

CORINNA TOWNSHIP BOARD MEETING
Tuesday, April 7, 2015, 7:00 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Official Minutes

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

Present: Chairman Richard Naaktgeboren; Vice Chairman Chuck Carlson; Supervisor John Dearing; Clerk/Treasurer Mary Barkley Brown; Deputy Clerk/Treasurer Jean Just; Corinna Maintenance Man Mark Miller.

Absent: Corinna Maintenance Man Doug Smith.

Others in Attendance: Corinna Township Attorney Tim Young; Deb Gatz and Bobby Roskowiak from Randy's Environmental Services Sanitation and Recycling; Mike Donnelly from Waste Management; Ron Hubred; Kathy Hubred; John T. Peterson; Dale M. Corey; Scott Choate; Marie A. Aakre; Alan Aakre; James Kutzner; Stephen J. Berg; Brendan Mooney; Cheryl Delbow; Marie Emerson; Allen T. Tschida; Sharon Tschida.

Approve or Amend Agenda, Town Board Meeting April 7, 2015: A motion was made by Dearing, seconded by Carlson, to approve the Agenda with the following additions: Annandale Lions Request for Pull Tabs at Whispering Pines; Ben Oleson Letter of 4/6/15 to Awdt regarding inquiry at PID# 206-036-001040. Motion carried unanimously.

Approve or Amend Minutes, Town Board Meeting, March 17, 2015: A motion was made by Dearing, seconded by Naaktgeboren, to approve the Minutes of the Town Board Meeting of March 17, 2015 with a correction. Motion carried unanimously.

Open Recycling Quotes: The Town Board opened proposals/quotes for collection and disposal of recyclable materials from 3 services: Randy's Environmental Services, Waste Management, and Advanced Disposal. Representatives were in attendance for Randy's and Waste Management. Summary of quotes are as follows:

Randy's Environmental Services: 941 units: Three year and five year contracts at \$3.39 per unit per month. Seven year contract at \$3.34 per unit per month. Ten year contract at \$3.29 per unit per month.

Waste Management: 941 units: Three year contract at \$3.64 per unit per month. Five year contract at \$3.64 per unit per month.

Advanced Disposal: Unit number not specified. Five year contract at \$3.92 per unit per month.

Full proposals are available for review at Town Hall.

After reviewing proposals, a motion was made by Carlson, seconded by Dearing to accept the low quote of \$3.29 per unit per month, for 941 homesteaded households, for a period of ten years, pending a suitable contract that can be agreed upon by Randy's and Corinna Township. Motion carried unanimously. Randy's will implement a 2% price increase at the beginning of years three, five, seven and nine, Township will be billed for all homesteaded households. The non-homesteaded homes will have the opportunity to sign up for recycling, as well.

Maintenance Outlook Report: Reviewed.

Road Salt Order for 2015 – 2016: A motion was made by Dearing, seconded by Carlson to approve order of 7 loads of treated salt for 2015-16 through State Contract. Motion carried unanimously.

Jean Just Memo Regarding Sealcoating Hemlock: The City of Annandale does not have this project in their 2015 budget. In order to sealcoat the entire road (Corinna and the City of Annandale share the maintenance costs of the road), there was a motion made by Naaktgeboren, seconded by Dearing, to bill the City of Annandale in 2016 if

the work can be completed in 2015, if the City of Annandale agrees to do this. Motion carried unanimously. Clerk Brown was directed to talk to the Annandale City Administrator about this.

Continuation of Public Hearing to Consider Vacating Portions of Public Way Legally Described as Follows: (That part of the 10.00 pathway as dedicated on the recorded plat of Maple Villa, Wright County, Minnesota, that lies Northerly of Lot 9, Block 8, of said Maple Villa and Easterly of the Northerly extension of the West line of said Lot 9 and Westerly of the Northerly extension of the East line of said Lot 9);

Chair Naaktgeboren asked for comments from the public.

