

**-BIRCHDALE TOWNSHIP  
REGULAR MEETING MINUTES  
TUESDAY, MARCH 26th, 2024 – 8:00 P.M.**

**1. Call to Order/ Pledge of Allegiance/Roll Call**

Clerk Jackie Bauer called to order the regular meeting of the Birchdale Township Board at 8:00 p.m. on Tuesday, March 26th, 2024 at the Birchdale Town Hall. The Pledge of Allegiance was recited. Present were Supervisors Jim Carstens, Dale Ahrens, Arnie Berscheid, Larry Bebus, Joseph Ostendorf and Treasurer Marlene VanHavermaet and Clerk Jackie Bauer. Also in attendance Attorney Scott Dymoke and Resident Mike Bushard.

**2. Oaths of Office**

Prior to the start of the meeting, Clerk Bauer administered the Oath of Office to Supervisors Arnie Berscheid and Joe Ostendorf. Supervisors Berscheid and Ostendorf were elected to a three year term at the March 12<sup>th</sup>, 2024 Township Election.

**3. Select Chair and Vice Chair**

Clerk Bauer called for a motion to select a Chair. A motion was made by Supervisor Berscheid, seconded by Supervisor Ostendorf and carried to elect Jim Carstens as Chair.

Chair Carstens called for a motion to select a Vice Chair. A motion was made by Supervisor Bebus, seconded by Supervisor Ahrens and carried to elect Supervisor Ostendorf as Vice Chair for the year.

**4. Approval of Agenda**

A motion was made by Supervisor Ostendorf, seconded by Supervisor Berscheid and unanimously carried to approve the agenda as amended.

**5. Approval of Minutes**

A motion was made by Supervisor Berscheid, seconded by Supervisor Bebus, and unanimously carried to approve the February 27, 2024 Regular Meeting minutes.

**6. Approval of Treasurer's Report**

Treasurer VanHavermaet presented the March Treasurer's Report. Treasurer VanHavermaet stated that Check #4524 in the amount of \$843.20 for Minnesota Unemployment will need to be voided. This check has never cleared. At last month's meeting, Treasurer VanHavermaet was having difficulty balancing the township checking account and it was discovered that this check from 2022 had never cleared. Because of this, the February Treasurer's Report was not approved

A motion was made by Supervisor Berscheid, seconded by Supervisor Bebus, and unanimously carried to accept the February Treasurer's Report.

As part of the March Treasurer's Report, Birchdale Township received a check in the amount of \$49.89 from 2023 Forfeited Land Sales Settlement from Parcel #03-0031201 (previous owner Thomas Huey). This land was sold on auction and the proceeds sent to the township, school district and county. A motion was made by Supervisor Ostendorf, seconded by Supervisor Ahrens and unanimously carried to accept the March Treasurer's Report.

Treasurer VanHavermaet stated that a CD is coming up for renewal on April 4, 2024 in the amount of \$109,235.77 with a current interest rate of 5.25%. Treasurer VanHavermaet asked the Board if they would like her to roll this balance over again into a 6 month CD or if it should be cashed and deposited into the main checkbook for the township for upcoming road projects. A motion was made by Supervisor Ostendorf, seconded by Supervisor Bebus and unanimously carried to direct Treasurer VanHavermaet to research if interest rates are still at a high rate and if so, to roll the CD over again for six months. If rates have dropped, the motion also states that Treasurer VanHavermaet should then deposit the CD into the main checkbook.

## **7. Approval of Bills**

Next presented was the list of bills for the month of March to be considered for payment. A motion was made by Supervisor Ostendorf, seconded by Supervisor Ahrens, and unanimously carried to approve payment of the bills in the amount of \$39,103.24 (See attached list of bills).

