

## BALDWIN TOWNSHIP REGULAR MEETING

July 10, 2017

**Present** – Supervisors Brad Schumacher, Jay Swanson, Larry Handshoe, Tom Rush and Bryan Lawrence.

**Call to Order** – The July 10, 2017 Baldwin Township regular meeting was called to order by Chairman Brad Schumacher at 7:00 p.m.

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

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

- Add "Approve Partial Payment to Septic Check in the Amount of \$130,412.51, Frontier Trails Project" to Consent Agenda
- Add "Discuss Ditch Mowing" to Road Report
- Add "Approve/Disapprove/Discuss Selecting 2 Board Members to Conduct Interviews" under New Business

**Approval of Regular Meeting Agenda With/Without Additions/Corrections** – Handshoe/Swanson unanimous to approve the agenda as amended.

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

**June 2017 Final Treasurer's Report** – Receipts of \$390,548.43 and disbursements of \$97,700.55, check numbers 21153 through 21228 and 7 EFT payments leaving an unaudited balance of \$987,034.33.

**July 2017 Preliminary Treasurer's Report** – The clerk reported receipts of \$0 and disbursements of \$198,814.63 (not including some payroll), check numbers 21229 through 21282 and 3 EFT payments leaving an unaudited balance of \$785,028.12.

**Sheriff's Report** – Officer Wilson reported 175 calls for service in June. There has been an uptick in suspicious vehicles reported. Rush reported vehicles parking at Young Park until 11:00-11:30 p.m.

**Fire Department Report** – Chief Case reported 22 calls in June: 14 medical, 1 structure, 4 mutual aid, 1 motor vehicle accident and 2 grass fires. There has been one change order on the fire apparatus with detailing and a couple of shelves added. There will be another update next month. Swanson asked the chief if he had a chance to look back on the last 6 months. The chief replied it will be done by the next board meeting. Requests for pool fills peaked in May. Connexus Energy rebate has been applied for the outside LED lights.

**Road Report** – Swanson read Terry Carlile's road report:

"Road report for June 2017:

Have a lot of work to do, trimmed some trees around road signs today.

Checked out resident road concerns today.  
Hope to start blacktop patching in a.m. tomorrow.  
Need authorization to rent roadside mower, however none available this week. The cost this year quoted at \$2,720.00 per week.  
Have pictures of resident concern of brush blocking stop sign and intersection.  
Have pictures of what I see as a beaver damn Lake Diann area. A resident has a different concern and has posted a sign.  
Terry C. Carlile  
Baldwin Maint. Dept.  
7-10-17  
This is report for work beginning in July.”

Swanson/Lawrence unanimous to approve \$2,720 for roadside mower.

Discussion on a potential beaver dam and a culvert that may have collapsed.

Swanson stated that the conveyor on the back of the truck will be mounted this week.

**Approve/Disapprove Liner in Pond, Parcel #01-545-0320 and Draft License Agreement** – Steven Cram was present. Swanson/Lawrence unanimous to approve with visual handouts included that would be marked Exhibit A, B & C. The item will be on the July 24<sup>th</sup> Consent Agenda if signatures are obtained.

**Approve/Disapprove 2<sup>nd</sup> Driveway Access, Parcel #01-015-4400** – Joseph Christenson was present. A temporary driveway was approved by the Town Board for a pole barn. The 2<sup>nd</sup> driveway requested does not meet the 150 foot standard. Lawrence stated that the Planning Commission reviewed the request and the township’s standards state that a driveway must be spaced 150 feet on a road “designated as a collector roadway”. This is not a collector roadway and is not bound by that requirement. Lawrence/Swanson unanimous to approve a 2<sup>nd</sup> driveway.

