

## BALDWIN TOWNSHIP REGULAR MEETING

December 7, 2015

**Present** – Supervisors Jay Swanson, Jeff Holm, Tom Rush and Brad Schumacher.  
Supervisor Randy Atwood absent.

**Call to Order** – The December 7, 2015 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**

- Add "Discuss Loader Trade-In" to Road Report
- Add "Approve/Disapprove Light Poles and Sandblast Quote" to Tabled Items
- Add "Approve/Disapprove Light Purchase of \$1493" to Tabled Items
- Add "Approve/Disapprove Hiring Snowplow Driver" to Road Report
- Add "Approve/Disapprove Leave of Absence for Firefighter" to Fire Department Report
- Add "Election Results for Captain 5 and Captain 6" to Fire Department Report
- Add "Approve/Disapprove Meetings and Planning Commission" to New Business
- Add "Approve/Disapprove EMS Sign Updated Price" to New Business
- Add "Schedule Frontier Trials Rate Public Hearing" to New Business

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

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

**November 2015 Final Treasurer's Report** – Receipts of \$48,513.45 and disbursements of \$39,771.83, check numbers 19711 through 19779 and 6 EFT payments leaving an unaudited balance of \$532,450.58.

**December 2015 Preliminary Treasurer's Report** – The clerk reported receipts of \$421,927.11 and disbursements of \$213,124.18 (not including payroll), check numbers 19780 through 19825 and 4 EFT payments leaving an unaudited balance of \$741,253.51.

**Sheriff's Report** - Officer Wilson reported 171 calls for service in the month of November. He said that verbal contact has been made multiple times regarding a commercial vehicle parking violation on 284 ½ on Little Elk Lake. The light on the brown building at Young Park was shot out.

### **Fire Department Report:**

**Approve/Disapprove Leave of Absence for Firefighter Gary Taylor** – Schumacher/Rush unanimous to approve a 4 to 6 month leave of absence for Gary Taylor.

**Approve/Disapprove Election Results** – Schumacher/Rush unanimous to approve the election results of electing Brian Torborg for Captain 5 and electing Justin Suckut for Captain 6.

Assistant Chief Joe Kiel reported 18 calls for service in November. They are working with North Ambulance in order to obtain title for ambulance donated. Rush reported up to 226 calls year-to-date. Schumacher asked if the extra cell phones have been returned with Kiel stating he has not heard.

**Public Comment Request** – Sharon Sandberg, 144<sup>th</sup> Street along with owning commercial property on 125<sup>th</sup> Street. She stated that when the road was graveled and widened this year she now has an embankment that is way too steep. She talked with Supervisor Schumacher and he told her that the town would mow only twice a year. Another issue is the water and, even after the last rain, she had a good 3 feet in that area but she knows that the township is working on that. Her septic is in the back of the property and now there is no access. When she adds on there is no way to have access. Swanson stated that the township did not have permission to put a culvert under the road to Highway 169. Ultimately culverts will be placed under 314<sup>th</sup> Avenue and 125<sup>th</sup> Street to alleviate water problems. We have raised the level of the ditches. When the dust settles it will look a lot different. Ms. Sandberg stated that her snowplower almost fell off when plowing her parking lot. Rush stated that the whole thing is being paid for by all the taxpayers and not the property owners. Ms. Sandberg stated that she can't even do lawn mowing. Holm stated that, in regards to access from the back, she can get a driveway permit and it would cost \$150.00 for a 2<sup>nd</sup> permit. Ms. Sandberg asked if that permit goes to the county with Holm stating 'no'. Schumacher stated that he was not going to mow in order for it to take root. Holm stated that if the slopes were manageable she would take care of the maintenance.

**Road Report:**

**Approve/Disapprove Emergency Road Repair** – Schumacher/Rush unanimous to approve the emergency road repair to 125 ½ Street by adding two loads of gravel from Knife River at a cost of \$424.67.

**Approve/Disapprove Letter to Property Owner, PID 01-404-0260** – Schumacher explained that the property is in Elk Lake estates and involves encroachment of the fence. Schumacher/Rush unanimous to approve with 2 changes to the letter.

**Discuss Loader Trade-In** – Schumacher reviewed a quote from Anderson, Inc. They are offering a \$20,000 trade in for our loader. There would be no sales tax. It is a used 2005 New Holland for \$37,299. We now have a 1996. \$943.00 was just spent on it for an overhaul and a tow. Terry Carlile stated that we could be paying up to \$36,000 on a transmission. The township originally paid \$32,000 for it 11 years ago. The New Holland has 60-70% rubber. Carlile has talked to Titan. Schumacher asked about a quote from Caterpillar. Carlile stated that he is waiting for a call back. Rush/Schumacher unanimous to table until the December 15<sup>th</sup> meeting.

