

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**OFFICIAL TOWN BOARD MINUTES**  
**October 5, 2017**

The Board of Supervisors of the Town of May convened their regular monthly meeting on Thursday, October 5, 2017, at the May Town Hall. Those present included: Bill Voedisch, Board Chair; John Pazlar, Supervisor; John Adams, Supervisor; Katie Koscielak, Town Engineer; Linda Klein, Town Clerk; Cheryl Bennett, Town Treasurer, Dave Snyder, Town Attorney; Jack Kramer, Building Inspector, John Arnason, Planning Commission Chair, and residents of the Town of May, Marine and elsewhere. Voedisch called the meeting to order at 7:00 PM.

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

Voedisch moved, seconded by Adams, to approve the minutes of the September 3, 2017 regular board meeting. All approved.

Voedisch moved, seconded by Adams, to approve the minutes of the Special Meeting to award contract for dust control on September 21, 2017. All approved.

Voedisch moved, seconded by Adams, to approve checks 19212 through 19248 for the month of September, as well as electronic funds transfers EFTS1017, EFTF1017 to the State and IRS respectively, as presented. All approved.

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

Treasurer Bennett asked for motions to move funds and purchase CDs. Voedisch moved, seconded by Pazlar, to transfer from the 201 Sewer Fund: \$5,000 to the 201 Replacement Fund, \$6,650 to the 201 Pumping Fund, and \$600 to the General Fund. All approved.

Voedisch moved, seconded by Adams, to add \$5,000 to the 201 Replacement Fund CD for a total of \$67,752.97 and purchase a 201 Pumping Fund CD in the amount of \$16,463.17. All approved.

The check register and treasurer's report are attached to these minutes and serve as the official record. Pazlar reviewed the outstanding bank statements.

**Planning Commission**

**Short Term Vacation Rentals – Proposed Ordinance**

Planning Commission Chairman John Arnason reported on the discussion of the proposed ordinance. Short term or vacation rentals are when people rent out homes, cabins, or rooms to the public for short periods of time. This type of use is currently not permitted by the Town Code and the intent of the ordinance is to provide clarity. The use is commercial in nature and out of character with the rural residential nature of the Town.

Resorts are a conditional use in the Rural Residential District and to ensure that the prohibition on short term rentals is compatible with this use, more specific standards for resorts included in

the ordinance. The proposed standards are from the County's Zoning Ordinance. It states a minimum lot size of 10 acres, 50% open space required, no more than one unit per acre, and no more than 50 units total. Also, the definition was changed to match the state licensing criteria of a minimum of five units. At the Planning Commission meeting, Planner Sparks stated that the state licenses all places where rooms are offered for rent for one night or more as hotels. According to the State Department of Health, short term rentals are in this classification but rarely are licensed. Washington County enforces the licensing and says they do enforcement on a complaint basis. When they get a complaint or request for a license, they check the zoning of the Township. Since the Town does not permit this use, they would not grant a license.

The commission spent a fair amount of time rehashing the existing ordinance in relation to resorts. Some believed that resorts should be removed from the ordinances. Others thought that short term rentals could be allowed with limits. In closing, Arnason advised that the Planning Commission voted 5-2 to recommend approval of the ordinance, with two people dissenting. Rydeen wanted to remove resorts; Otterson believes the issue does not reach the level of major concern requiring an ordinance.

Voedisch commented that the Board asked for the review based on past complaints in the small lot setting of Big Carnelian Lake, where the noise and activities of weekend renters can be a nuisance to the immediate neighborhood. He stated it sounds like the issue of resorts probably needs to be revisited. Voedisch moved, seconded by Pazlar, to send the ordinance back to the Planner for additional review. All approved.

Arnason reported that Steve Magner had been elected as vice chair of the Commission.

### **Firearms Incident**

Town Attorney Snyder opened the hearing and presented background on the shooting incident and how the hearing should proceed. The incident was a round entering a house in Jackson Meadow from a location on Orwell in May Township on August 20. A bullet penetrated the Powell home at 123 Egret, and Washington County Sheriff's Deputy reports indicated the round was discharged from 16265 Orwell. Snyder invited the Powell's to attend the hearing, along with the Christianson's, residents of the property on Orwell, who were represented by Attorney Benjamin Rust. Snyder invited commentary from the public who have facts that bear directly on the specific incident, not about general thoughts on firearms, ordinances, etc. Commander Andrew Ellickson, head of Investigations for the Washington County Sheriff's Department, was also in attendance.

Ms. Powell submitted a two-page statement outlining the details of the event, which is attached to these minutes. After the Powell's reported the bullet entry to the Sheriff on August 20, deputies began investigating the incident, and those investigative reports are attached to these minutes.

The sheriff's reports state that the origin of the bullet was 16265 Orwell. That property is occupied by Brett Christianson, who was not present on the day the shooting took place. Unknown to Christianson, 7 total people arrived on his property to shoot, some who he did not know. David Hanson was the apparent organizer of the shoot and the group arrived at around

11:00 am and left at 5:00 pm. They were shooting with rifles and pistols, with a variety of calibers. Hanson was present at this hearing and could not attest to the shooting and range safety abilities of all the shooters. On tours given to Town Board members Adams and Voedisch, they were shown that shooters stayed in one place and 4 targets were set up from 25 yards and farther away, with the far target, a 10" gong, being 200 meters away. Efforts were made to contact each of the shooters by the Washington County deputies, and they interviewed the shooters. The interviews revealed that many shooters attempted to shoot at the far target. It was stated that the target was placed in front of a corn field. Adams and Voedisch both reported that no earthen berm or hill existed behind any of the targets. Questioning indicated that shooters were both experienced and inexperienced.

One of the participants, Philip, indicated that, in his view, the 200 meter target was not the safest target to be shooting at, given the backdrop was a corn field. Philip also stated that both Emily and her father had trouble hitting the gong. The police report indicated a spotting scope was in use, and that some errant shots at the gong had hit a tree. Social media photographs had been taken of participants shooting rifles and wearing ear protection. Based on the interviews, it was not possible to identify the exact individual(s) who fired at the far target, missed, with the round(s) ending up leaving the property, with one entering the Powell's house. The bullet located in the Powell house was extracted from the wall and is at the BCA for analysis.

The Town Board considered the issue at their last meeting, selecting Board member Adams to take a leadership role in working with Snyder on this matter. Snyder wrote a letter to the Christianson family and let them know the Town Board would be considering it at this meeting, and invited them to attend. Benjamin Rust, attorney for the Christianson's, invited the board members and Snyder to come out and inspect the property. Voedisch and Adams did visit the site separately. After asking for input from Rust and Christiansons, Snyder asked for comments from the board members who visited the site. He also asked Commander Ellickson to provide input and answer questions.

Snyder concluded, based upon GIS maps, that the Orwell property is upward sloping to the east, covered with sparse trees, and not an ideal location for a west-to-east shooting range. The opinion of the attorney is that it is very likely, given the shooting layout, that a bullet will leave the property due to the absence of any positive backstops, and that shooting was oriented in an uphill manner, which forces the person to aim the muzzle of the gun upward to get at the far distant target. The natural tendency of a firearm when shot is to send itself upward, which creates a compounding effect. Snyder offered a resolution to the board noting no further shooting should occur from the Orwell site, with two exceptions. The resolution stated that shooting locations violated the Firearms ordinance that shooting not take place closer than 500 feet from another residence. Further, unsafe shooting would constitute a Nuisance, also per Town ordinances. Snyder offered a map from the engineer showing potential shooting lines towards the northeast as well as a 500 foot radius circle from the 16281 Orwell property house.

The Washington County deputy reported that investigations were started on August 21, and he confirmed all the comments from Snyder are correct. In consulting with Snyder, the DNR and County Attorney, they Sheriff's office felt they not charge the Christianson's or any of the shooters with a firearms offense.

Of the two board members who were given a tour of the property, Adams spoke first. For the placement of the shooters and the 4 targets he was shown, he noted no earthen berm or positive backstop behind any of the targets. By his observation shooting at the far target was uphill and he submitted the 2-foot contours of the property verifying this. As an experienced shooter Adams stated trying to hit a 10" gong from 200 meters takes skill. He also noted that the back drop of the far target he was shown was not a cornfield as shooter Philip stated, but was grass.

