

Monthly Board Meeting
Minutes
July 27, 2016

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

On Wednesday, July 27, 2016 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.

Chairman Hofer called the meeting to order at 7:00 p.m. There were 4 people in the audience at the start of the meeting. Roll call was taken.

Board Members Present: Bob Hofer, Chairman
 Steve Pflughhaar, Supervisor
 Norm Leslie, Supervisor
 Bruce Aubol, Supervisor
 Larry Alfords, Supervisor
 Ken Warneke, Treasurer
 Laura Hayes, Clerk

Staff Members Absent: Samantha Peterson, Deputy Clerk

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 with the addition of a report by Sherburne County Sheriff’s Department Commander Doran. Supervisor Pflughhaar seconded. All were in favor. The meeting proceeded in accordance with the agenda as amended.

Supervisor Pflughhaar motioned to approve consent agenda items. The consent agenda consisted of: a) Approve BLFDRA to use Big Lake Fire Station for Dance on August 6, 2016 and to allow sale of alcohol beverages at the event. b) Approve List of Claims and Payroll. Supervisor Aubol seconded. All were in favor.

Sherburne County Sheriff’s Department, Commander Doran provided the Board with a monthly report of calls. Calls are higher in July at 284 compared to 235 in June. No serious issues or trends were noted. Becker Township Supervisors came to the Sherburne County Sheriff’s Office today to experience and use the MILO range training theatre for deadly force scenarios. The Sheriff is extending the offer to see and use the training equipment to all City and Township officials.

BUSINESS FROM THE CLERK

a) Doug & Debbie Robertson/Requesting a 30' Variance in Setback from the OHWL of Wood Lake for a Pole Building – Doug & Debbie Robertson appeared before the Board to request a 30' Variance in setback from the OHWL of Wood Lake for a pole building. The required setback from a Natural Environment Lake is 150', the pole building is proposed to be 120'. Clerk Hayes advised the size of the pole building has been changed since the original application was made to the County. It has been reduced from a 58'x100' to a 40'x100'. The setback request remains at 30'. Supervisor Alford inquired why they weren't building farther back on the property. Doug Robertson advised the elevation of the property drops significantly. To build farther away from wood lake would require a substantial amount of fill be brought in and mature oak trees cut down. Only a very narrow strip of land is buildable. There was a question regarding the driveway and if it was shared. Robertson's advised they are the only property using the driveway. Supervisor Aubol motioned to recommend approval of the variance as requested. Supervisor Leslie seconded. All were in favor.

b) Sam Lucast, Sherburne County Planner/Introduction and County Updates – Sam Lucast appeared before the Board to introduce himself and give some updates on upcoming zoning department activities. He advised Big Lake Township is the most populous township in Sherburne County and has been for several decades. Since 2006 Big Lake Township has 16 of the 85 CUP's approved in Sherburne County and 8 of the 41 IUP's. From January through May, 12 new home permits have been issued in the township. Upcoming zoning activities include excess vehicle discussion, shoreland ordinance review & update; and, county zoning ordinance review & update.

c) MN Statute 271.162 Lot Split Approval 2016-Resolution Consideration Proposed by Sherburne County Zoning Office – Clerk Hayes reviewed an email from Nancy Riddle, Sherburne County Zoning Administrator regarding Minnesota State Statute 271.162. The statute directs the county auditor's office to allow a township to review land splits for conformance with the county zoning ordinance. Since Sherburne County Zoning does this on behalf of Big Lake Township, Sherburne County Zoning Administrator Nancy Riddle is asking the Township to consider adopting a Resolution, similar to a resolution she is proposing Sherburne County adopt, granting the County the same authority as the Township in regard to conducting lot split reviews.

Nancy Riddle has been working with AMC and a couple of legislators to have additional language added to statute 271.162 that identifies the county as also being able to make this request to the Auditor. She has provided a draft resolution that she was going to ask the County Board adopt if the proposed changes are passed (which they were in session) and signed into law, which did not happen. Townships that have adopted county zoning ordinances can take advantage of the statute, if they direct by resolution for this to be done. Supervisor Alford motioned to adopt Resolution 2016-13 A Resolution of the Town of Big Lake for Adoption of Section 271.162. Supervisor Aubol seconded. All were in favor.

d) Clay Wilfahrt, Big Lake City Administrator – Annexation Legal Description Revision to Solar Garden Property – Clerk Hayes presented a memorandum from Clay Wilfahrt, Big Lake City Administrator regarding the June 2016 adoption of Resolution 2016-11 annexing land for a solar garden. The agreement was found to have a clerical error in the legal description which has been fixed. Unfortunately even though the agreement states that clerical errors in the legal description can be resolved by acceptance by both parties in writing, the State office that processes annexations has requested a new Joint Resolution. A new joint resolution and a copy of the title company's findings on the legal description were presented to the Board. Supervisor Pflughaar motioned to adopt Resolution 2016-12 annexing land into the City of Big Lake for a solar garden. Supervisor Alford's seconded. All were in favor.