**Approve/Disapprove Hiring Plow Driver** – Schumacher/Rush unanimous to approve subject to drug testing and criminal background check.

Schumacher reported that a culvert on 305<sup>th</sup> Avenue was unplugged by West Branch Construction due to a beaver dam. "Stay back 100 feet" signs were purchased and installed on the snowplows as there was a fender bender with one plow truck and a resident.

**Approval of Consent Agenda:**

- a. Approve Town Board Meeting Minutes of November 17, 2015
- b. Approve 2016 Planning Commission Meeting Schedule
- c. Approve Credit Application for Pomp's Tire Service
- d. Approve Head Election Judge(s) Reimbursement (Time and Mileage) for Attending County Information Election Meeting, December 8, 2015, Government Center

Rush would like to remove letter "b" as he has moved it further down the agenda. Rush/Schumacher unanimous to approve the Consent Agenda minus "b".

**CONDITIONAL & INTERIM USE PERMITS:**

**Yearly Review, IUP for Retreat Facility** – Debra Sorenson. Ms. Sorenson was not present but had sent an email updating the town board on her retreat facility. There have been no complaints. The town board is satisfied.

**Yearly Review. IUP for Home Business in an Accessory Building** – Wayne/LaShalle Thompson. The Thompson's were not present. There have been no complaints. The town board is satisfied.

**PLATS:** None.

**VARIANCES:**

**Approve/Disapprove 5' Variance in Setback from the Side Property Line for a Septic System Upgrade** – Rudy Wicklander was not present. Schumacher/Rush unanimous to table until December 15<sup>th</sup>.

**Approve/Disapprove Variance to the Shoreland Ordinance, Section 14, Subdivision 5:5B1 Which States "Impervious Surface Coverage of Lots Must Not Exceed 25 Percent of the Lot** – Chad Gieske was present. He is adding an addition to the garage and is going straight up. He was grandfathered in when he bought his home 2 years ago and is not adding any more impervious surface. They are adding one foot to the house. Holm/Schumacher unanimous to approve with the following comments: 1. We believe proposed changes do not adversely affect sight lines; and 2. Impervious surfaces are a non-issue.

**Approve/Disapprove 18' Variance from the OHWL of Sandy Lake for an Addition Above Existing Garage** – Chad Gieske was present. Holm/Schumacher unanimous to approve with the following comment: It now conforms to existing standards with 18' variance.

**Recess Regular Meeting** – Rush/Schumacher unanimous to recess the regular meeting.

**7:30 p.m., Public Hearing, Ordinance #600; An Ordinance Adopting a Fee Schedule for the Town and Adoption of 2016 Fee Schedule** – Rush/Schumacher unanimous to open the public hearing at 7:52 p.m. Swanson read the public hearing notice. There was no one in the audience wishing to be heard and there were no written comments received. Swanson stated that the public hearing took place at 7:54 p.m. as we literally had people that had to get in and out.

**Close Public Hearing/Open Regular Meeting** – Rush/Schumacher unanimous to close the public hearing at 7:55 p.m.

**Motion to Reopen Meeting** – Rush/Schumacher unanimous to reopen the regular meeting at 7:55 p.m.

#### **OLD BUSINESS:**

**Park Committee Report** – Rush reported that the light was installed at the flag pole. Supervisor Holm covered for him at the last meeting. Still going out for grant dollars. We have received about \$1,300 in grant dollars this year. We are not having a park meeting this month and he may scale back to every 2 months and meet 6 times per year.

**TCI Baldwin Volunteer Corps Update** – Rush reported that there was no meeting held. If needed, we will meet. If not, we will not meet. Elaine Philippi reported that they did host the agricultural meeting and will be meeting in January to start discussion for 2016.

**Legacy Grant Committee Update** – Schumacher reported that they had a meeting December 1<sup>st</sup> and Dave Lucas from Sherburne County gave a workshop presentation to the group. There have been 4 applicants that have applied for the grant and he has requested copies of the blueprints of the projects. Next meeting is December 17<sup>th</sup>, 7:00 p.m.

**SBA Update** – Swanson requested the item be removed from the agendas as it has been resolved.

#### **TABLED ITEMS:**

**Approve/Disapprove Letter to Commissioner Leonard Regarding Driveway Approach/Parking Lot for Goose Lake Park** – Schumacher stated that Swanson was going to write the letter. If we can't get safe access then request changes to stop signs. The road is going to be redone in 2017. Rush/Schumacher unanimous to table until the January meeting.

**Discuss/Approve/Disapprove Distribution of Money from Settlement** – Rush stated he had talked to the chief and captains last night. Rush/Schumacher unanimous to table until January.

