

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
December 7, 2017

The Board of Supervisors of the Town of May convened their regular monthly meeting on Thursday, December 7, 2018, at the May Town Hall. Those present included: Bill Voedisch, Board Chair; John Pazlar, Supervisor; John Adams, Supervisor; Mark Erichson, Town Engineer; Linda Klein, Town Clerk; Dave Snyder, Town Attorney; Jack Kramer, Building Official, and residents of the Town of May. Absent: Cheryl Bennett, Town Treasurer. Voedisch called the meeting to order at 7:00 PM.

Minutes, Checks, Treasurer's Report

Voedisch moved, seconded by Adams, to approve the minutes of the November 2, 2017 regular board meeting. All approved.

Pazlar moved, seconded by Voedisch, to approve checks 19282 through 19315 for the month of November, as well as electronic funds transfers EFTS1217, EFTF1217 to the State and IRS respectively, as presented. All approved.

Pazlar moved, seconded by Adams, to approve the Treasurer's report as presented. All approved.

The check register and treasurer's report are attached to these minutes and serve as the official record. Pazlar reviewed the outstanding bank statements.

Lot Line Adjustment – Deaner-Cole

The Deaner's at 14375 May Avenue and the Cole's at 14680 May Avenue have applied for a lot line adjustment to swap property between their two parcels of land. The Cole property is currently 22.4 acres and will be obtaining about 37 acres from Deaner. The remaining Deaner property would be 10.9 acres. The Deaner property is currently on both sides of May Avenue. They wish to deed their property on the west side of the road to the property owner to the north, Cole. The remaining Deaner parcel will contain only their property on the east side of the road and would be 10.9 acres in size. The Cole property would grow from 22.4 to 59.7 acres.

This LLA required some research by the Planner since there needed to be before-and-after Yield Plan calculations to ensure no increase in development rights, and because there are substantial wetlands that affect those calculation. Voedisch went over the four criteria for lot line adjustment. It was noted that because of the amount of wetland and steep slopes on the property, the increase to 59.7 acres would not result in additional development rights. Given this finding, it was determined that all four criteria were met.

Voedisch moved, seconded by Pazlar, to approve the lot line adjustment because it meets the four requirements with the following conditions:

1. The portion acquired by Cole shall be joined to their existing parcel on a single deed;
2. Proof of recording of the two deeds, with easements, shall be provided to the Town.

All approved. The memo from the planner outlining the details of the request, yield plan calculation, and surveys is attached to these minutes.

Planning Commission
Public Hearings
BTG and BTG II Mining Permits
Washington County Mining Permit

BTG and BTG II

Arnt Construction has submitted applications for new 5 year interim use permits to continue the operation of the gravel mines known as BTG and BTG II. The BTG mining pit is a 105 acre mine located off of May Avenue, south of the Washington County mine and west of BTG II. The BTG II mining pit is 134 acres in area and is located north of County Road 7, east of BTG I. The proposed request would allow for new interim use permits to be issued for both the BTG and BTG II mines through 2022.

There are three existing mines in the Town of May, Washington County, BTG I and BTG II. The Comprehensive plan defines the boundaries of the mining area within a Mining Overlay District, which is an L-shaped area bordered on the west by May Avenue and the south by CSAH 7. Both the BTG and the BTG II sites are located within this overlay and are planned for future residential use in the Town's Future Land Use Plan.

BTG Mine. The BTG property is 105 acres in area. The current permit allows for the extraction of sand and gravel and the crushing of gravel, mined from this site only, in accordance with the submitted plans. Recycling of product (hauling in and crushing of blacktop and concrete) is specifically prohibited. The applicant has submitted a revised map illustrating the mining area proposed for 2017-2022. The mining area for 2012-2017 was on the eastern portion of the site and is proposed to move for this five-year period towards the west. The area to be mined is about 20 acres in size. The central portion of the site is intended to be used for a processing area.

A restoration plan illustrating existing and proposed contours is included with the plan set. There are areas within the mine that are no longer proposed for extraction and are proposed for final restoration consistent with the previously approved restoration plans. This work is intended to occur within this permit period.

BTG II Mine. The BTG II property is 134 acres in area. Mining and crushing of material is subject to the plans submitted by Bruce Folz and Associates in December of 1991.

The applicant has submitted a revised map illustrating the mining area proposed on the BTG II site for 2017 - 2022. The mining area is approximately 20 acres in area and is located at the northwest corner of the property. It is largely the same area as approved in 2012. An updated restoration plan showing existing and proposed contours is included.

The BTG II mine has limited allowances for recycling of materials. The recycling and crushing of stone, clean concrete, and asphalt from projects BTG and partners are working on and from other sources as may be approved by the Town Board are permitted on the site. The concrete and asphalt shall only be from roads, driveways, parking lots, and similar. Stockpiles of such materials shall not be visible from County Road 7.

The depth of the excavation on BTG is limited to an elevation of 954. The depth of the excavation on BTG II is limited to 934 feet. This is not changed from the previous approvals.

Hours of operation remain the same at 7 a.m. to 7 p.m., Monday through Saturday. Both mines are accessed through the BTG II site directly from County Road 7. Washington County uses this access route, as well, for access to their mine. The applicant is proposing to relocate the internal road as the current route is through an area intended for restoration. The new road will be slightly to the east on the BTG II site and then enter the BTG site and travel further north before going eastward towards the excavation area and the access to the Washington County mine.

Site access is proposed to continue County Road 7. The Town has received complaints that trucks coming to the site have been using lower volume Town roads that may not have the structural capacity of handling heavy truck traffic. Traffic to the site is intended to follow larger capacity roadways, such as this.

