

**BEMIDJI TOWNSHIP TOWN BOARD  
REGULAR BOARD MEETING  
Tuesday, June 12, 2012  
MINUTES**

**PRESENT:** Jan Heuer, Pete Fredrickson, John Rowles, Brian Merschman, Michelle Anderson and Tim Wang. Absent: Lowell Vagle

**CALL TO ORDER:** The regular meeting of the Bemidji Township Town Board was called to order at 6:00 p.m. by Chairperson Jan Heuer and the pledge of allegiance was recited.

**AGENDA:** Pete Fredrickson made a motion, seconded by John Rowles, to approve the agenda after adding Magnuson Tree Site Issue and Height of Grass (constituent inquiry) under Other Business. Motion carried unanimously.

**MINUTES:** Brian Merschman made a motion, seconded by Pete Fredrickson, to approve the minutes of May 22, 2012, (regular meeting) as printed. Motion carried unanimously.

**CONSTITUENTS** (see attached attendance sheet): A constituent inquired about annexation. A Board member noted there is a closed meeting on June 14, 2012 to discuss annexation with the Township Attorney. The Board is continuing to work in the best interest of the township and residents.

**RENTAL ENFORCEMENT:** William (Bill) Patnaude, Beltrami County Director of Environmental Services attended to discuss options the township has for enforcing rental issues. The township currently does not have anyone in place to enforce rental issues. Beltrami County has a public health ordinance and Mr. Patnaude is an agent who can handle corrective orders and abatements. If the Board is interested in using the County for enforcement, Mr. Patnaude can handle rental issues pertaining to health, welfare and safety on behalf of the township. A Board member reiterated why this topic was being discussed as there have been several rental complaints received by the township recently. It was noted the township has more restrictions in rental registration but the county has restrictions when it pertains to the health and safety of the public, including septic issues. Mr. Patnaude offered to draft a proposal including an hourly rate and possibly present it as early as the June 26, 2012 meeting.

Brian Merschman made a motion, seconded by Pete Fredrickson, the township is interested in a proposal and to enter into discussions with Mr. Patnaude as an agent through Beltrami County on behalf of Bemidji Township to enforce rental issues pertaining to the health and safety of the public. Motion carried unanimously.

**COMMITTEE REPORTS**

**Roads:**

**Calcium Chloride Update – Fox Dr NW:** Road Supervisor, Pete Fredrickson, stated EnviroTech was working in Hubbard County and would apply the first application soon if there is enough material left.

**Road Swap with County:** No update on this issue at this time. The item will be placed on the July 10, 2012 agenda.

**Stripping Town Hall Parking Lot Update:** No update on this issue at this time. The item will be placed on the July 10, 2012 agenda.

**Signs:** No report.

**Fire:** A Board member reported career day at the Bemidji Middle School included two firefighters and they did a great job of sharing. Another Board member commended Fire Chief Dave Hoefer for the great job he is doing as Fire Chief. A report from the Fire Department was included in the meeting packet.

**Weeds:** No report. It was noted Beltrami County does not have anyone on staff anymore dedicated to weed issues.

**BATO:** Lowell Vagle was absent. No report.

**Joint Governance:** Lowell Vagle was absent. No report.

**TREASURER'S REPORT:** Tim Wang presented the treasurer's report as follows:

Beginning Balance 5/1/2012 \$568,384.91

Receipts

Money Market Interest	\$143.01
Total	\$143.01

Disbursements

General	\$8,369.75
Road & Bridge	\$52.97
Fire	\$0.00
Total	\$8,422.72

Ending Balance 5/31/2012 \$560,105.20

Pete Fredrickson made a motion, seconded by John Rowles, to approve the Treasurer's Report as printed. Motion carried with the following vote: Ayes: Heuer, Fredrickson, Rowles, Merschman. Absent: Vagle. This report was filed subject to audit.

**BILLS:** Pete Fredrickson made a motion, seconded by Brian Merschman, to approve the payment of checks 9054 to 9076 (see attached Claims List and Net Pay Distribution lists) and to approve the Beltrami Electric, First National Bank, Minnesota Energy, Otter Tail Power and Paul Bunyan Communications automatic withdrawals. Motion carried with the following vote: Ayes: Heuer, Fredrickson, Rowles, Merschman. Absent: Vagle.

Pete Fredrickson made a motion, seconded by John Rowles, to approve the sale of investments for \$111,500 from money market to checking. Motion carried with the following vote: Ayes: Heuer, Fredrickson, Rowles, Merschman. Absent: Vagle.

**OTHER:** Tim Wang noted a CD, certificate #101069904, came due at Riverwood Bank which was automatically renewed until June 6, 2013. The value of the CD is \$143,161,60 and the renewal interest is 0.60%.