Attorney John T. Peterson said that he wanted to clarify a few issues. He gave the Town Board a copy of the Plat of Maple Villa map. In regard to last meeting's comments regarding setting a precedent if this public pathway is vacated – Peterson presented three previous vacations granted by Corinna Township in the Plat of Maple Villa. Peterson reiterated that granting this vacation will not set a precedent. Peterson stated that vacating said pathway would not affect the accesses going to the lake. He said the alley between lots 7 and 8 were already vacated in 2001. Peterson also stated that it is in the best interest of the public – and Corinna Township – to get the garage out of the road right of way to help alleviate safety issues. Peterson cited Statute 368.01 regarding sending notice to neighbors affected by vacations, to show that the notices were sent correctly.

Kathy Hubred, 11192 Hollister AV NW said that she is representing some of the neighborhood. She questioned proper notification of neighbors and also told of their fear that this vacation will set a precedent for all the pathways in the Plat of Maple Villa to be vacated, including the paths to the lake. She stated that “We have no guarantee that you won't give up all the easements. It is not just about using the lake, it is about putting value on real estate. Our point – we need paths by the lake. Taking over the path sets a precedent.” Hubred's group presented a letter from Denise Carlson.

Scott Choate, 11187 Hart AV NW, addressed the Town Board. He and Tracy Schoenfelder are in favor of the vacation. They live next to Dale Corey. Choate asked, “What is the problem?”

Corinna Township Attorney Tim Young addressed the audience. He said that if the Town Board is responsible for deciding if the vacation is in the best interest of the public, or if they will deny the vacation request. In a road, path, or utility vacation – each time you weigh the facts and circumstances individually. Each time you have to ask, “Is this in the public interest?” Each case is based on all of the facts and circumstances.

Allan Aakre addressed the audience with his concern that the three lake accesses will be vacated if this vacation request is granted.

Corinna Township Attorney Tim Young said that in his opinion this does not set a precedent to lake pathways.

Allen Tschida, owner of lot 9, block 7, addressed the audience: Mr. Young talked to me. I was here a month ago. It is not the township interest. It is the public interest. I pointed this out last time. Corey needs a place to put the snow. He needs a place to park. He needs a place for a garage. How is it in the public interest to vacate? Corey has plenty of room for snow and parking. Corey's garage is in the road. Corey needs a smidgeon of land – and you are taking away a ten foot property strip which was dedicated to the public. Mr. Young and I disagreed – I think you should have notified each property owner.

John Dearing said that Corey does not have room as his property is mainly wetland.

John T. Peterson asked that the discussion focus on that we are seeking. Township 368.01 – it says abutting property owners. There is a safety concern – this will serve the public purpose.

There was an ongoing disagreement between Allen Tschida and the other two attorneys, John T. Peterson and Tim Young regarding the statue concerning mailed notice/published notice.

There were no more public comments.

A motion was made by Naaktgeboren, seconded by Dearing, by Resolution #2015-03 Vacating Road, to vacate a portion of the way as petitioned, as it appears in the interest of the public because:

1. Vacation will not block public access to roads including the Pathways to Sugar Lake shown on the Plat of Maple Villa.
2. The vacated area is overgrown with mature 80-100 year old trees, fallen limbs and brush, is impassable to convenient travel, and is not maintained by the Town.
3. There appears to have been no public use of the vacated area for a very long time, if ever.
4. There is no benefit to the public in preventing the owner of the land that adjoins both sides of the vacated area from obtaining ownership of the vacated area.
5. Vacation is based on the unique facts and circumstances of this matter and is not to be considered precedent for any future application to vacate within the Plat of Maple Villa or elsewhere.

Motion carried unanimously.

Requests to be on the Agenda: None.

Other Business:

1. Planning and Zoning Administrator's Report: No action taken.
Proposed Amendment to Wright County Zoning Ordinance Dealing with Solar Energy Farms and Solar Energy Systems: No action taken.
New School Enrolling in Corinna: No action taken.
Corinna P and Z Clerk's Monthly Report of March 2015: Reviewed.
10389 State Highway 24 NW: Lesa Roy House Damaged by Fire. Reviewed Ben Oleson letter of 4/6/15 to Roy.
Next Corinna Monthly Planning Commission Meeting: Tuesday, 4/14/2015 at 7:00 p.m. at the Town Hall.
Violations:
PID # 206016000010: Kobe's addition of a deck, screen porch and more, done without a permit. Oleson spoke to Kobe, who said he is working with Surveyor Bogart Peterson and with a sewer contractor. Oleson said that it looks like Kobe is over impervious coverage limit. Oleson will follow up after Bogart Peterson completes the survey. It was not complete due to snow. Oleson reported that he is working with Mr. Kobe and the Planning Commission on impervious coverage issue. Oleson letter of 6/25/2014 to Kobe. Oleson said that Kobe plans to cut back his screen porch and lower his impervious coverage. Oleson will follow up. Oleson sent letter with a deadline of 5/1/15 for Kobe to come into compliance.
PID # 206-000-153404 - 8987 Iresfeld AV NW: Building permit was issued in 2005 by Wright County and that it is still open and there is also a non-conforming sewer. Oleson will follow up, checking on sewer and also on time allowed to complete the building of the dwelling. Oleson inspected property on 2/24/14. Oleson letter of 2/24/14 to Oxenford; Oleson letter of 5/2/14 to Oxenford has 6/30/2014 deadline.
2. Sheriff Hagerty E-Mail of 3/30/15: Martin Association event on 6/6/15 at Schroeder Park - request to by-pass no parking on Ireland AV NW near "Old Cedar Access" if necessary that day. A motion was made by Carlson, seconded by Naaktgeboren, to allow the group to park on Ireland AV NW near "Old Cedar Access" if necessary that day. Motion carried unanimously. Clerk Brown will notify Sheriff Hagerty.
3. Local Board of Appeal and Equalization: Thursday, 4/16/15 at 3:00 PM at Corinna Town Hall.
4. Board of Appeal and Equalization Training: 2/18/15 Update. Carlson will take class online.
5. Survey Ibs/Bakken Turn-Around: Dearing will contact Ibs about this.
6. Wright County Township Officers' Association Meeting: Thursday, 4/9/15, 7:30 PM, Woodland Township; Draft Minutes of Wright County Township Officers' Association 1/8/15 Meeting. Reviewed. Naaktgeboren, Dearing, and Just will attend this meeting.
7. MN Roadway Maintenance Training and Demo Day: 5/13/15. Reviewed. No one is attending.
8. Bill Arendt Letter of 3/12/15 to Corinna Township: Reviewed. Clerk Brown was directed to send letter back to Arendt with comments from the Town Board.
9. March 19, 2015 Corinna Letter to Craig Johnson, Rainville Carlson: Reviewed.
10. Building Use Report, April 2015: Reviewed.

11. Annandale Lions Request for Pull Tabs at Whispering Pines: Reviewed. The Township has no statutory authority to approve or deny this application, per MN Statutes 349.213, Subd. 2. Naaktgeboren signed the application.
12. Ben Oleson Letter of 4/6/15 to Aydt regarding inquiry at PID# 206-036-001040: Reviewed.

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

Information on File:

Office of the State Auditor: E-Updates 3/13/15; 3/20/15 and 3/27/15 were reviewed.

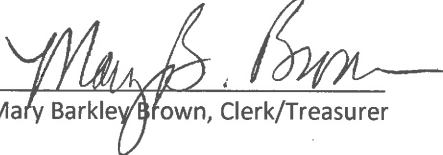
MN Association of Townships Legal Short Course: April 23, 2015. No one plans to attend.

Payment of Claims:

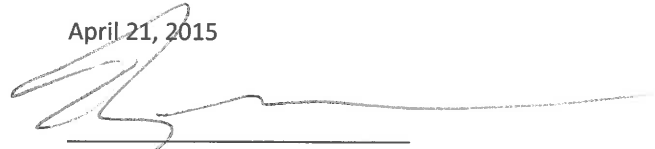
A motion was made by Naaktgeboren, seconded by Carlson, to approve Direct Deposit Payroll JE 2015-15 through JE 2015-17 (Miller Welle Heiser Payroll Service); Payroll Checks # 814 through # 818 (Miller Welle Heiser Payroll Service); Check # 19404 through Check # 19432 in the amount of \$42,137.51. Motion carried unanimously.

A motion was made by Carlson, seconded by Dearing, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 9:25 p.m.

Respectfully submitted,


Mary Barkley Brown, Clerk/Treasurer

April 21, 2015


Richard Naaktgeboren, Chairman