**SHAMROCK TOWNSHIP**

**REGULAR BOARD MEETING**

**Thursday October 14, 2021**

Board Chairman Ron Smith called the meeting to order at 1:00 p.m. and led the Pledge of Allegiance. Present were Supervisors Allen Eld and Charles Quale; Treasurer John Brula; Clerk Candace Kral; maintenance Marvin Turner and Matthew Indihar, WSB (via Zoom); and five residents (3 in person and 2 via Zoom).

Motion made by Charles Quale, seconded by Allen Eld, to approve the September 9 Regular Board Meeting minutes; motion passed unanimously.

The treasurer reported the following fund balances for the period ending, September 30, 2021: General Revenue Fund, $76,531.98; Road & Bridge Fund $89,934.87; Sewer Fund $8,156.42; Road Repair (blacktop) Fund, $138,866.65; Fire Fund, $-3,724.15; Building Repair Fund, $376,691.31; Parks & Rec Fund, $152,388.47; Escrow/Road Vacation $794.38; Road Bond $-1,818.42 and the Lease/purchase $92,024.41; bond principal -$144,000.00; Salt Shed load $-111,325.59 – a total in the checking accounts of $929,845.92. The Blacktop Repair CDs’ total $ 158,420.43; Equipment CD’s total 50,426.59 and the Sewer Fund CDs’ total $ 117,706.03. Money market interest received in September 2021 was $195.96. Receipts for the month were $8,886.97. September disbursements were $71,521.81. Motion by Allen Eld, seconded by Charles Quale, to approve the treasurer’s report; motion passed unanimously.

Motion made by Charles Quale, seconded by Allen Eld, to approve the September 2021 claims and payroll totaling $62,461.03; motion passed unanimously. Claims list attached.

The board was present with the final pay voucher for the construction of the salt shed minus the 5% retainage due to ongoing disputes with Nordic Group that WSB is trying to settle. There are 3 conflicts currently in discussion are as follows: (1) the concrete coating stating there’s $6,774 of charges due to that application which include an 40 days additional contract time, WSB continues to wait for the evidence to be provided; (2) a claim in the amount of $460 for unloading and tarping building materials, which WSB stated is offset and unjustified by the township loaning the contractors the township loader to perform the task; and (3) the additional labor and materials in the amount of $4,894 for changing foundation design to accommodate a salt/sand mixture rather than a salt mixture; for a total of $12,392.50. WSB continues requesting proof for justification and still has yet to receive said meaningful proof. WSB has also stated that Nordic Group was 38 days past the complete date of the contract with a fine of $500 per day liquidated damage that gets applied that totaled up to $19,000 that would be owed the township for not completing the work on time. Other issues and services provided to Nordic Group contractors by the township during the construction project were discussed

It was stated the salt shed is completed and the punch list has been completed and Matt Indihar recommends the township pay the final pay voucher. Motion made by Allen Eld, seconded by Charles Quale, to approve, sign and pay Pay Voucher 3 in the amount of $11,700.15; motion passed unanimously.

**Correspondence:** Couri & Rippe Legal seminar rescheduled to Oct 23rd; Minnesota LTAP Technology Exchange September 2021 issue; Lake Country Power September 2021 Newsline; Lakes & Pines Online silent auction information

**OLD BUSINESS:**

The board reviewed the road right of way variance request by Ed Nystuen regarding the proposed construction plans for a garage. The board acknowledged the new construction will be 20’ from the road right of way and that the garage door does not face the road. Motion made by Charles Quale, seconded by Allen Eld, to approve the variance requested as presented to the board by Edward Nystuen; motion passed unanimously.

Charles Quale informed the board he has spoken with Chris Pierce regarding an ordinary high water variance request he is filing for with the county. He is unsure of the process with the county. The board granted permission for the clerk to provide a letter to Mr. Pierce, if requested, on the township’s behave stating approval of request for high water variance.

Road Report – Tim Turner reported they have been grading and graveling; salt shed is full, he put all of the ordered salt in (both loads received at the same time, rather than two times during the year) plus the left over product from last year, there is some straight salt as well as the salt/sand mix; replaced culvert on 217th Avenue; have been mowing shoulders; have done some blacktop patching; the blacktop crack sealing is currently being done; had new tires put on the pickup truck; noticed tires on grader (purchased in 2017/2019) are cracking, has contacted Royal Tires and discussed the township’s options for replacement/compensation of tires

The board stated 216th Place progress and ditch correction has been followed up on. The rocks causing concern for the public safety in the ditch has been removed and replaced with another form of erosion control. Motion made by Charles Quale, seconded by Allen Eld, to approve the acceptance of that portion of 216th Place as stated in Resolution No 2021-20 Accepting a Platted for Maintenance by the Town; motion passed unanimously.

