

**Hobart Township Monthly Meeting
September 13, 2011**

Present: Terry Hockett, Ray Sonnenberg, DuWayne Sonnenberg, Debi Moltzan, Kathy Glawe and 34 constituents.

Chairman Hockett called the meeting to order at 7:00 p.m.

D Sonnenberg made a motion to approve the minutes from the August 2010 meeting. R Sonnenberg second. All in favor. Motion carried.

Glawe gave the Treasurer's report. R Sonnenberg made a motion to accept the Treasurer's report. D Sonnenberg second. All in favor. Motion carried.

D Sonnenberg made a motion to approve the disbursements as read. R Sonnenberg second. All in favor. Motion carried.

Representatives from five (5) lakes were present to discuss high water issues. Those in attendance were from Loon, West Loon, Lake, Sybil Lake, Long Lake and Lake Seven.

Paul Bruhn, West Loon Lake, stated that there are concerns about high water issues on West Loon, Spirit, Loon, Lawrence, Sybil and Long lakes. Bruhn gave a brief history as to how this project started and got this far and stated that he was in contact with several people and found that he didn't want to work with a LID or Watershed. A partial study has been conducted by Houston Engineering and Bruhn explained the study (a copy is on file in the Town Office).

Bruhn stated that water has been 'stacking up' on the Sybil side of the culvert located in Sybil Lake Road; stacking up on the Sybil side of Glawe's driveway. The study suggests that a larger culvert be installed in the Sybil Lake Road and a control gate and then replace the culvert in the Freedom Flyer Road with a larger culvert. The control gate could be removed once the upper basin lakes were reduced to the ordinary high water mark.

Bruhn stated that he has looked into construction costs of the culvert replacement, which does not include engineering fees or permit fees. There are currently no funding mechanisms in place and is looking for ways to fund the project. Bruhn stated that currently, the high water issue is not a Long Lake water problem and does not want to impact Long Lake, but felt that Long Lake could handle more water.

George May, Lake Seven, questioned if environmental studies have been done.

Kip Nelson, Sybil Lake, explained the permitting process and that the permit must be originated by the property owner. In this case it would be the Township because they own the road right of way in which the culverts would be replaced. Once the permit application has been submitted, a 30 day review and comment period begins. During the

comment period, other governmental agencies are contacted with the scopes of the project and will give their comments and concerns. At the end of the comment period, a decision will be rendered.

Discussion was held regarding who has control over the project, whether it would be the Department of Natural Resources or the Corp of Engineers.

George Massey stated that whatever is done, the Town Board needs to take responsibility for the increased flow of water and the effects downstream.

Further discussion was held regarding the purpose of the control gate, who would control it, how it would be controlled, and size of culverts and how smaller culverts restrict water and acts as a dam.

Bruhn explained that two lakes have donated \$6,000 to begin the study, but the construction cost will be about \$20,000. Bruhn stated that he is there to ask Hobart to do the right thing by helping many people and to help fund the project. Bruhn stated that there are grant monies also available and that neighboring townships could be asked to join forces.

Dennis Mathiason stated that the culverts are not stopping or restricting the water flow. Mathiason stated that there is a 100 ft beaver dam stopping the water flow. The dam is located on the portion of the river in Danny Happel's property. Mathiason stated that the DNR does not want anything to do with blowing up or removing the dam due to the natural pipe line located in the vicinity. Mathiason stated that 3 to 4 times a year, he goes to the beaver dam and busts a hole in the dam to allow more water to flow out. Mathiason stated that there are actually two culverts that flow under Co Hwy 36, one is well known and one is not known about and is hard to find, but is flowing steadily. Mathiason stated that if the beaver dam is not taken care of, Long Lake will see high water that they have never seen and adding more water will be disastrous.

Rich McCrady stated that he has spent many hours talking to people at the County level. However, the County officials have much larger water issues to deal with. McCrady felt that Co Hwy 36 and Little Rice Lake needed to be added into the equation.

Further discussion was held regarding including the lakes down stream and the effects on those areas if the water flow is increased.

McCrady stated that everyone needs to be mindful and respectful of their neighbors, and suggested that the permitting process go ahead, which would trigger the review and comment period and once more information has been received, then the Township could decide whether or not the project should go ahead. McCrady further stated that the DNR is well aware of high water issues in the State and that it does not pertain just to our area. Massey stated, that from his research, the University of Minnesota does not know why the water levels in the lakes are rising and cannot explain it. Massey stated that if there is somebody that can explain the water issue, someone should produce that person.

Gary Hauson commented that the water cannot flow out of Long Lake any faster because everything downstream is full and cannot flow fast enough.

