

Monthly Board Meeting
Minutes
May 9, 2012

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

On Wednesday, May 9, 2012, the Big Lake Town 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

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

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.

Supervisor Leslie motioned to approve consent agenda items: a) Approval of Minutes: Regular Monthly Board Meeting 4-11-12, and Second Monthly Meeting 4-25-12. b) Adopt Resolution 2012-10 Accepting Donations to the Big Lake Fire Department. c) Approve List of 73 Claims totaling \$34,778.02. Supervisor Stahlmann seconded. Each Supervisor abstained from approval of their payroll claim. Supervisor Hayes abstained from approval of Clerk Hayes payroll claim. All present in favor. The motion carried.

OPEN FORUM

Clayton Connolly, 22274 183rd Street NW, Meadowlands, Big Lake Township appeared before the Board to request installation of two "deaf child" signs in the area of his home, on 183rd Street and 224th Avenue. Supervisor Stahlmann advised he was in favor of posting signs warning of deaf or blind children signs as long as they are removed when the child no longer lives in the neighborhood. No action was necessary from the Board. The road committee will direct installation of the signs.

BUSINESS FROM THE CLERK

a) Knife River Corporation-North Central/John Stommes-Interim Use Permit (IUP) Request for a Temporary Asphalt Plant – Mike Puhalla, Knife River Corp. appeared before the Board to request an Interim Use Permit (IUP) for a temporary asphalt plant, hauling and stockpiling operation for various Sherburne County overlays and additional local projects. He advised the operation would be starting in early July 2012 and continuing for approximately thirty (30) days, all depending on weather, demand of product needed and if other projects would be awarded and supplied from this site. He advised the Weicht pit entrance on 211th Avenue would be used for the site access. The plant would be operated from 6 a.m. to 9 p.m. if necessary, with generator startup at 5:30 a.m. - 5 days per week (Monday – Friday) and Saturday's if necessary. He advised there may be some asphalt odor in the area. He further noted that operation of the plant from this location provides a significant cost savings in regard to transportation of the product. This will be beneficial to the County and its taxpayers.

Marc Schneider, Sherburne County Zoning Specialist was present to answer any questions the Board or audience may have in regard to the IUP application or his role in the process. He advised the Sherburne County Planning Commission Public Hearing for this item is scheduled for May 17, 2012.

Dan O'Bradovich, 16455 211th Avenue NW, Big Lake Township stated he had concerns regarding traffic and odor. He advised he would prefer that the access on 205th Avenue be used instead of 211th Avenue; and, that the odor would be disruptive to the Arabian horses at his training center. It was noted by Marc Schneider that Mr. O'Bradovich is the closest neighbor to the gravel pit, at 1,000 feet from the site. Mr. O'Bradovich confirmed his main concern with the IUP request is the close proximity to his property, advising it is 1,100 feet from his horse barn. Chairman Hofer acknowledged the concern for Mr. O'Bradovich's horses. Supervisor Hayes inquired when the horses would be done foaling. Mr. O'Bradovich advised it lasts from June through August. It was noted that summer winds should be helpful to carry the odor away, because they are primarily westerly.

There was discussion regarding how long the gravel pit has been in operation, the permitted use of a gravel pit for an asphalt hotmix plant and the hauling and stockpiling of material, and the future use of the gravel pit. Mike Puhalla, Knife River Corp. advised it would add an additional \$200,000. to the cost of the Sherburne County road paving projects if the material was produced and hauled from the next closest site, which is St. Cloud.

Josh Benson, 16385 211th Avenue NW, Big Lake Township stated he had concerns with the 5:30 a.m. start time. He advised he has 5 young children at home and his work/sleep schedule is an added concern, noting he works 60-70 hours per week. He further noted he is concerned about the odor and understands it is only four weeks. Supervisor Alfords and Chairman Hofer advised they are sympathetic to his concern, noting they both live within walking distance from the site and will also be able to smell the asphalt.

Chairman Hofer advised he understands the need to balance the resident's concerns with the cost savings to the County, which are ultimately the tax paying residents. He inquired if the IUP request will be reoccurring. Marc Schneider advised it will not be with this request. He reviewed the limits of the IUP request. noting IUP's are for specific uses and go with the applicant, not the property. Future IUP's for an asphalt plant would go through the review and public hearing process from the beginning.

Supervisor Alfords advised he felt this was a good location for the asphalt plant, noting that if the Township recommends approval of this request, future requests would include a review of how this operation worked out for the Township and it's residents.

Sherburne County Commissioner, Ewald Petersen gave an update on Sherburne County road projects this operation will be used for.

Marc Schneider explained the IUP request, noting it is a 30-day asphalt hotmix plant which includes site restoration to original and putting back topsoil. He advised he will be conducting a site review for closure of the site. He further advised that IUP's are for specific uses and go with the applicant, not the property. Future IUP's for an asphalt plant would go through the review and public hearing process from the beginning in a new process.

Geary Keppel, 16305 211th Avenue inquired about dust control. Mike Puhalla, Knife River Corp. advised they will do their best to keep dust at a minimum. Geary Keppel noted dust has been on ongoing issue with the gravel pit operation for many years. Supervisor Alfords noted that residents should let the Town Board know if they have concerns or comments during and after the asphalt plant operation.

