

EDNA TOWNSHIP MEETING October 19, 2021 www.ednatownship.org

The meeting was called to order at 7 p.m. and began with the Pledge of Allegiance.

Dennis Sazama, Gary Schattschneider, Ben Bucholz, Echo Dockter and Karen Marthaler were present.

The sign-in sheet is attached.

The agenda was reviewed. Sazama made a motion to approve the agenda with the addition of discussions concerning dirt on E Big McDonald and 380th being a minimum maintenance road. Bucholz 2nd the motion. It passed unanimously.

The minutes of the September meeting were reviewed. Sazama made a motion to accept the minutes as presented.

Schattschneider 2nd the motion and it passed unanimously.

The Treasurer's report showed receipts of \$63,717.87, disbursements of \$22,693.61 and working capital of \$1,282,000.20. Note the receipt of the ARPA funds of \$47,776.39. Sazama made a motion to accept the report as presented. Bucholz 2nd the motion and it passed unanimously.

The claims for payment were reviewed. Sazama made a motion to pay the claims as presented. Schattschneider 2nd the motion and it passed unanimously.

The road reports began with Jade Berube presenting the second phase of Stony Hill's development. The road in Phase II is platted to the same specs as the current road in Stony Hills. The developers are asking for the same variances for this road as the township granted for the first one. Specifically, the road surface will be 22 ft, instead of 24, ditch slopes will be 3 to 1, instead of 4 to 1, the ditch bottom will be 4 ft instead of 5 ft. The road for the 2nd phase of Stony Hills is a continuation of one of the roads in the first phase. The 'new' road will continue from the area where the cul-de-sac was platted. This cul-de-sac was not completed during the first phase. Sazama made a motion to agree to the plat for Stony Hills Phase II with the same road variances as agreed to for phase I. Bucholz 2nd the motion and it passed unanimously.

Mr. Berube also needed signatures of the chairman and the clerk on the plat for Little Mac Bay.

Sazama made a motion to pass the resolution to accept the Stony Hills road (phase I), as platted, as a township road.

Bucholz 2nd the motion and it passed unanimously. Resolution is attached.

The beaver damage on Engstrom Beach, that was declared an emergency in September, was fixed last Tuesday, the 12th of October. North Central Inc was hired by Dora Township to dig in steel sheets to keep the beaver from tunneling under the road. The trench was 88 feet long and 8 feet deep. The steel was put down at least 6 ft, about 2 ft below the current water level. Also noted that it took 10 yards of rip-rap and another 1 yards of class 5 for the shoulders. Dora will be billing Edna for half the cost of this repair.

The clerk asked about an access permit for the DeWalt project on N Little McDonald. Currently there is no paperwork, although Sazama did review the spot and determined that no culvert is required in the township road right of way. The clerk will chase the paperwork.

Sazama was informed by a realtor that 2 lots on 380th have been sold. This is a minimum maintenance road. The discussion that followed determined that the Township should begin research to determine if that road has to be changed from a minimum maintenance road.

Jeff Stabnow reported on the progress on the numerous road projects. E Big McDonald has new shoulders. That completes that contract. 432nd has had the banked curve flattened. The inside of the curve will still need some fill material to flatten the inslope of the curve. Sonnenberg will do this. There is one lift of asphalt on the curve, the 2nd lift will wait until Spring. North Little McDonald (a portion of it) has been asphalted and the shoulders done. This was contracted to be done in 2 lifts. Stabnow was contacted by the subcontractor for permission to do this in one lift. He agreed because he know the sub contractor's work and felt they would do a good job. The contract was for 3" done in 2 lifts. The road was actually done in one lift at 2.5". The subcontractor was Driveway Services. Bucholz was not impressed with the work that was done on this section of the road. 455th was also done by Driveway Services as the subcontractor for Marks Sand. This section was done in 2 lifts.

370th was contracted for a double shot of sealcoating. The second shot was done on the same day and it did not work correctly. They are still working with Stabnow to remedy this problem. It will not be done until Spring.

Discussion on the stripping and seal coating for the E Big Mc, N Little Mc, 432nd, 370th, and 455th, (the roads done this season). Seal coating has often been done right after new asphalt is laid, or early the next year. Road markings follow the sealcoat.

Sazama has not heard anything from the county about reimbursement for the extra costs to keep Fort Thunder road passible during the construction on 34. It was suggested that Edna put together a bill for the costs. Sazama will talk to the county again before a bill is sent.

Nothing new on weed control.

Sazama reported that Land and Resources made the property owner remove the dirt on East Big McDonald.

