

WESTLAKE LAND TOWNSHIP

Regular Meeting

July 11, 2011

7:00 p.m.

Oak-Land Jr. High School

Present: Chairman Dan Kylo, Supervisor Dave Schultz, Supervisor Steve Ebner, Mr. Ed Semrud, Treasurer; Ms. Sue Agrimson, Clerk; Mr. Scott McDonald, Attorney; Mr. Duane Stensland, Building Inspector, Larry Boher, TDKA, Township Engineer, Mr. Dave Dubai, Planning Commission Chair

Call to Order

Chairman Kylo called the July 2011 regular meeting to order at 7:04 PM.

Approval of the Minutes

Minor typographical errors were corrected in the minutes presented for the June 13, 2011 meeting. Supervisor Ebner moved to approve the minutes with the typographical errors corrected. Seconded by Supervisor Schultz, the motion carried.

Treasurer's Report

Mr. Semrud presented the treasurer's report for June, 2011. The report reflected receipts of \$14,000 and expenses of \$45,000. Second half payment of property taxes is expected in July. Supervisor Schultz moved to approve the report as presented. Seconded by Supervisor Ebner, the motion carried.

It was noted that the cost associated for the 2011 clean up days was \$13,563.50, approximately \$6,000 less than the 2010 cost. This was attributed to the reduced hours of operation. The clerk, Ms Agrimson, was directed to work with Mr. Semrud, treasurer, to determine how the volume of product collected compared 2010 to 2011.

Review and Payment of the Invoices

Supervisor Ebner moved to pay the invoices presented. Seconded by Supervisor Schultz, the motion carried.

Friends of Washington County

The budget for 2011 included a potential pledge of \$10,000 for the Friends of Washington County. This organization has been doing detail work on the drafting of landfill siting rules, and providing for the necessary technical review of these proposed rules. At the last presentation before the board, Mr. Mark Hugunin of the Friends of Washington County noted that there may be additional expenses for the organization to complete the review of these rules. After discussion, Chairman Kylo moved to authorize payment of \$10,000 to the Friends of Washington County. Seconded by Supervisor Schultz, the motion carried.

Moratorium for Dog Kennel Permits

The revisions under consideration in the revised draft town code include significant changes to the management of dog kennels. Mr. McDonald reported back to

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the board on the ability to put a moratorium on kennel permits pending the completion of the approval of the draft. Mr. McDonald reported that a moratorium was feasible, but the permit requested at the previous meeting by Mr. Rith Yann should be completed since it was filed before the moratorium was put into effect. Mr. McDonald suggested that an extension of 60 days be requested of Mr. Yann to allow for sufficient time for review and a public hearing. Ms. Agrimson was directed to notify Mr. Yann of the extension and to schedule the hearing for the August regular meeting.

The board discussed a draft interim ordinance detailing a moratorium on new kennel permits for up to one year. The purpose for the moratorium is to allow time to investigate how best to manage private kennels. Chairman Kylo moved to adopt the draft ordinance as presented. Seconded by Supervisor Schultz, the motion carried. Mr. McDonald was directed to prepare a resolution documenting the adoption of the moratorium.

Township General Liability and Errors and Omissions Insurance

The board reviewed the Township's general liability and errors and omissions policy currently with the Minnesota Association of Townships. MAT has notified West Lakeland that it will no longer carry separate policies, and the two need to be combined by the expiration date of September 30th.

The board discussed the various differences between the policy offerings. Generally, the board preferred the offering with Country Insurance, noting the broader tail coverage, reduce costs and better levels of service. Ms. Agrimson and Mr. Semrud were directed to review the deductibles on that policy offering. No action was taken at this time.

Construction Project for 22d Street North

Mr. Dupay has compiled a summary page and the necessary information to apply for funding for this project from the Minnesota Department of Transportation Municipal Agreement Program. Part of the application is a resolution from the board indicating that the township desires the funds and that, if accepted, the project will be completed as detailed. The basis for the request is for necessary improvements since the last work was done by the State of Minnesota and is to correct safety concerns with the intersection.

Mr. Boher noted that the grant process is competitive, and standards may vary year on year. The funds must also be used to comply with the standards and requirements detailed by the State Department of Transportation.

Supervisor Schultz moved to accept the resolution and apply for the grant funds. Seconded by Supervisor Ebner, the motion carried.

Artisan Letter of Credit

Mr. Gus Thill, on behalf of the Artisan development, is looking for an extension for the letter of credit guaranteeing work on this development. The delay will allow for more lots to be sold and to have more housing constructions completed. The base course

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for the roads was inspected last September, and found to be in good condition. Mr. Thill is pending approval from the bank for this extension. If the extension is not approved, the board is recommended to take action at the next regular meeting, to allow all work to be completed prior to the expiration of the current letter of credit on September 30, 2011.

Mr. McDonald noted that the number of extensions have caused some time to pass since the developer's agreement has been signed. He suggested it be reviewed to determine if it needed to be updated to reflect a more current timeline. Mr. McDonald will review to determine if an amendment is appropriate.

Open issues with the development include the final wear course on the roads, trees in the right of way, one missing street sign, and the as build record drawings.

Artisan expiration of letter of credit

Supervisor Ebner moved to direct Mr. McDonald to review the developer's agreement to manage the risk to the township, and authorize a one year extension on the letter of credit and open work pending receipt of an extended letter of credit from Mr. Thill. Seconded by Supervisor Schultz, the motion carried.

TKDA Engineering Changes

Mr. Boher attended the Township meeting as the manager of TKDA's municipal engineering division. He notified the board that Mr. Ryan Stempki, formerly assigned to WestLakelandTownship, has resigned from the firm. New candidates will be presented to the board.

Mr. Boher also noted the resignation of TKDA as the engineer of record for the city of LakeElmo. As the engineer for 3M, there is a conflict of interested in representing both parties due to recent legal action taken by LakeElmo and the Minnesota Pollution Control Agency. There should be no impact on the firm's service to WestLakelandTownship.

Public Comment

Chairman Kylo asked for any public comment, and received no comment.

Additional Business

The resolution documenting approval for the variance requested by Mr. Charles Bischoff discussed at the June regular meeting was presented for signature.

The board reviewed a letter from Metropolitan council regarding the 2010 census. The estimated population of WestLakelandTownship is 4,046, with 1,283 households, 3.15 persons per household.

Mr. Boher reported that the sealcoating of streets, part of a joint project with LakeElmo, were completed today.

Chairman Kylo announced a working meeting Wednesday, July 13, 7 PM at Oakland Jr High School to continue review of the ordinance recodification. He provided additional updates for the supervisors to review in preparation for that meeting.

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T-Mobile has withdrawn the request for a cell tower discussed at the June 2011 regular meeting. No action is required at this time. A new request will be initiated, if appropriate, at a future date.

The state has been contacted for a speed study on Nolan and Neal. The County has been contacted for a traffic count study on 22nd Street.

Ms. Agrimson noted that Washington County will provide the necessary testing of wells in the Well Advisory area. The county and state are working to streamline and improve the requirements for well monitoring and testing in the advisory area.

Adjourn

Having no further business, Supervisor Schultz moved to adjourn the meeting. Seconded by Supervisor Ebner, the motion carried. Chairman Kylo adjourned the meeting at 8:47 PM.

Respectfully Submitted

A handwritten signature in cursive script that reads "Elizabeth Anne Vance". The signature is written in black ink on a light-colored background.

Elizabeth A. Vance
Deputy Clerk