



REGULAR MEETING  
WEDNESDAY DECEMBER 12, 2018  
6:00 pm

The Town of Big Lake Board of Supervisors met in regular session, at 6:00pm, on Wednesday December 12, 2018, at the Town of Big Lake Town Hall, located in the Big Lake Township's Lions Park Community Center, at 21960 County Road 5 NW, Big Lake Township, Sherburne County, State of Minnesota. The meeting was called to order by Chair Aubol and the Pledge of Allegiance was recited. Chair Bruce Aubol, Supervisors Norm Leslie, Larry Alfords, Steve Pflieger, Bob Hofer, Treasurer Kenneth Warneke, Clerk Brenda Kimberly-Maas, Deputy Clerk Jayme Swenson, Town Engineer Ross Abel, Sheriff Commander Steve Doran, Fire Chief Ken Halverson, a newspaper reporter and five audience members were in attendance.

#### **Approval of Meeting Agenda**

Motion/Second to accept the presented Agenda by: Pflieger/Alfords. All Present Supervisors Approved. Motion Prevailed. The meeting proceeded in accordance with the Agenda.

#### **Approval of Consent Agenda**

The Consent Agenda consists of: a) Approval Minutes – Regular meeting of 11/14/2018. b) Approval of the List of Claims & Payroll. Motion/Second to Approve Consent Agenda by: Leslie/Hofer. Approved by Alfords, Aubol, Hofer, Leslie and Pflieger. Motion Prevailed.

#### **Sherriff's Report**

Commander Doran reported 143 calls in the previous thirty days. Of those were nine vehicle crashes, thirteen medical emergencies and two deaths. There were no disturbing trends to report.

#### **Fire Chief's Report**

Chief Ken Halverson reported the Department responded to 25 calls in December. Of those 13 were within Big Lake Township, 10 were in the City of Big Lake and two were mutual aid calls. The Department responded to several water rescue calls. The building maintenance for 2018 is complete with the hallway tile installation and touch up painting completed recently. Staff is decluttering by removing items which were either left by the EMS crews or were just stashed in closets for later removal. The membership has been reduced by one, as a member moved outside of the district and the Chief recently learned another member will be moving, soon. The Department has lost 3 members to moves in 2018. Other departments are having the same issue where members don't stay within the community for 20 years as was seen historically. The Genesis auto-extrication tools had been received and the water tender is tentatively slated for April delivery. The Fire Board voted to purchase a Police Department's command vehicle to replace the Fire Department's aging command vehicle. Equipment is being switched out of the old and into the new command vehicle. The new command vehicle will be paid out of the 2019 fire budget. Chief Halverson extended his thanks to the Board and staff, for their support during his first year as the Department's Chief. Supervisor Leslie asked who might be responsible for installing signs along the channel connecting Mitchell and Big Lake. Chief Halverson stated the water is the responsibility of Sherburne County and he was unsure of what entity was responsible for installing signage warning people of the thin ice in the channel, but it was not something the Fire Department has authority to install.

## **Business from the Clerk**

Clerk Kimberly-Maas introduced Senior Boy Scout Patrol Leader, Noah Hart, representing Troop #93, to the Board. Noah addressed the Board on behalf of the Troop, extending their thanks for allowing the Scouts to utilize the building for their weekly meetings and for their support the previous year. He presented a large tray of assorted cookies, which were made by all of the Scouts, the previous night. Noah explained the Scouts made several trays and will be delivering them to the Big Lake Police Department, Big Lake Fire Department, local EMSs and senior citizens living at Keller Lake. The Christmas cookie baking event is an annual event done by the Scouts. Commons. The Board thanked Noah for the treats and wished him a Merry Christmas.

Clerk Kimberly-Maas, presented to the Board Resolution 2018-24 Snow & Ice Removal Agreement between the Town of Big Lake and the City of Big Lake. Brenda informed the Board the resolution may need to be amended to add the walking path on 205<sup>th</sup> Ave. between CSAH 43 and Liberty Elementary School. Clerk Kimberly-Maas had been in conversation with ISD 727 on whose responsibility it is to plow the walking path along 205<sup>th</sup> Ave. between CSAH 43 and Liberty School. Brenda had called Mike Goebel, City of Big Lake Maintenance Manager, who advised the City does not plow the path and asked administration at ISD 727 to review their current and past plow contracts to see if it is or has ever been included in their contracts. Her research into Town minutes and the road file for 205<sup>th</sup> Ave. revealed when the path was constructed, the Town informed the school district offices, the Town had no means to provide plowing, during winter months. Supervisor Larry Alford suggested if the issue of plowing the path wasn't resolved by school district contract, the Town may need to request the City plow the path and the resolution would need to be amended to reflect the change of responsibility of plowing of the path. Follow-up will be done to update the Board on the result of further research and if the resolution needed to be amended. Motion/Second to adopt Resolution 2018-24 with the option to have it amended to provide for plowing of the walking path along 205<sup>th</sup> Ave., between CSAH 43 and Liberty Elementary School by: Pflughaar/Alford. All present Supervisors approved. Motion Prevailed.

