

## BALDWIN TOWNSHIP REGULAR MEETING

August 19, 2019

**Present** – Supervisors Jay Swanson, Tom Rush, Bryan Lawrence, Larry Handshoe and Patrick Hudson.

**Call to Order** – The August 19, 2019 regular 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.

### **Additions/Corrections to Agenda**

- Move “Discuss/Approve/Disapprove Request from Prairie Restorations/Connexus Energy Supporting Solar Project” from Old Business to after Treasurer’s Report;
- Add “Excess Funds Reimbursement Acknowledgment” to Fire Department Report;
- Add “Approve/Disapprove Resignation of Nick Cole” to Fire Department Report;
- Add “Discuss Windstream Permit” to New Business;
- Add “Comment on MAT Meeting” to New Business
- Add “Open House Announcement on August 21<sup>st</sup>” to Announcements.

**Approval of Regular Meeting Agenda With/Without Additions/Corrections -** Lawrence/Hudson unanimous to approve regular meeting agenda as amended.

**August 2019 Preliminary Treasurer’s Report** - The Clerk/Treasurer reported receipts of \$11,094.20 and disbursements of \$47,745.33 (not including payroll) check numbers 23185 through 23219 and 6 EFT payments leaving an unaudited balance of \$1,734,502.28.

**Discuss/Approve/Disapprove Request from Prairie Restorations/Connexus Energy Supporting Solar Project** – Brian Burandt, Connexus Energy was present along with Ian Schonwald, EDF Renewables and Ron Bowen, Prairie Restorations. Mr. Burandt stated that Connexus has a vision to build through their service territory. All the energy stays with the local service area. Mr. Bowen wants to develop shade tolerant plants. The 3 megawatts solar that this will produce will stay in Baldwin Township and the Princeton industrial area. The panels will tilt to follow the sun. The 3 megawatts are equal to 630 homes powered annually. The county wanted them to talk to Baldwin Township first. The project will consist of a parcel split, rezoning and an IUP (Interim Use Permit) permit. There will be no poles on the site. They are aware of the ½ mile Highway 169 restriction. The project site is over ½ mile away from the highway. The site will not be a storage facility. They would like to start the project after road restrictions next Spring. It will be a 25-year lease with two 10-year extensions. Lawrence questioned how service would be affected this this was annexed. Mr. Burandt stated that if Public Utilities acquires the service territory then all power would

come to a new substation. As part of the property is in a flight zone a glare study has been completed and submitted to the City of Princeton.

Fire Chief Scott Case questioned the safety protocols and lockout tagout procedures. Would there be access around the area and how much voltage would be going through each panel? What are the safety protocols? Mr. Burandt responded stating that they have full lockout tagout requirements and the area will be fenced and secured. Mr. Schonwald stated that part of their protocol is to sit down in person and go over details. Case stated that he is looking for training every few years. Swanson stated that once it is up and running there will be no personnel there.

Lawrence stated that, looking at the design, the trees to the west will be removed and wanted them to know they may have to replace them. Mr. Burandt stated that the trees are on a berm and need to be removed and they are hoping to install some trees that are more of a Prairie Restorations vision. Mr. Bowen stated that he would like to pursue that discussion with the county as they think the tree species are problematic. If they would change the species it would help. Discussion on the height of the trees.

Swanson questioned if they see exercising the 10-year options. Mr. Burandt stated that with the same size panels the wattage continues to increase. At the end of 25 years the steel is in great shape and they will try to negotiate with Mr. Bowen to continue. Discussion on what is recyclable. There no toxic materials at all. The vast majority is glass, steel and wiring. 85% is recyclable. Swanson asked if there is room to expand. Mr. Burandt stated that it is up to Mr. Bowen if he wants to offer more land or look for another location. This will be their first project in Sherburne County.

Lawrence stated that technically the Town Board is not in the process of approving anything. They are asking for a general recommendation that is not binding. From the Planning Commission's point of view, Mr. Bowen came in and discussed this idea, but they did not ask any questions of Connexus. At that point the Planning Commission was in favor of the general concept. Discussion on the impact of electrical rates.

Lawrence/Rush unanimous to support the idea and concept at this location based on the information received and the impact on our township. Swanson stated that they have his complete support as it helps local business. Lawrence and the Clerk will pen a letter to the county. Discussion on FunFest and Connexus participating with a booth with solar panels.

#### **Fire Department Report:**

**Acknowledgement of CenterPoint Energy Grant (\$800) and Purchase of 2 Altair Multigas Detectors** – Lawrence/Hudson unanimous to approve Resolution No. 19-12; Resolution Accepting Donations to acknowledge CenterPoint Energy's grant of \$800 and the purchase of two Altair Multigas Detectors.

