

**Regular Meeting Sunrise Township  
Thursday, October 16, 2008  
Royal Wilcox Community Center**

Chairperson Jack Kopp called the Sunrise Township regular Board Meeting to order at 7:01 p.m.  
Pledge of Allegiance was recited.

**Board Members Present:**

Jack (John) Kopp  
Stephen Merten  
Gerald Bjork  
Jeol Peterson

Treasurer: Karen Anderson  
Clerk: Wendy S. Kowalke

**Board Members Absent:**

Manley Olson

**Others Present:**

Lynn Wolleat, Lead Maintenance  
Greg Strom, Planning Commission  
Rick Greene, County Commissioner  
Tom and Sue Minar  
Greg Strom, Planning Commission Member  
Mike Jackson  
Jerry Hinz  
Loren Johnson  
Justin Vojtech – 445<sup>th</sup> Street  
Jason Gillet 445<sup>th</sup> street  
Shane Stepp  
Scott Woodward

**Adopt Agenda:** Motion by Gerald Bjork, second by Stephen Merten to accept the agenda with the addition of the Oath of Office for Joel Peterson to the Sunrise Town Board. Motion carried.

**Oath of Office to the Sunrise Town Board:** Joel Peterson took the Oath of Office to the Sunrise Town Board by Clerk Kowalke.

**Meeting Minutes:** Motion by Stephen Merten, second by Gerald Bjork to accept the meeting minutes as presented.

**Treasurer Report:** Motion by Joel Peterson, second by Stephen Merten to accept the treasurer's report with claims list #2490 through #2498 for approval with the following additional disbursements.

- Braun Intertec Bill for \$100.00 for concrete testing perform at the Sunrise Park was denied because that was part of the contractors responsibility.
- Al Tschida bill for \$450.00 for 445<sup>th</sup> Street/Michael S. Eggert Indemnification was denied. This bill was to be paid by the Eggert's, this is not the responsibility of the Township.

Motion amended by Joel Peterson to pay the 1<sup>st</sup> half of the Harris Fire Bill, second by Stephen Merten after contract is approved and signed by both Sunrise Township and the City of Harris.

Glenn's Tire.....	\$1,028.00
Dresser trap Rock, Inc. ....	\$618.42
Wendy Kowalke (Postage).....	\$8.40
Thomas Minar (115 pair gopher feet).....	\$230.00
Al Tschida (Block 10 Alley-way between Stepp Mfg. and Sunrise Pub).....	\$360.00
(Discussion took place regarding Attorney Tschida was asked for an opinion to vacate alley-way by the Town Board. An additional 2hrs. time was presented on Attorney Tschida's bill that was not approved by the Town Board. Attorney Tschida had conversation with Shane Stepp and Patty Peter's lawyer. These discussions were not approved and should not have billed to the Township. Clerk Kowalke to send letter to Attorney Tschida informing him of complete Township approved work.)	
Al Tschida (Harris Fire Contract 2008) .....	\$144.00
City of Harris (Harris Fire Contract 2008).....	\$16,400.00
Loren Johnson (66 pair of gopher feet).....	\$132.00
Jerry Hinz (47 pair of gopher feet).....	\$94.00

Motion carried.

Motion by Stephen Merten, second by Joel Peterson to transfer \$16,400.00 from fire savings to fire checking to pay the 1<sup>st</sup> half of the Harris Fire Bill when 2008 contract is approved and signed by both parties. Motion carried.

**Commissioner Rick Greene Update:**

- Informed the Town Board of the last meeting regarding the new jail to be held on October 21, 2008.
- Sunrise Town Board members present are against the road turn-backs that are being proposed by Chisago County Highway Department. Motion by Stephen Merten, second by Joel Peterson that the Board members present are against road turn back and the Board is giving Commissioner Rick Greene authorization to voice that opinion to the County. Motion carried.
- Private Wind turbine can't build with 750 feet of the turbine. Chisago County is working on an ordinance for private wind turbines.

**445<sup>th</sup> Street:** Township has an Indemnification Agreement which will need to be signed by any individual interested in purchasing this parcel.

Sunrise Township informed Justin Vojtech and Jason Gillet that there is \$450.00 bill from Attorney Tschida for previous work completed on this parcel that will need to be paid before the Town Board will proceed with any signing of this property.

Mr. Vojtech and Mr. Gillet plan to bring the driveway in on the south side of the property line, because if in the future if that street is vacated the property to the north could claim the north side of

the easement. The cost for them may be around \$7,000.00 because they are contractors which will keep their costs lower. Would like to take down some trees and spread some gravel.

Escrow discussion took place. The Town Board asked for input from Planning Commission Member Greg Strom. Planning Commission Member Greg Strom, speaking as an individual and not a member of the Planning Commission relayed the intent of the escrow is to have the money to complete the project if the contractor does not complete the work.

Liability was discussed which the Town Board feels that this is covered in the Indemnification Agreement. Board Member Gerald Bjork would like to make sure that the Sunrise Township Driveway Ordinance is enforced. Engineer White was concerned about the health, safety and welfare of the citizens of Sunrise Township making sure that the driveway is wide enough for emergency vehicles.

Justin Vojtech and Jason Gillet discussed another option to vote to vacate the road to the owners. If the owners ever want to development the land in the back there would be no public entrance to the property. The Board informed Mr. Vojtech and Mr. Gillet that this may not be the option they want to take to keep their options open in the future.

The plans are to put two (2) houses on the property.

Motion by Gerald Bjork, second by Stephen Merten to accept two houses on 2 equal pieces of property, sign the existing Indemnification Agreement, and sellers pay current legal fees to date to move forward with this project. Motion carried.

