

**BIRCHDALE TOWNSHIP  
REGULAR MEETING MINUTES  
TUESDAY, JULY 25, 2023 – 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, July 25, 2023 at the Birchdale Town Hall. The Pledge of Allegiance was recited. Present were Supervisors Dale Ahrens, Jim Carstens, Arnie Berscheid, Larry Bebus and Joe Ostendorf, Treasurer Marlene VanHavermaet and Clerk Jackie Bauer. Also in attendance was Resident Eric Peterson and Erv Herdering.

**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 Bebus, seconded by Supervisor Ahrens, and unanimously carried to approve the June 27, 2023 Regular Meeting minutes.

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

Treasurer VanHavermaet presented the July Treasurer's Report. A motion was made by Supervisor Ahrens, seconded by Supervisor Ostendorf, and unanimously carried to accept the July Treasurer's Report.

**5. Approval of Bills**

Next presented was the list of bills for the month of July to be considered for payment. A motion was made by Supervisor Berscheid, seconded by Supervisor Ostendorf, and unanimously carried to approve payment of the bills in the amount of \$68,691.53. (See attached list of bills).

**6. Resident's Comments**

- a. None.

**7. Reports/Requests/Presentations**

- a. None

**8. Township Road Report**

- a. State of Township Ditch Clean-Up and Trimming – Supervisor Ostendorf reported on the status of the ditch clean-up work in the township. MBC Drainage did decide to finish the work and now most of the work is completed. There will be some brief work yet to finish up next fall or spring.
- b. Almond Drive Clean-Up - Supervisor Berscheid stated that Hoffman Tree Service was out and did some work along Almond Drive. They will be coming back to finish up. Supervisor Berscheid stated that there are a few spots in the township where a ditch area still needs to have some items removed such as large rocks and downed trees.
- c. Supervisor Bebus and Ahrens stated that there a few stop-signs in the township that have been shot up. Supervisor Bebus will contact the county for replacement signs. These signs will need to be installed by the supervisors.
- d. Marlene VanHavermaet mentioned that there were a lot of thistles along Amaryllis but someone has now mowed this area and they are gone.
- e. Supervisor Bebus stated that a culvert will be added along Alfalfa Drive and Supervisor Bebus will notify Todd County Planning & Zoning of this.
- f. Supervisor Ostendorf stated that there are some soft spots along Pauly Lake Road and he asked Mr. Erv Herdering if the would repair these areas and he will do this.
- g. Supervisor Ostendorf stated that the minimum maintenance road that had gravel added by the Department of Natural Resources, is currently closed so that the road can set up and before the road is re-opened to the public.

## **9. Unfinished Business**

- a. Alcott Drive Tarring Project – Road Supervisors Joe Ostendorf and Arnie Berscheid reported on the Alcott Drive Tarring Project. They were out to the road and patched some of the soft areas that needed repair. The township has contracted with Joe Riley Construction to do microsealing on the road which is more cost effective. This will extend the condition of the road until a full re-claiming can be done. The project will be completed yet this fall.
- b. Tarring of Ambling Drive – At the June 2023 regular monthly meeting, the Township Attorney Troy Gilchrist drafted a petition requesting the Creation of a Subordinate Service District, Pursuant to Minnesota Statutes, Chapter 365A. 50% of the owners who live along Ambling Drive need to sign this petition in order for the process to move forward. Setting up the

Subordinate Service District (SSD) is a means for Birchdale Township to collect for the cost of tarring Ambling Drive, from the property owners. Resident Eric Peterson, who lives along Ambling Drive and attended this evening's meeting does have the required number of signatures for the petition and presented it to the Board. The Clerk will now verify the signatures and Attorney Gilchrist will move forward with drafting a resolution to set a hearing date and time and this will be reviewed by the Board at the August meeting. The hearing is an opportunity for property owners who live along Ambling Drive to attend and voice their support or concerns about tarring the road. At the hearing date, the Board then decides whether to approve moving forward with setting up the SSD and tarring Ambling Drive or deciding against doing this. Clerk Bauer will work with Attorney Gilchrist to prepare documents to be presented to the Board for the August regular meeting.

