

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
November 7, 2024

The Board of Supervisors of the Town of May convened their regular monthly meeting on Thursday, November 7th, 2024, at the May Town Hall. Those present included: Board members Steve Magner and Don Rolf. Clerk/Treasurer Bobbi Hummel; Deputy Clerk/Treasurer Marsha Olson; Planner Nate Sparks; Attorney David Snyder; Engineer Mark Erichson, and those with business before the Town. Board Chair John Pazlar was absent. Steve Magner called the meeting to order at 7:00 p.m.

MINUTES

Magner moved, seconded by Rolf to approve the minutes from the October 3rd, 2024 Board Meeting. All in favor. Motion passed.

Magner moved, seconded by Rolf to approve the minutes from the October 10th, 2024 Closed Meeting. Cartway Settlement. All in favor. Motion passed.

Magner moved, seconded by Rolf to approve the minutes from the November 1st, 2024 Special Meeting. ARPA Funds and Plowing Contract. All in favor. Motion passed.

CHECKS AND TREASURER'S REPORT

Treasurer Marsha Olson presented the Treasurer's report, showing total cash and investments of \$2,333,062.19 of which \$565,417.06 is in investments. \$1,977,437.05 is committed. \$355,625.14 is non committed.

Check #22258 - #22294 and EFT1124B, EFT1124F, EFT1124S were also processed. Journal Entry's JE24-5 and JE24-6 were also reviewed.

Magner moved, seconded by Rolf to approve the cash control statement, checks, EFT payments, and Journal Entry's from 10/01/2024 to 10/31/2024. All in favor. Motion passed.

PLANNING COMMISSION

Nothing to report

201 SEWER SYSTEM

Don Rolf has reviewed the 2025-2027 People Service Contract and motions to approve it as presented. Seconded by Magner. All in favor. Motion passed.

ENGINEERING AND ROADS

Erichson reports a significant increase in cost with the township's current plowing contract. Other bids were sought. Erichson recommends that the township accept the bid from Dresel Contracting with the allowance for continued negotiations on the term of the contract. Magner moved, seconded by Rolf to approve the contract from Dresel Plowing and allow for continued contract discussion. Seconded by Rolf. All in favor. Motion passed.

OLD BUSINESS

Considerations on Institutional and Non-Residential Uses and Associated Facilities Within the Rural Residential Zoning District. Ordinance 2024-05

Planner Sparks has evaluated/researched where the uses in the zoning district come from, how long it had been in the code, and the intent and purpose. The goal is to answer the questions, what is May Township? What is the purpose? What is the intent? It boils down to the rules of the township and how do those relate to the big picture questions.

For years, preserving the rural nature of the township has been expressed by residents as a primary concern. There is a list of accepted, accessory, and conditional uses in the current town code. Some conditional uses may need to be removed or may need to be better defined to ensure clarity.

Sparks suggests that starting from scratch might be the best option and to talk about allowable principal and accessory uses. An alternative option could be to simply go through the listed allowed uses and decide to strike or keep them. Some currently allowed uses are completely out of character for the township.

Uses that are currently operating in the rural residential district will be grandfathered in if they get eliminated or changed with this revision of the rural residential district.

NEW BUSINESS

Glacial Hills Regional Trail Update.

Commissioner Fran Miron reports that a long-range plan has been developed. There are no plans of building at this point and nothing is finalized.

Andrea Rehm, Washington County Planner, emphasizes that the hope with any regional trail is to connect regional destinations (cities, towns or parks). It offers an elevated experience with higher amenities (paved trails with kiosks, trailheads). The long-range plan makes the trail eligible for funds through the MET counsel. A preliminary design, model design, and construction are the next steps in building the trail. Ms. Rehm does not see movement to the preliminary design phase for at least the next 5 years. There is benefit in being prepared and thinking ahead in this process so input can be gathered from all involved and hold community engagement events.

Connor Shaefer, Washington County Planner, points to routes along Cty. Rd. 4 with a hard on one side and soft surface trail on the opposite side of Cty. Rd. 4 for equestrian and snowmobile use. It will link to Hardwood Creek Trail in Forest Lake and Big Marine Park Reserve in May Township. The long-term alignment (follows the Canadian National Railroad) is a scenic route away from vehicle traffic

connecting natural areas. It provides reduced crossings, a safer experience and a flatter route. This is the preferred route of Hugo and Marine on St. Croix. The reality being able to use this route is highly uncertain, but a plan must be in place. The alternate alignment follows Cty. Rd. 4 through May Township into Marine on St. Croix. The key to the alternate route is determining how to get through the railroad underpass at Ostrum Trail. Projected usage is difficult to predict, typically the users are local residents that live in close proximity to the trail. The Hardwood Creek Trail has about 30,000 users per year. However, the area population is quite different than it is in May Township.

If the trail goes through individual property owners the County will work with each owner to discuss the process, implications, and answer any questions. Concerns have been received by local residents about using the railroad route. Once started, the trail will be built in segments.

Seasonal mowing of the trail would be completed by Washington County. Seasonal plowing of the trail is not done by the County.

At some point the County will request a resolution or letter of support, drafts have been provided and can be amended.

Maps were provided by Washington County and are attached to these minutes.

Community Thread, Sally Anderson. Executive Director.

