

Monthly Board Meeting
Minutes
May 13, 2009

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

On Wednesday, May 13, 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 5 people in the audience at the start of the meeting. Roll call was taken by the Chairman.

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
John Norgren, Township Rep. Sherburne County
 Planning Advisory Commission

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

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

Supervisor Alfords motioned to approve consent agenda items: a) Approval of Minutes: Regular Monthly Meeting 4-8-09, & Second Monthly Meeting 4-22-09. b) Approve Acceptance of \$500. Donation from Steve Pearson to Big Lake Fire Department. c) Approve List of Claims (Disbursement List will be Received at Meeting). Supervisor Hayes 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.

BUSINESS FROM THE CLERK

a) Monticello City Administrator, Jeff O'Neil/Fiber to the Premises Project – Monticello City Administrator, Jeff O'Neil; and, Don Patten, General Manager of FiberNet Monticello appeared before the Board to present an overview of the "FiberNet Monticello" project.

FiberNet Monticello will offer data, voice and television services to residents of the City of Monticello, in addition, the City of Monticello would like to extend the service into the Monticello School District and Monticello-Big Lake Community Hospital District. The goal is to bring service to outlying areas and under-served areas. City Administrator O'Neil advised the concept came from an independent development committee and residents; and was not city initiated. He advised the foundation for the concept was dissatisfaction with the local fiber optic service provider's cost and service. He advised the citizens of Monticello voted on a referendum for this in September 2007. 74% of the voters were in support of the project. The engineering and system design is complete and bids have been let. The business model is being refined. The head-end building is complete. The June 2008 revenue bond sale was successful; and, \$26. million in bonds have been placed in escrow. TDS has filed a lawsuit against the bond sale, citing that government bonds can't be used. A court ruling has been received in favor of the City of Monticello, an appeal has been filed. The City is moving ahead with the project and plans to apply for Federal economic stimulus funding. This project qualifies in one of the areas to receive stimulus funds and is "shovel ready". A portion of the stimulus funds would be used to train new users of the Internet. The mission is to "implement ultra-fast advanced technology as an essential service to: every residential & business address, vulnerable populations, low income users, educational institutions, public safety agencies, and medical facilities. We will be competitive, generate economic growth, create jobs, provide affordable services, and assist each customer with technology implementation". FiberNet Monticello will be financially self-sufficient and non-taxpayer supported. It is citizen owned, committee directed and monitored by the citizens. The system will create 25 to 30 ongoing jobs. Connectivity will be available to every address in the footprint. Currently, voice service would not be available to Big Lake residents due to legal limitations. If the residents of Big Lake choose to vote on the option of voice service, it would have to pass with a 60% favorable vote. In conclusion, City Administrator O'Neil advised that a Resolution or letter of support for the project from Big Lake Township would be helpful when making application for Federal Stimulus funds. The Board asked several questions. A sample resolution was distributed to all Board Members. Supervisor Alfords motioned to table action on this item for further discussion. Supervisor Leslie seconded. All were in favor. The motion carried. It was noted the application is due the second week of June. Clerk Hayes was directed to place this item on the May 27 meeting agenda.

b) John Weicht/Variance for Addition onto Home in Birch Lake Beach – John Weicht presented a request for a 68' variance in setback from the Original High Water Level (OHWL) of Birch Lake for a 66'x72' addition on an existing residence. The required setback from a recreational development lake is 100'. The addition would be 32' from the OHWL of Birch Lake. John Weicht appeared, representing the property owner, Bernard Lynch for this variance request. Mr. Lynch would like to add 6 assisted living units to his existing home. John Weicht advised it had been determined that the addition would be too close to the property line on the other side of the house; and would not fit between the existing garage and existing house. He further noted it would not be esthetically pleasing between the house and garage. He noted the addition would be well screened from the lake by mature trees and pines. The existing septic system would be abandoned and the new system would be well beyond the required 100'

setback from Birch Lake. Under the current zoning classification of the property, this proposal is an accepted use. Mr. Lynch would also like to install a paved walking trail on the 23.5-acre property. There was discussion in regard to whether or not this meets the "reasonable use" requirement to be considered for a variance. John Norgren advised it would be more likely to receive variance approval if the request were for 20', rather than 68'. It was noted the existing portion of the house meets accessibility requirements. There was length discussion and review of the proposed position of the addition in regard to setback requirements. It was determined that John Weicht should take the Board's comments regarding repositioning of the addition back to the owner and his family for reconsideration. No action was taken by the Board.

c) Request for Updated Resolution by Sherburne County Planning & Zoning in Support of Former Municipal Dump Clean Up – From 1951 to 1966 the City and Township of Big Lake operated a municipal dump on 40 acre parcel now owned by Hidden Acres LLC. On October 2, 2008 Big Lake Township adopted a Resolution in support of clean up of the dump by Bradley Larson and Hidden Acres LLC. Since that time, Bradley Larson has requested that the County takeover the investigation and remediation of the dumpsite. At this time, Sherburne County is requesting an updated resolution from the Town of Big Lake in support of the dump clean up. The resolution will be attached to the Department of Employment & Economic Development (DEED) application for contamination clean up grant funds. Supervisor Alfords motioned to adopted Resolution 2009-08 a Resolution Approving Clean Up Application for Hidden River View. Supervisor Hayes seconded. All were in favor. The motion carried.

d) Other-Updates – Meetings – Clerk Hayes advised two letters had been received from the Sherburne County Planning & Zoning Office regarding expiring preliminary plats. The preliminary plats of Nordic Development from Minnesota Limited/Nordic Investments, LLLP is approaching its one-year time limit that an incomplete application can be held. Additionally, River Crest Farms is approaching its one-year limit. This plat has been given three extensions. The developer has been offered an opportunity to apply for a 2-year extension with Sherburne County.

