

**WASHINGTON COUNTY
TOWN OF MAY
OFFICIAL TOWN BOARD MINUTES
November 6, 2014**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, November 6, 2014, at the May Town Hall. Those present included: Bill Voedisch, Board Chair; John Pazlar, Supervisor; John Adams, Supervisor; Dave Snyder, Town Attorney; Mark Erichson, Town Engineer; Pete Kluegel, Building Inspector; Nate Sparks, Town Planner; Linda Klein, Town Clerk and residents of the Town of May. Absent: Cheryl Bennett, Town Treasurer. 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 October 2, 2014, regular board meeting, the October 2, 2014 Executive Session meeting and the October 22, 2014, road budget meeting. All approved.

Pazlar moved, seconded by Adams, to approve checks 17927 through 17977, as well as electronic funds transfers EFTS1114, EFTF114 to the State and IRS, respectively as presented. All approved. It was noted that Check #17927 is not on the November register, as it was the Reibel check for \$10,000 approved at the October board meeting. Checks #17928 and 17936 are VOID due to printing errors. The check register and treasurer's report are attached to these minutes and serve as the official record.

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

Voedisch moved, seconded by Adams, to transfer \$27,348.00 from the 201 Sewer Replacement Fund to the 201 Sewer Fund to reimburse the 201 Sewer Fund for repairs and expenses paid from that fund. All approved.

Supervisor Pazlar reported that he has reviewed the bank statement from October.

Planning Commission

Conservancy Zone Ordinance Amendment

Public Hearing – Continued

The Town Planning Commission held a public hearing on draft amendments to the Conservancy District at the September meeting. The discussion was tabled to a future meeting for clarification on a few questions brought forward at the September meeting.

The changes in the ordinance are being brought forward for two general reasons. First, in the future, the County is no longer going to be providing planning and zoning functions for the six townships in Washington County, and our Town code needs to be cover areas now only covered by the County code. Second, there have been proposed uses within the Conservancy District that have revealed our code to be lacking. Further, "Duplexes" are mentioned as a use in the Conservancy but not elsewhere in the Town zoned "Single Family Residential." Sparks noted that another purpose of this amendment is to tighten up language and make certain that all

descriptions and wording are applicable at this time.

Sparks also stated that the County conservancy zone is not consistent with the existing conservancy zone in May Township. The amended ordinance is getting closer to being consistent with the County's definitions, but more work will be needed to bring the two into complete conformance. The Town will continue to review ordinance sections and compare them to the County ordinances. The Conservancy district is just the first and a 201 sewer use ordinance is forthcoming since the County will be rescinding theirs in 2015.

The revised draft of the ordinance was changed to include "accessory buildings" in the accessory uses section. After the last meeting, Sparks heard concerns about removing "forests" from the permitted use list, as this could be seen as denying property owners the ability to remove trees from their property. Sparks stated that "Forests" is not a use and "Forestry" is considered to be part of Agriculture by definition, and is covered under that use. Small scale forestry is a permitted use. Large scale forestry that includes the storage of forestry equipment requires a CUP under Code Section 705.19.

During the public input at the continued hearing, Ron Lawrenz, Warner Nature Center, offered a comprehensive definition for Nature Center, parts of which Sparks incorporated into the current definition in the ordinance. To cover Kelly Urista's concern for allowing Concordia Language Villages at Wilder, Sparks added academic learning centers (academic camps) to the definitions.

Voedisch moved, seconded by Adams, to adopt Ordinance 2014-05, an ordinance amending the Town Code Section 708.03 regarding the uses and standards found in the Conservancy District. Roll call vote: Adams, yes; Pazlar; yes; Voedisch, yes. Ordinance adopted.

201 System: Updates

201 Sewer System Management: TPC has scheduled the installation, start-up, and operator instruction of the updated telemetry system along with the installation of the new high gain antenna for the week of November 10-14. The Sensaphone Cell682 provides internet & phone access to the system with several choices for remote alarm notification (custom voice phone call, text message, e-mail). Tom Birkeland with Natural Systems has verified that the synthesized voice phone call with alarm message(s) programmed specifically for this application is his preferred method of being contacted. On-going Sensaphone Cell682 cellular and internet access service (after the initial year included in the proposal) can be purchased directly from Phonetics, Inc./Sensaphone for an annual cost of \$240.

The Township is responsible for terminating their existing phone line service to the existing Zetron telephone dialer. TPC suggests that this service not be terminated until after the new alarm / monitoring system is operational. TPC would like to verify any and all additional numbers to be included with the call list & the sequence in which they should be called after Tom (if Tom is unable to acknowledge the call).

Gopher State One Call: The Town recently mailed a formal letter to Washington County regarding the current state of the 201 System as-builts and missing information required to perform Gopher State One Call responsibilities. Girard Goder, the Environmental Program

Supervisor with Washington County, informed staff that whatever as-builts available to the County to perform Gopher State One Call requests have been provided to the Township. Mr. Goder further offered to meet with the Town to discuss/demonstrate how Gopher State One Call requests have been handled in the past by Mr. Pete Ganzel.

The engineer has responded to the email identifying the specific concerns the Township has in moving forward, which include accurate as-builts (including service wye ties and forcemain bend locations) in order to contract out locating the 201 system to locating companies such as USIC Locating. A meeting was proposed with Washington County to NOT ONLY discuss how the system was located in the past, but to discuss the minimum needs to contract out this service.

Board Chair Voedisch had further contacted Washington County disputing the assertion that the Township has all the necessary materials to perform the Gopher State One Call locates currently made by Washington County. A follow up from Mr. Goder received October 30, 2014 in response to Board Chair Voedisch's email stating his Department had never agreed to provide as-builts to the Township and do not have the capacity to construct them. Mr. Goder further mentioned the offer to meet with the Town on this issue. We will schedule a meeting.

