

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
August 2, 2018

The Board of Supervisors of the Town of May convened their regular monthly meeting on Thursday, August 2, 2018, at the May Town Hall. Those present included: Board members John Adams, John Pazlar and Bill Voedisch; Cheryl Bennett, Treasurer; Linda Tibbetts, Town Clerk; Katie Koscielak, Engineer; Jack Kramer, Building Official; David Snyder, Town Attorney; Nate Sparks, Town Planner; residents of the Town of May and others with business before the Town. Voedisch called the meeting to order at 7:03 PM.

Minutes, Checks, Treasurer's Report

Voedisch moved, seconded by Pazlar, to approve the minutes of the July 5, 2018 regular Town Board Meeting and the re-convened meeting of July 10, 2018. All approved.

Voedisch moved, seconded by Adams, to approve the July 12, 2018 special joint workshop meeting with the Carnelian-Marine-St. Croix Watershed District. All approved.

Pazlar moved, seconded by Adams, to approve checks for August numbered 19556 through 19585, as well as electronic funds transfers EFTS818, EFTF818 to the State and IRS respectively, as presented. All approved. Pazlar noted the check for River Valley Restoration is on hold until final walkthrough of the Town Hall.

Bennett reported the fund balances. Voedisch 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 has reviewed the outstanding bank statements.

Marine Area Community School (MACS) – "Buses on Site" Proposal

Drew Goodson, Glen Mills, and Dan Miller, from MACS, and Ron Herbrute, MACS' transportation coordinator, were present on behalf of MACS asking to amend the CUP for Wilder Forest for Grove School to house four school buses on the premises. Voedisch asked MACS if they saw the possibility of a building to house the buses in the future; Goodson responded if all goes well in a few years, they would move towards that option. There was concern about the diesel tank that will be located on site; was reassured the tank will be double-lined for protection, and the tank will be located off to the side of the parking area, with two heavy protective posts. Sparks mentioned the original CUP granted to the school had certain requirements related to traffic, buses and this proposal would be changing that original CUP. This proposal is slated to be heard at the August 30, 2018 Planning Commission Meeting. Snyder and Koscielak had no questions or comments regarding the proposal. Miller was concerned about the timing of the buses, which will be delivered August 16, 2018, because they need time to train their drivers. Miller was hoping for an expedited approval of this proposal.

Voedisch noted there is the matter of the CUP Amendment needing to be drafted and signed before the approved new practice can begin, and that the Town got burned with a cell tower CUP Amendment years back, however there has never been an issue with a Wilder-related CUP in the past in terms of getting it signed.

Snyder indicated that an interim approval now without a public hearing would not be advised. With the school year starting September 4, 2018, and if the Planning Commission approves the amendment to the CUP at the August 30, 2018 meeting, it would still need review and approval by the Town Board at their September 6, 2018 meeting, too late for the start of the school year. Therefore, it was decided, due to the timing constraints, the Town Board would continue this August 2, 2018 Board Meeting to August 30, 2018, so that the Board could consider the application immediately after the PC rendered its opinion.

Planning Commission

The Town of May Planning Commission did not hold a meeting in July 2018.

150th Street New Home Construction/Site Stabilization and Erosion Control Issue

Angela and Brianna Zeterlu, homeowners at 12450 150th Street North, were present with Joe Peters, their contactor. Robert and Bonnie Gelep, homeowners at 12426 150th Street North were present. Both Gelep and Zeterlu have a shared driveway off 150th Street. The Zeterlus received their Town of May building permit in July 2017 and their Watershed District (WD) permit in May of 2017. There is a concern of there still being large unprotected areas of bare soil, as well as and mounds of soil, itself a violation of the Town code, and also a threat of soils running down the east driveway ditch threatening the private culvert. Voedisch wondered if there is a road culvert in the area leading to Bass Lake. The Zeterlus said their understanding of the WD permit is that they have 14 days from the end of construction to landscape their construction area; however, they still have active construction on the property. The Geleps are in the process of selling their home and the condition of the shared driveway, with its deterioration from construction traffic, is undesirable to potential homebuyers. Peters said he found the driveway culvert in good shape when he checked. He claims the silt is running down after NSP did their work.

Voedisch stated that the WD permit aside, soil stabilization should have been done to satisfy the Town Code as there is no provision such as “14 days from when construction is complete” in our code. Peters stated they cannot move forward with soil stabilization since they are in active construction, i.e., need for more construction and construction traffic. Voedisch indicated that the finishing construction described is near the house and the rest of the site should be stabilized and protected.