Planning Commission Chair John Arnason brought both mines forward to the Board. He noted that the mine operations would remain basically the same. The Commission did, however, suggest that the Town Board might want to consider monitoring crushing activity by receiving reports of days of crushing and to explore potential sound mitigation opportunities to reduce the noise put out by the crusher. This is because the crushing is moving closer to homes on May Ave.

Voedisch asked Nick Arnt, representing BTG mining, if he is aware of sound mitigation devices for the crushers. Arnt replied that all their crushers are permitted by MPCA and meet their noise guidelines. Arnt stated that the bank (berm) next to the crusher will mitigate sound, as it is at least 3 times taller than the crusher. Voedisch asked that the parties explore crusher noise mitigation as part of this permit.

Voedisch moved, seconded by Adams, to approve Resolution 2017-19 approving a mining interim use permit for the BTG mine as presented and amended with the conditions as noted in the resolution, adding condition 13 that the Town and applicant will work together on crushing noise abatement terms, which may include physical covers, berming or other strategies that could be employed. By roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Motion passes.

Voedisch moved, seconded by Adams, to approve Resolution 2017-20 approving a mining interim use permit for the BTG II mine as presented with the conditions as noted in the resolution. By roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Motion passes.

Washington County Mining Application

The Washington County Public Works Department has submitted an application for an interim use permit to continue the operation of their gravel mine. The mine has been in operation since 1974 and is located on 2 parcels north of the BTG Mine near where the railroad tracks intersecting May Avenue. The eastern parcel is 26.86 acres and the western parcel is 39.55 acres in size. In historic documents this mine is referred to as the "Schroeder Pit". The property is currently zoned Rural Residential and is partially in the Shoreland District due to its proximity to

Carnelian Creek. The site is located within the Town's designated Mining Overlay Area and this use is permitted in this area with an Interim Use Permit.

The proposed use for the site is to extract sand and gravel, crushing and processing of gravel, and the stockpiling of asphalt materials (millings to be mixed) from County projects. Materials on the site do not require blasting and no sand or gravel washing is proposed. The previous 5 year permit anticipated removing 20,000 to 25,000 cubic yards of material from the site. However, the County did not do any active mining but was processing material previously mined and stored on site. The crushing operation created approximately 25,000 cubic yards of material.

This new permit is seeking approval to remove 20,000 to 25,000 cubic yards of sand and gravel from the mine, which will all come from the current mining limits. The amount of material to be processed is proposed at 25,000 cubic yards which will incorporate asphalt millings. The millings and gravel will then be mixed in generally equal portions and mostly used for the shoulders of County roads. The materials are stockpiled on the pit floor for use by the County on an as-needed basis for various projects around the County.

Andrew Geisen, Washington County, was not aware they needed a permit from Carnelian Marine WD, but he is now in contact with Jim Shaver. They did all their crushing the previous fall and material is now stockpiled and they will not crush again in next five years. No major projects are planned.

Adams moved, seconded by Voedisch, to approve Resolution 2017-21 allowing an interim mining permit for the Washington County mining operation with the 13 conditions as stated in the resolution. By roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Motion passes.

Public Hearing

Ordinance Amendments – Small Cell Wireless

In May 2017, the State Legislature amended State Statutes to allow for wireless service providers to place "small cell wireless" facilities within the right-of-way, in a similar manner to traditional telecommunications providers. Small cell wireless facilities are essentially small wireless antennae that are placed on poles or other structures in the public road RoW and not on large cell towers. This would allow for wireless companies to place antenna and support structures in the right-of-way to provide service to their customers. This may be done by putting the facilities on existing light poles or installing poles and placing the antenna on the top. Municipalities may adopt restrictions on the use and require permitting by ordinance, which is what the Planner is proposing here.

Traditionally certain limited types of industries have the ability to use the public right-of-way: cable, telephone, electric, and gas utility companies. New legislation now includes wireless companies in the list of potential users of the right-of-way. These new statutes list the rules by which the wireless companies could install equipment in the right-of-way. They may place their facilities on top of streetlights, telephone poles, and other similar structures already present in the right-of-way. They may also install their own utility poles for use. The statute states that no pole installed may be greater than 50 feet in height unless otherwise allowed by a municipality.

Municipalities can also impose other regulations, including requiring permits prior to installation. This would allow for review of its placement by the engineer to ensure there are no conflicts with the use of the right-of-way. Municipalities may also require CUPs in single family residential neighborhoods.

Arnason reported that Sparks informed them that if the Town wishes to regulate how this new statute is applied on Township roads, an ordinance must be passed by December 31, 2017, stating the terms of the Town's regulation. He recommended requiring a permit, specifically a Conditional Use Permit, for these facilities to be installed in the Town's right-of-way.

The Planning Commission conducted a public hearing at their meeting for the purpose of discussing and reviewing the proposed ordinance before the Town Board takes final action. Sparks is currently reviewing the Town's right-of-way use ordinances in an attempt to identify necessary changes and how necessary permitting provisions can be inserted into code.

Voedisch moved, seconded by Adams, to approve and adopt Ordinance 2017-03 amending the May Town Code regarding small cell wireless facilities in the Town rights-of-way. By roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Motion passes.

Based on the large size of the ordinance, the Planner and Attorney suggest we publish a summary and not the whole ordinance.

Voedisch moved, seconded by Adams, to approve Resolution 2017-22 authorizing summary publication of Ordinance 2017-03 amending the May Town Code regarding small cell wireless facilities. By roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Motion passes.