Adams then provided more information based on sheriff's reports. He noted several important items in the sheriff's report.

1. On page 2, it was noted that whoever was doing the shooting was not doing so with a proper backstop.
2. Behind the far target was an opening in the trees which allows any errant round to leave the property in the direction of Jackson Meadow.
3. Shooter Phillip admitted that two of the shooters did have difficulty hitting the far steel gong target, and both missed a couple of times.
4. One person shot at the steel target and missed, hitting a tree.

Adams said that in walking the property, there is a potentially dangerous situation created by shooting uphill (also possibly in a prone position) with no backstop. He concluded that this was an unsafe condition for shooting.

Snyder asked Ellickson if they are certain of the caliber of the bullet, initially thought to be a 223 bullet. He advised that it was with the BCA now. Attorney Rust asked when the round was sent off to the BCA. Rust asked why there is not a picture in the room of the window where the bullet went through. A resident asked if a rifle has been matched to the bullet, or if they do not know which rifle shot the bullet. The only time they were at the property to investigate was August 21. David Hansen, 7639 Miner Avenue N, identified in the police report, asked about hearing shooting from two different areas, possibly northwest. He believes it could be assumed there was shooting from two different areas. Chris Mowery, Marine on St. Croix, asked if once the bullet is reviewed by BCA, if someone can be charged. What about the homeowner's responsibility for this? The deputy stated that, based on the shooter interviews, there is no clear evidence of who the shooter was for the bullet entering the Powell home. Rust stated that a steel target deflects the bullet down.

Snyder asked Hansen if he was at the Orwell property shooting. He said yes, plus six others. Snyder asked for a description of the shooting experience. Hansen said besides himself, four were experienced shooters. For the other two, he did not know their experience level. Hansen was responsible for organizing the shooting. Hansen said one was a helicopter pilot with experience, his wife and his in laws. Hansen verified there was a steel gong set up on the property. He could not identify who exactly was shooting at the steel gong. Snyder asked Hansen to come forward and identify where the steel gong was located on the map. Hansen stated that the gong was on a 2 x 4 approximately 4 feet above the ground. The location of the place marked is within a 500 foot radius of the home on 16281 Orwell, and over half the 16265 Orwell property is within that radius. Snyder asked how far from the eastern most boundary is the nearest house or building. Mr. Hansen stated that he does not know. Snyder asked if perhaps

he should know how far they are from a residence, given the 500 foot restriction. Snyder asked if he knew how far Jackson Meadow is from the shooting area. Did anyone know how far they were from residences? Hansen said there were no buildings they could see.

Snyder then invited Attorney Rust and the persons he is representing to give their statements. Brett Christianson read a statement expressing regret. He admitted they allowed 5 people to shoot on their property that day. They had reason to believe the guests would behave well, and they were not at home because his wife had been taken to the hospital with a serious infection. After the deputy visited them, they secured Rust as an attorney. The Christianson's stated that the people present on their property that day will not be allowed to be there again, and they will always be home when shooting is taking place.

Rust stated that a range was not created on the property; they simply drove to the location in a pickup and set up. An earlier incident was reported to the sheriff, and it was determined at that time, they were shooting safely. He concluded that there are safe locations for shooting on the Christianson property. He admitted there was not an adequate backstop. The shots that hit the Powell's house cannot be clearly identified as belonging to a specific gun. Rust disagrees with the resolution prepared by Snyder, which would prohibit any further shooting activity on the Christianson property. Snyder asked Rust to take a look at the 500 foot radius map, which includes at least ½ of the Christianson property. Snyder also stated that the target identified by Hansen would be in line with a variety of houses and structures to the east.

Rust asked Snyder to define nuisance, stating this was a one-time incident and will not happen again. He also indicated there are exact procedures to be followed when citing a nuisance. Voedisch indicated that nuisances are often re-occurring acts that annoy over time, but that the Nuisance ordinance also has a clear statement on public safety.

Voedisch was also offered a tour by Christianson and Attorney Rust. He submitted a disc that was given to all board members, containing two body cam videos from Officer Yetter and three photos, two of empty bullet jackets on the ground and third appears to be a photo of the shooting site. The second body cam video was Yetter and another officer walking with Christianson.

Voedisch said the range he was shown by Christianson and Yetter had a grass field as a backdrop, the field being on the Don Leick south 40 acres. However, shooter Philip stated there was a corn field as a backdrop. Voedisch submitted a photo he took from the Don Leick south 40 towards Christianson, and there is no cornfield, only grass. He then submitted a photo of the only cornfield that bordered the property, and it is on the property to the north, 16281 Orwell.

Voedisch then turned to the aerial map submitted by the Town Engineer, with features affixed. One feature was a 500 foot radius circle from the house on 16281 Orwell, which encompassed all shooting locations shown during the tour. Thus the shooters were in violation of the Town's Firearms ordinance by shooting closer than 500 feet from a neighboring house.

Another feature of the engineer's aerial was a line drawn from the shooting area with the corner of the north corn field as back drop, with that line going directly towards 123 Egret. When on site Voedisch noted the cornfield-as-backdrop statement by Philip and suggested to Christianson

and Rust that the range they were showing him might not have been the range at all, that the shooters could have been shooting more northeast.

Voedisch also stated that from the shooting pad he was shown, rounds to the gong target near the eastern lot line, were uphill. He verified this observation with a leveling glass he used on his tour. He showed Rust how to use the glass. Voedisch noted that there were no protective shooting berms anywhere targets might have been placed east of the shooters. He noted the close targets allowed for shooting into the ground, but the far gong target, whether with the Leick grass field as backdrop, or the 16281 cornfield as backdrop, allowed rounds that missed the target to leave the site, that shooting to both locations was uphill and without a berm backstop. Given his experience on military rifle ranges, Voedisch stated the situation was totally unsafe.

As to Hanson's statement that shooting that day was from two locations, Voedisch recounted the first Yetter body cam video with the neighbor at 16281 doing a tour for Yetter, and that it seemed the neighbor was saying shooting from 16265 was sometimes louder or quieter, based on the shooters being closer or further away, from 16281.

Voedisch asked Adams if rounds fired from any of the three rifles noted, if aimed uphill, could travel 1.1 miles. Adams indicated that all three rifles are capable of shooting that far.

Voedisch stated that unsafe shooting constitutes a violation of the public health and safety aspect of the Town's Nuisance ordinance, so there were two violations of the Town Code.

Voedisch then stated that the Board is not here to determine the specific firearm that shot the round that entered the Powell house, nor are we trying to name the shooter. We are trying to analyze the safety of the site for shooting as conducted that day. The conclusion reached by both himself and Adams is that, the shooting conditions used that day were clearly unsafe and that rifle rounds that missed the gong left the property.

Pazlar noted that the gong was put very close to the east property line. He felt it would be guaranteed that missed shots would leave the property given where that target was placed.

Voedisch asked Mrs. Powell if she would like to correct the date in her submitted statement, and she did. She then read the last two paragraphs of her statement to the board asking for the individuals to be held accountable. Stewart Krahn, 188 Kingfisher Lane reported, as a neighbor of the Powell's, that he was home at the time and helped the Powell's that night. When he was attempting to patch the window, he heard more rounds going off from the same area. He stated this is a very dangerous situation.

Snyder proposed a Town Board resolution allowing no shooting on this property into the future, with the exceptions being pellet guns and shotguns using bird shot shells. The resolution cites violations of the Town's Firearms ordinance Article 504, and the Town's Nuisance Ordinance Article 506. The property owner does not oppose the shooting ban, but she wants to still have the opportunity for her father to hunt deer on the property, using shotgun with slugs. The Board agreed that deer hunting from an elevated stand, using a shotgun with slugs, should be added to the exceptions.

Mr. Rust asked if it would be possible to not vote on this resolution tonight, giving time for the Christianson's to work with the Board to mediate the unsafe shooting conditions and come to a compromise. Snyder noted that the resolution is a supported conclusion of unsafe shooting conditions that occurred, and it should be adopted.

Rust noted that as written, it states the property itself as being unsafe for shooting, when the findings are that as conducted that day, shooting was unsafe. Adams and Voedisch agreed and made hand written edits to the resolution to that effect, as well as adding by hand, the shotgun with slugs exception.

