

Present:

Chairman John McPherson; Supervisor Jerry Peterson; Supervisor Daniel Kylo
Cara Geheren, Township Engineer; Sue Agrimson, Township Clerk; Ed Semrud,
Township Treasurer; Scott McDonald, Township Attorney; Duane Stensland, Building
Inspector; Ray Swanson, Planning Commission Chair; Betsy Vance, Deputy Clerk

Public Hearing for Cynthia Sinclair, 14587 30th Street North

Chairman McPherson called to order at 7:40 PM a public hearing to consider the request by Ms. Cynthia Sinclair, 14587 30th Street North, for a minor subdivision of her lot to 3 single family residential lots. The request was presented by Mr. Joel Anez, the surveyor of the subdivision. The current lot is 12.08 acres and will create three lots, two of 2.5 acres, and the remaining 6.1 acre lot. All lots are build able and comply with local ordinances. Comments from the neighbors attending supported the request. Having no further comments, Chairman McPherson closed the hearing at 7:45 PM.

Regular Meeting Call to Order

Chairman McPherson called to order the regular meeting of the West Lakeland Town Board at 7:45 PM.

Approval of the Minutes:

Supervisor Kylo asked for corrections to be made on the minutes for the November 16th meeting. Corrections were annotated, and forwarded to the clerk for posting. Supervisor Peterson moved to accept the minutes as corrected. Seconded by Supervisor Kylo, the motion carried.

Supervisor Peterson moved to accept the minutes for the special meeting held to review the variance request for Mr. and Mrs. Johnson of Greenwood Trail. Seconded by Supervisor Kylo, the motion carried.

Treasurer's Report

Mr. Semrud presented the treasurer's report for November 2005. The report reflects receipts of \$35,000 and expenses of \$48,000. Supervisor Peterson moved to accept the treasurer's report as presented. Seconded by Supervisor Kylo, the motion carried.

Mr. Semrud and Ms. Agrimson requested the board review alternatives for website vendors to complete the agreement prior to the end of 2005. To date, three vendors have been reviewed, with offerings between Gov Office and JPEG Group being the best contenders. Gov Office cost was \$475 for the first initial year, license, domain registration, and initial set up. Maintenance costs are \$30 per month after the first year. JPEG, for a similar level of support, bid \$1645 for the first year, and \$79 per month for hosing and management. Supervisor Kylo moved to accept the Gov Office proposal, and direct the clerk to complete the transaction. Seconded by Supervisor Peterson, the motion carried.

Payment of the Bills

The invoices included a final payment for Tower Asphalt for street repairs and maintenance, fire department and second installment to the Lower St Croix Water

Management Organization. Supervisor Kylo moved to authorize payment of the invoices presented. Seconded by Supervisor Peterson the motion carried.

Anderson Elementary Playground

Principal Warren Berkley and members of the Anderson's Parent Organization appeared before the board to request funds to support expansion of the playground at the Anderson Elementary School in Bayport. Last year, the City of Bayport removed a pump house on the north side of the playground, which allowed room for expansion. The budget for the proposal adopted by the parents' group is \$40,000. Anderson Foundation has pledged \$10,000, the parents' group has pledged \$10,000, the city of Bayport has pledged \$10,000, and Baytown Township has pledged \$5,000. The remaining funds are being requested from West Lakeland Township. Funds are being requested by the communities who have students attending Anderson Elementary. 60% of the current student population comes from West Lakeland Township. The School District will provide for the preparation and maintenance of the site. The budget for 2006 has already been established, so funding this request would need to come from undesignated funds. Supervisor Kylo moved to approve \$5,000 for the playground expansion. Supervisor Peterson seconded the motion. The motion carried.

Cynthia Sinclair Minor Subdivision

Chairman McPherson asked for discussion on the request for a minor subdivision by Cynthia Sinclair. Supervisor Peterson asked if the sit for the septic system would allow for sufficient space for the driveway. Mr. Anez felt confident that site would support both the septic system and the driveway. Supervisor Kylo asked for comments from the planning commission review. The summary of the report indicated that the request was permissible, but the location of the house should be considered to accommodate the runoff. Supervisor Kylo moved to approve the request for minor subdivision. Seconded by Supervisor Peterson, the motion carried.

