

Edna Township
Regular Board Meeting
November 15, 2022
Dent Community Center, 201 Birch St, Dent MN 56528

The meeting was called to order at 8 pm and began with the Pledge of Allegiance.

Dennis Sazama, Gary Schattschneider, Ben Bucholz, Karen Marthaler and Echo Dockter were present. See sign in sheet for other attendees.

The agenda was reviewed. Sazama added a discussion of irrigation permits. Sazama motioned to approve the agenda with the addition. Bucholz seconded and the motion passed unanimously.

The clerk's report of the October meeting was reviewed. Bucholz motioned to approve, Sazama seconded and the motion passed unanimously.

The Treasurer's report showed receipts of \$112,792.25, disbursements of \$17,373.57, working capital of \$545,877.13. Sazama motioned to approve, Schattschneider 2nd and the motion passed unanimously.

74 pair of gopher feet were presented. The claim will be added to the list of claims to be approved.

Arnold Gietzen, from Dead Lake, was present to discuss the claim from Dead Lake Township for payment for work on the town line road. This claim has been on hold while waiting for documentation from Dead Lake. He did not have a copy of the invoice with him. The Edna Board agreed to approve the claim but stated the check should be held until the invoice is received. There was also discussion concerning the agreement that the townships communicate BEFORE work is done on a town line road.

Bucholz motioned to approve the claims with the addition of the bounty claim and the claim from Dead Lake. Schattschneider seconded and the motion passed unanimously. Bucholz motioned to approve the transfer of \$25,755.10 from the money market account to the checking account. Schattschneider 2nd the motion. Sazama, Bucholz and Schattschneider each voted pro.

The Resolution for Winter Maintenance Agreement, agree to buy sand and salt from Otter Tail County was approved by a motion from Schattschneider, seconded by Sazama and passed unanimously. A copy of the Resolution is attached.

There was a discussion regarding the requests for permission for septic systems variances. Sometimes this is a request to allow some portion of the septic system to be within the 10 foot setback from the road right of way. Sometimes this involves permission for boring under a township road. The Board agreed that all requests for permission to bore under a township road or to trench across a township road must be approved at a regular township meeting. Requests for septic systems to encroach on the 10 foot setback may be reviewed and approved by any supervisor and then must be included in the minutes of the next monthly meeting. This included the reminder that the written approval will include the wording to remind the landowner that the township will never be responsible for any damage to the septic system and that no part of the septic system, specifically any part of the mound, may fall within the road right of way. Any request for work within the road right of way must be approved at a monthly meeting.

The request from Henry Knoll for boring from 42628 Engstrom Beach to 33923 Charlie Trapp Road was approved. The request from Denise Stewart to bore under the road at 35316 Big McDonald Dr was also approved.

The "boring approval" letter will need to be revised to include wording to require the proper permits from the County and to require notice to Edna Township when the work is completed.

Bucholz received a call from Jeff Guck regarding snowplowing on Southview Lane. The Board stated again that this is not an Edna Township road, it is in fact in Dead Lake Township. The Dead Lake Chairperson has verbally informed both Bucholz and Dockter that it is not a township road. He stated that it is a private drive.

There was a discussion about the construction contractors continuing to park on E Little Mc. There is also a pile of concrete debris in the road right of way. Bucholz agreed to talk to the contractors.

The tree limbs hanging over the road on N Little Mc are on the schedule to be trimmed. Sonnenberg requested that the Board get permission to take down the 3 elm trees in the road right of way in that area. They are definitely in the road right of way. It would be best to have written permission from the owner before anything is done. First, the Board needs to determine who owns that property.

The Board discussed the information Bucholz had from the County concerning participating in the county bid for sealcoating. He found out that we could review the bid and then withdraw if we chose not to participate at that time. Schattschneider will review the list of roads on the list for sealcoating in 2023 and forward it to the other supervisors. Bucholz motioned to pass the Resolution to participate in the Otter Tail County bid. Sazama 2nd and the motion passed unanimously. Resolution attached.

The letter from Attorney Felix was reviewed and is attached to these minutes. This was discussed at the October meeting but was not received before the meeting.

Sazama has a list of Irrigation Water Permit holders. These are the people that should be contacted regarding watering township roads. Schattschneider agreed to work on the letter to these folks. The plan is to send the letters in January. Schattschneider also agreed to work on a letter to the area lake associations to explain the snowplowing and mailbox issues.

