

CORINNA TOWNSHIP BOARD MEETING
Tuesday, January 17, 2011, 7 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Official Minutes

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

Others in Attendance: Planning Commission Chair Charlotte Quiggle; John Bishop; Melvin Dykhuizen.

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

Consent Agenda:

1. Approve or Amend Minutes, Town Board Meeting, January 3, 2012;
2. Approve or Amend Minutes, Town Board Special Meeting, January 13, 2012;
3. Approve or Amend Minutes, Town Board Special Meeting, January 16, 2012;

A motion was made by Naaktgeboren, seconded by Dearing, to approve the consent agenda. Motion carried unanimously.

Approve or Amend Agenda, Town Board Meeting, January 17, 2012.

A motion was made by Naaktgeboren, seconded by Dearing, to approve the agenda. Motion carried unanimously.

Maintenance Men: Work order log; work orders # 48, 51, 61, 86 were reviewed.

Maintenance Outlook Report: Reviewed.

Excavator Safety Certification Training: Maintenance Men will not be attending.

Resolution No. 2012-01: Resolution Adopting Township Road Sign Inventory, Retro-Reflectivity Compliance Evaluation, and Replacement Policy.

A motion was made by Naaktgeboren, seconded by Dearing, to approve Resolution # 2012-01. Motion carried unanimously.

Sign Retro-Reflectivity Contact Person: Appoint contact person at meeting. A motion was made by Naaktgeboren, seconded by Dearing, to appoint Dearing as the contact person. Motion carried unanimously.

Requests to be on the Agenda:

1. Melvin Dykhuizen spoke before the second Planning Commission recommendation. See later in minutes.

P & Z Administrator's Report: Reviewed.

Recommendations from the Planning Commission Meeting of 1/10/2012:

1. Original Application: Request to amend Comprehensive Plan Future Land Use Map designation from Rural Preservation to Shoreline Residential and to rezone lakeshore portion of property from AG to R-1.

Applicant: John Bishop

Planning Commission Recommendation: The PC has recommended that Lots 1-3 of the November 29, 2011 Concept Plan prepared by Otto & Associates be rezoned from General Agriculture to Urban/Rural Transition (R-1) as requested. The remainder of the parcel would remain zoned General Agriculture.

NOTE: There was significant discussion at the public hearing regarding the need for additional information to confirm that the three conceptual lots would work in practice. The Commission discussed that additional information would be required to confirm this (such as, but not limited to, a detailed drainage study to ensure that existing drainage running through Lot 1 would not be impeded or altered in a way that would harm the lake and/or private property and additional information on septic locations). The Planning Commission felt that it was appropriate to rezone to R-1 at this time with the understanding that during any platting process the Township

could (if necessary) approve fewer lake lots, or a reconfiguration of the lots, to ensure protection of public health, safety and welfare and compliance with applicable zoning regulations.

Town Board Direction: The Town Board can accept the recommendation of the Planning Commission render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

John Bishop addressed the Town Board.

Bishop: I have questions about the road. I am amenable to whatever the Township wants.

Dearing: The Township must have a 66' Right-of-Way. We do not have to make the road that wide, though. We can just use the road as it is – or make it 33'.

Bishop: I am willing to do whatever the Township wants. I would like to bond for the road.

Naaktgeboren: The road has to be built before he can get a building permit. This has to be a restriction.

There was a discussion regarding wetland, rain and run-off.

Naaktgeboren: Is there enough room for sewers?

Bishop: I will have the soil borings done and if we find that they cannot be done due to the land itself – I know that the Planning Commission will reject it. I will take that risk.

Naaktgeboren: Community sewers are another option.

Bishop: I don't want to get into that... legal issues, etc.

Naaktgeboren: You have a lot of property there. You may have room for sewers across the new road, too. This is interesting terrain.

Dearing: The road should actually improve the water quality in the lake.

Quiggle: The entire project will eventually improve the water quality of the lake.

Naaktgeboren: You could ask for a 20 foot grass buffer from the farm field. There used to be a road by the fence line near Paumen's shed.

A motion was made by Naaktgeboren, seconded by Dearing, to accept the recommendation of the Planning Commission that Lots 1-3 of the November 29, 2011 Concept Plan prepared by Otto & Associates, be rezoned from General Agriculture to Urban/Rural Transition (R-1) as requested. The remainder of the parcel would remain zoned General Agriculture. The motion cited the 17 Findings of Fact as presented in the P and Z Administrator's Report. Motion carried unanimously.