Jeff and Julie Nelson, 14223 10th Street, Fence Request

Jeff and Julie Nelson, 14223 10th Street, appeared before the board to review a request for a 3 rail vinyl fence. The ordinance indicates that a certificate of compliance is required. Supervisor Peterson moved that Ms. Agrimson draft a letter indicating that installation of a vinyl fence, 3 rails high, located no closer than 6 inches off the property line and not in the road right of way is allowable under Township Code as a compliant use. Supervisor Kylo seconded the motion. The motion carried.

Mike and Susan Hall, Driveway Variance

Mike and Susan Hall appeared before the board to discuss a variance to allow for a driveway installed in error over the property line. The control box for the sprinkler system is 15 feet on the neighbor's property. The Hall's purchased the home with the driveway located improperly. If the driveway is moved to the property line, cutting off 6 inches, and the irrigation system is moved, the neighbor would be amenable to the variance. No application is being submitted at this time. A public hearing would be convened at the next regular meeting.

The board discussed how best to ensure that future construction would be compliant. The recommendation was to require a certified survey and grading plan.

Alvin Roth, 2654 Neal Ave, Request for Minor Subdivision

Mr. Roth provided a copy of the survey indicating a split for 3 additional lots in addition to the original lot. The request would include combining three separate neighboring parcels into the three lots, so there would be a net increase of only one parcel. A ruling was under consideration by Washington County to determine if this request is a minor or major subdivision. A major subdivision would apply if this is considered as 4 lots, so this would qualify under the current Township Ordinances. Mr. McDonald recommended that the request provide more detailed definition of the request, in terms of the parcels being combined, and restructured. The request was referred to the planning commission. Mr. McDonald also noted that Mr. Roth was a client of Ray Marshall, a partner in his office. Mr. Roth will initiate the process as a minor subdivision, with a waiver of the time limit requirements, to allow for review.

Joint Powers Agreement, Middle St Croix Water Management Organization

Mr. McDonald reviewed the joint powers agreement, and saw no concern with the document outside the terms required to vacate the agreement. Supervisor Kylo moved that the board sign the agreement. Supervisor Peterson seconded the motion. The motion carried.

Supervisor Kylo moved to appoint Chairman McPherson as the Township representative to the Water Management Organization, and Supervisor Kylo as the alternate member. Seconded by Supervisor Peterson, the motion carried.

Review Process:

Supervisor Kylo asked for clarification of when the time for completion of a variance or subdivision would start and end. Mr. McDonald is of the opinion that the time period for review begins when the application is filed, fees are paid, and all documentation has been submitted. An extension can be requested when needed, or the board may act negatively when insufficient time is available for complete review.

The board discussed how quickly remaining escrow funds should be returned. Funds need to be held for sufficient length of time to allow for all charges to be completed. Supervisor Peterson moved to increase the escrow for public hearings to be increased to \$600 effective January 1, 2006. Seconded by Supervisor Kylo, the motion carried.

Additional Business:

Resolutions for previously completed operations for variances for Brian Maus, Steve Lockwood and Dennis Stokirch were presented for signature. The resolution to enact the Bow and Arrow hunting ordinance was presented for signature.

A review of the Sunday liquor license process was proposed. Washington County is requesting a review of the local ordinances ensuring the necessary actions for compliance have been completed. Washington County, in absence of conflicting documentation, will assume all necessary actions are done to ensure compliance have been completed when an application for liquor license is received.

West Lakeland Township Regular Meeting

December 12, 2005

Oak-Land Jr. High School

A resolution relative to HAVA mandates expected to take effect in 2008. The resolution stated opposition to adding unfunded mandates to the legislative process, in particular for local election services. Chairman McPherson signed the resolution.

Supervisor Peterson moved to authorize a gift certificate for \$75 for Santa to the Lake Elmo Inn. Seconded by Supervisor Kyлло, the motion carried.

The board requested Mr. McDonald prepare an amendment for review to set the driveway setback to 10 feet.

The demolition permit is still pending with review by the planning commission.

The date for the next regular meeting was set for January 17th, and the budget meeting for January 18th.

Adjourn:

Having no further business, Supervisor Peterson moved to adjourn the meeting. Seconded by Supervisor Kyлло, the motion carried. Chairman McPherson adjourned the meeting at 9:55 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