

**SHAMROCK TOWNSHIP
REGULAR BOARD MEETING
Thursday September 11, 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; and eight Shamrock residents/property owners.

Motion by Ron Smith, seconded by Charles Quale, to approved the September 11, 2014 agenda with addition to “new business”.

The minutes from the August 14, 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 August 31, 2014: General Revenue Fund, \$134,454.59; Road & Bridge Fund 384,461.10; Fire Fund, \$21,740.54; Building Repair Fund, \$107,994.01; Sewer Fund, 4,837.62; Road Repair (black topping), \$255,254.40; Parks & Rec Fund, \$53,875.85; and the Lease/purchase Fund, \$25,042.97; for a total in the checking accounts of \$987,661.08. The Road & Bridge CDs’ total \$186,013.10; Building final payment CD, \$79,446.80; Sewer Fund CDs’ \$89,933.35; CD #37543 matured August 25 and was deposited into Road & Bridge Fund. Money market interest received in July 2014 was \$223.24. Receipts for the month were \$0. August disbursements were \$53,170.84. 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 September 2014 claims and payroll totaling \$26,560.33, motion carried unanimously.

Correspondence: USDA Rural Development News Release; Lake Country Power August 2014 Newsline; Big Sandy Lake Foundation Social Event; The Mercury; Mark Pawelski AIS Inspection update; Aitkin County Historical Society Depot Highlights Newsletter

Concerns from Residents not on Agenda:

John Zappa – road right-of-way variance request –presented to the board Jim Metzen’s plans to removed his current garage and rebuild a new, larger one in its place on 202nd Place and is requesting a road right-of-way variance. The garage is currently approximately 3 feet from the road’s traveled surface, the current plans place the new garage approximately 4 feet from the traveled road service. The board discussed concerns for the road right-of-way of only 4 feet. The board explained to Mr. Zappa their concerns and the reasoning. Due to the lack of space of Mr. Metzen’s property, a motion was made by Ron Smith, seconded by Charles Quale, to approve a 10’ road right-of-way measured to the new garage’s eves variance request; motion passed unanimously.

Ernie Darlow, Jr. - presented to the board a septic holding tank variance request to be installed for Kenneth Pegg at 20585 508th Lane. The plans were reviewed on site by two supervisors (at different times during the last week) previous to the meeting. After further discussion, the Board approved the variance request of the setback from the road right-of-way for the placement of the 2,500 gallon septic tank along the road approximately 4 feet at the closet point and approximately 9 feet at the farthest point and any damage to the tank or equipment caused by frost due to the close proximity to the road is not the responsibility of the township. A motion was made by Charles Quale, seconded by Ron Smith, to approve the design as presented to the board. Motion passed unanimously.

OLD BUSINESS:

Road report – Tim Turner reported that they have been mowing the shoulders, grading and gravel; they are cutting back on the gravel, the township is running low on gravel; has ordered winter maintenance salt; ordered 100 break away 3 lb post; marked out an area for cutting/logging in the gravel pit and area behind the tennis courts to have done at the same time; has made a list of the stumps that may be in the way of winter maintenance; having mechanical problems with the mower tractor, cannot be fixed until it completely breaks down since it does not show any codes; has five dumpster ordered for clean-up day; the township needs to order a new flag for the flag pole outside

The port-a-potty will be picked up at the end of the month, September 30.

Charles Quale has spoken with Mark Jacobs, who will send him a list of the loggers in the area. He also referred Charles Quale to Dennis Thompson, Aitkin County, to come out to perform an estimate of merchantable timber to be removed on the two areas the township needs logged to give the best results for the township.

Gravel Pit/Crush – A motion made by Ron Smith, seconded by Charles Quale, to place an ad in the newspapers for bids for the gravel crush to be opened at the October 9 regular board meeting. Bids to be completed for 30,000 cubic feet Class 5; 500 cubic feet sand with the same specifics as the previous crush performed in 2009. Motion passed unanimously.

Motion made by Ron Smith, seconded by Charles Quale, to pass Resolution 2014-12 Regarding the Removal of Tree Stumps within town Road Right-of-Way. Resolution was approved on the following vote: Charles Quale, aye; Ron Smith, aye; Jerry Pawlak, aye.

202nd Project – Pre-Construction Meeting was held September 11 at 3:00 p.m. – Anderson Bros will be performing the blacktop work and Rocon is performing the dirt work. The details of the project were discussed with the contractors. Adding the 242nd Lane intersection improvements to the current project for the benefit of cost effectiveness were discuss. Motion made by Charles Quale, seconded by Ron Smith, to add the 242nd Lane project to the 202nd Place project; Motion passed unanimously. The project will begin by the end of the month. The clerk will send out informational/contact flyers to the property owners next week.

