

Pursuant to do call and notice thereof the Southside Township Board of Supervisors met for the regular board meeting on Monday December 12th, 2022, at 7:00 PM at Southside Township Hall, Wright county Minnesota. The following members were present: Chairman Marty Ferguson, Supervisor Jim Hallstrom, Supervisor Tim Hable and Clerk Treasurer Carmen Merrill. Also present: Shawn Robb, Carrie Ann Robb, Jeff Matthews, Ryan Huikko, Leah Huikko, Steve Loch, Jeremy Kaskinen, Brandi Kaskinen, Lonnie Hendricks, Troy Loken, Deanna Loken, Ron Holevas, Steve Wolbeck, Kelly Hinnenkamp, Dan Berg, Christine Husom.

Chairman Ferguson opened the meeting with the Pledge of Allegiance.

Two bids were received for the 2023 Rd maintenance. Bids were received from Hendricks Sand and Gravel (attached) as well as Norgren Tree Service (attached). Lonnie Hendricks stated his bid increase due to increased cost for both fuel and supplies. Supervisor Hable made a motion to approve the bid from Hendrick Sand and Gravel Incorporated for 2023 road maintenance as presented. Supervisor Hallstrom seconded the motion. Motion carried. Jeremy Kaskinen of Norgren Tree Service stated his bid increased \$10 per hour over 2022 bid. Supervisor Hallstrom made a motion to approve the bid as submitted by Norgren Tree Service Incorporated for 2023 road maintenance. Supervisor Hable seconded the motion. Motion carried.

Ryan Huikko was present to prevent present a petition for a vacation of a portion part of Reardon Ave NW as indicated on the following legal description:

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.

The petition was signed by more than 8 neighboring property owners. Supervisor Hallstrom introduced the following resolution and Moved for its approval:

**RESOLUTION 22-05
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 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.

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. Diane S. Cleveland, 16958 105th 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 108th St. N.W., South Haven, MN 55382.
 - f. Shane D. & Kimberly M. Vollrath, 10655 Reardon Ave. N.W., South Haven, MN 55382.
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 March 7, 2023 at 7:00 p.m. at the Southside Town Hall.
 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. The Clerk shall also send a copy of the petition and this resolution via certified mail to the Commissioner of the Minnesota Department of Natural Resources at least 60 days prior to the date of the public hearing ordered herein.
 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 Hable seconded the motion. All members voted aye. Motion carried.

Supervisor Hallstrom introduced the following resolution and moves for its approval:

RESOLUTION 2022-06
SOUTHSIDE TOWNSHIP
WRIGHT COUNTY, MINNESOTA
RESOLUTION DESIGNATING ANNUAL
POLLING PLACE

WHEREAS, it is important that citizens exercise their right to vote at their local polling place;

WHEREAS, Minn. Stat. 204B.16 requires the town board to designate its local polling place for election by December 31 each year;

NOW THEREFORE BE IT RESOLVED that the town board of Southside Township, Wright County, Minnesota does hereby designate Southside Town Hall at 8209 County Road 3 NW, Annandale in Wright County as its polling place for all state and federal elections in 2023;

BE IT FINALLY RESOLVED that the township notify residents of this designation by following the requirements of Minn. Stat. 205.16.

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

Troy Loken, 7141 Rosewood Ave NW, was present to request a variance to allow a second-level addition and proposed deck to an existing home that is inside the side yard, road, and lake setback. The proposed septic tank would also encroach a property line setback. The addition is to an existing home that is 48.8 feet from the lake rather than the 100-foot required. 13.3 feet and 14.2 feet from the side yard setback instead of 15 feet as required, 28.2 feet from the centerline of Rosewood Ave where 65 feet is required. Troy stated he intends to remove a shed to get the lot coverage from 15.2% down to 14.2%. The addition will only increase the impervious surface from 21.8% to 22.3% so he is meeting all lot coverage requirements. He is also proposing an upgrade to the septic system with a new system and a drain field to be placed on his back lot across Rosewood Ave. The house is currently being served by a holding tank so this would be an improvement. Chairman Ferguson stated the supply line for the drain field needs to go under Rosewood Ave with directional bore or if necessary to open a trench the road must be returned to its condition prior to construction. Troy stated the new septic system will be further from the road than the existing holding tank. Supervisor Hable made a motion to approve the request for a variance to build a second level addition and deck to the existing home due to the improvement of the septic system as well as no further encroachment on the lake than the existing home, allow the drain field line to go under Rosewood Ave using preferred method of directional bore and if directional is not feasible Rosewood Ave must be returned to its original condition prior to construction. Supervisor Hallstrom seconded the motion. Motion carried.

