

MINUTES
WAKEFIELD TOWNSHIP BOARD MEETING
NOVEMBER 2, 2023 7:00 PM
22295 FROSTVIEW ROAD, COLD SPRING, MN 56320

1. Monthly Meeting called to order at 7:00PM and Pledge of Allegiance led by Town Chair John Willenbring. Supervisors present: John Willenbring, Dave Dold, Clerk Heidi Stalboerger, Treasurer Vikki Dullinger, Deputy Clerk Addie Turkowski, Kevin Kruger, WSB, Todd Menke, Mark Stalboerger, Sheriff Rob Theisen, Andrew Yurek, Bart Weekes, Vicki Jungels, Jan Decker, Dan Franti, John Decker, Deb Franti, Luke Vossen, Austin Gertken, Mike Evens, Jacob Ringstad, Jordan Riley.

2. Open Public Forum: N/A

3. Approval of the Agenda and Consent Agenda: Clerk Stalboerger added an addition between items 8 and 9 to include Andy Yurek parking pad discussion on Red Cedar Road. Supervisor Willenbring added to remove the minutes of October 5, 2023, not be included in the consent agenda but to be acted upon separately with clarification. The intent is to revisit comments of the discussion of the of the JCMH Compliance Agreement from the October 5 meeting minutes. DAVE DOLD MOVED TO APPROVE THE AGENDA WITH ADDITIONS AND THE CONSENT AGENDA WITHOUT THE MINUTES OF OCTOBER 5, 2023. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 2-0.

4. ***Consent Agenda:**

A. ~~Monthly Meeting October 5, 2023~~

~~**Recommendation:** TO APPROVE THE MINUTES OF OCTOBER 5, 2023 MONTHLY MEETING AS PRESENTED WITH CLARIFICATION.~~

B. Continuation of Monthly Meeting October 16, 2023

Recommendation: TO APPROVE THE MINUTES OF THE OCTOBER 16, 2023 CONTINUATION OF MONTHLY MEETING AS PRESENTED

*Monthly Meeting October 5, 2023 Minutes:

The Board discussed the expanded language regarding the Compliance Agreement requested by JCMH. The Board agreed that the compliance agreement was requested to allow outdoor storage in an Ag-40 zoning district. The expanded language requiring construction of structures at any point of the duration of the Compliance Agreement will be struck from the October 5, 2023 minutes. The Wakefield Town Board will review land use requests as they are made by property owners. If JCMH does not request a land use permit or construction site permit/building permit to accommodate indoor storage by June 30, 2026, then it is up to JCMH or current property owner to decide the best use for the property after that date, as defined as an allowable use by the Land Use and Zoning Ordinance current at that time. SUPERVISOR DOLD MOVED TO APPROVE THE OCTOBER 5, 2023, MINUTES WITH A CORRECTION RELATED TO #4 JCMH COMPLIANCE AGREEMENT STRIKING THE REQUIRMENT THAT CONSTRUCTION OF A STORAGE BUILDING(S) COMMENCE BY THE SECOND YEAR OF THE COMPLIANCE AGREEMENT OR AT ANYTIME BEFORE JUNE 30, 2026. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 2-0.

5. Sheriff's Report – Deputy Sheriff Rob Theisen reviewed the monthly calls for October 2023. There were no questions.

6. AJ Gertken – Minor Preliminary Plat, Zumwalde Lake Estates 2: Austin Gertken plans to construct a residential accessory structure and has an agreement to purchase property from a neighbor, allowing him to avoid wetlands on his current parcel. This will allow for enough area for the driveway from the cul-de-sac and will allow him to construct the shed close to the house for accessibility. SUPERVISOR DOLD MOVED TO APPROVE A PRELIMINARY PLAT: ZUMWALDE LAKE ESTATES 2, AS PRESENTED BY AJ GERTKEN; FURTHERMORE, DIRECTING THE CLERK AND CHAIR TO SIGN THE PRELIMINARY PLAT AND FINAL PLAT WHEN PRESENTED. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 2-0.

