



Regular Board Meeting
Wednesday December 13, 2023 6:00 PM

The Town of Big Lake Board of Supervisors met in regular session, at 6:00 PM, on Wednesday December 13, 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. Vice-Chair Dean Brenteson, Supervisor Larry Alford – via telecommunications, per MN Statute Stat. 13D.02, Supervisor Laura Hayes, Supervisor Mark Hedstrom, Treasurer Kenneth Warneke, Clerk Brenda Kimberly-Maas, Treasurer Assistant Becky Guthrie, Jason and Megan Zachman, Sargeant Barrett, and news reporter were in attendance. All voting was done by roll-call due to Supervisor Alford's telecommunication attendance.

Approval of Meeting Agenda

Motion/Second to accept the presented Agenda by: Hedstrom/Brenteson. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. 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 11/09/2023 & Special Meeting 12/04/2023. B) Ratification of Approve List of Claims & Payroll paid between 11/09/2023 – 12/12/2023. C) Approve presented claims & payroll presented. D) Call for Joint Community Meeting on Thursday January 18, 2024 at 6:00PM in city of Big Lake Council Chambers. Motion/Second to Approve consent agenda by: Hayes/Brenteson. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Sherburne County Sheriff's monthly

Sergeant Derek Barrett reported in November 2023 177 calls in the township. Sergeant Barrett said the number of traffic stops were down from the previous month. The department has been responding to several trespassing calls at the KSTV. Offenders have been climbing the fence and tower. There was a dwelling fire in the township. No injuries but several vintage vehicles were irreparably damaged. There were also two school bus stop-arm violations reported. However, the buses videos were corrupt and no citations were able to be issued.

Open Forum

NONE

Variance for PID# 10-524-0365 to allow for septic upgrade

Clerk Maas presented a variance for comments. The applicants, Jason and Megan Zachman, live at 18500 224th Ave. NW, Big Lake, in Meadowlands Third Addition. They are upgrading their septic system. The design requires the proposed septic tank to be located 130' from the St. Francis River, which is considered a Forested and Transition River. A 150 ft. setback from the OHWL, is required under Sherburne County's Ordinances, Section 14 – Shoreland District – Subdivision 5. Dimensions, Design and Utilities #2 A(1). The variance being requested is for a 20 ft. variance in setback for the proposed septic tank to be located 130 ft. from the St. Francis River.

Supervisor Brenteson offered his review of the property and stated the upgraded system will be better suited for the property and the proposed location is better than where the current system is located. The Board members determined that the project should move forward and made comment and recommendation the variance be approved by County Planning and Zoning, board of Adjustment.

Use of Town Hall Parking Lot for September Household Hazardous Waste Collection Event

Sherburne County Planning and Zoning Department is looking for a site to hold their fall Household Hazardous Waste Collection Event. This event had been held at the former KJ's in Orrock Township. However, attempts to connect with the new owners of the establishment, now known as the Getaway Bar, have been unsuccessful. The staff in the Solid Waste division of Sherburne County Planning & Zoning office is looking for another location to host this event. Town staff suggested using Big Lake Township's Lions Park parking lot – north section, as an alternative location. Town staff believes the location would be convenient and has ample area for the event. The event date does NOT conflict with Big Lake Community Food Shelf's produce distribution, which occurs on the third Monday of the month. If approved by the Town Board, the location would be evaluated by the vendor – Veolia, to ensure it is a viable location. Dave Lucas would coordinate the reviewal by Veolia. Board members agreed the town's facility would be a good location for the event.

Motion/second to allow the use of the town hall parking lot, to host Sherburne County's Fall Household Hazardous Waste Collection Event, to be held on Tuesday September 10, 2024 between the hours of 2:00PM – 5:00PM by Aubol/Hayes. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Notice of Change of Permittee for Existing Solid Waste Permit (SW-580-004) for Vonco III LLC, 15301 140th Avenue, Becker, Minnesota 55308

Chair Aubol and Clerk Kimberly-Maas received notice from the Minnesota Pollution Control Agency of a change to solid waste permit for Vonco III. The notice was sent to local governing bodies to inform them of the request made by Vonco III and allow for local jurisdictions to request a Public Meeting prior to the permittee change. The permit will be changed from Vonco III as permittee to Vonco II as permittee of the facility located at 15301 140th Ave, Becker, MN 55308. The Board was asked to acknowledge the receipt of the notice sent by the Minnesota Pollution Control Agency. Determine if Public Meeting should be requested, by the January 2, 2024, deadline.

The Board acknowledged receipt of the notification and determined they will not request a Public Meeting on the matter.

Sherburne County Historical Society – End of the Year Fundraising

Sherburne County Historical Society is conducting a year-end fundraising appeal. The appeal is for financial assistance to continue the research, creation, and maintenance of programs and new on-line posts. Expenditures by towns are limited to those authorized by statute. One of the areas which town boards may expend funds is to support a county historical society (Minn. Stat. § 138.053). Sherburne History Center is considered a museum. The 2023 budget has \$1,200 allocated for donations to civic organizations/museums. Prior to tonight's meeting, the Town Board has donated \$300 ARPA funds toward the social media outreach program and \$1000 budgeted funds in membership dues.