## **JOINT PLANNING**

### **Administrator's Report:**

JPB Representatives, Jan Heuer and Pete Fredrickson, summarized the June 5, 2012 Greater Bemidji Area Joint Planning Board report (see report). Board members discussed gathering a more realistic cost for potential support from Bemidji Township for the aerial photo upgrades based on the size of the township. The sewer project as described in the report has for now been set aside. Further discussion with the Board regarding GBAJPB fees and Ag Zoning were held under Other Business.

**Thompson – Variance (Special JPB Meeting on 6/25/2012):** At the JPC meeting on June 24, 2012, the variance was denied, however the JPC presented their own conditions and recommended the JPB approve the new conditions. The JPB unanimously approved the variance, but Jan Heuer stated there were no ordinances that pertained to this situation in regards to corner lot setbacks. The ordinance was silent on such a situation, therefore the variance is improper. If corner lot setbacks were intended to be addressed in the ordinances, the ordinances need to be changed to be more specific. Ms. Heuer requested support in asking the JPB to refund the Thompson's for the variance fee and special meeting fee.

Pete Fredrickson made a motion, seconded by Brian Merschman, declaring Bemidji Township's support to refund all fees pertaining to the variance application and special meeting regarding the Thompson Variance. Motion carried unanimously.

**June Joint Planning Agenda:** There are no cases on the agenda. There will be an election for the vice chair position due to Mr. Humeniuk's resignation from the Northern Township Board.

## **OTHER BUSINESS**

**Clerk Position:** On June 14, 2012, there will be a closed meeting to discuss the applicants for the clerk position and to discuss legal issues with the Township Attorney.

**Election Judges – Lanee Paulson and Short Course Training: Brian Merschman:** Lanee Paulson has offered to assist Bemidji Township during the election season if needed. Brian Merschman is also interested in attending courses in order to assist as an election judge.

Pete Fredrickson made a motion, seconded by John Rowles, to hire Lanee Paulson as a head election judge and Brian Merschman as an election judge, both at \$15 per hour plus course fees and mileage. Motion carried unanimously with Mr. Merschman abstaining.

**Bemidji Township Fees to Support Joint Planning Office:** The June 5, 2012 Administrator's Report showed a breakdown by LGU of phone calls and walk in traffic the Joint Planning Office received during the month of May. The report also stated the fees each LGU pays to the JPB will need to be reviewed due to recent annexations. A

Board member noted it was the Board's opinion workload should not be a factor in determining the portion of fees the township would pay to the JPB, but rather based on population and geographic area as clearly outlined in the agreement.

**Bemidji Township Ag Zone (Restoration of Agricultural Zone (rezoned to R1)):**

On May 26, 2012, Jan Heuer and Mayana Rice, Planning Administrator toured agricultural areas. The Board believes the agricultural areas were inappropriately rezoned and notice was not appropriately sent to property owners. Properties that have historically and currently run as agricultural should not have to get a permit to do so. At a recent meeting of the Northern Township Board, they also recognize areas in their township that could be zoned Ag. Information from Ms. Rice will be presented to the Board at the July 10, 2012 regular Board meeting.

**2012 Newsletter:** No update on this issue at this time. The item will be placed on the July 10, 2012 agenda.

**Township Gopher Bountly – Constituent Inquiry:** No update on this issue at this time. The item will be placed on the July 10, 2012 agenda.

**Magnuson Tree Site Issue:** The township received an email from Andrew Mack, Assistant Planning Administrator, regarding John Magnuson and tree plantings to fulfill a requirement for having turned some property into a gravel pit. Mr. Magnuson planted trees according to the requirement, however, soil conditions were inappropriate and the trees died. Mr. Magnuson again planted trees based on the requirement and recommendations received from the Joint Planning Office. Again the trees died, this time they were eaten by deer. The JPO is telling Mr. Magnuson to replant the trees again at a different location. The Board feels Mr. Magnuson has complied by planting the trees twice at his own expense. A Board member will contact Mr. Magnuson. It is possible if the Board asks the JPO to not pursue the issue, they may not.

Pete Fredrickson made a motion, seconded by John Rowles, declaring Bemidji Township's support that Mr. Magnuson has fulfilled the requirement of planting trees (Plan A); or to work directly with Mr. Magnuson on behalf of the issue (Plan B). Motion carried unanimously.

**Height of Grass (constituent inquiry):** An email was received by a constituent asking if the township had a height of grass limit. The city has rules on grass height but the township does not, just in regards to weeds.

**ADJOURN:** Pete Fredrickson made a motion, seconded by Brian Merschman, to adjourn. Motion carried and the meeting was adjourned at 7:31 p.m.

Prepared by Michelle Anderson, Temporary Clerk

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Michelle Anderson, Temporary Clerk

Approved \_\_\_\_\_

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Jan Heuer, Chairperson