Voedisch moved, seconded by Pazlar, to adopt Resolution 2017-17 arising out of and relating to unsafe shooting conducted August 20<sup>th</sup> at 16265 Orwell Road N., prohibiting discharge of firearms on this property with exceptions as identified in the resolution, as amended by hand by the board at the meeting. Roll call vote: Voedisch, yes; Pazlar, yes; Adams, yes. Motion passed and resolution approved.

To address Rust's concern that this restriction seems permanent, Voedisch stated that these restrictions do not have to be for all time if the Christianson's, working with the Town, can define a safe target shooting range. Adams will work with the Christianson's in this regard.

## **Engineering and Roads**

### **Bituminous patching**

Brochman Blacktopping has completed the miscellaneous patchwork throughout the township and the work has been reviewed and approved by the Board. A payment was approved with the October check register of \$14,850.

### **Sweeping – Queen's Way, Ridgewood Acres**

Additional sweeping by Mike McPhillips has been completed and his check authorized with the October check register.

### **Town Hall Addition**

Construction of the Town Hall Addition is moving forward as scheduled. The following identifies work completed to date:

- Stairwell and its foundation demolished
- Basement excavated for addition
- Footings poured and block wall laid
- 90 percent of siding removed
- Post pads cut in and poured in existing basement
- Foundation waterproofed and insulated
- Interior and exterior drain tile installed
- Basement floor insulated and poured
- Foundation back filled with sand
- Floor framing and subfloor (cap) completed

The contractor is on schedule to complete the addition framing by October 16. As the framing is being completed, the contractor will be vacuuming out existing attic insulation and trenching for utilities (all public and private lines have been located.) For more detail, see WSB staff report for October. Check was authorized to River Valley Restoration in the amount of \$25,786.77.

### **2017 Paved Road Tour**

Staff along with Board Chair Voedisch met September 28, 2017 to review all paved roads in the Township. A summary was included in the WSB staff report.

### **2017 Calcium Chloride – 2<sup>nd</sup> Application**

A special meeting was held on September 21, 2017, to award the Calcium Chloride 2<sup>nd</sup> application to Northern Salt. It was applied, but it is generally believed it was too soon after a rain. Northern Salt has been notified of the Town's concern.

### **Sign Replacements**

The two "25 MPH" signs from the City of Maplewood have been manufactured and staff is coordinating with Tom Schroeder to install them along 130<sup>th</sup> Street. WSB has requested an invoice from the City of Maplewood.

### **Culvert Repairs**

Fuhr Trenching has been authorized to complete the culvert repairs on 155<sup>th</sup> Street and 130<sup>th</sup> Street. The watershed indicated a month ago that water levels at Carnelian Creek at 155<sup>th</sup> Street were low enough to complete the repair, although this needs to be reviewed based on the most recent rains. The watershed has offered to throttle water flows completely during the repair at the request of the contractor. Voedisch indicated the Fuhr has been instructed to handle the 130<sup>th</sup> cul-de-sac first and that the 155<sup>th</sup> culvert will likely have to wait for water levels to recede.

### **Old Guslander Erosion**

Fuhr Trenching has provided a quote to complete two new erosion repairs along Old Guslander. The original quote received was felt to be too high so Voedisch and Fuhr will review the work again in the spring.

### **Old Business**

#### **Panorama Avenue**

Katie reported that she is now working with a pavement specialist at WSB and he recommended taking recycled shingles and blending with aggregate. It costs about the same as adding recycled asphalt mixed with aggregate, is a more stable surface and also serves as dust control. They will review some roads where this has been done. Voedisch said most residents think the road is too high and material should be taken away before new material is added. Also we could set grading stakes so that the end result is a road that pitches slightly towards the lake.



## **New Business**

### **Dry Hydrant Repair**

Voedisch brought forward a quote for \$750 from Peterson Excavating to repair the dry hydrant on Boot Lake. Voedisch moved, seconded by Pazlar, to approve a bid from Peterson not to exceed \$1,000 for repair of the dry hydrant. All approved.

### **Tandem Truck Work**

Voedisch reported that the tandem truck needs repair as rust and age are taking a toll. He presented the details of the email from Dresel itemizing repairs necessary to the transmission, hydraulic tank and lines, injector system, and steering sector. He asked for a motion to proceed with a subset of this work. Adams moved, seconded by Pazlar, to approve repair costs at a not-to-exceed amount of \$10,500 for the subset of repairs. All approved.

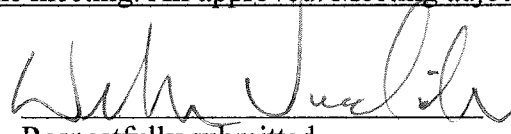
### **School Bus Routes**

A driver from the bus company serving the new school at Wilder appeared to complain about the roads being used to transport students to the new school at Wilder. He is of the opinion that they should be using Oldfield north-south Road to get to the school. Voedisch advised him that the Conditional Use Permit for the school itemizes the roads to be used, and this is not one of them.

He stated that the "Oldfield NorthSouth" prohibition for traffic in and out of Wilder is historic and has been part of past permits. The reason is the large number of homes and high traffic already on this road compared to the CR55-to-Eastwest Oldfield route. He concluded by saying the school is working with the bus company and that they expect no further problems.

Voedisch moved, seconded by Pazlar, to adjourn the meeting. All approved. Meeting adjourned.

Attest: \_\_\_\_\_  
Linda L. Klein  
Town Clerk

  
Respectfully submitted,  
William K. Voedisch

**TOWN OF MAY  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2017-17**

**A RESOLUTION ARISING OUT OF AND RELATING TO PROPERTIES LOCATED AT  
16265 ORWELL ROAD NORTH, MAY TOWNSHIP, MN AND 123 EGRET LANE,  
MARINE ON ST. CROIX.**

**WHEREAS**, on October 5, 2017, the May Town Board reviewed evidence and heard testimony relating to a shooting incident which is alleged to have occurred on August 20, 2017.

**WHEREAS**, based upon the files, records, evidence and testimony at the hearing, the Board makes the following findings of fact:

**FINDINGS OF FACT**

**WHEREAS**, the May Town Board has been alerted to a shooting incident, on August 20, 2017 which is claimed to have resulted in an occupied single-family residence, located at 123 Egret Lane in neighboring Marine on St. Croix, being struck and penetrated by at least one bullet.

**WHEREAS**, police reports from the Washington County Sheriff's Office ("WCSO") are annexed hereto and incorporated herein by reference. These include the following observations:

\*On 08/20/2017 at approximately 1514 hours WCSO was dispatched to go to 123 Egret Ln in Marine on the St. Croix to take a property damage/shots fired report.

\*Upon arrival WCSO was met by the complainant, JANE ELLEN POWELL, who advised them that a short time before she called the Sheriff's Office she noticed that her second floor window that faces the west had been shattered. She stated a short time later that she noticed there was two holes in the sheet rock wall just on the opposite wall from where the window was shattered. At that time she stated that she realized that it was an ammunition round that came through the window and stuck in her sheet rock wall.

\*WCSO took pictures of the damaged window and the wall. The round did not come all the way through the opposing side of the wall into the bathroom but there was sheet rock dust on the bathroom counter top where it could have possibly penetrated. Two distinct holes in the wall that looked like they penetrated at an angle. The window was facing west and it appeared the round came from the west, possibly the southwest. At that time, MS. POWELL stated that she did hear several what she thought was gun shots prior to noticing the damage to her residence but did not know exactly where they came from. She stated that it sounded like they were coming

from the west.

\*Thereafter, WCSO tried to locate anyone shooting in the area. WCSO stopped at 14885 Old Guslander Tr. and spoke to the residents there. They stated that they did hear some gunshots earlier but it sounded like it was coming from the south of their residence. WCSO also stopped at 14779 Old Guslander Tr. Those residents stated that they were just returning home but did remember possibly hearing gun shots but it was to the south of their residence.

\*WCSO then checked a couple more residences where people were not home off of Old Guslander then went to Orwell Rd where previous reports of shooting complaints at 16265 Orwell were located. WCSO parked next to that residence for approximately 25 minutes and did not hear any shooting coming from the residence but did hear some shooting in the distance, possibly to the northwest of Orwell.

WCSO then went down a gravel driveway next to 16265 Orwell and looked in the backyard and did not see anybody shooting from that location. They then travelled approximately a half a mile down the dirt road to a pasture area to try to listen for any gunshots off of Orwell but did only hear one gunshot and it appeared that it was coming from the northwest, possibly off of Old Guslander.