**Approve/Disapprove Quote on Rip Rap Rocks** – Swanson/Handshoe unanimous to table until July 24<sup>th</sup>.

**Discuss Road Mowing** – Lawrence stated that he ran into Supervisor Nelson from Blue Hill Township and he offered to operate/assist in getting the ditches mowed. Rush asked who is directing the other maintenance employees when Terry is out. There are over 30 work orders back there and who is giving them direction? They did not work last week. Schumacher stated he will go through the list of work orders with the clerk. He did reach out to Supervisor Handshoe but he had commitments for this week. Swanson stated that this is the first time we have run into a situation like this and he is road supervisor. We are doing what is possible. Lawrence stated that if Terry is not available then it would be by Swanson and Schumacher and the board needs to make sure that the employees know that. Swanson stated that the board needs to set expectations and Lawrence suggested putting a schedule together. (Terry) Carlile stated that the cemetery is good and the park was done today. He can’t leave an 18

year old kid unsupervised. If mowing grass then there is no problem. Rush stated firefighter Mike Rademacher started working today to help out for a few weeks. Carlile asked that Rademacher be required to take a drug test if he is working for the maintenance department.

**Approval of Consent Agenda** – Swanson/Handshoe unanimous to approve:

- a. Approve Town Board Meeting Minutes of June 5, June 8 & June 19, 2017;
- b. Approve Amendment to the Sherburne County Subdivision Ordinance No. 003, Ord. No. 221;
- c. Approve Joint Powers Agreement Between Sherburne County and Baldwin Township for Improvements to 136<sup>th</sup> Street Between CSAH 9 and CSAH 42;
- d. Approve Final Payment to Pioneer Tree & Landscape in the Amount of \$548.25;
- e. Approve Sherburne County “City/Township Cleanup Day Events” 2017 Grant Agreement Addendum;
- f. Approve Partial Payment to Septic Check in the Amount of \$130,412.51 (Frontier Trails Project).

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

**PLATS:**

**Approve/Disapprove Preliminary & Final Simple Plat, Section 20, Allen Jackson Acres** – Allen Jackson was present. Lawrence gave the Planning Commission review recap. Rush/Handshoe unanimous to approve.

**VARIANCES:** None.

**OLD BUSINESS:**

**Park Committee Report** – Rush reported that he had talked to Russ Mann and was told that the poles cannot be modified unless we tear them out. Swanson stated that there is a way to clamp them on.

**Recess Regular Meeting** – Rush/Lawrence unanimous to recess the regular meeting at 7:30 p.m.

**Open Public Hearing, Consideration of Vacating Lake Lane, Elk Point** – Handshoe/Swanson unanimous to open the public hearing at 7:30 p.m. Public comment was taken.

Scott Schmidt, 141<sup>st</sup> Street and also 285<sup>th</sup> Avenue, stated that this roadway was used for clean out the channel 4 years ago with a shoreland alteration program. He is present speaking on behalf of Mr. Bengé that owns the island. Probably the only access to the island is that roadway. We are looking at a lifetime permit to clean out the lagoon and are working on going back in and cleaning it out but that may not happen until winter. The other thing is when you vacate roads, the original plat had a lot of lots

at that time and now they have been subdivided and now there are lots on the backside. Maybe the original deeds had access to the lake. Vacating would take away access. He would like the board to take that into consideration. The last time a shoreland alteration program was done the idea was to increase the value of the lagoon area. More owners want to get involved. There is good cooperation with the DNR, Soil Conservation and the county. Properties have increased in value even with the tornado hitting. The access point is a concern. Lawrence asked if they solely stayed in the right-of-way. Mr. Schmidt replied that we used that access point when they did the channel and waited until winter. Lawrence asked if that was the only entrance used. Mr. Schmidt replied that they went over certain peoples properties that would allow it at that time. The concern is that getting an access point getting in here and access for the fire department for water. Lawrence stated that the Planning Commission did not see any reason not to approve it. We did look at it as not the only access on the lake and is typically not a used access. It was never brought up about cleaning. Lawrence asked if Mr. Bengé can get to the island from other accesses. Mr. Schmidt replied yes but that would be the easiest to get to.

