

## BALDWIN TOWNSHIP SPECIAL MEETING

May 11, 2011

**Present** – Supervisors Randy Atwood, Kimberly Good, Larry Handshoe, Tom Rush and Jay Swanson.

**Call to Order** – The May 11, 2011 special meeting of Baldwin Township was called to order by Chairman Jay Swanson at 7:00 p.m.

**Pledge of Allegiance** – All present recited the Pledge of Allegiance.

**Approve/Disapprove Reinstatement of Fire Fighter** – Rush/Good unanimous to approve the reinstatement of firefighter Jim Oliver.

**Schedule Meeting with Potential Annexation Attorneys** – All the attorneys who responded with be scheduled on June 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> at 7:00 p.m. depending on their schedules.

**Adjourn** – Handshoe/Rush unanimous to adjourn at 7:14 p.m.

## BALDWIN TOWNSHIP WORKSHOP

May 11, 2011

**Present** – Supervisors Randy Atwood, Kimberly Good, Larry Handshoe, Tom Rush and Jay Swanson.

**Call to Order** – The May 11, 2011 Baldwin Township workshop meeting was called to order by Chairman Jay Swanson at 7:15 p.m.

**Pledge of Allegiance** – All present recited the Pledge of Allegiance.

**Establish 2011 Goals** – Swanson and Rush were in agreement to get the planning commission seated, and the comprehensive plan up and running along with the road plans. Rush also stated that the employee handbook is close to being finished; then should go to Good.

At the park there are still wetlands to deal with; the trails are a separate issue. Rush said he would like to get the driveway done, and get the white building open as a pavilion so that the community can use it. The stone memorial is close to be done; and the park benches are almost finished.

Good said that she is looking at all of the policies and procedures to make sure they are all updated and consistent. She is revisiting Baldwin's road standards, dog ordinance and the township's efficiency regarding copiers and communication.

Atwood said to continue with the Economic Development Committee and all of his assigned duties. The board members agreed that the planning commission and comprehensive plan are a goal of the entire town board.

**Review/Comment on Sherburne County Draft Comprehensive Land Use Plan 2010-2030** – Bryan Lawrence wanted to bring to the board's attention his concern Regarding page 97 of the draft Sherburne County Comprehensive Land Use Plan. Entered into the minutes is page 97 which reads:

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response. Big Lake and Livonia submitted a verbal response during township workshops. Haven provided verbal clarification of an earlier written response from March 2009. In the case of the other five townships, future land use maps and policies are based on one or more of the following:

- Current land use;
- 2004 Comprehensive Plan;
- Previous township plans;
- Previous discussions between the Planning & Zoning Department Staff and town boards.

**County-Township Joint Powers**

Sherburne County adopted joint powers agreements with the townships of Baldwin (2005), Big Lake (2005), and Livonia (2007). These townships may have had different reasons for entering into a joint powers agreement. One reason may have been to prevent neighboring cities from extending municipal zoning authority beyond municipal boundaries.<sup>9</sup> The joint powers agreement<sup>9</sup> states:

*The purpose of this Agreement shall be to create a unified and simplified method of zoning enforcement within [the] Township whereby the County shall undertake to perform on behalf of the Township all functions regarding administration and enforcement of the Township's Zoning Ordinance and Subdivision Ordinance (the "Ordinances") control, including inspection, issuance of permits, enforcement and any and all other exercise of authority which may be legally delegated to the County by the Township.*

Under these agreements, the three townships have adopted their own Zoning and Subdivision ordinances. The township ordinances are identical to the County's ordinances. The townships have appointed the County Planning Commission and County Board of Adjustment as the township's. The townships have appointed the County Zoning Administrator and County Attorney to administer and enforce the township's Zoning and Subdivision ordinances. The difference between how a land use request is processed in these three versus the other six townships is primarily administrative procedures. In the event the Town Board's final action differs from the County Board's action (i.e. where one board approves a request while the other board denies it), Sherburne County shall enforce the County Board's action, and the township shall enforce the Town Board's action.

<p><b>Townships with Joint-Powers Zoning</b>                  Application submitted to the County                  Application submitted to the Township                  County Staff review                  Township Staff review                  Town Board recommendation                  County Planning Commission recommendation (public hearing)                  County Board action                  Town Board action (affirmative of County Board action)</p> <p><b>Other Townships</b>                  Application submitted to the County                  County Staff review                  Town Board recommendation                  County Planning Commission recommendation (public hearing)                  County Board action</p>
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Figure 9.1: Summary of how the administrative procedure of processing a land use request requiring a public hearing differs between those townships with joint-powers zoning and those without. Source: Sherburne County Planning & Zoning Dept.

Lawrence said that Baldwin Township has a good position with the county, and as it precedes ahead Nancy Riddle and Kathleen Heaney should be asked to come out and review the county's plan with the idea of subcontracting with the county. The main goal in doing our own planning and zoning is to have more control with the annexation issue. If challenged in court ask if county ordinance would hold up. Look at this page as if it's the basis we have today. If not, first proceed to talk with the county and then proceed ahead. No other real issues. The county over the last 6 years has been willing to work with townships. The legal side is that if any issues come up with planning and zoning the county covers us.

If any changes are proposed tell the county that you want to be more stringent. If they are willing to work with the township great; otherwise go your own way. Swanson said that the township is talking about a planning commission, not a planning and zoning commission. Lawrence countered by saying the county comprehensive plan is a good foundation. We have our own planning and zoning and we can update it as well as revise it. Bob Ruppe helped us put this together back in 2005 when the township was on the discovery path of incorporation.

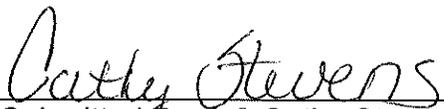
Rush noticed on page 101 under the heading of *Previous Township Studies* it states "The planning, working, service arrangements, joint power agreements, and cost/revenue sharing are intended to prevent annexation between Baldwin and Princeton". Lawrence said this is specific to Baldwin and great background information. It's a great open door to make changes if needed.

There was reference page 105 with adding the word township to the second paragraph.

Lawrence asked if there were any messages to bring back to the county. Mentioned was if a public meeting could be held at Baldwin, discussion regarding collecting park fees, and discussion regarding township owned property.

An informational meeting was scheduled by the town board for June 15<sup>th</sup> at 7:00 with Jon Sevald, Sherburne County Zoning, to discuss further the draft plan. The clerk was instructed to contact Mr. Sevald along with Nancy Riddle, Sherburne County Zoning, to determine their availability to attend this meeting.

**Adjourn** – Handshoe/Rush unanimous to adjourn at 8:35 p.m.



Submitted By: (s/) Cathy Stevens  
Clerk/Treasurer  
Baldwin Township



Approved By: (s/) Jay Swanson  
Chairman, Board of Supervisors  
Baldwin Township

Present: Scott Case, Elaine Philippi, Chuck Nagle, Bryan Lawrence