**Update on Deck for PID 01-404-0440** – Schumacher stated that a deck was built without a permit. The permit has now been obtained and we will see a variance coming through.

**Update on Joint Meeting with Nancy Riddle** – Swanson stated he would like this meeting to be with the Planning Commission and the Town Board. The clerk was instructed to determine if Nancy Riddle is available either January 27<sup>th</sup> or February 24<sup>th</sup>.

**Approve/Disapprove Quote for LED Lighting at Young Park** – 3 quotes were received:

1. Rike-Lee Electric. Quote was \$5,680 with an added \$980.00 to upgrade to LED lights for a total of \$6,660.00.
2. Reliance Electric. Quote was \$5,370 with an added \$250.00 to upgrade to LED lights for a total of \$5,620.00. They also added that we could save \$1,000 if we went with unmatched poles.
3. Connexus Energy. Their quote already had LED lights for a total of \$5,398.25.

Schumacher stated that there is an alternative. \$250.00 for light poles that were purchased off of Craigslist and came from a McDonalds. He can purchase 4 lights for that price and sandblasting would cost approximately \$325.00 and paint \$200.00. 150 watt at \$399.00 each from Home Depot and then there would be 4 poles for an electrician to wire. Rush/Schumacher unanimous to approve. Schumacher/Rush unanimous to disapprove quotes for the LED lights at Young Park.

**Approve/Disapprove Purchase of Light Poles and Sandblast Quote** –  
Rush/Schumacher unanimous to approve.

**Approve/Disapprove Light Purchase** – Schumacher stated that it would be lights and hardware and it requires a special order through Home Depot. \$399.00 a fixture and hardware for a total of \$1,493.04. Rush/Schumacher unanimous to approve.

#### **NEW BUSINESS:**

**Approve/Disapprove Ordinance #600, An Ordinance Adopting a Fee Schedule for the Town and Adoption of 2016 Fee Schedule** – Schumacher/Rush unanimous to approve.

**Approve/Disapprove Ballot Questions for March Township Election** – Discussion regarding Option C, Town Administrator. Rush stated he would like more information on the cost, timing and duties. Discussion regarding utilizing Bridget Chard with Swanson stating he will discuss with her. Rush/Schumacher unanimous to table until the second meeting in January.

**Approve/Disapprove Town Hall Closed Tuesday, December 8<sup>th</sup> from 9:00 a.m.-Noon**  
Schumacher/Holm unanimous to approve.

**Approve/Disapprove Town Hall Closed for Christmas Eve and New Year's Eve** –  
Schumacher stated that it will be optional with no pay. Schumacher/Rush unanimous to close.

**Approve/Disapprove 2016-2017 Winter Hours** – Schumacher stated that, starting the Friday after Thanksgiving through February 2017 closed on Fridays. Open 5 days a week starting in March 2017. Holm questioned if he was reducing working hours or hours open

to the public. Rush/Schumacher unanimous to table it until the first meeting in January and check into service and unemployment factors.

**Approve/Disapprove Purchase of Light Poles** – See above.

**Approve/Disapprove Resolution #15-22; Resolution Authorizing Contract with Interested Officer** – Rush/Swanson unanimous to approve with Schumacher abstaining.

**Approve/Disapprove 2016 Planning Commission Meeting Schedule** – Rush stated that he would like to see the Park Committee, BVC and Planning Commission volunteers not burn out. Volunteers are critical. If nothing else take some time off for the Park Committee and BVC. For the Planning Commission, if we scaled back. He did attend their last meeting. He rescinded his motion and now it has been 8 months. They have been established 2-1/2 years. Bridget was hired to do the comprehensive plan. He asked the Planning Commission if they were ready to be on their own without Bridget present. Judy Thorson stated that the Planning Commission has been meeting since 2012. There are currently 5 members but some are not seeking reappointment. Factor is that it is a monthly meeting but he does not want to burn out the members. He is looking at ways to scale back. Holm stated that if it is scaled back that means that there is not anything on the agenda. Schumacher stated that volunteers that come here get a task accomplished. Swanson stated that we have been to the last 2 meetings and they seem excited to be there. When we formed the Planning Commission there was a 3-fold things:

1. Comprehensive Plan
2. Implementing the comprehensive plan, which, he feels is just beginning to happen; and
3. Talk about the variances and setbacks and be advisory to the board.

The implementation phase is not completed yet. He does not know if they are ready to attack some of the issues. If we pull Bridget out of there, he feels they may become a stagnant committee.

Rush stated that the comprehensive plan took about 18 months and feels that is way too long. Holm stated that we have bought the plan already and he doesn't want it to end up sitting on the shelf collecting dust. Rush stated that he is not parking it to the side and there is a former board member who can facilitate the meeting along with Dick Marshall. Holm stated that Bridget is support staff to the committee. Rush stated that it costs between \$500-\$600 each time she comes down.