Edna Township had 689 registered voters on the roster for the election. There were 458 votes cast at the polling place, 75 votes were cast at the Government Center.

Townline road agreements were reviewed by Sonnenberg to make sure these drafts describe what is happening now. Edna has a current agreement with Perham Township. The others, Hobart, Dead Lake and Dora are older.

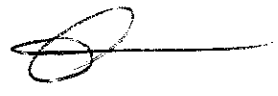
Sonnenberg reminded the Board that gravel roads are not being plowed at this time because they are not frozen yet.

The meeting was adjourned at 9:08 pm.

Dennis P. Sazama
Edw J Dockter

November 15, 2022

ARNOLD DEWENZ
Terry Mayhale
Henry Knoll
Linda Carny
Jeff Starn
Paul Grefer
VgSS



Claims List for Approval

Edna Township

Date Range : 10/19/2022 To 11/17/2022



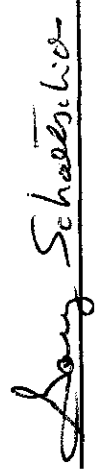
Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
11/15/2022	Dead Lake Township	Cost of tree/brush removal on 400th Street, Edna side only	3438*	\$1,740.00	201-43101-224-413	Highways, Streets & Roadways	\$1,740.00
11/11/2022	Minnesota Department of Revenue	Payroll withholding - deposited on-line	3448*	\$335.08	100-41110-103-100-41410-103-	Council/Town Board Elections	\$235.08 \$100.00
11/11/2022	United States Treasury	Form 944 Deposit - medicare taxes for employer and employees and withholding, via EFT	3449*	\$348.55	100-41110-103-100-41410-100-	Council/Town Board Elections	\$298.55 \$50.00
11/11/2022	Karkela, Hunt & Cheshire, PLLP	Engstrom Beach drainage easement, meet with Ben and Echo, letter to Edna Township	3450	\$270.00	201-43101-304-211	Highways, Streets & Roadways	\$270.00
11/11/2022	Newling Asphalt Services	Culvert patch on E Big Mc Drive	3451	\$2,080.00	201-43121-224-	Paved Streets	\$2,080.00
11/11/2022	MIN Ass of Townships Insurance Trust	Work Comp Insurance for 1 yr, 1-1-23 to 12-31-23	3452	\$521.00	100-49221-151-217	Work Comp Insurance	\$521.00
11/11/2022	Dent U-Store	Storage unit rental - paid for 1 year, includes a free month	3453*	\$605.00	201-41140-210-	Hall Rent (Paid)	\$605.00
11/11/2022	Sonnenberg Excavating	Install 5 signs, fix washout on N Little Mc, 363rd St gravel	3454	\$2,025.00	201-43122-224-403 201-43145-224-	Unpaved Streets Road signs - replacement - removal	\$1,275.00 \$750.00

Date Range : 10/19/2022 To 11/17/2022

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
11/11/2022	Sonnenberg Excavating	Grading on 9/15	3455	\$961.13	201-43122-224-402	Unpaved Streets	\$961.13
11/11/2022	Sonnenberg Excavating	Work on curve of 423rd, 10/13-10/14	3456	\$7,625.04	201-43121-224-403	Paved Streets	\$7,625.04
11/11/2022	Sonnenberg Excavating	Brushing, 403rd, 405th, 395th, 398th, Fort Thunder, MN St, 380th St	3457	\$3,060.00	201-43147-224-413	Brushing	\$3,060.00
11/11/2022	Sonnenberg Excavating	Mowing	3458*	\$3,120.00	201-43143-224-404	Mowing/ditch spraying	\$3,120.00
11/11/2022	US Postal Service	Annual fee	3459	\$66.00	100-41110-210-	Council/Town Board	\$66.00
11/11/2022	Echo Dockter	Election mileage 34@62.5, 80@.625, copie s 35.10, stamps 48.00	3460	\$154.35	100-41131-352- 100-41410-331- 100-41131-201-	Publishing Elections Publishing	\$35.10 \$71.25 \$48.00
11/11/2022	Karen Marthaler	Mileage for EOT Association of Townships annual meeting in Deer Creek	3461*	\$33.13	100-41110-331-	Council/Town Board	\$33.13
11/15/2022	Andrea Greiff	Bounty for 74 gophers	3462	\$220.00	100-42702-491-216	Gopher Bounty	\$220.00
Total For Selected Claims				\$23,164.28			\$23,164.28