Several residents from E Big McDonald were present at this meeting. They requested road markings on the new asphalt before winter. Normally this new asphalt would have a seal coat early in the Spring or Summer, followed by road markings. The seal coat would cover any road markings put down this Fall. The residents requested a center line before winter. Sazama made a motion to get a center line(s) down before winter if possible. Bucholz 2nd the motion and it passed unanimously. The motion is to allow this to be done as soon as possible. Schattschneider and Stabnow will be contacting a couple companies to get quotes.

There was a great discussion of the right of way maintenance needed to make snow plowing more efficient along E Big McDonald. In the past it has been necessary to load and haul snow from some areas on this road. The township would like to address the troublesome spots before this winter if possible. Sazama says he has clearance from Kyle at Land and Resources to clear the swamp areas along this road. These areas are identified as public land. The areas identified at this point are across from 42337 through 42253 and across from 42899 through 42737. The plan would be to brush these areas as far in as Sonnenberg can reach with his equipment, and stay within the road right of way. There are 2 trees hanging over the road. The owner of the property where these trees are growing was not at the meeting but several residents assured the Board that the owner (Bonnie Lins) wants these trees removed. There is also a willow tree, next to "the fence" that blocks the line of sight. Several residents requested that this tree be removed also. The clerk will begin the search for the owner of this property (believed to have died this summer).

At this time the property owner at 42307 stated that the property across from her is her property, not public land. She does not want that area brushed. Bucholz pulled up the Otter Tail County website to make sure that the other area really is public land.

Bucholz made a motion to brush from near 42899 to near 42737 on the Mud Lake side of the road only. Schattschneider 2nd the motion and it passed unanimously.

There was also discussion that came to agreement that Sonnenberg would be asked to remove trees as written permission is received.

The Priority Report for Sub-contractors was reviewed. A new line for signs on 370th and 432nd was added. These are advisory signs for the curve.

Sazama made a motion to pass the Resolution to purchase sand and salt from Otter Tail County. Bucholz 2nd it and it passed unanimously. The resolution is attached.

The East Otter Tail Association of Townships annual meeting will be October 26, in Deer Creek, with dinner at 6:30 and meeting to follow. All 5 board members are planning to attend. We will carpool, meeting at 5:45 in the Central Market parking lot.

The Perham Township clerk sent an email indicating that the Perham Board agreed with the draft agreement sent to them. They requested that the Edna Board sign first and then get the agreement to the Perham Board. Sazama made a motion to accept the town line road agreement. Schattschneider 2nd and the motion passed unanimously.

Schattschneider made a motion to pass the Resolution to Update the Approach policy. Bucholz 2nd the motion it passed unanimously. The Resolution is attached. The only change is to include a reference to the Mailbox policy.

There are still some continuing unfinished business items:

- Traffic control

- Traffic sign inventory

- Proposed schedules for continuing maintenance

378th – Mark Lenius – still on hold.

Teal Lane – waiting for plat clarification

Town line road agreements, Dora, Hobart, Dead Lake – suggest we use the agreement with Perham Township as the beginning point and send out proposals to these townships.

South View Lane - belongs to Rush Lake – a contract or agreement needs to be written up to specify who is responsible for what– clerk will begin working on this.

Policy for right-of-way maintenance

Update to road specs to allow a T turn instead of a cul-de-sac at the end of a road

Update to road specs to clarify requirements of an existing road

Mr Mertes Jr. was present to discuss the water drainage easement on his father's property. The Board shared the information learned from the attorney. The legal advice was not to do anything to this easement until the ownership of the easement is established. The attorney said it would take a deep title search to find the ownership, based on the age of the plat, 1974, and the fact that Engstrom Beach Rd was not a township road until the late 1990's. The title search would have to go back more than 40 years and would be expensive.

The discussion that followed identified that regardless of who 'owns' the drainage easement the township actions, or lack of action has made the situation worse. This includes the culverts that have been installed and the filling of road ditches. Schattschneider made a motion to have Stabnow look at the drainage on Engstrom Beach road, to see what is flowing in to the drainage easement and to see if Edna Township is adequately controlling the water. Bucholz 2nd the motion. Sazama voted no, the others voted in favor. The motion passed.

Bucholz has a power point that talks about ways to use the ARPA funds. He will email the power point to the Board to discuss at a later meeting.

Schattschneider reported on the class he took - Minnesota Uniform Traffic Control Devices. This group has a video available that might be a good idea for the lake association meetings. One of the main points of the class was to keep good notes (minutes) as this can keep the township out of trouble.