201 System Ordinance

Nate Sparks, Town Planner, reported on the existing Washington County 201 System Ordinance, which is quite similar to the ordinance now adopted by Marine on St. Croix. He advised the Town could adopt the County ordinance as is, or he could make suggested changes.

In the definition section, sewer authority is a definition that says the zoning administrator is the authority for the system. He suggested making it more generic (i.e., the Town's designated authority) rather than specifically the zoning administrator. Voedisch suggested 'System Manager, as designated by the Town Board.' Regarding unlawful discharge into the system, Sparks talked about language that disallows hooking up sump pumps to the system and perhaps that should be more specific. Another topic needing further definition might be where the public portion begins and the private portion ends in regard to the service line.

Another topic would be when it is permissible to hook up vs. when you mandate a hookup without giving the homeowner an option. Adams will work with Sparks on the new ordinance.

High Speed Internet Access: Discussion

Residents of the Keller Estates, Manning Highlands and Ridgewood Acres developments appeared before the Board to discuss their concerns regarding their inability to have high speed internet access. Tina Smith represented Ridgewood Acres, and Paul Kisselburg was representing Keller Estates and the Highlands. Kirstin Sersland of Century Link appeared to discuss her role as a community liaison in working with municipalities.

Pat Mastel appeared on behalf of Midcontinent Communications, the Town's cable provider. Kisselburg presented his situation, in which a small segment of homes is not served by High Speed Century Link, and he has been fighting with Century Link for 14 years in attempting to obtain service. Mike Hudziak reported that his children must do all homework on line, and he needs to take them to the library or coffee shop to do their homework. Kisselburg also reported

that there are some people in their neighborhood who have service, even though it is less than adequate in his view. He also inquired with Mastel of Midcontinent regarding their intentions of expanding. Mastel said he was here to listen and answer questions. He did say that to run cable service is about \$200,000 a mile and that half of all eligible homes decline to subscribe.

Tina Smith, Quail Way N, claims she is the only person in her development with some Internet service. Her home was built in 1996. Residents are asking for a plan and to apply for grant money so systems can be expanded. Dave Aukstakalnis moved into Ridgewood Acres, 16995 124th Street, and works for the University of Minnesota. He is an on-call imaging person. The problem is that he needs to remotely get into a computer to view images in order to do part of his job from home and he needs very high speed. Several residents had been erroneously advised by Comcast that they would provide service, even though it was not available when they moved in.

Kirstin Sersland, Century Link, shared that these homes are too far from the two main boxes for faster service. She reported that they are currently serving approximately 334 homes in the town with Internet access, at various speeds.

Pat Mastel, Midcontinent, advised that they purchased the system from US Cable in 2011. At this point, they are doing upgrades to the system that is currently in place. They also applied for broadband grants.

After considerable discussion, it was decided that the Town will provide Century Link and Midcontinent with a map from our Comprehensive Plan showing the exact locations of our 1,179 homes in the Town, and Century Link and Midcontinent will work up some costs that would be incurred in order to provide service beyond what they are currently providing.

For the future, the township would be receptive to working with the providers to solicit grant money from the State and/or Federal Government.

Engineering and Roads – Monthly Report

Emison Property: The Engineer reported that Emison was having difficulties getting his driveway paved this year and inquired if his Certificate of Occupancy was dependent on having that completed. He was informed that the portion of his driveway in excess of 6% slope would need to be completed to receive his Certificate of Occupancy. The paving is now complete for the entire driveway. He hopes to have his Certificate of Occupancy in approximately 1 month.

Hunter's Ridge – Sinking Pavement: Rick Fuhr has completed all improvements within Hunter's Ridge II, including the following:

- Excavation of the ditch on the north side of the roadway to expose the existing storm inlet and restoration of the disturbed area.
- Excavation of the roadway to determine cause of pavement failure, reinstallation of sand section, and installation of new recycled aggregate section.
- Installation of an intermediate holding pond near the outlet of the drainage system at 12401 Quail Avenue, regrade the ditch to remove sediment, tree obstructions, and existing washout due to the insufficient drainage channel, installation of riprap

channel to existing pond, cleanout sediment buildup (sand from roadway) within existing private pond, and restoration of disturbed area.

During the excavation of the roadway, the engineer met with Rick onsite to determine the cause of the pavement failure. The roadway was excavated approximately 9 feet to virgin material. It appears as though the material beneath the roadway is sand and some tree branches that had been previously buried. The general conclusion was insufficient compaction of the storm pipe adjacent to the settled area. Rick installed geotextile fabric to bridge the virgin ground with the sand material and re-installed the sand material in small lifts and provided compaction of each lift. Rick then built the road section with a reclaim material.

Upon completion of the items listed, the work completed to date was inspected and accepted by the engineering staff and road crew. Lauzon Enterprises, Inc. has completed all repaving work within the Hunter's Ridge II addition on October 29, 2014.

Tree Trimming: Tree trimming along Ozark Trail has not yet been completed. Tommy has yet to meet with Board Chair Voedisch regarding the extent of the trimming.

May Roadway Funding: On October 22, 2014, a special meeting was held to discuss road improvement funding; specifically, to develop a capital improvement plan looking out 20 years to allow for appropriate financial planning. Erichson presented some draft information based on an asphalt road tour and past information available to staff. May Town Board members provided feedback with direction given to provide a list of Town roads (asphalt) with improvement project costs and year of tentative construction. For example, Voedisch visited Oldfield/Ostlund and determined that a reclaim wasn't needed.

Board Chair Voedisch and Mark Erichson conducted another mini road tour on October 29, 2014 and discussed a number of roadways, potential improvements and possible modifications (scaling back) of the draft plan, which will be further discussed at future Board meetings.

