

BALDWIN TOWNSHIP REGULAR MEETING

July 15, 2014

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

Call to Order – The July 15, 2014 Baldwin Township regular meeting was called to order by Chairman Jay Swanson at 7:00 p.m. Supervisor Jeff Holm arrived at 7:03 p.m.

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

Additions/Corrections to Agenda

- Add to New Business “Park Update”
- Add to New Business “Open Meeting Law & IPAD”

Approval of Regular Meeting Agenda With/Without Additions/Corrections – Rush/Handshoe unanimous to approve with additions.

Discuss Sherburne County Economic Development Authority - Kathleen Heaney, Sherburne County Attorney, was present. She stated that to make the EDA functional it needs resolutions from the townships. She then handed out a proposed resolution to the town board entitled “Resolution Authorizing the Township of Baldwin to Participate in the Sherburne County Economic Development Authority”. The other entity available is the HRA. The resolution will also be for cities. Rush questioned where the funding would come from with Ms. Heaney replying from the county level. Criteria would need to be developed for assessment of businesses. How the money will be disbursed will be developed. Swanson asked if the funding would be primarily for businesses or community development. Ms. Heaney stated that they have not gotten to the nuts and bolts of it yet. There is no specific deadline for the approval or disapproval of the resolution. There is a committee in place with Dan Weber in charge. The EDA is to partner with townships and cities. Holm stated he would not like to see the county EDA get involved in annexation battles. Ms. Heaney replied that part of their responsibility is to do their due diligence and try to diversify the tax base. Discussion regarding the township having 700 businesses with most being home based. Holm stated that Sherburne County is fairly welcoming to starting up a home business with opportunity to move to a commercial or industrial district. To him, that is incubation. Holm would like the board to discuss the resolution at the August 4th regular board meeting and then approve/disapprove at the mid-August meeting. Ms. Heaney reiterated that the board would like more information regarding how the EDA could be utilized and would like more time to look at it. She questioned if it would help to see a copy of the economic strategic plan. The board said yes. She will provide more information on the PACE program as well which provides energy improvements for existing businesses. Atwood suggested that the bylaws of the EDA also be provided.

Treasurer’s Report:

July 2014 Preliminary Treasurer’s Report – The clerk reported receipts of \$141,357.89 and disbursements of \$79,976.94, check numbers 18497 through 18587 and 5 EFT payments leaving an unaudited balance of \$612,851.18.

Road Report – Handshoe reported that calcium chloride has been applied, the mowing has been completed. Quite a bit of patching has been done along with repairing sinkholes.

Review/Approve/Disapprove Highlands Drainage Project Estimate – As the township engineer was not present, Holm/Handshoe unanimous to table.

Review/Approve/Disapprove Lake Diann Area Drainage Project Estimate - As the township engineer was not present, Rush/Holm unanimous to table.

Approve/Disapprove Partial Payment to Helmin Construction in the Amount of \$16,707.18 for 125-1/2 Street Road Work – Handshoe/Holm unanimous to approve.

Approval of Consent Agenda – Holm/Rush unanimous to approve the Town Board regular meeting minutes of July 7, 2014.

CONDITIONAL & INTERIM USE PERMITS: None.

PLATS: None.

VARIANCES: None.

OLD BUSINESS:

County Planning & Zoning Report – See below.

Baldwin Planning Commission Update – Atwood reported that the public hearing was held and the Planning Commission approved the comprehensive plan with grammatical errors that will be corrected. They will review at their next meeting and then forward to the town board for approval. Five (5) copies of the comprehensive plan have been available at the town hall since June 25, 2014.

Approve/Disapprove Revised Employee Handbook – Rush/Handshoe unanimous to approve.

