

Pursuant to due call and notice there of the Southside Township Board of Supervisor met for a special meeting on Tuesday November 2, 2021, at 8:01 p.m. for the purpose of holding the regular monthly meeting. The following members were present: Chairman Tim Hable, Supervisors Jim Hallstrom and Marty Ferguson and Clerk/Treasurer Carmen Merrill. Also present: Darwin Hoffman, Michael Frye, Bernie Miller, Steve Hoiem, Blaine Barkley, Fred Knowles, Jane Knowles & Pat Liebsch.

Chairman Hable led the Pledge of Allegiance.

Supervisor Hallstrom made a motion to approve the minutes of the October 5, 2021, meeting with a second by Supervisor Marty Ferguson. All members voted aye. Motion carried.

Supervisor Jim Hallstrom made a motion to approve the following resolution and moved for its approval:

**TOWN OF SOUTHSIDE  
WRIGHT COUNTY, MINNESOTA**

**RESOLUTION 2021-07  
SETTING PUBLIC HEARING FOR VACATION OF ROAD**

WHEREAS, certain landowners, all of whom are voters residing in Southside Township and who own property within a three-mile radius of the road to be vacated as described below, have petitioned the Town Board of Southside to vacate that portion of a township road described below:

That part of the road right of way as dedicated by BAY VIEW-FIRST ADDITION, Wright County, Minnesota, according to the recorded plat thereof, lying Southeasterly of the following described line:

Commencing at the most Westerly line of Lot 17, said BAY VIEW-FIRST ADDITION; thence Northwesterly along the Northwesterly line of said Lot 17 to the Northerly corner of said Lot 17; thence on an assumed bearing of North 68 degrees 18 minutes 53 seconds East, along the Northerly line of said Lot 17, a distance of 96.91 feet to the point of beginning of said line; thence Northeasterly a distance of 142.36 feet along a non-tangential curve concave to the West, having a radius of 120.22 feet, a central angle 67 degrees 50 minutes 44 seconds, a chord bearing of North 31 degrees 41 minutes 07 seconds East, and a chord distance of 134.18 feet to the Easterly right of way line of said dedicated road and said line there terminating.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SOUTHSIDE, MINNESOTA:**

1. The Town Board finds that the road to be vacated abuts lands owned by:
  - a. Patrick & Leanne Liebsch  
13488 77<sup>th</sup> Street N.W.  
Annandale, MN 55302
  - b. Donald & Susan Kunelius  
1238 Mourning Dove Court  
Eagan, MN 55123

2. The Town Board hereby schedules a public hearing to consider the vacation of that portion of the road described above. Said public hearing shall be held on December 7, 2021, at 7 p.m. at the Southside Town Hall. The Town Board hereby directs the Clerk to post notice of said public hearing at least ten days before said hearing is to be held.
3. The Town Board hereby directs the petitioners to cause personal service of this resolution and the road vacation petition upon the landowners described in paragraph 1 above, said service to be had at least 10 days prior to the public hearing described in paragraph 2 above. The Township clerk shall post said petition and this resolution at the normal Township posting locations at least 10 days prior to the public hearing.
4. Within 40 days after the filing of the award of damages any owner or occupant may appeal from the award by filing a notice of appeal with the court administrator of the Wright County District Court. However, the owner or occupant must file the notice of appeal within ten days in order to delay the alteration, change, or other improvement in or to the road pursuant to Minn. Stat. § 164.07, Subdivision 10. The notice of appeal shall be accompanied by a bond of not less than \$250, with sufficient surety approved by the judge or the county auditor conditioned to pay all costs arising from the appeal in case the award is sustained. A copy of the notice shall be mailed by registered or certified mail to the town clerk or any member of the town board. The notice of appeal shall specify the award or failure to award appealed from, the land to which it relates, the nature and amount of the claim of appellant, and the grounds of the appeal, which may include a challenge to the public purpose or necessity of the proposed road or condemnation.

Supervisor Ferguson seconded the motion. All members voted aye. Motion carried.

The meeting to discuss the orderly annexation with the City of Annandale will be held on Thursday, November 4, 2021, at 7:00 p.m. The City of Annandale will have a representative at the meeting and the township attorney will be present to answer questions.

Ron Bray, WSB Engineer was present to go over the 62<sup>nd</sup> St NW improvements. The project is done and the Board will need to set a hearing date and approve the preliminary assessment tonight. Ron presented the project costs as follows:

Construction cost \$145,000.00; Engineering cost \$51,150.00; Legal fees \$4,750.00 for a total project cost of \$200,900.00. There are 21 assessment units for the project. 10 units will receive a full assessment cost and 20 units would receive a ½ assessment. These lots are not directly on 62<sup>nd</sup> ST NW but use the street to access their property. The Township has already paid the engineering and legal fees which have been accumulated over the course of 2 years. If the Board would like to assess 80% of the cost of the project the cost would be \$160,720 or \$7650 for a full assessment and \$3825 for a ½ assessment. If the Board decides to assess only the cost of construction or \$145,000 the per unit assessment would be \$6,900 or \$3,450 for a ½ assessment. Ron stated the project went well and the results look good. There was some concern from a few residents regarding the height of the curb. Ron stated the 5” curb was needed to handle the 100 year rainfall of 4.5”. After discussion the Board felt since they have paid the engineering and legal it was fair to assess only the cost of the construction. The assessment would be for 10 years at a rate of 3%. If the public hearing is held on November 29<sup>th</sup> the assessment could be sent to the County for 2022 collection. Supervisor Ferguson made a motion to approve the following resolution and moved for its approval:

