

BALDWIN TOWNSHIP REGULAR MEETING

May 5, 2009

Present – Supervisors Larry Handshoe, Jeff Holm, Bryan Lawrence and Jay Swanson. Supervisor Jim Oliver absent.

Call to Order – The May 5, 2009 regular meeting of Baldwin Township was called to order by Chairman Jeff Holm at 7:02 p.m.

Pledge of Allegiance – All present recited the Pledge of Allegiance.

Additions/Corrections to Agenda – Under Old Business letter 'o' is Bryan Lawrence added, on behalf of Jim Oliver, "Compensation for Cemetery Overseer"; and under New Business letter'd' is added "Evaluation Forms for the Firefighters" by Jeff Holm.

Approval of Regular Meeting Agenda With/Without Additions/Corrections – Swanson/Handshoe unanimous to approve the regular meeting agenda with additions.

Open Forum for Citizens - To be put in the June agenda will be "Issues with Easements." Richard Waldon from 12521 – 312th Avenue said he has a survey line problem. The road is not marked where it is suppose to be, and there is a row of pine trees on the east side of the property. Waldon said he would like to be notified if there is any trimming of the trees, etc that would be done as he does not want them to be removed or trimmed.

Ben Blanchard of 27902 Lake Diann Road wants to thank the board for all they do.

In promoting transparency from the board, Elaine Philippi from 31647 – 127th Street, thanked the board who voted in favor of adding supervisor status reports added to the monthly meeting agendas.

CONDITIONAL USE PERMITS:

Annual Review of a C.U.P. for Auto Literature Sales – Lawrence/Handshoe unanimous to reapprove the Conditional Use Permit for John & Dorothy Dragich's home business in an accessory building- auto literature sales.

Annual Review of a C.U.P. for a Riding Stable – Lawrence/Handshoe unanimous to reapprove the Conditional Use Permit for Robert & Valerie Gordon's riding stable.

Annual Review of a C.U.P. for a Painting Business –Handshoe/Lawrence unanimous to reapprove the Conditional Use Permit for Gary Goskey's home business in an accessory building - painting business.

Approve/Disapprove Bid for Fire Pumper**OLD BUSINESS:****Township Attorney Issues:**

Utility Permits, Approve/Disapprove Creation of Ordinance to Regulate Rights-of-Way (Will Proposed County Ordinance for Management of the Public Right-of-Way Suffice?) – Lawrence confirmed that the law states that nothing can be in the right-of-way; and wondered if the township would need an ordinance to get any obstruction removed. It's a growing concern about have the obstructions removed; and if nothing is said who bears the responsibility.

Lawrence/Swanson unanimous to suspend discussion of old business at 7:32 p.m. to open sealed bids for the fire pumper.

Open Sealed Bids for Fire Pumper – Holm read the legal notice that was published in the Princeton Union Eagle for the weeks of April 16 and April 23, 2009:

**BALDWIN TOWNSHIP
CLASS A PUMPER TRUCK
ADVERTISEMENT FOR BIDS**

Baldwin Township will receive sealed bids for the furnishing of a class A pumper chassis and body until 2:30 p.m. on Thursday, April 30, 2009 at the Baldwin Town Hall, 30239 – 128th Street, P.O. Box 25, Princeton, MN 55371. Bids will be publicly opened and read aloud on Tuesday, May 5, 2009 at 7:30 p.m. at the Baldwin Town Hall.

Specifications are available at the Baldwin Town Hall at (763) 389-8931 or on the township's website: <http://baldwintownship.govoffice.com>.

Submit with the bid a certified check or acceptable bidder's bond payable to the Township of Baldwin in an amount equal to ten percent (10%) of the total bid. Each bidder must submit a Certificate of Insurance listing the proposed manufacturer's product liability insurance coverage.

The Township reserves the right to reject any and all bids, or parts of such bids, and waive any informalities or irregularities in the bidding.

Cathy Stevens
Clerk/Treasurer

Please publish in the Princeton Union Eagle under "Legal Notices" the weeks of April 16 and April 23, 2009.

