

CORINNA TOWNSHIP BOARD MEETING
Tuesday, November 15, 2011, 7 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Official Minutes

Present: Chairman John Dearing; Vice-Chairman Richard Naaktgeboren; Supervisor Chuck Carlson; Clerk/Treasurer Mary Barkley Brown; Deputy Clerk/Treasurer Jennifer Kemp.

Others in Attendance: Corinna P& Z Administrator Ben Oleson; Corinna Planning Commission Chair Charlotte Quiggle; Corinna Township Attorney Tim Young; Mel Dykhuizen; Dennis Dircks; Jeannine Dircks; Dave Levi; Sue Levi; Carter Diers; Orville Jonsrud.

Meeting Call to Order and Pledge of Allegiance was at 7:00 p.m.

November 1, 2011 Town Board Meeting Minutes: A motion was made by Naaktgeboren, seconded by Carlson, to approve the November 1, 2011 Town Board Meeting Minutes. Motion carried unanimously.

Agenda for the November 15, 2011 Town Board Meeting: A motion was made by Naaktgeboren, seconded by Carlson, to approve the Agenda for the November 15, 2011 Town Board Meeting, with the following additions: Impervious Lot Coverage; 11/15/2011 Revised Planning and Zoning Agreement between Wright County and Corinna Township for 01/01/2012 to 12/31/2014; Request to be on the agenda by Dave Levi; Tim Young Letter of 11/7/2011 to Robert Balogh, Jr.; Balogh Stipulation; 11953 Kramer Avenue NW Right-of-Way Violation; AEID Grant and Resolution 2011-18; Corinna Cemetery; Center for Rural Policy. Motion carried unanimously.

Recommendations from the Planning Commission Meeting of 11/09/2011:

#1.

Original Application: Variance to expand an existing nonconforming recreational campground to allow for up to 12 RVs, campers or tents at any one time and 20+ tents for camping 1-2 times per year.

Applicant: Cedar Acres Association

Planning Commission/Board of Adjustment Recommendation: The PC/BOA had recommended, based on the following findings of fact, the following:

Deny:

- Variance to expand an existing nonconforming recreational campground to allow for up to 12 RVs, campers or tents at any one time and 20+ tents for camping 1-2 times per year.

Approve:

- Variance to expand an existing nonconforming recreational campground to allow for up to 4 RVs, campers or tents at any one time.

3 – 4 conditions; 8 findings of fact;

Ben Oleson summarized the recommendations of the Corinna Planning Commission. He also stated that the Staff Report should have listed the condition that there be a 7 day limit for any one RV or tent, but it was omitted from the Staff Report to the Town Board.

Quiggle: The Planning Commission did not want to add the condition from Oleson and Wright Soil and Water regarding rain gardens. The Cedar Acres Association's Articles of Incorporation include improvement of the lake. It would be consistent with their stated purpose that they would add rain gardens. They currently mow right up to the lake.

Naaktgeboren: All but 4 or 5 properties on the lake have the same conditions currently.

Quiggle: I do not disagree, but we protect our shoreline one property at a time. I think you should go with the recommendation of Oleson and Wright Soil and Water.

Dearing: I don't agree with you. They already do more than most of the lake property owners do.

Carlson: What would you like to see, Charlotte? I do not see this as the same as ripping up and building on the lot.

Quiggle: Geese come and go in the lake. There is no buffer between the lake and the property.

Carlson: Have we ever asked anyone not to mow 30 feet from the lake?

Quiggle: I said 10-12'. We can encourage them to do this as a condition.

Dennis Dircks: We have not damaged the shoreline like the neighbors have. 90 % of the other people fertilize and there is no buffer. We do not fertilize. We have never cut a cattail. We understand that you have to start somewhere.

Quiggle: I've seen goose droppings – phosphorus – perfect for geese.

Dennis Dircks: There are not as many geese as on other lots.

Dave Levi: There are other issues: Wright Soil and Water, bathing – no facilities. When they wash their faces and brush their teeth – it goes directly into the ground and into the lake ultimately.

Naaktgeboren: RVs have holding tanks. The new RVs have showers and bathrooms in them. They can dump offsite. They are contained.

Levi: What about campers and tents? They don't have facilities to brush their teeth and wash. Soil and Water says there is a bathing requirement there.

Jeannine Dircks: My family brushes their teeth, showers and uses the bathroom at my home.

Levi: All families?

Jeannine Dircks: I speak for my family.

