

**TOWN OF MAY  
WASHINGTON COUNTY  
OFFICIAL TOWN BOARD MINUTES  
May 2, 2013**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, May 2, 2013, at the May Town Hall. Those present included: Bill Voedisch, Board Chair; John Adams, Supervisor; John Pazlar, Supervisor; Cheryl Bennett, Town Treasurer; Linda Klein, Town Clerk; Dave Snyder, Town Attorney; Diane Hankee, Town Engineer; Pete Kluegel, Building Inspector; and residents of the Town of May. Chairman Voedisch called the meeting to order at 7:00.

Voedisch asked for any changes to the agenda. He noted that tonight's meeting should be "continued" to May 8 for the annual road tour.

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

Voedisch moved, seconded by Pazlar, to approve the minutes of the April 4, 2013, Town Board meeting as presented. All approved.

Treasurer Bennett read the Treasurer's Report into the record. Adams moved, seconded by Voedisch, to approve the Treasurer's Report as presented. All approved. Adams moved, seconded by Voedisch, to approve checks 17280 through 17309, as well as electronic funds transfers EFTS513, EFTF513 to the State and IRS, respectively. All approved. The check register and treasurer's report are attached to these minutes and serve as the official record.

**Auditor's Report  
Larson/Allen**

Dennis Hoogeveen, Partner, attended the meeting to present the results of the current audit. He presented information regarding audit results, including an unqualified clean audit report. He went over other sections of the report, all showing acceptable results and trends. The large special assessment for 2012 was reflected in much of the report.

Voedisch moved, seconded by Adams, to approve the audit as presented. All approved.

**Engineering & Roads**

**Road Tour:** The road tour is scheduled for May 8, 2013. The engineer requested that the board set a start time, location, and verify attendees. Voedisch suggesting meeting at 8 am at Marv Schroeder's place. She provided a list of items to review:

- a. Culvert on 136 Street North
- b. Dry hydrants- East Boot Lake and Square Lake
- c. Maintenance of Keystone Avenue
- d. Town hall parking lot
- e. Discuss application rate for dust control
- f. CMSCWD consideration of storm water quality at Panorama Avenue
- g. Develop the 2013 sign replacement plan - 144<sup>th</sup> St. at TH 95

**Dust Control:** The engineer reported that Lynde Company, 1300 Sylvan St, St Paul, MN 55117 (651) 487-7665 supplies bags of Calcium Chloride flakes for the purposes of dust control. Approximately 225 bags at \$13/bag, pick up. She noted that the Town would need equipment to apply.

**Road Gravel:** Mike Raleigh was directed to make gravel with 12% fines and to coordinate with Thomas Schroeder.

**201 System Maintenance:** Ecocheck of Scandia provides system management and field inspection/repairs.

**130<sup>th</sup> Street North Paving Project:** Bid opening scheduled for May 30, 2013 at WSB offices. Board consideration of the bids at the June 6, 2013 meeting.

**Carnelian-Marine-St. Croix Watershed Management Plan Update:** Sent to Karen Kill at BCWD and Jim Shaver at CMSTWD for review. Watershed requested the Township consider storm water quality improvements around Big Carnelian Lake.

#### **Reclamation of County Road 7 – Washington County**

Voedisch moved, seconded by Adams, that the Town Board approve in concept the Washington County reconstruction of County Road 7 and creation of a resolution to that effect. All approved.

### **Old Business**

#### **201 System Review and Budget**

Adams passed out the budget proposed by Pete Ganzel for the current year's 201 billings. He recommended taking money out of the 201 replacement fund to cover costs of pumping over a three year period. He suggested creating a 201 pumping fund and adding to it every year so the Town has sufficient funds for pumping again in three years. Adams moved, seconded by Voedisch, to take \$19,950 from the 201 replacement fund to pay for pumping this year, put \$6,650 into the pumping fund, with a total to be billed of \$54,017.50. All approved.

Voedisch moved, seconded by Adams, that the Town ask Washington County to provide four backflow valves for those units with gravity feed to the lift station, and two other "gravity" sites that do not have backflow prevention valves. All approved.

