

**TOWN OF MAY  
WASHINGTON COUNTY  
OFFICIAL TOWN BOARD MINUTES  
June 2, 2011**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, June 2, 2011, at the May Town Hall. Those present included John Pazlar, Supervisor; John Adams, Supervisor; Cheryl Bennett, Town Treasurer; John Arnason, Planning Commission Chairman; Dave Snyder, Town Attorney; Pete Kluegel, Building Inspector; Carie Fuhrman, Town Planner (NAC) and residents of the Town of May. Absent: Linda Klein, Town Clerk; Bill Voedisch, Chairman; Diane Hankee Town Engineer (WSB). Pazlar called the meeting to order at 7:00.

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

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

Adams moved, seconded by Pazlar, to approve checks 16457 through 16486, plus EFTS611 and EFTF611 electronic funds transfer to the State and IRS, respectively. Adams moved, seconded by Pazlar, to approve the Treasurer's report as presented. The report is attached to these minutes and serves as the official record. All approved.

**Langer Slalom Course Permit**

Adams moved, seconded by Pazlar to approve the Langer Slalom Course on Big Carnelian Lake. All approved.

**Planning Commission**

**Davis/Nelson Minor Subdivision**

John Arnason presented the planner's report. Sandra Davis is requesting a minor subdivision. There are more than 2.5 contiguous acres for a building site and it meets all the setback requirements for the site. The planning commission recommends that the Board approve with the 12 recommendations the planner recommended and also that Lot A yields no more than 7 lots. Bill Selb of Landmark Surveying indicated they had been before the County Board because the County requires a plat. The County is requiring an extra 10 feet of right of way on the lot. Adams moved, seconded by Pazlar to approve the minor subdivision and direct staff to prepare a resolution with the 13 recommendations as part of planners report, and if a development agreement if not done by Washington County, then staff prepare one. Roll Call vote: Adams yea, Pazlar, yea.

**Appoint Planning Commission Members**

John Arnason and Lester Rydeen have both agreed they would like to continue to serve the Town on the Planning Commission. Adams moved, seconded by Pazlar to appoint Mr. Arnason and Mr. Rydeen for another 3 years. All approved.

## **Engineering & Roads**

Engineer Hankee was not in attendance. Her report emailed to the Board indicated that the staff is working on plans and specifications for Square Lake Trail Court N reclaim and paving project and paving on 131<sup>st</sup> Street (east of Panorama).

## **Old Business**

### **Commercial Weddings Discussion**

Arnason reviewed the commercial wedding discussion held by the Planning Commission. A letter from Chairman Voedisch, who is out of town, was read and is attached to these minutes. Planner Fuhrman reviewed Ms Buerkley's request and her report of April 25<sup>th</sup>. Ms Buerkley is asking for up to 10 weddings to be held between 12 pm and 6 pm, Friday thru Sunday. Each wedding will be approximately 1.5 hours in length. The property is designated Rural Residential and the proposed use does not fall under our recreational use and the definition for commercial recreational areas is unclear. Pazlar questioned what constitutes a secondary use of property. Albertson farm held weddings for many years without complaints. Adams was concerned about the intensity of the use for those 10 days. We may find ourselves having to approve more secondary uses that are also not in the best interest of the citizens as people ask for a little more and a little more. Buerkley asked about less people or less cars and rezoning. Snyder stated rezoning or changing the ordinance to allow this kind of activity in the township is possible, but difficult. Ms Buerkley was advised she may want to re-craft her use. It appears that at this time, there is not enough support for this to pass as presented at this time. Ms Buerkley stated she wants to create something to show off the beauty of the town.

### **Animal Control**

Ken Motzko appeared before the board and stated that many of his neighbors have unleashed dogs and when he tells them there is a lease law in the Town, they state they have an agreement between the five dog owner/neighbors to allow their dogs to run. The dogs are chasing cats and small dogs and Mr. Motzko's grandchildren. He has warned the neighbors they need to leash and they have been very uncooperative. Mr. Motzko stated he knows it is expensive for the owners to have their dog picked up and sent to the Humane Society, so he has not done so. Ms Bright indicated she is frightened by the dogs and has leashed her cat. She told the neighbor he would have to shoot the dog with a bebe gun. Dog has been very aggressive. Neighbors have told Motzko and Bright to throw rocks at the dogs or go after them with a broom. Snyder proposed two (2) approaches. If the residents are willing to submit a written complaint, a board member can speak to dog owner. The second is if dog comes onto their property, call the sheriff. Mr. Motzko asked if a letter can be written to the dog owners and stated that no one wants to contain any of the dogs because their fear of them. Mr. Pazlar instructed them to send a written request for the town to follow up. Mr. Snyder indicated he would like to follow-up.

## **New Business**

### **Albertson 1982 Variance – Reedy request**

John and Jill Reedy are requesting formalization of purchase agreement. It is a non-conforming lot and does not have enough road frontage. They are also requesting a certificate of compliance to build a storage facility in front of the house. There is a new easement agreement that was signed today, June

2<sup>nd</sup>, but Mr. Reedy did not have it with him. Mr. Kluegel indicated that there was a legal description submitted in 1982. It is a lot of record as of May 6, 1982 but nothing detailed was in the minutes. There was limited language as to the placement of the house. Legal description language is on the surveys, which have been filed with the County. Physical and utility access is through Albertson's property. It is not the intent of Mr. Reedy to develop the property. Mr. Snyder indicates that he believes this lot is eligible for building. There does not appear to be a record of "where" the house can be located.

Adams moved, seconded by Pazlar that we have determined the lot in question to be buildable based upon the information we received from the future owner, the clerk, and attorney and that the previous town board approved a variance for this as a buildable lot of record. This determination is also conditioned on the easements be recorded, ingress and egress issues have been resolved, and subject to any issues the County may raise. Roll Call Adams; yea; Pazlar; yea.

### **Zavoral Mining Issue - Scandia**

John Arnason requested that Laurie Allman come before the board and explain the progress.

### **Town of May Planner**

Adams moved, seconded by Pazlar to accept NAC's proposal for Nate Sparks as our planner for now and to possibly go out with a request for proposal in the future and that a board member write a letter to current planner thanking her for her service. All approved.

### **Certificates of Insurance**

Treasurer Bennett indicated that the Minnesota Association of Townships is advising its members that liability on the Certificates of Insurance received from contractors be a minimum of \$1.5 million dollars and that the holder list Town of May as "additionally insured." After speaking to our insurance agent, it was determined that it is less expensive and more reasonable for contractors to have \$2 million. The exception to this is our consultants. Pazlar moved, seconded by Adams, to require the liability insurance be increased to \$2 million and that the town be named as additional insured for all contractors doing business with the Town.

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

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

Cheryl Bennett  
Town Treasurer

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Respectfully submitted,  
John Pazlar, Supervisor