

Second Monthly Board Meeting  
Minutes  
May 23, 2012

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

On Wednesday, May 23, 2012, 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
- Norm Leslie, Supervisor
- Larry Alfords, Supervisor
- Jim Stahlmann, Supervisor – arrived at 7:16 p.m.
- 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 Alfords motioned to approve the Second Monthly Meeting agenda as presented. Supervisor Leslie seconded. All were in favor. The motion carried. The meeting proceeded in accordance with the agenda as presented.

Supervisor Hayes motioned to approve consent agenda items: a) Approve the purchase of a 2012 Polaris XP Ranger & aluminum Trailer by the Big Lake Fire Department from the Big Lake Fire Department Donation Account. b) Approve \$500. Membership Renewal to the Sherburne County Historical Society. c) Approve list of 26 claims totaling \$15,489.23 (disbursement list will be received at meeting). Supervisor Leslie seconded. All present were in favor. The motion carried.

**BUSINESS FROM THE CLERK**

a) Four Rivers Produce, Inc./30’ Variance in Setback from County Road 14 – Joseph Ketter and Phillip Sonnenberg appeared before the board to request a 30’ Variance in setback from County Road 14 for an addition on an existing building. Required setback from County Road 14 is 130’ from the centerline. The building addition will not be any closer to the road than the existing structure is currently. The Board had no comments or concerns regarding the request. Supervisor Alfords motioned to recommend approval of the 30’ Variance request as presented. Supervisor Hayes seconded. All were in favor. The motion carried.

b) Lord of Glory Lutheran Church/Pumpkin Fest – Use of Big Lake Lion’s Community Park – Pastor Marty Mably and church member Marty Straw appeared before the Board to present a request to use the Big Lake Lion’s Community Park for a community pumpkin festival on Saturday, October 27, 2012 from noon to 6 p.m. It would be a community, family focused event featuring activities centered around pumpkins. The intention is to cover costs the first year with all profit being donated to the Big Lake Community Food Shelf. Supervisor Leslie noted the Spudfest Committee has been holding a Halloween activity at Lion’s Park during this same time. Pastor Mably advised he has placed a call to the spud fest committee and has not received a return call to date. There was discussion regarding working with other community partners such as the Big Lake Lions and Lioness. Supervisor Alfords inquired about tickets sales. Marty Straw advised it would most likely be wristband purchases. It was noted liability insurance would be required. Clerk Hayes will provide the church with those requirements. Supervisor Hayes motioned to authorize Lord of Glory Lutheran Church to organize and hold pumpkinfest at Big Lake Lion’s Community Park; and, to have final plans of the event provided to the building and grounds committee for review. Supervisor Leslie seconded. All were in favor. The motion carried.

c) Final Approval Brandenburg IUP for Home Business in an Accessory Building - Supervisor Hayes motioned to approve the IUP for a Home Business in an Accessory Building for the operation of a daycare, as recommended by the Planning Commission and approved by the County Board of Commissioners with the following conditions:

- The daycare maintains a license through the Sherburne County Health & Human Services Department, and complies with all Federal & State regulations. The daycare may have a maximum of 14 children enrolled in the daycare, unless the daycare license is more restrictive.
- The business is conducted within a maximum area of 1,800 sq. ft. (386 sq. ft. proposed) within one accessory building. If the accessory building is to be used for non-business use (i.e. personal storage), a partition wall or similar divider must be used to separate business from non-business use to identify compliance with the 1,800 sq. ft. maximum floor area. The 1,800 sq. ft. maximum area does not include use of the yard as a play area.
- There may be no more than two (2) employees (FTE) other than a member of the household residing on the premises.
- There shall be no sign on the premises.
- Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the IUP.
- Hours of operation shall be limited to Monday – Friday, 6 AM – 6 PM.
- The IUP holder and/or property owner shall permit the County to inspect the property, including any buildings used for the business during normal working hours. Further, the IUP holder shall allow the County to inspect any business records for the purpose of ensuring compliance with the terms of the IUP.
- The IUP shall expire in the event the daycare license expires, or the property ownership changes.
- The findings in Sec 18, Subd 6, Item 4 of the Sherburne County Zoning Ordinance have been made.

Supervisor Alfords seconded the motion. All present voted in favor. The motion carried.

d) Final Approval Larson IUP for Home Business in an Accessory Building - Supervisor Hayes motioned to approve the IUP for a Home Business in an Accessory Building for the operation of a lawncare, landscape & snowplowing business, as recommended by the Planning Commission and approved by the County Board of Commissioners with the following conditions:

