

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**OFFICIAL TOWN BOARD MINUTES**  
**June 2, 2016**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, June 2, 2016, at the May Town Hall. Those present included: Bill Voedisch, Board Chair; John Adams, Supervisor; John Pazlar, Supervisor; Cheryl Bennett, Treasurer; Dave Snyder, Town Attorney; Mark Erichson, Town Engineer; Jack Kramer, Building Inspector; County Commissioner Fran Miron and residents of the Town of May. Absent: Linda Klein, Town Clerk. Voedisch called the meeting to order at 7:00.

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

Voedisch moved, seconded by Adams, to approve the minutes of the May 5, 2016, regular board meeting. All approved.

Adams moved, seconded by Pazlar, to approve checks 18668 through 18700 for the month of June as well as electronic funds transfers EFTS616, EFTF616 to the State and IRS respectively as presented. All approved.

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 will be reviewing the outstanding bank statements.

**Approve 2016 Budget Including 201 Sewer Funds**

Treasurer Bennett presented the 2016 Budget for approval. Receipts total \$839,336.00 and disbursements total \$884,791.00. These figures include the 201 Sewer Funds, which were not available at the February meeting when the budget was previously approved. Bennett explained that we need time to get the previous year's expenses together before setting the 201 Sewer Budget, which was approved at the May meeting in advance of sending out the annual sewer invoices.

Voedisch stated that we will need more money for gravel this year. Our current budget is \$20,000. Bennett stated that we have \$7,000 in extra income from our state gravel tax and gravel mine income as of tonight.

Voedisch moved, seconded by Adams, to approve 2016 budget including the 201 Sewer Funds and add \$7,000.00 to the gravel budget for a total of \$839,336.00 in receipts and \$894,791.00 in disbursements. All approved.

**Lot Line Adjustment (LLA) – Gruber - 121xx Partridge**

Mr. Gruber presented a map showing four lots. They want to move a lot line north and create two lots out of the 4. Planner Sparks has reviewed the plan and it meets all the LLA criteria. Mr. Gruber stated he would have Attorney Snyder prepare the deeds for the lot line adjustment. A fee of \$300 will be escrowed.

Voedisch moved seconded by Adams, to approve the lot line adjustment as presented. A \$300 deposit will be required for Snyder to prepare and process the deeds. All approved.

Voedisch reported that materials for the Freeman lot line adjustment have been sent on to Sparks who will render an opinion.

## **201 System Update**

### **14825 – 14829 130<sup>th</sup> St Sanitary Backup**

On May 9<sup>th</sup> Olson Sewer responded to a call from Tom O’Dea regarding a backup on his property. O’Dea stated that the properties share a septic and step system. There was no damage to the home from the backup. Olson verified that the pump had failed. The pump is from 1986 and no longer made so Olson replaced the pump. The work was completed on May 25<sup>th</sup>.

### **Pump Replacement at Lift Station 2**

The pump at Lift State 2, located at the corner of Panorama and 133<sup>rd</sup> was repaired and reinstalled on May 2<sup>nd</sup>.

### **Quarterly 201 System Update/Meeting**

A quarterly meeting will take place next week and this time will include Larry and Jill from C&B, Supervisor Adams and Engineer Koscielak. Items to be discussed include evaluating the 201 system insurance and lock cutting.

### **2016 Septic Pumping**

WSB staff will solicit quotes for pumping the individual step stations and septic tanks and provide those at the July meeting.

## **Engineering and Roads**

### **“Mini” Road Tour**

A “mini” road tour was held on May 11<sup>th</sup> with Chairman Voedisch and Engineer Koscielak. Items reviewed included:

- Lynch Road culvert replacement
- 2016 Crack fill and Seal Coat Project
  - Square Lake Trail Ct
  - May Avenue between Square Lake Trl and the RR tracks
  - 142<sup>nd</sup> St
  - 148<sup>th</sup> St
  - Northridge Ave
- Bituminous curb repair on 133<sup>rd</sup> due to plowing
- 10433 Paris violations
- 201 Sewer System Gopher One calls
- 176<sup>th</sup> St Grading needs
- Paving of Panorama Ave

- Morgan Avenue – project completion

Engineer Erichson presented two sets of laminated maps so that Tom Schroeder can start doing the 201 Sewer System Gopher One calls once he's trained. Voedisch has been doing them for the past month using un-laminated maps..