Clerk Kimberly-Maas, presented to the Board Resolution 2018-25, accepting a \$100.00 donation to the dog park. The donation was made by Mr. Glenn Tummel. Motion/Second to adopt Resolution 2018-25 Accepting Donation to The Town of Big Lake, by: Hofer/Leslie. All present Supervisors approved. Motion Prevailed.

Clerk Kimberly-Maas informed the Board the Joint Resolution 2018-03 was declined by the State, due to an inaccurate description of PID# 10-120-3402. The description was rewritten by the City of Big Lake's attorney and a new resolution was created to reflect the correct land description. Recommendation is to repeal Joint Resolution 2018-03 and adopt Joint Resolution 2018-04. Motion/Second to repeal Joint Resolution 2018-03 for the Orderly Annexation of Parcel No. 10-120-3402, by: Alford/Pflughaar. All present Supervisors approved. Motion Prevailed. Motion/Second to adopt Joint Resolution 2018-04 for the Orderly Annexation of Parcel No. 10-120-3402 by: Leslie/Pflughaar. All present Supervisors approved. Motion Prevailed.

Clerk Kimberly-Maas presented a Notice for a Joint Planning Meeting with the City of Big Lake for the purpose of consideration of a Conditional Use Permit Application and a Variance Application which was submitted to the City by AM Stewart and Ron's Rad Rides for the property located at 18055 198<sup>th</sup> Ave. She requested the Board make a call for this meeting. Motion to call for a Joint Planning Meeting on Wednesday January 9, 2018 at 4:00PM, in the City Council Chambers by: Hofer/Pflughaar. All present Supervisors approved. Motion Prevailed.

Clerk Kimberly-Maas introduced an Interim Use Permit application made by Leon and Julie Slatery. The Permit is for a Medium Contractor's Yard at their residence, on PID# 10-522-0105, located at 22665 County Road 15, Elk River. Brenda noted staff realized the Slatery's address is for a driveway on County Road 15. However, their driveway is actually located on 227<sup>th</sup> Ave. She contacted Brett Forbes, Sherburne County GIS Coordinator, who concurred the address should reflect the location of their driveway. The new address for the residence is 16299 227<sup>th</sup> Ave. NW. The Slatery's were present to answer any questions about their application. Mr. Leon Slatery informed the Board their business runs two lowboys on a stepdeck, they have no tankers and do not handle hazardous materials. They are a transport only business. Their hours of operation vary with the type of

load and location for delivery. The Board was provided an overview of the property and distances from the yard site to surrounding residences. The nearest home is located 511' away. The Board had no issue with the application, given the information provided by the Slatery's. Motion/Second to recommend approval of the IUP Application for a Medium Contractor's Yard, on PID# 10-522-0105, with favorable comments to Sherburne County Planning and Zoning by: Alford's/Pfleghaar. All present Supervisors approved. Motion Prevailed. Since the address change is being initiated by the Town, a new E911 address sign will be ordered and paid for by the Town. The Clerk will write a letter to the Elk River Postmaster to notify their office of the address change.

Clerk Kimberly-Maas introduced an Interim Use Permit application made by Kerry and Rhonda Krause to run a Home Business in an Accessory Building at their residence located on PID# 10-435-0350, 18912 149<sup>th</sup> St. NW, Elk River. The business is an auto mechanical repair shop. Mr. Krause was in attendance to answer Board questions. He told the Board his hours of operation will be from 8:00AM – 5:00PM and there will only ever be 5 customer vehicles parked outside at any one time. Supervisor Alford's commented his concerns that the parcel is quite small for this type of business. He also had concerns of fluids leaking from vehicles since the location for vehicle storage indicates the parking area is sand. He recommends the parking area be impervious. Mr. Krause stated he will be upgrading the parking area if the IUP is approved. Supervisor Aubol felt the line of sight allows for the operation and parked vehicles to be an "eyesore." Mr. Krause noted he has spoken to his current neighbors who have no issue with the business nor the parking of vehicles waiting for repair or delivery to customers. The Board stated that future neighbors may have issue with it, though and recommends additional natural screening be installed on the south/south west side of the property, along 149<sup>th</sup> St. Supervisor Alford's also noted that IUPs are reviewed by the Planning Commission and the County Board. Their concerns will be reviewed by both of these Boards. Motion/Second to recommend approval of the IUP Application for a Home Business in an Accessory Building to Sherburne County Planning and Zoning, with the following comments: Board recommends Mr. Krause contact Gina Hugo from Sherburne Soil and Water Conservation District, to find out what type of tree/shrub would make the best natural, screening plant and install a two – three deep line of these plants along the south and east edge of his property adjacent to 149<sup>th</sup> St., for additional screening of vehicles stored outside by: Hofer/Alford's. All present Supervisors approved. Motion Prevailed.

