

WEST LAKELAND TOWNSHIP

Regular Meeting

April 14, 2008

7:00 p.m.

Oak-Land Jr. High School

Present:

Chairman Dan Kylo, Supervisor John McPherson, Supervisor Ron Goette; Ed Semrud, Treasurer; Matt Woodruff, Engineer; Scott McDonald, Attorney; Duane Stensland, Building Inspector; Ray Swanson, Planning Commission Chair; Sue Agrimson, Clerk; Elizabeth Vance, Deputy Clerk

Call to Order

Chairman Kylo called the regular meeting of the West Lakeland Town Board to order at 7:05 PM.

Approval of the Minutes

The board considered the minutes of the March 3, 2008 meeting. Minor corrections were made to the document. Supervisor McPherson moved, seconded by Supervisor Goette, to approve the minutes as amended. The motion carried.

Treasurer's Report

Mr. Semrud presented a revised report for February and the report for March. Revenues reflected income of \$969 and expenditures for the month totaled \$44,000. There are sufficient operating funds through May, when a CD will mature. This should provide sufficient operating funds through the next property tax disbursement. Supervisor Goette, seconded by Supervisor McPherson moved to accept the report as presented. The motion carried.

Review and Pay Bills

The bills include a notice documenting the electronic filing of withholding taxes to the state of Minnesota. Chairman McPherson asked about the balance due on the invoice for EOR. The board had agreed that the work performed on this contract would not exceed \$10,000. The first invoice paid in 2006 was for \$6,196. Supervisor McPherson moved to authorize payment of the invoices presented, with an adjustment of the payment to EOR to \$3,804 to total the contract limit of \$10,000. Seconded by Chairman Kylo, the motion carried.

T Mobile Cell Antenna

Mr. Tom Yang, representing T-Mobile, appeared before the board to initiate a request to collocate an additional antenna on the existing Xcel Tower in West Lakeland. The tower is the middle of the three towers currently located in the utility easement on the Bischoff property. This appears to be a permitted use, with a certificate of compliance. The antenna will add an additional 4 feet to the current 120 ft tall tower. The purpose of the additional antenna is to extend carrier range into this zone. Tom Yang (FMHC Corp) representing T-Mobile to request an attachment of cell antenna onto existing Xcel tower in West Lakeland. Formal submission of the request is expected in June.

WEST LAKELAND TOWNSHIP

Regular Meeting

April 14, 2008

7:00 p.m.

Oak-Land Jr. High School

Single Lot Subdivision, David Jordan, 12475 12th Street

Mr. David Jordan appeared to present a request for a simple lot split reviewed in concept at the March regular meeting. Mr. Woodruff requested that final approval should be contingent on including detail of the normal and high water marks that were not indicated on the plan. Since the concept plan, the lot lines have been adjusted to be compliant with the zoning ordinances. Mr. Woodruff had no serious concerns, and minor considerations were outlined in a memorandum to the board. These concerns are generally standard conditions placed on lot approval. Supervisor McPherson moved to approve the lot split, and authorize Mr. McDonald to prepare a resolution documenting the approval. Seconded by Supervisor Goette, the motion carried.

Verizon Cell Tower, 15001 Hudson Blvd

Mr. Rob Viera of Buell Consulting appeared before the board representing Verizon in a concept request to install a cell monopole tower on the property at 15001 Hudson Blvd, owned by Tower Asphalt. The proposal is to install at 145 foot monopole. There is currently a tower on the site, holding three antennas. To add an additional antenna to that tower would cause the tower to exceed the maximum allowable height. The proposed monopole can hold two additional antennas. This is a new construction, and would require a public hearing for the conditional use permit. Creating a new tower is, for Verizon, more cost effective and more appropriate than other options. No action was taken at this time.

Variance Request to Replace Accessory Buildings, 14223 10th St

Jeff and Julie Nelson appeared before the board to discuss the concept of a variance request to remove three existing accessory buildings and replace with two accessory buildings for a total of 4,728 square feet on 16 acres. The buildings being proposed for removal are older, and are in need of refurbishment, and not usable for the purposes desired by Mr. and Mrs. Nelson. The current square footage of the buildings is 6,500. The proposed replacement buildings total 4,800 square feet. The proposal is complicated in that the 16 acres owned by Mr. and Mrs. Nelson is contained in two tax parcels. Considerations to the variance include the fact that the buildings being replaced are pre-existing, with a movement toward, if not completely within, compliance. A second option is for the Nelson's to combine the parcels, to prevent selling a lot with an accessory, but no primary, structure. The requested structures are in compliance if the 16 acres are within a single lot. The current proposal includes a 36x36 building on the 5 acre plot, and 3,500 sq foot structure on the 11 acre lot. Neither building, on the lot as currently described, meets the zoning ordinance. Supervisor Goette inquired if the structure could be considered a replacement, since it will be mostly situated on the current footprint of the building. The major concern of the board was not the buildings, but the potential of having a sellable lot with an accessory structure and no primary structure. Hardship considerations may include the fact that the buildings are preexisting, and becoming unusable, and the structures proposed are moving toward compliance. No actions were taken at this time

WEST LAKELAND TOWNSHIP

Regular Meeting

April 14, 2008

7:00 p.m.

