

MINUTES OF CLITHERALL TOWNSHIP BOARD

June 4, 2009

EAGLE LAKE LUTHERAN CHURCH

6:00 P.M.

The first June meeting of the Board of Clitherall Township opened at 6:15 p.m. with the Pledge of Allegiance, led by Chairman Donald Davenport.

Board members in attendance included Donald Davenport, Lyman Trutna, Dallas Grewe, and Polly Berg. Treasurer Berg recorded the minutes of the meeting in the absence of Clerk Jan Eitzen.

The supervisors reviewed the minutes of the May meeting. Trutna made a motion, seconded by Grewe, to approve the May minutes as written. MPU

Trutna made a motion that the Township payoff the outstanding loan issued to the General Fund in May 2007; seconded by Grewe. MPU This loan payoff (in the principal amount of \$7,500.00 plus accrued interest) will be part of the claims approved later this month.

Battle Lake Motor Patrol Report: Grewe discussed matters brought up at the annual meeting held on Tuesday, June 2nd. He indicated the BLMP is in a lot better shape now – less problems with retaining drivers (workforce is stable). Another topic of discussion included having the BLMP provide ditch mowing services. During the past year, they also put a new bookkeeping system in place, which allows the BLMP to accurately break down exact costs for the motor grader.

Fire Department Report: Trutna indicated that there is nothing new to report, but that the parties are still working on finalizing the terms of the contract. JJ Kline is going to review the statutes to see what alternatives are available (other than tax capacity) for determining the costs to be shared by the parties to the agreement. The next meeting will be the 24th of June at 7:00 p.m.

Road Report: Trutna talked about current problems with various roads, such as 183rd which has a busted culvert. He suggested that the supervisors conduct a road inspection to inspect the different culverts and identify the location of those which need to be repaired/replaced. The supervisors scheduled a road inspection on June 8th at 5:30 p.m. to finalize the list of culverts that need to be repaired. The supervisors will meet at Davenport's home.

Davenport proposed an alternative date for the joint meeting with Nidaros Township (currently, the supervisors plan to attend Nidaros' monthly meeting on the 10th) to discuss the town line agreement. A tentative meeting will be scheduled for Wednesday, June 17th, at 7:00 p.m.

On one area of Country Estates Road, there are tree stumps that were apparently buried under the blacktop. This last winter pushed some of them up and, when the frost went out, the stumps didn't go back down in the road. Davenport indicated that the Township will have to dig them out and fill the holes with recycled asphalt before the Township undertakes the sealcoating of this road.

Gravel Bids: The Township placed an ad for bids. The supervisors did not receive any written bids in response. Trutna indicated that George Heifort gave him a verbal bid. A bid was received earlier from Balgaard. Don Schmidt apparently submitted a bid, but it has not yet been received by the Township. The supervisors will open gravel bids on June 8th at 8:00 p.m. at Eagle Lake Church and will discuss the culvert situation near LaVay Thompson's property. Trutna and Stabnow plan to meet with her tomorrow to attempt to locate the culvert and determine if, in fact, there is a concrete or metal culvert in place ... or no culvert at all. Discussion followed as to other options that might be considered to eliminate or alleviate the current water problem affecting her property.

Engineer's Report: Stabnow presented an application to the supervisors for review and approval. Trutna made a motion to proceed with the application to local, state, and federal bodies (Township, DNR, Corp of Engineers) requesting permission to fill wetlands consisting of an area of approximately 40,000 square feet. Grewe seconded the motion. MPU

FEMA: The Township has applied for funds related to road repair which was required as a result of spring flooding. No word has been received yet in response to its application.

Antler Lane Culvert Installation: Davenport reported that this work, the installation next to the Farr property, is now complete.