Panorama Manhole Repair: The sanitary sewer manhole located at the bottom of the hill near 130th Street along Panorama Avenue has been identified, previously on the road tour, as needing repair. C& B Excavating has provided a quote to repair the manhole in the amount of \$3,000. The quote includes excavating the roadway section to expose the manhole, repairing the manhole/sewer line as necessary, and back fill of the roadway. The project includes bituminous patching of the roadway in the spring of 2015, which is not included in the cost to repair the manhole at this time. Lauzon can likely do this paving in the spring.

Adams moved, seconded by Voedisch, to award the contract to C& B Excavating in the amount of \$3,000 to perform this work. All approved.

Property Access Off of 131st Street: Voedisch noted the party seeking access was invited to a Town Board meeting. WSB staff, along with Tommy Schroeder of the Road Crew, earlier in the month visited 131st Street where paving improvements and storm sewer improvements were completed in 2011. Tommy indicated that to move the existing riprap swale away from the vacant lot and further north would take 2-3 days' worth of work (which would include re-grading

the area to allow for a future driveway off of the roadway). The Town is working with the Washington County Conservation District and Carnelian-Marine-St. Croix Watershed District regarding the improvements. Tommy will move the structure up the hill in the spring.

Lake Carnelian Capstone Project: WSB and Board Chair Voedisch met with Scott Miller and Joe Lendway (current property owners along private Panorama Avenue beyond the Township right-of-way), Washington County Conservation District and the Carnelian-Marine-St. Croix Watershed District regarding drainage and erosion issues currently experienced along the private portion of Panorama Avenue. The property owners identified the locations of concern with regards to drainage and erosion from “up top” (133rd street area), and the possible opportunity for the University of Minnesota Civil Engineering Department to help with project design under the “Capstone” program, a final senior project for the Civil Engineering students that gives the students a real world project experience prior to graduation.

Mr. Miller mentioned the University was interested in using the project for the Spring Semester students and wanted feedback from the Township, Washington County Conservation District and the Carnelian-Marine-St. Croix Watershed District. Board Chair Voedisch indicated WSB & Associates will be focusing efforts on the impending capital improvement program for the Township roads and the management of the 201 system (now taken over from the County), and will not have capacity to be involved as a mentor for the project. However, Jim Shaver with the Carnelian-Marine-St. Croix Watershed District had mentioned there may be engineering capacity at the WD to be the mentor engineer.

Upon completion of the meeting, the group toured both the Panorama and 133rd st areas. After the tour James Landini of Wash CD and Staff briefly met to discuss a drainage issue that will not be included with the Capstone project. Currently, some of the drainage from the gravel cul-de-sac at the top of the hill, near the 201 system drainfields on 133rd Street, travels to the private paved portion of Panorama, down the steep slope of the downhill private paved road. The homeowners have installed “road bumps” along the roadway to help detour the surface water off of the roadway. However, the water still finds its way to Panorama during larger rain events and silt is carried to one property. It should be noted however that a good share of soils that find their way down get there via a private gravel drive to the north of the cul-de-sac, which Capstone could address. Staff and Mr. Landini discussed the option to shift the surface drainage from the cul-de-sac toward the natural drainage swale located to the east. In order to shift the drainage, the cul-de-sac will need to be re-graded and potentially “shortened.” Property owners will still have access to Panorama from 133rd, but not off of the cul-de-sac but rather, the mainline of 133rd Street.

The other trouble spot that Capstone could review is drainage just north of the elbow of 133rd Street. Drainage currently flows south down along 133rd st and then down a hill, under the “Doctor’s house” addition, and onto Panorama private near Burg. In an effort to redirect drainage, James Landini has had contact with the property owner of the farm field east of 133rd about a drainage easement. The property owner has intentions to split the lot into four (4) buildable lots in the future and has expressed interest in providing drainage within his land so long as future subdivision is not effected. This is also a potential Capstone project.

Old Business

No Parking Ordinance Modifications

Voedisch discussed the No Parking Ordinance that was previously done by the Town. He stated that he has had another inquiry from 130th Street having to do with several individuals who have trucks and trailers parked on the roadway. He wants to add these Big Carnelian roads to the No Parking ordinance: 130th St, 130th St Lane, Panorama. Voedisch moved, seconded by Pazlar, to adopt Ordinance 2015-08A, an ordinance regulating the parking of vehicles and other objects on the roads in the Town of May. On a roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Ordinance is adopted.

Idling Trains

After considerable research regarding the governing authority over the subject of trains idling for many hours in residential neighborhoods, it has been difficult to find out exactly who is responsible and what leverage the Town would have to bring them into compliance. The parking and idling of trains seems to have stopped at the locations previously noted. Dave will pursue.

New Business

Boardwalk across a wetland – Gessler PC Application

Jed Chesnut, our WCA representative, reported on his findings related to the original CUP for the floating dock as approved 10 years ago. Since that “no loss” application and determination expired when the boardwalk was never built, it needs to be applied for again.

He stated that posts and pilings for boardwalks are excluded from the definition of “fill” and are approved. If it is elevated up on posts, it qualifies as a “no fill, no loss” project.

Chesnut indicated that, under current WCA interpretation, the previously approved float system would damage vegetation in this mostly waterless wetland, and would very likely be seen as “fill” and thus denied. Voedisch moved, seconded by Adams, to accept the WCA “no loss” determination for a post system as applied for by the new owner and presented here, and that we sign the application. All approved.

Solar Farms

A builder of solar farms approached Nate Sparks this past summer inquiring about operating a large solar array (3 to 5 acres of ground mounted solar panels) on residential property in May Township. Sparks stated that this is not a permitted use as it is (a) commercial, and (b) these are structures that must meet the limits on structures contained in Ch 7.

Voedisch indicated that his neighbor’s land was the proposed site but that the neighbor has since told him that they are not pursuing it.

Voedisch thought the Board should specifically take up the issue of solar farms before another inquiry comes in.

