



## Regular Board Meeting

Wednesday December 14, 2022 6:00 PM

The Town of Big Lake Board met in regular session, at 6:00 PM, on Wednesday December 14, 2022, at the Town of Big Lake Townhall, 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 Chairman Bruce Aubol and the Pledge of Allegiance was recited. Vice-Chairman Dean Brenteson, Supervisor Norm Leslie, Supervisor Mark Hedstrom, Treasurer Kenneth Warneke, Clerk Brenda Kimberly-Maas, Deputy Clerk Jayme Cannon, Sergeant Austin Turner – Sherburne County Sheriff's Department, Captain Nick Christenson – Big Lake Fire Department; Layne Otteson, City of Big Lake Engineer, two guests; and Patriot News reporter were in attendance. Supervisor Larry Alford was absent.

### Approval of Meeting Agenda

Motion/Second to accept the presented Agenda by: Leslie/Hedstrom. Approved by: Aubol, Brenteson, Hedstrom, and Leslie. Motion Prevailed.

### Approval of Consent Agenda

The Consent Agenda consists of: A) Approval of Minutes; Regular Meeting and Local Board of Canvass Minutes from 11/16 /2022; B) Approve List of Claims & Payroll paid 11/17/2022 – 12/14/2022; C) Adopt resolution RES 2022-15 Designating 2023 Polling Locations. D) Letter in support of County Public Works grant application for pedestrian bridge over the Elk River.

Motion/Second to Approve Consent Agenda by: Hedstrom/Brenteson. Approved by: Aubol, Brenteson, Hedstrom, and Leslie. None Opposed. Motion Prevailed.

### County Road 43 sidewalk cost share grant opportunity

Layne Otteson, City of Big Lake Engineer, was in attendance to discuss his presentation of information about the County's 2023 phase of their County Road 43 NW reconstruction project. The County plan includes the acquisition of easement, from the Big Lake Fire Department on the East side of the road. The construction plan also includes the construction of a sidewalk in the easement area, starting at Minnesota Street and extending Northerly to 205th Avenue. NW. The County has been in discussion with property owners to obtain easements for the proposed sidewalk, including the Big Lake Fire Department, which is jointly owned by the Town and City of Big Lake. He shared that historically Government agencies have had an exchange rate of \$1.00, in previous easements similar to ours. However, the previous week, he, Supervisor Brenteson, Mayor Knier, Ken Warneke, Hanna Klimmek, Deb Wegeleben, and Brenda Maas learned from County Engineer, Dave Roedel and County Commissioner, that the County is prepared to pay approximately \$4000.00 for the easement, in front of the Fire Station. This amount includes a temporary construction lease

and the permanent easement. His presentation also included opportunities for Transportation Alternative (TA) 80/20 grants, that focuses on pedestrian. The City of Big Lake identified several areas that would fit the guidelines for grants. If the grant is pursued and awarded, it would offset some of costs to construct the proposed sidewalk. Additionally, a sidewalk or path would be constructed from the 203rd Avenue NW cul-de-sac, across School District #727 property to the existing sidewalk at Liberty Elementary school. It should be noted that the grant would include other pedestrian safety projects that are within the City, however, their cost would not be shared with the Town. City Engineer Layne Otteson recommend the Town consider moving forward with infrastructure identified in the presentation and select one of the following options: Option A) Town wishes to participate in both grants and all 10 options with concurrence from School District #727, Option B) Town wishes to participate in select locations or Option C) Township does not wish to participate. Layne also requested the Board to name a project point of contact, for the Town. After discussion the Board is unanimously interested in joining the City with Option A, and requested they proceed with the pedestrian safety grant for all 10 options with concurrence from School District #727. The Board also named Supervisor Brenteson as the Town's contact for the projects. A letter of support and intent to participate in the Transportation Alternative (TA) 80/20 grant, that focuses on pedestrian safety will be drafted and sent to Engineer Layne Otteson.

#### Sheriff's Report

Sherburne County Sergeant Austin Turner reported November's dispatch call summary report. Interactions showed an increase in traffic stops and bus stop-arm violations. The stop-arm violations tend to be on County Road 43 NW south of County Road 15 NW in areas of larger housing developments. He believes that impatient drivers may be a cause to the increase. Sergeant Turner acknowledged an error in October's report on the bus stop-arm offenses; the report indicated three (03) and only one (01) violation occurred. Statistics reports for November will be retained as part of the official minutes and available in the Clerk's office.

#### Big Lake Fire Department Report

Big Lake Fire Department Captain Nick Christenson presented the Big Lake Fire Department report for the month of October. He reported the Department responded to a total of 37 calls; 30 in the City of Big Lake, three (03) in Big Lake Township, one (01) in Orrock Township and three (03) mutual aid calls. Of those there were two (02) hazardous conditions, two (02) medical assist, and four (04) motor vehicle accidents., The members participated in electric vehicle training from Tesla. November's years of service anniversaries are: six (6) years for : Kiel Ruberg and Ryan Aderman and one (1) year for Jason White and Shane Roy. Captain Nick Christenson thanked Cub Scout Pack 93 for stopping by the station with goodie bags to show their appreciation. Saturday December 18th will be the BLFD Fire Responder Santa Parade to collect donations for the Big Lake Community Food Shelf.