Antler Lane Remainder of Road Projects: Stabnow reviewed a map of affected properties in light of discussion of necessary road moves. Davenport noted that if any proposed road moves include moving out of the existing right-of-way, we'll need to get updated legal descriptions before a hearing can be held. If the road is moved and built up to spec, Trutna indicated that the cost should be borne by the Molitors – that is, they would benefit as a result by ending up with buildable lots. Setting a hearing on Antler Lane will be postponed until our next meeting.

South Clitherall Lake Road: The Board discussed the proposed curve moves along this road. Pete Boyum indicated that there is another property owner, Andrea O'Connell, who obtained an easement from him and another property owner to access her property. That property would also need to be considered in making any road moves. Davenport indicated as to all four curves, he talked with appraiser Terry Davis, asking him what the road changes would do in terms of value to the affected properties. Davis estimated it would cost about \$800 per parcel to do an appraisal as to the road moves which would affect the Boyum, Lundby, Johnson, and Didier properties. LaVay Thompson questioned the reasoning behind the proposed road moves. Davenport

indicated that paving of South Clitherall Lake Road has been an issue discussed for many years (even when/before Pete Boyum was on the Board); the road needs to be “corrected” before any paving could be considered. Often times, the road is in poor condition and is a heavily traveled road. He noted that the volume of traffic will likely increase as a result of new development in the area. Grewe made a motion to go out for bids on the cost of an appraisal; seconded by Trutna. MPU

Meeting with Didier and Bill Kalar on Curve 4 of South Clitherall Lake Road: The supervisors are scheduled to meet with property owner Didier and Bill Kalar tomorrow, June 5th, at 9:00 a.m. The property owner is applying for a permit to build a house and is meeting with Kalar to view the building site. He did already go through a hearing to obtain an after-the-fact variance to fill his basement, which was approved.

Amy Klobuchar Grant Update: Davenport called Klobuchar’s office and was told they had 150 applications for money. The amount of money will fill maybe 15 or so of them. He was given no indication of the status of the grant awards and was not given a timetable for when the decisions will be made.

Crane Lake Drive: Letters were sent to the seven property owners and one to an attorney representing one of the property owners. Nate Seeger has not received a response from that attorney (who apparently has been out of the office due to illness). The Board hopes to have further information on this issue by our June 18th meeting.

Letter to Church Concerning Election/Stew Feed: John Olson was present and indicated the council felt strongly that the date on which the Stew Feed is held annually should not (and will not) be moved. He said they are willing to work with the Township to do what is necessary to make it work, holding both events on the same evening. Discussion followed about some of the problems faced by the Township in holding an election on the same night. Davenport indicated that the issue of building our own Town Hall will be brought up at the summer recess meeting of the Annual Meeting scheduled for Saturday, June 20th, at 9:00 a.m. Another option the Board is considering is moving its meeting location to another site.

Gravel Committee: It is not known at this time if anyone has stepped forward to volunteer to serve on this committee. Trutna indicated the only one he knows of who has indicated an interest is LeRoy Anderson. He noted there may be a potential conflict if Balgaard decides to take gravel from Anderson’s gravel pit.

Discussion followed on the quality of gravel purchased in the past and what the best product may be for our roads. Clinton Bengtson suggested that we tar all of the Township roads. LaVay Thompson asked what the traffic count has to be to “trigger” the tarring of the road. Davenport indicated that there is no magic number, and that counts in the past have been taken over a certain period of time to ascertain volume. The Township does not own a counter of its own, but has borrowed one from the County. Further discussion of the Committee makeup will be discussed following the opening of gravel bids on June 8th.

Clinton Bengtson said that he has seen some of the gravel provided by Don Schmidt and believes it is excellent. Davenport indicated that we've used some of his gravel on Trefoldighed Road in the spring and thinks it has turned out okay.

Publication of Grass Cutting Bid: The supervisors will discuss this topic at the meeting on June 8th.

Statesboro: Grewe indicated that the County cannot get out to the location until later this year since things are too busy right now. They are willing to come out and look it over to get the project ready.

