

**BIRCHDALE TOWNSHIP  
REGULAR MEETING MINUTES  
TUESDAY, MAY 31, 2022 – 8:00 P.M.**

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

Chair Jim Carstens called to order the regular meeting of the Birchdale Township Board at 8:00 p.m. on Tuesday, May 31, 2022 at the Birchdale Town Hall. The Pledge of Allegiance was recited. Present were Supervisors Jim Carstens, Larry Bebus, Dale Ahrens, Joe Ostendorf, Arnie Berscheid, Treasurer Marlene VanHavermaet, and Clerk Jackie Bauer. Also in attendance was Erv Herdering, Ted Archibald, Jane Frerichs Frank, Margaret Krig, Gary Krig, Dan Marthaler, Denny Suelflow, Allen Walter, Dennis Waldvogel, Allen Pundsack, Curtis Linz and Mary Linz.

**2. Approval of Agenda**

A motion was made by Supervisor Ahrens, seconded by Supervisor Bebus, and unanimously carried to approve the agenda.

**3. Approval of Minutes**

A motion was made by Supervisor Berscheid, seconded by Supervisor Bebus, and unanimously carried to approve the April 19<sup>th</sup>, 2022 Local Board of Appeals minutes. A motion was made by Supervisor Bebus, seconded by Supervisor Ahrens, and unanimously carried to approve the April 26<sup>th</sup>, 2022 regular meeting minutes.

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

Treasurer VanHavermaet presented the May Treasurer's Report. A motion was made by Supervisor Bebus, seconded by Supervisor Ahrens, and unanimously carried to accept the Treasurer's Report. The May Settlement Payment Summary was received in the amount of \$77,839.76.

**5. Approval of Bills**

Next presented was the list of bills for the month of May 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 \$6,333.86 (See attached list of bills).

**6. Residents Comments**

a. None

**7. Reports/Requests/Presentations**

- a. None

## 8. Township Road Report

- a. Kandota Township and Birchdale Township – Supervisors Dan Marthaler and Denny Sueflow from Kandota Township were in attendance at this evening’s meeting. They are new supervisors on the Board and have been reviewing some of the shared roads between Kandota and Birchdale Township and how the maintenance is handled for these roads between the townships. They referred to the agreement that is in place for Bayview Drive and 227<sup>th</sup> Avenue, 140<sup>th</sup> Street and 231<sup>st</sup> Avenue. They questioned why there is an agreement for 227<sup>th</sup> and 140<sup>th</sup> Street as these are located in Kandota Township. However, Bittner Drive is shared between the townships and there is no agreement in place for this road. Also, the Supervisors were somewhat confused by the agreement and what exactly Kandota was responsible for and what exactly Birchdale was responsible for. Both the Supervisors for Kandota and Birchdale would like to see the agreement updated and revised but kept fair between the townships. Supervisors Marthaler and Sueflow will work on revising the agreement and then will send it to the Birchdale Board to review and approve.
- b. Update on Tree Trimming and Ditch Clean-Up – Supervisor Ostendorf updated the Board regarding the tree trimming that MBC Drainage has been doing in the township. They have completed work on Alcott Drive but are now at a standstill as it is so wet. As it starts to dry up, Supervisor Ostendorf will contact them and encourage them to start work back up as they will begin to get more busy with other work besides the township work. Supervisor Ostendorf will also ask Bart from MBC Drainage to submit an invoice for the work they have completed so far and do a separate invoice for \$5,000.00 that can be submitted under the Noxious Weed Grant that Birchdale Township received from the State of Minnesota for reimbursement.

Supervisor Ostendorf also stated that we may want to do another letter or postcard out to residents regarding tree trimming work for 2023 notifying residents that this work will continue. He asked Clerk Bauer to add this to the June 2022 Monthly Meeting Agenda.

- c. Culverts Within The Township – Supervisor Berscheid and Supervisor Ostendorf stated that as the ditch mowing work has been done, it has become apparent that some of the culverts in the township are in poor shape, are not draining water properly, have developed a wash-out or have a gorge migrating into the road right-of-way. Clerk Bauer referred a resident, Mr. Kerfeld, to Supervisor Ostendorf regarding his wash-out from a culvert on his property, which Supervisor Ostendorf reviewed. Supervisor Ostendorf and Supervisor Berscheid will create a list of the culverts that need immediate repair or sloping work and start working with Erv Herdering on those first and then move on to those such as Resident Kerfeld’s who also need some work. Supervisor Ostendorf stated that he is aware that other townships have started an inventory of new culverts that are installed in the township along with an

accompanying map which shows where the culvert is located along with the date it is installed. The Board felt this would be a good idea for Birchdale to start doing.

- d. Crack Filling Update – Supervisor Berscheid stated that he reviewed the roads that need crack filling with Brian from Precision Asphalt and the work has started. Brian is also repairing individual spots on Alligator, Angler Drive and Alcott.
  
