



Regular Board Meeting  
Wednesday March 24, 2021 6:00 PM

The Town of Big Lake Board of Supervisors met in regular session, at 6:00 PM, on Wednesday March 24, 2021 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 Bruce Aubol and the Pledge of Allegiance was recited. Vice-Chair Dean Brenteson, Supervisor Larry Alfords, Supervisor Norm Leslie, Supervisor Mark Hedstrom, Treasurer Kenneth Warneke, Clerk Brenda Kimberly-Maas, Deputy Clerk Jayme Swenson, Fire Chief Seth Hansen, town engineer, Wes Davis, one audience guest, and news reporter were in attendance. The town's lawyer, Peter Tiede, attended via virtual means.

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

Motion/Second to accept the presented Agenda by: Leslie/Brenteson. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. Motion Prevailed. The meeting proceeded in accordance with the Amended Agenda.

#### **PUBLIC HEARING – CARTWAY PETITION**

Chair Aubol opened the Public Hearing at 6:01PM.

Clerk Kimberly-Maas presented the Board with Affidavit of Service, Affidavit of Posting, and Affidavits of Publication in the Patriot News and Elk River Star News.

Peter Tiede informed the Board he had been in correspondence with both party's legal counsel. Cassandra Heinrich – lawyer on the behalf of the Westholters (petitioners) and Jim Baumgardner – lawyer on behalf of the respondent (2tllc – Plaisteds) were in communication and hopefully will be able to resolve the issue of access to the Westholter's landlocked property through the property owned by 2tllc, a Plaisted company without the need for the town to establish and easement. He recommended the Board continue the Public Hearing until April 14, 2021 to give some additional time to both parties to resolve the situation through civil means.

Move to CONTINUE the Public Hearing until Wednesday, April 14, 2021 at 6:00PM by: Supervisor Hedstrom. Seconded by: Supervisor Alfords. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. Motion Prevailed.

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

The Consent Agenda consisted of: A) Approval of Minutes; Regular meeting 03/10/2021. B) Approve List of Claims & Payroll paid 03/24/2021. Motion/Second to Approve Consent Agenda by: Leslie/Brenteson. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None Opposed. Motion Prevailed.

## **Big Lake Fire Department Report**

Chief Seth Hansen reported 25 total calls for service in February 2021: City of Big Lake had 16, Big Lake Township had eight (8), and one (1) in Orrock Township. Of those calls there were one (1) fire, three (3) hazardous condition, five (5) medical assists, and three (3) motor vehicle accidents. The members participated in online training and hands-on training on search and rescue/forcible entry. Upcoming the department will train on use of ladders and roof operations. Some of the ladder and roof operations training also occurred at the vacant house burn, done in Orrock township. Chief Hansen reminded everyone that grass fire season is upon us. The conditions are very dry and ground moisture is quite low. Condolences to former Chief Skoog, who recently passed.

## **Open Forum**

NONE

## **Regular Business**

### **Notice of Intent to Franchise**

Clerk Brenda Kimberly-Maas informed the Board she had learned the town must hold a public hearing to inform interested parties, that the Town has been approached by Midco, with a desire to offer cable television as part of their services. Since there is already a provider of cable service within the township, statutes require notice to all interested parties. As part of the process, the Town must hold a public hearing and give at least 20 days published notice of the hearing. The earliest the public hearing can be scheduled is April 24, 2021. Additionally, the Board should provide a Cable Franchise Application to all parties who may be interested in offering cable to town residents. Bob Vose, who assisted the town with the recent Cable Ordinance and Charter/Spectrum renewed agreement, provided an Application for consideration. To ensure any and all costs associated with issuing a new Franchise Agreement to Midco, of any other applicants, the Board will need to determine the amount of money to be placed in escrow for each application. Mr. Vose had noted costs could range from \$2500 to \$10,000. The Board discussed both the setting for public hearing and the amount of escrow to require within the Franchise Application.

Motion/Second calling for Notice of Intent to Franchise Public Hearing to be held at 6:00PM, on Wednesday April 24, 2021 by: Hedstrom/Brenteson. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion Prevailed.

Motion/Second approving the presented Cable Franchise Application setting the amount of escrow to be deposited with the Town at \$10,000.00 by: Brenteson/Leslie. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion Prevailed.

Brenda will modify the presented application and correspond the information to Bob Vose. She will also inform both Midco and Charter/Spectrum of the Notice of Intent to Franchise.

## **Roads**

### **2021 Overlay Bids**

Wes Davis, town engineer from Bogart Pederson, informed the Board that 2021 construction bids were opened on Tuesday, March 23, 2021 at 10:00AM. Five (5) bids were received ranging from 15% under to 6% over the engineer's estimate. All received bids included the required Bid Bond. The low bid was received from Knife River in the amount of \$667,152.00. He noted that asphalt prices paid in 2020 were \$68/ton and the low bid this year

equated to \$51/ton. The road committee will review other areas that are in need of overlays while on road tour and determine which should be added to the 2021 construction schedule. The road committee recommended accepting Knife River's bid and award the 2021 road construction contract to them.