Kuegel Certificate of Compliance

Pete Kluegel brought forward an application for Certificate of Compliance for a building closer to the road than the primary residence, but which meets the 80% of house setback test. Voedisch visited the site with Pete and indicated there is no other reasonable site for this building, but that there is a substantial amount of mature screening trees in place. Voedisch moved, seconded by Adams, to approve the Certificate of Compliance for Tina Smith based on findings that it meets the Certificate of Compliance requirements. All approved.

Fence.

A resident at Kirby and Lynch put up a fence that is not in compliance with Town Code requirements, and the property owner is disputing Kluegel’s contentions. Voedisch suggested that the planner send a letter detailing the violations, and that she come to the December Board meeting.


Fire Zones

Nate Sparks brought forward the existing fire zone map and a proposed map that matches how the County’s new emergency dispatch system wants to see fire zones divided. He suggested that all fire contracts reference the proposed fire zone map for clarification and not use street addresses. Voedisch indicated there would be shifts from one department to another and that we need to introduce the new map to each of the departments verbally, and in writing. He also discussed 6 “orphan” homes at Goggins Lake that have “Hugo emergency addresses” but are under no one’s contract. He suggests a contract with Hugo for these 6 homes.

Hearing no further business, Voedisch moved, seconded by Pazlar, to adjourn. All approved.

ATTEST:

Linda L. Klein
Town Clerk



William K. Voedisch
Town Board Chairman



TOWN of MAY
WASHINGTON COUNTY, MINNESOTA

Ordinance No. 2014-05

**AN ORDINANCE AMENDING THE TOWN CODE SECTION 708.03 REGARDING
THE USES AND STANDARDS FOUND IN THE CONSERVANCY DISTRICT**

Section 1.

WHEREAS, the Municipal Code of the Town of May in Section 708.03 established the Conservancy Zoning District; and

WHEREAS, the purpose and intent of this zoning district, as stated in the Comprehensive Plan and in Section 708.03, is to allow for uses that provide for the preservation, protection, and management of environmentally sensitive lands; and

WHEREAS, currently found within the defining ordinance Section 708.03 are several uses and standards that: (a) need definition, or (b) are counter to the rest of the Town Code and Comprehensive Plan, or (c) otherwise do not meet the purpose and intent of the Conservancy District; and

WHEREAS, listing Domestic Pets as a Permitted Use could allow the keeping of pets on property without a residential dwelling and would be more appropriate as an Accessory Use; and

WHEREAS, Forests are not actual uses of land, should not be considered a Permitted Use and should be struck; and

WHEREAS, Structures (Historic, Scenic, etc) should not be considered a Permitted Use on their own but are more properly allowed as part of an Education Retreat Center, whose definition should change to cover such use; and

WHEREAS, Churches and Essential Services bear no relationship to the stated purpose of the district, are permitted in other districts and should be struck; and

WHEREAS, Recreational Uses and Areas are intended to be related terms and should be combined; and

WHEREAS, the Town Zoning Ordinance must be at least as restrictive as the Washington County Ordinance regarding Institutional Housing, which is now more commonly referred to as Residential Care Facilities or Housing with Services, and where the Town Code must change to reflect state statutes which governs such use; and

WHEREAS, the term Nature Center is in need of definition to ensure the use is consistent with the intent of the district; and

WHEREAS, the district currently has no minimum standards for the density of non-residential uses which could cause development of such uses at greater intensity than would be consistent with the rural nature of the Town; and

WHEREAS, Duplexes are inconsistent with the single family nature of the Town and should be struck; and

WHEREAS, the Town Board seeks to amend this ordinance section to remedy the inconsistencies as stated above.

Section 2.

NOW THEREFORE THE MAY TOWN BOARD DOES ORDAIN that Section 708.03 of the Town Code be amended to read as follows:

CONSERVANCY DISTRICT

Section 708.03: Conservancy District Established (C)

The Conservancy District is established for the purpose of providing for the preservation, protection and management of environmentally sensitive lands.

A. Permitted Uses. The following uses are permitted in the Conservancy District:

Agriculture

Horticulture

Domestic pets

Forests

~~Structures (historic, scenic, etc.)~~

B. Accessory Uses. The following Accessory Uses are permitted in the Conservancy District:

Landscaping and decorative features

Boat docks (non-commercial)

Fences (See Section 705.09)

Garage (private) (See Section 705.05)

Residential swimming pool

Off-street parking (See Section 706.16)

Residential waterfront use

Storage - incidental to the permitted use.

Domestic Pets

Accessory buildings and structures incidental to the principal use

- C. Conditional Uses. The following conditional uses may be permitted by a written Conditional Use Permit issued by The Town Board pursuant to section 704.04:

Church

Commercial, private, or semi public recreation area

Educational Retreat Center

~~Essential services (government uses, buildings and storage) (See Section 702.01, Definitions)~~

~~Essential services (transmission services and related buildings) (See Section 702.01, Definitions)~~

Home occupations (meeting criteria) (See Section 702.01, Definitions)

~~Institutional housing (See Section 702.01, Definitions)~~

Nature centers

Parks, Private and public

Residential, single family or duplex (See Section 705.04)

~~Wildlife reserves~~

- D. Physical Standards. All construction in the Conservancy District shall meet the following physical standards.

1. Height. The maximum height of all buildings shall not exceed the lesser of two and one-half (2-1/2) stories or thirty-five (35) feet. This height limitation shall not apply to farm buildings, grain elevators, silos, windmills, elevator legs, cooling towers, water towers, smokestacks, or electric transmission lines.

2. Lot Area and Dimensions. Lot area shall be adequate to provide for all expected improvements and for the installation of two on-site Sewage Treatment Systems, but in no case shall lot area be less than two and one-half acres.

(a) Lot Area Per Dwelling Unit - 20 Acres

- (b) Minimum Lot Width at Front Yard Setback Line *for residential uses* – 150 feet
- (c) *Minimum Lot Area for Non-Residential Uses* – 40 acres
- (d) *Minimum Lot Width at Front Yard Setback Line for non-residential uses* – 300 feet

3. Setbacks. All buildings and structures, including houses with attached garages, shall meet or exceed the following setbacks.