Naaktgeboren: Ever have a party at your house? I saw 6 parties with 100-150 people at Cedar Lake residences. Porta-potties can't keep up. I've inspected Cedar Lake properties on weekends. The sewers cannot keep up.

Levi: They recommend no more than a certain number of people using the sewer in a certain period of time. I have a dump station that goes into my septic. When you have 8 gallon RV tank – wastewater is going on the ground.

Dennis Dircks: No one is dumping.

Levi: I cannot prove anyone is dumping. The May 6 Ordinance makes specific reference to practical difficulties. I believe the recommendation from Corinna Staff were sewage, storm water management plan, setbacks, Soil and Water. Cedar Acres own covenants were not considered at all. In summary: Two units should be enforced. I encourage you to pass the Staff and Soil and Water recommendations. Have a trial period of one year to see if they can conform. In the past – they have not shown a willingness to operate under restrictions.

Jeannine Dircks: So the Boy Scouts cannot camp?

Carlson: That has not been decided yet.

Oleson: They are not allowed to camp in the motion by the Planning Commission.

Jeannine Dircks: I can't believe this – I am very saddened and so disturbed....I can't believe this is happening.

Naaktgeboren: A motion was made by Naaktgeboren, seconded by Carlson, to approve the Planning Commission's recommendation – but to add that fish houses may be included in the type of units and add that, if they meet the standards of and are approved by the MN Dept. of Health, they can have a total of 6 units at any one time (rather than 4). The motion includes conditions 1, 2, and 3 from the 11/11/2011 Staff Report. Add another condition – they leave a ten foot buffer that is not mowed, between the lake and the grass. Allow the natural vegetation to grow back in that ten foot strip, in order to minimize storm water run-off. Another condition is that there will be a designated contact person. The township will require an annual review of Cedar Acres Association of their compliance/non-compliance of conditions – for future use – by January each year. Covered trash receptacles need

to be removed weekly or better. The 7 day limit for any one unit will be enforced, as well. Fire rings to be no closer than 50 feet from the high water mark. This motion includes the findings of fact. Motion carried unanimously.

#2.

Original Application: Variance to construct 10' x 16' storage shed approximately 4 feet from a side lot line (min. 10 ft required), 55 feet from the centerline of a township road (min. 65 ft required) and 0 feet from a septic drain field (min. 20 feet required).

Applicant: Jerome Macmillan

Planning Commission/Board of Adjustment Recommendation: The PC/BOA had recommended, based on the following findings of fact, the following:

Approve:

- Side yard setback: 10' x 16' storage shed approximately 4 feet from a side lot line (min. 10 ft required)
- Road centerline setback: 10' x 16' storage shed approximately 55 feet from the centerline of a township road (min. 65 ft required)
- Septic setback: 10' x 16' storage shed approximately 0 feet from a septic drain field (min. 20 feet required).

[NOTE: The applicant noted that he would be moving the existing 7' x 7' storage shed to a location between the house and the septic system. This new location would meet required side yard, lake and road setbacks. Staff will be verifying with the applicant whether it will meet septic system setback requirements.]

3 conditions; 8 findings of fact;

Jerome Macmillan addressed the town board.

Oleson summarized the findings of the Planning Commission and the condition that existing landscape plastic be removed by July 30, 2012.

Discussion followed.

A motion was made by Naaktgeboren, seconded by Carlson, to approve the Planning Commission's recommendations, along with the 3 conditions and 8 findings of fact. Motion carried unanimously.

#3.

Original Application: Variance to construct a second story above an existing dwelling approximately 22.5 feet, two open decks approximately 20.3 and 33.3 feet, and a two story dwelling/garage addition approximately 39.2 feet from Sugar Lake (75 feet required in all cases) on an undersized lot. Variance to construct a septic drain field 5 feet from a side and right-of-way property line (min. 10 feet required).

Applicant: Kevin Blohm and Veda Vargo

Planning Commission/Board of Adjustment Recommendation: The PC/BOA had recommended, based on the following findings of fact, the following:

Withdrawn:

- Impervious coverage: The applicant changed his plans so that a variance from impervious (building) coverage is no longer necessary.
- Road setback: The applicant changed his plans so that a road setback is no longer necessary.