7. Michael and Ramona Evens – Administrative Subdivision Request: Staff report was reviewed for the application for the administrative subdivision on County 2, 210th Street south, parcel 36.24009.0000. The request is to divide the parcel into

two equal sections and sell one with building entitlement. The current driveway on 210th street will be used for both driveways and split once on the property, outside of the township road-right-of-way. The proposed subdivision will not disrupt wetlands. Planning and Zoning recommends approval as they had no issues. Their motion was to recommend approval to Wakefield Township board. SUPERVISOR WILLENBRING MOVED TO CONCUR WITH THE PLANNING COMMISSION TO APPROVE THE ADMINISTRATIVE SUBDIVISION REQUEST 36.24009.0000. SUPERVISOR DOLD SECONDED. MOTION CARRIED 2-0.

8. Bart Weekes – Construction Site Permit fee reduction request: Bart Weekes paid \$1296 for a construction site permit fee for a 72' X 120' building/\$.15/sf. He requested a \$300 permit fee with a donation of \$300 to Sportsman Park. Supervisor Willenbring added that a fee based on building size will sometimes result in a larger fee on larger structures, above the township costs, depending on what is involved in the review and processing. SUPERVISOR DOLD MOVED TO APPROVE A REDUCTION IN THE CONSTRUCTION SITE FEE OF \$1296 TO \$300 FOR THE CONSTRUCTION SITE PERMIT AND ADDED TO ACCEPT A \$300 DONATION FROM WEEKES FOR THE SPORTSMAN'S PARK FUND. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 2-0. Weekes will be reimbursed \$696 with details of the \$300 permit fee and \$300 donation. Clerk Stalboerger will send a receipt of the details.

INSERT: 8. B. Andy Yurek lives at 17378 Red Cedar Road. The parking area of this property is almost completely in the road right of way. There are elevation issues just outside of the township right of way, and up to the residential dwelling structure. The property is small, and the concern is about safety where cars are parked, with no other obvious parking area. A detached garage would require a variance from the township road right of way but would still interfere with the utility easement. The current plan adds boulders to an area next to the current parking area in the township road right of way. The board recommended that Yurek review options to move the parking area outside of the road right of way and use existing boulders to build up the lower lying area to increase the parking pad.

9. Riverfield Homeowners Subordinate Service District Rate Hearing

A. Supervisor Willenbring called the public hearing to order at 8:50PM.

B. Subordinate Service District Information Presentation: Clerk Stalboerger read the public notice as sent to the residents of the Riverfield Homeowners District. She noted that the township worked with Xcel Energy in 2022 to install the additional streetlights. This expense depleted the future lighting maintenance fund and left a negative balance.

C. Assessment Information Presentation: Clerk Stalboerger reviewed the expenses and costs budget and reviewed the letters to homeowners to inform them of the details. There was no response or correspondence from residents.

D. Supervisor Willenbring called for questions, comments or testimony from the audience three times. There was no response.

E. Town Chair Willenbring closed the Rate Hearing at 9:01 pm.

F. Supervisor Willenbring said that the township board needs to review and add administrative costs to the fund going forward. The Board reviewed the approximate cost of monthly utilities, administrative costs for the subordinate services district and certification. The Board agreed that the estimated cost going forward with not additional expected improvements is approximately \$1785 annually, divided by 21 homeowners would be a certification amount of \$85 annually to each homeowner, with an additional \$6 certification fee by Stearns County.

G. SUPERVISOR DOLD MOVED TO ASSESS THE RIVERFILED STREETLIGHT SUBORDINATE SERVICES DISTRICT TAXATION CERTIFICATION FEE OF \$85 PER HOMEOWNER FOR THE 2024 PROPERTY TAXES, WHICH WILL ALSO INCLUDE A \$6.00 CERTIFICATION FEE FROM STEARNS COUNTY. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 2-0.