Minimum Front Yard Setback	40 feet
Minimum Side Yard Setback	
From Street in Case of Corner Lot	40 feet
Front Interior Lot Line	20 feet
Minimum Rear Yard Setback	50 feet

Section 3.

NOW THEREFORE THE MAY TOWN BOARD DOES ORDAIN that Section 702.01 of the Town Code be amended to include or revise the following definitions:

(62a) Educational Retreat Center. A non-profit center which is designed, maintained and intended to serve the principal use of providing short-term visitors with a facility to engage in exposure and study of historic and/or natural resources of the Town *including academic camps, historic structures and scenic areas*, and the provision of a short-term retreat facility, and not involving the sale or manufacture of goods, or the sale or provision of services, or other commercial activity.

(96) Institutional Housing, Residential Care Facility, or Community Residence. ~~Housing for students, mentally and physically handicapped and similar housing of a specialized nature as defined by Minn. Stat. 462A.~~ *A facility licensed by the State of Minnesota, providing residential and habilitative services to persons with developmental disabilities. These state licensed residential care facilities or housing with services registered under MN Stat. 144D must serve six or fewer persons and are regulated in the same manner as a single family residence.*

(164) Recreational Use or Area. Recreational facilities, services, equipment, or uses which may include water bodies and accessory buildings maintained for active or passive recreation including, without limitation to: parks, playgrounds, ~~hunting preserves~~, nature trails, bridle paths, beaches, campsites, ski and snowmobile trails, canoe routes, picnic grounds, ~~wildlife and nature areas~~, game farms, fish hatcheries, together with necessary loading and parking areas, but excluding a stadium, arena, bowling alley, commercial swimming pool, or other recreational activity for which a structure is required to house the principal use.

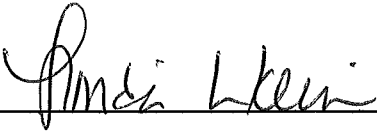
(135a) Nature Center. *An educational or recreational use oriented to utilizing the outdoor character of an area for education and passive forms of recreation related to the natural environment of the area, including nature preserves, wildlife sanctuaries, special gardens,*

arboretums, natural history exhibits, interpretive centers, and associated facilities, activities, and programming.

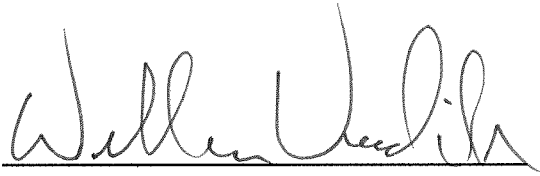
Section 4. Severability. If any part of this Ordinance is held invalid by a court of competent jurisdiction, this shall not invalidate any other section, provisions, or part of this Ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after passage by the Town Board and publication according to law.

**BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS YES ;
PAZLAR YES ; VOEDISCH YES ; THIS ORDINANCE IS HEREBY
ADOPTED/NOT ADOPTED ON THIS 6th DAY OF Nov, 2014**



Attest: Town Clerk, Linda Klein



Board Chair, Bill Voedisch



**TOWN OF MAY
WASHINGTON COUNTY,
MINNESOTA**

ORDINANCE NO. 2014-08A

**AN ORDINANCE REGULATING THE PARKING OF VEHICLES AND OTHER
OBJECTS ON THE ROADS IN THE TOWN OF MAY**

Section 1.

WHEREAS, the Town of May believes that the parking of vehicles and other items on public roads or within public rights-of-way, can compromise public safety, interfere with road maintenance, and disrupt the quietude of neighborhoods, and should be controlled; and

WHEREAS, the Town has marked several “No Parking” areas within the Town with signage, as listed in Exhibit A attached hereto; and

WHEREAS, the Town understands that, to make such “No Parking” designations enforceable, it needs to establish these areas by ordinance; and

WHEREAS, the Town also wishes to establish General Parking Prohibitions by ordinance; and

WHEREAS, the parking of items such as trailers, RVs, school buses, boats, equipment and the like within the Town’s rights-of-way has become problematic at times and thus, the Town also wishes to establish a prohibition against the parking of such items by ordinance.

Section 2.

NOW THEREFORE THE MAY TOWN BOARD DOES ORDAIN that ARTICLE 1104 governing parking be added to the may Town Code, as follows:

ARTICLE 1104: PARKING CONTROL

Section 1104.01: Presumption

As to any vehicle parked in violation of this ordinance when the driver thereof is not present, it shall be presumed that the owner parked the same, or that the driver was acting as the agent of the owner.

Section 1104.02: General Parking Prohibitions

It is unlawful for any person to stop or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a police officer or traffic control device, in any of the following places:

1. on a sidewalk;
2. in front of any driveway;
3. within an intersection;
4. within thirty (30) feet of any No Parking sign erected by the Township, or between any No parking signs erected by the Town;
5. on a crosswalk;
6. within twenty feet of a crosswalk at any intersection;
7. on the roadway side of any vehicle stopped or parked at the edge or curb of a road.

Section 1104.03: Specific Parking Prohibition Designations; "No Parking Zones"

It shall be unlawful to, at any time, park a vehicle or any item described in Section 1104.10 herein, in any of the No Parking Zones defined in Exhibit A herein. The Town Board may, from time to time, modify Exhibit A.

Section 1104.04: Unauthorized Removal of Signs

It is unlawful for any person to move or damage any no parking sign.

Section 1104.05: Direction to Proceed

It is unlawful for any person to stop or park a vehicle on a street when directed or ordered to proceed by any police officer invested by law with authority to direct, control or regulate traffic.

