

Monthly Board Meeting  
Minutes  
November 11, 2009

## **TOWN of BIG LAKE**

*"Sherburne County's First 5-Member Township Board"*  
P.O. Box 75, Big Lake, Minnesota 55309

On Wednesday, November 11, 2009, the Big Lake Board of Supervisors met at the Big Lake Town Hall located in the Big Lake Lions Park Community Center at 21960 County Road #5, Big Lake Township, Sherburne County, State of Minnesota. The meeting was tape recorded for transcribing purposes only.

Chairman Hofer called the meeting to order at 7:00 p.m. There were 8 people in the audience at the start of the meeting. Roll call was taken by the Chairman.

Board Members Present:

- Bob Hofer, Chairman
- Norm Leslie, Supervisor
- Jim Stahlmann, Supervisor
- Larry Alfords, Supervisor
- Mike Hayes, Supervisor
- Ken Warneke, Treasurer
- Laura Hayes, Clerk
- Kristie Woolard, Deputy Clerk
- John Norgren, Township Rep. Sherburne County  
Planning Advisory Commission
- Todd McLouth, Township Engineer

All present stood and recited the pledge of allegiance to the Flag of the United States of America. Chairman Hofer called for a moment of silence in honor of Veterans and in recognition of Veteran's Day.

Supervisor Hayes motioned to approve the agenda. Supervisor Leslie seconded. All were in favor. The motion carried. The meeting proceeded in accordance with the agenda as presented.

### **PUBLIC HEARING TO CONSIDER VACATION OF THE EAST 12.5 FEET OF 191<sup>st</sup> STREET FRONTING LOTS 18 & 19 OF BLOCK 15, EAGLE LAKE PARK, BIG LAKE TOWNSHIP, SHERBURNE COUNTY, MINNESOTA.**

Chairman Hofer opened the Public Hearing at 7:02 p.m.

Vernon Schwalbe, owner of Lots 18 & 19, Block 15, Eagle Lake Park, appeared before the Board. He advised 191<sup>st</sup> Street had not been built in the correct area according the plat of Eagle Lake Park; and, stated he felt the Township was responsible for fixing that situation. He advised he was concerned that the Township had proposed that he grant them a 15' foot easement. He further advised he had received a copy of the Sherburne County "Guide for Property Owners" and noted that according to the guide, when an easement is granted, the grantor is offered compensation. He advised he and his wife

Deloris had not been offered any compensation and requested a guarantee that if an easement is granted, they would still be able to build on the property.

Treasurer Warneke, presented the Township's proposal to vacate the East 12.5' feet of 191<sup>st</sup> Street fronting Lots 18 & 19, Block 15 owned by the Schwalbe's in exchange, and as compensation for a 15' foot easement on Lots 17 and 18, Block 16 on the West side of 191<sup>st</sup> Street. The Township is proposing the East 12.5' feet become the property of the Schwalbe's. Treasurer Warneke advised he had attempted to contact Mr. Schwalbe by telephone to present this proposal and had not received a response to his messages. Treasurer Warneke confirmed that the plat of Eagle Lake Park and construction of 191<sup>st</sup> Street was done in the 1920's; and the road had been constructed to the West of where the current survey shows the road should be. Township Engineer, Todd McLouth and Treasurer Warneke reviewed the vacation and easement exhibits with the Board and the Schwalbe's. Mr. Schwalbe again requested a guarantee the easement would not affect the buildability of the lots. The Board advised they couldn't give a guarantee that the County would deem the lots buildable and further noted that building requirements are subject to change. There was lengthy discussion regarding building setbacks. It was noted that easements don't affect the overall square footage or setbacks of property. Mr. Schwalbe advised he and his wife were not prepared to sign the easement documents tonight.

Chairman Hofer called for final questions from the Board and audience. Supervisor Alford's clarified there would be no financial compensation to the Schwalbe's, further confirming the compensation would be strictly in the form of a trade of property. Further clarifying that if the Township were to purchase the 15' feet, the Schwalbe's would no longer be owners which could negatively impact the buildability of their property.

The public hearing was closed at 7:35 p.m.

Supervisor Stahlmann motioned to authorize the vacation of the East 12.5 feet of 191<sup>st</sup> Street fronting Lots 18 & 19 of Block 15, Eagle Lake Park, contingent upon the 15' foot easement being granted by the Schwalbe's. Supervisor Hayes seconded. All were in favor. The motion carried.

Supervisor Stahlmann advised of a correction to the October 28<sup>th</sup> minutes, page 2, under Supervisor's Reports regarding attendance to SHIP meeting. Supervisor Hofer was not in attendance to this meeting. Supervisor Stahlmann motioned to approve consent agenda items: a) Approval of Minutes: Regular Monthly Meeting 10-14-09, & Second Monthly Meeting 10-28-09 with the correction. b) Approve Cancellation of November 25 Second Monthly Meeting. c) Approve List of Claims (Disbursement List will be Received at Meeting). Supervisor Alford's seconded. Each Supervisor abstained from approval of their payroll claim. Supervisor Hayes abstained from approval of Clerk Hayes payroll claim. All present were in favor. The motion carried.

