

WOODROW TOWNSHIP
REGULAR MONTHLY MEETING MINUTES

March 14, 2024

7:00 P.M.

The meeting was called to order by Chair Gordy Reher at 7:00 p.m. All joined in the Pledge of Allegiance. Present are Supervisor Colter Peterson, Supervisor Scott Wold, Treasurer Tim Mueller and Clerk Cathy Dietrich. To see sign in sheet for citizens present, request from Clerk.

M/S/P Wold/Peterson approve Agenda for Regular Monthly Meeting as amended to move New Business above Old Business. Remove Cass County and Township Road Maintenance Agreement.

M/S/P Wold/Peterson approve February 8, 2024, Regular Meeting Minutes as amended with a spelling change.

M/S/P Wold/Peterson approve February 2, 2024 Special Meeting Minutes on road feasibility and administrative matters as submitted.

M/S/P Wold/Peterson approve February 9, 2024, 2025 Budget Meeting Minutes as amended to include meeting continuation on March 7, 2024.

M/S/P Wold/Peterson approve February 2024 Treasurer Report, subject to audit as presented by Treasurer Tim Mueller.

M/S/P Wold/Peterson approve claims as submitted by Clerk Cathy Dietrich.

M/S/P Wold/Peterson approve payroll as submitted by Clerk Cathy Dietrich.

Clerk's Report –

1. March 5th the primary election was held, and the township had over 100 people come to vote at the hall. Everything went smoothly.

OLD BUSINESS

1. Road update for Buxton, discussion on proposed projects to eliminate washouts and wash boarding of road. Supervisor Wold would like this to be tabled along with other projects so this can be discussed and planned as part of the Capital Improvement Plan. Nothing can happen this year, only maintenance to maintain the road as it is.
2. Supervisor Peterson talked to Larry Sanders and will meet with him at the gravel pit hopefully next week. Will authorize to crush up to 15,000 yards if it is achievable with what is left in the gravel pit.

3. Zoom meeting discussion to be postponed to April monthly meeting. Supervisor Wold will draft a potential policy for the board to look at as far as remote meetings and how they would be used and when they could be used within the township.

4. The township is looking at vacating two existing town roads, Schmidt Road and Lost Lake Road. Lost Lake Road is a tenth of a mile. Schmidt Road is two-tenths of a mile. Schmidt Road goes up a hill to an open field. The buildings that were there have been gone more than 20 years, so there's nothing there. The Lost Lake Road goes downhill a tenth of a mile and is essentially a private driveway for two homes. The Township Attorney comments, "the normal process is you get eight petitioners to start the process, but you can't do it by town motion. I gave that to you this morning. So, you can pass it tonight, not the final action, but tonight you can vote to say hold a meeting, and then by law we have to give notice to the people affected. A second process is to hold a public hearing notify people on the road. After you hear public testimony you can then pass the motion to actually officially vacate it in the May meeting. Okay. So that's one answer. You don't need anybody else's cooperation, you just do it. You just, you got to give legal notice of the meeting and do it. The second question was, was there any damages? And the answer to that would be no. Damages, in my mind, are not because of lack of maintenance, it's for lack of access. On the Schmidt Road, the guys on both sides of that road, about 25, and then you look to the south, they're the same owner as from the next 40s to the south, so there's no way that we're going to landlock if they already have their own access. On the north side of Lost Lake, the two guys in the north do perhaps have any business plan to get there, but I did a title search and there's a private easement that's recorded already. So if we vacated the town road, there's still a private easement. So there'd be no damages, there'd be no loss of access. And once it's private, like you said, they can put whatever sign they want in the road because we're not maintaining it anymore."

A public hearing will be held May 9th at 7 pm at the Woodrow Township Hall. The Township Attorney will send out the notices to those affected.

5. The Supervisor complaint in the Pine Cone Press letter to the editor was followed up by the Township with a letter to the editor. No other discussion is necessary on this topic since it has been discussed in the past couple of meetings.