Section 1104.06: Parallel Parking

Except where angle parking is specifically allowed and indicated by curb marking or sign-posting, or both, each vehicle stopped or parked upon a two-way road where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with, and within 12 inches of, the right-hand curb, and where there is no curb, as far to the right as possible; and it is unlawful to park in violation of this section.

Section 1104.07: Impounding and Removing Vehicles

When any Sheriff's Deputy finds a vehicle upon a street in violation of any parking regulation, such officer is hereby authorized to require the driver or other person in charge of such vehicle to remove the same to a position in compliance with this Ordinance. When any police officer finds a vehicle unattended upon any street or municipally-owned parking lot in violation of any parking regulation, such officer is hereby authorized to impound such unlawfully parked vehicle and to provide for the removal thereof, and to remove the same to a garage or other facility or place of safety; provided, that if any charge shall be placed against such vehicle for cost of removal or storage, or both, by anyone called upon to assist there-with, the same shall be paid prior to removal from such place of storage or safekeeping.

Section 1104.08: Narrow Street Parking

It is unlawful to stop, park or leave standing, any motor vehicle or trailer across from another motor vehicle or trailer so parked on any narrow street in the Town, such that would hinder the flow of traffic.

Section 1104.09: Handicap Parking

Statutory parking privileges for physically handicapped shall be strictly observed and enforced.

Section 1104.10: Parking of items other than vehicles

Except as may be needed on a temporary basis only, to conduct and complete short-term work upon a property within the Town, it shall be unlawful to park any trailer, RV, school bus, boat, equipment or the like on any road or road right-of-way within the Town.

Section 1104.11: Road Defined

A road is defined as any street, road, avenue, alley or other public way.

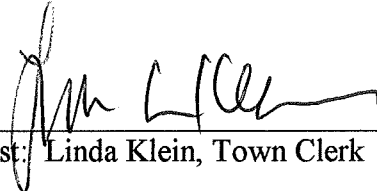
Section 1104.12 Violations

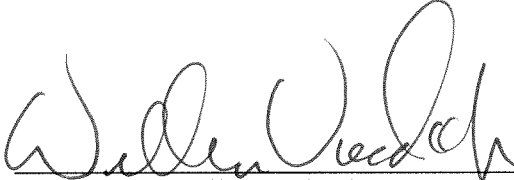
A violation of this ordinance shall be considered a petty misdemeanor.

Section 3. Severability. Every section, provision, or part of this ordinance is declared separable from every section, provision or part of this ordinance. If any section, provision, or part of this ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this ordinance.

Section 4. Effective Date. This Ordinance will be in full force and effect from and after its passage by the Town Board and publication according to law.

BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS YES; PAZLAR YES; VOEDISCH YES; THIS ORDINANCE IS HEREBY ADOPTED / NOT ADOPTED THIS 6TH DAY OF NOVEMBER, 2014.


Attest: Linda Klein, Town Clerk


Board Chair, Bill Voedisch

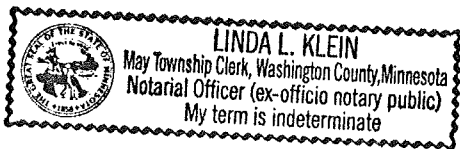


Exhibit A

May Township Specific Parking Prohibition Designations; “No Parking Zones”

Arcola Trail - Both sides of the roadway from the RR trestle north to the driveway for 12191 Arcola Trail, approximately 1300 feet from the trestle

120th Street - East of Norell, both sides of the roadway, beginning at Norell and east past the east boundary of the wetland, approximately 1,100 feet from Norell.

120th Street - West of Norell, both sides of the roadway, beginning at Norell and west to Meyeron Road

176th Street - West of Manning, both sides of the roadway, beginning at Manning and west to the driveway for 10855 176th Street, approximately 260 feet from Manning

Township roads around Big Carnelian Lake in locations where posted:

130th Street; 130th Street Lane; Panorama Ave

Minnesota Wetland Conservation Act

Notice of Decision

Local Government Unit (LGU) May Township	Address 13519 May Ave North Stillwater, MN 55082
--	---

1. PROJECT INFORMATION

Applicant Name Rick Gessler	Project Name Gessler Dock	Date of Application 9/25/14	Application Number
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<input type="checkbox"/> Wetland Boundary or Type	<input checked="" type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input type="checkbox"/> Sequencing
<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		

Technical Evaluation Panel Findings and Recommendation (if any):

<input type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach): No comments were received from the TEP		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: November 6, 2014		
<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/> Denied

LGU Findings and Conclusions (attach additional sheets as necessary):

<p>The applicant proposed to install an elevated boardwalk across approximately 500 feet of Type 3/6 wetland. The boardwalk will be suspended above the wetland and supported on galvanized steel posts. The posts will be driven into the wetland until hitting hard mineral ground, which based on the application is at a depth of approximately three to four feet. The applicant requested a no-loss decision since the proposed project does not result in fill of the wetland and therefore no permanent impact. As per MN Rule 8420.0111, Subp. 26 posts and pilings for linear projects such as docks are not considered fill.</p> <p>The application for a no loss decision to install the Gessler Dock as proposed in the application dated September 24, 2014 is approved on the conditions as per MN Rule 8420.0410, summarized below:</p> <ol style="list-style-type: none"> 1. appropriate erosion control measures are taken to prevent sedimentation of the wetland or any receiving waters; 2. the activity does not block fish activity in a watercourse; 3. the activity is conducted in compliance with all other applicable federal, state, and local requirements. <p>This approval is valid for three years from the date of decision above; the dock must be completely installed prior to the expiration of this approval.</p>