Rudy Wicklander stated that he started the process the first time they dredged it out. He has owned the property since 1985 and the lagoon was dredged and they left it. He leveled out the piles that were left. The second time they came they did take it out but his driveway was destroyed. His driveway is on the easement. That was kind of a starting process as no one said sorry about your driveway. Last fall when he put in a septic system he tore it up and put in black dirt, seeded it. Lynn at the county said that they would like these accesses gone and was after him to vacate it. He did not want to go forward with this and his attorney said take it but he did not want adverse possession.

John Reichle, 290<sup>th</sup> Avenue, bought Lot 30. If this was a road it goes to a drop off and can only be used for a canoe. It is not a used road. They cut across both yards and it is not taken care of.

Jeff Bengé, 141<sup>st</sup> Street, owns all of Lot 2. As far as not using that road, he acquired it from Oscar Jones in 1994. He understands what Rudy (Wicklander) is saying. We are not trying to grow grass there and just want it to be kept in a natural state. He does use that property all the time. People swim there. For over 10 years he would take his 4-wheeler over to that island. Right now there is all sorts of wood that needs to come out of there since the tornado. He knows there are ruts but to say that road is abandoned and never used when he uses it quite often. What happens when we need to dredge? It will still need to be dredged over 5-6 years. They have to get to the other side to dredge or property values go down. We do use it, look at the quit claim deed, that was exception to that road and Oscar Jones wanted the road for everybody. That is where we swim to the front of the island. Many people don't have boats. He does have a lot and outlot 2 along with the island.

Rudy Wicklander stated that if he thought he owned the road he should have taken care of it. He took 5 trees out of there and if Mr. Benge thought it was his he should have taken them out.

Schumacher stated that it is the property of the township and the people. The township has to go through this process. There is no ownership of this. Mr. Wicklander stated that his driveway is trashed on all sides. Lawrence stated that, technically, the driveway is on the road and questioned if the trashed part is on the township road only. Mr. Wicklander stated that it is on the township road. Lawrence stated that is his only access to the street and he has to have access. Lawrence questioned if it would be wide enough for his driveway if the road was split. Mr. Wicklander stated that it would be divided with 25 feet on the top and 25 feet on the bottom and it would balance out. Township engineer Jon Bogart stated that he can see a yellow flag for gas others for telephone and electric. He does not know if it feeds both lots or just one lot. He would suggest that, if the road was vacated, it would be on the condition on leaving easements for the utilities.

**Close Public Hearing** – Lawrence/Rush unanimous to close the public hearing at 7:54 p.m.

**Reopen Regular Meeting** – Lawrence/Handshoe unanimous to reopen the regular meeting at 7:54 p.m.

**Approve/Disapprove Resolution # 17-08; Resolution Vacating Lake Lane** – Schumacher stated that he will take the suggestion of the engineer and contact the attorney. Bogart stated that the resolution needs to be modified so there is a utility easement still there. If they are servicing different properties then they are crossing then you need the easement. Lawrence/Swanson unanimous to table until July 24<sup>th</sup>. This will not be a public hearing. Information and a decision will be made. If there are too many questions then the board may ask the attorney to attend the meeting.

**Park Committee Report (Continued)** – Rush reported that Century Fence wants to rip off the poles and it would be easier to go back a few feet and then install a net. Swanson stated he envisioned a couple of cut off clamps, galvanized and clamped on that would give it a doubled look on it. It would be more of a hindrance with more poles.

The permit for Goose Lake as arrived in the office. Discussion on the township doing the work. Discussion regarding possibly holding off until next spring. The clerk will look to see if there is a deadline on the permit. Lawrence suggested putting it off and doing the work early in the year as there is not too much left in the season.

**Discuss/Approve/Disapprove Pump Shed** – Rush/Handshoe unanimous to table until July 24<sup>th</sup>. The second quote was never brought back to the board for review.

