

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
October 6, 2016

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, October 6, 2016, at the May Town Hall. Those present included: Bill Voedisch, Board Chair; John Adams, Supervisor; John Pazlar, Supervisor; Linda Klein, Town Clerk; Cheryl Bennett, Treasurer; Katie Koscielak, Town Engineer; Dave Snyder, Town Attorney; Nate Sparks, Town Planner; Jack Kramer, Building Inspector and residents of the Town of May. Voedisch called the meeting to order at 7:00.

Minutes, Checks, Treasurer's Report

Voedisch moved, seconded by Pazlar, to approve the minutes of the September 1, 2016, regular board meeting. All approved.

Pazlar moved, seconded by Adams, to approve checks 18803 through 18831 for the month of October as well as electronic funds transfers EFTS1016, EFTF1016 to the State and IRS respectively as presented. All approved. Adams moved, seconded by Pazlar, to approve the Treasurer's report as presented. All approved. The treasurer reported that cash in the Road and Bridge fund is down to around \$1,000 and transfers will need to be made in the next month or so.

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

Frattalone Lot Line Adjustments

Tim Freeman of Folz Freeman brought forward the documentation of the proposed lot line adjustment that will divide up the existing Vujovich property among four purchasing property owners adjacent. The Vujovich property now consists of three separate deeds. Nate Sparks provided a drawing of how the various properties will be combined on both sides of the railroad tracks. His drawing with parcels identified as Farnham (A), Stone (B), and Frattalone (C) and the various combinations is attached for clarification.

Voedisch moved to approve the Lot Line Adjustment (LLA) for Vujovich - Frattalone as presented, and as shown on the attached map provided by the applicant's surveyor: specifically that the Vujovich parcels identified as "Proposed Stone" be combined on the same deed as the "Existing Stone" property, that Vujovich parcels identified as "Proposed Farnham" be combined on the same deed as the "Existing Farnham" property, that Vujovich parcels on the East side of the railroad tracks be allowed to stand alone and not be combined with the Frattalone property, and that the Town finds that this LLA satisfies all four tests of the Town's LLA Ordinance. As a friendly amendment by Adams, the Vujovich lands on the East side of the tracks should be combined on a single deed. Voedisch approved the friendly amendment and the Board approved the amended motion by unanimous voice vote. . Frattalone posted \$500 escrow with the clerk. Deeds will be presented to Town Attorney for review and recording.

Solar Systems Ordinance Discussion

At the September meeting, the Town Board requested a draft solar ordinance be prepared for review. The ordinance contains allowances for both ground mounted and building mounted

personal solar energy systems. Town Planner Nate Sparks went over some of the highlights of the draft ordinance he has created from the previous joint meeting discussion regarding solar. The Town currently allows accessory building square footage based on the size of the lot. Using 50% of this allotment would result in larger parcels having larger sized solar energy systems. The ordinance also proposes a cap of 1500 square feet.

The draft ordinance allows the systems as a permitted use. If there were concerns about screening, surfacing, or abandonment, the Town may wish to permit this as an interim use permit or certificate of compliance to ensure such standards are met. The maximum height was set at 15 feet. Some area ordinances have this at 10 feet and others 20, but 15 was common with ordinances in the immediate area. The ordinance allows for the solar energy systems to meet accessory structure setbacks. This would allow such structures to be 20 feet from the side and 50 feet from the rear. It may be advisable to state whether or not this type of structure would be allowed the certificate of compliance for reduced setbacks. Some communities regulate that building mounted solar systems cannot be on the street facing side of the building or roof and that the entire roof cannot be covered. No such standards were proposed in the draft ordinance.

Pazlar suggested that some language could be written in such that the applicant would be mandated to place the solar array closer to the applicant's home rather than closer to a neighbor's property. Voedisch mentioned that the ordinance should also mention that the solar array is being considered as viewed from above. Pazlar also stressed the importance of where the array is placed, including proper screening from adjacent properties. Nate also suggested this should not qualify for the 80 percent setback

Sparks suggested that the Town Board should review the ordinance, request any changes, and determine if this should be directed to the Planning Commission for a public hearing. Voedisch moved, seconded by Pazlar, that the Board send the solar ordinance to the Planning Commission for consideration at the October planning commission meeting. All approved.

