

## BALDWIN TOWNSHIP REGULAR MEETING

March 4, 2013

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

**Call to Order** – The March 4, 2013 regular meeting of Baldwin Township was called to order by Chairman Jay Swanson at 7:03 p.m.

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

**Additions/Corrections to Agenda:** None.

**Approval of Regular Meeting Agenda With/Without Additions/Corrections** – Handshoe/Rush unanimous to approve the regular meeting agenda without additions or corrections.

### **Treasurer's Report:**

**March 2013 Preliminary Treasurer's Report** – The clerk reported receipts of \$1,046.01 and disbursements of \$16,402.79, check numbers 17255 through 17289 and 0 EFT payments leaving an unaudited balance of \$406,557.12.

**Sheriff's Report** – It was reported there were 152 calls for service in February.

**Fire Department Report** – Assistant Chief Scott Case reported there were 16 calls for service in the month of February. Twelve were medical, one car fire, two personal injury accidents and one mutual aid call. The house burn went very well with good cooperation between both Princeton and Baldwin departments.

**Approve/Disapprove Hiring Nicholas Cole, Shane Jacobsen, Andy Walker & Michael Lambrecht** – Handshoe/Good unanimous to approve hiring Nicholas Cole, Shane Jacobsen, Andy Walker and Michael Lambrecht. This brings the number of firefighters to 27 for the department. Case said they would like to get three more firefighters in the next year.

### **Approval of Consent Agenda:**

**Approve Town Board Meeting Minutes of February 4 & February 19, 2013** - Good/Handshoe unanimous to approve the town board meeting minutes of February 4 and February 19, 2013.

**Open Forum for Citizens** – A resident asked about the township chairs stating that she feels the chairs would only enhance the citizens sitting at the table and not the taxpayers. She also questioned what would happen to the old chairs.

Chuck Nagle, 131<sup>st</sup> Street, questioned the marked up agreement with Princeton and asked why there was no addition relevant to the landowner as he feels that it implies that somebody by Zimmerman could be annexed by Princeton.

He also stated that he wanted to give official notice that he has retained an attorney regarding 112<sup>th</sup> Street and the conflict of interest. He presented to the board a copy of a letter. He read, in part, "Public officials such as those on the Baldwin Township Board are precluded from voting on matters in which they have a pecuniary interest. This prohibition stems from practical common sense, statutes, and case law. Public policy forbids the sustaining of municipal action founded upon the vote of a member of the municipal governing body in any matter before it which directly or immediately affects him individually." The conclusion is: "The fact of the lack of unanimous consent in the 3-2 board vote to approve the project, with Mr. Swanson casting the deciding vote, shows the project was not as necessary and required as all propounded by the board and its attorney. It only further shows the importance of the need for all those with direct interest in the project to abstain from voting on what appears to be a contested township issue." In between are the statutes.

Swanson questioned if that was an attorney he has on a retainer and you are going to sue the township, is that what he is saying? Or is he going to sue me (Swanson)? What are your intentions with this letter then? Nagle responded that he has not declared his intentions. He has retained an attorney and he has a letter of opinion at the moment from this person.

**CONDITIONAL & INTERIM USE PERMITS:** None.

**PLATS:**

**Approve/Disapprove 2-Year Preliminary Plat Extension, Heinen Addition –** Good/Atwood unanimous to approve a 2-year preliminary plat extension for Heinen Addition.

**VARIANCES:** None.

**OLD BUSINESS:**

**PAVC Update –** Good reported that the PAVC is still attempting to get grants. Committee people will be at the Business Expo on March 23, 2013. The PAVC continues to update their website.

**Park Committee Report –** Rush reported the Park Committee is recommending Wayne Thompson as a new member. Goose Lake signage, selling of the white building and concrete work along with the boardwalks are the major projects for this spring.

**Approve/Disapprove Goose Lake Signage –** Rush/Good unanimous to approve signage for the Goose Lake property with size similar to that at Young Park.

**Approve/Disapprove White Building Consignment Contract** – After review of the contract with Anderson Building Movers, Handshoe/Good unanimous to approve with changes of the end date being April 30, 2013 at a sale price of \$1500 to \$1800 with the company receiving 10%, not including delivery.

**Approve/Disapprove Appointing Wayne Thompson for a 3-Year Term** – Wayne Thompson was present. He has been a resident of Baldwin for 30 years, has time to devote to public service, is interested in parks and is educated in geology/environmental science. Good/Handshoe unanimous to approve appointing Wayne Thompson for a 3-year term to the Park Committee.

**Approve/Disapprove up to \$500 for Concrete Work for Rock Monument** – Good/Handshoe unanimous to approve up to \$500 for concrete work for the rock monument at Young Park.

**Regional Park Committee Update** – Good attended the meeting in place of Rush, who was not available. The Regional Park Committee is trying to find funding for trails. They will obtain the services of a grant writer.

**TCI Baldwin Volunteer Corps Update** – The Baldwin Volunteer Corps is trying to find ways to increase membership. There was discussion at the meeting on organizing a Spring Fling. The Corps will help serve refreshments for the Baldwin Planning Commission event on May 3<sup>rd</sup> and May 4<sup>th</sup>. Work is being done to finalize the wording of the Initiative Foundation Grant application.

**Approve/Disapprove Bridget Chard Attending Baldwin Volunteer Corp Meetings** – Handshoe/Good unanimous to table until the April meeting.

**Joint Committee with City of Princeton Status** – See below.

**Review Draft Agreement with City of Princeton** – The Baldwin Township supervisors agreed to review the draft agreement with the City of Princeton and bring their suggestions and additional comments to discuss at the April meeting.