The board discussed replacing mailboxes/posts while performing 202nd Place improvements for the benefit of the maintenance of the roads. New mailboxes/posts will not be installed during the completion of the project

Ray Gustafson/Public Access Property – Charles Quale contacted Bob Moore to inform him of what the township is trying to do (swap property for public access). He said that the township needs to determine who is taking responsibility of the access, township or county. The county informed the board via letter that they have relinquished all responsibility of public accesses. The board agrees that the township will maintain responsibility of the access. The parties (township and Mr. Gustafson) needs to go through vacation of the property, Bob Moore, trails and water, will help the township through the procedure. The clerk will contact the township attorney to obtain the proper procedure to follow to accomplish the land swap.

483rd Street – Erosion Control Project – there is new information to provide the board

Kirk Properties – Kern Excavating, LLC was paid with this month's claims for the repair work on 197th Avenue for \$520.00. Motion made by Ron Smith, seconded by Charles Quale, to return the balance of

\$4206.11 of the deposited funds minus any amounts expended by the town during that time for the repair or maintenance of the new portion of the road. Motion passed unanimously.

John Clasen Road Vacation – Peter Clement informed the board of his concerns of the requested road vacation as a neighbor that would be impacted by the closing of the road. Concerns were also stated regarding “private property” signs that have been posted on the public roads. The board informed Mr. Peterson construct a letter to the Court, mailing it ahead of the hearing date, and that it would also be good to be present at the hearing in January. Mr. Clements requested the board provided a letter to the courts stating that the road is used by the public.

Ball Field – the clerk presented the board with an email copy of the article John Grones has prepared for print in the Voyager Press regarding the building and completion of the baseball field

Tennis Courts – the board has received emails from a couple stating concern of the condition of the tennis courts and that they need to be redone. The township has also had tennis players that stated that the courts are not that bad or dangerous, the biggest concern is the acorns that fall on the courts. The supervisors will view the tennis courts over the weekend and inform the clerk their opinion of the physical condition. Further discussion of the courts will proceed at the next regular board meeting.

Election Equipment/Supplies – Tables and Chairs – Candace Bartel and Richard Cox presented the board with equipment choices and costs. Motion made by Ron Smith, seconded by Charles Quale, to give the election equipment committee permission to purchase the equipment according to their recommendation as presented to the board. Motion passed unanimously.

Clean-up Day – Jerry informed the board that he has heard positive comments that the upcoming clean-up day was not scheduled on the same day as the Aitkin Hazardous Wastes clean-up day.

NEW BUSINESS:

CTAS Version 8 Training – training for the new CTAS system has been scheduled. The clerk and the deputy clerk will attend.

Bill Reed presented to the board his history, position and concerns regarding the portion of 190th Place that runs through Mr. Walbon’s property to the Reed property that the township has been maintaining for many years. Charles Quale informed Mr. Reed of the conversation the board had with Mr. Walbon and his attorney, at the August regular board meeting stating that the township would contact their attorney regarding the responsibility of the township to said portion of the road. The board stated that there was a misunderstanding in previous conversations with Mr. Reed regarding the width of a road by prescription and that the township is not required to make a road by prescription be 33 feet wide. The township’s attorney’s statement was that the township does have an easement road to the width that has been previously maintained. The township informed Mr. Reed that they cannot stop plowing and grading that portion of the road at the road’s current width (approximately 16 feet) due to the hardship that a 33 foot road would cause Mr. Walbon. Mr. Reed said that he understood the township’s position. He stated that he does not care about the 33 foot width and that he didn’t need that much to get in and out, that all he needs is a 16 foot easement, as long as the township continued plowing/maintaining said road. The board then encouraged Mr. Reed to negotiate with Mr. Walbon to achieve a recorded easement to alleviate any possible future issues.

Jerry Pawlak presented the board with the sample of class 5 returned from LandLock to the township that has been treated with their product. The product is an eco-friendly alternative to asphalt or other treatment for gravel roads. LandLock said that the treated road can be graded and plowed. The wearing down of the treated roads, frost boils and other winter weather may cause concerns or issues. The

product would have to be approved by Aitkin County. Jerry would like to have a representative meet with the township and county representative.

Amber Peterson, DNR, will attend the October meeting to discuss firearm use within the township or residential areas. The clerk will contact Aitkin County Sheriff to request that a representative from the sheriff's office also attend the October meeting.

Motion made by Charles Quale, seconded by Ron Smith, to continue the snowplowing agreement with Lake Minnewawa Estates. Motion passed unanimously.

Meeting adjourned 9:04 p.m.

Candace Kral
Shamrock Township Clerk

Jerry Pawlak
Board Chairman

MINUTES WERE APPROVED AT THE October 9, 2014 REGULAR BOARD MEETING