Engineering & Roads

2018 Washington County Projects: The following projects will be completed by Washington County within the Town of May in 2018:

CSAH 3 (Olinda Trail)

Project limits- CSAH 4 (170th St) to the county line

- 2" mill and overlay, entire width of roadway
- Repair dip in NB lane and shoulder adjacent to 17095
- Replace existing concrete curb and gutter within May Township
- Clean and repair storm sewer pipes, structures, and aprons as needed
- Clean driveway and centerline culverts as needed
- Replace a few driveway culverts. Residents will be notified.
- New signing and striping
- Replace cable guardrail and upgrade existing guardrail end treatments
- Road will remain open to traffic during construction

CR 51 (Partridge Road)

- Bridge #82502 over the Canadian National Railway (Stillwater and May Township boundaries)

- Replace concrete deck and barriers
- Reset beams
- Replace expansion bearings
- Replace bearing guide blocks
- Add approach panels
- Redirect drainage off deck
- Anti-graffiti coating

Maywood Estates Letter of Credit Reduction Request: The developer, Metro East Commercial, has requested a reduction in the Letter of Credit for the work completed to date for the Maywood Estates subdivision. Staff has reviewed the site and the work completed to date and recommends approval to reduce the letter of credit to 125% of the remaining work to be performed. The letter of credit may be reduced by \$95,000.00 to a new balance of \$128,000.00. Work remaining to be completed in the spring of 2018 includes minor road grading, installation of concrete curb and gutter, and bituminous base paving (1st lift of asphalt). Voedisch moved, seconded by Adams, to reduce the balance on the letter of credit to \$128,000 per the recommendation of the engineer. All approved.

Town Hall Building Addition: During the course of construction, the following items were encountered and/or included with the addition at the direction of the Board:

- Removal of the existing brick outhouse
- Replacement of the existing furnace
- Finishing of the new basement
- Installation of post pads (3) in the existing basement
- Installation of sidewalk from the parking lot to the entrance at the north.

Keller Cove – Voedisch reported that a driveway and culvert that need to be placed will require wetland impacts that will need mitigation. The applicant plans to buy wetland credits to mitigate this taking. Voedisch also reported on DNR recommendations regarding Blanding turtles in the area. Voedisch suggests this is additional justification to keep development out of the protected Outlot area.

Violations

Collova Zoning Violation – Duplex in May Township

Voedisch brought up the subject of the Collova property using the home as a duplex, which is against Town Zoning Regulations. He went back historically to 1995. Collova appeared and said he purchased the land in 1981, built a house in 1983. He subdivided and built another house for his parents, the house in question. He built it in 1991 including a mother in law apartment. People have lived in the duplex for 26 years. Mr. Collova remembers that he built it that way and had permits from Pete Kluegel. Voedisch indicated that single-family zoning has been in effect since before Pete was the building inspector going back to 1980, and talking to Pete before the meeting he would not have issued permits for a duplex. Collova agreed to meet with Town officials to look at the property and determine future requirements. Attorney Snyder pointed out that the issue is having a duplex in a single family RR zone, which is in conflict with zoning regulations.

Oswald/Shafer Nuisance Violations

Brockberg brought up the issue of the sheriff advising the neighbors that they don't have time to protect May Township and it should be taken up with the Town. Voedisch offered to have a private meeting with the Town Attorney, a board member, and the residents to discuss the issue and work out ideas for moving forward.

Emison –Operating Two Businesses

He has been asked in writing to cease the businesses. Follow up may involve asking Emison to attend a meeting.

Staples – Building Size Violation

Building went up without permit and is too large. A letter will be sent.

Old Business

Personnel Policy

Snyder advised the 60+ page policy has been modified and brought forward for the Board to review and hopefully approve in January. Voedisch brought up the topic of vacation policy. It was agreed that carrying over vacation time from year to year should not be included in the policy.

New Business


WSB Rates for 2018


Mark Erichson presented their proposed rates for 2018. Voedisch moved, seconded by Adams, to approve the new rates for WSB for the year 2018. All approved.

Fire Contracts

Voedisch stated that he and Nate have been working with Scandia on a new fire contract for the last few months, and they are not accepting the "State Formula" for determining contract amount: population, number of runs, property values. Voedisch suggested that he and Nate meet with representatives from Scandia to discuss this further.

Voedisch moved, seconded by Pazlar, to adjourn the meeting. All approved. Meeting adjourned.

Attest: 
Linda L. Klein
Town Clerk


Respectfully submitted,
William K. Voedisch



Town of May

Disbursements Register

12/4/2017

Fund Name: All Funds

Date Range: 12/01/2017 To 12/07/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
12/07/2017	Payroll Period Ending 12/01/2017	19282		N	Council/Town Board	100-41110-100-	\$ 290.00
	Total For Check	19282					\$ 290.00
12/07/2017	Payroll Period Ending 12/01/2017	19283		N	Treasurer	100-41510-100-	\$ 1,450.01
	Total For Check	19283					\$ 1,450.01
12/07/2017	Payroll Period Ending 12/01/2017	19284		N	Clerk	100-41425-100-	\$ 2,414.62
	Total For Check	19284					\$ 2,414.62
12/07/2017	Payroll Period Ending 12/01/2017	19285		N	Council/Town Board	100-41110-100-	\$ 290.00
	Total For Check	19285					\$ 290.00
12/07/2017	Payroll Period Ending 12/01/2017	19286		N	Council/Town Board	100-41110-100-	\$ 290.00
	Total For Check	19286					\$ 290.00
12/07/2017	WISCONSIN CENTRAL LTD	19287	Annual lease payment 2017-2018, #9500179129	N	RAILROAD CROSSING LEASE	201-43131-418-	\$ 1,150.00
	Total For Check	19287					\$ 1,150.00
12/07/2017	DEHN OIL COMPANY	19288	Fuel	N	Road and Bridge Equipment	201-43126-212-	\$ 942.11
	Total For Check	19288					\$ 942.11
12/07/2017	MARVIN L. SCHROEDER	19289	Grading roads	N	HIGHWAYS, STREETS & ROADS	201-43101-336-	\$ 1,200.00
	Total For Check	19289					\$ 1,200.00
12/07/2017	STILLWATER TOWNSHIP	19290	Signs and installation	N	HIGHWAYS, STREETS & ROADS	201-43101-226-	\$ 261.30
	Total For Check	19290					\$ 261.30
12/07/2017	STILLWATER TOWING, INC	19291	Towing charge - Freightliner	N	Road and Bridge Equipment	201-43126-438-	\$ 400.00
	Total For Check	19291					\$ 400.00
12/07/2017	MARONEY'S SANITATION, INC	19292	Garbage pickup - park	N	Park Areas	220-45202-384-	\$ 37.21
	Total For Check	19292					\$ 37.21
12/07/2017	VALLEY GREEN LAWN & LANDSCAPE	19293	Weed trimming	N	Park Areas	220-45202-407-	\$ 75.00
	Total For Check	19293					\$ 75.00