**RESOLUTION NO. 2021-06**

**RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENTS  
FOR 62<sup>nd</sup> STREET IMPROVEMENTS**

**WHEREAS**, Southside Township has reconstructed 62<sup>nd</sup> Street within the Township in accordance with the process set forth in Minnesota Statutes Chapter 429; and

**WHEREAS**, the Town Clerk has notified the Town Board that a preliminary special assessment roll has been prepared and filed in her office for public inspection.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE  
THE SOUTHSIDE TOWNSHIP, MINNESOTA:**

1. The Town Board hereby accepts the preliminary assessment roll as prepared.
2. A hearing shall be held on the 29th day of November 2021, in the Southside Town Hall at 7 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
3. The portion of the cost of such improvement to be paid by the Town is hereby declared to be \$55,900 and the portion of the cost to be assessed against benefited property owners is declared to be \$145,000.
4. The Town Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing and shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
5. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor pay the whole of the assessment on such property, with interest accrued to the date of payment, to the Town Clerk except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. He may at any time, thereafter, pay the Town Treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 (except in the year of the assessment) or interest will be charged through December 31 of the succeeding year.

Supervisor Hallstrom seconded the motion. All members voted aye. Motion carried.

Michael Frye, Darwin Hoffman, and Bernie Miller were present to request a variance for 14926 62<sup>nd</sup> St NW. The variance request is to replace existing dwelling with a new dwelling that will have 1,552 sq. ft. of living space, 768 sq. ft. of storage area and a 168 sq. ft. screen porch on the lower level; the middle level to have 2,592 sq. ft. of living area and also a 288 sq. ft. deck; the main level is 1,696 sq. ft. of living space with a 768 sq. ft. attached garage. Proposed new structure to be 75 ft. from the Ordinary Highwater Mark (OHM) of lake with a deck 63 ft. from the OHW and 23 ft. from the bluff. Proposed Type IV septic system treatment area to be 45.3 ft. from the lake, 17.3 ft. from the dwelling and 7 ft. from the deck, with the proposed septic tanks 8 ft. from the dwelling and 2 ft. from the deck. Bernie stated the owners have worked hard to make this house fit. The current deck is 58' from OHW and new proposed deck will be 63' from OHW. Current impervious coverage is 26.4% but will be brought to 25% coverall by taking out steps and an existing garage. The boat house will remain. All planned additions other than the deck will meet the set back requirements and the deck is better than the existing. A new septic system will be installed in the site of the existing and will be large enough to handle the additions. Bernie said they do have an alternate plan if this one is not approved but it would not meet the road set back. The alternate home would be 37.3' from the centerline of the road. Supervisor

Hallstrom made a motion to approve the request to replace existing dwelling with a new dwelling that will have 1,552 sq. ft. of living space, 768 sq. ft. of storage area and a 168 sq. ft. screen porch on the lower level; the middle level to have 2,592 sq. ft. of living area and also a 288 sq. ft. deck; the main level is 1,696 sq. ft. of living space with a 768 sq. ft. attached garage. New structure to be 75 ft. from the Ordinary Highwater Mark (OHM) of lake with a deck 63 ft. from the OHW which is an improvement over existing and 23 ft. from the bluff, new septic system installed and impervious coverage meets 25%. Also moves to approve the alternate plan of structure that meets all setbacks but road which will be 37.3' from the centerline of the road. Supervisor Ferguson seconded the motion. Motion carried.

The following bills were approved as presented:

Check #	Date	Payee	Cash Account	Amount
7483	11/2/21	Adam's Pest Control Inc.	100-10100	137.72
7484	11/2/21	AStech Asphalt Surface	100-10100	36,373.01
7485	11/2/21	Couri & Ruppe, PLLP	100-10100	1,850.00
7486	11/2/21	East Side Glass	100-10100	494.27
7487	11/2/21	Earl F. Andersen, Inc.	100-10100	65.95
7488	11/2/21	FS3	100-10100	165.56
7489	11/2/21	United States Treasury Meeker Cooperative Light & Power	100-10100	361.95
7490	11/2/21	Assoc	100-10100	38.00
7491	11/2/21	Mid-Minnesota Hot Mix Inc.	100-10100	128,562.41
7492	11/2/21	Traffic Marking Service, Inc.	100-10100	15,054.96
7493	11/2/21	Waste Management	100-10100	3,415.30
7494	11/2/21	Windstream	100-10100	151.32
7495	11/2/21	Wright Hennepin Electric	100-10100	47.94
7496	11/2/21	WSB & Associates	100-10100	9,671.25
7497	11/2/21	Reinhardt Maurer	100-10100	268.25
7498	11/2/21	Carmen M. Merrill	100-10100	960.91
7499	11/2/21	Eric M. Ferguson	100-10100	83.11
7500	11/2/21	James Hallstrom	100-10100	173.42
7501	11/2/21	Timothy A. Hable	100-10100	181.35
7502	11/2/21	Hendricks Sand & Gravel	100-10100	9,945.00
7503	11/2/21	Eric C Nyren	100-10100	2,500.00
somper000626529	11/3/21	Public Employees Retirement Association	100-10100	166.60
<b>Total</b>				<b><u>210,668.28</u></b>

The meeting was adjourned at 9:00 p.m.