## New Business

### Options, Inc. Cleaning Contract Renewal

Clerk Kimberly-Maas presented the 2023 contract renewal for Options, Inc. Options clients provide quality cleaning service for the Townhall common areas. Supervisor Leslie agreed that Options has done a great job for the Township over the years.

Motion to approve renewing the Options, Inc. cleaning contract for 2023 by: Leslie/Hedstrom. Approved by: Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion Prevailed.

### Conditional Use Permit (CUP) and tow (2) Variances – Cardinal Enterprises, LLC

Clerk Kimberly-Maas presented a request for a Conditional Use Permit (CUP) to operate a Veterinarian Clinic, a variance of Sherburne County Zoning Ordinance Section 15 allowing a 55-foot setback from the centerline of Highway 25 (where a 150 foot setback is required) and a variance of Sherburne County Zoning Ordinance Section 14 allowing an excess of 25% impervious surface for 20455 187th Avenue NW ~ Parcel Id 10-335-1345. Tom Holthaus representing Cardinal Enterprises, LLC. addressed the Board explaining his goal of adding a Veterinarian Clinic to his existing business, The Laundromutt Dog Grooming. Supervisor Aubol shared he reviewed the packet from Sherburne County's Planning and Zoning Office, and it appears many items were covered and addressed. Discussion took place regarding the potential of wastewater contamination. Mr. Holthaus shared the that he did in-depth research and reported his findings. He also explained their disposal and discharge procedures do not show any detriment to the waterways or septic system. Chairman Aubol asked and confirmed the Board was in unison to send favorable comments to allow a Conditional Use Permit (CUP) to run operate a Veterinarian Clinic, a variance of Sherburne County Zoning Ordinance Section 15 allowing a 55 foot setback from the centerline of Highway 25 (where a 150 foot setback is required) and a variance of Sherburne County Zoning Ordinance Section 14 allowing an excess of 25% impervious surface for 20455 187th Avenue NW ~ Parcel Id 10-335-1345. All Supervisors present agreed. Clerk Kimberly-Maas will forward the Boards favorable comments to Sherburne County.

### Plowing Contracts – JME & Legacy Landscaping

Clerk Kimberly-Maas presented a one (1) year renewal of the snow plowing and ice control contract with JME Companies, with an end date of April 4, 2023. Supervisor Brenteson stated that JME is evaluating their costs and anticipates an adjustment in charges and cost of goods, in the future. Clerk Kimberly-Maas shared that JME has been providing winter road maintenance for the Southern part of the Township for many years.

Motion to approve a one (1) year renewal of the snow plowing and ice control contract with JME Companies, with an end date of April 14, 2023, with the anticipation of an adjustment in charges and cost of goods by: Leslie/Brenteson. Approved by: Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion Prevailed.

The snow plowing and ice control contract with Legacy Landscaping & Irrigation Inc. was TABLED for clarification of the rates and or units listed on their proposal.

### Big Lake Townhall and Lions Park Community Center Enhancements and Maintenance

Clerk Kimberly-Maas deferred this Item to the Towns Building and Parks Committee. Supervisor Aubol shared the Committee meet and discussed various proposals for maintenance and enhancement in the Townhall and community rental areas. Treasurer Warneke confirm that funds spent on projects could be utilized and provided by the American Rescue Plan Act (ARPA) funding. Requested funds will include a down payment for the audio-visual and security camera system, as a partial payment is required to be placed on the vendor's schedule.

The Committee is recommending approval of funds for six (6) items consisting of:

1) Installation electrical surge protection, battery back-up, and relocation of the audio-visual and security camera system hardware rack. Upgrade video surveillance security system to HD system, allowing better and clearer monitoring of the town hall and park. The coverage area map is still in process but will cover all vulnerable areas as well as the outdoor parks areas and equipment.

2) Upgrading the town hall's manual door locks, adjustment, and lubrication of existing door hardware along with a replacement of the maintenance room exterior door. The new locking system will assist with controlling access with renters and provide needed maintenance of the Townhall's original locking and door hardware. The door needs replacement due to rusting.

3) Repairs and repainting of the town hall interior walls and wood casings around the windows and doors.

4) Maintenance consisting of stripping and resealing of the vinyl floor tiles in the Townhall.

5) Installing new carpet in the clerk's and treasurer's offices.

6) Installing a mop-sink in the maintenance room, which would replace the standard utility sink, allowing safer emptying of the mop bucket.

Supervisor Hedstrom inquired about the potential addition of an enhanced audio-visual system and an electronic locking system. Clerk Kimberly-Maas shared that the Committee discussed the option and at this time will just install the drops for future addition of a/v equipment. The Committee added that an additional meeting chambers camera and electric lock system appeared to be more of a want than a need and was declined, at this time. Supervisor Leslie also reported that discussion took place to investigate adding a few interior walls, in the community room area, for the storage of tables, chairs and expanding the Town's file storage space. Discussion and recommendation to remove portions of sidewalk running next to the north side of the building. The sections are rarely used, in need of repair, and have a history of ice buildup creating dangerous walking conditions. The Committee also acknowledged the need for a new enclosure around the outdoor garbage container and they are in the process of gathering information. The Committee and Staff will also address the interior audible chime option and will implement a procedure to assist with after-hours muting.