Molde Application for Driveway/Approach Permit: The Board discussed the application for an approach received from this property owner. The property owner wants to keep the existing driveway and put in a new, wider one. Davenport noted that, in the Township's driveway specs, it specifically provides that one cannot have two approaches or a circle drive. The reason for not having a loop is that it creates two driveways per mile. Grewe noted that it costs money to maintain two approaches, and safety also becomes a concern. The supervisors will inspect the site on Monday before making any decision on the request. Payment submitted with the application will be held until after the site is inspected.

Update on Sealcoating: Davenport indicated we went in with the County to get a lower quote on sealcoating. The bid for Clitherall Township came in at approximately \$96,000, which includes sealcoating of North Clitherall Lake Road, Front Street, Quartz Road, 189th Street, Country Estates Road, and 190th Street. Discussion followed on applying a cold mix where necessary. Grewe indicated cold mix is usually more flexible than a hot mix, and it could be purchased through the County and billed to the Township. Aztec is the contractor from St. Cloud who will do the sealcoating on behalf of the County and Township. This work will be undertaken sometime this summer.

Westwood Drive: Inslope did not meet specs from the shoulder to ditch in a certain area; supervisors will inspect the location (100 to 150 feet) to ascertain what needs to be done to fix the problem.

Update on Battle Lake Annexation Issue: Davenport indicated that the City Council has decided they don't want to participate in a Joint Powers Agreement essentially because such an agreement would put a stop to annexation. They will discuss the issue, as well as the grant process for funding expansion of water/sewer, at their next meeting. Davenport made a suggestion to the City to hold a joint planning meeting between the City and townships. Motion was made by Grewe that the Township participate with Battle Lake and Everts Township in joints meetings to consider long range planning; seconded by Trutna. MPU

Planning and Zoning: Grewe discussed the makeup of the Committee with attorney Seeger. Seeger suggested that each supervisor select two individuals to serve and,

further, that there be one person from Board on such Zoning Committee. On the issue of salary, Davenport investigated what the County does. They have standing committees whose participants are paid a stipend (e.g. Board of Adjustment) for being a part of such committees. Clinton Bengtson indicated that he volunteered to participate on this Committee and that he is willing to do so without compensation.

Davenport gave a brief summary of his recent survey of other townships and where they are at in the zoning process.

Town Hall: Trutna will work with Jan to get estimates and finalize a proposal for presentation to voters. Estimates will be for a pole-barn type of structure. They plan to meet early next week in anticipation of the recessed Annual Meeting/Summer Informational Meeting to be held on Saturday, June 20th, at 9:00 a.m.

At our next meeting on the 18th, the supervisors will set a date to inspect road signs, making a complete list for the County. The Township will have the County place the posts, but the supervisors will then affix the necessary signs.

On a motion by Trutna, seconded by Grewe, the meeting was recessed at 10:15 p.m. to Monday, June 8th, at 5:30 p.m.; it will further be recessed to the joint meetings with Nidaros Township on June 10th at 8:30 p.m. and June 17th at 7:00 p.m.; and then to the second regular monthly meeting on June 18th at 6:00 p.m. MPU

Polly Berg
Acting Clerk

MINUTES OF CLITHERALL TOWNSHIP BOARD
Gravel Bid Letting Meeting
June 8, 2009
EAGLE LAKE LUTHERAN CHURCH
8:00 P.M.

Don Davenport opened the Gravel Bid letting meeting at 8:05 p.m. Lyman Trutna opened the following bids:

Balgaard Services	\$7.20/yard
Don Schmidt Excavating	\$7.50/yard
George Heifort	\$7.35/yard + Fuel Surcharge if fuel goes over \$3.00/gallon

Prior to making a motion, Trutna called Harlan Balgaard to verify the specs with him, based on quantity of 5000 yards and specified a 30 day delivery of the gravel.

Trutna made a motion to accept the bid of Balgaard Services for \$7.20 pending proof that the gravel meets the Class 5 Modified as follows: Percent passing No. 200 sieve changed from 3-10 to 8-15. This binder, minus 200 sieve, shall be clay, not silt or black dirt. Proof is required that the rock be fractured. Davenport 2nd the motion and the MP/U.

