

February 13<sup>th</sup>, 2018

MINUTES

The Belgrade Township regular monthly meeting for February was held on February 13<sup>th</sup>, 2018 at the Nicollet County Satellite Offices in North Mankato. Chairperson Mary Milbrath, Supervisor Craig Smith, Supervisor Randy Gish, Supervisor Tom Langdon, Supervisor Tim Lorentz, Treasurer Richard Timm and Clerk Lori Cullen were present as well as Harlan Olson, and several township residents, as listed on the sign in sheet.

Mary called the meeting to order at 7:00 P.M.

Mary asked for any additional agenda Items and Approval of Agenda. Randy made a motion to approve the agenda. Craig seconded the motion. The motion passed.

The minutes from the January 9<sup>th</sup>, 2018 meeting were reviewed. Tom made a motion to approve the January minutes. Craig seconded the motion. The motion passed.

Richard Timm gave the Treasurer's Report for January. There is \$15,646.38 in the Checking account, \$10,732.02 in the Platinum account and \$441,763.06 in the ICS account as of January 31<sup>st</sup>, 2018. Deposits for the month were: \$19,053.19 from Nicollet Count and two deposits made for cartway petitions of \$5,000 each. Randy made a motion to accept the Treasurer's Report. Craig seconded the motion. The motion passed.

Claims were reviewed from January 2018, as well January payroll. Tim made a motion to accept January claims and payroll. Randy seconded the motion. The motion passed.

OLD BUSINESS

There were no additions to Old Business: Organizational Meeting / Meeting etiquette / Andy Willeart / Richard mail claims after meetings / Change the motion to a Resolution regarding Cartway earnest money / Burnett Cartway / Schwickert Cartway / Extinguish abandoned roads / Reflective Road Sign requirements for 2020 / Annual Town Newsletter / Budget prep/Deputy Clerk / New Printer / Mail Ballot Voting Resolution / FT Employee paid to attend meetings / Simmons Invoice / Unemployment filed by past PT employee / Set date for Board of Audit/Budget Meeting /Huntley/Wilmarth High Voltage Power Lines / MAT Spring Training 3/21/2018 / Meeting for LUCA Census training in April

NEW BUSINESS

BURNETT CARTWAY HEARING – Paul Tannis, the attorney representing the Burnetts, Presented Affidavit of Posting and handouts for board. Mr. Burnett purchased a 16.5-acre parcel of land that has no access. Ravines present natural obstacles that create impassable boundaries. County ordinance forbids building a road on a slope of 12 degrees or more, which is what these ravines have. The photos in the handouts helps depict boundaries. Maintenance of road would be shared by the other residents affected, unless no agreement can be made between Burnetts and other property owners.

Mr. Olson's Attorney stated that the 160-acre parcel has access to county road 13 and 490<sup>th</sup> street. The 16.5 acres is a portion of that parcel.

Affected property owners also had an attorney explaining the very unusual circumstances of this cartway. The Burnetts want to change the nature of the property from agricultural to buildable. The cartway inconveniences the affected property owners and is desired, according to the attorney, only to make a profit. It is a private driveway shared.

The township's attorney, Mr. Willeart asked about the ag easement. He explained the decision is not based on intent or purpose for a cartway. Ultimately, it's a question of is it a 16.5-acre parcel or a 160-acre parcel. The focus should be on access, not buildability.

Tom made a motion to table the petition for continuance until the information that the township attorney is advising is answered. It will be tabled for the March 20<sup>th</sup>. Craig seconded the motion. The motion passed.

SCHWICKERT CARTWAY HEARING – Kent Schwickert was represented by himself and his legal counsel, Ms. Barry. In 2005 he bought 6 acres to build a home. An easement is not a feasible means to be able to sell this 6-acre parcel as a buildable lot. Jessica Barry from Stinson Leonard Street said they put the two separate parcels in two names just to appease the board. The army corps of engineers did a wetland delineation study and approved the location of the cartway.

Michael Kennedy, adjacent property owner's (The Kloosters) attorney stated in 2016 the Schwickert's tried to sell the two properties as one parcel. Spouse has an incotate interest in the land. Although the land is titled in one name it is still owned by both. There is also a condition that requires joint control in decision making. Look at the common ownership. Mr. Kennedy said nothing has changed. Mr. Schwickert still owns both parcels.

Kenny Klooster asked why the wetland delineation was changed from 18 feet to 33 feet and is now 15 feet into the wetland area. Jill reminded the board that she showed the board pictures of the wetland stakes submerged under water in spring of 2017. They are concerned about potential flooding onto their property.

Mary spoke about the wetland delineation study, which we are financially committed to, regarding watershed and how this cartway with potential building may have a negative impact on waterflow.

Craig strongly encouraged the Schwickerts and Kloosters to try to resolve this and not force the board to decide for them. Neighbors should try to work things out whenever possible.

Ms. Barry warned that if the cartway is denied today that Mr. Schwickert would likely file suit against the township tomorrow.

Mr. Klooster said the assessed value on Mr. Schwickert's property is roughly \$9,600. They offered the Schwickerts \$100,000 for the property.

Tom made a motion to deny the petition. Craig seconded. The motion carried, and the petition was denied. Randy and Tim abstained

Joan Timm submitted a letter to the clerk regarding a road that she believes needs a warning regarding a curve. The road changed recently and anyone who is familiar with the road from the past could potentially miss the curve and go off the road. Harlan will check into signs for that road.

The board voted for the position of the Vice Chair. Mary made a motion that Craig be Vice Chair. Tom seconded the motion. The motion passed.

At the January meeting the board was presented with the option by Nicollet county to participate in Mail Ballot Voting. Attending residents had some good questions and the board said they didn't have enough information to make a decision. Lori spoke with Nicollet county and asked them the questions. The supervisors were given a handout with all the answers to the questions. Jaci Kopet, from Nic. Co. wanted to make sure it was pointed out that they were only answering questions and not trying to talk the board into doing it. New election equipment, required to purchase this year, would be \$6,000. There may or may not be grant aid to help with a part of that expense. No new equipment is necessary if voting is done by mail ballot. Tim made a motion to approve a Resolution switching Belgrade Township to a Mail Ballot Voting system. Tom seconded the motion. The motion carried, and the Resolution passed.

#### OTHER BUSINESS

Tom made a motion to adjourn. Craig seconded the motion. The motion passed and the meeting adjourned at 9:10 pm.

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Mary Milbrath, Chair

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Date

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Lori Cullen, Clerk