

BALDWIN TOWNSHIP REGULAR MEETING

April 6, 2015

Present – Supervisors Jay Swanson, Jeff Holm, Brad Schumacher, Tom Rush and Randy Atwood.

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

Additions/Corrections to Agenda – Schumacher stated he would like to see item “c” ‘Approve/Disapprove Wages for Road & Shoulder Repair’ under New Business removed as he has been informed by Terry Carlile that 28.5 hours at \$487.05 has been spent. Swanson stated that he would still like to keep that item on the agenda for discussion and approval/disapproval.

- Switch New Business “b”, ‘Citizen Comments to Newly Elected Supervisor’ to New Business “h”.
- Move Old Business “d”, ‘Approve/Disapprove The Highlands Drainage Project’ to before “a” of Old Business along with moving “f”, ‘Approve/Disapprove Notice of Award for Georgetown Road Project’, moving “g”, ‘Approve/Disapprove Construction Agreement for Georgetown Road Project’, and moving “h”, ‘Approve/Disapprove/Complete MPCA MS4 Application/Training Survey and \$400 Application Fee’.
- Move Old Business “a”, ‘Park Committee Report’ along with moving “b”, ‘TCI Volunteer Corps Update’ and “c”, ‘SBA Update’ to after Old Business “h”.

Approval of Regular Meeting Agenda With/Without Additions/Corrections – Atwood/Rush unanimous to approve the regular meeting agenda as amended.

Treasurer’s Report:

March 2015 Final Treasurer’s Report – Receipts of \$48,177.73 and disbursements of \$48,113.53, check numbers 19147 through 19219 and 8 EFT payments leaving an unaudited balance of \$539,993.77.

April 2015 Preliminary Treasurer’s Report – The clerk reported receipts of \$1,155.53 and disbursements of \$33,649.09 (not including payroll), check numbers 19220 through 19258 and 1 EFT payment leaving an unaudited balance of \$510,491.14.

Sheriff’s Report - Officer Wilson reported there were 169 calls in the month of March. There were a couple of storage sheds broken into in the commercial district. Holm said there were cars at the park in the very early hours of the morning one day last week.

Swanson welcomed newly elected Supervisor Brad Schumacher to the board.

Fire Department Report - Assistant Chief Kiel said there were 13 calls in the month of March. He has asked the clerk to check into using the fire department budget for a chief's meeting.

Approval of Consent Agenda:

Approve Town Board Meeting Minutes of March 10 Board of Canvass, March 11 Board of Canvass, March 16, March 17, March 18 Joint Meeting with Planning Commission, March 18 Special Meeting with Township Attorney, March 19, March 24, 2015 – Holm/Atwood motioned to approve the Town Board Meeting Minutes of March 10 Board of Canvass, March 11 Board of Canvass, March 16, March 17, March 18 Joint Meeting with Planning Commission, March 18 Special Meeting with Township Attorney, March 19, and March 24, 2015. Motion carried with Rush absent from the room.

CONDITIONAL & INTERIM USE PERMITS: None.

PLATS: None.

VARIANCES:

Approve/Disapprove 34' Variance in Setback from the OHWL of Lake Diann for a New Residence – Greg Wersal was present with the request for variance. The house has been placed to meet setback requirements from the road and to keep the drainfield away from the lake. No matter what was built a variance would be needed from the OHWL of Lake Diann. An alternate site for the drainfield will not be required by the county. Holm stated that it conforms to existing structures. Holm/Schumacher unanimous to approve a 34 foot variance in setback from the OHWL of Lake Diann for a new residence. Holm stated that they have done their due diligence to try to make a well thought out plan to address all issues and best use and it conforms with the neighboring structures as far as the appearance.

Approve/Disapprove 60' Variance in Setback from the OHWL of Lake Diann for a New Septic Tank – Greg Wersal was present with the request for variance. Holm/Schumacher unanimous to approve a 60' variance in setback from the OHWL of Lake Diann for a new septic tank since they are 90 feet away with a 100 gallon tank. Swanson stated that they need to adhere to that 10 foot minimum from the road.

Approve/Disapprove 11' Variance in Setback of Little Elk Lake for an Addition Chad Quarberg, 286th Avenue NW, is requesting an 11' variance in setback of Little Elk Lake for an addition. Rush/Holm unanimous to approve. Holm stated that if not for the curvature of the lake and DNR restrictions a variance may not have been needed.

Public Request to Speak – Dennis Lindberg, Sioux Street, asked if the 5x10 trailer will be sold. Swanson said it would need to go to public bid but the town board has not discussed selling.

