

## BALDWIN TOWNSHIP REGULAR MEETING

March 18, 2019

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

**Call to Order** – The March 18, 2019 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** – None.

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

**CR 45 Roundabout Project Update** – David Roedel, Assistant Public Works Director from Sherburne County, said he met with Baldwin Township about 1-1/2 years ago to discuss the CR 45 Roundabout Project. He said that all of the right-of-way permits have been acquired, and that since there are safety issues in that area, everybody has been responsive. He assured that access to the businesses will be available at all times. Construction will begin on June 3, 2019 immediately after school lets out for the year with completion of construction on August 15, 2019 which is prior to school commencing. Anticipated project costs are \$1,350,000 for the engineer's estimate, the Freight Program Grant will be \$850,000 with Sherburne County cost participation of \$250,000, the City of Princeton cost participation of \$125,000 and Baldwin Township cost participation of \$125,000. Open house will be March 25, 2019 at the Princeton High School cafeteria. The county is also teaming with the Great Northern Trail Project. Discussion regarding Anderson Equipment having an outlet to their parking lot. According to Mr. Roedel they will have full access. The Park and Ride lot will be closed for the duration of construction and will be moved to the parking lot next to the high school tennis courts for the duration. Fire Chief Scott Case asked about emergency vehicle access during construction as it will create time delays. Mr. Roedel stated that there would be some accessibility. The website for the project is: [CR45roundabout.com](http://CR45roundabout.com).

Supervisor Rush asked about the trees along County Road 38. He has been talking to Patti Kukowksi, the county ROW agent, and she apologized that we are not being compensated for the trees. The tree removal is changing the whole dimension of the park. Discussion on installing a split rail fence all the way down to keep snowmobiles and ATV's out of the park. Several large oak trees have been removed. Mr. Roedel stated that they would be interested in hearing Baldwin's thoughts. Maybe a sapling planting that would take a few years to grow. Swanson stated that he would like to see a split rail fence. Mr. Roedel stated that he would look into the details and work together to get something figured out.

**March 2019 Preliminary Treasurer's Report** - The clerk/treasurer reported receipts of \$6,198.06 and disbursements of \$86,743.20 (not including payroll), check numbers 22782 through 22866 and 4 EFT payments leaving an unaudited balance of \$1,394,541.39.

**Fire Department Report** – No report.

**2018 Sheriff's Office Annual Report Presentation** – A 2018 Annual Report by Sheriff Joel Brott was distributed. The Sherburne County's Sheriff's office provides law enforcement services to the citizens of Baldwin Township. Total calls for service and/or arrests in 2018 totaled 2321 which was down by 366 calls from 2017. In the last three years the Government Center has been under a lot of construction which includes expansion of office space, a new Sheriff's office lobby, a new jail lobby, new interview rooms and a Criminal Intelligence Center. Move in date is scheduled for April 8. The Sheriff's Office has also partnered with over 22 law enforcement agencies in order to funnel information into one system to promote better communication between public safety. A communication specialist was also hired. Sheriff Brott's advice to the high school students attending the meeting is 'don't text and drive' stressing that it potentially may cost your or someone's else's life. He also said that there is a scholarship and internship program relating to the criminal justice field that is available.

**Road Report –**

March 18, 2019 from Zac Good:

Shop:

- ✓ U of M – L.T.A. P. Courses (online)
  - Online classes for Maintenance Crew
    - Work-Zone Safety Tutorial - \$Free
    - Turf-grass Pathology - \$75
    - Sign Maintenance and Management for Local Agency's - \$65
    - Gravel Road Maintenance and Design - \$45
- ✓ Outside storage needed / 40' used cargo container delivered - \$2,734 (Placement behind sand shed will be added support)
- ✓ Skid Steer Quotes (Work in Progress)

Repairs:

- ✓ Sand/Salt Shed. Structure in need of repair this spring. (Bottom of shed is failing)
- ✓ V-Plows on F-550s. 12-14 years old / Extremely worn out. Need to be replaced.
- ✓ Currently the plows needing all cutting edges replaced (\$1200)