NEW BUSINESS

1. Longville cleanup day is scheduled for June 29th, 2024. The heads of the committee Jim and Carol plan to hold this at Slagle's Demolition Landfill. Requested township board to pay for residents if they would like to take advantage of bringing the items they would normally bring to landfill on this day. The costs associated with appliances, tires, and electronics will be covered by the County. The cleanup day is sponsored by the Longville Snowmobile club.

M/S/P Peterson/Wold approve to pay for cost up to \$1,000 for Woodrow Township Residents.

2. Cass County Land Department presented properties for auction and requested approval from the board.

M/S/P Reher/Peterson approve Cass County Land Department to auction properties listed.

3. Road Maintenance agreement with Cass County is no longer needed. The Township has their own contractor for mowing and maintenance of gravel roads.

M/S/P Wold/Peterson to remove the Road Maintenance agreement with Cass County.

4. Property Assessment - A resolution was made at the March Annual meeting, and it was approved in verbal form by citizens of the township and didn't get signed. The resolution was to move ahead to create a policy for assessments on large road projects by the township within the township. Resolution 2024-01 was read in full at the meeting and a copy will be available on the township website.

The next Resolution 2024-02, The Board of Woodrow Township has discussed the reconstruction of various town roads as capital improvement projects. This was read in full at the meeting and a copy will be available on the township website. This was voted on and approved at the February 2 Road Feasibility meeting.

5. We received a letter from Timber Drive Association concerned about the work the township has been doing as part of an improvement on Timber Drive Northwest. The letter was read and responded to. The work that's being done is to move some embankments back in five different locations, to store snow that is pushed off the road. And those areas were identified as being historically problem areas that, because of the snow being pushed off the road, tended to narrow down the road at those locations. There are three culverts that need to be replaced because of their old condition, and there are several more that have been identified by the engineering data as needing to be installed. Also, from the letter concerned about paving Timber Drive, there were some questions as far as what it would be rated for as far as speeds and speed limit signs and danger to walkers, runners, bicyclists. *Letter will be added as an appendix to the meeting minutes.

The Township Attorney, who was in attendance, commented, "I would say don't hide from negative letters. Read them in the record like you just did. I think the board has an obligation to listen to public comments. At the end of the day, you're the ones charged with what's the right choice for that road. So, you probably want to hear from the residents, but residents come and go,

and you're looking out for the whole township, not just this road, and you need to be consistent with how you do this road versus other roads, so there's more to it than just the opinion of those residents. In the end, after you take their concerns, you can listen to their concerns or ignore their concerns or do something totally different.”

6. Chair Reher requested right of way signs to purchase so that when surveys are completed to locate the position of the road and its right of way the sign can be added there. The quote for these signs is \$2,956. The signs being purchased are for the 3 large roads so the projects planned can begin.

Treasurer Mueller has a concern with spending money on any project as there were no projects planned in the Budget for 2024 or 2025. No project spending can happen in 2024.

M/S/P Wold/Peterson table purchases other than maintenance until discussed during a Capital Improvement Plan meeting.

7. The township is looking for volunteers to do cleanup at the old public access which is in the middle of the curve on Hwy 5 and there's no parking due to the dry hydrant there. It was part of a plat dedicated to the public. It became an eyesore, weeds, tree branches, trees down, walking path covered with poison ivy, and we've received complaints about the area. Citizen Lee Reiter in attendance has volunteered to maintain the property to keep it clean and free of noxious weeds.

M/S/P Wold/Peterson approve Lee Reiter as a volunteer for public beach area clean up. The township will define the maintenance of this area and provide to Lee before the season begins.