Engineering and Roads

2016 Crack Fill and Seal Coat Project: Allied Blacktop has completed all roadways identified to be crack filled in 2016. At the August board meeting, \$16,380.00 was approved with the final invoice received from Allied Blacktop in the amount of \$16,380.00. Staff has requested the IC134 and 1-year warranty bond from Allied Blacktop to finalize the project. The check for Allied was approved in this month's checks, but the engineer asked the treasurer to not send the check until the project has been totally completed.

2016 Drainage Improvements: Due to the recent rain events and the existing water level experienced at the 155th Street culvert, Fuhr Trenching has been unable to complete the drainage and erosion repairs. The culvert located on 155th Street exists as a 36-inch storm pipe that has been approximately $\frac{3}{4}$ full due to the rain events. Staff has been coordinating with James Shaver of the BCWD to help alleviate the water level so the repair can be made. Fuhr Trenching is anticipated to complete the erosion repairs on Old Guslander next week (week of October 10th) with the 155th Street Culvert repair to follow as conditions warrant.

Violations

Lindquist – Dangerous Dog

Attorney Snyder advised that he has initiated civil action and will inform the board later in executive session.

Cutting Locks, Burning Trash – Panorama

No action pending attempts to contact property owner again. Attorney Snyder suggested that it may come to filing an action against this property owner, given his history with the Town.

14033 Paris – Numerous Violations

Inspector Jack Kramer reported on the progress made by the property owner. He advised again that no building permit will be issued until they have met all the Town's provisions. On inspection today, he noted that sod is growing, they have cleaned up the beach, and he feels the project may be in limbo until spring. The County gave them a Certificate of Compliance, so the engineer can now draw up an after-the-fact grading permit.

Old Business

No Parking – 130th Street

At previous meetings, the board has discussed no parking on 130th Street, but not a lot of resident input has been received up until now. Pat Gleason appeared to suggest that the Town post no parking signs in the area where all the renters are, which he suggests is the major problem. He suggests posting the lower part of 130th Street, but not the side with the homes. The Board agreed that the citizens on the road should get together with the engineer and work in unison to find an acceptable solution to all

Parking of Trailers on 133rd St. Cul-de-sac

This has become a point of contention among residents. There are now 5 boat trailers parked on the 133rd St. cul-de-sac. Adams proposed posting no parking signs. The wording on the signs will be determined by the engineer and signs will be ordered. Voedisch noted that our No Parking ordinance names 130th St, 130th St Lane and Panorama as roads we can sign "no parking." We would have to amend that ordinance to include 133rd St.

Panorama Avenue Surface Improvement Project: Staff will be meeting onsite with Board Chair Voedisch on Monday, October 10th to drill a number of locations to determine the condition of the existing gravel (geotechnical evaluation) along Panorama Avenue. The results of the geotechnical evaluation will dictate whether the existing material is sufficient to simply excavate to the bottom of the proposed pavement section and simply pave the roadway or whether the roadway will require a new aggregate section. Staff is currently working with Town Attorney Snyder to determine the right of way along the public portion of Panorama.

Staff has requested Town Attorney Snyder to pull together all the legal descriptions for the properties along Panorama Avenue (public portion). Additionally, the engineer will provide the project location map with existing parcels identified along the project corridor for discussion on the properties anticipated to be assessed.

Pazlar again brought up the point that the Board must make a decision soon on whether or not the Town is going to participate in the cost sharing for this potential project. His point is that if the Town does participate, it sets a precedent for the future. Voedisch stated that he believes the Town might participate on a zero to 25% cost share, based on the unique quality of the road being adjacent to the lake. Pazlar also asked about participation from the watershed district. The engineer will present the feasibility report to the Board at the November Board meeting.

