

Wabedo Township Board of Supervisors
June 9, 2009

Present: Chair Bill Bliss, Supervisors Bob Adelman, Ralph Schmidt, Treasurer Carole Houghton and Clerk Barbara Anderson

Guest sign in sheet is attached to the original minutes of this meeting.

Call to order – Chair Bliss called the meeting to order at 7:00 p.m.

Pledge of Allegiance – The Pledge of Allegiance was recited.

Approval of Agenda – There were no additions or changes to the agenda. MOTION: Adelman/passed: Approve the agenda for June 9, 2009 as written.

Minutes – There was one correction on the minutes of May 12, 2009- under Planning Commission, First paragraph third line :2) A vegetation buffer plan ...” MOTION: Schmidt/passed: Approve the minutes of May 12, 2009 with the correction.

Treasurer’s report – The treasurer read the Cash Control Statement for the month of May 2009. MOTION: Schmidt/passed: Accept the Cash Control Statement for May 2009 with an ending balance in all funds of \$99,936.29. MOTION: Bliss/passed: Authorize the treasurer to transfer \$5,000.00 from general fund line item to planning commission line item.

Residents’ concerns – Stokesbary asked that since we are not moving the town hall at the present time could we paint the town hall. The board discussed this idea and set Friday, July 10th for the painting day. Volunteers will be asked to bring their own paint brushes and ladders. The township will supply paint and lunch. Volunteers can work as many hours as their time allows.

ROAD & BRIDGE

Supervisor’s report – Schmidt –

1. Dave Felton, Felton Brothers, called to remind Schmidt that he not received a work order for the wash out area on Glenmar. Schmidt prepared work order # 2009-16. The work has been completed.
2. Schmidt has not received confirmation on dates for applying chloride from Dust Coaters Inc.
3. Ziegler performed the initial service check on our tractor. This was done on May 21, 2009. They did change all the lubricants and checked for metal filings. Did not find any problems.
4. Schmidt called Bill Herheim, Lott Excavation, about the surcharge on a previous bill. Herheim said that after the first run on our roads and Woodrow Township roads, he measured the amount of ware done to the points. By figuring the initial cost and the amount of wear to the points, the end results were divided between Wabedo and Woodrow Townships.

Supervisors report continued:

5. Schmidt talked with Dave Enblom, Cass County Highway Department, about the roads that Wabedo Township will be taking over from Cass County on January 1, 2010. Enblom felt that the meetings were all done. Schmidt explained our concerns were the condition of the roads. Enblom will talk to Chris and get something set up. Schmidt will call Chris in a week.
6. Word orders review.

Mower Operator – Anderson reported that Dwayne Waldera did accept the position of mower operator for the township. She also reported that she sent out letters to the other applicants. Schmidt reported that Waldera has storage facilities on his property and would like permission to store the township's mower there. MOTION: Schmidt/passed: Authorize Dwayne Waldera, Wabedo Township's mower operator, to store the township's Challenger mower on his property at 3540 State Hwy 84 NE, until such time the Board of Supervisors determine the mower should be stored elsewhere.

OLD BUSINESS

Follow up on driveway approaches – Bliss explained that last month when the Board was discussing crafting a driveway approach ordinance to try to regulate widths and culvert sizing on township roads, he was asked to get a legal opinion. The question is, if the township design and approved an approach, and it needs repair because of its design in the future, is the township liable? Bliss received the following e-mail from Dan Greensweig at the Minnesota Association of Townships;

“In general I'd say you're not liable, just as the state isn't liable if it turns out the building code was poorly written. That said, you should take steps to ensure your ordinance's requirements are reasonable; if the ordinance forces property owners to build defective approaches and the board hadn't bothered to do any investigation about the engineering implications, I can certainly see the gown getting dragged in to a lawsuit.”

NEW BUSINESS

Pay the claims - The board had received a copy of the claims report prior to the meeting for review. MOTION: Schmidt/passed: Approve payment of claims 8182 – 8191, and claim 62009 totaling \$26,996.34, and payroll.

PLANNING COMMISSION

Rupert variance – Stokesbary gave the history of the property – Norby, the previous owner, applied for and received approval for a variance on the property to add an addition on to the existing house. Norby did not build the addition. Norby sold the property with the approved variance to Rupert. Rupert asked for and did not receive approval for a second variance on the property to add a second story to the original variance request. Rupert then asked the county to reconsider his variance. The county did another site visit when the leaves were on the trees and approved this variance. Wabedo Township's planning commission recommended denial of the variance. The township planning commission does not understand why the variance was reconsidered and why it was approved. What has changed? The Board discussed this situation.

Wabedo Township Board of Supervisors
June 9, 2009

Rupert variance continued:

MOTION: Bliss/passed: Authorize the chair to write a letter to the Cass County Board of Adjustment asking for an explanation as to why the Norby variance application was revisited and approved. Copy of the letter will go to the Cass County Commissioners, Paul Fairbanks, Jim Dowson, and the whole Board of Adjustment.

Comp Plan – C Anderson reported that the planning commission should have a final draft of the updated comp plan for the board next month. Bliss suggested that there be a paragraph on annexation. If property owners want to make an adjustment in their property lines to be affiliated with another unit of government the township will work with them. If on the other hand if another government entity tries to annex property in the township, Wabedo Township will challenge the other unit of government.

CORRESPONDENCE - The Board reviewed the correspondence listed on the agenda.

ADJOURNMENT – MOTION: Schmidt/passed: Adjourn. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Approved

Barbara Anderson, Clerk

William C. Bliss, Chair