

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
September 1, 2016

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, September 1, 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 August 4, 2016, regular board meeting. All approved.

Adams moved, seconded by Voedisch, to approve checks 18765 through 18802 for the month of September as well as electronic funds transfers EFTS916, EFTF916 to the State and IRS respectively as presented. All approved. Voedisch moved, seconded by Pazlar, to approve the Treasurer's report as presented. All approved.

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.

McGoldrick/Zajac Deed Corrections

Current legal descriptions for these properties do not correctly identify the lands in question. Voedisch moved, seconded by to authorize the town attorney to work with the parties to resolve the discrepancy and create new deeds.

Solar Systems Ordinance Discussion

In July, the Planning Commission met in a joint "Solar Inquiry" session with the Town Board to discuss solar use in the township. A consensus was reached that the Town should treat large scale solar systems as a "commercial" use and inconsistent with the Town's rural, agricultural and residential character, and thus is not supported by the Comprehensive Plan. There was also a consensus that the Town should create specific standards and policies (an ordinance) for personal solar energy systems. The term "personal solar system" is intended to reflect sufficient accessory solar use to meet the needs of a single household. The Town Code has no prohibition on placing such devices on buildings, and that could continue. The Town Code does place limitations on the amount of area occupied by accessory structures, and the number of those structures. Therefore, ground mounted accessory solar energy systems should be limited by restrictions on square footage and number of accessory structures based on lot size, similar to what we currently do for other structures.

It has become somewhat popular for property owners to participate in an Xcel Energy program where they may produce up to 120% of their average annual consumption and the power company then will buy what is not needed. This may be accomplished with panels on buildings or on the ground. The size of the installations are currently capped at 20 kw, which takes up about 2,000 square feet in area in normal conditions. Sparks concluded that it would be

appropriate to set a maximum square footage based solely on area of panels and not kw of power generated.

The Town needs to consider how it wants to measure the area of a solar panel. At the joint meeting it was generally expressed that there should be a separate limit for ground mounted solar panels and that for example, we not allow 5,000 sq feet of panels on a 21 acre lot

At the joint meeting, it was stated the Town should establish an ordinance that clearly states that building mounted panels are allowed and that ground mounted panels are limited based on lot size, similar to detached accessory structure limitations. Sparks posed the question of whether the Town wants to require a permit for ground mounted systems. In the permit, size limitation would be discussed.

Voedisch stated that the Town needs to come to grips with the notion of square footage allowed. Nate said you need to be clear and consistent about the amount of square footage of the ground that can be covered, that is, the footprint when viewed from above. Sparks stated communities vary in their approach to limiting the area of coverage. Some use percentage of lot used which seems very generous and leads to commercial-sized systems. It seems more prudent to treat them as special accessory structures, where the larger the acreage, the larger the solar panel installation, but not allow as much as would be allowed for buildings. The Town could also consider not counting ground mounted solar toward the accessory building square footage and number limit, and just establish separate limits. Voedisch asked Sparks to add a couple more columns to his current memo, including setbacks and height. More discussion will follow as the Town moves toward drafting a Solar Ordinance.

Engineering and Roads

2016 Crack Fill Project: The following roadways have been identified to be crack filled in 2016:

- Paul Court
- Northridge Avenue
- 148th Street
- 142nd Street
- Square Lake Trail Court
- May Avenue

Allied Blacktop anticipates completing crack filling operations by mid-September.

2016 Drainage Improvements: The following locations have been identified as drainage concerns and/or deficiencies within the Town and have been evaluated by Staff and Board Chair Voedisch. Quotes have been received for the following improvements:

- Old Guslander Trail – Two locations have been identified as eroding spill-outs off the road. Both are experiencing heavy erosion.

Dresel Contracting: Not to exceed \$12,000 (final based on contract time and materials)

Fuhr Trenching: \$3,860.00

- 155th Street Culvert – A significant sink hole has been identified adjacent to the roadway at the Carnelian Creek culvert. After additional inspection, approximately 10 feet from the apron the pipe joint has developed a gap of approximately 5 inches. This site will require dewatering since Carnelian Creek flows continuously.

Dresel Contracting: Not to exceed \$9,000 (final based on contract time and materials)

Fuhr Trenching: \$4,475.00

Staff has authorized Fuhr Trenching to complete the improvements as identified above. Fuhr anticipates completing the culvert repair on 155th Street the week following Labor Day with the drainage improvements on Old Guslander Trail to follow.

