

## BALDWIN TOWNSHIP REGULAR MEETING

June 6, 2016

**Present** – Supervisors Brad Schumacher, Jay Swanson, Tom Rush, Jeff Holm and Larry Handshoe.

**Call to Order** – The June 6, 2016 regular meeting of Baldwin Township was called to order by Chairman Brad Schumacher at 7:02 p.m.

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

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

- Move “Approve/Disapprove Amendment to MPCA Permit for Frontier Trails” to under Road Report
- Remove “Approve/Disapprove Donation of Corner Sections of Unused Young Park Boardwalk to Friends of Sherburne National Wildlife Refuge”
- Add to Consent Agenda “Dust Control Agreements”
- Add “Approve/Disapprove Purchase of Hose Tester Up To \$3,000” to Fire Department Report
- Add “Approve/Disapprove Letter to Contractors for Construction of Ballfield” to under Park Committee Report
- Add “Discuss Fees for Rental of Ballfield” to after Sheriff’s Report
- Move “Approve Inspection and Pumping of Tanks at Frontier Trails” under Road Report

### **Approval of Regular Meeting Agenda With/Without Additions/Corrections**

Swanson/Rush unanimous to approve the regular meeting agenda as amended.

### **Treasurer’s Report:**

**May 2016 Final Treasurer’s Report** – Receipts of \$23,905.25 and disbursements of \$58,263.21, check numbers 20164 through 20230 and 6 EFT payments leaving an unaudited balance of \$598,837.48.

**June 2016 Preliminary Treasurer’s Report** – The clerk reported receipts of \$2,197.62 and disbursements of \$25,491.33 (not including payroll), check numbers 20231 through 20276 and 2 EFT payments leaving an unaudited balance of \$575,133.52.

**Sheriff’s Report** - Officer Wilson reported there were 215 calls for service in the month of May.

**PYSBA Representatives** – Matt Peterson and Jeremy Linden, President and Vice Chair respectively, from the PYSBA were invited to answer questions about usage and fees of ballfields for softball and baseball. The Young Park ballfield should be ready for use by next spring. They said that the City charges \$5 per kid annually; the school district is charged between \$4 and \$6; and that the PYSBA probably uses 5 fields a

night between Mondays through Thursday. They said there is a great need for the Young Park ballfield since it's centrally located, and they can see playing both minor and major games. There are 269 kids in the program this year. There is also a good chance to solicit in-kind donations from the friends and families of the kids in the program. The school may not want kids out at their new fields until 2017 as they are seeding the ground. Schumacher asked if they have a good resource for donations. One of the representatives replied that they have about 150 families and they do have a lot of friends in the program and they can look into who can do sodding. They have a lot of hours that families need to fulfill. They asked if there would be any place to keep equipment. Schumacher replied that there is the brown building and Supervisor Swanson said he would build a job box. One of the representatives stated that the coaches and players are responsible for dragging the field. Rush stated that the township is going with red lime. One of the representatives asked if the town board was opposed to portable fencing as they run about \$1,200-\$1,500 apiece. Schumacher stated whatever makes it useable and fulfills the need. Swanson asked if there was a schedule that they would have and know ahead of time. A representative responded that they currently use a Google calendar with all fields listed and they would book it for the whole year with one hour and 15 minute time slots and they schedule all game at the end of March. The school district and city invoice them at the end of the season. Rush stated that the township is going out for Phase 1: quotes and Phase 2: fencing. We are going to have 15 foot benches on each side and a bleacher or two. Phase 3 would include irrigation and trenching for seeding and sodding. Schumacher stated that the town will install sprinklers. A representative stated that whatever the town needs don't hesitate to ask.

**Frontier Trails Update** – Last month, Bridget Chard reported, a letter from the township attorney was sent to the roughly 19 residents left who had not signed their Frontier Trails easement documents. Chard suggested going out to the residents with a notary to get them finished up. There will be a minor change in the ordinance and a rough draft will be available for the next meeting and can be adopted by motion. She is looking at finding out more information on a certificate of indebtedness by the end of next month and will schedule a meeting with Supervisor Swanson, Bob Ruppe and Jon Bogart. In the Fall the rates will be switched over to a levy. We will have delinquent fees. In August a letter will be sent out and during the public hearing portion of a meeting the board can then certify them over. She will have an update on scheduling next month. If easements are not signed then the resident will be shut off.

