

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
April 6th, 2023

The Board of Supervisors of the Town of May convened their regular monthly meeting on April 6, 2023, at the May Town Hall. Those present included: Board members John Pazlar, Steve Magner, and Don Rolf; Clerk/Treasurer Bobbi Hummel; Deputy Clerk/Treasurer Marsha Olson; Township Attorney, Dave Snyder, Planner Nate Sparks, Engineer Mark Erichson, and those with business before the Town. Chair John Pazlar called the meeting to order at 7:00 p.m.

Chair John Pazlar thanked John Adams and presented him with a framed proclamation for his 27 years of service on the Board. His leadership and dedication to May Township has been very much appreciated. John has guided the township and has had a large part in what May Township is today. Many thanks are expressed from Dave Snyder, Steve Magner, Don Rolf and Bobbi Hummel.

John accepted the award and joked that “it has been mostly fun and if you have any questions, call Mr. Pazlar”.

April 6th is declared as “John Adams Day”.

MINUTES

Pazlar moved, seconded by Magner to approve the minutes for the March 2nd, 2023 Board Meeting Minutes. All in Favor. Motion Passed.

Pazlar moved, seconded by Magner to approve the minutes for the March 24th, 2023 Organizational Meeting Minutes. All in Favor. Motion Passed.

CHECKS AND TREASURER’S REPORT

Olson presented the Treasurer’s report, showing total cash investments of \$1,943,489.55 of which \$710,752.66 is in investments. \$1,618,770.61 is committed.

Adams moved, seconded by Rolf to approved the Treasurers Report. All in Favor. Motion Passed.

Check approval checks #21582 - #21617 and EFT0423B, EFT0423F, and EFT0423S.

Pazlar moved, seconded by Magner to approve the above checks for payment. All in Favor. Motion Passed.

ENGINEERING AND ROADS

Kitty Schipp - 14209 Old Guslander Trail Marine on St. Croix, MN 55047. Ms. Schipp has lived in the township for 5 years. She would like consideration of the removal of tree branches that are overhanging Old Guslander Trail and paving of Old Guslander Trail North. She estimates the road to be a little over a mile long with approximately 20 homes. Ms. Schipp read that paving a road

would be about \$200,000 per mile and believes assessments could also be made to the Jackson Meadows development as they use Old Guslander as an outlet. That would make the assessments under \$10,000 each. The road is a constant maintenance nightmare, always rutted and always icy, dangerous to drive most of the winter and the summer is not a whole lot better. She asks for feedback.

Supervisor Magner comments that May Township is a gravel township with the idea that only in the case of current new devolvement is paving done. Older roads are not planned to be paved, the comprehensive plan states that. The township's rustic and rural roads are each identified in the plan to maintain historic character. Traffic has increased on the road with the Jackson Meadow development and the town has taken steps to stop that extra traffic. Unless there is a large movement in a different direction, the township will not pave roads. The township does not have the funds. Magner estimates the cost to pave Old Guslander would be far above \$200,000.00. He encourages that if residents want to start paving roads they would need to talk with the Board, show up at meetings/annual meeting and accept that taxes will increase significantly.

Magner also notes that the clean-up from the April 1st snowstorm is still in progress and some of the overhanging branches still need to be cut back. He will talk to Tommy about Old Guslander.

Don Swihart – 13750 Paragon Ave. N. May Township, MN 55047. There is a significate amount of damage to the pavement and chunks of asphalt has been thrown into his yard, pictures have been sent to the Board. He is concerned about people driving over the damaged road and about how he can get rid of the asphalt in his yard, is he responsible for it? What does he do with it?

Magner states the Clerk is making a list of damages (road, mailbox, yard) incurred over the winter. Supervisor Magner will tour all the complaints in the later spring. This has been a very difficult/hard winter and the large heavy wet snowfalls has caused issues. Until the frost comes out of the ground there is no where for the water to go. Magner said he will come out to look at it, send the road crew out to move the asphalt to the edge of the road. He asks for patience as a major flood is anticipated and contractors are busy throughout the entire county.

PLANNING COMMISSION

BTG and BTG II Interim Use Permit Renewals

Nate Sparks comments that the BTG and BTG II mines Interim Use Permits are due for their five-year renewal. Arnt Construction applied for a renewal that would be valid through the end of 2027. There will be a slight change to the location of mining in one of the locations, both mines will be operating in the same manner as they have been for the past five years with the same hours. The public hearing was on March 30, 2023 with a recommendation of approval pending a 25% reduction in the proposed bond amounts.