Date Range : 10/19/2022 To 11/12/2022

Detail

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>
		Town Supervisor				11-15-22
	Benjamin D. Bucholz	Town Supervisor				Date
		Chair, Town Supervisor				11/15/22
	Dennis Sazama	Chair, Town Supervisor				Date
		Town Supervisor				11/15/22
	Gary Schattschneider	Town Supervisor				Date



RESOLUTION

WINTER MAINTENANCE AGREEMENT

BE IT RESOLVED, that the following request is approved by the City or Township and Otter Tail County is hereby authorized to provide the materials and or services as requested below.

BE IT RESOLVED, that the work will be included in our regular maintenance or after our regular maintenance work is completed.

BE IT RESOLVED, that there is a 5 Ton minimum with no returns or dump backs.

CITY/TOWNSHIP Edna Township
TYPE OF REQUEST SALT/SAND MATERIALS
APPROX. QUANT. 500 yd
APPROX. COST \$40.45 Per Cubic Yard or \$28.90 Per Ton
SALT/SAND TO BE HAULED BY Sonnenberg Excavating
City/Township/Contractor

SALT/SAND TO BE LOADED BY COUNTY PERSONNEL ONLY

BE IT FURTHER RESOLVED, that the City or Township will be responsible for all cost of materials and services provided.

Adopted this 15th day of November, 2022.

Dennis Pagan
City or Township Official

Comments:

Called Rachel on 11-3-22 with verbal commitment
emailed 11-15-22 8:37am

KARKELA, HUNT & CHESHIRE, PLLP

Attorneys & Counselors at Law

Attorneys:

Paul B. Hunt+
Samuel D. Felix *

Terry A. Karkela- retired
Sarah R. Cheshire- deceased

October 20, 2022

Edna Township
c/o Echo Dockter
PO Box 114
Dent, MN 56528

RE: Drainage Easement

Dear Echo:

In our office conference with with you and Ben Bucholz, we discussed drainage easement issues that recently arose between adjacent landowners Jim Mertes and Gordon and Adele Spidah. I spoke last month with Otter Tail County Attorney Michelle Eiden about the same issue. From all the information that I have received, the issues presented appear to be private drainage easement issues between adjacent private landowners which do not implicate either Township or County authorities or responsibilities. The only qualification to that assessment that I can determine at present would be that the private landowners may be required to go through the permitting process to ensure that they adhere to all local and state ordinances, statutes, and rules in asserting their private easement rights or responsibilities. As a result, it is my opinion that Edna Township should take no active role in navigating the apparent dispute between landowners.

I hope this clarifies the issues involved. Please feel free to reach out to me with any additional thoughts or questions or if new information comes to light that might bear on my opinion of the Township's rights and responsibilities.

With Regards,



Samuel D. Felix
sfelix@firmanswer.com

trn

RESOLUTION

SEAL COAT

(Project Name)

Edna Township

(Township/City)

WHEREAS, the Edna Township hereinafter called the (Township/City)

"Owner", has deemed this project to be necessary and beneficial.

NOW THEREFORE, BE IT RESOLVED, that the following request is approved by the Owner and Otter Tail County is hereby requested to take the necessary action to have the work completed.

BE IT FURTHER RESOLVED, that the work may be included in future County Contracts, added to existing County Contracts or by any other method deemed to be the most advantageous by the County after consultation with the Owner.

TYPE OF REQUEST SEAL COAT

LOCATION See attached list

APPROX. LENGTH 24,544

BE IT FURTHER RESOLVED, that the Owner shall be responsible for all project costs, including engineering.

Adopted this 15th day of November, 2022.

Dennis P. Szymura Township Chair/City Mayor

Attest:

Erin J Dodson Clerk

Rehlert & Co. Otter Tail, MN, US

Date: Wednesday, November 16, 2022 at 08:02 AM CST

Possible Roads to be quoted by county for 2023	Length
400TH ave Townline Rd	5,263
428th St	5,260
Wood Duck Loop	1,757
380th Ave (Wolf Lk R	2,233
Bills Beach Rd	3,373
Bills Beach Ln	875
Cousins Lane	1,135
Jackim Dr	2,191
Seclusion Point Rd	2,457