The township received an email David Utoft regarding the location where the township road was moved off his property to its’ platted location as requested by the property owner. Mr. Utoft inquired as to black dirt being supplied in the previous location and moving of the power pole. A dead-end road sign has been placed at the beginning of the road. The township will look into what can be done with the road to make it more yard friendly for the property owner and will inform Mr. Utoft of who to contact regarding the power pole. Ron Smith will contact Mr. Utoft regarding this matter.

Motion made by Charles Quale, seconded by Allen Eld, to approve Road Mileage Certification as with the addition of 216th Place and the correction of one short missing road as marked on the map provided; motion passed unanimously. The certification will be submitted to the county.

Bridge Road Project – no new information

The board discussed the condition of the sand in the Trader’s Post culvert in Big Sandy Lake. Tim Turner will talk with a few contractors regarding the possibility of cleaning the culvert this year and to obtain a quote on the job.

Amendment to Contract, provided by Century Fence, relating to utilities riders for private utilities was reviewed and discussed. Motion by Charles Quale, seconded by Allen Eld, to approve and sign Amendment to Contract for: Backstop and Yard Entrance Fence; motion passed unanimously.

The town hall site had 174 sign-ins and $1,406.00 was collected in fees and donations. Supervisors Charles Quale, Ron Smith and Allen Eld and road maintenance men Tim Turner, Marvin Turner, Luke Hauser and Tom Besch were assisted by volunteers Dominic, Kevin & Diane Seefeld, Bruce Johnson, Kathie Serfling, and Jeff Backowski. 6 dumpsters were delivered - 5 were filled; It was a sunny and warm day.

The board discussed the increase of fees for TVs and mattresses collected on clean-up day due to the township’s cost.

Shamrock Recreation Area Project

The board was presented with a Declaration of Restrictive Covenant to be approved, signed and record with the county. It was explained to the board that this document is a requirement of the DNR relating to the Outdoor Recreations grant the township has received. It was also stated the document has been reviewed by the township’s attorney. Motion made by Allen Eld, seconded by Charles Quale, to approve and sign the Declaration of Restrictive Covenant; motion passed unanimously.

Kenneth Avenue Road Vacate – the litigation is complete and the attorney is closing the file.

The clerk informed the board that the Fine Allocation process is complete and the township is starting to receive funds. The board agreed to deposit the funds into the Rec Fund.

The clerk stated she has recently learned that the deputy clerk needs to be a regular notary public rather than an ex-officio notary public. The board concluded for the Treasurer to become a notary public in place of the deputy clerk stating the treasurer is always at the meetings in the event a need should arise that the clerk is unable to notarize.

**NEW BUSINESS**

The board reviewed the road right of way variance request Greg Schendel. It was acknowledged that they have previously reviewed and approved this request. It was noted that the documents were as presented to the board therefore no action by the board was required.

David & Nancy Frischmon – Variance Request – ROW - Jeremy Paquette - The Shamrock Town Board reviewed a letter from Andrew Carlstrom, Environmental Services Director, regarding the variance request by Jeremy Paquette regarding the proposed re-construction plans for the home/cabin located on 206th Place Double “S” Acres, lot 63. The issues and hardship presented by the property size were discussed. The board has agreed to stay with their previous motion of denying the reconstruction of the building in the current location allowing only a 5.9ft road right of way set back again stating this goes against Shamrock Township’s standard recommendations and expectations due to safety to both the township maintenance of the road and the property owner’s structure and or personal property. It was also stated that the Township is already deviating from their policy by allowing the structure to be turned and rebuilt giving a road right of way of 15 feet as shown in plan 2. It was reiterated that due to the proximity of the building to the road, there is concern with road maintenance and damage to the equipment and/or property/building. The township would like to further utilize the road right of way to better accommodate the township maintenance vehicles; however due to currently existing encroachments with vehicles. campers or other items in the road right of way, it is not possible.

The board reviewed the request for an ordinary high water variance by Brad Peet. The Township Board has no objections to this variance request and recommends the county rules and regulations be followed.

The board reviewed the request by Mary Franke for a Conditional Use Permit to operate a Vacation Home Rental. The board stated no issues or concerns regarding this permit request and recommends the county rules and regulations be followed.

The board reviewed the permission request W.O. #4264452 provided by Frontier for the installation of lines to a residence on 485th Street. The board stated no issues or concerns regarding this permit request.

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2:25 p.m. Meeting

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| Candace Kral |  | Ron Smith |
| Clerk |  | Board Chairman |

**MINUTES WERE APPROVED AT THE NOVEMBER 14, 2021, REGULAR BOARD MEETING**