## **OPEN FORUM**

John Norgren advised he had been contacted by Lisa Benzin regarding 17160- 205<sup>th</sup> Avenue, a 10-acre parcel and the possibility of subdividing 2.5 acres from the property to build a house. John advised the proposal lacks the necessary 200' of road frontage required to build. He further noted he would inquire with Sherburne County Zoning Administrator, Nancy Riddle regarding the options available.

## **BUSINESS FROM THE CLERK**

a) Aspen Hills Wastewater Treatment Facility Update – Supervisor Alford advised the Wastewater Treatment Facility repairs are on track. The tanks have been installed and will be covered Friday. The sand filter repair will be next. The Township has received the Agreement from Sherburne County delegating the authority of a Community Health Board to the Town of Big Lake for the purpose of notice, enforcement and abatement of the public health nuisance that has been declared involving the Class C Waste Water Treatment System located in Aspen Hills. Chairman Hofer and Clerk Hayes signed the agreement.

b) Steve Pearson/2-Year Preliminary Plat Extension Request for “Knick Knack Knoll” - Steve Pearson appeared before the Board to request a 2-year preliminary plat extension of “Knick Knack Knoll” consisting of 11 lots. The preliminary plat was approved in December 2005. A 2-year extension was approved in 2007. Steve Pearson advised there are 55 lots available in the first phase of Knick Knack Knoll, and therefore it isn't necessary to move into this phase. Supervisor Hayes motioned to recommend approval of the 2-year preliminary plat extension. Supervisor Leslie seconded. All were in favor. The motion carried.

## **BUSINESS FROM THE SUPERVISORS/COMMITTEE REPORTS**

### **TOWN ROADS**

1) Weed Inspector-Annual Update – Supervisor Alford advised the annual weed inspection was conducted in August in conjunction with the fall road tour. Several areas were noted for double and triple passes to eradicate noxious weeds along with regular weed control. Supervisor Alford advised there were no other reports of weeds to be inspected.

2) Other-Updates-Meetings – Township Engineer, Todd McLouth advised the one-year warranty period for the 205<sup>th</sup> Avenue Reconstruction and watermain extension will expire tomorrow, November 12, 2009. The final warranty inspection was conducted on November 5. The road and restoration was found to be in compliance with the Township specifications and standards; and, therefore it is recommended that the Township make final acceptance of the project and release any securities being held. Supervisor Alford motioned to accept the road and release the securities. Supervisor Stahlmann seconded. All were in favor. The motion carried.

### **CHAIRMAN'S REPORT**

1) Other-Updates-Meetings – Chairman Hofer advised he had no new information to report on.

### **SUPERVISOR'S REPORTS**

1) Northstar – Supervisor Hayes advised the NCDA is preparing for the inaugural event this Friday, November 13 and the communities with train stations are preparing for launch events on Saturday, November 14. Commuter service will begin on Monday, November 16. The NCDA is working to extend service to St. Cloud. The NCDA is reviewing the options of leasing or purchasing another engine.

2) EDA – Supervisor Hayes advised the EDA met on November 9. There was discussion regarding participation in the Minnesota shovel ready program. “Shovel-ready” refers to commercial and industrial sites that have completed all of the planning, zoning, surveys, title work, environmental studies, soils analysis and public infrastructure engineering prior to offering the site for sale. Having these items completed and the site(s) certified reduces the local platting and approval process by 60 to 90 days. Participants in the program are able to have their sites marketed at trade shows and by the Minnesota Department of Employment and Economic Development.

### **BUSINESS FROM THE TREASURER**

a) Monthly Report – Treasurer Warneke reviewed the cash balance statement. Total government funds of \$2,078,380.50 and escrow accounts of \$56,555.67 totaling \$2,134,936.17 were reviewed. He stated all funds continue to have positive balances. Treasurer Warneke reviewed the 101, 102, 103, 402 and 403 funds, noting the first ½ of the Homestead Credit has been received. The total received will be less due to state unallotment. Treasurer Warneke advised this would not be damaging to our budget, however smaller reserves will be realized and that will affect next years levy decisions. Treasurer Warneke advised the Township came into the recession in good shape and remains solvent. Supervisor Leslie motioned to approve the Treasurer's Report. Supervisor Hayes seconded. All present were in favor. The motion carried.

### **ADJOURNMENT**

A motion was made by Supervisor Hayes to adjourn the meeting. Supervisor Leslie seconded. All present were in favor. The motion carried. The meeting adjourned at 7:55 p.m.

Respectfully Submitted,

Laura Hayes, Clerk