## **8. Resident's Comments**

- a. Resident Mike Bushard was in attendance along with his Attorney Scott Dymoke. Attorney Dymoke worked with the township to post a notice for this evening's meeting to allow for residents to attend to ask questions or raise concerns regarding a variance to move a portion of the center line of Ambling Trail that is currently running incorrectly in front of Resident Bushard's property. By correcting the center line, Resident Bushard will lose some property, but the road will now be corrected with 33' on either side of the center line. There was no one in attendance at the meeting in regard to the center line correction for Ambling Trail. Attorney Dymoke has prepared a vacation for the portion of Ambling Trail that runs in front of Resident Bushard's property which will create the correction and a resolution and is asking the township board to adopt the resolution to make the correction. This correction will then be filed with Todd County Recorder's Office. A motion was made by Supervisor Ostendorf, seconded by Supervisor Ahrens and unanimously approved to vacate the portion of Ambling Trail to make the correction to the center line. Supervisor Berscheid abstained. A motion was made by Supervisor Bebus,

seconded by Supervisor Ahrens and unanimously approved the Resolution Vacating A Portion of Ambling Trail. Supervisor Berscheid abstained.

**9. Reports/Requests/Presidents**

- a. Clerk Bauer stated that Chris Bechtold from Arvig Communications contacted her by email stating that he would be in attendance at this evening's meeting in order to request approval from the Board to lay additional fiberoptic internet cable along Amigo Trail. Mr. Bechtold did not attend the meeting but the Board was in agreement with the additional cable being laid. Clerk Bauer will notify Mr. Bechtold of this.

**10. Township Road Report**

- a. Culvert Replacement Along Alcott Drive – Supervisor Ahrens gave an update on replacing two culverts along Alcott Drive across from Resident Nancy Primus' property, but on property owned by Resident Richard Tabatt. There has been flooding into Nancy's property and replacing the two culverts across the road with larger sizes would solve this issue. Supervisor Ahrens stated that Resident Primus is going to speak with Resident Tabatt to see if they can split the cost of the culverts and ditch clean-up. A & H Concrete is able to do the work. Supervisor Ahrens asked that this agenda item be placed on the April meeting for an update.

**11. Unfinished Business**

- a. Local Board of Appeals & Equalization – Clerk Bauer reminded the Board of the Local Board of Appeals and Equalization Meeting that will be held at the Birchdale Township Hall on Tuesday, April 16<sup>th</sup>, 2024 at 9:00 AM. Clerk Bauer did speak with Deputy Assessor Amy Ebnet and she stated that so far, she has not been contacted by any residents planning to attend the meeting. Clerk Bauer is unable to attend the meeting so Treasurer VanHavermaet will take minutes for the meeting.
- b. Sourcewell Grant Applications – Clerk Bauer updated the Board regarding available grants through SourceWell. One grant is a randomly selected grant and the other is a matching grant up to \$10,000.00. The Board discussed possibly purchasing a skidloader, tractor with boom or drone. At this time, they are going to wait to apply for any of the grants until they are sure what equipment would be most useful for the township.
- c. Five Year Capital Improvement Plan – At last month's meeting, Clerk Bauer requested that the Board review the Birchdale Township's Five Year Capital Improvement Plan and come up with any projects that should be considered to be added within the next five years. The Board will discuss this and bring project ideas to the April meeting.

- d. Town Hall Furniture Update – Clerk Bauer updated the Board regarding the furniture order of chairs for the town hall. Clerk Bauer contacted the representative from Connect Interiors to arrange for their company to pick up the extra chairs that were ordered by the company. Connect Interiors will pay to have the additional chairs picked up and then will issue a credit for the extra cost. These funds are still available then to purchase any last items that are needed for updating the town hall.