Meeting adjourned at 9:55 pm

October 19, 2021


1. ~~Terry Marshall~~
2. Jeff Stabnow
3. JADE BERUBE
4. Lena Strehlow
5. Helen Manger
6. Junelle Christianson
7. Ralph Logan
8. Neil & Sue Hunt
9. Kay Peck -
10. JAMES MERTZ JR
11. Chad Anderson
12. Torrey Sannerberg

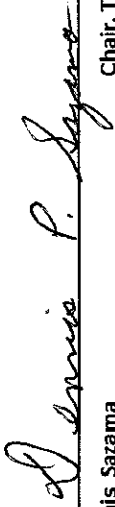
Date Range : 9/22/2021 To 10/15/2021

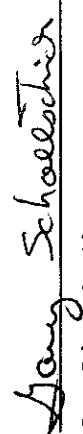
<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
09/22/2021	Ben Bucholz	Mileage for the second weed inspection for 2021, 68 miles	3303*	\$38.08	100-43260-331-301	Weed Control	\$38.08
10/10/2021	Sonnenberg Excavating	Removing trees from 370th and 423rd	3304*	\$220.00	201-43147-224-413	Brushing	\$220.00
10/10/2021	Sonnenberg Excavating	Mowing - June	3305	\$1,508.00	201-43143-224-404	Mowing/ditch spraying	\$1,508.00
10/10/2021	Sonnenberg Excavating	Road Grading - August 3, 5, 9, 10, 16, 19, 27, 30, 31	3306	\$7,535.00	201-43140-224-402	Grading Services/regular	\$7,535.00
10/10/2021	Sonnenberg Excavating	Hauling Gravel	3307*	\$42,318.08	201-43142-224-403	Gravel, Class 5, major road repair	\$42,318.08
10/10/2021	Sonnenberg Excavating	Mowing - September, double wide	3308	\$3,016.00	201-43143-224-404	Mowing/ditch spraying	\$3,016.00
10/10/2021	Sonnenberg Excavating	bump/dip on 450th St	3309	\$15,692.50	201-43121-224-403	Paved Streets	\$15,692.50
10/10/2021	Sonnenberg Excavating	Grading on 9/7, 8, 9, 10, 21, 22, 27	3310	\$4,455.00	201-43122-224-402	Unpaved Streets	\$4,455.00
10/10/2021	Sonnenberg Excavating	Bump on 455th (castle house)	3311	\$4,748.90	201-43121-224-403	Paved Streets	\$4,748.90
10/10/2021	Sonnenberg Excavating	Bump/dip on N Little McDonald Dr	3312	\$5,708.50	201-43121-224-403	Paved Streets	\$5,708.50
10/10/2021	Sonnenberg Excavating	Brushing on E Big McDonald 8/18, 19, 20, 25, 26	3313	\$8,360.00	201-43121-224-403	Paved Streets	\$8,360.00

Date Range : 9/22/2021 To 10/15/2021

<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>
10/14/2021	Central Specialties Inc	E Big McDonald Drive paving, including shoulders, about 1 mile	3314	\$161,544.15	201-43147-224-413	Brushing	\$8,360.00
10/14/2021	J. K. Stabnow, PE	Engineering Services 6/9/2021-10/14/2021 E Big Mc-8438;432nd-4326.51 ;370th-799.50;	3315*	\$28,434.35	201-43121-224-403	Paved Streets	\$161,544.15
10/14/2021	Mark Sand & Gravel Co	432nd,370th,455th and N LittleMc, invoice #1	3316	\$299,198.83	201-43121-303-403	Paved Streets	\$28,434.35
Total For Selected Claims				\$582,777.39	201-43101-224-403	Highways, Streets & Roadways	\$299,198.83


 Benjamin D. Bucholz
 Town Supervisor
 Date: 10-19-21


 Dennis P. Szama
 Chair, Town Supervisor
 Date: 10/19/21


 Gary Schattschneider
 Town Supervisor
 Date: 10/19/21

RESOLUTION ACCEPTING A PLATTED ROAD FOR MAINTENANCE BY THE TOWN

WHEREAS, the town board of Edna Township, Otter Tail County, Minnesota received a formal request to undertake maintenance of the following described platted road located in the town as a town road:

The dedicated road as shown on the plat of Stoney Hills, said plat is on file and of record in the office of the Recorder, Otter Tail County, Minnesota. The cul-de-sac on the west end is not included. See attached drawing.