Fund Name: All Funds

Date Range: 12/01/2017 To 12/07/2017

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
12/07/2017	NATURAL SYSTEMS UTILITIES	19294	Monthly Service - Nov and alarm repair	N	201 SEWER ADMIN & GEN'L	230-43280-400-100	\$ 547.01
	Total For Check	19294			201 SEWER REPAIRS/EXPANSION	230-43283-404-270	\$ 133.95
							\$ 680.96
12/07/2017	GOPHER STATE ONE CALL	19295	Gopher One calls October & November	N	201 SEWER ADMIN & GEN'L	230-43280-300-180	\$ 8.10
	Total For Check	19295					\$ 8.10
12/07/2017	CONNEXUS ENERGY	19296	201 Sewer Electric	N	201 ELECTRICAL ACCOUNT	230-43285-380-	\$ 128.66
	Total For Check	19296					\$ 128.66
12/07/2017	CITY OF STILLWATER	19297	Fire contract 2017 - 2nd half	N	Fire Administration	225-42210-300-	\$ 56,907.50
	Total For Check	19297					\$ 56,907.50
12/07/2017	CITY OF MARINE ON ST. CROIX	19298	Fire contract - 2017	N	Fire Administration	225-42210-300-	\$ 31,460.38
	Total For Check	19298					\$ 31,460.38
12/07/2017	RIVER VALLEY RESTORATION	19299	Payment on Town Hall Restoration	N	TOWN HALL	401-41941-300-400	\$ 32,300.00
	Total For Check	19299					\$ 32,300.00
12/07/2017	MATIT	19300	Worker's compensation - 2018	N	GENERAL GOVERNMENT	100-41001-151-	\$ 824.00
	Total For Check	19300					\$ 824.00
12/07/2017	SECURITY STATE BANK OF MARINE	19301	Safe deposit box	N	GENERAL GOVERNMENT	100-41001-200-	\$ 30.00
	Total For Check	19301					\$ 30.00
12/07/2017	PAUSZEK INC	19302	Assessor	N	ASSESSOR	100-41950-314-	\$ 1,300.00
	Total For Check	19302					\$ 1,300.00
12/07/2017	CROIX VALLEY INSPECTORS, INC	19303	Building inspector	N	Building Inspections Administration	100-42401-315-	\$ 7,661.51
	Total For Check	19303					\$ 7,661.51
12/07/2017	SHERRILL REID ANIMAL CONTROL	19304	Dog to HAS	N	Animal Control Expenditures	100-42701-318-	\$ 90.00
	Total For Check	19304					\$ 90.00
12/07/2017	YOUNG & SONS HEATING & AIR CONDITIO	19305	Furnace repair	N	TOWN HALL	100-41941-300-	\$ 254.00
	Total For Check	19305					\$ 254.00
12/07/2017	CENTURY LINK	19306	Clerk & town hall phone	N	TOWN HALL	100-41941-380-	\$ 112.98

Fund Name: All Funds

Date Range: 12/01/2017 To 12/07/2017

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
		19306	Total For Check				112.98
12/07/2017	WRIGHT HENNEPIN	19307	Town hall security - annual fee	N	TOWN HALL	100-41941-300-	275.40
		19307	Total For Check				275.40
12/07/2017	XCEL ENERGY	19308	Town hall electric	N	TOWN HALL	100-41941-380-	64.51
		19308	Total For Check				64.51
12/07/2017	JEANNIE DAVIS	19309	Clean town hall - November	N	TOWN HALL	100-41941-110-	60.00
		19309	Total For Check				60.00
12/07/2017	CHERYL D. BENNETT	19310	Insurance, Geek Squad protection	N	GENERAL GOVERNMENT	100-41001-200-	102.13
		19310	Treasurer			100-41510-130-	255.75
		19310	Total For Check				357.88
12/07/2017	LINDA L. KLEIN	19311	Insurance, mileage	N	GENERAL GOVERNMENT	100-41001-331-	32.10
		19311	Clerk			100-41425-130-	156.90
		19311	Total For Check				189.00
12/07/2017	WSB & ASSOCIATES, INC	19312	Engineering - October	N	PLANNING FEE ESCROW	100-49361-303-	498.50
		19312	XCEL UTILITY ESCROWS			100-49372-303-	58.50
		19312	Traffic Engineering Expenditures			201-42601-303-	1,156.00
		19312				201-42601-303-400	44.00
		19312				201-42601-303-701	125.00
		19312	Total For Check				1,882.00
12/07/2017	NAC	19313	Planning & zoning - October	N	GENERAL GOVERNMENT	100-41001-325-	135.00
		19313	Planning and Zoning			100-41910-316-	1,854.00
		19313				100-41910-316-701	45.00
		19313				100-49361-316-	1,666.35
		19313	Total For Check				3,700.35
12/07/2017	JOHNSON/TURNER ATTORNEYS AT LAW	19314	Legal fees - October, shooting incident	N	City/Town Attorney	100-41610-304-	1,002.00
		19314				100-41610-304-701	2,208.75
		19314				100-49361-304-	1,262.25
		19314	Total For Check				4,473.00
12/07/2017	PERA	19315	Coordinated & DCP w/holdings/616000	N	Council/Town Board	100-41110-121-	93.00
		19315	Clerk			100-41425-121-	322.02

