Pursuant to due call and notice there of the Southside Township Board of Supervisors met for a public hearing on Monday November 29, 2021, at 7:00 p.m. at Southside Town Hall, Wright County, Minnesota. The following members were present: Chairman Tim Hable, Supervisor Marty Ferguson, Supervisor Jim Hallstrom and Clerk/Treasurer Carmen Merrill. Also present: Ron Bray, WSB - Township Engineer, Mike Couri, Township Attorney, Keith Kohn – 16082 62nd ST NW, Janet Erickson – 16080 62nd St NW, Shawn Pedersen 6124 Porter Ave NW, Wayne Schmidt - 16245 62nd St NW.

Chairman Hable let the Pledge of Allegiance.

Ron Bray presented a power point regarding the 62nd St NW project.

The improvement and cost summary is as follows:

* Curb and Gutter section at 21 feet back to back for 850 feet and include blacktop paving of surface. No subsurface drain system.
* Curb set to contain estimated 100 year storm of 4 to 5 inches with S518 Curb known as a surmountable curb.
* Construction Cost at $145,000 (Bid Award at $169,000)
* Engineering Cost at $51,150 (Paid by Township to date)
* Legal Cost at $4750 (Paid by Township to date)
* Total Project Cost at $145,000 Construction plus $55,900 LEAF
* Total Project Cost is $200,900
* Neighborhood has a total of 21 units for assessment (11 full units and 20 one-half units identified)

The 429 assessment process allows the township to construct public improvements and add the cost of the improvement to the property taxes of the properties that have benefit. The project requires unanimous vote by Board to proceed and there are 2 public hearings, one on the project and one for assessments. Tonight’s hearing is the second public hearing. Property owners have the right to appeal the assessment if they do not see benefit in value assessed after the assessment hearing.

All lots with residences or buildable lots abutting paved areas were assessed for a full unit, unless access is off of Quinn Avenue. All other lots with residences or buildable lots not abutting Quinn Avenue but which use 62nd to get to their property assessed for a one-half unit.

The assessment roll was based on the following information:

* Total Project Cost at $145,000 Construction plus $55,900 Legal Engineering Administrative & Filing fees.
* Total Project Cost is $200,900
* Neighborhood has a total of 21 units determined for assessment
* Construction Cost is $145,000 or $6900 per unit and $3450 per one-half unit
* Township pays $55,900 or 28%; Residents pay $145,000 or 72%
* Proposing to assess $6900 per full unit and $3450 per one-half unit with 10-year equal principal payments plus 3% interest on balance annually.
* To be placed on Property Tax Payments beginning in 2022

Residents can prepay assessment in full within 30 days of today’s date with no interest accruing. If you do not prepay the assessment, it will show up on 2022’s property taxes at approximately $900 for a $6,900 assessment and approximately $450 for a $3,450 assessment. Assessments will continue through 2031. Residents can prepay the assessment at any time in future years prior to November 15th of each year. If prepay after November 15th, you must pay interest for the entire next year.

Any property owner may appeal the amount of the assessment to Wright County District Court. They must first present a written objection to the Township before the end of this public hearing. Then they must personally serve a notice of appeal on the Township within 30 days of the date of the adoption of the assessment roll, which will likely occur tonight. They must file the notice of appeal in Wright County District Court within 10 days of serving it on the township. All of these notices and time lines must be met or the appeal will be void. Once filed, appeal will result in a trial where the Judge decides whether the property benefitted by the amount of the assessment.

Anyone present that has a question on their assessment can present their information tonight and if the Board agrees they can adjust the assessment.

Keith Kohn – 16082 62nd St NW owns lot #16-PID#217-028-000160- and #17-PID#217-029-004050 on the map presented. Lot 16 has his home and lot 17 has a pole shed and the drain field for the home. Lot 17 is not buildable. He attended an earlier meeting and was told the lot with the pole shed would not have an assessment. After review of the two lots by the Board, attorney and engineer it was decided to drop the assessment from a full unit to one-half unit. Supervisor Ferguson made a motion to change assessment to one-half assessment for PID#217-029-004050 due to the lot being unbuildable. Supervisor Hallstrom seconded the motion. Motion carried.

Chairman Hable read a letter from Russell & Mary Malecha – PID#217-029-002010 – objecting to the proposed $3,450 assessment against their parcel. They don’t live on 62nd St and don’t utilize the cabin except for 2-3 weekends each month.

Chairman Hable stated the amount of time the cabin is in use is not in question it is the value of the property and whether the Board feels the value went up the cost of the assessment. The Board agrees with the assessment so no change will be made.

Chairman Hable read a letter from Jessica Marx – 16070 62nd ST NW – who has 3 parcels of land. PID#’s 217-028-000112

217-028-000111 and 217-029-003010. Lots 000111 and 000112 are on the lake and lot 003010 is a backlot. The lots cannot be combined because there is a road that runs between them. They asked to have the Board consider combining PID#217-029-003010 and PID#217-028-000222 into a single assessment to reflect that it’s really a single cabin on a single piece of property. Mike Couri answered the letter by stating the lot with the lake home is proposed to receive a one-half assessment of $3,450 since it is not on the paved road but used the road to get to the private road that provides access to the lot. The lot next to the home is too narrow to build on and does not have an assessment attached to it. The third lot is a “back” lot that is located off the lake and contains the drain field and garage. This property is large enough to be a buildable lot on its own. It can be sold with an easement retained over it for the current drain field and therefore must be treated the same as other vacant lots in the neighborhood meaning it will be assessed for one-half of an assessment. Since the back lot cannot be combined with the lake lots it must be assessed in the same manner the Township is assessing other vacant buildable lots that do not front on the paved road. The Board agrees with the assessment so no change will be made.

Supervisor Hallstrom made a motion to approve Resolution 2021-07 :

**RESOLUTION NO. 2021-07**

**RESOLUTION ADOPTING SPECIAL ASSESSMENTS**

**FOR 62ND STREET IMPROVEMENT PROJECT**

**WHEREAS,** pursuant to proper notice duly given as required by law, the Southside Town Board has met and heard and passed upon all objections to the proposed assessment of costs related to the paving of 62nd Street located in Southside Township, Minnesota.

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. The assessment levied by this resolution shall be payable in equal annual principal installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday of January, 2022, and shall bear interest at a rate of 3.0% per annum from the date of this resolution until December 31, 2022. To each subsequent installment when due shall be added interest for one year on all unpaid installments. Any assessment amounts not prepaid shall be spread against the property with equal principal payments due each year plus applicable interest on the entire amount outstanding.
3. The owner of any property so assessed may, at any time prior to the 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 thirty (30) days from the adoption of this Resolution; and he may, at any time thereafter, pay to the Town Clerk 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 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall forthwith transmit a certified duplicate of this assessment roll to the County Auditor to be extended on the property tax lists of the County, and such assessment shall be collected and paid over in the same manner as other taxes.

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

The final assessment roll is attached.

The meeting was adjourned at 7:47 p.m.

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