Pictures were presented by Voedisch, which he took less than a week prior to the Town Board Meeting showing large areas of unprotected soil. The Zeterlus presented pictures taken in the past 24-48 hours which showed changes were being made to reduce soil deterioration, such as final grading, seeding and mulch. Voedisch asked if the big mound of soil near the driveway was taken care of; he was told by Peters it was topsoil.

Voedisch asked Koscielak if she would visit the construction site, view the work being done and see if there is a need for a Town permit. Voedisch asked Koscielak to issue a report to the Town Board of her findings, and an after-the-fact grading, erosion control and stabilization permit to Zeterlus.

201 Sewer System

City of Marine on St. Croix

Glen Mills, Mayor of Marine on St. Croix, was in attendance to discuss how the Town of May is handling their dated sewer system, as Marine has a similar dated system. Voedisch explained that the Town applied for a new permit with the Minnesota Pollution Control Agency. They are shifting towards nitrogen measurement, and sampling wells may be needed at the drain fields.

Mills mentioned that the City of Scandia had a big failure to one of their sewer systems and Marine is working at keeping an even keel to prevent such a disaster. Voedisch mentioned that the Town's automated warning systems have not always worked with a citizen phone call of sewage too often being our "warning." Marine mentioned they rotate their drain fields, as does May. The Town system has room for expansion of the drain field but after we would have to buy land to expand. Marine has plenty of land for expansion. Voedisch mentioned that the Town's current sewage contractor, Olson Sewer, has been doing an excellent job with the Town's system as has Natural Systems as the system manager and Adams agreed.

It was concluded that the Town of May and City of Marine on St. Croix should talk in the future to help each other with sewer system strategies.

Minnesota Pollution Control Agency Permit Application

Adams requested approval for a check in the amount of \$1,240.00 for the permit application. He further requested the funds be taken from the 201 funds. Pazlar moved, seconded by Voedisch, to prepare a check in the amount of \$1,240.00 from the 201 Sewer Account for the permit application. All approved.

Engineering and Roads

Street Sweeping

Koscielak reported that she has solicited quotes to complete sweeping operations along bituminous roadways throughout the Town. The quote received from Mike McPhillips, Inc. was in the amount of \$3,850.00. Pazlar moved, seconded by Adams, to accept the bid received from Mike McPhillips, Inc. All approved.

Fog Seal

The Town Board had awarded the 2018 Pavement Management Project to Allied Blacktop at their July meeting. Allied Blacktop has tentatively scheduled fog sealing improvements on various roadways throughout the Town for August 22, 2018. Voedisch suggested that savings over the budgeted chip seal dollars be moved to 2019 paving. Cheryl will calculate the savings.

124th Street

In July Engineering staff and the Board discussed 124th Street west of St. Croix Trail (Trunk Highway 95) as a possible mill and overlay candidate for 2018. Katie met with Valley Paving on site to discuss the pavement failures and doing a mill-and-overlay. Valley Paving and Katie found there are portions of the road where the yards drain to the road and the freezing damage is too severe to hold up under a mill-and-overlay. Without curb edge, the water has no place to go but to pond and infiltrate under the pavement. Staff does not recommend mill-and-overlay improvements along this segment of 124th Street. This street needs to be evaluated for major improvements in 2019 as budgeting allows.

Pothole Repair

In July the Engineer recommended giving pothole repair work to Brochman Blacktop who did a good job in 2017, but she has have not yet heard back regarding a price to complete the work. Voedisch moved to approve a \$2,500.00 budget in pothole repair, Pazlar seconded. All approved.

Calcium Chloride Application

Engineering staff had previously discussed with Voedisch the need for calcium chloride application for late summer of 2018. As the Town has not received requests from citizens to perform the second application, Katie has not solicited for quotes for that work and asked the Board for direction on how to move forward. She did say however that Northern Salt would match their spring quote of \$61,600. Much discussion was had among the Board on whether to be proactive and order the calcium chloride application to gravel roads or wait until resident complaints are received. However, it was decided to stay on top of the issue and prevent a future road dust issue by approving the second application now. Adams moved, seconded by Pazlar, to accept the calcium chloride quote of \$61,600 by Northern Salt to be completed in late August or early September. However, more discussion was had regarding moving up the date for the application. Adams amended his motion to retract the late August or early September application timeline to as soon as possible in August, Pazlar seconded. All approved the amended motion.

Signage

Engineering Staff has requested a quote from Newman Signs to have signs manufactured for the Town as follows: one “Right of Way” marker sign; three “No Parking This Side Nov 1- Apr 1” signs; two “End” signs and two “Begin” signs. There was also discussion of adding a new “Handicap Parking” sign for the Town Hall. The cost of signs through Newman Signs is considerably less than what the previous sign costs were through the City of Maplewood. The Board also discussed having a sign made for the gate to the Town Hall/Park that states the hours of the park operation, as well as identifying the Town Hall. Pazlar mentioned the new “Town of May” town hall sign’s arrival was imminent.