There was one bid received which is included:



Helping You Serve Your Community

PROPOSAL FOR DEMO PUMPER FIRE APPARATUS
March 13, 2009

To: Baldwin Township

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution and approval of a Contract, the following apparatus and equipment: One (1) General Safety Equipment, 2008 1250 gallon per minute side mount control demo pumper as shown to the Northeast Sherburne Fire Department meeting the Baldwin Township specifications 100% with a 1000 gallon water tank mounted on a 4 Door Freightliner chassis all F.O.B. Baldwin Township, MN

We propose to furnish the completed demo apparatus including any specified equipment as per the proposed specifications for the total sum of **\$276,116.00** Two Hundred Seventy Six Thousand One Hundred Sixteen Dollars and 00/100.

Delivery will be 60-120 calendar days from date of approved contract.

TERMS; Completed unit is to be paid for upon its completion and acceptance by the Northeast Sherburne Fire Department / Baldwin Township.

Respectfully submitted,

Steven A. Harris

Steven A Harris

GENERAL SAFETY EQUIPMENT LLC

General Safety Fire Apparatus, Inc.

Office: 5181 260th Street / Wyoming, MN 55092 / 651-462-1000
Billing: 6879 Pheasant Lane / Centerville, MN 55038 / 651-340-0987

Steve Harris
Direct: 612-703-6019
Fax: 651-462-1700

sharris@rosenbaueramerica.com



ROSENBAUER

Dennis Berry
Direct: 651-253-7713
Fax: 651-462-1700

berryemergency@gmail.com

A bid bond for 10% of the amount was also included. Holm stated that the motion to approve the purchase was made at the March 3, 2009 town board meeting. Swanson stated that the motion was made contingent on financing. Lawrence stated that he did check with Ehlers & Associates in regards to the financing. General Safety said there would be no payments for a year if financed through them. Lawrence stated that this proposal is a year ahead of the original request and it has been brought forth because it will be a better buy than a year from now. Swanson questioned if there was talk of keeping the boom truck with Lawrence replying that the fire department had brought that idea to the board as it would help decrease the ISO rating. Holm stated that he believed that engine #2 would last later than 2010 and he did not see much explanation of what is wrong.

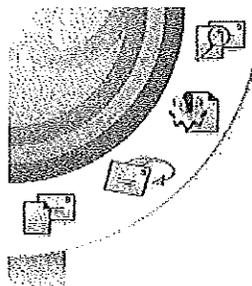
Lawrence/Swanson motion to go ahead with the purchase of the pumper contingent on financing. Holm stated that this is a little ahead of schedule and he is skeptical of an increase in price for pumpers. He feels the fire department did not do a lot of research and he is getting mixed feelings from the fire fighters. He feels there is no evidence that engine #3 could not service the township for another 3-4 years. He is also skeptical that this new pumper would reduce the ISO rating. Upon voice vote, the motion failed with Swanson and Lawrence voting in favor and Holm and Handshoe opposed.

Handshoe/Holm motion to disapprove. Upon voice vote, the motion failed with Handshoe and Holm in favor and Lawrence and Swanson opposed.

No action taken.

Continued Discussion on Utility Permits and Create Ordinance to Regulate Rights-of-Way – Holm/Swanson unanimous approving Troy Gilchrist create and ordinance that would fit the township needs.

Approve/Disapprove Resolution Establishing Policy for Managing Obstructions in Township Rights-Of-Way – Included in the minutes is an email from Gilchrist dated April 24, 2009. Lawrence stated there is a need to define what a headwall is. Swanson/Handshoe unanimous to motion having Gilchrist prepare a draft resolution.



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From: 'Gilchrist, Troy J.' <TGilchrist@Kennedy-Graven.com>

Sent: Fri Apr 24 13:58

To: <baldwintwp2@qwestoffice.net>

Priority: Normal

Subject: RE: Baldwin Township (BA440-1)

Type: Embedded
HTML/Text

Cathy:

I reviewed the resolution you sent and I do not recommend the town board adopt it. Under Minn. Stat. § 160.2715, it is already unlawful to perform a wide range of activities within a town right-of-way. This resolution sets out a process the town will follow to inform the owner of a violation and the need to correct it. The town already has the authority to take such steps without putting them in a resolution. Also, it troubles me that there is no exception provided to the procedure if it is determined there is an immediate threat to public safety. In such cases the board certainly would not want to wait to correct it until it provided the series of notices required by the resolution.