John Dermondy stated that everyone could meet for months and not accomplish anything. If the DNR is in charge of okaying the permits, the DNR would dictate what would happen downstream. Dermondy suggested putting together a task force with the lake associations and townships to work together on a solution.

George May stated that he did not know the scope of the project before the meeting and sees things a little differently now. May comments that there are concerns about invasive species, which may already be too late to control and further comments that Lake Seven has been steadily flowing into Rose, which flows into Long.

Roger Boe, Lake Seven felt that there is not enough lake data as to the water elevations referring to dry cycles and wet cycles.

Scott Lovaason felt that the Sybil Lake Road culvert is restricting the water flow and that since the culvert belongs to the Township, the Township should be replaced with a bigger one. R Sonnenberg commented that the culvert was installed by the Corp of Engineers, not the Township. Nelson stated that once the permit is applied for, the Corp would get involved.

Neil Strawhorn, Loon Lake, stated that if there was a control gate, there would be '0' impact down stream and felt that the Board should finance the enlarging of the culverts.

Massey stated that all lakes act as reservoirs whenever the water depth changes. Massey further stated that if someone builds at the edge of a reservoir, it is a man made problem.

Nate Welte, Township Attorney, stated that he was present to look for perspective liability issues for the Township. Welte felt that more studies need to be done and that the Township could ask what would happen down stream. If a permit is applied for, then all governmental agencies will get involved. Welte also felt that due to the impact of the proposed project, it would affect more people than present at the meeting and that more notice should be given for more meetings and that other townships should get involved. Financial impact must be looked at and how the project will be funded.

McCrary stated that if the Board goes ahead with the permit, that does not mean that the project must be completed.

Bruhn stated that the Township needs to initiate the project but felt that it would have more impact if all the lake associations involved would also sign the permit.

Welte stated that the Board could agree to the permitting process, which has no liability, and make a final decision once the study and review have been completed. This would also show who has jurisdiction over what and then the Board could make a final decision

as to whether or not the project should go forward.

Jeff Stabnow, Township road engineer, felt that a minimum distance down stream should be set to include in the study. Stabnow referred to the water line on the Black Diamond Road bridge, which indicates that the water on the river was two (2) feet higher than it is now.

R Sonnenberg made a motion to begin the permitting and review process and once the permitting and review process has been completed and the outcome of the permitting and review process have been reviewed by the Board, the Board could then decide on whether or not to have the project done, with the stipulation that the township road engineer be involved with the permitting and review process. D Sonnenberg second. All in favor. Motion carried.

Mike Mikula was present to discuss his approach situation. Mikula stated that he had been given permission to install the approach six (6) years ago, but just got the project completed. Mikula stated that at the meeting six (6) years ago, he came out of the meeting with the understanding that as long as the culvert was the right size, he could go through with the project and did not need further approval. Mikula stated he then got a letter from the township attorney saying he either had to remove the approach or properly sign it because of potential liability issues. Welte explained the order of events from the initial letter to presently what is happening with the approach status.

Discussion was held as to liability to the township if the approach were left in its location, state signing regulations, speed limits, site distances, regulatory signs and discretionary signs. Mikula stated that he would be willing to pay for the signs and installation of the signs.

R Sonnenberg made a motion to allow the approach to remain in its location providing proper signage be installed according to the suggestions of the township's road engineer and that the signs be installed by the Township's contractor and the cost of the signs and installation be billed to and paid by Mikula. D Sonnenberg second. All in favor. Motion carried.

Due to the length of the meeting, it was the consensus of the Board to review the approach permit and policy draft at the next meeting.

Scott Manthe explained that there is one year round home on his development with another one to begin construction soon. Manthe requested that the Board take over maintenance of the road.

Discussion was held as to the condition of the road and whether or not it met the road specifications of the Township. The Board will set a date to meet at the development and review the condition of the road and once the road was brought up to specifications, the Town could take over the maintenance. R Sonnenberg made a motion to pass a resolution to accept the road as a town road once it met all specifications. D Sonnenberg

second. All in favor. Motion carried.

Discussion was held on the damage that Munter did to Long Shore Trail. The clerk is to send Munter a bill for gravel, dust guard, Supervisor's time and contractor's time to repair the damages.

Discussion was held regarding what road work needed to be done and update on existing projects. D Sonnenberg made a motion to gravel the portion of Rice Lake Road from Lenius's to the minimum maintenance road. R Sonnenberg second. All in favor. Motion carried.

Stabnow gave an update on the Kent Adam's road, ineffective signs, a new bill making townships exempt from sales tax and deadline changes for sign reflectivity compliance.

Since there was no further business to come before the Board, Hockett adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Debi Moltzan,
Clerk