Chair Aubol stated he felt the town's previous donation and membership dues were appropriate but did not wish to participate in the year-end donation drive.

Motion/second declining to make additional contribution to the Sherburne County History Center by Aubol/Hayes. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Big Lake Community Food Shelf – December Challenge Fundraising Event

Big Lake Community Food Shelf (BLCFS) is looking for financial donations to ensure they are able to continue to provide food to members of the community in need. Expenditures by towns are limited to those authorized by statute. One of the areas which town boards may expend funds is to support a non-profit community food shelf (Minn. Stat. § 138.053). The 2023 budget has \$1,200 allocated for donations to civic organizations/museums. Prior to tonight's meeting, the Town Board has donated \$1000 budgeted funds to the Sherburne County History Center (museum). ARPA Funds may also be used to support BLCFS.

Chair Aubol noted he personally supports the food shelf and use of public funds was not something he wanted to do. Supervisor Hayes stated that making a donation from ARPA funds would set a precedent. Other Board members agreed and said they may consider making a personal donation, knowing there is a greater need in the community.

Motion/second declining to make a contribution to the Big Lake Community Food Shelf by Aubol/Brenteson. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Earned Safe & Sick Time (ESST) – Effective January 1, 2024

On January 1, 2024, Minnesota's Earned Sick and Safe Time law comes into effect. This law requires that employers provide employees who work inside the State of Minnesota with a certain minimum time off. Sick and safe time is paid leave employers must provide to Minnesota employees that can be used for certain reasons, including when an employee is sick, to care for a sick family member or to seek assistance if an employee or their family member has experienced domestic abuse.

Many non-traditional workers such as paid-on-call firefighters and election judges are covered **if they are working more than 80 hours per year.**

Townships as employers have certain choices to make in the implementation of this law; for example, under Minn. Stat. § 181.9446 the township must decide if it will pay out earned but unused sick and safe time, permit carryover, or alternatively to frontload sick and safe time at the beginning of the year.

Currently the Treasurer, Clerk and Deputy Clerk positions are given 2 weeks (64 hours) paid time off (PTO/vacation), which would be enough to comply with the new law.

However, the ESST law states that **ALL** employees who work a minimum of 80 hours annually **MUST** accrue 1 hour of ESST per 30 hours worked. This includes part-time,

seasonal, and temporary employees. Therefore, something needs to be implemented for employees like Becky, who does not receive any paid time off.

Clerk Maas noted that election judges generally do NOT work 80 hours annually, as their hire date is used as the starting date. Election judges are hired in and work during the even numbered years. So, unless there were an unprecedented number of elections - more than 5, they likely would not work 80 hours annually, and would not be required to earn ESST. She also informed the board that elected officials are EXEMPT from ESST. Clerk Maas will be meeting with members of the personnel committee to review a draft ESST policy she has written, make revisions to the draft as deemed necessary and present their ESST Policy recommendation to the Board, for adoption prior to January 1, 2024. She would like to have the Board schedule an additional meeting tonight, for review and adoption of an ESST Policy, prior to January 1, 2024.

Motion/second calling for a meeting on Wednesday December 20, 2024 at 5:00PM by: Hedstrom/Hayes. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Roads

Supervisor Brenteson reported that the town's vendors are brushing and trimming various roads. Residents on 211th Av have given positive responses to the work being done on the road. The committee is working with William Tessmer to identify roads for 2024 overlay work and hope to be able to go out for bids shortly after the new year.

Supervisor Updates

Supervisor Hayes reported she went to the MAT Annual Business Meeting and was surprised at the discord amongst the townships and the MAT Board. She stated it seems there is something "off" with the situation.

Supervisor Brenteson reported CMRP has hired Bolten Menk to perform a transportation study. They are in the process of completing a stakeholder list.

Treasurer Business & Report

Treasurer Warneke reported the Town received its tax settlement from the County and its portion of settlement for the Industrial Park land, from the City of Big Lake. Collections were very close to expected. He presented the cash balance statement and interim financial reports for the general, road, and fire funds. The town treasury ending balance (less escrows) as of December 13, 2023 equaled \$3,112,329.50. Including escrows, the total town treasury was \$3,193,715.31. Treasurer Warneke told the board the next tax settlement was expected in January 2024. *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: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None opposed. Motion Prevailed.

Announcement

~Town offices will be closed Friday December 22 and Christmas day – Monday December 25, 2023.

~ Next Town Board meetings on Wednesday December 20, 2023, as set during this meeting and on January 10, 2024 commencing at 6:00PM.
~ Orrock Township cancelled the Open House for their new building – originally set for 5PM on December 27th. It will be rescheduled at a later date.

Adjournment

Motion/Second to adjourn the Regular Meeting at 6:51PM by: Alfords/Hedstrom.
Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None opposed. Motion Prevailed.

Respectfully Submitted,

Brenda Kimberly-Maas, Clerk

Accepted this 10th day of January, 2024 by the Town of Big Lake Board of Supervisors.

Bruce Aubol, Chair

Attest: _____
Brenda Kimberly-Maas, Town Clerk