8. There are concerns with the new ATV ordinance and a citizen posted his concerns in the Pine Cone Press. On February 27, Pinecone Press published several concerns regarding the new ATV regulation for Cass County roads. Understand that there are many responsible ATV enthusiasts. I agree with the citizen who was mentioned who have requested safety turn signals, directional and backup lights, rear view mirrors to be installed, implemented on all ATVs, that speed limits be implemented to aid in management of unsafe speeds for ATVs, and that all of them be licensed. Wayne recommends that liability insurance be mandated for all ATVs operating on roadways, trails, and parks, with the sole exception of operating on private land. Several states require liability insurance and licenses. ATVs that operate on the same roads as automobiles, motorcycles, and trucks should carry the same required insurance as they pose the same risk, if not greater, for injury. The Township wanted to share this information with the citizens for them to be aware of the ATV ordinance that will go into effect soon. Ultimately the County will have the final decision.
9. Resolution 2024-03 presented to the board concerning the opening of a savings account for a Capital Improvement Fund requires that it be approved by the town electors at the annual meeting

and that was done on Tuesday March 12. Resolution 2024-03 was read in full at the meeting and a copy will be available on the township website.

More information provided; The CIP is intended to aid planning for major capital expenditures, construction, improvement, renewal, and replacement. It's a financial management and planning tool. It's used to coordinate budget schedules, locations, and other aspects of logistics. It's integral in prioritizing projects as well as planning their funding. The CIP envisioned by the board will set forth the need for the improvement, so the need for the improvement, the estimated schedule, timing, and details of the improvement by year, estimated costs, and sources of revenue to pay for the improvement. It will provide a means for the board, the contractors, and residents to all have the same information on the Woodrow Township website. and that's a spelling error right there. The CIP for Woodrow will be implemented in 2024. Its funding will begin in 2025. The Township budget and the proposed CIP together reflect an effort by Woodrow to thoughtfully and responsibly provide quality town services while planning for the future. The CIP as first implemented will focus on improvements to existing town roads. It will include plans for the next four to six years and will track and organize projects from planning to completion. The CIP will have an annual public meeting on the status of projects in the plan. The meetings are intended to provide the opportunity for citizens to participate in the CIP process by contributing comments, suggesting needed services and improvements, and reviewing priorities.

The electors of Woodrow Township at the 2024 annual meeting authorized formation of the Capital Reserve Fund to be associated with the capital improvement plan. The Capital Reserve Fund once created becomes the place where funds will be kept until used for the various CIP projects. The CIP for Woodrow will be formed in 2024, and funding of the capital reserve fund will begin in 2025.

M/S/P Wold/Peterson treasurer to set up a Capital Reserve Fund.

10. Shady Oak Drive road vacation in the plat of West Breezy Heights. The petitioner is seeking to vacate a small piece of the other lots which utilize the platted road for access. Minnesota statutes require that we, that's Baker Law Office, serve you, that's the town board, with notice of this proceeding as chairman of the Woodrow Town Board.

M/S/P Wold/Peterson Woodrow Township does not object to the Shady Oak Drive road vacation as stated in the petition.

SUPERVISOR REPORT

Supervisor Reher –

- Nothing to report.

Supervisor Peterson –

- Nothing to report.

Supervisor Wold –

- Working on Zoom Meeting draft policy.
- Working on research for The Economics of Upgrading an Agriculture Road. Will send information to the board.

PUBLIC INPUT

Letter received from Kee Nee Moo Sha regarding Timber Drive. A response to this letter has been drafted and sent. The response letter to Kee Nee Moo Sha reads, 'Dear Richard, thank you for the letter of the 19th of February. You're quite correct and the board is well aware that townships do not have a default 66 foot right of way for township roads. And absent documentation, the township has rights only to the historically maintained width of the road and the shoulders and ditches maintained by mowing, trimming, tree removal, etc. a 66 foot easement for timber extending from County 5 through part of the resort property, because there's two main pieces of land north-south that goes through the northernmost one and not through the southernmost one. And that is for the last 550 feet of the road and the turn around. The maintained width for this part of the road, that's grading and gravel plus the shoulders and ditches maintained by mowing and trimming and tree removal is approximately 50 feet. In the area around the turnaround, last fall Woodrow did tree trimming and removal for trees hanging over the road. And that was at their request too. And per your request for documentation, the Woodrow town map recorded in 1984 with document number such and such, shows Timber Drive as having a 66 foot wide right of way easement. And this can be accessed at, and they gave them the way to get to that document. The work to this point has been for safety purposes, to move the embankments back for visibility, and as a place for snow to be pushed, so the road will not narrow from snow. There is no part of the road on Kee Nee Moo Sha property that needs embankments to be moved. There's no immediate plan for work past Barred-Owl Trl, other than perhaps culverts for drainage. If there's something, we will talk. The board is very sensitive to the idea of a taking and wants no part in any such action. For things like this, everyone has to win. The township would like to extend the 66-foot right-of-way easement to the remainder of the road to be consistent with other town roads and to make the turnaround sufficient for fire and emergency vehicles. I've asked to have what is proposed be surveyed so you can determine the actual area affected. That area amounts to about 2 tenths of an acre, plus whatever would be needed for improving the turnaround. We anticipate working with you to have the necessary easements.'

