



Regular Board Meeting
Wednesday April 27, 2022 6:00 PM

The Town of Big Lake Board of Supervisors met in regular session, at 6:00 PM, on Wednesday April 27, 2022, 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. Supervisor Larry Alford, Vice-chair Dean Brenteson, Supervisor Norm Leslie, Supervisor Mark Hedstrom, Treasurer Kenneth Warneke, Clerk Brenda Kimberly-Maas, Deputy Clerk Jayme Swenson, Captain Tim Davis – Big Lake Fire Department, Bret Collier - resident, and news reporter were in attendance.

Approval of Meeting Agenda

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

Approval of Consent Agenda

The Consent Agenda consists of: A) Approval of Minutes; Regular meeting of 04/13 /2022. B) Approve List of Claims & Payroll paid 04/27/2022. Motion/Second to Approve Consent Agenda by: Hedstrom/Brenteson. Approved by: Aubol, Alford, Brenteson, Hedstrom, and Leslie. None Opposed. Motion Prevailed.

Big Lake Fire Department Report

Department Update

Captain Davis reported March 2022 fire department calls for service. The department responded to seven (7) calls in Big Lake Township, 16 calls in the City of Big Lake, one (1) in Orrock Township, and one (1) mutual aid call, for a total of 25 calls. The calls included two (2) fires – of which one (1) building fire, one (1) grass fire, and one (1) motor vehicle accident. The department's new recruits were graduating from training the same time as the town meeting. The department participated in Kid's Choice graduation, at Liberty Elementary School, as a community service. Online and hands-on training consisted of forcible entry and hose line advancement. As part of their anniversary event, Lupilin Brewery will be making a donation to the Big Lake Fire and Police departments. The event will be held on Saturday May 21st. The funds received by the fire department will be used toward the purchase of extrication equipment, for the new fire engine. Captain Davis expressed his gratitude to the Town and its residents for their unending support, during his 28 years of service on the department.

Open Forum

Bret Collier took the open forum opportunity to address the board with concerns he and other township and county residents have with the use of the Dominion electronic vote tabulators, for elections. Bret gave each supervisor hand-outs with the information he presented during open forum. He informed the Board several residents whom attended the April 19th County Commissioner's meeting were also speaking about their concerns at local meetings at the same time as this Board meeting. Bret gave each supervisor hand-outs with the information he presented during open forum. Because there were several links in the information, he stated he would forward the documentation to the clerks, so supervisors could use the links in the Word documents to review the information, rather than type the links in a browser.

Bret gave a few of the reasons he felt the vote tabulators should be removed from use:

- 1) The electronic voting machines purchased by Sherburne County in 2015, run on a Windows 7/Server 2008 Operating System. Microsoft ended support for Windows 7 on January 2020. (months before the last presidential election). This means that there have been no "Security or Maintenance Updates or Patches", made available for this operating system for years, increasing the possibility for the unwanted accessing and manipulation of code within these machines, creating "doubt", as to their accuracy and ability to provide a true vote count. It was his understanding that it would be difficult for the "hardware", to handle a Windows 10 upgrade due to available memory. If they were able to be upgraded; re-certification could cost the county over \$500,000.
- 2) Numerous reports and articles indicate the general public has become wary and lost faith in electronic voting systems, especially "Dominion", voting equipment.
- 3) There are reports which show that Dominion Voting System Equipment is designed in a manner which would allow for "weighing" cast votes, as a method to adjust the votes per candidate.

Bret stated there are many unanswered questions and concerns, he and others have regarding security, reliability and accuracy of the electronic election devices. These concerns prompted the drafting and presentation of a resolution to the County Commissioners, at the previous meeting. The resolution will remove the use of electronic voting equipment in Sherburne County - per Minnesota Statute 206.58, Subd. 3. It is the hope that that County will adopt the resolution, at their next commissioner's meeting. Rick Wriebel will be speaking at the County Commissioner's meeting on May 3rd on election integrity and the desire of people to have the resolution removing electronic election equipment and other election concerns. Bret stated the Town Board has the authority to act independent of the County's decision, per Minnesota Statute 206.58, Subd. 1 and 4. He noted the statute states that you "may", use an electronic voting system, which means you also "may not". Bret suggested and requested that Big Lake Township Board resolve to not utilize any electronic voting equipment for the 2022 election season and presented a resolution, for Board consideration.

