

**TOWNSHIP OF CLAY
CLAY TOWNSHIP BOARD MEETING
VIA TELEPHONE
NOVEMBER 18, 2020, 6:00 PM
PARK RAPIDS, MN**

1. CALL TO ORDER: The November 18th, 2020, Meeting of the Clay Township Board was called to order at 6:00 p.m. by Chair Andy Kietzman, and the Pledge of Allegiance was recited.

2. ROLL CALL: Present: Chair Andy Kietzman, Supervisors Jeff Haukebo and Norm Leistikow, Treasurer Del Holz, and Clerk Margie Vik. Absent: None. Others Present: Loren Pellett.

3. APPROVAL OF AGENDA: A motion was made by Kietzman, seconded by Haukebo, and unanimously carried to approve the agenda as presented.

4. APPROVAL OF MINUTES:

A. Clay Township Regular Meeting Minutes-September 23, 2020: A motion was made by Haukebo, seconded by Leistikow, and unanimously carried to approve the Clay Township Regular Meeting Minutes, for September 23rd, 2020, as presented.

A. Clay Township Canvass Board Meeting Minutes-November 13, 2020: A motion was made by Haukebo, seconded by Leistikow, and unanimously carried to approve the Clay Township Canvass Board Meeting Minutes, for November 13th, 2020, as presented.

5. NEW BUSINESS:

A. Loren Pellett Property: Haukebo stated Loren Pellett has asked the township to state in the minutes that his property at 2503 Jewel Drive is a lot of record so that he can build on it in the future.

Background: Following is information related to the former Grooters' property. The first file of seven pages includes an original request in 2011 from the survey company to the township seeking approval for rearranging lots from an original survey done in the 1980s, The first page is the request, second page is the 1980s survey, third page is the proposed rearrangement, fourth and fifth pages are my response as township zoning supervisor, the sixth page is my response to the survey company in regard to approving a proposed subdivision of the property, and the seventh page is the company's survey of the proposed subdivision. It appears that the surveyors reverted back to the original survey for the final subdivision rather than their original proposal outlined in red on the third page.

The second file of seven pages relates to our attorney's work in determining if lots in the proposed subdivision would be grandfathered in for existing lots of record for dwelling construction purposes. The first page is his initial response to the survey company. The second page is his subsequent response after I forwarded him a 1992 deed of sale provided me by Grooters' real estate agent. The final five pages are the faxed deed received from the real estate agent, upon which our attorney based his advice that the lots are "of record" for our zoning ordinance purposes. Tracts D and F are the same for the 1980s survey as 2011 Survey. The concern is that in the future since Parcel 04.35.00910 for Tract D and F has now got last recording date of 05/2015, it would be deemed not lot of record for zoning ordinance purposes. Since your attorney based his advice that the lots are "of record" for our zoning ordinance purposes can you state that you approve lot 04.35.00910 as lot of record so I do not have a problem in the future if I want to construct a house. As far as the other parcel 04.35.00800 which has 10.54 acres with approximately 700' of shoreline I will proceed with a plan to split to two five acre lots.

Haukebo stated the item to be discussed tonight is Loren Pellett is asking us to state in the minutes that parcel 04.35.00900 is a grandfathered "lot of record" for building purposes. Pellett stated I have a 4.11 acre lot that was platted years ago. There were other minor changes in the other parcels on the survey that was recorded in 2015. My concern is that the small lot would not be considered a lot of record now and in the future.

Kietzman stated if the parcel is on record and predates the zoning ordinance then the five acre minimum lot size would not apply to it. I have no concerns or issues with it since we already have an attorney's opinion on that. Holz questioned does it meet the shoreland ordinance? Haukebo stated we are not dealing with that here. That is a county issue. Pellett stated it does meet those standards. Kietzman questioned if there would be room for a septic. Pellett answered yes.

A motion was made by Kietzman, seconded by Haukebo, and unanimously carried to reaffirm that the recorded documents clearly state that lot #04.35.00900 was platted prior to the passage of the Clay Township Zoning Ordinance, and is therefore grandfathered in and is in fact a buildable lot.

B. Emmaville Licenses: A motion was made by Kietzman, seconded by Leistikow, and unanimously carried to approve the on-off sale 3.2 beer license and the on-sale wine/strong beer licenses for Emmaville Inn Inc.

C. Cares Act: Haukebo questioned how the CARES Act worked. Kietzman stated the money is only available for areas with residential levels of 250 residents or more. Haukebo stated that he read that townships of less than 200 people must work with the county to apply for funds. Kietzman stated Clay Township hasn't incurred any costs associated with COVID. Haukebo stated if we qualified we could give to businesses in our jurisdiction. He added that he could check on it.

A motion was made by Kietzman, seconded by Leistikow, and unanimously carried to have Haukebo follow up with Hubbard County to see if there are any CARES funds for the township, and to pursue an application if possible.

D. Designate Polling Location: Haukebo stated the township was supposed to designate our polling place for next year by December 31st, 2020. Holz stated there is great difficulty in finding anyone to serve as election judges and that's why we went to mail in ballots. **A motion was made by Kietzman, seconded by Haukebo, and unanimously carried to**

continue with mail in balloting, and to designate the Hubbard County Courthouse as the township's polling place.

D. Itasca Mantrap Bill: A motion was made by Kietzman, seconded by Leistikow, and unanimously carried to authorize Treasurer Holz to set up an autopay account from the township's checking account for the Itasca Mantrap electric bill for the new town hall.

6. OLD BUSINESS:

A. Insurance Issues: Haukebo stated he checked with local insurance companies to see if they could offer the specialized policy that MAT offers. They do not, so our attorney is recommending that the township establish a second set of accounting books. One would be kept by the treasurer and one by the clerk. Holz's books include the expense balances and it would not be too hard to set up a spread sheet to track things and would meet the separation of duties as being recommended to us. Holz stated he would appreciate another set of eyes to check things over. Haukebo offered to take on the task, and added that he could start as of the first of the year. **A motion was made by Kietzman, seconded by Leistikow, and unanimously carried to authorize Haukebo to keep a second set of accounting books for redundancy, and to reimburse him for his time, starting January 1st, 2021.**

B. Township Construction Project: Kietzman stated the well and the electrical transformer have been installed. Girtz has put in the septic. The concrete floor has been poured. There have been some delays in getting materials. They are currently waiting for the trusses to be delivered. The facilities are not ready to use yet. MVCC will continue to plow their lot this winter until we get our records out of their facility. Once our records are out, then I will turn my key back to them. Once our hall is done Dustin Lof will continue to keep the helipad plowed as well as the town hall area.

7. APPROVAL OF TREASURERS REPORT: Holz presented his written treasurer's report to the board (see attached).

Kietzman stated we needed to get the septic permit from the county ASAP, so the septic tank could be installed. I wrote a personal check in the amount of \$150.00 and am asking to be reimbursed for that.

A motion was made by Kietzman, seconded by Haukebo, and unanimously carried to approve the treasurer's report and to pay the outstanding invoices.

8. ADJOURNMENT: A motion was made by Kietzman, seconded by Leistikow, and unanimously carried to adjourn the meeting at 6:51 p.m.

ATTEST:

Chair Andy Kietzman

Margie M. Vik
Township Clerk