Supervisor Magner and Engineer Katie Koscielak visited the mines and agreed that a 25% reduction is appropriate. BTG will have a bond amount of \$213,100.00 (rounded) and BTG II will have a bond amount of \$57,715.00 (rounded).

Pazlar Moves to approve RESOLUTION 2023-10 and RESOLUTUION 2023-11 BTG and BTG II Interim Use Permits for five years. Magner seconds. All in Favor. Motion Passed.

Clerk Hummel will update the bond amounts and execute the permits.

Open Space Subdivisions

Nate Sparks updates the Board that the public hearing took place on Open Space Subdivisions on March 30th, 2023. The moratorium was placed on open space subdivisions last year. Significant complaints had been received after an application was received that would allow for smaller lot sizes that would cluster near the curbside and open space in the back of the property. This was not consistent with the vision/character of May Township.

This resolution submitted for approval removes open space subdivisions from the allowed developments in the town. Further discussion can be had with options for lot averaging developments and performance standards in the future.

Planning Commissioner Chair, Chad Nelson updates the Board that at the public hearing they discussed what has been learned over the past year. The overall agreement from the Planning Commission is they would like to recommend the changes as presented. They discussed concerns of what lot averaging would look like, concerns for the future with these changes, and consideration of 1:10 acre lots.

Resident Richard Dana at 13721 St. Croix Trail North comments that he supports the changes in the language around open space subdivisions. It will eliminate confusion about what the townships development preferences are moving forward. The discussion of private roads that are more consistent with the township will be beneficial.

Chair Pazlar motions to approve RESOLUTION 2023-09 amending the town comprehensive plan related to a review of the subdivision ordinance related to open space subdivisions. Seconded by Magner. All in Favor. Motion Passed.

Chair Pazlar motions to approve ORDINANCE 2023-01 and ordinance amending the May town zoning and subdivision ordinance regarding open space subdivisions and performance standards. Seconded by Magner. All in Favor. Motion Passed.

Appointment of Alternate Planning Commission Members

David Ubel and David Langer are officially appointed as Planning Commission Alternates. Updates to the website and contact lists will be made this week.

201 SEWER SYSTEM

Magner comments that there was an issue with the triplex and dosing station last week. Paul Simonson has checked them and they are running fine.

Don Rolf will be a backup for the 201 and will take the lead on the state mandated upgrades for nitrates. A 201-sewer system overview meeting with John Adams will take place in the coming weeks. Notices will be posted.

ENGINEERING AND ROADS

2023 Road Striping

Washington County offers road striping at a low-cost rate. Engineer Mark Erichson will follow up with Washington County and communication that we will move forward and accept the road striping as presented.

Letter to Panorama Residents regarding plowing

Panorama has a portion of the road that is public and a portion that is private. At the end of Panorama, on the private section, is a lift/pumping station for the Townships 201 sewer system. The township has been maintaining the private section for many (27+) years and is proposing to continue to plow only, no other road maintenance will be done on the private section by the township.

Mr. Snyder offers that there is law that states if the township has been maintaining the road for more than 6 years it may be interpreted as a public road. There is an implied dedication to the road. The only way to stop maintaining the road permanently is to issue a declaration of vacation of the road, which could carry consequences.

Options would be to send the letter and see what develops, not send the letter and continue as usual, or to send the letter and invite neighborhood communication.

Supervisor Magner asks Mr. Snyder to do some more research on this issue. He would like to send some type of notification to the residents.

Supervisor Rolf and Pazlar would like to look at the area before making any decision tonight.

Lynch Road Speed Study

A resident that lives on Lynch Road was at the annual meeting and had concerns about the speed limits on Lynch Road. Supervisor Magner met with two of the residents on Lynch Road. The township does not set speed limits but they can request a speed study from the State of Minnesota. A resolution has been drafted.

Engineer Erichson mentions that there is always a possibility that a speed study could increase the speed of a road. The speed study does take into account the actual speeds that people travel on the road.

John Pazlar motions, seconded by Magner to accept RESOLUTION 2023-12 requesting a speed study my MNDOT on Lynch Road, from Manning Ave. to Keystone Ave. All in Favor. Motion Passed.

Special Event Application. Rocket Racing

Special events in the township are becoming more common.