TABLED ITEMS:

Approve/Disapprove Concrete Quotes for Pavilion & Basketball Court – Rush reported that he had talked to all the contractors and determined it was fine to not wait for a frost cycle. The board talked about doing one or the other at the last meeting. It would not matter in price as it is individual in their quotes. The board has approved \$22,500 for the boardwalks and he would like to propose doing it in sections and pay the contractor as he goes. Holms suggested debating whether or not to bring in fill and decide which way we want to go first. After discussion, Atwood/Handshoe unanimous to add the fill for all the bids.

The quote dollar figures and what the quotes entailed were reviewed. Quotes were received from Edmonds Masonry, Jeremy's Quality Concrete & Masonry and New Age Concrete. It was determined that the concrete slab measurements were not the same along with some include rebar and sealer and others not mentioning it on the quotes and differences in fill sizes. The board reviewed the differences in the quotes for the fill. Holm stated he feels like

what we originally wanted is included in Jeremy's Quality Concrete & Masonry quote and feels we will fall short with the one foot fill which New Age Concrete lists. Holm motioned to leave off the hoop from the Jeremy's Quality Concrete & Masonry quote at a price of \$400.00 and would not include black dirt in his motion but would entertain a friendly. Atwood stated he would second Holm's motion without the basketball court. Holm asked if there was a contract deadline for the boardwalks with Swanson replying 45 days. Holm stated that basically it has lapsed and suggested going out and getting sections done before winter. Holm stated his motion accepts the bid without an add on and black dirt for a \$9,900 total and he waiting for a second. He has deemed vagueness and feels we won't get what we ask for with New Age Concrete. Rush seconded the motion. Upon voice vote, the motion failed with Handshoe, Atwood and Swanson opposed.

Swanson/Handshoe unanimous to get a bid spec out to allow everybody on the same basis. Swanson will get specs to Rush to send to same contractors for the August 4th meeting. Rush suggesting leaving the quote sheets with the clerk. Holm stated that if the new specs do not include the basketball court he would be open to sending it out to other qualified contractors.

Holm/Swanson unanimous to reject all quotes. Holm/Atwood motion to scratch the basketball court from 2014 projects. Upon voice vote, the motion carried with Rush opposed.

County Planning & Zoning Report – Bryan Lawrence reported on the last County Planning & Zoning meeting. There is nothing on the agenda for Baldwin Township for the upcoming meeting.

Approve/Disapprove Amended Resolution 12-11; A Resolution Controlling Access to Baldwin Township's Information, Supervisors and Staff from One Charles W. Nagle – Swanson stated that after the Planning Commission the other night the chairman of the commission was rudely and abruptly confronted by Mr. Nagle. Additional discussion with Mr. Ruppe is needed. Holm/Handshoe unanimous to table.

Discuss SBA Offer – Rush recommended approving the \$100,000 with a \$350/month rent payment that was offered in December. Swanson stated that it seems that the township attorney seems to be on the side of the cell tower attorney and the township has spent approximately \$10,000 in lawyer fees. Swanson says kick them out. There has been another offer by Couri and Ruppe to get what we want. Atwood stated that it is presented as their last offer and wants us to take it or leave it. Rush stated that the township would be responsible for \$10,000 of legal fees. Swanson stated that if we take it right now the township would receive \$35,000 and \$615.00/monthly. If we stick with it get in writing what the procedure will be if a new tenant gets on. Swanson is not sure that we can go back with the December offer as the board rejected it. Holm motion to start eviction proceedings as they are overlooking our issues with a no way to tenants and it is already under the monthly amount. Atwood stated he would like to know the costs and procedures before we pull the trigger. Holm amended his motion to start the process which really means to get a hold of township attorney and educate the board about the process. Swanson seconded the motion. Upon voice vote, the motion carried.

Discuss/Approve/Disapprove Cemetery Rule Changes – Three (3) signs will be ordered and placed at the cemetery. Rush/Holm unanimous to approve.

Approve/Disapprove Purchase of Tax Forfeited Land – The clerk reported she had not yet heard back from the county on what it would cost the township to purchase. Rush/Handshoe unanimous to table until August 4, 2014.

