

BALDWIN TOWNSHIP REGULAR MEETING

June 3, 2019

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

Call to Order – The June 3, 2019 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

- Add 'Discuss/Approve/Disapprove Compensation for Trees for Park' under Old Business
- Add /Discuss/Approve/Disapprove Firefighter Applicant' to Fire Department Report
- Add 'Approve/Disapprove Partial Payment to TS Dirt Works' to Road Report
- Delete 'Review/Award Frontier Trails SSD Wastewater Proposal' from Old Business
- Add 'Public Comment/Donna Jensen' to agenda after Sheriff's Report
- Add 'Public Comment/Dale Mark' to agenda after Sheriff's Report

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

May 2019 Final Treasurer's Report – Receipts of \$22,841.19 and disbursements of \$65,045.36, check numbers 22928 through 22999 and 9 EFT payments leaving an unaudited balance of \$1,308,162.07.

June 2019 Preliminary Treasurer's Report - The clerk/treasurer reported receipts of \$0.00 and disbursements of \$37,474.66 (not including payroll) check numbers 23000 through 23027 and 0 EFT payments leaving an unaudited balance of \$1,270,687.41.

Sheriff's Report:

- Officer Wilson reported 134 calls for service in the month of May.
- There still are problems with someone cutting through the corner of 125th Street creating big ruts and tearing up the soil.
- It looks like there is a legitimate complaint with speeding on 136th Street north of County Road 9. Driving issues have been observed for about a month. The data acquired is in the collection phase.
- Officer Wilson will let dispatch know that the Township would like more visibility in the Young Park area.

Swanson had a question regarding what to do when someone finds drug paraphernalia in a ditch. He knows someone that was all but arrested on the spot after the resident picked up the stuff in the ditch and was told it was not necessarily over. Officer Wilson stated that standard procedure is that they would be ticketed if warranted. The scenario seems very unusual. Their department frequently has people finding drug paraphernalia. Officer Wilson asked Swanson to call him if he has additional questions.

Public Comment – Dale Mark, 136th Street, voiced his thoughts on the condition of 136th Street. Apparently, the engineer has indicated that he wants to wait 2 to 4 years; Mark feel that the road should be fixed this summer.

Public Comment – Donna Jensen, 289th Avenue, stated that she has lived in Baldwin Township her entire life. She has a concern regarding the location of a holding pond in Baldwin Estates. She owns the land south of that holding pond and half of that wetland swamp. She is an advocate for wetlands and wildlife. The owner has built a berm. Lawrence asked if she was talking about Baldwin Estates or the property across the street. Ms. Jensen replied Baldwin Estates. There is no home there and the hole is full of water. Where will the water go? Lawrence responded that there is a lot of water everywhere. Ms. Jensen questioned if we can all put something in front of a culvert and think it is okay. Zac Good stated that, south of the intersection, there is a holding pond with a berm. There is a 4x4 post and about 2 feet of grade missing. The holding pond is extremely full. He believes it is functioning as designed. Ms. Jensen stated that the wetland south is a connected. Swanson questioned if it would be okay if we removed the blocking structure. Good responded that the wood posts are not hindering the flow of water at all. Discussion on who the designer might have been. Nick Anderson, township engineer, will look at it. Discussion on the plat being not being a new development. Discussion on the county holding the public hearing on the plat. Lawrence stated that the plat plans are here at the townhall and Ms. Jensen's field should not be getting flooded.

Fire Department Report:

Discuss/Approve/Disapprove Firefighter Applicant – Rush/Handshoe unanimous to approve hiring Brandon Stanek to the Baldwin Township Fire Department.

Brian Torborg informed the Town Board that the Baldwin Township Fire Department would be interviewing two more firefighter applicants later this week.

Road Report:

Discuss 125th Street Estimate – Swanson stated that he had asked Nick (Anderson) to go out as the road is disintegrating. We need to have a conversation as a board. These are preliminary estimates that include drainage issues and pavement. Anderson stated that the big issue is drainage. He is a little high with the estimate as there is no survey to work from. Would the board like him to pursue a topo survey or wait? Swanson stated that it is our commercial area and receives a lot of traffic and trucks. The county, Princeton and we are doing the roundabout. That will take us to Subway.

The total estimate is \$500,000-\$550,000 for entire reconstruction. Rush stated that he is concerned that we do improvement sand the business owners keep grave driveways. Anderson stated that a lot of this drainage can go on Hwy. 169 property. Swanson stated that there is a drainage creek that runs through there and there are culverts at Finish Line, Marv's, 125-1/2 Street and 314th Avenue. Rush stated that the last time the township improved the roads behind Marv's the business owners were not assessed and taxpayers paid for it all. Swanson stated that since there is a lot of people walking in that area it would be good to install a sidewalk. Lawrence stated that this is a 2-year plan with paying for it 3 years from now. Swanson stated that the grading and dirt work and first lift would be done the first season and the 2nd year would entail shouldering and the 2nd lift. The board decided not to have Anderson do a survey as a decision was not ready to be made.