Jeff Matthews, 6370 Quinn Ave NW, was present to ask for a change to his previous variance request. His original request was for a deck that was on posts. His heating contractor told him he needed to have that area under the deck and enclosed in order to keep the heat in the house. He has a vaulted ceiling and with the enclosure of the area under the deck it would work better for the heating system. Supervisor Hallstrom made a motion to approve the change to an enclosed area under the deck since there is no additional lot coverage or movement towards the lake. Supervisor Hable seconded the motion. Motion carried.

Aaron Weis, 10912 Oliver Ave NW, was present to ask for a conditional use permit for a contractor's yard to store work related machinery in his yard. Aaron provided pictures of a dump truck, a skid steer,

and a trailer that he is presently storing on his lot. He has been in business since 2018 and was unaware of the need to have a conditional use permit for his equipment. He states he keeps the equipment on the north side of the garage away from County Road 3 and keeps it neat. Occasionally he will have brush piles since his business is a tree service but again, he keeps it neat and it's only a temporary storage. Supervisor Hallstrom stated he drives past the property often and has not seen anything that raises a concern.

Motion by supervisor Hable to approve the conditional use permit for a contractor's yard for Aaron Weiss at 10912 Oliver Ave NW. Supervisor Hallstrom seconded the motion. Motion carried.

Ron Holevas, 15883 107th St NW, was present to request the area in front of his driveway be filled in with gravel. Ron presented photos that showed a trench between the start of his driveway and the edge of the road and he was requesting that that area be filled in because his van bottoms out when he pulls into his driveway. Board members had been out to the site individually to review the area. They felt the responsibility for filling in the area was Ron's and not the townships. They also stated that Ron should clean the culvert underneath his driveway so that the water in the ditch was able to run down the ditch rather than down the road.

Kerri Robb was present to request speed limit signs on 105th St northwest. Earlier this year she lost a dog due to a speeding car. She and the neighbors feel uncomfortable walking down the road due to the speed cars travel. The Board stated that they would indeed order speed limit signs but do not guarantee that the sheriff will be able to enforce since they are just yellow cautionary signs.

Kerri off stated her request for her conditional use permit for commercial outdoor recreation for a winery can be rescinded. They no longer need the conditional use permit due to the cost involved in the changes they would need to make.

Kelly Hinnenkamp Administrator of the City of Annandale was present to request the **Board** approval for an immediate annexation of the entire designated area for the triangle where County Road 183 and Nevens Ave NE meet. In working with Wright County on the access for Nevens Avenue, the County requested the City and Developer correct the intersection at Nevens and County Road 183. The reconstruction of this intersection requires acquisition of a small parcel of land, currently owned by the Hart Family and located in Southside Township. The City worked with their attorneys and Wright County Planning and Zoning on the easiest way to subdivide this parcel from Hart's larger tract of land on the south side of CR 183 so the smaller parcel can be purchased by the developer and dedicated as right-of-way with the plat. They've been advised that the City and Township could approve the Orderly Annexation Agreement (OAA) and once filed with the State, the parcel will be legally subdivided from the Hart's larger tract of land that will remain in the township. The newly created lot will then be under the City's jurisdiction and can be included in the Final Plat for the project.

