

Royalton Township Regular Board Meeting Minutes
6052 Royalton Road, Braham, MN 55006
Email: royalton@royaltontownship.com -- Website: www.royaltontownship.com
19 December 2023
Approved

7:30 p.m., 19 December 2023, Chair Marshall Pearson called the Royalton Township regular board meeting to order, with Supervisor Jeff Schlaeger, Supervisor John Graham, Treasurer Jenessa Saumer, and Clerk Duane Swanson present. Zoning Administrator John Kemen, Septic Administrator Amy Thompson, Road Superintendent Dan Saumer, Secondary Road Operator Steve Belland, 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 Schlaeger moved, Chair Pearson seconded, to approve the agenda as presented, with the addition of snowplowing, budget, and missing supplies. The motion carried unanimously.

Chair Pearson moved, Supervisor Graham seconded, to approve the minutes of the regular board meeting of 21 November 2023 as presented. The motion carried unanimously.

Treasurer Saumer read her November report, noting that as of 1 November 2023 the township had a balance of \$517,247.28 in the treasury. Deposits were \$89,103.93; disbursements were \$15,007.61, leaving an ending balance of \$591,343.60. After subtracting the restricted COVID Fund of \$104,229.84, the spendable balance was \$487,113.76. The outstanding checks were \$11,288.37. Supervisor Graham moved, Supervisor Schlaeger seconded, to approve the report. The motion carried unanimously.

Chair Pearson called for discussion of checks #10996-11204 in the amount of \$515,623.33, with check 11021 being void. Chair Pearson moved, Supervisor Graham seconded, to approve payment of the bills. The motion carried unanimously with Chair Pearson, Supervisor Schlaeger, and Supervisor Graham voting "Aye."

Public Forum was offered. No one spoke.

Planning Commission recommendations:

Chair Pearson updated the board on the discussion regarding Road T-13. Legal counsel has opined that due to lack of upkeep since at least 1990 when it was gated, the road had been "ghosted" and did not exist. That, however, did not prevent the landowners from continuing to have access to their properties through it. Various options exist to ensure that the landowners retain access to their parcels: petitioning for a cartway, reviewing more thoroughly any potential road easements, and investigating proscriptive road easements. Kevin McFerran was present to reassert his opinion that he does not want this road to be a township-maintained thoroughfare but does want access to the remote parcels to be guaranteed. After discussion, legal consults will continue to seek an acceptable solution for all parties.

Zoning Administrator Kemen reported that he and the planning commission had set a public hearing for 6:30 p.m., 30 January 2024 for the interim use application of Daniel Smith for a detailing business at 110 Greeley Road. Additional work on this proposal will be had at the 16 January 2024 working planning commission meeting. Mr. Smith was present to confirm the hearing date was acceptable to him. Supervisor Schlaeger moved, Supervisor Graham seconded, to officialize the hearing date and authorize the clerk to follow the notification procedures outlined in the town's zoning ordinance. The motion carried unanimously.

The board reviewed the request of Jake and Jamie Fedder for a land split of PID 290153003. A five-acre parcel would be removed from this PID and attached to PID 290153002. No construction will occur on the five-acre parcel, so no septic issues are present. Clerk Swanson confirmed that PID numbers were on the certificate of survey. The planning commission had recommended approval. Supervisor Graham moved, Supervisor Schlaeger seconded, to approve the request according to the certificate of survey by Acre Land Surveying, dated approximately 5 December 2023, conditional upon the five-acre parcel being combined to PID 290153002 and to authorize the clerk to report said approval to Pine County. The motion carried unanimously.

Supervisor Graham reported that he had met with a deputy sheriff near midnight on 21 November 2023 to review the

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situation at the turnaround on Royal Heights Lane. The deputy had given the resident a copy of the town's letter to the landowner and a copy of the area from Beacon showing the approximate boundaries. The resident said the vehicles would be removed from the turnaround. Clerk Swanson reported that the Braham Bus Company, as requested, had sent a letter urging the town to ensure that the turnaround was clear of vehicles and debris. Theresa Fox-Stenberg was present to report that she had contracted with a surveyor to mark the boundaries of her property, that most of the debris had been removed from her property, but that vehicles and debris still existed in the road right-of-way. She will continue to keep the township informed of the situation. Chair Pearson thanked Ms. Fox-Stenberg for her diligence.

Old Business:

Septic issues: Clerk Swanson reported that the 2023 final septic report would be received by the board in January. Septic Administrator Thompson reported that the septic system at 4050 State Highway 70 had received a positive compliance inspection.

Zoning issues: There had been no activity relating to zoning concerns at 5214 Royal Woods Road (PID 295137000). Clerk Swanson noted that a letter relating to unpermitted repairs at 7876 Bluebell Road (PID 295103000) had been sent and had not been returned. No building permit applications have been received from this property.

Road report: Road Superintendent Saumer reported that he had received the order of "Dead End" signs and related mounting materials. One of these is scheduled for the beginning of Sage Drive.

After discussion, Supervisor Schlaeger moved, Chair Pearson seconded, to endorse submission of a \$50,000 grant request to the State Fire Marshal's Office of the Minnesota Department of Public Safety to explore the feasibility of establishing a fire district. This grant does not entail any expenditure to the town. The motion carried unanimously.