WCSO deputy Yetter knew from prior contact of some shooting that occurred back in June of 2017 at 16265 Orwell Rd N, Marine on St. Croix. The individual that lives at that residence is BRETT PARISH CHRISTIANSON. WCSO made contact with NICHOLAS JON DINZEO, at 16281 Orwell Rd N, in May Twp. DINZEO resides at the residence to the north of CHRISTIANSON'S property. DINZEO did state that individuals, unknown who, were shooting at the CHRISTIANSON property the day prior approximately around the 1500 hours time frame. DINZEO stated that he could hear some shots that were close to the residence and some shots that were far away along with some shooting that was being done in two round bursts. DINZEO did walk deputies back to the backside of the property and showed where the individuals were shooting. DINZEO showed where the property line was where their targets normally are located and where they usually set up.

Thereafter, WCSO made contact at 16265 Orwell Rd in attempt to make contact with BRETT CHRISTIANSON. His son was on scene and said that he would be home in 45 minutes. Deputies arrived back at 45 minutes where they spoke with CHRISTIANSON and he explained that seven individuals on 8/20/2017 were shooting on his property. CHRISTIANSON stated that he did not take part in the shooting and he was gone for most the day when the activities were occurring. He stated that a DAVID ALAN HANSEN, along with a DAWN MARIE LISTNER, , their nephew unknown name, a female named EMILY unknown full information, a PHIL which is a son of EMILY, unknown full information, and EMILY'S parents, unknown name and full information, were all shooting at the residence which would be east of CHRISTIANSON house on the back side of his property. CHRISTIANSON did have pictures of the incident that he had located on Facebook. One picture is of a female shooting a handgun and a male behind her, unknown name of the individuals but in the background you can see the two targets in a line in the grass leading directly to an opening in the trees which is in a straight line to the residence of 123 Egret Ln, approximately 1.1 miles away. Second picture of a young male shooting an AR

style black long gun with a black scope and a female, believed to be DAWN LISTNER, also shooting that same rifle, black in color with a black scope. Third picture is of a younger male in an orange cap shooting a wooden stock long rifle colt action with a black scope, unknown caliber; the bottom part of that picture the same male looking through the scope of the same rifle. The fourth picture is of an older male, possibly EMILY's parents, and younger male in a white T-shirt assisting the older male shooting the black AR style long gun with the black scope. Also in that same picture is another older female shooting that same black AR style rifle with the black scope.

CHRISTIANSON, after showing the pictures, then took WCSO into his backyard and showed me where the individuals were set up and where their vehicles were parked, being able to identify from the pictures that he had located on Facebook. WCSO collected several 223 rounds along with several 9mm handgun rounds that were located in the grass to the right of where the individuals were shooting which would be consistent with the right eject semi-automatic rifle that was being shot. CHRISTIANSON and deputies then walked back into the field and tried to locate where the targets were located but only found tire tracks from matted down grass but no targets left in the field. CHRISTIANSON did send WCSO the four different pictures which were screen shots off of his Facebook account. CHRISTIANSON stated that he was unsure if HANSEN or LISTNER were the individuals that posted the pictures on Facebook.

09/05/2017 WCSO received a call from Hansen. Hansen stated the following information: Hansen said he was at Christianson's home on Orwell on 08/20/2017 along with several other friends target practicing on the property. Hansen said he had been friends with Christianson for eighteen years. Hansen said he was aware that a house had been hit by a bullet that day. Hansen said he was he was sorry and sick over what had happened and safety was very important to him when dealing with guns. Hansen said the group was shooting at the back of the property towards the hillside shooting with his girlfriend Dawn Marie Listner, his nephew Mike Beckman and his wife Emily Beckman, Emily's parents and Hansen's son Phillip were the seven people there shooting guns. Hansen told me Christenson was not home at the time but Christianson's son was home but Hansen said he never saw anyone from the home while they were there unit they were cleaning up. Hansen said no one was drinking that day and he was shooting his 300 win mag and his son was also shooting a 300 win mag, Mike Beckman was shooting a 6.5 creedmoor. Hansen said they fired approximately 80 rounds through an AR which fired .223. The group also shot 60 rounds through a 9mm handgun. Hansen said Mike, Emily and Emily's father fired the AR. Hansen said the AR was fired from 25 yards and 100 yards. Hansen stated he and Phillip were sighting in their 300 win mag rifles for a future hunting trip and he fired 20 rounds through the creedmoor, Phillip fired 15 through the creedmoor and Mike Beckman fired 30 through the creedmoor. Hansen said there were about 60 rounds fired through the 9mm at 25 yards or less.

Hansen stated no one tried to shoot at an animal or a bird and all rounds were fired at the targets in what they thought was a safe manner. Hansen said he was not aware of any accidental discharges, misfires or if anyone had missed the target they were shooting at. Hansen also said he looked at the map and he did not feel the house was in line with where they were shooting but he also said he would take responsibility for anything that happened. Hansen also said he did not hear any other shots being fired in the area the day they were shooting.

WCSO spoke with Listner. Listner said the group had permission to shoot at the property and when they arrived, no one was home at the house. Listner said Hansen brought the 9mm the AR and one of the 300 win. mag guns. Listner said Phillip brought another 300 win mag and Mike Beckman brought the creedmoor. Listner told me she shot the creedmoor, the 300 win mag for both Phillip and Hansen.

Listner said she was surprised to hear what happened and she was sorry. Listner said the in laws did not bring a gun with them and the creedmoor was at Emily's brother's house since they are in South Korea. Listner said she did not know who Emily's brother was or his name but knew he was in Law Enforcement. Listner said they arrived at Christenson's home around 1100 hours and left after shooting around 1700 hours but they did not shoot the entire time they were there. Listner also said Christenson was not home while they were shooting but he did arrive home right before the group left. Listner said she did not remember anyone misfiring or missing the target. Listner said they had scopes out watching everything but there were no reports of any misfires while they were there.

WCSO spoke with Phillip David Hansen who confirmed he was at Christianson's home shooting on the 20th. Phillip confirmed the people who were there shooting on that day and he said it was the first time he had met Mike and Emily Beckman and Emily's parents. Phillip said he was using a spotting scope to monitor the shooting that day and he felt the shots were done in a safe manner. Phillip did say after hearing about the house being struck he felt the longer range where they shot at a 10" steel gong target 200 meters away may not have the safest target to shoot at since there was a corn field behind it. Phillip confirmed he brought his 300 Browning win mag bolt action to the range and David brought his Savage 300 win mag bolt action rifle. Phillip said the 9mm handgun was a semi-automatic, the creedmoor was a bolt action and there were two AR semi auto rifles at the range that day but only one was fired. Phillip said he shot the creedmoor one time.

WCSO asked Phillip if he saw anyone misfire or have an accidental shot while on the range and Phillip said he did not see that happen. Phillip did say Emily and her father did have difficulty hitting the steel gong target and Emily and her father both missed the target a couple of times but Phillip could not say if the shots went over the targets beyond the hill or not.

WCSO called Connie Wallin and spoke with her on the phone. She stated that she had arrived at the home to target shoot with her husband Dwight after everyone else had arrived. Connie said she only fired one shot from the Creedmoor at the steel target which she said she knew she hit because she could hear the shot hit the steel. Connie said she was satisfied with the shot and chose not to shoot anymore. Connie said she was not aware of any accidental shots or misfires and she did not see anyone shoot at anything other than the targets. Connie did tell me Dwight shot at the steel target and missed hitting a tree. Connie said they were using a spotting scope while shooting so they knew the shot Dwight missed hit a tree. Connie told me after Dwight missed, he shot at closer targets to ensure he hit what he was shooting at.

WCSO spoke with Dwight Paul Wallin on the phone about the incident. Dwight stated he was at the home shooting that day and he had fired six rounds from the Creedmoor and four

rounds from the AR rifle. Dwight said he missed the steel target twice with the AR and hit a tree. Dwight said they were using a spotting scope and they were able to see the rounds had hit a tree. Dwight said after he had missed, he shot at closer targets after that. Dwight said he did not have any accidental shots or misfires and he only fired the guns down range at the targets and never shot at any animals.

