



Regular Board Meeting  
Wednesday September 27, 2023 6:00 PM

The Town of Big Lake Board of Supervisors met in regular session, at 6:00 PM, on Wednesday September 27, 2023 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 Alfords, Supervisor Dean Brenteson, Supervisor Laura Hayes, Supervisor Mark Hedstrom, Treasurer Kenneth Warneke, Clerk Brenda Kimberly-Maas, Treasurer's Assistant Becky Guthrie, County Commissioner Raeann Danielowski, Fire Chief Seth Hansen, retired supervisor Norm Leslie and family members, Scout Gabriel Winter, fire fighters Eric Boe, Steven Christenson, Ryan Lien, Trever Roediger and family members, BLFD Captain Nick Christenson, BLFD Captain Tim Davis, BLFD Lieutenant Noel Krebs, and three guests were in attendance.

#### Approval of Meeting Agenda

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

#### Approval of Consent Agenda

The Consent Agenda consists of: A) Presentation of DRAFT Minutes of the RECONVENED Annual Meeting. B) Approval of Minutes Regular meeting of 09/13/2023. C) Approve List of Claims & Payroll presented. Motion/Second to Approve consent agenda by: Brenteson/Alfords. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

#### Administration of Fire Fighter Oath

Chair Aubol administered the fire fighter oath to five members of the department who have completed the necessary training requirements. Members taking their oaths were: Eric Boe, Steven Christenson, Ryan Lien, and Trever Roediger. Pinning of their badges was done by wives and mother. Chief Hansen thanked the new members for their commitment to the community and department. He also thanked the spouses and families for their support of the new members, the department, and community.

#### Big Lake Fire Department Report

Chief Seth Hansen reported in August 2023, the department responded to 41 calls – Twenty-seven (27) in the city of Big Lake, nine (9) in Big Lake township, three (3) in Orrock township, and two (2) mutual aid calls – Becker 1 and Monticello 1. Year to date the department has responded to a total of 302 calls – City of Big Lake 206, Big Lake Township 69, Orrock Township 16, mutual aid to Elk River 6, mutual aid to Monticello 3, mutual aid to

Clear Lake 1, and mutual aid to Becker 2. August calls of interest were five (5) fires – grass, car, structure, five (5) motor vehicle accidents, four (4) hazardous conditions (gas leak, electrical, etc.), and seven (7) medical assists. August training consisted of truck driving operations. Engine 22 has been delivered and the traditional push into the station was performed by the membership. There is some outfitting that needs to occur before it makes its first run to a call. E22 will be available for viewing at the upcoming open house on Saturday October 14<sup>th</sup> from 10 AM – 1PM. Road construction on County Road 43 is progressing. Access to the fire station is only available from the north. Chief Hansen implemented an evening duty officer to ensure response times to the south of the station are timely and the ability to assess the need for additional resources can be communicated.

Open Forum  
NONE

Regular Business

Presentation of Commemorative Park Bench to Retired Supervisor Norm Leslie

The town board purchased a counter height park bench from By The Yard. It was engraved with “In Appreciation of Supervisor Norm Leslie” and the township’s logo – Supervisor Leslie headed up the logo creation. Once a concrete pad is poured under the shelter erected as Cody Helriegel’s Eagle Scout project, the bench will be bolted onto the pad. It is a fitting location since Norm was instrumental in the dog park enclosures and worked hand-in-hand with Cody and several other scouts, on their Eagle Badge projects. Clerk Maas gave a short presentation to reflect on Norm’s twenty years of service to the township. The gifting of the Township’s Lions Park, the town hall building, addition of land to the park, and all the amenities were highlighted in the presentation. The board thanked Norm and Dee Leslie for their dedication to the township and its residents.

Drainage & Utility Easement Encroachment Agreement Request PID# 10-519-0145 – Lot 9, Blk 1 Aspen Hills plat

Ethan & Courtney Anderson have been working with Sherburne County Planning & Zoning to construct an accessory building on their property located at 20446 151st St. NW, ELK RIVER, MN – Aspen Hills plat. When applying for their building permit, Ethan Anderson was informed by Zach Guttormson, Assistant Zoning Administrator, the location he was proposing to erect the building was within a defined wetland and drainage and utility easement. Photos taken of the location were reviewed by Zach who forwarded them to Miranda Wagner of Sherburne County Soil and Water. It was determined the location should not be considered a wetland. However, because the location is within a drainage and utility easement; Zach directed Ethan to the township office to request permission to construct in the desired area. Permission could be granted via an encroachment agreement. Ethan has made application to the township for an encroachment agreement, placed an escrow deposit to cover costs associated with the process, and supplied a survey depicting and describing the area of encroachment.