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

**Update on Water Tender** – The fire department is still waiting on the bracket for the drop tank in the water tender. There were 23 calls for service in the month of May.

**Approve/Disapprove Purchase of Hose Tester Up to \$3,000** – Handshoe/Swanson unanimous to approve purchase of a hose tester to up to \$3,000.

The Town Board wants to see the reports on the weight of the tenders. The fire department has no roster yet, and some of the firefighters have not finished the bullying training. The clerk hasn't received any minutes from the fire department.

**Frontier Trails Update (continued)** – Jon Bogart reported that the MPCA is requiring a permit with a fee of \$2,480. Swanson/Handshoe unanimous to approve the permit and fee. The septic tanks need to be pumped and we need to make sure they are up to code and working properly. Septic Check charges \$145.00 per pump x 41 pumps = \$5,944. It will include the report as well. Swanson/Handshoe unanimous to approve up to \$6,000 for inspection and pumping of tanks.

### **Road Report:**

As submitted by Terry Carlile the Road Report for May 2016

- Approve tractor rental for roadside mowing
- Flail mower rental and delivery charge for 1 week for \$2,730.00
- Front and rear rotary rental and delivery charge for 1 week for \$3,340.00
- Discuss "Children at Play" signs for daycare center South Sandy Lake 100<sup>th</sup> and 284<sup>th</sup>
- Is split rail fence for park on hold at this time?
- Have not completed patching yet. Have used 2.71 ton so far through 5/18/2016. Will be resumed 6/1/2016
- Clean Up Day crew. Friday night had 9 members. Cleaned off 136<sup>th</sup> Street. Two trucks
- Saturday we had 2 drivers and two trucks with Phil Fadden and Cal Watson. 28 hockey members showed up at 7 a.m. 12 went out to clean roads; the rest worked in the yard until 10 a.m. Was supposed to split shift so all but 3 were gone by 10 a.m. That has to be changed for next year. Had new person running the program for hockey team. Cleaned off 120<sup>th</sup>, 283<sup>rd</sup>, 277<sup>th</sup>, 97<sup>th</sup>, 285<sup>th</sup>, 108<sup>th</sup> and most of 100<sup>th</sup>
- As a reminder for Jay. Address 14315 – 285<sup>th</sup> Elk Lake Estates had 2 driveways. 1 on 285<sup>th</sup> and 1 on 284 ½ plus the railroad ties. EMS sign is on 285<sup>th</sup>

Swanson/Handshoe unanimous to approve rental of a front and rear rotary tractor for a cost of \$3,340. Since Baldwin is committed to do Blue Hill the cost of the tractor can be off-set.

The Sandy Lake Daycare Center has asked for 'Children at Play' signs. Because of retro-reflectivity standards from MnDOT the town board will not install the signs.

Maintenance is to order enough split rail fence lumber to do the west side of the Young Park ballfield.

There was discussion regarding a property on 285<sup>th</sup> Avenue that has a driveway on both sides of the home.

There was discussion on signage for 136<sup>th</sup> Street. The board asked that Deputy Wilson be alerted so a deputy can sit there for speed control.

There was discussion on a sinkhole and cracking in Cumberland Creek. Jon Bogart will check it out. Carlile stated he should also look at East Elk Lake Road.

There was discussion on putting a plan together for chip sealing and striping 125<sup>th</sup> Street, 120<sup>th</sup> and 136<sup>th</sup>.

There was discussion on 136<sup>th</sup> Street quote for soil borings and a surveying quote. The items will be added to the June 20<sup>th</sup> agenda.

There was discussion on chip sealing a gravel road. Jon Bogart stated he will find out prices.

There was discussion about the boardwalk platforms at Young Park and building up the road to get in.

**Discuss Planning Commission's Review of Vacating/Moving Easement, Lots 1 & 2, Block 2, Buenaventura Vista 2<sup>nd</sup> Addition** – The Planning Commission tabled the vacating/moving easement, Lots 1 & 2, Block 2, Buenaventura Vista 2<sup>nd</sup> Addition because of the need of more information.

**Approval of Consent Agenda** – Handshoe/Swanson unanimous to approve the Town Board Meeting Minutes of May 9 and May 16, 2016; approve the Inspection and Pumping of Tanks at Frontier Trails; approve Attending MAT 2016 Summer Short Courses; approve Dust Control Agreements; and approve Renewal of Tobacco License for Ridgewood Bay Resort.