OLD BUSINESS:

Approve/Disapprove The Highlands Drainage Project – Township engineer Jon Bogart stated that there is the question of increasing the drainage from the west and if it would impact the house down below. Install a 24 inch culvert with more of a slope and riprap. The culvert freezes completely full now. He is estimating the cost at \$2,500. John Boemer stated that he has some concerns. This started in 2002 when he purchased the home. In the spring of 2003 there was flooding issues. He went to arbitration and Jess Hall was involved at the time and said it was a township problem as it was in the ditch. Six inches of perforated tile was removed. He has the same issue every year. Jess Hall said the township would make the builder replace it. It took away his ability to get out of his contract. A larger culvert pipe would not change it. The only way to solve is to bring everything down and let it flow through from the east of him. The problem is with the holding ponds to the east as it is allowing everything to seep through.

Bogart stated that the culvert is higher on the north end (entrance to The Highlands). The wetland on the west side has gotten higher. Swanson questioned if we do a culvert under his driveway is there enough downstream capacity with Bogart replying 'yes'. Atwood asked if there was a culvert on 123rd Street with Bogart replying 'yes'. Bogart suggested lowering the culvert about a foot on the inlet side. He does not think he can drain the wetland to the east of him. Holm stated that in the early 2000's it was dry now we have been wetter. Mr. Boemer stated All the acreage to the southeast of him flows through the wetland and into his development. Bogart stated he cannot promise to solve the problem totally. Mr. Boemer stated that if Jess Hall had stayed out of it he would not have purchased the home and he cannot sell with disclosing. Swanson stated if we get water out of the culver we cannot control the next 100 year rain. Once we drain it and let it flow is it going to begin to dry out? Bogart stated that if enough slope is placed on the pipe it would help the situation. Mr. Boemer stated that there is 6 inches of slope on it right now. Swanson asked if the culvert was lowered will it take all water? Bogart replied that it would take up to a 25 year storm event with a smooth wall HDPE structure, not galvanized. Schumacher asked if the culvert was blocked by vegetation with Mr. Boemer replying 'no'. Mr. Boemer asked if the damage to his property was his problem. Holm replied that we cannot take our resources and fix a private problem. Holm stated that there are 2 parts: the culvert and planning with a 25 year event and the making the attempt about regulating the east wetland water level. Swanson stated that the town board needs to review Bogart's plan and make a decision on that. Holm stated that he has a question on the timeline and would like to know more about upstream and can we get permission to lower that water level to more historic levels and identify some sources upstream that should have been retention ponds. Swanson stated that the board needs to find out if Bogart can talk to the county and do a study about upstream. Holm stated he does not want to be back to the table after spending \$2,500 and feels he does not have enough information. Mr. Boemer stated that cleaning out the road ditch would help a lot. Swanson stated that the board will have Bogart look at the upstream part of it and the issue will be added to the May 4,

2015 agenda. Holm/Atwood unanimous to table until May 4, 2015 as the board wants additional information with a long term solution and accurate pricing.

Approve/Disapprove Notice of Award for Georgetown Road Project, Helmin Construction – Holm/Atwood unanimous to approve to Helmin Construction a Notice of Award for the Georgetown road project.

Approve/Disapprove Construction Agreement for Georgetown Road Project, Helmin Construction – Holm/Atwood unanimous to approve the construction agreement for the Georgetown road project to Helmin Construction.

Approve/Disapprove/Complete MPCA MS4 Application, Training Survey and \$400 Application Fee – Rush/Atwood motioned to approve the MPCA application, training survey and \$400 application fee. With a voice vote taken Rush and Atwood say aye; Swanson, Holm and Schumacher say nay. Motion fails.

Approve/Disapprove 2016 – 2020 Capital Improvement Plan – Rush/Schumacher unanimous to approve the 2016-2020 Capital Improvement Plan. It was mentioned by Atwood that the plan is a living document and can be changed.

Park Committee Report – Rush reported that at the March meeting the Park Committee watched the Kermit Young video and discussed the softball fields. He is trying to get ahold of Game Time since help is needed with the basketball court. Then April meeting will be held at Young Park on April 16 at 6:30 p.m.

Approve/Disapprove Revised Park Rental Form & Rules – The deputy clerk will create a calendar for rental. Atwood suggested putting a locked box on the outside of the building to get access to the electricity. Rush/Atwood unanimous to approve the revised Park Rental Form and Rules.

