

Pursuant to due call and notice there of the Southside Township Board of Supervisors met for the regular Board meeting on Tuesday, September 5, 2023, at 7:00 p.m. at Southside Township Hall, Wright County. The following members were present: Chairman Jim Hallstrom, Supervisors Dan Berg and Marty Ferguson and Clerk/Treasurer Carmen Merrill. Also present: Jim LaTour, Sarah Pomerleau, Mary Pomerleau, Wayne Schmidt, Scot Kirby, Steve Hoiem, Kay Nordberg, Karl Nordberg, Paul Otto, Tom Igou, Josh Pomerleau.

Chairman Hallstrom called the meeting to order and led the pledge of allegiance.

Supervisor Berg made a motion to approve the minutes of the August 1, 2023 regular meeting with a second by Supervisor Ferguson. Motion carried.

No one was present for the open forum.

Supervisor Ferguson made a motion to approve Resolution 23-02:

RESOLUTION 23-02

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE TOWNSHIP OF SOUTHSIDE ON BEHALF OF ITS PROSECUTING ATTORNEY

WHEREAS, the Township of Southside on behalf of its Prosecuting Attorney desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the Township is eligible. The Joint Powers Agreement further provide the Township with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the Township to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Southside, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the Township of Southside on behalf of its Prosecuting Attorney, are hereby approved. Copies of the Joint Powers Agreement is attached to this Resolution and made a part of it.
2. That the County Attorney, Brian Lutes, or his successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the Township's connection to the systems and tools offered by the State.
3. That James Hallstrom, the Board Chair for the Township of Southside, and Carmen Merrill, the Township Clerk/Treasurer, are authorized to sign the State of Minnesota Joint Powers Agreements.

Supervisor Berg seconded the motion. All members present voted aye. Motion carried.

Thomas Igou, 10591 Montgomery Ave NW, requests a variance to allow expansion of a non-conforming structure for the conversion of an existing deck to a 3-season porch. A variance is required to covert the existing deck to a 3-season porch. The existing deck is 64.7 ft. from the OHW of Clearwater Lake whereas 75 ft. is required. He is enclosing his existing deck to allow for more living space. There will be no heat or water. The deck is 10'x32'. He is not encroaching on the lake any further. Since there is already existing concrete under the deck there is not additional impervious coverage with the 3-season porch. Supervisor Ferguson made a motion to approve the request for a variance to convert the existing deck to a 3-season porch due to the fact there is no additional impervious surface coverage and the new porch will not encroach on the lake any further. Supervisor Berg seconded the motion. Motion carried.

James Latour, 13841 102nd St NW - Requests a variance to construct a 1,260 sq. ft. accessory building to be 32 ft. from the centerline of a township road and 43.7 ft. from Lake Augusta. A variance is required as proposed accessory

building exceeds the 800 sq. ft. in single structure and 1,000 sq. ft. in total structure limits. The proposed building would be less than the required 65 ft. from the centerline of the road. The building setback required for a Recreational Development Lake is 100 ft. The proposed shed is 30'x42' and is needed to store his side by side, boat and other recreational vehicles. He will be moving the holding tank to place the shed near the road. The road is a private road and the neighbors have no objection to the garage. The lot coverage will go from 11.1% to 20.1% hard coverage. The sidewall height will be 9 or 10'. The shed is no closer to lake or road than the existing cabin. Supervisor Hallstrom made a motion to approve the variance request to construct a 1,260 sq. ft. accessory building to be 32 ft. from the centerline of a township road and 43.7 ft. from Lake Augusta due to the fact the existing cabin is at the same setback and the lot coverage is at 20.1% which is under the 25% allowed. Supervisor Ferguson seconded the motion. Motion carried.

Chairman Hallstrom stated he has an agreement from CP Rail regarding the widening of the approach at 90th St NW and Hwy 55. He and Supervisor Berg met with the CP Rail representative to discuss the width of the existing approach. The railroad had done some work a few years ago and when they were done the actual road under the rails was much narrower. There have been a few cars and trucks that have fallen off the edge of the road surface on the tracks and the Board is concerned about more accidents. The railroad agreed to expand the base under the railroad tracks and take out the pile of bituminous. In order to get the work done the township has to enter into a Right of Entry agreement with CP Rail and agree to pay for the flagman. Ron from WSB is working on a plan for the permit. The planking could be done within 3 weeks. Supervisor Berg made a motion to approve the Right of Entry agreement and agreed to pay for the flagman for the project. Supervisor Ferguson seconded the motion. Motion carried.

Wayne Schmidt, 16045 62nd st NW, was present to request a variance for a 11'x13.5' addition 38' 4" from the OHW of the lake and a 8'x12' and 6'x8' deck 38'3" from the OHW of the lake. He also plans to add a 2'x11' bump out to the home that will meet the side lot setback. He had asked for approval for a addition but was denied at the County due to not meeting lot coverage requirements. His new plans meet all the requirements. He met with the DNR who helped him develop a plan to manage water runoff. He will be using a fibrous coconut log which will be placed along the lake shore to help slow the water and filter before it gets to the lake while allowing the grass to grow. The log lasts approximately 3 years. There is already concrete in place for the deck so the new deck does not add to the impervious surface area. And, he is removing an existing garage and building a garage that is 2' smaller. His lot impervious coverage is going from 27.4% to 24.2% and building coverage is going to be 14.9% which is within the limits. The addition will have gutters that will disburse the water running off the roof to the new area with the coconut log for better disbursement into the lake. Supervisor Ferguson made a motion to approve the variance request for a 11'x13.5' addition 38' 4" from the OHW of the lake and a 8'x12' and 6'x8' deck 38'3" from the OHW of the lake as presented due to meeting both impervious and building coverage limits. Supervisor Berg seconded the motion. Motion carried.

