

MINUTES OF
CLITHERALL TOWNSHIP BOARD
APRIL 17, 2008
EAGLE LAKE CHURCH
7:00 P.M.

Meeting was called to order at 7:15 P.M. by Chairman Don Davenport. The meeting opened w/the Pledge of Allegiance, led by Chairman Davenport. All board members present.

The Treasurer's Report was approved on a motion by Lyman Trutna. 2nd by Dallas Grewe. M/CU.

The Minutes of the March meeting were approved on a motion by Dallas Grewe. 2nd by Lyman Trutna. M/CU.

COMMITTEE REPORTS:

MOTOR PATROL

Price of fuel increasing. May cause a raise in rates.

Snowplows put away.

Grading has begun in Clitherall Township.

FIRE DEPT

Contract may be renegotiated.

New rates based on property valuation.

ROAD AND BRIDGE

Road inspection needs to be done as soon as possible so graveling can begin.

Ditch problem on Quartz Road will be corrected as soon as permits can be obtained.

Culvert should be replaced on 160th, as well as moving the road about a foot.

ENGINEER'S REPORT

Threshold on road projects requiring bids:

Formerly requiring a quote was \$10,000 is now \$25,000.

Jobs formerly requiring bids beginning at \$50,000 has been expanded to \$100,000.

Also included in a road inspection will be inspection of survey work done last fall.

Sky Hawes inquired as to a Hearing date for Klar-Jo Road. That Hearing is currently scheduled for May 22nd at 6:30 P.M. Due to a conflict with meetings regarding local economic development held in Battle Lake, the date of the Klar-Jo Hearing must be changed. A joint meeting open to the public will be held on May 22nd.

Clinton Bengston suggested the township meetings be held at 9:00 P.M. since this township is primarily zoned as Agricultural. He also suggested a line-by-line review of the proposed zoning ordinance, even if a meeting goes on until 2:00 A.M.

Dallas Grewe defended the concept of zoning. Grewe, referring to zoning: "It's coming, so let's work together on this process." Dallas Grewe asked Clinton B to read the entire proposed document, and try to understand the concept of the document. Agreement with each and every issue involved is not required. Don Davenport said the board is asking for input and will make changes as required. Clinton Bengston said he'd rather deal with county gov't than with township gov't. , so let the county write zoning laws. Don Davenport feels the township can get ahead of the county on these issues.

The Westwood Drive Hearing is scheduled for May 8th. This is for blacktopping Westwood Drive south of state highway #210.

The Clerk was directed to contact Davis Appraisals to determine R/W issues and benefits received for blacktopping on Westwood Drive.

The Joint Powers Agreement w/Girard Township at the end of 402nd St. and Statesboro Drive was discussed. This agreement is for blacktopping this road. Those residents in Girard Township are landlocked, and will also be assessed for this project. Those residents with property on the township line will be assessed according to percentage of property in their respective township(s).

Sky Hawes had questions regarding the legal process and timelines involved in blacktopping Klar-Jo Road.

A meeting for historians of individual townships w/in Otter Tail County will be held April 22nd at Otter Tail City at 8:00 P.M.

Zoning issues were then discussed. Al Boyum spoke of state regulations in regulating dairy, and other livestock operations. Operations of over 300 head is treated differently than operations of under 300 head. Peter Boyum asked about the zoning regulations in Stearns County. Al Boyum said he feels that the township definitely must protect its ag community, especially animal ag. Lyman Trutna said that this area (township) must be prepared for growth. Al Boyum added that, according to state regs, an animal ag operation must have enough land to dispose of animal waste (manure). Don Davenport addressed the county's stand on a plumbing code: According to the county, if our twp wants to enforce a plumbing ordinance, which the county does not have, then the twp can take over enforcement of all of the shoreline management issues in the twp. So the board feels it should back off on the plumbing requirement. This board has no ambitions to be involved w/shoreline management.