## **12. New Business**

- a. Approve the 2024 Board of Canvass Minutes – A motion was made by Supervisor Bebus, seconded by Supervisor Carstens and unanimously carried to approve the 2024 Board of Canvass Minutes.
- b. Supervisor Ostendorf addressed the board regarding considering the possibility of the town board creating it's own planning and zoning commission. Currently there are two other townships, Bertha and Bruce Township, in the county who do their own planning and zoning. Supervisor Ostendorf stated that it might keep the township board more aware of projects that are happening in the township especially regarding feedlot additions and gravel pits where large trucks are hauling on township roads. Clerk Bauer stated that Planning & Zoning Director Adam Ossefoort had sent a letter out to all townships this month asking for their input regarding a new process where townships would have to sign off on variance or planning and zoning requests by residents located within their township. Supervisor Bebus stated that there is a lot of training needed in order to serve on the planning commission, planning and zoning board or board of adjustment. But, he does think the board should pay more attention to the agenda items that come up on the various boards for variance requests from Birchdale Township residents. Supervisor Ostendorf thinks that it might be good to have more conversations with Todd County Planning & Zoning's office but also for the board to think about this more. Clerk Bauer will add this topic to the April agenda for more discussion.
- c. The Board then considered appointing the Township Attorney for the coming year. A motion was made by Supervisor Ostendorf, seconded by Supervisor Ahrens, and unanimously carried to reappoint Troy Gilchrist of Kennedy & Graven as the Township Attorney.
- d. Consideration was then given to designating the official newspaper for the coming year. A motion was made by Supervisor Bebus, seconded by Supervisor Berscheid, and unanimously carried to appoint the Sauk Centre Herald and the Long Prairie Leader as the official newspapers.
- e. Next considered was designation of the official posting places for the coming year. A motion was made by Supervisor Berscheid, seconded by Supervisor Bebus, and unanimously carried to again designate the

Township bulletin board and Township website as the official posting places in 2024.

- f.** Birchdale Township holds a safe deposit box at Magnifi Financial and they are requesting a signature form stating who would have access to this box. The box contains the abstract for the town hall property. A motion was made by Supervisor Berscheid seconded by Supervisor Ostendorf and unanimously carried to appoint Chair Carstens, Vice Chair Ostendorf, Clerk Bauer and Treasurer VanHavermaet as the designated signatures for the box. They will hold the keys that access the box. If Clerk Bauer and Treasurer VanHavemaet assign deputies, they would also need to sign this document.
- g.** Next considered was the proposed resolution designating the depositories of Township funds; The proposed Resolution states that financial entities the Township is currently doing business with are; First State Bank of Sauk Centre, Minnesota National Bank, Sauk Centre, and Magnifi Financial, Melrose. A motion was made by Supervisor Ahrens, seconded by Supervisor Ostendorf and unanimously carried to adopt Resolution No. 2024-04, Resolution Designating Depositories of Township Funds. (A copy of the Resolution is on file in the Official Resolution Book of the Township.)
- h.** Next considered was the Resolution Adopting Compensation and Reimbursement Policy for Birchdale Township Officers and Policy. The Board then reviewed and considered any possible changes. No changes were made to the Compensation and Reimbursement Policy. A motion was made by Supervisor Ostendorf, seconded by Supervisor Ahrens and unanimously approved to adopt Resolution No. 2024-05, Resolution Adopting the Compensation and Reimbursement Policy for Birchdale Township.
- i.** Next considered was the proposed gopher bounty resolution. The proposed Resolution sets the gopher bounty rate at \$3.00 per gopher. A motion was made by Supervisor Berscheid, seconded by Supervisor Ahrens, and unanimously carried to adopt Resolution No. 2024-06, Resolution Establishing a Gopher Bounty in Birchdale. (A copy of the Policy in on file in the Policy Book of the Township.)
- j.** Proposed Resolution No. 2024-07, Resolution Adopting Road Standards Policy for Birchdale Township – See attached proposed Resolution. A motion was made by Supervisor Ostendorf, seconded by Supervisor Berscheid and unanimously approved to adopt Resolution No. 2024-07, Resolution Adopting Road Standards Policy for Birchdale Township.
- k.** Road Committee Appointments – The Board to appoint Supervisors to serve on the Road Committee for the 2024 year. Supervisors Berscheid and Ostendorf served on the Road Committee in 2023. A motion was

made by Supervisor Carstens, seconded by Supervisor Ahrens and unanimously approved to keep Supervisor Ostendorf and Supervisor Berscheid as the Road Committee in 2024.