Motion/Second accepting the 2021 overlay project bid from Knife River, in the amount of \$667,152.00 and award Knife River the contract for 2021 road overlay projects by: Alfords/Hedstrom. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion Prevailed.

#### Mailbox Posts

Supervisor Alfords informed the board he had inspected a number of mailboxes which were phoned in as damaged during snow removal. He said that there are many boxes and posts which have been improperly installed, don't meet the town's installation requirements, or are dire need of replacement/repair. He noted the County installs swing away posts as part of their road construction procedures and wondered if it would be something the town should also consider. He also stated in the new Wheat Fields developers have installed a single location where several homes go to collect their mail. Supervisor Hedstrom informed the board the USPS has made the multi-unit boxes, a requirement in the last year or so. The board discussed this and felt the road committee should do some further research on options and pricing and bring the results back for additional discussion.

Motion/second to have the road committee perform further research and bring refined option(s) to the board for consideration by: Aubol/Hedstrom. None opposed. Motion Prevailed.

#### Spring Road Tour

Road committee will perform the spring road tour on April 5<sup>th</sup> with additional dates as required. The tour will leave from the town hall at 7:30AM on the 5<sup>th</sup> and is open to the public.

#### Knick Knack Knoll Cul-de-sac Easements

Supervisor Brenteson told the board he had been in communication with Dennis McApline, president of Rivercrest Farms HOA about the status of the easement for 180<sup>th</sup> St. NW. Dennis informed Dean that the HOA would like to grant the town an easement to complete the connection of 180<sup>th</sup> St. NW, from the Knick Knack Knoll subdivision through to 227<sup>th</sup> Ave NW. The board felt this was a viable option and recommended negotiation to occur.

Motion/second to have the road committee negotiate the acquisition of easement for the extension of 180<sup>th</sup> St. NW through to 227<sup>th</sup> Ave, between Knick Knack Knoll Second Addition and Rivercrest Farms – Second Addition, for the purpose of a permanent road right of way. Wes Davis is to work up and estimate for this acquisition by: Aubol/Leslie. None opposed. Motion Prevailed.

Brenda will send the information on the location to Wes.

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

Supervisor Leslie informed the board that start-up work had begun to ready the park, for the upcoming spring and summer has begun. He also let the board know that Mark Hart Scout Troop leader, had reached out to him with two potential Eagle Scout projects to enhance the township's Lions Park – a pollinator area and construction & installation of bird, butterfly, and bat houses are being discussed.

Supervisor Hedstrom told the board he had conducted a survey on one of the Big Lake Facebook forums, to see what kind of interest there is to have the recordings of the township meetings, available for online viewing. He said there were 60 people who indicated they would

be interested in this as an option to them. Supervisor Leslie stated he felt that the interest doesn't seem to be so great that the effort is really warranted. By Norm's calculation – based on the number of voters who registered in the November election, the percentage of interested people is roughly 1% of the electorate. Staff will continue to research equipment to allow for a better experience for remote attendance, per request of supervisors who may need to attend meetings virtually. Information will be presented when all has been gathered.

Supervisor Aubol attended the County's Planning and Zoning Board of Adjustment meeting. He told the board that the main discussion of the meeting revolved around a large solar garden, being proposed in the Clearwater/Clear Lake area. He noted County Road 8, in the western part of the county is a "massive solar array" where the farms and gardens are daisy chained.

### **Treasurer's Report**

Treasurer Warneke reviewed the Treasurer's Report and Financial Statements with the Board. The town treasury ending balance (less escrows) was \$1,518,927.18 *Financial Reports are retained as part of the official Minutes and available in the Clerk's Office.* Motion/Second to approve the Treasurer's report by: Alfords/Brenteson. Approved by: Aubol, Alfords, Brenteson, Hedstrom and Leslie. None opposed. Motion Prevailed.

### **Announcements:**

The Local Board of Appeal and Equalization meeting will be held on Thursday April 8, 2021 – commencing at 9:00AM. Supervisors Alfords, Aubol and Leslie will attend. Supervisors Aubol and Leslie hold current certification.

Big Lake Lions will hold a drive-thru fish fry on Friday March 26<sup>th</sup>. Food service will begin at 4:00PM and will continue until 7:00PM.

Catholic Charities will be holding a drive-thru, frozen meal distribution at Big Lake Township's Lions Park, on Monday March 29<sup>th</sup>. The meal distribution is open to all Sherburne County Senior Citizens.

### **Adjournment:**

Motion/Second to adjourn the Regular Meeting at 7:05 PM by: Leslie/Hedstrom. All Supervisors present approved. Motion Prevailed.

Respectfully Submitted,

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

Accepted this 14th day of April 2021, by the Town of Big Lake Board of Supervisors.

\_\_\_\_\_  
Bruce Aubol, Board Chair

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