- c. Visual Impairment Caution Sign Along Almond Drive – Clerk Bauer shared information from Attorney Gilchrist regarding whether the township should install a cautionary visual impairment sign as requested by a resident who lives along Almond Drive. Attorney Gilchrist stated that there are no statutes that require the Board to do this but the State of Minnesota Department of Transportation's recommendation to post less signs. The township would also be required to maintain the sign. Attorney Gilchrist looked into whether a sign like this was available through the State of Minnesota and there isn't anything like this but could possibly be specialty ordered. Due to these concerns, the Board has decided not to post a sign along Almond Drive. Clerk Bauer will send a letter to the resident notifying her of this.
- d. Gravel Pits Requiring County Permits – Supervisor Ostendorf contacted Todd County Planning & Zoning to find out if gravel pits in Todd County are required to have a permit from Todd County and whether the permit has language stating that the gravel pit owners must repair and maintain the township road in case of any damage outside of regular wear and tear. Supervisor Ostendorf stated that the permits do state this but currently the three gravel pits located in the township each have different types of permits such as mining and crushing, recycling building, etc. Also, the permit states that there is a process if the owner violates the permit and if the pit sits inactive for 36 months, the permit is no longer active. Planning and Zoning is currently checking to see if the Thull Pit and the Central Specialties Pit are active or inactive. Kenny Proell does have an active permit but his company does more recycling work than gravel work. The Board would like to recoup some of the expenses that were spent by the township to repair both 110<sup>th</sup> Avenue and 225<sup>th</sup> Avenue. Treasurer VanHavermaet and Clerk Bauer will look up the past repair expenses for both roads and report back to the Board. Todd County Planning & Zoning will contact Supervisor Ostendorf to let him know if the permits are

active. Supervisor Carstens stated that maybe we could just ask that Thull and Central Specialties use their own equipment to repair the roads. The roads currently have no crown and are very flattened out. This item will be added to the August agenda once the Board knows whether the permits are active for the two companies.

- e. Supervisor Bebus asked when the meeting video recording equipment will be functional. Clerk Bauer is looking into the most cost effective option for a monthly subscription for video software and is hoping to have this operational for the August 2023 meeting.

## **10. New Business**

- a. Clerk Bauer presented the proposed quote information and form regarding Snow Plowing. A motion was made by Supervisor Berscheid, seconded by Supervisor Bebus, and unanimously carried to approve the quote information and form and authorize seeking sealed quotes for Snow Plowing. Clerk Bauer was directed to send the quote information and form to Herdering Inc. and Mayers Inc. and to post the information on the Township website and Township bulletin board. Quotes to be received until 8:00 p.m. Tuesday, August 29, 2023 and the quotes to be opened at the 8:00 p.m. Board meeting.
- b. Township Maps – Supervisor Bebus contacted Todd County Planning and Zoning and stated that their office has created a map book for Kandota Township. The cost of a map book like this would be \$50.00 for the first book and then any re-prints would cost \$10.00 per book. The maps could show all roads, addresses and culverts that are located in the township. Todd County currently has an intern who is locating all of the culverts in the county. Supervisor Bebus will ask for a proof of the book before we request map books. Treasurer VanHavermaet asked if the pages can be loose-leaf within the book so that the pages can be removed and copied.

## **11. Informational Items**

The Board then reviewed the following informational items:

- a. Special Assessment Information Requests:
  - Main Street Title & Closings
    - o Douglas & Kimberly Evans, 12223 Alcott Drive, Sauk Centre, MN  
Clerk Bauer responded to the above request that there are no assessments from Birchdale Township.
- b. District 8 Meeting Notice - Clerk Bauer presented correspondence regarding the date of the District 8 Meeting which will be held on Wednesday, August 16<sup>th</sup> at 5:30 PM (Registration, 6:00 PM Dinner and 7:00 PM Meeting) at Jack & Jim, 11025 Duelm Road NE, Foley. If

interested in attending, RSVP before August 9th to Frank Hard:  
fhard@mntownships.org

- c. Correspondence Received From Todd County Board of Adjustments – there will be a Todd County Board of Adjustments public hearing on Thursday, July 27<sup>th</sup>, 2023 at 6:00 PM in the Commissioner’s Boardroom, Todd County Courthouse regarding Wayne Terry, Section 23, Little Birch Lake, 27601 Ambler Lane, Grey Eagle, MN, PID 03-0050500 – Variance to request to reduce the ordinary high-water-mark setback from 100’ to 76’ for dwelling and variance to increase the height restriction from 18’ to 20’ for dwelling replacement in Recreational Development Shoreland Zoning. Supervisor Bebus plans to attend this meeting.

Also, Brian Zales, Section 14, Sauk North Bay Lake, Birchdale Township, 12159 Alcott Drive, Sauk Centre, MN, PID 03-0062600 – variance to reduce the SW side property line setback from 10’ to 6’ for a detached garage in Recreational Development Shoreland Zoning.

**12. Officers Comments**

- a. None

**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 9:11 p.m.

Respectfully Submitted,

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Jackie Bauer  
Birchdale Township Clerk