

**TOWN OF MAY  
WASHINGTON COUNTY  
OFFICIAL TOWN BOARD MINUTES  
May 5, 2011**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, May 5, 2011, at the May Town Hall. Those present included Bill Voedisch, Board Chairman; John Pazlar, Supervisor; John Arnason, Planning Commission Chairman; Dave Snyder, Town Attorney; Pete Kluegel, Building Inspector; Linda Klein, Town Clerk; Cheryl Bennett, Town Treasurer; Diane Hanke, Town Engineer (WSB); and residents of the Town of May. Absent: John Adams, Supervisor. Chairman Voedisch called the meeting to order at 7:00.

**Minutes, Checks, Treasurer's Report**

Voedisch moved, Pazlar seconded by, to approve the minutes of the April 7, 2011, Town Board meeting as presented. All approved.

Pazlar moved, seconded by Voedisch, to approve checks 16424 through 16456, plus EFTS0511 and EFTF0511 electronic funds transfer to the State and IRS, respectively. Pazlar moved, seconded by Voedisch, to approve the Treasurer's report as presented. The report is attached to these minutes and serves as the official record. All approved.

**Auditor's Report**

**Craig Popenhagen – Larson Allen**

Popenhagen provided an overview of Larson Allen's report, stating that all financial estimates and statements were correct. He concluded by advising the board of a new standard being implemented this year regarding fund balance categories and who will have control over how those funds are used. Pazlar moved, seconded by Voedisch, to approve the auditor's report as presented. All approved.

**Engineering & Roads**

**130<sup>th</sup> Street N. Patching**

Matt John met onsite with Tom Schroeder to mark out the limits of patching on 130<sup>th</sup> Street North between Partridge Road N (CR 51) and Panorama Avenue North. The areas marked are those where the pavement is severely cracked & damaged beyond the point of standard pothole patching. Four contractors were solicited to provide quotes to complete the patching work.

The quotes received by the contractor's are listed below.

- Brochman Blacktopping Co. = \$4,675.00
- Miller Excavating, Inc. = \$6,988.90
- T.A. Schifsky & Sons, Inc. = \$5,927.30
- Hardrives, Inc. = No Quote Submitted

Pazlar moved, seconded by Voedisch, to select Brochman Blacktopping as the contractor to complete the work on 130<sup>th</sup> at a cost of \$4,675. All approved.

## **Square Lake Trail Court North Reclaim and Pave / 131<sup>st</sup> Street paving (east of Panorama)**

The above listed roadways are planned to be worked on in 2011 as part of the Township's road maintenance program. The work is included within the budget. The board authorized the engineer to proceed with getting cost estimates on this project.

## **New Truck Purchase**

Chairman Voedisch went through a detailed presentation of the new truck brands and chassis being considered and presented the recommendation agreed upon by Voedisch and the road crew, Marv and Tom Schroeder. Pazlar moved, seconded by Voedisch, to accept the recommendation to purchase Freightliner chassis BC6821 for \$ 70,632.15 and the Towmaster add-ons for \$49,816 for a total of \$120,448.15. All approved.

## **Violations**

Dave Johnson – Voedisch will continue to work with Johnson in an attempt to continue removing all the extra materials from his property.

Brad Smith – Some items have been removed, and he says the containers have been sold.

Bill Klein needs to continue working with Smith as he works through his brush pile.

Paris Avenue – The 5<sup>th</sup> wheeler in question is now parked behind the garage and no further infractions have been noted on this street.

## **New Business**

### **Certificate of Compliance Review**

Voedisch reported on a potential application for a Certificate of Compliance. The person was buying new property and wanted to put up his pole barn closer to the front lot line than the proposed house. As it turns out, he had more than one issue involved and did not make application

### **Minor Lot Line Adjustment**

Voedisch moved, seconded by Pazlar, to approve the Zoff-Sievert lot line adjustment on Square Lake in order to accommodate the fact that an existing boathouse is situated on the adjacent lot. Approval is subject to the parties meeting with Dennis O'Donnell to get County approval and the attorney not sign deeds until this is done. All approved.

### **Planning Workshop**

Town Planner Carie Fuhrman presented information she received at a Government Training Services (GTS) workshop titled "Advanced Planning & Zoning for Professional Planners." She made several recommendations, including:

- She recommended that the Town record variances when they are granted. Attorney Snyder advised that this is probably a good idea that would make for better record keeping in the future. No action was taken at this time.
- She reported on the recent **Krummenacher Case**. The bill re-establishing variance authority for cities passed through the House and Senate and is awaiting the Governor's signature. One of the major changes is that the "practical difficulties" test replaces the "hardship" test. One of the things

they stressed at the workshop was that once the new language is adopted, applicants cannot be under the impression that "Now I can just get my variance." There are still standards to follow, including the practical difficulties requirement. They also stressed that if a municipality is seeing the same types of variances come forward time and time again, and especially if the Board/Council is continually approving them, it is time to look at updating/amending the Zoning Ordinance.

- **Conditional Use Permit Revocation Procedures.** According to the Attorney at the workshop, municipalities should be giving notice, holding a public hearing, and then revoking a CUP (so, basically revoking a CUP the same way that it is enacted). The board discussed this and clarified that this is the procedure they have used in the past, i.e., with Spirit Guides
- **Interim Use Permits.** Statute requires that the applicant/user must agree to any conditions that the governing body deems appropriate, so having the applicant/owner sign the IUP indicates their agreement. Dave Snyder verified that we do have the applicants sign the IUPs.
- **Development Contract.** It was highly suggested not only having the property owner and applicant sign the Development Contract/Agreement, but also have the mortgage/finance company sign. Snyder advised that we currently do this.
- **Zoning Ordinance Update.** One of the main items stressed at this workshop was the importance of keeping zoning ordinances up to date. One of the main reasons why ordinances are allowed to slide into ineffectiveness is that the process of amending them is complicated. The board discussed the status of the current code updating process and when the code would be completed and reprinted. No definite date has been set.

#### **Motion to rescind CUP for WECS system**

Voedisch moved, seconded by Pazlar, to rescind the Conditional Use Permit for the Millhouse wind generator, which is being done at the request of the owner. All approved.

#### **Urban Short Course**

Treasurer Bennett distributed handouts and information she received at the recent Township Urban Short Course put on by the MN Association of Townships.

#### **Cabin Rentals**

Voedisch passed out a handout regarding legislation that appears to tie the hands of the Township and allow cabin rentals in any situation. He asked the board to consider what problems this could potentially cause for the Town in the future and how this might be handled.

Hearing no further business, Voedisch moved, seconded by Pazlar, to adjourn. All approved.

ATTEST: \_\_\_\_\_  
Linda Klein  
Town Clerk

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Respectfully submitted,  
William K. Voedisch, Chairman