

Second Monthly Board Meeting  
Minutes  
September 23, 2009

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

On Wednesday, September 23, 2009, the Big Lake Board of Supervisors met at the Big Lake Town Hall located in the Big Lake Lions Park 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 7 people in the audience at the start of the meeting. Roll call was taken by the chairperson.

Board Members Present:

- Bob Hofer, Chairman
- Mike Hayes, Supervisor
- Norm Leslie, Supervisor
- Jim Stahlmann, Supervisor
- Larry Alfords, Supervisor
- Ken Warneke, Treasurer
- Laura Hayes, Clerk
- Kristie Woolard, Deputy Clerk
- Todd McLouth, Township Engineer

All present stood and recited the pledge of allegiance to the flag of the United States of America.

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

Supervisor Stahlmann motioned to approve the Consent agenda consisting of: a) Approve List of Claims & Payroll. (Disbursement List will be Received at Meeting). b) Adopt Ordinance 2009-1 Amending Ordinance 2001-2 Regarding Mailbox Installation. c) Adopt Resolution 2009-10 Establishing Division of Responsibilities for Snow & Ice Removal Between the Town of Big Lake and City of Big Lake for Town/City Roads. Supervisor Alfords seconded. Supervisor Hayes abstained from approval of Clerk Hayes payroll claim. All were in favor. The motion carried.

**BUSINESS FROM THE CLERK**

a) Aspen Hills Homeowner Representatives/Wastewater Treatment Facility Update - Caleb Hansen, President of the Aspen Hills Homeowner's Association; Mike Brandt of MFRA engineering firm, hired by the Homeowner's Association and Aspen Hills resident, Kimberly Block appeared before the Board to update the Board on the status of the wastewater treatment facility in Aspen Hills.

Caleb Hansen advised the Board that bids had been received for the wastewater treatment plant upgrade. Three bids were received. The lowest bid is approximately \$70,000. less than the engineer's estimate. Engineer, Mike Brandt advised that the bids need to be reviewed to confirm that all aspects of the project were taken into consideration. Mike Brandt further advised that Bank of Elk River has committed to backing the project; therefore, the USDA will consider the project for a Rural Development loan. The USDA has requested two additional environment review documents while they consider this project. Caleb Hansen advised the homeowner's association and their attorney are working on acquiring property ownership. He advised three party's need to release their ownership interest in outlot I. According to document shared by Caleb Hansen from the homeowner's association attorney, Courey, Kosanda & Zimmer, the IRS has been asked to sign an application for a certificate of discharge of property from a federal tax lien. Town Center Development LLC/David W. Reimer has been asked, through their attorney G. Scott Hoke, Esq. to sign a quit claim deed. And, Lakeland Construction, a financial institution has also been asked to relinquish ownership to the homeowner's association.

Caleb Hansen advised Town Center Development LLC/David W. Reimer has signed the quit claim deed. He noted they are anticipating the IRS will sign the release within the next 30 days. The homeowner's association have been advised that Lakeland Construction has requested that they be paid for the lot. Supervisor Stahlmann inquired if Courey, Kosanda & Zimmer's specialty is real estate. Caleb Hansen advised it is. He further advised a second attorney has not been hired, but is looking into possible wrong-doing in regard to design and construction.

Mike Brandt advised he has reviewed the system and has determined the system will require a series of 5-18,000. gallon tanks, removal and reinstallation of the sand filter, installation of new distribution pipes and new pumps and reconfiguration of the control panels. He advised he has not received an as-built of the facility. He noted he is creating one from the existing infrastructure in place. He advised the Board part of the reason bids received were lower than the engineer's estimate are related to disposal of the material that makes up the sand filter. He advised upon further investigation with the MPCA, the material does not have to be removed from the site. It can be bermed and covered with one foot of clean material resulting in a significant cost savings for the project. Supervisor Leslie inquired if the project could be completed this fall. Mike Brandt advised he felt it could, noting that in the event of light frost the project could continue as planned. It was noted the tanks may need to be pumped during the reconstruction process. Mike Brandt estimated this would be necessary only once or twice during the project. There was discussion regarding the cost savings of the project, if the bids are complete and the project remains at \$70,000. less than the engineer's estimate. The amount due from each of the 58 existing homes would be approximately \$3,800. It was noted it would be a faster, easier process if each homeowner paid this amount or made individual financing arrangements rather than having the homeowner's association seek a bank loan. It was again noted the homeowner's association has the ability to collect fees and maintenance costs from the residents if it chooses to exercise this authority. Chairman Hofer advised the homeowner's association attorney should contact the Township's attorney for the purpose of sharing information and suggestions that could be helpful in their endeavor to gain ownership of outlot I.

b) Other-Update-Meetings – Clerk Hayes advised a letter had been received from the Sherburne County Auditor regarding townships that had been awarded Township Road and Bridge Aid but did not actually meet the statutory requirements to receive it. It was further noted that this was discovered too late to correct the 2009 Township Road and Bridge allotment. Therefore it is being recommended that the qualifying townships grant authority to the Auditor/Treasurer to disburse funds to Palmer and Clerk Lake Townships. Treasurer Warneke advised Big Lake Township would be eligible for approximately \$4,400. more if they did not adopt the resolution. He noted this would not significantly affect Big Lake Township's finances. Supervisor Stahlmann motioned to grant authority to the Sherburne County Auditor/Treasurer to disburse these funds. Supervisor Hayes seconded. All present were in favor. The motion carried.

