

**BIRCHDALE TOWNSHIP  
REGULAR MEETING MINUTES  
Tuesday, October 25, 2022 – 8:00 P.M.**

**1. 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, October 25, 2022 at the Birchdale Town Hall. The Pledge of Allegiance was recited. Present were Supervisors Dale Ahrens, Arnie Berscheid, Joe Ostendorf, Larry Bebus and Jim Carstens, Treasurer Marlene VanHavermaet and Clerk Jackie Bauer. Also in attendance were Erv Herdering, Randy Wilhite and Mike Disher.

**2. Approval of Agenda**

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

**3. Approval of Minutes**

A motion was made by Supervisor Berscheid, seconded by Supervisor Bebus and unanimously carried to approve the September 27, 2022 Regular Meeting minutes.

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

Treasurer VanHavermaet presented the October Treasurer's Report. A motion was made by Supervisor Ahrens, seconded by Supervisor Ostendorf and unanimously carried to approve the October Treasurer's Report. Treasurer VanHavermaet stated that a 12 month CD is coming due at the end of October. Treasurer VanHavermaet asked the Board if they would like her to cash out the CD and deposit it into the township checking account to assist with paying the brush and trimming work that has been done in the township, or if she should find the best rate she can and renew for another 12 months. After discussing upcoming deposits that will be coming into the checking account, the Board requested Treasurer VanHavermaet renew the CD for another 12 months at the best rate she is able to find.

**5. Approval of Bills**

Next presented was the list of bills for the month of October to be considered for payment. A motion was made by Supervisor Ahrens, seconded by Supervisor Bebus and unanimously carried to approve payment of the bills in the amount of \$13,087.45. (See attached list of bills).

**6. Resident's Comments**

- a. None

**7. Reports/Requests/Presentations**

- a. None

**8. Township Road Report**

- a. Road Brushing Progress Update – Supervisor Ostendorf gave an update regarding the progress of brushing work being done in the Township. He stated that not much work has happened recently and that MBC is waiting for the ground to freeze and crops to come out before finishing up brushing.
- b. FEMA Meetings Update – Clerk Bauer and Supervisor Ostendorf updated the Board regarding the meetings with FEMA. Clerk Bauer now meets with the FEMA Representative every Monday at 9:30 AM. Currently, Supervisor Ostendorf is meeting with Bart from MBC Drainage and Erv Herdering from Herdering to have them write up estimates for the 3 minimum maintenance roads. FEMA is requesting estimates along with a listing of work needs to be done in order to bring the roads back up to their maintained level. FEMA will be sending a representative to view the roads for a site visit. FEMA is also requesting maps of each of the roads and Clerk Bauer will request this from Todd County Planning and Zoning. Clerk Bauer and Supervisor Ostendorf will continue to keep the Board updated regarding the progress with FEMA.
- c. Updates Regarding Other Road Work Within The Township – Mr. Erv Herdering, who was in attendance, stated that he still needs to work on shouldering for Alcott Drive.

**9. Unfinished Business**

- a. Storm Siren By Diamond Point – In May of this year, one of the two storm sirens that the township is currently maintaining stopped working. Supervisor Carstens had checked the equipment and determined that the problem was located with the equipment. At last month's meeting, the Board discussed whether the Township should shut down the siren and discontinue operating this one that is not working. However, Resident Rand Wilhite, who was in attendance at the meeting, felt strongly that the siren should be repaired and continue to be operated for the safety of residents and especially visiting tourists to the lake area of Diamond Point. Resident Rand Wilhite doesn't believe that the phone app would be registered by all visiting tourists or used by tourists.

The Board had asked Resident Wilhite to go back to Sauk Lake Association and ask their organization to take the sirens back and wondered why the lake association had asked that the township take over the sirens in the first place. Resident Wilhite had agreed to do this and return to the October meeting to report back. Resident Wilhite also stated that he believed that the brushing equipment on the top of the siren is probably damaged and in the past, that has cost approximately \$750.00 to repair.

