

**MINUTES
TOWN BOARD EXECUTIVE MEETING
MARCH 25, 2016**

The meeting was called to order at 12:00 p.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Attorney: Lemmons; Finance Officer: Kelly; Planner: Riedesel; Engineer: Studenski; Clerk: Short.

APPROVAL OF AGENDA (Additions/Deletions): Prudhon moved approval of the agenda with the following amendment: Add to 1:00 p.m. Bryan Desmet presentation: Tom Snell, WBLA Chamber of Commerce and Mike Downing, Friends of White Bear Lake legislative activities. Ruzek seconded. Ayes all.

APPROVAL OF FEBRUARY 26, 2016 MINUTES: Prudhon moved approval of the February 26, 2016 Meeting Minutes. Ruzek seconded. Ayes all.

DNR GROUND MANAGEMENT – UPDATE: The Clerk reported that the he received an email from Barb Naramor, DNR Deputy Commissioner, on March 24, 2016, regarding legislative language that the DNR has been asked by the Legislative delegation to provide by March 25, 2016. The augmentation supporters have persuaded the delegation to ask the DNR to add language to the Water Supply Sustainability Bill that is currently before the legislature regarding water quality, as it relates to augmentation and engineering cost estimates of augmentation. Barb Naramor said that the language that the DNR composes will be forwarded to the participants of the settlement on Friday. The Clerk noted that the water supply sustainability language is required by the terms of the settlement agreement. The DNR is committed to getting the legislature to pay for preliminary design to convert surface water for the communities. The DNR is being pushed by pro-augmentation people. The City of Vadnais Heights has passed a resolution opposing any augmentation efforts.

I & I PROGRAM – UPDATE: The Engineer reported that the sewer lining activity will be wrapping up in the next few weeks for the project north of H-2 and west of West Bald Eagle Boulevard. Next Monday the sewer lines on Buffalo Street will be televised. The Engineer will come back with any improvements that need to be made. The Engineer is working with the Town Attorney who is working with Ramsey County to obtain any documents relative to an easement for Lift Station No. 3 and the sewer line. The Town

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wants to keep moving forward with the lift station project and do not want to be held up with ownership problems.

SOUTHEAST AREA SANITARY SEWER LINING – FEASIBILITY REPORT / MEETING DATE UPDATE: The Engineer reviewed proposed residential unit and commercial unit assessments for the sanitary sewer lining project. He reported that total assessments would equal \$1,142,500.00 of the \$1,713,000.00 total project cost. Remaining project cost of \$570,500.00 would come from the Sanitary Sewer Fund. It was noted that whatever is done for this larger project would have to be done for smaller neighborhood projects that have clay pipes. The Finance Officer reported that the Town could issue bonds and pay over time or pay up front. Another option is to transfer the funds as part of the annual transfer over time. It was the consensus that the assessment of \$2,500 per unit with a ten year term is feasible. The Engineer will set up neighborhood meetings at the South Shore Trinity Church in their Fellowship Hall. Either April 19th or April 26th appears to be open dates at the church. The meeting would be scheduled from 6:30 p.m. – 8:00 p.m. The meeting place and time will be scheduled at the first Town Board meeting in April.

WATER SUPPLY PLAN – UPDATE: On October 1, 2015 the MN DNR sent a letter to public water suppliers stating that all public water suppliers that operate a public water distribution system that serves more than 1,000 people, and/or all cities in the seven county metropolitan area must have a water supply plan approved by the DNR. The plan updates will be between 2016 and 2018. Part 3 of the Water Supply Plan is called the Water Conservation Plan. This section includes conservation objectives and strategies. The Engineer reported that he is still gathering data and will provide a review at the April Executive Meeting.

TOWN HALL – UPDATE: The Clerk reported that EDAB member, Bob Scherman has volunteered to serve on a committee with Supervisor Prudhon and the Code Enforcement / Building Inspector to develop a list of improvements to the exterior and interior of the Town Hall.

1:00 A) BRYAN DESMET, WBLCD REPRESENTATIVE – RESOLUTION OF QUALIFIED SUPPORT OF AUGMENTATION BILL; B) TOM SNELL, WBLA CHAMBER OF COMMERCE AND MIKE DOWNING, FRIENDS OF WHITE BEAR LAKE: Brian DeSmet, Township representative on the WBLCD discussed the WBLCD's resolution to continue as the fiscal agent for the augmentation project. By continuing their willingness to be the fiscal agent for funding from the State of Minnesota they have allowed the process to move forward. He reported that Senator Weiger is the chief proponent of a bill in the Senate. Senator Weiger's criteria for the project is that it is affordable, sustainable, and has the support of the communities. Brian DeSmet stated that the City of White Bear Lake is concerned about being obligated to on-going costs as the project moves ahead. He stated that as the legislation is being introduced more information will be coming out and which will stimulate activity and encourage people to take a position. He stated that over the next few months, now that the

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legislature is in session, it will be important to him as one of the Township's representatives to know how the Town Board feels about things.

