

Royalton Township Regular Board Meeting Minutes
6052 Royalton Road, Braham, MN 55006
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30 August 2022
Approved

7:30 p.m., 30 August 2022, Chair Wayne Olson called the Royalton Township regular board meeting to order with Supervisor Jeff Schlaeger, Supervisor Marshall Pearson, Treasurer Wendy Tchida, and Clerk Duane Swanson present. Zoning Administrator John Kemen, Septic Administrator Amy Thompson, Road Superintendent Dan Saumer, and Deputy Clerk Andrea Anderson also attended, along with members of the planning commission and members of the public. The pledge of allegiance was recited.

Supervisor Pearson moved, Supervisor Schlaeger seconded, to approve the agenda as presented with the addition of four items: Bluebell Road, Riverbed Road, Pine Bough Road, and snowplow truck. The motion carried unanimously.

Supervisor Pearson moved, Supervisor Schlaeger seconded, to approve the minutes of the regular board meeting of 26 July 2022 as presented. The motion carried unanimously.

Treasurer Tchida gave her report, noting that as of 29 July 2022, the township has a balance of \$648,739.30 in the treasury. The report noted that \$109,128.83 of that balance is ARPA/COVID-19 aid that is restricted to certain uses, leaving a spendable balance of \$539,610.47. Supervisor Pearson moved, Supervisor Schlaeger seconded, to approve the report. The motion carried unanimously.

Supervisor Pearson moved, Supervisor Schlaeger seconded, to approve payment of checks #10482-10532 in the amount of \$78,221.75. The motion carried unanimously with Chair Olson, Supervisor Pearson, and Supervisor Schlaeger voting "aye".

Public Forum was offered. Leslie Orvis expressed concerns over four issues:

1. With the upcoming election continuing until later in the evening, there is a need for extra lighting on the west side of the building. By consensus, the board authorized Supervisor Pearson to oversee installation of said lighting.
2. There exists a lot of small exterior projects that are not getting attention: weeding, trimming, lighting under the canopy not working, etc. He suggested Alex Anderson may be able to help. By consensus, the board instructed Road Superintendent Saumer to address these issues.
3. The most recent renter, according to Mr. Orvis, had not properly cleaned the building as required: vacuuming had not been completed, counter tops had not been cleaned, and bathroom garbage had not been removed. After discussion, Supervisor Schlaeger moved, Supervisor Pearson seconded, that one-half (\$100) of the rental deposit be withheld to cover the extra cleaning costs, upon submission of photos documenting the need for cleaning. The motion carried unanimously. Supervisor Pearson opined, and the board appeared to agree, that with future such issues, the amount of damage/unfinished work not be parsed but that the damage deposit be retained in toto.
4. Barbed wire and other non-recyclables had been placed in the recycling bin. Road Superintendent Saumer noted that the wire had been wrapped around the brushing machine from the town ditches.

Planning Commission recommendations:

The nonpermanent structure issues will continue to be researched.

The board considered the planning commission's recommendation to approve a minor subdivision of PID 290243000 by removing the southeast quarter of the northwest quarter of section 23 and attaching it to lot 1

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of PID 290244001 in accordance with a Rough Lot Sketch by Hancock Surveying, dated 27 August 2022. It was noted that corner markers exist for the northeast and southeast corners of the PID 290243000 parcel. This proposal had been brought to the working commission meeting of 16 August. Zoning Administrator Kemen voiced his approval of the subdivision. It was noted that soil boring reports on Lot 1 had been previously reviewed and accepted; therefore, no borings need be done on the parcel to be joined. The issue of lot 3 remains undetermined but does not factor into this request. After discussion, Supervisor Schlaeger moved, Chair Olson seconded, to approve the request with the caveats that the 40+ acre parcel to be added is not buildable at this time and that the 40-acre parcel be attached to lot #1 and to authorize the clerk to forward said approval to Pine County. The motion carried unanimously.

Chair Olson then invited Sheriff Jeff Nelson to address the board and assembly. Sheriff Nelson thanked the board for the opportunity to speak, noting that the need for communication was a priority for his office. He invited questions from the audience. The issue of speed on Greeley Road at the county's southern border was voiced, as was speed and the amount of traffic on Bluebell Road. Sheriff Nelson stated that he would remain after the meeting if anyone had specific concerns.