Panorama Culvert Cleaning: American Vacuum Excavating has completed the vacuuming of the existing storm catch basins along Panorama Avenue. The final invoice was included in the claims approved. Please note, future vacuum operations are anticipated to be much lower. American Vacuum Excavating will evaluate the storm water structures in the spring and provide a quote to complete the work annually.

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.

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 and County's provisions.

Old Business

No Parking Around Big Carnelian

The engineer noted that no parking signs have been ordered for Panorama. The board discussed no parking on 130th Street also, but no residents have come forward to discuss it.

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 and enforce "no parking." We would have to amend that ordinance to include 133rd St.

Panorama Avenue Surface Improvement Project: Engineering staff met with Board Chair Voedisch regarding the proposed costs associated with the preparation of the Feasibility Report for the Panorama Avenue Surface Improvement Project. A preliminary cost estimate was presented to pave the public portion of Panorama Avenue, including excavating out the existing road surface and installing a class 5 aggregate base and bituminous pavement. Also included in the costs are storm sewer improvements to address existing drainage concerns. Following the meeting, Board Chair Voedisch suggested staff prepare two options to be considered at the September Board Meeting: excavate Panorama Avenue to install a new class 5 section complete with bituminous paving and storm sewer improvements (Option 1), and excavate Panorama Avenue ONLY to accommodate the new pavement surface to match the existing top of gravel surface complete with paving and storm sewer improvements (Option 2).

The following are the costs associated with each option (including construction cost contingency and indirect costs such as legal and engineering) included for reference:

- **Option 1: approximately \$152,100**
- **Option 2: approximately \$116,600**

PLEASE NOTE: The estimated costs are preliminary based on Washington County GIS information and preliminary site visits. Topographic survey and exploratory investigation of the existing gravel have not been completed. Staff has also investigated the preliminary assessment totals and has prepared the following for Board review:

Assessment Options						
	Option 1			Option 2		
Assessable Percentage to Property Owners	100%	75%	50%	100%	75%	50%
Total Cost to Property Owners	\$152,024.40	\$114,018.30	\$76,012.20	\$116,595.60	\$87,446.70	\$58,297.80
Total Cost to Township	\$0.00	\$38,006.10	\$76,012.20	\$0.00	\$29,148.90	\$58,297.80
Assessable Properties (Driveway Access)	12	12	12	12	12	12
Assessment Per Property	\$12,668.70	\$9,501.53	\$6,334.35	\$9,716.30	\$7,287.23	\$4,858.15
Assessable Frontage (Driveway Access)	798	798	798	798	798	798

Assessment per Front Foot	\$190.51	\$142.88	\$95.25	\$146.11	\$109.58	\$73.05
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PLEASE NOTE: the assessment calculations are preliminary based on preliminary review against the Washington County GIS database.

Engineer Koscielak prefaced her cost analysis based on a ‘worst case’ scenario, with the understanding the engineers do not yet have all the details related to this potential project. Based on this, they provided the above options and associated costs.

Voedisch asked if the Town could assign this project to a given year, say 2018, and during that year, no other paving projects would be budgeted. This might give the Town an opportunity to fund part of this while also going through the assessment process. Voedisch asked the merit of the Town participating in the cost vs. putting the assessment costs totally on the property owners.

Snyder advised that the goal would be 100 percent participation, even though that is unlikely. He also pointed out the citizens do have ways of avoiding the assessment costs by challenging and deferring, which means the Town ends up carrying these portions.

Koscielak advised that they cannot provide final assessment numbers until the feasibility study has been completed. Voedisch moved, seconded by Adams, to approve professional services to prepare an engineering feasibility study at a cost of not to exceed \$5,000. All approved.

Noisy Train

Voedisch was out at the site several times with the noise meter and took pictures showing that the train may be 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 of CN.

New Business

Sheriff’s Office Liaison with Township

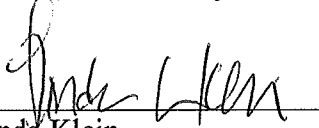
Snyder advised the Board that he believes the sheriff’s department has not been communicating properly with the board, notably in terms of handing out tickets for violations. The Board agreed and thanked Snyder if he has remedied that problem.