4. LIST OF ADDRESSEES

- | |
|---|
| <input checked="" type="checkbox"/> SWCD TEP member: Jed Chesnut |
| <input checked="" type="checkbox"/> BWSR TEP member: Ben Meyer |
| <input type="checkbox"/> LGU TEP member (if different than LGU Contact): |
| <input checked="" type="checkbox"/> DNR TEP member: Brooke Haworth |
| <input type="checkbox"/> DNR Regional Office (if different than DNR TEP member) |
| <input checked="" type="checkbox"/> WD or WMO (if applicable): Jim Shaver |
| <input checked="" type="checkbox"/> Applicant and Landowner (if different) |
| <input checked="" type="checkbox"/> Members of the public who requested notice:
Jyneen Thatcher, May Township |
|
 |
| <input checked="" type="checkbox"/> Corps of Engineers Project Manager |
| <input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan decisions only) |

5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf

➤ For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf

➤ Department of Natural Resources Regional Offices:

<u>NW Region:</u>	<u>NE Region:</u>	<u>Central Region:</u>	<u>Southern Region:</u>
Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

➤ For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

US Army Corps of Engineers
St. Paul District, ATTN: OP-R
180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

➤ For Wetland Bank Plan applications, also send a copy of the application to:

Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

- | |
|--|
| <input checked="" type="checkbox"/> Dock design |
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input type="checkbox"/> |

For the Period 10/01/2014 to 10/31/2014

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance	Less Deposits In Transit	Plus Outstanding Checks	Total Per Bank Statement
General Fund	\$171,273.56	\$20,862.68	\$27,765.80	\$164,370.44			
Road & Bridge Fund	\$244,625.27	\$2,061.70	\$108,739.84	\$137,947.13			
Fire Fund	\$93,900.23	\$18.70	\$0.00	\$93,918.93			
Levied Park Fund	\$5,843.10	\$1.17	\$351.93	\$5,492.34			
Park Fund	\$6,871.07	\$1.37	\$0.00	\$6,872.44			
201 Sewer Fund	\$9,196.25	\$13,032.23	\$13,098.77	\$9,129.71			
Capital Projects Fund	\$48,621.45	\$9.68	\$0.00	\$48,631.13			
201 Sewer Replacement	\$0.00	\$97,758.12	\$70,410.12	\$27,348.00			
201 Sewer Pumping Fund	\$0.00	\$6,650.00	\$6,650.00	\$0.00			
Midcontinent Com Security	\$5,000.00	\$0.00	\$0.00	\$5,000.00			
Vets Rest Camp Security	\$0.00	\$0.00	\$0.00	\$0.00			
Total	\$585,330.93	\$140,395.65	\$227,016.46	\$498,710.12	\$140,395.65	\$227,476.46	\$555,790.93

MONTH OF OCTOBER

October 31, 2014

CASH

PLANNING FEES AS OF 11/6/14

CHECKING	\$1,000.00
MONEY MARKET	\$492,710.12
TOTAL CASH	\$493,710.12

RICHARD & LAURA GESSLER	\$600.00
HAUGEN - HUSNICK HOMES	\$601.50
KEVIN M JUTZ	(\$262.34)
JAMES KRIZAK	(\$30.00)
TOTAL	\$909.16

ESCROW

CENTURY LINK	\$3,529.61
CONNEXUS ENERGY	\$338.00
FRONTIER UTILITY ESCROW	\$3,056.00
SCIENCE MUSEUM OF MN	\$0.00
WILDER FOUNDATION	(\$1,127.39)
XCEL UTILITY ESCROW	\$4,916.29
ROAD ESCROWS	\$2,500.00
PLANNING FEES ESCROW	\$909.16
TOTAL ESCROW	\$14,121.67

TOTAL ESCROW

\$14,121.67

TOTAL CASH & INVESTMENTS*

\$1,107,436.22

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

Fund Name: All Funds
Date Range: 11/01/2014 to 11/06/2014

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
11/06/2014	VOID	Printing error	17928			VOID
11/06/2014	Payroll Period Ending 11/01/2014		17929	\$290.00	100-41110-100	\$290.00
11/06/2014	Payroll Period Ending 11/01/2014		17930	\$1,366.24	100-41510-100	\$1,366.24
11/06/2014	Payroll Period Ending 11/01/2014		17931	\$2,271.50	100-41400-100	\$2,271.50
11/06/2014	Payroll Period Ending 11/01/2014		17932	\$290.00	100-41110-100	\$290.00
11/06/2014	Payroll Period Ending 11/01/2014		17933	\$3,605.22	201-43102-100	\$3,605.22
11/06/2014	Payroll Period Ending 11/01/2014		17934	\$2,829.59	201-43103-100	\$2,829.59
11/06/2014	Payroll Period Ending 11/01/2014		17935	\$290.00	100-41110-100	\$290.00
11/06/2014	VOID	Printing error	17936			VOID
11/06/2014	MARVIN L. SCHROEDER	Building rental - October	17937	\$800.00	201-43100-412	\$800.00
11/06/2014	BLUE CROSS & BLUE SHIELD OF MN	Health insurance - Marvin & Thomas Schroeder	17938	\$536.16	201-43102-130	\$109.00
					201-43103-130	\$427.16
11/06/2014	ASTECH ASPHALT SURFACE TECHNOLOGIES	Crackfill town roads	17939	\$15,355.00	201-43121-444	\$15,355.00
11/06/2014	BF LAUZON ENTERPRISES, INC	Asphalt repair - Quail Lane	17940	\$1,449.00	201-43121-439	\$1,449.00
11/06/2014	M. J. RALEIGH TRUCKIN INC.	Gravel - class 5	17941	\$278.85	201-43100-443	\$278.85
11/06/2014	WILLIAM KLEIN	Services at town hall park	17942	\$2,025.00	220-45202-407	\$2,025.00
11/06/2014	MARONEY'S SANITATION, INC	Garbage pickup - park	17943	\$77.14	220-45202-384	\$77.14
11/06/2014	ON SITE SANITATION	Porta potties for park - 2	17944	\$280.13	220-45202-387	\$280.13
11/06/2014	RELIANCE ELECTRIC MOTORS	Ejector pump repair for 201 Sewer	17945	\$457.50	230-49451-404	\$457.50
11/06/2014	C & B EXCAVATING/SEWER, INC	Monthly service charge & lift station maintenance	17946	\$1,135.00	230-49450-400	\$150.00
					230-49451-300	\$985.00
11/06/2014	CONNEXUS ENERGY	201 Sewer Electric	17947	\$309.85	230-49490-380	\$309.85
11/06/2014	CENTURY LINK	Town hall phone, clerks, 201 Sewer phone	17948	\$269.81	100-41940-380	\$269.75

