

BALDWIN TOWNSHIP REGULAR MEETING

March 18, 2014

Present – Supervisors Jay Swanson, Kimberly Good, Larry Handshoe, Tom Rush and Randy Atwood.

Call to Order – The March 18, 2014 regular meeting of Baldwin Township was called to order by Chairman Jay Swanson at 7:00 p.m.

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

Additions/Corrections to Agenda –

- Add Discuss/Approve/Disapprove Send Clerk to User Group Conference for Banyon Software under New Business
- Move Review/Update Snow & Ice Policy to Under Road Report

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

Treasurer's Report:

March 2014 Final Treasurer's Report – The clerk reported receipts of \$4,561.59 and disbursements of \$36,267.11, check numbers 18229 through 18274 and 6 EFT payments leaving an unaudited balance of \$340,822.76.

Road Report – Handshoe said that the salt/sand usage was reported at the Annual Meeting. The loader is back from having some repairs. The maintenance crew has been out plowing to clean things up from the recent snowstorms.

Discuss Plow Trucks – Since replacement or repairs need to be done to the plow trucks, Carlile suggested to the town board to forego putting repairs into south 100th Street. According to Carlile the only thing wrong with that road is a clay vein that swells in the winter because of a culvert put in several years ago. Maintenance feels they could do work on the road themselves, and with the \$100,000 or so saving the money could go towards repairs or replacements of the trucks. He said that truck number 1 is underpowered, and truck number 4 could use a reversible plow and wing. After discussing the condition of the trucks, the amount of repairs and replacement parts already put into them, and estimated length of service left, it was determined not a wise idea to put off road projects in lieu of repairs to the trucks. There was discussion on the capital improvement plan and capital funds available. Carlile and Handshoe will get together and prioritize a list. With the road tour coming up, Atwood said the condition of 100th Street can be reassessed.

Approve/Disapprove Mower Tractor Rental from Ziegler for June and September – It would cost \$2,300 for 40 hours to rent a mower tractor. Good/Handshoe unanimous

to approve renting a mower tractor from Ziegler for the dates of June 16 through 20, 2014 and September 8 through 12, 2014.

Review/Update Snow & Ice Policy – After review, it was determined to delete #2 from the township winter fleet add the use of a time log.

APPROVAL OF CONSENT AGENDA:

Approve Town Board Meeting Minutes of February 27, March 3, March 4 Board of Audit & March 11 Board of Canvass, 2014 - Rush/Atwood unanimous to approve the town board meeting minutes of February 27, March 3, March 4 Board of Audit meeting and March 11 Board of Canvass meeting.

Open Forum for Citizens – None.

CONDITIONAL & INTERIM USE PERMITS: None.

PLATS: None.

VARIANCES: None.

OLD BUSINESS:

County Planning & Zoning Report – Bryan Lawrence was present. Discussed at the County Planning & Zoning meeting was the new auto dealership in Baldwin's commercial district since an auto dealership is not a permitted use in a commercial area. After a lengthy discussion, Lawrence was told that 20 conditions were recommended with the IUP, and it was approved to proceed. The dealership would be the one holding the main IUP; if other dealers come into the same building they would need their own IUP.

There was discussion on how the town board feels about outbuildings without a residence. Lawrence will take some of the board's comments back to the county.

Homeowners in another township have 2 flag lots which is part of a larger 150 acre parcel. The variance was for the driveways. It was granted. Each lot is for a family. Each driveway is deeded to the parcel.

Baldwin Planning Commission Update – Atwood reported that the Planning Commission met on the 13th of March. There are still openings to be filled. Two of the previous commissioners have also resubmitted their applications, and approval/disapproval of applicants will be put on the April 7, 2014 regular Baldwin Township agenda.

TABLED ITEMS:

Discuss/Approve/Disapprove Selling Old Ambulance – Rush said the fire department is still using the old ambulance. It's a 1995 7.3 engine with 170,000 miles

and probably worth between \$4,000 - \$5,000. The thought is to maybe sell the boat and ambulance at the same time. Handshoe/Good unanimous to table until the April 15, 2014 meeting.

Discuss/Approve/Disapprove SBA Offer – The board reviewed a draft letter to township attorney, Robert Vose. Swanson stated that he believes this would constitute our final offer by adding “unless they want to redefine what their \$100,000 is for”. Good agreed. Atwood stated that we want “x” per month and take it or leave it. Good stated that she had talked to a person who buys leases and he thought \$1,200-\$1,500 month was reasonable and he thought it would be closer to \$250,000 lump sum. Atwood stated that this was a first out of the gate offer and they are not known for throwing sweetheart deals to us. Good stated that the person also said we would be in a bad position if we were leasing it out. He did not think it would be a viable option and it would cost us \$150,000 to take it down. Swanson stated that we know that other towers want to come into the county and he does not think they would run away. They are in breach of contract. We are not accepting anything right now. They sold without telling us. Good/Handshoe unanimous to send it. Swanson stated that if this goes nowhere then he will be the first one here to make a motion to switch attorneys. The clerk was instructed to put it on letterhead and send via email to Bob Vose.

Schedule Spring Road Tour – The clerk will check with Bogart to see if he can attend a spring road tour with the town board on Thursday, April 24th at 3:00 p.m. or Thursday, May 1st at 3:00 p.m.