Discuss/Approve/Disapprove Health Care Stipend for Full Time Employees – Swanson stated that it had been requested by the employee that the board think about this. He believes it is worth it for full time employees but not part time employees. He reviewed what other townships and one city is paying for health stipends in the area. Swanson motioned for a \$252.00/month, or \$3,024/year, stipend for full time employee Cathy Stevens. Rush stated that he would like more time to see other options before he makes a decision. Swanson stated that he would like his motion to include 'effective August'. Holm seconded the motion. Atwood stated he understands why Rush wants to do that as it would be a lot less work managing a plan. Swanson stated then talk about a complete health plan. Holm stated that this would be the most flexible way as dollars are tax free as long as they are spent on health. Upon voice vote, the motion carried with Rush and Handshoe opposed.

Approve/Disapprove Clerk's Request for Cost of Living Wage Increase – Swanson stated that he believes it should encompass all employees. Handshoe stated that the board should have budgeted for this. Swanson motioned to increase the clerk's wages 3%. Rush questioned if there was justification to do for one, do for all. Holm stated that he feels the fire department is totally different and doesn't think they should be included in the motion. They will make their own request when they feel they need to and the board should not tinker with their budget. Swanson stated that he would like his motion to include 'effective August 1st'. He feels the fire department is a volunteer department and the town board are elected officials. The township clerk, this is her job, which she bases her life on. We should include Cathy, Terry, Gary and Cheryl for the 3% cost of living raise. Holm seconded the motion that a 3% cost of living raise for the 4 mentioned before. Upon voice vote, the motion carried with Handshoe and Rush opposed.

NEW BUSINESS:

Approve/Disapprove Election Judge List for August 12, 2014 Primary – Rush/Handshoe unanimous to approve. Handshoe would like to see the schedule when it is ready. The clerk stated she will send copies to the entire town board.

Approve/Disapprove Credit Application for NAPA Central MN – Handshoe/Atwood unanimous to approve. The clerk was instructed to verify authorized signatures remain the same and, if not, remedy the situation.

Park Update – Holm reported that campers have apparently appeared at Young Park. Our ordinance says no overnight camping. The next time it happens the Sheriff's dispatch would need to be called and have the violators cited. There is also a driving hobo plugging into the building and recommends shutting off the breaker. He suggests getting a sign that says 'no unauthorized vehicles beyond this point'. Also, there are no barriers between the parking lot and where kids are playing and suggests adding an element of safety. These items will be discussed by the Park Committee.

Open Meeting Police – Swanson reported that we have been turned into IPAD for allegedly violating the open meeting law. Not the Town Board, the Planning Commission. It has been turned over to Mr. Ruppe. Holm stated that this is continuous harassment. Swanson stated that they (IPAD) need information from us by July 28th and, if the board authorizes him to talk to Mr. Ruppe, then he can submit it and Swanson can bring it back to the board August 4th. If not, Swanson will talk to Mr. Ruppe then an emergency meeting and all costs associated with it and then submit it to IPAD. Rush stated it was a waste of taxpayers' money. Holm instructed the clerk to keep track of this dollar amount specifically. Atwood/Rush unanimous that the chair can talk to Mr. Ruppe at minimal expense with no emergency meeting.

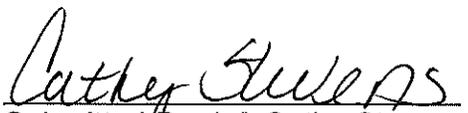
Announcements:

a. Town Offices Closed, Wednesday, July 16, 2014 for Clerk Election Judge Training

Any Other Business: None.

Motion to Approve Bills for Payment – Handshoe/Atwood unanimous to approve for payment check numbers 18575 through 18587 and 3 EFT payments totaling \$31,630.39.

Adjourn – Handshoe/Atwood unanimous to adjourn at 9:41 p.m.



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



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

Date 8/4/14

Attendees: Kathleen Heaney, Lester Kriesel, Audrey Misuira, Bryan Lawrence, Chuck Nagle