

West Lakeland Township
Regular Meeting

December 13, 2006

Oakland Jr High School

Present: Chairman John McPherson, Supervisor Ron Goette, Supervisor Dan Kylo, Sue Agrimson, Clerk; Matt Woodruff, Engineer; Scott McDonald, Attorney; Duane Stensland, Building Inspector; Dave Schultz, Planning Commission Representative; Elizabeth Vance, Deputy Clerk

Public Hearing

To consider and application by purchasers, Michael and Renae Biebl, for a variance request to construct a third garage stall addition at 12020 18th St. N., (present owners Roy and Nancy McQuinn). This proposed addition would exist 15' from the east side lot line. Town Code requires a minimum of 25' for side lot line.

Chairman McPherson called the public hearing to order at 7:00 PM. Mr. McQuinn explained that the location of the house was restricted to the current location at the time it was constructed. At the time of construction, the setback from the property line was 15 feet. At the current time, the McQuinn's, supported by Mr. and Mrs. Biebl, indicate that comparable properties for sale include a 3 car garage, and wish to expand to meet the comparable properties. The expansion design will also add curb appeal, further increasing the value of the lot. No exemption is requested to the drainage easement on the lot line, or the setback for the driveway. Extending the existing driveway, as opposed to the proposed addition, would require extending the gable at a significantly higher cost. Concern was raised that there be sufficient space to maneuver the vehicles without infringing on the driveway setback. Mr. Biebl indicated that the angle of the addition would allow sufficient space for save maneuvering. Mr. Bob Schwarz, the neighboring land owner, has provided written indication he has no objections to the variance. There is existing screening at the lot line. Ms. Christy Williams and Mr. Tom Barnes, spoke in favor of the variance. Mr. Schultz, representing the planning commission, indicated that the initial review by the planning commission did not support the variance. There was insufficient evidence of hardship to support the variance. It was believed additional alternatives should be considered.

Chairman McPherson closed the hearing at 7:20 PM

Call to Order:

Chairman McPherson called the regular meeting of the West Lakeland Town Board to order at 7:20 PM.

Approval of the Minutes

The minutes for November 14, 2006 were presented. Attendees were amended to indicate Mr. Semrud was present. Supervisor Kylo moved to approve the motion. Seconded by Supervisor Goette, the motion carried.

Treasurer's Report

Mr. Semrud presented the treasurer's report for November 2006. The report indicated lower revenues and higher expenses for the month. Charges included the \$70,000 for the fire contract paid in November, and disbursements for the summer road and bridge work. Mr. Semrud reported the refund of \$350 for appeal of IRS fines.

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Supervisor Kyлло moved, seconded by Supervisor Goette, to accept the report as presented.

Review and Pay Bills

The invoices for payment were presented for signature. Questions were raised as to the past due payment on the Waste Management invoice. This is due to timing of the billing cycle and the regular meetings.

The board discussed a token of appreciation for Santa Claus' visit to the township. Supervisor Kyлло, seconded by Supervisor Goette, moved to authorize the purchase of gift certificate for Santa in the amount of \$100 to Lake Elmo Inn. The motion carried.

Ms. Agrimson raised the issue of repair expenses for her designated computer workstation. Repairs were needed, and an upgrade to Microsoft Publisher, after a hard drive crash using the older version. Ms. Agrimson paid \$513 for the repair bill, including \$249 for a house call from the technician. Ms. Agrimson requested reimbursement for \$279 of the repair, and \$99 for the upgrade. Supervisor Goette suggested adding \$125 for half the house call expense.

After discussion, Supervisor Goette moved to authorize reimbursement of \$372.98 for computer repairs and upgrades. Supervisor Kyлло seconded the motion. The motion carried.

Biebl/McQuinn Variance

The board discussed the requested variance. Hardship was seen because the size of the easement on the other side of the house, and the cost to reconstruct the gable. The board did not support any variance to the driveway setback. Supervisor Goette expressed concern over the garage doors opening directly to the neighboring lot, but was assured Mr. Schwartz was aware of the orientation of the garage. Mr. McDonald advised the board to consider the hardship indicated by the current legal limitations.

After discussion, Supervisor Goette moved to approve the variance of not less than 15 foot setback from the lot line, noting hardship in the location of the existing easements, location of the septic system, the fact the home was built at a time when 10 foot setbacks were authorized, the existing screening from the adjoining property, and the support of neighboring residents. Supervisor Kyлло seconded the motion. The motion carried.

Higbee's Hollow Final Plat Approval

Mr. Al Roth appeared before the board seeking final plat approval for Higbee's Hollow. The appropriate Mylar copies of the plat were not available for signature. The planning commission recommended Mr. Roth investigate including a grading easement into the 4th lot to allow for further expansion in the neighboring parcels. Grading onto this lot would be a strong possibility when a road was constructed to the township standards. The issue was tabled until the next regular meeting.

Sign Resolution for Leseman Variance

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Mr. McDonald presented for signature the resolution supporting the variance approved at the September 11, 2006 regular meeting to allow construction of an accessory building closer to the road than the residence at 1871 Morgan.

2007 Fire Protection and Rescue Services Agreement

Mr. Semrud presented the 2007 Fire Protection and Rescue Services Agreement with the City of Bayport. The contract cost is down from 2006. The same allocation formula was used, but the growth in Bayport and Oak Park Heights has decreased West Lakeland's apportioned share. Supervisor Kylo moved to accept the contract, with clarification of the payment schedule and hourly rate. Seconded by Supervisor Goette, the motion carried.

West Lakeland Election

Ms. Agrimson brought forward a request to consider moving the polling location to St. Lucas Church. Washington County has received feedback that voters are uncomfortable at the school. After discussion, the board consensus is to remain at Oakland Junior High School.

The board discussed the use of the optical scan ballot process for the 2007 township election. Use of this equipment becomes mandatory for all elections in 2008. Cost estimate is between \$300 and \$350 for use of the equipment. Supervisor Goette moved to retain the paper ballot process in 2007. Seconded by Supervisor Kylo, the motion carried.

Additional Business

The board reviewed concerns over the number of unlicensed vehicles at 1121 Omaha. The town ordinances limit the number unlicensed vehicles. The issue was discussed with the landowner a year ago, but the issue has returned. After discussion, Mr. McDonald was directed to send a letter to the property owner detailing the ordinance violation and consequences.

Questions were raised over who is responsible for deer in the right of way. The township will assume responsibility for deer carcasses in the right of way, but not on private property,

Supervisor Goette moved, seconded by Supervisor Kylo, to appoint Chairman McPherson as primary, and Supervisor Kylo as alternate, to the Middle St Croix Water Management Organization.

The board will meet on either January 22d or January 29th to complete the 2008 budget planning process. The meeting will be confirmed and published by the clerk.

Mr. Woodruff raised the Watershed District revised plan, with a comment period ending on December 21, 2006. Motioned by Supervisor Kylo, seconded by Supervisor Goette, the board approved to authorize TDKA to review and make comments on behalf of the township.

Chairman McPherson noted the Minnesota Pollution Control agency would be addressing the proposed fly ash storage facility at their December 19th regular meeting.

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Adjourn

Supervisor Goette moved to adjourn the meeting. Seconded by Supervisor Kylo, the motion carried. Chairman McPherson adjourned the meeting at 9:08 PM.

Respectfully Submitted,

A handwritten signature in black ink that reads "Elizabeth Anne Vance". The signature is written in a cursive style and is centered on the page.

Elizabeth A. Vance
Recording Secretary