Supervisor Graham moved, Supervisor Schlaeger seconded, to approve and sign the sales agreement with Barth Construction Company of Chatfield, Minnesota, for Barth's purchase of the town's used John Deere motor grader model 770G with wing and blade for \$190,000. The check has been received and cashed. Chair Pearson signed the sales agreement. The sale will be finalized when the town's new road grader is received.

Supervisor Graham moved, Supervisor Schlaeger seconded, to approve the purchase contract with Johnson Motor Sales, Inc. of New Richmond, Wisconsin, for a 2006 Sterling Model LT9511 snowplow truck at a cost of \$70,810.25 (of which \$10,000 had already been paid). The motion carried unanimously with Chair Pearson, Supervisor Schlager, and Supervisor Graham voting "Aye."

Chair Pearson updated the board on the survey work by Hancock Surveying regarding the potential sale of the town's gravel pit. The easement turnaround has been marked and the southeast corner of the property will be marked. Robin and Tim Boeke were present to note that their legal counsel has not yet had an opportunity to review the purchase documents presented to them. They will return at the January meeting with an update. They asked about the 100-foot-wide turnaround; Chair Pearson noted that it was that wide to accommodate snow rather than having snow pushed directly onto private property. Chair Pearson also noted that the township would mark the southwest corner of the parcel to be sold and thanked the Boekes for their continued cooperation.

Clerk Swanson updated the board on the FEMA grant requests, noting that four subprojects are now in the works: The Raspberry Road project has been obligated to the amount of \$5,225.12 and payment is expected shortly. The Grasston Court project is under final FEMA review. The township-wide gravel roads project is pending FEMA review, and the Bluebell-Church roads project is pending project development by FEMA representatives. All township paperwork requested so far has been submitted. Mitigation requests for Bluebell are still pending.

New Business:

Clerk Swanson introduced Resolution 2023-6 regarding an employee earned sick and safe time policy. Substantial discussion occurred on this new mandate from the state legislature. Supervisor Graham moved, Supervisor Schlaeger seconded, to approve the resolution. The motion carried unanimously. A copy of said resolution shall accompany these minutes.

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The board then considered the draft sick and safe time policy. The draft policy follows the statute as currently interpreted by the Minnesota Association of Townships. It defines a calendar year as 12:00 a.m., 1 January to 12:00 a.m., 1 January of the following year. It allows the accrual of up to 80 hours of sick and safe time; after substantial discussion, it allows for accrued but unused sick and safe time to be paid upon leaving employment. Supervisor Schlaeger moved, Supervisor Graham seconded, to adopt the draft policy. The motion carried unanimously.

By consensus, the board approved the draft notice to employees and authorized the clerk to send a copy to all employees as required by law. The notice requires employees to contact the treasurer when sick and safe time is used. The board next considered the personnel roster and found it to be accurate. Questions arose over the status of the cleaner position, specifically whether that position was contracted or employed. The board decided to leave the position on the personnel roster for the present time.

Chair Pearson used the sick and safe time issue as demonstrating the need for the town to have a budget. Noting that the town has been setting aside monies in an equipment fund for future expenses, it is essential that those monies are not spent on other items. Treasurer Saumer and Clerk Swanson distributed a form from the CTAS program that can assist in the production of such a budget. By consensus, the board encouraged Treasurer Saumer to continue development of a budget for 2024 with the understanding that additional hours may be needed for this production.

Supervisor Graham moved, Supervisor Schlaeger seconded, to use the remaining balance of the COVID Fund to pay partially for the new grader. The motion carried unanimously.

Supervisor Schlaeger moved, Chair Pearson seconded, to approve Resolution 2023-7 appointing election judges for the 5 March 2024 presidential nomination primary. The motion carried unanimously. Said resolution shall be part of these minutes.

Supervisor Schlaeger moved, Chair Pearson seconded, to designate the *Pine City Pioneer* as the town's official newspaper for 2024. The motion carried unanimously.

Chair Pearson moved, Supervisor Schlaeger seconded, to authorize both the road superintendent and the secondary road operator to plow snow at the same time, upon the approval of Supervisor Graham. The motion carried unanimously.

Clerk Swanson brought to the board's attention that a box of recently purchased supplies is missing from the supplies room.

Correspondence: Chair Pearson noted that the town had received a thank you from the family of Art Pangerl for the floral arrangement sent to his funeral service, that the 2024 workers compensation coverage and clerk and treasurer's faithful performance bond coverage policy had been received from MATIT, and that the DW Companies had invited town officials to a governmental meeting with them on 11 January 2024. Clerk Swanson reported that holiday cards had been received from McCoy Construction and Nuss Trucking.

FYI:

Chair Pearson noted that the resolution establishing a polling place for 2024 had been filed with Pine County, that the report of outstanding indebtedness (none) had been filed with Pine County, that the report on the 12 March 2024 town election had been filed with Pine County, and that fully executed contracts for fire service from Braham (2024) and Pine City (2024-2032) had been received and filed. He noted the dates for filing for town offices for the 12 March 2024 election.

The next regular meeting of the town board will be at 7:30 p.m., Tuesday, 30 January 2024.

At 9:12 p.m., Supervisor Schlaeger moved, Supervisor Graham seconded, to adjourn the meeting. The motion carried unanimously.

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Respectfully submitted,

Duane P. Swanson, Clerk

Marshall Pearson, Chair/Supervisor

Jeff Schlaeger, Vice Chair/Supervisor

John Graham, Supervisor

Jenessa M. Saumer, Treasurer