Bret thanked the Board for the opportunity to address them about the matter and said he would forward the electronic version of the hand-outs to the clerks, for dissemination to the supervisors, so the links contained within documents could be clicked on, rather than needing to type the links, in a browser. *A copy of the information will be retained as part of the official meeting minutes.*

Chair Aubol thanked Bret for the information and stated the Board would likely allow the County Auditor to guide how to proceed with the use of electronic voting equipment.

Regular Business

Tax-forfeited land release – 10-122-2251 & 10-122-2255

Sherburne County Auditor's office sent information about two tax-forfeited parcels. These parcels are on the north side of 205th Ave. and were the location of several violations to the solid waste zoning ordinances. The parcels are both within the 100yr flood plain and flood almost annually. The Board had no need to pull the parcels from the county's approved sale. Motion/second releasing the parcels and allowing them to be sold by Sherburne County by: Leslie/Alfords. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

Playground wood chip replacement

Supervisor Leslie informed the Board the woodchips in the playground area, need replenishing or replacement. The past three years there have been additional chips placed in the playground to keep it filled. When inspecting them this spring, it was discovered the required 12" depth of chips has been reduced to 6" – 9" due to decomposition over the years. The chips that have been used in the past were specifically made to reduce splintering requirement. However, they were pine chips which decompose fairly quickly – the original chips were laid ten years prior. Gina Hugo was contacted to find out if the County had any thoughts on the use of rubber shavings versus wood chips. Gina offered her opinion on using tamarack chips as the best material for the playground. She sent contact information for a local provider, SafetyFirst out of Princeton. Norm presented quotes for removal of existing chips, which will be dumped in low areas in other areas of the park, and the installation of rubber mulch or tamarack chips. Legacy Landscapes estimated installation of rubber mulch for \$71,600 and \$15,000 for tamarack chips. SafetyFirst estimated the installation of tamarack chips for \$15,191.41. Norm recommended installing tamarack chips and award contract to Legacy Landscapes.

Motion/second awarding contract with Legacy Landscaping to remove and relocate the existing woodchips and installation of 12" of certified tamarack woodchips by: Aubol/Hedstrom. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

Resolution RES 2022-09 - Resolution to Spend ARPA Funds on Lost Revenue Replacement Category

The American Rescue Plan Act, H.R. 1319 signed into law in March 2021 (ARPA). Legislation at the Federal level allows for the spending of funds appropriated to non-entitlement units of government (NEUs) on government services, due to the reduction of revenue from COVID-19. The town meets all qualifications set by the legislation and the Town Board saw fit to spend the funds appropriated to the Town in this manner. The road committee has stated a good use of the funds would be to get caught up on road maintenance, such as overlays. Some of the funds may also be used to perform maintenance and updates to the town hall building, office equipment, and meeting enhancement technology. Clerk Kimberly-Maas presented a resolution to Spend ARPA Funds on Lost Revenue Replacement Category. Motion/second adopting RES 2022-09 Resolution to Spend ARPA Funds on Lost Revenue Replacement Category by: Alfords/Brenteson. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

Supervisor Updates

Supervisor Leslie reported spring start-up is complete. He and handyman Mike Frovarp installed all the trail signs, soccer nets, and ball field bases. The water has been turned on, as well. The food distribution event was well attended with more than 270 folks getting fresh produce. Supervisor Hedstrom and his wife Tricia also volunteered their time to the event.

Supervisor Hedstrom attended the Planning and Zoning meeting. At the meeting he learned the county has hired an outside firm to assist with updating/revising the County's comprehensive land use plan. The department will be working on the plan from the "bottom up" and will be requesting input from the township. Marc Schneider, County Planner, will be contacting staff in the future about this.

Supervisor Aubol inquired on the status of the Knick Knack Knoll parcel which is jointly owned with the City of Big Lake. Norm reported that he and Brenda met with Hanna Klimmek, Interim City Administrator and brought her up to speed on the matter. She will be placing this on the City's May 11th agenda for approval to sell. If the City Council approves the sale, we – the Town, will contact Chuck Heitz to see if he will provide a market evaluation and sale price and move forward with selling the lot. Norm was not sure what method will be used to offer the lot for sale, at this point.