Supervisor Alford has inspected the proposed construction location and believes there will be no water drainage or storage impact should the building be erected as shown on the survey. Wes Davis, town engineer, was given the information for his review. Wes agreed with Supervisor Alford’s assessment and recommended approval of the encroachment agreement.

Motion/Second to approve and enter into a Drainage & Utility Easement Encroachment Agreement Request for PID# 10-519-0145 – Lot 9, Blk 1 Aspen Hills plat by:

Hayes/Brenteson. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None opposed. None abstained. Motion Prevailed.

#### Sherburne County Survey for Permanent Hazardous Waste Facility in Sherburne County

Sherburne County is currently conducting a feasibility study to determine if there is need for a permanent household hazardous waste facility within the County. The County has partnered with HDR to carry out the work needed to complete this study. The County is asking cities and townships to complete the survey with consensus answers from the Board, to help provide valuable information and feedback for this study. Board members felt they were lacking information as to the reason a permanent HHW facility would be needed in the County. County Commissioner Danielowski will communicate the request for additional information to the Planning and Zoning Department.

#### Prosecution of NON-Public Safety Violation Citations issued by Sherburne County Sheriff's Department

Sherburne County Sheriff is the township's law enforcement agency for public safety issues. Occasionally they have been called out to address or assist with NON-public safety concerns. And occasionally a NON-public safety citation is issued. The town is currently in an agreement with the County Attorney's office to litigate public safety citations. However, any non-public safety citations are not addressed by the agreement. A question asked by the Sheriff's office is if the township could litigate non-public safety citations. Clerk Maas contacted the town's lawyer to confirm Geck, Duea, and Olson, PLLC. has litigation lawyers who would represent the township, in this situation. Peter Tiede, the town's attorney submitted a letter to be sent to the Sheriff's office as confirmation that the township's attorney's office could litigate non-public safety citations, if needed.

Supervisor Hedstrom requested the town ordinances be reviewed to ensure the penalty associated with ordinance violations are just. Supervisor Hayes and Supervisor Hedstrom will make up an ad hoc committee to review the town's current ordinances.

#### Shed Access - Big Lake Ambassadors

The township has allowed the Big Lake Ambassadors program to store their spud float in the middle section of the storage shed. Security of the shed been a concern in the past and has become an issue for the current members of the group. A couple years ago staff witnessed ambassador members entering the shed during business hours, when all the issuable keys were in the office. Keys have been picked up by one member, transferred to another during an event weekend, and gone missing – the lock was replaced by the ambassador group, due to lost keys.

Medeco locks have been installed to ensure the security of town buildings as Medeco keys are not duplicatable. Staff has implemented a strict check out procedure where only authorized ambassador members are allowed to pick up the key and a return date is required. Follow-up calls are made if the key is not returned by the stated return date. These procedures worked well until the 2023 Spudfest coronation. Since the 2023 coronation: 1. Staff has been requested to meet ambassador parents after hours to pick up key (parents forgot to get here within business hours) \*note, this is one of the reasons staff recommended changing office business hours to be open until 4PM. 2. Key was transferred between members – with notice given to the office. When another authorized parent was asked to and attempted to pick-up the key, staff had to track it down. As the key was not returned to the office for over a week after

the event. Note: the ambassador board chair was involved in the above and told that keys MUST be returned promptly after an event. She was asked to inform all other authorized key retrievers of this. The ambassador board chair has requested a key be checked out to her for her term as chair. Staff is uncomfortable doing so. 3. Key was picked up for an event and was to be returned by following Tuesday. At the end of business on Tuesday, the key had not been returned. Staff called the person who was issued the key and told the person turned the wrong way and wouldn't make it to the town hall by closure. Key was not returned until 3:54PM following day (Wednesday).

Board members recommend a key deposit of \$250 be made annually by the Ambassador Board and a letter outlining the expectation of the town board for issuance and return of the shed keys. If the group doesn't adhere to the expectations of the board, they will be unable to store their float in the township's building. The expectation letter will be issued annually to ensure new members have the information.