2. Application: Zoning Ordinance amendment to Section VII (Board of Adjustment) of the Corinna Township Land Use Ordinance (Ordinance 2010-03).

Applicant: Corinna Township

Planning Commission Recommendation: The PC has recommended adoption of the amendments to Section VII (Board of Adjustment) of Corinna Township Land Use Ordinance (Ordinance 2010-03). The effect of the ordinance amendment would be to make the Board of Adjustment the final authority for the Township on deciding variance requests and several other applications that go before the Board of Adjustment. The text of the ordinance would be amended as follows:

SECTION VII – BOARD OF ADJUSTMENT

The language from Section 502.1 ~~and 502.2~~ shall be omitted.

~~7.1 — AUTHORITY~~

~~The Board of Adjustment shall be granted the following authority under the terms of this ordinance:~~

- ~~A. The Board of Adjustment shall hold hearings on the issuance of variances and make recommendations to the Town Board. Variances to be considered are limited to those relating to the terms of this Ordinance, including restrictions placed on nonconformities.~~
- ~~B. The Board of Adjustment shall have the authority to decide appeals from the review of any order, requirement, decision or determination made by any administrative official charged with the enforcement of this Ordinance.~~
- ~~C. The Town Board shall make the final decision on all recommendations of the Board of Adjustment and shall hear all appeals from decisions where the Board of Adjustment is normally the final authority.~~

7.2 BOARD OF ADJUSTMENT MEMBERSHIP

The Board of Adjustment shall consist of members of the Planning Commission.

7.3 APPOINTMENT/TERMS

Terms shall be concurrent with the terms of Planning Commission members.

7.4 OFFICERS/DUTIES

Same as for the Planning Commission.

7.5 COMPENSATION AND MILEAGE

Same as for the Planning Commission.

7.6 MEETINGS/QUORUMS

Regular meetings will be held concurrent with the Planning Commission.

NOTE: Section 502.2 of the Wright County Zoning Ordinance that would no longer be deleted from the Township Ordinance reads as follows:

WRIGHT COUNTY ORDINANCE
(AS AMENDED NOVEMBER 2011)

502.2 General Duties and Responsibilities: Variances and Administrative Appeals

The Board of Adjustment shall act upon all requests for variances and upon all questions as they may arise in the administration of this Ordinance, including the interpretation of zoning maps, and it shall hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing the Ordinance. Such appeal may be taken by any person, firm, or corporation aggrieved, or by any officer, department, board or bureau of a town, municipality, county, or state.

Hearings by the Board of Adjustment shall be held within such time and upon such notice to interested parties as is provided in its adopted rules of procedure. The Board of Adjustment shall establish criteria necessary in its rules of procedure for filing an application for a Variance or an Appeal. Written notice of hearings held by the Board of Adjustment shall be sent to affected property owners as provided by law. The Board of Adjustment shall make its decision within fifteen (15) days of the hearing, but may continue the hearing to such length of time as it deems necessary to properly consider each case.

The Board of Adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and to that end shall have all powers of the officer to whom the

appeal was taken and direct the issuance of a permit. The reasons for the Board's decision shall be stated in writing.

Town Board Direction: The Town Board can accept the recommendation of the Planning Commission/Board of Adjustment, render a modified decision on the application, or send the request back to the Planning Commission/Board of Adjustment for further review if additional information is needed.

Melvin Dykhuizen addressed the Town Board to urge them not to give up their final authority on variance requests and several other applications that go before the Board of Adjustment and Town Board.

Naaktgeboren: I agree with some of the things you said.

Dykhuizen: You win every court case and the county still won't give shore land zoning authority over to you. I would still like the township supervisors to be involved in decisions.

Naaktgeboren: Someone stopped me at the courthouse today and said the same thing, "You win every court case and the County still won't give shore land zoning authority over to you." He wondered why the County keeps doing this to Corinna Township.

Naaktgeboren: We are the elected officials and we are held accountable. I like the way the Town Board is currently another set of eyes. Almost all the changes we made to Planning Commission recommendations were stricter. On the flip side – timeliness – people would get their decision and then they are done.

Dykhuizen: You've done a great job. You have all been involved for a long time.

Dearing: The Town Board Members will probably go to a lot more Planning Commission Meetings if this changes.