- e. Ambling Trail – Supervisor Berscheid was contacted by land-owners who are building homes along Ambling Trail. There are approximately 2 to 3 homes being built along this road and there is a section of land that is 5’ wide that runs along the road. This tract of land is not part of the road right-of-way and if the land owners would like to include that strip of land as part of their properties, they need to work with Todd County in order to take that section over. Supervisor Berscheid will notify the land-owners that they should contact the county.
  
- f. Angler Trail – Chair Carstens, along with residents who were in attendance at this evening’s meeting, shared concerns regarding water run-off from heavy rain that is washing down through resident properties from property to property leaving sediment as it runs to the lake. In past years, the township has tried to build areas up of the road or attempted to create a pitch in order to force the water to not settle in driveways, garages or ditches. Mr. Herdering, who was in attendance at the meeting, said it was a very difficult situation to remedy. He asked if there was any way to create an underground drain to the lake and possibly work with the DNR on this idea. Another idea might be to remove any trees that are wider than 6” to see if that would help. Some of the residents asked if the road could be possibly tarred. Supervisor Carstens stated that we would have to look at the amount of traffic on the road and work with Grey Eagle Township as most of the road is in that township. Just 7 homes along the road are within Birchdale Township. The residents in attendance are planning to go to the Grey Eagle Township meeting and address their Board also. Supervisor Carstens stated that we have been having a lot of rain but the residents stated that even when it doesn’t rain that much, there are still problems with flooding. Resident Dennis Waldvogel would like to contact the Soil and Water Office at Todd County and possibly some of the other agencies such as the DNR and do some research and then come back to Birchdale Township Board with the information he is able to find out.

## **9. Unfinished Business**

- a. Resolution #2022-08, Granting in Part and Denying in Part the Vacation of Two Portions of Platted Right of Way - Township Attorney Troy Gilchrist prepared Resolution #2022-08, for review by the Board. The Board had directed Township Attorney Gilchrist to prepare this Resolution after the Vacation Hearing that was scheduled on May 19<sup>th</sup>, 2022 at 4:00 PM and where the Birchdale Township Board voted unanimously as to what is outlined in Resolution #2022-08. The Board

reviewed the resolution. Clerk Bauer also read a letter from Resident Wren-Gray directed to the Board asking for reconsideration of the Board's decision. Supervisor Bebus still feels that there is room to install the egress windows and that a ramp and covered parking can be installed in the back. Supervisor Ostendorf does not feel that any new information has been presented that would change his decision. Supervisor Ostendorf also stated that there are residents who are not in favor of this either. Treasurer VanHavermaet wanted to state that the Board should really take a moment and consider their decision.

A motion was made by Supervisor Berscheid, seconded by Supervisor Carstens, with Supervisor Ahrens abstaining, and unanimously carried to approve adopting Resolution #2022-08, Granting in Part and Denying in Part the Vacation of Two Portions of Platted Right of Way.

- b. Speed Sign Purchase for Angler Drive – Supervisor Bebus stated that a new speed sign has been purchased from Traffic Calm and is being shipped. The batteries are being charged so that when the sign arrives, it can be installed immediately. Some of the residents like the blinking sign and others don't like it as much but either way, hopefully it will slow down traffic especially this summer.

## **10. New Business**

- a. Authorize to Seek Proposals (sealed quotes) for Ditch Mowing - The Board then opened the quotes received for 2022 Ditch Mowing. One quote was received. Quote information had been sent to two companies including Mid Minnesota Excavating and Leland Buchholz and a notice was posted on the Township's website and Town Hall bulletin board. The quotes were as follows:

- Leland Buchholz - \$85.00/hour

A motion was made by Supervisor Berscheid, seconded by Supervisor Ostendorf, and unanimously carried accepting the quote from Leland Buchholz for 2022 Ditch Mowing at a cost of \$85.00/hour.

- b. Noxious Weed Spraying – Quote information had been sent to two companies including Carr's Tree Service and Central Applicators and a notice was posted on the Township's website and Town Hall bulletin board. Two quotes were received from Central Applicators and Carr's Tree Service. Two quotes were received and the quotes were as follows:
  - Central Applicators, Spray Truck: \$84.00/Hour for application, \$24.50 Escort per ounce, \$467 milestone per gallon, \$65.06 Attach per gallon, \$126.57 Tordon K per gallon, Garlon 3 \$126.57 per gallon and spraying usually costing between \$250.00 to \$300.00 per mile with both sides treated.

- Carr's Tree Service: Roadside Spray Truck: \$395/Hour. Polaris Ranger Spray ATV: \$195/Hour. Includes all required chemicals. Spray truck is capable of approximately 40 miles per day. Spray ATV is capable of approximately 12-15 miles per day.

Supervisor Ahrens stated that he likes the details in Central Applicators' quote and would like to see other vendors give more details like this in their quotes. He asked that for next year, Clerk Bauer update the quote form so that more information is requested in the quote form. Clerk Bauer made a note of this so that when it comes up on the calendar of events, she will remember to check with the Board on the Noxious Weed Spraying Quote Form.