### **2016 Crack Fill and Seal Coat Project**

Since the roads that need to be crack filled and seal coated exceed the budget, WSB will solicit quotes by individual roads and broken out by crack seal vs. seal coating. Quotes will be brought to the July meeting.

### **2016 Calcium Chloride:**

The calcium chloride is done and came in under budget. Voedisch received a request from citizens on "Madson" Road, off Square Lake Trail, to have calcium chloride applied to the rest of the road. Voedisch contacted Northern Salt and they will apply the calcium chloride when they are in the area. Voedisch noted it came in about \$4,000 under their quote so he will inquire with NSI to ensure this is their final bill.

### **Lynch Road Culvert**

WSB is reviewing the invoice and asking for documentation to confirm billings from Dresel before sending it to the Town for payment. So far they have found about \$4,000 in billing errors. Shifsky has completed the bituminous patch and will bill the Town directly.

Follow up inspection will be done by the Watershed. So far, it appears that the cost was \$26,xxx without the paving and \$31,xxx including paving. Voedisch explained to Commissioner Miron about Lynch Road and how the County was to have done all the needed culvert replacements to the road before having the Town take it over. Voedisch will send pictures to Commissioner Miron showing that the bottom half (180 degrees) of the culvert was gone over its entire length. WSB and Dresel both felt that the culvert had to have been badly rusted when County turned the road over to the Town nearly 10 years ago. This repair is a major hit to our budget, where we expect \$4,000-\$7,000 in annual culvert replacement costs.

### **13746 Manning Trail – Grading Site Review - Violation**

Mr. Curran filled in property and now BCWD is asking for several engineering requirements. Karen Kill from the BCWD states that the rules state any remediation has to be engineered first and they do not seem to be flexible. Voedisch reviewed what has happened on the property. The property owner did not get a permit but now BCWD is requiring much more than the Town would have required. Erichson feels the requirements are excessive and believes the required engineering for about \$5,000. Voedisch stated it could easily run over \$10,000 just to fix the site and the citizen wants to spend his money on that, not paying an engineer.

Pazlar sees the BCWD as inflexible and not willing to help our citizen. What can we do to help him? Snyder recommended communication with all the watershed districts to ask them to be a little more flexible. Voedisch proposed a meeting with the BCWD on this issue.

## **Violations**

### **Taking Gravel from Public Road – 14620 Oldfield**

Mr. Estes, owner of the property at 14620 Oldfield came before the board to respond to the letter he received from Attorney Snyder. He stated that he takes his dragging gate from his driveway and turns around on the road just to even off road and is not stealing gravel. Sometimes, he uses it to help with the potholes in the road. Voedisch stated that we had information from others stating he was taking gravel from the road for his driveway using equipment other than a drag. Pazlar explained that he should call if he has a problem with the roads because his working on the road could be a potential liability.

### **Dangerous Dog - Lindquist**

Snyder has not received a letter of appeal. Pazlar is asking that we stay on top of this situation. Snyder will contact Mr. Lindquist.

### **Paul Urgo Illegal Burn Pile**

Voedisch hopes to visit the neighbor and see the pile of construction trash and windows etc. from the neighbor's house.

### **Resident Cutting Locks on 201 System and Burning Garbage**

Adams is working on the cutting locks situation and hopes the quarterly meeting with C&B will clarify the situation. Resident is also burning garbage in the middle of the road. Neighbors have to call the Sheriff's office to report burning garbage but are fearful of retaliation from the offending resident.

### **Escaped Bison – CR 4**

Planner was supposed to write a letter and Pazlar will contact Planner Sparks. The Sheriff's office will issue a citation the next time the bison are out of their fence.

