

CORINNA TOWNSHIP BOARD MEETING
Tuesday, July 17, 2012, 7 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Official Minutes

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

Others in Attendance: Thomas Huffman; Bruce Rasmussen; Anthony Thomas; Kenneth Bayliss; Terri Malachek; Christine Husom.

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

Approve or Amend Agenda, Town Board Meeting, July 17, 2012: A motion was made by Carlson, seconded by Dearing, to approve the Agenda for the Town Board Meeting of July 17, 2012, with the following additions: Junk Amnesty; Gravel Inquiry; Proposed Wright County Social Host Ordinance. Motion carried unanimously.

Approve or Amend Minutes, Town Board Meeting, July 9, 2012:
A motion was made by Dearing, seconded by Carlson, to approve the Minutes of the Town Board Meeting of July 9, 2012. Motion carried unanimously.

Discussion of 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: Township Attorney Kenneth Bayliss addressed the town board.

Bayliss: This lawsuit arose out of a variance dispute. The variance was given by Corinna Township in November, 2011. The contested issue is primarily how many units can camp out on an out lot belonging to the Cedar Acres Association, Inc. The town board approved 6 units (RVs, campers, tents, or fish houses) with the condition that the Cedar Acres Association, Inc. met the standards of the MN Dept. of Health and were approved by the MN Dept. of Health.

David and Susan Levi, Orv and Kathy Jonsrud, and Dave and Cheryl Wagner filed a lawsuit. They sued the Corinna Township and the Cedar Acres Association, Inc. The matter went to mediation. Town Board Supervisor Dick Naaktgeboren attended the mediation, along with Ben Oleson and Kenneth Bayliss. This was a dispute between two groups. They have come to an agreement.

The Mediated Settlement Agreement provides that the number of units goes from six to four; there are modified park rules; there is a limitation to the extent the Cedar Acres Association, Inc. can modify their park rules. They have to go through a formal variance process again; Cedar Acres Association, Inc. will not be charged a variance fee for the hearing; the Corinna Board of Adjustment will make the final determination.

A motion was made by Carlson, seconded by Naaktgeboren, to approve the Mediated Settlement Agreement, and to grant the Town Board Chair and Clerk the authority to sign the agreement. Carlson and Naaktgeboren voted in favor of the motion. Dearing voted against the motion. Motion carried.

Maintenance Outlook Report: Reviewed.

Clerk Brown stated that the maintenance men's cell phone/two way radio plans will soon be unavailable through Sprint/Nextel. Brown advised transferring to Sprint, as they still have a cell phone plan with two-way radios available. A motion was made by Naaktgeboren, seconded by Carlson, to switch to Sprint. Motion carried unanimously.

The town board reviewed quotes for recapping the Bobcat tires at a cost of \$652.59, versus buying new at a cost of \$1,304.40. A motion was made by Dearing, seconded by Carlson, to recap the tires. Motion carried unanimously.

The town board reviewed a quote of \$1,608.56 for new front tires for the 2007 truck. (They cannot be recapped.) They reviewed a quote of \$960.71 to recap the rear tires. A motion was made by Carlson, seconded by Dearing, to approve new tires in the front and recapped tires in the back, for a total of \$2,569.27. Motion carried unanimously.

The town board reviewed a quote of \$1,599.99 for a 55 gallon tank, used to apply chemical sprays to weeds in the ditches. A motion was made by Carlson, seconded by Dearing, to approve the purchase for \$1,599.99. Motion carried unanimously.

The town board reviewed a quote for a back pack blower. No action was taken.

Requests to be on the Agenda:

1. Thomas Huffman: Addressed the town board. He is running for Wright County Commissioner District 1. He gave an overview of his qualifications for the job and answered questions. He also left a brochure for review.
2. Christine Husom: Addressed the town board. She is running for Wright County Commissioner in District 1. She gave an overview of her qualifications for the job and answered questions. She also left her resume for review.

Other Business:

1.

Planning Commission: Chair, Charlotte Quiggle was not in attendance.

Planning and Zoning Administrator's Report: Reviewed. Oleson had asked if the town board wished to continue to receive these reports. After discussion, the town board advised Clerk Brown to let Oleson know that they would like to continue to receive P and Z Administrator's Report.

