

**MONDAY, JULY 8, 2024 – TWIN VALLEY CITY COUNCIL
REGULAR MONTHLY MEETING**

Twin Valley Community Center – 7:00 PM

MEMBERS: Mark Askelson, Paul Bekkerus, Michael Bolton, Tracy Christianson, Mike Lampton

OTHERS: Kerry Askelson, Jason Douville, Toni Nysetvold, Prestin Douville, Jess Riepe, Maxwell Fjeld

PURSUANT DUE TO CALL and notice thereof the Twin Valley City Council held its regular monthly meeting on Monday, July 8, 2024. Mayor Bolton called the meeting to order at 7:00PM.

ADDITIONS TO AGENDA—TC/ML-m/s/p to approve addition of dangerous dog discussion to the agenda under Police.

MONTHLY BUSINESS

Minutes—PB/MA-m/s/p to approve the June minutes as written.

Disbursements—ML/TC-m/s/p to approve disbursements totaling \$186,751.70. A full copy of claims and payroll disbursements is available at the Clerk's office.

COMMUNITY—PB/ML-m/s/p to approve building permit application for 106 2nd St SW to replace existing shed with 10'x14' utility shed. PB/TC-m/s/p to approve building permit application for 203 3rd St NE to place 12'x12' wooden shed. TC/ML-m/s/p to approve building permit application for 104 Main Ave E to install 6' wooden privacy fencing. ML/TC-m/s/p to approve building permit application for 105 1st St SE to install an attached all season's porch to the home, pending review of property for any continued nuisance building violations. MA/ML-m/s/p to approve a commercial business license application for OIF'N BBQ to operate a mobile food stand inside corporate city limits.

EASEMENT REQUEST—A request to obtain an easement for an underground electric power line through City owned property at Heiberg Park was received from Otter Tail Power Company. Motion by Councilmember Bekkerus, second by Councilmember Lampton the following resolution was adopted.

RESOLUTION 2024—13

**RESOLUTION TO GRANT AN UTILITY EASEMENT TO OTTER TAIL POWER COMPANY FOR THE PURPOSES
OF BURING ELECTRICAL CABLE ACROSS CITY OWNED PROPERTY WITHIN WILD RICE TOWNSHIP,
NORMAN COUNTY.**

WHEREAS, the City of Twin Valley is the owner of parcel 23-9419001 and;

WHEREAS, Otter Tail Power Company has requested the following utility easement;

A 10-foot easement for electrical line purposes over, under, and across all that part of the Southwest Quarter of the Southwest Quarter, Section 16, Township 144 North, Range 44 West, Norman County, Minnesota, being 5.00 feet on each side of the following described centerline:

Commencing at the south quarter corner of said Section 16; thence on an assumed bearing of South 89 degrees 29 minutes 58 seconds West along the south line of said Section 16, a distance of 600.00 feet; thence North 10 degrees 28 minutes 55 seconds West a distance of 339.21 feet; thence North 08 degrees 11 minutes 28 seconds East a distance of 751.35 feet; thence North 82 degrees 35 minutes 58 seconds West a distance of 349.43 feet; thence South 40 degrees 52 minutes 22 seconds West a distance of 449.91 feet; thence South 37 degrees 14 minutes 43 seconds West a distance of 223.21 feet to the east line of said Southwest Quarter of the Southwest Quarter, being the point of beginning of the centerline to be described; thence South 89 degrees 59 minutes 34 seconds West a distance of 197.25 feet to the easterly right of way line of Trunk Highway Number 32 and there terminating.

The sidelines of said easement shall be lengthened or shortened to terminate on said east line of the Southwest Quarter of the Southwest Quarter and on said easterly right of way line of Trunk Highway Number 32.

WHEREAS, Otter Tail Power Company has offered a payment amounting to \$300.00 for the right to said electric line easement.

THEREFORE, BE IT RESOLVED, by the Twin Valley City Council that said easement request is accepted and granted, with a full copy of the easement available for review in the City Clerk's Office.

Upon a roll call vote taken thereon the following voted in favor of said resolution: Mark Askelson, Paul Bekkerus, Tracy Christianson, & Mike Lampton; Michael Bolton abstained from vote, and the following voted against: None. WHEREUPON said resolution was duly adopted this 8th day of July, 2024.

RACHEL JOHNSON, CLERK-TREASURER

MICHAEL BOLTON, MAYOR

ANNEXATION—Councilmember Askelson motioned to approve petition for annexation, seconded by Councilmember Christianson the following Resolution to Adopt an Ordinance to annex land was passed.

