

BALDWIN TOWNSHIP REGULAR MEETING

May 22, 2014

Present – Supervisors Jay Swanson, Jeff Holm, Larry Handshoe, Tom Rush and Randy Atwood.

Call to Order – The May 22, 2014 regular meeting of Baldwin Township was called to order by Chairman Jay Swanson at 7:02 p.m.

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

Additions/Corrections to Agenda – Add to New Business:

- Approve/Disapprove Material Contract for Pavilion
- Approve/Disapprove Labor Contract for Roof and Pavilion
- Approve/Disapprove Payment for Partial Pavilion Payment
- Discuss/Approve/Disapprove Open Forum for Citizens During Meeting
- Discuss Locked Office at Elections

After Treasurer's Report add:

- Approve/Disapprove Fun Run

Atwood requested that BR&E Update be added but it is heard at the 1st meeting of the month.

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

Treasurer's Report:

May 2014 Preliminary Treasurer's Report – The clerk reported receipts of \$4,326.77 and disbursements of \$50,930.60, check numbers 18363 through 18428 and 6 EFT payments leaving an unaudited balance of \$303,156.20.

Approve/Disapprove Fun Run – Representing the Little Elk Lake Association, Andie Bumgarner, asked for approval of a "Loop the Lake Fun Run/Walk" scheduled for July 6, 2014. This is a fundraiser for the Little Elk Lake Improvement Association. Swanson/Atwood unanimous to approve.

Road Report – Handshoe reported that some road grading has been done, and patching will start next week.

Revisit Grading Arrangement – Rush stated that basically the town board approved Livonia township to do the road grading but the original road grader operator is no longer there and there has been some complaints on some jobs he has done. Does the board want to go out for quotes, have Essig do it or continue as is? Handshoe stated he thought Livonia was doing a good job and the Livonia road manager is now grading.

Rush stated that the board made a decision and it is what it is but the existing grader operator was not told what the issues were. He was doing it for 33 years for the township and he found out in the newspaper. Personally, he would have talked to him. He said he didn't have the material (gravel) to do his job. He knew the roads and he was out there. We are now second in line to Livonia. Holm stated he said his peace at the last meeting on how we go about making changes. Swanson stated that jumping away from Livonia would be by the seat of our pants. He definitely feels bad that Mr. Essig read in the paper before a letter was sent. If we are having complaints now make sure Handshoe knows.

Review/Approve/Disapprove 125 ½ Street & 316th Avenue Gravel Quotes – Quotes received were: Helmin Construction: \$17,677.20; Knife River: \$24,464.00; and West Branch Construction: \$22,917.50.

Swanson questioned how much would be wasted if we wait until July with Jon Bogart replying about ¼ of the cost. Soil borings would cost between \$2,000-\$2,500. Swanson proposed looking at the gravel roads and pull away from 100th Street at this time. It would cost approximately \$75,000 for the dirt work and getting ready for asphalt in 2015. He would also like the board to think about doing that road with street lights. He would like to go out for a real bid in July. Rush asked about the residents along Lake Diann, Elk Lake and Sandy Lake. Swanson replied that calcium chloride will be put down. In regards to Lake Diann the people said that gravel and calcium chloride would be fine. Graveling should include all of the dirt work that would be needed prior to paving. Rush questioned if it would be subordinate tax district for the business district. Swanson replied that the township cannot force a subordinate service district. Rush stated that if his road is graveled the people in the development should pay for the road. Most tax dollars have gone for collector roads. Swanson replied that it may help to bring in more businesses and suggested holding off on this and find out numbers for the whole project. We have street lighting in one part of the business district and continuing lighting may be a wise thing.

Rush/Handshoe motioned to approve Helmin's bid in the amount of \$17,677.20. Holm stated that he agrees with the motion but even if information is ready by July then something happens and all of a sudden we don't do anything and he is willing to bite off the 25% or 20% that we don't recover. Swanson stated that this bid is only the loop and not all the way down to 313th Avenue and he will keep on this. Atwood questioned if this portion is done now would it be maintainable with calcium and keep for one or two years. Bogart replied that it would be drivable surface for the time being. Rush stated that the main focus should be 100th Street as it is on the capital improvement plan. Bogart stated that it will take up to 18 months to approve a wetland permit for 100th Street due to the sequester. Swanson stated that the worst part of the road is the south end of 125 ½ Street and this band aid fix does not address that. Holm stated that he is basing it on the use of the roads and getting down to the businesses that have daily traffic and do something now. Swanson stated that he does not see the merit throwing that money away and sees it as a bigger project. Atwood stated it would be nice to do research and combine with other projects but not forget the immediate need. Holm

stated that 3 of the 4 inches will be recovered and the contractors are showing their numbers right now. Upon voice vote the motion carried with Swanson and Atwood opposed.