### **Building, Grading and Burning without Permits – 14033 Paris Ave**

Building inspector Kramer has issued an after-the-fact building permit but did not charge double as has been done in the past when someone begins building without a permit. Snyder will send a letter to let them know they need to contact an engineer regarding a grading permit.

## **Old Business**

### **Use of Un-maintained Parade behind Panorama; also 133rd St. cul-de-sac**

This has become a point of contention between residents. There are now 3 boat trailers on 133<sup>rd</sup> St. cul-de-sac. Adams proposed posting no parking signs. Snyder indicated this needed to be done by resolution.

Adams moved, seconded by Pazlar, to resolve that "no parking including trailers signs" be purchased and posted on 133<sup>rd</sup> St. cul-de-sac. By roll call vote: Adam, yes; Pazlar, yes;

Voedisch, yes. Oral resolution approved. The written Resolution will be brought forth to the July meeting.

### **Panorama Road Paving Petition**

Tom Emmison talked about the presentation of the petition and wants to know what is going on with the feasibility study. Voedisch and Engineer Koscielak walked the road and looked for road issues. The next walk will include the watershed district because of the drainage issue. There are storm water issues near the north end of the Brockberg property and eh has indicated a willingness to grant a drainage easement. Engineer Erichson stated that this project would not happen this summer because of the timelines required. Emmison was happy to have the information from Erichson.

Emmison stated that where plow hit curb by his property, the curb is pulling away from land. Landscaping rock is slowly moving out.

### **Washington County Removing Itself from Planning**

Voedisch presented Resolution No. 2016-02 Concerning Washington County's Decision to Withdraw from the Administration of Certain Land Use Controls over the Townships. This resolution does not support the County's decision but rather, acknowledges the County's right to do so, and raises some concerns. Thus it is more like Denmark Township's resolution. Commissioner Miron explained that the County will continue to work with the townships.

On a related matter, Ann Terwedo called Jack Kramer and said she would be working with May Township on Planning given O'Donnell's retirement. Voedisch has heard otherwise and asked Fran for clarification. Fran agreed.

Voedisch moved, seconded by Adams, to adopt Resolution No. 2016-02. By roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Resolution No. 2016-02 is adopted.

### **Junk House on 12620 150<sup>th</sup> Street**

Snyder has not sent a letter since he did not have an address to send the letter to. Inspector Kramer will take a picture of the notice, which has the address of the bank and send to Snyder.

### **Noisy Train**

Voedisch was out at the site several times with the noise meter and took pictures showing that the train is in violation of a Federal Regulation cited by Nate. Snyder has sent the letter with pictures of the meter to the Federal Railway Authority, who he has written to before.

### **New Business**

#### **Warner Conservation Easements – Letter of Support**

Warner Nature (Manitou Fund) is applying for conservation easements to both the state and the County. Kevin Corbid and June Mathiowetz have been extremely helpful in this process. When state funds (Lessard-Sams) is used for conservation easement, then there is no public use mandated (hunting, fishing, trapping) as there is when funds are used to purchase land. Voedisch

proposed a letter of support. Fran Miron indicated this is one of the largest land conservation projects in the history of the County. Adams moved, seconded by Pazlar, to send a letter to the state in support of state funding for conservation easements for Warner Nature Center. All approved.

### **Muskie Stocking – Big Marine**

Jeff Dahlberg from Big Marine Lake Association appeared and gave the history of what has happened with the DNR their proposal to stock muskies in Big Marine Lake. Last year the DNR posted late and has failed to give proper notice to the surrounding property owners on the lake. Muskies Inc. stated that muskies do not destroy walleyes and pan fish contrary to findings Dahlberg has compiled from other sources. DNR delayed decision from last summer pending legislative action to halt their plan for this and 5 other lakes. Dahlberg has met with fisheries chief and talked about the DNR arrogance. He also stated that MN Senate and House both passed a bill to not allow stocking, but it did not get passed into law because of different language, so it got caught in committee and didn't get passed this year. DNR now stated it will go ahead with the stocking beginning this summer.