In short, why tie your hands like this? I think a more effective resolution would be delegate to your road employees certain authority to provide notice to the owners and to remove obstructions they determine create an immediate hazard. Such a resolution could also help "fill in the blanks" in the statute since even though it is broad it does not address all the problems the town might encounter. Also, if the town has any approach or headwall specifications they should be included as an attachment to the resolution. Town's have the authority to require a permit for the construction of approaches and to require they be built to certain specs and consistent with certain rules. If your town does require a permit, it would make sense to set out whatever rules the town may have as part of this resolution if it hasn't already done so in a separate resolution.

Please feel free to contact me if there are any questions or if the board would like my assistance to draft a resolution I think would more effectively address this issue without unnecessarily tying its hands.

Troy Gilchrist

Kennedy and Graven, Chartered
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, Minnesota 55402
Tel. (612) 337-9214
1-800-788-8201
Fax (612) 337-9310
tgilchrist@kennedy-graven.com

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Road Report – Terry Carlile presented a site plan from Steve Weissenfluh. He is asking permission to use the right-of-way in order to install two sewer systems going across the road. Swanson questioned if all the easement agreements have been taken care of. Weissenfluh stated that an attorney has written it up. The systems are meant to last 25-50 years.

Lawrence/Handshoe unanimous motion to approve granted that all legal stuff has been done, the county has okayed it and it is not a communal septic system. Lawrence stated that he wants to ensure that Weissenfluh provides paperwork for the township office.

Approve/Disapprove Sewer Line Across Township Road Right-of-Way, West Sandy Lake – See above.

Approve/Disapprove 283rd Blacktopping – Lawrence/Handshoe unanimous to approve that the township contacts the county, and if they come in under \$78,000 for blacktopping 283rd the township will be happy to contract with the county. Swanson will make contact with the county by phone and email.

Approve/Disapprove Purchase of Plow for Truck #3 – Handshoe/Swanson unanimous to table until August.

Approve/Disapprove Purchase of New X300R Mower & Bagger – Lawrence/Handshoe unanimous to approve purchasing the X300R from MN Equipment Solutions for \$2,910.

Grading/Drainage Issues, 111-1/2 Street – Swanson checked out the grading/drainage issues on 111 ½ Street. Two bids have been submitted; the township is waiting for a third bid. This issue will be added to the Tuesday June agenda for approval or disapproval of quotes for placing a culvert. Lawrence wondered if this was taking money from larger projects to basically satisfy the issue of one property owner

County Planning & Zoning Report – Holm stated that Randy Heinen's plat was discussed. The county is asking for an easement along County Road 45. The planning commission approved the plat without addressing that issue. There were also several extensions made on plats throughout the county.

Approve/Disapprove 2009 Road Projects Per Capital Improvement Plan – Lawrence/Swanson unanimous to approve choosing two road projects to approve for quotes.

Status of 2009 Road Projects Per Capital Improvement Plan – Carlile will update the board with the additions of two more road projects.

Joint Committee with City of Princeton Status – Holm contacted the City of Princeton to figure out a meeting date for May. There has been no word back.

Update on Headwall Concerns Throughout Township – Swanson/Lawrence unanimous to table until the second meeting in June.

Update on Property Located in Section 32 – Putting in a culvert would alleviate a lot of the issues. Sod and grass need to be planted. Swanson recommended that the problem will probably go away on its own. There is a second driveway that will be eliminated. Swanson/Handshoe unanimous to give the property owner until the end of June to sod and plant grass.

Review/Approve 2009 Line Item Budgets for all Funds – Lawrence/Handshoe unanimous to table until the June meeting.

Approve/Disapprove Letter to Elk Lake Property Owner Regarding Road Easement - Lawrence/Swanson unanimous to have the easement verified. The easement is for people to get out on the main road. There has been no formal request made, and no one has attended the meeting or sent a letter regarding this issue.

Review Township Attorney's Response for Sandy Lake Access Questions – There has been nothing received from the attorney regarding the Sandy Lake access questions.

Schedule Public Hearing for Sandy Lake Accesses – Lawrence/Handshoe unanimous to schedule contingent on Gilchrist's comments for May 28, 2009 at 8:30 p.m.

Approve/Disapprove Newsletter – Lawrence/Handshoe unanimous to approve the newsletter using colored copies.

Compensation for Cemetery Overseer – Lawrence/Swanson unanimous to approve \$50.00 per month compensation for the cemetery overseer.

