

**August 27th, 2002
Rockford Township
Regular Meeting**

Minutes of the August 27th meeting

Meeting called to order at 7:07PM. All supervisors were present, Clerk was excused.

Agenda amended with the following additions: #11 – Rich Otto: CUP request for garage door business
#12 – Don Daluge: Land subdivision

Motion to accept by Wetter, second by McDougall, all in favor.

Minutes from the August 13th meeting were discussed. McDougall noted that the speed limit issues on Darrow should be resolved by resolution, rather than by motion. (I have written “second by Leander” next, but I’m not sure why). Kelley recommended that the discussion of 9th St SE turn-around be reworded as follows, to better reflect the content of the discussion:

A possible cul-de-sac, or a turn-around, was discussed for 9th St. SE. Impacted residents, Joyce Geris and Laurel Rank, were invited to attend. Board, crew, and named residents discussed their existing difficulties, various aspects of the deeded Township right of way, and the current turn-around constraints (both equipment related, and those due to property improvements). Residents were concerned that they would be forced to give up their land. The Board stated that they prefer to work with residents, and that condemnation is considered only as a last resort. It was decided that the Township should have their road area surveyed so that the boundaries would be clear to all concerned. Motion by (no more changes). Motion by McDougall to accept the changes as noted (subject to Clerk’s approval), seconded by Wetter. All voted in favor of the motion.

Agenda items:

Tim Young, attorney, was present to answer questions as to how to proceed with the blacktopping petitions. Young recommended that only one signature per parcel, or potential parcel, be accepted as legitimate. He again noted that the Board is not legally bound by the number of signatures when making policy decisions. He advised that the next step would be to order the feasibility study. The feasibility study, at this stage, is not complex. It takes into consideration the area soils, number of affected parcels, and cost effectiveness. After the feasibility study is completed, the Board then must decide if it will proceed and, if so, schedule the first Public Hearing. The Board noted that the Farmington petition had sufficient signatures to proceed, whereas Halsey and 30th St still needed to include affected roads in their total. Motion was made by McDougall to authorize Mr. Young to prepare a resolution declaring the need for a feasibility study on Farmington Ave (T253), to be presented at the next regular meeting. Seconded by Wetter, all voted in favor of the motion. Attorney will forward the appropriate steps to the Clerk, and the Board will await the feasibility study before scheduling the Public Hearing.

Item 6: Barb Stoner not yet present. Item moved to #13.

Jim Simmons presented his proposal for the development of the Vogel property. Adaptations from the original J Phillips plan were discussed and it was noted that Simmons proposal was superior in that it provided a 66’ right of way throughout, and had dispensed with the temporary, emergency access from the initial proposal. Board noted that this plan was “exactly what they were looking for” and agreed that blacktopping would not need to be completed in the first year. Motion was made by McDougall to accept the proposed plat, subject to meeting the Township’s road requirements and noting that the northern portion is now proposed to be 66’ of right of way, and will be blacktopped. Seconded by Walker. All voted in favor of the motion.

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Kevin Anderson presented his proposal for the Troy Renstrom property on the West Side of Lake Charlotte. Board members Wetter and Walker were updated on the related matters discussed in the workshop meeting of October 21st. Approval of Anderson's request for 106' lakefront lots would likely trigger a change in the County's ordinance that requires public sewer and water for lakeshore lots with less than 150' of frontage. It was noted that there is sufficient capacity remaining in the sewer system to accommodate the seven proposed lots. Beise pointed out that there are many 75' and smaller frontage lots already on the two lakes (Charlotte and Martha), and he sees no problem with the creation of 106' lots. Motion was made by Walker to allow Mr. Anderson/ Troy Renstrom to develop a proposal providing for a single tier lakefront subdivision with lot lake frontages of 106'. This action has become possible because of the recent public sewer installation. Seconded by McDougall. In discussion, Kelley noted that she is uncomfortable with the seventh lot, since it will not have any lake frontage, and may set a precedence if it exists in the final proposal. Wetter stipulated that the Board members need to be kept informed of any and all future meetings on this proposal. McDougall stated that the subdivision would be required to have a 9-ton blacktopped road, and a temporary cul-de-sac. All voted in favor of the motion.