Another concern of some of the residents is the transporting of zebra mussel into Big Marine Lake by Muskie fisher people who do not properly clean their boats after being in zebra mussel infested waters. Voedisch stated that introducing a top predator into a body of water that never had that predator is like letting Big Head Carp loose in the Mississippi River years back. It's an invasive species and somehow the very agency that is supposed to prevent the introduction of invasive species is allowed to do it themselves. This is nonsense. Voedisch moved, seconded by Adams, to prepare a letter to send to the DNR Commissioner in opposition to stocking Muskies in Big Marine Lake. All approved.

### **Pat Gleason – Surface Water Skiing Permit approval**

Mr. Gleason is requesting a surface water permit for a slalom course on Big Carnelian Lake similar to what they have asked for in the past. Voedisch moved, seconded by Adams, to approve the application for water surface structure permit. All approved.

Gleason said he would poll his neighbors about posting 130<sup>th</sup> St for "No Parking."

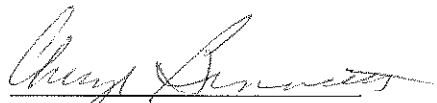
### **Carnelian Marine Watershed Reappointment**

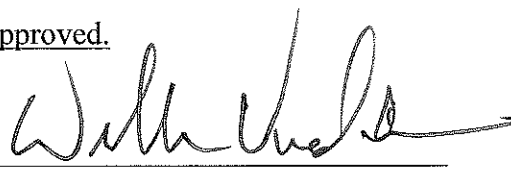
David Devault appeared before the board and reported on his professional background. He worked for 17 years researching on the Great Lakes for the EPA, worked for fish and wild life, and is now retired and wants to stay active with watershed. He lives on Big Marine Lake. Voedisch asked that Mr. Devault keep in touch with the board on issues before the watershed district. Pazlar also expressed his concern regarding the Watershed's ability to levy without being elected, and asked Mr. Devault to please be conservative with taxpayer dollars.

Voedisch moved, seconded by Pazlar, to support the reappointment of David Devault for another 3 year term. All approved.

A joint meeting with the Planning Commission and Town Board titled "Solar Inquiry" on ground mounted solar arrays has been rescheduled to June 23<sup>rd</sup>. Snyder indicated that there is no need to re-publish, just post as soon as possible.

Adams moved, seconded by Pazlar, to adjourn. All approved.

Attest:   
Cheryl Bennett  
Town Treasurer

  
Respectfully submitted,  
William K. Voedisch

**TOWN of MAY  
WASHINGTON COUNTY, MINNESOTA  
Resolution No. 2016-02**

**A RESOLUTION CONCERNING WASHINGTON COUNTY'S DECISION TO  
WITHDRAW FROM THE ADMINISTRATION OF CERTAIN LAND USE CONTROLS  
OVER THE TOWNSHIPS**

**WHEREAS**, Washington County ("County") has notified the Town of May ("Town") and the other Townships within the County of its intention to remove itself from certain land use authority over the Townships, and that it intends to amend its Comprehensive Plan 2030 and its Code to reflect this decision; and

**WHEREAS**, the County has proposed taking on *no new land use authority* while retaining its authority over, and continue administrating, only the following regulations: Lower St Croix Bluffland Shoreland Management Ordinance #14, Official Map Ordinance #68 and #73, Subdivision Ordinance #131 and Ordinance #177, Shoreland Management Ordinance #134, Mining Ordinance #140, Floodplain Ordinance #180, SSTS Ordinance #196, (collectively the "Retained Areas of Authority"); and

**WHEREAS**, the County has stated it will consider a request from the Town that it remove itself from any of the Retained Areas of Authority should the Town want to solely administer one or more of those areas; and