**WHEREAS**, the layout of 16265 Orwell is depicted in the photographs annexed hereto. Investigative reports from Washington County deputies are incorporated herein. A disc with body cam video's and photos taken by deputies is made part of the public record be being included by reference in the minutes of this meeting, and is included by reference hereto.

**WHEREAS**, investigation and reports by WCSO deputies indicate the origin of the bullet (s) that struck 123 Egret was 16245 Orwell.

**WHEREAS**, during site tours given to two Town Board members, shooting was presented as being oriented West to North East, and beyond the far target was Don Leick's south 40 acres which is in grass. From interviews with the shooters, on the day in question, shooting was reportedly taking place at distances which varied from 25 yards or less to "200 meters". Shooters would stand in one spot and engage the targets. Shooting at the first two targets was downward from level, however shooting at the far target (described as the 200 meter target), a 10" gong, was upward from level, as determined by the use of a leveling eyeglass.

**WHEREAS**, shooting gongs are typically suspended so as to enhance the audible gong on impact. Body cam video from Officer Yetter who with Christianson, was looking for holes of stray bullets in trees to the rear of the suggested gong location, indicates the gong was likely 3 or more feet off the ground.

**WHEREAS**, behind this far suggested target site as presented, that is, at the easternmost end of the property, there is no berm, backstop or other feature or structure that would serve to positively block rounds from leaving the 16265 Orwell property, particularly for shooting in the above-described direction and distance as was done on the day in question. No shooting berms were seen anywhere on the property during the site tours given to the Town Board members.

**WHEREAS**, by aerial photo measurement, the location of the shooters appears to have been 450 feet from a neighboring residence located at 16281 Orwell road lying to the north, thus closer than the 500 feet allowed by the Town ordinance.

**WHEREAS**, in statements made by shooter Philip, for two of the shooters, multiple AR rounds missed the gong. Phillip further stated that shooting at a 10" gong 200 meters away may not have been the "safest" target since there was a corn field behind it.

**WHEREAS**, the only adjacent cornfield is located in the SE portion of 16281 Orwell and with no cornfield on the Leick south 40 acres, the shooting range as presented by Christianson during the tours given to the Town Board members, may not have been the exact range actually used by the shooters on August 20, 2017.

**WHEREAS**, beyond the 16265 Orwell property, lying approximately 1 mile or more to the Northeast is the Jackson Meadow housing development, including the Powell home, located at 123 Egret Lane. This development consists of a number of occupied single family residences which are typically large, two-story residences. These residences are arranged more densely (more closely together and taller) than many in the surrounding area.

**WHEREAS**, the deputies on scene at 123 Egret removed at least one .223 caliber bullet from an interior wall of the house on the day in question, the round first penetrating a glass window, with the deputies stating that .223 caliber ammunition being that which is used by an AR firearm. It appears that every one of the guns shot on the day in question at the 16525 Orwell property provide a projectile distance that is far longer than the overall length of the property, and further, the rifles involved, and particularly the .223 AR, are typically sufficiently powerful to allow their projectiles to reach the Powell residence from the Orwell Road property.

**WHEREAS**, the property owner was represented by Benjamin Rust Esq. He stated that

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**WHEREAS**, Article 506 of the May town code enumerates and regulates and prohibits nuisances in the Township. They include “a thing, act or use of property which.....annoys, injures or endangers the health, safety, comfort or repose of the public (or which) in any way

renders the inhabitants of the Town, or a considerable number thereof, insecure in life or in use of property.” Code section 506.01 further illustrates examples including (a)ll other conditions, acts or things which are liable to cause injury to the person or property of another.”

**WHEREAS**, Article 504.02.B.1 prohibits the use of a firearm within 500 feet of a neighboring house.

**WHEREAS**, the property owner at 16265 Orwell Road has been cooperative with WCSO and the May Town Board and permitted the in-person inspection of the premises by them.

**NOW, THEREFORE, BASED ON THE FOREGOING AND ALL THE FILES AND RECORDS AND TESTIMONY HEREIN, THE MAY TOWN BOARD MAKES THE FOLLOWING CONCLUSIONS:**

1. The board concludes that the bullet fragments found in the Powell residence (is/is not) reasonably determined to have originated from the property at 16265 Orwell Road. Reasons for this include, but may not be limited to the following: they are of the same caliber as those shot; a shooting range at 16265 Orwell with a corn field as backdrop, would be oriented in the same direction as the Egret lane property; the timing of the impact and the timing of the shooting is generally contemporaneous; the targets, particularly the easternmost “gong” target placed near the east property boundary, has no positive backstop and a bullet aimed at, but missing, this target is unlikely to be stopped by anything on the property, and could therefore enter other properties and to do so in an uncontrolled way.

2. The property at 16265 Orwell Road as currently configured has the following features:

*The involved*  
\*Its shooting area is oriented so that shooting at the farthest target is upward from level, which means that aiming and projectiles are directed in an upward direction, not downward, for example, toward the ground, or to the base of a constructed berm or natural earthen backstop;

\*There are no positive berms or wall to stop a shell from exiting the property, *above the* particularly ~~along its easternmost boundary which contains its farthest and most difficult target to hit.~~

\*Trees on the property are sparse and, in any event, do not provide an effective, consistent or predictable backstop.

\*In the absence of any modifications to the Orwell Property, the natural direction of any bullet fired in an easterly direction on the property, particularly at its distant targets near the eastern boundary of the Orwell property and particularly from the location used on the day in question, places those rounds, and is very likely to place those rounds, in the direction, vicinity and location of properties to the East, including the Jackson Meadow housing development.

3. The shooting on the day and time in question ~~(did)~~ *did not* occur within 500 feet of a

*above the shooting area involved.*



neighboring residence. This ~~(is/is not)~~ a violation of May Town Code Article 506.01A <sup>fired</sup> or ~~slough~~ <sup>from a deer stand.</sup>

3. Shooting of any firearm (which shall be defined as any firearm with the exception of an air rifle or a shotgun using ~~only~~ shotshells) on the property at 16265 Orwell Road as currently configured ~~(is/is not)~~ a nuisance in that it ~~(does/does not)~~ annoy, injure or endangers the health, safety, comfort or repose of the public and it renders the residents of the Town and others insecure and ~~(is/is not)~~ liable to cause injury to the person or property of another.

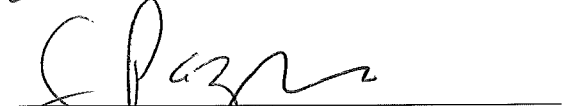
4. Effective immediately, shooting of any firearm (as defined above) on the property at 16265 Orwell Road No. (is/~~is not~~) prohibited and enjoined and (~~may~~/shall not) occur.

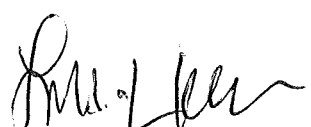
5. A copy of this order shall be served on the property owner personally or by substitute service or by U.S. Mail which shall be good and sufficient service for all purposes.

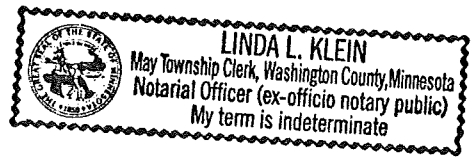
BY VOTE OF THE TOWN BOARD: ADAMS YES, PAZLAR YES,  
VOEDISCH YES. THIS RESOLUTION IS ADOPTED / NOT ADOPTED BY THE  
BOARD OF SUPERVISORS OF THE TOWN OF MAY THIS 5<sup>th</sup> DAY OF OCTOBER,  
2017.

  
Bill Voedisch, Board Chair

  
John Adams, Supervisor

  
John Pazlar, Supervisor

  
Attest: Linda Klein, May Town Clerk



Hello, my name is Brett Christianson and I and my wife Annabelle live at 16265 Orwell Rd N in Marine.

Thank you to Bill Voedisch and the other board members for giving me a chance to talk tonight.

First I would like to say to the Powells that Annabelle and I are very sorry that your house was hit by gunfire. That should never happen to anyone, and we completely understand why you are upset.

The safe use of firearms is something that we take seriously. Very seriously.

I'd like to talk about what happened on August 20, what we have done since then, and what we intend to do going forward.