Supervisor Ahrens also stated that Central Applicators was very easy to work with last year and did a really good job. A motion was made by Supervisor Ahrens seconded by Supervisor Ostendorf and unanimously carried accepting the quote from Central Applicators for 2022 Weed Spraying.

- c. Open Sealed Quotes received for Paint Striping and Consider Awarding Quote - At the Board's April 26, 2022 meeting, action was taken to seek sealed quotes for Paint Striping for the 2022 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 Precision Roadway LLC, Preferred Striping, Central MN Sealcoating, Traffic Marking Services and Sir Lines-A-Lot. Quotes were received back from Sir Lines-A-Lot LLC, Edina and Traffic Marking Service, Maple Lake:

Sir Lines-A-Lot, LLC: \$.37 per foot – Mobilization Charge: \$950.00  
 Traffic Marking Service: \$.07 per foot – Mobilization Charge: \$1500.00

A motion was made by Supervisor Ostendorf, seconded by Supervisor Bebus and unanimously carried accepting the quote from Trafficing Marking Service from Maple Lake for 2022 Paint Striping.

## **11. Informational Items**

The Board then reviewed the following informational items:

- a. Special Assessment Information Requests for:
  1. Main Street Title & Closings LLC: Joseph A and Sharon M. Wyffels, Buyers: Brian and Teri Trattles, 11835 Alcott Drive, Sauk Centre, MN 56378  
 Clerk Bauer responded that there were no assessments from Birchdale Township.
- b. Annual Township Road Mileage Certification – Clerk Bauer presented a form from Todd County Public Works requesting the total mileage for roads located within Birchdale Township. Chairman Jim Carstens signed the form.

- c. Notice Received from Todd County Auditor/Treasurer's Office of Filing for 2022 Primary and General Election – The Primary Election will be held on August 9<sup>th</sup>, 2022 and the General Election will be held on November 8<sup>th</sup>, 2022. Clerk Bauer posted the Notice of Filing form at the Town Hall.
  
- d. Notice Received From Minnesota Unemployment Insurance – Clerk Bauer received a letter from Minnesota Unemployment Insurance informing Birchdale Township that their UI Tax Amount has been recalculated for 1<sup>st</sup> Quarter 2022 to replenish the fund. There will likely be a credit for our account.
  
- e. Notice Received From Todd County Emergency Management – The Office of Emergency Management had contacted Clerk Bauer two weeks ago asking if Birchdale Township had any storm damage. Clerk Bauer contacted Road Supervisors Supervisor Berscheid and Supervisor Ostendorf to ask if there was any damage in the township and if there was, to attend a meeting at the Todd County Board Room on Friday, May 27<sup>th</sup> at 9:00 AM. This Notice was a written letter regarding the meeting. However, Birchdale Township did not have any storm damage so our Supervisors did not attend this meeting.
  
- f. Notices Received From Todd County Auditor/Treasurer's Office Regarding Election Judge and Head Election Judge Upcoming Training Sessions in preparation for the Primary and General Election – Clerk Bauer will coordinate with Election Judges to attend upcoming in-person and online trainings for elections. Notices have come out with instructions on formats of training and who should attend. Birchdale Township requires that 4 judges be in attendance at both the Primary and General Election and Todd County is encouraging that there be 2 Head Election Judges.
  
- g. Minnesota Association of Township Official Membership Cards – Clerk Bauer handed out annual Minnesota Association of Township Official Membership Cards.
  
- h. County Policy on Residents Renting Out Homes as VRBO – Clerk Bauer was contacted by a Resident stating that he was told by the County that he needed a permit from Birchdale Township in order to rent his resident out as a VRBO. Clerk Bauer stated that this was not correct but that she would check with the county and find him the correct information Clerk Bauer did find out that the county does issue a permit to residents after they contact Todd County requesting to rent their residence. Clerk Bauer shared this information with the Board and with the resident.

- i. Front Line Worker Pay – Clerk Bauer received an email notice from the Minnesota Association of Townships that Township Workers are an eligible category under the Minnesota Front Line Workers who will receive payment later this summer for working hours during COVID. Clerk Bauer will wait to see if more information comes out regarding this and will update the Board if it does.
  
- j. Supervisor Ostendorf stated that he visited a resident who has wood stacked up in the road right-of-way. He asked the resident to move the wood and he said he would. However, this was 2 months ago and the wood has not been removed. He asked Clerk Bauer to send the resident a letter asking him to remove the wood from the road right-of-way. Clerk Bauer will do this and report back to the Board at next month's meeting.

12. **Officers Comments**

- a. Supervisor Carstens asked Treasurer VanHavermaet to let Cayden, our township lawn-cutter, know that he should cut the grass on monthly township board meeting nights. Treasurer VanHavermaet will do this.

13. **Adjournment**

With no further business, a motion was made by Supervisor Ostendorf, seconded by Supervisor Bebus and unanimously carried to adjourn the meeting at 10:25 p.m.

Respectfully Submitted,

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Jackie Bauer  
Birchdale Township Clerk