**TCI Baldwin Volunteer Corps Update** – Rush reported that there was no meeting in June and asked Swanson if he was willing to take the BVC. Swanson stated that he would take it back if he doesn't want it. Handshoe/Swanson unanimous to change the organization sheet for Baldwin Township for 2017 with Swanson being 1<sup>st</sup> contact and Rush 2<sup>nd</sup> contact. Swanson reported that the BVC are the people putting together the Funfest. He thinks we can pull off the Funfest with touch-a-truck and Terry has a good idea with race cars. It is not tax funded anymore and it is tough to recruit people. It's Terry (Carlile), Scotty (Harder) and Carol (Swanson). Carlile stated that he has 2 other people that are interested. The next meeting is July 31<sup>st</sup>.

**Planning Commission Report** – Lawrence stated that there is nothing to report as everything was talked about on tonight's agenda. He does commend the commissioners for the questions they are asking and commends the clerk for her efforts. Swanson stated he would commend the Planning Commission anyway and the Clerk also.

**TABLED ITEMS:**

**Discuss/Approve/Disapprove Paychex Continuation** – Rush moved to table until the next meeting. Swanson seconded the motion. Upon voice vote, the motion carried with Lawrence opposed.

**NEW BUSINESS:**

**Motion to Take a 5 Minute Recess** – Swanson/Handshoe unanimous to recess for 5 minutes at 8:16 p.m.

**Motion to Reopen Regular Meeting** – Swanson/Lawrence unanimous to reopen regular meeting at 8:21 p.m.

**Review Maintenance Applicants** – Rush stated that there are four applicants and would like to see two board members chosen to interview these applicants. Determine the pay range and fringe benefits for these individuals. Set a wage and get interview process going as soon as possible. Schumacher stated that we are hiring for year round, full time and would assume folks applied for the advertised position. He sees the need for two designated town board members to interview sooner or later. Lawrence stated that the board needs to know what criteria the township wants. How many hours per week? Benefits? Match the clerk and maintenance with pay and benefits? Rush stated that, according to the Paychex study, we are considerably lower with maintenance wages. Lawrence asked if we offer two positions or just one. Schumacher stated that it goes back to the workload we have. Maybe hire 2 summer help positions. We have had good luck with summer help and, with incentive, could possibly retain one. Rush stated that Paychex lists wages for a maintenance coordinator from \$18.57/hour on the low end and as high as \$44.54/hour. \$26.77/hour is the median. Seasonal maintenance 2 and 3 positions run from \$9.07/hour to \$18.57/hour. This position right now is in that realm.

We offered Mr. Zac Good a position at \$15.00/hour. A counter proposal was written to the board. Lawrence stated that the township is kind of in a pickle with applicants coming in after the offer to Zac. If there were two applicants we should have discussed both. He also did not know anything about Mr. Rademacher. Swanson stated that the whole point is that this is temporary. Lawrence stated that it should not come as a surprise to a board member and should have been discussed. Rush stated that he had spoken with Swanson as he is road supervisor. Rademacher is here to help out in the interim and is already a township employee.

Schumacher stated that the town board did offer the position to Mr. Good and he replied back with a counter offer to this position. The position we offered is what the position was filled to help Terry and not the coordinator job. Zac Good stated that Terry will be absent eventually and the job would work into the coordinator position and his proposal letter detailed that. Schumacher stated that this position would grow into and not be automatic. It is the Town Board's perspective to fill the position vacated and to be trained enough to advance up to Terry's position at some time. Now knowing what the Town Board's perspective is are you willing to take that position at the offered price? Mr. Good stated that he would regretfully have to decline \$15 as he sees the position of taking over some of Terry's duties immediately. Taking someone off the street will be hard to do and he would be able to smooth a lot of stuff out for the township.

Swanson stated that we only have one position and it is not the coordinator position yet. Terry does not want to work forever and he would like to see this person take over the coordinator position. All the coordination is not what Mr. Good did when he was here before. You were a maintenance guy and did a fine job and responsibility was not a part of it on a daily basis. That will become your responsibility if hired and come to a wage agreement. Lawrence agrees with Swanson that the township expects that job to move in that direction. If Terry comes in tomorrow and gives his resignation can you pick up from that point? Snowplowing, mowing and maintenance. Schumacher stated that technically it is a 24 hour/7 day a week job and Terry is first contact. Mr. Good stated that he is 100% confident he can do that. He knows what needs to get done and there is a lot to it. There is always room for improvement. He would have a strategy for what needs to happen every month and there is documentation for what needs to get done. Mr. Good currently lives about 2 miles out of the township.

