



21960 COUNTY ROAD 5 • PO BOX 75 • BIG LAKE, MINNESOTA 55309

MONTHLY MEETING – WEDNESDAY FEBRUARY 28, 2018

The Town of Big Lake Board of Supervisors met in regular session, on Wednesday February 28, 2018, at the Town of Big Lake Town Hall, located in the Big Lake Township, Lions Park Community Center, 21960 County Road 5, Big Lake Township, Sherburne County, State of Minnesota. The meeting was called to order by Chair Hofer, at 6:00PM and the Pledge of Allegiance to the United States of America was recited.

Present were Chair Bob Hofer, Vice Chair Bruce Aubol, Supervisors Norm Leslie and Steve Pflieghaar, Treasurer Kenneth Warneke, Clerk Brenda Kimberly-Maas, Deputy Clerk Jayme Swenson, Town Engineer Ross Abel, Sheriff Joel Brott, Fire Chief Ken Halverson, news reporter and nine audience members were in attendance. Absent from the meeting was Supervisor Larry Alford.

APPROVAL OF MEETING AGENDA

Motion/Second to accept Agenda as presented by: Leslie/Pflieghaar. All present Supervisors approved. Motion Prevailed.

The meeting proceeded in accordance with the presented agenda.

APPROVAL OF CONSENT AGENDA

The consent agenda consisted of: Approval of Regular Monthly Board Meeting Minutes 02-14-18, and Approval of the List of Claims & Payroll.

Motion/Second to approve the Consent Agenda as presented by: Pflieghaar/Aubol. All present Supervisors approved. Motion Prevailed.

ANNUAL SHERIFF'S REPORT

Sheriff Joel Brott addressed the Board with the 2017 Annual Sheriff's Report. The Township had an increase of 113 calls of service in 2017. The department saw a significant increase in the number of security system calls and burglary. A decrease in the areas of assault, harassment, hazardous roads, civil & juvenile complaints. Narcotic related, DUI and criminal sexual contact complaints were about the same as 2016. The department hired four new deputies and received ACA accreditation. The Department sponsors a community group, Substance Use Prevention, which educates in local schools and communities in prevention of substance use/abuse. SUP is looking for and accepting new members. The Sheriff's Department also has a Facebook page. Sheriff Brott invited the Board and meeting attendees to "LIKE" the page. The full Annual Report is on file, in the Town Clerk's office.

FIRE CHIEF'S REPORT

Fire Chief Ken Halverson gave the Board his report for January. Ken informed the Board, he was named Chief at a Special Fire Board meeting, Seth Hansen became Assistant Chief and Mark Hedstrom was named Captain, as a result of the resignation of Paul Nemes. The fire department responded to 18 calls in January – 8 in the City of Big Lake, 8 in the Township, 1 mutual aid in Elk River and 1 mutual aid in Monticello. Of the original eight new members, six remain. Those members have finished their Fire Fighter 1&2 training and will be taking their hazmat test on 3/10. The department was in attendance at Little Hole on Big Lake. The Fire Hall has received updating with the interior being painted, the installation of custom made display cabinets and LED lighting, in the truck bay. The lights were obtained on sale and for under \$500.00. Chief Halverson, Ken Warneke and Deb Wegleben met about rewriting the bid docs for a new water tender. Ken Warneke is looking into utilizing HGPC for the purchase, rather than going out for bids.

CLERK'S BUSINESS

Andy & Jolene Thelen – Riding and Boarding Stable Town Ordinance Amendment or Variance

Request: Andy and Jolene Thelen were present to inquire about the Board's decision to deny amendment to our variance to the Town's Ordinance 85-1 For Regulation of Animals does not allow horses, (considered agricultural animals – sect. 100.01 subd. 16.), on their platted property (sect. 100.2, subd.1) The Town Animal Ordinance also states on UNPLATTED land, there can only be one animal unit (1 horse is equal to 1 animal unit) per acre of pasture land (sect. 100.2, subd. 1A.) and no stable or barn in which agricultural animals are kept or maintained shall be located within 300 feet of a neighboring dwelling or platted area (sect. 100.2, subd. 1B.)

Andy Thelen told the Board he and Jolene understood why the Board wouldn't want to amend Town Ordinance 85-1. But wondered if they would consider granting variances to it. He suggested there would only need to be variances to two of the sections of the Ordinance if they were to "unplat" their land. Clerk Kimberly-Maas told the Board and the Thelens, she was unsure what the process is to revert to metes and bounds and Sherburne County Planning and Zoning would have to answer this question.