### **Business from the Board – Committee Reports/Updates**

Supervisor Alford's reported the Road Committee is working on identifying improvements needed to 209<sup>th</sup> Ave.

Supervisor Leslie attended the open house for the Williams Dingman funeral home in Big Lake. He said the interior redesign was well done and it did not look like a bank had been the previous tenant. He learned the seating capacity of the business is for 100 and they have the capability to serve catered luncheons. Norm also attended the Big Lake EDA workshop and was given the opportunity to submit ideas and voice opinions on the future of the City. He invited City Administrator, Clay Wilfahrt to give his presentation to the Board at a future meeting. Supervisor Leslie also told city representatives of the Town's acquisition of land, south of the Elk River bridge and the future use of the land to construct a footbridge over the river to connect the current trail, which would allow safer travel for pedestrians and cyclists. The concept was well received.

Supervisor Pfleghaar reported attended Big Lake EDA meeting where he learned new home construction in the city was essentially flat, from 2017. The total number of new home permits issued was 53.

### **Roads**

The Town received the signed Contractor Affidavit (IC134) from ASTECH and the final pay voucher was included in the approved claims. Town Engineer, Ross Abel informed the Board he has been working with the Road Committee to review the condition of 209<sup>th</sup> and 229<sup>th</sup> Avenues. He has submitted cost estimates for both. The work on 209<sup>th</sup> Ave. is needed from CSAH 15 to the Elk River border. The road was used more during the summer, due to the construction on County Road 35, by both personal and construction vehicles. The road has

varying degrees of rutting and heavy cracking. He is recommending the rutting fix to be consist of milling to a depth of at least 2", followed by an overlay. Where there is subgrade failure, he recommends installation of drainage tile to stabilize the soils. His estimate for the mill and overlay work: \$359,000. Subgrade correction would be an additional cost. Supervisor Alfords stated this is a very preliminary cost estimate and soil borings will need to be done on 209<sup>th</sup> before any final decision is made. The section of 229<sup>th</sup> Ave under review as a 2019 project runs from CSAH 43 to the termination of the road on the west end. Cost sharing would be done with Orrock Township, for any work done to this stretch of 229<sup>th</sup> Ave. Orrock's engineering firm and their Road Authority, Charlie Gotzian, has been in conversation with Big Lake, on this potential project and provided a cost estimate based on their engineer's opinion of work needed. Ross also reviewed the road and prepared a cost estimate for comparison. Ross' opinion is the road is in need of an 1 ½" overlay with the east end in need of a reclaim and overlay. Ross' estimate for the work is \$216,000 plus 15% engineering fees. This cost would be split between both Towns so the estimated amount for Big Lake Township is \$108,000 + 15% engineering fees. The is no Board action required at this time. Additional review and conversation will be made within the Road Committee and between it and Orrock Township.

### **Treasurer's Report**

Treasurer Warneke reviewed the Financial Statements with the Board and reported the cash balance of the Government Funds (excluding the escrow funds) as \$ 1,217,700. Treasurer Warneke provided all fund balance reports to the Board, for their reference showing the budget amount and actual amounts. He will be providing the 2018 Year End report to the Board in January. Motion/Second to approve the Treasurer's report by: Pflgebraar/Hofer. Approved by Alfords, Aubol, Hofer, Leslie and Pflgebraar. Motion Prevailed.

Treasurer Warneke informed the Board that two quotes have been received to perform the Annual Audit of the Fire Department. He is waiting on clarification on the scope of the quote received from the City's firm, before making a decision of which company the Department will have perform the Audit. The Audit needs to be done and filed by June 1, 2019.

Ken is also in the process of applying for a credit card account to be used by the Department, for budgeted incidentals like hotel stays when members attend out of area training events or purchases for open house, etc.

### **Announcements**

\*A gathering to celebrate Ewald Petersen's retirement from Sherburne County Board of Commissioners will be held at the Government Center on December 18, 2018, following the County Board meeting.

\*Filing Affidavits of Candidacy for two supervisor positions, will begin on January 1, 2019 and end on January 15, 2019 at 5:00PM. Affidavits may be filed with the Clerk during business hours. Note: Town Hall offices are closed New Year's day.

### **Adjournment:**

Motion/Second to adjourn the Regular Meeting at 7:15PM by: Leslie/Pflgebraar. All Supervisors present Approved. Motion Prevailed.

Accepted this 9th day of January, 2019 by the Town of Big Lake Board of Supervisors.

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Bruce Aubol, Chair

Attest: \_\_\_\_\_  
Brenda Kimberly-Maas, Town Clerk