Review/Approve/Disapprove Gravel Specifications Prior to Going out for Quotes for Portion of Lake Diann Acres – Bogart stated that he plan does not address drainage issues and is taking class 5 out and putting it back. He is not sure of how much right-of-way there is on the north side and is not sure on what it would take to fix the drainage. Holm/Rush motioned to approve the gravel specs brought in by the township engineer and to go out for quotes. Swanson stated he would like to see the area surveyed. Holm stated that if that was a friendly amendment he would not accept it right now as we still need to after 100th Street. Atwood suggested adding to the capital improvement plan. This would be a band aid but he would like to see what it really would cost. Holm stated that this would give them material to drive on and it may only last 5 years but then we have time to determine where to go. Upon voice vote the motion carried with Swanson opposed.

Approve/Disapprove South 100th Street Project – Bogart referenced the timeframe for the Corp of Engineers and that we do have enough information on the right-of-way that he would like approval to talk to the attorney and get it straightened out. Holm/Handshoe unanimous to approve Mr. Bogart to continue working on the right-of-way issue which would include consulting with Couri & Ruppe. Holm stated he would like to see this turn into a shovel ready project. The board needs to redo our plan and work on budgeting and continue on. 100th Street is a collector road that is in bad shape.

Approval of Consent Agenda – Rush/Holm motion to approve the Town Board meeting minutes of May 5, 2014. Motion carried with Swanson abstaining.

Open Forum for Citizens – Chuck Nagle, 131st Street, informed there will be open houses scheduled for discussion regarding the Great Northern Trail. Planner Chard will be contacted to see if there are any draft copies of the comprehensive plan available to the public.

CONDITIONAL & INTERMI USE PERMITS: None.

PLATS: None.

VARIANCES: None.

OLD BUSINESS:

County Planning & Zoning Report – Bryan Lawrence was not present.

Baldwin Planning Commission Update – Atwood reported that the draft copy of the comprehensive plan was reviewed. Open houses, with the help of the Baldwin Volunteer Corps, will be scheduled at the next meeting.

Approve/Disapprove East Central Regional Housing Study Dollar Amount – Swanson/Atwood motion to approve the amount of \$2,500 for an East Central Regional Housing Study. Motion carries with Holm opposed.

TABLED ITEMS:

Approve/Disapprove South 100th Street Road Project - See above.

Approve/Disapprove Layoff of Seasonal Snowplow Drivers – Handshoe/Atwood unanimous to approve the layoff of the seasonal snowplow drivers.

Approve/Disapprove Letter to Road Grader Company – Rush/Atwood unanimous to approve the “draft” letter to the road grader company.

Discuss County Zoning Ordinance/Potential Amendments and Provide Comments Holm/Atwood unanimous to send the Planning Commission findings to Sherburne County Zoning. The April 22, 2014 findings from the Planning Commission are:

“County Proposed Amendments/Review and Comment:

Sherburne County Planning and Zoning have asked Haven, Clear Lake, Baldwin, Becker and Big Lake townships to discuss and provide feedback on whether modifications are needed to the Mississippi River Wild & Scenic Ordinance. Planner Chard clarified the questions by thoroughly explaining what the question was, the background,, definitions of home business and home occupation as well as state rules, CUP’s and IUP’s. As to question 1: Should the County amend the Scenic and Recreational Use District in regards to Home Businesses on residential lots? *a motion was made by Commissioner Thorson to recommend to the town board to comment to Sherburne County to allow home occupations. With no second the motion fails. Commissioners Patten/Carlile motion to recommend to the town board to comment to Sherburne County to allow both home occupations and home businesses in accessory structures but with a restrictive list. With Commissioner Thorson opposed, the motion carries.*

As to question 2: Should the County look at allowing outbuildings on parcels without a primary home? *Commissioners Patten/Carlile unanimous to recommend to the town board to comment to Sherburne County to leave the ordinance as is with specification that it be residential property only.”*

Approve/Disapprove Calcium Chloride Quote – Holm/Handshoe unanimous to approve Envirotech’s quote of \$12,416.00 for calcium chloride.