Vice Chair Aubol voiced concern over the Thelen's plan to use adjoining land, which is currently owned by family members. He asked what would happen if or when land ownership changes. Aubol was unsure if the adjacent land could be contractually tied up for an extended length of time and if any contract would stay intact, should ownership change. Aubol stated the Thelen's plan is a nice idea, but the intense use of the land is his concern. Chair Hofer did NOT believe a long term (25 yr or longer) lease could be attached to a parcel of land and transferred should the land change ownership.

Supervisor Leslie echoed the intensive land use concern, stating the current CUP is only for their 11 acres. Norm told them they would need to amend their current CUP to include adjoining land, as they have told the Board they are planning to do. He also noted the part of their plan to have retail sales would mean they would have to request an IUP. Jolene questioned what retail sales he was speaking about and Clerk Kimberly-Maas informed all the tack sales they plan to have are considered retail and would require an IUP request.

Supervisor Pfleghaar asked if there was a definition of "pasture land" so the Thelens could have clarification of the Town's section 100.2 subd. 1 – "one animal unit per acre of pasture land", if they proceeded to unplat the currently platted land. Steve also stated it was unlikely the Town would amend the ordinance for this request.

Chair Hofer told the Thelens the stable and boarding facility, at the scale they are requesting, is not a good fit for the land and location. Jolene noted the number of animals they need to board is 25 to make the business profitable. Any less they would be taking a loss. Bob asked if the Thelens had looked at larger parcels nearby or considered moving. The Thelens stated they had not looked at other locations and did not wish to move.

At this point the Board will not be granting variances to the Town's Ordinance 85-1. Nor will they be amending it to accommodate the Thelen's plan. The Board recommends the Thelen's contact Sherburne Planning and Zoning to find out what options they have with regard to unplating their land, adding adjoining land to their CUP, applying for an IUP for the retail portion of their business and if a long-term lease can be attached to a parcel of land.

The Thelens and five audience members left after this portion of the meeting had concluded.

Dog Park Expansion: Supervisor Leslie told the Board he had received a quote from Legacy Landscaping and Irrigation, for the expansion of the dog park the expansion would create a smaller fenced in area, for smaller breed dogs and a receiving/holding area which will allow entry to either the large or small enclosures. The height of the fencing for the receiving area and smaller dog enclosure is 4'. The amount of the quote is \$7092.00. Supervisor Leslie stated that Legacy built the current dog park and did a fine job. He recommends acceptance of the quote and award of the project to Legacy Landscaping.

Motion/Second to award expansion of dog park to Legacy Landscaping and Irrigation, for the amount of the quote prepared as \$7092.00 by: Pfleghaar/Aubol. All present Supervisors approved. Motion Prevailed.

Kaufmann request to use Drainage Easement: Mike and Korrin Kaufmann were present to hear the Board's decision to their request to work within the drainage easement adjacent to their property.

Engineer Ross Abel and Road Committee members Hofer and Warneke met Mike Kaufmann at the residence to review the area. Ross Abel concurred with Mike Kaufmann that the drainage easement is an appropriate location to have a catch basin structure installed to alleviate the overland drainage problem the Kaufmanns have. Ross suggested an Encroachment/License Agreement be drafted to allow for the catch basin construction in the drainage easement. He also recommended the structure be maintained by landowners.

Clerk Kimberly-Maas had drafted an Agreement for consideration by the Board and the Kaufmanns. Brenda told the Board the Agreement needed to be proofed before it is signed and recorded, should the Board wish to enter into the Agreement. She also noted there is a \$65 administrative fee and \$47.95 fee to record the document to the parcel. Those fees will need to be paid by the Kaufmanns.

A copy of the Agreement was given to the Kaufmanns and Ross Abel, for review.

Motion/Second to enter into a Drainage Easement Encroachment/License Agreement with the Kaufmanns, contingent on the review and approval of the Agreement by: Pflieger/Aubol. All present Supervisors approved. Motion Prevailed.

BOARD BUSINESS, UPDATES, COMMITTEE REPORTS

Supervisor Hofer had no updates.

Supervisor Aubol informed the Board that Community Ed. the Community Ed. theater will be presenting Looney Lutherans this Saturday, March 3rd.

Supervisor Leslie had no updates.

Supervisor Pflieger reported from Sherburne County EDA meeting that Lupulin was given additional 15-year tax abatement, by the County. Steve also attended the SWCD stormwater workshop. He asked why the Township had to become MS4 certified. Ken Warneke stated the Town met the population threshold and has both the Mississippi and Elk River within the Town's boundaries. Both rivers are considered impaired waters.