- Clerk Hayes advised the 2009 dog vaccination clinic statistic had been received. 335 dogs were vaccinated. There were 263 families participating. The City of Big Lake sold 62 dog licenses and the Town of Big Lake sold 32.

-Clerk Hayes advised the annual Workplace Accident and Injury Reduction Program review had been conducted. There were no issues or concerns noted by employees in regard to workplace safety.

-Clerk Hayes advised the Board the Girl Scout storage-building repair is finished. An invitation to from the Girl Scouts to attend Investiture 2009-10 was distributed to the Town Board Members. It was noted that part of this program would include presentation of the Silver Award to the qualifying Girl Scouts. Coordinating and working on the storage building repair was part of the silver award project for some of the honorees.

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

### **TOWN ROADS**

1) Other-Updates-Meetings – Township Engineer, Todd McLouth advised pay applications have been received for 2009 Road Improvements and Seal Coating projects.

He advised seal coat improvements by ASTECH Corporation have been inspected, the IC-134 Form has been received and therefore, recommended approval of payment to ASTECH Corporation in the amount of \$218,877.26. Supervisor Alford's motioned to approve payment and to have the Chairman and Clerk sign the pay application. Supervisor Leslie seconded. All were in favor. The motion carried.

He advised 2009 Road Improvements by Knife River Corporation have been inspected, the IC-134 Form and the Consent of Surety to Final Payment have been received; therefore, it was recommended that the payment request from Knife River Corporation in the amount of \$324,029.23 be approved. Supervisor Alford's motioned to approve payment and to have the Chairman and Clerk sign the pay application. Supervisor Hayes seconded. All were in favor. The motion carried.

- Todd McLouth advised the legal description had been completed for the Schwalbe easement request. The Clerk's Office will coordinate completion of the easement documents. The road committee will contact the Schwalbe's and other interested parties.

-Supervisor Alford's advised ditch mowing and brushing has begun. He advised the ditches would be mowed back as far as possible.

-Supervisor Alford's advised a bituminous curb will be installed on 170<sup>th</sup> Street, Woodland Hills, to prevent future erosion. The cost of the project has been estimated by Dan Ramer of Rum River Contracting Co. at \$6,847.75.

-Treasurer Warneke advised the Road Committee has determined that snowplowing contracts will continue through this winter and will be put on the Re-organizational Meeting agenda to discuss, noting this is a more appropriate time of year to prepare for the next snowplowing season. Supervisor Alford's motioned to have the Chairman sign a resolution to extend the snowplowing contracts through the 2009-2010 year. Supervisor Leslie seconded. All were in favor. The motion carried.

### **CHAIRMAN'S REPORT**

1) Other-Updates-Meetings – Chairman Hofer advised he spoke with Sherburne County Zoning Administrator, Nancy Riddle regarding enclosures around swimming pools. She advised the Township should forward this request in writing to her office to be added to the zoning ordinance. Clerk Hayes will draft a letter stating this request.

### **SUPERVISOR'S REPORT**

1) Other-Updates-Meetings – Supervisor Hayes gave an update on the status of A.J. Machinery, located in Big Lake Industrial Park East. A tour was also taken of the remodeling project at the activity center/senior center.

### **BUSINESS FROM THE TREASURER**

a) Other-Updates-Meetings – Treasurer Warneke advised the pay estimates approved in addition to tonight's claim would be processed. He advised a certificate of deposit (CD) was renewed this week, noting all CD's are scheduled to mature on various dates in 2010. He further advised additional CD's may be purchased. The Board will be given a revised road fund balance sheet at the next meeting.

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**OTHER BUSINESS FROM THE BOARD**

Sherburne County Commissioner, Ewald Petersen advised that the Minnesota Pollution Control Agency would be more aggressively enforcing wetland law violations. He noted the Northstar Commuter rail will begin operations in Mid-November. He advised there have been 721 requests for tickets for the Saturday tour.

**ADJOURNMENT**

A motion was made by Supervisor Alfords to adjourn the meeting. Supervisor Hayes seconded. All present were in favor. The motion carried. The meeting adjourned at 7:43 p.m.

Respectfully Submitted,

Laura Hayes, Clerk