NEW BUSINESS:

Property Access Issues – Lael Jensen was present with concerns regarding the easement to his home off of 313th Avenue. Mr. Jensen stated that in the winter the wind drops snow in a channel and after the last major snowfall he spent 20 hours shoveling and snow blowing out the access. The solutions he came up with are: #1. Fixing it by upgrading it to a higher grade level which would help with wind blowing across it. He has been unable to park by his home for about a month. Last winter the property owner to the north threatened to tow their cars and charge them if his trucks got stuck. He cannot afford to fix that whole length (about a quarter mile). Swanson questioned if this was a snow removal issue with Mr. Jensen replying yes. Good stated that the easement is in really bad shape yet it is not his property to fix it. Mr. Jensen stated that this is his first home. Swanson stated that legally he cannot restrict his access to his home and he can't keep you from driving on it but they need to maintain it. Mr. Jensen stated there has been no maintenance on the easement for over 40 years. Handshoe stated that it is a civil matter. Swanson stated that if his neighbor is not allowing you access to fix it up then it is a problem, however, the township cannot do anything about it. If it gets to be impassable you need to fix it and he can't stop you from doing that. # 2. Access the cul-de-sac to the southeast. Mr. Jensen stated that he would work with the neighbor to get an easement that would run east of his land to the cul-de-sac to get driveway access there. Good stated that it looks to be stubbed in for a future development and questioned if it would create difficulty in the future. Atwood stated that

it would the landowner to grant the easement to the cul-de-sac and would have to meet township driveway standards. Swanson stated that Mr. Jensen needs to get on the county planning and zoning agenda and they would require recommendations from the town board or at least the board's opinion. #3. If his neighbor is willing to sell a portion of his land he questioned if they could move the lot line far enough to access the cul-de-sac which would hinge on if he can get granted access from the cul-de-sac. Good stated that if he sold it to you to the cul-de-sac it would limit future development as she truly believes at some point it would be a housing development. Swanson suggested squaring off the land to the centerline of the cul-de-sac as the township would not stand in the way of him purchasing land. Atwood suggested buying a sliver enough to meet township driveway standards. Driveway construction costs would be up to him. Swanson stated that it would be his responsibility also for the cost of connection to the cul-de-sac. Ultimate approval would be through Sherburne County. Atwood stated that easement issues are a civil matter. Swanson stated that it depends on how the easement was written. Good stated that the easement should be recorded.

Review/Update Snow & Ice Policy – See above.

Approve/Disapprove Resolution #14-07, Resolution Authorizing Contract with Interested Officer – Good/Handshoe motion to approve Resolution #14-07; Resolution Authorizing Contract with an Interested Officer. With a voice vote taken Supervisors Good, Handshoe, Rush and Atwood saying aye; Supervisor Swanson abstaining. Motion carries.

Approve/Disapprove 2014 Cleanup Day Event Grant Agreement – Good/Rush unanimous to approve the 2014 Cleanup Day Event grant agreement.

Discuss County Zoning Ordinance/Potential Amendments and Provide Comments
It was agreed to send the County Zoning Ordinance and Potential Amendments to the Town Board and the Planning Commission. Handshoe/Good unanimous to table to the April 15, 2014 for further review.

Approve/Disapprove Resolution #14-08, Resolution Accepting Donations – Rush/Handshoe unanimous to approve Resolution #14-08; a Resolution Accepting Donations which was a \$2,000 donation from the Zimmerman Fire Department Relief Association.

Discuss/Approve/Disapprove Invitation to Join in a Regional Housing Study – Lakes and Pines Community Action Council is working with the Minnesota Housing Partnership to hire a consulting firm to perform a regional Housing Study in East Central Minnesota. Carie Fuhrman, City of Princeton, invited Baldwin Township to join in the housing study. Baldwin Township would be asked to contribute between \$2,000 - \$3,000 to participate. Good/Atwood unanimous to approve to take the dollars to participate in this study out of the Capital Reserve Fund. The clerk will send Fuhrman a letter indicating Baldwin's interest and to find out what the next steps will be.

Approve/Disapprove Princeton School District, ISD 477, Utilizing Town Hall for Special Election, May 20, 2014 (our regular meeting date) and Determine Date for Moving Regular Meeting and Determine Charge for Use – Handshoe/Good unanimous to change the May Baldwin Township regular meeting to May 22, 2014 at 7:00 p.m. Determining a charge for use of the town hall for the Special Election will be made at the April 15, 2014 meeting.

Discuss/Approve/Disapprove Send Clerk to User Group Conference for Banyon Software – Handshoe/Good unanimous to send the clerk to the User Group Conference for Banyon Software.

Announcements:

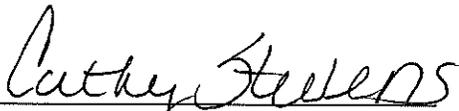
- Closed Employee Meeting, Wednesday, March 19th, 7:00 p.m.
- Joint Meeting with Planning Commission and BVC, Thursday, March 20th, 7:00 p.m.
- Continuation of Public Hearing, Portion of Lake Diann Acres, Tuesday, March 25th, 7:00 p.m.
- Oath of Office & Reorganization Meeting, Thursday, March 27th, 7:00 p.m.

Any Other Business:

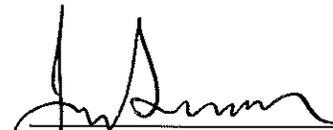
- Joint Meeting with Livonia, Monday, March 24th, 6:30 p.m. to Open 112th Street Bids
- MAT Meeting, Tuesday, March 25th

Motion to Approve Bills for Payment – Handshoe/Good unanimous to approve for payment check numbers 18229 through 18274 and 6 EFT payments totaling \$36,267.11.

Adjourn – Good/Atwood unanimous to adjourn at 9:21 p.m.



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



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

4-7-2014

Date

Attendees: Lester Kriesel, Lael Jensen, Elaine Philippi, Bryan Lawrence, Emily Misiura, Audrey Misiura