WHEREAS, the town board requires that a platted road be built to town road specifications for such roads before it will accept and maintain the road as a town road;

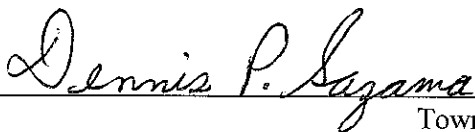
WHEREAS, the town board has inspected the road and has determined that it meets the Specifications, except for the variance allowing the road surface to be 22' instead of 24', and otherwise satisfies the requirements established by the town board; and

WHEREAS, the town board determines that the nature and character of the road are such that expending town funds to maintain it is in the public interest;

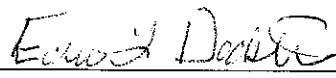
NOW, THEREFORE, BE IT RESOLVED by the Edna Town Board, Otter Tail County, Minnesota, that the town board hereby accepts the above described platted road as a town road and will begin maintaining it as such.

Adopted this 19th day of October, 2021.

By the Town Board:



Town Chair



Town Clerk

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.

CITY/TOWNSHIP Edna Township

TYPE OF REQUEST SALT/SAND MATERIALS

APPROX. QUANT. 500 yds

APPROX. COST \$35.15 Per Cubic Yard or \$25.10 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 19th day of October, 2021.

Dennis P. Legasima
City or Township Official

Comments:

RESOLUTION TO AMEND THE
ACCESS APPROACH POLICY

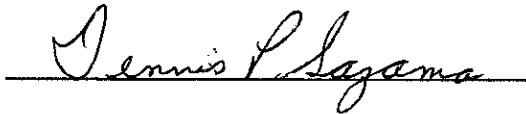
WHEREAS, the Edna Township Board has an established Access Approach Policy;

WHEREAS, the Edna Township Board has determined that the Access Approach Policy needs to include a reference the mailbox policy;

NOW, THEREFORE, BE IT RESOLVED that the Edna Township Board amends the Access Approach Policy, Section II. GENERAL to include the following sentence:

All mailboxes on the parcel must conform to the Township Mailbox Policy.

Adopted this 19th day of October, 2021



Town Chairperson

Attest:



Town Clerk

ACCESS APPROACH POLICY

I. SCOPE

This policy applies to access approaches abutting all Township roads under the jurisdiction of Edna Township.

II. GENERAL

One (1) access approach shall be granted to each parcel of abutting property upon submission and approval of a permit application. The final location of the access approach will be at the discretion of the Edna Township Supervisors or their representative with consideration given to traffic safety parameters, location of nearby intersections, prevailing traffic patterns, size and shape of the land tract and building locations. Any mailboxes on the parcel must conform to the Township Mailbox Policy.

The requesting landowner will be required to pay for the required steel culvert for a standard access approach width and required in slopes. Standard access approaches shall have finished widths as follows:

Field Approach	20 feet maximum / 16 feet minimum
Private Drive	24 feet maximum / 16 feet minimum
Business Approach	30 feet maximum / 24 feet minimum

The cost of constructing the access approach shall be the responsibility of the requesting landowner. Wider approaches may be allowed at the discretion of the Town Supervisors.

Secondary access approaches may be allowed within a reasonable distance of the primary access approach based on each individual circumstance with regards for new building construction, handicap access, and other reasonable situations. Field access approaches will be allowed for each separate parcel of land.

III. PERMIT

Prior to any work being performed on the access approach, a permit must be secured. IN ORDER FOR THE PERMIT TO BE VALID, IT SHALL BE SIGNED BY THE REQUESTING LANDOWNER AND APPROVED BY AN AUTHORIZED REPRESENTATIVE OF THE EDNA TOWNSHIP BOARD.

The permit application shall include pertinent information required on the form. Prior to issuance of the permit, sketches will be checked and a field inspection will be required.

Upon completion of the installation, entirely in conformance with the permit and policy, a "Certificate of Completion" must be sent to the Township Clerk, notifying that the work is ready for final inspection. The work shall be accomplished in a manner that will not be detrimental to the town road and that will safeguard the public.

**AGREEMENT FOR THE DIVISION OF MAINTENANCE
RESPONSIBILITIES FOR THE EDNA/PERHAM TOWN LINE ROADS**

This agreement is hereby entered into this 19 day of October, 2021, by and between the Town Board of Supervisors of Edna Township, Otter Tail County, Minnesota and the Town Board of Supervisors of Perham Township, Otter Tail County, Minnesota.

WHEREAS, Edna Township and Perham Township share the following described town line roads:

- 400th Avenue, aggregate surfaced, from MN Highway 108 north to Minnesota St, a distance of 1 mile.
- 400th Avenue, bituminous surfaced, from County Road 34 north to 450th Street, a distance of 1 mile.

