

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
September 13, 2018

The Board of Supervisors of the Town of May convened a special meeting on Thursday, September 13, 2018, at the May Town Hall with a specific agenda. Those present included: Board members John Adams, John Pazlar and Bill Voedisch; Town Clerk Linda Tibbetts; Town Planner Nate Sparks; Croixside Property Owners Association Treasurer Tom Niedzwiecki; and Croixside residents James Mallman and Robert Johnson. Mr. Voedisch called the meeting to order at 8:03 a.m.

Notice of this special town board meeting was posted on the official Town of May website, as well as on the official posting bulletin board outside the Town Hall, three days prior to the meeting in accordance with Minn. Stat. Sec. 13D.04, Subd. 2.

Croixside Lot Line Adjustment

The Croixside Property Owners Association (CPOA) wants to convey 0.05 acres of Croixside's private marina lot (Property ID 19.031.19.44.0008) to the neighboring property owned by Mary and Robert Johnson (Property ID 19.031.19.44.0004/14217 St. Croix Trail North). When Mr. and Mrs. Johnson applied for title insurance, they were told they needed local government approval for the conveyance.

Mr. Mallman stated every time the Johnson property has changed hands, it has caused legal problems because the river frontage is misquoted so this needs to be straightened out. Mr. Voedisch asked about the two docks that are, presumably, Mr. Johnson's, and what his intentions are after the lot line adjustment. The County has indicated Mr. Johnson has had a conversation with the County about a future use that includes inviting in outside users. Mr. Johnson indicated he has no such plans.

Mr. Voedisch noted that, to use one of his docks, Johnson has to walk across Marina property, so that supports doing the LLA. Planer Sparks recommended having a Development Agreement between the Town of May and CPOA regarding those controls that were in the marina's permit with the DNR, now defunct.

Mr. Voedisch outlined Spark's conditions for approving this lot line adjustment agreement:

1. The Croixside Property Owners Association shall enter into a Development Agreement with the County or Town to memorialize the terms of the previous permit(s) for the marina/mooring facility and all other approvals for the marina.
2. The portion being conveyed to Robert Johnson shall be combined with his existing property (Lot 4, Block 1, Croixside), all on one deed (the "Combined Property.")

3. The dock on the property being conveyed and the existing dock are the only docks permitted on the Combined Property, and shall only be an accessory use to the residence.
4. Any future use of these docks, or use of a desired additional dock, by outside users is prohibited unless and until Johnson applies for and receives a permit from the Town authorizing such use on the Combined Property.
5. No expansion of slips or additional docks in the Croixside Marina parcel is permitted without amending existing permits/agreements.
6. No commercial use on the Combined Property is permitted.
7. No public rental of the boats, slips or canoe storage area is permitted on the Combined Property.

The Town Board decided that at \$1,000.00 escrow fee was appropriate given the complexity of the issues involved, with additional billings needed, or unused escrow refunded, depending on the total work expended by Township consultants.

Mr. Voedisch moved, seconded by Mr. Pazlar, that the Town Board give provisional approval of the lot line adjustment that is before us, subject to the seven conditions herein, that these conditions be memorialized into a resolution that the Town Board consider for adoption at its next meeting as the official vehicle for approve. Motion passed.

Tires for Grader

The Town road grader is in need of tire replacement. The Town Board reviewed a bid from Noble's Tire & Auto Service, Inc. for \$11,274.00 for Goodyear; \$8,958.00 for Bridgestone, both radials; \$4,050.00 for Titan; and \$4,290.00 for Firestone, both bias ply. Goodyear radial is the brand of tire Marv Schroeder is requesting. Mr. Pazlar requested a second quote on Goodyear tires. He further mentioned that Noble's Tire & Auto Service, Inc. is located in Wisconsin, where the town would pay state sales tax. If the tires are purchased in Minnesota, the town's tax exemption means no state sales tax.

Mr. Voedisch moved, seconded by Mr. Adams, that the Town Board gather at least one more bid for tire replacement for review at the October 6, 2018 Town Board Meeting. Motion passed.

Scandia Fire Contract

The Town Board reviewed the updated Scandia Fire Contract which outlines fire and medical service to the town. Mr. Voedisch explained that the Town proposed to Scandia last winter that we use the Minnesota "State Formula" for allocating costs for providing authority to a neighbor municipality. This formula uses the value of property, population and fire run statistics as the basis for the calculation. This is what the City of Stillwater does with their mutual aid contracts. Mr. Voedisch attended a workshop in February with the City of Scandia City Council regarding an updated fire contract and they came to an agreement on this goal.

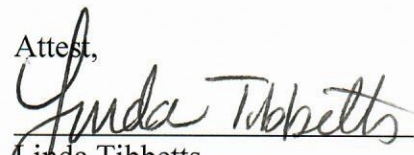
However, after seven months of negotiations, where Scandia was continually changing terms of the agreement, Mr. Voedisch and Mr. Sparks indicated to Neil Soltis, the City of Scandia Administrator, they could not continue in this manner and requested the parties return to the old agreement, which is before the board today.

Mr. Voedisch moved, seconded by Mr. Adams, to approve the Scandia Fire Contract, fixing a typo on Page 1, No. 4 “runs until 2020,” and change Mr. Voedisch’s signature title to “Chair.” Motion passed.

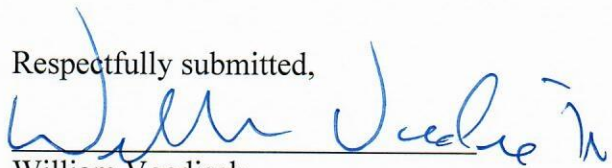
Mr. Voedisch moved, seconded by Mr. Pazlar, to adjourn the meeting. Motion passed.

The meeting adjourned at 8:49 a.m.

Attest,


Linda Tibbetts,
Town Clerk

Respectfully submitted,


William Voedisch,
Board Chair