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
					230-49489-380	\$0.06
11/06/2014	XCEL ENERGY	Town hall electric	17949	\$57.42	100-41940-380	\$57.42
11/06/2014	WRIGHT HENNEPIN	Town hall security - annual fee	17950	\$275.40	100-41940-300	\$275.40
11/06/2014	COUNTRY MESSENGER	Legal notices	17951	\$42.00	100-41001-351	\$42.00
11/06/2014	PIONEER PRESS	Legal notices - September	17952	\$329.60	100-41001-351	\$329.60
11/06/2014	PETER KLUEGEL	Building inspector	17953	\$679.53	100-42400-315	\$679.53
11/06/2014	PAUSZEK INC	Assessor	17954	\$1,300.00	100-41950-314	\$1,300.00
11/06/2014	HILLCREST ANIMAL HOSPITAL	Unclaimed animal	17955	\$90.50	100-42700-300	\$90.50
11/06/2014	BUG BUSTERS, INC	Spray town hall for bugs & wasps	17956	\$233.00	100-41940-300	\$233.00
11/06/2014	WASHINGTON CONSERVATION DISTRICT	WCA Permit Admin, Gressler WCA app	17957	\$63.00	100-46101-302	\$63.00
11/06/2014	POSTMASTER	1 Roll of stamps	17958	\$49.00	100-41001-322	\$49.00
11/06/2014	JEANNIE DAVIS	Clean town hall - Oct	17959	\$45.00	100-41940-110	\$45.00
11/06/2014	KENNY REUTER	Gopher feet	17960	\$265.50	100-49300-460	\$265.50
11/06/2014	JANET I. AHLGREN	Election judge	17961	\$160.00	100-41410-100	\$160.00
11/06/2014	MARY L. BURKE	Election judge	17962	\$160.00	100-41410-100	\$160.00
11/06/2014	ANN V. CUMMINGS	Election judge	17963	\$100.00	100-41410-100	\$100.00
11/06/2014	GRETCHEN DAVIDSON	Election judge	17964	\$160.00	100-41410-100	\$160.00
11/06/2014	JACQUELINE K. HOGAN	Election judge	17965	\$180.00	100-41410-100	\$180.00
11/06/2014	JANE NORBIN	Election Judge	17966	\$180.00	100-41410-100	\$180.00
11/06/2014	MITCHELL A. OTTERSON	Election judge	17967	\$205.00	100-41410-100	\$205.00
11/06/2014	NANCY L.T. ROSENBOWER	Election judge	17968	\$80.00	100-41410-100	\$80.00
11/06/2014	SUSAN ST. SAUVER	Head Election judge	17969	\$258.00	100-41410-100	\$258.00
11/06/2014	ROBERT M. SWINEHART	Election judge	17970	\$190.00	100-41410-100	\$190.00
11/06/2014	LINDA L. KLEIN	Insurance, mileage, office supplies, election supplies	17971	\$518.09	100-41001-200	\$70.98
					100-41001-331	\$84.00
					100-41400-130	\$182.90
					100-41410-200	\$180.21
11/06/2014	CHERYL D. BENNETT	Insurance, mileage	17972	\$391.83	100-41001-331	\$136.08
					100-41510-130	\$255.75
11/06/2014	NAC	Planning & zoning	17973	\$2,751.60	100-41910-317	\$1,324.86
					100-49499-317	\$1,019.19
					230-49498-317	\$407.55

Town of May

Disbursements Register

11/06/2014

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
11/06/2014	WSB & ASSOCIATES, INC	Engineering - 2 months	17974	\$5,696.50	100-41911-910	\$674.50
201-41911-303					\$4,025.00	
230-41911-303					\$997.00	
11/06/2014	JARDINE LOGAN & O'BRIEN	Legal fees - Gombold	17975	\$374.00	100-41600-910	\$374.00
11/06/2014	JOHNSON/TURNER ATTORNEYS AT LAW	Legal fees	17976	\$3,040.50	100-41610-304	\$1,377.00
					100-41610-909	\$47.25
					100-41610-910	\$15.00
					100-41610-911	\$828.75
					100-49498-304	\$506.25
	100-49499-304	\$266.25				
11/06/2014	PERA	Coordinated & DCP w/holdings/616000	17977	\$1,910.42	100-41110-121	\$303.30
					100-41400-121	\$93.00
					100-41510-121	\$280.22
					201-43102-121	\$658.26
					201-43103-121	\$575.64
11/06/2014	IRS - INTERNAL REVENUE SERVICE	Federal withholdings	EFTF1114	\$3,771.81	100-41110-170	\$27.00
					100-41400-170	\$87.96
					100-41400-171	\$376.08
					100-41400-172	\$250.94
					100-41510-170	\$60.20
					100-41510-171	\$257.38
					100-41510-172	\$300.95
					201-43102-170	\$141.40
					201-43102-171	\$604.62
					201-43102-172	\$405.69
					201-43103-170	\$123.66
					201-43103-171	\$528.74
					201-43103-172	\$607.19
11/06/2014	MN DEPARTMENT OF REVENUE	State withholdings ID# 2478214	EFTS1114	\$668.60	100-41400-173	\$126.79
					100-41510-173	\$119.96
					201-43102-173	\$187.33
					201-43103-173	\$234.52
Total For Period				\$58,142.29		
Total Year To Date				\$912,894.98		