#### **Arcola Mills/NPS Visitor Center Update**

Official start of the final trial is May 9. They do not expect a lot of traffic until Memorial Day. Voedisch met with representatives from Arcola Mills and the National Park Service earlier on May 2 to discuss parking for larger vehicles. He noted that at the March meeting, concerns were brought forward. He asked the engineer about using traffic counters for this trial period just as we did for the last, perhaps two windows of two weeks each. Lori Kelly came forward stating that residents who were gone during the winter have now come forward with questions. She asked if there is a specific process for approving a new CUP. Mike Berens stated that he is the closest resident to the project. He asked about trash on the road and was advised that Maroney's will pick up excess trash.

Assunta Bagnoli asked exactly what the Board is looking for in these trials. Voedisch advised that the board is looking at traffic counts, how visitors access the site and safety of the site, and to determine how Arcola Mills and the NPS can work together to make this a successful endeavor.

**Cable Franchise – reauthorization project**

Voedisch moved, seconded by Pazlar, to approve Ordinance 2013-03 extending the term of the Town’s Cable Franchise to July 11, 2013. Roll call vote: Adams, no; Pazlar, yes; Voedisch, yes. Ordinance approved. Voedisch and Snyder will continue to work with Midcontinent to arrive at a new cable ordinance that better reflects the current system.

**New Business**

**Roger Johnson – Request to adjust finance charge**

Johnson came forward to discuss an agreement that was written up the previous year having to do with a Green Acres assessment against his father’s property. In view of current market rates, which are at historic lows, he requested that the Board consider reducing the 7 percent rate to something less, perhaps around 2 to 2.6 percent. Pazlar suggested setting a fixed rate around the current prime rate; he noted that as a Town, we have nothing to compare it to, since the Town does not borrow money. After discussing assessments, the Board determined that they did not have enough information about all special assessments to determine new interest rate for any of them. The board decided to reconsider the issue in June.

**Slalom Permit**

Dave Langer appeared to ask for approval of their slalom course on Lake Carnelian for this summer. Voedisch moved, seconded by Pazlar, to approve the application for a slalom course on Big Carnelian Lake for May to October 2013. All approved.

**Northern Natural Gas  
Amendment to Conditional Use Permit**

Northern Natural Gas has made an application for a CUP Amendment to modify their site located at 10810 121<sup>st</sup> St south of County Road 7 and the railroad tracks. The site was established by a Conditional Use Permit in 1991 and is located in the NW corner of the parcel addressed as 10810 121<sup>st</sup> St. and is zoned Rural Residential. The facility is used for transferring natural gas from the transmission to the distribution level for delivery to customers.

Currently, the site has two buildings. One building is for the electronic flow measurement equipment and the other houses the meter and regulator. The proposal is to remove the two buildings and replace them with three total new buildings. The meter and regulator are planned to be in separate buildings at the conclusion of this project. The buildings are currently within a fenced area, which will be of the same footprint but the fence will be replaced. The applicant is stating that the use of the facility will not be changing.

A parallel issue is that, the existing CUP is of a form and content that should change. A new CUP is required that will stand alone. The planner noted that the Board should discuss if the site

changes are minor and could be approved by the Board administratively, or should the Planning Commission hold a public hearing.

Voedisch moved, seconded by Adams, to send the application to the Planning Commission with the understanding that costs related to correcting problems with the current CUP be absorbed by the Town. All approved.

#### **Panorama Avenue Discussion**

A new resident on Panorama Avenue appeared to complain about boats and cars parked along Panorama. He wondered about the width of the road and if the Town has ordinances restricting parking. He also asked if it is acceptable to burn garbage, and he was informed that it is against the law.

#### **Poshek Rate Increase**

Pat Poshek came forward asking for a \$50 a month increase. Voedisch moved, seconded by Adams, to approve a \$50 a month increase. All approved.