- l.** The Board then opened the quotes received from Weston VanHavermaet for mowing of Town Hall Property for the 2024 Season. Quote information had been sent to Weston VanHavermaet and posted on the Township's website and bulletin board. A motion was made by Supervisor Carstens, seconded by Supervisor Ahrens, and unanimously carried to award the Lawn Mowing of Town Hall Property work to Weston VanHavermaet at a rate of \$40.00 per cutting. The lawn is to be cut no more than two times a month unless prior approval is given by a Township Supervisor.
  
- m.** Open Sealed Quotes Received for Road Grading/Blading and Consider Awarding Quote – At the Board's February 27, 2024 meeting, action was taken to seek sealed quotes for Road Grading/Blading for the 2024 Season. One quote was received from Herdering Inc. The Herdering quote was as follows:
  - Equipment at \$120.00/ hour:
    - 730A Champion Grader
    - 720 Champion Grader
  - Fuel Surcharges:
    - Prices based on a \$3.00 per gallon Off Road
    - For every \$.25 increase per gallon over \$3.00, an additional \$2.00 per hour would be added.

A motion was made by Supervisor Ostendorf seconded by Supervisor Berscheid, and unanimously carried to award the Grading/Blading of Gravel Roads for the 2024 Season work to Herdering, Inc as per their quote. Clerk Bauer was directed to notify Herdering, Inc in writing of the quote award.

- n.** Open Sealed Quotes Received for Class 5 Gravel and Consider Awarding Quote – At the Board's February 27, 2024 meeting, action was taken to seek sealed quotes for Class 5 Gravel for the 2024 Season. One quote was received from Herdering Inc. The Herdering quote was as follows:
  - Crushing, Hauling and Cost of Material: \$10.45 rate per yard
    - Hauling on roads as directed by Township Board
    - Gravel crushed to meet Township specifications
    - Prices based on \$3.50 per gallon truck diesel, for every \$.25 increase in fuel price, an additional \$0.10 per yard would be added.

A motion was made by Supervisor Berscheid, seconded by Supervisor Ahrens, and unanimously carried to award the Class 5 Gravel for the 2024 Season to Herdering, Inc as per their quote. Clerk Bauer was directed to notify Herdering, Inc in writing of the quote award.

- o.** Open Sealed Quotes Received For Crack Filling and Consider Awarding Quote – At the Board’s January 30, 2024 meeting, action was taken to seek sealed quotes for Crack Filling for the 2024 Season and the Clerk was directed to post the information on the Town Hall bulletin board and Township website. She was also directed to send the information to Astech, Precision Roadway and Midwest Asphalt. Only Astech returned a quote, so the board agreed to table opening the Crack Filling Quotes until the April meeting so that additional quotes could be received. A motion was made by Supervisor Berscheid, seconded by Supervisor Bebus and unanimously approved awarding the quote to Precision Crack Filling at a rate of \$1.65/pound applied.
- p.** Clerk Bauer presented the proposed quote information and form regarding Dust Control. A motion was made by Supervisor Carstens, seconded by Supervisor Ostendorf and unanimously carried to approve the quote information and amended form and authorize seeking sealed quotes for Dust Control. Clerk Bauer was directed to send the quote information and form to Herdering Inc., Central MN Dust Control and Knife River and to post the information on the Township website and Township bulletin board. Quotes to be received until 8:00 p.m. Tuesday, April 30, 2024 and the quotes to be opened at the 8:00 p.m. Board meeting.
- q.** Authorize to Seek Proposals (sealed quotes) for Paint Striping – The Board to discuss whether paint striping needs to be completed for any roads within the Township. The Board asked Clerk Bauer to prepare a quote form for the April Board meeting.
- r.** Authorize to Seek Proposals (sealed quotes) for Seal Coating Project – The Board discussed whether any seal coating needs to be completed for any roads within the Township. The Board asked Clerk Bauer to prepare a quote form for the April Board meeting.
- s.** Renewal of Fire Service Contract with the City of Melrose (Contract terminates July 1, 2024) – This item is placed on the March meeting agenda per the Township’s Calendar of Events in case the Board would like to discontinue the contract. No action was taken as the Board would like to continue the contract renewal with the City of Melrose Fire Department.
- t.** Discuss any follow-up items from the Annual Meeting – There is nothing to discuss at this time.
- u.** MN Deed Grant Application for Broadband – Supervisor Ostendorf presented information for a Minnesota DEED Grant for funds to lay additional broadband in the township. Supervisor Ostendorf believes that it would not hurt to put in an application for these funds and Supervisor Bebus agrees. The deadline is this coming Friday but the paperwork is