Mike Downing (Friends of White Bear Lake)/ Tom Snell (WBLA Chamber of Commerce): Mike Downing and Tom Snell attended the meeting to discuss augmentation of White Bear Lake with the St. Paul Regional Water Services. They reported that legislative activities include two bills which are in committee at this time: 1) SF 1910 / HF 2212 regarding Water Sustainability; and 2) SF 2917 / HF 3314 regarding augmentation. It is the assumption that the State will fund 100% of the construction costs, the design cost, engineering cost and maintenance cost if they go forward with augmentation. No augmentation could occur unless there is 100% funding by the State. Mike Downing stated that there is broad support among the communities and the process does not ask for financial support but support for the effort if the bonding is granted. They are asking that the Town support the idea that augmentation will raise the level of White Bear Lake. Kermes asked if the Township and other communities would be obligated for operational expenses. Tom Snell stated that it would be community consensus on how it is paid for in a fair and equitable fashion. Mike Downing stated that if the cost of the pipe and pump system were reduced, homeowners around the lake would be willing to participate. Tom Snell stated that the Town's resolution of support could contain qualifiers regarding how and who pays for operational costs. Tom Snell stated that the Town's resolution of support is about supporting the effort to have the State of Minnesota pay to raise the lake level. Ruzek asked how many around the lake are for or against augmentation. Mike Downing stated that he did not know. The Township needs to look at the request of support so as not to be in conflict with the lawsuit. Mike Downing stated that they do not expect the legislature to support construction this year. They may only get funding for engineering and design this session. It was the consensus that the Town Attorney draft something for review by the Town Board at the next Executive Meeting. If necessary, a special Town Board meeting can be called before the next Executive Meeting to meet the deadline.

BOARD OF AUDIT FOLLOW-UP: The Finance Officer reported that at the Board of Audit Meeting on March 7, 2016, one of the checks reviewed was to Voss Lighting for some light bulbs. Some of the bulbs were for the City of Gem Lake for Heritage Hall and were to be invoiced to the City of Gem Lake. The question came up whether the Town had invoiced Gem Lake or not. After research it was determined that the Town did invoice Gem Lake on January 27, 2015 and the invoice was paid by Gem Lake on February 1, 2015. The Finance Officer provided a copy of the paid invoice.

JULY 4TH FIREWORKS CONTRIBUTION – WHITE BEAR LAKE FIREWORKS COMMITTEE REQUEST: The Clerk reported that the White Bear Lake Fireworks Fund is requesting a donation to their fireworks fund. He noted that the Town has provided a donation for several years. Last year the Town donated \$250.00. He reported that if the Town Board still supports the expenditure, nothing needs to be done and that the donation will be paid through the regular process.

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ZONING ORDINANCE – DEFINITION OF “INITIATED”: The Town Attorney noted that under the Ordinance for a Conditional Use Permit it only requires that the Conditional Use Permit is effective if initiated within a six month period. The Conditional Use Permit does not provide a definition of what initiation is as it applies to this situation. The definition of the word “initiated” is up to the Town. According to the Ordinance initiation means that a permit(s) has been applied for and the fee paid to be considered “initiated”. The Planner will provide a definition of initiated and will present it to the Planning Commission for review and with a recommendation to the Town Board. There was discussion regarding the application for a Conditional Use Permit for construction on Bald Eagle Island. It was noted that a condition of the Conditional Use Permit was for a surety bond to be provided within 30 days of issuance of the Conditional Use Permit. Supervisor Prudhon will provide a cost estimate for demolition of buildings on the island.

PUBLIC WORKS DIRECTOR MONTHLY REPORT: The Public Works Activity Report for March 2016 was distributed for review. The Engineer reported that TKDA is working on the draft feasibility report for sewer/water/ streets for the Hable Farms development. The project will be 100% assessed back to the property. The Engineer will work with the North Oaks Company regarding scheduling. Kermes asked about providing municipal water to the property owners on the north side of County Road H-2. The cost for this project is estimated to be \$150,000 to provide access to water service to the 9 parcels on the north side of H-2. The Engineer will bring a report back to the Town Board. The Township’s Water Fund will help offset some of the costs. It was the consensus that the Board agrees with the concept that the water line be put in and at a future date normal hookup costs be charged. Finance will come back with a concept for funding.

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: A) 1011 MEADOWLANDS DRIVE; B) VACANT/FORECLOSED PROPERTIES: 1011 Meadowlands Drive: A letter was sent to Faulkner Companies regarding the MS4 Compliance Order due to violation of Township Ordinance No. 83, Section 1-2 regarding prohibited illicit discharge. The illicit discharge into the Town’s storm water pond is due to inadequate erosion control methods during construction and is a violation of the Towns MS4 Permit and Town Ordinance. **Vacant/Foreclosed Properties:** The Building Inspector reviewed the list of 20 properties either vacant or foreclosed. The reported provided information on the status whether the property is vacant or occupied; the exterior condition of the property; the date declared vacant; dated 2nd notices sent; date originally registered as vacant; date re-registered; code compliance inspection; certificate of occupancy issued; and the Ramsey County sale date if the property has been sold. It was the consensus that the report is very informative and helpful in reviewing these properties.

CLERK-TREASURER REPORT: The Clerk reviewed notes provided by Barb Strandell, consultant, from the Strategic Planning Session held on February 26, 2016. The Supervisors will review the information and provide comments to the Clerk by April

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8, 2016. He and Barb Strandell will prepare a final document with a consensus on implementation. The Clerk will provide an update at the April Town Board Executive Meeting.

OPEN TIME: No one appeared for the open portion of the meeting

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Ruzek moved to receive all of the agenda materials and supplements for today's meeting. Prudhon seconded. Ayes all.

The meeting adjourned at 3:18 p.m.

Respectfully Submitted,

William F. Short
Clerk-Treasurer