

**SHAMROCK TOWNSHIP
REGULAR BOARD MEETING
Thursday August 14, 2014**

Board Chairman Jerry Pawlak called the meeting to order at 6 p.m. and led the Pledge of Allegiance. Present were Supervisors Ron Smith and Charles Quale; Treasurer John Brula; Clerk Candace Kral; road maintenance employee Marvin Turner; Bob Beaver, SEH, and five Shamrock residents/property owners.

Motion by Ron Smith, seconded by Charles Quale, to approved the August 14, 2014 agenda with addition to "new business".

The minutes from the July 10, 2014, regular board meeting were approved on a motion by Ron Smith, seconded by Charles Quale; motion carried unanimously.

The treasurer reported the following fund balances for the period ending July 31, 2014: General Revenue Fund, \$139,901.03; Road & Bridge Fund 303,471.77; Fire Fund, \$22,067.19; Building Repair Fund, \$107,967.85; Sewer Fund, 4,836.45; Road Repair (black topping), \$255,192.57; Parks & Rec Fund, \$54,380.65; and the Lease/purchase Fund, \$33,566.34; for a total in the checking accounts of \$921,383.85. The Road & Bridge CD's total \$303,428.03; Building final payment CD, \$79,288.22 Sewer Fund CD's \$89,456.22; CD #37543 matures August 25. Money market interest received in July 2014 was \$275.35. Receipts for the month were \$5,894.35. July disbursements were \$32,607.92. Motion made by Ron Smith, seconded by Charles Quale, to approve the treasurer's report; motion carried unanimously.

Motion made by Charles Quale, seconded by Ron Smith, to approve the August 2014 claims and payroll totaling \$53,170.84, motion carried unanimously.

Correspondence: Aitkin County Habitat for Humanity post card; Lake County Power July 2014 Newsline and Strictly business August issue; Lakes and Pines Newsletter; email from Paul Cummings; article from Brainerd Dispatch July 20, 2014 regarding underground mine in Tamarack; Newsletter from Rio Tinto regarding Kennecott Explorations; MAT District 11 Meeting & Election

Concerns from Residents not on Agenda:

Terry Betley and Larry Jorgensen presented the board with tentative plans for a small house with an attached storage shed on Larry's lot. They requested a possible variance to the road right-of-way down to 20 feet. The part of the house by the road would be the attached storage shed not a garage. They stated that there would no car parking at that point along the road. Terry will try to provide the plans needing as little of a variance as possible and will provide the township with finalized plans. The board stated that they will provide a letter for the variance request giving the township's approval for the variance request as presented to the board upon receipt of the finalized plans.

OLD BUSINESS:

Road Report – Tim Turner reported that the maintenance department has hauled 650 yards of gravel; due to storm damage, they have been cutting trees and cleaning up road ways, there are still stumps in right-of-ways or close to the traveled surface of the road need to be ground down before winter for safety purposes; replaced two culvers on 486th Lane; shouldered all blacktops except 202nd Place due to the work that is to be completed on that road; 202nd Place has approximately 65 mail boxes, swing away post price at the county is \$55.00 each; needs to order sign posts, a pallet will last several years; the Sterling was returned from Mills, work completed, runs well; have an appointment for the MACK truck in St. cloud for a safety recall on the flasher and will reprogram for self-diagnosis on August 27, 2014; leaf sites were used heavily after the storms; Tim thanked Jerry Pawlak, Charles Quale and Ron Smith for their help with the cleanup of the storm; the board

needs to decide what area of the gravel pit will be logged, we will very low on gravel by this fall; Tim wants to order 25 tons of salt for this winter. The board instructed Tim to order the sign posts and the salt.

Concern was stated regarding the various tree stumps that are located near the roads mainly from down trees caused by the recent storm. The maintenance department will find and document for the board how many stumps need to be removed and where they are located, which ones may be on private property and which are in the right-of-way so we can contact the owners. The board will discuss the tree stumps at the next board meeting so a solution can be obtained. The township attorney will be contacted to find out the best way to handle stumps that are on personal property but still may cause a hazard for the road maintenance especially during snow plowing season.

202nd Project – Bob Beaver was unable to attend. The board was presented with a memo of the updates for the project. They have adjusted the grade in the area of concern by the lake by lowering the road approximately one foot. They are finalizing the review of the drainage across the road to make sure we are not trapping water behind the road. Jason Engstrom, SEH employee that will be in the field during construction, will be making a field visit on Tuesday (8/19) to review the road grade and tie in points to the adjacent properties and have a meeting set up with Jim Alstad and are trying to connect with Ray Gustafson. Jason will also review the drainage at 498th Lane and finalize a plan for the drainage with a structure and culvert instead of the original planned infiltration basin. Contracts are in place with Anderson Brothers. They will be scheduling the pre-construction meeting for the week of August 25th. SEH and the township clerk will work together to get a notice out to residents once we have a tentative schedule.

Installing new swing-away mailbox posts on 202nd Place in conjunction with the road project and beyond was discussed. Concerns of the township expending funds for this purpose were mentioned. The township attorney will be contacted to find out the legality of the post replacements.

483rd Street – Erosion Control Project – Bob Beaver has found some information on the 218th Place Drainage Improvements from 2011 and has just started to review. He will set up a meeting with Tim when he is down here for the 2014 Street Project to review in the field.

Ball Field – Jeremy Paquette contacted the clerk to inform her that he will still do the work on the dugouts when he gets a chance. He will contact a supervisor when he is available.

John Clasen Road Vacation – the clerk informed the board that the township has been served with the Application and Notice of Application for the Clasen Road Vacation in Shamrock Township. The hearing date is on January 21, 2015 at 9:00 a.m.