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

**PLATS:** None.

**VARIANCES:**

**Approve/Disapprove a 67' Variance in Setback from the Right-of-Way of 97<sup>th</sup> Street for Water Oriented Accessory Structure** – Property owner Betty Evans was present. Handshoe stated that this came in front of the Planning Commission and they denied it. Schumacher read the draft meeting minutes of the Planning Commission dated May 25, 2016 which reads, in part, *"a motion was made by Commissioner Marshall; seconded by Commission Good to recommend to the Baldwin Town Board to deny the request for a variance setback on PID 01-413-0150 based on the Sherburne County Zoning Ordinance Section 14; Subdivision 5, Section 2(b)2 Water-oriented Accessory Structures which says "Each lot may have one water-oriented accessory structure not meeting the normal structure setback in Subdivision 5, Subsection 2-A of this ordinance if this water-oriented structure complies with the following provisions: (a) The structure or facility much not exceed ten (10) feet in height, exclusive of safety rails, and cannot occupy an area greater than 400 square feet." All in favor. Motion carries."* Holm stated that the Planning Commission is advisory. Mrs. Evans stated that the structure was put there as it is the only flat area of the land and it is not really a structure as it is still on skids. Swanson told her to put a fish house license on it. Mrs. Evans replied that there is one on it. She was told that if the variance is approved then she will have to make it permanent. Holm stated that it is located on the southerly side of the township right-of-way. Mrs. Evans stated that next to it is the beach area and overflow and the structure is located up a hill and is not blocking the right-of-way at all. Handshoe stated that the Planning Commission thought

there should be a setback. Bridget Chard stated that there usually is a 10 foot setback from utilities. Handshoe stated that the Planning Commission was picking up the paddleboat as the building. Holm stated that he is sorry they have to go through this as he thinks it would be better if it was portable and he sees no conflicts. Holm/Rush unanimous to approve the variance for their lake oriented structure as presented with the following Town Board comment: "Approved. Recommend moving the structure back as far as property owner is able".

## **OLD BUSINESS:**

**Park Committee Report** – Rush reported that the Park Committee have decided to meet every other month. Jeremy Peterson and Mark Fredrickson are unable to fulfill another 3 year term although they will stay on the committee until their positions are filled. The Park Committee therefore has openings for 3 positions.

**Discuss Well at Young Park** – See below.

**Discuss Park Committee Members Not Wanting to be Reappointed, Jeremy Peterson and Mark Fredrickson (Term Expired May 2016)** – See above.

**Discuss/Approve/Disapprove Park Committee Meeting Every Other Month**  
Rush/Handshoe unanimous to approve the Park Committee meet every other month. The next meeting will be in July. It was discussed that this may help with Peterson and Fredrickson staying on with the Park Committee.

**Approve/Disapprove Letter to Contractors for Construction of Ballfield** - Rush said he talked to all the excavating contractors and was going to send out via email or they can stop in the office. The clerk can attach to the request for quotes (a drawing). The final quote will be emailed or dropped off in a sealed envelope. Swanson stated that an end date needs to be decided and suggests a sealed envelope and not email. Rush/Swanson unanimous to approve adding to the July 11<sup>th</sup> regular meeting agenda at 7:30 p.m.

Bogart stated that a bid bond is for if the board throws out all the bids. It does cost money to rebid. Performance bond is for the quality of work. A payment bond is for if they did not pay their subcontractors. He would not do a bid bond but would ask for a performance bond. If there is no performance bond then there is an insurance requirement. A requirement for a Certificate of Insurance, township address will be added and placed on township letterhead. Rush/Handshoe unanimous to approve as amended.

Supervisor Holm left the meeting at 8:43 p.m.

Swanson thanked Bogart for all the work his company has done, and for the donations towards the ballfield. Bogart acknowledged that the ballfield was a good thing for the community.

**Discuss Well at Young Park** – Schumacher contacted Able Well, but they were unable to attend the meeting. Other well contractors will also be contacted to give a presentation and fees.

**TCI Baldwin Volunteer Corps Update** – Rush reported that Kristi Gallagher has put a lot of time and effort in the 4K Run Event and flyers. Julius Dorweiler has offered to have mule rides available. Dorweiler will be asked to attend the next meeting. Handshoe will talk to Marv's True Value about delivery and set up of the bouncy house, dunk tank and other children's games.