OTHER BUSINESS

Treasurer Tim Mueller proposed a letter for changing the signatures of the signature card at the bank due to Dave Tanner retirement and Scott Wold appointed as supervisor.

M/S/P Peterson/Wold

Motion to change signature card on renewed CD #2502754 to include the following board members.

1. Tim Mueller, Treasurer
2. Catherine Dietrich, Clerk
3. Gordon Reher, Supervisor
4. Colter Peterson, Supervisor
5. Scott Wold, Supervisor
6. Lisa Garbe, Deputy Treasurer/Clerk

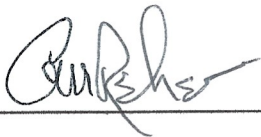
Motion to change signature card on checking account 804138 to include the following board members.

1. Tim Mueller, Treasurer
2. Catherine Dietrich, Clerk
3. Gordon Reher, Supervisor
4. Colter Peterson, Supervisor
5. Scott Wold, Supervisor
6. Lisa Garbe, Deputy Treasurer/Clerk

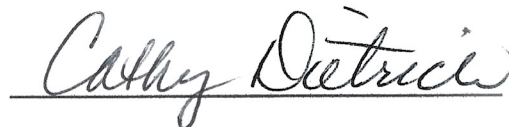
Remove the following board member.

1. Dave Tanner, Supervisor

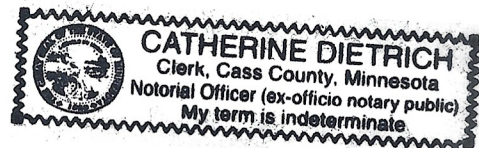
MEETING ADJOURNED M/S/P Wold/Peterson @ 10:07 p.m.



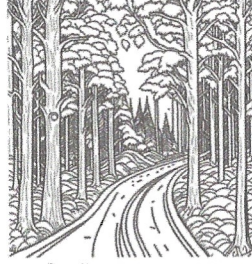
Chair, Gordy Reher



Clerk, Cathy Dietrich



Appendix



Credit: vecteezy.com

Timber Drive Association
1615 Florida Ave. N.
Golden Valley, MN 55427

Date: March 8, 2024

To: Woodrow Township Officials

We, as members of the Timber Drive Association, would like to convey the following four items to Woodrow Township:

(1) We are firmly against the paving of the Timber Drive NW road. Previous representations of our interests are not valid. We request that the township pursue gravel and/or crushed concrete sourcing/solutions with due diligence and cease efforts on asphalt paving. Our objections include, but are not limited to the following:

- safety - as proposed, the road would be rated for speeds of 34-40 mph and speed limit signs below that are not enforceable; this is a danger to walkers, runners, bicyclists, and wildlife. There is a trend in communities toward road design for speed control and increased safety. We would encourage the township to explore road design alternatives that increase safety, not decrease safety
- expense – the \$647K initial cost estimate as of June 2023, plus on-going maintenance, resealing, rebuilding, etc. would require significant financial assessments of property owners now and additional assessments in the future
- lack of an environmental impact study
- lack of cost impact study of the paving cost vs. gravel and non-paved alternatives. This would include identifying and sourcing materials such as gravel and crushed concrete and grading/maintenance required vs. initial cost of paving, the degradation in quality, and the cost and frequency of paved road maintenance over time, especially given the harsh environment and heavy equipment use
- lack of a year-round road usage study across seasons for accurate road usage information
- aesthetics of northern Minnesota outdoors
- the fact that many of the affected properties are not even in Woodrow Township, and those affected townships of Wabedo and Keto refused to participate in this project

(2) We request that Woodrow Township offer live video conference for all meetings. This will provide increased transparency of the full meeting content and discussion in a timelier manner to all property owners. We request that the meeting videos be posted online within 24 hours of the meeting. There are resources available including other area townships, the Hackensack Mayor, and the Minnesota data practices office, that can assist with a successful implementation.

