

**TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
December 1st, 2022**

The Board of Supervisors of the Town of May convened their regular monthly meeting on December 1, 2022, at the May Town Hall. Those present included: Board members John Adams, and Steve Magner; Clerk/Treasurer Bobbi Hummel; Deputy Clerk/Treasurer Marsha Olson; Town Planner Nate Sparks, Attorney, Dave Snyder and those with business before the Town. Supervisor John Pazlar was absent. Chair Adams called the meeting to order at 7:01p.m.

MINUTES

Magner moved, seconded by Adams to approve the minutes for the following meetings:

- November 3rd, 2022 Board Meeting Minutes
- November 16th, 2022 Cartway Initial Damages Meeting
- November 22nd, 2022 Special Board Meeting
- November 29th, 2022 Special Board Meeting (*continued from November 22nd, 2022*)

By Roll Call Vote: Adams: YES, Magner. Motion Passed.

CHECKS AND TREASURER'S REPORT

Olson presented the Treasurer's report, showing total cash investments of \$1,615,811.88 of which \$710,268.40 is in investments.

Check approval of #21429-#21469 and EFT 1222B, EFT 1222F, and EFT 1222S Adams moved, seconded by Magner to approve the above checks for payment. By Roll Call Vote: Adams: YES, Magner YES. Motion Passed.

A Certificate of Deposit is maturing on December 7th, 2022 for blacktopping. Renewal rate for 6 months is at .40 percent and renewal rate for 12 months is at .55 percent. Magner motions to renew the CD for 12 months, seconded by Adams. By Roll Call Vote: Adams: YES, Magner YES. Motion Passed.

PLANNING COMMISSION

Resolution 2022-23. Jason Jahnke CUP Application

Don Rolf presented updates on actions taken at the November 17th, 2022 Planning Commission. There has been discussion with neighbors about possible solutions and recommendations to help accommodate all interested parties. Working hours were discussed as well as how many hours were left on the project (Mr. Jahnke guesstimates 120 hours of work left to complete his project). The Planning Commission's recommendation is to approve the CUP with the below conditions.

1. All comments from the Town Engineer shall be addressed.
2. All comments from the Watershed District shall be addressed.
3. Work on site (including trucks hauling) shall only be conducted between the hours of 7 am to 7 pm Monday through Friday (no weekends)
4. This permit shall expire in one year.
5. The application shall provide an as-built survey of the property within one year of this approval
6. The applicant shall provide a financial security which will only be returned by the Town upon review and approval of the as built survey.
7. The applicant shall provide an additional financial security to guarantee erosion control methods and inspections.
8. Past violations need to be corrected and confirmed by the town planner and building official prior to this CUP going forward.
9. Any changes in the project scope requires plan updates and review by the town Engineer or prior approval before moving forward.
10. Applicant creates a work plan to share with neighbors and the town Board that shows project completion dates.

The overall goal is to help speed up the work and complete it as soon as possible. Mr. Jahnke has provided a more detailed work plan to the Town.

Supervisor Adams opened the public hearing/comments at 7:17p.m.

Clarification on the hours of operation of the skid-stir/bobcat is discussed. Bobcat work related to the project (CUP) is allowed from 7:00 a.m. to 7:00 p.m. Work outside those hours would default to the code provisions.

A question about work currently being done on-site may be creating a nuisance condition (for example: noise or vibrations). The CUP specifically states no code violations are allowed. Noise violations would be handled by citizen reporting and then measurement (duration and level) would be conducted/investigated. It could be classified by state law as a nuisance. If a report is made to the Town, the Town could stop work until a possible nuisance issue is resolved.

A suggestion to block all bobcat/skid-stir work after 7:00 p.m. for Mr. Jahnke was made. This would perhaps alleviate the neighbors from having to guess what type of work is being conducted on the property after 7:00 p.m. The town code does currently allow some bobcat work to be done within the town code beyond 7:00 p.m. It is decided to move forward with the CUP as written and work within the perimeters of the CUP as written.

3 violations have been reported on this project/property, 2 stop work orders have been issued. All stop work orders were complied with.

The public hearing closed at 7:37 p.m.

Adams motions approve Resolution 2022-23 as presented. Seconded by Magner.
By Roll Call Vote: Adams: YES, Magner YES. Motion Passed.

201 SEWER SYSTEM

Adams reports that the new, purchased pumps and rails are now in. (*It was mistakenly noted in previous minutes that they were in*).

ROADS AND ENGINEERING

Nothing to report.

VIOLATIONS/COMPLAINTS

Nothing to report

OLD BUSINESS

Resolution 2022-22. Cartway Hearing Extension.

Preliminary costs have been established. At this time, the petitioner does plan to deliver a check for the initial damages estimate by the 30-day deadline, an exact date is yet to be determined. The suggested March 2nd date for determining a final damages estimate may not be enough time as the Board has not been presented with needed information (appraisals) to make an informed decision. Also, March is a busy month for the township with the elections. There needs to be time to review any/all documents that are presented by both sides. Supervisor Adams motions to extend the hearing date to March 31st, 2023 at 1:00 p.m. Magner seconded. By Roll Call Vote: Adams: YES, Magner YES. Motion passed.

NEW BUSINESS

Resolution 2022-24. Kampher/Millhouse Lot Line Adjustment.

The lot is located on May Ave. In 2020, the applicants swapped roughly 3000 square feet of land with previous neighboring owners in order to qualify for a building permit. Currently, they want to swap it back. The result is that one lot ends up being about 20.1 acres, the other 19.9 acres. The property giving up land is less developable and no additional development rights are involved. The Millhouse land is likely undividable. Adams moves approval of resolution 2022-24. Seconded by Magner. By Roll Call Vote: Adams: YES, Magner YES. Motion Passed.

Resolution 2022-21. Summary Publication of Ordinance 2022-03.

Adams motions approval of resolution 2022-21 authorizing summary publication of ordinance 2022-03 regarding the uses and performance standards in the conservancy district. Magner seconds. By Roll Call Vote: Adams: YES, Magner YES. Motion passed.

Resolution 2022-20. Polling Location Declaration for 2023.

The 2023 polling location will be at the May Town Hall located at 13939 Norell Ave. N. Marine on St. Croix, MN 55047. Magner motions approval of resolution 2022-20, seconded by Adams. By Roll Call Vote: Adams: YES, Magner YES. Motion passed.

Town Hall Technology for Hybrid Meetings

A quote from EMI is presented along with research from surrounding townships by the Clerk. Scandia also offered to sell the Township unused their unused equipment at a discount. There is hesitation in getting outdated equipment. Board recommends getting one or two more bids. Tierney Bros. in St. Paul is suggested.

Panorama Plowing Issues

Plowing complaints from several residences on Panorama have been received as the road had not been plowed by Miller Excavating. The practice has been to plow the entire road, into the privately owned section of the road. The Township needs to stop plowing the private part of Panorama due to liability issues. Address 13230 Panorama is the last address on the public section of the road.

Final Checks for 2022

A special board meeting will be held on Tuesday, December 27th, 2022 at 10:00 a.m. to cut final 2022 checks. This meeting will be conducted virtually only.

Meeting Adjourned at 8:32 p.m. without objection.



Bobbi Hummel
Clerk/Treasurer



John Adams
Board Supervisor, Chair