Approve:

- Lake setback: Construct a second story above an existing dwelling approximately 22.5 feet, two open decks approximately 20.3 and 33.3 feet, and a two story dwelling/garage addition approximately 39.2 feet from Sugar Lake (75 feet required in all cases)

All construction to be as depicted on site plan dated 10/12/2011 from Miller's Sewage Treatment Systems and building elevations updated October 2011. Plans include an approximate 2.5 ft deep x 14ft wide balcony/deck off of lakeside of home, 6' x 12' deck off of lakeside of new addition, 42' x (16' - southwest side of addition, 19.5' - northeast side of addition) two story addition and second story addition over approximately ½ of existing dwelling.

- Septic system setback: Septic drain field to be constructed 5 feet from a side and right-of-way property line (min. 10 feet required).

3 conditions; 8 findings of fact:

Oleson summarized the findings of the Planning Commission. A motion was made by Naaktgeboren, seconded by Carlson, to accept the Planning Commission's recommendations, along with the 3 conditions and 8 findings of fact. Motion carried unanimously.

Maintenance Men: Work order log; work orders # 48, 51, 61, 81; 86; 107: Reviewed.

Maintenance Outlook Report: Reviewed.

Requests to be on the Agenda:

1. Dave Levi (Mr. Levi spoke during the Cedar Acres Variance discussion earlier in meeting.)

Other Business:

1. Planning Commission: Charlotte Quiggle, Chairman had nothing to report.

Impervious Lot Coverage:

Dearing: Is there a time limit for going after impervious lot coverage violations?

Quiggle: On most lakes, if they were built recently, they require variances of some sort. Wright County always has these figures in their Staff Report. If the homeowners were told not to exceed a certain percentage – and then did – they are out of compliance. Wright County took someone to task on this issue and made them remove blacktop.

Dearing: Both cases were turned into Wright County by me – another one on the east side of Cedar Lake was also ignored by the county. Now it has been repossessed by a bank.

Naaktgeboren directed Oleson to check property records to see what happened when the variances/permits were granted and what has happened since on the properties in question.

Carlson: The one of the east side of Cedar – the cement wall is ten feet high and very close to a trailer home. It is very dangerous. We need to address these now.

Resolution of Joint Powers Agreement with Wright County for 2012: 11/2/2011 Sean Riley Executive Summary; 11/07/2011 Oleson e-mail to Ceil Strauss - DNR; Wright County Committee of the Whole meeting 11/8/2011; 11/08/2011 Rose Thelen e-mail to Corinna; 11/10/2011 Proposed Planning and Zoning Agreement between Wright County and Corinna Township for 01/01/2012 to 12/31/2014; 11/15/2011 Revised Planning and Zoning Agreement between Wright County and Corinna Township for 01/01/2012 to 12/31/2014.

A motion was made by Naaktgeboren, seconded by Dearing, to approve the 11/15/2011 Revised Planning and Zoning Agreement between Wright County and Corinna Township for 01/01/2012 to 12/31/2014. Motion carried unanimously.

Next Corinna Planning Commission Meeting: Tuesday, 12/13/11, 7 p.m., Town Hall.

Clearwater/Pleasant Regional Park: Tim Young letter of 9/8/2011 to Assistant Wright County Attorney Greg Kryzer, along with 8/29/2011 Draft Road Agreement sent to Kryzer with items 6 and 7 to ask for no

- cost sharing by the County, with all costs of road maintenance (Kramer and Lathrop) to be borne by Corinna Township; Kryzer letter of 10/6/2011 to Corinna Township Attorney. No action taken.
2. Robert Balogh, Jr. – 8611 Griffith Avenue NW: In regard to noxious weeds: Mr. Balogh received a continuance for dismissal on the condition that he mows his grass by 5/20/2011; Emails of 6/13/2011 and 6/10/2011 with Wright County Commissioner Rose Thelen and Wright County Weed Inspector Ken Johnson; Resolution 2011-14 ordering the razing of hazardous buildings located at 8611 Griffith Avenue NW, Maple Lake, MN 55358 was passed 7/19/2011. Paperwork signed and delivered to Tim Young 7/22/2011; Young letters of 7/22/2011 to Wright Co. Sheriff and Seven County Process Servers; Served 7/25/2011; Repairs must be made within 60 days of 7/25/2011; E-mail of 9/26/2011 to Craig Schulz, Building Inspector; Tim Young letter of 9/26/2011 to Building Official Craig Schulz; Craig Schulz e-mail of 9/27/2011; Tim Young letter of 9/27/2011 to Balogh; Balogh has until 10/24/2011 to demolish the buildings as repairs were not made within 60 day time limit; Wright County letter of 10/26/2011 regarding re-inspection of Balogh property; 11/1/2011 Young letters to Sheriff and Seven County Process Servers requesting Summons and Complaints to be served on Robert Balogh and TCF Corporation; Young letter of 11/7/2011 to Balogh; Balogh Stipulation.