The Developer has a purchase agreement with the Hart's for the purchase of the smaller lot shown in the attached Boundary map and the City has received a petition for annexation for this parcel from Sarah Hart. The attached OAA is a formality that they are hoping the Township would consider approving to help complete the subdivision, which allows the parcel to be included as part of the developer's Final Plat. The City and County both feel this would be the cleanest way to correct the right-of-way at this intersection. The Board reviewed the provided maps and felt that this was agreeable. The area is only .35 acres in size. Supervisor Hallstrom made a motion to approve the Resolution 22-07:

**SOUTHSIDE TOWNSHIP RESOLUTION NO. 2022-07
CITY OF ANNANDALE RESOLUTION 2022-74**

**JOINT RESOLUTION FOR DESIGNATION OF CERTAIN LAND AND THE
IMMEDIATE ANNEXATION OF ENTIRE DESIGNATED AREA BY THE TOWN OF
SOUTHSIDE AND THE CITY OF ANNANDALE, WRIGHT COUNTY, MINNESOTA,
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, a request from all of the property owners of the area proposed for designation and immediate annexation was received.

WHEREAS, the City of Annandale (“City”) and Southside Township (“Township”) jointly agree to designate and request the immediate annexation of the following described land located within Southside Township to the City of Annandale, County of Wright, Minnesota:

SEE EXHIBIT 1 ATTACHED HERETO AND INCORPORATED HEREIN
(the “Property”).

WHEREAS, the City of Annandale and Southside Township are in agreement as to the orderly annexation of the unincorporated land described; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Annandale and Southside Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Annandale and Southside Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Annandale and the Township Board of Southside Township as follows:

1. **Designation of Orderly Annexation Area.**

The Township and the City hereby designate the area legally described on **Exhibit 1** attached (hereinafter referred to as the “Orderly Annexation Area”, “OAA” or “Subject Area”) for orderly annexation pursuant to Minnesota Statutes Section 414.0325. A boundary map showing the Subject Area legally described on **Exhibit 1** is attached hereto as **Exhibit 2** and incorporated herein by reference.

The Township and City agree that the Orderly Annexation Area legally described on **Exhibit 1** and designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325 is approximately .35 acres and the land use type is agricultural. The purpose of the annexation is for right of way.

2. **Office of Administrative Hearings, Municipal Boundary Adjustments.**

Upon submission by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the State of Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments (hereinafter referred to as the “MBA”) or its successor pursuant to Minnesota Statutes.

3. **No Alterations of Boundaries.**

The Township and City mutually agree and state that no alterations by the MBA of the stated boundaries of the area designated for orderly annexation is appropriate. Any alterations of boundaries may only be made upon the joint agreement of the Township and City.

4. **Review and Comment.**

The City and the Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

5. **Taxation Reimbursement.**

The Town agrees that there shall be no reimbursement for lost taxes as the property shall be right of way.

6. **Entire Agreement.**

With respect to the Subject Area legally described on **Exhibit 1** and shown on **Exhibit 2**, respectively, which exhibits are attached hereto and incorporated herein by reference, the terms, covenants, conditions, and provisions of this Joint Resolution shall constitute the entire agreement between the parties as to the property legally described on Exhibit 1 and shown on Exhibit 2.

