

BALDWIN TOWNSHIP REGULAR MEETING

October 21, 2014

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

Call to Order – The October 21, 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 Discuss Drainage and MS4 for Baldwin Township under New Business
- Add Approve/Disapprove/Discuss Two Board Members Meet with Planning Commissioner
- Move Approve/Disapprove Sherburne County Planning & Zoning Representative and Alternate for a 3-Year Term Beginning January 1, 2015 from New Business to under Old Business

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

Treasurer's Report:

October 2014 Preliminary Treasurer's Report – The clerk reported receipts of \$6,015.27 and disbursements of \$129,423.56, check numbers 18737 through 18809 and 8 EFT payments leaving an unaudited balance of \$330,049.53.

Road Report – Supervisor Handshoe reported that 100th Street has been dug up and bids are being obtained to have it paved. Gravel will be laid on 111 ½ Street on the 22nd of October. All the patching and mowing are done.

Approval of Consent Agenda – Handshoe/Rush unanimous to approve Town Board Meeting Minutes of October 6, 2014; Resolution 14-19; Resolution Accepting Donations (USDP); Resolution 14-20; Resolution Accepting Donations (GCI); Resolution 14-21; Resolution Accepting Donations (Judy Thorson); Resolution 14-22; Resolution Accepting Donations (Cheryl Goetz Dobson); Resolution 14-23; Resolution Accepting Donations (Northeast Sherburne Fire & Rescue); Resolution 14-24; Resolution Accepting Donations (Jon & Polly Smith dba The Wienie Wagon); Town Office Closed for Public Accuracy Test at County Offices, Thursday, October 30; Notary Renewal for Clerk; and Revised Town of Baldwin Organization List .

CONDITIONAL & INTERIM USE PERMITS:

Approve/Disapprove Conditional Use Permit Amendment for Bell Auto (County is asking for Town Board comment on the township requirement of drainage and

grading plan) – Bruce Bell and Robert Gullette were present. Holm stated that there are new regulations by the MPCA. Swanson stated that the state requires the need to hold 75% on 100 inches of rain on their property. Holm stated that they will consider your gravel an impervious surface. Mr. Gullette stated that the reason for their request is that they bought additional property with the hopes of using it and the original request for the conditional use permit (CUP) was based on the space they thought they had. They were over (in car count) on their original CUP. When the county counted they included personal things like boat trailers and storage boxes. They have since dwindled down quite a bit. The county did give us permission to keep what we had. Holm stated that he county was comfortable with the storage of liquids. Mr. Gullette presented to the board a picture of the primary storage area. Mr. Bell stated that the area is not visible from the road. Swanson stated they are going from 2.2 acres to 6.5 acres. Holm stated that they will be disturbing more ground to the south and once you go over an acre you need a grading plan and there is no necessity to ask for anything more than what the county and state is requiring. There will be no change in the buildings. Holm/Handshoe unanimous to approve the expansion per the requirements of the county and state. The township comment will be: "Recommend approval. Follow all state and county regulations".

PLATS: None.

VARIANCES:

69' Variance in Setback from Sandy Lake for a New Septic System – Daniel and Jennifer Flynn were present along with Jeff Jorgenson requesting a 69 foot variance in setback from Sandy Lake for a new septic system. Required setback from a recreational development lake is 100 feet – septic system will be 31 feet from the ordinary high water level of Sandy Lake. Handshoe/Holm unanimous to approve without comment.

55' Variance in Setback from the Right-of-Way for a New Residence – Daniel and Jennifer Flynn were present along with Jeff Jorgenson requesting a 55 foot variance from the right of way of 97th Street to replace existing home with a new residence. Required setback from the right of way is 67 feet. New residence would be 12 feet from the right of way. Holm/Handshoe unanimous to approve without comment.

90' Variance in Lot Width for a New Residence – Daniel and Jennifer Flynn were present along with Jeff Jorgenson requesting a 90 foot variance in lot width to replace existing home with a new residence. Required lot width on a recreational development lake is 150 feet. Lot is 60 feet wide. Rush/Handshoe unanimous to approve with comment. Township comments: "Recommend approval. Allow total tear down and rebuild. Fees should be considered and a one fee system implemented for situations like this. Baldwin wants this project to happen. Do all possible to make it so. It fits the neighboring structures. Reinvestments in our neighborhoods are something we want to work with".

OLD BUSINESS:

County Planning & Zoning Report – According to Bryan Lawrence there was no Baldwin Township business at the August 21st meeting. They did have a meeting last week with nothing on the agenda for Baldwin Township. Discussion on what was on that agenda. Lawrence thanked the Township Board for being able to serve as the Baldwin's Planning and Zoning representative and would wish to continue if the Board so chooses.

Approve/Disapprove Sherburne County Planning & Zoning Representative and Alternate for a 3-Year Term Beginning January 1, 2015 – Holm/Atwood unanimous to approve appointing Bryan Lawrence as the Sherburne County Planning & Zoning representative and Jay Swanson as the alternate for a 3 year term beginning January 1, 2015.