Next Corinna Planning Commission Meeting: Wednesday, 8/15/2012 (due to election primary on 8/14/2012.)

2.

8029 Iten AV NW: Complaint regarding home-operated business; Dearing inspected property on 6/14/2012 and reported that there was no obvious evidence of home occupied business.

8448 96th Street NW Junk Violation: Junk violation letter sent 4/18/2012. Letter states that the owner has 30 days to clean up the property, or until 5/18/2012; Corinna letter of 5/29/2012 to Sheriff Joe Hagerty; 6/8/2012 Sheriff's Deputy visited site. After speaking to Naaktgeboren, homeowner was given one additional week to finish cleaning up property in order to avoid a citation; 6/19/2012 Officer Olson re-inspected and noted that some progress has been made. Homeowner given until 7/9/2012 meeting to finish clean-up; Dearing checked property on 7/9/2012 and said there are signs of further progress. Dearing will check at later date for progress.

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; Kryzer letter of 04/10/12 to Corinna Township stated that a warrant with a bond of \$100 was issued for the defendant's request; Greg Kryzer letter of 5/22/2012 to Corinna; Contested revocation hearing 6/7/2012 at 2 p.m.; Greg Kryzer letter of 6/8/2012 to Corinna; Kryzer letter of 6/20/2012 to Corinna stating Gordon posted bond and is scheduled to appear in court on 7/9/2012. Gordon appeared in court on 7/9/2012, admitted the violation and was ordered to pay a fine of \$50.00.

Wilke Sewer PID # 206-000-181416: Wright County is creating an easement for the Wilke's existing sewer that is currently on Wright County park land. When Ben Oleson asked Barry Rhineberger at Wright County last summer, they stated that they had no permit records for the property, so there was never a trigger to upgrade or inspect the sewer. They are apparently just going to do their best to estimate where the existing sewer is and grant the Wilkes a temporary easement for their sewer to be on Wright County park land until it fails and needs to be replaced; Ben Oleson to follow up with Marc Mattice. No action taken.

Anthony Thomas, 11017 Guildner AV NW: Wright County Building Official letter of 4/12/2012 to Thomas regarding dilapidated condition of the building and outdoor storage that is in violation of the Corinna Township Zoning Ordinance; Craig Schulz E-mail of 4/27/2012 to Corinna; Dale Homuth, DNR letter of 5/25/2012 to Corinna; Tim Young letter of 6/8/2012 to Seven Co. Process Servers, LLC.; Young reported that Anthony was served papers on 6/13/2012; Undated Thomas letter to Corinna Township; 6/29/2012 Young letter to Thomas; 7/9/2012 E-mail of Young to Rasmussen; 7/13/2012 Rasmussen Answer of Anthony L. Thomas, Jr. to Corinna Township Resolution 2012-12.

Anthony Thomas and his attorney, Bruce A. Rasmussen addressed the town board. Mr. Rasmussen filed an "Answer of Anthony L. Thomas, Jr. to Corinna Township Resolution 2012-12" with the township clerk.

A discussion was held regarding the possibility of repairing the existing structure at 11017 Guildner Ave NW. On 5/25/2012 DNR Manager Dale Homuth wrote, "The certificate of survey related to the cabin at 11017 Guildner Ave NW shows this entire cabin, and most of the lot is located on land that is below the Ordinary High Water (OHW) level of Indian Lake (86-223). The cabin has deteriorated to the point that County Building Inspector, Craig Schulz, has indicated that extensive repairs are necessary. Because the cabin is located below the OHW, it is considered to be on the bed of the lake, and any alteration of land or structures located on the beds of lake are subject to the State's Public Water Work Permit Rules (M.R. part 6115.0150 to 6115.0280).

The necessary repairs that Mr. Schulz identified in his October 24, 2011 memo would also require a work in public waters permit from the Department of Natural Resources, along with a building permit. Furthermore, state rules related to the repair of structures located on the lakebed provide that such repairs cannot exceed 50% of the cost of the replacement of the structure, and that no repairs may be allowed that increase the permanence of such structures, such as constructing a new foundation."

Chuck Carlson pointed out that the building value is estimated to be \$7,200 on the Wright County 2012 assessment roll.