minimal. It is a simple application and including copies of letters sent to local broadband providers of the township's intent to apply for the grant. The Board was in agreement with applying for the grant. Supervisor Ostendorf will assist Clerk Bauer with applying for the grant by the deadline.

- v. Sweeping of Roads Including Alcott and Angler Drive – Supervisor Bebus stated that every winter, after the snow melts, there are a lot of leaves and sand left along the gutters of Alcott and Angler Drives. Supervisor Bebus stated that there is a contractor that does street sweeping in Albany and Avon and he would like to contact this contractor to get a quote for sweeping both Angler and Alcott Drives. The Board was in agreement so Supervisor Bebus will bring this information to the April Board Meeting.

### **13. Informational Items**

The Board then reviewed the following informational items:

- a. Correspondence Received from Todd County Soil & Water Conservation District regarding Registered Feedlots and Registration Cycle Map – Opposed to sending individual notices for each individual feedlot change on the registration, Todd County Soil & Water is sending a spreadsheet of landowners in Birchdale Township who have maintained a feedlot registration and the AU's for which they are registered. If a large feedlot is expanding or construction, Soil and Water will formally mail a notice for any feedlot expanding beyond 300 and 500 animal units at the time of application.
- b. Correspondence Received from Todd County Planning & Zoning regarding a Todd County Board of Adjustments public hearing to be held on Thursday, March 28th, 2024 at 6:00 pm regarding Edward C. Kortuem, Section 14, Birchdale Township, Sauk (North Bay) Lake, 12281 Alcott Drive, Sauk Centre, MN – Request for variance to reduced the setback from the OHWL from 100' to 75' for proposed new house with attached garage and variance to increase the height limit from the required 18' to 21'11" for proposed new house and attached garage.

Nancy Primus, Section 14, Birchdale Township, Sauk (North Bay) Lake, 12327 Alcott Drive, Sauk Centre, MN – request to increase the impervious surface coverage limit from 15% to 18.6% in RD Shoreland Zoning. Supervisors Ostendorf and Bebus will plan to attend this Planning & Zoning meeting.

- c. Correspondence Received from Todd County Planning & Zoning regarding Dennis P. and Jody L. Wessel, 27335 Alpha Lane, Grey Eagle, MN – Variance was granted regarding request for variance to reduce the setback from the OHWL from 100' to 92' for proposed addition of handicapped accessible stairway to existing house.



- d. Minnesota Association of Township Short Course Flier – Flier providing dates and times for short courses. Supervisor Ostendorf is planning to attend the short courses in Alexandria.
- e. Email Correspondence Received from Jet Black, a local asphalt maintenance company, advertising their crack filling services.

#### **14. Officers Comments**

- a. Supervisor Bebus shared that he was contacted by Weed Inspector Nancy Uhlenkamp stating that weed training is being postponed due to the weather.
- b. Clerk Bauer shared an email from Resident Andy Burlet who was concerned that Alcott Drive had not been plowed as of the morning when he left for work and still was not plowed out when he returned from work in the evening. Supervisor Ahrens stated that he had seen Mr. Tschida plowing along Alfalfa at 7:00 AM this morning. He also knows that Mr. Herdering was going out after the snow had stopped but was surprised that he hadn't completed Alcott Drive by the evening. The Supervisors will mention this to Mr. Herdering.

#### **15. Adjournment**

With no further business, a motion was made by Supervisor Bebus, seconded by Supervisor Ahrens and unanimously carried to adjourn the meeting at 9:57 p.m.

Respectfully Submitted,

---

Jackie Bauer  
Birchdale Township Clerk