#### **Yellow Ribbon Sponsorship**

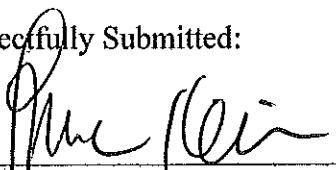
Voedisch suggested that the Town get involved in this sponsorship opportunity.

#### **Amendment to Approved 2013 Budget**

Voedisch moved, seconded by Pazlar to approve the 2013 budget as presented, with receipts of \$772,615.50 and disbursements of \$923,417.50, with totals including 201 sewer and sewer replacement funds. All approved.

Adams moved continuation of the meeting to May 8 for the purposes of conducting the road tour. All approved.

Respectfully Submitted:

  
\_\_\_\_\_  
Attest Clerk Linda Klein

  
\_\_\_\_\_  
Bill Voedisch, Chair, Town Board

**TOWN OF MAY  
WASHINGTON COUNTY, MINNESOTA**

**ORDINANCE 2013-03**

**AN ORDINANCE EXTENDING THE TERM OF THE TOWN'S CABLE  
FRANCHISE TO JULY 11, 2013**

**WHEREAS**, Midcontinent Communications ("Midcontinent") currently holds a cable franchise ("Franchise") with the Town of May, ("Grantor"); and

**WHEREAS**, Midcontinent's predecessor, US Cable of Coastal-Texas, L.P., timely filed a request to extend the term of the Franchise under Section 626 of the Cable Act, of Title VI of the Communications Act of 1934, as amended, (the "Cable Act") to December 31, 2012, and Grantor did grant that extension via Ordinance 2011-04; and

**WHEREAS**, since Grantor and Midcontinent were still in the process of working through a long-term re-authorization of the Franchise, it was in the public interest to do a second short-term extension of the current Franchise to allow the orderly completion of the Franchise re-authorization process and assure that the delivery of cable services to the public will not be interrupted; and

**WHEREAS**, Grantor wished to extend the Franchise to a date certain so as to supercede the initial term of the Franchise as well as any and all previous extensions, yet Grantor needed to see meaningful and timely progress by Midcontinent for application to re-authorize the Franchise; and

**WHEREAS**, Midcontinent and Grantor agreed to a second extension of the Franchise to May 3, 2013 via Ordinance 2012-05, however the parties have not yet completed the process of the formal re-authorization of the Franchise, and an additional extension of the Franchise term is needed.

**NOW, THEREFORE**, the Towns Board ordains as follows:

1. The term of the Franchise is hereby extended to July 11, 2013.
2. Execution of this Ordinance shall not constitute a waiver of Grantor's or Midcontinent's rights pursuant to the Cable Act or the Franchise; all rights and obligations under the Cable Act and the Franchise shall be reserved by Grantor and Midcontinent.
3. Except as expressly modified by this Ordinance, all other terms, conditions, provisions and requirements of the Franchise shall remain in full force and effect.
4. Midcontinent will be provided a copy of this executed Ordinance.
5. Midcontinent will work cooperatively with Grantor towards re-authorization of the Franchise in a form and manner approved by the Grantor.

This Ordinance shall be effective upon its adoption by the Grantor and its publication according to law.

**BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS \_\_\_\_\_,  
PAZLAR \_\_\_\_\_, VOEDISCH \_\_\_\_\_, THIS ORDINANCE IS  
ADOPTED THIS 2nd DAY OF MAY, 2013.**