136th Street, Review Knife River Letter – Anderson stated that they are not taking responsibility for it. Swanson stated that the board has talked to Andrew Witter about this. If we ask for a warranty, which we have always done in the past, the question becomes if the information that Bogart, Pederson gave to the county, does it include warranty? Anderson replied that it did not include a warranty. Swanson stated that, in the future, we can ask for that. It seems every time we do something with the county, we get stung. He doesn't know if this is the right thing to continue. Anderson will talk to Knife River and report back to the Town Board. Swanson stated the warranty was missed. Anderson stated that the township can crack seal 4 years from now and, in 4-6 years put a sealcoat on. When a road is paved you want to sealcoat it 4 years later. The town can crack seal this year, but cracking will not be done. Swanson stated that 112th Street cracked more aggressively after the 2nd lift. More so than 136th Street. The roads are not coming apart and he thinks we are going to save it. His biggest fear is a subgrade problem. Nick will talk with Knife River.

Approve/Disapprove Partial Payment TS Dirt Works – According to Handshoe everything checks out except patching the pavement for the culvert on 305th Street NW. Rush/Handshoe unanimous to approve issuing partial payment of \$31,199.51 to TS Dirt Works. Discussion on the difference in the next payment. Nick Anderson stated that the bid was by unit price that is why there is a \$200 variance. Lawrence stated that it could be more than that as the variation is in how much is used. Anderson stated that the township will only pay for bituminous in that area but he (the contractor) will still try to fix it up. A representative from TS Dirt Works was present and stated that, for future reference, anything will wreck the road unless you put it in with a helicopter. He used a 70,000-pound excavator with a 10,000-pound culvert. If the township won't pay extra for stuff like that it will drive up the prices. Handshoe stated that the township did not want to pay \$200 a ton when we can get it for \$50. TS Dirt Works representative stated that the \$200 comes from the sub he hires to do the patch and it is not fair to blame the excavator for a poor road. Zac Good stated that he would expect the contractor to adjust the quote accordingly based on the condition of the road. Anderson stated that it should have been done in his office.

Approval of Consent Agenda – Handshoe/Rush motion to approve the Town Board meeting minutes of May 20, 2019. With a voice vote Hudson, Swanson, Rush and Handshoe in favor; Lawrence abstains. Motion carries.

CONDITIONAL & INTERIM USE PERMITS: None.

PLATS: None.

VARIANCES:

Approve/Disapprove 60' Variance in Setback from Sandy Lake for a Septic System Upgrade – Loren Coleman is requesting a 60' variance in setback from Sandy Lake for a septic system upgrade. The required setback from a recreational development is 100'. Mr. Coleman stated that he had a surveyor come out and mark the high-water mark. Lawrence questioned if it changed the variance need and, if the variance changes, he may have to start the process over. The township cannot change the request as we do not have that authority. Mr. Coleman stated that he is working with Elizabeth at the county. Lawrence suggested that he go down to the county tomorrow and get the exact numbers. Swanson stated that the Baldwin Planning Commission recommended approval. Lawrence stated that the home needs a working septic and he looks at it as a health issue and moves to recommend approval. Baldwin Township Planning Commissioner Chairman Richard Marshall stated that he has a failing cesspool that is leaching into the ground around it. He will be putting in two 1,000-gallon tanks. Tanks are a closed system and the only issue is a few feet one way or another. He already has a contract to have it pumped periodically. He is not going to provide effluent around the lake at all. The Planning Commission recommended approval for the footage given at the time (60 feet).

Rush/Lawrence unanimous to approve the 60' variance in setback from Sandy Lake for a septic system upgrade to include Commissioner Marshall's comments with the Town Board comments to the County.

OLD BUSINESS:

Park Committee Report – Rush said there is a new park applicant, but the Park Committee is still missing two members. The next meeting is June 20, 2019. The baseball field at Young Park is being used for a home field. The net has been delivered although the poles and brackets are still needed. The pavilion continues to be rented with the next event being a graduation party on June 8, 2019. The maintenance crew cut the trails at Goose Lake Park. The topsoil at Goose Lake Park is still being worked.

Discuss/Approve/Disapprove Change in Park Dedication Fees – Swanson/Handshoe unanimous to table to the June 17, 2019 regular meeting of Baldwin Township.

Approve/Disapprove New Park Committee Member - Lawrence/Handshoe unanimous to table to the June 17, 2019 regular meeting of Baldwin Township.

