

**TOWN OF MAY  
WASHINGTON COUNTY  
OFFICIAL TOWN BOARD MINUTES  
July 7, 2011**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, July 7, 2011, at the May Town Hall. Those present included Bill Voedisch, Board Chair; John Pazlar, Supervisor; John Adams, Supervisor; Cheryl Bennett, Town Treasurer; John Arnason, Planning Commission Chairman; Katie Kasper representing Diane Hankee of WSB; Dave Snyder, Town Attorney; Pete Kluegel, Building Inspector; Linda Klein, Town Clerk and residents of the Town of May. Absent: Diane Hankee Town Engineer (WSB). Chairman Voedisch called the meeting to order at 7:00.

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

Adams moved, seconded by Pazlar, to approve the minutes of the June 5, 2011, Town Board meeting as presented. All approved.

Adams moved, seconded by Pazlar, to approve checks 16487 through 16423 (16422 and 16423 void due to printing error) plus EFTS711 and EFTF711 electronic funds transfer to the State and IRS, respectively. Adams moved, seconded by Pazlar, to approve the Treasurer's report as presented. The check register and report is attached to these minutes and serves as the official record. All approved.

Voedisch moved, seconded by Adams, to recognize that considerable improvement has been made on the Rocky Hoffman property and that the letter of credit due to expire August 1 can continue without asking for a new one, giving the Board an option to call the Letter of Credit, if necessary, without convening another board meeting, prior to August 1. All approved.

Adams moved, seconded by Pazlar, to transfer \$10,000 from the 201 Sewer Fund to the 201 Replacement Fund and to transfer \$500 from the 201 Sewer Fund to the General Fund. All approved.

**Novak Survey and Deed Adjustments**

Dave Dupay came forward with a survey that included some needed adjustments due to an error in the original survey as a result of not properly noting the center lane of Otchipwe. Attorney Snyder has already reviewed the documents and had no problems with the requested action.

Voedisch moved, seconded by Adams, to approve the new survey as presented and authorize the Town Attorney to approve the deeds for recording when presented at his office. All approved.

**Lot Line Adjustment**

**Bill Selb, Landmark Surveying, for Davidson's**

Bill Selb presented a survey depicting a lot line adjustment between the Davidson's and Anderson's to create two new pieces of property, each one representing approximately 22 acres. Voedisch noted that the resulting parcels are actually losing a combined net development right by this new configuration. New deeds will be created for both parcels.

Adams moved, seconded by Pazlar, to approve the lot line adjustment creating two new parcels of 22.3 and one of 23.4, and the creation of new deeds for both parcels. All approved.

## **Engineering & Roads**

Engineer Hankee was not in attendance, but Katie Kasper attended for WSB. She presented the board with the project manual and plans for the Square Lake Trail Court N reclaim and paving project, and storm water control and paving on 131<sup>st</sup> Street (east of Panorama). She stated that WSB suggests awarding the contract to Hardrives, Inc., of Rogers, as lowest responsible bidder.

Adams moved, seconded by Pazlar, to award both projects to Hardrives for a total of \$99,976.25. All approved.

## **Old Business**

### **Violations**

#### **Brad Smith**

The board has previously asked Smith to remove the large storage containers. Neighbor Gretchen Davidson reported that although one container was removed, another one was brought in to replace it. She also reported that the large refuse pile remains the same.

#### **David Johnson**

Garden plots have been created on the David Johnson property, including a couple of shacks to house equipment. Pazlar asked if perhaps the Town should impose some limitations regarding these types of operations. Snyder suggested Pete Kluegel look at the code and go out and identify what the potential issues might be, take some pictures and return to the next meeting. The board was adamant that, at the least, measures should be taken regarding sanitary issues, i.e., some form of portable toilet should be in place, and no on-road parking be allowed.

#### **Small Business renewals - Keller**

The board discussed the one remaining small business license that has not been renewed, and there was a question of whether or not Mr. Keller was still living at this property. Voedisch moved, seconded by Adams, that the Town will contact Mr. Keller and advise that the small business permit will be rescinded unless payment is made before the August meeting. All approved.

#### **Resolution to Revoke Millhouse WECS Permit**

Voedisch moved, seconded by Pazlar, to approve Resolution 2011-06 that memorializes the board's previous motion revoking the Millhouse CUP for their WECS system per their request. All approved.

