

## BALDWIN TOWNSHIP REGULAR MEETING

November 17, 2015

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

**Call to Order** – The Baldwin Township regular meeting of November 17, 2015 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 'Approve/Disapprove DOT Cost of Trucks' under Road Report
- Add 'Approve/Disapprove Tony Flanders Placement of Dirt' under New Business
- Add 'Approve/Disapprove Legacy Grant Applicants' under New Business
- Add 'Discuss Legacy Grant Committee' under New Business
- Add 'Approve/Disapprove Discuss Joint Meeting with Nancy Riddle' under New Business
- Add 'Approve/Disapprove Pre- and Post-Issuance Compliance Policy' under New Business
- Add 'Approve/Disapprove Resolution No. 15-21' under New Business

### **Approval of Regular Meeting Agenda With/Without Additions/Corrections**

Schumacher/Rush unanimous to approve the regular meeting agenda as amended.

### **Treasurer's Report:**

**November 2015 Preliminary Treasurer's Report** – The clerk reported receipts of \$48,513.45 and disbursements of \$36,018.37, check numbers 19711 through 19770 and 5 EFT payments leaving an unaudited balance of \$537,631.73.

### **Road Report:**

**Approve/Disapprove Partial Payment to Helmin Construction in the Amount of \$29,606.84, Georgetown Addition Road Improvements** – Rush/Schumacher unanimous to approve the partial payment to Helmin Construction in the amount of \$29,606.84 for the Georgetown Addition Road Improvements.

### **Discuss the Donation of Retired Road Signs to the Fire Department Garage Sale**

It was discussed to donate the retired road signs to the Baldwin Fire Department to possibly sell at their garage sale. If the signs don't sell, then they would be recycled. Swanson suggested putting something on the back of the signs indicating they were removed from Baldwin Township.

**Approve/Disapprove the Quote for New Tires on One Ton Truck** – Schumacher said that the word truck should be in the plural. Schumacher/Rush unanimous to

approve the mounting and balancing of five (5) tires for the trucks in the amount of \$835.00 from Greg Anderson Tire.

**Approve/Disapprove DOT Cost of Trucks** – Schumacher/Rush unanimous to approve the DOT repairs to the plow trucks.

**Approve/Disapprove Tony Flanders Placement of Dirt** – Terry Carlile stated that if the dirt was placed south of the slab by the wood line at Young Park it will tear the yard apart. The pit behind the fire department is huge and maybe start filling in one end of that. Swanson stated that he believes that was purposely dug. Carlile stated that there are other properties that the township owns. Rush stated that maybe the dirt can be placed where the ballfields are going. Swanson suggested by the brown building in the tall grass. Carlile stated that the area is not cleared and has barbed wire fence and metal particles in the area. Swanson suggested south of the bunker. Carlile replied that it would cover the volleyball field. Schumacher suggested going off of County Road 19 by Claassen's. Carlile replied that they have been stuck there with the one ton trucks. Swanson stated that the dirt should go off of County Road 19 as far as the maintenance equipment can get in.

**Approval of Consent Agenda:**

**Approve Town Board Meeting Minutes of November 2, 2015** – Rush/Schumacher unanimous to approve the Town Board meeting minutes of November 2, 2015.

**CONDITIONAL & INTERIM USE PERMITS:** None.

**PLATS:** None.

**VARIANCES:** None.

**OLD BUSINESS:**

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

**Park Committee Report** – Rush reported that the flag poles have been put in by monument thanks to Terry Carlile and the maintenance department. Gopher State has marked the electrical. Baldwin Township has made it to the 2<sup>nd</sup> round with the Bernick's Foundation on their grant request. The Township will apply for the Twins Foundation grant in January, and there's a good chance at a grant with Burlington Northern. Supervisor Holm will attend the Park Board meeting in place of Supervisor Rush for Thursday's meeting. The road right-of-way for Goose Lake is still an issue.

**Approve/Disapprove Letter to Commissioner Leonard Regarding Driveway Approach/Parking Lot for Goose Lake Park** – Referencing an email from the Sherburne County Public Works Engineer, Rhonda Lewis, in which she indicates that she wants Baldwin Township to pay for the road right-of-way and that they are waiting for an answer from the township. Swanson said that he thought the driveway approach

was a free and clear donation to the township. Swanson will draft a letter to Rachel Leonard for comments to have available at the December 7, 2015 regular meeting. Rush/Schumacher unanimous to table approval/disapproval of letter until the December 7, 2015 meeting.

**Review Photo of New Flag Pole at Young Park** – A photo was reviewed of the new flag pole at Young Park.

**Baldwin Planning Commission Update** – Swanson attended the Planning Commission meeting in the absence of Supervisor Atwood. The Planning Commission is working on implementing the comprehensive plan. The county did add the commissioner's comments regarding the downward lighting on the Delkamp CUP. The Planning Commission is looking for new members.

**Approve Resignation of Commissioner Thorson Effective March 31, 2016**

Rush/Schumacher unanimous to approve the resignation of Commissioner Thorson effective March 31, 2016. A thank you letter will be sent.