**Baldwin Planning Commission Update** – Handshoe updated the town board on the decisions made by the Planning Commission and the solar farm language, and variances. The commission wants the town board to have a joint powers meeting with the county in order to update the fee schedule.

**Fence Removal Update** – Schumacher/Rush unanimous to approve tabling to the regular township meeting of June 20, 2016.

**Discuss Park Committee and Planning Commission Recommendations on Sending Letters to Property Owners on 313<sup>th</sup> Avenue** – According to Bogart a revised plan is in place to do an easement to tag with the county when they do County Road 45.

Swanson/Rush unanimous to approve applying for an access permit for up to \$500 for the Goose Lake access.

#### **TABLED ITEMS:**

**Review/Approve/Disapprove Letter to Homeowner with Railroad Ties in Road Right-of-Way** – Schumacher/Rush unanimous to approve tabling to the regular township meeting of June 20, 2016.

**Approve/Disapprove Amendment to MPCA Permit for Frontier Trails** – See Road Report.

#### **NEW BUSINESS:**

**Approve/Disapprove Nominee for the 2016 Grand Marshall for the Sherburne County Fair Parade** – Swanson nominated Lester Kriesel for Grand Marshall for the Sherburne County Fair. Kriesel asked the board to nominate someone else.

Handshoe/Swanson unanimous to nominate Elly Rittenour as first nominee as the Grand Marshall for the Sherburne County Fair. Swanson/Handshoe unanimous to nominate Lester Kriesel as second nominee as the Grand Marshall to the Sherburne County Fair.

**Approve/Disapprove Amending the Sherburne County Zoning Ordinance, Section 16.2, Subd. 1, Authority - #4, Exception for Solar Farms on Change in Zoning**  
Handshoe/Rush unanimous to disapprove amending the Sherburne County Zoning Ordinance, Section 16.2, Subd. 1 on Exception for Solar Farms on Change in Zoning with the Planning Commission comments.

**Approve/Disapprove Donation of Corner Sections of Unused Young Park Boardwalk to Friends of Sherburne National Wildlife Refuge** – Removed from Agenda.

**Yearly Review of Authorized Signature List** – Handshoe/Swanson unanimous to approve the review of the authorized signature list with no changes.

**Review/Approve/Disapprove Newsletter** – Handshoe/Rush unanimous to approve the newsletter as amended.

**Approve/Disapprove Resolution #16-07; Resolution Authorizing Contract with Interested Officer** – Rush/Handshoe motion to approve Resolution #16-07; Resolution Authorizing Contract with Interested Officer. All in favor with Supervisor Swanson abstaining. Motion carries.

**Approve/Disapprove RBs Computer Quote for Computer Services** – Schumacher/Handshoe unanimous to approve tabling to the Regular Township meeting of June 20, 2016. Swanson stated that he would like to have a conversation with a company that could hook up the projector to the computers and would like to see the township's meeting broadcasted on cable tv.

#### **ANNOUNCEMENTS:**

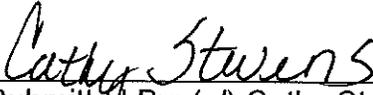
- Employee Reviews, Tuesday, June 7, 2016, 7:00 p.m.
- Clerk on Vacation, Monday, June 13 – Friday, June 24. Returning to Office Monday, June 27.
- Park, Trail & Active Living Plan Meeting, Thursday, June 16, 2016, 2:00 p.m., Sherburne County Government Center Maple Room
- Tentative OSHA Conference Call, Tuesday, June 28, 2016, 9:00 a.m.
- Fire Department Sale – June 10 at 8:00 a.m., Pike Auction

#### **Any Other Business:**

It was suggested to have the Planning Commission build an agenda with board approval for a joint powers meeting with the county to include the Planning Commission, Town Board and Nancy Riddle.

**Motion to Approve Bills for Payment** – Swanson/Handshoe unanimous to approve for payment check numbers 20231 through 20276 and 2 EFT payments totaling \$29,488.74.

**Adjournment** – Swanson/Handshoe unanimous to adjourn at 9:33 p.m.

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

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

7-11-16  
Date

Attendees: Bridget Chard, Lester Kriesel, Matt Peterson, Jeremy Linden, Doug Evans, Betty Evans, Jon Bogart, Terry Carlile