

**TOWN OF MAY
WASHINGTON COUNTY
OFFICIAL TOWN BOARD MINUTES
March 5, 2009**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, March 5, 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; Linda Klein, Town Clerk; and residents of the Town of May. Absent: Cheryl Bennett, Town Treasurer. Chairman Voedisch called the board meeting to order at 7:00 pm.

Voedisch moved, seconded by Adams, to approve the minutes of the February 5, 2009, Town Board meeting as presented. All approved.

Prior to approval of the checks for February, Pazlar questioned the dollar amount on the check regarding maintenance of the 201 sewer system, questioning how that figure was determined. Pazlar would like to check into the rationale behind billings in the cold vs. the warm months. Adams moved, seconded by Pazlar, to approve checks #15477 through 15512. All approved.

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.

Insurance Review – Chris Sauro

Chris Sauro, Country Insurance, appeared to discuss the Town's current Annual Insurance Review. He went over all the components of the insurance coverage and the items covered. He concluded by noting that the premiums have decreased since 1993, even though coverage has gone up.

Planning Commission

**Public Hearing – Rick Roth Small Business CUP
Continued an additional 60 days**

Planning Commission Chairman Arnason reported on the continued public hearing for a small business application for Mr. Roth. Arnason stated that, after considerable discussion, most of the neighbors were against approval of this application. Although the general consensus was not in favor of this application, there appeared to be some potential support for Roth's general contracting business on the part of the Planning Commission members. Because the applicant did not provide sufficient additional information which would allow the Commission to make a decision, the applicant agreed to sign a request to extend the application an additional 60 days, giving him more time to provide the needed information regarding his general contracting business. Voedisch noted that the applicant is in arrears on escrow and Roth must stay current on his billings.

Wood Fired Boilers – Roger Johnson

Roger Johnson appeared before the board to file a complaint based on the Town's nuisance ordinance regarding the negative effects of smoke coming from two adjacent neighbors' wood fired boilers. He provided the board with a complete packet of information regarding wood fired boilers and their impact on people's health and the environment. He stated that approximately 22 lots are in the near vicinity.

Voedisch asked the Town Attorney to comment on how the nuisance ordinance would apply to this complaint. Snyder stated that nuisances are two types: private and public. The private would be bothersome to just a few people; public would apply to the general public. In general, Snyder was of the opinion that this may not rise to the level of a public nuisance and may not be enforceable by the Town. The Johnsons requested that any upcoming ordinance should ask any existing wood burners to come up to code and comply with the ordinance. Snyder stated that typically existing uses are grandfathered when a new ordinance is written, but public safety and welfare are often considered when making that determination.

Pazlar stated that he believes the Board should consider going forward with creating an ordinance to manage wood boilers. At the same time, he encouraged the Johnsons to document all activity into the future, as well as getting input from other property owners in the neighborhood.

Animal Control Review

Sherrill Reid appeared before the board to discuss the animal control procedures in the Town. She came to discuss changing shelters from the humane society to Hillcrest in Maplewood. The boarding cost at Hillcrest is less, but Hillcrest vet fees are considerably higher. The Board will review Reid's contract for approval at a subsequent meeting. Pazlar moved, seconded by Adams, to use Hillcrest with a no cats policy. Pazlar and Adams vote yes; Voedisch votes no. Motion approved.

Consultants Discussion

Engineering Services

Voedisch created a grid comparing the proposals presented by the engineering firms who have made application to provide engineering services for the Town. Pazlar thought it would be important for the board to have an opportunity to meet the individual engineers who would be representing their firm. The board will interview three candidates sometime in the next month to make a final determination.

Planning Services

Planner John Glomski has taken a position outside of planning. Voedisch presented the board with two resumes from NAC for a replacement planner, Jason Sparks and Karie Fuhrman. Voedisch moved, seconded by Pazlar, that the Town Board notify NAC that they would select Carrie Fuhrman as Town Planner. Voedisch will provide a letter of appreciation to John Glomski.

New Business

Utility Escrows

Voedisch brought forward a utility permitting and escrow policy for the board's review. The policy will be reviewed with the engineer and the attorney.

Comp Plan Update

Voedisch reported that a Local Surface Water Management Plan (LSWMP) has been provided to the three watershed districts for their approval. We also expect the Met Council approval soon of the overall Comp Plan. When this approval is received, NAC will make copies of the plan.

Langer Slalom Course

Voedisch moved, seconded by that the Board direct the clerk to publish notice regarding the slalom course request and send written notice to anyone within 1000 feet of the course. All approved.

Tax Forfeited Properties

Voedisch passed out a list of the three tax forfeited properties that May Township has expressed interest in. They have asked the Town to make a decision on these within the next six months.

WECS Ordinance

Voedisch brought forward an ordinance to send to the Planning Commission regarding several modifications to the WECS ordinance. Pazlar and Adams suggested removing the change to 5 acres from 10, and then send it to the Planning Commission for public hearing and consideration.

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

ATTEST:

Linda L. Klein
Town Clerk

Respectfully submitted,
Bill Voedisch, Board Chairman