FEMA and dust control: McDougall reported that FEMA has determined dust control to be a seasonal issue, and therefore, will only compensate the township for the material that can be reapplied this year. McDougall noted that the Township has approximately 15 miles of collector roads and that the busiest roads have suffered the most loss. Board discussed the rate of application, light vs. normal, and the debatable icing consequences during the upcoming winter months. Motion by Wetter to begin reapplication of dust control product immediately, with one collector road being chosen for a test application of .2 strength vs .3 strength. Seconded by Walker, with the comment that this seems like a good opportunity to evaluate the winter and holdover effects of fall dust control applications. All voted in favor of the motion.

Land Use Planning Committee. McDougall reminded the Board that they still need to specify the dates for the Land Use Plan's informational meetings. Notice of these meetings is to be printed in the Newsletter, which must go out this week. Wetter questioned whether the Board could legally have planning sessions in advance of voter approval. It was noted that a plan should be provided in time for the annual meeting. LUP meeting dates suggested as Saturday, September 28th at 2PM, and Tuesday, October 1st at 7PM.

Richard Otto appeared to request a conditional use permit to operate his garage door business on the property currently owned by Larry Otto. Richard Otto stated that he was in the process of purchasing the farm and it would become his primary residence. Mr. Otto also stated that he would be taking the mining operation, as well. In response to Board questioning, he replied that he would have one employee, four service trucks, no manufacturing (assembly of doors only), no new buildings, and no employee restroom facilities yet. Motion by McDougall to grant the conditional use permit requested provided that all the conditions of a home extended business are met; the existing mobile home is removed, there is no outside storage, no additional buildings, and one employee. Motion seconded by Walker. All voted in favor of the motion.

Don Daluge and Myron Krause inquired about splitting the existing 43-acre farmstead into a 5-acre building site and 38-acre parcel with the existing home and outbuildings. Mr. Daluge was referred to the County Planning and Zoning to find out if the parcel has an additional building eligibility.

Item 6: Barb Stoner still not present. Item dismissed.

PUBLIC COMMENT

Numerous residents of the Rockford Oaks neighborhood appeared to express their concerns about the re-establishment of an agricultural drainage ditch. Residents fear that the increased flow of water into Rice

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Lake, and its surrounding wetlands, will cause their septic systems to fail and their basements to flood. One speaker referred to a prior file (1985/86) for documentation. The Board responded that the area in question was on private property and not in their jurisdiction. They recommended that the residents contact the Soil and Water Conservation Dept., and the ASCS for assistance, and offered that one Board member would call as a follow-up.

Two residents near Crawford Lake discussed a continuing problem with barking dogs, and their belief that recent land alterations on a neighboring lot are interfering with their drainage. McDougall stated that there does exist a new, non-conforming driveway on the neighboring property, but that she believes the standing water is more likely caused by the unusual rains this summer. Board will direct the Clerk to send a letter to the neighbor, reminding him that he needs to install the culvert.

Brad Etzel appeared to discuss alternate drainage routes for the water running through his yard. Beise recommended waiting until water levels return to normal before making any decisions.

SUPERVISORS

Wetter: It is proving to be very difficult to get the three bids, required by FEMA, for the repair of Gabler Ave. Out of the four firms contacted, only Busse expressed any willingness to bid the project. FEMA has recommended further temporary repairs to the damaged area in an effort to avoid a total road closure.

McDougall: The list of election judges was provided to all Board members, by the Clerk. Motion by Wetter to accept the list of judges as presented. Motion seconded by Matt. All voted in favor of the motion.

Township ditches are much in need of cleaning. McDougall wondered if the township should hire extra help to complete the task before winter. Board concluded that it would be better to continue using the Township crew.