#### **Resolution to Approve Davis Subdivision**

Adams moved, seconded by Pazlar, to approve Resolution 2011-05, a resolution with supporting findings of fact approving a minor subdivision of property for Sandra Davis to divide one 80.5 acre parcel into two parcels, an approval that was granted by motion at the June Board meeting. On a roll call vote: Adams, yes; Pazlar, yes; Voedisch, abstains. Motion passes.

## **Withrow Ballroom – Status**

Voedisch reported on the meeting with Paul Bergmann and his attorney in Mr Synder’s office, and on Voedisch’s follow-up meeting with Mr Bergmann regarding changes in usage taking place at the Withrow Ballroom. Bergmann feels he does not need to amend his CUP to host the car/tractor show as he calls it an “owner sponsored” event, however he does recognize that he needs to change how his 180 days can be used since he is over his 24 weekdays allowed (Monday-Thursday), and that he would like to add threshing as a new agri-entertainment use. The Town has advised him that his CUP needs to be amended, and he should be coming forward for an application. Bergmann’s main problem with this is the costs incurred the last two times he has been in front of the Town to amend the CUP, and he is reluctant to make application again for this reason. Voedisch moved, seconded by Pazlar, to accept a CUP amendment application for a total applicant cost not to exceed \$1,000 for fees and escrows, and that he must submit this in 90 days. All approved.

## **New Business**

### **May Avenue & 195 Cell Towers – Verizon Wireless**

Rob Viera, representing Verizon Wireless, presented the drawings to install two micro-wave dishes on the May Ave tower, one 6 feet in diam. aiming at a Scandia tower and one 4 feet in diam. aiming at the 150<sup>th</sup> st tower, and a 4 foot in diam. dish on the 150<sup>th</sup> st tower. The dishes are to provide connectivity between the May Avenue tower and the towers in Scandia and the Highway 95 tower. Voedisch questioned if the 4 dish on the 150th st tower was a significant visual impact, and the board agreed that it is not. However the board felt the placement of the dish on the 150<sup>th</sup> st tower may interfere with a future 3<sup>rd</sup> set of cell antennas on that tower and that Mr. Viera had no reasonable explanation why the 4 foot dish could not be moved further down. Snyder advised that if a motion is made at this meeting, it should be followed by a resolution.

Voedisch moved, seconded by Adams, to approve plans as submitted by Verizon for a 6 foot microwave dish at 134 feet with a 359 degree azimuth on the Lynchburg tower (May Avenue) for the purpose of communication with the Scandia tower, as this does not constitute a major change to the site and an amendment to the CUP is not needed, given that this location is consistent with the co-location provisions of the CUP in that it allows ample separation for antennas for a potential third cell carrier to be placed directly beneath current carrier number 2. All approved.

No approval was offered for the placement of 4 foot dishes on either tower as the board believes the 4 foot dish on the 150<sup>th</sup> St. tower can be placed anywhere, in a manner that will not interfere with a 3<sup>rd</sup> cell carrier. Mr Viera will return to the August Board meeting with an engineer to share more information.

### **Items in ROW**

The board discussed continuing to use Maroney’s Sanitation pick up large items in our road rights-of-way. Pazlar was in favor of asking the road crew to check out these items before calling on Maroney’s. Voedisch thought a combination of road crew and Maroney’s might work best.

### **Liability Insurance**

The board discussed how to decide on a carrier for E & O and liability insurance coverage, as our current E & O coverage with MAT extends only to August 31. Bennett suggested making a decision on

these two items at the August meeting. She will begin assembling a packet that covers all the insurance coverage for the Town and will work with Attorney Snyder on the questions to ask.

**Sweeping**

Voedisch moved, seconded by Adams to give the engineering firm authorization to hire a sweeping contractor who will take direction from the road crew on where to sweep, with a budget not to exceed \$1500. All approved.

**Mid Year Financial Report**

Treasurer Bennett brought forward the mid-year financial report and the board discussed areas where expenses deviated from the original budget. It was clear we were about to exceed the gravel road aggregate (gravel) budget, and Voedisch wondered why we were not more on top of this expenditure.

**NAC Projects**

Town Code – Voedisch will report on the code project in a separate writing. He will get information out before the August meeting.

**Bollig**

Attorney Snyder advised the Board the Country Insurance had denied any responsibility to indemnify OR defend the Town and that he did not believe this position was supported by the law or the policy. He will seek further direction from the Board.

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

ATTEST: \_\_\_\_\_

Linda Klein  
Town Clerk

\_\_\_\_\_

Respectfully submitted,  
Bill Voedisch, Board Chairman