**WHEREAS**, the Town finds the following regarding the County's decision:

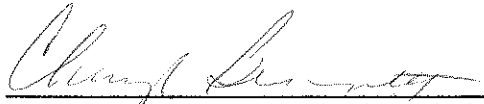
1. The County is free to make the changes it is proposing without the consent of the Town;
2. With the exception of the County forcing minor subdivisions to be platted, the Town has generally not found the County's regulations to be burdensome to its citizens, and the Town and the County have worked well together to the benefit of the Town's citizens;
3. The Town has found that having the County's regulations in place has provided a safety net for the Town in at least one critical land use area, specifically Institutional Housing;
4. The Town has been required to review and identify potential areas of concern, overlap and omission should the county remove itself as the zoning authority as considered. It remains for the Town to incur the additional time and expense to determine where its Code will need amending to accommodate whatever changes the County eventually makes to its Code;
5. The Town has always viewed the County as providing leadership for the Townships in areas of new or complex land use, and believes the County's leadership and experience would serve the Townships well in land use areas such as solar arrays, drones, local electronic eavesdropping, and potentially other areas and believes it would be of benefit in the future. There will be a missed opportunity here for the Townships to benefit from the County's expertise in the future.



**NOW, THEREFORE, BE IT RESOLVED** by the May Town Board that it understands the County's authority to amend its Comprehensive Plan and Code to implement its goal of removing itself from certain areas of land use authority, and does not now object to the County's proposal, however the County must now recognize the impacts this decision places on the Town, some unknown at this time; accordingly, the Town requests that if elimination of County zoning involvement in these areas is intended to occur that it be attended with close coordination with the Town, planning and some initial financial assistance; and

**BE IT FURTHER RESOLVED** that the May Town Board hereby requests that the County amend its Subdivision Code to remove the requirement that minor subdivisions be platted, while the Town reserves its right to request in the future the County remove itself from Subdivision authority, allowing the Town to solely administer this land use area.

**BY ROLL CALL VOTE: ADAMS YES; PAZLAR YES; VOEDISCH YES ;  
THE MAY TOWN BOARD DOES HEREBY ADOPT THIS RESOLUTION THIS 2<sup>nd</sup>  
DAY OF JUNE, 2016**



Attest: Cheryl Bennett, Acting Clerk



Bill Voedisch, Board Chair

**Town of May**

**Cash Control Statement**

5/31/2016

For the Period: 5/1/2016 To 5/31/2016

<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	\$159,155.30	\$20,030.87	\$22,549.16	\$156,637.01	\$20,030.87	\$22,684.16	\$159,290.30
Road and Bridge	\$68,698.37	\$9,848.08	\$17,836.07	\$60,710.38	\$9,848.08	\$17,836.07	\$68,698.37
Levied Park Fund	\$6,494.43	\$1.42	\$687.98	\$5,807.87	\$1.42	\$687.98	\$6,494.43
Fire Fund	\$63,433.06	\$13.89	\$0.00	\$63,446.95	\$13.89	\$0.00	\$63,433.06
201 Sewer Fund	\$33,805.57	\$7.39	\$1,402.51	\$32,410.45	\$7.39	\$1,402.51	\$33,805.57
General Capital Projects	\$55,847.46	\$12.22	\$0.00	\$55,859.68	\$12.22	\$0.00	\$55,847.46
Park Acquisition and Development-(Optional)	\$6,898.77	\$1.51	\$0.00	\$6,900.28	\$1.51	\$0.00	\$6,898.77
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	\$5,010.03	\$0.00	\$10.03	\$5,000.00	\$0.00	\$10.03	\$5,010.03
<b>Total</b>	<b>\$399,342.99</b>	<b>\$29,915.38</b>	<b>\$42,485.75</b>	<b>\$386,772.62</b>	<b>\$29,915.38</b>	<b>\$42,620.75</b>	<b>\$399,477.99</b>

MONTH OF MAY

CASH

CHECKING \$1,000.00  
MONEY MARKET \$462,355.59

TOTAL CASH

ESCROW

CENTURY LINK \$3,388.61  
CONNEXUS ENERGY \$291.00  
FRONTIER UTILITY ESCROW \$3,056.00  
SCIENCE MUSEUM OF MN \$0.00  
WILDER FOUNDATION \$0.00  
XCEL UTILITY ESCROW \$4,540.29  
ROAD ESCROWS \$1,500.00  
PLANNING FEES ESCROW \$284.38