Corinna Township Attorney Tim Young stated that Balogh has signed a stipulation agreeing to let the township tear down his buildings and specially assess the costs to Balogh's property taxes. The township may tear down the buildings on Dec. 7, 2011. Young recommends the township have someone take photos to document the process.

Carlson asked about the cars on the property. Young said that the cars are not a danger to public health and would require other enforcement action later. Carlson said that there is a car in the garage. Young stated that he will write a letter to Balogh – if car is still in garage on Dec. 7 – we will consider it abandoned personal property.

Household items must be disposed of separately and properly. Carlson noted that the well is in the basement and will need to be abandoned.

A motion was made by Carlson, seconded by Naaktgeboren, to approve the Balogh Stipulation. Motion carried unanimously.

Olson - 11597 – 89th Street NW, Annandale: Corinna Letter of 8/24/2011 regarding junk violation; Olson response letter of 9/5/2011; Dearing reported that as of 9/28/2011 no work had been done; Corinna letter of 10/6/2011 to Oleson regarding status of clean up; Olson letter of 10/26/2011 to Corinna Township; Corinna letter of 10/27/2011 to Olson. Dearing will re-inspect property.

11001 108th Street NW: 6/13/2011 e-mail from Sean Riley to Corinna regarding sewer. No action taken.
8128 Street Highway 24 NW: Complaint of 7/25/2011 regarding unlicensed car dealership. No action taken.

Geisinger - 11585 67th ST NW: Corinna letter of 9/23/2011 to Geisinger regarding road surface edge damage due to ditch work by property owner; Corinna letter of 10/14/2011 to Geisinger; Corinna letter of 11/7/2011 to Geisinger. Naaktgeboren reported that no repair work has been done by Geisinger since last inspection. Clerk Brown is to check into re-seeding the area and billing the cost to Geisinger.

Gordon - 6400 – 102nd Street NW: Complaint received regarding new "dump" on or near Hanford Gordon property; 10/28/2011 E-mail and photos to Wright County Sheriff and Wright County Attorney Greg Kryzer regarding Hanford Gordon junk violation and Wright County response. No report back from Wright County Attorney yet.

10654 Imhoff: Corinna letter of 10/17/2011 to Charles Hrebal; 11/10/2011 Inspection by Naaktgeboren. Naaktgeboren stated that the property had been cleaned satisfactorily.

Thomas - 11017 Guildner: Corinna building Official Craig Schulz letters of 9/29/2011 and 10/24/2011 to Anthony Thomas regarding dilapidated property; 11/7/2011 Corinna letter to Thomas. No action taken.

11953 Kramer AV NW: Corinna letter of 11/14/2011 to Dohmen regarding Right-of-Way violation was reviewed. On 11/14/2011 Corinna Maintenance Department reported a dirt pile, covered with a tarp and trampoline on the Township Right-of-Way.

3. 108th Street: Some work began on 7/6/2011.

108th Street-Notify Utility Companies: Dearing to notify Xcel – others. Reviewed.

4. 108th Street – Fenner tree has been removed.

5. MN DOT Enhancement Funding Notification: Pre-application was reviewed. It was determined that Corinna Township will not apply for this.
6. EAD Grant and Resolution 2011-18: A motion was made by Naaktgeboren, seconded by Carlson, to pass Resolution 2011-18, a Resolution to apply for a grant from the MN Sec. of State for Federal Funds to improve access to polling places in this township for persons with disabilities. Motion carried unanimously.
7. Corinna Cemetery: There was a brief discussion about the cemetery layout and plot sales.
8. Center for Rural Policy: No action taken.

Any Other Business That May Come Before the Board: None.

Payment of Claims: Motion by Carlson, seconded by Naaktgeboren, to approve Direct Deposit Payroll Checks #302 through 305; EFT 2011-71 through EFT 2011-73, Check #17522 through Check #17545, in the amount of \$65,262.66. Motion carried unanimously.

With no further business to come before the board, a motion was made by Naaktgeboren, seconded by Carlson, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 9:35 p.m.

Respectfully submitted,

December 6, 2011

Mary Barkley Brown, Clerk/Treasurer

John Dearing, Chairman