Holm stated that we are planning for the future and going through growing <sup>pains (CLS) 1/4/16</sup> pains. We have identified issues and problems with county zoning many times and we are trying to go in direction of our own approach instead of one size fits all county-wise. We are shaping what we are doing with infrastructure, public safety and economic development. There may be a month where a meeting is not needed. Rush questioned when they (the Commissioners) would get their feet wet. Swanson stated that re-evaluating does not mean immediately cut off. We need to look at the entire situation. Schumacher stated that if we had a town administrator then we wouldn't have to pay mileage. Holm stated that if an employee of the town then there would be no mileage. We are in the arrangement we are in and we have time and comfort with Bridget. It is unfortunate that the distance is costly for us.

Rush stated that he will talk to his two committees. He went to the Planning Commission meeting and the majority of them are ready to facilitate their own meetings. If nothing is going on then no one meets. Holm asked Rush if he has ever attended a county planning meeting or City of Princeton. Rush replied 'no'. Schumacher suggested asking Planner Chard to skip mileage and video conference as this would save money and she could save time. Rush stated that he is asking that the Planning Commission facilitate their meetings on their own. Swanson stated that the Chair of the Planning Commission is the Chair of the Sherburne County Planning Commission. He suggests continuing with a professional planner until the Planning Commission get their feet wet and feels it is crazy to cut her off at this time. Holm stated that other townships in the area have zoning administrators. Nobody is doing this solely off their commission members. We need someone to keep developing our plan and our own ordinances. If we plan on sticking with the county then we are spending money on nothing. Rush stated that he is not saying to cut her off. He has faith that the Planning Commission members can do this. Swanson stated that we have it on the agenda as 'approve/disapprove' and we should either table or approve or disapprove. Good planning starts with a good base and the experience she brings is invaluable. She is well known and well respected and that is why we chose her. Schumacher stated that the Planning Commission is a lose-lose situation and is not a profitable thing. Holm stated that some of the expenses are paid for with fees.

Judy Thorson, Planning Commission member, stated she would appreciate input on this. She appreciates Rush's effort to limit Bridget but doesn't think that everything she brings to the meeting can be pared down. The Comprehensive Plan is a broad picture and priorities need to be defined. The commission does not need to be independent as they are still in the learning phase. Swanson stated he feels that without someone leading the committee would fall apart. Holm stated that the vision direction needs to come from within and it helps to have somebody with some knowledge to pull from.

Rush stated that his motion is to have the Planning Commission facilitate the meeting on their own without Bridget Chard's presence. If they need to meet monthly so be it. Swanson questioned if that would cut off Planner Chard's presence at the meeting with Rush responding 'yes'. The motion died for lack of a second.

**Approve/Disapprove EMS Sign Price Increase** – Rush/Swanson unanimous to approve the price of \$37.17 per sign as it keeps the same sign design we have now.

**Approve/Disapprove Fee Schedule Change Public Hearing** – Schumacher/Rush unanimous to schedule the public hearing for January 4, 2016.

**Schedule Rate Hearing for Frontier Trails Subordinate Service District** – Schumacher/Rush unanimous to schedule the rate hearing for January 19, 2016, 7:30 p.m.

#### **ANNOUNCEMENTS:**

- a. Sherburne County Park, Trail and Active Living Plan Event, Tuesday, December 8, 5:00 – 7:00 p.m., Sherburne County Board Room.
- b. Conciliation Hearing, Wednesday, December 9<sup>th</sup>, 1:00 p.m., Sherburne County Courts

c. Deputy Clerk Vacation, December 19, 2015 – January 10, 2016

**ANY OTHER BUSINESS:**

**Motion to Approve 2016 Planning Commission Meeting Schedule –**  
Rush/Schumacher unanimous to approve.

Schumacher provided further information about the commercial vehicle parked in the township road right-of-way.

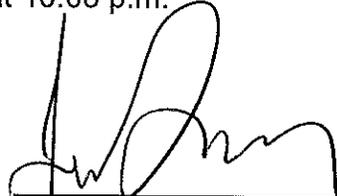
The board discussed with Supervisor Holm his work schedule and missing regular town board meetings. The items of moving regular town board meetings to a first Monday and third Monday schedule will be added to the first January meeting agenda.

**Motion to Approve Bills for Payment –** Schumacher/Rush unanimous to approve for payment check number 19780 – 19825 and 2 EFT payments totaling \$218,009.32.

**Adjourn –** Holm/Rush unanimous to adjourn at 10:08 p.m.



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



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



Date

Attendees: Lester W. Kriesel, Joe Kiel, Judy Thorson, Sharon Sandberg, Elaine Philippi, Terry Carlile. Chad Gieske