Fund Name: All Funds

Date Range: 12/01/2017 To 12/07/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		19315			Treasurer	100-41510-121-	\$ 308.43
		19315					\$ 723.45
12/07/2017	IRS - INTERNAL REVENUE SERVICE	EFTF1217	Federal withholdings	N	Council/Town Board Clerk	100-411110-135-	\$ 27.00
		EFTF1217				100-41425-122-	\$ 399.30
		EFTF1217				100-41425-135-	\$ 93.38
		EFTF1217				100-41425-171-	\$ 273.03
		EFTF1217			Treasurer	100-41510-122-	\$ 273.18
		EFTF1217				100-41510-135-	\$ 63.88
		EFTF1217				100-41510-171-	\$ 316.38
		EFTF1217					\$ 1,446.15
12/07/2017	MN DEPARTMENT OF REVENUE	EFTS1217	State withholdings ID# 2478214	N	Clerk	100-41425-172-	\$ 125.10
		EFTS1217			Treasurer	100-41510-172-	\$ 124.95
		EFTS1217					\$ 250.05
							\$ 153,980.13

Total For Selected Checks

Statement of Receipts, Disbursements and Balances (Schedule 1)

As on 11/30/2017

Fund	Beginning Balance	Receipts	Sale of Investments	Transfers In	Disbursements	Purchase of Investments	Transfers Out	Ending Balance	Investment Balance	Total Balance
General Fund	175,487.55	409,383.43	0.00	600.00	279,625.30	0.00	126,736.18	179,109.50	60,220.65	239,330.15
Road and Bridge	75,550.54	267,639.95	0.00	0.00	294,894.54	35,000.00	0.00	13,295.95	330,129.30	343,425.25
Levied Park Fund	5,927.86	2,767.99	0.00	0.00	5,260.00	0.00	0.00	3,435.85	0.00	3,435.85
Fire Fund	91,232.74	102,961.48	0.00	0.00	91,869.50	0.00	0.00	102,324.72	0.00	102,324.72
201 Sewer Fund	37,199.31	54,817.50	0.00	7,678.15	23,165.91	0.00	12,250.00	64,279.05	0.00	64,279.05
General Capital Projects	55,938.03	103.85	0.00	98,070.00	89,464.27	0.00	0.00	64,647.61	92,734.83	157,382.44
Park Acquisition and Development (Optional)	6,909.94	3,215.88	0.00	0.00	0.00	0.00	0.00	10,125.82	20,607.48	30,733.30
201 Sewer Replacement	0.00	0.00	0.00	5,000.00	0.00	5,000.00	0.00	0.00	140,150.19	140,150.19
201 Sewer Pumping Fund	26,678.40	50.30	0.00	6,650.00	9,237.38	16,463.17	7,678.15	0.00	16,463.17	16,463.17
Midcontinent Com Security	5,000.00	10.00	0.00	0.00	10.00	0.00	0.00	5,000.00	0.00	5,000.00
Total:	479,924.37	840,950.38	0.00	117,998.15	793,526.90	56,463.17	146,664.33	442,218.50	660,305.62	1,102,524.12

For the Period: 11/1/2017 To 11/30/2017

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$277,067.21	\$30,842.15	\$128,799.86	\$179,109.50	\$30,842.15	\$129,479.86	\$277,747.21
Road and Bridge	\$17,904.07	\$5,505.01	\$10,113.13	\$13,295.95	\$5,505.01	\$10,113.13	\$17,904.07
Levied Park Fund	\$5,864.56	\$23.74	\$2,452.45	\$3,435.85	\$23.74	\$2,452.45	\$5,864.56
Fire Fund	\$102,213.92	\$860.80	\$750.00	\$102,324.72	\$860.80	\$750.00	\$102,213.92
201 Sewer Fund	\$63,605.73	\$6,114.96	\$5,441.64	\$64,279.05	\$6,114.96	\$5,441.64	\$63,605.73
General Capital Projects	\$777.47	\$98,070.14	\$34,200.00	\$64,647.61	\$98,070.14	\$34,200.00	\$777.47
Park Acquisition and Development (Optional)	\$10,123.94	\$1.88	\$0.00	\$10,125.82	\$1.88	\$0.00	\$10,123.94
201 Sewer Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
201 Sewer Pumping Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Midcontinent Com Security	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00
Total	\$482,556.90	\$141,418.68	\$181,757.08	\$442,218.50	\$141,418.68	\$182,437.08	\$483,236.90