\_\_\_\_\_  
Attest: Linda Klein, Clerk

\_\_\_\_\_  
William Voedisch, Town Board Chair

For the Period 04/01/2013 to 04/30/2013

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance	Less Deposits In Transit	Plus Outstanding Checks	Total Per Bank Statement
General Fund	\$165,887.76	\$2,821.32	\$13,253.63	\$155,455.45			
Road & Bridge Fund	\$390,664.54	\$744.93	\$16,786.58	\$374,622.89			
Fire Fund	\$107,094.54	\$22.87	\$34,558.00	\$72,559.41			
Levied Park Fund	\$1,499.74	\$0.32	\$0.00	\$1,500.06			
Park Fund	\$6,047.75	\$1.30	\$0.00	\$6,049.05			
201 Sewer Fund	\$4,457.77	\$0.94	\$94.46	\$4,364.25			
Capital Projects Fund	\$15,354.25	\$3.27	\$0.00	\$15,357.52			
201 Sewer Replacement	\$0.00	\$0.00	\$0.00	\$0.00			
Midcontinent Corn Security	\$2,500.00	\$10.00	\$0.00	\$2,510.00			
Vets Rest Camp Security	\$0.00	\$0.00	\$0.00	\$0.00			
<b>Total</b>	<b>\$693,506.35</b>	<b>\$3,604.95</b>	<b>\$64,692.67</b>	<b>\$632,418.63</b>	<b>\$4,047.95</b>	<b>\$88,755.47</b>	<b>\$717,126.15</b>

MONTH OF APRIL

April 30, 2013

CASH	CHECKING	MONEY MARKET	PLANNING FEES AS OF 5/2/13	ARCOLA MILLS	BTG	BTGII	MIDCONTINENT COMMUNICATIONS	LINDA NELSON/A ANDERSON	WASHINGTON COUNTY MINE	TOTAL
			\$1,000.00							(\$276.50)
			\$628,918.63							\$517.11
			\$629,918.63							\$577.61
										\$3,444.83
										\$599.20
										(\$102.00)
										\$4,760.25

TOTAL ESCROW

\$19,800.15

TOTAL CASH & INVESTMENTS\*

\$1,139,273.41

\*Some of these funds are restricted for specific uses and are unavailable for general use in the Town.

Letters of Credit: None

# TOWN OF MAY

## CURRENT INVESTMENT SUMMARY

As of 4/30/2013

### GENERAL

Security Bank - CD 10/5/13	\$59,446.37
<b>TOTAL GENERAL</b>	<b>\$59,446.37</b>

### ROAD & BRIDGE

Gravel expires 8/18/13	\$3,146.02
Blacktopping expires 9/6/13	\$101,405.45
Gravel expires 9/17/13	\$24,511.36
Blacktopping expires 11/30/13	\$59,425.90
Gravel expires 7/7/13	\$9,361.91
Blacktopping expires 7/7/13	\$15,160.03
Road Construction expires 7/7/13	\$22,739.33
<b>TOTAL ROAD &amp; BRIDGE</b>	<b>\$235,750.00</b>

### PARK

Security Bank - CD 10/5/13	\$20,342.54
<b>TOTAL PARK</b>	<b>\$20,342.54</b>

### CAPITAL

Security Bank - CD 1/31/13	\$37,688.37
<b>TOTAL CAPITAL</b>	<b>\$37,688.37</b>

### 201 SEWER REPLACEMENT

Security Bank - CD 10/5/13	\$87,177.96
Security Bank - CD 11/30/13	\$66,449.54
<b>TOTAL 201 REPLACEMENT</b>	<b>\$153,627.50</b>