Baldwin Planning Commission Update – Supervisor Atwood reported that Commissioner Carlile's term will expire. There was discussion about having community meetings although no dates, times or topics were available. The commission will start reviewing ordinances.

TABLED ITEMS:

Review/Approve/Disapprove Elk Lake Estates Drainage Letter – Rush/Holm unanimous to approve the draft letter read by Supervisor Swanson regarding the Elk Lake Estates drainage issue. Three tentative dates to meet would be Wednesday, November 12; Tuesday, November 25 or Thursday, December 4.

Approve/Disapprove Amended Resolution 12-11; A Resolution Controlling Access to Baldwin Township's Information, Supervisors and Staff from One Charles W. Nagle – Supervisor Swanson said the resolution is still in the hands of the township attorney. Rush/Holm unanimous to table.

NEW BUSINESS:

Approve/Disapprove Sherburne County Planning & Zoning Representative and Alternate for a 3-Year Term Beginning January 1, 2015 –See above.

Schedule Date for Town Board Training with Township Engineer – Supervisor Holm suggested to include the planning commission. Atwood suggested that the Planning Commissioners come in at 6:30 p.m. on November 13, 2014 for their business and then be present for training and then possibly reconvene after that. The clerk will contact Planner Chard.

Approve/Disapprove Hiring Seasonal Snowplow Operators – Rush/Swanson motion to approve hiring seasonal snowplow operators. With a voice Swanson, Holm, Rush and Atwood voted yea; Handshoe abstains. Motion carried.

Approve/Disapprove Applying for Credit with Advance Auto Parts –

Handshoe/Atwood unanimous to approve applying for credit with Advance Auto Parts.

Discuss Flooring in Woman's Restroom – The linoleum is coming unglued. Quotes will be obtained for new flooring and brought back to the town board.

Approve/Disapprove Jon Bogart to Work with Commercial Applicant on Drainage

Swanson stated that they are asking if they can run drainage to both lots and it would be a cost to their project and not to the township. Rush/Atwood unanimous to approve. Swanson made a friendly amendment that it should be tied into the 125 ½ Street drainage. Both Rush and Atwood accepted the friendly amendment.

Discuss Drainage Including MPCA Letter –

Holm stated it should be discussed in the training with the town engineer. There needs to be a consistency with applicants and then look at MS4. We need to put this out here to show we have intent. The process is not yet set in stone. If not in Comprehensive Plan it should be so that it shows we have intent. Swanson then reviewed the letter received today from the MPCA and stated he would like an explanation. Holm suggested forwarding it to the township attorney with Atwood stating that the attorney than can help craft a response. Holm asked that this be added to the November 10th regular meeting agenda as "Approve/Disapprove Responding to This Letter". Swanson suggested sending it to both Jon Bogart and Bridget Chard and if they can buy us time then we don't need to involve the attorney. Atwood stated that whatever letter sent he would like the attorney's blessings. Atwood/Rush unanimous to approve the board chair to reach out to town consultants in this order: 1. Jon Bogart and 2. Bridget Chard and if they cannot come up with a solution to respond within 30 calendar days with board review on November 10th then we will bring in Couri & Ruppe to give us the out we need.

Holm discussed improving internal processes to make it easier for applicants with the possibility of the Planning Commission making up a guide for general permitting processes.

Approve/Disapprove/Discuss 2 Board Members Meet with Planning

Commissioner - Handshoe/Rush unanimous to approve having two board members, Tom Rush and Randy Atwood, meet with the Planning Commissioner with a recap provided to the Township Board.

Announcements:

- Sherburne County Community Partner Meeting, Tuesday, October 28th, 2:30 p.m., Big Lake Township
- General Election, Tuesday, November 4th
- PERA Coordinated Plan Rate Increase From 7.25% to 7.5% for Employers Effective January 1, 2015

Any Other Business:

Holm stated that if he is long winded talking about drainage and talking about variances it is that he needs to address things. Taking care of our issues here as much as possible. All of the township committees help and there is a small amount of time to meet twice a month. Rush stated that he is just asking to keep it simple. Holm stated that he wants to make sure we are articulating and getting the point across so we can stand up to these people (MPCA) as to why it won't be right for Baldwin Township.

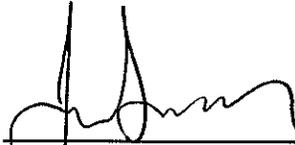
Supervisor Rush left at 8: 50 pm

Motion to Approve Bills for Payment – Handshoe/Atwood unanimous to approve for payment check numbers 18778 through 18809 and 6 EFT payments totaling \$70,752.84.

Adjourn – Handshoe/Atwood unanimous to adjourn at 9:03 p.m.



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



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

11-18-2014

Date

Attendees: Lester Kriesel, Jeff Jorgenson, Bruce Bell, Roger Gullette, Bryan Lawrence, Audrey Misiura, Elaine Philippi, Daniel Flynn, Jennifer Flynn