**Block 10 Alley-way:** Chair Jack Kopp went over option that Sunrise Township Planning Commission discussed:

Alley-way Options discussed:

1. Leave situation "as is" except post No Parking signs.
2. Obtain legal description of alley-way and River Road. A 34 year old Certificate of Survey should not be trusted as this point especially for legal work. Locate alley-way as driven, location of surrounding buildings, poles, and River Road as driven. Have new survey drawn showing location of legal alley-way, as driven, bldgs., poles and location of legal River Road and as driven. Have surveyors place monuments at alley-way boundaries (1974 Certificate of Survey is no longer accurate).
3. Move alley-way (grade) to within legal boundaries (after survey is complete). Post No Parking signs. Determine if poles need to be moved.
4. Leave alley-way as driven. If alley-way as driven encroaches on private property, change legal description of alley-way (through deeding with adjoining property owners).
5. Start alley-way vacating process. After hearing, Town Board votes whether to vacate.

6. Keep the alley-way and Change the alley to a large alley-way (for instance to a 40 foot alley-way)

Clerk Kowalke obtained State Statute 160.095 Designation of Minimum-Maintenance Roads to use as a guide.

Planning Commission Member Greg Strom indicated that Wade Olson was very specific that “emergency vehicle only sign” did not need to be included.

Motion by Jack Kopp, second by Joel Peterson to *Create a minimum maintenance road from River Road to Wilcox Road between Stepp Manufacturing and Sunrise River Pub and Grill (Block 10 – Alleyway). Motion includes installing no parking fire lane signs along with installing a minimum maintenance road signs.* Signs to be installed on both sides of the alley-way from Wilcox Road to River Road. Motion carried.

The 1974 Certificate of Survey was discussed realizing that this survey would not be valid and would need to be redone if need be. Board Member Merten is concerned that at some point in time this may come back to the Township regarding where the alley-way.

It is the consensus of the Board Members present that Maintenance will keep at least a 20 foot wide clearing in both the summer and winter. There will be no additional gravel of maintenance completed on this Alley-way. Shane Stepp asked permission that he be able to place gravel in the alley-way if the situation presents itself. The Board did not see any issues with this request.

**Planning Commission Appointment:** Recommendation by Jack Kopp to appoint Stephen Merten to be the ex-officio to the Planning Commission Board. Motion by Joel Peterson, second by Gerald Bjork to accept Stephen to the Planning Commission ex-officio position. Motion carried.

**Beautification Committee Appointment:** Recommendation by Jack Kopp to appoint Joel Peterson to the Beautification Committee Volunteer Position. Motion by Stephen Merten, second Gerald Bjork to appoint Joel Peterson to the Beautification Volunteer Committee holding the chair position. Motion carried.

**450<sup>th</sup> Street Ditch Reconstruction:** Ditch needs to be cleaned out and a couple new culverts installed. Approximate cost would be around \$2,000.00. Lead Maintenance Wolleat indicated there will be issues with street if project is not completed. Motion by Stephen Merten, second by Gerald Bjork to go ahead with the ditch reconstruction.

**470<sup>th</sup> Street:** If 470<sup>th</sup> Street receives black top 100 to 200 feet from government road, the question is posed – would this make 470<sup>th</sup> Street safer. It is approximately 900 feet to the top of the hill. Lynn has been putting chip rock on this road which seems to working very well. Discussion of liability to the township with the 470<sup>th</sup> Street took place. 470<sup>th</sup> is a non-standard intersection. Signs need to be replaced and continue to be replaced as they are missing immediately. Lead Maintenance Wolleat needs to document work on that site. This road needs to be maintained more and keep the chip rock on in the winter months. The Board needs to keep themselves apprised on 470<sup>th</sup> Street.

**Attorney Review:** Punctuality is a concern with the Board.

**Engineer Review:** Warren White was present and distributed his resume to Board Members present. Would like more investigation completed on future projects. The Town Board needs to trust and rely on the engineer.

**Chisago County Ordinance Authority:** Motion by Joel Peterson, second by Stephen Merten to proceed with the proper procedure to adopt Chisago County Zoning as Sunrise Township's governing authority. Motion carried.

**Harris Fire Tour:** Manley and Stephen to tour Harris Fire Department. The Harris Fire Department meets on the 1<sup>st</sup> Thursday of every month. This is when Chief Will Lacina would like to complete a tour.

**Harris Fire Contract:** Harris has proposed a 5 year contract. Motion by Stephen Merten, second by Gerald Bjork to accept the Harris Fire Contract. Carried. (The fire contract is attached)

**Maintenance Update:** Pfeffer Development. Rocks have not been removed. Clerk Kowalke to send letter to ask to have the rocks removed before the end of October 2008. The Fence at the Sunrise Park needs to be moved for snow plowing for Chisago County.

**Board Maintenance Direction:**

Picnic tables at Sunrise Park – need to installed and bolted down

Lettering on sign – completed

Outhouse painting – needs to be complete (spring project)

Richard Widmark

Royal Wilcox Center Outhouse – removed.

Jungle Gym – removed

Flag pole inside the royal Wilcox – needs to be moved

*New Direction:*

Ditch repair – 450<sup>th</sup> street

Signage for 470<sup>th</sup>

Signage for alley-way

Filter in Community Center needs to be replaced

Tires needs to be clean up

Motion by Gerald Bjork, second by Joel Peterson to adjourn at 9:20 p.m. Motion carried.

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Clerk Wendy Kowalke

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John (Jack) Kopp, Chairperson