

On Tuesday, February 18, 2014 at 7:30 p.m. Town Board Chairperson Greg Anderson called the regular monthly Town Board meeting to order. Other Supervisors present were Eugene Stoeckel, Mark Riverblood, John Roxbury, Jr. and Jim Kusler.

**Approve Minutes**

A motion was made by Mark Riverblood and seconded by John Roxbury, Jr. to approve the minutes of the January 21, 2014 regular monthly meeting as printed. Motion Carried.

**Approve Financial Report**

A motion was made by Eugene Stoeckel and seconded by John Roxbury, Jr. to approve the Financial Report for January 2014 as submitted. Beginning Balance of Township funds was \$438,277.99; total receipts of \$3,254.81; total disbursements of \$43,796.86; leaving a balance of \$397,735.94. Motion Carried Unanimously.

**Old Business**

There was no old business on the agenda.

**New Business**

The first item under new business was to discuss a Land Split request for John Moosbrugger, Section 11.

John Moosbrugger explained that he would like to split off 4 acres with the home from his 80 acre parcel. The reason he did not want to split off 5 acres is so future property owners could not build another house there.

Greg Anderson stated that based on the decision of the Town Board at the last monthly meeting, they agreed that anything 5 acres or less and less than 400 feet in width, would need to be platted. John Roxbury Jr. stated that they may also approve a land split by means of a resolution. Greg Anderson agreed that a resolution with a hardship can be used but he is personally not in favor of that.

Greg Anderson suggested that John Moosbrugger consider platting the property. The Board discussed the options of possibly platting the property.

John Moosbrugger stated that he knows money is not considered a hardship but he feels equitable treatment would apply considering other property owners have been able to do splits that were less than 5 acres and that the Town Board has had this precedence all these years.

Mark Riverblood stated that there have been other issues in the ordinance that have also come into play since the last meeting, like where the Ordinances clearly states that the more restrictive ordinance will apply, even after they agreed differently last month.

Eugene Stoeckel stated that he would encourage John Moosbrugger to keep the split over 5 acres and 400 feet in width.

John Roxbury, Jr. stated that he recommends that the Board do they split as John Moosbrugger has requested by use of resolution. He also stated that another alternative would be to be split off the 5 acres and then come in later and do another land split on that same 5 acres that would take it down to 2.5 and then rejoin the small parcel with the large parcel.

Greg Anderson stated that he would still need to plat it because according to the ordinances, it would be less than the 5 acres.

Mark Riverblood stated that he would not comfortable with the resolution waiving the ordinance for this instance because they would then need to be consistent with other requests.

John Moosbrugger stated that the Township has been letting residents do splits like this for years and this is the least problematic land split. He stated that it is a simple thing and the Town Board has let others do this under the same ordinance for quite some time. Now a conflict has discovered, interpretations in the

ordinances, and he hopes the Board will be fixing it. He is falling in between where this split could have been done versus when the ordinances will be fixed. He questioned as to whether the board has the latitude to say that for the sake of equitable treatment, they will go with precedence with the practice that has been in place.

Mark Riverblood stated that the Board has been discussing the interpretation of this ordinance for almost a year, but there has been a lot of deliberation on the issue. He understands that the Board has come to a final resolution from last month based upon recognizing all that past practice and that is the best way to interpret the ordinance until they can get it reconciled, so there are no conflicts in the Ordinances. He stated he cannot support something that is contradictory to the meeting minutes that they just passed which state that is the way they want to interpret the Ordinance.

Eugene Stoeckel stated that he agreed with Mr. Riverblood and the timing is very unfortunate for John Moosbrugger.

John Moosbrugger stated that it sounds like he will need to either plat the property or make sure the land split has just over 5 acres and 400 feet in width. He stated that maybe he will go ahead with the split at 5 acres and then when the ordinances get corrected, if they apply then, he could do another split and recombine.

The Board agreed that the land split would have to be more than 5 acres and 400 feet in width.

### **Open Forum**

There were no residents present for Open Forum.

### **Supervisor's Reports**

Mark Riverblood gave an update on the 4R Board.

Greg Anderson stated that he spoke with Todd McLouth regarding the wrong description for road T-256. It was indeed written wrong. Todd McLouth wrote up a new description and the Clerk had the new information filed with the County so it has all been corrected.

### **Clerks Business**

The clerk informed the Board that the audit would be next Tuesday, February 25<sup>th</sup> at 7:30 p.m.

### **Approve Payment of the Bills**

A motion was made by Eugene Stoeckel and seconded by Jim Kusler to approve payment of the bills, Check numbers 10314-10346. Motion Carried.

### **Adjourn**

A motion was made by Eugene Stoeckel and seconded by Mark Riverblood to adjourn the meeting at 8:19 p.m. Motion Carried.

Respectfully submitted,

Connie Wubben  
Clerk/Treasurer

Attendees: John Moosbrugger