We allowed five people to shoot on our property on August 20. One of the five was a former Stillwater Reserve Officer, another is currently active duty in the military. They have shot at our property before and when police responded to a noise complaint there was no report that they were being unsafe. We reasonably believed that our guests would continue to act safely. Another couple was also present that we did not know about in advance.

Unfortunately, we were not present while our guests were shooting. My wife Annabelle was admitted to the hospital on the 20<sup>th</sup> with a life threatening infection and I spent most of the day at the hospital with her. My focus was entirely on Annabelle that day.

We couldn't believe it when a sheriff's deputy came to our home and told us that a neighbor's house had been hit by gunfire. We have cooperated fully with the investigations by the sheriff and the May Town Board. We even hired an attorney and private investigator to look into this to find out what happened. The result of that investigation has so far been mixed. While it is true that our guests were shooting in the direction of the Powell's home, the sheriff's report and the evidence collected by the Sheriff's office do not provide sufficient information to determine the trajectory of the rounds that struck the Powell's home. Even if we could determine that the bullets came from our property we don't have enough information to determine who fired them. We still don't know for sure what happened and we are extremely frustrated by this.

We understand that 'we don't know' is not a very good answer for the Powells either. Here is what we plan to do to assure the Powells and the rest of our neighbors that people shooting on our property will do so safely going forward.

- The guests who were shooting at our property on August 20 will not be allowed to shoot on our property again. We say this not knowing for sure whether they were responsible for the bullets that struck the Powells home or not. We just want to make sure that none of the factors that were present on August 20 are present again.
- Nobody will be allowed to shoot at our property unless we are present and have approved the direction that they are shooting.
- Nobody will shoot in the same alignment as was present on August 20. There are locations on our property where it is safe to shoot.
- We will consult with a person who has experience with the NRA Range Source Book to determine safe shooting positions and directions with a sufficient backstop.

We understand that the Powells are upset and they have every right to be. We would like people to continue to be able to shoot at our property. Annabelle's father has PTSD from Vietnam and currently has cancer. Our property is the only place he feels comfortable hunting. We very much want to continue to allow him to do so.

While we still can't be certain that the rounds that struck the Powells home came from our property, the actions we are committed to taking will ensure that there is no question that no bullets will ever leave our property.

Thank you.

**May Township Bullets Hit Occupied Home in Marine on Saint Croix**  
**Re: Powell Statement**

On Sunday, August 19<sup>th</sup> at about 3 p.m. in the afternoon, my daughter Eloise and I were both upstairs in our house. I was folding laundry in the master bedroom at one end, and Eloise, who is 9, was playing in her bedroom at the other end. The bedrooms are separated by a hallway that faces several windows facing west. The house was quiet, when all of a sudden I heard an extremely loud bang out in the hallway. Thinking that a picture had fallen off the wall or furniture had toppled over onto the wooden floor, I ran out of the room and immediately saw that one of the windows was shattered and that there was a large hole at the top of the glass. I could hear the glass cracking. My daughter also came running out of her room in a panic. I calmed her down and ran to get a towel to place on the floor thinking the glass was going to completely collapse and fall on to the upstairs floor.

The two of us ran outside to see whether a bird or something else had hit the window, but there was nothing on the ground. I ran over to my neighbor's house to ask for help to secure the glass during which time I continued to hear gunfire at a rapid pace – one after another, after another, after another. Pop! Pop! Pop! It sounded dangerously close.

When my neighbor and I returned and went back upstairs, we noticed two holes side by side in the wall opposite the window. What we were looking at were two bullet holes lodged into the hallway wall, approximately five feet up from the floor. One of the bullets was visible poking through the bathroom sheetrock in the girl's bathroom on the other side of the wall. I ran downstairs and dialed 911. It was now about 3:15 p.m. I could still hear rapid gunfire, and I asked if the Sheriff could come right away.

By the time the deputies arrived, at about 3:45 p.m., the gun fire had ceased. The officers said they were delayed because they were responding to a traffic stop. They looked at the damage and then went out to the neighboring properties asking questions of the property owners. The deputies came back to our house and told me they were unable to determine the origin of the shots or the shooters themselves. They told me incidents like this happen.

When my husband came home at around 9:00 p.m. that evening, we called the Washington County dispatch number and asked that the deputies come back out to our house and explain the situation in more detail. We were again told that this happens and there was not much they could do about it. We went to bed that night with the terrible thought that there was nothing we could do and nothing preventing it from happening again.

On Monday morning, my husband called Marine City Councilman Bill Miller to discuss the situation. Councilman Miller immediately called the Sheriff. That morning two detectives and two deputies came to our house. The detectives removed two 9 mm rounds from our wall and based on the trajectory determined the origin of the shots. The Deputies visited the property and started questioning people. Details from this point are available in the investigative report, but what we've been told is that little enforcement action can be taken against those responsible because there were multiple shooters, and because the township lacks meaningful legislation to hold property owners responsible for setting up an obviously unsafe gun range.

As the person inside of the home when the shooting event happened, my emotions this past month have gone from shock and fear to anger and frustration. When a child is involved, especially your own, these emotions are even more heightened. Not a day goes by that I do not think about the moment of

Fund Name: All Funds

Date Range: 10/01/2017 To 10/05/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>FA-O-P</u>	<u>Total</u>
10/05/2017	Payroll Period Ending 10/01/2017	19212		N	Council/Town Board	100-41110-100-	\$ 290.00
	<b>Total For Check</b>	<b>19212</b>					<b>\$ 290.00</b>
10/05/2017	Payroll Period Ending 10/01/2017	19213		N	Treasurer	100-41510-100-	\$ 1,450.01
	<b>Total For Check</b>	<b>19213</b>					<b>\$ 1,450.01</b>
10/05/2017	Payroll Period Ending 10/01/2017	19214		N	Clerk	100-41425-100-	\$ 2,414.62
	<b>Total For Check</b>	<b>19214</b>					<b>\$ 2,414.62</b>
10/05/2017	Payroll Period Ending 10/01/2017	19215		N	Council/Town Board	100-41110-100-	\$ 290.00
	<b>Total For Check</b>	<b>19215</b>					<b>\$ 290.00</b>
10/05/2017	Payroll Period Ending 10/01/2017	19216		N	Council/Town Board	100-41110-100-	\$ 290.00
	<b>Total For Check</b>	<b>19216</b>					<b>\$ 290.00</b>
10/05/2017	NORTHERN SALT, INC	19217	Calcium Chloride	N	CALCIUM CHLORIDE	201-43140-336-	\$ 50,420.85
	<b>Total For Check</b>	<b>19217</b>					<b>\$ 50,420.85</b>
10/05/2017	DRESEL CONTRACTING, INC	19218	Class 5 gravel	N	HIGHWAYS, STREETS & ROADS	201-43101-443-	\$ 28,584.32
	<b>Total For Check</b>	<b>19218</b>					<b>\$ 28,584.32</b>
10/05/2017	MIKE MCPHILLIPS	19219	Street Sweeping	N	Street Cleaning	201-43170-336-	\$ 421.00
	<b>Total For Check</b>	<b>19219</b>					<b>\$ 421.00</b>
10/05/2017	BROCHMAN BLACKTOPPING CO	19220	Asphalt pothole patching	N	Paved Streets	201-43121-439-	\$ 14,850.00
	<b>Total For Check</b>	<b>19220</b>					<b>\$ 14,850.00</b>
10/05/2017	ON SITE SANITATION	19221	Porta potties for Sept/Oct	N	Park Areas	230-45202-389-	\$ 250.00
	<b>Total For Check</b>	<b>19221</b>					<b>\$ 250.00</b>
10/05/2017	WATERWORKS IRRIGATION, LLC	19222	Close irrigation system in ballfield	N	Park Areas	220-45202-430-	\$ 125.00
	<b>Total For Check</b>	<b>19222</b>					<b>\$ 125.00</b>
10/05/2017	MARONEY'S SANITATION, INC	19223	Garbage pickup - park	N	Park Areas	220-45202-384-	\$ 52.45
	<b>Total For Check</b>	<b>19223</b>					<b>\$ 52.45</b>
10/05/2017	NATURAL SYSTEMS UTILITIES	19224	Monthly Service - September & October	N	201 SEWER ADMIN & GEN'L	230-43280-400-100	\$ 1,094.02