Supervisor Rolf states that if there is an impact to the township parks and roads, we need to see what those are and address them.

Supervisor Magner states that there has been a letter of concern received from a resident and similar concerns prior to tonight. Seasonal events may be an issue with icy roads and high snow banks, especially this winter. He requests that Planner Sparks work on a special events application and permit process so that the Board can be notified in a timely manner and voice concerns to an event organizer, such as a traffic director at the town hall. He would like something in place by November.

Supervisor Pazlar mentions a large past event that put participants and drivers in danger. The town hall was completely taken over. Perhaps an event like this is better suited to a larger park. He would like to see an application and discuss what an appropriate fee amount is. He would also like Planner Nate Sparks to get something drafted for special events.

Chicken Ordinance

Currently lots of 2.5 acres or greater can have chickens, this is outlined in the township's farm ordinance and does not have any exceptions.

Supervisor Magner comments that it could be acceptable to have a reasonable number of chickens/hens if it is contained/maintained and not a disturbance to neighboring properties. Perhaps an IUP is an option.

Supervisor Rolf agrees that adjusting the language is an option and does not see the need for a permit unless it become a larger issue.

Sparks notes that some communities have a license or permit that residence have to pay for in order to have certain animals. Then, if there is an issue, the township could revoke the license. Another option is and IUP. This could also put the township in a code enforcement situation.

Supervisor Pazlar and Planner Sparks will work on something to bring before the Board. Pazlar would like something less formal at this point.

NEW BUSINESS

Letters of support for Watershed District Members

Ann Warner and Tori Dupre are re-applying for managers for the CMSCWD and have requested letters of support for there positions.

Steve Magner motions, seconded by John Pazlar to send a letter of recommendation for each. All in favor. Motion Passed.

Clerk Hummel will send letters this week for Ann Warner and Tori Dupre.

Companion Animal Control Contract

The request by the township is to not pick up stray cats and bill the township. Pazlar notes that this provider bills for service regardless if it is used or not and it is inflexible and expensive.

Rolf asks if the contractor is able to notify the township if something out of the ordinary comes up.

Magner asks if the contract can be modified. A cat wondering around is not an issue and many times needn't be picked up by animal control.

Pazlar recalls the contract from 2018 and the Board then objected to some of the terms of the contract to no avail. Fees and terms were non-negotiable. There were no other options.

The Board will monitor the situation.

Big Marine Boat Launch. Mike Isensee

Mike Isensee is on vacation and not at the meeting.

Mr. Erichson notes that the agreement is that the township continue as usual with road maintenance/operation and the watershed will do 100% of the improvements.

Supervisor Magner motions to sign the MOU, seconded by Pazlar. All in Favor. Motion Passed.

Mark Erichson will also amend one section of the MOU for the township's protection.

2023 LMCIT Insurance Renewal

Pazlar motions to not waive the monetary limits on the municipal tort liability for the township, established by MN Stat. 466.04. Seconded by Rolf. All in Favor. Motion Passed.

Town Hall Mowing Contractor

John Pazlar motions, seconded by Don Rolf to approve RESOLUTION 2023-08 authorizing a contract with an interested officer, with the deletion of the indemnity clause in the Moonlight Company contract. By Roll Call Vote: Pazlar YES, Magner ABSTAIN, Rolf YES. Motion Passed.

Sale of Township Mower

The ongoing maintenance and upkeep of the mower is a concern. The mower is a 2017 model. The estimated sale price is \$13,000-\$15,000.

In recent years the volunteer mowing has been appreciated but somewhat inconsistent. The mower is getting older and Pazlar would like to hire a contractor to mow moving forward. Rolf agrees.

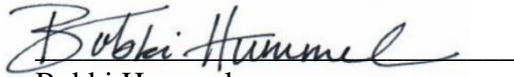
Pazlar motions to authorize Supervisor Magner to get the mower listed with MNBID and liquidate the mower. Seconded by Rolf. Pazlar and Rolf YES. Magner ABSTAIN.

Moonlight Company Rate Sheet


There are no concerns with the presented rate sheet from Moonlight company to provide town hall mowing, maintenance, and miscellaneous services.

Pazlar motions to approved the rate sheet from Moonlight Company. Seconded by Rolf. Pazlar and Rolf YES. Magner ABSTAIN.

Meeting Adjourned at 9:19 p.m. without objection.



Bobbi Hummel
Clerk/Treasurer



John Pazlar
Board Supervisor, Chair