

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**OFFICIAL SPECIAL TOWN BOARD MINUTES**  
**September 6, 2022**

The Board of Supervisors of the Town of May convened a special board meeting on Tuesday, September 6, 2022, on-site of a proposed cartway. The meeting was at 13433 St. Croix Trail N. Town of May, MN 55082. The meeting time was 3:00 p.m.

Those present included:

Supervisor John Adams  
Supervisor John Pazlar  
Supervisor Steve Magner  
Clerk Bobbi Hummel  
Town Planner Nate Sparks  
Engineer Mark Erichson  
Attorney Dave Snyder  
Attorney David Sienko  
Attorney Devon Holstad  
NPS Nancy Snouffer  
Property Owner Jim Hoy  
Property Owner Andera Jungman  
Appraiser Laurie Kamer  
Richard Dana, owner of neighboring property

Notice was posted on the township's website and at the Town Hall more than 72 hours prior to September 6, 2022 for the public to attend.

The sole purpose of this special meeting was to view the site of a proposed cartway in May Township.

Dave Snyder encouraged notes and questions. He questions if the planned boundaries are based on the petition or if a person will be out to illustrate them for the group. Devon Holstad comments that it should be gathered based on the petition. The goal is to see the area in question and understand that the cartway is roughly aligned with the existing roadway although there is a debate about the width of the cartway, 33 rods wide or something less than that.

Dave Sienko speaks as the attorney for the respondents, Jungman and Hoy. Their position is that the property with the cartway needs to be 2 rods wide by statute and they can not stipulate to a different width any more than they can stipulate the width of Hwy 494 or Hwy 95.

Devon Holstad states there is a difference between the land for the cartway and (*inaudible*). Even if the cartway itself is 33 feet wide no improvements are being asked for by the petitioner.

Appraiser Laurie Kamer asks Engineer Mark Erichson if, in his opinion, he believes a safety or emergency vehicle could get through on the current driveway to the Jungman/Hoy property. Erichson responds “No, I don’t”. Laurie confirms there is a large storage garage on the property and there is a home closer to the river. She asks if she has access to go inside the buildings and explains it is for the appraisal.

Nancy Stauffer with National Park Service requests to take pictures.

A sign-in sheet is started by David Sienko. Everyone walks down the driveway towards the river to where the proposed cartway is requested.

At the site of the proposed cartway Devon Holstad points out that about 2 feet into the brush from the edge of the driveway is the edge of petitioner’s property. They would be using the cartway as place to park their cars. Mr. Holstad does not believe any trees need to be cut down and nothing needs to be paved and improvement of gravel would not be necessary. Only some brush would need to be cut.

Steve Magner asks with the increase traffic/usage is there potential for erosion without improvement to the topography. Jim Hoy acknowledges that that is a possibility.

Laurie Kamer asks about current maintenance on the driveway. Jim Hoy does the maintenance for the driveway himself. He drags the driveway and rakes it. It takes gas and his time. He does not hire a company to do it. Jim Hoy states they use the property year-round and for storage. They do not use the property a whole lot in the winter but do walk down to the river. They do not plow the driveway. His kids sleep in the living space all the time. He does not know the age of the pole barn.

A question whether or not the cartway could be placed closer to the road is raised. Mr. Holstad does not believe an alternate site has been proposed and also believes this location to be the best as there would be no need to cut down trees. They currently gain access through an easement that was property of the boy scouts but is now owned by the National Park Service. There is a driveway (where Richard Dana and NPS properties meet) about ¾ mile away. The walk in requires traversing through a gorge on the north side of the property. There is no other access.

Mr. Holstad confirms that if the cartway is granted he would never bring a trailer here. They would use a tent.

The group proceeds to walk through the area of the proposed cartway to view the gorge and get a better feel for the area. The petitioners property line is at the south end of the gorge. The petitioners currently hike through the gorge to get to the property. Mr. Holstad reports the property is 2.2 accessed acres. The property was divided/broken off from the boy scouts in the 1940’s or 1950’s, potentially before that.

Steve Magner questions if the cartway goes through, would the petitioners be able to bring equipment in to do maintenance on the cartway and any necessary work that may need to be done

on the property. If damage occurs on the cartway Mr. Holstad stated the cost to fix the cartway would be split between the petitioner and respondents. David Sienko, respondent's attorney, disagrees with that statement and says they can discuss that later. Magner asks if maintenance on the cartway could be addressed with the establishment of the cartway. Dave Snyder states that it is not part of the statute. Mr. Holstad suggests that the town can establish maintenance responsibilities. David Sienko disagrees. Dave Snyder suggests each party sharpen up their arguments on this issue for the board.

Mr. Holstad states again they have no proposed use of the property. The only request is the cartway access. If changes were to happen at a later date, Mr. Holstad confirms, there would need to be variances.

Laurie Kamer reviews the information she received from Washington County regarding possible building on the site. Due to no road frontage and current board rules this site does not allow for building. From Washington County's perspective, an easement could count as road frontage but the road has to be capable of supporting emergency vehicles. Petitioners position is that this is not necessary as they are not asking for that. He states there are no plans to build on this site beyond what would be allowable, he acknowledges that the NPS would have a say, the town and county would have a say as well.

The group walked to the river side of the property and then back out to the living space of Jungman/Hoy property near the river.

Andrea Hoy confirms the living space on their property has spring water.

Laurie Kamer asks to go inside the living space for the appraisal. The petitioners denied the request but say she is able to take any outside measurements of the building. Mr. Holstad asks if they are refusing access, Mr. Sienko states they are not refusing access to the property, but are refusing access to the interior of the property as this is not discovery.

Mr. Richard Dana opened access today to his property/driveway for anyone interested in seeing the lot that petitioners currently park in to gain access to their property. If not today, the board would need to request permission from Mr. Dana again prior to visiting the site.

With no other questions, this meeting is continued next week with the initial damages estimate.

Submitted:

Approved:



Bobbi Hummel  
Clerk/Treasurer



John Adams  
Board Chair