NEW BUSINESS:

Review/Approve/Disapprove Request for Dock off of Public Beach, Elk Lake Estates – James Connolly was present and he stated that there have been docks in the past and there has been no problem. His daughter stated that they had a dock there up until 15 years ago when they sold. Now they have repurchased the property. The use

of the dock would be for fishing. Swanson questioned if it is a public beach for the community and Holm stated that other members of the community can use and questioned if there may be other problems. Swanson stated that they would have to take on the liability. Mr. Connolly stated that they would insure it for the liability. Swanson/Holm unanimous to allow as long as they take on the liability. Atwood stated that he may want to see a contract. Can it be private if on a community beach? Holm stated that they are here tonight to see if the board has a problem with it and we do not. Suggest discussing with their neighbors.

Review/Approve/Disapprove ISD 477 Charges for 5/20/14 Special Election – Rush/Handshoe unanimous to table charges for ISD special election that was held on May 20, 2014.

Approve/Disapprove Firefighter Leave of Absence – Holm/Handshoe unanimous to approve a leave of absence for firefighter Robin Fischer.

Review Animal Control Ordinance – Holm/Handshoe unanimous to table while the Township Clerk and Handshoe work on revising the Animal Control Ordinance.

Discuss/Approve/Disapprove Conditional & Interim Use Permits, Plats & Variances Going Before Planning Commission Prior to Coming to Town Board
Swanson/Handshoe unanimous to approve the Baldwin Planning Commission addressing conditional and interim use permits, plats and variances.

Approve/Disapprove Attendance at MAT Summer Short Course, Monday, June 16th, St. Cloud – Holm/Rush unanimous to approve attendance at the MAT Summer Short Course being held in St. Cloud on Monday, June 16, 2014.

Revisit Thursday Office Hours – Holm/Rush unanimous to change the Thursday office hours to 4:30 p.m. effective immediately.

Review/Approve/Disapprove Newsletter – Rush/Holm unanimous to approve the summer newsletter with changes and final review from Supervisor Atwood.

Approve/Disapprove Contract for Pavilion – Rush/Atwood unanimous to approve the amount of \$6,853.53 for material and labor for the pavilion.

Approve/Disapprove Permit for Pavilion – Swanson/Atwood unanimous to approve the amount of \$285.25 for a permit for the pavilion.

Amending Resolution 12-11 – Swanson/Atwood unanimous to amend Resolution 12-11, a Resolution Controlling Access to Baldwin Township's Information, Supervisors and Staff from One Chuck W. Nagle with an accepted friendly amendment from Holm to authorize contact with the township attorney.

Approve/Disapprove Open Forum for Citizens During Meeting –

Swanson/Handshoe motion with an accepted friendly amendment to keep the comments at a 3 minute limit to eliminate the Public Forum portion of the agenda and that citizens fill out a Public Comment Request Form the night of the meeting if they wish to address a question to the township board. Motion carries with Holm and Rush opposed.

Discuss Locked Office at Elections – There were unauthorized persons in the clerk's office during elections. Holm said he is tempted to get the sheriff involved.

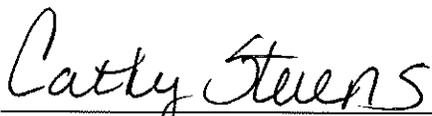
Announcements:

- Office Closed Monday, May 26th, Memorial Day
- Road Tour, Thursday, May 29th, 4:00 p.m.

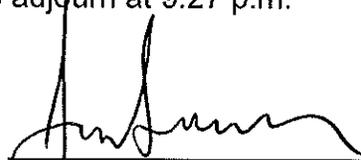
Any Other Business - None.

Motion to Approve Bills for Payment – Holm/Handshoe motion to disapprove payment of bills. Holm/Handshoe motion to rescind motion to disapprove payment of bills. Atwood/Rush motion to approve check numbers 18402 through 18428 and 5 EFT payments totaling \$28,566.67. Motion carries with Holm opposed.

Adjournment – Handshoe/Rush unanimous to adjourn at 9:27 p.m.



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



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

6-2-2014
Date

Attendees: Andie Bumgarner, Lester Kriesel, Jim Connolly, Shawna Connolly, Tim Lindsay, Robert Freese, Elaine Philippi, Pat Fitzpatrick, Audrey Misiura, Chuck Nagle, Jon Bogart, Ross Perry