Resident Wilhite attended the Sauk Lake Association meeting and a motion was made at the meeting to keep both sirens with Birchdale Township. The lake association doesn't feel that it fits with their responsibility to oversee the sirens as they feel it is a safety issue. Resident Wilhite asked both resorts in the area (one resort is in Kandota and one is in Birchdale) about the siren and both resorts would like the sirens to continue operating. Neither resort knew what the "Code Red" app was either. Resident Wilhite suggested that maybe Kandota Township would be willing to cost-share in the cost of maintaining the sirens.

Supervisor Bebus asked how old the sirens were. Supervisor Berscheid stated that the siren that was put up by Diamond Point was used when it was installed in 1995. It is believed that both sirens were constructed in the 1970's. Resident Wilhite said the cost of replacing a siren is approximately \$5000 to \$7000. Supervisor Carstens stated to Resident Wilhite that he appreciated him coming to the last 2 meetings and sharing his concerns but wondered what other residents feel about the sirens. Are they concerned about the sirens also? A survey was done by the lake association and residents were not concerned about keeping the sirens.

Resident Wilhite believes there are other townships that would glad take on the sirens and he stated if an emergency did happen and Birchdale Township had not repaired the sirens, it would be really bad especially since the township does have funds to pay for the repair. Supervisor Carstens also stated that the township could repair the siren and have it break again and not work during a storm. Residents would be relying on the siren then and that would be bad also.

Clerk Bauer brought up that since the siren stopped working during the May 2022 storm, that she could ask FEMA if this repair or replacement could possibly be submitted for FEMA grant funds as an option. Supervisor Carstens asked Clerk Bauer to do this and report back at the November meeting. She will do this.

- b.** Update on Higgins Long Lake Meeting – On October 4<sup>th</sup>, 2022, Supervisors Bebus and Supervisor Ostendorf attending a meeting with the Todd County Commissions, residents living along Higgins Long Lake, the

DNR, state senators, the Sauk River Watershed and other departments within Todd County. The meeting was held as a planning meeting to discuss options to address the continued rising water level of the lake which is causing shore-line damage to residents' homes. There is a possible plan to try and use a system of pipes, culverts and gravity to drain the water to Sauk Lake. This would be very expensive and would have to be cost-shared by 50% with the residents. The residents could only cover this if they applied for a grant. All of the other entities are unable to help including the county, the DNR and the watershed. The state senator, who was in attendance, felt that he could try to write a bill to address this specific issue. Supervisor Bebus also suggested to the residents that they may want to try contacting FEMA to see if there might be assistance through their program. All in all, there was good discussion but no resolution. The residents are going to move forward with forming a lake association. For Birchdale Township, the township's only role in this issue is that one of the culverts where the water would be diverted is too small and would need to be replaced with a larger culvert if the plan was approved. Of note is that Fairy Lake is also having the same problem with high water levels.

- c. Update On Todd County Planning & Zoning Meeting – Supervisors Ostendorf, Ahrens and Carstens attended the October Todd County Planning & Zoning Meeting. At the meeting, there was a request for expansion of animal units at two different feedlots located within the township. The two feedlots are actually located right next to each other. Birchdale Township Supervisors did express concerns about the expansion of the number of animals but the requests were both approved. The feedlots are at the end of a road so there isn't drive-by traffic but as supervisors monitor the township roads, they will drive down this road and can check on the feedlots when needed. The animal units are just under the number that requires the Minnesota Pollution Control Agency to monitor the feedlots so their oversight is not required.
- d. Phone Call From Resident David Weber – Clerk Bauer stated that she received a message from Resident David Weber as a follow-up from a call that she had made with resident Weber this summer requesting that he clear out wood in the township road right-of-way. He left a message stating that he has cleared out the right-of-way and was wondering if it was adequate. Supervisor Ostendorf has viewed the road right-of-way and will inform Resident Weber that it looks good.

## **10. New Business**

- a. Open Snow Removal At The Town Hall Quotes and Take Action – At the Board's September 27, 2022 meeting, action was taken to seek sealed quotes for Snow Removal at the Town Hall for the 2022-2023 Season. At

that time the Clerk was directed to send the information to Lonnie Ritter and Chad Frieler and to post the quote information at the Town Hall and on the Township website. Clerk Bauer stated that one quote was received. Chair Carstens opened the sealed quote received and it was as follows:

Lonnie Ritter - \$30.00 per hour

The Board then reviewed the quote. A motion was made by Supervisor Ahrens, seconded by Supervisor Ostendorf, and unanimously carried to accept the quote received and to award the work to Lonnie Ritter in the amount of \$30.00 per hour. The Clerk was directed to notify Mr. Ritter of the award.

