

WEST LAKELAND TOWNSHIP

July 11, 2016

7:00 p.m.

St Lucas Church Community Room

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Carrie Seifert, Clerk; Mr. Scott McDonald, Township Attorney; Ms. Marsha Olson, Treasurer; Mr. Duane Stensland, Building Inspector; Mr. Ryan Stempiski, Township Engineer

Call to Order:

Chairman Kylo called to order the regular July 2016 meeting of the West Lakeland Town Board at 7:00 PM

Approve the Minutes:

Supervisor Schultz moved to approve the minutes with minor corrections. Seconded by Supervisor Ebner, the Motion Carried.

Public Comments:

Ms. Lisa Ranum, 13565 4th St N, suggested Tiller provide an alternative date for a public tour of the Empire Asphalt Plant, as the planned tour was scheduled over the week prior the 4th of July, and some may have not been able to participate in the tour because of the holiday. Ms. Ranham also asked how citizens may get more information about the Prairie Island Tribe's request to designate the recently purchased land in West Lakeland as Federal Trust Land. Chairman Kylo noted the township was still learning about the process, but will be given an opportunity to provide comment to the BIA prior to the decision. Supervisor Ebner suggested reading the Prairie Island Tribal Newsletter for additional information. This is a long process, and may take two to eight years to complete.

Mr. Jeff Hause, 2420 Oakgreen Ave, asked what influence the Township would have if the land were designated as Federal Trust Land. If the designation is granted, local zoning ordinances would not apply.

A casino would require additional federal and state approvals.

Mr. Vince Anderson asked about the posting of May minutes. This was an oversight. He also asked about the change in venue for the meeting. The clerk described the effort to find a new location since the school is impacted by construction. As soon as a new site was confirmed, the information was posted. Mr. Anderson then asked about the discrepancy between the Met Council guidelines for the township, and the current zoning. The Met Council guidelines do not supersede zoning. Mr. Anderson asked about the street sign on 22nd Street. Supervisor Schultz confirmed it would be installed within the week.

Federal Trust Land Application:

Chairman Kylo provided a summary of the meeting he, Mr. McDonald and Mr. Dave Dupay had with the president, Shelley Buck, and General Council from the Prairie Island Tribe. The intent of the meeting was to begin a relationship, get to know the players, and start an informal dialog. No commitments were made by either party. Chairman Kylo was left with the idea that a casino is not a priority for use, and that the tribe would prefer to use the land for housing or other development. However, a casino is not expressly excluded. When asked about the process, it was noted that the BIA would be providing more details about the process, the rights of the local communities, and a potential schedule of activity. Chairman Kylo said there were speculations and rumors among the local residents. The tribal officials were open to a public meeting. There was also discussion on how the tribe

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manages housing. The land remains in the ownership of the tribe, and assigns lots to the members. If a family violates tribal rules, the land assigned can be taken away. The type of housing typically seen on Federal Trust Land is largely driven by the difficulty in obtaining financing for standard construction on land not owned by the borrower. The tribe is working to address that issue.

Supervisor Ebner noted the first issue for the township is to address the application for inclusion as Federal Trust Land. Land use is a secondary issue. Mr. McDonald noted his objective is to understand the factors and processes for approval by the BIA, so that the Township's input can be crafted around those factors.

Recodification of Township Ordinances:

Attorney Torseth of Lawson, Marshall, McDonald and Galowitz, PA, appeared before the board to provide the results and recommendations after completing the process to classify the township ordinances to comply with the requirements of the MNCIS system. She provided a copy of the spreadsheet detailing the township ordinance violations and potential charges that were provided to Washington County for inclusion in the system. The second document identified ordinances that might generate a violation, and estimated fees. The third document was a memo summarizing the recommendations. This initial recommendation allowed the data to be loaded into the MNCIS database. The board was asked to review the recommendations, and determine if any amendments need to be made. Mr. McDonald noted that they currently prosecute very few violations.

Burr Oaks Development

Mr. Joe Bush, the developer, was not available for the discussion. The latest plans were presented to the board by Milo Horak, a representative of LandMark Survey. They are looking for conditional approval. Mr. McDonald noted that conditional approval was given based on a number of conditions. The conditions included completion of the developer's agreement, which is pending a completed letter of credit. Mr. Stempski is pending some additional information to calculate the cost of improvements needed to set the target value of the letter of credit. Valley Branch Watershed District has approved the proposal. Mr. Stempski noted that the major comments have been addressed, and plans are in compliance with the zoning ordinance. Once the developer's agreement and other conditions have been completed, the subdivision final proposal can come before the board.

Autumn Run 2 Development

Mr. Jeff Hause appeared to discuss preliminary plat approval for the Autumn Run 2 subdivision. This was proposed in 2006, but was delayed due to court activity. Those issues have been resolved. The preliminary plat approval is no longer valid, and must be reconsidered, with a new public hearing. It was noted that there were open issues with the small section of land extending to Oakgreen Avenue, and the lot line between lots 10 and 11. Mr. McDonald made the disclaimer that Mr. Hause is a client of his firm. Mr. Dupay suggested the drawing be reviewed to ensure they reflect current zoning and water management standards.

Treasurer's Report:

Ms. Olsen presented the report for June, reflecting expenses of \$56,697 and receipts of \$24,274. This brings the balance of net assets of the Township to \$1,522,000. Supervisor Ebner moved to

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approve the treasurer's report and pay the invoices presented. Seconded by Supervisor Schultz, the motion carried.

Middle St Croix WMO Resolution for Boundary Change

Chairman Kylo clarified that West Lakeland is not required to hold a public hearing on the boundary changes between Middle St Croix WMO and Valley Branch WD. The hearing is held at the BWSR level. The clerk was directed to send the signed resolution indicating township support of the change to the WMO.

Amendment of Ordinance Section 10, Home Occupation

Supervisor Ebner presented a revised draft of the proposed Section 10 regarding Home Occupations. The changes were based on additional review by the planning commission and comments from the first public hearing. Although minor, there have been enough small changes to support a second public hearing for the amendment. The clerk was directed to schedule the hearing for the next regular meeting.

Additional Business

Supervisor Schultz provided an updated on the Lake Elmo Airport improvements. The proposal passed the technical advisory committee, and will go before the Technical Advisory Board on July 20.

The board signed the resolutions approving the election judge slate and the purchase of services agreement with the Youth Service Bureau.

Supervisor Ebner noted the results of weed inspections, noting he has seen a lot of wild parsnips. Washington County, for those in the county road right of way, and concerned homeowners were notified.

Chairman Kylo will start planning for culvert maintenance based on the inspections completed last fall. An estimate of cost will be available in August.

The board received a letter of resignation from Ms. Rinkenberger, Deputy Clerk. A proposal for replacing her position will be discussed at the August regular meeting.

Mr. Dupay suggested the township develop a plan to digitally scan their records for backup and retention.

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 900 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary