

**BEMIDJI TOWNSHIP TOWN BOARD
REGULAR BOARD MEETING
Tuesday, July 10th, 2012
MINUTES**

PRESENT: Jan Heuer, Pete Fredrickson, John Rowles, Lowell Vagle, Brian Merschman, Michelle Anderson, and Erin Stieg

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: The agenda was reviewed and the administrator's report for Magnuson Tree Restoration was added. Also added introduction of Erin Stieg as new Township Clerk. Brian Merschman made a motion to approve the revised agenda and Pete Fredrickson seconded the motion. The motion passed unanimously.

MINUTES: Lowell Vagle made a motion, seconded by Pete Fredrickson, to approve the minutes of June 26, 2012, (Second Board Meeting of the Month) as printed. Motion carried unanimously.

CONSTITUENTS (see attached attendance sheet): There were no constituent issues.

Administrator's Report: Magnuson Tree Restoration

Andrew Mack from Joint Planning Committee introduced constituent John Magnuson. Andrew stated that in 2009, an IUP for gravel permit was approved for Mr. Magnuson, including an off-site planting requirement. Mr. Magnuson planted 350 trees and by his count, 80 of those trees sustained life. There was an escrow that carried over and it was stated that Mr. Magnuson wanted to clear up and close the books. Andrew stated there was a decision to refund the escrow, it was a good plan, and it needed to move on from here. A board member stated the board had discussed it and they recalled two recommendations: (1) turn it over to township if JPO doesn't want to just release him, or (2) release escrow to township and the money would be returned to Mr. Magnuson. It was stated the township feels Mr. Magnuson lived up to his end of the deal. John Magnuson then stated that he felt transplanting the trees wasn't fulfilling the requirement. He tried different trees, but the soil was no good. Mr. Magnuson stated that he is willing to surrender the escrow and that it is cheaper to forgo the escrow than to continue. The board repeated that they felt he did what he could do, but Mr. Magnuson stated that he would rather maintain his integrity than keep the money. He requested to designate the money to the anti-annexation issue or roads. After further discussion it was agreed that JPO had the money at the time and that it was Mr. Magnuson's decision as to what to do with it. A board member asked Mr. Magnuson, if he kept the money, what would he do with it? Magnuson replied he'd plant more, but they would die as well. He has another place he could plant, but he'd rather not. Lowell Vagle made a motion to accept John Magnuson's escrow and his wishes to designate it back to the township for the Road and Bridge Fund. Pete Fredrickson seconded and the motion passed unanimously.

COMMITTEE REPORTS

Roads:

Calcium Chloride Fox Drive; "Swap" w/city; Parking lot: No update on this issue at this time. The item will be placed on the July 24th, 2012 agenda. As soon as Horace May is done, Pete will talk to them. Board member stated road was dusty.

Signs:

Board member stated there was a sign on Little Norway that might be damaged.

Fire:

Pete's South Beta Testing: was approved by the Fire Chief for 3 months. Rural Fire Meeting tonight. John will be leaving early.

Weeds:

Board member will contact County Commissioner Anderson in regards to weeds. The county has a lot of responsibility to deal with weeds. The Clearwater County weed program was recommended. It was also recommended that County Commissioner Anderson be invited to attend the next Township Board meeting.

BATO:

No report. Next meeting is scheduled for 7/24/12. Lowell may not be able to attend, but will let another board member know if he can't go. BRACO will be held 7/25/12.

Joint Governance:

Briefly discussed email from Mayana Rice. Agreed to cover Agriculture Zoning later in the meeting.

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

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

Receipts

June 2012 Tax Settlement	\$278,940.51
Money Market Interest	\$ 142.06
Town Hall Rental	\$ 50.00
Total	\$279,132.57

Disbursements

General	\$7,658.64
Road & Bridge	\$103,804.84
Fire	\$ 0.00
Total	\$111,463.48

Ending Balance 6/30/2012 \$727,774.29

Lowell Vagle made a motion, seconded by Pete Fredrickson, to approve the Treasurer's Report as printed. The motion carried unanimously. This report was filed subject to audit.

Bills:

Pete Fredrickson made a motion, seconded by Lowell Vagle to approve the payment of checks 9077 to 9097 (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. The motion passed unanimously.