Roads:

- ✓ This spring we will be starting to inventory the Town's culvert infrastructure.
- ✓ Add link to Baldwin Township's Web Page; Sherburne County Public Works page (Report-A-Concern). This is a great tool for reporting roadway concerns.
- ✓ Resident parking issues for wedding party / June 29, 2019 @12122 – 280<sup>th</sup> Avenue (Highlands). (Referred to Sherburne County Sheriff)
- ✓ (South) 100<sup>th</sup> Street NW easement issues not in line with roadway (Bogart, Pederson)

Miscellaneous:

- ✓ Mailbox Policy added to Snow and Ice Policy
  - Resident to submit photos of damaged mailbox and EMS sign along with receipt showing cost of repair or replacement; for reimbursement up to \$50.
  - These items can be faxed, emailed or brought in person.
- ✓ Need to revisit the Baldwin Capital Improvement Plan / Build more accurate plan. (Last approved packet dated April 2015).

It is unclear if the fee for the online classes covers both maintenance employees. Item added to agenda of the April 1, 2019 regular meeting of Baldwin Township. Obtaining an outside cargo container would be used for lawn movers, all signage, weed whips, and seasonal items so that more room would be available in the shop. The Town Board will look into the condition of the salt/sand shed. An updated quote on the cost of a V-Plow will be available at the April 1, 2019 regular meeting of Baldwin Township. Talked to David Roedel about putting "Report-A-Concern" on Baldwin Township's Webpage. Nick Anderson will have to do research on road easements on 100<sup>th</sup> Street. This will be added to the agenda of the April 1, 2019 regular meeting of Baldwin Township. The Town Board decided that more information was needed regarding a mailbox policy. This will be added to the next scheduled workshop agenda. It was decided to use the Baldwin Capital Improvement plan as a guideline. This will be added to the next scheduled workshop agenda.

**Schedule 90 Day Employee Review, Phillip Fadden** – A 90-day employee review for Phillip Fadden is scheduled immediately after the Oath of Office / Reorganizational meeting on Tuesday, March 16, 2019.

**Approval of Consent Agenda** – Swanson/Handshoe unanimous to table the Town Board Regular Meeting Minutes of March 4, 2019. Lawrence/Handshoe unanimous to table the approval of Resolution #19-03, County Road 38 Project to the April 1, 2019 regular meeting of Baldwin Township for further clarification regarding the fence and reimbursement for the trees with the thought that it should not be signed. Lawrence/Handshoe unanimous to approve the security agreement on the new copier for \$7,995. Lawrence/Rush unanimous to approve the guaranteed protection plan for the new copier of \$140/quarter including toner and maintenance.

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

**PLATS:**

**Approve/Disapprove Misty Hollow Developer's Agreement** – Developer Greg Wersal was present along with Seth Monroe, Rum River Land Surveyors. The Town Board reviewed the red lined copy provided by Nick Anderson, Bogart, Pederson & Associates. Mr. Anderson stated he cleaned up the wording within the document. Discussion on when the 2 year warranty begins on the roads. As the document reads now, the 2 year warranty starts when the final lift is down. Anderson stated that it might

be better to have a 2 year warranty when all work is complete. Swanson stated that the board needs to have this remedied and corrected and either make a special contract between Mr. Wersal and Baldwin or make this agreement null and void. Lawrence stated that he would like to hear Mr. Wersal's comments. We can then approve these changes then approve as a contract with Mr. Wersal if he meets the criteria.