ROADS

Ross Abel informed the Board he and Ken Warneke met to discuss 2018 road projects. They have identified eight (8) sites for overlay, at this time. Ross will work on assembling estimated costs for these areas by the March meeting. Additional projects, including seal coating, will be identified during the Annual Spring Road Tour. Ken stated the spring road weight restrictions for the Twin Cities and south-east section of the State, are slated to begin on March 5th. Generally, weight restrictions in the central area, where we are located, are implemented a week or two after the Twin Cities. He will keep the Board informed of the timing of weight restrictions in our area. Trimming continues to be performed and there have been no major complaints with snow and ice removal.

Chair Hofer noted he received a few road related letters. One was a solicitation for treating noxious weeds, one was to state opposition to a suggested location for crossing the Mississippi (Hwy 25 Coalition related) and the last was information on the upcoming MAT sponsored Legal Short Course training.

TREASURER BUSINESS

Treasurer Warneke informed the Board he had received information from the County Auditor to assist with the setting of the 2019 levy. Information in the letter was the Taxable Market Value of properties in the Township increased 9.17%, County Average Taxable Market Values is up 7.4%, Net Tax Capacity in the Township increased 8.9%, Tax Rate is up 7%. The Township's tax capacity is the highest within the County, at \$7.533 million. The County distributed road allocation funds to the Township in January. Big Lake Township receive 5% of the budget (\$56,795 of \$320,000 total distribution to all Sherburne County Townships). Population and mileage are part of the calculation used to distribute the funds. For Big Lake Township, this equaled \$7.33 per capita or stated by mileage, \$733/mile. The Township spends about \$5000.00/mile to maintain our roads.

Ken reviewed the financial report. At the end of February, total fund balance is \$1,091,000.00. The Fire Department has some big expenses at the beginning of the year which the Town made \$70,000 payment to the Department to cover them. The City also made a fund payment to the Fire Department. The Town also pays the bond interest payments at the beginning of the year and they are also paid. The Town has also paid \$100,000 in snow removal and ice treatment. This figure does NOT include the most recent storm and we are likely going to be more snow before the season is over. Ken

felt it unlikely there would be snow removal budget money left to put toward additional 2018 summer road projects.

The Board had no concerns or questions on the Treasurer’s report. Motion/Second to approve the Treasurer’s report by: Leslie/Pfleghaar. All Supervisors approved. Motion Passed

Clerk Kimberly-Maas excused herself from the remainder of the meeting. Deputy Clerk Swenson took the remainder of the minutes.

ANNUAL BOARD OF AUDIT

Treasurer Warneke commenced the 2017 Board of Audit. He mentioned that at every meeting there is a version of a Board of Audit as the Board reviews the claims and financial reports. He reminded the Board that annually a third-party audit is performed on an accrual bases. Treasurer Warneke presented the 2017 Financial Statement Binder to the Board. He requested that a Supervisor review and confirm the funds reported and bank statements match. Supervisor Pfleghaar examined the reports and confirmed they match. Treasurer Warneke communicated the procedures at the Clerk’s Office for receipts, claims and payroll. He presented, to the Board, his signed certification that all information presented is a true statement of the financial activity for the Town of Big Lake during 2017. He assured the Board that the required statements are posted and will be available to the public. He requested that the Board of Supervisors review and sign the Statement of Receipts, Disbursements and Balances (Schedule 1). Supervisor Leslie asked for details regarding the CDs and investments. Treasurer Warnke reviewed recent transactions and the details of various CD accounts. The 2017 Board of Audit was performed in a complete manner and the financial records are available for review at the Clerk’s office during regular business hours.

ANNOUNCEMENTS

Town elections will be held, on March 13th, from 10am to 8pm for two seats on the Township’s Board of Supervisors. The Clerk’s office will be open the mandated additional hours for absentee ballots Saturday, March 10th and Monday, March 12th.

The Annual Township meeting will be held on March 13th, beginning at 8:00pm, at the Town Hall.

March 3rd Community Education theater will be performing Looney Lutherans. Attendees have the option to enjoy a hotdish meal before the play.

March 4th the Vendor Expo will take place at the Big Lake High School from 11:00am to 2:00pm. The Township will have a booth and representatives there.

March 24th the Sherburne County Historical Society will host a fundraiser at Carousell Works in Big Lake. The Rhythm & Brews Fundraiser will help support the work of the Sherburne History Center. Tickets are \$25 each.

ADJOURNMENT

Motion/Second to adjourn the Wednesday, February 28th, 2018 Regular Meeting at 7:45 by: Leslie/Aubol. All present Supervisors Approved. Motion Passed.

Respectfully Submitted,
Brenda Kimberly-Maas, Clerk and
Jayme Swenson, Deputy Clerk

Accepted this 14th day of March 2018, by the Town of Big Lake Board of Supervisors.

Bob Hofer, Chairman

Attest: _____
Brenda Kimberly-Maas, Clerk