NEW BUSINESS:

Town Board Comments on Proposed Sherburne County Public Works Ordinance for Management of the Public Right-of-Way – Lawrence/Handshoe unanimous to move to the second meeting in June.

Approve/Disapprove Harbor Freight Tools Credit Account – Lawrence/Handshoe unanimous to disapprove. Lawrence said the board should review each place where the township has credit accounts.

Approve/Disapprove Sherburne County Detour of 136th Street for Road Work Performed on CSAH1 – Lawrence/Swanson unanimous to approve having the clerk pen a letter asking if there is any assistance from the county in improving 136th.

Evaluation Forms for the Firefighters – Holm stated that these evaluation forms will help the board review the performance of the fire chief. It is hard to understand how it is going. Lawrence stated that the board needs to make an effort to go over to the department and see how it is going.

Holm/Handshoe unanimous to request written anonymous evaluation from each active firefighter with the following evaluation points: 1) leadership ability; 2) on-scene conduct; and 3) management of the department with rating from 1-5. Include also a section for additional comments.

ANNOUNCEMENTS:

Sherburne County Public Works Open House for Input on Proposed Ordinance for Management of the Public Right-of-Way, Tuesday, June 23, 2009, 3:30 – 5:30 pm, Sherburne County Board Room

ANY OTHER BUSINESS:

Holm stressed that the Young Park is not a compost site. Lawrence/Swanson unanimous to approve having the maintenance department takes care of removing the brush by July.

Swanson brought in a picture frame with business cards from township businesses made up by Rachel Leonard. Handshoe will obtain any business cards that are missing. Lawrence/Swanson unanimous to hang on the wall of the township with a note in the corner saying it was donated by Rachel Leonard.

Swanson will obtain table top name plates for each supervisor with no compensation from the township.

Approve/Disapprove Check Numbers 13806-13816 & 2 EFT Payments Totaling \$5,892.99 – Swanson/Handshoe unanimous to approve check number 13806 through 13816 with 2 EFT payments totaling \$5,892.99.

Adjournment – Lawrence/Handshoe unanimous to approve adjournment at 11:16 p.m.



Submitted By: (s/) Cathy Stevens
Clerk/Treasurer
Baldwin Township



Approved By: (s/) Jeffrey Holm
Chairman, Board of Supervisors
Baldwin Township

Attendees: Lindsey Arrowood, Richard Waldow, Lester Kriesel, Dennis Lindberg, John Dragich, Ben Blanchard, Terry Carlile

CLAIMS										
CHECK	TO WHOM	FOR WHAT	AMOUNT	GEN	R & B	ENG.	PARK	CAPITAL	CEM	FIRE
13746	Connexus Energy	electric utilities	\$174.18							\$174.18
13747	Connexus Energy	electric utilities	\$352.43	\$352.43						
13748	AT&T	fire cell phones	\$155.89							\$155.89
13749	MN Assoc of Twps	(2) urban short course	\$90.00	\$90.00						
13750	Bogart Pederson	engineering	\$2,595.00			\$2,595.00				
13751	IKON Office	copy machine lease	\$34.79	\$34.79						
13752	Sherburne History Cnt	membership renewal	\$150.00	\$150.00						
13753	Victor Lundeen Co.	ctas checks	\$201.90	\$201.90						
13754	Ashworth Appliance	phone battery	\$19.16		\$19.16					
13755	Metro Fire	boots	\$782.12							\$782.12
13756	Boyer Trucks	muffler & clamps	\$176.21							\$176.21
13757	Riverland Comm Coll	training	\$340.00							\$340.00
13758	South Central College	training	\$255.00							\$255.00
13759	St.CloudTechCollege	training	\$850.00							\$850.00
13760	St.CloudTechCollege	training	\$345.00							\$345.00
13761	Medics Training	training	\$62.50							\$62.50
13762	Phyllis Gallus	gopher (121 pair)	\$181.50	\$181.50						
13763	Carol Ryall	gopher (73 pair)	\$109.50	\$109.50						
13764	Cathy Stevens	mileage	\$26.95	\$26.95						
13765	U.S. Bank	941 tax deposit - april	\$1,805.59	\$873.59	\$881.74					\$50.26
13766	Cheryl Goetz	wages	\$66.35	\$66.35						
13767	Larry Handshoe	wages	\$362.90	\$362.90						
13768	IMAT Agency	insurance	\$28.00							\$28.00
13769	Qwest	phone & internet	\$197.87							\$197.87
13770	Qwest	phone & internet	\$171.47	\$171.47						
13771	ECM Publishers	legal notices, notices	\$330.80	\$261.30						\$69.50
13772	Pro Hydro-Testing	soba cylinders testing	\$20.00							\$20.00
13773	Midwest Fire	equipment (grant)	\$10,994.00							\$10,994.00
13774	IKON Office	copy machine maintenance	\$113.08							\$113.08
13775	Public Safety Wareho	vehicle lights	\$810.00							\$810.00
13776	Donald Larsen	janitorial service	\$120.00							\$120.00
13777	Jim Oliver	wages	\$233.87	\$233.87						
13778	Roland Thompson	animal control	\$450.00	\$450.00						
13779	St. Cloud Truck	r&b parts	\$58.75		\$58.75					
13780	Crysteel Truck Eq	equipment parts	\$129.02		\$129.02					
13781	Timmer Implement	filters	\$60.44		\$60.44					