The condition of the area used for "Clean-Up Day" is not good. There is much standing water, and some articles from the spring clean up still remain because the grounds are too saturated for the hauler's trucks. Motion by Wetter to cancel the fall Clean-up Day event. Motion seconded by Walker. All voted in favor of the motion. Notice of the cancellation will be provided in the newsletter, and in area publications.

Township has received copies of the new Land Use Plan for the City of Hanover. Wetter noticed that Kadler Ave was not shown as being extended north to County Road 34. Wetter commented that the township had been assured by the city of Hanover that the roads would be connected when the development of the city progressed north of Hanover Hills. It was suggested that the Township provide a written response and that Wetter attend the next City meeting to explain the Township's position.

Motion by Wetter that the Clerk provides a written response stating the Township's concerns. Seconded by Walker. All voting in favor of the motion.

McDougall notified the board that the septic system for the Town hall had experienced a major failure during a wedding reception the previous weekend. The renters, who had been exceedingly remiss in submitting their deposit, were now aggressively demanding the return of their funds prior to their refreshment usage being tabulated. McDougall advised the Board that they would probably be seeing a few "Letters to the Editor" ...

Beise: Reported on the subsequent improvements, which had been made to the Township Septic System and on the condition of Calder Ave. after these most recent rains.

Kelley: Notified the Board that she had discussed the Stewart Property with Nancy Evers. The property has been annexed, but no development permits have been requested. Kelley called Stewart and left a message suggesting that he contact the township or attends a meeting, so that we can discuss payment of the funds owed. Kelley also reported that she had met with the developer of the Dickinson Spring

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Industrial Park, and after a lengthy discussion, had suggested that he meet with the Board, on site, concerning his road and some drainage issues. Beise commented that something had to be done because the holding pond was threatening the road and that someone accidentally driving off the end of the cul-de-sac could drown. Wetter motioned that the Board to notify the County that, effective immediately, the township requests that all permits and approvals for that development be withheld until which time as the road is deemed to be totally in order and all drainage issues are resolved. Motion seconded by Walker. In discussion, McDougall expressed a concern with the motion because she feels that drainage issues affecting the neighboring farmland are a private matter. Kelley stated that she supports Wetter's assertion, but feels uncomfortable voting on the matter because of her fiduciary relationship with the owner of the flooded fields. However, Kelley also noted that much of the township consists of cropland that is tiled, and it doesn't seem right that one property owner should be able to flood an adjacent owner's cropland simply because the Township allowed the land to be split or it's use changed. Every time that the Township approves the subdivision or rezoning of an "Ag" parcel, it runs the risk of this situation re-occurring. Kelley feels that it would be best to deal with the issue, now, and establish a protocol for the future. Also, Kelley states that P and Z is already withholding permits for Stubbs Movers until which time as the standing water in the area of the proposed building pads is removed. Wetter moves to amend his motion to read ...until which time as all issues are resolved. Amended motion is seconded by Walker, and voted in favor of by all.

Maintenance:

Crewmember reported that there still remains a substandard, 8-inch plastic culvert in a driveway in the Rasset Addition. The inadequate drainage provided by the culvert is damaging the adjacent property, but not that of the culvert owner. Crew advises that a 15 inch, steel culvert should have been installed. Board agrees that the clerk should send a letter to the offending property owner noting the problem and the resolution. Motion by Beise to send the letter, seconded by Kelley. All voted in favor. Crew also noted that 45th St. SE was not likely to be improved yet this year, and so it would need an application of gravel soon.

Clerk: Excused.

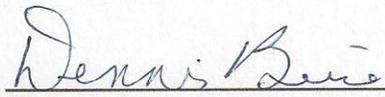
REVIEW OF BILLS

Motion by Wetter to pay the bills totaling \$6565.11, paid by checks #10709 through #10727, seconded by Walker, all voting in favor of the motion.

ADJOURNMENT

Motion by Wetter to adjourn. Seconded by Walker, all voting in favor of the motion.

Meeting adjourned at 10:42 PM


Chair


Clerk