Noisy Train

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

New Business

Big Marine Outlet Channel Access

The watershed district wants to post 'no water access' signs at the 155th Street culvert area. Voedisch will contact Shaver about getting this done.

Auditor contact: Although Treasurer Bennett is the official contact for the auditors, they have requested that the Town assign a secondary contact person. The board agreed that John Pazlar would be the second contact.

CMSCWD Rules Changes

The engineer went over her memo of October 6 detailing the changes to the plan that she felt were important for the Board to see. Pazlar asked that she identify any items that would be of critical importance to the Town. She did not see anything that would raise red flags for the Town. Pazlar asked the engineer to more carefully review the term 'adjacent' to wetlands vs. nearby.

Dan Chase Small Business

The treasurer advised that, due to non-payment, the Dan Chase small business permit should be revoked. Snyder suggested holding a hearing to revoke.

Geek Squad Contract for \$100

The board agreed to a renewal of the Geek Squad contract for computer help in 2016.

Town Treasurer/Town Clerk

Voedisch moved, seconded by Adams, to not place the combined clerk/treasurer question on the town ballot in 2017. All approved.

Washington County Planning Zoning

Chairman Voedisch brought up the topic of the County removing itself from certain functions, effective in January. He noted that of the townships in Washington County, the other 5 townships have chosen to take over all subdivision responsibilities. The Town of May has not made that decision. After considerable discussion of roles and responsibilities of Town vs. the

County, Voedisch suggested meeting with Fran Miron and the representative from the County to discuss the topic of the division of authority between the County and the Town. Sparks pointed out that in the case of lot line adjustments, they still go to the County after we approve. He also clarified that in previous comparisons of Town vs. County ordinances, the subdivision ordinances were not reviewed, with the understanding the County would stay involved. He suggested a new comparison of Town vs. County subdivision ordinances to see if anything is exposed without the county being involved. The Board agreed.

201 System Pumping

Pumping of all the tanks in the 201 system is scheduled for this year. Voedisch moved, seconded by Adams, to authorize the engineer to solicit bids to complete this pumping at a cost not to exceed the amount in the 201 budget. All approved.

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

Attest:

Linda Klein
Town Clerk

Respectfully submitted,
William K. Voedisch

RE: Addendum to Minutes - Appoint Judges

On Fri, Oct 21, 2016 at 2:50 PM, Linda Klein <llklein65@hotmail.com> wrote:

All

I would like your approval of the following addendum to the October minutes, which I failed to get on the agenda:

Voedisch approves, seconded by Pazlar, the following election judges for the November 8, 2016 General Election: Lorraine Keller, Ann Cummings, Jacci Hogan, Bob Swinehart, Connie Ryan Oakes, Gretchen Davidson, Elaine Larson, Sue St. Sauver, Jane Norbin, Mitch Otterson, Mary Burke, Nancy Rosenbower. All approved.

Approved.
wkv
Approved
Jwa

Sent from my iPhone

On Oct 21, 2016, at 5:19 PM, john pazlar <johnpazlar.townofmay@gmail.com> wrote:

Approved.

For the Period : 9/1/2016 To 9/30/2016

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$168,155.82	\$13,865.22	\$23,213.53	\$158,807.51	\$13,865.22	\$23,213.53	\$168,155.82
Road and Bridge	\$104,269.98	\$5,260.41	\$81,157.61	\$28,372.78	\$5,260.41	\$81,157.61	\$104,269.98
Levied Park Fund	\$7,508.55	\$1.58	\$354.90	\$7,155.23	\$1.58	\$354.90	\$7,508.55
Fire Fund	\$99,176.86	\$20.93	\$0.00	\$99,197.79	\$20.93	\$0.00	\$99,176.86
201 Sewer Fund	\$46,037.60	\$4,486.36	\$1,466.35	\$49,057.61	\$4,486.36	\$1,466.35	\$46,037.60
General Capital Projects	\$55,890.93	\$11.80	\$0.00	\$55,902.73	\$11.80	\$0.00	\$55,890.93
Park Acquisition and Development (Optional)	\$6,904.13	\$1.46	\$0.00	\$6,905.59	\$1.46	\$0.00	\$6,904.13
201 Sewer Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
201 Sewer Pumping Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Midcontinent Com Security	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00
Total	\$492,943.87	\$23,647.76	\$106,192.39	\$410,399.24	\$23,647.76	\$106,192.39	\$492,943.87