Community Thread's mission is to maximize resources and engage volunteers to improve quality of life for adults and families in communities. This service started in 1967 with providing rides to medical appointments for individuals unable to drive. Last year, 1,300 people volunteered in various initiatives. The services they provide are for older adults in the communities of Stillwater and Bayport. In 2023, nearly 12,000 visitors came to the locations. The program "Thrive" offers social events, wellness activities, transportation, home services, and volunteer opportunities for older individuals, with the goal to keep them safe and independent in their home. Currently servicing about 230 people. They also offer free tax preparation with AARP, collaborate with United Way, provide space for group meetings, and host Fair for All. Community Thread working to expand Thrive into northern Washington County. Ms. Anderson is seeking financial support for programs.

Supervisor Magner encourages Ms. Anderson to return in March at the annual meeting and present again so we can discuss with residents and possibly add it to the budget. It is important to identify a direct connection to services and benefits of the township residents, listing the precise services offered and how it serves in the community.

Cannabis Ordinance

The current moratorium on cannabis is expiring January 1st, 2025. A draft ordinance is presented and highlights areas of concern. Discussion/decision needs to be made regarding allowable uses in each zoning district. Some instances or process of the growing may be allowed through an interim use permit. A screening and/or security plan could be required and adding performance standards are an option. Mr. Zach Cole is a resident the township and currently has a hemp farm, his expertise would be helpful.

Mr. Cole currently grows 2 acres of organic hemp outside on his property. Two acres will be the maximum allowed outdoor fields. Indoor growing has more/different limitations.

Magner does not see the need for an Interim Use Permit for outdoor growing, but putting up a building to grow indoors would be more commercial in nature and different than historic agriculture. He does not want to make this activity more intrusive to folks who grow hemp and would like to limit township involvement. He would like to dig deeper into the commercial zone of the township. Mr. Cole states that the state will be completing inspections every couple of years.

Rolf would like to carefully consider the outdoor growing as it requires fencing, walls, and security and ensure that an indoor facility from a visual perspective is aesthetically pleasing and maintains the rural character look of the township. He would like more information.

Mr. Snyder also notes that nothing the state does is going to be in the nature of zoning controls. The impact of grow operations on neighboring properties will not be regulated by the state and perhaps worth a considering. Mr. Cole is aware of some regulations in the statute that may need research.

Hearing on Arcola Tree Farm Escrow Account

Magner motions to open the Hearing at 8:50p.m. Rolf seconds. All in favor. Motion passed.

Mr. Bob Appert of Redstone Builders summarizes that in 2021 he was approached by a resident for a possible subdivision of his property. An application was submitted in late 2021 and they appeared before the planning commission in January 2022. The application met all requirements except one, it did not have sufficient road access to the property. A second application was submitted with layout modifications, it received significant pushback from the town but most of the application was the same. A third application was submitted with 26 planned lots, it was rejected by the planning commission and rescinded. There is an outstanding escrow balance associated with work completed on the three applications. Mr. Appert requested detail on the old invoice that included charges from the Planner, Engineer, and Attorney. He did pay a portion of the charges he felt reasonable and requested more detail on the Planners charges. The variation of the 3 applications was minimal and he is requesting more information/notes and work product from various line items. To date, information on 3-line items has been received and paid. 5-line items were removed. He is still waiting for more information. The balance is currently \$7623.70 and feels the request for more information on the Planning fees is reasonable.

Magner recalls this application and differs on some points. Planner Sparks was the primary person who dealt with all the applications and variations. It is not unusual to pay for Planning fees or a review process in a situation like this. The township has paid the Planner for fees associated with this application.

Rolf is in agreement that we rely on our Planner to understand the applications, ask the right questions, provide guidance, and attend meetings. There may be only so much detail we can give. Rolf was part of the Planning Commission at the time of this application, he does recall a lot of back-and-forth discussion and considerable staff effort with this application.

Attorney Snyder encourages the Board to request more information from the Planner and clarifies that approximately \$6,000.00 has been paid on the balance. In the context of a 35-lot subdivision the fees

for a Planner, Attorney, and Engineer for this entire project may be low at \$12,000.00. There is a statute that if a developer has questions about the fees it be paid (cleared) and then may be discussed. In a situation like this, it becomes difficult to recall the details of the work.


In review of his work, Planner Sparks did find some line items that were incorrectly added to this escrow by a former employee as they were related to another application with the same land owner. Those fees were removed. The meetings that Mr. Sparks attended were at the direction of the Town Board and directly related to this application. There were several meetings and discussions between Mr. Sparks, the applicant, township staff, and other agencies as they tried to create alternatives to the access issue. As the primary contact for resident questions related to this subdivision, Mr. Sparks fielded numerous calls each day related to this large subdivision. Magner also recalls numerous calls he received related to this application.

Snyder offers that if the Board finds the charges are reasonable, they may make a decision tonight on the balance owed. If the Board feels the charges are excessive/unreasonable, they can make an adjustment to the amount owed. Third, if the Board would like more information, they can ask the Planner to provide more detail and return in December to review the information.

Magner recommends Mr. Sparks to include more detail on his line items. He is not comfortable making a decision on this tonight and would like Chair Pazlar to be part of this discussion in December. Rolf asks if some of the conversations with residents were part of this specific application, or could be part of the code changes that took place at the completion of this application.


Rolf motions table the matter until December. Seconded by Magner. All in favor. Motion passed.

Meeting recessed at 9:33 p.m. without objection.



Bobbi Hummel
Clerk/Treasurer

Approved:



Steve Magner
Board Supervisor, Acting Chair