TCI Baldwin Volunteer Corps Update – Rush stated that the Volunteer Corps is always looking for volunteers. The Corps is looking to have a Young Park dedication celebration for their 5th Annual FunFest therefore it would be appropriate to have the dedication plaque and rock in place at the park. The Planning Commission community meets with the businesses is slated for May 18. The Corps is looking for donations to either serve snacks or a light dinner. For donations contact the Town Hall.

SBA Update – There has been no response.

Approve/Disapprove The Highlands Drainage Project – See above.

Reschedule Reorganization Meeting – The reorganization meeting is rescheduled for April 13, 2015 at 7:00 p.m.

Approve/Disapprove Notice of Award for Georgetown Road Project, Helmin Construction – See above.

Approve/Disapprove Construction Agreement for Georgetown Road Project, Helmin Construction – See above.

Approve/Disapprove/Complete MPCA MS4 Application, Training Survey and \$400 Application Fee - See above.

Approve/Disapprove 2016-2020 Capital Improvement Plan – See above.

TABLED ITEMS:

Discuss/Schedule Workshop with Shelli Urness Consulting Services for Baseball Field – A free consultation with Shelli Urness will be held on Monday, May 11 at 7:00 p.m. to discuss the baseball field at Young Park.

Approve/Disapprove Planning Commission 2015 Work Plan – Atwood/Swanson unanimous to approve but postponing the MS4 work.

Schedule Spring Road Tour – The spring road tour is scheduled for May 14, 2015 at 5:30 p.m.

NEW BUSINESS:

Approve/Disapprove Annual ‘Loop the Lake’ Run, June 27, 2015 – Holm/Swanson unanimous to approve the annual ‘Loop the Lake’ run coordinated by Andrea Bumgarner.

Citizen Comments to Newly Elected Supervisor – See below.

Approve/Disapprove Wages for Road & Shoulder Repair – Schumacher stated that 28.5 hours or \$487.05 has been spent to date repairing the shoulders and there may be additional time and money spent. Schumacher/Atwood unanimous to approve road and shoulder repair.

Approve/Disapprove Letter to County Zoning Regarding Township Planning Commission Review Prior to Town Board Review – Swanson said the board needs to figure out the timing for when the Planning Commission starts to do reviewing. Atwood, Swanson and Chard will meet with Nancy Riddle to discuss a plan to move forward. Atwood/Swanson unanimous to approve the letter to the county zoning regarding the Township Planning Commission review prior to the Town Board review with a friendly amendment from Holm to have Riddle attend a township meeting.

Establish Yearly Township Goals – The board reviewed and revised their 2015 township goals.

Approve/Disapprove Obtaining Quotes for Young Park Toilet – Holm/Atwood unanimous to approve obtaining quotes for a toilet at Young Park.

Approve/Disapprove Enrollment in Township Benefit Program – Rush/Schumacher unanimous to disapprove enrollment in the Township Benefit Program.

Approve/Disapprove Free Items for Clean Up Day – Rush/ Schumacher unanimous to approve 4 free tires and 1 free appliance for Clean Up Day.

Citizen Comments to Newly Elected Supervisor – Ross Perry, 127th Street, cautioned the newly elected supervisor to not send him inflammatory texts.

Announcements:

- Local Board of Appeal & Equalization, Tuesday, April 14th, 3:00 p.m.
- Sherburne County Association of Townships Meeting, Wednesday, April 15th, 6:30 p.m., Palmer Township
- Joint Meeting with Park Committee, Thursday, April 16th, 6:30 p.m., Young Park

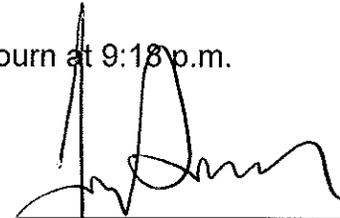
Any Other Business: None.

Motion to Approve Bills for Payment – Holm/Schumacher unanimous to approve check numbers 19220 through 19258 and 1 EFT payment totaling \$33,249.09 which is minus check number 19240 payable to the Minnesota Pollution Control Agency in the amount of \$400.00.

Adjournment – Holm/Rush unanimous to adjourn at 9:18 p.m.



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



Approved By: (s/) Jay Swanson
Chairman, Board of Supervisors
Baldwin Township

4-21-2015

Date

Attendees: Lester Kriesel, Dennis Lindberg, Andrea Bumgarner, Joe Kiel, Ross Perry, Elaine Philippi, Audrey Misiura, John Boemer, Jon Bogart, Chuck Nagle, Greg Wersal, Chad Quarberg