**Approve/Disapprove Purchase of 30 Streamlight Helmet Lights in the Amount of \$2,083.50** – Rush/Lawrence unanimous to approve the purchase of 30 Streamlight Helmet Lights in the amount of \$2,083.50.

**Excess Funds Reimbursement Acknowledgment** – Case reported that the department received \$2,915 in excess funds from the state for training.

**Approve/Disapprove Resignation Nick Cole** – Rush/Hudson unanimous to approve the resignation of Nick Cole from the Baldwin Township Fire Department with regrets. A thank note will be sent to acknowledge his service. Chief Case said that Cole was on the fire department for 3 years; therefore, he doesn't qualify for pension.

Chief Case thanked the maintenance department for cleaning up the brush along the fire hall and said that it looks wonderful. He also reported that the department is going to send five firefighters to the academy in Elk River in October. Eight firefighters did participate in the Knights of Columbus RibFest. There were two fire trucks there as well as the firefighters were judges for the Fest. The Fireman's Dance is September 28<sup>th</sup> and will be held at the Pizza Pub in Princeton. The next Fire Business Meeting is the 2<sup>nd</sup> Tuesday of September.

## **Road Report:**

### **Road Report as of August 19, 2019 from Maintenance Department**

#### **Repairs**

- Working on repairing sand/sand shed

#### **Roads**

- Tree concern 28318 – 100<sup>th</sup> (South Sandy Lake). Tree inside ROW. Last of canopy leaning over resident's shop. 3 quotes available.
- Dead trees in ROW / Quotes.
- Excessive dumping of trash on 136<sup>th</sup> Street north of County Road 42 / Can NO DUMPING ALLOWING; AREA UNDER SURVEILLANCE sign be installed (resident request)
- Maintenance crew has patched several large areas of 305<sup>th</sup> west of County Road 45.

#### **Parks**

- Installing split rail fence (Young Park)
- Park picnic tables / cost \$105 per table with wood / brackets and hardware.

**Review/Approve/Disapprove Quote for Removing 4 Trees in ROW** – Quotes were submitted from Hanson's Tree Service and Landscaping, LLC, Born to Trim and North Metro Tree Service. Hanson's Tree Service and Landscaping, LLC was the lowest bid at \$3,450 which does not include stump removal. Rush/Handshoe unanimous to approve the bid from Hanson's Tree Service and Landscaping, LLC contingent upon their liability insurance is up to date.

Extension patches have been done on the rough areas of 305<sup>th</sup> Avenue. Maintenance is 'trying to glue the road back together'. It's falling apart on the south side. Schroeder Construction tried to patch the area, but it was not acceptable. It looked like a curb. Baldwin maintenance made it better.

Maintenance is looking to repair the sand/salt shed by skinning the outside of the building with plywood.

Summer maintenance help Brody Johnson will be leaving to go back to college on August 21<sup>st</sup>. Bob Sromek will still be available with advance notice.

The roundabout will open on Saturday, August 24 at 6:00 a.m. It's believed that the county did not work with the businesses affected by the construction as they represented themselves that they would do. Swanson will speak with Andrew Witter about the situation.

Since 313<sup>th</sup> Avenue off of Highway 169 has taken a beating with the heavier traffic, Swanson requested that maintenance haul in gravel to get it built up again.

**Approval of Consent Agenda** – Rush/Handshoe unanimous to approve the Town Board meeting minutes of August 5, 2019; to approve Sherburne County Ordinance 240; Sec 16.2, Subd 5.21, IUP for Solar Farms; and to approve the Clerk/Treasurer vacation, Wednesday, August 28 through Friday, August 30.

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

**PLATS:** None.

**VARIANCES:** None.

**OLD BUSINESS:**

**County Planning & Zoning Report** – Lawrence stated that the business behind Marv's True Value had their variance approved. The county is claiming MS4 status and now a mitigation plan is required. Lawrence wanted to reiterate that Baldwin was not MS4.

**Park Committee Report** – Rush reported that the baseball team is done using the field for the summer. There has been feedback saying that Baldwin Township has a beautiful park and field at Young Park. Maintenance is staining the boardwalks. The correct netting has been received; just the poles and brackets are needed. The area behind the brown building at Young Park has been mowed. Since it's really level it may be a nice area for a football or soccer field.

Goose Lake Park is done. Over the weekend someone did 'donuts' in the parking lot. Hudson suggested to perhaps erect a "Under Video Surveillance" sign.

**Approve/Disapprove Change in Park Dedication Fees** – Rush spoke with Livonia Township who passed a resolution in 20017 to take over their park dedication funds. It was put into their developers' agreement. Rush said that the Baldwin Park Committee has talked about raising Baldwin Township's dedication fees. It's been recommended to up to \$1200. Lawrence said he is not in favor and believes that Livonia Township is separate than what the county is. They did above and beyond what the county has. After further discussion, Rush/Handshoe unanimous to table to the October 7, 2019 regular meeting of Baldwin Township.

