

## WEST LAKELAND TOWNSHIP

June 13, 2016

7:00 p.m.

Baytown Town Hall

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

### **Call to Order:**

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

### **Approval of the Minutes**

Supervisor Ebner moved to approve the minutes of the May 2016 regular meeting as corrected. Seconded by Supervisor Schultz, the motion carried.

### **Treasurer's Report:**

Ms. Olsen presented the treasurer's report for May 2016. The report reflected \$47,050 in receipts and \$95,537 in expenses. Dave Schultz moved to approve the report. Seconded by Supervisor Ebner, the motion carried.

Supervisor Ebner moved to pay the invoices presented by the clerk. Seconded by Chairman Kylo, the motion carried.

### **Public Comment**

Ms. Joan Ulrich asked of the status of the amendments to the Home Occupation section of the town code. Supervisor Ebner noted the action was tabled at the last discussion, and is still pending action by the board.

Mr. Jim Franklin asked if the conditional use permit for the Century Truck Driving School provided for restrictions on which roads the trucks could travel. Because most of the site, and the site on which the school sits, is within Afton, Afton has jurisdiction on the activity. West Lakeland participates in revenue sharing. Supervisor Schultz noted that the roads being used are county roads, and the trucks are within the weight restrictions for those roads. To the board's knowledge, the school has not operated any trucks on township roads.

### **Prairie Island Tribal Council Request to Meet with Town Board**

Chairman Kylo noted that he was approached by representatives of the Prairie Island Tribal Council regarding the 112 acres purchased last year at the corner of I94 and Manning Avenue. The Council would like to meet with the board, or a representative of the board, to discuss their intentions for this land. The tribe has submitted an application to the Bureau of Indian Affairs to have the land included in the Federal Trust Land. The request is a result of a 2003 Minnesota State Law to allow the Prairie Island Community to purchase up to 1,500 acres within 50 miles of the reservation and place that land in the Federal Trust Land to compensate for the land lost for the power plant and the lock and dam placed on reservation. Mr. McDonald noted that if the property were to be put into the Federal Trust Land, the land would be exempt from local zoning regulations and property taxes. The process to review this request can take 2-3 years, and will have a period for comment from the impacted communities. There have been agreements in the past to provide compensation for loss of revenue to

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the impacted communities. This is an area for which the township will need to get additional information and assistance.

Ms. Cheryl Rock noted she had heard an interview with Minnesota Public Radio where the tribal leadership discussed their interest in the property, and that interview indicated that the initial thought was to provide for tribal housing. She hopes that they would hold with the same zoning standards as the surrounding community. Ms. Rock suggested that the idea of a restricted, private meeting would add to the stress of the community as they worry about what will become of the land. She would prefer the discussions be in a more open forum.

Mr. Schmitt asked if the land were put into Federal Trust, how services were to be provided. Mr. McDonald noted that is most likely one of the considerations that the BIA will take into account in the decision to add this property to the Federal Trust Land. The tribe needs to demonstrate that the land can be feasibly governed and will benefit the tribe.

Mr. Mark Votava suggested the opinion that the tribal council would be willing to negotiate to be able to start with a positive relationship with the local community.

Ms. Mary Kay Peterson suggested the idea that the Tribal leadership wants to be good neighbors and work with the community, and the request for private discussions is contradictory. She is concerned that multiple family housings will be placed on the site, and the development will not be to the standards of the neighboring properties.

Mr. McDonald noted that there needs to be a proposal before the board can say if they are in support or opposition of that action. A single board member does not have the authority to take any action. The courtesy of a meeting to derive the facts and explain the action can provide a framework for future action. When asked about the process of putting the land into the Federal Trust Land, Mr. McDonald replied that we need to learn more about the process, but has been told the process can take two to three years, and the township will have the opportunity to comment.

Mr. Mike Olson raised the hope that if the land is designated as part of the Federal Trust Land that the Tribal leadership would continue to act as a good neighbor and work in good faith with the Township. He raised concern with heavier land uses, such as apartments or a casino, would stress the local water quality.

Chairman Kylo noted that the size of the parcel will limit some of the possible uses, and there would be a discussion to ensure that necessary services for any use could be provided. He expressed the opinion that without a relationship or dialog the township's ability to influence the process is lessened. Chairman Kylo noted that there is a lot that is not yet known, and the process is only beginning. There are a lot of questions to be discovered and addressed. At this time, Chairman Kylo and Mr. McDonald, who have had the initial conversations, indicated the tone was friendly and conciliatory in nature. The request was just received in the past week, and the board and staff need to learn the process of the BIA approval and need to develop a better understanding of the intention of the Tribe with regards to the land. The board does not have any answers, and the process will take time. Washington County Commissioner Kriesel noted that he and the County planning staff have also been approached with a similar request.

After discussion, Supervisor Ebner moved to authorize Chairman Kylo and Mr. McDonald, Township Attorney, to meet with Prairie Island Council board member and attorney. Seconded by Supervisor Schultz, the motion carried.