Paul Otto, Sarah Pomerleau and Josh Pomerleau were present for a conditional use permit for xxxx 78th St NW, 217-084-001060. Paul stated he has worked on the previous request which was a land alteration of approximately 16,798 cubic yards within the shoreland and a request to build a home lakeside below the bluff to find a solution to the County's and Township's concerns regarding the amount of land alteration and the disturbance of the existing bluff. He made the following adjustments:

Reduced walls from 3 multi-tier to 2 taller walls approximately 10-15' tall.

Wall width in the bluff stays the same at 36 feet.

Reduced overall grading width 61% from 137 feet to 54 feet.

Reduced overall grading to be within 100 cubic yards of a balance of what will be taken out for the road and placed in the area for the home. The number could be a bit more or less depending on the compaction.

Reduced total material moved 46% from 8910 cu yds to 4770 cu yds.

Reduced cut 51% in upper bluff setback from 993 cu yds to 483 cu yds.

Fill in lower bluff setback and house area remained the same.

Prepared a Stormwater Pollution Prevention Plan (SWPPP) for the site. Proposing a coconut mat to help handle the water and erosion. It will last for 3-5 years to allow time for the grass to grow and get established.

Proposed a Turf Reinforcement Mat (TRM) for the ditch along the driveway.

Proposed Erosion Control Blanket along both sides of the future home during construction. Final vegetation will be sod.

The driveway will be bituminous and the water running off the roads will be directed to basins built to handle the water. Paul stated the water from the bluff will continue to run off as it does presently.

Supervisor Ferguson stated that while he likes the changed area of 137' to 54' he is still very concerned about the bluff.

Chairman Hallstrom stated he still stands by not disturbing the bluff and building the home on the top of the lot.

He has seen very well engineered plans destroy a piece of land and once it is destroyed you never get it back.

Supervisor Ferguson stated the Board received and read the letter Sarah Pomerleau sent today.

Supervisor Berg stated he liked the new plan better than the old and noted that they're trying to change to better meet the nuances of the unique property.

Supervisor Ferguson stated he would like to see the DNR's response to the revised plan.

Paul stated the DNR hasn't seen it yet. He will submit the new plan to the County and they will submit to the DNR for review.

Chairman Hallstrom asked for Soil and Water has reviewed. Paul stated they have not.

Supervisor Berg made a motion to table action to the October 3rd meeting so they can review the DNR response.

Supervisor Ferguson seconded the motion. Motion carried.

Chairman Hallstrom stated he received a email from a resident along Quist Ave NW regarding a wash out due to the heavy rain fall. Eric Hendricks stated the road is sand and when heavy rains came, they had to rebuild quickly due to major wash outs. The roads are not built for the traffic they receive daily. The cost to repair the road correctly is exorbitant so they do what they can with the material they have.

The clean up property on 110th has not been done so will be sent to the County for prosecution.

The radar signs along 80th ST NW were destroyed by vandals. They will be taken down and 35 mph caution signs will be placed along the road.

The following bills were approved as presented:

Check #	Date	Payee	Cash Account	Amount
online ach	9/4/23	Google LLC	100-10100	6.00
7860	9/5/23	Couri & Ruppe, PLLP	100-10100	806.25
7861	9/5/23	Earl F. Andersen, Inc.	100-10100	197.31
7862	9/5/23	Minn Assn of Townships Agency	100-10100	25.00
7863	9/5/23	Meeker Cooperative Light & Power Assoc	100-10100	47.00
7864	9/5/23	Annandale Advocate	100-10100	39.20
7865	9/5/23	Waste Management	100-10100	7,422.86
7866	9/5/23	Windstream	100-10100	369.76
7867	9/5/23	Wright Hennepin Electric	100-10100	48.76
7870	9/5/23	Dan Berg	100-10100	277.05

7871	9/5/23	Carmen M. Merrill	100-10100	2,976.36
7866V	9/5/23	Windstream	100-10100	-369.76
7868	9/5/23	Norgren Tree Service	100-10100	825.00
7869	9/5/23	Hendricks Sand & Gravel	100-10100	26,451.25
7872	9/5/23	James Hallstrom	100-10100	280.84
7873	9/5/23	Eric M. Ferguson	100-10100	104.14
7874	9/5/23	Reinhardt Maurer	100-10100	629.00
7875	9/5/23	Couri & Ruppe, PLLP	100-10100	62.50
7876	9/5/23	B&N Signs	100-10100	25.00
somper000715775	9/5/23	Public Employees Retirement Association	100-10100	<u>182.00</u>
Total				40,405.52

The meeting was adjourned at 8:22 p.m.