MONTH OF NOVEMBER

CASH

November 30, 2017

ESCROWS as of 12/7/17

CHECKING	\$1,000.00	BTG	\$1,834.40
MONEY MARKET	\$436,218.50	BTG II	\$1,834.40
TOTAL CASH	\$437,218.50	JAMES DEANER	\$500.00
ESCROW		FLOYD & GLORIA JOHNSON	(\$2,027.18)
CENTURY LINK	\$6,383.86	STEPHEN KELLER	\$4,266.15
CONNEXUS ENERGY	\$239.00	JOSEPH MATSUMOTO (Certified)	(\$159.50)
FRONTIER UTILITY ESCROW	\$3,056.00	WASHINGTON COUNTY MINING	\$2,000.00
NORTHERN NATURAL GAS	\$53.75	TOTAL	\$8,248.27
SCIENCE MUSEUM OF MN	\$0.00		
WILDER FOUNDATION	(\$15.00)		
XCEL UTILITY ESCROW	\$4,481.79		
ROAD ESCROWS	\$7,500.00		
PLANNING FEES ESCROW	\$8,248.27		
TOTAL ESCROW	\$29,947.67		
TOTAL CASH & INVESTMENTS*	\$1,102,524.12		

Letters of Credit: None

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

TOWN OF MAY

CURRENT CD INVESTMENT SUMMARY

As of 11/30/17

GENERAL

Security Bank - 10/5/18	\$60,220.65
TOTAL GENERAL	\$60,220.65

ROAD & BRIDGE

Blacktopping expires 11/30/18	\$60,232.16
Blacktopping expires 7/7/18	\$15,371.53
Lynch Blacktopping expires 4/28/18	\$171,360.77
Lynch Sealcoating expires 4/28/18	\$40,108.26
Road Construction expires 7/7/18	\$23,056.58
TOTAL ROAD & BRIDGE	\$310,129.30

PARK

Security Bank - 10/5/18	\$20,607.48
TOTAL PARK	\$20,607.48

CAPITAL

Security Bank - 2/6/18	\$112,734.83
TOTAL CAPITAL	\$112,734.83

201 SEWER REPLACEMENT

Security Bank - 10/10/18	\$67,752.97
Security Bank - 11/30/18	\$72,397.22
TOTAL 201 REPLACEMENT	\$140,150.19

201 SEWER PUMPING FUND

Security Bank - 10/10/18	\$16,463.17
TOTAL 201 PUMPING FUND	\$16,463.17

Total CDs	\$660,305.62
TOTAL INVESTMENTS	\$660,305.62

COMMITTED AND UNCOMMITTED DOLLARS BY FUND
LEVIED FUNDS ONLY

11/30/2017

GENERAL FUND

MONEY MARKET \$179,109.50
INVESTMENTS \$60,220.65

COMMITTED

ESCROWS (including Road Escrows) \$29,947.67
CONTINGENCY \$50,000.00
CASH FLOW \$77,416.00
COMMITTED TOTAL \$157,363.67
UNCOMMITTED \$81,966.48

ROAD & BRIDGE FUND

MONEY MARKET \$13,295.95
INVESTMENTS \$310,129.30

COMMITTED

CAPITAL PROJECTS:

ROAD CONSTRUCTION \$0.00
INVESTMENTS \$23,056.58
BLACKTOPPING \$0.00
INVESTMENTS \$75,603.69
LYNCH ROAD - CD \$171,360.77
CALCIUM CHLORIDE \$8,000.00
SEALCOATING/CRACK SEALING \$58,620.00
LYNCH ROAD - CD \$40,108.26
COMMITTED TOTAL \$376,749.30
UNCOMMITTED (\$53,324.05)

LEVIED PARK FUND

MONEY MARKET \$3,435.85
COMMITTED TOTAL \$3,435.85

FIRE FUND

MONEY MARKET \$102,324.72
COMMITTED TOTAL \$102,324.72

CAPITAL FUND

MONEY MARKET \$64,647.61
INVESTMENTS \$112,734.83

COMMITTED

HEAVY EQUIPMENT \$177,382.44
COMMITTED TOTAL \$177,382.44

Total Money Market \$362,813.63
Total Investments \$483,084.78

\$845,898.41

Total Committed \$817,255.98
Total Uncommitted \$28,642.43

\$845,898.41

TOWN OF MAY
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2017-22

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF
ORDINANCE NO. 2017-03 AN ORDINANCE AMENDING THE MAY TOWN CODE
REGARDING SMALL CELL WIRELESS FACILITIES

WHEREAS, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the Town Board has determined that publication of the title and summary of Town Ordinance No. 2017-03 will clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the Town Clerk at 13519 May Ave No., Stillwater Mn, 55082.

NOW THEREFORE, BE IT RESOLVED that the following summary of Ordinance No. 2017-03 is approved for publication:

TOWN of MAY
Ordinance No. 2017-03

AN ORDINANCE AMENDING THE MAY TOWN CODE REGARDING SMALL CELL
WIRELESS FACILITIES

Section 1. The May Town Code is hereby amended to include the following ordinance summarized below:

The Town of May adopted Ordinance No. 2017-03 amending the Town Code related to Small Cell Wireless Facilities requiring a right-of-way permit when locating in the public right-of-way and requiring a Conditional Use Permit when placed in or adjacent to the Rural Residential Zoning District, with certain restrictions.

The Ordinance regulates the placement of small cell wireless facilities in the Town and establishes fees for their installation and maintenance.

Section 2. The full ordinance will be in effect on the date of this summary publication.

Section 3. The full ordinance is available for review during regular office hours in the office of the Town Clerk.

BY ROLL CALL VOTE OF THE TOWN BOARD: ADAMS YES, PAZLAR YES,
VOEDISCH YES, THIS RESOLUTION IS ADOPTED / NOT ADOPTED BY THE
BOARD OF SUPERVISORS OF THE TOWN OF MAY THIS 7TH DAY OF DECEMBER,
2017.