AND WHEREAS, Minn. Stat. § 164.12 directs town boards to divide town line roads and enter into an agreement for the maintenance of these roads;

AND WHEREAS, Minn. Stat § 164.13 requires towns with the town line roads to bear jointly and in equal shares the expense of constructing and maintaining any bridge on the road(s) as made necessary by the construction of a drainage ditch or by reason of the changing, widening or alteration of any drainage ditch, or by reason of altering or changing of any watercourse;

AND WHEREAS, the respective Town Boards determines that it is in the best interest of the Town to enter into an agreement for sharing maintenance responsibilities and costs for town line roads;

NOW, THEREFORE, in consideration of the mutual promises and benefits that each party shall derive here from, Edna Township and Perham Township hereby enter into this agreement for the division of maintenance responsibilities for the above described town line roads.

I. DIVISION OF ROADS:

The town line road right-of-way shall be divided for maintenance purposes as follows:

A. Edna Township shall maintain the following described portion of the line road:

400th Avenue, bituminous surfaced, from County Road 34 north to 450th Street, a distance of 1 mile.

B. Perham Township shall maintain the following described portion of the line road:

400th Avenue, aggregate surfaced, from MN Highway 108 north to Minnesota Street, a distance of 1 mile.

II. ROAD MAINTENANCE RESPONSIBILITIES:

- A. **General Division of Maintenance Responsibility:** Each Township will be responsible for conducting routine inspections and maintenance of their respective portions of the line road(s). Routine maintenance shall include, at a minimum, the following:
1. Grading of aggregate surfaced roads.
 2. Snow plowing (at a certain level)
 3. Brushing of the right-of-way
 4. Mowing one swath (min 6') by July 4th and two (2) swaths (min 12') by October 21st of each year.
 5. Annual inspection
 6. Weed control and removal
- B. **Specific Division of Maintenance Responsibilities and Activities:** In addition to the general division of maintenance responsibilities, the Townships agree to the following specific provisions related to the division of specific maintenance responsibilities and required activities:
1. **Cost for Drainage Structures:** In addition to the requirements of Minn. Stat § 164.13 regarding bridges, the Townships agree that the cost to repair or replace culverts with larger than 24" diameters on any portion of the town line road will be shared equally, otherwise, paid by the Township responsible for the maintenance of the road in which the culvert is located.
 2. **Tree Removal:** Removing trees (as defined in Minn. Stat § 160.22, subd, 7a) from the town line road right-of-way as needed to avoid interference with travel, maintenance, and safety will be the responsibility of the Town responsible for the maintenance of the portion of the town line road in which the trees are located. If the trees are outside of the jurisdictional boundaries of the Township, it may request the assistance of the Township with jurisdiction to provide assistance to achieve the removal. Any costs incurred by the responding Township to assist in the removal of the trees shall be paid by the requesting Township.
 3. **Traffic Signs:** Traffic Signing of the town line roads shall be the responsibility of each individual Township on their side of the town line road with the exception of the W1-7 Sign, which is the Double Arrow which is installed at the terminal leg of a "T" intersection.
 4. and other provisions as agreed upon.

III. **DIVISION OF COSTS:**

- A. A Township interested in initiating activity that requires the sharing of costs between the Townships, or with the expectation of sharing costs, shall notify and obtain approval from the other Township before undertaking the activity. If the parties do not agree to the need, scope or other aspects of the proposed activity, the advice of an engineer will be obtained. Any cost associated with obtaining the advice will be shared equally by the Townships.

B. Costs are to be shared for the following maintenance activities:

1. Spring Crack Sealing of bituminous roads
2. Paver Patching
3. Aggregate Shouldering of bituminous surfaced roads
4. Re-surfacing of aggregate surfaced roads (continuous resurfacing activity)

IV. DISPUTES:

If a disagreement arises regarding the fairness of the division of maintenance responsibilities provided in this agreement and the parties are not able to resolve the disagreement, the issue will be submitted to the county board for a determination of the proper division of responsibility as provided in Minn. Stat § 164.12, subd.6.

V. AMENDMENTS:

Any alterations, amendments, deletions and waivers of the provisions of this agreement shall be valid only when reduced to writing and duly signed by each Township.

VI. ENTIRE AGREEMENT:

It is understood and agreed that the entire agreement of the parties is contained herein and that this agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous lien road agreements presently in effect between the parties concerning the above described roads.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed as of this 19th day of October, 2021:

EDNA TOWNSHIP

By the Town Board Supervisors:

Dennis P. Szama

Town Board Chair

Attest: Eduardo D. Dockett

Town Clerk

PERHAM TOWNSHIP

By the Town Board Supervisors:

[Signature]

Town Board Chair

Attest: Marie O. O'Neil

Town Clerk