Rasmussen: We are looking for relief from the 60 day deadline of October 1, 2012 for completing all repairs listed in Resolution 2012-12. The DNR is suggesting Corinna raze the building. We think he has grandfathered rights. We need time to work with the DNR.

Naaktgeboren: We have never seen a plan from Mr. Thomas. What is the status of the sewer?

Thomas: I am not sure. I have not turned the water on in three years. I have not pumped the tank. I want to restore the house for sentimental reasons.

Naaktgeboren: By October 1, 2012 we need to see a letter from the DNR that says what you can or cannot do. We want your plan and an answer from the DNR by October 1, 2012.

A motion was made by Dearing, seconded by Carlson, to extend the deadline of October 1, 2012 to complete the repairs listed in Resolution 2012-12 an extra 60 days, or until December 1, 2012. Motion carried unanimously.

3. Corinna Road Sign Inventory Summary:

On 7/17/2012 Naaktgeboren and Dearing drove along with Brent Roshell, PE, from Anderson Passe & Associates for the Township Signing Program "Ride-Along. Anderson Passe and Associates is a firm that specializes in rural sign management. They have been hired to evaluate all road signs in Wright County. On the Drive-Along, the group inspected all road signs in Corinna Township.

At the recent Quarterly Wright County Township Association Meeting, Wright County Engineer, Wayne Fingalson, suggested that since Anderson Passe knows all the rules and regulations for the signs, that townships allow them to advise which should be replaced, added, or removed. Some existing signs will require township resolutions in order for them to be replaced. All the new signs will have the required break-away posts, and will meet the new requirements for sign reflectivity values.

Fingalson had explained that Wright County will enter into a contract on behalf of 18 townships to put up the signs properly. The cost of this project, due to the grant that the townships in Wright County received, will be roughly 20 percent of what the cost would have been without the grant. The township will be required to maintain all of their signs per the MnMUTCD. All townships have agreed to this per signed agreements with Wright County. This means straightening leaning sign posts; replacing damaged signs from motor vehicle crashes, vandalism due to bullet holes and paint; and replacing signs when they no longer meet the retro-reflective requirements. If the townships do not maintain the new signs, the Federal Government can potentially ask Wright County (and therefore the townships) to reimburse the Federal Government.

A motion was made by Naaktgeboren, seconded by Carlson, to sign the Wright County/Township Agreement for Town Road Signing Project Phase 2. Motion carried unanimously.

4. Road Work at 108th and Knowles: Dennis Taylor, of Taylor land Surveyors addressed the town board with maps of area. After discussion, Taylor was asked to do additional work regarding the road and present it at the 8/7/2012 meeting.
5. MN DOT Weeds on ST HWY 24: Corinna E-mail of 7/2/2012 to MN DOT was reviewed. On 7/9/2012 Randy from MN DOT called Corinna to report that MN DOT had mowed some of the ditch since Corinna contacted them. MN DOT stated that they need to spray for weeds again in the fall.
6. Primary Election Tuesday, August 14: Reviewed the Sample Primary Ballot. The Primary will be held at the Corinna Town Hall from 7 AM to 8 PM on 8/14/2012.
7. Junk Amnesty Day: Saturday July 28, 7 AM – noon. Clerk Brown reviewed details with the town board.
8. Gravel Inquiry: A resident called to ask if he could purchase class I or V gravel directly from the township for use on his private property. Clerk Brown was advised to tell the resident that Corinna Township can't sell him gravel for his personal property. The township may only use gravel for public or dedicated roads.
9. Proposed Wright County Social Host Ordinance: Reviewed.

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

Payment of Claims: Motion by Dearing, seconded by Carlson, to approve Direct Deposit Payroll Checks # 370 through 373; EFT 2012-41 through EFT 2012-43, Check # 17916 through Check # 17929 in the amount of \$123,684.95. Checks # 17915 was void. EFT 2012-40 was void. Motion carried unanimously.

With no further business to come before the board, a motion was made by Carlson, seconded by Dearing, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 9:47 p.m.

Respectfully submitted,

August 7, 2012

Mary Barkley Brown, Clerk/Treasurer

Chuck Carlson, Vice-Chairman