

**SHAMROCK TOWNSHIP
REGULAR BOARD MEETING
MONDAY, FEBRUARY 13, 2012
Continued from
FEBRUARY 9, 2012**

Board Chairperson Nancy Karjalahti reconvened the February 9, 2012 regular board meeting at 2 p.m. Present were Supervisors Charles Quale and Ron Smith; Treasurer John Brula; Clerk Candace Bartel, resident Richard Biernat and realtor Tony Bodway, Edina Realty. The purpose of the continued meeting was to further discuss the option to buy/purchase agreement on the foreclosed parcel on Lily Avenue (29-0-24400).

The board verbally offered \$174,000. The seller (Wayne Alden) will not consider anything less than \$185,000. The buyer does not want to do an option to buy. Tony presented a basic purchase agreement partially filled out including the conditions listed at the February 9 meeting. The township attorney (Sarah Sonsalla, Kennedy & Graven) had sent recommendations. The contingency date was set for March 23 and closing date was moved to March 30, 2012.

Charles Quale had contacted two boring companies for quotes and availability to bore. He is waiting for further information. Tony stated that there will be no fees charged by the seller for the township to do borings on the property per the seller.

The fuel tank, sewer and well were discussed. The board does not intend to use the sewer. The vacating of the sewer was clarified. The fuel tank will need to be removed. These were covered in the "as is" addendum.

The board reviewed the comments from the township attorney. The addendums were reviewed. Tony will put the township attorney's additional provisions in the township's buyer's contingency addendum. The title search and the title insurance were discussed. A clear title is a requirement of the township's buyer's contingency addendum.

The township attorney will review the revised purchase agreement once Tony includes the agreed upon changes and emails it to her. There are three things that the seller can do once a purchase offer is received: 1) accept the offer, 2) reject the offer and 3) counter the offer. When the seller does a counter offer the buyer has the same three options.

Permission to inspect the property was given to the board by Tony.

Ron Smith moved to counter offer with a purchase price of \$180,000, seconded by Charles Quale; motion carried. Tony consulted with the seller; he refused the offer. Motion by Ron Smith, seconded by Charles Quale, to offer \$185,000 contingent on addition of the township's additional provisions and review of the purchase agreement by the township attorney prior to signing; motion carried. Tony stated he would donate his 2% dual agent commission to the township if the sale is completed. If the bank does not agree to the terms of the short sale, the purchase agreement will be voided.

Charles Quale moved to authorize Ron Smith, Vice Chairman, to sign the purchase agreement as Nancy Karjalahti will be off the board after the March township election, seconded by Nancy Karjalahti; motion carried.

Ron Smith moved to authorize \$5000 as earnest money towards the purchase of the property, seconded by Charles Quale; motion carried. The check will be made out to Edina Realty; the check will not be cashed until the purchase agreement is fully executed. After discussion on the maturing CD's designated for gravel use, it was decided to let them remain invested. Payment method will be approximately \$85,000 from the road and bridge fund and the balance to be financed through a certificate of indebtedness. It was noted that in addition to the purchase price there will be closing costs, fees for boring and title search and title insurance costs.

The meeting was continued to Wednesday, February 15, at 4:30 p.m. to review the revised purchase agreement. Tony will send the revised contract to the township attorney for her review. The board agreed to allow Tony to contact the township if necessary. The township attorney will be contacted to let her know the revised purchase agreement will be sent to her and the board would like her revised version to review it at the continued meeting on February 15.

At 3:55 p.m. the meeting was continued to Wednesday, February 15, at 4:30 p.m.

Candace Bartel
Shamrock Township Clerk

Nancy Karjalahti
Shamrock Township Board Chairperson

MINUTES WERE APPROVED AT THE MARCH 8, 2012 REGULAR BOARD MEETING