Oak-Land Jr. High School

Accessory Structure with no Primary Residence, lot 2, Magler Addition

Mr. Daniel Ruza, the landowner, appeared before the board to provide an update on the process toward compliance. The lot currently contains an accessory structure with no primary residence. The intent is that septic system approval and final building plans would be completed shortly. Construction on the primary residence is to begin by mid-May. A new permit request is expected for this construction. Mr. Ruza is continued to be prohibited to access the building.

Street Repair Bids

Mr. Woodruff presented the bids received for the proposed street work. Six bids were received, with all bids being accompanied by a bid bond. Bids were received from the following firms: Aslakson Blacktop, \$63,351.98; Northwest Asphalt, \$52,932.85; Astech Corp, \$58,819.50; Valley Paving, \$56,299.50; Tower Asphalt, \$52,648.29 and Harddrives Inc, \$57,680.65. Mr. Woodruff's recommendation is to award the bid to Tower Asphalt. Supervisor McPherson moved to approve the bid from Tower Asphalt. Seconded by Supervisor Goette, the motion carried.

The second project for street work was the crack and seal coat project. Four bids were received for this bid, but after discussion, it was agreed to contract the crack sealing of this portion of the bid to Fahrner Asphalt. The cost from Fahrner Asphalt is \$1.20 per pound for service, competitive with the bids received. There is a history of satisfactory service from this firm in the past. Supervisor McPherson moved, seconded by Supervisor Goette, to award the crack sealing to Fahrner Asphalt.

The remaining work for seal coat had four bids received. The bids were received from the following firms: Allied Blacktop, 51,993.70; Pearson Brothers, \$57,366.81; Astech Corporation, \$54,829.72; and Fahrner Asphalt, \$57,665.74. Mr. Woodruff's recommendation is to award the contract to Allied Blacktop. Supervisor McPherson moved, seconded by Supervisor Goette, to award the seal coat bid to Allied Blacktop. The motion carried.

Mr. Woodruff will provide the approved bids to the contractors, and arrange for construction meetings in May, with work to commence in June.

New business

Street Sweeping

Supervisor McPherson received bids from Miller Excavating and Tower Asphalt for street sweeping. The best bid was received was from Miller Excavating, with the sweeper at \$92.50 per hour, and a truck for a limited hour duration at \$76 per hour. Supervisor McPherson moved to award the contract to Miller Excavating. Seconded by Supervisor Goette, the motion carried. Supervisor McPherson commented that during the inspection, he has noticed some drag and grading along the streets which has caused damaged to the vegetation that may cause drainage issues.

Proposal for Nitrogen based byproduct disposal

A request was received from Mountain Environmental to process a nitrogen based byproduct from making cheese as fertilizer. At present, this is a concept proposal, with

WEST LAKELAND TOWNSHIP

Regular Meeting

April 14, 2008

7:00 p.m.

Oak-Land Jr. High School

no actual request processed. Concerns were raised about the volume of water that might be processed as part of this proposal and concerns over potential erosion.

New Business

Supervisor Goette will represent the board in responding to the response from the letter to Mr. Buelow regarding plowing of Township roads.

Dr. Swanson asked the board for guidance on correspondence received relative to the Wetland Conservation Act. After discussion, it was determined that response to this request should be coordinated with Valley Branch Watershed District and the Middle St Croix Water Management Organization.

Mr. Tom Casey contacted Chairman Kyлло requesting guidance on the review of materials received from the MPCA regarding the environmental impact statement for the proposed fly ash disposal site. It was agreed that Supervisor Kyлло will receive the documents and provide to the board members for review.

Supervisor Goette moved to move the June regular meeting to June 2d. Seconded by Supervisor McPherson, the motion carried.

Adjourn

Supervisor McPherson moved to adjourn the meeting. Seconded by Supervisor Goette, the motion carried. Chairman Kyлло adjourned the meeting at 10:03 PM.

Respectfully Submitted



Elizabeth A. Vance
Deputy Clerk