

Minutes of the Regular Meeting of Ford Town Board
July 14, 2009 at 7:00 pm at the Town Hall

1. Board Members Present: Doug Bassett, Kim Johnson, Ken Von Bank, Edna Cole and Sarah Berry.
Board Members Absent: none
Present: Frank Kriz—Zoning Administrator, Scott Berry—Township Attorney
Citizens present: see sign in sheet
2. Meeting was called to order at 7:10 by Bassett.
3. Set and Approve Agenda: M/S/C by Von Bank and Johnson to approve the agenda as presented. Motion carried unanimously.
4. Road Vacation—The planning commission has recommended to vacate the roads as proposed. Before there is any action, the board will need to examine the roads and report benefits and damages.
M/S/C by Von Bank and Johnson to continue the Road Vacation to the August meeting and the board can go out and look at the roads.
5. Right of Way Ordinance: The planning commission has recommended approval of the Right of Way Ordinance. Under 400.2a add that haying will be allowed. 400.12a—It would be a good idea to have a form for this section. This can be developed after the Ordinance is in place.
M/S/C by Johnson and Von Bank to approve the Right Of Way Ordinance # 2009-07-01 and to publish a summary of this. Motion carried unanimously.
6. Minimum Maintenance Resolution: M/S/C by Bassett & Von Bank to approve Resolution # 2009-07-01. Motion carried unanimously.
7. Citizen Comment: John Lucking brought up the fact that the culvert on 340th has collapsed. Bassett was aware of it and has been in contact with the DNR.
8. Zoning Administrator Report: 1 building permit for an accessory building was handled in July (Kelling property). Once the road issues are all taken care of he recommends redoing the official map and then file the official one. It will take a Public Hearing to revise this.
9. Planning Commission Report: Question brought up by Johnson about who is the road authority. Bassett has been voted as the Road Authority as done each year at the reorganizational meeting. They are working on mining & recreational --should be to the board for the August meeting.
10. Review and approval of minutes: M/S/C by Von Bank and Johnson to approve the minutes of the Road Review. Motion Carried unanimously.

M/S/C by Johnson and Von Bank to approve the minutes of the June Board Meeting. Motion carried unanimously.

M/S/C by Johnson and Von Bank to accept the minutes of the June 2 Planning Commission Meeting. Motion carried unanimously.

M/S/C by Von Bank and Bassett to accept the minutes of the May 19th Planning Commission Meeting. Motion carried unanimously.

M/S/C by Von Bank and Johnson to accept the minutes of the June 2 Public Hearing. Motion carried unanimously.

11. Treasurer's report. Clerk and Treasurer presented cash control statements that balanced. M/S/C by Bassett and Johnson to accept the treasurer's report. Motion carried unanimously.

12. Old Business

- a. Shared Line Road Agreement: Peace returned a signed copy of the Shared Line Road Agreement. Bassett signed as board chair.
- b. Newsletter: Newsletters went out today.
- c. Road and Bridge: Gravel has been done on the township roads scheduled for work.

13. New Business.

- a. August Get Together: Discussion of what we need to bring.
- b. Soil and water application : Johnson has not received it back yet.

14. Mail: Reviewed by the Board.

15. 8:00 p.m. Kite Street/350th ave. road issues: Kriz briefed the citizens on the issues that have come up as we have been working on the Ordinances and roads. Townships can not be less restrictive than the state. The affidavit making Kite Street a nonmaintained public road is not a legal type of road to have. This is not a possible type of document.

Attorney stated the options for the roads:

Option #1—Do nothing—let it sit—This can lead to problems down the road.

Option #2—Create a private easement for landowners that are on the road.

Option #3—Prescriptive easement—Go through a court to use this land as you already are doing. Costly process—attorney

Option #4—Petition the town to take over as a public road.

Minimum maintenance road—As per statute that would have to be used only on occasion.

Question as to why can't the road be turned back into a public road. The road would be assessed back to the landowners.

Question on easement: Easement would be attached to the deed. This is done by an attorney.

Kite Street—A copy of the easement agreement was shown to the attorney.

Ability to split land—The land owners on Kite and 350th at this point are not able to split the land. If a private easement would be written the landowner could ask the board for a variance for the ability to split land. 350th landowners present would like to go ahead with a private easement. M/S/C by Johnson and Von Bank to authorize our attorney to work with the two groups of landowners, up to \$500 each road, to come up with a private easement document. Motion carried unanimously.

Lawyer will need them to get ahold of all landowners affected on each road. All landowners will need to sign off. A copy of the deed or abstract will need to be provided so that they can get all the legal descriptions correct.

16. Review and Approval of Claims for payment. M/S/C by Bassett and Von Bank to approve the claims as presented. Motion carried unanimously
Payroll checks # 2288-2295 totaling \$1,086.85; automatic withdrawals eft 127 & 128 Short term loan payment--\$19,700.00 on June 9, 2009 and Short Term loan Interest--\$579.95 on June 10, 2009 for a total of \$20,279.95; Claims #6501-6513 paid by checks #2296-2306 and automatic withdrawals eft #129-130 for a total of: \$3,739.71
Total July disbursements: \$4,826.56.

17. Review of upcoming meetings:

August 4th Planning Commission—will be cancelled unless needed

August 8th—Annual Get Together-- 12:00 noon potluck

August 11th—Board meeting—7:00 p.m.

18. Adjournment: M/S/C by Bassett and Von Bank to adjourn the meeting.
Motion carried unanimously.

Submitted by:

Sarah Berry, Clerk of Ford Township