Old Business:

Clerk Swanson reported on the status of several septic issues: 3546 State Highway 70 has a court date of 12 October 2022; 4500 Buffalo Road has a new compliant system; 8311 Brunswick Road has had a compliance inspection and required upgrades are in process; 5180 Royal Woods Road and 10490 Apple Road have had positive compliance inspections. Owners of 54922 Elmcrest Avenue have been in touch with Inspector Thompson and no action is needed at this time.

Regarding 10343 Wildflower Road, to which two letters have been sent (the second one being returned as undeliverable), Chair Olson moved, Supervisor Schlaeger seconded, to authorize legal counsel to investigate and take appropriate action. The motion carried unanimously.

Roger Teich was present to update the board on the status of his two septic systems: At 11367 Wildflower Road, the newly constructed mound is leaking out, which poses an imminent health threat. Septic Administrator Thompson provided photographs documenting the leakage. Zoning Administrator John Kemen also was present at the inspection. There was disagreement over how much repair/redoing of the system was required beyond that immediate remediation of the imminent health threat. The board discussed this issue at great length, including what upgrades were feasible, whether penalties, which could have started on 27 June would be implemented, and what the next steps should be. Chair Olson moved, Supervisor Schlaeger seconded, to authorize township legal counsel to draft and serve a notice and agreement requiring that the immediate health threat be eliminated within the required 15-day window, that remediation of the health threat include removal of the sewer pump, the disconnection of the pipe from the mound, written verification by the Septic Administrator and the Zoning Administrator that the pump and line have been removed, the signing of a pumping agreement with a pumping company to pump the tank whenever the alarm goes off, that pumping receipts be forwarded to the township for filing, and that a design for a new system be filed with and approved by the Septic Administrator. The new system must be fully implemented and fully approved by the Septic Administrator within 10 months to avoid the \$100 per day penalty, which would start the day after the 10-month period ends. The motion carried unanimously. It was the consensus of the board that no additional delays in implementing the penalties would be granted.

Regarding 8623 Woodland, Administrator Thompson provided the board with photographs of the new mound showing the need for landscaping and lowering the slope to 4 to 1. Mr. Teich took exception to the need for the slope to be lowered saying that his lawn mower could mow the mound as is. Administrator Kemen had visited the site with Administrator Thompson and agreed that the mound did not meet the design specifications. Mr. Teich promised that landscaping would occur. The board, by consensus, decided to give

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Mr. Teich until the 27 September 2022 meeting to finish the system to its original design, such finishing to include final approval of the township septic administrator/inspector. At this point no penalties would be implemented.

Mr. Teich then asked about building inspections for his trailer at 11367 Wildflower. He said he had been told by the building inspector that he needed a new permit because the existing permit had expired. Supervisor Pearson will speak with the building inspector because work (tie-downs, skirting) has been continuing.

Administrators Thompson and Kemen reported on their visit to 5027 Brunswick Road to review the current situation and the application for a new system that had been submitted to the township for approval. A clean water tank that was installed last fall has been proposed to be used in the new design. Questions remain on what will happen to the clean water if this existing tank is incorporated into the new system. John DeGray noted that he was unsure of how the clean water would be handled. The board instructed Administrator Thompson to continue to work with Mr. DeGray to resolve the questions and to determine if any plumbing work inside the residence may be needed as part of this system upgrade.

Administrator Thompson reviewed the situation at 11183 Country Drive, stressing that although some documents had been received from the local inspector, including the tank integrity form, they failed to address whether or not the cracks in the tank were sufficient to warrant replacement. Supervisor Schlaeger moved, Chair Olson seconded, to send a letter to the homeowner noting that the tank had to be replaced. The motion carried unanimously.

Regarding zoning issues: A site permit for PID 290274000 had been received. Chair Olson moved, Supervisor Schlaeger seconded, to send a letter to both the occupant and the owner according to the tax statement, noting that progress at 1702 Royal Heights Lane had been made and that tires needed to be removed and general cleaning of junk had to occur. The motion carried unanimously. The situation at 1605 Royal Heights Lane remains unclear. The board directed Administrator Kemen to talk with the occupant of the trailer house on Alfalfa Lane about the need to get permits and that the Building Official would be following up.

Supervisor Schlaeger noted the brushing of the town roads was nearly complete.

Supervisor Schlaeger updated the board on Pine City Township's consideration of establishing a fire district. He noted that a review of the process to establish one will be given by an attorney in September. Upon his recommendation, Chair Olson moved, Supervisor Pearson seconded, to contribute \$200 toward the fees for the attorney's presentation. The motion carried unanimously.

