

MINUTES
WAKEFIELD TOWNSHIP BOARD MEETING
JULY 7, 2022, 7:00 PM
22295 FROSTVIEW ROAD
COLD SPRING, MN 56320

1. Monthly Meeting Called to Order at 7.01pm and Pledge of Allegiance Led by Town Chair Cyril Erkens. Board members present: Supervisors Cyril Erkens, John Willenbring, Shawn Garding, Clerk Heidi Stalboerger, Treasurer Jerry Frieler, Deputy Clerk Addie Turkowski. Others present: Todd Menke, Kevin Kruger WSB, Captain John Niemi, Mark Stalboerger, Mike Behnen, Woody Stalboerger, Kirsten Borchardt, Eric Borchardt, Barry Belknap, Jeff Bertram, Ralph Buettner and Township Attorney Bob Ruppe.

2. Open Public Forum: Barry Belknap addressed the board to announce his candidacy for Stearns County Commissioner in District 3.

3. Approval of the Agenda and Consent Agenda: SUPERVISOR GARDING MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA AS PRESENTED. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 3-0.

4. *Consent Agenda:

A. Monthly Meeting June 2, 2022

Recommendation: TO APPROVE THE MINUTES OF JUNE 2, 2022, MONTHLY MEETING AS PRESENTED.

B. Quorum of Board at Cold Spring Planning Commission Meeting Minutes June 22, 2022

Recommendation: TO APPROVE THE MINUTES OF TOWN BOARD OF WAKEFIELD QUORUM AT A COLD SPRING PLANNING COMMISSION MEETING JUNE 22, 2022 AS PRESENTED.

5. Sheriff's Report – Captain John Niemi presented the June 2022 Call Log. He also noted that the department has been recruiting and there are about ½ of the normal available candidates. They have been able to hire two part-time Community Service Officers to attend community events.

6. Variance – Chairman Erkens called the Board of Adjustment to order at 7:13 pm.

Glen & Patricia Stalboerger have presented an Application Request for Variance to rebuild a Residential Accessory Structure due to fire loss on a pre-ordinance, non-conforming structure. Clerk Stalboerger reviewed the staff report. The Wakefield Planning Commission has recommended approval to the Wakefield Township Board of Adjustment of the variance request to construct a residential accessory structure. Applicant has agreed to remove all personal items from the Vanessa Lane township road right of way by July 22, 2022. SUPERVISOR WILLENBRING MOVED TO APPROVE THE VARIANCE REQUEST AS PRESENTED, RESOLUTION NO. 2022-008, RESOLUTION ACCEPTING FINAL FINDINGS OF FACT, PID NO. 36.24094.0000, TO CONSTRUCT A RESIDENTIAL ACCESSORY STRUCTURE. SUPERVISOR GARDING SECONDED. MOTION CARRIED 3-0. The Board of Adjustment was closed at 7:26 pm.

7. Preliminary/Final Plat Review – Barrett Tipka

Clerk Stalboerger reviewed updates from JAZZ ESTATES to JAKES PLACE as well as minor property line adjustments made to the preliminary plat, previously approved by the Wakefield Town Board.

SUPERVISOR GARDING MOVED TO APPROVE JAKES PLACE FINAL PLAT AS PRESENTED, FORMALLY APPROVING NAME CHANGE OF JAZZ ESTATES TO JAKES PLACE, WITH MINOR PROPERTY LINE ADJUSTMENTS AND TO DIRECT THE CHAIR AND THE CLERK TO SIGN THE FINAL PLAT. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 3-0.

8. Building Permit Dispute – Larry Lahr

Lahr was not present, but David Barsody, the building inspector, noted he did not approve the final required insulation for duct work completed on a recent build. It does not comply with the building code. Without further corrections, this issue will be noted in Lahr's file as a Standing Non-compliance of not meeting the energy code. The final document submitted

by the building inspector will show the mechanical work was not completed correctly. This can be appealed to the State of Minnesota, Department of Labor and Industry.

9. Construction Site Permit Extension Request – Ralph Buettner has requested an extension to his construction permit to construct a 36'X90' pole building. SUPERVISOR GARDING MOVED TO EXTEND RALPH BUETTNER'S ORIGINAL SITE PERMIT FOR ONE YEAR FROM APRIL 6, 2022 TO APRIL 6, 2023. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 3-0.

10. Jeff Bertram addressed the board to announce his candidacy for Stearns County Commissioner in District 3. Mr. Bertram spoke to the Board about the Vacation/Private Home rental situation in the County. He noted that on July 21, 2022, at 7:00 pm there will be a meeting of the Planning Commission to address the Vacation/Private Home Rental Ordinance in discussion. He noted the substantial number of VRBO's in this area and the concern from area residents of absentee landlords.