Mr. Wersal stated that he agrees with all of the township engineer's changes in the developer's agreement. The document was cleaned up so it was consistent. He has a concern regarding the sentence (page 5 of the Developer's Agreement) "No building permits shall be issued in said development until road rough grade, ditches, swales and drainage systems are in and approved by the town". His issue is that the township does not issue building permits and, secondly, he is going to try to build houses as quickly as he can. He knows it is of concern of the some members impetus to get the road in and suggested putting in a date of a year and a half out. Lawrence stated that he has seen it common in developments of houses being built when the roadway is being put in. This is a unique situation as the lots are on a county road. If it was the Town Board's wish why not just eliminate that sentence. Completing of the roadway is exactly why we have a developer's agreement and guarantees we have money set aside. He has difficulty holding up a house being built. Swanson stated that he is questioning the wording in the contract and not Mr. Wersal's integrity. It is part of the plat and move forward as one or split into different projects. The town is willing to have separate developer's agreements. Discussion where it was determined that the remainder of the Town Board members did not want that. Mr. Wersal suggested tying up the road with a default clause but asked for the building permits not to be tied up. Swanson stated that Mr. Wersal has a good point as they are two separate issues. The town wants to make sure the road gets done so let's tie the road to a date. The question is what hardship will it be on another developer? Do we want to have to negotiate a date with each developer? Mr. Wersal stated that he wants a drop dead date to get the road built. The final plat of Misty Hollow has been given final approval by the county. Lots can be sold once the plat has been recorded at the county. Lawrence asked what the repercussion would be if Mr. Wersal bought Lots 9 and 10 himself and built on them? Mr. Wersal stated that part of the problem is that the township does not issue building permits. Can he market them? Yes but what is he selling? He would like to see it separated and not keep the lots hostage. Swanson stated that he would like MAT or Couri & Ruppe to look at this as he feels there are too many ramifications that will go to the next development. Lawrence responded that this is a decision that the Town Board needs to make. Swanson stated that he is not trying to make it harder for Mr. Wersal but those 2 lots are still part of the plat and would like to see it separated out and treated differently. Lawrence questioned if the two lots could be released if the township separated them and not change our contract. We do agree they are independent lots. Any lot that already has access to a developed road may be excluded from the rest of the plat. Nick Anderson stated that he will clean up the agreement and every case would be different once changed.

Mr. Wersal questioned holding the lots hostage when the township really just wants the road built. The easiest way is put in a date for a default. Nick Anderson stated that it is

common for developer's agreements in this county to not build until the wear course is on.

Swanson stated that buildable lots attached to county roads still need to have drainage addressed. He is not comfortable diving into this as there may be ramifications for the next development. We are either making a different agreement than we have ever had or changing our agreement for every developer. His whole point is where is the commonality. He would like more time on this developer's agreement but thinks it can be made workable. Do we want to allow negotiations such as these with every developer? Lawrence stated that he does not look at this as a special deal with Mr. Wersal even though it does benefit him. He is looking at our developer's agreement and suggesting changes. Rush agrees with Lawrence. The developer's agreement is 2 years. He is asking for this blanket statement and put a date on it. We have the 1.5 times of the security letter.

Lawrence/Rush unanimous to approve Nick Anderson's proposed changes to the developer's agreement as it at least gives us a working document. Anderson stated that he will make the changes and send it to the Town Board and requests a response within a day or two.

Lawrence stated that Mr. Wersal will accept the 1.5 (from Schedule A) and is more concerned with building on the lots and has made several possible proposed changes and is hoping the board will consider and either reject or accept them. Lawrence made a motion to make a change to our newly approved developer's agreement, with that change being on page 5 and replace the last line of the top paragraph with paragraph 3 from Greg Wersal's email ("No building permits shall be issued in said development for those lots which have access from the proposed road until road rough grades, ditches, swales and drainage systems are in and approved by the town"). After further discussion the motion died for lack of a second.

Lawrence moved to add language to the top paragraph on page 5 stating something to this effect "except for those lots the township may approve permits as requested by a developer that are not dependent upon the subdivision road or affecting any additional drainage".

Swanson/Rush unanimous to add building permits may be issued for lots not dependent on subdivision road per Town Board approval.

The April 1, 2019 Town Board agenda will include approval of the developer's agreement. Lawrence stated that he would like to see a written request from Mr. Wersal asking for the release of those permits.