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## **Country Insurance Review**

Mr. Chris Sauro met with the board to review the township's insurance requirements. Packets of the current insurance coverage were provided to each board member and clerk. There were no changes in insurance requirements over the past year.

## **Public Storage Building on County Road 21 and Hudson Blvd**

Mr. Steve Nelson, West Lakeland Freeway Properties, approached to board to consider the concept of building a public storage building on the 1.6 acres at County 21 and Hudson Blvd. The property is currently under dual zoning, zoned highway commercial by the Township and Residential by Washington County. Under the current regulations, the County would need to change the zoning. No formal request was made at this time.

## **Town Posting Board and Meeting Notices**

Ms. Seifert presented to the board her findings that the staff has been posting meetings which were not strictly required to be posted, at a cost of approximately \$600 per year. These meetings include, for example, attendance at the Planning Commission or Gateway Alliance. Attendance at training is also not required to be posted. She suggested that special meetings be posted on the posting board, and that the clerk maintain a list of regularly scheduled meetings and post them on the website. After discussion, the board concurred that only those meetings required to be posted be posted, and all others would be maintained on the website and with the clerk.

## **Youth Services Bureau**

The Youth Services Bureau has sent a request to the Township for \$500 for annual services to provide outreach and counselling services for youth and families. Ms. Seifert was asked to get a copy of the service agreement.

## **Recycling Program Contract**

Ms. Karen Rickman, Service on Shoestring, presented a proposal for a recycling contract for May 2016 to May 2017. The proposed work projects include inserts for the Township newsletter, relook at website contents regarding trash and recycling, and focus on reduction of waste. Ms. Rickman would also represent the Township at the Recycling Coordinator's Meetings. A potential project would be to look at Clean Up Day to see how the cost and waste impacts might be reduced. Fees are based on the estimate of hours worked. Supervisor Schultz moved to renew the contract. Seconded by Supervisor Ebner, the motion carried.

## **MS4 Audit by MPCA**

The MPCA audited the township's compliance with the requirements for public education and outreach. For this service, the township contracts with Ms. Angie Hong of the East Metro Water Management Organization. The audit was passed.

## **Road Maintenance**

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The work on 10<sup>th</sup> St and Manning Avenue has been moving forward, with the eastern section of 10<sup>th</sup> Street to be closed in early July. County Road 21 is scheduled for repair in 2018

Patching and sealcoating of Township roads are to be done in the next month. Mowing of township roads is ongoing.

Supervisor Ebner moved to notify MnDOT that the Township has no concerns if Washington County assumes control of the bike path adjacent to the rest area on I-94. Seconded by Chairman Kylo, the motion carried.

### **Records Retention**

Washington County has hired a records retention manager, and it was discovered that the County has been retaining more records than necessary from the municipalities. The board agreed that those records pertaining to West Lakeland Township should be reviewed before the records are destroyed.

It was suggested that the Township work with the Washington County Historical Society to provide for archival storage of the Township's official records.

### **Additional Business**

The board signed the resolutions passed at the last regular meeting.

The board reviewed the contract with the Washington County Assessor's Office to provide services of assessment and taxation for the Township. Chairman Kylo moved to approve the contract. Seconded by Supervisor Ebner, the motion carried.

Mr. McDonald provided an update on the violation of Mr. Bob Lind's home occupation permit. Mr. McDonald will send to the board for review the language of the complaint.

Ms. Seifert was directed to add the recodification of the township ordinances to comply with County requirements for processing complaints to the agenda for the next regular meeting.

Ms. Seifert was directed to schedule a public hearing regarding the change in boundary between the Valley Branch Watershed District and the Middle St Croix Water Management Organization.

Supervisor Schultz provided an update on the status of the proposed changes to the Lake Elmo Regional Airport. The proposal passed the technical advisory committee, and is scheduled to go before the Met Council on August 10.

Washington County has come across discrepancies between addresses, parcel data, road files and the master street guide. Supervisor Schultz, as he is currently addressing some of these issues, will be forwarded as the point of contact for resolving these issues.

Mr. Stensland reported that clean up days went well, and the support from Tennis was more than satisfactory.

Chairman Kylo was contacted by Mayor Pearson of Lake Elmo regarding cost sharing for a park on the corner of 10<sup>th</sup> and Manning. The board informally agreed to participate in payment for playground equipment. The board does not support funding for tennis courts. Chairman Kylo will respond to Mayor Pearson.

It was noted at the Manning Avenue Corridor Stakeholder's Meeting, Lake Elmo will not extend sewer and water beyond the city boundary.

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**Adjourn:**

Having no further business, Supervisor Ebner moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion carried. Chairman Kylo adjourned the meeting at 9:56 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Elizabeth Anne Vance". The signature is written in a cursive style and is positioned above the printed name.

Elizabeth Vance  
Recording Secretary