11. Clerk/P&Z Update – Heidi Stalboerger

A. Vacation/Private Home Rental (VHR) Moratorium: Wakefield Township Planning Commission directed Stalboerger to publish a public hearing notice for August 4, 2022, at 6:00 pm at Wakefield Township Hall. As noted on July 21st, Stearns County Planning Commission will be reviewing the VHR Ordinance, and it is recommended that townships present their policy proposals. Township attorney Ruppe recommended that Wakefield Township wait to learn what updates the County Board of Commissioners make, if any. If the Township Board agrees with the language, then they may consider lifting the moratorium. Bertram noted he will advise county staff to review the townships discussions regarding VHR's to consider township recommendations when reviewing updates to the ordinance. Note: The Public Hearing on Vacation/Private Home Rental, Land Use & Zoning Ordinance Updates will be held on August 2, 2022, at 9:00 am at Stearns County.

Eric Borchardt spoke before the board to alert the supervisors that responsible and present landlords that use their personal properties as vacation rental be taken into consideration when final policy is approved for VHR's. SUPERVISOR WILLENBRING MOVED TO CANCEL THE PUBLIC HEARING REGARDING VACATION/PRIVATE HOME RENTAL AT WAKEFIELD TOWNSHIP ON AUGUST 4, 2022 AT 6:00 PM, TO ALLOW TIME TO REVIEW POSSIBLE CHANGES TO THE STEARNS COUNTY LAND USE & ZONING ORDINANCE BEFORE WAKEFIELD MOVES FORWARD WITH MAKING UPDATES TO THE WAKEFIELD TOWNSHIP LAND USE & ZONING ORDINANCE. SUPERVISOR GARDING SECONDED. MOTION CARRIED 3-0.

B. Sportsman's Park Update: Wakefield Township adopted a resolution on June 2nd to accept the Sportsman Park parcel. The township will track expenses. Attorney Ruppe stated that the township must meet ADA requirements for access to buildings and infrastructure. Buildings and septic will be reviewed for compliance. Ruppe also informed the township board, with the acceptance of Sportsman Park, the parcel now qualifies for a tax-exempt status which may qualify donations for tax deduction.

12. Engineer Update – Kevin Kruger, WSB

A. 2022 Road Improvements – Fairway Circle improvements begins July 11th. Engineer has met with residents to discuss drainage issues and WSB is confident issues will be resolved. Kruger discussed driveway corrections necessary to eliminate future drainage issues away from the road. Attorney Ruppe stated that if sloping repairs outside of the township road right of way are necessary to preserve the road and eliminate future drainage issues, the liability for the township paying for the repairs would be justified. The Board was in agreement to pay for sloping repairs outside of the right of way.

B. River of Life Construction Project Update – Construction has begun and WSB is reviewing erosion control issues and making recommendations to resolve issues. WSB will continue to do monitoring.

C. Horseshoe Road/Minimum Maintenance Road Procedures- Not all residents agreed with the initial plan of constructing a cul de sac and closing a portion of the road. The plan now is to reassign the distance of the minimum maintenance road and allow the remainder of the road for *Farm Access Only* on the portion of road that will no longer be township maintained. Ruppe stated that Wakefield Township would limit liability for the road if inappropriately used. Ruppe will draft policy on Horseshoe Road as a Minimum Maintenance Road with updated

information about distance of road. SHAWN GARDING MOVED TO AUTHORIZE TOWNSHIP ATTORNEY ROBERT RUPPE TO DRAFT OR REVISE LEGAL LANGUAGE, IF NECESSARY, TO DESIGNATE A PORTION OF AND CLOSE A PORTION OF HORSESHOE ROAD. JOHN WILLENBRING SECONDED. MOTION CARRIED 3-0.

13. Maintenance Department Update – Todd Menke

- A. Trebesch second driveway has been removed and seeded.
- B. Folkedahl Driveway Complete – Refund escrow as the second driveway has been eliminated.

14. Financial Report –

A. Treasurer’s Report and List of bills: SUPERVISOR GARDING MOVED TO APPROVE THE JULY 7, 2022 TREASURERS REPORT AS PRESENTED; FURTHERMORE, TO APPROVE THE JUNE 8, 2022, JUNE 22 , 2022, JULY 6, 2022, AND JULY 7, 2022, LIST OF RECEIPTS, PAYMENTS ANDDISBURSEMENTS AS PRESENTED BY THE CLERK AND TREASURER. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 3-0.

- B. Audit Field Work to be scheduled

15. Fire Department - John Willenbring

- A. Chain of Lakes Fire & Rescue – Pontoon fundraiser tickets now for sale. New gambling beginning at Jerry’s Pub and Grill.
- B. Cold Spring Fire Department – still in process of deciding on location of new Fire Hall.

16. SUPERVISOR GARDING MOVED TO ADJOURN AT 10:36 PM. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 3-0.

Respectfully submitted:

Approved by:

/s/Addie Turkowski, Deputy Clerk

/s/Cyril Erkens, Chairman