BUSINESS FROM THE SUPERVISORS/COMMITTEE REPORTS

TOWN ROADS

1) Other-Updates-Meetings –

- Treasurer Warneke advised that street sweeping started Monday and is nearly ¾ complete. The Elk River mailing address area will be finished on Monday. The crew is working only 40 hours per week to keep overtime costs down.
- Patching of Town roads is beginning. Three areas need dig-out excavation to resolve road surface failures.
- The Road Committee and Township Engineer will meet to finalize the 2009 Road Improvements and prepare for bid letting. A call for bids will appear the in the Construction Bulletin and the West Sherburne Tribune. Bids will be opened June 9th and presented to the Town Board at the June 10th Regular Monthly Board Meeting.

-Treasurer Warneke advised three calls have been received about excess shouldering material being left on the roadway. It was noted that the sweeper comes shortly after the shouldering machine. It was noted that in the future, sweeping might need to be coordinated to be done with shouldering.

-Treasurer Warneke advised replacement of the damaged light pole at County Road 17 and Highway 25 is continuing. J. Becher and Assoc. has advised delivery of a light pole will take 12 weeks. Design Electric has been contacted for a quote and to see if they can get a light pole sooner.

- A sign order has been placed following the road tour.

CHAIRMAN'S REPORT

1) Other-Updates-Meetings – Chairman Hofer advised he, Supervisor Alfords, Sherburne County Zoning Administrator Nancy Riddle, Assistant Zoning Administrator, Lynn Waytashek and Assistant County Attorney, Arden Fritz met with representatives of IMEDC at the Sherburne County Planning & Zoning Office. IMEDC were reminded again by Township Representatives that noise and traffic are two main issues that can't be resolved easily. IMEDC representatives were further advised that they will be required to conduct an EAW and request rezoning of the area before this proposal can move forward. Supervisor Alfords advised IMEDC representatives that what the Board is hearing from their constituents from letter, phone calls and the March 2009 Township Election, is that they don't want this to happen in the Big Lake Township area. IMEDC were advised that the location they are considering is not appropriate because of its close proximity to the Mississippi River and the existing, well developed neighborhoods.

SUPERVISOR REPORTS

1) Northstar – Supervisor Hayes reported that everything is on schedule for service to begin in November. Some of the grant agreements with consultants have been extended. An insurance program has been secured. Delivery of cab cars will begin in June/July. The fare schedule has not been finalized.

2) EDA – Supervisor Hayes and Supervisor Stahlmann attended the EDA meeting. Remodeling of the former library site into a senior or activity center was discussed. There was brief review of the meeting with WNT (Waste Not Technologies). The prospect list was reviewed.

3) Lion's Park Building & Grounds Committee Updates – Supervisor Leslie presented the quotes received for ball fields at Big Lake Lion's Park. Supervisor Leslie advised that after reviewing three quotes received, two were considerably lower and were considered for the project. After further review of these quotes it was determined by the Building and Grounds committee to remove the use of red ball lime on the field. It was noted that slightly more than half the cost of the project was the lime alone. The Buildings and Grounds committee determined that since the Township has been approached in the recent past by both the Big Lake football program and soccer program that it would be appropriate to construct a grass practice field that can be used

by all field style sports. Therefore quotes were requested again, without the red ball lime. Moores Excavating, Inc. submitted a quote of \$9,335. and Brenteson Companies, Inc. submitted a quotes for \$10,120.74. There was discussion regarding when seeding would be done and the acquisition of a backstop and bases. It was further noted that these needs could be part of an Eagle Scout project. Supervisor Alfords motioned to award the project to Moores Excavating, Inc. Supervisor Stahlmann seconded. All present were in favor. The motion carried.

-Chairman Hofer advised that he has been working in the cabin. The gas stove is hooked up and was checked for leaks. The gaslights work, but will need the mantels replaced for improved lighting. A sign with instructions for lighting and shutting off the burners needs to be posted. Chairman Hofer advised he is unsure of how to light the stove portion. He further advised the gas has been turned off at the tanks and the tanks should be removed soon. Supervisor Leslie advised he will remove the two-100 lb. tanks. Chairman Hofer advised he and Supervisor Leslie have taken a second water sample at the cabin after reconditioning the pitcher pump, sanitizing it with heat and pumping it several times. The results of the second test have not been received yet.

-Supervisor Leslie advised the park trail signs are here and will be installed soon. The posting board has been ordered.

BUSINESS FROM THE TREASURER

a) Monthly Report - Treasurer Warneke reviewed the cash balance statement. Total government funds of \$2,385,681.49 and escrow accounts of \$56,483.05 totaling \$2,442,164.54 Treasurer Warneke reviewed the 101,102, 103 & 402 funds. He advised the 201 account has a deficit until the 1st half of the property taxes are received. He noted that the Township's quarterly fire bill is lower because Orrock Township paid the 1st half of their fire contract and the Township was credited their half. Supervisor Leslie motioned to approve the Treasurer's Report. Supervisor Alfords 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 9:14 p.m.

Respectfully Submitted,

Laura Hayes, Clerk