e) Clerk's Office Discussion Regarding Hall Rental Policy – Clerk Hayes advised the Board of a rental situation with Big Lake Youth Football. Clerk Hayes advised that the originating call was received to use the facility on Sunday afternoon, July 17; however, the renter didn't complete the rental which is done by submitting a contract and damage deposit; and, confirmation of when keys should be picked up appears on the front page of the rental contract. After closing hours on Friday, a second person associated with the group made a phone call to the City of Big Lake to get keys to the Town Hall. A third person sent a text to the Clerk and a fourth person sent the Clerk a Facebook message asking to gain access to the building. It was realized on Monday, after a Supervisor had been contacted and did let the group in, that they didn't complete the rental contract. Supervisor Alford's inquired if another area could have been used. Clerk Hayes advised that the garage area and park pavilions could have been used to hand out football gear.

Clerk Hayes further advised that on Monday morning she arrived at the Town Hall:

- 1) Hall lights were on.
- 2) Bathroom hallway door not locked into the meeting room.
- 3) Bathroom hallway door not locked and propped open into garage area. (Garage service door is always unlocked in the summer to allow for emergency weather shelter for the park users).
- 4) Bathroom hallway lights on.
- 5) Bathroom doors unlocked and light/fans were on/running.

Leaving all these doors unlocked left the Town Hall open to possible vandalism for approximately 13 hours during the night and early morning; and, created a possibly dangerous situation for staff arriving Monday morning.

Clerk Hayes requested that she and the Deputy Clerk be given the authority to withhold rental of the facility to groups who do not follow the rental procedure and don't secure the building after use. Clerk Hayes recommended this be effective for one (1) year. If it is a youth ball association, this gives the program an opportunity to cycle out/in a new group of parents. This will allow rental to resume without penalizing the entire program in perpetuity. Clerk Hayes further recommended that because the Town Clerk's Office has posted hours, that employees (Clerk & Deputy Clerk), if able to come back to the hall on their own time to let someone in, is done at their discretion and availability. Supervisor shouldn't feel responsible to let renters in, especially when they are not

aware of the status of a rental. Supervisor Alfords recommended adding the suspension action to the rental agreement. Supervisor Pflughar motioned to suspend Big Lake Youth Football from renting the Town Hall until July 30, 2017; and, to grant authority to the Clerk and Deputy Clerk to withhold rentals for one year, adding the suspension action to the rental agreement. Supervisor Leslie seconded. All were in favor.

BUSINESS FROM THE SUPERVISORS/COMMITTEE REPORTS

TOWN ROADS

1) Township Engineer, Ross Abel advised he is working on drawings for the Birch Lake water control retrofit and will be ready to schedule a meeting soon with SWCD and publish for bids soon.

He advised that following seal coating, an area of missing rock and exposed oil has occurred on 163rd Street South of County Road 14 near the south end cul-de-sac.

Ross advised he has been in communication with Knife River. Overlays are scheduled for mid-August. This includes the section of 182nd Avenue in Ridgewood Heights.

Supervisor Aubol noted 172nd Street, South of Hwy 10 near the City of Big Lake lift station, has 4 areas of pavement that are missing. Mike Goebel, City Public Works Director will be notified.

Supervisor Alfords reported a sink hole in the NW corner of 221st Avenue. He will contact Jeff Rhodes to prepare the subgrade and add to the patching/overlay list. Treasurer Warneke noted there are also sink holes on West end of 211th Avenue and 199th Avenue South of County Road 35 near White Water Heights area. Supervisor Alfords recommended the Road Committee check these areas and prepare a list for Jeff Rhodes.

Township Engineer, Ross Abel advised West Branch Construction will need to do warranty work at 18887 226th Avenue Eagle Lake Park. There are washing/sinking issues occurring. It will require dig out and repair.

CHAIRMAN'S REPORT

Chairman Hofer advised he had nothing specific to report.

SUPERVISOR'S REPORT

Other-Updates-Meetings – Supervisor Leslie advised the new ballfield will be opened in August. He will be advising the Big Lake School District it will be open.

BUSINESS FROM THE TREASURER

a) Monthly Report –Treasurer Warneke advised the total government funds and escrows are \$1,561,422.66. Supervisor Alford advised he was aware of a possible tax exempt Certificate of Deposit offering 2% interest. He will forward information to Treasurer Warneke. Supervisor Alford motioned to approve the Treasurer's Report. Supervisor Aubol seconded. All were in favor.

OTHER BUSINESS FROM THE BOARD

Supervisor Leslie advised the new ballfield needs a drag for the infield. He has tried to coordinate using the equipment from the school. He has located an option in Milaca for approximately \$300. Supervisor Pflughhaar motioned to allow Supervisor Leslie to use his discretion to purchase a drag not to exceed \$500. Supervisor Aubol seconded. All were in favor.

ADJOURNMENT

A motion was made by Supervisor Pflughhaar to adjourn the meeting. Supervisor Leslie seconded. All were in favor. The motion carried. The meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Laura Hayes, Clerk

Robert Hofer, Chairman