613.46 feet of the Southeast Quarter of the Northeast Quarter of Section 7, Township 121, Range 28, Wright County, Minnesota

- B. The Town Board reserves a utility easement sufficient to support any existing utilities that are located over, above, or within the vacated premises, but only if such utilities exist over, above, or within the vacated premises as of the date of this document.
- C. The Town Board hereby determines that the vacation of said road shall cause no damage to any abutting or nearby property owners and therefore no damages are awarded to any such property owners.
- D. The Town Board hereby directs the Township Clerk to cause service of the Notice of Damage Award upon the following landowners within seven days of the filing of the damage award with the Town Clerk:
  - a. Diane S. Cleveland, 16958 105<sup>th</sup> Street N.W., South Haven, MN 55382

- b. Dennis & Renee J. Loch, 10399 Reardon Ave. N.W., South Haven, MN 55382.
- c. Ryan C. & Leah Huikko, 10507 Reardon Ave. N.W., South Haven, MN 55382.
- d. Steve Loch, 110041 Reardon Ave. N.W., South Haven, MN 55382.
- e. Timothy C. Lohse & Sharon Keil, 16865 108<sup>th</sup> St. N.W., South Haven, MN 55382.
- f. Shane D. & Kimberly M. Vollrath, 10655 Reardon Ave. N.W., South Haven, MN 55382.

Supervisor Berg seconded the motion. All members voted aye. No nays. Motion carried.

Mike Couri stated his office will send damage notices to property owners and record the vacation with Wright County.

Supervisor Ferguson made a motion to continue the public hearing regarding 61<sup>st</sup> ST NW to July 11, 2023, meeting at 7:00 p.m. Supervisor Berg seconded the motion. Motion carried.

Mark & Dianne Barthel, 7153 Rosewood Ave NW, requests a variance to allow an addition to the existing home that would be inside of the shoreland building setback. The request is also to allow a detached garage that would be inside of the road setback. REASON A VARIANCE IS NEEDED: A variance is required as the existing home/deck is 53 ft. from the Ordinary High-Water (OHW) of the lake and the addition would be 62 ft. from the OHW whereas 100 ft. is required. A variance is also needed as the proposed detached garage would be 30 ft. from the centerline of the road whereas 65 ft. is required. The addition is a 12x24 addition to the house and they would build a new 26x36 garage. They will remove the existing pole shed/garage and replace it with the garage which will be further from the road than the existing. The 8' deck will be removed and the 12'x24' addition to the house will go in its place but will be further from the lake than the deck. They need to stay away from the existing mound system. Supervisor Ferguson made a motion to approve the variance request to allow an addition to the existing home 62' from OHW of the lake and 30 ft from the centerline of the road due to the addition being further from lake than the old deck and the new garage being further from road than the existing shed. Supervisor Berg seconded the motion. Motion carried.

Jeff Hunt, -13886 101st St NW- Requests a variance to construct a single-family dwelling located within the shoreland, side yard, and road setback. REASON A VARIANCE IS NEEDED: A variance is required as the proposed single-family dwelling is 70.8 ft. from the ordinary high-water whereas 100 ft. is required, 11.0 ft. from the side yard whereas 15 ft. is required, and 49.6 ft. from the centerline of the road whereas 65 ft. is required. Jeff owns this site and the neighboring property. He received it from his uncle who owns the lot on the other side of the lot in question. There is an old trailer on the lot that will be removed so a new manufactured home can be installed. The new home will be the same distance from the road as the existing one. The 11' side set back is towards his own property so that will not be an issue. The home would be 70.8' from the OHW. Impervious coverage is at 17% which is under the 25% allowed.

They plan to service the new home with a holding tank due to the nature of the use of the cabin. Supervisor Berg had concerns about the side lot setback. Chairman Hallstrom stated he would feel better

about the side lot setback is he knew no home or living quarters could be built on it. Motion by Chairman Hallstrom to approve the variance request to construct a single-family dwelling 70.8 from the OHW, 11.0 ft from the side yard and 49.6 from the centerline of the road with the caveat that the neighboring lot #217-000-142204 owned by Mr. Hunt, will not be allowed to have a single-family dwelling on the lot. Supervisor Ferguson seconded the motion. Motion carried.

Brian Partridge, #217000232100 - across from 13674 90th ST NW South Haven, was present to request a variance to exceed the maximum size for an entitlement – asking for a 30-acre entitlement. The land is part of his mom’s trust. The trust is 113 acres of the family farm which has been in the family since 1888. Brian and his brothers are splitting up the land and Brian’s portion is 30 acres. He would like one of the three building entitlements with the property. Supervisor Ferguson had no objection to the variance for the entitlement. He feels due to the history and the family farm being 135 years in the family it is only right that Brian has a portion. Supervisor Ferguson made a motion to approve the 30-acre entitlement with one building entitlement. Supervisor Berg seconded the motion. Motion carried.

Supervisor Ferguson made a motion to approve the Frontline Contract for emergency siren maintenance for 2023 for \$900 for maintenance only. Supervisor Berg seconded the motion. Motion carried.

The following bills were approved as presented:

Check #	Date	Payee	Cash Account	Amount
online ach	6/4/23	Google LLC	100-10100	6.00
7813	6/6/23	Couri & Ruppe, PLLP	100-10600	137.50
7814	6/6/23	Frontline Plus, Inc	100-10600	900.00
7815	6/6/23	Hendricks Sand & Gravel	100-10600	31,294.00
7816	6/6/23	Windstream	100-10600	149.16
7817	6/6/23	Meeker Cooperative Light & Power Assoc	100-10600	48.00
7818	6/6/23	Waste Management	100-10600	3,646.58
7819	6/6/23	Wright Hennepin Electric	100-10600	3,573.49
7820	6/6/23	Cokato Janitorial LLC	100-10600	113.98
7813	6/6/23	Carmen M. Merrill	100-10100	1,124.52
7814	6/6/23	Eric M. Ferguson	100-10100	323.56
7815	6/6/23	James Hallstrom	100-10100	270.36
7816	6/6/23	Dan Berg	100-10100	184.70
somper000703304	6/6/23	Public Employees Retirement Association	100-10600	196.00
7825	6/6/23	Annandale Advocate	100-10100	67.20
7826	6/6/23	Reinhardt Maurer	100-10100	878.75
<b>Total</b>				<b><u>42,913.80</u></b>

The meeting was adjourned at 8:00 p.m.