

**TOWN OF MAY  
WASHINGTON COUNTY  
OFFICIAL TOWN BOARD MINUTES  
September 3, 2009**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, September 3, 2009, at the May Town Hall. Those present included Bill Voedisch, Board Chairman; John Pazlar, Supervisor; John Adams, Supervisor; Peter Kluegel, Building Inspector; Dave Snyder, Town Attorney; Diane Hankee, Town Engineer; Linda Klein, Town Clerk; Cheryl Bennett, Town Treasurer, and residents of the Town of May. Chairman Voedisch called the board meeting to order at 7:00 pm.

Voedisch moved, seconded by Adams, to approve the minutes of the August 6, 2009, Town Board meeting as presented with handwritten edits from Adams. All approved.

Adams moved, seconded by Pazlar, to approve checks #15683 through 15718, including EFT transfer 909 to IRS, voiding 15718, as it is the EFT transfer. All approved.

Voedisch moved, seconded by Adams, to approve the Treasurer's report as presented. The report is attached to these minutes and serves as the official record. All approved.

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### **Roads and Engineering**

Diane Hankee gave an overview of her engineer's report. She and Voedisch have met with the representatives from the watershed to discuss a design to seal David Leonard's 201 system and they will next be meeting again with C & B to discuss options for protecting the system. Pazlar asked if there is any problem legally by asking the road crew to repair a guard rail as opposed to having it professionally done. The engineering report is attached to these minutes for clarification of all the issues. The engineer reported on her review of 127<sup>th</sup> Street and distributed proposed plans for the repaving of that road. Bennett said there is \$180,000 in the budget for blacktopping this year.

Voedisch moved, seconded by Pazlar, to authorize the engineer to prepare biddable plans and specs, based on their approval at this meeting of the preliminary plans and specs, and authorized the engineer to advertise for sealed bids for the project, and a special meeting will be held at 4 pm October 6 to approve bids. Attorney Snyder advised that this meeting must be posted at the Town Hall three days prior to the event.

### **Old Business**

#### **Roth Violations**

Chairman Voedisch brought the board up to date on recent inspections at the Roth property and the status of current violations and his report is attached to these minutes for reference. In his inspection, he was noting two items: first, removal of structures, and second, removal of evidence of the continuation of an auto business. Voedisch noted that all of the requirements from the previous Board meeting have been accomplished.

Voedisch stated that the board had authorized the attorney to prepare for civil action, in the event that Roth did not satisfy the Town's requirements. The attorney noted that the Board has two options – proceed with civil action to revoke the cabinet making small business CUP permit or to determine that they are satisfied with how Roth has satisfied their requirements.

Ms. Clarkowski asked that the Board conduct ongoing inspections of the property. Voedisch assured the citizens that this would be the case. Treasurer Bennett noted that there is an escrow amount owing in excess of \$1,000. Voedisch advised that the permit will not be issued until the escrow owing is paid. Voedisch moved, seconded by Pazlar, to not proceed with civil litigation against Mr. Roth, that the board restates its approval of the small business for the construction/cabinetry business, given that all the conditions of the May Resolution 2009-04A have been met, and that the permit will not be drafted until the owner applicant has brought the account balance to zero, and that the final permit will be an Interim Use Permit as opposed to a Conditional Use Permit, and will be executed within 90 days of this meeting. All approved.

#### **Website Update**

Adams has spoken with tech support and with the designer of the site. He asked the Town to purchase Adobe Acrobat at an estimated cost of \$400 so the Town can create PDF's.

#### **Outdoor Wood Boiler Ordinance**

Voedisch moved, seconded by Adams, to approve the summary version of Ordinance 2009-02 for publication. All approved.

#### **Outdoor Wood Boiler Permit**

Voedisch passed out an example of a permit that will be used for outdoor wood boilers. He asked the board to review it and make suggestions for narrowing it down to one page. Pazlar suggested passing it back to the planner for her review and refinement. All approved.

#### **New Business**

##### **Complaint – Junk & Pollution, Paul Avenue**

Chairman Voedisch passed out an anonymous letter from a resident complaining about the David Johnson farm. The letter and photos of the property are attached to these minutes for clarification. Attorney Snyder suggested sending an enforcement letter to Mr. Johnson stating the infractions and giving him an appropriate time period to respond. Adams will prepare the letter to Johnson.

##### **Ordinance Redefining Small Business CUPs to Interim Uses**

Voedisch brought forward and provided an overview of a proposed new ordinance redefining small businesses and kennels as Interim Uses as opposed to Conditional Use Permits. He went over several inconsistencies in the code that will be corrected by this

new ordinance. Voedisch moved, seconded by Pazlar, to send the ordinance to the planning commission for review in September. All approved.

**Smith – Rescind Spirit Guides Permit**

Snyder advised sending one more letter notifying them that a resolution will be passed at the next meeting rescinding the permit for Spirit Guides Small Business Permit for non-payment of fees.

**Gravel Tax Statement**

Voedisch moved, seconded by Pazlar, to sign off on approval of the gravel tax return.

**Local Board of Review**

After considerable discussion, it was decided that Supervisor Pazlar will attend the training for board members so that the board can conduct the Board of Review proceedings in the spring.

**Big Marine Park - TAC**

Washington County has asked for a technical representative to sit on a committee for Big Marine Park to discuss the future of the park. Voedisch will attend.

**Withrow Ballroom Update**

Gerald McCann, who owns a janitorial service in Minneapolis, appeared before the board to express interest in purchasing the Withrow Ballroom. His daughter has worked in catering, and his son works downtown at Marx, so his entire family has a history of working in the service industry. He just recently became aware of the opportunity this week. McCann has been in cleaning business more than 30 years and would be doing some repair work on the facility. His intent would be to operate the ballroom in the same way it has been run in the past. He asked about the 2006 conditional use permit and wondered if others have been done. Voedisch stated that would be the most current, and that includes 180 events per year. The board advised that they hope someone can find a way to save the property.

**Affidavits of Publication**

Voedisch asked Attorney Snyder to assist the Town in determining the proper procedure for obtaining Affidavits of publication now that the Pioneer Press has stopped sending notarized paper copies.

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

ATTEST:

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Linda Klein  
Town Clerk

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Respectfully submitted,  
William K. Voedisch, Chairman