Fund Name: All Funds

Date Range: 10/01/2017 To 10/05/2017

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
10/05/2017	CONNEXUS ENERGY	19225	201 Sewer Electric - 2 months	N	201 ELECTRICAL ACCOUNT	230-43285-380-	\$ 247.07
	<b>Total For Check</b>	<b>19225</b>					<b>\$ 247.07</b>
10/05/2017	LEAGUE OF MINNESOTA CITIES	19226	LMC Dues 9/1/17 - 8/31/18	N	201 SEWER ADMIN & GEN'L	230-43280-313-	\$ 3,025.00
	<b>Total For Check</b>	<b>19226</b>					<b>\$ 3,025.00</b>
10/05/2017	PIONEER PRESS	19227	Legal notices - August	N	GENERAL GOVERNMENT	100-41001-351-	\$ 107.12
	<b>Total For Check</b>	<b>19227</b>					<b>\$ 107.12</b>
10/05/2017	RIVER VALLEY RESTORATION	19228	Payment on Town Hall Restoration	N	TOWN HALL	401-41941-300-400	\$ 25,786.77
	<b>Total For Check</b>	<b>19228</b>					<b>\$ 25,786.77</b>
10/05/2017	WASHINGTON CONSERVATION DISTRICT	19229	WCA permit LGU Assistance	N	WETLANDS	100-46110-312-	\$ 78.00
	<b>Total For Check</b>	<b>19229</b>					<b>\$ 78.00</b>
10/05/2017	CHRIS AMDAHL LOCKSMITH, INC	19230	2 keys	N	GENERAL GOVERNMENT	100-41001-200-	\$ 6.00
	<b>Total For Check</b>	<b>19230</b>					<b>\$ 6.00</b>
10/05/2017	SHERILL REID ANIMAL CONTROL	19231	Dog to HAS	N	Animal Control Expenditures	100-42701-318-	\$ 90.00
	<b>Total For Check</b>	<b>19231</b>					<b>\$ 90.00</b>
10/05/2017	PAUSZEK INC	19232	Assessor	N	ASSESSOR	100-41950-314-	\$ 1,300.00
	<b>Total For Check</b>	<b>19232</b>					<b>\$ 1,300.00</b>
10/05/2017	CROIX VALLEY INSPECTORS, INC	19233	Building inspector	N	Building Inspections Administration	100-42401-315-	\$ 14,741.72
	<b>Total For Check</b>	<b>19233</b>					<b>\$ 14,741.72</b>
10/05/2017	MN DEPT OF LABOR & INDUSTRY	19234	1st, 2nd 3rd qtr bldg inspection report	N	Building Inspections Administration	100-42401-430-	\$ 3,639.56
	<b>Total For Check</b>	<b>19234</b>					<b>\$ 3,639.56</b>
10/05/2017	VISI - dba ONE NECK IT SOLUTIONS	19235	Website - domain name	N	GENERAL GOVERNMENT	100-41001-325-	\$ 60.00
	<b>Total For Check</b>	<b>19235</b>					<b>\$ 60.00</b>
10/05/2017	FEDERATED CO-OPS, INC	19236	Propane - town hall	N	TOWN HALL	100-41941-380-	\$ 46.88
	<b>Total For Check</b>	<b>19236</b>					<b>\$ 46.88</b>
10/05/2017	CENTURY LINK	19237	Clerk & town hall phone	N	TOWN HALL	100-41941-380-	\$ 112.66

Fund Name: All Funds

Date Range: 10/01/2017 To 10/05/2017

Date	Vendor	Check #	Description	Void	Account Name	FA-O-P	Total
10/05/2017	XCEL ENERGY	19238	Town hall electric	N	TOWN HALL	100-41941-380-	\$ 159.71
		<b>Total For Check</b>					<b>\$ 159.71</b>
10/05/2017	MICHAEL S KLEFSTAD	19239	Return of road escrow	N	ROAD ESCROWS	100-49390-470-	\$ 500.00
		<b>Total For Check</b>					<b>\$ 500.00</b>
10/05/2017	JEANNIE DAVIS	19240	Clean town hall - Sept twice	N	TOWN HALL	100-41941-110-	\$ 112.50
		<b>Total For Check</b>					<b>\$ 112.50</b>
10/05/2017	LINDA L. KLEIN	19241	Insurance, postage, mileage, Junk	N	GENERAL GOVERNMENT	100-41001-322-	\$ 49.00
		19241				100-41001-331-	\$ 32.10
		19241			Clerk	100-41425-130-	\$ 156.90
		19241			TOWN HALL	100-41941-300-400	\$ 665.27
		<b>Total For Check</b>					<b>\$ 903.27</b>
10/05/2017	CHERYL D. BENNETT	19242	Insurance, mileage, computer (1/2 cost), paper	N	GENERAL GOVERNMENT	100-41001-200-	\$ 596.82
		19242				100-41001-331-	\$ 54.04
		19242			Treasurer	100-41510-130-	\$ 255.75
		<b>Total For Check</b>					<b>\$ 906.61</b>
10/05/2017	MARVIN L. SCHROEDER	19243	Grading roads & grader maint	N	HIGHWAYS, STREETS & ROADS	201-43101-336-	\$ 4,000.00
		19243			Road and Bridge Equipment	201-43126-438-	\$ 200.00
		<b>Total For Check</b>					<b>\$ 4,200.00</b>
10/05/2017	FRONTIER AG & TURF	19244	Battery & parts for grader	N	Road and Bridge Equipment	201-43126-437-	\$ 908.79
		<b>Total For Check</b>					<b>\$ 908.79</b>
10/05/2017	NAC	19245	Planning & zoning - August	N	Ordinances and Proceedings	100-41130-316-	\$ 540.00
		19245			Planning and Zoning	100-41910-316-	\$ 2,157.52
		19245			PLANNING FEE ESCROW	100-49361-316-	\$ 4,717.50
		19245			WILDER FOUNDATION ESCROW	100-49371-316-	\$ 445.20
		19245			Planning and Zoning	230-41910-316-	\$ 270.00
		<b>Total For Check</b>					<b>\$ 8,130.22</b>
10/05/2017	WSB & ASSOCIATES, INC	19246	Engineering - July	N	PLANNING FEE ESCROW	100-49361-303-	\$ 1,309.00
		19246			Traffic Engineering Expenditures	201-42601-303-	\$ 1,472.25
		19246				201-42601-303-400	\$ 1,507.00
		<b>Total For Check</b>					<b>\$ 4,288.25</b>

Fund Name: All Funds

Date Range: 10/01/2017 To 10/05/2017

Date	Vendor	Check #	Description	Void	Account Name	FA-O-P	Total
10/05/2017	JOHNSON/TURNER ATTORNEYS AT LAW	19247	Legal fees - August	N	City/Town Attorney	100-41610-304-	\$ 740.25
		19247				100-41610-304-400	\$ 864.00
		19247			PLANNING FEE ESCROW	100-49361-304-	\$ 1,299.00
		19247			WILDER FOUNDATION ESCROW	100-49371-304-	\$ 190.25
		<b>Total For Check</b>					<b>\$ 3,093.50</b>
10/05/2017	PERA	19248	Coordinated & DCP w/holdings/616000	N	Council/Town Board	100-41110-121-	\$ 93.00
		19248			Clerk	100-41425-121-	\$ 322.02
		19248			Treasurer	100-41510-121-	\$ 308.43
		<b>Total For Check</b>					<b>\$ 723.45</b>
10/05/2017	IRS - INTERNAL REVENUE SERVICE	EFTF1017	Federal withholdings	N	Council/Town Board	100-41110-135-	\$ 27.00
		EFTF1017			Clerk	100-41425-122-	\$ 399.30
		EFTF1017				100-41425-135-	\$ 93.38
		EFTF1017			Treasurer	100-41425-171-	\$ 273.03
		EFTF1017				100-41510-122-	\$ 273.18
		EFTF1017				100-41510-135-	\$ 63.88
		EFTF1017				100-41510-171-	\$ 316.38
		<b>Total For Check</b>					<b>\$ 1,446.15</b>
10/05/2017	MN DEPARTMENT OF REVENUE	EFTS1017	State withholdings ID# 2478214	N	Clerk	100-41425-172-	\$ 125.10
		EFTS1017			Treasurer	100-41510-172-	\$ 124.95
		<b>Total For Check</b>					<b>\$ 250.05</b>
		<b>Total For Selected Checks</b>					<b>\$ 175,473.55</b>