The next Park Committee meeting is August 22, 2019.

**Baldwin Volunteer Corps Update** – Rush reported that the next committee meeting is August 26, 2019. The committee has been discussing several different events including a car show.

**City of Princeton Council Report** – Handshoe reported that most of the discussion centered on the roundabout.

**Airport Advisory Board Report** – No report.

**Discuss/Approve/Disapprove Request from Prairie Restorations/Connexus Energy Supporting Solar Project** - See above.

**Comment on MAT Association Meeting** – Lawrence reported that discussion was on payroll requirements. Information was handed out to the Supervisors.

#### **TABLED ITEMS:**

**Approve/Disapprove Sherburne County Proposed Reimbursement of \$2,000 for County Road 38 Project (Now Changed to \$4,000)** – Rush stated that he talked to Dave Roedel at the county and \$4,000 is their best offer. There is no structure and it is a field, so it is considered a buffer. Roedel did have discussion with county Commissioner Lisa Fobbe as well. Roedel will take it back to Andrew Witter with possible replanting of trees in addition to the \$4,000. Lawrence questioned if the trees that were left die in 10-20 years as they were cut right up to the roots. Talk about second phase concerns as the cost could be substantial. Lawrence/Handshoe unanimous to table until the September 9, 2019 meeting.

**Review/Approve/Disapprove RFP for Wastewater Service Provider Document** - Rush/Handshoe unanimous to table above item to the September 9, 2019 regular meeting of Baldwin Township.

**Discuss Noise Ordinance** – Rush stated that a developer that owns land in The Preserve at Baldwin is having issues selling property due to a resident in the area storing stuff on property that is not owned by him and when someone comes out to look at the parcels for sell the same resident plays loud music. Law enforcement cannot do

anything because Baldwin Township does not have a noise ordinance. Lawrence stated that the county does have a nuisance law that they can enforce. Handshoe asked how it is determined what is a nuisance. Lawrence stated that the officer can determine and doing a noise ordinance will not deter this person from being a nuisance. Rush stated he will recommend the developer investigate the nuisance law.

#### **NEW BUSINESS:**

**Approve/Disapprove Frontier Trails Pumping** – Rush/Handshoe unanimous to approve having Septic Check do the pumping of the tanks in Frontier Trails although the township needs to be notified if there are any other maintenance issues/concerns.

**Approve/Disapprove Switching Chemical Feed Product at Frontier Trails** - Handshoe/Lawrence unanimous to approve switching the chemical feed product at Frontier Trails since it would potentially save \$3,000 to \$4,000 per year.

**Discuss Windstream Permit** – Swanson stated he was approached by Mike Jurich, Sherburne County Right of Way, regarding Windstream wanting to install cables from County Road 45 to the cell tower. The county held off. Why would Windstream need access to the tower? There is a demarcation spot in the building. They want to come across our property with cables. It was thought they would be an added tenant from SBA. There is a problem burying their cables across private property. The easement is only for SBA access. He called Mike Couri, township attorney, and, if we are going to allow it, who is liable? A hold harmless clause must happen, and we need to have a separate agreement with Windstream as the cables would be on township property. Lawrence suggested saying 'no' and see what happens. If it is that important, they can come see us.

Lawrence excused himself from the meeting at 8:55 p.m.

Hudson/Handshoe unanimous that we send them a letter saying that they do not have access to the property.

#### **ANNOUNCEMENTS:**

- Town Office Closed Monday, September 2, Labor Day
- US Solar, Big Lake Pollinator Celebration, August 21, 6:30 p.m. to 8:30 p.m., Big Lake

#### **ANY OTHER BUSINESS:**

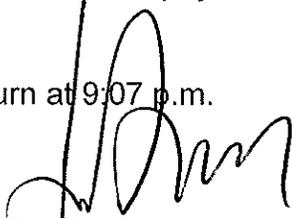
Rush/Handshoe to approve three picnic tables for Goose Lake Park and Young Park at a cost of \$105 each. The motion was amended to also approve picnic tables for Lake Diann Park. The amended motion was accepted. All in favor. Motion carried.

Handshoe/Rush unanimous to approve allowing an individual who needs to have hours for community service perform work for the township.

**Motion to Approve Bills for Payment** – Hudson/Rush unanimous to approve for payment check numbers 23185 through 23219 and 6 EFT payments totaling \$19,443.54.

**Adjourn** – Rush/Handshoe unanimous to adjourn at 9:07 p.m.

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

  
Approved By: (s/) Jay Swanson  
Chairman, Board of Supervisors  
Baldwin Township  
9-9-2019  
Date

Attendees: Tim Hennagir, Zac Good, Lester Kriesel, Ron Bowen, Ian Schonwald, Brian Burandt