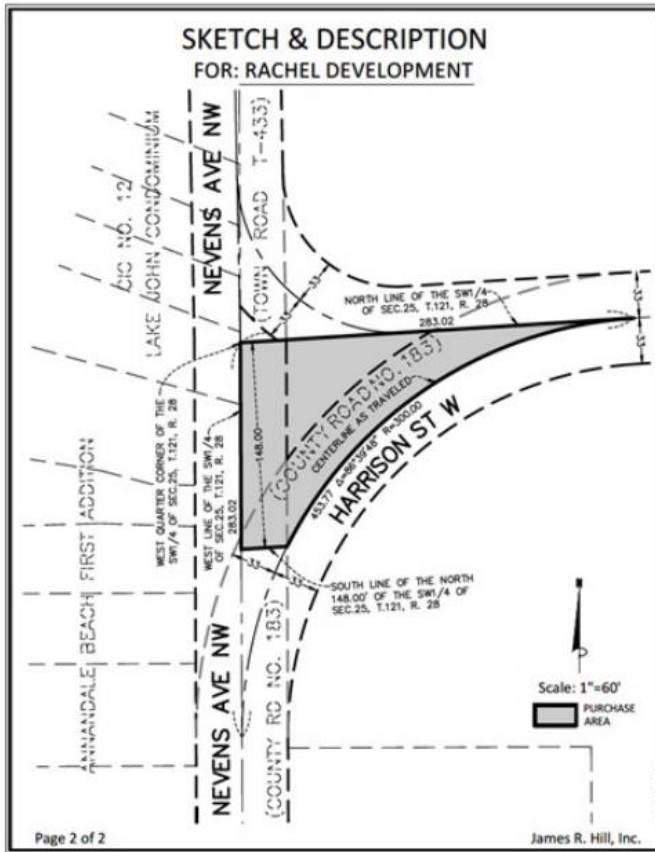
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EXHIBIT 1

LEGAL DESCRIPTION

That part of the north 148.00 feet of the Southwest Quarter of Section 25, Township 121, Range 28, Wright County, Minnesota, lying northwesterly of the centerline of County Road No. 183, as traveled. Said centerline being more particularly described as beginning at a point on the north line of said Southwest Quarter distant 283.02 feet east of the west quarter corner of said Section 25; thence southwesterly along an arc concave to the southeast having a radius of 300.00 feet to a point on the west line of said Southwest Quarter distant 283.02 feet south of said west quarter corner, and said centerline there terminating.

Exhibit 2



Supervisor Hable seconded the motion. All voted aye, Motion carried.

Christine Husom was present for her final and farewell report to the Board. She is retiring after 10 years as a Wright County Commissioner. Christine reported that the County grew by \$4 billion in property value in the last year. She also presented information regarding change in population for all of the cities and townships in the county as well as the County's bond balances. She reported the sale with the original developer for the Health and Human services building fell through but they have found another buyer for that building. The old county facility is still up in the air as far as what will happen with it.

The following bills were approved as presented:

Check #	Date	Payee	Amount
online ach	12/4/22	Google LLC	6.00
7711	12/9/22	Trudy Segner	140.00
7722	12/9/22	Couri & Ruppe, PLLP	1,000.00
7731	12/9/22	WSB & Associates	6,282.10
7733	12/10/22	City of South Haven	23,931.50
7712	12/12/22	Karen Lohn	180.00
7713	12/12/22	Terri Weis	140.00
7714	12/12/22	Colleen Thurber	160.00
7715	12/12/22	Bonita Ponsford	140.00
7716	12/12/22	Roxann McNellis	140.00
7717	12/12/22	Laurie Morris	180.00
7718	12/12/22	Linda Jaskowiak	160.00
7719	12/12/22	Shirley Bruns	160.00
7720	12/12/22	Meggan Caird	575.00
7721	12/12/22	Susan Slinde	719.92
7723	12/12/22	Cokato Janitorial LLC	113.98
7724	12/12/22	Minn Assn of Townships Agency Meeker Cooperative Light & Power	382.00
7725	12/12/22	Assoc	39.00
7726	12/12/22	Annandale Advocate	374.00
7727	12/12/22	Waste Management	7,284.62
7728	12/12/22	Windstream	148.42
7729	12/12/22	Wright Hennepin Electric	355.76
7730	12/12/22	Wright County Highway Dept.	13,876.89
7732	12/12/22	Hendricks Sand & Gravel	7,918.00
7734	12/12/22	Carmen M. Merrill	1,387.83
7735	12/12/22	James Hallstrom	160.72
7736	12/12/22	Eric M. Ferguson	179.36
7737	12/12/22	Timothy A. Hable	166.23
7738	12/12/22	Windstream	148.16
		Public Employees Retirement	
somper000680187	12/13/22	Association	242.20

Total

66,691.69

The meeting was adjourned at 8:18 p.m.