Pete Fredrickson made a motion, seconded by John Rowles, to approve the sale of investments for \$56,000 from money market fund to checking. The motion passed unanimously

JOINT PLANNING:

Monte handed out a report of Variance Approval/ Denial History. This report showed that variance requests over the last 4 years have gone down from 5.6% in 2008, to 1.4% in 2011. Also, of the variances that have been requested, an average of 80-85% (between the JPC and JPB) has been approved since 2008. It was stated that the reason may be due to the fact that ordinances are being rewritten and people are becoming more knowledgeable. It was also stated that the public is responding favorably to variance issues. Monte noted that the Thompson case will be addressed again in ordinances. It was also stated that if variances are coming up repeatedly, the code should be reviewed.

John left at 6:45pm for Rural Fire Meeting

OTHER BUSINESS:

Bemidji Township Ag Zone (Restoration of Agriculture Zone rezoned to R1 & R2):

Township still claims that Ag zones were improperly rezoned and we won't have much patience for other LGU's in this matter. Mayana Rice presented the idea of an Ag zone and did road tour. It will go to the JPB then on to rezoning process to add Ag to the code. It was noted that Bemidji Township could rezone with other LGU's. Northern Township indicated they wanted to contact their residents. There was discussion about Mayana's handout with definitions for the language to be used for the zoning of the new district as well as permitted uses, conditional uses and interim uses, and measurements for lot divisions, second dwelling units, and lot requirements. It was noted that these are beginning ideas for the Board to consider and review. Board members noted several items that needed to be changed or moved in the policy. Bemidji Township's expectation is no farm animals in R1/ R2 residential areas. It was stated that might have difficulty being passed. It was discussed that when R1 and R2 areas were arranged, the existing agriculture zone was improperly removed and it needs to be restored immediately, the way it was before. The problem with this is that there is no information in JPC's record of an agriculture zone at all. Mayana's solution to this is to make the language and make edits along with the board and to do a public hearing. She stated that animals in R1/ R2 would have to be looked at, but we should get Ag restored and then deal with animals in the animal ordinance section. It was also stated the full 72 square miles will most likely not have the same language. JPC will make changes and get back to the Board. This item will be put on the 7/24/12 agenda to discuss and make more edits if necessary. Mayana will be presenting it to the City on Monday, 7/16/12.

2012 Newsletter: This item will placed on the 7/24/12 agenda and will be discussed then.

Storm Clean-up:

Town Hall issues: It was reported that there was water on the floor. It was determined that because of the high winds heavy rain associated with the storm, some water may have leaked in, but that it most likely won't happen again.

Roads and R/W: It was reported that there are trees down in Bemidji Township right-of-ways. JD Hansen is cleaning up, but not picking up stuff from individual's yards/roads. If trees are still standing, the part of the tree on the road will be cut off and they will leave the rest. A board member stated that Sparky's is tearing up roads while cutting trees.

Township Gopher Bounty: This item was moved to the 8/7/12 agenda and will be discussed at that time.

Rental Enforcement (follow-up for William Patnaude's visit on 6/12/12): A board member has emailed Mr. Patnaude and he is working on the proposal. He hopes to have something by 7/24/12. This item will be place on the 7/24/12 agenda and discussed further at that time.

Lakes Area Dive Team Check: Has been found and deposited.

Paul Erickson, Bemidji Library Manager: This item has been placed on the 7/24/12 agenda and will be discussed at that time.

OTHER:

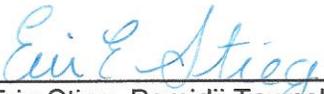
Bemidji Township does not pay mileage to come to Board Meetings.

Erin Stieg appointed Michelle Anderson as Deputy Clerk.

ADJOURN:

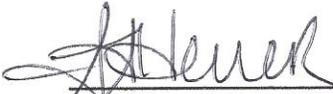
Lowell Vagle made a motion, seconded by Pete Fredrickson, to adjourn. Motion carried and the meeting was adjourned at 8:29 p.m.

Prepared by Erin Stieg, Bemidji Township Clerk



Erin Stieg, Bemidji Township Clerk

Approved 7/24/2012



Jan Heuer, Chairperson