CHECK	TO WHOM	FOR WHAT	AMOUNT	GEN	R & B	ENG.	PARK	CAPITAL	CEM	FIRE
13782	Office Depot	office supplies	\$87.10	\$87.10						
13783	CATCO	r&b parts	\$27.38		\$27.38					
13784	MN Child Support	payment	\$8.30		\$8.30					
13785	Blue Line Hockey	clean up day	\$600.00	\$600.00						
13786	Northeast Sherburne	clean up day	\$600.00	\$600.00						
13787	Cathy Stevens	wages	\$1,151.17	\$1,151.17						
13788	Terry Carille	wages	\$636.37		\$636.37					
13789	Zachary Good	wages	\$751.73		\$751.73					
13790	Bryan Lawrence	wages	\$327.43	\$327.43						
13791	Bryan Lawrence	mileage	\$16.50	\$16.50						
13792	Jay Swanson	wages	\$507.92	\$507.92						
13793	Jay Swanson	mileage & reimbursement	\$168.10	\$168.10						
13794	Midwest Machinery	oil filters	\$23.97		\$23.97					
13795	Essig Construction	road grading	\$1,500.00		\$1,500.00					
13796	Marv's True Value	supplies	\$599.08	\$92.85	\$245.05					\$261.18
13797	Petty Cash	postage & supplies	\$97.57	\$97.57						
13798	CenterPoint Energy	gas utilities	\$198.13	\$198.13						
13799	CenterPoint Energy	gas utilities	\$134.81							\$134.81
13800	AT&T Mobility	r&b cell phone	\$45.82		\$45.82					
13801	Eggens Direct	fuel	\$194.88							\$194.88
13802	Circle 9 Conoco	fuel	\$67.79						\$18.45	\$49.34
13803	Kennedy & Graven	legal services	\$930.84	\$930.84						
13804	East Central Sanitation	garbage service	\$45.64	\$22.82						\$22.82
13805	ECM Publishers	clean up day ads	\$178.50	\$178.50						
Auto	PERA	employee contribution	\$478.19	\$206.89	\$271.30					
Auto	MN Dept of Revenue	april withholding tax	\$304.12	\$148.73	\$155.39					
Auto	MN Dept of Revenue	april fuel tax	\$151.97		\$151.97					
13806	Neft Auto Supply	parts	\$12.95		\$12.95					
13807	void	void								
13808	Jeffrey Holm	wages	\$555.06	\$555.06						
13809	Jeffrey Holm	mileage & reimbursement	\$86.12	\$86.12						
13810	Fireman's Fund	grant reimbursement	\$0.09							\$0.09
13811	Mark Bennett	reimbursement	\$75.00							\$75.00
13812	Donald Larsen	reimbursement	\$59.87							\$59.87
13813	Metro Fire	supplies	\$1,623.23							\$1,623.23
13814	Clarey's Safety Eq	supplies	\$2,757.79							\$2,757.79
13815	CATCO	supplies	\$183.00							\$183.00
13816	ZimmermanLivoniaFire	training	\$380.00							\$380.00
Auto	PERA	town board contribution	\$100.00	\$100.00						

Handwritten initials and marks: "ABP", "JH", "R", and "JS" are scattered across the right side of the table.