Davenport made a motion to recess the meeting and Trutna 2nd. MP/U at 9:10 p.m.

MINUTES OF CLITHERALL TOWNSHIP BOARD
June 18, 2009
EAGLE LAKE LUTHERAN CHURCH
6:00 P.M.

Davenport opened the meeting at 6:40.

Board members in attendance included Donald Davenport, Lyman Trutna, Polly Berg and Jan Eitzen.

Christensen presented a bid to rebuild 405th Ave from 189th St. North 2500 feet to a point approx. 300 feet from north of Rix Driveway. The bid is a range of \$76,609.52 to \$88609.52. (Some savings may be realized in the earthwork bid depending on what is found in the road.) Davenport stated that the board has applied for grant money. Davenport will discuss this bid and the town line agreements with Nidaros at next Nidaros town meeting, scheduled for July 8 at 8:30. All supervisors plan to attend the Nidaros meeting. The board discussed the specifics of the road rebuild. Trutna suggested they might want to increase the size of the culverts.

Davenport responded to the minutes from the Battle Lake City Council meeting published in the Battle Lake Review. The statement read that "*Davenport threatened legal action if City should proceed with annexation.*" Davenport clarified that he and Mayor Reeves discussed that it didn't make sense spending a lot of funds on legal representation fighting each other and suggested that instead they work together. He did not threaten legal action.

The board signed checks for the bills, checks number 4143 through 4163. Motion by Trutna to approve the Treasurer's report. 2nd Davenport. MC/U

Crane Lake Drive

Our attorney has been in contact with the property owners. One of the property owners stopped in to talk with Seeger and gave him some history on the road. She is in favor of the moving the road. Two other property owners have been in contact with Seeger through their attorney's. One has not responded and Seeger will try to contact them. In general, progress is being made toward resolving the situation.

South Clitherall Lake Rd

Davenport placed a call to verify the appraisal cost. He confirmed that the appraisal is \$400 per parcel, \$800 total. Once the appraisals are complete, payment of damages will be determined and letters will be sent to property owners.

Molde Variance Requests

The board received a notice that the resident is requesting a setback from the high-water mark. The board has no concern about this variance.

The board also received a request for a second approach to his property. There is an approach policy that doesn't allow a circle drive and two approaches. Motion by Trutna to deny the request for a second approach. 2nd by Davenport. MC/U. The board would like a letter written to the resident stating that he may widen his current approach or move his approach to a new location, but his request for a second approach is denied. If the resident wants to make changes to the current approach, he will need to submit a new request.

Zoning Ordinances

The board is responding to two letters received from resident's regarding the proposed zoning of their properties.

Davenport also surveyed other townships to see which ones also have ordinances. A survey was sent to all township in the county. Of the 35 survey responses received, 18 did have ordinances, 14 did not and 3 were in progress.

The board will be advertising in this week's Battle Lake Review asking for volunteers to participate on a Zoning Advisory Committee.

Gravel

The board did not receive any responses to its request for participants on a gravel committee.

The board will prepare and sign the agreement with Baalgard regarding the accepted gravel bid.

Townhall

The board discussed information regarding a townhall to be presented at the recessed annual meeting.

Duetsche Addition

The board mentioned that a hearing needs to be scheduled for this road move.

Mowing

The board wants to accept bids for mowing. Lyman will ask Cordes and Macheledt to submit bids.

Road Inspection

Culvert Repairs

Trutna and Eitzen scheduled a road inspection to inventory culverts for Saturday, immediately following the annual meeting.

On a motion by Trutna, seconded by Davenport, the meeting was recessed to June 22, at 6:00 p.m. for road inspection and further recessed to Wednesday, June 24nd, at 7:00 p.m. for Fire Meeting. MP/U

/s/

Jan Eitzen

Clerk, Clitherall Township