Naaktgeboren: I've usually been quiet at Planning Commission Meetings. I will probably speak up more if we change the ordinance. The Planning Commission agrees to disagree. The members all come at the issues from different angles. You get a better decision with several points of view.

A motion was made by Naaktgeboren, seconded by Dearing, to accept the recommendation of the Planning Commission/Board of Adjustment, to adopt the amendments to Section VII (Board of Adjustment) of Corinna Township Land Use Ordinance (Ordinance 2010-03). The effect of the ordinance amendment would be to make the Board of Adjustment the final authority for the Township on deciding variance requests and several other applications that go before the Board of Adjustment. Motion carried unanimously.

Other Business:

- Planning Commission: Charlotte Quiggle, Chairman said that she thought there may be a variance hearing on the February agenda.

Resolution of Joint Powers Agreement with Wright County for 2012: Amendment to Joint Powers Agreement signed on 12/20/11. Reviewed.

Next Corinna Planning Commission Meeting: Tuesday, 02/14/12, 7 p.m., Town Hall.

Lawsuit pending in Wright County District Court entitled David and Susan Levi, Orv and Kathy Jonsrud, and Dave and Cheryl Wagner, Plaintiffs, v. Corinna Township and Cedar Acres Association, Inc., Defendants: No action taken.

Clearwater/Pleasant Regional Park: Tim Young letter of 9/8/11 to Assistant Wright County Attorney Greg Kryzer, along with 8/29/11 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 10/6/11 to Corinna Township Attorney. No action taken.
- Olson - 11597 – 89th Street NW, Annandale: Most of the old vehicles have been removed and the fence had been repaired. There is still an old camper and a one-ton truck on the premises. The Olsons stated to Dearing that work will continue on the property. No action taken.

11001 108th Street NW: 6/13/11 e-mail from Sean Riley to Corinna regarding sewer. No action taken.

Gordon - 6400 – 102nd Street NW: Complaint received regarding new "dump" on or near Hanford Gordon property; 10/28/11 E-mail and photos to Wright County Sheriff and Wright County Attorney Greg Kryzer regarding Hanford Gordon junk violation and Wright County response; Corinna Email of 11/28/11 to Kryzer regarding status of violation; Kryzer letter of 11/28/11 to Corinna; Gordon was scheduled for court on 12/20/11. Naaktgeboren reported that a large pile of refuse had been burned. There is still additional

refuse and furniture on the premises. Hearing is scheduled for 1/24/12 at 2:30 p.m.; Wright County Attorney Greg Kryzer E-mail of 01/12/12 to Corinna Township; Letter of 01/12/12 to Wright County Attorney Greg Kryzer from Wright County Sheriff's Department was reviewed. No action taken.

Thomas - 11017 Guildner: Corinna building Official Craig Schulz letters of 9/29/11 and 10/24/2011 to Anthony Thomas regarding dilapidated property; 11/7/11 Corinna letter to Thomas; Corinna Letter of 11/11/11 to DNR Officer Brian Mies; Thomas has recently talked to Craig Schulz and to Ben Oleson about his plans. No action taken.

11209 107th: Junk and building code violation complaint was reviewed. No further action will be taken at this time.

11173 Hart Ave NW: Sewer Memo of 01/09/12 to Troy Johnson; Johnson response of 01/12/12 was reviewed. No action taken.

3. Wright County Township Officer Association: Draft Minutes from Quarterly Meeting 1/5/ 12 were reviewed.
 4. Wright County Department of Highways: Letters of 01/05/12 and 01/19/12 to Corinna regarding Co. Rd. #123 were reviewed.
 5. Resolution # 2012-02: Resolution Appointing the 2012 Absentee Ballot Board. A motion was made by Naaktgeboren, seconded by Dearing, to adopt Resolution #2012-02. Motion carried unanimously.
 6. Representative Dean Urdahl: Letter of 01/05/12 to Corinna reviewed. No action taken.
- Any Other Business That May Come Before the Board: None.

Payment of Claims: Motion by Dearing, seconded by Naaktgeboren, to approve Direct Deposit Payroll Checks # 318 through 321; EFT 2012-01 through EFT 2012-05, Check #17633 through Check #17660; in the amount of \$118,173.78. Motion carried unanimously.

With no further business to come before the board, a motion was made by Naaktgeboren, seconded by Dearing, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:55 p.m.

Respectfully submitted,

February 7, 2012

Mary Barkley Brown, Clerk/Treasurer

John Dearing, Chairman