**Approve/Disapprove Lease with SBA 2012 TC Assets, LLC (formerly TowerCo)** – Good/Handshoe unanimous to send the entire file to the township attorneys for review with the Clerk making contact with the attorney via email and phone.

**112<sup>th</sup> Street Bid Update** – The 112<sup>th</sup> Street bid was awarded to Knife River Corporation with West Branch Construction doing the dirt work. The final bid was \$560,385.83 down from an original estimate of \$688,973 for a savings of a little over \$120,000. Construction is to begin as soon as spring allows.

**Review Calcium Chloride Update Letter from Township Engineer** – The letter was reviewed by the township board. A copy will be sent to Jan Anderson of Blue Hill

Township with the expectation to have it added to the County Association of Township's April meeting agenda.

**Review/Approve/Disapprove Purchasing Lawn Tractor** – A motion was made by Good; seconded by Handshoe to approve purchasing a lawn tractor with a price of up to \$40,000. A voice vote was taken with Good, Handshoe, Swanson and Atwood in favor; Rush opposed. Motion carries.

**Update on Auditor Attendance at Annual Meeting** – Because of the auditor's schedule, there is no guarantee that he will be able to attend the Annual Meeting.

#### **TABLED ITEMS:**

**Review/Approve/Disapprove Lake Helene Access Letter** – Good stated that the letter should include the phrase, "or needs repair" be deleted and changed to "and left back in the original condition" along with a sentence that states that the property owner will hold the township harmless. A resident in the audience questioned what the town board's goal was with the access. Swanson replied that the access is a public access and what we had was a no trespassing sign put up and a septic mound is on there. It needs to remain a public access and, if the septic is to remain there, it still needs to be a public access at that same time. The property owner needs to hold the township harmless. A resident questioned if the access was going to be updated as he lives on the lake and is concerned with more people. Swanson replied that the township has no intention of altering it. Good responded that access improvement was never part of the plan. A resident stated that 30 years ago the township gave access to the resident on both the left and right of the access. Good stated that there is documentation that in 1982 or 1983 the township did vacate that piece of property then they found out that they could not vacate it. Justin Hughes stated that he has a contract for deed for that property and the township did not hear variances at the time he was granted a variance by the county and the county told him that it was vacated. Good/Handshoe unanimous to approve the letter with changes. Atwood suggested to also sending all supporting documentation,

**Approve/Disapprove Initiative Foundation Application** – Rush/Good unanimous to table until the mid-March meeting.

#### **NEW BUSINESS:**

**Schedule Oath of Office & Reorganization Meeting (Must be After March 20)** – Good/Handshoe unanimous to approve the Oath of Office and Reorganization Meeting to March 26, 2013 at 7:00 p.m.

**Schedule Spring Road Tour** – The spring road tour is scheduled for Saturday, April 20<sup>th</sup> at 12:00 noon.

**Approve/Disapprove Resolution 13-03, Resolution Authorizing Contract with Interested Officer** – Handshoe/Good motion to approve Resolution 13-03 Resolution Authorizing Contract with Interested Officer. Swantec, Inc. repaired a snowplow. Voice vote taken with Handshoe, Good, Atwood and Rush voting yea; Swanson abstaining. Motion carries.

**Approve/Disapprove Purchase of 6 New Chairs for Board Table** – Good stated that she had found chairs that would cost between \$1,700-\$1,800 for six. Atwood motions to table the purchase of 6 new chairs in order in order to pursue more options. Motion fails for lack of a second. Good/Handshoe motion to approve up to \$1,200 for new chairs with information brought back to the township board for review before purchase. Voice vote taken with Good, Handshoe, Swanson and Atwood in favor; Rush opposed. Motion carries.

**Approve/Disapprove Deputy Clerk Vacation, May 15 - June 5, 2013** – Handshoe/Good unanimous to approve May 15 through June 5, 2013 vacation for the deputy clerk.

**Approve/Disapprove 2013 Cleanup Day Event Grant Agreement** – Good/Handshoe unanimous to approve the 2013 Cleanup Day Event grant agreement.

**Approve/Disapprove Two Year Renewal, AT&T Cell Phone Contract & Phone Purchase** – Good reported that the Fire Chief is using his personal device and a maintenance phone is near its end. The township has 5 cell phones. They were not activated at the same time with one ending the end of this month and the other the end of April. Handshoe/Atwood unanimous to approve the AT&T cell phone contract for two years.

**Approve/Disapprove Princeton Youth Baseball Softball Association Working Clean-Up Day** – Rush/Good unanimous to table in order to notify additional interested youth organizations.

**Announcements:**

- Annual Election, Tuesday, March 12. Polls Open at 10:00 a.m. Precinct 1 and Precinct 2 are combined to Vote at Town Hall.
- Annual Meeting, Tuesday, March 12, 8:01 p.m., Maintenance Shop.
- Board of Canvass, Tuesday, March 12, Immediately Following Annual Meeting

**Any Other Business:** None.

**Motion to Approve Bills for Payment** – Handshoe/Good unanimous to approve for payment check numbers 17255 through 17289 totaling \$16,402.79.

**Adjournment** – Good/Handshoe unanimous to adjourn at 8:56 p.m.

Cathy Stevens

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

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

Tom Ruhl Vice-Chairman

Attendees: Scott Case, Jeff Doyle, Lester Kriesel, Dave Blanchard, Sonia Shafer, Patty Myers, Tech Huntington, Audrey Misiura, Daniel Misiura, Nick Swanz, Lawrence Swanz, Logan VanDerbeek, Chuck Nagle, Elaine Philippi