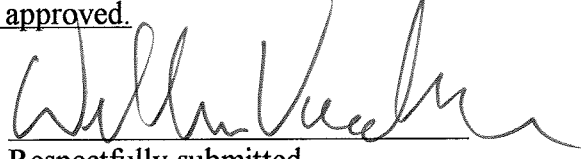
Town Treasurer/Town Clerk

The Board discussed the clerk’s decision to remain in her position for at least 2 more years. The treasurer noted that she may considering doing the same. The Board will decide by the October meeting whether or not to put the combined clerk/treasurer question on the March ballot or.

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

Attest:


Linda Klein
Town Clerk


Respectfully submitted,
William K. Voedisch

Town of May

Cash Control Statement

8/31/2016

For the Period : 8/1/2016 To 8/31/2016

<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	\$167,352.61	\$17,947.40	\$17,144.19	\$168,155.82	\$17,947.40	\$18,029.19	\$168,237.61
Road and Bridge	\$139,856.73	\$4,851.73	\$40,438.48	\$104,269.98	\$4,851.73	\$47,065.15	\$146,483.40
Levied Park Fund	\$7,819.44	\$1.73	\$312.62	\$7,508.55	\$1.73	\$312.62	\$7,819.44
Fire Fund	\$99,154.99	\$21.87	\$0.00	\$99,176.86	\$21.87	\$0.00	\$99,154.99
201 Sewer Fund	\$47,246.00	\$3,777.75	\$4,986.15	\$46,037.60	\$3,777.75	\$4,986.15	\$47,246.00
General Capital Projects	\$55,878.61	\$12.32	\$0.00	\$55,890.93	\$12.32	\$0.00	\$55,878.61
Park Acquisition and Development (Optional)	\$6,902.61	\$1.52	\$0.00	\$6,904.13	\$1.52	\$0.00	\$6,902.61
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	\$529,210.99	\$26,614.32	\$62,881.44	\$492,943.87	\$26,614.32	\$70,393.11	\$536,722.66

MONTH OF AUGUST

CASH

CHECKING	\$1,000.00						
MONEY MARKET	\$486,943.87						
TOTAL CASH	\$487,943.87						
ESCROW							
CENTURY LINK	\$3,388.61						
CONNEXUS ENERGY	\$291.00						
FRONTIER UTILITY ESCROW	\$3,056.00						
SCIENCE MUSEUM OF MN	\$0.00						
WILDER FOUNDATION	\$0.00						
XCEL UTILITY ESCROW	\$4,540.29						
ROAD ESCROWS	\$2,500.00						
PLANNING FEES ESCROW	\$574.00						
TOTAL ESCROW	\$14,349.90						

August 31, 2016

PLANNING FEES AS OF 9/1/16

JAMES DAVIDSON	\$63.00
JUDY OR GARY FREEMAN	\$158.75
GARY JOHNSON/GRUBER	(\$81.25)
NOEL SCHMIDT	\$133.50
JOSEPH MATSUMOTO	\$300.00
TOTAL	\$574.00

TOTAL ESCROW

Letters of Credit: None

TOTAL CASH & INVESTMENTS*

\$1,068,060.94 *

*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 8/31/16

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 8/31/16

GENERAL FUND

MONEY MARKET	\$167,155.82
INVESTMENTS	\$59,952.31
COMMITTED	
ROAD ESCROWS	\$2,500.00
ESCROWS	\$14,349.90
CONTINGENCY	\$50,000.00
2016 LEVY REDUCTION	\$40,000.00
CASH FLOW	\$73,982.00
COMMITTED TOTAL	\$180,831.90
UNCOMMITTED	\$46,276.23

ROAD & BRIDGE FUND

MONEY MARKET	\$104,269.98
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	\$1,251.00
LYNCH ROAD - CD	\$30,059.66
COMMITTED TOTAL	\$266,628.80
UNCOMMITTED	\$70,144.52

LEVIED PARK FUND

MONEY MARKET	\$7,508.55
COMMITTED TOTAL	\$7,508.55

FIRE FUND

MONEY MARKET	\$97,176.86
COMMITTED TOTAL	\$97,176.86

CAPITAL FUND

MONEY MARKET	\$55,870.93
INVESTMENTS	\$112,456.36
COMMITTED	
HEAVY EQUIPMENT	\$168,327.29
COMMITTED TOTAL	\$168,327.29

Total Money Market	\$431,982.14
Total Investments	\$404,912.01
	<u>\$836,894.15</u>

Total Committed	\$720,473.40
Total Uncommitted	\$116,420.75
	<u>\$836,894.15</u>