- All business activities must be conducted within a maximum area of 1,800 sq. ft. within one accessory structure (existing building is 1,500 sq. ft.) If the accessory building is to be used for non-business use (i.e. personal storage), a partition wall or similar divider must be used to separate business from non-business use to identify compliance with the 1,800 sq. ft. maximum floor area. All work must be conducted within the accessory building. Exterior storage may include three (3) utility trailers parked near the building and completely screened from view of neighbors and from the public right-of-way.
- The applicant/property owner shall have a wetland delineation completed and its boundary staked near the accessory building and exterior storage area prior to County Board approval of the IUP. There shall be no exterior storage within the wetland.
- There may be no more than two (2) employees (FTE) using the property other than a member of the household residing on the premises.
- There shall be no sandblasting, chemical/paint spraying, or similar use on-site associated with the business.
- There may be more than one (1) non-illuminated business sign totaling not more than 12 sq. ft. on the premises.
- Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the Interim Use Permit.
- Hours of operation shall be Monday-Friday, 7:00 am – 7:00 pm.
- Any solid or liquid waste must be handled and disposed of according to any applicable county or State regulations. Brush and yard waste associated with the business shall not be stored or disposed of on the property.
- Prior to County Board approval, the applicant must provide the County with a copy of their commercial Fertilizer License (MN Statute 18C.415) from the MN Dept. of Agriculture or applicable Pesticide and Fertilizer license.
- Prior to County Board approval, the applicant must supply the County with their Best Management Practices for fertilizer storage and cleaning of fertilizer equipment. (BMP provided to the County on 4/19/2012).
- The IUP holder and/or property owner shall permit the County to inspect the property, including any buildings used for the business during normal working hours. Further, the IUP holder shall allow the County to inspect any business records for the purpose of ensuring compliance with the terms of the IUP.
- The IUP shall expire upon termination of the business or a change in property ownership, whichever comes first.
- The dust issue with the driveway is resolved by May 31, 2012
- The finds in Sec 18, Subd 6, Item 4 of the Sherburne County Zoning Ordinance have been made.

Supervisor Alfords seconded the motion. All present voted in favor. The motion carried.

e) Final Approval Peterson CUP to Operate an Auto Repair and Towing Business - Supervisor Hayes motioned to approve the CUP to operate an auto repair and towing business, as recommended by the Planning Commission and approved by the County Board of Commissioners with the following conditions:

- The applicant shall install a fenced area measuring 80' x 100' and 8' in height (building permit required), and shall be located NW of the existing building, and adjacent to the existing paved parking lot. This area has been delineated via a Shoreland Alteration Permit application. The Shoreland Alteration Permit application must be approved prior to County Board approval of the CUP (shoreland alteration permit has been approved).
- There shall be no more than 20 non-business vehicles (i.e. customer's vehicles) parked or stored overnight outside, associated with this CUP. These vehicles shall be located inside the fenced area.
- There shall be no more than 20 business related vehicles (i.e. tow trucks) parked or stored overnight outside of the fenced area.
- The business may include occasional sales of vehicles not to exceed five vehicles within a 12-month period. Exceeding this requires a MN Dealer's License and a separate CUP/IUP.
- Impervious surface coverage must not exceed 50% (99,970 sq. ft.) of the lot (per Variance, permit #40091). Impervious surfaces may include structures, driveways and parking areas whether paved, gravel or compacted soil. Any additional impervious surface areas may require a Shoreland alteration permit prior to its installation.
- A 150' buffer from the OHWL of Beulah Pond (Natural Environment Lake) must be kept in its natural condition (per Variance, permit #40091). The property owner shall obtain a Shoreland Alteration Permit from the County for an removal of trees, if required under Section 14 of the Zoning Ordinance (Shoreland District).
- There shall be no auto body repair, sandblasting, chemical/paint spraying or similar use associated with the business.
- Any solid or liquid waste must be handled and disposed of according to any applicable County or State regulations.
- The applicant/owner shall install a barrier to protect the wellhead (in front of existing building) from being damaged.
- All exterior lighting shall be directed down and away from public right-of-way, and any adjacent residential use.
- The CUP holder and/or property owner shall permit the County to inspect the property, including any buildings used for the business during normal working hours. Further, the CUP holder shall allow the County to inspect any business records for the purpose of ensuring compliance with the terms of the CUP.
- The Findings in Section 18, Subd 5, Item 3 have been made.

Supervisor Alfords seconded the motion. All present voted in favor. The motion carried.

f) Other-Meetings-Updates - Sherburne County Sheriff's Deputy, Captain Steve Doran was present. He provided the Board with a copy of the recent call summary. He advised the Sheriff's Office is working toward a conclusion on the fatal motorcycle accident and apologized for the delay.

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

### **TOWN ROADS**

1) Other-Updates-Meetings – Treasurer Warneke advised the road committee will meet following tonight's meeting. The 2012 overlay projects for the year, according to the engineer's estimate should be \$214,600. Bids have been let for the project and will be opened June 6, 2012 for presentation to the Town Board June 13, 2012. Treasurer Warneke further advised the seal coat plan for the year needs to be determined. Supervisor Alfords advised he has met with Jeff Rhodes regarding routing/crackfilling, which is nearly complete. It was noted the Town Hall parking lot may also need to be done.

### **CHAIRMAN'S REPORT**

1) Other-Updates-Meetings – Chairman Hofer advised he has had additional contact with Sherburne County Soil and Water regarding a water sampling site to add to their list of sites. This should be in place in approximately a week.

### **SUPERVISOR'S REPORT**

1) EDA – Supervisor's Hayes and Stahlmann advised the EDA worked on identifying joint and city project priorities of the EDA. The City has identified the corner of Eagle Lake Road/Cty Rd 5 and US Hwy 10 as a City priority site. It has also been determined that the EDA will not spend too much time and energy on the rail park.

### **OTHER BUSINESS FROM THE BOARD**

Supervisor Stahlmann advised he has a purchase agreement on his home. Appraisals and inspections have been done. The tentative date of sale is August 3, 2012 after which time he will not be residing within Big Lake Township. He advised it is his intention to resign August 1, 2012 provided the sale is completed. He further advised his house was not listed for sale; and, the buyer made his offer after the March 2012 election process.

### **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 7:29 p.m.

Respectfully Submitted,

Laura Hayes, Clerk

Robert L. Hofer, Chairman