Total CDs	\$506,854.78
<b>TOTAL INVESTMENTS</b>	<b>\$506,854.78</b>



April 30, 2013

INVESTMENTS - 2013 ACTIVITY

FUND	ID #	PURCHASE TYPE OF DATE INVESTMENT	PAR VALUE [COST]	INTEREST RATE	MATURITY DATE	DATE SOLD	SALE VALUE	INTEREST REVENUE
400	21183	01/31/12 SECURITY BANK -CD-CAPITAL	\$37,500.00	0.50%	01/31/13	01/31/13	\$37,688.37	\$188.37
201	19131	07/07/12 SECURITY BANK-CD-GRAVEL	\$9,361.91	0.40%	07/07/13			
201	19133	07/07/12 SECURITY BANK - CD - BLACKTOPPING	\$15,160.03	0.40%	07/07/13			
201	19134	07/07/12 SECURITY BANK - CD - RD CONST.	\$22,739.33	0.40%	07/07/13			
201	19957	08/18/12 SECURITY BANK - CD - GRAVEL	\$3,142.11	0.25%	02/18/13	02/18/13	\$3,146.02	\$3.91
201	5815	09/06/12 SECURITY BANK-CD-BLACKTOP	\$101,304.98	0.25%	03/06/13	03/06/13	\$101,405.45	\$100.47
201	19643	09/17/12 SECURITY BANK-CD-GRAVEL	\$24,487.07	0.25%	03/17/13	03/17/13	\$24,511.36	\$24.29
100	20664	10/05/12 SECURITY BANK-CD-GENERAL	\$59,446.37	0.40%	10/05/13			
225	20665	10/05/12 SECURITY BANK-CD-PARK	\$20,342.54	0.40%	10/05/13			
406	21075	10/07/12 SECURITY BANK-CD-201 REPLACE	\$87,177.96	0.40%	10/07/13			
201	21117	11/30/12 SECURITY BANK-CD-BLKT	\$59,425.90	0.40%	11/30/13			
406	191446835	11/30/12 SECURITY BANK-CD-201 REPLACE	\$66,449.54	0.40%	11/30/13			
400	21183	01/31/13 SECURITY BANK -CD-CAPITAL	\$37,688.37	0.50%	01/31/14			
201	19957	02/18/13 SECURITY BANK - CD - GRAVEL	\$3,146.02	0.25%	08/18/13			
201	5815	03/06/13 SECURITY BANK-CD-BLACKTOP	\$101,405.45	0.20%	09/06/13			
201	19643	03/17/13 SECURITY BANK-CD-GRAVEL	\$24,511.36	0.20%	09/17/13			

TOTAL INVESTMENTS \$506,854.78  
 YTD INTEREST EARNED \$317.04

**GENERAL FUND**

MONEY MARKET	\$142,841.30
INVESTMENTS	\$59,446.37
<b>COMMITTED</b>	
OFFICE FURNITURE/FIXTURES	\$3,400.00
ROAD ESCROWS	\$2,000.00
ESCROWS	\$18,510.85
CONTINGENCY	\$50,000.00
CASH FLOW	\$76,520.00
<b>COMMITTED TOTAL</b>	<b>\$150,430.85</b>
<b>UNCOMMITTED</b>	<b>\$51,856.82</b>

**ROAD & BRIDGE FUND**

MONEY MARKET	\$353,097.77
INVESTMENTS	\$235,750.00
<b>COMMITTED</b>	
SIGNS	\$0.00
BRUSHING/MOWING	\$0.00
GRAVEL TAX (MAY AVE.)	\$37,019.29
<b>CAPITAL PROJECTS:</b>	
ROAD CONSTRUCTION	\$0.00
INVESTMENTS	\$22,739.33
BLACKTOPPING	\$8,769.00
INVESTMENTS	\$175,991.38
LYNCH ROAD	\$0.00
PAVEMENT REPAIR	\$0.00
CALCIUM CHLORIDE	\$0.00
SEALCOATING	\$30,128.00
LYNCH ROAD	\$0.00
CULVERT REPAIRS	\$0.00
CASH FLOW	\$147,015.50
<b>COMMITTED TOTAL</b>	<b>\$421,662.50</b>
<b>UNCOMMITTED</b>	<b>\$167,185.27</b>

**FIRE FUND**

MONEY MARKET	\$72,559.41
<b>COMMITTED TOTAL</b>	<b>\$72,559.41</b>

**LEVIED PARK FUND**

MONEY MARKET	\$1,500.06
<b>COMMITTED</b>	
CASH FLOW	\$3,588.50
<b>COMMITTED TOTAL</b>	<b>\$3,588.50</b>
<b>UNCOMMITTED</b>	<b>(\$2,088.44)</b>

**CAPITAL FUND**

MONEY MARKET	\$15,357.52
INVESTMENTS	\$37,688.37
<b>COMMITTED</b>	
HEAVY EQUIPMENT	\$53,045.89
<b>COMMITTED TOTAL</b>	<b>\$53,045.89</b>