**SBA Update:**

**Discuss Distribution of Money from Settlement** – Swanson stated that Supervisor Rush talked to Chief Rademacher and there are a couple of ideas of what to do with the settlement. We have a sand problem with trucks and fire issues and a well at the Young property for a water source on the east side of Highway 169 was discussed. Mr. Kiel came to his office yesterday and there was a lengthy discussion with Kiel having reservations with putting in an 8" well. If used for drinking fountains and bathrooms he thought a smaller well would be better suited for that. Supervisor Rush invited Chief Rademacher to have some input. Rush stated that he thinks a well is a good option to use the money for. Schumacher stated that he also likes the well. Rush stated that it will help the ISO rating and it will help the park. Rademacher stated that he thought it was a done deal except for the vote. At this point the well would be far down on his list. As far as helping the ISO rating there are many other factors involved.

**Recess Regular Meeting** – Schumacher/Rush unanimous to recess the regular meeting at 7:30 p.m.

**Open Public Hearing on Unpaid Service Charge** – Chairman Swanson read the Notice of Public Hearing:

**"NOTICE OF COLLECTION OF UNPAID SERVICE CHARGES: Parcel # 01-503-0320**

**Notice is hereby given** that the Town Board of the Town of Baldwin will meet at **the Baldwin Town Hall, located at 30239 – 128<sup>th</sup> Street, Princeton, MN 55371 at 7:30 p.m. on November 17, 2015**, to consider the adoption of a proposed certification for collection of unpaid special charges relating to Community Sewer Treatment Services pursuant to Minnesota Statutes Section 444.075, Subd. 3e. The Town Board may certify these unpaid charges to the Sherburne County Auditor at this meeting.

The following parcel of property [Parcel # 01-503-0320], which you own, has incurred charges for waste water services, which are as of October 23, 2015 unpaid:

- a. **\$260.00**
- b. **Attorney Fees = \$43.75**
- c. **Postage = \$7.23**

The total due for this parcel is in the amount of **\$310.98** which includes the attorney fees and postage. Said proposed certification, in the total amount of **\$310.98** shall constitute the special certification against the lands named herein.

The amount proposed to be certified against your parcel of land is **\$310.98** and any unpaid balance will bear interest at the rate of 7% per year, commencing on **January 1, 2016**. The documents relating to the proposed amount to be certified are on file for public inspection at the Town Clerk's office."

The property owner not present. There were no comments.

**Close Public Hearing** – Rush/Schumacher unanimous to close the public hearing.

**Motion to Reopen Regular Meeting** – Rush/Schumacher unanimous to reopen the regular meeting at 7:35 p.m.

**Approve/Disapprove Resolution No. 15-16, Resolution Certifying Delinquent Community Sewer Treatment Service Fees and Related Interest** – Rush/Schumacher unanimous to approve Resolution No. 15-16; a Resolution Certifying Delinquent Community Sewer Treatment Service Fees and Related Interest.

**Distribution of Money from Settlement (Continued)** - Swanson stated that the board is not ready to make a decision yet. We need to have a meeting and discussion on what the fire department wants. The rent is now at \$1,000/month. There is a possibility that Verizon wants to go on the tower and, if that happens, the rent would be raised by \$600/month to \$1,600/month. We have generated over \$15,000 in attorney fees. That will be reimbursed by SBA. A one-time lump sum settlement of \$28,000 and then rent will increase 3% per year. There is about 20 years left on the lease. Any additional provider then it is 25% of what they get. The back rent is about \$14,000 as the board officially had them evicted. He would like to get together and sit down with the chief and the captains and discuss the distribution of the money. Swanson handed out a list, "Fire Department Expenditures" and stated Livonia is paying \$185,000 for fire service from Zimmerman. Rademacher stated when other communities purchase trucks the city buys it and it does not come out of the fire department budget and there are a lot of costs which are absorbed by the cities. Swanson stated that we have an operating budget and expenditures for equipment. Upon reviewing the list, Robin Fischer stated that some items on the list came out of the annual operating budget. Rush stated that the list is showing the biggest expenditures in the past years. Rademacher stated that it was in his budget and Fischer stated that the budget was rolled over. Rush stated that

it shows the budget and here are the major expenditures that have been purchased out of operating budget. The board needs to meet with the chief, assistant chief and captains to determine where the lump sum payment should (rent payments) go and, going forward, where the money is going. Schumacher stated that there are three supervisors present and we are a five member board. The whole board should be weighing in on the process. Swanson stated that this is the people's money and requires lots of discussion. Rush suggested that they have the research done with what will be brought to the table. Swanson stated that the department is sitting pretty well with new equipment and feels that they are fairly well taken care of. Rademacher stated that we are taken care of pretty much but did ask for Capital Fire at the Annual Meeting. A previous board said the rent would go to the fire department budget. Swanson stated that we have a legacy committee that may need a match. A real discussion on everything going on in the town is needed. Fischer stated that he feels that the town would not benefit for an 8" well at the park. Kiel stated that an 8" well would cost about \$70,000. Rush stated that the department bring everything to the table and sit down with the chair and himself and any further action will be tabled until the December 7<sup>th</sup> meeting.