Al Domke suggested the board take a look at which types of land use are not compatible, and which are not. Al Domke feels that zoning would prevent

incompatible. Peter Boyum suggested that some pasture land and animals currently is accessible to lakes in the area. Don Davenport said he'd like to get the zoning document completed at the end of this year, to prevent possible intrusion by other municipalities with ideas of possible annexation of this township. The number of "animal units" allowed is not clear in the current version of the document under discussion. This must be clarified. Al Boyum said some of the areas zoned need to be re-examined to determine what the actual land use currently is, and, under the proposed ordinance, should there be some alterations to the current plan? Don Davenport agreed there probably should be. Al Domke spoke of his experience where a new housing development built near airports sued the airports for noise pollution. The same could happen with a development near a feed lot. So that's the reason for trying to prevent "incompatible development." Al Boyum agreed. Peter Boyum expressed his opinion that the entire township should be zoned agricultural, as it currently is, with residential and commercial areas identified, and try to simplify the ordinance. Don Davenport posed the question, "What would the criteria be to deny a business of some sort near a housing development?" His point is that, without an ordinance, nothing can be enforced. Peter Boyum feels that this township is not conducive to large animal operations. "It's just not going to happen." Al Domke expressed his view that businesses of various types can coexist with people and housing, if there's some type of a zoning plan in place.

At this point, Don Davenport felt that there needs to be additional planning meetings, with input from local citizens. Lyman Trutna agreed that input by voters of the township is needed to put together this ordinance.

A road inspection will take place on Wednesday, April 23rd, at 5:00 P.M. beginning at Don Davenport's home.

Community Growth Institute has a proposal to administer the township ordinance. Don Davenport feels that a local person should administer the ordinance. CGI is willing to administer the ordinance at three levels at three different costs. The Clerk is directed to ask Ben Oleson of CGI to address the board at the May 15th meeting to address what costs/services are offered.

Don Davenport spoke of Economic Development agreement w/Battle Lake. Meeting is scheduled for May 22nd.

A contract w/Engineer Jeff Stabnow regarding liability insurance options. Stabnow has not heard back from the insurance company as of yet.

Hearing for Klar-Jo will have to be set at a different date due to a conflict w/the Economic Development meeting in Battle Lake on May 22nd.

A recessed meeting will be held on Thursday, May 1st at 7:00 P.M. at Eagle Lake Church to discuss zoning issues as well as the Joint Powers Agreement w/Girard Township.

A motion was made by Dallas Grewe to pay the bills, beginning w/check #3844 and ending with check #3865. 2nd by Lyman Trutna. M/CU.

Motion made by Lyman Trutna, seconded by Dallas Grewe, to transfer \$5,000.00 from the Road and Bridge Fund to the General Fund. M/CU.

Agenda items for the recessed meeting: (1) Antler Lane rebuild; (2) Town line agreement between townships.

An additional item of business: The Clerk, J. Bruce Larson, submitted his resignation from the Clitherall Township Board, which will be considered by the board at the next meeting.

At 11:00 P.M., a motion was made by Dallas Grewe to recess this meeting until Saturday, April 19th at 9:00 A.M. at the Girard Twp Hall to discuss a Joint Powers Agreement w/Girard Twp. Further recessed until, Thursday, May 1, at Eagle Lake Church at 7:00 P.M. 2nd by Lyman Trutna. M/CU.

J. Bruce Larson, Clerk
Clitherall Township

CLITHERALL TOWNSHIP
MINUTES OF JOINT MEETING
W/GIRARD TOWNSHIP
APRIL 19, 2008 9:00 A.M.
GIRARD TOWNSHIP HALL

A joint meeting w/Girard Township was called to order by Girard Supervisor Duane Olson at 9:10 A.M. on Saturday, April 19, 2008 at the Girard Town Hall. Clitherall Township board called to order by Chairman Donald Davenport at 9:11 A.M. All Clitherall Town Board members present except Treasurer Polly Berg and Supervisor Lyman Trutna.

A draft copy of the Joint Powers Agreement was distributed and discussed. Girard Twp has one individual that may have an issue with Girard Township right of way. Various aspects of the agreement were discussed, and the draft of the agreement appeared to be in order. It was agreed that a Joint Hearing will be held at a neutral site, probably at Battle Lake City Hall. A motion was made by Girard Supervisor Jim Trites that the Joint Powers Agreement be accepted upon approval by Attorney J.J. Cline. 2nd by Duane Olson. M/CU.

Clitherall Township Board Chairman Donald Davenport spoke of the Battle Lake Economic Improvement Plan, and local townships' involvement with this organization.