10. Woodland Hills – Jan Decker representing residents that live along Fireside Road and other residents in attendance to further the request of Wakefield Township taking over Fireside Road, a private association road. The group expressed concerns of annexation. The Board explained that the City of Cold Spring will work with a property owner if they request the city to annex the private property. Supervisor Willenbring said the straight away is a private association road from just to the east of the softball park driveway. Supervisor Dold added that snow plowing would be difficult in the Fireside Court area as there is no turn-around. The group discussed the possibility of obtaining an easement to build a turn-a-

round. The Woodland Hills Association requested how to obtain accurate cost with bids and the measurement of the road. This information will come at the homeowner's expense. Wakefield Township is limited in what they can do as Fireside Road is currently dedicated for private use for the Woodland Hills residence, as stated in the plat(s). The HOA was instructed to find out how to update the plat language to dedicate the road from private to public. Supervisor Willenbring said the township is willing to work with Woodland Hills Association, but they must decide how they want to move forward and agree to work with the township requirements. The group also discussed tree trimming necessary on the road. The Woodland Hills Association asked what the steps would be to move forward.

- 1). The Homeowners Association needs to review their rules to know what they can do as a group, only for the change of the road.
- 2). Update the plat(s) language from private to public road.
- 3). Get as close to 100% of homeowner's participation in the process so that costs can be determined to the homeowners on the tax assessment.
- 4). Obtain road information.

Kevin Kruger from WSB discussed obtaining core samples from the road in order to give an estimate on improvement costs of the road. If the road is taken over by the township before improvements are made to meet township road standards, assessments will be made to the benefiting properties/HOA. The group discussed assessments for the road and options for the term. The homeowners are concerned about the sale of properties in the meantime. The plat dictates the language of the current private road. The group discussed the benefit of having the road taken over by the township, even if they need to pay for the road to be improved to township specifications as this would be the last time they have to pay for road repairs and maintenance and could then dissolve the HOA. The homeowners present will discuss with the remaining residents of the HOA and get back to the township.

11. Engineer Update – Kevin Kruger

A. Final Payment Voucher for 2023 Road Project is for Allied Blacktop. SUPERVISOR WILLENBRING MOVED TO AUTHORIZE FINAL PAY VOUCHER TO ALLIED BLACKTOP FOR \$8905.03. SUPERVISOR DOLD SECONDED. MOTION CARRIED 2-0.

B. Local Road Improvement Program – 260th Street Application agreement with Colleeville is a go. The grant request for the LRIP is due by December 8, 2023. Kruger will reach out to Colleeville on the 260th street project to ensure they are still interested and willing to be the lead agency on the application. Kevin Kruger will update the cost estimate and will coordinate the completion process.

C. 2024 Road Project Update – Kevin is working with the City of Cold Spring on the 3rd avenue design, 70-80% of it is done. The temporary easement work is in progress. The Joint Powers Agreement is also still in progress. Clerk Stalboerger and Kris Dockendorf from City of Cold Spring will be meeting with Cold Spring Granite to review the current and new easement area.

The Board discussed holding a 241st Street Resident Meeting. It will be an open house with a brief presentation. Clerk Stalboerger will post the meeting notice. Supervisor Willenbring added that the design should be 24 feet. Kruger introduced Jacob Ringstad, WSB, who will be working on the 2024 road project as well. Kruger will send letters to alert residents that there will be tree trimming and possible tree removal in the affected areas. Note, all trees must be cut down by April 1, 2024. SUPERVISOR WILLENBRING MOVED TO SCHEDULE THE 241ST RESIDENT MEETING ON NOVEMBER 15TH FROM 6:30-7:30PM. SUPERVISOR DOLD SECONDED. MOTION CARRIED 2-0.