Schumacher stated that, from a human resource perspective, they would suggest the position have a probationary period of 90 days with no cause. Lawrence stated Mr. Good has not rejected our offer, he has counteroffered. Rush stated we have 3 other applicants also. The maintenance employees currently work \$8.00-\$19.00/hour. If we change that then we need to know what pay will be and health stipend, paid time off and vacations. Schumacher stated that position pays between \$8.00-\$19.00/hour. Lawrence stated that this application was pre to the ad and the others are responding to an advertising. Swanson stated that there are 3 other applications that are mute to this discussion. Our hands are tied unless we come to an agreement with this application. He is not ready to go over our coordinator wage at this time. Make a motion for an offer. Lawrence asked what the maximum we can offer. Schumacher replied \$19/hour.

Carlile stated that it is maintenance position #2 and he believed that is what we would be basing this employment on and would like everyone look at that job description before making a final offer. Discussion regarding making a counteroffer.

Swanson/Handshoe unanimous to counteroffer Mr. Good's employment offer to: \$19.00/hour; 10 paid vacation days; 9 paid holidays; \$252.00/month health stipend and a 90 day probationary period. If this offer is rejected by Mr. Good then we will have conversations with other people. Mr. Good would like a letter of intent from the Town Board.

Mr. Good questioned if Terry's position opens up in a year, could he apply? Schumacher replied yes and your position would be favorable as you may have the knowledge. If there is another Town Board here this may not be the same. Mr. Good asked if the board would honor years worked here previously for PTO days and would the board do a 6 month review? Schumacher stated those are valid questions but there is a probationary period of 90 days. Mr. Good asked if, after the 90 day probationary review process, would there be another review. Schumacher replied that, after the probationary period, the Town Board has to make a decision to extend full employment. Mr. Good would need to give a 2 week notice to his current employer. The Town Board told him that he was not expected to give an answer tonight.

**Review Maintenance Employee Applicants** – Lawrence/Rush motion to approve selecting two board members to interview. Swanson asked if the board wants to do that as we have a coordinator already and, if Mr. Good accepts our offer, we have our jobs filled. If not accepted we are forced to move onto these applicants. Discussion regarding how many employees are needed in the maintenance department until the end of the season. Upon voice vote, the motion fails with Swanson, Schumacher and Handshoe opposed.

Schumacher/Swanson unanimous to select two supervisors to interview applicants if Mr. Good turns down our offer.

**Review Monthly Building Permits** – The Town Board reviewed the May 2017 building permits.

#### **ANNOUNCEMENTS:**

Sherburne County Community Partner Meeting, 2:30 p.m., Big Lake

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

Lawrence suggested getting more involved with the Airport Committee. Handshoe is the representative.

Rush presented the Paychex compensation study along with a sheet from the Minnesota Department of Labor Statistics that showed 2 positions that fit the

Clerk/Treasurer's position. The township has not done a pay increase in 1-1/2 years. Added to the July 24<sup>th</sup> regular meeting will be "Approve/Disapprove COLA Raises".

**Motion to Approve Bills for Payment** – Swanson/Handshoe unanimous to approve check numbers 21229 – 21282 and 3 EFT payments totaling \$202,612.40.

**Adjourn** – Rush/Lawrence unanimous to adjourn at 9:48 p.m.



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



Approved By: (s/) Brad Schumacher  
Chairman, Board of Supervisors  
Baldwin Township



Date

Attendees: Lester Kriesel, Scott Case, Terry Carlile, Jon Bogart, Steven Cram, Scott Schmidt, Joe Christenson, Zac Good, Jeff Benge, David Stanton, John Reichle