**Relief Association Report** – Jim Buell reported that there is \$454,981.76 in the fire relief fund. There are a total of 28 firefighters participating in the relief fund with no scheduled retirements in near future.

**Update on Deck for PID 01-404-0440** – Supervisor Schumacher said he has talked to Nancy Riddle. The permit has been applied for. Put on December agenda.

**TABLED ITEMS:**

**Relief Association Report** – See above.

**EMS Sign Issues/Approve/Disapprove Vendor** – Swanson/Schumacher unanimous to approve M-R Signs as the vendor for the EMS signs at a cost of \$23.01 each. The Driveway Access Permit and Fee Schedule will need to be updated.

**Approve/Disapprove Termination of Seasonal Employee** – Rush/Schumacher unanimous to approve the termination of the seasonal employee.

**NEW BUSINESS:**

**Approve/Disapprove Resolution #15-20; A Resolution Declaring Temporary Vacancy for Town Board Supervisor, Seat C** – Since Supervisor Holm has indicated he will be attending the meeting on December 7, 2015, Rush/Schumacher unanimous to disapprove Resolution #15-20; a Resolution Declaring Temporary Vacancy for Town Board Supervisor, Seat C.

**Approve/Disapprove RFP's for 2015 Audit** – Rush/Schumacher unanimous to approve RFP for the 2015 Audit. A friendly amendment was added by Swanson to keep it local if possible. Both Rush and Schumacher accepted the friendly amendment.

**Clarification on Requirement of Yearly Reviews for IUP Permits** – The clerk asked the board for clarification of yearly reviews for both Interim Use and Conditional Use Permits. The board stated that all should be reviewed yearly. The clerk stated that conditional use permits had stopped being reviewed yearly by a board motion. She will find that motion and ensure all Supervisors receive a copy. If an Interim Use Permit does not state “yearly review” on it she does not include it in her list of yearly review permits.

**Approve/Disapprove Legacy Grant Applications** – Rush/Swanson unanimous to approve Elaine Philippi and Judy Thorson to the Legacy Grant Committee. With Supervisor Schumacher there will be a committee of six (6) members.

**Discuss Legacy Grant Committee** – The scheduled Legacy Grant Committee meeting will be December 1, 2015 at 7:00 p.m. Dave Lucas, the Sherburne County Solid Waste Administrator, has been invited. Rachel Leonard may be attending, also. The Deputy Clerk will be taking minutes. Rush/Swanson unanimous to approve putting the letter to Lucas on letterhead and sending it. Discussion whether to give a presentation from the Legacy Grant Committee at the annual meeting.

**Approve/Disapprove Joint Meeting with Nancy Riddle** – Rush/Schumacher unanimous to table until the December 7, 2015 regular meeting of Baldwin Township.

**Approve/Disapprove Compliance Policy Procedures** – Schumacher/Rush unanimous to approve the Pre-and Post-Issuance Compliance Policy Procedures for the Certificate of Indebtedness.

**Approve/Disapprove Resolution #15-21** – Schumacher/Rush unanimous to approve Resolution No. 15-21; Resolution Authorizing the Issuance, Sale and Delivery of \$155,000 General Obligation Certificate of Indebtedness, Series 2015A.

**Announcements:**

- Town Office Closed Thursday, November 26<sup>th</sup> for Thanksgiving
- Budget Meeting, Wednesday, December 2<sup>nd</sup>, 7:00 p.m.
- Conciliation Hearing, Wednesday, December 9<sup>th</sup>, 1:00 p.m., Sherburne County Courts

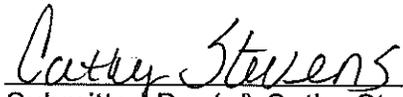
**Any Other Business:**

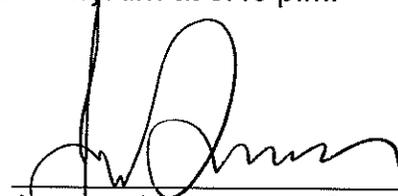
Rush stated that Terry Carlile did obtain a couple of prices to put another lamp post out by the rain garden at Young Park. The Park Committee did recommend this. The quotes range from \$5,300-\$5,700 and came from Reliance Electric, Rike-Lee Electric and Connexus. Swanson stated that he would like to see LED lights installed. Schumacher/Rush unanimous to table until December 7, 2015.

Schumacher/Swanson unanimous to approve closing the Town Hall on Friday, November 27 as a paid day for the full time employee.

**Motion to Approve Bills for Payment** – Rush/Schumacher unanimous to approve for payment check numbers 19704 and 19733 through 19770 and 5 EFT payments totaling \$39,058.37.

**Adjournment** – Rush/Schumacher unanimous to adjourn at 8:45 p.m.

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

  
Approved By: (s/) Jay Swanson  
Chairman, Board of Supervisors  
Baldwin Township  
12-7-2015  
Date

Attendees: Lester Kriesel, Robin Fischer, Jim Buell, Joe Kiel, Michael Rademacher, Terry Carlile, Elaine Philippi