Roads

Release of 2021 Overlay Retention

Ken Warneke informed the Board that in claims reviewed, the retainage from 2021 construction was included. The roads overlaid in 2021 were inspected during road tour and the road committee recommends the retainage be released.

Motion/second to release 2021 overlay retainage of \$ 35,166.84 to Knife River Corporation by: Brenteson/Alfords. Approved by: Alfords, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

Spring Road Tour Report

Supervisor Alfords reported though the winter was tough, the roads show less cracking than anticipated, especially on the 2021 overlay areas. There are a few potholes which will need to be addressed, and many areas need of trimming & brushing. There is a cul-de-sac that needs to be addressed, which wasn't done in 2021. There are many roads which will benefit from the ARPA funds, as they need overlays. The committee is watching 205th Ave where the ultra-thin wear course (UTWC) product was applied. They hope to visit some roads where the product was installed to see how it has held up. If those roads look good, UTWC may be an option for the roads in need of overlays. Roads in need of sweeping have been identified and quotes are being obtained to have this done. The 180th St. NW connection between Knick Knack Knoll – 2nd Addition and River Crest Farms – 2nd Addition is looking promising, as the title work came back clean. The landowners will be contacted for signatures on the updated easement dedication. In River Crest Farms, the original mailbox posts are deteriorating. Larry suggested a couple of supervisors work with the HOA to get them replaced with swing-away style posts. Supervisors Brenteson and Hedstrom volunteered to be on an ad-hoc committee to replace mailbox posts in Rivercrest Farms'.

Motion/Second to form River Crest Farms mailbox replacement committee consisting of supervisors Brenteson and Hedstrom by: Aubol/Leslie. Approved by: Alford, Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

Supervisor Brenteson will contact the president of River Crest Farms' HOA to initiate the conversation.

Supervisor Alford was traveling when the City of Big Lake was doing some pothole repairs using hot mix. He inquired if they would lay some of the hot mix on 205th Ave and in the driveway entrance of the fire station. The crew kindly did so and Larry wished to acknowledge and thank the City's Public Works department for their assistance.

Supervisor Aubol mentioned the "pink" rocks were showing on 172nd St. He thought the black material installed was to assist in the heating of the pavement during winter months, which would cause ice and snow to melt of better and maybe the process didn't hold up through the winter season. The process used on 172nd is called a fog seal. Normally oil is laid first then rocks are added on top of the oil. In a fog seal, an additional layer of oil is placed on top of the rocks to lock them in. The roads where the fog seal was done are also being monitored for longevity to see if this fog seal process holds up better. So far those roads are looking quite good.

Treasurer's Report

Treasurer Ken Warneke informed the board the fund balances are looking good. He expects the first property tax settlement which is expected at the end of June or beginning of July. The town owes the 2nd quarter fire budget advance, which will be made soon. The general fund is healthy with no overspending. Seasonal costs like Recycle Day are still in the balance reported of \$247,389.03. The road fund has a significant over-budget item in the snow removal category. He also pointed out the crack-filling budget is over-budget, due to the pre-purchase of crackfill material. He reported the road fund balance as \$ 786,548.23. The town treasury ending balance (less escrows) as of April 26, 2022 equals \$1,858,683.80. Escrow balance is \$468,255.345. Total amount in the treasury (including escrows) equals \$2,326,939.15.

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: Leslie/Brenteson. Approved by: Aubol, Brenteson, Hedstrom and Leslie. None opposed. Motion Prevailed.

Announcements

- ~ BLFD JPB Meeting on Tuesday May 3rd at 5:00PM at the fire station.
- ~ Next Regular Board Meeting on Wednesday May 11th at 6:00PM.
- ~ Recycle Day on Saturday May 21st from 8:00AM – 1:00PM at the township's maintenance facility
- ~ MAT Legal Seminar Wednesday May 25th from 9:00AM – 3:00PM, at Rockwoods Conference Center, Otsego. Supervisor Brenteson and Treasurer Warneke will attend.

Adjournment

Motion/Second to adjourn the Regular Meeting at 7:01 PM by: Leslie/Alford. All Supervisors present approved. Motion Prevailed.

Respectfully Submitted,

Brenda Kimberly-Maas, Clerk

Accepted this 11th day of May 2022, by the Town of Big Lake Board of Supervisors.

Bruce Aubol, Chair

Attest: _____
Brenda Kimberly-Maas, Town Clerk