MONTH OF SEPTEMBER

CASH

CHECKING \$1,000.00
 MONEY MARKET \$404,399.24

September 30, 2016

PLANNING FEES AS OF 10/6/16

JAMES DAVIDSON \$63.00
 JUDY OR GARY FREEMAN \$17.75
 GARY JOHNSON/GRUBER (\$81.25)
 JOSEPH MATSUMOTO \$183.00
 MCGOLDRICK \$400.00
 NOEL SCHMIDT \$88.50

TOTAL CASH

ESCROW

CENTURY LINK \$3,536.61
 CONNEXUS ENERGY \$239.00
 FRONTIER UTILITY ESCROW \$3,056.00
 SCIENCE MUSEUM OF MN \$0.00
 WILDER FOUNDATION \$0.00
 XCEL UTILITY ESCROW \$4,540.29
 ROAD ESCROWS \$3,500.00
 PLANNING FEES ESCROW \$671.00

TOTAL

\$671.00

TOTAL ESCROW

Letters of Credit: None

TOTAL CASH & INVESTMENTS*

\$985,516.31 *

*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 9/30/16

GENERAL

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

ROAD & BRIDGE

Blacktopping expires 11/30/16	\$59,932.49
Blacktopping expires 7/7/17	\$15,333.71
Lynch Blacktopping expires 10/27/16	\$104,177.63
Lynch Sealcoating expires 10/27/16	\$30,059.66
Road Construction expires 7/7/17	\$22,999.85
TOTAL ROAD & BRIDGE	\$232,503.34

PARK

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

CAPITAL

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

201 SEWER REPLACEMENT

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

201 SEWER PUMPING FUND

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

Total CDs	\$575,117.07
TOTAL INVESTMENTS	\$575,117.07

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

As of 9/30/16

GENERAL FUND

MONEY MARKET	\$158,807.51
INVESTMENTS	\$59,952.31
COMMITTED	
ROAD ESCROWS	\$3,500.00
ESCROWS	\$15,542.90
CONTINGENCY	\$50,000.00
2016 LEVY REDUCTION	\$40,000.00
CASH FLOW	\$73,982.00
COMMITTED TOTAL	\$183,024.90
UNCOMMITTED	\$35,734.92

ROAD & BRIDGE FUND

MONEY MARKET	\$28,372.78
INVESTMENTS	\$232,503.34
COMMITTED	
CAPITAL PROJECTS:	
ROAD CONSTRUCTION	\$0.00
INVESTMENTS	\$22,999.85
BLACKTOPPING	\$0.00
INVESTMENTS	\$75,266.20
LYNCH ROAD - CD	\$104,177.63
CALCIUM CHLORIDE	\$32,874.46
SEALCOATING/CRACK SEALING	\$18,620.00
LYNCH ROAD - CD	\$30,059.66
COMMITTED TOTAL	\$283,997.80
UNCOMMITTED	(\$23,121.68)

LEVIED PARK FUND

MONEY MARKET	\$7,155.23
COMMITTED TOTAL	\$7,155.23

FIRE FUND

MONEY MARKET	\$99,197.79
COMMITTED TOTAL	\$99,197.79

CAPITAL FUND

MONEY MARKET	\$55,902.73
INVESTMENTS	\$112,456.36
COMMITTED	
HEAVY EQUIPMENT	\$168,359.09
COMMITTED TOTAL	\$168,359.09

Total Money Market	\$349,436.04
Total Investments	\$404,912.01
	\$754,348.05

Total Committed	\$741,734.81
Total Uncommitted	\$12,613.24
	\$754,348.05