RESOLUTION 2024—14

TO ADOPT ORDINANCE NO. 2024—14

**AN ORDINANCE OF THE CITY OF TWIN VALLEY, MINNESOTA ANNEXING
LAND LOCATED IN WILD RICE TOWNSHIP, NORMAN COUNTY, MINNESOTA PURSUANT TO MINNESOTA
STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein, be annexed to the City of Twin Valley, Minnesota, was duly presented to the Council of the City of Twin Valley on the 20th day of May, 2024; and

WHEREAS, said property is unincorporated and abuts the City of Twin Valley on its North boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently agricultural and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Twin Valley held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on June 24, 2024 following thirty (30) days written notice by certified mail to the Town of Wild Rice and to all landowners within and contiguous to the area legally described herein, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TWIN VALLEY HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property herein, after described abuts the city limits and is or is about to become urban or suburban in nature in that commercial use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Twin Valley, Minnesota, are hereby extended to include the following described property, said land abutting the City of Twin Valley and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 144 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WILD RICE TOWNSHIP, NORMAN COUNTY, MINNESOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTH QUARTER CORNER OF SAID SECTION 21; HENCE S87°39'20"E ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION A DISTANCE OF 661.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S87°39'20"E ALONG SAID SOUTH LINE A DISTANCE OF 564.77 FEET TO THE WESTERLY RIGHT-OF-WAY OF STATE HIGHWAY 32; THENCE N47°37'19"W ALONG SAID RIGHT-OF-WAY OF A DISTANCE OF 746.00 FEET; THENCE S01°34'43"W ALONG A LINE PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 479.90 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER, THE POINT OF BEGINNING.

The above-described property consists of a total of 3.11 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is zero.

5. The City of Twin Valley, pursuant to Minn. Stat. § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make payment to the Town of Wild Rice over the course of two years for the full amount currently taxable to the Town of Wild Rice for said portion of land hereby annexed.
 6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Town on the subject or for which reimbursement is required.
 7. That the City Clerk of the City of Twin Valley is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Norman County Auditor, and the Wild Rice Township Clerk.
 8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.
- Upon a roll call vote taken thereon the following voted in favor of said resolution: Mark Askelson, Paul Bekkerus, Michael Bolton, Tracy Christianson, & Mike Lampton; and the following voted against: None.
- PASSED AND ADOPTED by the City Council of the City of Twin Valley, Minnesota, this 8th day of July, 2024.

RACHEL JOHNSON, CLERK-TREASURER

MICHAEL BOLTON, MAYOR

LIQUOR—MA/PB-m/s/p to approve re-hire of Denise Rassmussen to fill part-time day shift, Councilmember Christian abstained from vote. Updated Council on past and upcoming events. Fryer is currently broken, will need replacement fan unit, hope to have this back in commission before Town & Country Days.

PUBLIC WORKS—Askelson updated Council on activities; employees are getting the town ready for Town & Country Days. RV Campsite has been full with road construction workers. Work is set to begin at the Lagoons in the coming week, estimated start day for construction in Herold Court is August 4. Possible culvert to be installed at the kayak launch site this month. Askelson has received an award from the State for keeping consistent fluoride levels throughout the water system.

EDA/PARKS—Mark Askelson requested Council approval to appoint Anne Nalewaja to the Parks Committee, Nalewaja has been spraying for weeds along the new Heiberg Trail. PB/MA-m/s/p to approve and thank her for all her help. Fencing and signs have been installed on the Heiberg Trail. Committee discussed possibly raising the camping rates for 2025, will add to fee schedule discussion in January. Discussed severe weather shelter area for campers, the Community center is the designated shelter, will look into signage for these areas.

POLICE—County deputies have been picking up shifts to allow Douville to take some time off. Community Service officer is continuing to track nuisance properties, city citations will be issued for a few properties in town before State citations are issued if no improvements are made.

DANGEROUS DOG—Douville requested Council approval in declaring a dog residing at 106 2nd St SW. The Twin Valley Police Department has now responded to two reports of the dog biting individuals passing by the property. MA/PB-m/s/p to approve. Property owner will be sent notice and given a chance to appeal in accordance with City Ordinance.

FIRE/RESCUE—Lampton reported 15 rescue calls and zero fire calls for the month. Swansons repair has been in to service the trucks and test the pumps. Received resignation from Rescue Squad member Dan Wilsey who has moved away from town. PB/ML-m/s/p to accept resignation and thank Wilsey for his service to the community. It was requested to advertise for new members for the fire/rescue squad through social media.

FINANCIALS—City fund balance statement made available for review. No questions or comments.

NEW BUSINESS—Request received from Deputy/Utility Clerk Peterick to assess outstanding excessive utility billings towards the tax rolls for the following three parcels:

32-8681000	400 Main Ave E	\$1,268.14
32-8603000	102 Lincoln Ave NE	\$1,207.69
32-8322000	204 Lincoln Ave NW	\$747.27

TC/ML-m/s/p to approve special assessment with an annual interest rate set at 5%.

FYI/OTHER—Council given LMC Dues increase notice for the 2025 year. Dues are expected to increase 6%. Distributed a notice of a Lunch and Learn put on by the Norman County Sheriff's Department to discuss the possibility of installing surveillance cameras in the County. Meeting will be on Thursday, 6/11/24 at 11:30. Councilmember Christianson will be attending the Lakes Community Co-op rate setting meeting this month on behalf of the City.

MA/ML-m/s/p to adjourn the meeting at 8:01PM.

Attest: _____
RACHEL JOHNSON, CLERK TREASURER

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