Panorama Avenue Drainage

Residents Dr. Jim Brockman and Kevin Berkey were present. Jim Shaver was present on behalf of the Carnelian-Marine-St. Croix Watershed District.

Voedisch and Koscielak have discussed in great detail the drainage issue on Panorama which includes ponding adjacent to 13210 Panorama Avenue; ponding adjacent to 13068 Panorama Avenue, and drainage structure north of 131st Street.

Shaver announced there is a concept plan, as well as a financial grant a little shy of \$40,000.00 to design and start the build of an infiltration area on what is currently the low area curve near the lift station, which floods on occasion. There was discussion of increasing the easement size for stormwater holding. The easement needs to encompass and capture the maximum amount of storage for paving the roads in the future. There was further discussion about securing the easement now to build the structure in the future.

Shaver discussed with folks from the State on what sounds like it would have to be a bond issue. At this time, Shaver wants to go back to the Carnelian-Marine-St. Croix Watershed District Board of Directors and see how much money they are willing to contribute towards stormwater infrastructure in relation to the Town of May's paving of the road.

Koscielak mentioned that the \$120,000.00 estimate for the project, with modest storm water work, would include rain gardens, and the ultimate goal of pushing more water to the manhole. Voedisch mentioned he was in receipt of a video taken from a homeowner on Panorama where it was clear the road water would carry crushed lime rock toward the homeowner's garage and into the nearby lake.

Shaver proposed the Town get an easement and improvements to satisfy the grantors of the easement. This is a natural receptor of whatever happens. Voedisch inquired discussion regarding assessing for this project. Pazlar asked for a more modest assessment for the residents. Adams mentioned we would need to come up with the additional monies. Berkey said water coming down there by the sewer used to spill into that area, it all depends on the other side of the road. That boulevard was raised four to six inches by the previous owner. It was decided that the Watershed District engineer and Town engineer will talk and come up with an exact plan of attack.

2018 Gravel Project

In the past, the Town has received a bid of \$8.00 per ton of gravel delivered from Dresel. This summer's bid came in at \$11.25 per ton delivered from Dresel. Koscielak attempted to get bids from other gravel suppliers. Miller, who bought Raleigh Trucking/Pit, came in at \$9.90 per ton delivered. Miller provides the gravel for the City of Grant so it was noted they were used to working with municipalities. Dresel will honor the previous bid of \$8.00 per ton if they can deliver and grade the product with an hourly rate of \$165.00. The Town would need to have Marv Schroeder go back and fix any issues from the gravel grading. The projected cost would be \$28,700.00. Going forward, the Town will need to keep in mind a higher per ton cost than \$8.00. There was also discussion of what the pace of delivery is, a truck every hour, towards grading. The biggest concern was having truck drivers sitting and waiting for the grader for dropping. Marv likes the ribbon delivery of the gravel as it is easier for him to grade.

Culvert Failure Under 176th Street

The culvert under 176th Street is failing. Voedisch visited the area and concluded the culvert is blocked and is rusting out in the middle. The Town received a quote from Fuhr Trenching, Inc. in the amount of \$3,685.00. Pazlar moved to accept the bid for culvert replacement under 176th Street from Fuhr Trenching, seconded by Adams. All approved.

Fall Grading

The Town had potholes going through the fall into winter 2 years ago because the roads were not being graded regularly, Marv being involved with harvest. Dresel has problems with potholes when plowing. Last fall the Town hired Dresel to do grading, but it wasn't done to Marv's standards. Therefore, Voedisch asked Rick Fuhr if he had an operator who Marv and Tommy could train to grade this fall, and Fuhr provided a quote of \$70 an hour. Pazlar moved to have Marv and Tommy Schroeder train Fuhr's operator to grade the gravel roads at the rate provided, seconded by Adams. All approved.

Old Business

Town Hall Project

Voedisch met with Rick Fuhr to get quote for final grading and seeding of the site, with an emphasis on what to do with water coming off the north side of the Hall. Voedisch is waiting for a quote from Fuhr.

The Town needs to install railings for the ADA ramp into the Town Hall. Pazlar received two quotes and recommended acceptance of the quote from Cates Fine Homes with a bid of \$8,500.00 for the installation of two black powder coated railings. Voedisch moved to approve a not-to-exceed amount of \$9,500.00 for the installation of two railings, seconded by Adams. All approved.

Koscielak and Kramer are going to set up an inspection/walkthrough of the Town Hall and provider any "punch list" issues to Pazlar. Voedisch commented on a dirty wall that needs touchup.