Girard township recessed at 10:10 on a motion by Jim Trites, 2nd by Duane Olson. M/CU. Clitherall township recessed at 10:11 until May 1st at 7:00 P.M. at Eagle Lake Church on a motion by Davenport, 2nd by Grewe. M/CU.

J. Bruce Larson, Clerk
Clitherall Township

CLITHERALL TOWNSHIP
MAY 1, 2008
EAGLE LAKE CHURCH
7:00 P.M.

The meeting was called to order by Chairman Donald Davenport at 7:15 P.M. Board members absent were Supervisor Lyman Trutna and Treasurer Polly Berg.

Chairman Davenport received a call from the OTC Sheriff's office this P.M. concerning a citizen complaining of his mailbox being knocked down by the Battle Lake Motor Patrol. The citizen claimed that his mailbox had been knocked over by the snowplow on other occasions, and that it appeared the mailbox had been knocked over deliberately. Chairman Davenport informed the sheriff's office turn the complaint over to the Battle Lake Motor Patrol.

The Joint Powers Agreement w/Girard Twp was discussed. Att'y Nate Seeger has reviewed the tentative agreement, and sent it, along with any suggestions for change, to Girard Twp's attorney, J.J. Cline. The attorneys will work out any complications.

Engineer Jeff Stabnow dicussed the revisions to the contracting limits, which takes effect April 17, 2008, which raise the thresholds for bidding process for road construction. The \$10,000.00 limit for direct hire went to \$25,000.00; the threshold for sealed bids went from \$50,000.00 to \$100,000.00. This is found in SF 3622 and HF 3646, and was signed by the governor.

The Joint Power Agreement w/the Battle Lake Fire Ass'n was discussed. According to township's counsel, Nate Seeger, the current agreement appears to be in error. Att'y Seeger will contact M.A.T. attorneys for clarification.

MPCA sent correspondence to the board re the Battle Lake sewage process, and lagoon.

Engineer Stabnow reported on the Deutsch Addition which will be accessed by Campground Road. He has studied the area in question w/a road contractor. A preliminary plat is being applied for that will relocate Campground Road.

Engineer Stabnow also reported a "bottleneck" on Ditch #16 and North Clitherall Lake Road. This is causing high water on Clitherall Lake, as well as damage to North Clitherall Lake Road, and others two roads. The board may consider requesting an update of the culvert on North Clitherall Lake Road pending an engineering study.

A road hearing will be held on Thursday, May 8, at 6:30 P.M., on an improvement project for Hillside Estate. And appraisal perhaps will not be completed by then; consequently, a recessed, or second hearing will be held then. The main thrust of this meeting then, will be certifying the petition. Terry Davis Appraisals will look at the property in question on Monday, May 5, 2008.

A motion was made to appoint Jan Eitzen as Clitherall Township Clerk by Donald Davenport. 2nd by Dallas Grewe. M/PU.

J. Bruce Larson was appointed by Clerk Eitzen as Deputy Clerk of Clitherall Township, effective May 1, 2008.

J. Bruce Larson, Clerk
Clitherall Township

At this point, Chairman Davenport led a discussion of the proposed zoning ordinance, changes suggested, and input from citizens.

Fencing and animal units standards for Agricultural zoning were reviewed and modified. Donald Davenport noted changes.

Don Davenport described the zoning process. The zoning ordinances will be reviewed and modified first, then the map will be reviewed and modified. Then both will be reviewed and modified again.

Don Davenport informed the citizens about the upcoming meeting regarding proposed Redevelopment Authority. Some discussion occurred surrounding the topic of Redevelopment Authority.

Discussion resumed regarding proposed zoning. Donald Davenport solicited citizen feedback.

Citizens raised concern over ordinance 10.1.3 that states "The Zoning Administrator and their duly authorized deputies shall have the right to trespass, consistent with state and federal laws and precedents, within Clitherall Township

in the pursuit of their duties.” Don Davenport agreed to delete the statement from the ordinances.

Don Davenport informed the attendees that JobZ has been discontinued by the state.

A motion was made by Dallas Grewe to adjourn the meeting at 10:04. 2nd by Don Davenport. M/CU.

Jan Eitzen, Clerk
Clitherall Township