Discuss/Approve/Disapprove Compensation for Trees for Park – The County cut down ten oak trees and 82 pine trees because of the County Road 38 reconstruction. They said they would be willing to compensation the township at a cost of \$4,000. Lawrence determined that decent sized trees would be worth almost \$30,000. Rush will contact the county to determine what their numbers were when they planted new trees around the Government Center. Handshoe/Rush unanimous to table action until the June 17, 2019 regular meeting of Baldwin Township.

TCI Baldwin Volunteer Corps Update – The specifics concerning the FunFest which is scheduled for September 28, 2019 are moving along with a few final details to tweak. The games have been reserved from Marv's True Value; the advertising flyers for the car show are finished and ready to distribute; and the face painter and mounted police are set. Arrangement for music is still being made. There was discussion about looking into the price of a carnival for the future.

Planning Commission Report – Commissioner Marshall was present to voice concerns about the solar moratorium. Lawrence said that in his perspective, and based on the experience with other townships, Baldwin Township has no need for a solar farm and is not ready for a 30-year commitment. Swanson wasn't sure if Baldwin Township was ready to say 'no' since there may be appropriate acreage somewhere in the future, and that perhaps solar needs should be looked at individually. Lawrence conceded that Swanson had a valid point although felt that Baldwin Township should bring in someone to specifically write language stating as such. Hudson said it bothers him that the county has not given an accurate definition of what they consider a solar farm and as such is opposed to the moratorium. Both Rush and Handshoe agree with Lawrence. Lawrence's comments will be sent to the county.

Lawrence reported that Shipwreck, Inc. is now owned by the bank.

City of Princeton Council Report – Handshoe reported that all the negotiations that the City of Princeton are having with AT&T have been closed to the public. There have been 92 applications received for the police department secretarial position.

Airport Advisory Board Report – Handshoe didn't attend the meeting. But he did report that the Airport Advisory Board is discussing how long the grass should be.

Review/Award Frontier Trails SSD Wastewater Proposal – Removed from agenda.

TABLED ITEMS:

Approve/Disapprove Gambling Permit – Lawrence/Handshoe unanimous to remove indefinitely from the agenda.

Approve/Disapprove Comments to County Regarding Solar Moratorium

Lawrence/Handshoe unanimous to table for approval to the June 17, 2019 regular meeting of Baldwin Township with comments from the Planning Commission report above.

Approve/Disapprove Final Pay Request, \$7,928.35, to Sherburne County for 136th Street Project – Lawrence/Handshoe unanimous to table the final pay request of \$7,928.35 for the Sherburne County 136th Street project to the July 1, 2019 regular meeting of Baldwin Township.

New Business:

Review/Approve/Disapprove RFP for Wastewater Service Provider Document

Handshoe/Lawrence unanimous to table action on the RFP for Wastewater Service Provider Document to the June 17, 2019 regular meeting of Baldwin Township.

Approve/Disapprove Attending MAT Summer Specialized Training, Monday, June 17th, 8:30 a.m.- 12:30 p.m., St. Cloud – Rush/Handshoe unanimous to approve attending the June 17, 2019 MAT Summer Specialized Training in St. Cloud.

Review Monthly Building Permits – The April 2019 building permits were reviewed.

Announcements:

- Township Legal Seminar, Thursday, June 13, 9:00 a.m.-4:00 p.m., Albertville City Hall

Any Other Business:

Lawrence stated that the township is putting together open-ended bids. The question is if that is good way to handle. Handshoe stated that they had called him, and he said no. Rush stated that it would be a good idea to set down parameters (i.e. warranty, c oil) on the bids. Swanson stated that, in the past and prior to Nick Anderson, Mr. Bogart would have been out, and we would not have gotten charged for it. We are experiencing a difference. Lawrence stated that the Town Board needs to have a conversation with Nick. Hudson stated that it may be helpful to talk with other people and, with 136th street, the concerns with the lack of a warranty request and no ownership of that mistake. It would be helpful to talk with him. The clerk will find out available dates from Nick Anderson and add it as an agenda item to the June 17th regular meeting.

Rush said that the Park Committee has made the recommendation to increase park dedication fees from \$600 to \$1200. Hudson further commented that the Park Committee has several on-going projects, and the finances are needed.

Motion to Approve Bills for Payment – Handshoe/Rush unanimous to approve for payment check numbers 23000 through 23027 totaling \$43,337.60.

Adjourn – Lawrence/Rush unanimous to adjourn at 9:22 p.m.

Cathy Stevens

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

Tom Rush

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

Date 7/1/19

Attendees: Lester Kriesel, Nick Anderson, Zac Good, Dale Marks, Loren Coleman,
Donna Jensen