**Baldwin estates** – Nick Anderson stated that Baldwin Estates will be on the April 1, 2019 agenda for approval of their developer's agreement. He inspected the road and found it be in excellent condition. It has 3 cracks in it and to seal it with future crack

sealing will not cost the township more than \$25. The road is 3 to 3-1/2 inches thick. He will be recommending accepting the road.

**VARIANCES:** None.

**OLD BUSINESS:**

**County Planning & Zoning Report** – No report.

**Park Committee Report** – Rush reported that the Baldwin Township Park Committee will be meeting on March 21, 2019 to discuss park dedication funds.

**Baldwin Volunteer Corps Update** – Rush reported that the next scheduled meeting for the Baldwin Volunteer Corps is Monday, March 25, 2019.

**City of Princeton Council Report** – Handshoe reported that the City of Princeton is talking about accessing the cost of the CR 45 Roundabout Project.

**Airport Advisory Board Report** – Handshoe reported that there was no meeting held in the month of February 2019.

**TABLED ITEMS:**

**Approve/Disapprove Young Park West Lot Gate** – Swanson reported that the original offer which was to be a donation has fallen through. Swanson will put some dollar numbers together.

**NEW BUSINESS:**

**Review Letter from Resident in Kingsmon Addition** – Swanson read the letter from Ms. Violet Grammond regarding her concerns with the roads in Kingsmon Addition as well as the letter of response from Richard Marshall who is chairman of the Baldwin Township Planning Commission.

**Approve/Disapprove What Department Will Utilize Old Copy Machine and Keep Current Maintenance Agreement** – Rush/Handshoe unanimous to approve moving the old copy machine to the fire department and to keep the current maintenance agreement.

**Discuss/Approve/Disapprove Rectification for Damaged Mailboxes** – Handshoe/Rush unanimous to table rectification for damaged mailboxes to the next workshop meeting after the road tour.

**Approve/Disapprove Deputy Clerk Vacation, June 16-July 21, & Clerk/Treasurer's Overtime** – Rush/Handshoe unanimous to approve the deputy clerk's vacation time from June 16 to July 21 and the clerk/treasurer's overtime during the period.

**Schedule Employee Reviews (1 Year Reviews)** – Handshoe/Rush unanimous to schedule the yearly employee reviews for June 3 and June 17 starting at 6:00 p.m. Chief Scott Case and Maintenance Supervisor Zac Good are scheduled for June 3, 2019. Clerk/Treasure Cathy Stevens is scheduled for June 17, 2019.

**Approve/Disapprove Attending MAT Town Law Review, Thursday, April 18, Rockwoods, Otsego** – Lawrence/Rush unanimous to approve attending a MAT Town Law Review on Thursday, April 18, 2019 at the Rockwoods in Otsego. Supervisors Lawrence and Swanson as well as the clerk/treasurer will be attending.

**Announcements:**

- Oath of Office/Reorganization Meeting, Tuesday, March 26, 7:00 p.m.

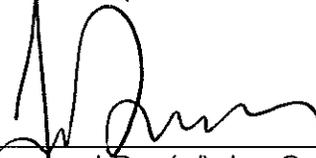
**Any Other Business:** None.

**Motion to Approve Bills for Payment** – Handshoe/Rush unanimous to approve for payment check numbers 22822 through 22866 and 1 EFT payment totaling \$50,220.85.

**Adjourn** – Lawrence/Rush unanimous to adjourn at 10:12 p.m.



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



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

4-1-2019

Date

**Attendees:** Lester Kriesel, Isabella Ramm, Lexi Roth, Kailee Roth, Gracyll Bekius, Grace Noway, Isabel Lukenbill, Avary Romerleau, Angela Linell, Alexa Romerleau, Aurora Sohossou, Charlie Bevins, Seth Monroe, Scott Case, Wade Lawrence, Emily Pangerl, Nolan Wark, Zac Good, Nick Anderson