Supervisor Alfords motioned to recommend approval of the IUP for a 45 calendar-day operation of a temporary asphalt plant, hauling and stockpiling operation for various Sherburne County overlays and if awarded any additional work. The applicant must provide and apply dust control measures; loads must be hauled from the 211 Avenue access to County Road 15. Supervisor Stahlmann seconded. All were in favor. The motion carried.

b) Tax Forfeited Land Sale/Action on Classification & Approval or Denial of Land Sale – Treasurer Warneke presented the Board with background information regarding the development of Oakwood Hills in 1972 and Gullickson property. A Town Road Order regarding Outlot B was drafted and recorded in 1984. In 1992 the developer came to the Town Board to inquire why he was still paying taxes on the property. At that time, the Town Board recommended that Outlots D and E be given to the adjoining property owners and Outlot B, the connection of 223rd Avenue, be investigated. Treasurer Warneke noted that Outlot B needs to be retained by the Township for public use. Supervisor Stahlmann motioned to approve the sale of 10-104-3103, 10-335-2130, 10-433-0040, 10-433-0050, 10-519-0110, 10-519-0125, 10-519-0130, 10-519-0145, 10-519-0165, 10-519-0625, 10-519-0710, 10-519-0720, and 10-519-0725; and, to retain 10-433-0020 Oakwood Hills Outlot B for public use as a portion of 223rd Avenue, a Town Road. Supervisor Hayes seconded. All were in favor. The motion carried.

c) Other-Updates-Meetings –

1) Coborn's Credit Card Use/Addition of Big Lake Fire Depart. to Township Account – Clerk Hayes advised the City of Big Lake Finance Department has notified her that they will be closing their Coborn's Credit Card. Currently, one of the users of the card is Big Lake Fire Department. Clerk Hayes suggested that the Big Lake Fire Department be added to the Big Lake Township Coborn's Credit Card. Currently this card is active but not used. Supervisor Hayes motioned to added the Big Lake Fire Department as an approved user of the account. Supervisor Stahlmann seconded. All were in favor. The motion carried.

-Clayton Connolly, 22274 183rd Street NW, Meadowlands, Big Lake Township appeared before the Board to discuss the park request he originally presented to the Board in 2009. At that time, the Board requested that he take a survey and obtain signatures of residents interested in having a neighborhood park. Mr. Connolly presented the Board with copies of the survey signatures. There was discussion regarding the cost of purchasing a lot, playground equipment, insurance, maintenance and vandalism repairs. It was noted that there are three large developments that connect in this area. Supervisor Hayes noted that creating a park in the neighborhood sets precedence. Mr. Connolly noted that residents could do the maintenance of the park. Supervisor Hayes further noted that it would be necessary for a Homeowners Association to oversee the maintenance if the residents took this responsibility. There was discussion regarding which lot Mr. Connolly was considering. He advised any lot would be fine, the developer suggested the lot originally proposed in 2009. There was brief discussion regarding the lot purchased for a fire substation. Treasurer Warneke advised that a subordinate service district could be established. The local residents and main users of the park would be responsible for the costs and maintenance of the park. Doing this would require a feasibility plan and a firm commitment from the residents that they will accept a tax assessment to pay for it. The Township would own the park and the Subordinate Service District would pay for it and handle maintenance and repairs. It was determined the building and grounds committee should review and be the contact for this proposal.

BUSINESS FROM THE SUPERVISORS/COMMITTEE REPORTS

TOWN ROADS

1) Other-Updates-Meetings – Supervisor Alfords advised the road committee met and is considering six road project locations for Patching and Overlay: 150th Street from 219th Avenue to the North; 182nd Avenue & 152nd Street - Enger's Addition; 170th Street – Rosecrest; 225th Avenue West of County Road 32; 166th Street and 172nd Street for seal coat. Township Engineer, Terry Herman has determined the total cost of all projects is approximately \$250,000. It was determined that with rising costs of petroleum products it would be cost effective to do the maintenance now. Supervisor Hayes motioned to allow the road committee to move ahead with the six project areas as proposed with an estimated cost of \$250,000; and, to call for bids. Supervisor Leslie seconded. All were in favor. The motion carried.

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-Treasurer Warneke proposed that the Township proceed with seal coat projects in 2012 with the remaining road improvement funds up to \$400,000. Supervisor Stahlmann motioned to call for bids for seal coat projects, and to spend the remaining funds after patching/paving, estimated to be \$250,000. up to \$400,000. Supervisor Leslie seconded. All were in favor. The motion carried.

CHAIRMAN'S REPORT

1) Other-Updates-Meetings – Chairman Hofer advised Sherburne County Soil and Water District is continuing to conduct water sampling.

BUSINESS FROM THE TREASURER

a) Monthly Report – Treasurer Warneke reviewed the cash balance statement. Total government funds are \$2,041,045.23 and total escrow funds are \$38,888.14. Ending balance after tonight's claims \$2,079,933.37. Treasurer Warneke reviewed the Interim Financial Reports for the 101,102,103, 402 and 703 accounts. Supervisor Alford motioned to approve the Treasurer's Report. Supervisor Hayes seconded. All 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 8:31 p.m.

Respectfully Submitted,

Laura Hayes, Clerk

Bob Hofer, Chairman