Scandia Fire Contract

Sparks reported that Voedisch made notations to the Scandia Fire Contract and sent it back to the City of Scandia for review and discussion. Currently, the Town does not have a signed contract with Scandia Fire Department. Bennett noted she received a bill from Scandia for the first seven months of 2018 which was based on the 2017 contract with a 5% increase.

Un-name Interim Clerk

With the hiring of a permanent Town Clerk, there is no need for the Interim Clerk's position. Voedisch moved, seconded by Pazlar, to approve Resolution No. 2018-10 rescinding the appointment of the interim named clerk, Millie Kresbach. By roll call vote: Adams Yes, Pazlar Yes, Voedisch Yes. Resolution adopted.

New Business

Garages

The Town Board will invite Planning Commission Chair John Arnason to the September Town Board Meeting to discuss attached and detached garages.

Review of Escrows

Voedisch reported that the escrows charges have not been changed in a very long time and that Nate's rate has increased over the years. Bennett initially reported that escrows were not big enough but after some analysis, she now reports that the majority of the escrows are breaking even. Sparks expressed improved efficiency in the processing of applications. Sparks further mentioned that the Town Attorney and Town Engineer do not have to get involved as much in each case, but that in some instances when the research requirement is heavy, the escrow could be depleted. The board asked Bennett to research costs/escrows and report back at September Board Meeting before it takes any action.

Flag(s) at Town Hall

The board discussed flag replacement at the Town Hall, including the large 4x6 flag that flies outside on the pole and the smaller flag placed in a bracket on the porch post. The large flag was in poor shape and Linda secured a new one. She asked what about having the new flag flown over either the state capital or our nation's capital. Pazlar moved to have the new 4x6 flag flown over the State Capitol and returned to be flown over the Town Hall, seconded by Voedisch. All approved.

The smaller flag, also being in poor condition, Adams moved to have a new flag purchased in the size of 3x5 for the inside of the Town Hall, seconded by Voedisch. All approved.

Veteran's Campground – Premise Permit for Gambling

Arcade Phalen American Legion has filed a Premises Permit Application with Washington County requesting meat raffle gambling at the Disabled Veteran's Rest Camp located at 11300 180th Street. The Town Board reviewed the application. Snyder mentioned that other municipalities will ask vendors what they have planned for the proceeds from gambling, and if they go back into the local community. Adams moved, seconded by Pazlar, to approve the premises permit. All approved. More discussion was had on the use of funds. Adams amended his motion to add that the Town be told about the disposition of funds within the trade area and how they are used, seconded by Pazlar. All approved. A copy of the Premise Permit is attached to these minutes.

Recess the meeting to a time certain

Voedisch moved, seconded by Adams, to recess the meeting to Thursday, August 30, 2018 at 7:00 p.m. for the sole purpose of reviewing the Planning Commissions' recommendation of the Marine Area Community School's CUP Amendment Request for "Buses on Site." All approved.

August 30, 2018 – Meeting re-convened

The Board of Supervisors of the Town of May re-convened the August meeting on Thursday, August 30, 2018 at the May Town Hall. Those present included: Board members John Adams, John Pazlar and Bill Voedisch; and Linda Tibbetts, Town Clerk. Voedisch called the meeting to order at 7:34 p.m.


The Board considered the Planning Commission's recommendation to allow MACS to store five buses at Wilder Forest. Voedisch requested comments/discussion from the Board. The main comment was to request MACS use the best practices for storing diesel fuel.

Voedisch made a motion that the Town Board following the recommendation of the Planning Commission which is to amend the CUP to permit the storage of up to five buses and the addition of 500 fuel tank subject to the conditions in Mr. Sparks' report: 1) the exterior storage of school buses be limited to five or fewer buses at any time; 2) one-500 gallon fuel tank is permitted to be added to the site which meets all requirements of the Minnesota Fire Code, which would include a double-wall construction and two Bollards installed, to prevent traffic from bumping into tank; 3) School bus drivers may be on-site at 6:30 a.m. to prepare the buses; 4) major mechanical maintenance of buses shall be conducted off-site; 5) the increase in the number of buses, adding structures, conducting major maintenance, or increasing the size of the fuel tank shall require an amendment to this CUP; 6) that the buses may be stored on premises only if they are operated by MACS and not by independent busing company; and 7) MACS follow best practices in terms of fuel safety and containment pursuant to the recommendation of the Town Engineer. Pazlar seconded. All approved.

The Town Board to memorialize in a Resolution at the September 6, 2018 Town Board Meeting.

Voedisch moved to adjourn the meeting, seconded by Pazlar. All approved. The meeting adjourned at 7:38 p.m.

Attest,


Linda Tibbetts
Town Clerk

Respectfully submitted,


John Pazlar/John Adams
Board