Motion/Second to obligate American Rescue Plan Act (ARPA) funds for the six (6) matters listed above by: Brenteson/Hedstrom. Approved by: Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

### Jagodzinski/Ostrander Certificate of Possessory Title (CPT) Update and Legal Statement

Clerk Kimberly-Maas reminded the Board that in November 2021, they were presented with an application made by Todd Jagodzinski and Troy Ostrander, to bring their property into the Torrens system. They requested to register their parcels 10-103-4100, 10-404-0130, and 10-404-0220 in the Second Birch Lake Beach plat as a Certificate of Possessory Title (CPT). The Board directed our attorney to work with the Examiner of titles to ensure adjacent landowners did not become landlocked. The Town's legal counsel confirms that all properties do and will continue to have access to their land. The Examiner obtained consent of all of the affected private easement holders: Josh McDermott (Connexus), Thor Smerek, and Xcel/NSP (so long as their current easements properly documented ("memorialized") on the Title Certificate). Legal council also advised that the Town is the last remaining party which has not yet consented. David Meyers (attorney at Rinke Noonan who acts as title examiner for Sherburne County) previously confirmed that our road (as described in the town road order) is properly shown on the survey, according to the surveyor who drafted the survey being used for the registration action. The land description was also confirmed by the County surveyor. Town Legal is looking for the Town's consent as they think it is appropriate in this situation.

Motion/Second to approve consent for Legal counsel to proceed with acceptance and action on application made by Todd Jagodzinski and Troy Ostrander, to bring their property into the Torrens system by registering their parcels 10-103-4100, 10-404-0130, and 10-404-0220 in the Second Birch Lake Beach plat as a Certificate of Possessory Title (CPT) by: Hedstrom/Brenteson. Approved by: Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

### County Road 43 NW Project and Proposed Easement Update

Clerk Kimberly-Maas deferred the update to Supervisor Brenteson. He shared that he recently met with Sherburne County to discuss the proposed easement in front of the Fire Department and the County Road 43 NW round-about project. He was informed that the Town will incur cost and responsibilities on the east side of the project. Plans indicate the Town will provide 25% of the funding, the City of Big Lake 25% and Sherburne County 50% for the project. The Town's probable costs will include improvements made to the Township's right of way (ROW) along County Road 43 and in front of the Fire Department. There is not solid information regarding the City's water and sewer lines that will be installed on Township property, which may be a cost to the Town. Currently the plan reflects the Town's cost of approximately \$39,000.00, for the proposed project.

### Roads

Supervisor Brenteson reported plows have been busy with the recent snow falls and applying ice control products. After traveling the roads, he believes that roads are in good condition and the plow vendors are doing a great job. Supervisor Brenteson also commented that Right of Way (ROW) brushing and tree trimming has been taking place.

### Supervisor Updates

Supervisor Leslie shared that Bailey Station Cemetery's new columbarium has been installed. The process was smooth took only about an hour to place the unit.

Supervisor Aubol reported he attended the Sherburne County Planning Advisory Board Meeting. They had a lengthy discussed about the previous Town Agenda item addressing a Conditional Use Permit (CUP) request for occasional special events from Andy & Jolene Thelen representing H.O.P.E. Stables which is located in the Township.

Supervisor Brenteson reported he attended the Central Mississippi River Regional Planning Partnership (CMRP), formerly the Highway 25 Coalition Meeting. They will be pursuing a Planning and Environment Linkage (PEL) study assist developing the future Mississippi River crossing plan.

#### Treasurer's Report

Treasurer Warneke informed the Board the Town received their property tax settlement bring account balances up. He reported the following fund balances: General fund: \$244,774.08, Road fund: \$ 1,256,992.00 Bailey Station Cemetery Fund: \$9,540.12, BL Fire Capitol Fund \$300,822.47, BL Fire Operating Fund \$ 125,916.02 with a Total Town treasury ending balance (less escrows) as of 11/16/2022 is \$2,745,091.46 Escrow balances are \$429,949.79. Total amount in the treasury including escrows and CMRP funds equaling \$3,175,041.25 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

- ~ Saturday December 18th is the BLFD Fire Responder Santa Parade to collect donations for the Big Lake Community Food Shelf.
- ~ Office closures: Friday 12/23, Monday 12/26, Friday 12/30, Monday 01/02/2023
- ~ Big Lake Fire Department Joint Powers Agreement Board's regular meeting 01/03/2023 at 5:00pm at the Big Lake Fire Station 20243 County Road 43 NW

#### Adjournment

Motion/Second to adjourn the Regular Meeting at 7:50 PM by: Leslie/Hedstrom. Approved by: Aubol, Brenteson, Hedstrom, and Leslie. None opposed. Motion prevailed.

#### Respectfully Submitted,

Jayne Cannon, Deputy Clerk

Accepted this 11th day of January 2023, by the Town of Big Lake Board of Supervisors.

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

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