Attest: Linda Klein, Clerk

Bill Voedisch, Chairman

**TOWN OF MAY
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. 2017-21**

**RESOLUTION APPROVING A MINING INTERIM USE PERMIT FOR
THE WASHINGTON COUNTY MINE**

WHEREAS, the Town received a request from the Washington County Public Works Department (the "Applicant") for an Interim Use Permit to operate the Washington County gravel mine located north of County Road 7, east of May Avenue, and north of the BTG Mines; and

WHEREAS, the mine is located on the following legally described property (the "Property"):

The Northeast Quarter of the Northwest Quarter and part of the Northwest Quarter of the Northwest Quarter lying east of the Soo Line Railroad of Section 28, Township 31, Range 20, Washington County, Minnesota; and

WHEREAS, the Property is 66 acres in size; and

WHEREAS, the Applicant has generally proposed to continue the terms of the permits issued by the Town of May in 2007 and 2012 except as otherwise specified herein; and

WHEREAS, the Applicant is seeking to extract up to 25,000 cubic yards of sand and gravel and 25,000 cubic yards of previously processed material from the site during this 5 year period; and

WHEREAS, the Planning Commission reviewed the request at a duly-noticed public hearing on the November 30, 2017; and

WHEREAS, the Town of May Planning Commission recommended approval of the request with conditions; and

WHEREAS, the Board of Supervisors has reviewed the application for a Mining Interim Use Permit at the Property and makes the following findings of fact:

1. The proposed use will not be detrimental to the health, safety, or general welfare of the Town.
2. The proposed use will not cause serious traffic congestion or hazards.
3. The proposed use will not seriously depreciate surrounding property values.
4. The proposed use is in harmony with the general purpose of the Zoning Ordinance and Comprehensive Plan.

5. The proposed request is generally consistent with the requirements found in the Town's Mining Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that based on the preceding findings of fact, the Town of May hereby approves the requested Interim Use Permit, subject to the following conditions:

1. The standards from the 2007 and 2012 permits shall remain in effect except as may be modified by this resolution.
2. The Applicant shall receive all necessary permits from Washington County, the Watershed District, and any other relevant agency. All correspondence related to these permits shall include the Town Engineer.
3. The restoration plan and bond shall be subject to review and approval by the Town Engineer. The bond shall be in the amount required by the Town Engineer. A letter of credit or cash escrow may be substituted for the bond. Bond amounts shall include all areas necessary for restoration in the opinion of the Town Engineer.
4. Mining areas shall be limited to that which is defined within the application materials submitted on October 31, 2017.
5. Regular hours of operation shall remain at 7:00 am to 6:00 pm.
6. The site shall continue to be accessed through the BTG Site to the south.
7. Any new structures or activities on site shall require an amendment to this interim use permit.
8. The Applicant shall reimburse the Town for all costs associated with periodic inspections.
9. All comments from the Town Engineer shall be satisfied.
10. All comments from the Town Attorney shall be satisfied.
11. The term of this permit is for five years from the date of this approval.
12. The Applicant shall enter into a Mining Interim Use Permit with the Town, as drafted by the Town's Attorney, placing these terms into effect and post all required securities.
13. This permit shall expire on December 7, 2022.

BY ROLL CALL VOTE OF THE TOWN BOARD: ADAMS YES, PAZLAR YES,
VOEDISCH YES THIS RESOLUTION IS ADOPTED / NOT ADOPTED BY THE
BOARD OF SUPERVISORS OF THE TOWN OF MAY THIS 7TH DAY OF DECEMBER,
2017.

Linda Klein
Attest: Linda Klein, Clerk

Bill Voedisch
Bill Voedisch, Chairman



**TOWN OF MAY
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2017-20

RESOLUTION APPROVING A MINING INTERIM USE PERMIT FOR THE BTG II MINE

WHEREAS, the Town received a request from Nicholas Arnt (the "Applicant") for an Interim Use Permit to operate the BTG gravel mine located north of the BTG II mine, east of May Avenue, and south of the Washington County mine; and

WHEREAS, the mine is located on the following legally described property (the "Property"):

That part of the Southeast Quarter of Section 28, Township 31 North, Range 20 West, Washington County, Minnesota which lies north of C.S.A.H. No. 7 (Square Lake Trail); and

WHEREAS, the subject site is 134 acres in size; and

WHEREAS, the applicant has generally proposed to continue the terms of the permits issued by the Town of May in 2007 and 2012; and

WHEREAS, the applicant is seeking to modify the mining areas and establish restoration areas as demonstrated by the plans submitted with the application and dated September 29, 2017; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on November 30, 2017; and

WHEREAS, the Town of May Planning Commission recommended approval of the request with conditions; and

WHEREAS, the Board of Supervisors has reviewed the application for a Mining Interim Use Permit at the Property and makes the following findings of fact:

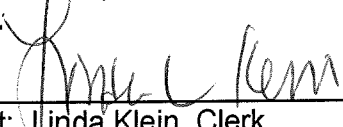
1. The proposed use will not be detrimental to the health, safety, or general welfare of the Town.
2. The proposed use will not cause serious traffic congestion or hazards.
3. The proposed use will not seriously depreciate surrounding property values.
4. The proposed use is in harmony with the general purpose of the Zoning Ordinance and Comprehensive Plan.
5. The proposed request is generally consistent with the requirements found in the Town's Mining Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that based on the preceding findings of

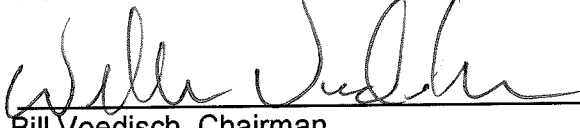
fact, the Town of May hereby approves the requested Interim Use Permit, subject to the following conditions:

1. The standards from the 2007 and 2012 permits shall remain in effect except as may be modified by this resolution.
2. The Applicant shall receive all necessary permits from Washington County.
3. The Applicant shall receive all necessary permits from the Watershed District and any other relevant agencies. All correspondence for these permits shall include the Town Engineer.
4. The restoration plan and bond shall be subject to review and approval by the Town Engineer. The bond shall be in the amount required by the Town Engineer. A letter of credit or cash escrow may be substituted for the bond. Bond amounts shall include all areas necessary for restoration in the opinion of the Town Engineer.
5. Mining areas shall be limited to that which is defined within the revised plans dated September 29, 2017.
6. The recycling and crushing of stone, clean concrete, and asphalt from projects BTG and partners are working on and from other sources as may be approved by the Town Board, are permitted on the site. The concrete and asphalt shall only be from roads, driveways, parking lots, and similar. Stockpiles of such materials shall not be visible from County Road 7.
7. Crushing is allowed for 150 days per year. The Applicant shall submit an annual crushing report specifying the dates and times of crushing.
8. The Applicant shall maintain an internal access road for the Washington County mine within the site.
9. The Applicant shall reimburse the Town for all costs associated with periodic inspections.
10. All comments from the Town Engineer shall be satisfied.
11. All comments from the Town Attorney shall be satisfied.
12. The Applicant shall enter into a Mining Interim Use Permit with the Town, as drafted by the Town's Attorney, placing these terms into effect and post all required securities.
13. This permit shall expire on December 7, 2022.

BY ROLL CALL VOTE OF THE TOWN BOARD: ADAMS YES, PAZLAR YES,
VOEDISCH YES, THIS RESOLUTION IS ADOPTED / NOT ADOPTED BY THE
BOARD OF SUPERVISORS OF THE TOWN OF MAY THIS 7TH DAY OF DECEMBER,
2017.



Attest: Linda Klein, Clerk



Bill Voedisch, Chairman



**TOWN OF MAY
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2017-19

RESOLUTION APPROVING A MINING INTERIM USE PERMIT FOR THE BTG MINE

WHEREAS, the Town received a request from Nicholas Arnt (the "Applicant") for an Interim Use Permit to operate the BTG gravel mine located north of the BTG II mine, east of May Avenue, and south of the Washington County mine; and

WHEREAS, the mine is located on the following legally described property (the "Property"):

The South one-half of the Northwest Quarter of Section 28, Township 31 North, Range 20 West except the following: The west 1,050 feet of the south 500 feet of the Southwest Quarter of the Northwest Quarter thereof, and a strip of land 125 feet in width, being 50 feet in width on the west side and 75 feet in width on the east side of the centerline of the railway located over and across the Southwest Quarter of the Northwest Quarter of Section 28, Township 31 North, Range 20 West, which was conveyed by Warranty Deed recorded on December 20, 1866, in Book No. 7 of Deeds, page 515.

and

The Southwest Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 20 West.

WHEREAS, the subject site is 104.8 acres in size; and

WHEREAS, the Applicant has generally proposed to continue the terms of the permits issued by the Town of May in 2007 and 2012; and

WHEREAS, the Applicant is seeking to modify the mining areas and establish restoration areas as demonstrated by the plans submitted with the application and dated September 29, 2017; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on November 30, 2017; and

WHEREAS, the Town of May Planning Commission recommended approval of the request with conditions; and

WHEREAS, the Board of Supervisors has reviewed the application for a Mining Interim Use Permit at the Property and makes the following findings of fact:

1. The proposed use will not be detrimental to the health, safety, or general welfare of the Town.
2. The proposed use will not cause serious traffic congestion or hazards.

3. The proposed use will not seriously depreciate surrounding property values.
4. The proposed use is in harmony with the general purpose of the Zoning Ordinance and Comprehensive Plan.
5. The proposed request is consistent with the requirements found in the Town's Mining Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that based on the preceding findings of fact, the Town of May hereby approves the requested Interim Use Permit, subject to the following conditions:

1. The standards from the 2007 and 2012 permits shall remain in effect except as may be modified by this resolution.
2. The Applicant shall receive all necessary permits from Washington County.
3. The Applicant shall receive all necessary permits from the Watershed District and any other relevant agencies. All correspondence for these permits shall include the Town Engineer.
4. The restoration plan and bond shall be subject to review and approval by the Town Engineer. The bond shall be in the amount required by the Town Engineer. A letter of credit or cash escrow may be substituted for the bond. Bond amounts shall include all areas necessary for restoration in the opinion of the Town Engineer.
5. Mining areas shall be limited to that which is defined within the revised plans dated September 29, 2017.
6. Only the crushing of native materials from the site for 150 days a year is permitted. The Applicant shall submit an annual crushing report specifying the dates and times of crushing.
7. The Applicant shall maintain an internal access road for the Washington County mine within the site.
8. The Applicant shall reimburse the Town for all costs associated with periodic inspections.
9. All comments from the Town Engineer shall be satisfied.
10. All comments from the Town Attorney shall be satisfied.
11. The Applicant shall enter into a Mining Interim Use Permit with the Town, as drafted by the Town's Attorney, placing these terms into effect and post all required securities.
12. This permit shall expire on December 7, 2022.

13. The town and the applicant will work together on noise abatement strategies for the crusher, which may include a hood, close berthing and the like

BY ROLL CALL VOTE OF THE TOWN BOARD: ADAMS YES, PAZLAR YES,
VOEDISCH YES THIS RESOLUTION IS ADOPTED NOT ADOPTED BY THE
BOARD OF SUPERVISORS OF THE TOWN OF MAY THIS 7TH DAY OF DECEMBER,
2017.

Linda Klein
Attest: Linda Klein, Clerk

Bill Voedisch
Bill Voedisch, Chairman