12. Maintenance Update – Todd Menke

A. Menke updated costs for Marcus Blonigen to leave six rows of corn for a natural fence on Island Lake Road. SUPERVISOR DOLD MOVED TO PAY MARCUS BLONIGEN \$350 TO LEAVE SIX ROWS OF CORN AS A NATURAL SNOW FENCE. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 2-0. Menke added that the tree trimming is completed on Greystone Road and 158th Avenue. The 260th culvert is completed by Kramer, finalizing with topsoil and seeding. The snow plow trucks are DOT certified. There are no current tabs on the vehicles. Street signs are being stolen on Hunter Road, Ebony Drive, Cedar Lane and Lois Lane. Menke will look at new locking bolt system.

13. Clerk/P&Z Update – Heidi Stalboerger

A. River of Life Assembly of God – Letter of Credit Release was received by Granite Bank for the River of Life expansion project. Stalboerger will work on closing escrow after final invoices are verified.

- B. Cold Spring Wellhead Amendment was reviewed by the Planning commission and given to the Supervisors to review. Supervisor Willenbring said this agreement will affect the farmers the most.
- C. 3rd Avenue SE – Joint Powers Agreement Update- The JPA is near final version. Language regarding easement needs to be clarified. Any outstanding invoices to be split will be reviewed at the December meeting.
- D. Cannabis Use Ordinance has been adopted by Stearns County and it covers the township. Supervisor Willenbring suggested we leave well enough alone and if there are issues, we have the County Sheriffs enforcements. We will use the County Ordinance on the Cannabis Use.
- E. Sportsman’s Park Management Agreement – Insurance Update: Tammy Garding is researching the cost of insurance for liquor sales at the Sportsman’s Park. Stalboerger will contact Stearns County and MATIT to inquire about insurance necessary for liquor sales.
- F. Other Matters
Stearns County BOA Variance Application- Stalboerger reviewed a variance from Scepaniak on Regina Park Drive. The Board requested that Stearns County require the proposed residential accessory structure be placed outside of the utility easement in the private road right of way.

14. Financial Report

- A. Treasurer’s Report and List of bills were presented.
SUPERVISOR MOVED TO APPROVE THE NOVEMBER 2, 2023 TREASURERS REPORT AS PRESENTED; FURTHERMORE, TO APPROVE THE OCTOBER 11, OCTOBER 25, 2023 AND NOVEMBER 2, 2023 LIST OF RECEIPTS, PAYMENTS AND DISBURSEMENTS AS PRESENTED BY THE CLERK AND TREASURER, TO ALSO APPROVE CHECK NUMBER 10610 FOR A REFUND TO BART WEEKS PER MOTION RELATED TO CONSTRUCTION SITE PERMIT FEE CHANGE. TO APPROVE CHECK NUMBER 10609 TO FOSTER FOR \$2132.50, AND TO VOID CHECK NUMBER 10596. SUPERVISOR DOLD SECONDED. MOTION CARRIED 2-0.
Supervisor Willenbring suggested a running balance for each account so we can review the regular balance.
- B. Secretary of State recommendations for Approval of Claims suggests we include check numbers with our motions and include check numbers in minutes.

15. Fire Department - John Willenbring

- A. Chain of Lakes Fire & Rescue: the new calendars are out. Received an anonymous donation side-by-side. Received a grant from the DNR for \$4000. The truck is still on hold from completion detailing.
- B. Cold Spring Fire Department: seeking a grant of \$335,000 for radios from FEMA with several other departments. The new frequency will not be available to the public. They are moving forward with a proposed new fire hall.

16. General Questions and Comments from Board of Supervisors: The boy Scouts are done clearing out Sportsman Park. Stumps need to be cut out and we have a quote of \$700-900 as it will take two hours to complete. Picnic table have been stored. Supervisor Willenbring attended the officers meeting for Stearns County.

17. SUPERVISOR DOLD MOVED TO ADJOURN THE MEETING AT 12.30PM ON NOVEMBER 3, 2023. SUPERVISOR WILLENBRING SECONDED. MOTION CARRIED 2-0.

Respectfully Submitted,

Approved by,

/s/Addie Turkowski, Deputy Clerk

/s/John Willenbring, Town Chair