- b.** Add Barricades to Minimum Maintenance Roads – this item is added to the agenda as it comes up on the Calendar of Events. After discussion, the Board directed Clerk Bauer to remove adding and removing the barricades off of the Calendar of Events as the barricades are not being used at the entrances. Clerk Bauer will do this.
- c.** Clara Berscheid, who cleans the town hall, has stated that the vacuum cleaner is not working and she will purchase a new one. Also Clara has stated that the carpet needs to be shampooed or possibly replaced. If the carpet is replaced, the Board may want to consider replacing the carpet with laminate or carpet squares. The Board discussed this and before replacing the carpet, they would like to have the carpet shampooed. Supervisor Berscheid will contact someone to come and shampoo the carpet. Supervisor Berscheid also stated that two of the windows in the town hall need to be replaced as they are not staying closed. Supervisor Berscheid will fix them for now and replacing the windows will be added to a spring agenda.
- d.** Resident Frankie Kuhlmann – Supervisor Ahrens stated that corn stalks had washed down from one of his fields and plugged a culvert near Resident Kuhlmann’s property. Supervisor Ahrens can tile a low spot near his field so that the water can outlet through the ditch in the township road right-of-way which will prevent the water from washing down. Supervisor Ahrens would like something in writing giving him permission to divert the water through the township road right-of-way. Supervisor Carstens asked if by doing this, it will affect any other resident and Supervisor Ahrens stated that it would not. Supervisor Berscheid viewed the area and stated that this will resolve the water washing down to Resident Kuhlmann.
- e.** AED (Defib) Unit – Supervisor Bebus brought forward whether the township should consider installing an AED or Defib Unit on the outside of the Town Hall in case residents are in the area and need to access a unit

in case of someone going into cardiac arrest. Richmond Township has a unit on the outside of their town hall; Grey Eagle also has one at the church and one at the fire hall in town. The Board discussed this and questioned whether it would be closer to bring an ambulance to the town hall or to where a person was at. Supervisor Ahrens asked about the ongoing maintenance and whether we could be liable if it didn't work. Supervisor Ostendorf stated that the units are in a glass box. Supervisor Bebus asked everyone what they thought. Supervisor Ostendorf felt it probably wasn't worth it and Supervisor Ahrens felt that people would just go to Grey Eagle. Supervisor Carstens and Supervisor Berscheid also decided to pass on it too.

## **11. Informational Items**

The Board then reviewed the following informational items:

- a. Reminder of General Election – Clerk Bauer gave a reminder that the General Election will be held on Tuesday, November 8<sup>th</sup> with polls opening at 7:00 AM and closing at 8:00 PM. There will be 6 judges working throughout the day.
- b. Clerk Bauer was contacted by Resident Mary Rasmussen asking if there were any permits required for her to construct a “Little Free Library” in her front yard in the spring. Clerk Bauer contacted Todd County Planning & Zoning and they stated that because a little library structure is so small, no permits are required. Clerk Bauer cautioned Resident Rasmussen to place the little library far enough back so that it isn't in the township road right-of-way and offered to have a Supervisor come out and measure for her if she would like. Resident Rasmussen stated she will contact Clerk Bauer in the spring when she is ready to construct the “Little Free Library”.

## **12. Officers Comments**

- a. Supervisor Berscheid asked Mr. Herdering when he would start the shouldering work and repair a washout that is located near Resident Gary Roering's property. Mr. Herdering stated that he is ready to start but stated that there will most likely be additional washouts this spring that will need to be repaired.

## **13. Adjournment**

With no further business, a motion was made by Supervisor Bebus, seconded by Supervisor Ahrens, and unanimously carried to adjourn the meeting at 9:22 p.m.

Respectfully Submitted,

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Jackie Bauer  
Birchdale Township Clerk