(3) We request that the township work with the Timber Drive Association to appoint two Timber Drive Association members, who are Woodrow Township property owners, as citizen liaisons for the township regarding any Timber Drive matters. This is important as we represent the majority of Woodrow property owners on Timber Drive NW and have not been given representation. We ask that the current liaisons be removed as they are not all Woodrow Township property owners and have not been acting as liaisons. The definition of a liaison is “communication or cooperation which facilitates a close working relationship between people or organizations.” They have failed to provide most of us any communication or updates, and have been misrepresenting most of us, including presenting a fraudulent petition without verified signatures.

(4) We would like to obtain copies of the feasibility study and road design schematic work conducted to date and ongoing or have them available for us to view. We would also like to obtain a complete cost study for all options, including gravel sourcing from additional sites within the township, outside the township, crushed concrete options for specific road areas where issues, and other alternatives to paving, as well as paving costs, including both initial expense and projected maintenance schedule and costs over time. We can provide a flash drive for electronic copies, or we can view on the township website, or pay any copying expense if hard copies. If the latter, please send to the address on this letterhead.

We appreciate your acknowledgement of the Timber Drive Association and its members, your consideration of these requests, and due diligence performance to identify a non-paved Timber Drive solution.

Signed,
Timber Drive Association Members

Wuebker, Dennis L & Joan L – trustees c/o Jennifer Wuebker Chapman
Lisa Wuebker Malice
4127 Timber Drive NW
2 Tax parcels

Woodruff, Abigail (inherited from Woodruff, Richard R.) and Evavold, Amy
For Woodruff, Richard R.; Evavold Amy property
4150 Timer Ridge Drive NW

Evavold, Daryl & Amy
4197 Timber Drive NW

Benjamin, Audrey and Stakeholder Debra Anderson
4178 Timber Drive NW

Wallien, Robert
4190 Timber Drive NW

Menten, Dale F. Trustee and Menten, Julie
4219 Timber Drive NW

Kee-Nee-Moo-Sha
Richard Hiles, President
All KNMS Memberships and Board Members
4306 and 4308 Timber Drive NW
3 Tax parcels

Graham, Jessica and Radford, Andres
4690 Timber Drive NW
2 Tax parcels

Olson, Michael & Olson, Nancy
4737 Timber Drive NW
4739 Timber Drive NW
6 Tax parcels

Otto, Arthur J
4442 Gary Owls Trl NW

Ringer, Mark Kevin
Ringer, Anne
4444 Gray Owl Trl NW

Tuka, Christopher S and Amy
4456 Gray Owl Trl NW

Heggen, Robert B.
4458 Barred Owl Trl NW

Liberko Lodge, LLC, Attn: Joseph and Daniel Liberko
4460 Barred Owl Trl NW

Atkinson, Steven E and Joanne
4726 Lantern Ln NW

Atkinson, Jason and Jordan
4726 Lantern Ln NW, additional tax parcel

Loon's Nest on Lantern LLC
Nelson, Rodney and Colleen
4734 Lantern Ln NW

Rausch, Eric D & Burley-Rausch, Cheryl A
74 Marsh Hawk Ln NE

Henson, Donald L & Alice S, trustees
82 Marsh Hawk Lane NE

Marsh Hawk Lane Cabin, LLC C/O Teresa Doboszinski
94 Marsh Hawk Lane NE

Mazwi, Anne
98 Marsh Hawk Lane NE
2 Tax parcels

Webster, Karin S; Headrick, Laurie; Swanson, Craig
126 Marsh Hawk Ln NE