As on 9/30/2017

Fund	Beginning Balance	Receipts	Sale of Investments	Transfers In	Disbursements	Purchase of Investments	Transfers Out	Ending Balance	Investment Balance	Total Balance
General Fund	175,487.55	242,785.56	0.00	0.00	216,936.16	0.00	18,366.43	182,970.52	60,100.36	243,070.88
Road and Bridge	75,550.54	257,110.52	0.00	0.00	182,417.20	35,000.00	0.00	115,243.86	329,979.36	445,223.22
Leveled Park Fund	5,927.86	2,742.97	0.00	0.00	2,630.10	0.00	0.00	6,040.73	0.00	6,040.73
Fire Fund	91,232.74	101,579.13	0.00	0.00	91,119.50	0.00	0.00	101,692.37	0.00	101,692.37
201 Sewer Fund	37,199.31	39,935.18	0.00	0.00	12,838.18	0.00	0.00	64,296.31	0.00	64,296.31
General Capital Projects	55,938.03	98.09	0.00	0.00	29,477.50	0.00	0.00	26,558.62	92,734.83	119,293.45
Park Acquisition and Development (Optional)	6,909.94	12.53	0.00	0.00	0.00	0.00	0.00	6,922.47	20,566.31	27,488.78
201 Sewer Replacement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	134,923.68	134,923.68
201 Sewer Pumping Fund	26,678.40	48.22	0.00	0.00	9,237.38	0.00	0.00	17,489.24	0.00	17,489.24
Midcontinent Com Security	5,000.00	10.00	0.00	0.00	10.00	0.00	0.00	5,000.00	0.00	5,000.00
<b>Total :</b>	<b>479,924.37</b>	<b>644,322.20</b>	<b>0.00</b>	<b>0.00</b>	<b>544,666.02</b>	<b>35,000.00</b>	<b>18,366.43</b>	<b>526,214.12</b>	<b>638,304.54</b>	<b>1,164,518.66</b>

**Town of May**

**Cash Control Statement**

**9/30/2017**

For the Period : 9/1/2017 To 9/30/2017

<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	\$183,713.61	\$37,058.84	\$37,801.93	\$182,970.52	\$37,058.84	\$39,467.73	\$185,379.41
Road and Bridge	\$131,598.02	\$27.41	\$16,381.57	\$115,243.86	\$27.41	\$16,381.57	\$131,598.02
Levied Park Fund	\$6,291.87	\$1.31	\$252.45	\$6,040.73	\$1.31	\$252.45	\$6,291.87
Fire Fund	\$101,671.20	\$21.17	\$0.00	\$101,692.37	\$21.17	\$0.00	\$101,671.20
201 Sewer Fund	\$60,101.88	\$13,665.94	\$1,793.36	\$71,974.46	\$13,665.94	\$1,793.36	\$60,101.88
General Capital Projects	\$46,413.35	\$9.77	\$19,864.50	\$26,558.62	\$9.77	\$19,864.50	\$46,413.35
Park Acquisition and Development (Optional)	\$6,921.03	\$1.44	\$0.00	\$6,922.47	\$1.44	\$0.00	\$6,921.03
201 Sewer Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
201 Sewer Pumping Fund	\$25,215.36	\$5.25	\$15,409.52	\$9,811.09	\$5.25	\$15,409.52	\$25,215.36
Midcontinent Com Security	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00
<b>Total</b>	<b>\$566,926.32</b>	<b>\$50,791.13</b>	<b>\$91,503.33</b>	<b>\$526,214.12</b>	<b>\$50,791.13</b>	<b>\$93,169.13</b>	<b>\$568,592.12</b>

MONTH OF SEPTEMBER

CASH

September 30, 2017

ESCROWS as of 10/5/17

CHECKING	\$1,000.00
MONEY MARKET	\$520,214.12
<b>TOTAL CASH</b>	<b>\$521,214.12</b>

FLOYD & GLORIA JOHNSON	(\$478.17)
STEPHEN KELLER	\$7,809.30
JOSEPH MATSUMOTO	(\$159.50)

ESCROW

TOTAL \$7,171.63

CENTURY LINK	\$6,383.86
CONNEXUS ENERGY	\$239.00
FRONTIER UTILITY ESCROW	\$3,056.00
SCIENCE MUSEUM OF MN	\$0.00
WILDER FOUNDATION	(\$1,512.20)
XCEL UTILITY ESCROW	\$4,540.29
ROAD ESCROWS	\$6,500.00
PLANNING FEES ESCROW	\$7,171.63
<b>TOTAL ESCROW</b>	<b>\$26,378.58</b>

Letters of Credit: None

TOTAL CASH & INVESTMENTS\*

\$1,164,518.66 \*

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

# TOWN OF MAY

## CURRENT CD INVESTMENT SUMMARY

As of 9/30/17

### GENERAL

Security Bank - 10/5/17	\$60,100.36
<b>TOTAL GENERAL</b>	<b>\$60,100.36</b>

### ROAD & BRIDGE

Blacktopping expires 11/30/17	\$60,082.22
Blacktopping expires 7/7/18	\$15,371.53
Lynch Blacktopping expires 4/28/18	\$171,360.77
Lynch Sealcoating expires 4/28/18	\$40,108.26
Road Construction expires 7/7/18	\$23,056.58
<b>TOTAL ROAD &amp; BRIDGE</b>	<b>\$309,979.36</b>

### PARK

Security Bank - 10/5/17	\$20,566.31
<b>TOTAL PARK</b>	<b>\$20,566.31</b>

### CAPITAL

Security Bank - 2/6/18	\$112,734.83
<b>TOTAL CAPITAL</b>	<b>\$112,734.83</b>

### 201 SEWER REPLACEMENT

Security Bank - 10/8/17	\$62,706.67
Security Bank - 11/30/17	\$72,217.01
<b>TOTAL 201 REPLACEMENT</b>	<b>\$134,923.68</b>

### 201 SEWER PUMPING FUND

	\$0.00
<b>TOTAL 201 PUMPING FUND</b>	<b>\$0.00</b>

Total CDs	\$638,304.54
<b>TOTAL INVESTMENTS</b>	<b>\$638,304.54</b>

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

9/30/2017

**GENERAL FUND**

MONEY MARKET	\$182,970.52
INVESTMENTS	\$60,100.36
<b>COMMITTED</b>	
ESCROWS (including Road Escrows)	\$26,378.58
CONTINGENCY	\$50,000.00
2017 LEVY REDUCTION	\$17,500.00
CASH FLOW	\$77,416.00
<b>COMMITTED TOTAL</b>	<b>\$171,294.58</b>
<b>UNCOMMITTED</b>	<b>\$71,776.30</b>

**ROAD & BRIDGE FUND**

MONEY MARKET	\$115,243.86
INVESTMENTS	\$309,979.36
<b>COMMITTED</b>	
CAPITAL PROJECTS:	
ROAD CONSTRUCTION	\$0.00
INVESTMENTS	\$23,056.58
BLACKTOPPING	\$0.00
INVESTMENTS	\$75,453.75
LYNCH ROAD - CD	\$171,360.77
CALCIUM CHLORIDE	\$8,000.00
SEALCOATING/CRACK SEALING	\$58,620.00
LYNCH ROAD - CD	\$40,108.26
<b>COMMITTED TOTAL</b>	<b>\$376,599.36</b>
<b>UNCOMMITTED</b>	<b>\$48,623.86</b>

**LEVIED PARK FUND**

MONEY MARKET	\$6,040.73
<b>COMMITTED TOTAL</b>	<b>\$6,040.73</b>

**FIRE FUND**

MONEY MARKET	\$101,692.37
<b>COMMITTED TOTAL</b>	<b>\$101,692.37</b>

**CAPITAL FUND**

MONEY MARKET	\$26,558.62
INVESTMENTS	\$112,734.83
<b>COMMITTED</b>	
HEAVY EQUIPMENT	\$139,293.45
<b>COMMITTED TOTAL</b>	<b>\$139,293.45</b>

Total Money Market	\$432,506.10
Total Investments	\$482,814.55
	<b>\$915,320.65</b>

Total Committed	\$794,920.49
Total Uncommitted	\$120,400.16
	<b>\$915,320.65</b>