TOTAL ESCROW

TOTAL CASH & INVESTMENTS\*

May 31, 2016

PLANNING FEES AS OF 6/2/16

JAMES DAVIDSON \$150.00  
CONNOR & MICHELLE SIMONET \$134.38

TOTAL \$284.38

Letters of Credit: None

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

\$961,794.78 \*

# TOWN OF MAY

## CURRENT CD INVESTMENT SUMMARY

As of 5/31/16

### GENERAL

Security Bank - 10/5/16	\$59,952.31
<b>TOTAL GENERAL</b>	<b>\$59,952.31</b>

### ROAD & BRIDGE

Blacktopping expires 11/30/16	\$59,932.49
Blacktopping expires 7/7/16	\$15,295.75
Lynch Blacktopping expires 10/27/16	\$104,177.63
Lynch Sealcoating expires 10/27/16	\$30,059.66
Road Construction expires 7/7/16	\$22,942.90
<b>TOTAL ROAD &amp; BRIDGE</b>	<b>\$232,408.43</b>

### PARK

Security Bank - 10/5/16	\$20,515.66
<b>TOTAL PARK</b>	<b>\$20,515.66</b>

### CAPITAL

Security Bank - 2/6/17	\$112,456.36
<b>TOTAL CAPITAL</b>	<b>\$112,456.36</b>

### 201 SEWER REPLACEMENT

Security Bank - 10/8/16	\$62,631.15
Security Bank - 11/30/16	\$67,049.50
<b>TOTAL 201 REPLACEMENT</b>	<b>\$129,680.65</b>

### 201 SEWER PUMPING FUND

Security Bank - 10/8/16	\$20,008.75
<b>TOTAL 201 PUMPING FUND</b>	<b>\$20,008.75</b>

Total CDs	\$575,022.16
<b>TOTAL INVESTMENTS</b>	<b>\$575,022.16</b>

**COMMITTED AND UNCOMMITTED DOLLARS BY FUND  
LEVIED FUNDS ONLY**

As of 5/31/16

**GENERAL FUND**

MONEY MARKET	\$156,637.01
INVESTMENTS	\$59,952.31
<b>COMMITTED</b>	
ROAD ESCROWS	\$1,500.00
ESCROWS	\$12,978.53
CONTINGENCY	\$50,000.00
2016 LEVY REDUCTION	\$40,000.00
CASH FLOW	\$73,982.00
<b>COMMITTED TOTAL</b>	<b>\$178,460.53</b>
<b>UNCOMMITTED</b>	<b>\$38,128.79</b>

**ROAD & BRIDGE FUND**

MONEY MARKET	\$60,710.38
INVESTMENTS	\$232,408.43
<b>COMMITTED</b>	
CAPITAL PROJECTS:	
ROAD CONSTRUCTION	\$0.00
INVESTMENTS	\$22,942.90
BLACKTOPPING	\$0.00
INVESTMENTS	\$75,228.24
LYNCH ROAD - CD	\$104,177.63
CALCIUM CHLORIDE	\$32,874.46
SEALCOATING/CRACK SEALING	\$1,251.00
LYNCH ROAD - CD	\$30,059.66
<b>COMMITTED TOTAL</b>	<b>\$266,533.89</b>
<b>UNCOMMITTED</b>	<b>\$26,584.92</b>

**LEVIED PARK FUND**

MONEY MARKET	\$5,807.87
<b>COMMITTED TOTAL</b>	<b>\$5,807.87</b>

**FIRE FUND**

MONEY MARKET	\$63,446.95
<b>COMMITTED TOTAL</b>	<b>\$63,446.95</b>

**CAPITAL FUND**

MONEY MARKET	\$55,859.68
INVESTMENTS	\$112,456.36
<b>COMMITTED</b>	
HEAVY EQUIPMENT	\$168,316.04
<b>COMMITTED TOTAL</b>	<b>\$168,316.04</b>

<b>Total Money Market</b>	<b>\$342,461.89</b>
<b>Total Investments</b>	<b>\$404,817.10</b>
	<b>\$747,278.99</b>

<b>Total Committed</b>	<b>\$682,565.28</b>
<b>Total Uncommitted</b>	<b>\$64,713.71</b>
	<b>\$747,278.99</b>