### Gabriel Winter Eagle Scout Project Update

Gabriel Winter was in attendance to present his plan to install 10 bluebird houses in the park, for his Eagle Badge project. The houses are built and will be placed in the tree line on the north side of the parking lot. He requested \$250.00 to help fund the project. Supervisor Brenteson asked who will be responsible for maintaining the houses. Gabe stated he will take care of them until he moves from the area. After which the troop will be responsible for their maintenance.

Motion /second to fund Gabriel Winter's Eagle Scout project in the amount of \$250.00 by: Brenteson/Alfords. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None opposed. None abstained. Motion Prevailed.

### Dog Vaccination Clinic and Nitrate Testing of Well Water

Clerk Maas informed the Board that the attendance of the dog vaccination clinic seemed lower than previous years, but numbers were not yet available. She also told the Board that Sherburne County Soil and Water had set a goal of 10 well nitrate level tests to be performed and they had 16 including the town hall. The town hall's water was tested after the filtration system and no nitrates were found.

### Roads

Shouldering on the overlay projects was completed on 09/22/2023 and seeding was to begin on 09/29/2023. The ultra-thin wear course project will begin the week of 10/123/2023 – 10/26/2023. Clerk will send the schedule to David Roedel and Tim Truebenbach at the school district, as the project includes 205<sup>th</sup> Ave traveling eastward from the east driveway of Liberty Elementary.

Crack-filling in the east half of the township is complete and the west half of the township is being worked on. Culvert replacement under 221<sup>st</sup> Ave. will be done on 09/28/2023.

### Supervisor Updates

Supervisor Hedstrom attended the Community Education meeting. Liberty Elementary is celebrating its 20<sup>th</sup> birthday with a Family Fun Fest on October 6 & 7. There will be a Parent Council Beanbag tournament at the Friendly Buffalo on October 22<sup>nd</sup>.

Supervisor Hayes inquired with County Commissioner on the reason for the new County Comprehensive Plan since the current one is dated to be valid through 2030. Commissioner Danielowski stated comprehensive plans are reviewed about every 10 years to ensure they still reflect the changing area. The DRAFT Comp Plan will be reviewed by the County Board on 10/17/2023. If adopted, they will become the active plan for the county. Supervisor Hayes had been to the Birch Lake Association meeting where she learned that the Kelly's impervious surface variance was denied. She was also told that the Ayt's variances were denied. Clerk Maas said she had learned that the Ayt's had withdrawn their variance requests prior to the Board of Adjustment deciding, on their variance requests. The Ayt's will be making some adjustments to ensure they are under the 25% impervious surface area.

Supervisor Aubol attended a planning and zoning meeting. Afterward, zoning administration asked to meet with town representation about possible modifications to the streets in the PRELIMINARY Plat of Meadow Estates South. Where a long driveway to the County Road 83 could be abandoned if a cul-de-sac was built to serve the existing home and possible future development to the east. A meeting will be held on October 3<sup>rd</sup> to discuss the possible changes.

#### Treasurer's Report

Treasurer Warneke reviewed the Treasurer's Report and Financial Statements with the Board. The town treasury ending balance (less escrows) as of September 27, 2023 equaled \$2,545,223.47. Including escrows, the total town treasury was \$2,640,861.84 *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: Hayes/Hedstrom. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None opposed. Motion Prevailed.

#### Announcement

- ~ SCAT Meeting Wednesday October 4th at the Sherburne History Center. Meal from 6PM – 7PM, meeting commences at 7PM.
- ~ Wildlife Festival @ Oak Savannah Learning Center - Sherburne National Wildlife Refuge. Saturday September 30th 10AM – 2PM.
- ~ Veteran's Pork Chop Dinner @ Town Hall, Saturday October 14 from 11AM – 2PM. Veteran's, Active Military & Guest will be served.
- ~ Next regular meeting on Wednesday October 11, 2023 @ 6PM.

#### Adjournment

Motion/Second to adjourn the Regular Meeting at 7:36 PM by: Hayes/Hedstrom. All Supervisors present approved. Motion Prevailed.

Respectfully Submitted,  
Brenda Kimberly-Maas, Clerk

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

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

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