The irrigation system at the town hall was supposed to have been re-installed last week, but equipment malfunctions prevented it. Supervisor Pearson will see that the exterior entrance doors have the cement splatters removed and the doors repainted.

Chair Olson moved, Supervisor Pearson seconded, to authorize Road Superintendent Saumer to purchase a snow blower for approximately \$1299, with the funds coming from the ARPA monies. The motion carried unanimously.

Daniel and Aimee Perreault Smith were present to update the board on their plans to establish a barn wedding venue on their property at 110 Greeley Road. Ms. Perreault-Smith distributed a business plan and requested how to proceed. She was told to come to the next working planning commission meeting and continue to meet with Zoning Administrator Kemen. A conditional/interim use permit would be required, and approval of that document requires a significant amount of time.

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New Business:

Minor repairs need to be made to the septic system at the town hall. Administrator Thompson explained that the GFI had tripped the pump at the tank because water was leaking into the tank. It (or a regular outlet) needs to be installed, the post holding it needs to be replaced, and the top of the inner lining to the tank needs to be resealed. Repositioning of the drainage system around the tank should be considered. The board directed Road Superintendent Saumer to accomplish these tasks.

Mike Malenowski was present to request that the township snowplow closer to the driveway at end of Robin Lane for the benefit of an elderly individual with health issues. Chair Olson responded that liability issues prevent the township equipment from extending beyond the legal limits of the road.

No one volunteered to attend the Minnesota Association of Townships annual conference in St. Cloud, October 14-15.

Clerk Swanson distributed a draft of a letter to 7876 Bluebell Road asking the owner to cease removing gravel from the road and to cease grading and doing other work on the road. The letter also informs her that the property is in violation of the junked car ordinance and to take immediate steps to rectify the situation. Chair Olson moved, Supervisor Schlaeger seconded, to authorize that the letter be sent. The motion carried unanimously.

The board considered the email request of Audrey Sherman for refund of permit fees because required inspections at her dwelling on Riverbed Road were not performed. Supervisor Pearson moved, Supervisor Schlaeger seconded, to deny the request. The motion carried unanimously.

Supervisor Schlaeger asked John DeGray to try to finish the ditching on the east side of Pine Bough, and Mr. DeGray indicated he would work it into his schedule.

The board instructed Road Superintendent Saumer and Gary Valvoda to continue looking into options for a new/used snowplow truck.

A group of residents from Royal River Run expressed concern over the health and safety of the neighborhood, citing fast driving, inadequate septic systems, vehicles and unpermitted edifices being used as dwellings, and the general "seediness" of the area. Residents reported regularly smelling sewage, not emanating from farms. Chair Olson responded that Royalton had limited jurisdictions over most of the septic systems in the area (being under the jurisdiction of Pine County). Regarding the condition of Bluebell Road, he noted that its status will be reviewed during the 2023 road inspection. Sheriff Nelson commented that individuals should share their concerns with him.

Supervisor Pearson reported that he had specifications on the sealer that was used on the concrete sidewalk and noted that more was used than the minimum recommended. He also noted that he had talked with Building Official Andy Schreder about a complaint that requirements changed over the course of inspections. In that instance, the requirements changed because the purpose of the structure changed requiring an additional egress point.

Correspondence:

The board noted a request from the Pine County Historical Society to be included in the town's 2023 budget. The board reiterated its policy of not contributing tax dollars to private organizations.

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FYI:

Chair Olson noted that certification of the 2023 tax levy had been completed and forwarded to the county auditor; that the MAT legislative update was included in members' packets; that the second quarter report of building permit surcharges had been filed with the Minnesota Department of Labor and Industry; that the MATIT comprehensive liability insurance coverage had been extended to 28 February 2023 at no additional charge; and that Royalton's 2023 (pay 2024) town aid had been certified at \$2,770.00.

The next regular town board meeting will be 7:30 p.m., Tuesday, 27 September 2022.

At 9:18 p.m., Supervisor Pearson moved, Supervisor Schlaeger seconded, to adjourn. The motion carried unanimously.

Respectfully submitted,

Duane P. Swanson, Clerk

Wayne Olson, Chair/Supervisor

Jeff Schlaeger, Vice Chair/Supervisor

Marshall Pearson, Supervisor

Wendy Tchida, Treasurer