The board was presented with an email received by the township from Peter Clements stating his position against the Clasen Road Vacation and also stated concerns regarding the “No Trespassing Violator Will Be Prosecuted” sign at the end of 195th Place since the road is a public road.

Employee Contract - postponed until May regular board meeting

ACAT Meeting Report – Candace Bartel and Charles Quale reported that the quarterly meeting of the Aitkin County Association of Townships (ACAT) met at the Waukenabo Town Hall on July 18. Charles Quale, Jack Brula and Candace Bartel represented the township. The Minnesota Association of Townships (MAT) annual meeting will be held in Duluth November 20-22. The MAT District 11 meeting will be in Walker on August 27. The proposed Enbridge pipeline routes were discussed. The county commissioners will be addressing the pipeline at their next meeting. The property tax status of rental properties in the township was discussed with State Senator Carrie Ruud. She stated there is similar concern in Crow Wing County. Nathan Burkett, the new Aitkin County Administrator, was introduced. Bill Onstad shared information on an upcoming Haugen Township celebration. ACAT Secretary Anita Anderson requested topic suggestions for future meetings.

Tennis Courts – Repairs and replacement of the tennis courts, the long term plan involving a new parking lot and the maintenance building addition, relocating the tennis courts and the recreation fund and available funds were discussed. Jerry Pawlak will obtain an estimate of relocating and rebuilding the tennis courts.

Gravel Pit/Crush – the board needs to decide what area of the gravel pit will be logged, we will be nearly out of gravel by this fall; Brian Napstad suggested contacting Mark Jacobson of the Forestry for assistance of the logging of the gravel pit. Charles Quale will contact Bob Moore of the Forestry. An ad will be run in the paper for loggers interested in providing services to the township.

Maintenance Building/Townhall Addition - postponed January 2015 regular board meeting

Kirk Properties – Jerry Pawlak with contact Rod Kern to remind him to present the township with a bill for repairing 197th Avenue.

NEW BUSINESS:

Darby Walbon – Explained a road/driveway easement that is being requested by Mr. Bill Reed. The issue involves a portion of 190th Place that the township has been maintaining as a road for over 15 years. The end of the road goes through Mr. Walbon's property and was never platted as a road and should have been an easement. It was explained to the board that Mr. Reed is requesting that that portion of the road be claimed as a road by prescription be 33 feet which brings the "road" to approximately 3 feet of Mr. Walbon's garage which causes a hardship for Mr. Walbon. Mr. Walbon and his attorney, Shari Larson, asked the board if they would stop maintaining the portion that is on Mr. Walbon's property so that Mr. Walbon could provide a 16 foot driveway easement for Mr. Reed. If the township is claiming that part of the road to be a township road by prescription would they demand a 33 foot road width or leave it at the approximately 16 feet that is currently being maintained. The board will contact the attorney regarding the townships responsibility regarding the continued maintenance of the road and the townships legal position on the matter.

The board was informed that the township had 114 voters for the Primary Elections held on August 14.

Fall Clean-up Day – has been set for September 13, 2014. The board discussed restricting quantity brought in for clean-up day, the need to better controlling/stopping building materials that are brought in by property owners, putting a charge on mattresses to help cover cost to the township

Workman Township Road Agreements – The board discussed the continuation of the road maintenance agreements that we currently have with Workman Township for shared roads between the two townships. Motion made by Charles Quale, seconded by Ron Smith, to sign the road maintenance agreements for Long Point Place, 512th Lane, 220th Avenue and 482nd Lane with Workman Township continuing for three years without any changes. Motion passed unanimously.

Lynn B. Reich – Conditional Use Permit - The Board has no objections to the requested permit and recommends that the county rules and regulations be followed.

Linda Nagengast – drain pipe – An email was sent to the board explaining that Linda and her neighbor have installed drain tile and would like permission to run a 6" – 8" pipe under the road to alleviate flooding in their yards. The board stated concerns regarding the liability of the road and right-of-way and future maintenance issues regarding a private party installing a drain pipe under a road. Jerry Pawlak will contact Ms. Nagengast regarding her request.

Jerry Pawlak informed the board of a new product for gravel roads that is eco-friendly and hardens the roads just about like concrete. Jerry has contacted two companies to get more information and has sent gravel/road sample to the companies for analysis for the trouble areas in the township

The equipment CD #37543 has matured and is ready to be cashed in to replace the money in Road & Bridge fund used in the purchase of the new truck. A motion made by Ron Smith, seconded by Charles Quale, to cash in CD #37543 for \$119,224.83 and put into the Road & Bridge fund. Motion passed unanimously.

Due to spacing issues, the elections judges have informed the board that the table currently used for elections are too large for the space that the town hall allows for election set up. An election committee will research and put together pricing new tables and new chairs to be used during elections and be presented to the board at the next regular board meeting.

Charles Quale, received a call from Bob Bass to see if the township was going to send a representative to the Lake Minnewawa LID meeting to be held on August 23.

The board was also informed that there has been another shooting incident within Shamrock Township. A resident contacted Charles Quale (and Ron Smith) to inform the township that when she contacted the Game Warden and informed her that a person can shoot anything on their own property. The board would like to research the law to protect people with smaller land lots. The board would like to invite the game warden, Amber Peterson, to a meeting for the township's information regarding fire arm regulations.

Meeting adjourned 7:49 p.m.

Candace Kral
Shamrock Township Clerk

Jerry Pawlak
Board Chairman

MINUTES WERE APPROVED AT THE SEPTEMBER 11, 2014 REGULAR BOARD MEETING